

**City Council Building
November 23, 2004
6:00 P.M.**

Chairman Benson called the meeting of the Chattanooga City Council to order with Councilmen Franklin, Hakeem, Littlefield, Lively, Page, Pierce, and Robinson present. Councilman Taylor was absent due to a prior commitment. City Attorney Randall Nelson, Management Analyst Randy Burns, and Shirley Crownover, Assistant Clerk to the Council, were also present.

**PLEDGE OF ALLEGIANCE/
INVOCATION**

The Pledge of Allegiance was led by Chairman Benson, followed by invocation given by Manual Rico.

MINUTE APPROVAL

On motion of Councilman Lively, seconded by Councilwoman Robinson, the minutes of the previous meeting were approved as published and signed in open meeting.

NICKEY A. BOWMAN

Chairman Benson stated that we were supposed to recognize a person who is well known in East Brainerd and throughout the city, but he was unable to attend the meeting tonight. Councilman Littlefield stated that this had been discussed with Mr. Bowman's family, and he will be here next week, and this recognition will be postponed until that time.

CLOSE AND ABANDON

2004-218 (Jaroslav and Marie Tyman)

On motion of Councilman Lively, seconded by Councilman Pierce,
**AN ORDINANCE CLOSING AND ABANDONING AN
UNOPENED PORTION OF DAVIS STREET (CREST ROAD)
LOCATED EAST OF THE WEST LINE OF THE 2400 BLOCK
OF WOOLSON ROAD, MORE PARTICULARLY DESCRIBED
HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO
AND MADE A PART HEREOF BY REFERENCE**

passed second reading. On motion of Councilman Hakeem, seconded by Councilman Lively, the ordinance passed third and final reading and was signed in open meeting.

**AMEND CITY CODE
OPEN BURNING**

On motion of Councilwoman Robinson, seconded by Councilman Pierce,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE,
PART II, CHAPTER 4, ARTICLE II, SECTION 4-41, RULE 6,
RELATIVE TO AIR POLLUTION RULES, REGULATIONS,
CRITERIA AND STANDARDS AND OPEN BURNING**

passed second reading. On motion of Councilman Page, seconded by Councilman Littlefield, the Ordinance passed third and final reading and was signed in open meeting.

**AMEND CITY CODE
TIMBER REMOVAL**

Councilman Littlefield stated that he had discussed this with the City Attorney and thinks that the way it is presently written is sufficient, and he moved to table this Ordinance permanently.

On motion of Councilman Littlefield, seconded by Councilman Lively,
**AN ORDINANCE AMENDING PART II, CHATTANOOGA CITY
CODE, CHAPTER 31, SECTION 32-325.1 RELATIVE TO THE
TIMBER REMOVAL ORDINANCE**
was tabled permanently.

REZONING

2004-165 (Ray D. Slatton)

Mr. Pace, Director of Operations with RPA, noted that this was deferred from last week; that the property owner has passed away, and they have asked that this be deferred one month.

On motion of Councilman Page, seconded by Councilman Littlefield,
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 6052 HIGHWAY 153, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS
was deferred until January 4th, 2005.

City Attorney Nelson pointed out to the Council that one month from now would be December 28th, and he questioned if the Council would be meeting on that date. Councilman Page suggested the first meeting in January, which would be the 4th.

CONTRACT

On motion of Councilman Littlefield, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. R-04-002 FOR THE UNIVERSITY GREENWAY PROJECT, MARTIN LUTHER KING BOULEVARD TO THIRD STREET, TO SAIN CONSTRUCTION FOR A TOTAL AMOUNT NOT TO EXCEED EIGHT HUNDRED FORTY-THREE THOUSAND DOLLARS (\$843,000.00), INCLUDING A CONTINGENCY OF ONE HUNDRED THOUSAND DOLLARS (\$100,000.00)
was adopted.

ZONING STUDY
ST. ELMO NEIGHBORHOOD

On motion of Councilman Littlefield, seconded by Councilwoman Robinson,

A RESOLUTION REQUESTING THE CHATTANOOGA-HAMILTON COUNTY REGIONAL PLANNING AGENCY TO CONDUCT A ZONING ADJUSTMENT STUDY FOR CERTAIN PROPERTIES LOCATED IN THE ST. ELMO NEIGHBORHOOD, AS SHOWN ON THE ATTACHED MAP, AND MAKE RECOMMENDATIONS TO CHANGE THE CURRENT ZONING TO THE APPROPRIATE ZONE THAT REFLECTS THE CURRENT LAND USE PATTERNS

was adopted.

OVERTIME

Overtime for the week ending November 19, 2004 totaled \$22,150.24.

PERSONNEL

PUBLIC WORKS DEPARTMENT:

- **JOHN W. WEHUNT**—Promotion to Engineering Designer, Pay Grade 17/3, \$36,862.00 annually, effective 11/12/04.
- **ASHRAF ELKHADRAWY**—Promotion to Engineering Project Coord., Pay Grade 20/2, \$38,983.00 annually, effective 11/12/04.
- **REBECCA ROBINSON**—Promotion to Water Quality Coord., Pay Grade 19/3, \$39,499.00 annually, effective 11/4/04.
- **ROZH A. AMEEN**—Hire as Assoc. Eng. Designer, Pay Grade 15/2, \$32,713.00 annually, effective 11/12/04.
- **TONY MADEWELL**—Hire as Assoc. Eng. Designer, Pay Grade 15/2, \$32,713.00 annually, effective 11/12/04.
- **MATT TUCKER**—Re-Hire as Assoc. Eng. Designer, Pay Grade 15/4, \$35,777.00 annually, effective 11/29/04.

PERSONNEL (CONT'D)

CHATTANOOGA POLICE DEPARTMENT:

- **MICHAEL SMITH**—Suspension of one day without pay for Police Officer, effective 11/23/04.

HOTEL PERMITS

On motion of Councilman Lively, seconded by Councilman Littlefield, the following Hotel Permits were approved:

EXTENDED STAY AMERICA #125—6240 Airpark Drive

DAYS INN—101 E. 20th Street

PERSONNEL HEARING

Attorney Nelson reported that the hearing for **JOSHUA MASSENGALE** needs to be rescheduled from November 29th as Shelley Parker has been sick and has not had time to prepare for the hearing. The hearing was re-scheduled for **January 24th, 2005 at 10:00 A.M.** The panel consists of Councilmen Benson, Robinson, and Pierce.

COMMITTEES

Councilman Page reported that the Economic Development Committee met today and looked at a couple of pilot programs, which will be on next week's agenda. These involve Kingdom Signs and Dupont-Sabanci.

Chairman Benson announced that there would be a **District 4 Community Meeting on November 29th at 7:00 P.M. at Erlanger East.**

Councilman Littlefield scheduled a **Legal and Legislative Committee meeting at 3:00 P.M. on Tuesday, November 30th.** Mr. Eichenthal asked that he be allowed to add-on a matter to this Legal and Legislative Committee meeting.

COMMITTEES (CONT'D)

Councilman Hakeem scheduled a **Public Works Committee meeting at 4:00 P.M. on Tuesday, December 7th.**

Councilman Franklin scheduled a **Parks, Recreation, Arts & Culture Committee meeting at 4:00 P.M. on Tuesday November 30th.**

ADJOURNMENT

Chairman Benson adjourned the meeting of the Chattanooga City Council until Tuesday, November 30th at 6:00 P.M.

CHAIRMAN

CLERK OF COUNCIL

**(A LIST OF NAMES OF PERSONS IN
ATTENDANCE IS FILED WITH MINUTE MATERIAL OF THIS DATE)**