

City Council Building
Chattanooga, Tennessee
October 18, 2005
6:00 p.m.

Chairman Robinson called the meeting of the Chattanooga Council to order with Councilmen Bennett, Benson, Franklin, Hakeem, Page, Rico and Rutherford present; Councilman Pierce was absent due to personal commitment. City Attorney Randall Nelson, Management Analyst Randy Burns and Council Clerk Carol O'Neal, CMC, were also present.

PLEDGE OF ALLEGIANCE/INVOCATION

Following the Pledge of Allegiance, Councilman Benson gave invocation.

MINUTE APPROVAL

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

REZONING

2005-144: Chattanooga Community Housing Development Organization

On motion of Councilwoman Rutherford, seconded by Councilman Rico,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE TRACTS OF
LAND LOCATED AT 3701 AND 3705 PIROLA STREET, MORE
PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE TO R-
T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE, SUBJECT TO
CERTAIN CONDITIONS**

passed second and final reading and was signed in open meeting.

REZONING

2005-149: Joe Varner & Beryl Vandergriff

On motion of Councilman Page, seconded by Councilwoman Rutherford,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE TRACTS OF
LAND LOCATED AT 5436 OLD HIXSON PIKE AND 5445 AND 5455
HIXSON PIKE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2
RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE,
SUBJECT TO CERTAIN CONDITIONS**

passed second and final reading and was signed in open meeting.

REZONING

2005-153: Reid M. Henson

City Attorney Nelson stated this request is to be deferred one week; that there was discussion about granting an additional five feet of right-of-way to the applicant and the property description needs to be amended to reflect that.

On motion of Councilman Hakeem, seconded by Councilman Franklin,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF
LAND LOCATED AT 327 STRINGER STREET, MORE PARTICULARLY
DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-2
CONVENIENCE COMMERCIAL ZONE AND R-4 SPECIAL ZONE, SUBJECT
TO CERTAIN CONDITIONS**

was tabled one week.

REZONING

2005-158: Jon Bell

On motion of Councilman Benson, seconded by Councilman Franklin,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF
LAND LOCATED AT 1056 GIVENS ROAD, MORE PARTICULARLY
DESCRIBED HEREIN, FROM R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT
TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE, SUBJECT TO
CERTAIN CONDITIONS**

passed second and final reading and was signed in open meeting.

LIFT CONDITION

2005-159: Cliff Goodlet

On motion of Councilwoman Rutherford, seconded by Councilman Rico,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO LIFT CONDITION NO.
1 IMPOSED IN ORDINANCE NO. 11663 (CASE NO. 2004-251) ON A
TRACT OF LAND LOCATED AT 2117 25TH STREET PLACE, BEING MORE
PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS**
passed second and final reading and was signed in open meeting.

REZONING

2005-165: William H. Ring & Mark E. Stolpman

On motion of Councilwoman Bennett, seconded by Councilman Franklin,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE TRACTS OF
LAND LOCATED IN THE 1000 BLOCK OF DALLAS ROAD, MORE
PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE, R-3
RESIDENTIAL ZONE, AND R-4 SPECIAL ZONE TO R-1 RESIDENTIAL ZONE**
passed second and final reading and was signed in open meeting.

REZONING

2005-169: Brad Standefer

On motion of Councilwoman Rutherford, seconded by Councilman Rico,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF
LAND LOCATED AT 3999 AZALEAN DRIVE, MORE PARTICULARLY
DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO O-1 OFFICE
ZONE, SUBJECT TO CERTAIN CONDITIONS**
passed second and final reading and was signed in open meeting.

AMEND CITY CODE

Councilman Benson stated this mater has been before the Legal and Legislative Committee and after several weeks of discussion the Ordinance is finalized and is recommended for adoption on first reading this evening.

AMEND CITY CODE (Continued)

On motion of Councilman Benson, seconded by Councilman Franklin,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 7, REGARDING CHICKENS AND PERMITS**
passed first reading.

CLOSE AND ABANDON

MR-2005-145: Joel S. Fortune, Jr.

On motion of Councilman Rico, seconded by Councilman Franklin,
**AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE
UNOPENED 1600 BLOCK OF SCHOOL STREET LOCATED EAST OF THE
3800 BLOCK OF ST. ELMO AVENUE, MORE PARTICULARLY DESCRIBED
HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE
A PART HEREOF BY REFERENCE**
was denied.

AMEND CITY CODE

Councilwoman Rutherford stated this ordinance was added pursuant to today's
Public Safety Committee meeting and approval is recommended.

On motion of Councilwoman Rutherford, seconded by Councilman Rico,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 25 BY ADDING A NEW SECTION 25-74 REGULATING
CROWDS ON BUSINESS LOTS BETWEEN MIDNIGHT AND 5:00 A.M.**
passed first reading.

TEMPORARY USE

On motion of Councilman Benson, seconded by Councilman Franklin,
**A RESOLUTION AUTHORIZING FRED K. ROBINSON TO USE
TEMPORARILY THE CITY RIGHT-OF-WAY AT 608 GEORGIA AVENUE TO
INSTALL AN AWNING, AS SHOWN ON THE DRAWING ATTACHED
HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO
CERTAIN CONDITIONS**
was adopted.

ACCEPT PROPOSAL

On motion of Councilman Hakeem, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A PROPOSAL FROM KINSEY PROBASCO HAYS, NEGOTIATE A REAL ESTATE SALES AGREEMENT FOR REDEVELOPMENT, AND EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO FACILITATE THE SALE OF THE OLD T. B. HOSPITAL AND OLD CHILDREN'S HOSPITAL PROPERTY LOCATED ON MILNE STREET
was adopted.

OVERTIME

Overtime for the week ending October 14, 2005 totaled \$107,915.29.

PERSONNEL

The following personnel matters were reported for the various departments:

PUBLIC WORKS DEPARTMENT:

- **RONNIE W. CARPER, MARK A. WEISS** – Suspension (4 days without pay), Crew Supervisor, Sr., City Wide Services, effective October 3-6, 2005.
- **WALTER D. BOYD** – Lateral Transfer, Equipment Operator, Sr., City Wide Services, Pay Grade 8/Step 3, \$25,047.00 annually, effective October 12, 2005.
- **ASHRAF ELKHADRAWY** – Resignation, Engineering Project Coordinator, Engineering, effective October 28, 2005.

Councilman Hakeem inquired as to the personnel transactions for Public Works and asked “the real deal” regarding the engineering resignation reflected on the report. He asked if someone resigned or if they were asked to leave.

Adm. Leach reported that the person left due to a much better job offer.

CHATTANOOGA FIRE DEPARTMENT:

- **TYLER HEAD** – Return from Family Medical Leave, Senior Firefighter, effective September 9, 2005.

PERSONNEL (Continued)

- **MARTHA HUTCHISON** – Voluntary Demotion, Secretary, Sr., Pay Grade 7/Step 6, \$26,899.00 annually, effective October 28, 2005.

CHATTANOOGA POLICE DEPARTMENT:

- **LADARIUS PRICE** – Termination, Police Academy, effective October 11, 2005.

BOARD APPOINTMENT

On motion of Councilman Hakeem, seconded by Councilman Franklin, the following Board appointment was approved:

HAMILTON COUNTY RAILROAD AUTHORITY:

- Appointment of **SALLY ROBINSON** to serve on the Authority.

COMMITTEES

Councilman Page reminded Council members of the **Budget and Finance Committee meeting scheduled for Tuesday, October 25 at 3 p.m.**

Chairman Robinson scheduled a meeting of the **Education, Arts and Culture Committee for Tuesday, October 25 at 3:45 p.m.**

Councilman Hakeem reminded Council members of the **Public Works Committee meeting scheduled for 4 p.m. on Tuesday, October 25.** He expressed appreciation to Councilwoman Rutherford for attending the community meeting last evening regarding the Missionary Ridge historic zoning matter.

Councilman Franklin announced that the **Parks and Recreation Committee stands in recess until Friday, October 21 at 3 p.m.** He noted that the meeting might be held in the Assembly Room depending upon the crowd.

COMMITTEES (Continued)

Councilman Benson stated that the **Legal and Legislative Committee** met this afternoon and the next meeting **is scheduled for Tuesday, November 1 at 3 p.m.**

**ATTENDANCE OF DEPARTMENTAL
ADMINISTRATORS**

Councilman Benson expressed appreciation and congratulated Dan Johnson, noting that ten of ten administrators are present this evening for perfect attendance!

GREG LUTHER

Greg Luther of St. Elmo expressed thanks to the Council for denying the request for abandonment listed on tonight's agenda. He asked that the Council consider planting flowers or something in the area where the abandonment was denied as there is a sidewalk there. He stated that some people do not realize this area is even there and that flowers or something would help; that even a striped crosswalk across Tennessee Avenue with a blinking light for people to cross safely would be helpful. He stated speed is a concern in the general area and it would be useful to have this done especially with the number of festivals in St. Elmo, similar to the Christian celebration this past weekend. He stated when festivals are held St. Elmo Avenue is closed down and patrons have to park on the opposite side of the street in the office and medical complex and cross Tennessee Avenue, which is a busy thoroughfare. He stated it would nice if the sidewalk could be made nice and pretty; that even the residents are agreeable to helping to keep it clean and beautiful with the city's help. He stated this would improve the "downtown" of St. Elmo, as well as make it suitable for all concerned.

Chairman Robinson stated that she is sure Councilman Rico would exert some oversight of this to make the appropriate recommendations acting upon Mr. Luther's suggestion. Councilman Rico positively acknowledged Chairman Robinson's comments.

ADJOURNMENT

Chairman Robinson adjourned the meeting of the Chattanooga Council until Tuesday, October 25, 2005 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)**