

Chattanooga Council Building
May 23, 2006
6:00 P.M.

Chairman Pierce called the meeting of the Chattanooga City Council to other with Councilmen Bennett, Benson, Franklin, Gaines, Rico, Robinson, and Rutherford present. Councilman Page was absent due to prior commitment. City Attorney Randall Nelson; Management Analyst Randy Burns; and Shirley Crowover, Assistant Clerk to the Council, were also present.

**INVOCATION/
PLEDGE OF ALLEGIANCE**

Councilwoman Bennett led the Pledge of Allegiance, followed by the invocation.

MINUTE APPROVAL

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

**SPECIAL PRESENTATION:
JIM MELIA-WOUNDED
WARRIOR PROJECT**

Chairman Pierce noted that there was a Special Presentation and called on Councilwoman Robinson.

Councilwoman Robinson stated that it was a great pleasure to present a Certificate of Appreciation to Mr. Jim Melia on behalf of the City of Chattanooga. She proceeded to read the Certificate, which was signed by all members of the Council and at this time she asked Mr. Melia to tell us a little bit about this project, noting that it was a compelling story that had been told earlier in committee.

JIM MELIA (CONT'D)

Mr. Melia thanked the Council for this proclamation, stating that he was hesitant to accept this honor in his name as it really represented over 15,000 wounded men and women. He explained that the Wounded Warrior Project began in a basement in Roanoke, Virginia with his older brother who had been wounded in the war; that he was cognizant of the many people who had been wounded in Afghanistan and Iraq and began handing out backpacks to them containing useful items; that Walter Reed Hospital heard about this and needed more of the backpacks; that his brother had quit his job and devoted himself fulltime to this effort. He noted that over \$3 million dollars had been raised and mentioned recent legislation signed by the President entitled "The Wounded War Bill". He stated that the sacrifices he himself had made paled in comparison to the sacrifice of all these wounded men and women. He went on to mention that veterans would be riding into Chattanooga; that they had departed on May 8th and ridden across country from California. They will be arriving in Chattanooga on May 31st, and the event will be hosted at Coolidge Park, and Mr. Melia stated that he would like to have all of the Council present to meet these "real" heroes—that they had asked for nothing in return, and we owed them everything. He thanked the Council for their kind words, stating that he was looking forward to seeing them on May 31st.

Chairman Pierce further expressed his gratitude to Mr. Melia and acknowledged what he had done with a very worthy cause.

APPROPRIATION:
CHATT. MUSIC CLUB

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,

AN ORDINANCE APPROPRIATING FROM THE GENERAL FUND TO THE CHATTANOOGA MUSIC CLUB THE AMOUNT OF TWENTY THOUSAND DOLLARS (\$20,000.00), AS THE CITY'S SHARE OF THE COST TO REPAIR THE ORGAN AT THE MEMORIAL AUDITORIUM
passed second and final reading and was signed in open meeting.

AMEND CITY CHARTER

Councilman Benson stated that this was discussed in committee today, and we came to an understanding that this will be withheld until the November election. Attorney Nelson added that this was at the request of the Election Commission; that they have a very full ballot in August, and there is no room left on the ballot, and they asked for this to be held until November.

On motion of Councilman Rico, seconded by Councilwoman Rutherford,

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF CHATTANOOGA, AND ALL ACTS, ORDINANCES, AND OTHER CHARTER PROVISIONS AMENDATORY THEREOF, PURSUANT TO THE PROVISIONS OF ARTICLE XI, SECTION 9, OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT) SO AS TO MAKE APPLICABLE ONLY TO POPULARLY ELECTED OFFICIALS OF THE CITY THE PROVISIONS PROHIBITING FEDERAL, STATE AND COUNTY EMPLOYEES FROM HOLDING OFFICE UNDER THE CITY GOVERNMENT AND HAVING AN INTEREST IN ANY CONTRACT WITH THE CITY

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

AMEND CITY CODE
PURCHASING

Councilman Benson reminded Councilman Rico that this was discussed in his committee today and comes with a recommendation.

On motion of Councilman Rico, seconded by Councilman Franklin,

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 2, SECTION 2-552, RELATIVE TO WHEN PURCHASES, LEASES AND LEASE-PURCHASES REQUIRE PUBLIC ADVERTISEMENT AND COMPETITIVE BIDDING

passed first reading.

**REIMBURSEMENT OF
2003 PROPERTY TAXES**

On motion of Councilwoman Robinson, seconded by Councilman Rico,
**AN ORDINANCE APPROPRIATING FROM THE GENERAL FUND TO
THE CHATTANOOGA REGIONAL HISTORY MUSEUM THE
AMOUNT OF TEN THOUSAND SEVEN HUNDRED NINETY-ONE
AND 28/100 DOLLARS (\$10,791.28) FOR REIMBURSEMENT OF
2003 PROPERTY TAXES AND RELATED INTEREST AND PENALTIES
DUE TO INABILITY TO OBTAIN TAX-EXEMPT STATUS IN A TIMELY
MANNER**

passed first reading.

INTERIM BUDGET

On motion of Councilman Franklin, seconded by Councilwoman
Rutherford,

**AN ORDINANCE PROVIDING FOR AN INTERIM BUDGET AND
APPROPRIATING FUNDS FOR THE USUAL AND ORDINARY
EXPENSES OF THE CITY GOVERNMENT FOR THE MONTHS OF
JULY, AUGUST, AND SEPTEMBER 2006, PENDING THE ADOPTION
OF THE 2006-2007 ANNUAL BUDGET**

passed first reading.

TRANSFER OF FUNDS

On motion of Councilwoman Bennett, seconded by Councilman Franklin,
**A RESOLUTION AUTHORIZING ACCEPTANCE OF THE TRANSFER
OF THREE HUNDRED THOUSAND DOLLARS (\$300,000.00) FROM
THE 21ST CENTURY WATERFRONT CAPITAL FUND TO THE
DEPARTMENT OF PARKS AND RECREATION CAPITAL FUND FOR
THE CONSTRUCTION OF THE OUTDOOR CENTER AT
RENAISSANCE PARK**

was adopted.

TRANSFER OF CREDITS

On motion of Councilwoman Rutherford, seconded by Councilwoman Robinson,

A RESOLUTION AUTHORIZING THE TRANSFER OF CREDITS FROM ONE ACCOUNT TO ANOTHER ACCOUNT WITHIN THE VARIOUS DEPARTMENTS, AGENCIES, AND DIVISIONS OF THE GOVERNMENT

was adopted.

AGREEMENT

Councilman Rico noted that this Resolution, as well as the next one, were both discussed in Public Works Committee and come with a recommendation for approval.

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AN AGREEMENT WITH CONSOLIDATED TECHNOLOGIES, INC. FOR SERVICES TO INVESTIGATE THE SUBSURFACE MIGRATION OF LANDFILL GAS AT SUMMIT LANDFILL IN AN AMOUNT NOT TO EXCEED SEVENTY-FIVE THOUSAND FIVE HUNDRED DOLLARS (\$75,500.00)

was adopted.

AGREEMENT

On motion of Councilman Benson, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AN AGREEMENT WITH QORE, INC. FOR ENGINEERING AND TESTING SERVICES RELATIVE TO CONTRACT NO. E-03-011-302, IGOU GAP ROAD IMPROVEMENTS, PHASE I, FROM GUNBARREL ROAD TO GRAY ROAD, IN AN AMOUNT NOT TO EXCEED TWENTY-FOUR THOUSAND DOLLARS (\$24,000.00)

was adopted.

**ACTION ALARMS OF
CHATTANOOGA, INC.**

On motion of Councilman Franklin, seconded by Councilwoman Rutherford,

A RESOLUTION AUTHORIZING EXPENDITURES FROM THE EDUCATION, ARTS & CULTURE MEMORIAL AUDITORIUM & TIVOLI CAPITAL FUND TO ACTION ALARMS OF CHATTANOOGA, INC. FOR WORK PROJECTS AT THE MEMORIAL AUDITORIUM, INCLUDING ATTIC SECURITY ONLY IN THE AMOUNT OF FIFTY-THREE THOUSAND FIVE HUNDRED FIFTY-FIVE AND 16/100 DOLLARS (\$53,555.16), OFFICE SECURITY IN THE AMOUNT OF THREE THOUSAND NINE HUNDRED EIGHTY-EIGHT AND 44/100 DOLLARS (\$3,988.44), AND LOBBY SECURITY IN THE AMOUNT OF TWO THOUSAND NINE HUNDRED THIRTY-TWO AND 48/100 DOLLARS (\$2,932.48) FOR A TOTAL AMOUNT OF SIXTY THOUSAND FOUR HUNDRED SEVENTY-SIX AND 08/100 (\$60,476.08)

was adopted.

TN. VALLEY CORRIDOR SUMMIT

Councilman Benson stated that this was a piggyback item at the Legal and Legislative Committee last week and comes with a recommendation for approval.

On motion of Councilman Benson, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING BRONZE SPONSORSHIP FOR THE TENNESSEE VALLEY CORRIDOR SUMMIT TO BE HELD IN CHATTANOOGA ON MAY 31, 2006 AND JUNE 1, 2006 IN THE AMOUNT OF TEN THOUSAND DOLLARS (\$10,000.00)

was adopted.

**AGREEMENT/
FRIENDS OF THE FESTIVAL**

On motion of Councilman Franklin, seconded by Councilman Benson,
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE
DEPARTMENT OF PARKS AND RECREATION TO EXECUTE A
LICENSE AGREEMENT WITH FRIENDS OF THE FESTIVAL FOR THE
PERIOD OF JUNE 1, 2006 THROUGH JUNE 30, 2007, RELATIVE TO
RIVERBEND FESTIVAL 2006 AND 2007**

was adopted.

Councilwoman Robinson stated that once a year we get to have this Festival where we partnership with Friends of the Festival. She thanked everyone for all working together to make this a big success, noting that it is affectionately called "Chattanooga's Annual Reunion". She recognized the presence of the Friends of the Festival President, Michael Mallen, noting that Chip Baker was present earlier in the evening. She stated that we were looking forward to this wonderful partnership and the chance to enjoy our 21st Century Waterfront.

OVERTIME

Overtime for the week ending May 19, 2006, totaled \$9,479.25.

PERSONNEL

The following personnel matters were reported for the various departments:

MULTI-CULTURAL AFFAIRS OFFICE:

- **NICOLE GWYN**—Promotion of Administrative Secretary, Pay Grade 9/4, \$27,536.00 annually, effective 5/12/06.

BUILDING MAINTENANCE:

- **AGNES BROWN**—Termination of Crew Worker, effective 5/17/06.

PERSONNEL (CONT'D)

CHATTANOOGA POLICE DEPARTMENT:

- **CATHERINE PINKARD**—Family & Medical Leave of Absence, effective 5-1-06 until 6-19-06.
- **CARRIE A. BARNES**—Resignation of Police Officer, effective 5/12/06.
- **SHANE KEPHART**—Resignation of Police Officer, effective 5/18/06.
- **EMMA ARMSTRONG**—Hire as School Patrol Officer, \$28.22 daily, effective 5/19/06.
- **TASHA LASS**—Two-day Suspension without pay for Police Officer, effective 5/24/06.

PUBLIC WORKS DEPARTMENT:

- **CHARLES F. BISHOP**—Retirement of Crew Worker, effective 5/9/06.
- **HERANA ROBINSON, SR.**—Suspension of two days without pay, effective May 15, 2006.
- **CHARLES E. SANDERS**—Return from Family Medical Leave, effective 5/1/06.

PURCHASES

On motion of Councilman Franklin, seconded by Councilman Benson, the following purchases were approved for use by the Public Works Department:

EAST BRAINERD LUMBER COMPANY (Only bid meeting specs.)
Requisition R0088764/B0003036

Lumber & Related Materials

\$13,884.47

PURCHASES (CONT'D)

WATER ENVIRONMENTAL CONSULTANTS (Only bidder meeting specs.)
Requisition R0089278/B0003106

Chemical Analyses

\$95.00 per hour

TENN RAND CO. INC. (Best bid meeting specs)
Requisition R0089272/B0003105

Fabrication and Repair Services

(See attached minute material for prices)

CHATTANOOGA TRACTOR & EQUIPMENT (Only bid meeting specs)
Requisition R0089525/B0003159

Tractors with Side Flail Mowers

\$141,050.00

PURCHASE

On motion of Councilman Franklin, seconded by Councilwoman Robinson, the following purchase was approved for use by the Chattanooga Fire Dept.:

CENTRAL STATES FIRE APPARATUS (Lowest and best bid meeting specs.)
Requisition R0088618/B0003058

1800 Gallon Fire Tanker Apparatus

\$139,944.00

PURCHASE

On motion of Councilman Rico, seconded by Councilman Franklin, the following purchase was approved for use by the Mayor's Office:

YORK INTERNATIONAL (Single Source Purchase)
Requisition R0089492

Annual HVAC Maintenance Agreement for the DRC

\$11,328.00

BOARD APPOINTMENTS

On motion of Councilwoman Rutherford, seconded by Councilwoman Bennett, the following Board Appointments were approved:

TREE COMMISSION

- Appointment of **KARNA LEVITT**, for a term to expire **May 23, 2009**.
- Reappointment of **LEROY PARKS**, for a term to expire **May 5, 2008**.
- Reappointment of **CHRISTINE BOCK**, for a term to expire **July 31, 2007**.

HEARING:
HAROLD G. BURKE, II

Attorney Nelson explained that **Harold G. Burke, II** had requested an appeal for termination of his job before the City Council. He explained that Mr. Burke was a probationary employee and was not entitled to a hearing. He stated that he would write him a letter to that effect.

COMMITTEES

Councilman Robinson announced that there would be a Manchester Park Neighborhood Watch Meeting on **Thursday, May 25th at 7:00 p.m. at the Manchester Park Church of Christ.**

She also scheduled a meeting of the **Health, Education, Human Services and Housing Opportunities Committee for Tuesday, June 6th at 3:00 p.m.** She explained that there would be a report from the Community Impact Group concerning the work they are doing and other downtown neighborhoods. She noted that she had attended a meeting and felt that this was something the Council would like to know about as a whole. Chairman Pierce expressed his appreciation for Councilwoman Robinson bringing something she had heard at a meeting she attended to the entire Council.

Councilman Franklin extended the Council's sympathy to the family of **Rheubin Strickland**, stating that the family would receive visitors from 6:00 p.m. to 8:00 p.m. today at the Second Missionary Baptist Church and that the service would be tomorrow, May 24th at 11:00 a.m. at the Second Missionary Baptist Church. He is a business partner of Councilman Franklin.

Councilman Benson scheduled a meeting of the **Legal and Legislative Committee on Tuesday, May 30th at 3:00 p.m.**

Councilwoman Bennett reminded everyone of an **Economic Development Committee meeting scheduled for Tuesday May 30th at 4:00 p.m.**

ADJOURNMENT

Chairman Pierce adjourned the meeting of the Chattanooga City Council until Tuesday, May 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)**

