

**City Council Building  
Chattanooga, Tennessee  
June 2, 2009  
6:00 p.m.**

Chairman Benson called the meeting of the Chattanooga Council to order with Councilmen Gilbert, McGary, Ladd, Murphy, Rico, Robinson and Scott present; Councilwoman Berz was absent due to personal commitment. City Attorney Michael McMahan, Management Analyst Randy Burns and Council Clerk Carol O'Neal were also present.

#### **PLEDGE OF ALLEGIANCE/INVOCATION**

Following the Pledge of Allegiance, Councilman McGary gave the invocation for the evening.

#### **MINUTE APPROVAL**

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

#### **SPECIAL PRESENTATION: 2009 "TOGETHER WE CAN" SCHOLARSHIP RECIPIENTS**

**Peter Cooper**, President of the Community Foundation of Greater Chattanooga, expressed his pleasure in presenting the 78 recipients of the 2009 "Together We Can" scholarships. He recognized Rebecca Smith, Director of Scholarships, at the Foundation, noting that the program continues to grow.

Chairman Benson noted that the City puts in \$150,000 per year.

Mr. Cooper responded that they "pay it out" and there is no market exposure there!

**SPECIAL PRESENTATION: 2009 "TOGETHER WE  
CAN" SCHOLARSHIP RECIPIENTS (Continued)**

At this point the students stood and introduced themselves. Students receiving scholarships are: Melissa Akridge, Kala Atkinson, Na'Kita Austin, Byron Banks, LaBresha Battle, Kelvin Brown, Chasity Cain, Micah Chapman, Qwantilla Crawford, Heramb Dave, Ashley Evans, Myia Favors, Garian Foster, Ja'lissa Fredrick, Terry Fuqua, Shakelia Glover, Harneal Goodlow, Orlando Gordon, Terrance Hambright, Lindsey Hammonds, Tanique Harden, Carneshia Hardley, Kierra Hardrick, Preston Harris, Jr., Kennatta Harris, Keyuna Harris, Michael Harris, Rodney Harris, Shaquita Harris, ShaRonda Huff, Jaza Hutchins, La'Derica Jackson, JaQuita Johnson, Williams Jones, Darreka Knox, Hope Laster, Jessica Lynn, Olivia Madlock, Xavier Marshall, Jaleesa Montgomery, Cevin Moore, LaFredrick Moore, Tevin Moore, Minique Murphy, Charice Nash, Lehuor Neou, Morgan O'Neal, Elijah Parrish, Dhara Patel, Ashia Pickett, Shayla Reynolds, Derisha Robinson, Kela Robinson, LaSha Rockymore, Marcherie Savage, Calandra Sherman, Marcus Shropshire, Dominique Sivels, Iman Smith, Arenita Stanley, Darrius Starling, Jennifer Swafford, Quantae Swoope, Ciara Terry, Joel Thomas, Frederick Walker, Jeania Walker, Tenisha Washington, Iesha Webb, Sandra Williams, Jasmine Woodley, Kristin Woods, Steffanie Woods, Aisha McGee, Dominic Gant, Mariah Cosper, Zachary Million and Ariel Lindsey.

**Peter Serodino**, Chair of the Scholarship Committee, came forward at this time and clarified the requirements for students to qualify for the scholarship, noting that they need a 2.50 grade point average and an income of less than \$35,000 per family. He stated Rebecca Smith is the Director of the program and asked those in attendance to imagine having nearly 400 students call saying, "I have a problem". He stated Rebecca gets all the calls and there is an 85 percent retention record. At this point he thanked Ms. Smith for her dedication to the program.

**Rebecca Smith** acknowledged her pleasure in working with the students and the program.

Mr. Cooper again thanked the Council for their continued investment in the children of our city and the future work force.

Councilman McGary jokingly informed the students that "this is not a scholarship, it is a loan and if they flunk they will have to pay the money back to the city"! In a serious mode, he congratulated each and every student and wished them much success.

**SPECIAL PRESENTATION: 2009 "TOGETHER WE CAN" SCHOLARSHIP RECIPIENTS (Continued)**

Chairman Benson stated the students can pay the city back by coming back to the city when they receive their education and put into practice what they have learned. He expressed concern in counting only seven boys out of 78 students; that 71 are girls and only seven boys! He stated we need to do something to inspire young men to apply.

Mr. Cooper stated that they get approximately three times as many applications from females as they do males.

Chairman Benson acknowledged that this is the first time he has noticed it. Mr. Cooper responded that it is a significant issue.

Chairman Benson stated the city is in the education business as \$150,000 is a really good investment. He challenged them to do a good job when they go away and come back. He asked that some of the graduates be presented at next year's scholarship presentation – maybe even a boy!

**APPROPRIATION**

On motion of Councilman Murphy, seconded by Councilman Scott,

**AN ORDINANCE APPROPRIATING FROM THE DEPARTMENT OF PARKS AND RECREATION FUND P415 TO FRIENDS OF THE ZOO, INC. AN AMOUNT NOT TO EXCEED THIRTY THOUSAND DOLLARS (\$30,000.00) FOR THEIR FUNDRAISING CAMPAIGN TO DEVELOP AN ADA ACCESSIBLE PLAYGROUND AT WARNER PARK**

passed second and final reading and was signed in open meeting; Councilwoman Scott voted "no".

**CLOSE AND ABANDON**

**MR-2009-023: Mark Jackson**

On motion of Councilman McGary, seconded by Councilman Murphy,

**AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED ALLEY LOCATED IN THE NORTH LINE OF THE 900 BLOCK OF CRUTCHFIELD STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP AND DRAWING ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS**

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

### AMEND CITY CODE

Councilman Murphy stated Councilwoman Berz is not present tonight, however, he wanted to acknowledge all the hard work and effort she has put into this issue prior to his service on the Council. He expressed hope she would read the minutes and know of his appreciation for all her labor and work.

On motion of Councilman Murphy, seconded by Councilman Rico,  
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,  
 CHAPTER 2, BY ADDING A NEW ARTICLE XIV TO ESTABLISH AN AUDIT  
 COMMITTEE AND PROCEDURES FOR THE CITY COUNCIL AUDITOR**  
 passed first reading.

### INTERIM BUDGET

On motion of Councilman Rico, seconded by Councilwoman Ladd,  
**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 2009, PENDING THE ADOPTION OF THE 2009-2010 ANNUAL  
 BUDGET**  
 passed first reading.

### AMEND BUDGET ORDINANCE NUMBER 12139

On motion of Councilman Rico, seconded by Councilwoman Robinson,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 12139, THE BUDGET  
 ORDINANCE, SO AS TO APPROPRIATE FOUR MILLION FIVE HUNDRED  
 THOUSAND DOLLARS (\$4,500,000.00) FROM THE GENERAL FUND  
 RESERVES DUE TO SHORTFALL IN PROJECTED REVENUES FOR THE  
 CURRENT FISCAL YEAR**  
 passed first reading.

### AGREEMENT

Councilwoman Scott stated that she still feels this contract is excessive in nature and expense and noted that she has great difficulty in supporting it as written.

Councilman Murphy stated in reviewing the contract there could be some "trimming of the fat" as some prices seem high. He stated that it does not seem enough money is going into direct buys of media and/or publications and it is his thought, perhaps, we could do better than this for our money.

**AGREEMENT (Continued)**

Councilwoman Robinson stated as outlined in Committee, this contract involves quite a few changes for better improvement of services, as well as in equipment. She stated administration has pointed out, based on past experience, that when we have run recycling programs in the city they have failed to educate the public about how to do it correctly and when to recycle. She stated if anyone is serious about recycling we have to stay in front of our public. She stated in her mind we need to stay the course with new equipment by recycling twice a month, noting the ever expanding challenge our city faces with new ways to pollute our environment. She stated we have to develop strategies and for that reason supports this appropriation this year.

Councilman Rico addressed the comments made by Councilman Murphy and noted that some of the contract is profit for that company as it is a business and that is what they do; that you get what you pay for. He stated that he knows a lot of Council members have been present at functions where "Rocky" the Raccoon is present and working with children; that this is done all over the city all the time in educating about recycling. He stated we were "beaten to death" when we stopped doing weekly recycling; that we were supposed to have an education program to teach us about recycling the right way and now we must continue educating people. He stated things do not stay the same, they either get better or worse; that we should keep on educating people and get better!

Councilman Murphy stated that he does not disagree with the need to educate the community; that the issue is the "bang for the buck" and direct communication with the recycler, people who need to enroll. He stated it is a campaign and expressed understanding that professionals need to be paid; that it is his wish more funds would be going into direct contact with the target audience.

On motion of Councilman Rico, seconded by Councilman McGary,

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH WATERHOUSE PUBLIC RELATIONS FOR PUBLIC RELATIONS SERVICES RELATIVE TO RECYCLING FOR THE TERM BEGINNING MAY 1, 2009 AND ENDING JUNE 30, 2010 IN AN AMOUNT NOT TO EXCEED ONE HUNDRED TWO THOUSAND DOLLARS (\$102,000.00)**

was adopted; Councilmen Scott, Murphy and Gilbert voted "no".

**SPECIAL POLICEMAN (ARMED)**

Councilman Gilbert stated that he understands this is an armed commission and asked if the gentlemen have gone through the appropriate program of fingerprinting and all.

Chief Maffett responded affirmatively.

On motion of Councilman Rico, seconded by Councilman Murphy,  
**A RESOLUTION AUTHORIZING THE APPOINTMENT OF DEAN C. HAGEN AND PHILLIP W. DYAR, SR. AS SPECIAL POLICEMEN (ARMED) FOR THE CHATTANOOGA POLICE DEPARTMENT, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS**  
 was adopted.

**AGREEMENT**

On motion of Councilman McGary, seconded by Councilwoman Ladd,  
**A RESOLUTION AUTHORIZING THE INTERIM CHIEF OF THE CHATTANOOGA FIRE DEPARTMENT TO ENTER INTO AN AGREEMENT WITH FRANKLIN ASSOCIATES ARCHITECTS, INC. FOR DESIGN OF THE ENTERPRISE SOUTH FIRE STATION IN AN AMOUNT NOT TO EXCEED TWO HUNDRED FORTY-FIVE THOUSAND DOLLARS (\$245,000.00)**  
 was adopted.

**CONTRACT**

On motion of Councilman Rico, seconded by Councilman Gilbert,  
**A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO GR INDUSTRIAL TO RE-ROOF THE POLICE ANNEX BUILDING AND SERVICE CENTER IN AN AMOUNT NOT TO EXCEED EIGHTY-THREE THOUSAND THREE HUNDRED EIGHTY DOLLARS (\$83,380.00)**  
 was adopted.

**AGREEMENT**

On motion of Councilman Gilbert, seconded by Councilman McGary,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS AND RECREATION TO ENTER INTO AN AGREEMENT WITH NORFOLK SOUTHERN TO CONDUCT PRELIMIINARY ENGINEERING SERVICES RELATIVE TO A PROPOSED TRAIL UNDER THE SOUTH CHICKAMAUGA BRIDGE IN AN AMOUNT NOT TO EXCEED TEN THOUSAND DOLLARS (\$10,000.00)**  
 was adopted.

### TEMPORARY USE

Councilwoman Robinson stated that it is a pleasure to approve this request, noting that she has met the owners and this is a very complementary use of adjacent development, particularly the condominiums. She stated this is where it is hoped new retail businesses would come to downtown; that this adds a nice touch to the south shore and it is a great pleasure to make the motion to approve.

On motion of Councilwoman Robinson, seconded by Councilman McGary,

**A RESOLUTION AUTHORIZING ROGER A. CURTIS TO USE TEMPORARILY 129 WALNUT STREET FOR INSTALLATION OF A SIGN, OUTDOOR SEATING, AND PLANTERS, AS SHOWN ON THE MAP AND DRAWINGS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS**

was adopted.

### OVERTIME

Overtime for the week ending May 28, 2009 totaled \$5,665.09

### PERSONNEL

The following personnel matters were reported for the various departments:

#### PERSONNEL DEPARTMENT:

- **JEFFREY E. CLAXTON** – Resignation, Director, Risk Management and Insurance, effective June 12, 2009.
- **KAREN MCMAHON** – Resignation, Project Manager-Wellness, effective June 4, 2009.

#### PARKS AND RECREATION DEPARTMENT:

- **CRAIG MCCLURE** –Transfer from Golf Course, Crew Supervisor 2, Range 10, \$34,228.00 annually, effective May 22, 2009.

**PERSONNEL (Continued)**

CHATTANOOGA POLICE DEPARTMENT:

- **ERIC JONES** – Military Leave Extension, Police Officer, effective May 7 – June 20, 2009.

CHATTANOOGA FIRE DEPARTMENT:

- **JAMES TALLENT** – Retirement, Fire Equipment Specialist, effective May 29, 2009.

PUBLIC WORKS DEPARTMENT:

- **LARRY G. COULTER** – Retirement, Equipment Operator 2, City Wide Services, effective May 28, 2009.
- **ANGELIA STEVENSON** – Termination, Refuse Collection Inspector, effective May 27, 2009.

**HOTEL PERMITS**

On motion of Councilman McGary, seconded by Councilman Rico, the following hotel permits were approved:

**PARK CITY HOTEL** – 2747 Cannon Avenue, Chattanooga, Tennessee

**RESIDENCE INN** – 2340 Center Street, Chattanooga, Tennessee

**HAMILTON INN** – 2717 Rossville Boulevard, Chattanooga, Tennessee

**BOARD APPOINTMENT**

On motion of Councilman Rico, seconded by Councilman Murphy, the following Board appointment was approved:

**OFFICE OF MULTICULTURAL AFFAIRS BOARD:**

Appointment of **REV. DR. DAVID CLIFFORD BROWN** to fill the unexpired term of Wade Hinton, for a term expiring June 30, 2011.



**PURCHASES**

On motion of Councilman Rico, seconded by Councilman McGary, the following purchases were approved for use by the various departments:

PUBLIC WORKS DEPARTMENT:

**EAST BRAINERD LUMBER CO. (Lower and better complete bid)**  
**R0121142/B0006008**

Blanket Contract for the Purchase of Lumber (*Evans Lumber Company's low bid was incomplete and disqualified as a non-responsive bid.*)

\$11,633.94 – Estimated Annual Cost

CHATTANOOGA FIRE DEPARTMENT:

**APPAREL SEWN RIGHT (ASR) (Lowest and best complete bid)**  
**R0120063/B0005901**

Blanket Contract for the purchase of Fire Fighter Uniforms (*GT Distributors, Law Enforcement Supply, Safety & Security all submitted lower bids that were disqualified and ruled non-responsive for failing to bid all items and submit the required samples. Apparel Embroidery submitted a lower bid with samples, however, they, too, failed to bid all items.*)

\$60,948.10 – Estimated Annual Cost

**HEARING: FREDERICK MOORE**

City Attorney McMahan stated at last week's meeting he reported the request for hearing from Frederick Moore. He stated he has been in contact with Mr. Moore's attorney and was told Mr. Moore has been scheduled for military training and will be in the service until August. He stated it was suggested that we either schedule for the last of August or wait until the first of August upon Mr. Moore's return.

It was the consensus of the Council to wait until the first of August to schedule Mr. Moore's personnel hearing.

### COMMITTEES

Councilwoman Scott stated the **Economic Development Committee** met today for an educational discussion on PILOTS, Payment In Lieu of Taxes; that one or two PILOTS would be coming before the Committee on **Tuesday, June 16 immediately following Public Works Committee.**

Councilwoman Robinson reminded Council members of the meeting of the **Health, Human Services and Housing Opportunities Committee immediately following Legal and Legislative on Tuesday, June 9** for a report from Barry Bennett on how we can update our reports to the public on zoning matters that have come before the Regional Planning Agency, sales of recent properties through the MLS service and rezonings before the City Council.

Councilman Murphy scheduled a meeting of **the Legal and Legislative Committee for Tuesday, June 9 immediately following the agenda session** for a fact finding session relative to the nightclub ordinance discussed previously.

Councilman Gilbert scheduled a meeting of the **Parks and Recreation Committee for Tuesday, June 9 immediately following Health, Human Services and Housing Opportunities** to discuss Riverpark usage.

### NEXT WEEK'S AGENDA: JUNE 9, 2009

Chairman Benson referred Council members to next week's agenda located in their notebooks and asked if there were questions for Dan Johnson in reference to items listed; there were none.

The agenda for next week's meeting has been spread upon the minutes:

#### Ordinances – First Reading:

- a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Section 38-2, Section 38-185, and Section 38-527, relative to the regulation of nightclubs. **(Tabled two weeks from 5/26/09.)**
- a) An ordinance to amend Chattanooga City Code, Chapter 5, by adding a new Article VI, Sections 5-189 through 5-194, relative to Special Gathering Permits. **(Tabled two weeks from 5/26/09.)**

**NEXT WEEK'S AGENDA: JUNE 9, 2009 (Continued)**

- b) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, by amending Article II to add definitions for “Garden Center,” “Greenhouse, Commercial,” “Greenhouse, Non-Commercial,” “Nursery, Commercial,” and “Nursery, Non-Commercial,” and amending Article V, Sections 38-187(3), 38-206(2), 38-321(1), and 38-473(12) within C-2 Convenience Commercial Zone, Urban General Commercial Zone, M-2 Light Industrial Zone, and parking requirements sections to include these new definitions.
- c) 2009-057 John P. Franklin, Jr. (From R-2 to C-2). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 1016 Peachtree Street, more particularly described herein and as shown on the maps and drawing attached hereto and made a part hereof by reference, from R-2 Residential Zone to C-2 Convenience Commercial Zone. **(Not recommended for approval by Planning-see alternate version.)**
- 2009-057 John P. Franklin, Jr. (From R-2 to C-2). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 1016 Peachtree Street, more particularly described herein and as shown on the maps and drawing attached hereto and made a part hereof by reference, from R-2 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Recommended for approval by Planning.)**
- d) 2009-063 Michael Barnes (From R-1 to C-2). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 1514 and 1516 Ely Road, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, from R-1 Residential Zone to C-2 Convenience Commercial Zone. **(Recommended for denial by Planning.)**
- e) 2009-067 Helen W. Henley (From M-1 to C-7). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 116 Peerless Avenue, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, from M-1 Manufacturing Zone to C-7 North Shore Commercial/Mixed Use Zone. **(Not recommended for approval by Planning-see alternate version.)**
- 2009-067 Helen W. Henley (From M-1 to C-5). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 116 Peerless Avenue, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, from M-1 Manufacturing Zone to C-5 Neighborhood Commercial, subject to certain conditions. **(Recommended for approval by Planning.)**

NEXT WEEK'S AGENDA: JUNE 9, 2009 (Continued)

- f) 2009-075 Greg Vital (Amend Conditions). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to amend the conditions imposed in Ordinance No. 11957 (Case No. 2007-046) on property located at 5501 Old Hixson Pike, being more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning-see alternate version.)**

2009-075 Greg Vital (Amend Conditions). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to amend the conditions imposed in Ordinance No. 11957 (Case No. 2007-046) on property located at 5501 Old Hixson Pike, being more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning.)**

- g) 2009-078 Tennessee Temple University (From R-1 & R-3 to R-4). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 1715 Union Avenue and in the 1700 block of Kirby Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-1 Residential Zone and R-3 Residential Zone with conditions to R-4 Special Zone. **(Not recommended for approval by Planning or Staff-see alternate versions.)**

2009-078 Tennessee Temple University (From R-1 & R-3 to R-4). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 1715 Union Avenue and in the 1700 block of Kirby Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-1 Residential Zone and R-3 Residential Zone with conditions to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

2009-078 Tennessee Temple University (From R-1 & R-3 to R-4). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 1715 Union Avenue and in the 1700 block of Kirby Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-1 Residential Zone and R-3 Residential Zone with conditions to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Staff.) (Different condition #3.)**

**NEXT WEEK'S AGENDA: JUNE 9, 2009 (Continued)**

- h) 2009-079 Robert Hall (From R-1 to C-2). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 1101 Greens Road, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, from R-1 Residential Zone to C-2 Convenience Commercial Zone. **(Not recommended for approval by Planning-see alternate version.)**

2009-079 Robert Hall (From R-1 to C-2). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 1101 Greens Road, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- i) 2009-080 Jay M. Phillipose (From R-1 to R-4). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 7415 and 7419 Ziegler Road, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-4 Special Zone. **(Not recommended for approval by Planning-see alternate version.)**

2009-080 Jay M. Phillipose (From R-1 to R-4). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 7415 and 7419 Ziegler Road, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

Resolutions:

- a) A resolution authorizing the Department of Education, Arts & Culture to apply for and, if awarded, accept a grant from the Community Foundation of Greater Chattanooga in the amount of \$20,000.00 for the Unbroken Youth Initiative and "What's Going On?" partnership reading initiative.
- b) A resolution authorizing the award of Contract No. E-03-028-202, Hamill Road Improvements – Hwy. 153 to Hixson Pike – Phase 2, to Tennessee Dirtworks, LLC in the amount of \$374,100.00, plus a contingency amount of \$37,400.00, for a total contract amount not to exceed \$411,500.00.

NEXT WEEK'S AGENDA: JUNE 9, 2009 (Continued)

- c) A resolution authorizing William S. Lewin to use temporarily the right-of-way at 4519 Balcomb Street to allow the porches of three houses to protrude into the right-of-way, subject to certain conditions. **(Recommended for denial by Public Works.)**
- d) A resolution authorizing the award of Contract No. E-07-001-201, River Street Extension – Phase 1, to Dillard Construction, LLC in the amount of \$710,190.53, plus a contingency amount of \$69,809.47, for a total contract amount not to exceed \$780,000.00. **(By permission of Vice Chair Rico.)**
- e) A resolution authorizing the Administrator of the Department of Public Works to accept funds from Tennessee Valley Authority in the amount of \$35,000.00, for the installation of a “Low Impact Parking Lot” at Renaissance Park as part of Contract No. E-07-001-201, River Street Extension, Phase 1. **(By permission of Vice Chair Rico.)**
- f) A resolution authorizing the Administrator of the Department of Neighborhood Services and Community Development to enter into a Professional Services Contract with Asset Property Disposition, Inc. to develop a Neighborhood Stabilization Implementation Plan for the utilization of the City’s Neighborhood Stabilization Program funds in an amount not to exceed \$40,000.00.
- g) 2009-074 Tennessee Temple University (Preliminary PUD). A resolution approving a Preliminary Institutional Planned Unit Development Special Exceptions Permit for a Proposed Institutional Planned Unit Development on tracts of land being generally bounded on the north by Bailey Avenue, on the south by Bennett Avenue, on the east by South Willow Street, and on the west by South Hickory Street, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning.)**
- h) 2009-081 Tennessee Temple University (Abandon PUD). A resolution abandoning a Preliminary Final Institutional Planned Unit Development Special Exceptions Permit (Case No. 2008-160) for a Proposed Institutional Planned Unit Development on tracts of land being generally bounded on the north by Bailey Avenue, on the south by Bennett Avenue, on the east by South Willow Street, and on the west by South Hickory Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for approval by Planning.)**

**NEXT WEEK'S AGENDA: JUNE 9, 2009 (Continued)**

- i) A resolution authorizing the acceptance of a sponsorship, if granted, from AT&T in the amount of \$50,000.00 for "Think & Draw and Talk About It" booklets and the "What's Going On?" reading program. **(Added by permission of Council Chair Benson.)**

**TML ANNUAL MEETING**

Chairman Benson announced that Chattanooga would be hosting the Annual Tennessee Municipal League (TML) meeting next Saturday – Tuesday (morning) at the Convention Center. He stated the annual meeting involves all cities throughout Tennessee.

**TIM BUTLER**

**Tim Butler** of the Chattanooga Rescue Mission, 924 East Eighth Street, was present seeking help on behalf of the Mission and the neighborhood between where they are located now and where they are moving (Senter School) in a couple months. He stated a planning meeting was held last Saturday and two people were present expressing the concerns of many persons within the neighborhood between the two sites, noting now that they are moving, homeless people they provide shelter, meals and other services to would be moving through their neighborhoods. He stated that he talked with representatives of STS for assistance and was told they had applied for a grant to assist in transporting the homeless but were not able to get the grant. He stated they have a need; however, the neighborhood residents are concerned about the homeless traipsing through their neighborhood. He stated they need help getting them back and forth sometimes twice a day.

Chairman Benson asked for clarification that SETHRA turned him down.

Mr. Butler responded that they applied for a grant and were not able to get it and then said they were not able to help; that he is looking for help starting here with the Council. He stated that he called the Mayor to speak with him about this but he has not returned the call, yet, and knows that he will. He stated that he wanted to voice his concern.

Councilman McGary stated that he was at the meeting Mr. Butler referenced and for detail he is speaking of transportation two times a day: in the morning and evening, between Senter School on Holtzclaw to the Community Kitchen.

**TIM BUTLER (Continued)**

Councilwoman Robinson inquired as to the number of passengers Mr. Butler is speaking of.

Mr. Butler responded that the present capacity houses 24 men and 12 women; that the new facility will have an immediate capacity of ten-to-twenty percent more.

Councilwoman Robinson stated there are a lot of churches in that area and suggested maybe some have vans and it would be a good idea to call around and ask if they could assist on a rotating basis with each taking a day and dividing that up.

Mr. Butler stated that suggestion was discussed at Saturday's meeting and it is a good idea. He stated that is not to say they will not follow through, they have not, as yet; that it would seem logical that would be able to happen as a lot of churches are compassionate toward their mission. He stated it is his thought there would be a cost involved for the city or someone to get involved as twice a day is not a big ordeal.

Chairman Benson asked how many people would be transported.

Mr. Butler responded "60 people" and noted that is probably a high number as they can house 28 men and 12 women and not more than that come; that people who now stay there want to stay there.

Chairman Benson expressed thankfulness for what Mr. Butler is doing, noting that it is his hope he (Butler) can be helped.

Councilman McGary stated it was at his request that Mr. Butler has come to address the Council; that many ideas came forth in the meeting and one was to work with churches and other private institutions. He stated that he felt it would help to see if the Council could be of help.

Chairman Benson stated this should be a missionary effort on the churches part.

Councilwoman Ladd admitted that she may be a little naïve to all the services the Community Kitchen offers and asked if it would be easier to move the food to the new location – bring the meals to his (Butler's) location.

Mr. Butler responded "no"; that the Community Kitchen offers many more services than the Mission is able to.



**TIM BUTLER (Continued)**

Chairman Benson clarified that the Community Kitchen offers day time services and the Mission offers night time services.

Mr. Butler responded that the Mission is an overnight, emergency shelter. He stated the homeless come in for a meal, bath/shower, we give them a gospel message, have a place to sleep and are back out the next morning. He stated it is hoped they will be able to grow their services; that it is his feeling the Lord is involved in the purchase of this building as there will be 30,000 feet at the new location and services will be expanded. He stated it is his belief they have a good thing and will continue to help the homeless.

Chairman Benson asked if the matter could be placed in the Housing Committee.

Councilwoman Robinson stated that the Committee is due to meet next Tuesday, June 9 to discuss a different matter that day. She stated the best thing would be to meet with Mr. Butler after the meeting and exchange contact information.

**ADJOURNMENT**

Chairman Benson adjourned the meeting of the Chattanooga Council until Tuesday, June 9, 2009 at 6:00 p.m.

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**CHAIRMAN**

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**CLERK OF COUNCIL**

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