

**City Council Building
Chattanooga, Tennessee
June 20, 2006
6:00 p.m.**

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

PLEDGE OF ALLEGIANCE/INVOCATION

Following the Pledge of Allegiance by Councilman Rico, Warren Logan, Executive Director of the Chattanooga Area Urban League, gave invocation.

MINUTE APPROVAL

On motion of Councilwoman Robinson, seconded by Councilman Rico, the minutes of the previous meeting were held for approval until June 27, 2006.

SPECIAL PRESENTATION: "TOGETHER WE CAN" SCHOLARSHIP RECIPIENTS

Pete Cooper of the Community Foundation introduced Pete Serodino, Chairman of the Scholarship Committee and Board member of the Community Foundation.

Pete Serodino stated that it was a pleasure to see so many smiling faces and an even greater pleasure to present the recipients of the "Together We Can" scholarship. He stated that the scholarship program started in 1992 with a joint fund by the city and Community Foundation; that more than 300 scholarships have been awarded and of that number 200 have graduated from college. He stated the criteria for this year was a 3.0 average and 42 students were awarded scholarships based on the amount of money needed to balance the money needed to go to state schools. At this point he asked all parents and family members with the students to stand.

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

Mr. Serodino asked if the Council could imagine having four, ten or twenty children in school and then asked imagine having 242 children in college! He stated Rebecca Smith has 242 kids in college and for everyone to think of the telephone calls she receives – the good and bad (calls)! (Rebecca Smith works closely with the "Together We Can" scholarship recipients and is employed by Community Foundation to work directly with the program and students.) He stated Rebecca has a 70 percent retention rate and 80 percent of her scholarship students have graduated! He asked all students to stand and introduce themselves.

Prior to introductions, Rebecca Smith stated that new students, current students and recent graduates are represented today.

At this point each student stood and introduced themselves, including the school they would be attending. Scholarship recipients are: Justin Amaker, Kelly Atkins, Anjonet Austin, Jessica Barlow, Tiffany Bridges, Erica Bush, DeMario Butts, Kyliah, Choice, Brittany Clay, Jada Corbin, Caitlin Elliott, Mario Grimes, Krystie Hamilton, Candice Harden, Meon Horne, Okemia Jones, Jeremy Langford, Brittany Lightfoot, Andre Magruder, Alisha Manghane, Jarvis Norman, Ijahman Norwood, Gregory Owens, Jr., Tinea Payne, Jaessa Penderon, Joseph Richardson III, Michael Scruggs, Kevin Simmons, Tiffany Smith, Sparkle Sparks, Laura Sullivan, Melissa Thomas, Jamaica White, Courtney Atkinson, LaFonda Jackson, Dirisha Caslin, Keywanna Pickett, Wesley Carr, Ashley Hancock, Emily Brooks, and April Taylor.

Councilman Benson accepted the class for the Council and expressed thanks for their willingness to pursue their education; that this will give them an opportunity to make an investment in their future not only to themselves but to their community. He stated that this is the best money the Council can spend in preventing problems that people without education fall into. He told the students they have an opportunity and money to go to college and they have chosen to go; that "doors will be opened" and they will be capable of going through that door and coming out and making this a better community and way of life. He stated few cities that he knows of spend money like this; that this is an investment and it is not costing the city anything if they take advantage of it; that it will be returned many fold back into the city. He stated every Council member feels this is one of the programs they have in the city that is the way to spend money, not an expenditure but an investment that will come back many times. He expressed thanks and appreciation to the Community Foundation and told the students the Council has high hopes for their future.

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

Chairman Pierce stated that it is great support for the students to look around and see someone present to back them up. He commended parents and other family members for their presence, as well as Pete Cooper, Pete Serodino and the Community Foundation. He stated he was a member of the Council at the inception of the scholarships in 1992 and was initially leery about the program, but as Councilman Benson stated, he does not think anything better could have been done with the city's money.

AMEND ZONING ORDINANCE

On motion of Councilman Rico, seconded by Councilman Page,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, BY AMENDING ARTICLE III,
SECTION 101 AND ADDING A NEW SECTION 106, RELATIVE TO ZONES
AND BOUNDARIES**
passed second and final reading and was signed in open meeting.

REZONING

2005-165: Ray D. Slatton

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

CLOSE AND ABANDON

MR-2006-079: Timothy Duckett/Millennium Taxi Service

Councilman Rico stated Ordinances (c), (d) and (e) were discussed in Public Works Committee and approval is recommended.

CLOSE AND ABANDON (Continued)

On motion of Councilman Rico, seconded by Councilwoman Rutherford,
**AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE
SOUTHERN THIRTY-EIGHT FOOT (38') RIGHT-OF-WAY OF THE 1600
BLOCK OF EAST 21ST STREET, MORE PARTICULARLY DESCRIBED HEREIN
AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART
HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS**
passed second and final reading and was signed in open meeting.

CLOSE AND ABANDON

MR-2006-084: Ken Defoor

On motion of Councilwoman Rutherford, seconded by Councilwoman Bennett,
**AN ORDINANCE CLOSING AND ABANDONING PORTIONS OF THE
2300 BLOCKS OF NAPIER DRIVE AND TIMERLANE TRAIL AND THE 7300
BLOCK OF MCCUTCHEON ROAD, MORE PARTICULARLY DESCRIBED
HEREIN AND AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE
A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS**
passed second and final reading and was signed in open meeting.

CLOSE AND ABANDON

MR-2006-085: Ken Defoor

On motion of Councilman Benson, seconded by Councilwoman Rutherford,
**AN ORDINANCE CLOSING AND ABANDONING A PORTION OF A
SEWER LINE AND RIGHT-OF-WAY EASEMENT LOCATED AT 7318
MCCUTCHEON ROAD, 2314 AND 2318 NAPIER DRIVE, AND 7315
SHALLOWFORD ROAD, MORE PARTICULARLY DESCRIBED HEREIN AND
MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN
CONDITIONS**
passed second and final reading and was signed in open meeting.

REZONING

2006-095: Advance Paper Company

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 3409 AND 3411 CALHOUN AVENUE, MORE
PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO
M-1 MANUFACTURING ZONE, SUBJECT TO CERTAIN CONDITIONS**
passed second and final reading and was signed in open meeting.

REZONING

2006-108: Tommy Woods

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 IN THE 1100 TO 1200 BLOCKS OF NORTH MOORE
ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM RT-1
RESIDENTIAL TOWNHOUSE 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.

AMEND CITY CODE

Councilman Benson stated that the Legal and Legislative Committee recommends approval of Ordinances (a) and (b), however, item (a) has a late amendment that Atty. Fritz was to give to Mr. Nelson.

City Attorney Nelson indicated that he did not receive the amendment.

Councilman Page stated that Fred Weinhold, a member of the Beer Board, is present.

Councilman Benson stated Atty. Fritz is familiar with the amendment and it is not in the ordinance he (Benson) has.

City Attorney Nelson suggested that the ordinance be passed on first reading and amended prior to second reading.

AMEND CITY CODE (Continued)

Mr. Weinhold stated that the amendment discussed at the Beer Board last week was to add a phrase at the beginning of Section 4(b) to confirm the effective date of the part that goes with the State Legislature's effective date. He stated "*Subsequent to July 1, 2007 the Board shall not . . .*" should be added. He stated that it is a specifically technical amendment to make sure the ordinance considered is compatible with the State.

Councilwoman Rutherford asked if the change applies to the one section or the whole thing.

City Attorney Nelson responded "the whole thing".

Councilwoman Rutherford stated that the first thing was not to be effective immediately; that Section 2(d) needs to go into effect now.

City Attorney Nelson stated that it can not; that we are talking about four days. He stated that originally it would take effect two weeks from its date of passage which would move it up to July 11; that this amendment will move it back to July 1. He stated it could be moved to June 27.

Councilwoman Rutherford stated that she wanted to be sure it went into effect in the very near future; that Section 4(b) does not go into effect until July 1, 2007.

City Attorney Nelson read the amendment in open meeting which states in Section 5, "*Be it further ordained, that this Ordinance shall take effect two weeks from and after July 1, 2006*".

On motion of Councilman Rico, seconded by Councilwoman Robinson,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 5, SECTIONS 5-48, 5-75, AND 5-82, RELATIVE TO BEER AND
ALCOHOLIC BEVERAGES**
passed first reading.

AMEND CITY CODE

On motion of Councilwoman Rutherford, seconded by Councilman Rico,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 24, SECTION 24-305, RELATIVE TO PARKING**
passed first reading.

REZONING

2006-090: Mary Sue Foskey

Jerry Pace, Director of Development Services with the Regional Planning Agency (RPA), stated this case was deferred from last month.

Robert Grote of Grant, Konvolinka and Harrison was present representing the applicant and stated that the outstanding litigation has been settled and an order has been entered by Chancellor Brown.

On motion of Councilman Benson, 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 2819 AND 2821 WALKER ROAD, MORE
PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO
O-1 OFFICE ZONE, SUBJECT TO CERTAIN CONDITIONS**
passed first reading.

CONTRACT

Councilwomen Rutherford and Bennett made the motion to move Resolution (d) forward on the agenda; the motion carried.

Chairman Pierce stated that the Council normally does not have hearings on resolutions and expressed hope the Council would support allowing persons to speak so as to enlighten the Council as to what this study is all about.

Jacqueline Strong-Moss, Administrator of the Office of Multicultural Affairs (OMA), stated that she knows the City Council has questions that may be better answered from those better qualified from the study, to help field questions and resolve the issues she may not be able to adequately explain. She asked Rodney Strong of Griffin and Strong, David Eichenthal from the Chattanooga Research Council (CRC) and Barbara Medley of UTC to come forward as they are the three together, if the contract is approved, who will be implementing the two part study. She clarified that Rodney Strong is in no way related to her. She stated the study is a capacity building study that will help the city of Chattanooga improve its contracting practices by identifying qualified applicants, minority and women businesses, also, by giving the city an opportunity to grow and expand on opportunities and give a catalog of who is out there that are ready, willing and able to do the work.

CONTRACT (Continued)

Admin. Strong-Moss stated Mr. Strong, Dr. Medley and Mr. Eichenthal are present to address issues such as why the city would need a disparity study for women and business and what benefits the study will give the city. She stated as for the community assessment, Mr. Eichenthal will address the issue further; that he and Dr. Medley were a large part of the Summit process. She asked the Council to indulge them and noted that State Representative Dr. Tommie Brown, an integral part of the movement, would like to speak, as well.

Rodney Strong, a principal of the law firm in Atlanta, stated his firm has done a lot of consulting work in the area and completed one work for the state of Tennessee and for the Department of Administrative Services for the city of Memphis. He stated that the firm has worked with FedEx and most recently completed a major study for the metro government of Nashville and Davidson County and are very familiar with this area in Tennessee. He stated a big part of this two part study is the community assessment and asked Dr. Medley of UTC to address the primary subcontract, followed by David Eichenthal whose organization will play a big role. He stated he would "wrap it up" with a few comments.

Dr. Barbara Medley expressed thanks to Chairman Pierce and the Council for the opportunity to speak about the work that has been done in building toward this point. She stated that it is her thought most are aware of the work over the past year-and-a-half of the Summit that was initially brought about by four Council persons concerned about the issues and problems facing minority communities. She stated there are a number of gaps in terms of the outcome and opportunity structure for those who are minorities in this community and those Councilmen are very concerned about that. She stated through the Summit process many members of the Chattanooga community sat down to identify what some of the problems were and one of the things that came out of the two major meetings last year, as well as the work of seven task forces that kept coming to the core, was the lack of data and information with which to address the problems.

Dr. Medley stated studies have been done however the problem is that many did not prove all the information needed and, in addition, the Census data is quite old at this point and not able to provide statistical representative data needed to understand what is going on in terms of many of the problems. She stated there is a need to get this data in place and get this research done so we as a community can find answers and the disparity study is one of the things that came out of that discussion. She stated what they are actually doing is bringing to this point something that has been considered very important and many have put time and effort into this productive endeavor.

CONTRTACT (Continued)

Dr. Medley stated that they put together a proposal for the study not only to address the questions that came out of the task force process, it addresses many other issues in our community – housing, crime, economic development, employment, social services and health. She stated they are looking forward to an opportunity to provide the city with some extremely useful data and information they think will make a strong difference in how we govern and the kinds of decisions made to address problems effectively.

David Eichenthal stated that it is a pleasure to be back and noted that he was present mostly to answer questions that have arisen. He stated the CRC's role is as sub-consultant to Griffin and Strong; that their role would be to work closely with UTC on the community assessment study. He stated before answering questions he made brief points in terms of the value and the input in which the impact of the community assessment study would make and reflected back to the time he first joined the city in 2002. He stated that he remembered going to visit many on the Council at that time to talk about measuring performance in city government and remembered meeting with Councilman Page who asked whether just measuring something can actually have an impact. He stated that his (Eichenthal's) response was that it could and he (Page) agreed and the underlying theory behind the community assessment is similar.

Mr. Eichenthal stated the type of detailed analytical study the Office of Multicultural Affairs asked for in the request for proposal is necessary to make a determination as to the type of issues out there that need to be addressed; that they would go through an examination and make a diagnosis. He stated when it comes to the question of disparity, particularly based upon race, the level of analysis and detail is particularly important. He stated that it is his hope the Council will recognize there is a perception of disparity based upon race and, in some circumstances, a reality; that the clearest commitment this Council could make in this regard is to make an investment similar to the investment the Council talked about in terms of the Community Foundation scholarships that an investment in this type of research begins to develop solutions to problems that may exist. He stated he would be happy to answer any questions about the availability and nature of the data.

At this point, Admin. Strong-Moss asked members of the OMA Board, as well as participants from the Summit, to stand. Several in attendance stood.

Mr. Strong stated the disparity aspect is a two part study; that Mr. Eichenthal and Dr. Medley spoke in terms of the community aspect; that he would like to hit key points regarding the minority owned business component.

CONTRACT (Continued)

Mr. Strong stated he was sure many are very aware that these types of studies are basically required in terms of doing any type of program and this is going to have an impact on the procurement process based on gender or ethnicity; that in addition all should also know a component of the study is a procurement process and review analysis. He noted that his firm has done twenty-four major studies for governments around the country and are currently doing a major study for Atlanta, now. He stated very often in work his firm has done they find it is by reviewing the procurement process suggestions can be made regarding change that result in opening up progress for more competition and has resulted in a cost saving benefit. He stated in addition to that, a number of federal requirements are becoming more specific in terms of how that is captured. He stated he has done consulting work with State Commissioner Sims-Davis and the state of Tennessee is focusing more on that area. He stated the other point is that they often look at the issues as one of race or ethnicity, also a large component associated with gender disparities; that he recently completed a study and found gender disparity involving women owned businesses actually exceeded disparities based on ethnicity in some cases and in that community efforts were made to address women owned businesses and the problems they had.

Dr. Tommie Brown thanked the Council for allowing her to make comments since this is a subject close to her heart. She stated that she sat and listened to the young people who stood before the Council earlier in the meeting and heading out in to the future give their names, the proposed school they plan to attend, their majors and thanked Council members for the investment the Council made in them. She stated the Council told them that they expected returns and rightly so. She stated her question tonight is as we ponder this issue, how does the Council really ask them to return, to what does the Council ask them to return, do they bring their hopes and dreams and what kind of foundation would be here for them to build upon -- that is the question she puts before the Council. She stated let us say to them "yes", this community is ready and waiting for them and, more importantly, we desperately need the expertise they can bring back. She referenced an electronic message each on the Council should have received from Forestine Watson-Hayes of the 28th Legislative CDC, as association she (Brown) has affiliation with; that the CDC Board she spoke of in the e-mail wholeheartedly endorses and supports this endeavor. She stated in 2000 the CDC brought into this community one of the leading experts in this country on disparity studies and the importance of them to the whole of the community and all learned much. She stated that she has the pleasure of working in Nashville six months out of the year and informed the Council it is the number one place one would want to live and work, all the young people are heading there to put down their roots to grow and develop.

CONTRACT (Continued)

Dr. Brown expressed thanks to the Council and urged them to give full consideration to the request before them and noted that she stands with them and supports them.

Admin. Strong-Moss reminded the Council that they are not asking for new dollars; that they are asking for existing dollars allocated in the budget to do this work. She stated those dollars were placed in the budget based on work of the African American Summit, a community initiative that said these two studies were needed; that it was not something that happened over night as it was two years in the making. At this point she asked Dr. Medley and Messrs. Strong and Eichenthal to come back to the podium and noted that it is very important for them to know what the true issues are in an attempt to address and resolve any concerns the Council may have about the effective use and capacity building this study will bring to the city.

Councilman Benson stated that he had a very good meeting with Mrs. Strong-Moss who answered some of his questions. He prefaced his comments referencing the number of students that were present and going to college to be contributing citizens and have skills; that he was looking at the \$450,000 amount when they were here and the Council could have three times that number going to college on this one cost, this one study! He stated that he was thinking what that would do down the road in this community if the Council could triple the number of scholarship recipients we have. He referenced the \$220,000 personnel study that was presented a few weeks ago and his opposition to it. He stated that he did not think this is the best way to spend money to study something we already know the answer to pretty much and have it so complicated that when the results are given we still would not know what the answer was! He stated that he has a problem with this study; that he spent 35 years in education, with 20 years in administration; that studies were performed in education and most ended up benefiting the benefactor who was really the contractor. In being frank with those in attendance he stated when the study was completed or the inadequacy of it, they found out the study was simple and incremental and people knew where we were going step-by-step.

Councilman Benson stated that he read every one of the RFP responses, not word for word, but (he) scanned them; that in the first place he had a real problem with what stood out and how much they were to respond to. He stated on page six of the RFP it was said the bidder could go up to \$450,000 and if he were a responder he would quote that amount and one did, Griffin and Strong; that there were others who bid similar amounts.

CONTRACT (Continued)

Councilman Benson the response might have been \$200,000 if \$450,000 had not been put in; that he does not know if he could ever go along with something like that as he really has problems with that. He stated that Nashville did this for \$300,000 and other cities have done it for much less. He stated he could not look in the mirror if the city pays \$450,000 for something he thinks can be done just as well with a lot less money; that there are problems out there and he does not know whether this will solve some of them. He stated that he has never seen an RFP this way; that he called the City Attorney who indicated he had not seen anything.

Chairman Pierce stated that he and Councilman Benson had a conversation this morning and he (Pierce) understands how the RFP went out; that they understand what it will cost to get the study done and in making the proposal for the RFP it was determined we did not have the funds to get the study we wanted to have done. He stated the RFP went out with the proposal that this is the amount of money we have to see what could be offered for that amount. He expressed his thought that this is nothing out of the ordinary.

Admin. Strong-Moss clarified that there are two separate and distinct studies; that Nashville's study was in response to a minority business enterprise (MBE) study and we knew that because Sherrie Gilchrist was on the Board at that time and Warren Logan and the rest of the review team went to Nashville and talked in depth with officials in Nashville about what they got out of the study and how it was crafted. She stated the MBE study was \$300,000 and the other pot of money the Council does not see in this is \$250,000 Nashville spent on an immigration study that was not a community assessment. She stated that they knew going into this that an MBE study would be a baseline \$300,000 and Rodney Strong has worked with Nashville and, in addition, conducted that study as well as the one in Jackson, Mississippi that was \$300,000. She stated they then looked at an Ohio study over that mark and then studies done in Memphis and the Memphis municipality at-large and that number was \$900,000. She stated they knew they wanted a separate study – one addressing minority women business dealing with the procurement issue and identifying opportunities for growth in that area. She stated a community assessment was the driving force of the African American Summit that was to start out at \$250,000. She stated that they knew their request was limited to the pot of \$450,000 and given that they wanted to have some way to assess what contractor would come in and give us the things we needed that would be detailed for the total pot of \$450,000. She stated that was a decision made by the review team, made with the procurement office and made and routed by the city attorney's office, also. She stated she is not saying that is normal procedure for doing all bidding in the process of an RFP, but out of this work and knowing the limited amount to work with that means that was chosen.

CONTRACT (Continued)

Admin. Strong-Moss continued by stating that there are seven contractors nationally recognized in this area of work and if there any questions she would like to ask the procurement people to come and comment so as to acknowledge the question and why it is a fair question.

Councilwoman Rutherford stated in the last fourteen-to-twenty years, every successful contract that has come through has other involvements; that this does not say anything about involving the private sector, Chattanooga State or the foundations. She asked where their financial commitments are.

Admin. Strong-Moss stated there was a group prior to her coming on as Director of OMA that was actively involved and sought ways to craft this RFP in a way that if they could not get it they could go back and contract, petition or seek grants, yet it was thought it would be more. She stated they were very interested in David Eichenthal's data through the Chattanooga regional study and were also interested in the same issues the Council has brought out; that this does not duplicate efforts. She stated partnerships are that they have the health department data, the Public Education Foundation (PEF) has done a tremendous amount of that and they have packets that Community Impact has done. She stated in order to get the work done they will need baseline data quotients.

Councilwoman Rutherford stated that she is talking about financial partnerships; that she is willing to vote what she considers is the city's fair share but cannot for this and, to be honest, her constituents would run her out of District 6! She stated if Admin. Strong-Moss wants to go back and get business, UTC, Chattanooga State and the foundations and let them all put their fair share into a pot she would have her total support, however, she can not support this as it stands now.

Mr. Eichenthal amplified more on prior statements and noted from the perspective of CRC, the community assessment part builds upon the work that Admin. Strong-Moss referred to as a project they were doing in the Chattanooga regional report; that it is the platform members of the county, city and foundations for non-profits could look broadly at the data which was wholly funded by the private sector and foundations. He stated there are city and county dollars funded by PEF and the Community, Lyndhurst and Benwood Foundations. He stated from CRC's perspective the community assessment is very much in partnership; that one other point in terms of the University, he sees CRC's role along with Dr. Medley and as a model for the type of partnership they are looking for going forward with UTC to actually have the capacity to do this on an ongoing basis.

CONTRACT (Continued)

Mr. Eichenthal stated that he sees the work they are doing and the value by providing this information, but on a series of different issues it is helping everyone in government and the non-profit sector on an ongoing basis.

Councilwoman Rutherford referenced the tight budget that the city is working with today and noted she has even said in private that she could consider a tax increase; that she sees so much money is needed and if the group comes back with a proposal where they can show her the business community putting in an "X" amount, foundations putting in an "X" amount and the University, then she would very likely vote for the city of Chattanooga to do its share. She expressed her wish that a partnership arrangement would have been brought rather than what was brought.

Admin. Strong-Moss stated part of the partnership was a sharing partnership and clearinghouse and the budget of OMA reflects a commitment not only to do this work; that it is a budget set up that shows the commitment made by this administration to do this work. She stated that she understands the Council's issues and would come back and ask the same question again if this is not funded now it can be done in incremental steps; that the process for the RFP gives them a way to sequentialize this process, however her Board and the African American Summit are concerned we do not have a platform to make a comprehensive decision for the community and non-profits.

Councilwoman Rutherford stated if this is as important as the Council is led to believe the private sector will buy into it and benefit from it; that if something could be brought showing where the private sector is going to help finance it she will get out and "wave the flag" for them but expressed sorrow she can not do it on this.

Councilwoman Robinson prefaced her comments by stating that she has such respect for the people who have come here tonight but unfortunately one of our Council members is not here; Councilman Franklin is out of town and it is her feeling the whole Council should have an opportunity to hear and discuss this. She stated with him away and much discussion back and forth about the possibility of getting some community participation in this it might be good to consider deferring this to allow the Council time to continue to read and learn about it. She stated she has gotten a lot of information just today and has not really had an opportunity to really study it in any depth and to allow time for OMA to consider getting private funding. At this time she **made the motion to table the matter two weeks; Councilman Page seconded the motion.**

CONTRACT (Continued)

Chairman Pierce stated that he did not know if that would work unless the money could be moved forward as the budget year ends next week. He asked Admin. Madison to come forward and speak to the issue of the budget year; that he would appreciate it if it could be delayed longer than that in order to give an opportunity to find out what is needed as we are now "working against the clock".

Admin. Madison stated in the normal course of things this amount is in the operating budget and as such if not encumbered by June 30 that budget lapses and in order to use it, it would be re-appropriated in the next year. She stated it is hoped this Council will act on the budget next week and the Council can amend the budget to carry the dollars forward if that is the will of the Council.

Chairman Pierce stated he is fearful if that happens that next year's operating budget will be encumbered into that and it will be a much larger figure than tonight; that both this year and next year's total budget will be in those figures and this Council can accept them. He noted that he has no problem with that.

Councilman Page expressed belief that the focus of this study is contrary to what he could support; that his belief is that the money can be better spent in a concurrent manner if we look at contracting with the city and then we can look at where there are minority businesses out there that would be available to do city work which would put the city in a proactive concurrent fashion rather than historical. He stated this would be something that could happen; that a disparity study could be important and he is not speaking something he wants anybody to do and it resides most readily in the Research Council or private business. He stated that he would rather see the money spent on encouraging minority business investments, those kinds of issues rather than this one. He stated in going back to the motion that is on the floor to defer two weeks, he **withdrew his second** if, in fact, we would have to increase the budget for next year or vote on it next week. He stated he would like to see it settled tonight if it is much more of something we can not continue as it would be "over their heads" to make a decision. He stated he would support a decision made tonight and does not see it going into July.

Chairman Pierce expressed hope that there would be someone to second as Councilman Page's withdrawal has been put in place. He stated he would like to see -- and is not doing this for any special reason -- Councilman Franklin have a vote on this; that he (Franklin) worked on this committee for the last eighteen months. He stated that it is his feeling Councilman Franklin deserves a right to vote which would give a little more time to think about what we are doing and what we want to support.

CONTRACT (Continued)

Chairman Pierce stated some may already have their minds made up but Councilman Franklin is out of town on personal business in Memphis. He stated it would be out of the ordinary if this is passed tonight and not give him a chance to register his vote.

Councilman Benson stated that he would second the motion if the two week term is removed; that three-to-five weeks might be needed to do some of what Councilwoman Rutherford said and then let them choose how they want to bring it back.

Chairman Pierce stated that he has no problem with that; that those numbers would be inflated and it would be harder to accept.

Councilman Benson stated if the numbers are inflated it will not pass; that he voted against the \$220,000 expenditure and he would have to be consistent with that.

Councilwoman Robinson amended her motion to include tabling the matter until the full Council could be present; Councilwoman Gaines seconded the motion.

Councilman Benson stated that the full Council should be left off the motion and let them decide when they want to bring it back.

Councilman Pierce stated when they decide there may not be a full Council on that given date.

Councilman Rico stated if it is that important everybody will be present; that he supports tabling the matter as Councilman Franklin is not present.

Councilman Page stated he has a trip planned for a mission to Haiti next week and will not be present and noted that he wants to participate fully in the discussion and does not want it moved to next week when he has announced he would not be present.

Councilwoman Robinson stated it would be at least three weeks as the week following next week is July 4; that it would be three weeks before it will come back.

Councilwoman Rutherford suggested just voting the matter "up or down" and put it back on the agenda at the appropriate time.

CONTRACT (Continued)

Councilwoman Robinson further amended her motion to table the matter until a full Council could be present and when the Office of Multicultural Affairs was ready to bring it back; Councilwoman Gaines seconded the motion.

On motion of Councilwoman Robinson, seconded by Councilwoman Gaines,

A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO GRIFFIN & STRONG, P.C. IN THE AMOUNT OF FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$450,000.00) TO CONDUCT A TWO-PART DISPARITY STUDY AND AUTHORIZING THE DIRECTOR OF THE OFFICE OF MULTICULTURAL AFFAIRS TO EXECUTE SAID CONTRACT

was deferred until a full Council was present and the Office of Multicultural Affairs was ready to bring it back.

PAYMENT

On motion of councilwoman Rutherford, seconded by Councilman Rico,

A RESOLUTION AUTHORIZING THE DEPARTMENT OF PARKS AND RECREATION, OUTDOOR CHATTANOOGA, TO PAY CHATTANOOGA TRACK CLUB FOR SPONSORSHIP OF THE BLUECROSS MARKET STREET MILE AND MYSTERY HISTORY QUEST THE AMOUNT OF FIVE THOUSAND DOLLARS (\$5,000.00) FROM THE OUTDOOR CHATTANOOGA OPERATING BUDGET

was adopted.

SPONSORSHIP

On motion of Councilman Rico, seconded by Councilwoman Bennett,

A RESOLUTION AUTHORIZING THE DEPARTMENT OF PARKS AND RECREATION, OUTDOOR CHATTANOOGA, SPONSORSHIP OF THE SCENIC CITY VELO CLUB IN THE AMOUNT OF FIVE THOUSAND DOLLARS (\$5,000.00) FROM THE OUTDOOR CHATTANOOGA OPERATING BUDGET

was adopted.

CONTRACT

On motion of Councilman Rico, seconded by Councilwoman Bennett,
A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO INTEGRATED NETWORKING TECHNOLOGIES, LLC FOR ITS BEST BID IN THE AMOUNT OF TWO HUNDRED SIXTY-FIVE THOUSAND ONE HUNDRED THIRTY-TWO AND 32/100 DOLLARS (\$265,132.32) FOR A SURVEILLANCE SYSTEM FOR CHATTANOOGA'S 21ST CENTURY WATERFRONT, ONE-HALF OF WHICH WILL BE PAID BY HAMILTON COUNTY

was adopted; Councilwoman Rutherford abstained.

AGREEMENT

On motion of Councilwoman Rutherford, seconded by Councilman Benson,
A RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE CITY OF COLLEGEDALE FOR IMPROVEMENTS OF OLD LEE HIGHWAY BETWEEN WOLFTEVER CREEK BRIDGE AND THE CITY OF COLLEGEDALE CITY LIMITS AT THE EXPENSE OF THE CITY OF COLLEGEDALE

was adopted.

PROFESSIONAL SERVICES CONTRACT

On motion of Councilman Rico, seconded by Councilwoman Robinson,
A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AND EXECUTE A SIX-MONTH PROFESSIONAL SERVICES CONTRACT FOR GRANT WRITING WITH STRATEGY TEAM FACILITATORS CONSULTANTS TO ASSIST THE MAYOR AND CITY DEPARTMENTS WITH STRATEGIC PLANNING, PROJECT PLANNING AND IMPLEMENTATION, INTER-ORGANIZATIONAL COLLABORATION, COMMUNITY INVOLVEMENT, AND RESOURCE DEVELOPMENT RELATED TO VARIOUS CITY INITIATIVES IN AN AMOUNT NOT TO EXCEED FORTY-EIGHT THOUSAND DOLLARS (\$48,000.00)

was adopted.

SPECIAL POLICEMAN

On motion of Councilwoman Rutherford, seconded by Councilwoman Robinson,

A RESOLUTION AUTHORIZING THE APPOINTMENT OF EDWARD DEWAYNE TATE AS SPECIAL POLICEMAN (UNARMED) FOR THE CITY OF CHATTANOOGA DEPARTMENT OF PUBLIC WORKS TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS

was adopted.

REQUEST OF THE DISTRICT ATTORNEY GENERAL

Councilwoman Robinson asked if the club is still occupied.

Councilwoman Rutherford responded "yes".

Councilwoman Robinson stated that it looks unoccupied.

Councilwoman Rutherford stated that it does not open until midnight; that it is still the VIP Lounge.

Deputy Chief Vaughn confirmed that it is still the VIP Lounge.

Councilman Benson stated the back portion of the building is the club and not the front.

Councilwoman Rutherford stated that she wants the "whole blooming thing" gone! She stated this is the only area that is being padlocked; that we are not trying to padlock the front part.

Councilwoman Robinson asked if the location should be specified unless there are two addresses.

Councilwoman Rutherford stated one is 4801 and the other is 4803.

On motion of Councilwoman Rutherford, seconded by Councilman Rico,
**A RESOLUTION REQUESTING THE DISTRICT ATTORNEY GENERAL TO
STRONGLY CONSIDER HAVING THE BUILDING LOCATED AT 4803
BRAINERD ROAD DECLARED A PUBLIC NUISANCE AND PADLOCKED**
was adopted; **Chairman Pierce abstained.**

CONTRACT

Councilman Rico stated this matter was discussed in Public Works Committee and the recommendation is to table one week.

Admin. Leach reminded Council members that there will be a briefing on Tuesday, June 27 at 2 p.m. in the Council Conference Room as to the department's logic in making this decision.

CONTRACT (Continued)

On motion of Councilman Rico, seconded by Councilwoman Robinson,
A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. W-06-002-201, CITY LANDFILL AT BIRCHWOOD, AREA 3, PHASE 1 LINER, TO WRIGHT BROTHERS CONSTRUCTION COMPANY, INC. IN AN AMOUNT NOT TO EXCEED NINE MILLION THREE HUNDRED FORTY-TWO THOUSAND FOUR HUNDRED FIVE AND 73/100 DOLLARS (\$9,342,405.73), SUBJECT TO COUNCIL APPROPRIATION OF FUNDS
was tabled one week.

CHANGE ORDER

On motion of Councilwoman Rutherford, seconded by Councilman Rico,
A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 2, RELATIVE TO CONTRACT 28K (EP-4), MOCCASIN BEND WASTEWATER TREATMENT PLANT SOLIDS HANDLING SYSTEMS FILTER PRESS SYSTEM PROCUREMENT, WITH US FILTER/JWI, INC. TO CREATE AN ESCROW ACCOUNT FOR MANAGEMENT OF REMAINING STATE REVOLVING LOAN (SRF) FUNDS
was adopted.

AGREEMENT

On motion of Councilwoman Rutherford, seconded by Councilman Benson,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS AND RECREATION TO NEGOTIATE AND EXECUTE A LEASE AGREEMENT WITH THE CHATTANOOGA DOWNTOWN PARTNERSHIP TO UTILIZE COOLIDGE PARK FOR POPS IN THE PARK ON THE DAY OF JULY 3, 2006 FOR THE AMOUNT OF ONE DOLLAR AND 00/100 (\$1.00)
was adopted.

OVERTIME

Overtime for the week ending June 16, 2006 totaled \$14,297.45.

PERSONNEL

The following personnel matters were reported for the various departments:

PERSONNEL (Continued)

PUBLIC WORKS DEPARTMENT:

- **JESSE I. PENDERGRAPH** – Hire, Equipment Operator, Sr., Waste, Pay Grade 8/Step 1, \$22,818.00 annually, effective June 14, 2006.
- **DARLENE DAVIS** – Promotion/Transfer, Crew Worker, City Wide Services, Pay Grade 3/Step 4, \$19,350.00 annually, effective June 12, 2006.
- **WALTER D. BOYD** – Resignation, Equipment Operator Sr., City Wide Services, effective June 12, 2006.
- **SMITTY L. O'HARA** – Resignation, Crew Worker, City Wide Services, effective June 13, 2006.
- **CURTIS L. STALLINGS** – Termination, Crew Worker, City Wide Services, effective June 15, 2006.

PARKS AND RECREATION DEPARTMENT:

- **BROOKE LYNCH** – Resignation, Coordinator of Special Events, effective June 8, 2006.

CHATTANOOGA POLICE DEPARTMENT:

- **STACY TONEY** – Return to Duty (Medical), Communications Officer, effective June 8, 2006.
- **JACK BURKE, JR.** – Resignation, Police Officer, effective June 16, 2006.

PURCHASE

On motion of Councilwoman Rutherford, seconded by Councilman Rico, the following purchases were approved for use by the Parks and Recreation Department:

SEQUOYAH LAWN EQUIPMENT (Lowest and best bid)
R0089532/B0003172

Utility Vehicles (4)

\$44,694.00

PURCHASES

On motion of Councilwoman Rutherford, seconded by Councilman Rico, the following purchases were approved for use by the Public Works Department:

RAMSEY TRUCKING, INC. (Best bid)

R0087950/B0003189

River Sand

\$21.00/Ton (Picked up)

\$25.00/Ton (Delivered)

SPRAYMAX, INC. (Lowest and best bid)

R0087912/B0003204

Herbicide Treatment

\$3,995.00 Per Application

PRATT HUGHES and RICHIE'S TREE SERVICE (Lowest and best bids)

R0089952/B0003209

Stump Grinding Services

\$1.50 per Linear Inch

ANIMAL DAMAGE CONTROL (Only bid received)

R0089686/B0003195

Beaver Control

\$8,100.00

BENTLEY SYSTEMS, INC. (Single source)

R0090432

Storm Water Software Annual Maintenance Subscription per TCA 6-56-304.2

\$11,475.00

PURCHASES (Continued)

ANALYTICAL SERVICES (Lowest and best bid)

R0090480/B0003270

Biosolids Laboratory Analysis

\$35,000.00

SAFETY-KLEEN SYSTEMS, INC. (Only bidder)

R0089891/B0003196

Environmental Services

\$40,000.00

AVANTI MATERIALS SALES, LTD. (Best bid)

R0089322/B0003099

Sewer Line Grouting Chemicals

\$338,520.00

PURCHASE

On motion of Councilman Rico, seconded by Councilwoman Rutherford, the following purchase was approved for sue by the Chattanooga Fire Department:

TRI-STATE RENTAL (Lowest and best bid)

R0089801/B003222

Laundry Service

\$11,320.40

PURCHASES

On motion of Councilwoman Rutherford, seconded by Councilwoman Bennett, the following purchases were approved for use by the Chattanooga Police Department:

PURCHASES (Continued)

ROYAL ARMS INTERNATIONAL (Single source)

R0090505

Bomb Disrupter System/Homeland Security Equipment per TCA 6-56-304.2

\$10,850.00

TELEVISION EQUIPMENT ASSOCIATES (Single source)

R0090504

Microphone System/Homeland Security Equipment per TCA 6-56-304.2

\$16,823.00

PURCHASE

On motion of Councilwoman Rutherford, seconded by Councilman Benson, the following purchase was approved for use by the Personnel Department:

GARRETT MEDICAL, INC. (Best overall, complete bid)

R0089137/B0003171

Medical Supplies – Medical Clinics (Twelve (12) months requirements contract with option to renew for two (2) additional twelve month terms.)

\$25,378.16

PURCHASE

On motion of Councilwoman Rutherford, seconded by Councilman Rico, the following purchase was approved for use by the Department of Finance and Administration:

HAMILTON COUNTY MAINTENANCE DEPARTMENT/OUTSIDE CONTRACTOR

(Single source)

R0089650

Carpet and Tile Replacement

\$24,000.00

UPDATE ON CONTACT WITH DISTRICT ATTORNEY

Councilwoman Rutherford stated after all of the discussion on last Tuesday, on early Wednesday morning she called the Attorney General who said what she told the Council, that there was not enough violence being reported at that location. She stated that she then spoke with Chief Cooper and he agreed with her that there is a major problem and he had already requested Bobby Simpson of the police department to pull the records. He stated the records were presented to Bill Cox on yesterday. She expressed appreciation to the Council for passing this resolution; that maybe between that and what the police have done will get some results. She stated the way the Attorney General explained it to her the police have to make a case to him and he then takes it to a criminal judge and he was not particularly encouraging.

COMMITTEES

Councilwoman Bennett stated the **Budget and Finance Committee are scheduled to meet on Tuesday, June 27 at 4 p.m.** He noted to Gary Ball that the matter he had some concern about would be discussed at next week's meeting.

Councilman Benson stated the **Legal and Legislative Committee will meet on Tuesday, June 27 at 3 p.m.**

Councilman Page stated that the Economic Development Committee met today and a presentation regarding workforce development was made by the Chamber.

PANDEMIC SYMPOSIUM REPORT

Councilwoman Robinson stated as Chairman of the Health, Education, Human Services and Housing Opportunities Committee she attended the symposium at the Health Department regarding ongoing plans to develop a plan of action in the event Hamilton County and this area suffers a pandemic of the bird flu or any public emergency. She stated there was discussion regarding the process for developing an integrated plan for emergency response services such as fire and police, medical, economic development, business and education. She stated that she plans to stay in touch and update the Council periodically; that at some point it would be good to get a report at one of the committee meetings about what the impact of such a catastrophe would be upon our city. She stated that we need to be fully informed about that and she would update the Council at the appropriate time.

EAST LAKE AREA DOWNZONING

Chairman Pierce stated that a downzoning occurred in the East Lake area and a small portion of that downzoning was overlooked and should have been included in it. He asked the Council to authorize the Regional Planning Agency to include that portion left out into the original downzoning.

On motion of Councilman Benson, seconded by Councilwoman Rutherford, the Regional Planning Agency was so authorized.

Mr. Pace noted that a resolution would be prepared for next week.

City Attorney Nelson clarified that the request has been done by motion.

AGENDA FOR JUNE 27, 2006

Councilwoman Bennett stated item 5(c) on next week's agenda (2005-153: Reid M. Hanson) has been deferred a couple times waiting completion of the C-7 revision for the area. She stated the process is not complete and the matter should be deferred again. She stated that she did not want to keep deferring the matter so many times, yet the process is not complete.

City Attorney Nelson stated once an estimated time of arrival of the finished product is determined we can settle on that. Councilwoman Bennett stated that it would probably be the end of August.

On motion of Councilwoman Bennett, seconded by Councilwoman Robinson, case 2005-153: Reid M. Hanson was deferred and removed from the June 27, 2006 agenda.

JOAN HOLIDAY JOHNSON

Joan Holiday Johnson stated that she is a homeowner in the Alton Park project area and asked Councilman Rico if there is anything on the program to help seniors. She stated in 1990 she was blessed to work with Roy McDonald and went to Texas to get HOPE VI here. She stated with all that is going on with HOPE VI, which looks beautiful, the city is not doing anything to help homeowners or the community at all.

Councilman Rico stated that Ms. Johnson should have received a letter; that her house is "on there".

JOAN HOLIDAY JOHNSON (Continued)

Ms. Johnson stated that she received a letter and asked if her home would be on the "auction block".

Councilman Rico responded "no".

Ms. Johnson then thanked the Council.

LOUISE HAMMONDS

Louise Hammonds expressed thanks to Councilman Pierce and Rutherford for coming out to help this past week; that she and others in the community thank them for all they do!

(Councilman Rico excused himself from the meeting at this point.)

GARY BALL

Gary Ball of Ridgedale stated that he had no idea Councilman Benson was going to bring this matter up next week. He noted he would be out of town but Ms. Hammonds would be there. He stated that he went back through the City Code and it says that the "presence of five members shall constitute a quorum". He referenced last week's Variance Board and the presence of five members; that the "guy running this" states there has to be five people with everyone voting positive made no sense. He stated that he does not see anything in the Code that says that.

Councilman Benson stated the vote was four-to-one.

Mr. Ball stated that nothing could pass unless all five voted for it.

Councilman Benson stated this would be discussed next Tuesday regarding the absenteeism of members.

Mr. Ball asked the City Attorney's office to make a decision; that Mr. Wilson made a decision and again stated that he did not see anything in the Code that says a four-to-one vote is not final. He stated Mr. Wilson said that and Atty. Fritz did not say a word.

GARY BALL (Continued)

Councilman Benson again stated that the matter would be discussed next week.

City Attorney Nelson stated this would be discussed next Tuesday; that the answer to Mr. Ball's question is that he does not know what rules the Board of Zoning Appeals has adopted. He stated if they are operating under Roberts' Rules then all that is needed is a quorum to conduct business and the majority of the quorum governs. He stated as it relates to this Council that is not true as our *Charter* requires us to have at least five votes to take any action.

Councilman Benson stated Mr. Wilson stated that they operate under the rules of the Council.

City Attorney Nelson stated that the Council adopted Roberts' Rules to the extent not covered by the Charter.

Mr. Ball stated there is a need to find out what rules Mr. Wilson operates under as he has been on the Board of Appeals almost twenty-five years. He stated he has accused him (Wilson) before of confusing the Board as a legislative board; that the Council is legislative. He stated somebody needs to rein him in and give him the rules to operate under and if he can not do it and treat the public courteously while he is representing the Council, someone needs to replace him or take him out of the position. He stated Mr. Wilson was rude to the entire room and what he said was totally uncalled for. He asked the Council to please look into this as it is thought the community will have to come back; that he (Ball) is dumbfounded at the whole goings on! He stated if this is the way the group was going to operate, he (Wilson) should have cancelled the meeting before it started and all should have gone home; that three Council members were present at the meeting.

Mr. Ball stated Mr. Lee, the owner of the building, bought the playground across the street from Oak Grove for one dollar seven years ago. He stated that he talked with Harvey Webb and was told Mr. Lee can not use that property and he is happy the city was wise enough on the one dollar purchase to place a requirement that the property had to be used for education. He stated Mr. Lee cannot use it for that, therefore, what he is going to do is sneak around and sneak around until he finds someone that will remove that from the contract, sell it and build houses on it. He stated the community needs to get Mr. Webb to look into this and find some way to leverage that property back from Mr. Lee; that it is wrong for him to own it as he will find a way to get the restriction off the deed.

GARY BALL (Continued)

Mr. Ball stated he would like for Mr. Webb to bring the information forward as to who needs to look at it as Mr. Lee needs to surrender the property back to the city.

Chairman Pierce stated that he does not know if the Council could make him do that; that there is a condition that it be for education purposes and does not think a permit should be issued for housing other than something in the name of education.

Mr. Ball stated that all of that could change; that within the next ten-to-fifteen years he (Lee) would finally find someone that will and it could happen. He stated that Mr. Lee needs to be brought forward and asked to surrender the property back to the city; that he closed down the daycare and did not keep his commitment to the community and he told everyone in the city he was going to use it wisely. He stated the school should be kept and the city did put a restriction on it and the property should go back to the city.

Councilwoman Rutherford stated that she wanted to change the question regarding the rules for the Variance Board and asked who appointed Jim Wilson and continues to appoint him. It was noted that Mr. Wilson is Councilman Page's appointee.

Councilman Page stated that Mr. Wilson, to his knowledge, has served the Board well; that he is a person that has held the Board together for a number of years and has no idea of what is going on, now. He stated when he came to the Council all reports he heard was that he has done a super job for many years, reiterating that he has no knowledge of what Mr. Ball is talking about this evening.

Councilwoman Rutherford stated that meeting was not a well run or good meeting.

DAWN CARLTON

Dawn Carlton was present in reference to Resolution 7(c) that was adopted regarding the surveillance system. She stated if it had been deferred she would not be here speaking at this time; that she has been in business in the city of Chattanooga since 1997. She stated her business began with two employees and has grown to nine; that it is a high tech security firm specializing in surveillance.

DAWN CARLTON (Continued)

Ms. Carlton stated she moved from the Hixson area to 2209 East Main Street; that the business was moved into a minority community with the belief they could invest in property worth something someday. She stated that she missed by three months where she could take the tax advantage, however she is not asking for any concessions; that she does ask when a city business bids on the city's procurement process they should be given an opportunity and the city needs to support city businesses. She stated that she has a twenty-one year old son graduating from UTC in December and she questions what he is coming back to; that she does not know where we, as a city, are going.

Ms. Carlton stated right now her company does not have time to do the work as she had to send crews to Georgia; that they large jobs in Georgia and Alabama and it is sad her guys have to leave their families as they do so much work in Georgia and none in the Chattanooga area. She stated this is not sour grapes as they have all the work they want and understands the procurement process. She referenced problems in the request for proposal as she walked through the area to figure out the best way to provide service; that they bid what they thought would work and she is glad the city is doing it. She stated it is her wish it had been done before all the work was done as it is a beautiful riverfront and all are in support of that. She reminded everyone that the city has a wonderful highly technical, good business here that tries to pay a wage and compete with Nashville and Atlanta. She expressed thanks to the Council members for listening to her.

Councilman Benson asked Ms. Carlton if her business is wireless; that he checked on that and wireless capabilities are still in the development stage and this project would be better off with digital or fiber optics. He stated because of the necessary documentation the wireless could be a little shakier under the wires; that wireless would "have its day" as it is a little early for that.

Ms. Carlton stated that process is no different, that wireless is a much newer system and fiber optics is much more different. She expressed hope that the city would not have monthly reassignment costs; that Chattanooga is the perfect city for wireless transmission.

Councilwoman Rutherford asked if she were correct that larger cities are moving into wireless.

Ms. Carlton stated wireless is considered the most versatile and if they had been told the city wanted specifically fiber optics that was where the problem started, with the request for proposal.

JEFF HUTCHINGS

Jeff Hutchinson of Integrated Networking Technologies stated that he was glad he stayed to address concerns. He stated the request for proposal never specifically addressed any type of transmission; that all bidders were asked questions. He stated that were asked whether fiber optics or wireless should be used and those answers given back to them as a profession that would decide the best medium. He stated they decided fiber optics was best and at no time did anyone say fiber optics should or should not be used. He stated they have their reasons for staying with fiber optics for security as wireless is "not there", yet. He stated as for the concern of monthly recurring costs, there are no monthly recurring costs; that it is just a concern someone brings up to not make it look attractive such as tearing up the city and sod, the sidewalk and using a direction which goes underground. He stated his company does this all the time; that they have been in business since 1996 and install fiber optics; that they do not tear up streets nor disturb traffic. He stated the whole request for proposal process went through the proper procedures; that they sat down, demonstrated and decided which solution was best. He expressed thanks to everyone for backing them as they are the technical experts. He stated he does not have expertise in C-2, C-5 and other zones; that he does have technical expertise in the solution chosen. He assured the Council fiber optics is not a bad thing and can only do well for the city.

ADJOURNMENT

Chairman Pierce adjourned the meeting of the Chattanooga Council until Tuesday, June 27, 2006 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)**