

**City Council Building
Chattanooga, Tennessee
September 19, 2006
6:00 p.m.**

Chairman Pierce called the meeting of the Chattanooga Council to order with Councilmen Bennett, Benson, Franklin, Gaines, Page, Rico, Robinson and Rutherford present. Special Counsel Mike McMahan, Management Analyst Randy Burns and Council Clerk Carol O'Neal were also present.

PLEDGE OF ALLEGIANCE/INVOCATION

Following the Pledge of Allegiance, Councilwoman Bennett gave invocation.

MINUTE APPROVAL

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

SPECIAL PRESENTATION: CAROL O'NEAL, "CLERK OF THE YEAR"

Mayor Littlefield stated as he looks down the dais he was noticing who was on the Council in 1990 when the Council was newly created. He indicated that he and Councilman Pierce are the only two who have been around for awhile and noted remembering they had to create a lot of new ways of doing business as the old Commission form of government was gone. He stated those elected for the first time had to create new offices and select people for those offices and in the course of setting up the Council office, the office of Clerk of the Council had to be filled. He referenced former Commissioner John Franklin and the positions this person held with him as Executive Secretary and Assistant. He stated the new form of government had been created and the Clerk's office had to be set up; that he is proud to say the Council has come a long way and the person who has helped carry the Council a long way is Carol O'Neal as Clerk and Shirley Crownover as Assistant Clerk, two mainstays of the Council Office. He stated others in the office (Carolyn Moore and Randy Burns) came on later and are "old timers", now.

SPECIAL PRESENTATION: CAROL O'NEAL, "CLERK OF THE YEAR" (Continued)

Mayor Littlefield stated he was very proud a few days ago when this whole city received an honor, one person in particular – Carol O'Neal -- who was named "Clerk of the Year" by the Tennessee Association of Municipal Clerks and Records (TAMCAR). At this time Mayor Littlefield asked Mrs. O'Neal to join him at the podium.

Mayor Littlefield then read a Proclamation signed by him proclaiming **SEPTEMBER 19, 2006 IN HONOR OF MRS. CAROL O'NEAL, CLERK OF THE COUNCIL OF THE CITY OF CHATTANOOGA**. The Proclamation has been spread upon the minutes:

Whereas: The City of Chattanooga takes great pleasure in paying tribute to Mrs. Carol O'Neal, who has proven to be an exemplary employee over the past 34 years of service; and

Whereas: Mrs. Carol O'Neal began her career with the City in 1972 as an Executive Secretary and has served in various capacities such as Administrative Assistant to the Commissioner of Health and Education; and

Whereas: was the unanimous choice of the newly elected city council members to serve as Clerk of the City Council and performs all the administrative functions of the council with integrity, perfection, and efficiency, while maintaining style and grace and

Whereas: she has the respect and admiration of those that report to her, department administrators, and elected officials, all whom have come to rely on her, without reservation, for assistance in matters related to the council in the performance of their duties; and

Whereas: her unsurpassed ability to work with all people, (political or otherwise) has enabled her to seamlessly transcend more than six different legislative bodies without any concern for her reappointment; and

Now therefore I, Ron Littlefield, Mayor of the City of Chattanooga, Tennessee, in recognition of this event, do hereby proclaim this 19th day of September, 2006, in Honor of

Mrs. Carol O'Neal, Clerk of the Council of the City of Chattanooga.

In Witness Whereof, I have hereunto set my hand and caused the Seal of the City of Chattanooga to be affixed this the 19th day of September, 2006.

/s/ Ron Littlefield, Mayor

SPECIAL PRESENTATION: CAROL O'NEAL, "CLERK OF THE YEAR" (Continued)

After reading the Proclamation, Mayor Littlefield presented Carol with the plaque she had received the previous week from TAMCAR naming her as the "Clerk of the Year".

Chairman Pierce indicated that he, Daisy Madison and Beverly Johnson traveled to Franklin, Tennessee last Wednesday when Carol was presented the "Clerk of the Year" award from TAMCAR. He noted that she thought she was there to represent the Mayor and Council Chair and did not want to go because it would take it away from her office work, it was rezoning week and the Assistant Clerk would be on vacation! He stated that she had indicated that she felt a little awkward in going to Franklin to represent the City because she had not affiliated with the TAMCAR group in awhile even though she and the Assistant Clerk are members; however, she did go and, much to her surprise, was presented the award. He stated it was one of the highlights of his tenure on the Council and, in the words of Clint Eastwood, "made my day".

Carol O'Neal expressed thanks to the Mayor and Council for the recognition and those who planned the evening's presentation as a very pleasant surprise. In her comments she acknowledged the positive relationship she has with the existing Council and how blessed she has been to be a part of the beginning up to this point. She noted that she and other support staff in the Council office take pride in their work and work hard to assist the Council. She concluded her comments by stating it is a blessing to be recognized in this manner.

(It is important to note that Carol was not aware of the evening's proclamation presentation until the Mayor mentioned "... office of Clerk of the Council had to be filled ..." in his opening statements, nor was she aware of the statewide designation that was presented in Franklin, Tennessee the prior week by TAMCAR.)

AMEND ZONING ORDINANCE

On motion of Councilman Rico, seconded by Councilwoman Rutherford,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, BY AMENDING ARTICLE III,
SECTION 101 BY ADDING A NEW PARAGRAPH, RELATIVE TO THE
OFFICIAL ZONING MAP**

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

REZONING

2005-153: Reid M. Henson

Greg Haynes, Director of Comprehensive Planning with the Regional Planning Agency (RPA), stated that Justin Steinmann worked with the applicant on this and the matter has been deferred time-and-time again. He stated the details have been worked out and the applicant is in agreement.

Councilmen Franklin and Rutherford made the motion and second to substitute the amendments to this ordinance; the motion carried.

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

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

REZONING

2006-127: Samir Shenouda

On motion of Councilman Benson, seconded by Councilwoman Rutherford,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE TRACTS OF
LAND LOCATED AT 7423, 7425 AND 7427 PINWOOD DRIVE, MORE
PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-
T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE, SUBJECT TO
CERTAIN CONDITIONS**

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

REZONING

2006-165: Deb Royal and Robert G. Bass

On motion of Councilman Franklin, 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 1300 AND 1400 BLOCKS OF ADAMS STREET,
MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL
ZONE AND M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS
ZONE, SUBJECT TO CERTAIN CONDITIONS**
passed second and final reading and was signed in open meeting.

REZONING

2006-173: Jay W. Bell

On motion of Councilman Rico, seconded by Councilwoman Rutherford,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE TRACTS OF
LAND LOCATED AT 8401 AND 8425 IGOU GAP ROAD, MORE
PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO
RT-1 RESIDENTIAL TOWNHOUSE ZONE, SUBJECT TO CERTAIN
CONDITIONS**
passed second and final reading and was signed in open meeting.

REZONING

2006-174: Ken DeFoor Properties

On motion of Councilman Franklin, seconded by Councilman Benson,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE TRACTS OF
LAND LOCATED AT 6039 AND 6049 SHALLOWFORD ROAD, MORE
PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING
ZONE, M-2 LIGHT INDUSTRIAL ZONE, R-4 SPECIAL ZONE, AND C-5
NEIGHBORHOOD COMMERCIAL ZONE TO C-2 CONVENIENCE
COMMERCIAL ZONE**
passed second and final reading and was signed in open meeting.

REZONING

2006-162: Elite Hotels Group, LLC

Mr. Haynes stated that the applicant has requested the matter be deferred an additional two weeks.

On motion of Councilwoman Bennett, seconded by Councilwoman Robinson,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF
LAND LOCATED AT 440 WEST MARTIN LUTHER KING BOULEVARD,
MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL
ZONE AND C-2 CONVENIENCE COMMERCIAL ZONE TO C-3 CENTRAL
BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS**

was deferred an additional two weeks (October 3) at the request of the applicant.

EXTENSION OF CONSTRUCTION DEADLINES

Councilman Benson stated Resolutions (a) and (b) were discussed in last week's meeting of the Legal and Legislative Committee and approval is recommended.

On motion of Councilwoman Gaines, seconded by Councilman Franklin,
**A RESOLUTION AUTHORIZING AN EXTENSION OF THE CONSTRUCTION
DEADLINES SET FORTH IN THE DEED AUTHORIZED BY RESOLUTION NO.
24598 FOR THE SALE OF PROPERTIES AT THE INTERSECTION OF CENTRAL
AVENUE AND MCCALLIE AVENUE, IDENTIFIED AS STATE TAX MAP NOS.
146H-K-011 THROUGH 146H-K-013 AND 146H-K-013.01 AND
AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS
NECESSARY TO ACCOMPLISH SAID EXTENSION**

was adopted.

PAYMENT AUTHORIZATION

On motion of Councilman Rico, seconded by Councilman Franklin,
**A RESOLUTION AUTHORIZING PAYMENT TO RIVERCITY COMPANY IN
THE AMOUNT OF FIFTEEN THOUSAND DOLLARS (\$15,000.00) FOR THE
CITY'S SHARE OF THE COST FOR THE CENTRAL BUSINESS DISTRICT
SITUATIONAL ANALYSIS**

was adopted.

TEMPORARY USE

Councilman Rico stated this Resolution was discussed in today's Public Works Committee meeting and approval is recommended.

On motion of Councilman Rico, seconded by Councilwoman Robinson,
**A RESOLUTION AUTHORIZING DANNY WILLIAMS TO USE TEMPORARILY
405 MARKET STREET TO INSTALL A PROJECTING SIGN THAT WILL HANG
OVER THE CITY'S RIGHT-OF-WAY, AS SHOWN ON THE DRAWINGS
ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE,
SUBJECT TO CERTAIN CONDITIONS**

was adopted.

AGREEMENT

Councilman Benson stated this matter was discussed in last week's Legal and Legislative Committee meeting and approval is recommended.

Councilwoman Robinson recognized the presence of Don Andrews, President and CEO of Allied Arts, and Virginia Sharber, Chairman of the Chattanooga Community Public Arts Program since its inception.

On motion of Councilwoman Robinson, seconded by Councilman Franklin,
**A RESOLUTION AUTHORIZING AN AGREEMENT WITH ALLIED ARTS OF
GREATER CHATTANOOGA FOR ADMINISTRATION OF THE CITY OF
CHATTANOOGA PUBLIC ART PLAN AND FOR THE CITY'S FUNDING A
PORTION THEREOF**

was adopted.

CONTRACT

On motion of Councilman Rico, seconded by Councilwoman Robinson,
**A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. S-05-
011-201, PRIVATE SANITARY SEWER SERVICE LINE REPAIR (SEP), TO
STREET CUTS LLC IN THE AMOUNT OF THIRTY-SEVEN THOUSAND SIX
HUNDRED SEVENTY-FOUR DOLLARS (\$37,674.00) PLUS A
CONTINGENCY AMOUNT OF FIVE THOUSAND DOLLARS (\$5,000.00),
FOR A TOTAL AMOUNT NOT TO EXCEED FORTY-TWO THOUSAND SIX
HUNDRED SEVENTY-FOUR DOLLARS (\$42,674.00)**

was adopted.

OVERTIME

Overtime for the week ending September 15, 2006 totaled \$93,455.39.

PERSONNEL

The following personnel matters were reported for the various departments:

PUBLIC WORKS DEPARTMENT:

- **WALTER F. BANTHER, JR.** – Lateral Transfer, Heavy Equipment Operator, City Wide Services, Pay Grade 10/Step 6, \$32,319.00 annually, effective September 8, 2006.
- **RODERICK G. JOHNSON** – Family Medical Leave, Crew Worker, Sr., City Wide Services, effective September 7, 2006.
- **JEHU J. WILSON** – Dismissal, Crew Supervisor, Sr., City Wide Services, effective September 12, 2006.
- **EDDIE TATE** -- Promotion, Engineering Project Coordinator, Engineering, Pay Grade 20/Step 7, \$49,960.00 annually, effective September 15, 2006.
- **ARIEL P. SORIANO** – Employment, Engineering Project Manager, Engineering/Stormwater, Pay Grade 29/Step 9, \$70,322.00 annually, effective August 31, 2006.

CHATTANOOGA POLICE DEPARTMENT:

- **GREGORY CARTER, JUSTIN JORGENSEN** – Hire, Communications Officer, Pay Grade 11/Step 1, \$27,194.00 annually, effective September 15, 2006.
- **RUTH FLEMISTER** – Suspension (1 day without pay), Communications Officer, effective September 22, 2006.

FINANCE DEPARTMENT:

- **VERNICE WHITE** – Resignation, Accountant, effective August 25, 2006.

PERSONNEL (Continued)

- **BEVERLY ADAMS** – Family Medical Leave, Management and Budget Analyst, effective September 1, 2006 – January 7, 2007.

PURCHASE

On motion of Councilwoman Rutherford, seconded by Councilwoman Gaines, the following purchase was approved for use by the Parks and Recreation Department:

HORSIN AROUND CARVING COMPANY (Only bid)
R0091025/B0003360

Carousel Repair and Restoration Services

\$45 per hour

REGIONAL USERS REBATES

The following Regional User Rebates were duly reported to the Council:

CITY OF ROSSVILLE	\$14,244.69
DADE COUNTY WATER UTILITY	75.49
CITY OF COLLEGEDALE	9,552.50
HAMILTON COUNTY WATER & WASTEWATER AUTHORITY	86,930.08
TOWN OF LOOKOUT MOUNTAIN, GA	2,234.15
TOWN OF LOOKOUT MOUNTAIN, TN	8,963.27
CITY OF RINGGOLD	1,921.50
CITY OF FORT OGLETHORPE	33,435.91

PURCHASES

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

HIDDEN VALLEY NURSERY (Lowest and best bid)
R0092217/B0003454

Trees

\$12,000.00

CHEROKEE TRUCK EQUIPMENT, LLC (Lower and better bid)
R0090192/B0003254

Automated Garbage Trucks

\$1,695,981.00

CITY DISPOSAL SERVICE, LLC (Best bid)
R0092040/B0003440

Refuse and Recyclables Transport Services (*Allied Waste Services of Chattanooga submitted a lower bid of \$72.45 per haul, but was ruled non-responsive for taking exceptions to our specifications.*)

\$75.00 per haul

PURCHASE

On motion of Councilwoman Robinson, seconded by Councilman Franklin, the following purchase was approved for use by the Chattanooga Police Department:

TACTICAL TECHNOLOGIES, INC. (Only bidder)
R0091482/B0003445

Body Wire System

\$14,222.00

DISTRICTS 1 AND 2 MAYOR'S MEETING

Councilwoman Robinson announced that she and Councilwoman Bennett are proud to co-host the Mayor's third district meeting scheduled for Thursday, October 19 at Northside Presbyterian Church. She noted that the meeting would include both Districts 1 and 2 and will announce the meeting from time-to-time up until that date. She expressed thanks to the Mayor for his willingness to come out into the community in this way.

COMMITTEES

Councilwoman Gaines scheduled a meeting of the **Parks and Recreation Committee for Tuesday, September 26 immediately following the Legal and Legislative Committee.**

Councilman Franklin reminded Council members of the **Safety Committee meeting scheduled for Tuesday, September 26 at 4 p.m.**

Councilman Benson reminded Council members of the meeting of the **Legal and Legislative Committee scheduled for Tuesday, September 26 at 3 p.m.**

GREG HAYNES

Councilwoman Bennett expressed congratulations to Greg Haynes on his new position with RPA.

Mr. Haynes stated that he did not know if it was official or not; that is unofficial but official!

RECOGNITION OF JERRY PACE AT COUNTY COMMISSION MEETING

Councilman Benson invited everyone to attend tomorrow morning's County Commission meeting at which time the Commission is scheduled to present a plaque to Jerry Pace for his years of service with the Regional Planning Agency. He stated that he would like to have Mr. Pace come before the Council to receive a plaque from the city, as well.

RED BANK HIGH SCHOOL STUDENTS

Chairman Pierce recognized the presence of students from Red Bank High School's Government Class. They introduced themselves as Ashley Jones, Channing Cantrell, Dee Staton, Winfred Russell and Mike McGowan. He expressed hope they had learned something and invited them to return anytime they would like. He indicated a desire to see them sitting where the present Council members are (sitting) someday!

ADJOURNMENT

Chairman Pierce adjourned the meeting of the Chattanooga Council until Tuesday, September 26, 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)**