

**CITY COUNCIL BUILDING  
CHATTANOOGA, TENNESSEE  
November 28, 2006**

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

**PLEDGE OF ALLEGIANCE/  
INVOCATION**

The Pledge of Allegiance was led by Councilwoman Bennett, followed by Invocation given by Attorney Randall Nelson.

**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.

**CLOSE & ABANDON**

**MR-2006-195 (City of Chattanooga)**

On motion of Councilman Rico, seconded by Councilwoman Robinson,  
**AN ORDINANCE CLOSING AND ABANDONING AN  
UNOPENED ALLEY LOCATED ON THE WEST LINE OF THE  
UNIT BLOCK OF NORTHROP STREET, MORE  
PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON  
THE MAPS ATTACHED HERETO AND MADE A PART  
HEREOF BY REFERENCE**  
passed first reading.

**AGREEMENT**

Councilman Rico noted that Resolutions (a), (b), (c), and (d) came before the Public Works Committee with a recommendation for approval.

On motion of Councilwoman Rutherford, seconded by Councilwoman Robinson,

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AN AGREEMENT WITH CONSOLIDATED TECHNOLOGIES, INC. FOR ENGINEERING SERVICES RELATIVE TO THE REHABILITATION OF THE OXYGEN GENERATION PLANT AT MOCCASIN BEND WASTEWATER TREATMENT PLANT IN AN AMOUNT NOT TO EXCEED ONE HUNDRED EIGHT THOUSAND DOLLARS (\$108,000.00)**

was adopted.

**CONTRACT C.O.**

On motion of Councilwoman Robinson, seconded by Councilman Franklin,

**A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 2 RELATIVE TO CONTRACT NO. W-05-002-101, CSO CONTROL FACILITIES ENHANCEMENT PROGRAM, WITH CONSOLIDATED TECHNOLOGIES, INC., WHICH CHANGE ORDER IS AN INCREASE IN THE AMOUNT OF SIX THOUSAND FIVE HUNDRED FIFTY DOLLARS (\$6,550.00) AND CHANGES THE CONTRACT AMOUNT FROM FIFTY-FIVE THOUSAND SEVEN HUNDRED DOLLARS (\$55,700.00) TO A TOTAL AMOUNT NOT TO EXCEED SIXTY-TWO THOUSAND TWO HUNDRED FIFTY DOLLARS (\$62,250.00)**

was adopted.

CONTRACT C.O.

On motion of Councilman Franklin, seconded by Councilwoman Gaines,

**A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 2 RELATIVE TO CONTRACT NO. W-05-010-101, MBWWTP - SLUDGE DEWATERING SYSTEMS OPERATIONS AND PERFORMANCE TESTING ASSISTANCE, WITH CONSOLIDATED TECHNOLOGIES, INC., WHICH CHANGE ORDER IS AN INCREASE IN THE AMOUNT OF FIFTEEN THOUSAND DOLLARS (\$15,000.00) AND CHANGES THE CONTRACT AMOUNT FROM SIXTY THOUSAND TWO HUNDRED FIFTY DOLLARS (\$60,250.00) TO A TOTAL AMOUNT NOT TO EXCEED SEVENTY-FIVE THOUSAND TWO HUNDRED FIFTY DOLLARS (\$75,250.00)**

was adopted.

CONTRACT

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,

**A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. E-06-003-202, CITY SIDEWALK REQUIREMENTS FOR BROWNS FERRY ROAD, STUART STREET, AND CAMPBELL STREET, TO KLEENCO CONSTRUCTION OF TENNESSEE, INC. IN THE AMOUNT OF FOUR HUNDRED NINETY-NINE THOUSAND NINE HUNDRED NINETY-NINE DOLLARS (\$499,999.00), PLUS A CONTINGENCY AMOUNT OF FORTY THOUSAND ONE DOLLARS (\$40,001.00), FOR A TOTAL AMOUNT NOT TO EXCEED FIVE HUNDRED FORTY THOUSAND DOLLARS (\$540,000.00)**

was adopted.

BONDS SALE

On motion of Councilman Franklin, seconded by Councilwoman Gaines,

**A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF AN AMOUNT NOT TO EXCEED THIRTY MILLION DOLLARS PRINCIPAL AMOUNT OF THE CITY OF CHATTANOOGA, GENERAL OBLIGATION BONDS, SERIES 2006A**

was adopted.

**OVERTIME**

Overtime for the week ending November 24, 2006, totaled \$82,320.59.

**PERSONNEL**

The following personnel matters were reported for the various departments:

**PUBLIC WORKS DEPARTMENT:**

- **JIMMY L. YEARBY**—2 days Suspension w/o pay for Crew Worker, effective 11/21, 22/06.
- **WILLIAM D. BLAKE**—2 days Suspension w/o pay for Equipment Operator, effective 11/21,22/06.

**CHATTANOOGA HUMAN SERVICES DEPT.:**

- **DELIA FOSTER**—Termination of Family Services Assistant, effective 11/13/06.

**CHATTANOOGA POLICE DEPARTMENT:**

- **ERIC B. JENKINS**—Resignation of Police Officer, effective 11/29/06.

**NEIGHBORHOOD SERVICES DEPARTMENT:**

- **DOROTY ALICE SWASEY**—Hire Graphics & Technology Specialist, Pay Grade 14/3, \$33,920.00 annually, effective 11/27/06.

**PURCHASE**

On motion of Councilman Rico, seconded by Councilwoman Gaines, the following purchase was approved for use by the Public Works Department:

**GUTHRIE SALES & SERVICES (Single Source Purchase)**  
**Requisition R0093870**

Fairbanks Morse Pump Parts

\$10,260.00

**HOTEL PERMITS**

On motion of Councilwoman Rutherford, seconded by Councilwoman Robinson, the following hotel permits were approved:

**ECONO LODGE** ---7421 Bonny Oaks Drive, Chattanooga, TN

**ECONO LODGE LOOKOUT MOUNTAIN**—150 Browns Ferry Road, Chattanooga, TN

**HAMPTON INN**—1920 Hamill Road, Hixson, TN

**SKY HARBOR BAVARIAN INN**—2159 Old Wauhatchie Pike, Chattanooga, TN

**REFUND**

On motion of Councilman Franklin, seconded by Councilman Benson, the Administrator of Finance was authorized to issue the following refund of stormwater fees and/or property taxes:

**CNL FUNDING**

\$8,197.12

**BOARD APPOINTMENT**

On motion of Councilman Benson, seconded by Councilman Franklin,, the following Board Appointment was approved:

**CHATTANOOGA METROPOLITAN AIRPORT AUTHORITY BOARD:**

- Appointment of **LYNDA GRIFFIN** for a term to expire **November 28, 2009**.

Councilwoman Rutherford thanked Mayor Littlefield for this appointment, stating that we had long needed a Travel Agent on the Chattanooga Metropolitan Airport Authority Board. She indicated that she was thrilled to death about this; that Ms. Griffin had been a Travel Agent forever and was highly respected.

**LIQUOR LICENSE**

A Liquor License was duly approved for **Village Wine & Spirits, LLC d/b/a Village Wine & Spirits, LLC, at 5035 Hixson Pike, Suite I, Hixson, TN**. This Certificate of Compliance was duly signed by five members of the Chattanooga City Council.

**ATTORNEY NELSON**

Attorney Randall Nelson noted that we would be receiving bids on General Obligations Bonds at a Special Meeting, scheduled for **Tuesday, December 5<sup>th</sup>**. They will be ready for approval by 11:00 a.m. or 11:30 a.m. on that date.

On **Friday, December 1st**, at 11:00 a.m. there will be a TEFRA Hearing; however Attorney Nelson will handle this meeting, and it will not be necessary for the Councilmembers to be present.

Attorney Nelson reiterated that the Special Meeting will be held on **Tuesday, December 5<sup>th</sup> at around 11:00 a.m.** Ms. Madison added that they would be accepting bids up until 10:00 a.m. and then will review them and accept one for the Council's approval.

### COMMITTEES

Councilwoman Rutherford reminded Councilmembers that next Tuesday, **December 5<sup>th</sup>**, after the Bond Sale and Lunch that there will be a tour of Public Arts. A CARTA bus will be leaving around 1:20 p.m. and will have Councilmembers back by 2:30 p.m. in time for Councilman Benson's Legal and Legislative Committee meeting. She expressed hope that everyone would participate in this.

Councilman Franklin scheduled a meeting of the **Safety Committee** for **Tuesday, December 12<sup>th</sup> at 3:00 p.m.** for a Report from Chief Parks on an "Officer Next Door" Initiative.

Councilman Benson reminded everyone of the **Legal and Legislative Committee meeting scheduled for 3:00 p.m. on Tuesday, December 5<sup>th</sup>**. He noted that there were two things that had been generated by the State that needed some discussion. First, a State Mandated Code of Ethics, and secondly Open Meetings and Open Records. Attorney Nelson reminded him that there were also three other matters: Demolition by Neglect Ordinance, Rules of the Council concerning committees, and a matter initiated by Councilwoman Rutherford about when reports need to be filed with the State. Councilman Benson indicated that he would do the best that he could within the one-hour timeframe.

Councilwoman Rutherford stated that she had wanted Councilman Page to talk about his **Economic Development Committee meeting** scheduled for **Tuesday, December 5<sup>th</sup> at 4:00 p.m.**; that the purpose of this meeting is a Report from the Airport Manager.

### RECOGNITION

At this point Chairman Pierce recognized students that were present from Red Bank High School, stating that he was glad they had come out tonight and asked that each identify themselves.

**ADJOURMENT**

On motion of Councilman Rico, Chairman Pierce adjourned the meeting of the Chattanooga City Council until Tuesday, December 5<sup>th</sup> 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 IS FILED WITH MINUTE MATERIAL OF THIS DATE)**