

**CITY COUNCIL BUILDING  
CHATTANOOGA, TN  
March 13, 2007**

Chairman Pierce called the meeting of the Chattanooga City Council to order with Councilmen Benson, Bennett, Gaines, Page, Rico, Robinson, and Rutherford present. Councilman Franklin was absent due to 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 Gaines, followed by invocation given by Reverend Kevin Adams of Olivet Baptist Church. He thanked the Council for giving him this opportunity.

**SPECIAL PRESENTATION:  
SISTER CITIES MONTH**

Mayor Littlefield was present with a Proclamation. He expressed to Chairman Pierce that he came frequently bearing Proclamations and tonight it was his pleasure to issue a Proclamation on behalf of the Sister Cities Organization, noting that our Chattanooga organization has added a cultural dimension that cannot be measured. He mentioned our first Sister City alliance with Hamm, Germany and then with Wuxi, China, stating that we were now up to five Sister Cities. He noted that this was recognized as a world-wide movement and proceeded to read the following Proclamation:

***Whereas:*** The City of Chattanooga takes great pride in supporting various organizations which help to educate our community and help serve as Ambassador's of Goodwill, and

**SISTER CITIES (CONT'D)]**

**Whereas:** During the month of March, 2007, the Chattanooga Sister Cities organization will celebrate its 30<sup>th</sup> anniversary, and

**Whereas:** On March 2, 2007, the Sister Cities Organization dedicated a beautiful Peace Grove in Coolidge Park and honored our city's friendship with five other sister cities and two twining cities by planting a tree in honor of each, and

**Whereas:** On March 26, a Sister Cities delegation from Chattanooga will leave for Hamm, Germany, to celebrate 30 years of friendship with our first Sister City, and

**Whereas:** On March 29, Sister Cities will kick off the Southeast Regional Sister Cities Conference, welcoming Sister Cities organizations from five states to Chattanooga, and

**Whereas:** On March 30, Sister Cities in accordance with its partners of the City of Chattanooga, Hamilton County, University of Tennessee of Chattanooga, Chattanooga State, the Chamber of Commerce, and the Office of Multicultural Affairs will host the Chattanooga International Summit to discuss ideas and suggest action plans in four areas: business, culture and lifestyle, education, and the environment.

NOW, THEREFORE, I, Ron Littlefield, Mayor of the City of Chattanooga, do hereby wish to honor and proclaim the month of March 2007 as

***Chattanooga Sister Cities Month***

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of March, 2007

**SISTER CITIES (CONT'D)**

Mayor Littlefield then called on Eleanor Cooper, President of Sister Cities, to participate in a related event, which was introduction of special visitors from across the Globe—the European Marshalls. He asked Ms. Cooper to introduce our guests, noting that he might “miss a few syllables” in their names.

Ms. Cooper thanked Mayor Littlefield and also Reverend Adams who had hosted a German Choir, as well as Councilman Rico who had participated in the sculpture event and Adm. Zehnder for permitting the Peace Grove in Coolidge Park. She stated that it was just a coincidence that the Fellows were here the same night as the Sister Cities Proclamation. She noted that most of the group were here, though some might have gotten lost. She stated that this program had instituted a positive relationship between Europe and the United States; that they visited three times a year and that we also had some Fellows from Chattanooga; that the group is composed of 21 people, ranging in age from 28 to 40 years old and are young, energized leaders in Europe. She noted that these seven people had been here for four days and had been staying with families and studying our way of life. Those present were:

**Ingrid Bertram**, a TV-Correspondent from Germany

**Gijs de Waal**, an Architect from Amsterdam

**Dragos Gunia**, a Government Spokesman from Romania

**Timea Venczel**, Market Research Director from Budapest, Hungary

**Katrine Nielsen**, News Editor from Denmark

**Ricardo Alexandre Sousa**, Radio News Director from Lisbon, Portugal  
(One of the lost ones)

**Saso Tonevski**, Airline Security Expert from Macedonia  
(Ms. Cooper noted that he was the potential President of Macedonia)

Ms. Cooper stated that she hoped these young people would remember Chattanooga fondly.

**SISTER CITIES APPROP.**

On motion of Councilwoman Robinson, seconded by Councilwoman Rutherford,

**AN ORDINANCE APPROPRIATING FROM THE GENERAL FUND TO CHATTANOOGA SISTER CITIES THE AMOUNT OF TWO THOUSAND DOLLARS (\$2,000.00) TO SUPPORT THE HOSTING OF THE SISTER CITIES INTERNATIONAL SUMMIT DURING THE REGIONAL CONFERENCE**

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

**CLOSE & ABANDON**

**2006-232 (Chattanooga Neighborhood Enterprise/Bob McNutt)**

On motion of Councilwoman Rutherford, seconded by Councilwoman Gaines,

**AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE NORTHERN RIGHT-OF-WAY OF AN ALLEY LOCATED ON THE WEST LINE OF THE PROPOSED 500 BLOCK OF EAST 18<sup>TH</sup> STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS**

was substituted. On motion of Councilwoman Rutherford, seconded by Councilwoman Gaines, the Ordinance passed second and final reading and was signed in open meeting.

Mr. McNutt wanted to know the reason for substitution and was told by Attorney Nelson that it becomes effective immediately rather than waiting two weeks.

**WAIVE FEES/TIVOLI**

Councilwoman Robinson explained that the Conference on Southern Literature is a collaboration between many local sponsors, including the City of Chattanooga. She stated that she was asked to bring an expression of appreciation and a thank you for the City's support. This Conference will be held in the Tivoli Theater from March 28<sup>th</sup> to March 31<sup>st</sup> and will host 1200 people from across the United States.

On motion of Councilwoman Robinson, seconded by Councilwoman Gaines,

**AN ORDINANCE WAIVING RENTAL FEES FOR USE OF THE TIVOLI THEATRE MARCH 28-31,2007 FOR THE ARTS & EDUCATION COUNCIL OF THE CHATTANOOGA AREA, INC. IN THE AMOUNT OF FOUR THOUSAND NINE HUNDRED FIFTY DOLLARS (\$4,950.00), WHICH FEES WOULD HAVE ACCRUED TO THE GENERAL FUND, IN SUPPORT OF THE 2007 CONFERENCE ON SOUTHERN LITERATURE AND AUTHORIZING TRANSPORTATION ASSISTANCE**

passed first reading.

**ZONING ORD. AMEND.**  
**NORTH SHORE C-7**

Councilman Benson stated that this was discussed in Legal and Legislative Committee and comes with a recommendation for approval.

Councilwoman Bennett stated that she would like to make the motion to approve but in her motion the Ordinance should include language and guidelines. She expressed appreciation to RPA, Public Works, and all who had participated in this, noting that this should indicate the adopted version rather than modified version.

**NORTH SHORE C-7 (CONT'D)**

On motion of Councilwoman Bennett, seconded by Councilman Benson,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS  
AMENDED, KNOWN AS THE ZONING ORDINANCE, BY  
AMENDING ARTICLE V, SECTIONS 950 THROUGH 957, C-7  
NORTH SHORE COMMERCIAL/MIXED USE ZONE, SO AS TO  
CLARIFY AND ADOPT THE DESIGN GUIDELINES AND  
SUBMITTAL REQUIREMENTS**  
passed first reading.

**REZONING**

**2007-022 (Paragon Development, Inc.)**

The request of Paragon Development, Inc. to rezone tracts of land located at 6308, 6338, 6348, and 6352 Grubb Rd. from R-4 to C-2 came on to be heard.

Mr. Greg Haynes of RPA made the presentation. He explained that this was a 50-acre commercial development and this rezoning is for the remaining nine acres and a triangular region needed to complete this. This was first approved in May of last year and this request completes the development. One of the original conditions was that any change must be approved by the RPA Staff, and Mr. Haynes stated that they were satisfied and had given their stamp of approval. At this point, he directed attention briefly to a slide of the site, with surrounding residential property; another view was up Stonewood Drive and showed an Assisted Living facility.

Mr. Haynes stated that the Planning Commission recommended approval subject to the following six conditions: (1) Conceptual site plan (2) No access to Grubb Road (3) 100' screening buffer from Grubb Road as shown on site plan. Landscaping to consist of 2 staggered rows of evergreen trees 15 ft. on center at the bottom and top of slope to be 2-inch caliper or 6 feet tall. (4) Any major deviations or changes of site plan to be reviewed in conjunction with site plan for Case 2006-028 and approved by RPA Staff. RPA signed copy of the final site plan for Case 2006-028 and 2007-022 will accompany the case at Chattanooga City Council for final action. (5) All lighting directed toward the development and away from residential properties; and (6) Dumpster activity only from 7:00 a.m. until 7:00 p.m.

**REZONING (CONT'D)**

Councilman Page stated that if there was no opposition to the project that he would like the Developer to bring us up to date.

Mr. Roy Glazer of Paragon expressed his appreciation for the opportunity to be here and commended RPA and the professionals they had worked with on this. He stated that at this point in time they could not announce any of the prospective tenants who had signed on but that they were 70% complete and moving forward rapidly. He explained that this would be a Lifestyle Center with avenues, walkways, water fountains and high-end retail shops; that this was a new type of development that attracts a better type of tenant and will be of benefit to the City.

Councilman Page asked about the groundbreaking date, stating that he would like the opportunity to work with the neighborhood.

Mr. Glazer responded that the groundbreaking would be either the third or fourth quarter of this year.

On motion of Councilman Page, seconded by Councilwoman Robinson,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS  
AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS  
TO REZONE TRACTS OF LAND LOCATED AT 6308, 6338,  
6348, AND 6352 GRUBB ROAD, MORE PARTICULARLY  
DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO C-2  
CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN  
CONDITIONS**

passed first reading.

**REZONING**

**2007-024 (St. Elmo Improvement League)**

The request of St. Elmo Improvement League to lift Condition No. 1 of Ordinance No. 11428 (Case No. 2003-072) on a tract of land located at 4501 St. Elmo Ave. came on to be heard.

Mr. Greg Haynes of RPA made the presentation. He explained that this was a community center housed in the old St. Elmo Firehall, and he read the following two conditions:

**REZONING (CONT'D)**

(1) Off-street parking not to be located in the front, or as determined by the City Traffic Engineer; and (2) The following R-4 uses only: Offices, Studios, Museum and Art Galleries with retail sales as an accessory on-site use, except that such accessory use shall require a special permit under terms of Article VIII, Churches, Schools and Libraries, Social Agencies and other non-commercial public and semi-public uses, Home Occupations, and residential dwelling units.

Mr. Haynes explained that since Planning had recommended approval, they had found out about Deed Restrictions that may be a problem.

Attorney Nelson explained that Deed Restrictions and Zoning Requirements operate separately; that they would have to go back through the process to waive restrictions.

Mr. Haynes stated that they recommended approval and issuing off-street parking and the other conditions that he had previously read.

Councilman Benson noted that this had come up before, noting that there were two issues, and we were just here to amend.

On motion of Councilman Rico, seconded by Councilwoman Gaines,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS  
AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS  
TO LIFT CONDITIONS NO. 1 OF ORDINANCE NO. 11428  
(CASE No. 2003-072) ON A TRACT OF LAND LOCATED AT  
4501 ST. ELMO AVENUE, MORE PARTICULARLY DESCRIBED  
HEREIN, SUBJECT TO CERTAIN CONDITIONS**

passed first reading.

**REZONING**

**2007-025 (Donald G. Griffith)**

The request of Donald G. Griffith to rezone tracts of land located at 2803, 2805, and 2807 East 47<sup>th</sup> St. from R-2 to C-2 came on to be heard.



**REZONING (CONT'D)**

Mr. Greg Haynes of RPA made the presentation, stating that this rezoning was to allow two uses—one being the existing house—the applicant wants to use this as an office for a construction business and have limited storage; another portion will be used as a parking lot for the business across the street. There is residential property to the east and residential property to the rear behind the alley; a portion is zoned C-2, and the rear is zoned R-2. Mr. Haynes explained that there is an existing Body Repair Shop and a church on the corner. This is located in the Cedar Hill neighborhood, which is primarily residential. The proposed use is for outdoor storage, which is less compatible with residential and Planning is recommending denial.

Councilman Rico stated that he thought at first there was opposition, but they had decided to rescind the opposition.

**Mr. Lee Tripp**, President of the Cedar Hill Improvement League, asked to speak.

Chairman Pierce ascertained that the applicant should speak first.

**Mr. and Mrs. McJunkin** were present. Mrs. McJunkin explained that since they had submitted this application for rezoning, they had come to the understanding that they would change their original request to build storage; that Mr. Griffith was not here today, but he had agreed to allow her parking on his area, which would eliminate the need for a parking lot, and they would only want use of the building for an office. She went on to say that there would be no exterior storage of any kind and no additional parking on the property; that Mr. Griffith would make a parking lot on his property.

Mr. McJunkin explained that if Mr. Griffith made a parking lot that it would prevent four-wheels all over the neighborhood; that all they wanted was an office in their home—that their business was McJunkin Construction, and they only met with people two to three times a year.

Mrs. McJunkin pointed out that all the debris had been cleaned up.

**REZONING (CONT'D)**

**Mr. Lee Tripp** spoke in opposition. He stated that they had gone to the County Commission meeting and talked to them there; that this property looked like a yard sale or a flea market that had lasted over a month, and they had contacted Neighborhood Services to have them cited for not having the proper permits, and they had to stop selling; that they had had an Association meeting and Mrs. McJunkin was there to talk about this property. He explained that there were actually three owners—Mr. Griffith, his son, and the McJunkins, but it was all filed under one request; that after this meeting they learned more about the situation and were in favor of this, but others in the neighborhood felt that they had violated the Charter, and he had gotten inundated with phone calls; people were not in favor, and they had no guarantees about this property—that people questioned what would happen if they sold to someone else, and the property was already rezoned—that anybody could come in once this was rezoned commercial, and they would have no control, even with restrictions; that as far as motorcycles and four-wheelers, they would continue to run in the neighborhood.

He went on to say that they were asking the owners to take a different way and move into a less dense area; that they wanted to be good neighbors but were opposed to this change to C-2 and would like to keep R-2 and not have C-2. He emphasized that this was not just the association but that he had been inundated with phone calls.

Councilwoman Rutherford clarified that Mrs. McJunkin lives here, and it was her business. She stated that she thought if Mrs. McJunkin did not have signage, she could run the business without any rezoning.

Attorney Nelson stated that he was about to come to the same conclusion; that they would have to meet certain requirements to qualify as a home occupation, such as not have employees.

Mrs. McJunkin confirmed that they handled the business themselves.

Mr. Haynes stated that doing this without rezoning would be true unless sales were involved; that the request for outdoor storage would have to go in a C-2 zone; however there were still some restrictions with home occupations.

**REZONING (CONT'D)**

Attorney Nelson agreed that under R-1 there was no opportunity for outdoor storage.

Councilwoman Bennett asked Mr. Haynes if they were still standing by their recommendation for denial after having an opportunity to hear this. Mr. Haynes responded “yes”—that they would not be in favor of C-2 zoning as this was presented to them.

Councilman Rico asked even with the changes the applicant was willing to make, they were still not all right with this?

Mr. Haynes responded that it would depend on the request—that it might could change to O-1.

Councilwoman Rutherford still maintained that she was not sure this needed to be changed to C-2; that she did not want the Council to deny this because the applicant would have to start all over from scratch. She suggested that they withdraw the request and talk to the Planning Staff about a different zone or not having to rezone at all.

Councilman Benson stated that he thought a home occupation could only use a certain amount of square footage and questioned what percentage of the house the applicant would be using.

Mr. Bennett agreed that there was a maximum of 25% of the floor space to be used and that all sales were prohibited with home occupations.

Councilwoman Rutherford stated that she thought she understood that there would be no sales. Mr. McJunkin explained that they wanted to be able to sell extra material if necessary.

Mr. Bennett reiterated that sales and storage are not allowed in home occupations. He went on to say that their problem with this request was that number one, the Plan was confusing; that there were three separate parcels under three separate owners, and they had not made it clear what they wanted to do; that the applicant that was here today had come closer than anyone in letting them know about plans for the house.

Mr. McJunkin stated that Mr. Griffith had power of attorney.

**REZONING (CONT'D)**

Mr. Bennett noted that Mr. Griffith had a motor cycle shop; that they were trying to maintain residential integrity of the neighborhood; that this was an old community and a vital part of the City. He reiterated that they were trying to maintain residential integrity—that one of the reasons for blight is erosion of residential zoning; that in rezoning this, it would be difficult to find a legal stopping point where they could say we won't rezone anymore; that with no legal reason, they would be arbitrary and would be looking at pressure for commercial zoning to the north. He agreed that this might not create a potential problem, but he was not sure of the commercial use in the other two lots.

Councilman Rico suggested deferring this until something could be worked out.

Mrs. McJunkin stated that she thought that they had worked this out but now found the neighborhood was against them.

On motion of Councilwoman Rutherford, seconded by Councilwoman Robinson,

**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE TRACTS OF LAND LOCATED AT 2803, 2805, AND 2807 East 47<sup>th</sup> STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE**

**was denied.**

**REZONING**

**2007 (Jerry Brock)**

The request of Jerry Brock to rezone a tract of land located at 2719 Hickory Valley Road from R-2 to R-4 came on to be heard.

Mr. Haynes of RPA made the presentation. He explained that they were asking for R-4 to be able to use the existing non-residential building for office use. He showed slides of the property around this, noting that it was low density residential, and this non-residential use is more appropriate. He stated that this was not intended to set a precedent.

REZONING (CONT'D)

On motion of Councilwoman Rutherford, 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 2719 HICKORY VALLEY ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE**

passed first reading.

REZONING

**2007-030 (City of Chattanooga/Paul Page)**

Councilman Benson stated that this was discussed in Legal and Legislative Committee, and the recommendation was to postpone this for two weeks until a resolution is made.

On motion of Councilman Benson, seconded by Councilwoman Bennett,

**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 201 WALNUT STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS**

**was postponed for two weeks.**

CONTRACT

Councilwoman Rutherford asked if the Council had seen a picture of this?

Councilman Rico indicated that he thought we had seen a picture.

Councilman Benson stated that this was a good question; that he did not think he had seen a picture either.

Councilman Rico stated that this was discussed in a committee meeting and comes with a recommendation.

**CONTRACT (CONT'D)**

Councilwoman Rutherford noted that there was no backup documentation.

Councilwoman Bennett noted that Larry Zehnder was present and that he had jurisdiction over this, stating that she was not sure about a change order.

Mr. Zehnder explained that this was presented over two years ago with the Riverfront Development; that when he arrived on the scene, the scope of the project had changed; that this Pavilion will go in Renaissance Park and will be used for picnics and as a shelter for groups; that it was a very simple structure with an environmentally friendly green roof that would be planted with plants.

Councilwoman Rutherford asked about the size of this in comparison to the Walker Pavilion. Mr. Zehnder responded that it was larger. Councilwoman Rutherford noted that a half million dollars was a lot of money.

Councilman Benson agreed that it did not sound like a “simple” building, and he would like to see more about it; that he did not want to make a mistake like the Amphitheater, which was too big to have effects and did not want us to get something else that was too big.

Councilwoman Rutherford indicated that she would like to defer this.

Mr. Zehnder stated that it could be discussed in committee next week and that he would tag on to the Public Works committee.

Councilman Benson noted that there might be tremendous maintenance. Mr. Zehnder still maintained that this was more of a simple building—just a roof and four walls to allow restrooms and storage; that it was a pleasant building, and he would be happy to bring plans to the committee meeting.

**CONTRACT (CONT'D)**

On motion of Councilman Rico, seconded by Councilwoman Rutherford,  
**A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. R-07-001-201, RENAISSANCE PARK PAVILION, TO POINTE GENERAL CONTRACTORS, LLC IN THE AMOUNT OF FIVE HUNDRED TWENTY THOUSAND DOLLARS (\$520,000.00), PLUS A CONTINGENCY AMOUNT OF THIRTY THOUSAND DOLLARS (\$30,000.00), FOR A TOTAL AMOUNT NOT TO EXCEED FIVE HUNDRED FIFTY THOUSAND DOLLARS (\$550,000.00)**  
was deferred for one week.

**BUS ACCEPTANCE**

On motion of Councilwoman Rutherford, seconded by Councilwoman Robinson,  
**A RESOLUTION AUTHORIZING ACCEPTANCE OF A 1980 MCI-9 BUS FROM FRIENDS OF THE ZOO, INC. TO THE DEPARTMENT OF PARKS AND RECREATION FOR USE BY THE CHATTANOOGA ZOO, AND POSSIBLY OTHER USES BY THE DEPARTMENT**  
was adopted.

Councilman Rico, jokingly, asked if we had a picture of the bus? Councilwoman Rutherford retorted that he should say "yes" anyway!

**OVERTIME**

Overtime for the week ending March 9, 2007, totaled \$14,215.66.

**PERSONNEL**

The following personnel matters were reported for the various departments:

**PERSONNEL (CONT'D)**

**PUBLIC WORKS DEPARTMENT:**

- **JACK T. EDWARDS**—Promotion to General Supervisor, Sr., Pay Grade 16/1, \$33,344.00 annually, effective 2/16/07.
- **DARRELL CAMPBELL**—Promotion to Survey Party Chief, Pay Grade 13/9, \$42,173.00 annually, effective 2/16/07.

**CHATTANOOGA HUMAN SERVICES DEPARTMENT:**

- **JAMI KING**—Resignation of Clerk III, effective 2/28/07.

**CHATTANOOGA POLICE DEPARTMENT:**

- **JENNIFER ROBERTS**—Hire as Police Records Clerk, Pay Grade 5/1, \$20,000.00 annually, effective 3/12/07.
- **KAREN MEIVES**—Promotion to Personnel Assistant, Pay Grade 7/9, \$31,616.00 annually, effective 3/12/07.

Councilwoman Bennett noted that it was good to see Captain Snyder back with us—that she was glad to see her back.

**CHATTANOOGA FIRE DEPARTMENT:**

- **MELISSA MILLER TYLER**—Resignation of Firefighter, effective 3/20/07.

**PURCHASE**

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

**THURMAN BRIGHT (Lowest and Best Bid)**  
**Requisition R0092908/B0003886**

Bollard Lights for the River Walk

\$25,095.00



**PURCHASE (CONT'D)**

Councilman Page stated that he thought he remembered that this would be covered by a joint budget with the County. Mr. Zehnder agreed that this was correct, and we would just pay our portion. Councilman Page asked if \$25,095.00 was the total amount, and the answer was “yes”—that we would be reimbursed.

**PURCHASES**

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

**ROLL AID INDUSTRIAL (Lowest and Best Bid)**  
**A & H SAFETY (Lowest and Best Bid) DUAL CONTRACTS**  
**Requisition R0096100/B0003844**

Traffic Safety Material (Annual Blanket Contract)

\$2,086.50 (Roll Aid)  
\$2,086.30 (A & H Safety)

**FLASHER & BARRICADE SERVICE (Blanket Contract)**  
**Requisition R0095220/B0003748**

Flashers & Barricades

(See minute material for additional pricing info.)

**BAKERS WASTE EQUIPMENT (Lowest and Best Bid)**  
**Requisition R0096338/B0003853**

Seven (7) 31- Cubic Yard Outside Recycling Containers

\$57,454.00

**PURCHASES**

Before Mrs. Johnson presented her purchases, she took this opportunity to thank each of the Councilpersons for their kind expressions of sympathy for her family during the recent loss of her sister—she noted that there were nine girls in her family and now there were only eight. She stated that she was trying to be strong and again thanked everyone for their thoughtfulness and prayers.

On motion of Councilman Rico, seconded by Councilwoman Rutherford, the following purchases were approved for use by the Department of Neighborhood Services and Community Development:

**MULTIPLE CONTRACTS: HOOVER PROPERTIES, FRESH START LAWN CARE, ALL SEASONS LAWN CARE, DAYLIGHT 2 DARK LAWN CARE, THOMPSON HANDYMAN SERVICE, CBR PROPERTY MAINTENANCE, BARDFORD LAWN CARE, CLIFF DOCKERY, S & T PAVING, AND GREEN TOP LAWN CARE (To be used on a rotational basis)**  
**Requisition R0094416**

Abatement Overgrowth and Litter Services (Annual blanket Contract)

(See minute material for pricing)

**MUTLIPL E CONTRACTS: BEE CEE ENTERPRISES, GARY JACKSON, HAVRON CONTRACTING, HOOVER PROPERTIES, EAGE CONSTRUCTION & ENVIRONMENTAL SERVICES, MODERN DAY WRECKING CO., OAKES TREE SERVICE, PATE'S HAULING & DEMOLITION, AND WES BLAKEMORE TRUCKING (To be used on a rotational basis)**  
**Requisition R0094430**

Demolition Services (Annual blanket Contract)

(See minute material for pricing)

**PURCHASES (CONT'D)**

Councilman Page wanted to know of Mrs. Johnson if the demolition was because of blight.

Mrs. Johnson explained that this involved properties that they have to carry to public hearings when they are deemed to be less than 50% of value and are a blight to the community and the owners cannot or will not take care of them, and we use city funds and place a lien on the property.

Councilman Page wanted to know since we did not know how many houses would be involved, if we went by square footage.

Councilman Benson stated that something needed to be clear—that none of these bidders work for the City?

Mrs. Johnson responded “none that she knew of”—that the Purchasing Department is responsible for due diligence, and Purchasing makes a recommendation to her department.

Councilman Benson explained that he had just noticed a familiar name on the list—a common name that everyone would recognize.

Chairman Pierce questioned if we could put an exception in the motion to approve, saying that no person has any ties with the City. Attorney Nelson agreed that that could be done. Chairman Pierce wanted to know if this would hinder Mrs. Johnson.

Mrs. Johnson responded that if they worked for the City, they would not be able to participate—that she thought this would be an exclusion and not an exception—that she would be glad that this be made a part of the motion.

**On motion of Councilman Rico, seconded by Councilman Benson, the exclusion will be made to the motion of anyone working for the City not being able to participate in demolition.**

**PURCHASES**

On motion of Councilwoman Rutherford, seconded by Councilwoman Bennett, the following purchase was approved for use by the Chattanooga Fire Department:

**TRI-STATE GOVERNMENT SERVICES (Lowest and best bid)**  
**Requisition R0096306/B0003854**

Hazardous Waste Removal (Requirements Contract)

\$ 95.00 per 55 gallon drum (Item 1)  
\$200.00 per 55 gallon drum (Item 2)

On motion of Councilwoman Rutherford, seconded by Councilwoman Robinson, the following purchase was approved for use by the Chattanooga Fire Department:

**COLLAPSE RESCUE SYSTEMS, INC. (Lowest and best proposal)**  
**Requisition R0095506**

Three (3) Advanced Structural Collapse Rescue Shoring Techniques Training Classes

\$45,400.00

**REFUNDS**

On motion of Councilwoman Rutherford, seconded by Councilman Rico, the Administrator of Finance was authorized to issue the following refunds for overpayments of Stormwater fees and/or Property Taxes and refund of gross receipts tax per State exemption:

**Thomas C. Mayberry--\$1,699.06.**

**Sequistchie Concrete Services, Inc.--\$6,528.91**

At this point in the meeting, it was noted that Daisy Madison is now a grandmother!

**COMMITTEES**

Councilman Rico reminded Councilmembers of the **Public Works Committee meeting scheduled for Tuesday, March 20<sup>th</sup> at 3:00 P.M.**

Councilwoman Bennett noted that she had provided Councilmembers with information on new TML issues.

Councilman Page reminded Councilmembers of the **Economic Development Committee meeting scheduled for Tuesday, March 20<sup>th</sup>, immediately following the Public Works Committee meeting.**

**JOHN VAN HOOSER**

**John Van Hooser** addressed the Council concerning a copy of a work order for yard work. He stated that he had made at least 20 calls to 311; that this might seem a small issue, but it was holding him up. Mr. Van Hooser was asked to give his name and phone number to Adm. Leach. Chairman Pierce stated that if that did not work to get in touch with Councilman Benson.

**LEE TRIPP**

**Mr. Lee Tripp of the Cedar Hill Improvement League** addressed the Council, thanking them for their earlier decision on the rezoning issue. He stated that they had spent at least 20-30 hours trying to get blight, drugs, and prostitution out of their neighborhood, which had a lot of senior citizens. He stated that they fought hard and appreciated the efforts of Councilman Rico.

**ADJOURNMENT**

Chairman Pierce adjourned the meeting of the Chattanooga City Council until Tuesday, March 20, 2007, 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)**

