

**CITY COUNCIL BUILDING  
CHATTANOOGA, TENN.  
August 28, 2007**

Chairman Page called the meeting of the Chattanooga City Council to order with Councilpersons Bennett, Benson, Franklin, Gaines, Rico, Robinson, and Rutherford present. Councilman Pierce was absent due to a personal 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 Councilman Rico, followed by invocation given by Morty Lloyd.

**MINUTE APPROVAL**

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

**SPECIAL PRESENTATION:  
WUXI, CHINA**

After calling the meeting to order, Chairman Page turned it over to Mayor Littlefield. Mayor Littlefield stated that the City of Chattanooga has a long, proud history of Sister City relationships and one of those among the ones we count as friends stands out in a unique manner and started one-fourth of a century ago—that is Wuxi, China. He noted that China was new territory and foreign to us; that only a handful had such a relationship with China at that time; that Wuxi had come a long way from a rural community to a now thriving city of four million; that it had taken a long time for us to have a student exchange like that of Hamm, Germany; that it was so new and unusual to have the children from China coming here and that it had taken us awhile (25 years) to trust our children going to China; that now we had our first group of young people from our city who went over to China and lived with Chinese families; that children from China had lived with our families as well.

WUXI, CHINA (CONT'D)

At this time Mayor Littlefield noted that he was going to recognize those students who were present with us tonight and asked that they gather around him; that they were our Ambassadors of Good Will, and he read the following names and presented certificates: Eliza Caldwell, Crawford Charman, Clayton Crouch, Taylor Dickinson, Victor Edwards, Sarah Gossett, Katherine Harrison, Janell Jackson, Margaret Johnson, Serena Malone, Taylor Skinner, Jason Tonge, and Lauren Williamson. The teachers were Linda Mines, Jane Lael, and Elijah Duncan.

Mayor Littlefield stated that we appreciated these students for being the first of many, he hoped, to go to China, stating that this was something they would carry with them for the rest of their lives. He went on to say that he was at a conference in Washington not too long ago, and the issue came up and that China was somewhat controversial; that he was glad to be able to say that we were good friends with Wuxi, China, and had been for 25 years and that he could speak with some commitment; that we had even reached the point where we were exchanging our young people. He thanked the students for being “Ambassadors of Good Will”.

Chairman Page asked if there was any spokesperson for the students.

**Taylor Dickinson** stepped forward, stating that she was a sophomore and one of 13 students who went to Wuxi; that they returned on the 27<sup>th</sup> of July. She stated that she would like to emphasize how their experiences went; that she had preconceived ideas about China that changed after being there for 10 days and staying with a host family—that her ideas of the country and the people had changed. She stated that she wished more students could have the same experience. She mentioned walking downtown on a Friday night in Wuxi and seeing a current movie “Transformers” and going to restaurants and how it struck her how really similar Wuxi is to Chattanooga—doing the same things, and it was hard to imagine that she was not still at home. She noted that the people did not speak our language but there was still a close bond. She stated that staying with a host family was the most rewarding experience—that it was amazing how much of the culture you could absorb actually staying with a family, and you also felt like part of the family. She stated that she now had another family that she would stay in touch with for the rest of her life. She ended by saying that she wished other groups could have the same experiences that they had had.

**WUXI, CHINA (CONT'D)**

**Linda Mines**, one of the teachers who made the trip spoke next. She stated that she was a history teacher at GPS and one of the three teachers who made the trip; that it was an incredible, rewarding experience; that we gain peace through understanding; that we were less adept at speaking the Chinese language than they were speaking English; that those who went really had a passion, and it was all very intriguing and she hoped we could have a teacher exchange in the future. She mentioned that they were beginning to teach Chinese at GPS; that it was amazing how much education had changed and that global economy would force us to have such relationships. She thanked the Mayor and Council for endorsing the Sister City program, stating that she hoped we could bring Chinese teachers to Chattanooga.

Chairman Page stated that this was all very inspirational to the Council, and he hoped that things like this would bring business to Chattanooga.

Councilwoman Robinson thanked the local City Sister Organization for all that they do. She especially thanked Eleanor Cooper, who is the president of the Organization, stating that this is a wonderful relationship.

At this point Mayor Littlefield stated that he would lead the group out to our other building for a reception.

Chairman Page indicated that the students would be welcome to stay for the remainder of the meeting, stating however that it would probably be as interesting to them "as watching grass grow"!

**CLOSE & ABANDON**

**MR-2007-074 (Eugene H. Schimpf, III)**

On motion of Councilman Franklin, seconded by Councilwoman Robinson,

**AN ORDINANCE CLOSING AND ABANDONING A PORTION OF A SANITARY SEWER EASEMENT AT 281 NORTH LYERLY STREET AND 250 NORTH KELLEY STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE**

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

**CLOSE AND ABANDON**

**MR-2007-118 (City of Chattanooga, c/o Paul Page)**

On motion of Councilman Rico, seconded by Councilwoman Robinson,  
**AN ORDINANCE CLOSING AND ABANDONING A TRACT OF  
LAND LOCATED AT THE SOUTHERN UNOPENED RIGHT-OF-  
WAY PORTION OF THE 500 BLOCK OF EAST 4<sup>TH</sup> STREET  
AND THE EAST UNOPENED RIGHT-OF-WAY PORTION OF  
THE 400 BLOCK OF GEORGIA AVENUE, 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-2007-080 (Michael J. Stewart for Allison Craik Davis, Jr.)**

On motion of Councilman Rico, seconded by Councilwoman Robinson,  
**AN ORDINANCE CLOSING AND ABANDONING PART OF AN  
UNOPENED ALLEY LOCATED ON THE SOUTH LINE OF THE  
UNOPENED 1000 BLOCK OF WINTER 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 first reading.

At this point Chairman Page noted that all of the Resolutions had been through committee.

**CONTRACT**

On motion of Councilman Rico, seconded by Councilwoman Rutherford,  
**A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT  
NO. E-06-013-201, 2007 CITY SIDEWALK REQUIREMENTS  
CONTRACT, TO KLEENCO CONSTRUCTION OF TENNESSEE,  
INC. IN THE AMOUNT NOT TO EXCEED THREE HUNDRED  
FIFTY THOUSAND DOLLARS (\$350,000.00)**  
was adopted.

CONTRACT

On motion of Councilman Rico, seconded by Councilman Franklin,  
A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT  
NO. E-06-006-301, NORTHPOINT BOULEVARD  
EXTENSION—PHASE 1, TO STEIN CONSTRUCTION  
COMPANY, INC. IN THE AMOUNT OF ONE MILLION ONE  
HUNDRED THIRTEEN THOUSAND NINE HUNDRED  
TWENTY-SEVEN AND 11/100 DOLLARS (\$1,113,927.11),  
PLUS A CONTINGENCY AMOUNT OF ONE HUNDRED  
ELEVEN THOUSAND THREE HUNDRED NINETY-TWO AND  
89/100 DOLLARS (\$111,392.89), FOR A TOTAL CONTRACT  
AMOUNT NOT TO EXCEED ONE MILLION TWO HUNDRED  
TWENTY-FIVE THOUSAND THREE HUNDRED TWENTY  
DOLLARS (\$1,225,320.00)

was adopted.

GRANT ACCEPTANCE

On motion of Councilwoman Gaines, seconded by Councilman Franklin,  
A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A  
GRANT FROM WAL-MART, INC. IN THE AMOUNT OF ONE  
THOUSAND DOLLARS (\$1,000.00) TO BE USED FOR THE  
PURCHASE OF K-9 TRAINING SUPPLIES

was adopted.

LEASE AGREEMENT

On motion of Councilwoman Gaines, seconded by Councilman Franklin,  
A RESOLUTION AUTHORIZING THE MAYOR OR HIS  
DESIGNEE TO EXECUTE A LEASE AGREEMENT WITH THE  
HAMILTON COUNTY CLERK AND MASTER FOR THIRTY  
(30) PARKING SPACES ON THE CITY PARKING LOT WITH  
ITS ENTRANCE ON HOUSTON STREET AND EXIT ON  
LINDSAY STREET FOR A TERM OF ONE (1) YEAR AT A  
RATE OF EIGHTEEN THOUSAND DOLLARS (\$18,000.00)  
ANNUALLY, PAYABLE IN MONTHLY INSTALLMENTS IN THE  
AMOUNT OF ONE THOUSAND FIVE HUNDRED DOLLARS  
(\$1,500.00), WITH THE OPTION FOR EXTENSIONS OF NO  
LESS THAN SIXTY (60) DAYS EACH AT THE SAME  
MONTHLY RATE

was adopted.

**LEASE AGREEMENT(CONT'D)**

Councilwoman Robinson asked who the owner of property payee was?

Mr. Paul Page explained that it is city-owned property, and we are leasing the property to the Clerk and Master's Office; that they needed 30 parking spaces, and we happened to have them.

Councilman Benson added that it was a pay-off for the City in the long run in many ways and a great investment for us. He urged councilmembers to visit the offices across the street; that he thought everyone would be surprised how well equipped the offices were; that the County was doing the repairs, and he thought that we could use them down the road.

**GRANT ACCEPTANCE**

On motion of Councilman Rico, seconded by Councilwoman Robinson,

**A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR AND, IF AWARDED, TO ACCEPT A BUFFER ZONE PROTECTION PLAN (BZPP) GRANT FROM TENNESSEE EMERGENCY MANAGEMENT AGENCY (TEMA) IN THE AMOUNT OF ONE HUNDRED EIGHTY-THREE THOUSAND SEVEN HUNDRED TWO AND 26/100 DOLLARS (\$183,702.26), WITH NO LOCAL MATCHING FUNDS REQUIRED, TO BE USED TO PURCHASE TACTICAL POLICE EQUIPMENT FOR THE SWAT TEAM, BOMB SQUAD, AND PATROL DIVISION**

was adopted.

**OVERTIME**

Overtime for the week ending August 14, 2007, was reported in the amount of \$9,058.27.

Chairman Page noted that our overtime had decreased.

**PERSONNEL**

The following personnel matters were reported for the various departments:

**CHATTANOOGA POLICE DEPARTMENT:**

- **DEMETRIC R. ARMSTEAD & JENNIFER L. MCCOY**—Hire as Police Officers, P1/3, \$34,292.00 annually, effective 8/24/07.
- **NATHAN D. HARTWIG & KEN HIRSH**—Hire as Police Officers, P1/5, \$37,357.00 annually, effective 8/24/07.
- **TODD MOORE, CHRISTOPHER J. SCHEELER & CHRISTOPHER L. SELMAN**—Hire as Police Officers, P1/6, \$38,891.00 annually, effective 8/24/07.
- **PAUL A. MOUNT & SEAN P. O'BRIEN**—Hire as Police Officers, P1/4, \$35,825.00 annually, effective 8/24/07.
- **KEVIN G. OTTO**—Hire as Police Officer, P1/2, \$32,760.00 annually, effective 8/24/07.
- **JOSHUA GREGORY TURNER**—Military Leave of Absence, effective 8/26/07 for about 400 days.
- **MARY ST. CLAIR**—Retirement of Sergeant, effective 8/31/07.
- **NEECIE MILLER**—Resignation of School Patrol Officer, effective 8/24/07.

Assistant Chief Snyder was present and wanted to recognize Sergeant Mary St. Clair, who was retiring after 27 years of dedicated service.

Chairman Page asked that Chief Snyder share the Council's best wishes for her.

**PERSONNEL (CONT'D)**

**CHATTANOOGA HUMAN SERVICES DEPARTMENT:**

- **HEATHER MANLEY & TONJA NIEPERT**—Resignation of Teacher Assistants, effective 8/08/07 & 8/03/07 respectively.
- **KERRY THIGPEN**—Resignation of Teacher, effective 8/03/07.

**CHATTANOOGA FIRE DEPARTMENT:**

- **TIMOTHY YOUNGBLOOD**—Promotion to Lieutenant, F4/4, \$43,377.00 annually, effective 8/17/07.

**PUBLIC WORKS DEPARTMENT:**

- **JAMES R. COOPER**—Voluntary Demotion to General Supervisor, Pay Grade 14/8, \$43,374.00 annually, effective 8/10/07.
- **GREGORY L. ALBRITTON**—Resignation of Assistant City Engineer, effective 10/11/07.

**NEIGHBORHOOD SERVICES DEPARTMENT:**

- **STEVEN K. HARGIS**—Termination of Codes and Neighborhood Relations Manager, effective 8/20/07.

**PURCHASES**

On motion of Councilman Franklin, seconded by Councilwoman Gaines, the following purchase was approved for use by the Human Services Department:

**GRASSCAPES (Lowest and best bid)**  
**Requisition R0101221/B0004388**

Blanket Contract for Grounds Maintenance

\$12,000.00

**PURCHASES (CONT'D)**

On motion of Councilman Franklin, seconded by Councilwoman Gaines, the following purchase was approved for use by the Human Services Department:

**ENSAFE INCORPORATED (Change Order)**  
**Requisition R0102107**

Change Order regarding Abatement Services of Mold & Mildew at Daisy Head Start

\$7,000.00 original amount  
\$7,959.78 change order  
\$14,959.78 total

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

**A&J LANDSCAPE (Sole Source)**

Landscaping Services

\$26,070.30

**HOTEL PERMITS**

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

**AMERICA'S BEST VALUE INN & SUITES**—103 Patten Chapel Rd., Chattanooga, TN.

**BLUFF VIEW INN**—412 E. 2<sup>nd</sup> St., Chattanooga, TN.

**COURTYARD BY MARRIOTT**—200 Chestnut St., Chattanooga, TN.

**DAYS INN—RIVERGATE**—901 Carter Street, Chattanooga, TN.

**MAYOR'S MANSION INN**—801 Vine Street, Chattanooga, TN.

**PURCHASES**

On motion of Councilwoman Rutherford, seconded by Councilman Rico, the following purchase was approved for use by the Mayor's Office:

**NETALLIANT TECHNOLOGIES, LLC (Best evaluated bid meeting specs.)**  
**Requisition R00100963/B0004391**

12 Month Blanket Contract for Professional Personnel Service for Information Services Division

\$40,000 per year

On motion of Councilman Rico, seconded by Councilwoman Rutherford, the following purchase was approved for use by the Mayor's Office:

**HISCALL, INC. (Lowest bid meeting specs.)**  
**Requisition R00100354/B0004337**

12 Month Blanket Contract to provide Millimeter Wave Equipment Installation and Maintenance for the Information Services Division

\$100,000 per year

**EMERGENCY PURCHASE**

An Emergency Purchase for the General Services Department was reported to repair the Bessie Smith Hall Chiller by Jake Marshall Service, Inc. in the amount of \$11,453.06.

**COUNCILWOMAN**  
**MARTI RUTHERFORD**

At this point in the meeting Councilwoman Rutherford stated that she had a prepared statement that she would like to read; that anyone wishing a copy could pick it up after the meeting from Ms. Crownover.

Before reading the statement Councilwoman Rutherford stated that she was truly overjoyed at the number of people present tonight in her support; that she expected only 10 or 12. At this point she asked these people in the audience to stand.

Her statement was as follows:

*August 28, 2007*

*Mr. Chairman, I have prepared a statement that I would like to read into the record concerning my residency. The media may obtain a copy from Ms. Crownover after the meeting.*

*First, I wish to thank all the people who have supported me throughout the years and especially those who stand with me tonight.*

*In 2004 I was urged to seek re-election to the City Council having served two terms on the Council from 1993-2001. After much consideration, I decided that I could do more for District 6 as a Councilperson than I could as a private citizen. Because my home precinct had been gerrymandered during the re-districting, I sought legal advice regarding my residence. In 2004 and today, upon advice of counsel, I remain convinced that 3442 B Alta Vista is my legal residence and has been since November 2003.*

*My opponent in the recent election tried unsuccessfully to make my residency an issue in the campaign. When Channel 3 interviewed early voters at the Brainerd Recreational Center, they all wanted a smart, experienced, hard working person elected to represent them, and they knew I was the right person. I won with over 65% of the vote.*

*After the election, the Mayor, my colleagues on the Council, the Council Staff, some members of the Mayor's Staff and the City Attorney knew the situation.*

COUNCILWOMAN  
RUTHERFORD (CONT'D)

*No one will ever convince me that elected and appointed officials would stand by idly while I violated any laws or the Chattanooga Charter. The people, with whom I serve, including the Mayor and the Attorney for the City Council, only want what is best for this City, and they respect the position of Councilperson too much to allow my residency to go unchallenged if they had any reason to be concerned.*

*Again, I thank everyone who has supported me, while a hand full of agitators with their own agendas have created their fifteen minutes of fame. I especially thank my colleagues and the Council Staff for their support and understanding, and I sincerely regret any embarrassment this situation may have caused. I am eager to continue my vigorous representation of the citizens of my district, District 6.*

*Any future questions about my residency should be addressed to my attorney, John Anderson of Grant, Konvalinka and Harrison.*

*Thank you.*

Councilman Rico related to Councilwoman Rutherford that he would like a correction in her statement; that where she mentioned her colleagues knowing the situation, that he did **not** know and still did **not** know where she lived.

Councilwoman Rutherford stated that she would correct her statement to read that Councilman Rico did **not** know the situation.

Councilwoman Bennett requested that Councilwoman Rutherford also change it to say that she, too, did **not** know.

Councilman Benson also wanted his name deleted from knowing.

Councilwoman Rutherford maintained that all Councilpersons had had conversations about this; however she agreed to remove any Councilperson who had an exception to this.

Chairman Page stated that we needed some clarification from Attorney Nelson.

**COUNCILWOMAN**  
**RUTHERFORD (CONT'D)**

Attorney Nelson read a section from the City Charter regarding residency that he had earlier read at Committee meeting. *Section 8.2—The City shall be divided into nine (9) districts within the geographic boundaries of the city. The City Council shall be composed of nine (9) members with each member elected from one of such single districts. The candidate for each council position who receives the majority of his or her district shall be elected. No person shall be elected or appointed as a member of the council who is not at least 21 years of age and who has not been a resident of the district for at least one year preceding his or her election.*

Attorney Nelson noted that observations had been made in the newspaper and on Talk Radio for the last week or two and that his office had begun to look at the situation; that this was discussed in the Legal and Legislative Committee meeting this afternoon, and this was the first time that he had received two formal complaints contesting the residency of Ms. Rutherford; that the State Law gives him duties to investigate complaints, and the City Council are judges of eligibility, and it would depend on the facts as to the responsible entity. He stated that he would look into this and come back to the Council with a report next Tuesday at 2:00 P.M.

Councilman Benson asked Attorney Nelson to remind everyone that this meeting will be at 2:00 P.M. next Tuesday at a Special Legal and Legislative Committee meeting; that we had to operate by the rule of the law; that we need the law to be much clearer as to responsibility and authority; that he was not certain about the responsibility and wanted Attorney Nelson to make it clear as to authority and responsibility.

Chairman Page stated that we would have all the information on the table and would be transparent as we wanted to get this behind us so that we could move forward; that we would do due diligence and be fair and understanding.

### COMMITTEES

Councilman Benson announced that there would be a **Special Legal and Legislative Committee meeting next Tuesday, September 4<sup>th</sup> at 2:00 P.M.**

Councilman Benson stated that he would like to relate that the event held last Thursday in East Brainerd called “Sweet Diversity” was a great success; that he was not a believer of OMA (Office of Multicultural Affairs) when it was first established, but he was very much in support of it now; that Dr. Moss joined with Missy Crutchfield for this event and that all nationalities were represented and brought desserts that represented their culture; that everyone stood up and joined hands, and he hoped all districts would take advantage of the Office of Multicultural Affairs and the Department of Education, Arts & Culture and would have similar events for their citizens—that it was a very unifying event.

Councilman Franklin announced that there would be an **Economic Development Committee meeting immediately following the Public Works Committee meeting next Tuesday.**

Councilman Rico reminded everyone of the **Public Works Committee meeting scheduled for Tuesday, September 4<sup>th</sup> at 3:00 P.M.**

Councilwoman Rutherford stated that the **Education, Arts & Culture Committee** met today, and she wanted to thank Mr. Johnson for doing an outstanding job; that many did not realize how much this department does, and she was hoping to have an **Education, Arts & Culture Committee meeting** monthly.

### WALTER WILLIAMS

**Walter Williams** addressed the Council, noting that he was a former City Judge. He stated that he might not be able to be at the 2:00 meeting next week; however he would try to be. He stated that he was behind Councilwoman Rutherford 100%; that he had worked with her throughout the years and without exception, she supported her District in every way; that when matters concerning her District were heard in his Court, she was always there and concerned about her District; that this was the reason that there were so many here tonight to support her; that she is concerned about her District and is a “Councilwoman Extraordinaire”.

**WALTER WILLIAMS (CONT'D)**

He went on to say that while City Attorney Nelson was doing his research, that he would be doing his **own** research; that there was another matter some years ago concerning someone running for office being a resident of the City of Chattanooga, and this person did **not** live in Chattanooga, but he was allowed to run and he won the election; that we all want what is good for this City and what is lawful. He ended by saying that he supported Councilwoman Rutherford 100% in the past; that he supported her in the present; and that he would support her 100% in the future.

**LEE TRIP**

**Lee Tripp** was the next person to address the Council. He stated that he was with the Cedar Hill Improvement League and was Chairman of Court Watch. He first wanted to personally thank Councilman Rico for helping them get sidewalks on a very dangerous street in their neighborhood and also speed control; that the people really appreciated this. He went on to say that Councilwoman Rutherford was very instrumental some years ago in getting them a Community Center, which was also used for a Voting Precinct. He reiterated that Councilwoman Rutherford was responsible for them procuring the building and that they used it all the time.

**MAXINE COUSIN**

**Ms. Cousin** stated that she was not talking about Councilwoman Rutherford per se; that she (Maxine Cousin) was one of the four involved in the lawsuit that changed the form of government; that there was a lot of talk about a "Consent Decree", and this bled into other issues. She asked Attorney Nelson if he could provide her with this "Consent Decree", noting that she had recently talked with the "lead" attorney in this case; that the only thing was that district lines were to be drawn as a remedy for non-representation of minorities, and these lines should be re-drawn ever ten years. She mentioned that Mr. Cotton faced 70+ people, and he lost the election; that the election was illegal, and no one challenged it. She questioned if the "Consent Decree" had been violated. She went on to say that she could see that Councilwoman Rutherford did not have many minority constituents, and she wanted people treated fairly; that she was talking about her rights and wanted to make sure that this lawsuit was carried out as it should be. She added that she did not know Ms. Rutherford, and we were not talking about a popularity contest.

**MAXINE COUSIN (CONT'D)**

Attorney Nelson stated that if Ms. Cousin would come by his office he would supply her with a "Consent Decree".

**REV. ANTHONY CHATMAN**

**Mr. Chatman** next addressed the Council. He stated that he wanted to address the concern of Ms. Rutherford; that he knew nothing about her personally; that if it were anyone else in the District that did not live there, he would wonder about the ramifications of voter fraud with misrepresentation; that a lot of people were supporting her and some were not people who actually voted; that she was not a resident of this District and lived in a different district, and her constituents were not represented in the district she ran for. He stated that he was concerned about voter fraud, and this was nothing personal; that the City Council represents nine districts and the lawsuit went against the System to get these districts put in place—that this was a fight for all our citizens.

Chairman Page stated that the City Attorney had been asked to look at this issue and come back next week with information; that we all want this to be transparent and fair and just; that he knew there were concerns and he would like to ask that these concerns be something "new" if anyone else chose to speak.

**FLOYD KILPATRICK**

**Mr. Kilpatrick** stated that he would like to share a brief statement with the Council; that even though he was not a resident of District 6, he had a concern; that he was a resident of District 9. He stated that he was at the meeting earlier today and expected to be at the 2:00 meeting next week; that he had additional concerns that he would like to be a part of the minutes. His statement read as follows:

**FLOYD KILPATRICK (CONT'D)**

*August 28, 2007*

*Pursuant to the earlier request that an investigation into the allegations involving whether the Council Seat currently being held by Councilwoman Rutherford should be vacated, I would ask that **the Council consider if she should be suspended pending the outcome of the City Attorney's inquiry.** There has been concerns expressed from residents in her district that she may seek to retaliate against certain individuals and business interest within her district. It has also been expressed that it is the opinion of certain concerned citizens that Ms. Rutherford has a reputation for using the Chattanooga Police to harass and intimidate local residents.*

**JOAN FLORES**

**Ms. Flores** stated that she lives in District 6 on Lerch Street; that she had not intended to speak and was not a public speaker; that she was a Real Estate Appraiser and belonged to Multiple Listing Service, and she supplied an Agent Roster (that is made a part of this minute material) that listed Councilwoman Rutherford as having a home and a second home.

**ADJOURNMENT**

Chairman Page adjourned the meeting of the Chattanooga City Council until Tuesday, September 4, 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)**

