

City Council Building
Chattanooga, Tennessee
January 8, 2008
6:00 p.m.

Chairman Page called the meeting of the Chattanooga Council to order with Councilmen Bennett, Benson, Feely, Franklin, Pierce, Rico and Robinson present; Councilwoman Gaines was absent due to death in her family. 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, Councilman Feely gave invocation. Chairman Page acknowledged the passing of Councilwoman Gaines' sister and asked those in attendance to pray for her during this difficult time.

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.

APPROPRIATION

On motion of Councilman Franklin, seconded by Councilman Rico,
AN ORDINANCE APPROPRIATING FROM THE GENERAL FUND TO THE STADIUM CAMPAIGN CORPORATION THE AMOUNT OF SIXTY THOUSAND DOLLARS (\$60,000.00) TO COVER THE CITY'S PORTION OF THE OPERATING LOSSES FOR FINLEY STADIUM, WITH AN EQUAL AMOUNT OF FUNDING BEING PROVIDED BY HAMILTON COUNTY, TENNESSEE

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

AMEND CITY CODE

On motion of Councilman Rico, seconded by Councilwoman Robinson,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 7, SECTION 7-74, RELATIVE TO KEEPING OR POSSESSING
SWINE, GOATS OR CHICKENS**
passed first reading.

AMEND CITY CODE

On motion of Councilman Rico, seconded by Councilman Franklin,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 31, SECTION 31-325, LANDFILLING REQUIREMENTS IN
CERTAIN RESIDENTIAL AREAS**
was tabled two weeks.

AMEND CITY CODE

City Attorney Nelson stated that this Ordinance came before Committee a few weeks ago and extends benefits for one more year.

Councilman Pierce asked if it addresses the Board. City Attorney Nelson responded "no".

On motion of Councilwoman Bennett, seconded by Councilman Franklin,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 2, SECTION 2-416(e) RELATIVE TO THE FIRE AND POLICE
PENSION FUND PERMANENT AND TOTAL DISABILITY BENEFITS**
passed first reading.

APPROPRIATION

On motion of Councilman Rico, seconded by Councilman Franklin,
**AN ORDINANCE APPROPRIATING FROM THE GENERAL FUND TO THE
ASSOCIATION OF VISUAL ARTISTS THE AMOUNT OF TEN THOUSAND
DOLLARS (\$10,000.00) TO SUPPORT THE ANNUAL 4 BRIDGES ARTS
FESTIVAL**
passed first reading.

REZONING

2007-184: Robert Hughes, Trustee Chair, Tyner United Methodist

Pursuant to notice of public hearing the request of Robert Hughes, Trustee Chair, Tyner United Methodist Church to rezone a tract of land located at 208 Nelson Road came on to be heard.

The applicant was not present; there was no opposition.

Greg Haynes, Director of Development Services with the Regional Planning Agency (RPA), stated that this involves an existing duplex that was grandfathered into the R-1 zone when it was annexed into the city. He stated that the applicant needs to have the zone changed for financing as required by the lender; that he wants to sell it to be consistent with its use. He stated this would make it a spot zone and is located near Brainerd Hills and west of East Brainerd Road. He stated the Staff recommended denial of R-2 and the precedent it might set and Planning recommended approval. He stated that he received a telephone call from Carol Berz of Brainerd Hills who called to say she would support the special permit as recommended by Staff instead of the R-2. He stated Staff recommends approval of the special permit recently added to the zoning regulations to allow duplexes in R-1 under certain circumstances; that Staff felt this request met the criteria and circumstances. He stated Planning, however, felt rezoning would make it simpler and more efficient for the applicant's request.

Councilman Benson stated Planning was not unanimous in overruling Staff and it was a divided vote; that several felt if this became R-2, this spot, in the middle of Brainerd Hills, would have a potential domino effect in there, which is the reason Staff opposed. He stated in order to try to be sympathetic to their needs and utilization through the years, it was felt they could have recourse by going to the Variance Board for a special permit and that would not make it a spot zone; that it would be an operational permit only for the house.

Mr. Haynes stated that the special permit is not issued by the Board of Appeals; that it would be approved by the Council. He stated that there is a similar case at the end of tonight's agenda.

Councilman Benson asked what would happen if all kinds of permits were requested in Brainerd Hills.

REZONING (Continued)

Mr. Haynes responded that the special permit would only be issued under certain circumstances. He stated the special permit is for existing duplexes built as duplexes and either lost their conforming use as part of downzoning or a zoning study; that this lost its conforming use when it was annexed into the city.

Councilman Benson asked for clarification that the Staff recommends the special permit rather than denial.

Mr. Haynes responded "right".

Councilman Benson made the motion to approve a special permit for this request; Councilman Rico seconded the motion.

Councilman Pierce stated in approving a special permit would this satisfy the lender as it was conditioned on rezoning.

Mr. Haynes stated that is a good question; that he asked the applicant if the lender was dissatisfied with the letter stating it was a legal non-conforming use from the building department, and it did not satisfy the lender. He stated that he still questions whether the special permit would satisfy, as well.

Councilman Pierce asked why issue a special permit if it will not do any good.

Mr. Haynes stated that he does not know that for sure, yet.

Councilman Pierce stated that the matter should be tabled until a better understanding is given whether a special permit will allow transition of the property. At this point he **made the motion to table three weeks; Councilman Benson seconded the motion.**

Mr. Haynes stated he would contact the applicant to make sure to be present on that night and to see if he (applicant) could check with the lender before the meeting for an answer.

Councilman Benson asked that the neighbors be contacted, too.

Mr. Haynes stated that they did not contact any neighbors as the zoning signs notified them.

Councilwoman Bennett stated even with a special permit the other duplex that was before us was not acceptable by the bank.

REZONING (Continued)

Mr. Haynes stated that is on the agenda for tonight and there is no issue about the lender with them. He stated that question was asked in committee several months ago and he found from doing research that it depends on the lender; that some are okay with a letter and some are not. He stated in this case in Brainerd Hills their lender would not be satisfied with a letter and it is still questionable if a special permit will satisfy. He stated he would have the applicant find out before it comes back in three weeks.

On motion of Councilman Pierce, seconded by Councilman Benson,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF
LAND LOCATED AT 208 NELSON ROAD, MORE PARTICULARLY
DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-2 RESIDENTIAL
ZONE**
was tabled three weeks.

REZONING

2007-215: Sam J. Williams, III

Pursuant to notice of public hearing, the request of Sam J. Williams, III to rezone a tract of land located at 4928 Bradington Avenue came on to be heard.

The applicant was present; there was no opposition.

Mr. Haynes stated that the main reason supplied by the applicant at the time of application is that he has had a difficult time renting the property due to adjacent businesses in the R-4 and O-1 medical office uses. The site plan submitted by the applicant was shown reflecting parking in the rear. He stated the request is to rezone to O-1 use; that the Staff and land use plan does not recommend that the lot within this neighborhood be rezoned piecemeal one at a time. He stated Staff would support office use of a non-resident user if all could come in and consolidate and have an overall development plan rather than piecemeal; that this might start that domino effect. He stated the depth of the R-4 across the street was noted as it is almost equal to the R-1 on the southern property line. He stated if this were O-1 that would be somewhat reasonable to extend back to the depth based on what is across the street as that part would be agreeable, supportable and reasonable; however he is not sure what the applicant wants to do although O-1 is restricted for office use only. He stated Staff recommended denial of the O-1 use and Planning recommended approval of R-4, which is pretty much similar to O-1.

REZONING (Continued)

Sam Williams, of 610 Shortview Lane in Hixson, stated that he and his wife have owned the property for about twenty-five years and rented it successfully all of that time until about four years ago. He stated the property across the street has four lots that have been rezoned as R-4; that large outpatient imaging centers across from North Park have been built with access off Bradington. He stated two years ago, even though Bradington was supposed to be rezoned as entire subdivision and not piecemeal, the Planning Commission decided it was reasonable to rezone property adjacent to his fronting Hamill and Bradington. He stated this subdivision gave the impression of a nice middle class subdivision and worked great as far as renting; that when a house was removed and replaced by a plastic surgeon's office a nice building was built and all the shrubbery was removed and is now asphalt. He stated when anyone turns onto Bradington they are faced with a large outpatient imaging center on opposite sides of the road and a plastic surgeon's office on the same side as you enter and leave Bradington.

Mr. Williams stated they have been stuck in getting a quality tenant over the past three years and the area has deteriorated. He stated since they are directly across from North Park and other properties it seems reasonable to rezone for medical office use. He stated five-or-six years ago a developer wanted to develop the entire Bradington subdivision and every owner in the subdivision was under contract except himself and one lady with a duplex on the other end who did not want to give up her rental property. He stated everyone else contracted with the developer to sell. He stated it is hard for someone to come in now; that it is seen more as a matter of developing more medical properties along the area ending with his house or going down Bradington Avenue to continue the medical corridor.

Councilman Benson stated that he has followed Mr. Williams and has seen what happened; that it should have been an entire big project with all working together; that it has been too bad for everyone. He stated he was sympathetic with him and does not know what other recourse to follow. He stated that he wished there was a site plan.

Mr. Williams stated that he submitted a site plan that he thought was satisfactory with parking and the current building being converted to a medical/paramedical office, something along that line. He stated that he understood from Planning that it was a perfectly acceptable site plan.

Councilman Benson stated that he has not seen it.

REZONING (Continued)

Mr. Haynes stated that the site plan was just shown by PowerPoint. He stated if this request is approved, the landscape ordinance would be required; that a landscape buffer would have to be installed. He stated if the Council approves O-1 that would be preferable with conditions. He stated as far as the site plan that was submitted, it does not show the required landscape buffer.

Chairman Page stated this request is against the community plan and there has been no identification of what it will be used for; that it is speculative.

Mr. Haynes responded nothing was specified other than what the applicant just described.

Chairman Page stated that he did not want to use his position as Chairman to dominate discussion and noted he would be unable to go against the community plan with speculative zoning. He stated that he knows the property needs to be developed in some way and has great concern that the whole neighborhood should line up and ask for zoning on a piece-by-piece basis and not know what is happening. He stated it would be highly unusual for the Council to do that.

Mr. Haynes stated that was the caution of the plan.

Councilman Benson stated the matter should be deferred until the applicant could get with the community organization.

Chairman Page stated there has been mention that the matter go back to the steering committee and asked whether the applicant would consider withdrawing the application so it would not be denied in an effort to get a further definitive idea on how medical use could be developed and actually used. He expressed that he was trying to be careful as he did not want to do any negotiations as it would be very problematic, now.

City Attorney Nelson stated that the benefit to the applicant would be if the matter is denied he could not bring it back for nine months, however, if it is withdrawn he would be able to develop a plan and it could come in at any time during the nine months.

Councilman Benson stated the applicant would have to file a new application if it is denied; that it is better to defer the matter sixty-to-ninety days to save money.

REZONING (Continued)

Mr. Williams stated that the problem he has is there is no Bradington neighborhood association; that, in essence, it is largely owned by people who rent different houses and largely waiting for somebody to do something with their property. He stated there is no active organization to try to move forward with and they are stuck with the property and having difficulty renting. He stated that it is his understanding that it should be usable as a medical office as part of the property next to it that has been rezoned and currently being used.

Councilwoman Bennett stated in the absence of a neighborhood association, could it be considered, looked into and advice given by the steering committee since they serve as the overseer of the land use plan. She stated she does not feel comfortable in terms of spot zoning and not having a clear plan, yet understands the situation and is very sympathetic.

Chairman Page stated that the matter could be taken back to the steering committee as this is wholly speculative in nature; that he is sure if the applicant had a contract for an office to be developed there the steering committee and Council would be excited about what the applicant is doing, but with the format and procedure we have had over the years, if we start speculative zoning because someone wants commercial with no definitive plan we probably would have people in the city coming in and getting property zoned different ways. He stated the matter could be deferred six months until the applicant makes the Council aware he is ready to come back.

Mr. Williams stated that maybe he misunderstood; that he asked for the property to be rezoned and then find someone to rent or purchase it for a specific use. He stated it was not his understanding that he should have an architect come in on speculative property and spend several thousands of dollars to present a formal plan to Planning. He stated that he misunderstood what and how this sequence works.

Councilman Benson stated that Mr. Williams has the right to use his property as presently zoned; that if he wants to change it he would have it in place to assure protection of adjacent property as much as proposed and the only way to do that is to find someone to give him an option to buy the property contingent upon rezoning. He stated they would be required to bring in a site plan showing the design which would be the only safe way. He stated the matter really needs to be deferred until he could get a buyer.

Chairman Page stated that Mr. Williams has a good piece of property and wants him to do something with it as opposed to something speculative for selling purposes.

REZONING (Continued)

Councilman Benson made the motion to table the matter six months (July 8); Councilwoman Bennett seconded the motion.

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 4928 BRADINGTON AVENUE, MORE PARTICULARLY
DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL
ZONE, SUBJECT TO CERTAIN CONDITIONS**
was deferred until six months (July 8).

REZONING

2007-222: City of Chattanooga

Pursuant to notice of public hearing, the request of the City of Chattanooga to rezone specific R-1, R-2, R-3 and R-4 properties within the North Short Zoning Study, Phase One, came on to be heard.

Opposition was in attendance.

Councilmen Bennett and Robinson made the initial motion to approve this request on first reading.

Justin Steinmann, Senior Planner/Comprehensive Planning with the RPA, stated this request was presented in Legal and Legislative Committee a few weeks ago and Phase I of the North Shore Zoning Study involves the first part of the implementation phase of the North Shore Plan adopted in June. He stated they looked at this area with regard to the existing zoning and land use plan contained within the North Shore Plan which advocated areas on two streets where there is existing single family usage, noting that R-3 and R-4 would be allowed. He stated the recommendation was to downzone existing single family to R-1 and place conditions on R-3 and R-4; that the existing duplex in the area was left as R-2 without conditions. He stated the conditions would allow further multi-family use compatible with the neighborhood and establishes a policy to allow for future rezonings. He stated although certain properties will be downzoned in the future and if the property owner wants to come back criteria for evaluating requests are in place so as not to have spot zones.

REZONING (Continued)

Rick Lee, an architect with Wise Construction, spoke in opposition and noted that he was present representing the Company. He stated to say they are opposed to the entire plan might be a little strong; that they have specific interest in a project they bought at 602 Forest and by the time they finish they will have over one million invested. He stated they bought it because it was R-3 and now find themselves in opposition to the recommended change from R-3 to R-1. He stated during the process, Councilwoman Bennett was nice enough to meet and review their concerns, as well as Justin and others at the RPA as they were all very cooperative. He stated their point is it is a piece of property that is R-3 and they bought it with the intention of developing it and to come back on a case-by case basis to have it rezoned upward again back to where it originally was; that it would probably be something like a three-to-four month process. He stated they have already lost a good deal of time on the project and their "meter is ticking". He asked that the property be left as R-3 and noted they would accept R-3 with conditions so there would be some control over what happened on the property. He stated that they welcome the conditions.

Mr. Steinmann stated that they have met with Mr. Lee in regard to this case and it is in their best interest to be as equitable as possible and apply criteria for evaluating properties that should be downzoned. He stated Mr. Lee did not have a building permit in place in conjunction with this and the moratorium was designed to slow down the developer so that changes were not occurring as they were trying to study the area. He stated exemptions were allowed for single family and renovations; that as far as this request is concern, their recommendation stands which would not advocate exemptions to the study.

Councilwoman Bennett stated that there are members of the community present in support of the land use plan and asked them to stand. She stated they have met and have been working a long time to come up with a fair solution on these two particular streets. She stated there are quite a few properties that are single family residential that are improperly zoned outside of their usage; that a lot of this is housekeeping in an effort to remedy and give the highest and best use for the properties. She stated that they found in the past that the approach has been a protection for the developer and the community; that she would not in any way delay or hurt the developer present in opposition. She stated that she plans to vote to approve.

Councilman Rico stated that it is hard for him to say someone could buy and try to use the property for what it was zoned for and find they can not; that it is kind of unfair after he bought it thinking it was zoned a certain way and then tell him he can not use it for that and change it.

REZONING (Continued)

Councilman Benson stated that he is having a tough time; that if he holds to his principles about up zoning he would have to stand on downzoning, also. He asked when this was bought if it was thought it was R-3. The response from Mr. Lee was "yes".

Councilman Benson asked for clarification that the property would be R-1 if this passes. Again, Mr. Lee's response was "yes".

Councilman Benson asked Mr. Lee if he paid for R-3 use thinking it could be used as R-3. Mr. Lee responded "yes".

Councilman Benson stated that he learned from the Fortwood situation; that he could not vote for this unless the Council exempts him out.

Chairman Page addressed City Attorney Nelson and stated that he is struggling with the downzoning if somebody paid for an R-3 and then it is not grandfathered in.

City Attorney Nelson responded "no"; unless there has been major construction work on the R-3 or significant dollars spent toward the use then that may change the matter.

Councilwoman Bennett asked Messrs. Haynes or Steinmann to talk about this property and why it is included in the downzoning.

Mr. Steinmann stated there is an apartment on the property and it is currently zoned R-3, yet it is being used as a single family home. He stated if it had been an apartment and zoned for R-3 use the apartment would be grandfathered in. He stated the existing use is single family and downzoning it to R-1 would bring it into compliance as to how it is currently being used.

Councilwoman Bennett stated that was the principle followed; if it is single family it should be single family already; that the R-3 or R-4 use would remain R-3 or R-4. She stated if the usage is to change the usage the developer should go through the proper process to change the use of that property in a predominantly single family area.

Councilwoman Robinson pointed out that this area was blanket zoned 20-30 years ago with the entire area R-3 or R-4. She stated what has happened with a lot of neighborhoods, as in Highland Park and other places, is that they have become single family.

REZONING (Continued)

Councilwoman Robinson stated what we are having to do is go back and almost rezone to reflect what the city is doing, not what happened 20-30 years ago, but what it is becoming today with emphasis on single-family and neighborhood home ownership. She stated people who are investing need the protection of R-1 which is what neighborhoods are becoming. She stated the process in this area was one of many hours of meetings with individuals, neighbor and developers to make this Plan work.

Mr. Steinmann stated that it is useful to point out that zoning in this area has not been reflecting the underlying land use; that the land use plan adopted had recommendations to preserve single family. He stated the existing zoning that is predominantly single family on Tremont and Forest does not have the protection the other neighborhoods have because the zoning was R-3. He stated this is really an effort to rectify that and set balance; that he is not saying the parcels can not be used for multi-use but to help insure development is compatible with the adjacent development and a lot of that is looking to protect the interest of the adjacent property owners. He stated that the public process involved a number of meetings over a couple of years and two public meeting geared toward this; that they met individually with property owners and the recommendations for this matches with the North Shore Plan. He stated the survey that was used referenced six different scenarios which led to two top choices of R-3 and R-4 with conditions. He stated they would really like to combine the two into one recommendation and feel this is a reflection of the wishes of the vast majority of property owners.

Councilman Benson stated that he agrees with Councilmen Robinson and Bennett; that they are trying to do something for the greater good, but what it is doing to the least worries him sometimes. He stated that he wants to stick to the principle of up zoning and blanket downzoning. He asked Mr. Lee if he bought the land and it was R-3, paid R-3 land prices and want to continue using it as R-3.

Mr. Lee responded "yes".

Councilman Benson stated he could not vote to reduce this man's investment; that he has no problem voting to approve for the greater good but worries about downzoning. He stated that he doubted if he would ever vote to blanket downzone again.

At this point Councilwoman Bennett "called for the question" on the motion to approve.

REZONING (Continued)

On roll call vote on the motion and second the Councilmen Bennett and Robinson to approve:

Bennett	"Yes"
Benson	"No"
Feely	"Yes"
Franklin	"No"
Pierce	"Yes"
Rico	"No"
Robinson	"Yes"

Prior to voting, Chairman Page stated Councilmen Bennett and Robinson worked hard on this and noted something was gnawing inside his stomach. He stated that the democratic process does not mean majority rules; that it means the majority protects the individual, the smallest in the group. He expressed that he could not vote for this if the gentleman bought R-3 and his right is being taken away. At this point his vote was cast as reflected below.

Page	"No"
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The vote was tied 4-4.

Councilwoman Bennett stated that the applicant agreed to the conditions of this property and (she) hates to tie up the process and work done by the community. She asked if the applicant is willing to withdraw to go through the process he would normally go through with conditions on this property.

At this point, Councilman Benson made the motion to exempt the property out of the Land Use Plan.

Councilwoman Bennett stated she would like to amend the motion; that Councilman Benson made the motion to exempt the property and reiterated she would like to amend the motion that it be exempted through the process an applicant would normally go through if it were to go back for rezoning.

REZONING (Continued)

Councilwoman Bennett stated it has to "fit" within the neighborhood; that the zoning remains the same but it would have to interface with the community like any other rezoning.

Chairman Page asked for a point of order, noting that a motion has been made; that an amendment can not be made until the initial motion is seconded. **Councilman Rico seconded Councilman Benson's motion to exempt.**

Councilwoman Bennett stated that Mr. Lee previously stated he would accept exemption with conditions and asked that that be attached to this.

Chairman Page stated that the exemption will comply with the conditions as stated in the Plan.

Councilwoman Bennett stated that she would like to amend the motion to state that the property be exempted with the conditions as presented in the study.

Chairman Page clarified that the motion and second is to exempt the property with the conditions as presented in the Study. The motion carried.

City Attorney Nelson inquired as to the conditions as it relates to this property.

Mr. Steinmann stated that the conditions would be the conditions that apply to the R-3 zones in this study area; that there is a pretty long list.

City Attorney Nelson asked that Mr. Steinmann send the conditions through electronic mail, as well as the address of the property.

Councilman Pierce asked if Mr. Lee agrees with the conditions.

City Attorney Nelson answered "no", indicating that Mr. Lee could not address the question.

Chairman Page noted that Mr. Lee could not negotiate at this point.

REZONING (Continued)

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 SPECIFIC R-1 RESIDENTIAL ZONE, R-2 RESIDENTIAL ZONE, R-3 RESIDENTIAL ZONE AND R-4 SPECIAL ZONE PROPERTIES WITHIN THE NORTH SHORE ZONING STUDY, PHASE ONE, MORE PARTICULARLY DESCRIBED HEREIN, TO R-1 RESIDENTIAL ZONE, R-3 RESIDENTIAL ZONE, R-3 RESIDENTIAL ZONE WITH CONDITIONS AND R-4 SPECIAL ZONE WITH CONDITIONS, SUBJECT TO SAID ZONING STUDY
passed first reading.

DECLARE SURPLUS

MR-2007-069: City of Chattanooga c/o Dan Thornton

Councilman Rico stated Resolutions (a), (b), (d) and (f) – (k) were discussed in Public Works Committee and approval is recommended.

On motion of Councilman Rico, seconded by Councilman Pierce,
A RESOLUTION DECLARING AS SURPLUS TRACTS OF LAND LOCATED IN THE 1100 BLOCK OF LINDSAY STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE
was adopted.

ACCEPT PROPOSAL

On motion of Councilman Rico, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE DIRECTOR OF GENERAL SERVICES TO ACCEPT THE PROPOSAL AND ENTER INTO AN AGREEMENT WITH HVS TO PERFORM AN APPRAISAL OF THE CHATTANOOGAN IN AN AMOUNT NOT TO EXCEED FOURTEEN THOUSAND DOLLARS (\$14,000.00) IN FEES, PLUS AN AMOUNT NOT TO EXCEED NINE HUNDRED DOLLARS (\$900.00) IN EXPENSES, FOR A TOTAL NOT TO EXCEED FOURTEEN THOUSAND NINE HUNDRED DOLLARS (\$14,900.00)
was adopted.

ACCEPT DONATION

On motion of Councilman Rico, seconded by Councilwoman Bennett,
A RESOLUTION ACCEPTING A DONATION TO THE CHATTANOOGA FIRE DEPARTMENT FROM MEMORIAL HOSPITAL IN THE AMOUNT OF TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) TO BE USED TO FUND FIRE PREVENTION WEEK ACTIVITIES AND EXPRESSING THE GRATITUDE OF THE MAYOR AND THE CITY COUNCIL FOR SAID DONATION
was adopted.

GRANT

On motion of Councilman Rico, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF EDUCATION, ARTS & CULTURE TO APPLY FOR AND, IF AWARDED, ACCEPT A GRANT FROM THE COMMUNITY FOUNDATION OF GREATER CHATTANOOGA IN THE AMOUNT OF TWENTY THOUSAND DOLLARS (\$20,000.00) TO RECOVER WORN CHAIRS IN THE TIVOLI THEATRE
was adopted.

SPECIAL POLICEMAN (ARMED)

On motion of Councilman Rico, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE APPOINTMENT OF MICHAEL J. BALL AS SPECIAL POLICEMAN (ARMED) FOR ERLANGER HEALTH SYSTEMS, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS
was adopted.

ALLOCATION

On motion of Councilman Rico, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF NEIGHBORHOOD SERVICES AND COMMUNITY DEVELOPMENT TO ALLOCATE FORTY-THREE THOUSAND TWO HUNDRED TWENTY-FOUR DOLLARS (\$43,224.00) FOR FISCAL YEAR 2007-2008 NEIGHBORHOOD PARTNERS PROJECTS, A LIST OF WHICH IS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, AUTHORIZING AGREEMENTS WITH NEIGHBORHOOD ORGANIZATIONS FOR SAME, AND AUTHORIZING ANY UNSPENT FUNDS BEING USED FOR ADDITIONAL NEIGHBORHOOD PARTNERS PROJECTS AND RELATED ACTIVITIES AND INITIATIVES
was adopted.

ACCEPT DONATIONS

On motion of Councilman Rico, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS AND THE COMMUNITY COUNCIL, ON BEHALF OF THE CITY, TO ACCEPT DONATIONS FROM PRIVATE AND PUBLIC SOURCES FOR THE PURCHASE, TRANSPORTATION, AND PLANTING OF TREES AT THE DIRECTION OF THE CITY FORESTER AND TREE COMMISSION
was adopted.

EXPENDITURE

On motion of Councilman Rico, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO SPEND, BUT NOT EXCEED, TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00) TO PURCHASE USED CONSTRUCTION EQUIPMENT FOR THE DEPARTMENT
was adopted.

AGREEMENT

On motion of Councilman Rico, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AN AGREEMENT WITH VOLKERT & ASSOCIATES, INC. RELATIVE TO CONTRACT NO. E-06-006-101, DESIGN OF NORTHPOINT BOULEVARD EXTENSION – PHASE 2, IN AN AMOUNT NOT TO EXCEED ONE HUDNRED SEVENTY-THREE THOUSAND TWO HUNDRED DOLLARS (\$173,200.00)
was adopted.

AGREEMENT

On motion of Councilman Rico, seconded by Councilman Pierce,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AN AGREEMENT WITH LAMAR DUNN & ASSOCIATES, INC. RELATIVE TO CONTRACT NO. E-07-001-101, DESIGN OF RIVER STREET EXTENSION, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FIVE THOUSAND THREE HUNDRED DOLLARS (\$105,300.00)
was adopted.

TEMPORARY USE

On motion of Councilwoman Bennett, seconded by Councilman Rico,
A RESOLUTION AUTHORIZING UNUM GROUP AND PROVIDENT LIFE AND ACCIDENT INSURANCE COMPANY TO USE TEMPORARILY A PORTION OF THE RIGHT-OF-WAY OF MARKET, CHERRY, 5TH AND 6TH STREETS TO FACILITATE EFFICIENCY AND SAFETY IN THE PROCESS OF DEMOLISHING AND STABILIZING THE SITE OF THE FORMER EPB BUILDING, AS SHOWN ON THE DRAWING ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS

was adopted.

PUD SPECIAL EXCEPTIONS PERMIT

2007-212: Habitat for Humanity c/o Dennis Neal

There was no opposition in attendance.

Mr. Haynes stated that this request is located south of New Covenant Church and the recommendation is for approval from both Staff and Planning subject to the attached PUD requirements.

On motion of Councilman Franklin, seconded by Councilwoman Robinson,
A RESOLUTION APPROVING A PRELIMINARY PLANNED UNIT DEVELOPMENT SPECIAL EXCEPTIONS PERMIT FOR A PROPOSED SINGLE-FAMILY RESIDENTIAL PLANNED UNIT DEVELOPMENT, KNOWN AS THE NEW COVENANT PROPERTIES PLANNED UNIT DEVELOPMENT, LOTS 1-35, ON TRACTS OF LAND LOCATED IN THE 1600 BLOCK OF EUCALYPTUS DRIVE, MORE PARTICULARLY DESCRIBED HREIN AND AS SHOWN ON THE MAP AND DRAWING ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS

was adopted.

SPECIAL EXCEPTIONS PERMIT

2007-228: Brian Durham

The applicant was present; there was no opposition.

SPECIAL EXCEPTIONS PERMIT (Continued)

On motion of Councilman Benson, seconded by Councilman Franklin,
**A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A
DUPLEX IN AN R-1 RESIDENTIAL ZONE ON A TRACT OF LAND LOCATED
AT 1507 KIRBY AVENUE, MORE PARTICULARLY DESCRIBED HEREIN AND
AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART
HEREOF BY REFERENCE**
was adopted; Councilman Pierce abstained.

OVERTIME

Overtime for the weeks ending December 21, 2007 (\$84,572.81), December 28, 2007 (\$22,779.78) and January 4, 2008 (\$87,335.45) totaled \$194,688.04.

PERSONNEL

The following personnel matters were reported for the various departments:

PARKS AND RECREATION DEPARTMENT:

- **BILLY MCNEESE** – Suspension without pay, Crew Worker, effective November 6 – November 9, 2006 and January 26 – February 1, 2007.
- **EMMITT MCGILL** – Termination, Custodian, effective December 13, 2006.
- **BOB SAYLORS** – Hire, Director of Recreation, Pay Grade 27/Step 10, \$69,584.00 annually, effective January 5, 2007.
- **LEROY HUGHES** – Resignation, Crew Worker, effective January 18, 2007.
- **CAROLYN CHAPMAN** – Hire, Recreation Specialist, Pay Grade 9/Step 2, \$26,721.00 annually, effective January 19, 2007.
- **KEVIN BRADY** – Hire, Director of Parks, Pay Grade 27/Step 9, \$68,808.00 annually, effective January 24, 2007.
- **MIRANDA CAGLE** – Resignation, Zookeeper, effective February 14, 2007.
- **EDITH WILLIAMS** – Hire, Crew Worker, Pay Grade 3/Step 1, \$20,650.00 annually, effective February 16, 2007.

PERSONNEL (Continued)

- **SHARON SANFORD** – Hire, Custodian, Pay Grade 2/Step 1, \$20,650.00 annually, effective February 16, 2007.
- **SUSAN CRISP** – Resignation, Therapeutic Specialist, effective February 24, 2007.
- **PATRICE HAWKINS** – Hire, Crew Worker, Pay Grade 3/Step 1, \$20,650.00 annually, effective March 2, 2007.
- **WILLIAM BURCH** – Hire, Comm. Partnership Coordinator, Pay Grade 15/Step 1, \$33,078.00 annually, effective March 2, 2007.
- **TYRONE ARMOUR** – Hire, Area Manager, Pay Grade 19/Step 2, \$40,026.00 annually, effective March 9, 2007.
- **MATTHEW ALLEN** – Termination, Recreation Specialist, effective March 16, 2007.
- **HEATHER BEST** – Resignation, Zookeeper Senior, effective March 29, 2007.
- **DANA CARTER** – Hire, Administrative Coordinator, Pay Grade 10/Step 1, \$26,743.00 annually, effective March 30, 2007.
- **DOYAL CHADWICK** – Resignation, Golf Manager, effective April 12, 2007.
- **JESSICA ROGERS** – Resignation, Recreation Specialist, effective April 12, 2007.
- **ELAINE ADAMS** – Hire, Therapeutic Coordinator, Pay Grade 14/Step 8, \$42,111.00 annually, effective April 13, 2007.
- **JOHN ALLEN** – Hire, Area Manager, Pay Grade, Pay Grade 19/Step 3, \$41,905.00 annually, effective April 13, 2007.
- **AMY HAMBY** – Hire, Administrative Coordinator, Pay Grade 10/Step 3, \$29,362.00 annually, effective May 7, 2007.
- **JAMES SPRINGS** – Resignation, Crew Worker, effective May 10, 2007.
- **KEVIN AMOS** – Hire, Ranger, Pay Grade 4/Step 1, \$20,650.00, annually, effective May 16, 2007.

PERSONNEL (Continued)

- **CHARLES SLAUGHTER** – Hire, Crew Worker, Pay Grade 3/Step 1, \$20,650.00 annually, effective May 16, 2007.
- **LAURA MONTGOMERY** – Hire, Recreation Specialist, Pay Grade 9/Step 2, \$26,721.00 annually, effective May 18, 2007.
- **EDDIE DAVIS** – Hire, Crew Worker, Pay Grade 3/Step 1, \$20,650.00 annually, effective May 24, 2007.
- **SANDRA HUMBLE** – Hire, Crew Leader Senior, Pay Grade 9/Step 1, \$25,474.00 annually, effective June 6, 2007.
- **WANDA ECKSTEIN** – Hire, Executive Assistant, Pay Grade 13/Step 4, \$35,043.00 annually, effective June 8, 2007.
- **GEORGE PRICE** – Hire, Ranger, Pay Grade 4/Step 1, \$20,650.00 annually, effective July 13, 2007.
- **MONTRELL BESLEY** – Hire, Recreation Specialist, Pay Grade 9/Step 3, \$27,968.00 annually, effective July 13, 2007.
- **SUSAN GORMAN** – Hire, Receptionist, Pay Grade 2/Step 5, \$20,650.00 annually, effective July 13, 2007.
- **LINDA TWILLEY** – Hire, Crew worker, Pay Grade 2/Step 1, \$20,650.00 annually, effective August 17, 2007.
- **ZANE FOX** – Hire, Crew Worker, Pay Grade 3/ Step 1, \$20,650.00 annually, effective September 4, 2007.
- **MARK CLARK** – Resignation, Crew Worker, effective September 14, 2007.
- **LAURA MONTGOMERY** – Termination, Recreation Specialist, effective September 21, 2007.
- **PAUL MOUNT** – Hire, Ranger, Pay Grade 4/Step 1, \$20,650.00 annually, effective October 19, 2007.
- **JAKE EAVES** – Hire, Ranger, Pay Grade 4/Step 8, \$26,016.00 annually, effective October 26, 2007.

PERSONNEL (Continued)

- **SANDRA HUMBLE** – Resignation, Crew Leader Senior, Pay Grade 9/Step 1, \$25,474.00 annually, effective October 26, 2007.
- **WILLIAM GRUETTER** – Hire, Crew Worker Senior, Pay Grade 5/Step 1, \$20,650.00 annually, effective October 26, 2007.
- **DERYL NELSON** – Suspension (2 days without pay), Ranger, effective November 29 – 30, 2007.
- **JULIE STEPHENS** – Suspension (10 without pay), Crew Supervisor, effective November 19 – December 3, 2007.
- **KEVIN BRADY** – Suspension (3 days without pay), Director of Parks, effective December 11, 14 and 17, 2007.
- **DARRIN A. RICH** – Hire, Crew Leader Senior, Pay grade 9/Step 1, \$25,474.00 annually, effective December 14, 2007.
- **DARRIN A. RICH** – Resignation, Crew Leader Senior, effective December 27, 2007.
- **STANLEY FRAVEL** – Hire, Crew Worker Senior, Pay Grade 5/Step 1, \$20,650.00 annually, effective June 4, 2007.
- **CHARLES SLAUGHTER** – Termination, Crew Worker, effective August 31, 2007.

MAYOR'S OFFICE, INFORMATION SYSTEMS:

- **BART BEVERING** – Hire, Network Analyst, Pay Grade 20/Step 4, \$45,242.00 annually, effective December 21, 2007.

PUBLIC WORKS DEPARTMENT:

- **JERRY W. WILKERSON** – Retirement, General Supervisor Senior, City Wide Services, effective December 31, 2007.
- **JAMES E. WARE** – Retirement, Crew Leader Senior, City Wide Services, effective December 31, 2007.

PERSONNEL (Continued)

- **GARY L. LANSDEN** – Re-Hire, Crew Worker, City Wide Services, Pay Grade 3/Step 1, \$20,650.00 annually, effective December 14, 2007.
- **WALTER D. YOUNG** – Suspension (8 hours without pay), Crew Worker Senior, City Wide Services, effective December 21, 2007.
- **CLARENCE THOMAS** – Suspension (2 days without pay), Heavy Equipment Operator, Waste Resources, effective December 27-28, 2007.
- **BOBBY G. CRUTCHER** – Suspension (2 days without pay), Crew Worker, City Wide Services, effective January 3-4, 2008.
- **RALPH J. LEE** – Hire, Equipment Operator Senior, Waste Resources, Pay Grade 8/Step 1, \$28,208.00 annually, effective January 4, 2008.
- **RON T. RUBACK** – Promotion, Sewer Maintenance Truck Operator, Waste Resources, Pay Grade 10/Step 1, \$26,743.00 annually, effective January 4, 2008.

CHATTANOOGA POLICE DEPARTMENT:

- **MICHELLE TIMMONS** – Family Medical Leave, Police Officer, effective December 17, 2007 – February 11, 2008.
- **VIVIAN HIXSON** – Retirement, Captain, effective December 31, 2007.
- **DEREK D. RONCIN** – Military Leave, Police Officer, effective January 6, 2008.
- **MITCHELL MOSS** – Military Leave, Police Officer, effective January 13, 2008.
- **STEVEN CRUISE** – Resignation, Police Officer, effective December 31, 2007.
- **PAIGE KIDWELL** – Resignation, Communications Officer, effective January 4, 2008.
- **ARTEMIO LOPEZ** – Resignation, Police Cadet, effective January 2, 2008.

PERSONNEL (Continued)

CHATTANOOGA HUMAN SERVICES DEPARTMENT:

- **STEPHANIE BONNER** – Resignation, Family Services Assistant, Head Start, effective December 18, 2007.
- **JESSIE BRADLEY** – Retirement, Service Delivery Worker, Social Services, effective December 17, 2007.
- **PATRICIA LIVELY** – Retirement, Fiscal Officer, Head Start, effective December 28, 2007.

CHATTANOOGA FIRE DEPARTMENT:

- **DAVID N. TALLANT** – Family Medical Leave, Lieutenant, effective December 28, 2007 – March 21, 2008.
- **LEWIS LAFERRY** – Retirement, Captain, effective December 21, 2007.
- **KENNETH E. MOSES** – Retirement, Captain, effective December 29, 2007.
- **DEXTER T. WEST** – Retirement, Senior Firefighter, effective December 29, 2007.
- **CHARLES E. NICHOLS** – Retirement, Tactical Services Chief, effective December 31, 2007.

NEIGHBORHOOD SERVICES DEPARTMENT:

- **DENNIS TATE** – Family medical Leave, Neighborhood Relations Coordinator, effective December 10, 2007 – January 18, 2008.

PURCHASE

On motion of Councilman Pierce, seconded by Councilman Franklin, the following purchase was approved for use by the Department of Parks and Recreation:

COMCAST CABLE COMPANY (Sole source)
R0104974

PURCHASES (Continued)

Internet Services (*Approved amount of \$28,320 approved by Council on December 18, 2007 for two years of Internet Services did not include the additional \$5 monthly service charge per location, totaling \$2,400 for the two year period.*)

\$30,270.00

CUSTOM LANDSCAPE & DESIGN (Lower and better bid)
R0102020/B0004451

Irrigation Services

\$75,000.00

SHELTON LANDSCAPING SUPPLY AND SHEPHARD'S MULCH
R0102499/B0004481

Landscaping Mulch (*Dual award allows for Shelton to be the primary contractor whose mulch will be used in lower visibility areas as the base layer in the high visibility area; Shephard's Mulch, the secondary contractor, will be used in the high visibility landscaping areas. Both bids meet the City of Chattanooga's specifications.*)

PURCHASES

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

PATTERSON PUMP COMPANY (Best bid)
R0102611/B0004551

Patterson Pump Parts

\$41,634.00

ROAD KARE INTERNATIONAL (Lowest bidder)
R013368/B0004693

Speed Cushions

\$33,525.00

CARL ERIC JOHNSON, INC. (Lowest and best bid)
R0104372/B0004690

Seepex Pump Parts

\$10,463.74

PURCHASES (Continued)

RICHARDSON ELECTRIC, INC. (Lowest and best bid)

R0104983/B0004723

Electronic Spare Parts

\$11,027.05

DLT SOLUTIONS, INC. (Sole source)

R0105514

AutoCAD Software per TCA 6-56-304.2

\$19,964.81

HOTEL PERMIT

On motion of Councilwoman Robinson, seconded by Councilman Franklin, the following hotel permit was approved:

STAYBRIDGE SUITES -- 7015 Shallowford Road, Chattanooga, TN

PURCHASES

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

CAREHERE (Lower and better bid)

R0103966/B0004650

Phlebotomy Services

\$10,660.00

EAST RIDGE UNIFORMS (Lowest and best bid)

R0104789/B0004714

Ballistic Vests (*Safety and Security submitted a lower bid; however, their vest had a lower comfort level which could discourage some officers from wearing the vest. Also, the company failed to submit the requested documentation of ballistic standards for the product bid.*)

\$58,303.50

BOARD APPOINTMENT

On motion of Councilman Franklin, seconded by Councilman Rico, the following Board appointment was approved:

BEER AND WRECKER BOARD:

- Reappointment of **CHARLENE KILPATRICK** for a term expiring August 1, 2010 representing District 9.

PURCHASES

On motion of Councilman Franklin, seconded by Councilman Rico, the following purchases were approved for use by the Mayor's Office, Information Services Division:

ORACLE (Single Source) **R0104862**

Annual Service Maintenance Updated and Technical Support Renewal - January 31, 2008 – January 30, 2009 per TCA 6-56-304.6.

\$115,975.23

ASAP SOFTWARE (Single source) **R0104428**

Annual Software License Support Agreement for One year, October 15, 2007 – October 15, 2008 per TCA 6-56-304.6; State Contract SWC-3006#4032142.

\$13,909.05

PURCHASE

On motion of Councilman Rico, seconded by Councilman Franklin, the following purchase was approved for use by the Mayor's Office, General Services Division:

CHATTANOOGA ELEVATOR, INC. (Best bid) **R0103222/B0004581**

PURCHASE (Continued)

Elevator, Escalator and Lift Equipment Maintenance Services for three (3) years with option to renew for an additional two (2) year period. *(The one exception taken to the specifications requires the City of Chattanooga to provide the diagnostic equipment needed for one (1) elevator included on the equipment maintenance list; this exception is considered a minor deviation of the specifications. All other bidders took three or more exceptions to the specifications.)*

\$337,261.00

NORTH RIVER CIVIC CENTER FOR CREATIVE ARTS

Chairman Page stated this Friday the Choo Choo Kids would be performing at 7 p.m. at the North River Civic Center. He stated if Council members have not seen them perform they are truly worth the opportunity to do so.

COMMITTEES

Councilman Benson scheduled a meeting of the **Legal and Legislative Committee for Tuesday, January 15 beginning at 3 p.m.** that would involve discussion regarding the surplus property ordinance, migration trends update, the Rutherford reimbursement issue and the Transportation Ordinance.

Councilman Feely scheduled a meeting of the **Education, Arts and Culture Committee for Tuesday, January 22 immediately following Public Works.**

Councilwoman Bennett scheduled a meeting of the **Budget and Finance Committee for Tuesday, January 15 immediately following the Health, Human Services and Housing Opportunities Committee** to hear a presentation regarding the contract for the Employee Assistance Program.

Councilwoman Robinson scheduled a meeting of the **Health, Human Services and Housing Opportunities Committee for Tuesday, January 15 immediately following Legal and Legislative** for a presentation of the findings of the vacant property survey study and hear the final report from the Blueprint Homeless Committee.

Councilwoman Bennett stated that she had a chance to go through the extensive re-work of the Blueprint draft which is a large document. She requested that some sort of summery be used for the discussion without going through the entire document.

COMMITTEES (Continued)

Councilwoman Robinson assured Councilwoman Bennett that the Blueprint Homeless Committee plans to do that.

Councilman Pierce expressed concern about committee meetings, noting that agendas are needed ahead of time rather than waiting until the last minute and having everything added. He stated Council members need to know a week ahead of time what is to be discussed in committees the next week.

Chairman Page acknowledged that Councilman Pierce's comment is well taken; that there is a need to know what committee agendas are for the next week.

City Attorney Nelson stated that some time soon a new *City Code* needs to be adopted. He stated he will have a sheet showing the amendments; that the *Code* is being put into the final stages. He stated it will take some time and a special meeting might need to be held.

(Councilwomen Bennett and Robinson excused themselves
from the meeting at this point.)

LAWRENCE CURRY

Lawrence Curry of 2312 Wilson Street stated that he was present to ask the Council to rescind what the Taxi Board did from September to December; that the Board has acted in a very unprofessional manner toward taxi owners. He stated there have not been enough people on the Board for a quorum but they acted without there being a full quorum. He stated he was present to ask the Council to look into it and rescind what has been done in as much as there were not enough people present to constitute the order of business.

Councilman Pierce stated that this matter has been called to his attention; that there were only two members making decisions.

City Attorney Nelson suggested that the matter be discussed at next week's Legal and Legislative Committee meeting; that discussion of the Transportation Ordinance is part of the agenda.

Councilman Benson stated that it is a big part of the meeting.

LAWRENCE CURRY (Continued)

City Attorney Nelson stated that the meeting would begin at 3 p.m. in the Conference Room

Mr. Curry stated that he was under the impression that it has been said from Councilman Rico that no member of the taxi industry will be on this new Board.

Councilman Benson stated that the Board will be enlarged; that people within the industry will be limited on the Board if the Council approves the ordinance.

Chairman Page stated that he has concerns and the committee meeting is scheduled for next Tuesday at 3 p.m. He asked Mr. Curry to be present and expressed certainty that the Committee would like to hear any comments regarding development of that Board.

SHIRLEY DEAKINS

Shirley Deakins of 222 Baker Street expressed concern for her own position as she is "one of the last of these"; that she could be "eaten alive" by the wrath of people on the north shore, including her own Councilwoman! She stated she is not happy with it; that there is so much conflict it makes her want to throw up! She stated she is not protected and does not even know the real value of her land or any improvements made based on the title company when they decided to report it and Ramsey was over it at the time. She stated what we have is worse than the Taxi Board, which is a mess and is illegal; that it is unethical and ought to be a federal investigation as nobody else is going to do anything about it. She stated she is very, very concerned; that she is going to hear what will be said when Neighborhood Services makes their property survey report as she is still "up in the air" and has many, many legitimate questions she plans to ask. She charged the Council to contact and consider her in this matter, at least where Baker Street is concerned.

ADJOURNMENT

Chairman Page adjourned the meeting of the Chattanooga Council until Tuesday, January 15, 2008 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)**