

CITY COUNCIL BUILDING
CHATTANOOGA, TENN.
April 15, 2008

Chairman Page called the meeting of the Chattanooga City Council to order with Councilpersons Bennett, Benson, Berz, Franklin, Gaines, Pierce, Rico and Robinson present. 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 Berz, followed by invocation. Councilwoman Berz prefaced the invocation by saying that the City of Chattanooga is a city of great diversity with people worshipping in churches, synagogues, and mosques, which is beautiful; that her invocation would be different and all in the room would be participants.

ELECTION OF OFFICERS

Chairman Page stated that he had truly enjoyed being the Chairman and getting to work with his colleagues; that other members of the Council had brought him up and had covered his errors. He asked for nominations for Council Chair.

Councilman Franklin made the motion that Councilwoman Bennett be elected Council Chairman. This was seconded by Councilwoman Robinson. Councilman Pierce, seconded by Councilman Franklin, moved that the election be closed with this nomination. Councilwoman Bennett was duly elected Chairman with Councilman Rico abstaining.

Chairman Bennett thanked her colleagues, stating that she was honored to serve. She stated that she had great leadership to follow; that Councilwoman Robinson was Chairman and also Councilman Pierce, and she had had a chance to see both of them in action; that she had been honored to serve as Vice Chairman with Chairman Page and had enjoyed the experience and hoped to follow in his footsteps.

ELECTION (CONT'D)

Councilwoman Robinson made the motion that Councilman Benson be elected Vice Chairman. This motion was seconded by Councilman Franklin. Councilman Franklin, seconded by Councilwoman Robinson, moved that the election be closed with this nomination. Councilman Benson was duly elected Vice Chairman, with Councilman Rico abstaining.

Before going any further, Councilwoman Robinson stated that on behalf of the whole Council she would like to say “thank you” to Councilman Page for an outstanding job as Chairman; that we had had a lot of “thorny” issues, and he had handled these with a great deal of confidence and fairness and had showed the citizens who had come before the Council a lot of respect and had moved the meetings along; that he had a wonderful way of presiding; that he was a smart man, and she said “Thanks Dan”!

Attorney Nelson stated that it was the pleasure of the City Attorney to present each new Chairman with a new gavel to “rule” with; that if the Council got out of hand, Chairman Bennett would have the final word, and he welcomed the new Chairman with her personal gavel.

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.

FISK JUBILEE SINGERS

Chairman Bennett welcomed Suzanne Mitchell and Beverly Scott, making presentations on behalf of the Chattanooga Choral Society for the Preservation of African American Song.

Chairman Bennett turned the meeting over to Ms. Beverly Scott.

FISK JUBILEE SINGERS
(CONT'D)

Ms. Scott stated that she was a representative of the Chattanooga Choral Society and was here to promote the Fisk Jubilee Singers, An American Masterpieces Project that would be held Saturday, April 19th at 5:00 P.M. at the Tivoli Theatre. She mentioned that Dr. Roland Carter of the Chattanooga Choral Society is the local host and she presented each Councilmember with a Press Kit that contained a Teacher's Guide, Plan, a CD and DVD. This Book tells the history of the Fisk Jubilee Singers. This is an American Masterpieces Project and is a good reminder of the music heritage of Tennessee. The mission is to collect and perform the rich heritage of the Negro Spiritual. She mentioned that the Chattanooga Girls' Choir, consisting of 150 girls, that was instituted in 1987 for girls from the fourth grade through grade twelve, would also take part and represented 60 public and private schools in the area.

She went on to say that the Fisk Jubilee singers are recognized nationally and have received awards in Europe, as well as performing at Lincoln Center, New York City, Disney World, and the White House.

Both young men and women of Fisk University in Nashville sing and travel. The singers were established in 1871, singing slave songs and Negro spirituals. The Singers were established after the Civil War ended and traveled for six years to Memphis, Chattanooga, Ohio, Illinois, New York, Washington DC, Massachusetts, etc. in fund raising efforts. They touched hearts and souls everywhere they traveled and people were captivated by their haunting melodies.

As American racism grew, the group traveled and performed in the Royal Courts of Europe before Kings and Queens and created quite a sensation. Queen Victoria even ordered that their portrait be painted. Ms. Scott noted that the Jubilee Singers established Nashville as "Music City" long before country music! She went on to explain that their music was the message of a culture. She also mentioned that the kits that were provided to the Council tonight were also given to each school, and she encouraged everyone to attend the concert on Saturday, noting that students would be given free admission. She mentioned one of the songs they would be singing would be "Balm of Gilead".

Both ladies thanked the Council for their support.

JUBILEE SINGERS(CONT'D)

Chairman Bennett thanked Ms. Mitchell and Ms. Scott for their presentation.

Councilman Franklin added that he had an opportunity to travel as a young lad with the Boys' Choir under the leadership of Roland Carter. He encouraged everyone to attend the concert on Saturday; that it would be a rare treat, as the quality of these Negro Spirituals is unparalleled. He stated that those who attended would participate in a rare event.

R-O-W NAME CHANGE

2008-002 (City of Chattanooga)

On motion of Councilman Pierce, seconded by Councilman Benson,
**AN ORDINANCE TO CHANGE THE RIGHT-OF-WAY NAME OF
THE 1200 BLOCK OF GIFFORD STREET TO THE 1200
BLOCK OF PRAYER LANE, MORE PARTICULARLY
DESCRIBED HEREIN AND AS SHOWN ON THE MAP
ATTACHED HERETO AND MAE A PART HEREOF BY
REFERENCE**

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

R-O-W NAME CHANGE

2008-035 (City of Chattanooga)

On motion of Councilman Benson, seconded by Councilwoman Gaines,
**AN ORDINANCE TO CHANGE THE RIGHT-OF-WAY NAME OF
THE 100 BLOCK OF SOUTH CREST ROAD TO THE 3100
AND 3200 BLOCKS OF SOUTH CREST PLACE, 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.

R-O-W NAME CHANGE

2008-045 (City of Chattanooga)

On motion of Councilman Rico, seconded by Councilman Franklin,
**AN ORDINANCE TO CHANGE THE RIGHT-OF-WAY NAME OF
AN UNNAMED ALLEY LOCATED ON THE EAST LINE OF
ADAMS STREET TO QUINCY ALLEY AND AN UNNAMED
ALLEY LOCATED ON THE WEST LINE OF JEFFERSON
STREET TO ZACHARY ALLEY, 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.

LIFT ZONING CONDS.

2008-064 (Ilya Kyskin)

Councilman Benson stated that this was passed on first reading last week, and he thought something needed to be added to it. Mr. Haynes noted that it was the next case.

On motion of Councilman Benson, seconded by Councilwoman Gaines,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS
AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS
TO LIFT CONDITIONS IMPOSED IN ORDINANCE NO. 11925
(CASE No. MR-2006-233) ON TRACTS OF LAND LOCATED
AT 7610 AND 7614 STANDIFER GAP ROAD, 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.

REZONING

2008-065 (Ilya Kyskin)

Mr. Haynes of RPA explained that on this request the applicant had discussed Condition (4), and it was his understanding that the Traffic Engineer would okay this; however the Traffic Engineer was out of town, and this needed to be re-worded. Mr. Haynes suggested the wording “backout parking as approved by the City Traffic Engineer”.

Attorney Nelson read the 4th condition—“*Backout parking onto north/south internal streets; as only approved by the City Traffic Engineer*”.

On motion of Councilman Benson, seconded by Councilman Pierce,
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE TRACTS OF LAND LOCATED IN THE 7600 BLOCK OF STANDIFER GAP ROAD, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, FROM R-1 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE AND O-1 OFFICE ZONE, SUBJECT TO CERTAIN CONDITIONS

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

REZONING

2008-066 (Keither Perry)

On motion of Councilman Rico, seconded by Councilman Pierce,
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 1700 JEFFERSON STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, FROM R-3 RESIDENTIAL ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS

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

AMEND CITY CODE
ONE-WAY STREETS

On motion of Councilman Franklin, seconded by Councilwoman Gaines,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE,
PART II, CHAPTER 24, SECTION 24-504, SCHEDULE IV, ONE-
WAY STREETS**

was substituted. On motion of Councilman Franklin, seconded by Councilwoman Gaines, the Ordinance passed first reading.

REZONING

2008-062 (Delta Brogdon)

Councilwoman Berz stated that the neighborhood had worked long and hard on this; that what was being proposed might be a good resolution, and she asked rather than read these individually to let the proponent get up and speak.

Mr. Brogdon stated that he would like to withdraw the first two paragraphs.

Attorney Nelson explained that what he thought Mr. Brogdon meant was that he wanted to go ahead with Shaw Avenue but not Talladega Avenue but did not want to preclude his right to come back.

Councilman Franklin made the motion to withdraw Talladega Ave. This was seconded by Councilwoman Robinson.

It was noted that a third condition should be added concerning asphalt or concrete paving for off street parking.

On motion of Councilman Franklin, seconded by Councilman Benson,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS
AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS
TO REZONE A TRACT OF LAND LOCATED AT 5945 SHAW
AVENUE, MORE PARTICULARLY DESCRIBED HEREIN AND
AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A
PART HEREOF BY REFERENCE, FROM R-1 RESIDENTIAL
ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT
TO CERTAIN CONDITIONS**

passed first reading.

REZONING (CONT'D)

At this point Attorney Walter Williams asked to speak and stated that a group did meet on Sunday and agreed on Shaw Avenue subject to certain other conditions. Those conditions are as follows (1) Pavement (asphalt or concrete) for off street parking. No parking for C-2 operation on residential streets; (2) In addition to landscaping requirements per City Code, there shall be planted along the rear of the property to separate the C-2 property from the R-1 properties; and (3) Proper lighting on the C-2 property with timers to cut lights off when the C-2 business is closed to avoid interference with R-1 residents.

Councilman Pierce asked if Mr. Brogdon was aware of these conditions? Mr. Brogdon responded that he was aware of the conditions and that he would do whatever he said he would do. Councilman Pierce explained that these are conditions added to the Code and that Mr. Brogdon had the right to object. Mr. Brogdon indicated that he had no objection.

Chairman Bennett asked if these additional conditions could be provided to Mr. Haynes to attach to the Ordinance.

Attorney Nelson pointed out that the original Ordinance that was read contained only two conditions.

Councilwoman Berz moved that the Ordinance be amended to contain the additional three conditions outlined by Attorney Williams. This was seconded by Councilman Pierce. Attorney Nelson entered the additional conditions into the Ordinance.

ART PAYMENT

On motion of Councilman Rico, seconded by Councilwoman Gaines,
**A RESOLUTION AUTHORIZING PAYMENT IN THE AMOUNT
OF SIXTEEN THOUSAND DOLLARS (\$16,000.00) TO LOUISE
PETERSON TO PURCHASE HER SCULPTURE WHICH IS TO
BE PLACED IN THE FIRST STREET STEP SCULPTURE
GARDEN AS PART OF THE CHATTANOOGA PUBLIC ART
PLACE**
was adopted.

**AD VALOREM TAXES
ABATEMENT**

Chairman Page noted that there were some corrections on this Resolution; that this was a Pilot Project and the company was divided into three parts and changes had been made.

Attorney Nelson added that it was originally presented as just Designed Alloy Products, Inc. but there was a “sister” company, and the Pilot will apply to both of these companies rather than just the one; that the County Commission approved the Pilot as it is being changed this week.

On motion of Councilman Rico, seconded by Councilwoman Gaines,
A RESOLUTION TO MAKE CERTAIN FINDINGS RELATING TO THE DESIGNED ALLOY PRODUCTS, INC. PROJECT, TO DELEGATE CERTAIN AUTHORITY TO THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF CHATTANOOGA, AND TO AUTHORIZE THE MAYOR TO ENTER INTO AND EXECUTE AN AGREEMENT FOR PAYMENTS IN LIEU OF AD VALOREM TAXES

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 RAINES BROTHERS CONSTRUCTION, INC. RELATIVE TO CONTRACT NO. E-08-001-201, MOUNTAIN CREEK PUMP STATION MODIFICATIONS, IN THE AMOUNT OF SEVENTY-ONE THOUSAND EIGHT HUNDRED FIFTEEN DOLLARS (\$71,815.00), PLUS A CONTINGENCY AMOUNT OF SEVEN THOUSAND ONE HUNDRED EIGHTY-FIVE DOLLARS (\$7,185.00), FOR A TOTAL AMOUNT NOT TO EXCEED SEVENTY-NINE THOUSAND DOLLARS \$79,000.00).

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 ENGINEERING & RESEARCH INTERNATIONAL, INC. RELATIVE TO CONTRACT NO. E-07-016-101, GROUND PENETRATING RADAR AND FALLING WEIGHT DEFLECTOMETER PAVEMENT TESTING, IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED NINETY-ONE THOUSAND FIVE HUNDRED DOLLARS \$491,500.00)
was adopted.

TEMP. ROW USE

On motion of Councilman Rico, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING UNITED ENERTECH C/O RLT PROPERTIES TO USE TEMPORARILY A PORTION OF THE RIGHT-OF-WAY RUNNING NORTH AND SOUTH ALONG THE WEST SIDE OF THE 2900 BLOCK OF SOUTH HICKORY STREET, AS SHOWN ON THE DRAWING ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, TO ALLOW THE PROPERTY OWNER MANEUVERING SPACE FOR 18-WHEEL TRANSPORTS TO DOCK AND PARK NEXT TO THE WAREHOUSE, SUBJECT TO CERTAIN CONDITIONS
was adopted.

SPECIAL POLICE APPT.

Councilman Benson stated that he hated to vote on this until he got answers to some questions concerning the authority to be armed.

Councilman Pierce stated that Ernie Meyer was supposed to respond back to the Council on this.

Ms. Donna Kelley, Personnel Director, stated that he did report to the Council in so far as his scope was concerned.

Councilman Benson questioned when he reported and in what committee?

POLICE APPT. (CONT'D)

Ms. Kelley stated that it was on the Tuesday when he was supposed to be there.

Councilman Benson asked if anyone recalled this?

Ms. Kelley explained that Ernie Meyer has a very narrow role; that he just gets the basic information on an individual.

Councilman Rico asked if Chief Dodd could add anything to this?

Chief Dodd stated that these individuals are signed off on by Chief Cooper.

On motion of Councilman Page, seconded by Councilman Pierce,

**A RESOLUTION AUTHORIZING THE APPOINTMENT OF
LEIGHTAYLOR NOORBERGEN AS SPECIAL POLICEMAN
(ARMED) FOR ERLANGER HEALTH SYSTEMS TO DO
SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO
CERTAIN CONDITIONS**

is to be deferred until information can be gathered for the Council in the Legal and Legislative Committee, particularly in regards to this individual.

Councilman Benson stated that if there was a rush on this, something could be given to the Council in writing preceding the committee meeting; then this could be voted on next week.

Chairman Bennett noted that questions were raised in the Legal and Legislative Committee concerning this but there was no clear recommendation, and the Council was waiting for this.

Attorney Nelson explained that Mr. Meyers just looks to see if the individual has gone through Police Training, etc.; that this particular individual used to be an employee of the City and there were special circumstances attached and some references were checked with Erlanger on this; that there was no formal report received back on this officer; that more specifically, she has been through the full academy.

POLICE APPT. (CONT'D)

Councilman Pierce questioned why we had to be liable for securing another business?

Attorney Nelson responded that it is the way the law is written—that it can be either the City or the Sheriff.

Councilman Pierce went on to say that we don't "run" the hospital, and he thought the Sheriff should sign off on this.

Chairman Bennett noted that this would be referred back to the Legal and Legislative Committee next week.

Councilman Pierce asked that Ernie Meyer be asked to come back. Ms. Kelley stated that she would be happy to have him attend. Councilman Pierce added that he would not be at the Legal and Legislative Committee next week but hoped that we could get this resolved.

SECTION 108 LOAN

On motion of Councilman Rico, seconded by Councilman Pierce,
**A RESOLUTION AMENDING RESOLUTION NO. 23960 BY
CHANGING THE PROPOSED USE OF TEN MILLION DOLLARS
(\$10,000,000.00) FINANCING THE SECTION 108 LOAN
GUARANTEE AND AUTHORIZING THE MAYOR TO EXECUTE
DOCUMENTS RELATING THERETO**

was adopted.

Since this involved \$10,000,000.00, Councilwoman Robinson as to be refreshed on this matter.

Mr. Dan Johnson explained that this is a Section 108 Loan for \$10 million dollars; that the proceeds are to be used in the following manner--\$2.2 million for a Fannie Mae Note for HOPE VI; \$2.3 million for a Revolving Loan for Brownfields and Community Development; the remaining \$5.4 million will be used by the Electric Power Board to build out census tracts (Alton Park); this will be done on the front end for the fiber to the home project in order to get this area first with the build out; otherwise, normally, it could take from 3-5 years later. EPB will pay this back.

**LAND USE PLAN/
ALTON PARK COMMUNITY**

On motion of Councilwoman Robinson, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE CHATTANOOGA-HAMILTON COUNTY REGIONAL PLANNING AGENCY TO DEVELOP AN UPDATED LAND USE PLAN FOR THE ALTON PARK COMMUNITY

was adopted.

OVERTIME

Overtime for the week ending April 11, 2008, totaled \$70,598.65.

PERSONNEL

The following departmental personnel matters were reported:

PUBLIC WORKS DEPARTMENT:

- ❖ **JEFFERY D. HUNTER**—FMLA for Crew Worker, effective 3/31/08—6/23/08.
- ❖ **DAVID RANDY FIELDS**—Termination of Crew Supervisor Senior, effective 3/28/08.
- ❖ **JASON E. SILVERS**—Employment of Office Assistant, Pay Grade 3/1, \$20,650.00 annually, effective 4/7/08.
- ❖ **DEWAYNE BENNING**—Promotion to Crew Leader Senior, Pay Grade 9/1, \$25,474.00 annually, effective 3/1/08.
- ❖ **MICHAEL PARDUE**—Promotion to General Supervisor Senior, Pay Grade 16/5, \$41,102.00, effective 4/11/08
- ❖ **TORREY D. HICKS**—Promotion to Crew Worker Senior, Pay Grade 5/3, \$22,391.00 annually, effective 4/11/08.

PERSONNEL (CONT'D)

CHATTANOOGA POLICE DEPT.:

- ❖ **EDITH Y. HUBBARD**—Rescind employment of Communications Officer, effective 2/29/08.
- ❖ **TONYA RANSOM**—FMLA of Sergeant, effective 4/11/08—7/4/08.
- ❖ **PATRICIA GRAY**—Promotion to Police Info. Center Mgr., Pay Grade 16/6, \$42,792.00 annually, effective 4/18/08
- ❖ **JASON R. JONES**—Resignation of Communications Officer, effective 4/16/08.

CHATTANOOGA CITY COUNCIL:

- ❖ **CAROLYN L. MOORE**—Return from FMLA, effective 4/14/08.

DONATIONS

Adm. Larry Zehnder presented the following donations: \$1,130 from the Skate Shop for the CHATT TOWN Skate Park; \$200 from Board Rider; and \$105 from Play It Again Sports.

There was also \$7,159.00 in donations from various entities for a Therapeutic Program. The list of these donations is made a part of this minute material.

PURCHASES

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

R & S TRUCK & TRACTOR CO, INC. (Only bidder)
Requisition R0106541/B0004919

One Diesel Utility Vehicle

\$13,051.00

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

MATERIAL MATTERS, INC. (Change Order)
Requisition R0090482/P0025819

Biosolids Data Management System

\$44,600 Original Contract
8,500 Change Order
53,100 New Contract amount

On motion of Councilman Pierce, seconded by Councilman Franklin, the following purchase was approved for use by the Public Works Department:

GUTHRIE SALES & SERVICE CO. (Single Source Purchase)
Requisition R0108400/B0005099

Fairbanks Morse Pump Parts

\$16,264.00

EMERGENCY PURCHASE

Adm. Leach reported an emergency purchase of variable frequency drive repairs for the Waste Resources Division of Public Works at the Citico Pump Station. The repair company was Rome Electric initially, and they were unable to resolve the problems. The purchase of emergency repair of two VFD's was with Cutler-Hammer Eaton in the amount of \$22,594.67. This was duly signed in open meeting.

At this point, Councilman Franklin asked Adm. Leach to research something for him; that he thought we passed in committee and then Council meeting, a contract for an engineering company to work on the Wilcox Tunnel. He asked if this was awarded to Arcadis?

Adm. Leach responded that he thought Arcadis performed a different function.

Councilman Franklin stated that he would check with him later on this.

Adm. Leach noted that as massive as the Tunnel project is, there would be several contractors working on it.

PURCHASES

On motion of Councilwoman Gaines, seconded by Councilman Franklin, the following purchases were approved for the Department of Education, Arts & Culture:

BUILDING SERVICES (Lowest and best bid)
Requisition R0106334-B0004954

Janitorial Services for Eastgate Senior Center

\$7,351.00

COMMERCIAL BUILDING SERVICES (Lowest and best bid)
Requisition R0106334-B0004954

Janitorial Services for North River Civic Center

\$9,691.68

PURCHASES

On motion of Councilman Franklin, seconded by Councilman Rico, the following purchase was approved for use by the Chattanooga Police Dept.:

B & H PHOTO VIDEO CORP. (Best bid meeting specs.)
Requisition R0108083—B0005043

Digital Cameras

\$15,408.40

On motion of Councilman Rico, seconded by Councilman Franklin, the following purchase was approved for use by the Chattanooga Police Dept.:

UNIVERSAL RADIO, INC. (Lowest and best bid)
Requisition R0107223/B0005027

Radio Receiver Equipment

\$10,499.90

BOARD APPOINTMENTS

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

TRANSPORTATION BOARD:

- Appointment of **Mrs. Jill Veron** for a term to begin **April 1, 2008** and end **April 1, 2011**.

On motion of Councilman Rico, seconded by Councilwoman Gaines, the following Board Appointment was approved:

TRANSPORTATION BOARD:

- Appointment of **Mrs. Andrea Anderson** for a term to begin **April 15, 2008** and end **April 1, 2010**.

BOARD APPOINTMENTS
(continued)

Mr. Johnson stated that the appointment of Ms. Anderson was due to the resignation of Chairman Bob Doak.

Councilman Pierce wanted to know why Mr. Doak resigned? Mr. Johnson responded that he said it was taking up too much of his time.

At this point, Councilwoman Robinson commended Chairman Bennett on the great job she was doing in her “new” seat. Chairman Bennett acknowledged that it was a “little scary”. Councilwoman Berz added that she was really glad to see Councilwoman Bennett sitting there.

COMMITTEES

Councilman Benson reminded everyone of the **Legal and Legislative Committee meeting on Tuesday, April 22nd at 3:00 P.M.**

LAWRENCE CURRY

Mr. Curry approached the Council concerning the new Transportation Board, stating that the Council needed to reassess some of the names that had been appointed; that one person was on the Board who does not live in Chattanooga, Tennessee, and he should not be on the Board. He stated that he would also like the whole Council to consider what they had to go through to get their tags—that something used to be sent from Nashville to them, and they could go to the Court House and now they had to go to the Taxi Inspector. He stated that he felt the City should eliminate this so that they would just have to go to the Court House to get their tags. He stated that the Transportation Board needed to be re-evaluated.

Councilman Benson stated that we had made a big step forward in creating this Board.

CARL EPPERSON

Mr. Epperson approached the Council stating that he usually came here in his position as a member of the Disability Council. At this time he was asking the Council to consider the fact that when BC-BS opens in their new facility that there will be an extreme amount of traffic. He was asking that the Traffic Engineer look into ways of controlling this for the sake of people in wheelchairs and on walkers. He noted that we are all creatures of habit, noting that construction was being done on the Quality Inn Express, tearing the sidewalks up and also the cross-overs. He stated that a person who is handicapped is no different from anyone else, and he urged the Council to look into construction sites and sidewalks to make sure people in wheelchairs can get around.

Mr. Epperson went on to say that he received \$700.00 a month in social security and the Federal Government allowed him \$10 in food stamps—that when he bought a loaf of bread and milk, this \$10 was gone. He urged the Council to do something to help the elderly who are on social security and to look into the possibility of a “Sales Tax Holiday” for Chattanooga residents on non-perishable groceries. He urged to figure out a way to have a “Sales Tax Holiday”. He added that the sales tax is 9.5%, which amounts to about \$.10; that he also had to pay taxes on his cell phone, cable, electricity, groceries and restaurants when he went out to eat, which was getting to be fewer and fewer times. He stated that he spent one check a year on just taxes; that the price of groceries going up makes a difference. He ended by saying that Madam Chairman had done a good job!

Chairman Bennett stated that while he was talking, she had seen Adm. Leach taking notes.

Councilman Benson stated that Mr. Epperson had some good ideas, noting however that we could not excuse the full sales tax because only 2 ½ cents is City sales tax; that people would still have to pay the State sales tax.

Mr. Epperson stated that he was just talking about the city tax.

Councilman Benson stated that we could have our attorney look into this and see if it is legal.

TAWC RATE INCREASE

Councilman Page stated that he thought the issue of a Tennessee American Water Company rate increase was going to be discussed this evening; that he was going to suggest that the City Council participate in opposition of the rate increase by TAWC; that he would suggest that the City Council resolve to oppose the rate increase by TAWC and provide reasonable funds for said cause; that the funds should be with Hamilton County on a 50/50 basis. **Councilman Page made this in a form of a motion. This was seconded by Councilman Benson.**

Attorney Nelson stated that he believed we had a Resolution prepared for next week (Item a) on the agenda that pertains to this issue.

Councilman Page stated that he understood we needed to do this expeditiously.

Attorney Nelson stated that this Resolution should be in everyone's books, and the Clerk could read the Resolution, and it could pass tonight. At this point, Councilman Page and Councilman Benson withdrew their previous motions.

On motion of Councilwoman Robinson, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING INTERVENTION IN THE PENDING RATE INCREASE FILED BY TENNESSEE-AMERICAN WATER COMPANY BEFORE THE TENNESSEE REGULATORY AUTHORITY AND FURTHER AUTHORIZING THE CITY ATTORNEY TO INCUR ALL REASONABLE AND NECESSARY EXPENSES RELATING THERETO

was adopted.

Councilman Page further made the motion that we approach Hamilton County concerning their part of paying necessary expenses on a 50/50 basis. This was seconded by Councilman Benson.

Councilman Pierce asked if we could let the Water Company representative have a copy of this. Attorney Nelson noted that it was public record.

ADJOURNMENT

Chairman Bennett adjourned the meeting of the Chattanooga City Council until Tuesday, April 22, 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)**