

**CITY COUNCIL BUILDING  
OCTOBER 21, 2008  
6:00 P.M.**

Chairman Bennett called the meeting of the Chattanooga City Council to order with Councilmen Benson, Berz, Gaines, Pierce, Rico, Robinson, and Shockley present. Councilman Page was absent due to 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 Councilwoman Robinson, followed by invocation.

**MINUTE APPROVAL**

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

**MARSHALL FELLOWS/  
ELEANOR COOPER**

Chairman Bennett called on Ms. Eleanor Cooper to come to the podium to tell us about this group.

Ms. Cooper stated that the group present tonight was the Marshall Fellows from Europe. She explained that this was a Transatlantic Program between the USA and the Atlantic. She stated that she would like for them to introduce themselves, noting that we had been doing this for ten years. She added that she felt that this would give us a presence in Europe.

The first speaker was **Gerardo Del Caz Estes of Spain**. He thanked everyone, stating that this was a program represented by Madrid to learn more about the USA. He stated that he was impressed with Chattanooga and the changes that have been made in the last 20 years—being a grassroots movement. He stated that he was happy to be here.

**MARSHALL FELLOWS**  
**CONT'D:**

The next speaker was **Ms. Denisa Sarajlic-Maglic of Bosnia**. She, too, thanked the Council for having them here, stating that she was impressed with the City and was afraid that Chattanooga had spoiled them for the five more cities that they were to visit.

Next to approach the podium was **Ms. Anna Libak of Denmark**. She is the Current Affairs Editor at the Danish weekly *Weekendavisen* in Copenhagen. She thanked the Council for having them.

The next speaker was **Krassimir Popov of Bulgaria**. He stated that he worked for a private investment company. He stated that it was an honor to be here and thanked everyone for their hospitality, stating that this was a very strong community.

**Rene Kubasek of the Czech Republic** was the next speaker. He joined his colleagues in saying that he was impressed with Chattanooga, stating that this was the first American city that he had visited.

**Huseyin Ural Akuzum of Istanbul, Turkey** came next to the podium. He also thanked the Council for having them, stating that he was an Attorney at Law. He again expressed his thanks.

**Ms. Wiebke Kupper of Germany** was next. She stated that she was an architect and city planner, stating that Chattanooga was a very attractive city and thanking the Council.

Chairman Bennett stated that Chattanooga was becoming a Global Market place, noting that we were fortunate to have such smart young people visiting us.

Councilwoman Robinson thanked Eleanor Cooper for all the work that she does with these international endeavors; that we need to be reminded that we are a learning headquarters for a great German corporation (VW); that Eleanor has worked tirelessly with our Sister Cities Program. She went on to say that she and Chairman Bennett went to Greenville, South Carolina last week and learned about their efforts to strengthen their international community; that they came back with the determination that they would do the same thing for our city.

**MARSHALL FELLOWS**  
**(CONT'D)**

Councilwoman Berz stated that she, too, thanked Ms. Cooper, stating that she had had the pleasure of working with this group—that they were a very, very bright young group and an asset to our community. She stated that it was her pleasure to welcome them here and again thanked Eleanor Cooper.

**JOHN TAYLOR**  
**OMA DIRECTOR INTRO.**

Chairman Bennett welcomed former Councilman John Taylor to the meeting to make a presentation.

Mr. Taylor came to the podium and asked that OMA Committee members join him, as well. He wished everyone a good evening and thanked the Council for this opportunity. He stated that it felt so good to be standing here, and he thanked Councilmembers for the great job they were doing on a daily basis. He went on to say that OMA was appreciative of their support to their organization, which was working to make Chattanooga inclusive, stating that Chattanooga was like a quilted blanket.

Mr. Taylor stated that they were here today because they had lost Jacqueline Strong Moss as their director and had been engaged in an active process to find an outstanding individual to carry on the work of this office and carry it to greater heights. He thanked Dr. Medley for the outstanding work that she had done in the interim, stating that she had been here for a few weeks. He turned the meeting over to Dr. Medley.

Dr. Medley brought greetings to the Council and thanked them, stating that she appreciated the Council's support of OMA and that she had enjoyed each of her different roles and tasks. She stated that it had been quite an interesting month's work to maintain this office and their exceptional staff. She went on to say that she was pleased to be part of the Search Committee for a new director—that they had presented their choices to the Mayor, and he had made an excellent choice; that they were very pleased and were here tonight to introduce the new director to the Council. She went on to say that there were higher heights to strive for and that this individual was well-equipped to carry out this work; that they had some folders provided with information for the Council; that member of the Board were here as well, and she turned the meeting over to Chairman Alan Richelson.

**OMA DIRECTOR(CONT'D)**

Mr. Richelson stated that he had chaired the committee to search for the new director in conjunction with the City's Personnel Department. At this time he introduced the new director, Beverly Cosley.

Ms. Cosley stated that she was really happy to be standing here and back again with the City of Chattanooga; that it was a pleasure for her to serve in this capacity—that she had a long-time standing with such projects. She noted that most might remember her as the former Outreach Director with the Chattanooga Police Dept. under Chief Dotson. She went on to say that the position of OMA Director was quite a natural fit for her; that she had started her career as a school teacher, had been in Real Estate, then Housing, and had also been at Chattanooga State—that she had gone through these other vocations and was well pleased to bring these experiences to her new position and would work with the Council and the Board and also the OMA Staff that was in place. She thanked the Council for this opportunity.

Mr. Taylor stated that they were excited about the new director and appreciated the Council's position and support.

Councilman Pierce thanked Mr. Taylor and Ms. Cosley, **stating that he would put in place a motion to accept this recommendation. This was seconded by Councilwoman Robinson.**

Councilwoman Berz stated to Ms. Cosley that she wanted to be the one to second this motion. She stated "girlfriend" a lot of us have been good friends and welcome, welcome, welcome and thank you for being willing to serve. She added that the Selection Committee had "done good"!

Chairman Bennett added her congratulations to the new Director of OMA.

**AMEND CITY CODE**  
**TRAFFIC MANAGEMENT**

Councilman Benson thanked each and every one for the work on this that had been going on for 6-8 weeks; that this had been a learning experience for a lot of us; that we were changing the title of the Ordinance from the Wrecker Ordinance to Traffic Incident Management Service Ordinance.

**TRAFFIC MANAGEMENT**  
**(CONT'D)**

Councilman Benson explained that we wanted this to be more than just a Wrecker Ordinance but to include traffic management incidents on the Interstate. He stated that we would be coming into the days of Volkswagen and needed to be prepared for a lot of traffic and needed to be able to clear our Interstate quickly and safely and to move traffic. He went on to say that he believed we were bringing an Ordinance tonight that might still need some changing, but we needed to know what the future holds. He added that right now the industry is segmented and diverse and to make all happy is totally impossible; that we believed that this Traffic Incident Management Service Ordinance was probably better than the one we had known as the Wrecker Ordinance. He noted that this was a compromise, but he felt we could live with this and see if it works and can change it if needed in two weeks' time. He emphasized that this could be changed later if needed.

On motion of Councilman Benson, seconded by Councilman Rico,  
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE,  
PART II, TO AMEND SECTIONS 35-146 THROUGH 35-180  
KNOWN AS THE TRAFFIC INCIDENT MANAGEMENT  
SERVICE ORDINANCE**  
passed second and final reading and was signed in open meeting.

**CLOSE AND ABANDON**

**MR-2008-112 (City of Chattanooga)**

On motion of Councilman Rico, seconded by Councilwoman Gaines,  
**AN ORDINANCE CLOSING AND ABANDONING A PORTION  
OF THE FORMER EASTERN RIGHT-OF-WAY OF THE 400  
BLOCK OF CHERRY STREET AND THE SOUTHERN RIGHT-  
OF-WAY OF THE 100 BLOCK OF EAST 4<sup>TH</sup> STREET, MORE  
PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON  
THE MAPS ATTACHED HERETO AND MADE A PART  
HEREOF BY REFERENCE, SUBJECT TO CERTAIN  
CONDITIONS**  
passed second and final reading and was signed in open meeting.

**REZONING**

**2008-151 (Mary Ann Wood)**

On motion of Councilman Rico, seconded by Councilwoman Gaines,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A PORTION OF A TRACT OF LAND LOCATED AT 336 AND 338 EAST VIEW DRIVE, 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, SUBJECT TO CERTAIN CONDITIONS**  
passed second and final reading and was signed in open meeting.

**REZONING**

**2008-154 (Marcus Womble)**

On motion of Councilman Rico, seconded by Councilwoman Robinson,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 4913 KIRKLAND AVENUE, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, FROM M-1 MANUFACTURING ZONE TO R-3 RESIDENTIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**  
passed second and final reading and was signed in open meeting.

**REZONING**

**2008-157 (James Thornton)**

On motion of Councilman Rico, seconded by Councilman Shockley,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE PART OF A TRACT OF LAND LOCATED AT 2017 DODSON AVENUE, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, FROM M-2 LIGHT INDUSTRIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**  
passed second and final reading and was signed in open meeting.

**REZONING**

**2008-158 (Phyllis Williams)**

On motion of Councilman Rico, seconded by Councilwoman Gaines,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 1109 EAST 11<sup>TH</sup> STREET, 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-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**  
passed second and final reading and was signed in open meeting.

**CLOSE AND ABANDON**

**(MR-2008-121 Corrie Eldred/Betts Engineering**

On motion of Councilman Rico, seconded by Councilwoman Gaines,  
**AN ORDINANCE CLOSING AND ABANDONING THE 3000 BLOCK OF BASHAM STREET AND FOUR (4) UNOPENED ALLEYS LOCATED OFF THE WEST LINE OF THE 2900 BLOCK OF ALTON PARK BOULEVARD, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS**  
passed first reading.

**SURPLUS**

On motion of Councilman Rico, seconded by Councilwoman Gaines,  
**A RESOLUTION DECLARING A CITY POLICE DEPARTMENT SURVEILLANCE VAN AS SURPLUS PROPERTY, AUTHORIZING THE PURCHASING AGENT TO SELL SAID VAN TO TACTICAL TECHNOLOGIES, INC. FOR CONSIDERATION OF EQUIPMENT FROM TACTICAL TECHNOLOGIES, INC. WITH A TOTAL RETAIL VALUE OF FOUR THOUSAND SEVEN HUNDRED THIRTEEN DOLLARS (\$4,713.00)**

was adopted.

**CONTRACT**

On motion of Councilman Rico, seconded by Councilwoman Gaines,  
**A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. E-08-013-201, WEST MARTIN LUTHER KING BOULEVARD ROADWAY IMPROVEMENTS, TO THOMAS BROTHERS CONSTRUCTION, INC. IN THE AMOUNT OF SEVEN HUNDRED SIXTY-FIVE THOUSAND NINE HUNDRED FIFTY-TWO AND 85/100 DOLLARS (\$765,952.85), PLUS A CONTINGENCY AMOUNT OF FORTY-FIVE THOUSAND AND 15/100 DOLLARS (\$45,000.15), FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED EIGHT HUNDRED TEN THOUSAND NINE HUNDRED FIFTY-THREE DOLLARS (\$810,953.00)**

was adopted.

**AGREEMENT**

On motion of Councilman Rico, seconded by Councilwoman Gaines,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH AQUATERRA ENGINEERING,LLC RELATIVE TO CONTRACT NO. E-04-002-301, MOUNTAIN CREEK ROAD IMPROVEMENTS (NORTH OF STONEBROOK), FOR ENGINEERING SERVICES IN AN AMOUNT NOT TO EXCEED FOUR THOUSAND FIVE HUNDRED DOLLARS (\$4,500.00)**

was adopted.



AGREEMENT

On motion of Councilwoman Robinson, seconded by Councilman Rico,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH ELECTRIC POWER BOARD (EPB) FOR A SALES ORDER TO RELOCATE FACILITIES WITHIN AN EPB EASEMENT FOR THE NORTHPOINT BOULEVARD EXTENSION PHASE 2 PROJECT IN AN AMOUNT NOT TO EXCEED FIFTEEN THOUSAND NINE HUNDRED SEVENTY-FIVE DOLLARS (\$15,975.00)**  
was adopted.

AGREEMENT

On motion of Councilman Rico, seconded by Councilwoman Gaines,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN ENGINEERING SERVICES AGREEMENT WITH BROWN AND CALDWELL RELATIVE TO CONTRACT NO. W-08-001, PHASE I OF THE EQUIPMENT MAINTENANCE AND RELIABILITY IMPROVEMENT PROGRAM, IN THE AMOUNT OF FIVE HUNDRED THIRTY-SIX THOUSAND SIXTY-SEVEN AND 32/100 DOLLARS (\$536,067.32), PLUS A TEN-PERCENT (10%) CONTINGENCY FEE**  
was adopted.

AGREEMENT

On motion of Councilman Rico, seconded by Councilwoman Robinson,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN ENGINEERING SERVICES AGREEMENT WITH CONSOLIDATED TECHNOLOGIES, INC. FOR GROUND WATER SAMPLING, MONITORING, AND REPORTING DURING 2008-2009 FOR THE SUMMIT NORTH HAWTHORNE STREET, BIRCHWOOD PIKE, AND MONTAGUE PARK LANDFILLS IN AN AMOUNT NOT TO EXCEED FORTY-FOUR THOUSAND TWO HUNDRED DOLLARS (\$44,200.00)**  
was adopted.

**MEMO OF UNDER-  
STANDING**

On motion of Councilman Rico, seconded by Councilman Shockley,  
A RESOLUTION AUTHORIZING THE CHATTANOOGA FIRE DEPARTMENT METROPOLITAN MEDICAL RESPONSE SYSTEM (MMRS) PROJECT MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CHATTANOOGA-HAMILTON COUNTY HEALTH DEPARTMENT MEDICAL RESERVE CORPS (MRC) TO PROVIDE SPECIFIC SUPPLIES WHICH IT HAS REQUESTED TO OEPRATE WITHIN THIS COMMUNITY FOR RESPONSES TO ANY MASS CASUALTY EVENT WITH THE UNDERSTANDING THAT THE REPAIR AND REPLACEMENT OF ANY EQUIPMENT AND/OR SUPPLIES ISSUED PURSUANT TO THIS MEMORANDUM OF UNDERSTANDING SHALL BE THE SOLE RESPONSIBILITY OF THE MEDICAL RESERVE CORPS

was adopted.

**SANITARY SEWER  
RELOCATION SHARING**

On motion of Councilwoman Gaines, seconded by Councilman Rico,  
A RESOLUTION AUTHORIZING THE CITY TO SHARE EQUALLY WITH HAMILTON COUNTY IN THE COST OF SANITARY SEWER RELOCATION RELATIVE TO THE HAMILTON COUNTY ECONOMIC DEVELOPMENT CONTRACT FOR THE EXPANSION OF THE LOCK JOINT TUBING (LJT) PLANT AT THE HAMILTON COUNTY RIVERPORT, WITH THE CITY'S PORTION NOT TO EXCEED EIGHTEEN THOUSAND NINE HUNDRED THIRTY-SIX AND 50/100 DOLLARS (\$18,936.50)

was adopted.

**STRATEGIC PLANNING  
SESSION**

On motion of Councilman Rico, seconded by Councilwoman Gaines,  
**A RESOLUTION AUTHORIZING THE UNIVERSITY OF  
TENNESSEE MUNICIPAL TECHNICAL ADVISORY SERVICE  
(MTAS) TO FACILITATE A STRATEGIC PLANNING SESSION  
FOR THE CITY OF CHATTANOOGA AND TO REQUIRE ITS  
PRESENTATION IN A REPORT FOR THE CITY COUNCIL OF  
CHATTANOOGA, TENNESSEE**  
was adopted.

**Councilman Benson asked that a motion be made to amend this Resolution to include all Council candidates who have qualified after the deadline; this way the Planning Session would cover all the incumbents. Councilman Rico moved that this Resolution be so amended. This was seconded by Councilwoman Robinson.**

Councilman Pierce questioned if we would be able to set the date now?

Councilman Benson stated that the deadline for qualifying is December 18<sup>th</sup>, and it would have to be after this date—after all candidates who qualify are in.

**OVERTIME**

Five weeks of overtime were reported as follows: Period ending September 28, 2008 in the amount of \$25,086.96; Period ending September 25, 2008 in the amount of \$111,813.22; Period ending October 2, 2008 in the amount of \$20,912.97; Period ending October 9, 2008 in the amount of \$87,876.15; and Period ending October 16, 2008 in the amount of \$8,780.11.

Councilman Benson questioned the reason we jumped to \$111,813.22 for the period ending September 25<sup>th</sup>? He wanted to know if it had anything to do with Volkswagen activity?

Ms. Madison stated that she did not know, but that she would find out.

Attorney Nelson noted that the Vice-President was in town once, which would have been a big day, and he thought there was another activity the same day.

**PERSONNEL**

The following personnel matters were reported for the various departments:

**PUBLIC WORKS DEPARTMENT:**

- **ROBERT A. SMITH, JR.**—Four-Day Suspension without pay for Equipment Operator 2, 10/16,17,20,21/08.
- **GARY L. LANSDEN**—Reinstatement of Crew Worker, \$21,200.00 annually, effective 10/13/08.

**NEIGHBORHOOD SERVICES ADMINISTRATION:**

- **DONNA L. DEWEESE**—Hire as Project Specialist, Range 14, \$34,201.00 annually, effective 10/13/08.
- **DESHARLA LAVETTE**—Hire as Neighborhood Relations Specialist, Range 14, \$34,201.00 annually, effective 10/06/08.

**CHATTANOOGA POLICE DEPARTMENT:**

- **ARCHIE GRIFFIN**—Re-Hire as School Patrol Officer, \$15.08 per hour, effective 10/08/08.
- **TEIRRA M. NICHOLSON & LES J. VANWESTBROOK**—Hire as School Patrol Officers, \$15.08 per hour, effective 10/08/08.

**NEIGHBORHOOD SERVICES  
DONATION**

Anthony Sammons reported the following donation: 250 compact fluorescent light bulbs from the Electric Power Board and 250 t-shirts from Recycle Right.

Mr. Sammons took this opportunity to thank the Councilmen who were able to attend their celebration, stating that they exceeded their dreams and again thanked the Council.

Chairman Bennett stated that this was a great event and that the Council appreciated this.

**FIRE DEPT. DONATION**

A donation of \$3,000 to be used for Smoke Detectors from the Chattanooga Realtors Association was reported. Councilwoman Berz stated that when these detectors are installed, she would love to walk around with the Fire Dept. She was told that she would be notified.

**HOTEL PERMITS**

On motion of Councilwoman Robinson, seconded by Councilwoman Gaines, the following Hotel Permits were approved:

**AMERICA BEST VALUE INN & SUITES—103 Patten Chapel Rd.**

**ECONO LODGE—150 Browns Ferry Road**

**STONEFORT INN—120 E. 10<sup>th</sup> Street**

**EXTENDED STAY AMERICA #125—6240 Air Park Drive**

**HAMPTON INN—3641 Cummings Highway**

**WINGATE BY WINDHAM—7312 Shallowford Road**

**COUNTY SUITES BY CARLSON—7051 McCutcheon Road**

**REFUND**

On motion of Councilman Rico, seconded by Councilman Pierce, the City Finance Administrator was authorized to make the following refund:

**PAULA G. HENDERSON—Refund of \$1,087.46 for refund of water quality fees and/or property taxes.**

**PURCHASES**

On motion of Councilman Rico, seconded by Councilman Shockley, the following departmental purchases were approved:

**For the Bicentennial Library:**

**EBSCO (Lowest and best bid)**  
**Requisition R0114101**

Annual Blanket Contract for Periodical Subscriptions

\$29,729.30

**For the General Services Dept.:**

**LEE SMITH, INC. (Lowest and best bid)**  
**Requisition R0115303**

16 Yd. Garbage Truck

\$202,346.00

**For the Human Services Dept.:**

**SIGNAL CENTERS, INC. (Professional Services Contract)**  
**Requisition R0115303**

Professional Childcare Services

\$78,000.00

**For the Police Dept.:**

**PEN-LINK LTD. (Single Source Purchase)**  
**Requisition R0115173**

Annual Software Maintenance & Support Agreement

\$18,375.00

**PURCHASES (CONT'D)**

**For the Public Works Dept.:**

**SOUTHERN LIGHTING & TRAFFIC SYSTEMS (Best Bid meeting specs.)  
Requisition R0114223**

Traffic Signal Poles

\$53,145.00

**BOARD APPOINTMENT**

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

**CHATTANOOGA-HAMILTON COUNTY AIR POLLUTION CONTROL BD.:**

- The reappointment of **JOHN TUCKER**, for a term to expire **October 21, 2012**.

**BOARD APPOINTMENT**

Councilwoman Berz made a recommendation for a nomination as the Council's representative on the Fire and Police Pension Board. **On motion of Councilwoman Gaines, seconded by Councilwoman Robinson, Mr. Raymond C. Ryan** was approved as the Council representative to the Fire and Police Pension Board.

**COMMITTEES**

Councilman Rico reminded everyone of the **Public Works Committee** meeting scheduled to immediately follow the Agenda Items Session on **Tuesday, October 28<sup>th</sup>**.

At this point in the meeting, Chairman Bennett had to leave and called on Vice Chairman Benson to chair the meeting.

**JANIE WANDELL**

**Ms. Wandell** addressed the Council, stating that was with Mostellers. She stated that since the new Ordinance had passed, she would like to have an idea of the timeline for the notarized letter—that they would have to take this letter to each of their customers. She was referring to the Owner’s Request.

Vice Chairman Benson responded that this would only be for the Recovery Class, or it could be for Classes B and C, also. He stated that we would need to get the letter fixed as this Ordinance goes into effect tonight.

Attorney Nelson reminded that the Ordinance would require the Mayor’s signature, and he would not be back in town until next week; that it would be at least until the end of next week.

Ms. Wandell asked who would be the contact person with this Ordinance?

Vice Chairman Benson, jokingly, said Councilman Pierce. On a more serious note he stated that the contact would be the Beer and Wrecker Board; that Ken Fritz is the Attorney and the Officers are Office Collins and Officer Lemley. He went on to urge Ms. Wandell to let us know their experiences because this Ordinance is subject to change.

**MARK BENNETT**

**Mark Bennett**, also of Mostellers, wanted to know when the Recovery Class comes into effect? He mentioned a \$8,000 charge if they had to “winch”. He also wanted to know who would call Class “C” for recovery?

Attorney Nelson responded that the one making the call would be the Police Officer at the scene who would be making the decision.

Mr. Bennett again mentioned that the charge could be \$8,000.

Attorney Nelson reiterated that the one in charge at the scene would determine the equipment needed.



**MARK BENNETT (CONT'D)**

Vice Chairman Benson noted that there would be rationale for making the decision and we also had to put some training into place.

Mr. Bennett asked if the Recovery Class had to be justified?

Vice Chairman Benson responded “yes”—or otherwise the next on the list would be called, and they would be given 90 minutes to get the job done.

**ADJOURNMENT**

Vice Chairman Benson adjourned the meeting of the Chattanooga City Council until Tuesday, October 28, 2008, 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)**