

City Council Building  
Chattanooga, Tennessee  
June 30, 2009  
6:00 p.m.

Chairman Benson called the meeting of the Chattanooga Council to order with Councilmen Berz, Gilbert, Ladd, McGary, Murphy, Rico, Robinson and Scott present. City Attorney Michael McMahan, Management Analyst Randy Burns and Council Clerk Carol O'Neal were also present.

**PLEDGE OF ALLEGIANCE/INVOCATION**

Following the Pledge of Allegiance, Councilwoman Scott gave the invocation for the evening.

**MINUTE APPROVAL**

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

**CLOSE AND ABANDON**

**MR-2008-149: Charles T. Bowman**

On motion of Councilman Rico, seconded by Councilwoman Ladd,  
**AN ORDINANCE CLOSING AND ABANDONING SEWER LINE G-3 AND  
THE EASEMENT CONTAINING LINE G-3 LOCATED OFF THE EAST LINE OF  
THE 1100 BLOCK OF SHADY REST ROAD, MORE PARTICULARLY  
DESCRIBED HEREIN AND AS SHOWN ON THE MAP AND DRAWING  
ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE,  
SUBJECT TO CERTAIN CONDITIONS**  
passed first reading.

**CLOSE AND ABANDON**

**MR-2008-159: Randy Brady, Jr.**

On motion of Councilman Rico, seconded by Councilwoman Berz,

**AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE UNOPENED RIGHT-OF-WAY IN THE 4000 BLOCK OF LOWELL STREET LOCATED OFF THE 4000 BLOCK OF GLENCOE STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS**

passed first reading.

**AD VALOREM TAXES**

**Councilman Murphy made the motion to move Resolution “q” forward on the agenda; Councilman McGary seconded the motion; the motion carried.**

Councilman Murphy stated as a matter of professional courtesy this matter is being moved forward on the agenda; that the Vision Group’s Counsel that has been retained is present, which is why this portion is being moved forward.

Councilwoman Berz stated this is a worthwhile project and what she is about to say in no way denigrates the project, itself; as all people involved are very bright. She stated as she understands PILOTs, she is a little concerned about the chronology of the process and is not questioning the intention of everyone involved. She stated because of what she understands PILOTs to be and because for some reason there seems to be that time is of the essence, she would rather postpone than go forward. She stated she would in no way ever vote against it but will abstain at this point, noting that she wanted to make it clear.

Councilman Murphy stated with regard to the chronology of events in this project, it is his belief some representatives of the project are present and asked that the person come forward at this time as he has questions he would like to have answered and on record.

At this point **Atty. Brian Eftink** with Miller and Martin came forward.

Councilman Murphy asked if Atty. Eftink has been able to determine when the PILOT was first sought or first applied for.

Atty. Eftink responded that the last week of August (2008) and first of September is when they began working with the Chamber.

**AD VALOREM TAXES (Continued)**

Councilman Murphy asked if they have been able to determine a date or time that construction for the project was fully completed.

Atty. Eftink responded that it is his understanding it was October and asked for clarification from Mr. Patel that it was the first week of October.

Mitch Patel responded "October, 2008".

Councilman Murphy continued by stating in fact, all construction had not been completed at the time the PILOT was initially explored.

Atty. Eftink responded "correct".

Councilman Murphy thanked Atty. Eftink for the responses to his questions.

Chairman Benson stated a lengthy discussion on this matter was held in Committee this afternoon.

On motion of Councilman McGary, seconded by Councilman Rico,

**A RESOLUTION TO MAKE CERTAIN FINDINGS RELATING TO THE VISION CHESTNUT HOTEL GROUP, LLC 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; Councilwoman Scott voted "no"; Councilmen Berz and Gilbert abstained.

**FUNDRAISING AND SOLICITATION**

Chairman Benson stated all the matters on tonight's agenda were thoroughly discussed in Committee prior to the Council meeting.

On motion of Councilman Gilbert, seconded by Councilwoman Ladd,

**A RESOLUTION AUTHORIZING THE DEPARTMENT OF PARKS AND RECREATION, RECREATION DIVISION, TO CONDUCT CONTINUING FUNDRAISING AND SOLICITATION EFFORTS TO SUPPORT PROGRAMMING AND NEEDED EQUIPMENT FOR THE SUMMIT OF SOFTBALL**

was adopted.

**PAYMENT AUTHORIZATION**

On motion of Councilman Murphy, seconded by Councilman McGary,  
**A RESOLUTION APPROVING AND AUTHORIZING PAYMENT TO FRIENDS OF THE ZOO OF AN AMOUNT NOT TO EXCEED FIFTEEN THOUSAND DOLLARS (\$15,000.00) FROM THE GO!FEST 2008 PROCEEDS AS REIMBURSEMENT FOR EXPENSES TOWARD THE PLAYCORE ADA PLANGROUND FOR DISABLED PEOPLE**  
was adopted.

**AGREEMENT**

On motion of Councilman Rico, seconded by Councilwoman Ladd,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS AND THE INTERCEPTOR SEWER SYSTEM TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SERVICES FOR EVALUATING THE EFFICACY OF THE CSO OPERATION MANAGEMENT SYSTEM CONTRACT WITH ARCADIS U.S., INC., IN AN AMOUNT NOT TO EXCEED SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500.00)**  
was adopted.

**AGREEMENT**

On motion of Councilman Rico, seconded by Councilwoman Ladd,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS AND THE INTERCEPTOR SEWER SYSTEM TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE CARTER STREET CSOTF OUTFALL REPLACEMENT PROJECT, CONTRACT NO. W-09-015 WITH ARCADIS U.S., INC., IN AN AMOUNT NOT TO EXCEED ONE HUNDRED EIGHTY-THREE THOUSAND DOLLARS (\$183,000.00)**  
was adopted.

**AGREEMENT**

On motion of Councilman McGary, seconded by Councilwoman Robinson,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS AND THE INTERCEPTOR SEWER SYSTEM TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE NEW EASTGATE PUMP STATION AND FORCE MAIN PROJECT, CONTRACT NO. W-09-008 WITH CTI ENGINEERS, INC., IN AN AMOUNT NOT TO EXCEED TWO HUNDRED FIVE THOUSAND DOLLARS (\$205,000.00)**  
was deferred two weeks.

**AGREEMENT**

On motion of Councilman Rico, seconded by Councilwoman Ladd,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS AND THE INTERCEPTOR SEWER SYSTEM TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE CITICO CREEK INTERCEPTOR REHABILITATION PROJECT, CONTRACT NO. W-09-014 WITH LAMAR DUNN & ASSOCIATES, IN AN AMOUNT NOT TO EXCEED TWO HUNDRED THIRTY-FIVE THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$235,750.00)**  
was adopted.

**AGREEMENT**

On motion of Councilman Rico, seconded by Councilman McGary,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS AND THE INTERCEPTOR SEWER SYSTEM TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE UPGRADE OF THE SOUTH CHICKAMAUGA CREEK PUMP STATION AND FORCE MAIN PROJECT, CONTRACT NO. W-09-006 WITH CTI ENGINEERS, INC., IN AN AMOUNT NOT TO EXCEED ONE HUNDRED EIGHTY THOUSAND DOLLARS (\$180,000.00)**  
was deferred two weeks.

**AGREEMENT**

On motion of Councilman Rico, seconded by Councilman McGary,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS AND THE INTERCEPTOR SEWER SYSTEM TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE TIFTONIA INTERCEPTOR REHABILITATION PROJECT WITH JORDAN, JONES AND GOULDING, INC., IN AN AMOUNT NOT TO EXCEED TWO HUNDRED THIRTEEN THOUSAND DOLLARS (\$213,000.00)**  
was adopted.

**AGREEMENT**

On motion of Councilman Rico, seconded by Councilwoman Ladd,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS AND THE INTERCEPTOR SEWER SYSTEM TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE UPPER AMNICOLA INTERCEPTOR REHABILITATION PROJECT WITH JORDAN, JONES AND GOULDING, INC., IN AN AMOUNT NOT TO EXCEED ONE HUNDRED EIGHTY-FOUR THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$184,750.00)**  
was adopted.

**AGREEMENT**

On motion of Councilman Rico, seconded by Councilman Murphy,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS AND THE INTERCEPTOR SEWER SYSTEM TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE COLLEGEDALE PUMP STATION UPGRADE PROJECT, CONTRACT NO. W-09-013 WITH ARCADIS U.S., INC., IN AN AMOUNT NOT TO EXCEED TWO HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$235,000.00)**

was adopted.

**GRANT**

On motion of Councilman McGary, seconded by Councilwoman Robinson,  
**A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR AND, IF AWARDED, ACCEPT A STATE INDUSTRIAL ACCESS (SIA) GRANT FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR THE NORTH ACCESS ROAD INTO THE VOLKSWAGEN GROUP OF AMERICA FACILITIES RELATIVE TO CONTRACT NO. E-09-015**

was adopted.

**RIGHT-OF-WAY NAME CHANGE**

**2009-PW-008: City of Chattanooga c/o Bill Payne, City Engineer**

On motion of Councilman Rico, seconded by Councilwoman Ladd,  
**A RESOLUTION TO CHANGE THE RIGHT-OF-WAY NAME OF THE 301 THROUGH 398 BLOCK OF DELAWANNA TERRACE (AKA OAKLAND COURT) TO THE 1100 THROUGH 1199 BLOCK OF DAGNAN LANE, AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE**

was adopted.

**RIGHT-OF-WAY NAME CHANGE**

**2009-PW-009: City of Chattanooga c/o Bill Payne, City Engineer**

On motion of Councilman Rico, seconded by Councilwoman Scott,  
**A RESOLUTION TO CHANGE THE RIGHT-OF-WAY NAME OF THE 100 THROUGH 299 BLOCK OF SIGNAL VIEW (AKA DELAWANNA TERRACE) TO THE 100 THROUGH 299 BLOCK OF DELAWANNA TERRACE, AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART THEREOF BY REFERENCE**

was adopted.

COMBINE AND CHANGE RIGHT-OF-WAY NAME

2009-PW-010: City of Chattanooga c/o Bill Payne, City Engineer

On motion of Councilman Murphy, seconded by Councilman Rico,  
**A RESOLUTION TO COMBINE AND CHANGE THE RIGHT-OF-WAY NAME OF THE 700 THROUGH 799 BLOCK OF EVANS STREET AND THE 500 THROUGH 599 BLOCK OF SOUTH RIVER STREET TO THE 500 THROUGH 599 BLOCK OF MOLLY LANE, AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE**

was adopted.

RIGHT-OF-WAY NAME CHANGE

2009-PW-011: City of Chattanooga c/o Bill Payne, City Engineer

On motion of Councilman Rico, seconded by Councilwoman Ladd,  
**A RESOLUTION TO CHANGE THE RIGHT-OF-WAY NAME OF THE 1600 THROUGH 1789 BLOCK OF SCHOOL STREET TO THE 1600 THROUGH 1799 BLOCK OF SILVELS LANE AND THE 1790 THROUGH 1799 BLOCK OF SCHOOL STREET TO THE 3800 THROUGH 3899 BLOCK OF LONGVIEW AVENUE, AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE**

was adopted.

END MORATORIUM

Chairman Benson stated the moratorium is being lifted and being supplemented with new regulations; that the moratorium served its purpose but is counter productive, now.

On motion of Councilman Rico, seconded by Councilman McGary,  
**A RESOLUTION TO END THE MORATORIUM ON BUILDING PERMITS FOR LOTS IN STAFF-APPROVED SUBDIVISIONS ESTABLISHED BY RESOLUTION NO. 25946 ADOPTED ON JUNE 9, 2009**

was adopted.

OVERTIME

Overtime for the week ending June 25, 2009 totaled \$8,013.38.

## PERSONNEL

The following personnel matters were reported for the various departments:

### CHATTANOOGA POLICE DEPARTMENT:

- **MICHAEL FAVORS** – Suspension (28 days without pay), Police Officer, effective May 25 – June 24, 2009.
- **THOMAS D. MCKINNEY** – Retirement, Police Sergeant, effective July 2, 2009.
- **JASON PATTY** – Resignation, Police Officer, effective June 21, 2009.
- **ERIC JONES** – Military Leave Extension, Police Officer, effective June 22 – July 1, 2009.
- **LARRY BARKER** – Hire, School Patrol Officer, \$15.08 per hour, effective June 22, 2009.

### CHATTANOOGA FIRE DEPARTMENT:

- **MARK WILLIE** – Retirement, Fire Lieutenant, effective June 23, 2009.

### FINANCE DEPARTMENT:

- **HUJIAABUDULA HASIMU** – Hire, Management & Budget Analyst, Range 17, \$40,000.00 annually, effective June 29, 2009.

### PUBLIC WORKS DEPARTMENT:

- **TIMOTHY L. MILLER** – Suspension (3 days without pay), Crew Worker 3, City Wide Services, effective June 23-25, 2009.
- **ROBERT SMITH, JR.** – Termination, Equipment Operator 3, City Wide Services, effective June 22, 2009.
- **JASIMINUS A. TAYLOR** – Suspension (4 days without pay), Crew Worker 1, City Wide Services, effective June 22-25, 2009.

**EMERGENCY PURCHASE**

The emergency purchase of Air Liquide for the Public Works, Waste Resources Division, on R0122314 in the amount of \$183,015.26 was duly reported and signed in open meeting.

**PURCHASES**

On motion of Councilman Rico, seconded by Councilwoman Berz, the following purchases were approved for use by the various departments:

GENERAL SERVICES:

**MT. VIEW FORD (Lowest and best bid)**  
**R0122453/B0006087**

Purchase of LED Light Bars for Police Vehicles

\$19,630.00

PARKS AND RECREATION:

**URBAN ACCESSORIES (Only bidder)**  
**R0122017/B0006060**

Purchase of replacement Seat Mats for Park Benches per TCA 6-56-304.6

\$12,820.00

PUBLIC WORKS:

**MAC'S TIRE RECYCLERS, INC. (Only bidder)**  
**R0123127/B0006119**

Blanket Contract to Purchase Tire Disposal and Recycling Services per Ordinance 10913

\$11,477.00 Estimated Annual Expenditure

**PURCHASES (Continued)**

**ARBOR PRO**  
**R0116476/P0031814**

Change Order for Purchase of Tree Inventory Services (Revised contract due to quantity increase)

\$22,500.00 – Original Contract: 2/10/09  
2,625.00 – Change Order #1  
\$25,125.00 – New Purchase Contract Total

**FERGUSON ENTERPRISES, WALTER A. WOOD SUPPLY CO., PIPING SUPPLY CO.**  
**(Lowest and best bidders based upon the unit prices bid)**  
**R0122136/B0006067**

Blanket Contract to Purchase Sewer Pipe

\$120,000.00

**WALTER A. WOOD SUPPLY CO. (Primary contract, Best bid)**  
**ANC Marketing, LLC (Secondary Contract, Low bid for substitute material)**  
**R0122141/B0006080**

Blanket Contract for the Purchase of Lightweight Grade and Finish Rings

CHATTANOOGA POLICE DEPARTMENT:

**PLEXUS (Lowest and best complete bid)**  
**R0122892/B0006163**

Purchase of Promotional Items

\$14,448.00

MAYOR'S OFFICE, INFORMATION SERVICES DIVISION:

**COLEMAN TECHNOLOGIES, INC. (Single source)**  
**R0124524**

Purchase of Network Equipment for the Police Department per TCA 6-56-304.6

\$15,198.86

## BOARD APPOINTMENTS

On motion of Councilwoman Robinson, seconded by Councilwoman Berz, following Board appointments were approved:

### CHATTANOOGA-HAMILTON COUNTY REGIONAL PLANNING COMMISSION:

- Appointment of **KENNETH U. JORDAN II**, for a term expiring May 31, 2012.

### HISTORIC ZONING BOARD:

- Appointment of **MICHAEL PRATER** for a five year term expiring June 30, 2014.

### TREE COMMISSION:

- Re-appointment of **KARNA LEVITT** for a four year term expiring June 30, 2013.
- Appointment of **GLEN CRAIG** for a four year term expiring June 30, 2013.

### WASTEWATER BOARD:

- Appointment of **DIXON G. BRACKETT** as the Citizen Representative required by *City Code* to fill the expired term of John Lyons for a four year term expiring June 30, 2013.
- Appointment of **CLEVELAND T. GRIMES** as the Tennessee Representative required by *City Code* filling the expired term of Dan Wade for a four year term expiring June 30, 2013.
- Re-appointment of **GEORGE SIVILS** as the Industrial Representative required by *City Code* for a four year term expiring June 30, 2013.
- Re-appointment of **LEILA PRATT** as the Finance Representative required by *City Code* for a four year term expiring June 30, 2013.

## PUBLIC MEETINGS

Councilwoman Scott clarified that the meeting Chairman Benson has been referring to are open to the public and the public is always invited to attend. She stated the (committee) meetings generally begin at 3 p.m. on Tuesday in the Conference Room.

## ART ON MAIN STREET

Councilman McGary stated that he along with Councilman Rico and Mayor Littlefield were present for the second installment of art on Main Street. He expressed thanks to everyone in attendance and made it known that there was a lady from Germany doing a film on Chattanooga in reference to Volkswagen and noted that public art was included in the film, which is part of the reason Chattanooga was chosen (by Volkswagen).

## NATIONAL PARK SERVICE

Councilwoman Robinson announced that the National Park Service has just announced that now is the public comment period for the facility to be built on Moccasin Bend that will be a combination cultural and interpretive center for the city. She stated if anyone is interested in learning more about it and reading descriptions of possibilities can get in touch with the National Parks website and participate by making their thoughts known. She stated a public meeting will be held in about 30 days, as well.

## COMMITTEES

Councilman Murphy scheduled a meeting of the **Legal and Legislative Committee for Tuesday, July 7, immediately following the agenda session.** He stated that several items will be discussed.

Councilwoman Berz stated that the **Budget, Finance and Personnel Committee will meet immediately following Legal and Legislative next Tuesday** and noted that is the final day for recommendations for the Audit Committee nominees to be submitted. She asked Council members to please make sure the names and resumes are submitted.

NEXT WEEK'S AGENDA: JULY 7, 2009

The agenda for next week is spread below:

Ordinances - Final Reading:

- a) MR-2008-149 Charles T. Bowman (Close & Abandon). An ordinance closing and abandoning Sewer Line G-3 and the easement containing Line G-3 located off the east line of the 1100 block of Shady Rest Road, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning and Public Works.)**

MR-2008-149 Charles T. Bowman (Close & Abandon). An ordinance closing and abandoning Sewer Line G-3 and the easement containing Line G-3 located off the east line of the 1100 block of Shady Rest Road, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning and Public Works.)**

- b) MR-2008-159 Randy Brady, Jr. (Close & Abandon). An ordinance closing and abandoning a portion of the unopened right-of-way in the 4000 block of Lowell Street located off the 4000 block of Glencoe Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning and Public Works.)**

MR-2008-159 Randy Brady, Jr. (Close & Abandon). An ordinance closing and abandoning a portion of the unopened right-of-way in the 4000 block of Lowell Street located off the 4000 block of Glencoe Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning and Public Works.)**

Ordinances – First Reading:

- a) An ordinance to amend Chattanooga City Code, Part II, Chapter 5, Article III, Section 5-48, relative to alcoholic beverages with respect to persons under the age of twenty-one (21).

Resolutions:

- a) A resolution authorizing the Department of Parks and Recreation to donate free Carousel tickets to the Chattanooga-Hamilton County Bicentennial Library in support of its Summer Reading Program to be given to all young readers who complete their reading goals.

**NEXT WEEK'S AGENDA: JULY 7, 2009 (Continued)**

- b) A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into a management agreement with the Trust for Public Land for the design and construction of part of the North Chickamauga Greenway in an amount not to exceed \$50,000.00.
- c) A resolution authorizing the Administrator of the Department of Public Works to apply for and, if awarded, accept a grant from the National Park Service in an amount up to \$100,000.00 relative to Contract No. T-09-002, Transportation Planning Study, Moccasin Bend National Archeological District.
- d) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with Arcadis U.S., Inc. relative to Contract No. T-09-002-201, Transportation Planning Study, Moccasin Bend National Archeological District, in an amount not to exceed \$98,500.00, subject to receipt of a National Park Service Grant.
- e) A resolution authorizing the award of Contract No. E-04-019-201, Hudson and Terminal Road Reconstruction, to Stein Construction Company, Inc. in the amount of \$493,212.76, plus a contingency amount of \$49,332.24, for a total contract amount not to exceed \$542,535.00.
- f) A resolution authorizing Custom Design, on behalf of Jeff Sims, to use temporarily the right-of-way at 409 Broad Street to install an awning and signage, as shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions.

**W. D. NEWELL**

**W. D. Newell** of 2300 Janeview Drive made Council members aware of the new "race track" at Janeview and Shallowford. He stated several elderly in the neighborhood have said the trees that were put down the side of the road should be eliminated altogether and if not they should be set back at least 150 feet from each intersection so they can see! He stated that he wonders if there is still the need for a speed limit of 45 miles per her; that it is a residential road not commercial – even though he would like for it to be commercial! He stated a state patrolman worked the road not too long ago for a very short period of time and wrote seventeen tickets for motorists traveling more than 55 miles per hour. He stated some of the neighborhood residents would like to have the trees eliminated; that they would like to have a good, clean street. He stated if they were removed he would mow the grass; that the city can come out and mow it, now, as he is not going to mow around them.

### W. D. NEWELL (Continued)

Mr. Newell asked that the Council work that out for them; that it would definitely be nice if they could get flashing speed signs to let them know how fast they are going. He stated after about a week or whatever is a reasonable amount of time, the cameras could be brought out and "turn them loose" and make good money out of this speed limit!

Chairman Benson stated that he knows this is true; that a wide four-to-five lane street was made, commenting that it is a shame what they are doing out there by Mr. Newell's house. He stated someone is going to get killed if they do not slow down! He asked that Mr. VanWinkle be told about what has been said and Mr. Leach's department could address the trees.

Adm. Steve Leach stated that his department covers a lot of that; that the issue Mr. Newell brought up was a speed enforcement issue and the police chief has that one. He stated a camera could be assigned and that would slow folks down.

Chairman Benson asked Chief Dodd for help on this issue, to which Chief Dodd responded he would take care of it.

### GENE HAY

**Gene Hay** of the Stonewall Farms subdivision in Hixson stated his subdivision is up for possible annexation and asked which Council member would be responsible for that area if it is annexed. He stated he wanted to find out who will be responsible for the \$150 per month he will have to pay for taxes versus the \$20 for garbage collection.

Councilwoman Ladd acknowledged that she would be glad to speak with him after the meeting.

### JERRY GOODE

**Jerry Goode** also of Stonewall Farms stated that he happens to be a plant manager for DuPont and moved here over a year ago. He stated that he loves the community and is now a resident of Stonewall Farms. He stated one of the reasons he moved there was because it was not actually in the city limits and enjoys it; that the resale values for property would actually go down and the reality was that taxes will increase. He stated the issue is that property values will go down if they are annexed into the city and he and other residents have the same concern.

**JERRY GOODE (Continued)**

Mr. Goode stated he is a very good DuPont manager and has enjoyed this community and has encouraged other employees to move to this community; that annexation would actually be a barrier for other employees or other people to move to his subdivision and wanted to make that a fact.

Chairman Benson stated Councilwoman Ladd would meet with Mr. Goode following the meeting.

Councilman Murphy stated that Mr. Goode has already informed the Council where he works and asked if he shops in the city of Chattanooga. Mr. Goode responded, "yes, sometimes".

Councilman Murphy asked if Mr. Goode enjoys the parks and going down to the riverfront in the city of Chattanooga. Mr. Goode responded "yes".

Chairman Benson stated that DuPont received a reduction in taxes and employs city people, as well as county people, and concluded his comment by welcoming him!

**ADJOURNMENT**

Chairman Benson adjourned the meeting of the Chattanooga Council until Tuesday, July 7, 2009 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)**