

**CITY COUNCIL BUILDING
CHATTANOOGA, TN
DECEMBER 15, 2009**

Chairman Benson called the meeting of the Chattanooga City Council to order with Councilpersons Berz, Gilbert, Ladd, McGary, Murphy, Rico, Robinson and Scott present. City Attorney Michael McMahan, Management Analyst Randy Burns, and Shirley Crownover, Assistant Clerk to the Council, were also present.

**PLEDGE OF ALLEGIANCE/
INVOCATION**

The Pledge of Allegiance was led by Councilman Rico, followed by invocation.

MINUTE APPROVAL

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

**SPECIAL PRESENTATION
PARKS AND RECREATION
EMPLOYEE RECOGNITION**

Adm. Larry Zehnder was present to recognize four of his employees, along with the help of Greta Hayes. He stated that he had four distinguished employees with over 30 years' service; that they gave service awards and pins but felt that a special tribute was warranted for these four employees. The first was **Ted Broyles**, who was hired in 1979 in the Division Construction Crew. He is now General Maintenance Supervisor and instrumental in getting Summit ready and a very valuable employee; **Cynthia Gates** also began her career in 1979 and was a Supervisor of Recreation. She worked under Darrell McDonald and was instrumental in starting the Power House Center and is now a Recreational Area Manager and plays a very vital role. **"Butch" Dennis Leftwich** was hired in 1979 and is a Coach and Leader in Washington Hills. He is a Recreational Manager and a foundation person. **Johnny O'Neal** is a Recreational Leader who began his career in 1979. He has worked with Inner-City youth and continues to do so until this day. He is a Facility Manager at Centenary and is a "fixture" and plays a great role. His position is a cooperative venture with Centenary. Adm. Zehnder expressed his appreciation for this opportunity to recognize these 30-year employees.

EMPLOYEE RECOGNITION
(CONT'D)

Councilman Gilbert thanked each one for their dedication. He especially recognized “Butch Dog”, whom he stated had worked on many projects; that he volunteered to help kids without pay and was often at the recreation center at 12:00 midnight. He stated that he was a great employee and did so much for the kids in Washington Hills and that Parks and Recreation were fortunate to have him for an employee.

Chairman Benson also thanked the employees for their service to the City.

REZONING

2009-149 (Mike Doss)

On motion of Councilman Rico, seconded by Councilwoman Robinson,

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 2406 EAST 19TH STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-2 LIGHT INDUSTRIAL ZONE AND R-2 RESIDENTIAL ZONE TO R-1 RESIDENTIAL ZONE

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

REZONING

2009-162 (Michael J. Stewart)

On motion of Councilwoman Ladd, seconded by Councilwoman Robinson,

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 5532 HIGHWAY 153, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS

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

REZONING

2009-165 (Metier Company, LLC)

On motion of Councilwoman Scott, seconded by Councilman Rico,

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE TRACTS OF LAND LOCATED AT 406, 408, 410, AND 412 HARPER STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS

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

AMEND CITY CODE
WATER QUALITY FEE

On motion of Councilman McGary, seconded by Councilwoman Scott,

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 31, SECTION 31-355(a) TO EXTEND THE TIME IN WHICH TO FILE A NOTICE OF PROTEST CONCERNING THE ACCURACY OF WATER QUALITY FEES IMPOSED IN 2009 FROM DECEMBER 32, 2009 TO MARCH 1, 2010

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

AMEND CITY CODE
PAVING

On motion of Councilman Rico, seconded by Councilwoman Ladd,

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 32, ARTICLE III, SECTIONS 32-61 THROUGH 32-85, RELATIVE TO EXCAVATION AND RESTORATION OF PAVING

passed first reading.

OBESITY GRANT

On motion of Councilman Gilbert, seconded by Councilwoman Robinson,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS AND RECREATION, IN COOPERATION WITH THE CHATTANOOGA-HAMILTON COUNTY DEPARTMENT OF HEALTH, TO APPLY FOR AND, IF AWARDED, ACCEPT A GRANT FROM THE COMMUNITY PUTTING PREVENTION TO WORK PROGRAM IN THE AMOUNT OF FIVE HUNDRED EIGHTY-TWO THOUSAND DOLLARS (\$582,000.00), TO BE USED TOWARD REDUCING THE PREVALENCE OF OBESITY

was adopted.

SAFER GRANT

On motion of Councilman Rico, seconded by Councilwoman Berz,
A RESOLUTION AUTHORIZING THE CHIEF OF THE CHATTANOOGA FIRE DEPARTMENT TO APPLY FOR AND, IF AWARDED, ACCEPT A STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY IN THE AMOUNT OF THREE MILLION SIXTY-EIGHT THOUSAND SIX HUNDRED DOLLARS (\$3,068,600.00), WHICH, IF APPROVED, WILL REQUIRE THE CITY TO EMPLOY THESE FIREFIGHTERS FOR YEAR THREE

was adopted.

CONTRACT C.O.

On motion of Councilwoman Robinson, seconded by Councilwoman Ladd,
A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 2(FINAL) RELATIVE TO CONTRACT NO. W-05-007-014, WARNER PARK/ENGEL STADIUM PARALLEL INTERCEPTOR SANITARY SEWER, WITH LAMAR DUNN AND ASSOCIATES, INC., WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY THIRTEEN THOUSAND EIGHT HUNDRED SIXTY-THREE AND 75/100 DOLLARS (\$13,863.75), FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED ONE HUNDRED FORTY-TWO THOUSAND SEVEN HUNDRED SIXTY-THREE AND 75/100 DOLLARS (\$142,763.75)

was adopted.

CONTRACT C.O.

On motion of Councilman Murphy, seconded by Councilwoman Robinson,
A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 2 (FINAL) RELATIVE TO CONTRACT NO. W-05-007-202, WARNER PARK/ENGEL STADIUM PARALLEL INTERCEPTOR SANITARY SEWER, WITH EAST TENNESSEE GRADING, INC., WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY TWENTY-SIX THOUSAND NINE HUNDRED EIGHTY-ONE AND 26/100 DOLLARS (\$26,981.26), FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED SEVEN HUNDRED SIX THOUSAND FIVE HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$706,535.00), AND TO RELEASE THE REMAINING CONTINGENCY FUND
was adopted.

CELLULAR SERVICES

On motion of Councilman Murphy, seconded by Councilwoman Scott,
A RESOLUTION APPROVING AND AUTHORIZING THE PURCHASE OF CELLULAR SERVICES AND HARDWARE FROM SPRINT, TOGETHER WITH NEXTEL, VIA CONTRACT BSG0708-0481R2 WITH METRO NASHVILLE GOVERNMENT IN AN AMOUNT NOT TO EXCEED THREE HUNDRED FOURTEEN THOUSAND DOLLARS (\$314,000.00) ANNUALLY AND FOR AN INITIAL TERM ENDING AUGUST 31, 2013
was adopted.

AGREEMENT

On motion of Councilwoman Robinson, seconded by Councilman McGary,
A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR FEDERAL PROJECT NUMBER NH-1-124-3(81) AND STATE PROJECT NUMBER 3306-2133-44, DESCRIBED AS INTERSTATE 124, SR-29, (U.S. 27) FROM 0.27 MILES SOUTH OF RIVERFRONT PARKWAY TO 0.03 MILES NORTH OF RIVERFRONT PARKWAY, SO AS TO COOPERATE WITH TDOT SO THAT THE GENERAL HIGHWAY PROGRAM MAY BE CARRIED OUT IN ACCORDANCE WITH THE INTENT OF THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE
was adopted.

OVERTIME

Overtime for the week ending December 10, 2009 totaled \$21,619.73.

PERSONNEL

CHATTANOOGA POLICE DEPT.:

- ❖ **MARK POLLARD**—Two-Day Suspension without pay for officer, effective 12/13/09
- ❖ **ALEC CONNER**—Retirement of Sergeant, effective 12/9/09

HOTEL PERMITS

On motion of Councilman Murphy, seconded by Councilman Rico, the following Hotel Permits were approved:

AMERICA'S BEST INN	7717 Lee Highway
AMERICUS BEST VALUE INN	7638 Lee Highway
ECONO LODGE	7421 Bonny Oaks Drive
GUESTHOUSE INN	2201 Park Drive
HOMEWOOD SUITES—HILTON	2250 Center St.
LAQUINTA INN #931	7017 Shallowford Road

PURCHASES

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

HUMAN SERVICES:

CHATTANOOGA ELECTRIC SUPPLY (Best Bid Meeting Specs.):
Requisition R21263

Type T-8 Light Fixtures for Head Start Centers

\$19,550.00

PUBLIC WORKS DEPARTMENT:

ALPHA BOILER SYSTEMS, LLC (Lowest and Best Bid meeting Specs.):
Requisition 21027

Blanket Contract for Maintenance & Repair of Boilers & Heat Exchangers

\$80/\$120/\$160/hr
30% Materials Markup

SMITH & LOVELESS, INC. (Lowest and Best Bid meeting Specs.):
Requisition 20223

Pump and Motor

\$35,893.00

MAYOR'S OFFICE:

MOTOROLA OF SCHAUMBURG, ILL (Single Source Purchase):
Requisition R20722

Motorola CSR System Maintenance

\$24,780.00

PURCHASES (Cont'd)

CHATTANOOGA FIRE DEPARTMENT:

**G & C SUPPLY (Best Complete Bid Meeting Specs.);
Requisition 21210/B0006477**

MSA Facepiece, Voice Amplification System & Accessories

\$37,282.66

INFORMATION SERVICES:

**EXCALIBUR INTEGRATED SYSTEMS, INC. (Single Source Purchase):
Requisition 21732**

Blanket Contract for Getac Lap Top Computers

\$800,000.00

BOARD APPOINTMENTS

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

COMMUNITY DEVELOPMENT CITIZENS ADVISORY COMMITTEE:

- ❖ **KIM WHITE**, representing RiverCity Company.,
- ❖ **LEE TRIPP**, representing Cedar Hill.
- ❖ **LAMONTE VAUGHN**, representing Orchard Knob.
- ❖ **WANDA OFFICER**, representing Bushtown.
- ❖ **RHIANNON MAYNARD**, representing District 1.
- ❖ **AILEEN CARROLL**, representing District 3.
- ❖ **MELVIN DOWNS**, representing District 4.
- ❖ **ELIJAH CAMERON**, representing District 5.
- ❖ **CAROL HANSEN**, representing District 7.

ATTORNEY MCMAHAN

Attorney McMahan reported that the Council Panel consisting of Councilpersons Robinson, McGary, and Scott unanimously upheld the termination of Steve Hargis.

On motion of Councilwoman Robinson, seconded by Councilwoman Scott, permission was granted for a settlement for Carol Chandler in the amount of \$15,539.00. Attorney McMahan noted that this was discussed in a prior attorney-client meeting.

THANKS

Councilman McGary thanked the Fire Department Union for the nice calendars.

COMMITTEES

Councilwoman Scott reported that the **Economic Development Committee** met today to discuss PILOT Polices and Procedures.

Councilman Rico scheduled a **Public Works Committee meeting on Tuesday, January 5th to immediately follow the Agenda Session.**

Councilman Murphy scheduled a **Legal and Legislative Committee meeting on Tuesday, January 5th to immediately follow the Public Works Committee.**

Chairman Benson reported that the **Blue Ribbon Committee on Water Quality would meet Thursday, December 17th at 10:00 a.m.** and everyone was invited.

Councilwoman Ladd mentioned that she had attended a Public Hearing for the Police Department Certification Process; that there were out-of-town people, citizens and organizations reviewing this; that anyone attending would have been proud of our Police Department, as agency after agency gave rave reviews on the department's professional and outstanding performance; that several neighborhood representatives spoke about the respect they had for our police officers and the help that their communities had received. She reiterated that this was an excellent review and the comments were outstanding and it made her very proud. Councilman Rico stated that he was not able to attend but did get a call, and he gave a good review.

COUNCIL MEETING

Chairman Benson reported that the next Council Meeting would be on **Tuesday, January 5, 2010.**

MARION ALLEN

Mr. Allen of 2409 E. Main St. approached the Council concerning his commercial building on E. Main. He explained that there was a building on the back lot that adjoins an alley; that they use the driveway, and their water has no way of getting out except through his sewer line.

Chairman Benson asked if an inspector had looked at this? Mr. Allen responded that Councilman McGary had seen it. A paper showed that Robert L. Quinn had also been out to inspect. Chairman Benson informed Mr. Allen that Steve Leach, Administrator of Public Works, was in the audience and could answer his questions; that if he was still unhappy, he could come back to the Council.

Adm. Leach stated that he was not familiar with this problem but was familiar with Robert Quinn; that he would pose this question to Mr. Quinn tomorrow.

Chairman Benson informed Mr. Allen that he should hear something in the next few days from the Public Works Department.

ADJOURNMENT

Chairman Benson adjourned the meeting of the Chattanooga City Council until Tuesday, January 5, 2010, 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)**

