

**CITY COUNCIL BUILDING
AUGUST 9, 2011
6:00 P.M.**

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

**PLEDGE OF ALLEGIANCE/
INVOCATION**

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

MINUTE APPROVAL

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

**SPECIAL PRESENTATION
RECOGNITION OF YOUTH BY
PARKS AND RECREATION**

The City of Chattanooga Parks and Recreation and the City of Chattanooga City Council recognized dozen of local athletes that have competed in the numerous sporting events throughout the spring and summer. Those recognized at City Council competed in various events in baseball and track and field, held locally in Chattanooga to as far away as Atlanta, Georgia, Phoenix, Arizona, and Hershey, Pennsylvania. Larry Zehnder recognized Greta Hayes and she presented the winners to the Chattanooga City Council. Councilman Andrae McGary congratulated the youth and the Parks and Recreation Department for their hard work, which was echoed by all City Council members. Following the presentation, Larry Zehnder presented newspaper articles to the council members and gave a report of the revenues that were generated in Chattanooga because of the City's investments into the softball fields and the economic values of these youth programs and the continued generation of revenues from these investments. (A list of recipients is included with the minute material).

**STIPEND DISTRIBUTION FOR
COMPLETION OF NEXT-IN-LINE**

On motion of Councilman McGary, seconded by Councilwoman Robinson, the following resolution was moved up on the agenda for reading following the special presentation.

On motion of Councilman Gilbert, seconded by Councilman McGary,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS AND RECREATION TO DISTRIBUTE STIPEND OF \$300.00 TO EACH STUDENT THAT SUCCESSFULLY COMPLETED THE NEXT-IN-LINE STUDENT VOLUNTEER INTERNSHIP PROGRAM IN AN AMOUNT NOT TO EXCEED \$13,800.00.

was adopted.

**ADJUSTING BOUNDARIES/
CHATTANOOGA CITY LIMITS**

On motion of Councilman McGary, seconded by Councilman Gilbert,
AN ORDINANCE ADJUSTING BOUNDARIES OF THE CITY OF CHATTANOOGA AND THE CITY OF COLLEGE DALE PURSUANT TO T.C.A. § 6-51-302 TO PROVIDE THAT THE ROAD RIGHT-OF-WAY OF APISON PIKE BEGINNING ON THE SOUTH EASTERN CORNER OF THE RIGHT-OF-WAY OF APPISON PIKE AT THE INTERSECTION OF PATTENTOWN ROAD AND APISON PIKE AND FOLLOWING THE SOUTHERN BOUNDARY OF THE APISON PIKE RIGHT-OF-WAY UNTIL IT MEETS THE CURRENT CITY LIMITS OF THE CITY OF COLLEGE DALE AT THE EASTERN SIDE OF THE RIGHT-OF-WAY OF AN UNNAMED ACCESS ROAD WHICH IS THE CURRENT ENTRANCE TO THE SUMMIT OF SOFTBALL PARK AND THE SUMMIT LANDFILL; THENCE NORTHBOUND FOLLOWING THE CITY LIMITS OF THE CITY OF COLLEGE DALE TO THE NORTHERN RIGHT-OF-WAY OF APISON PIKE; THENCE WESTWARD BACK TO THE CURRENT CITY LIMITS OF THE CITY OF CHATTANOOGA AT THE INTERSECTION OF APISON PIKE AND PATTENTOWN ROAD; AND THENCE SOUTH TO THE POINT OF BEGINNING SHALL BECOME PART OF THE CORPORATE LIMITS OF THE CITY OF COLLEGE DALE BY MUTUAL AGREEMENT AS SHOWN ON THE ATTACHED MAP.

passed second and final reading.

LIBRARIES

On motion of Councilman McGary to approve, seconded by Councilman Gilbert,
**AN ORDINANCE TO REPEAL CHATTANOOGA CITY CODE, PART II,
CHAPTER 22, LIBRARIES, IN ITS ENTIRETY, AND TO REPLACE IT WITH
A NEW CHAPTER 22.**

was discussed by the City Council. Concerns were expressed about references in the ordinance to “Free” and “Independent.” Councilman Murphy stated that he thought there were issues with the Ordinance. City Attorney Michael McMahan suggested that the matter be deferred for one week. **On motion of Councilman McGary, seconded by Councilman Rico, the matter was deferred for one week.**

**PARTIAL PAYMENTS OF PROPERTY
TAXES AND WATER QUALITY FEES**

On motion of Councilwoman Berz, seconded by Councilman Gilbert,
**AN ORDINANCE CREATING A NEW SECTION 2-110 TO ALLOW
FOR THE CITY TREASURER TO ACCEPT THE PARTIAL PAYMENT
OF PROPERTY TAXES AND WATER QUALITY FEES.**

passed second and final reading.

REZONING

On motion of Councilwoman Berz, seconded by Councilman McGary,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY
LOCATED AT 9300 AND 9400 BLOCK OF LEE HIGHWAY, MORE
PARTICULARLY DESCRIBED HEREIN, FROM C-2 CONVENIENCE
COMMERCIAL ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE,
SUBJECT TO CERTAIN CONDITIONS.**

passed first reading.

REZONING

On motion of Councilman Benson to deny, seconded by Councilman Murphy,
**AN ORDINANCE OT AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 38, ZONING ORDINANCE, SO AS TO LIFT AND AMEND
CONDITIONS ON ORDINANCE NOS. 11290 AND 11372 ON PROPERTIES
LOCATED IN PART AT 706 ASHLAND TERRACE, BEING MORE
PARTICULARLY DESCRIBED HEREIN.**

was discussed. Councilman Benson advised that applicant had advised that he would withdraw his request. Applicant was not present at City Council meeting. Councilwoman Robinson suggested that a request be made to the Regional

Planning Agency to conduct a meeting with landowners and take a look at the Land Use Plan of 2003 and 2008 for that area. Greg Haynes advised that it had been referred to City Council. **Councilwoman Robinson moved to withdraw, seconded by Deborah Scott and the motion passed.**

REZONING

On motion of Councilman McGary, seconded by Councilman Gilbert,
AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 201 AND 223 WEST MAIN STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.
passed first reading.

REZONING

On motion of Councilman Rico, seconded by Councilman McGary,
AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 329 STRINGER STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE AND C-2 CONVENIENCE COMMERCIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

Deborah Scott wanted information regarding this rezoning. Property owner, Jeff Bruce, was present and advised that they were seeking the rezoning to provide more space to the Bill Shores Art Studio and a one condominium unit above the art studio. Deborah Scott expressed concern regarding commercial traffic and the need to keep people out of these areas after normal business hours. Councilwoman Scott expressed a need for a chain or barrier of some kind to keep people out after normal business hours. Mr. Bruce stated that he would prefer a security system with cameras rather than a chain or barrier. City Attorney Michael McMahan suggested the following condition be added to the Ordinance, **“ENTRANCE OFF OF STRINGER STREET TO BE CONTROLLED BY PHYSICAL BARRIERS OR SECURITY AFTER BUSINESS HOURS UNLESS THE CONDOMINIUM IS OCCUPIED.”** After adding this condition, the Ordinance, as amended, was passed on first reading.

MARK 1 KITS

On motion of Councilman McGary, seconded by Councilwoman Gilbert,
A RESOLUTION AUTHORIZING THE FIRE CHIEF TO ORDER THREE THOUSAND ONE HUNDRED EIGHTY (3,180) MARK 1 KITS FROM THE HAMILTON COUNTY HEALTH DEPARTMENT TO REPLACE EXISTING MARK 1 KITS CARRIED ON ALL FRONT-LINE FIRE APPARATUS, FOR A TOTAL PROJECT COST IN THE AMOUNT OF ONE HUNDRED THOUSAND TWENTY-THREE THOUSAND SEVEN HUNDRED SIXTY-SIX DOLLARS (\$123,766.00).

was adopted.

SPECIAL EXCEPTION PERMIT

On motion of Councilman Rico to deny, seconded by Councilman Benson
A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A HOME FOR THE AGED AND HANDICAPPED ON PROPERTY LOCATED AT 614 MOOREMONT TERRACE.

Councilman McGary addressed the applicant and advised him that this council denied special exception permits in general and that it was nothing to single out the applicant. Following a brief discussion, **said request was denied.**

OVERTIME

Overtime for the week ending August 5, 2011, totaled \$5,514.24.

PERSONNEL

The following personnel matters were reported for the various departments:

PERSONNEL DEPT.:

- **TOMMIE MUNN**—Dismissal of Personnel Technician, effective 7/29/11.

COMMUNITY DEVELOPMENT:

- **JULIETTE THORNTON**—Retirement of Ass't. Manager, effective 7/29/11.

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PERSONNEL (CONT'D)

PUBLIC WORKS DEPT.:

- **BRIAN CATE**—Promotion to Chief Electrical Inst. Technician, Range 19, \$45,000 annually, effective 7/8/11.

CHATTANOOGA POLICE DEPT.:

- **MARY L. JONES**—Return to duty of Police Records Technician, effective 7/18/11.
- **BRANDI SCHRIMPSHER**—Voluntary Demotion of School Patrol Officer, \$15.23 hourly, effective 8/2/11.
- **SHAWN HICKEY**—Extension of Military Leave for Police Sergeant, effective 7/21/11—7/21/012.

FINANCE DEPARTMENT:

- **HUJIAABUDULA HASIMU**—Resignation of Management Budget Analyst 1, effective 8/1/11.
- **CONNIE ZUBACK-LANGGOOD**—Retirement of Accounting Technician 1, effective 8/4/11.

DONATIONS

Larry Zehnder advised the council of the Montague Park Project and the support received from local businesses to redevelop this park. The City Council recognized the hard work of Larry Zehnder to work with the private sector and to generate interest in the programs supported by the Department of Parks and Recreation. The donations were as follows:

LOFTY CONSTRUCTION—Surveying; Imported Clay Compacted; Five Days Building Fields @ \$4,000 per day; Undercut Trash; and Demolish two buildings on site—**Total \$113,000.**

B&H SURVEYING—Surveying at **\$1,000.**

DONATIONS (CONT'D)

BARGE WAGGONER SUMNER & CANNON—Preparation of Conceptual Master; Planning Plan, Construction Documents; Bid Administration Services—**Total \$51,630.00.**

METHOD ARCHITECTURE—103.5 hours @\$110 per hour for tom Bartoo; 23 Prints; and 5 Prints—**TOTAL \$11,438.50.**

The total donations equaled **\$177,068.50.**

PURCHASES

Dan Johnson advised the City Council of two proposed bid purchases for the Public Works Department. Requisition No. R45240, a blanket contract for Electric Motor & Submersible Pump Repair Services to Tennessee Armature & Electric in the amount of approximately \$200,000.00 annually, and Requisition No. R47164, a service agreement for J-Vap Sludge Dewatering and Drying System to Siemens Industry, Inc. in the amount of \$64,600.00. The purchases were approved on motion of Councilman Rico, seconded by Councilman Murphy.

RECOGNITION

Councilwoman Scott recognized Randy Burns and Robert Ellis for putting Committee minutes on City webpage and the Public Works Department for the brush pick up within the City.

RULES OF PROCEDURE FOR ADDRESSING THE COUNCIL

At this time, City Attorney McMahan read from the Council's Rules of Procedure with reference to persons wishing to address the Council on non-agenda matters.

MONTY BELL

Monty Bell addressed the Council, stating that the City Council was responsible for leaving black people out of articles and never mentioning black businesses in the area.

ADJOURNMENT

Chairman Ladd adjourned the meeting of the Chattanooga City Council until Tuesday, August 16, 2011, 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)**