

City Council Building
Chattanooga, Tennessee
September 27, 2011
1:00 p.m. Recessed Meeting

The recessed meeting of the Chattanooga Council was called to order by Chairman Ladd with Councilmen Berz, Gilbert, Murphy, Rico, Robinson and Scott present; Councilman Benson joined the meeting later. City Attorney Mike McMahan and Council Clerk Carol O'Neal were also present.

BONDS AUTHORIZATION – SERIES 2011A

Councilwoman Scott stated she would not support this resolution because it is higher than the amount we need to be borrowing for.

On motion of Councilwoman Berz, seconded by Councilman Rico,

A RESOLUTION AUTHORIZING TWENTY-SIX MILLION FOUR HUNDRED NINETY-FIVE THOUSAND AND NO/100 DOLLARS (\$26,495,000.00) CITY OF CHATTANOOGA, TENNESSEE GENERAL OBLIGATION BONDS, SERIES 2011A, AND AUTHORIZING CERTAIN ACTIONS RELATED THERETO

Was adopted; on roll call vote:

| | |
|----------|-----|
| BERZ | YES |
| RICO | YES |
| MURPHY | YES |
| SCOTT | NO |
| ROBINSON | YES |
| GILBERT | YES |
| LADD | YES |

(Councilman Benson joined the meeting at this point.)

AMEND RESOLUTION 26485 AN AUTHORIZE BONDS
- SERIES 2011B

Admin. Madison thanked Council members for their vote and introduced the team that worked on the projects: Craig Scully, Bond Attorney from New York and Ryan Childs, Financial Adviser with Public Financial Management out of Memphis, Tennessee. She stated this is one of the best deals that the city has experienced in years; that there is new money of \$26 million to finance projects approved by the Council through the 2011-2012 budget. She stated refinancing at a lower interest saves the city dollars in double digit savings, noting that we should take advantage of it!

On motion of Councilwoman Berz, seconded by Councilman Rico,

**A RESOLUTION AMENDING RESOLUTION NO. 26485 AND
AUTHORIZING SEVENTEEN MILLION FIVE HUNDRED FORTY-FIVE
THOUSAND AND NO/100 DOLLARS (\$17,545,000.00) CITY OF
CHATTANOOGA, TENNESSEE GENERAL OBLIGATION REFUNDING
BONDS, SERIES 2011B AND AUTHORIZING CERTAIN ACTIONS RELATED
THERETO**

Was adopted; **on roll call vote:**

| | |
|----------|-----|
| GILBERT | YES |
| BERZ | YES |
| RICO | YES |
| MURPHY | YES |
| SCOTT | YES |
| ROBINSON | YES |
| BENSON | YES |
| LADD | YES |

ADJOURNMENT

Chairman Ladd adjourned the meeting of the Chattanooga Council until Tuesday, September 27, 2011 at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL

**CITY COUNCIL BUILDING
CHATTANOOGA, TENNESSEE
SEPTEMBER 27, 2011**

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 Assistant Clerk to the Council Shirley Crownover were also present.

**PLEDGE OF ALLEGIANCE/
INVOCATION**

The Pledge of Allegiance was led by Chairman Ladd, followed by invocation.

MINUTE APPROVAL

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

SISTER CITY RESOLUTION

Mayor Littlefield stated that the Council had a Resolution before them; that he thought all of the Council had already met our guests who were present tonight; that a film would be shown and then he would formally introduce our guests from Wolfsburg, Germany.

Chairman Ladd asked that Mayor Littlefield read the Resolution, below, and the Council would then sign it.

Whereas: The City of Chattanooga takes pride in our Sister City relationship and how the agreements have created civility, mutual understanding of our cultures, and the beneficial artistic and economic exchanges; and

Whereas: We, the Chattanooga City Council, in conjunction with Chattanooga Mayor Ron Littlefield, gather to recognize a historic occasion in our city as we continue this legacy of mutual international relationships and as we have set out pens to declare the City of Wolfsburg, Germany as our Sister City; and

SISTER CITY (CONT'D)

Whereas: It is our goal to promote friendship and respect and to honor our pledge to build upon the strengths of our two great cities for the benefit of our citizens; and

Whereas: On this night, Tuesday, September 27, 2011, we are privileged to welcome our distinguished guests and officials from our newest Sister City, Wolfsburg, Germany, including the honorable Lord Mayor Professor Rolf Schnellecke and First Lady, Dr. Ilona Schnellecke; and

Whereas: In honor of this historic event, we do hereby honor and welcome our distinguished guests, may our relationship prosper and our two cities grow with respect and admiration

Now Therefore,

Be it resolved by the Chattanooga City Council, that Wolfsburg, Germany, became our sister city and this resolution has hereby passed unanimously, this the 27th of September, 2011

Dutifully Signed,

In the presence of Chattanooga Mayor Ron Littlefield, Lord Mayor Professor Rolf Schnellecke, and members of the Wolfsburg delegation in honor of the official Sister City Agreement signed on Tuesday, September 27, 2011, by members of the Chattanooga City Council and adopted on same date.

On motion of Councilman Rico, seconded by Councilwoman Robinson, the above Resolution was adopted.

At this point, the video of beautiful Wolfsburg, Germany, was shown.

After the video, Mayor Littlefield noted that the video showed many similarities between Chattanooga and Wolfsburg, even the stacks. He stated that a wonderful few days had been spent with the Wolfsburg delegation, which had been very enjoyable; that tonight the delegation would get to see how our municipal government functions and then everyone would have dinner together. He stated, as noted in the film, the quality of life is important to

Wolfsburg and again stated that there were very many similarities between Chattanooga and Wolfsburg. He stated that he had previously visited Wolfsburg and had met Mayor Schnellecke—that Mayor Schnellecke was one of the friendliest and easy to like kind of person that he had ever met, and his city was similar to ours in expressing “southern hospitality”. He stated that Mayor Schnellecke would now talk to the Council and would introduce his delegation.

Lord Mayor Professor Rolf Schnellecke addressed the Mayor and Honorable Council and distinguished ladies and gentlemen who were present. He stated that he was honored to speak in this room and to express his deepest respect and thanks for the days that they had enjoyed in Chattanooga; that Chattanooga was a wonderful City with wonderful people, and they had enjoyed their visit very much and commended the City on the many attractions that we have. He stated that this had all been very impressive to them and also the feeling of friendship. He thanked everyone on behalf of the delegation. At this time, Mayor Schnellecke introduced the Wolfsburg delegation, including his wife, Dr. Ilona Schnellecke. He stated that they were looking forward to developing their new found friendship and invited the Mayor and Council to come over so that they could sign a similar declaration in Wolfsburg. He added that they would be proud to have the Council witness their Council meeting, which is only once a month, if it coincided with their visit. He ended by saying that this is the beginning of a wonderful friendship between two cities; that they would like to bring together our youth in an exchange program and allow people to come together to get an understanding of each other and make this world more friendly and sympathetic. He thanked the Mayor and Council.

Councilman Benson expressed to Mayor Schnellecke and his delegation that they had brought a milestone to our Council meeting—that in all of the ten years that Mayor Littlefield had been our Mayor, his wife had never come out for such an event, and that Lanis Littlefield was present tonight, and he asked her to stand.

Chairman Ladd asked that the Council and our German guests come together at this time for photographs, noting that the city of Wolfsburg was as beautiful as their people had been.

COUNCILMAN MURPHY

At this point in the meeting, Councilman Murphy made the motion for Walter Williams to be given the authority to proceed with the issue that was discussed earlier today in an Attorney-Client meeting. **This motion was seconded by Councilmen Rico and McGary and passed with Councilwoman Berz abstaining as she was not present at the earlier meeting.**

**AMEND CITY CODE/
MOBILE TELEPHONES**

On motion of Councilman Murphy, seconded by Councilwoman Robinson,
AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 24, ARTICLE I, BY ADDING A NEW SECTION 24-49 RELATIVE TO USE OF HAND-HELD MOBILE TELEPHONE OR PERSONAL DIGITAL ASSISTANT PROHIBITED WHILE DRIVING
passed first reading.

REZONING

2011-093 (SPIKE 201, LLC/DON JOHNSON)

On motion of Councilwoman Scott, seconded by Councilwoman Robinson,
AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 111 CROSS STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO O-1 OFFICE ZONE, SUBJECT TO CERTAIN CONDITIONS
passed first reading.

CLOSURE

2011-108 (City of Chattanooga)

On motion of Councilman Rico, seconded by Councilwoman Scott,
AN ORDINANCE CLOSING A PORTION OF A RIGHT-OF-WAY NEAR THE 1300 BLOCK OF HIXSON PIKE, MORE PARTICULARLY DESCRIBED HEREIN
passed first reading.

TEMP. ROW USAGE

Councilman McGary stated that the applicant wished to withdraw this request.

Councilwoman Robinson inquired if this could be brought back at a later date? Attorney McMahan explained that this Resolution was not subject to the one-year timeframe as a zoning request would be. Since Attorney McMahan indicated that it could be brought back, Councilwoman Robinson asked Councilman McGary to elaborate on the applicant's intention.

TEMP ROW USAGE (CONT'D)

Councilman McGary responded that he had spoken to the applicant and had asked him if he had community support. The applicant indicated that he had not talked with his colleagues and would like to be able to present this issue at a later time; that he would bring it back only if he had the support of the community.

Councilwoman Scott stated that with all the discussion that the Council had had concerning this and the information that they had received that she was wondering why the Council could not settle the matter tonight, and the applicant would not be coming back? **She made the motion that this issue be denied tonight. This was seconded by Councilwoman Robinson.**

Councilman McGary stated that when this individual had spoken to him, he was not sure how many people would be affected and would voice an opinion against this; that he wished to withdraw this and if he found he did have the votes, he would bring it back up again.

Chairman Ladd noted that the first motion was made by Councilman McGary to withdraw this, and it was seconded by Councilman Rico.

On motion of Councilman McGary, seconded by Councilman Rico,
A RESOLUTION AUTHORIZING THE ICE CREAM SHOW TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 105 WALNUT STREET FOR THE INSTALLATION OF A SIGN ALONG A PORTION OF THE RIGHT-OF-WAY, AS SHOWN ON THE MAPS AND DRAWINGS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS
was withdrawn, with Councilwomen Robinson, Ladd and Scott voting “no”.

Councilman Benson stated that it was moot anyway—that the applicant can bring it back whether it is withdrawn or delayed/denied.

Councilwoman Scott asked Councilman McGary if anyone other than the applicant had expressed a desire for the sign? Councilman McGary responded that only two people had approached him that were against it.

CITIZENS RIGHT TO VOTE

On motion of Councilman Gilbert, seconded by Councilwoman Berz,
A RESOLUTION AUTHORIZING THE CHATTANOOGA CITY COUNCIL TO REQUEST THE MEMBERS OF THE LOCAL HAMILTON COUNTY DELEGATION TO OFFER AND SUPPORT AN AMENDMENT TO PUBLIC CHAPTER 2011-323 IN ORDER TO PROTECT AND ENSURE THE RIGHTS OF OUR CITIZENS TO VOTE
was adopted.

AGREEMENTS

On motion of Councilman McGary, seconded by Councilwoman Berz,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF HUMAN SERVICES TO ENTER AGREEMENTS WITH SIGNAL CENTER, INC.; CHILDREN'S HOME-CHAMBLIS SHELTER; AND CHILD CARE NETWORKS OF HAMILL ROAD FOR EARLY HEAD START AND HEAD START SERVICES FOR TWO HUNDRED EIGHTY-FOUR (284) INFANTS, TODDLERS, AND PRESCHOOL CHILDREN DURING THE SCHOOL YEAR TERM, FOR A TOTAL AMOUNT OF ONE MILLION FOUR HUNDRED TWELVE THOUSAND NINE HUNDRED SEVENTY DOLLARS (\$1,412,970.00), AS SET FORTH MORE FULLY HEREIN
was adopted.

TEMP. ROW USE

On motion of Councilman McGary, seconded by Councilman Rico,
A RESOLUTION AUTHORIZING GARY NUDD ON BEHALF OF COBBLESTONE RUE TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 55 EAST MAIN STREET FOR THE INSTALLATION OF A BUSINESS SIGN, AS SHOWN IN THE MAP AND DRAWINGS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS
was adopted.

TEMP. ROW USE

On motion of Councilman McGary, seconded by Councilman Gilbert,
A RESOLUTION AUTHORIZING FIVE GUYS CORPORATION TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 401 BROAD STREET FOR THE USE OF THE RIGHT-OF-WAY ALONG THE FRONT OF THE BUSINESS FOR THE PLACEMENT OF OUTDOOR SEATING AND THE INSTALLATION OF AWNINGS, AS SHOWN IN THE MAP AND DRAWING ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS

was adopted.

CONTRACT C.O.

On motion of Councilman Rico, seconded by Councilwoman Scott,
A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 (FINAL) FOR INTEGRATED PROPERTIES, LLC, RELATIVE TO CONTRACT NO. E-09-002-203, CITY SIDEWALK REQUIREMENTS CONTRACT-SOUTHSIDE AREA, FOR A DECREASED AMOUNT OF ONE THOUSAND SEVEN HUNDRED NINETY AND 27/100 DOLLARS (\$1,790.27), FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED TEN THOUSAND THIRTY-FOUR AND 23/100 DOLLARS (\$10,034.23), AND TO RELEASE THE REMAINING CONTINGENCY AMOUNT OF TWO THOUSAND NINE HUNDRED NINETY AND 27/100 DOLLARS (\$2,990.27)

was adopted.

CONTRACT C.O.

On motion of Councilman McGary, seconded by Councilman Murphy,
A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 (FINAL) FOR INTEGRATED PROPERTIES, LLC RELATIVE TO CONTRACT NO. E-09-002-201, CITY SIDEWALK REQUIREMENTS CONTRACT (CDBG) FOR AN INCREASED AMOUNT OF SEVENTEEN THOUSAND SIX HUNDRED SIXTY-THREE AND 48/100 DOLLARS (\$17,663.48), FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED TWO HUNDRED FIFTY-SEVEN THOUSAND SIX HUNDRED TWELVE AND 73/100 DOLLARS (\$257,612.73), AND TO RELEASE THE REMAINING CONTINGENCY AMOUNT OF SIX THOUSAND THREE HUNDRED THIRTY-SIX AND 52/100 DOLLARS (\$6,336.52)

was adopted.

CONTRACT C.O.

On motion of Councilwoman Robinson, seconded by Councilman Rico,
A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 (FINAL) FOR INTEGRATED PROPERTIES, LLC RELATIVE TO CONTRACT NO. E-09-002-202, CITY SIDEWALK REQUIREMENTS CONTRACT-BARTON AVENUE, FOR AN INCREASED AMOUNT OF TWO THOUSAND TWO HUNDRED FIFTY-EIGHT AND 07/100 DOLLARS (\$2,258.07), FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED SIXTY-TWO THOUSAND SEVEN HUNDRED EIGHTY-THREE AND 07/100 DOLLARS (\$62,783.07), AND TO RELEASE THE REMAINING CONTINGENCY AMOUNT OF THREE THOUSAND SEVEN HUNDRED NINETY-ONE AND 93/100 DOLLARS \$3,791.93)
was adopted.

CONTRACT

On motion of Councilwoman Robinson, seconded by Councilman Murphy,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF PUBLIC WORKS TO AWARD CONTRACT NO. E-11-007-201 TO BLOUNT CONSTRUCTION COMPANY, INC. FOR A FULL DEPTH ROADWAY RECLAMATION CONTRACT IN THE AMOUNT OF FOUR HUNDRED THIRTY-FIVE THOUSAND SEVEN HUNDRED NINETY DOLLARS (\$435,790.00), WITH A CONTINGENCY AMOUNT OF FORTY-THREE THOUSAND FIVE HUNDRED SEVENTY-NINE DOLLARS (\$43,579.00), FOR AN AMOUNT NOT TO EXCEED FOUR HUNDRED SEVENTY-NINE THOUSAND THREE HUNDRED SIXTY-NINE DOLLARS (\$479,369.00)
was adopted.

OSHA COORDINATOR

On motion of Councilman McGary, seconded by Councilman Rico,
A RESOLUTION AUTHORIZING THE APPROVAL FOR RANDY GLAZE, OCCUPATIONAL SAFETY AND HEALTH COORDINATOR FOR THE CITY'S PERSONNEL DEPARTMENT, FOR A SPECIAL COMMISSION (UNARMED) IN ORDER TO EXECUTE THE DUTIES AS OCCUPATIONAL SAFETY AND HEALTH COORDINATOR
was adopted.

CONTRACT C.O.

On motion of Councilman Murphy, seconded by Councilman Rico,
A RESOLUTION AUTHORIZING THE FIRE CHIEF TO ISSUE A CHANGE ORDER TO THOMAS BROTHERS CONSTRUCTION FOR SEVENTY-ONE THOUSAND FIVE HUNDRED DOLLARS (\$71,500.00) FOR ADDITIONAL CONCRETE WORK AT FIRE STATION NO. 7, FOR A TOTAL AMOUNT NOT TO EXCEED FOUR HUNDRED FIFTY-FIVE THOUSAND ONE HUNDRED FORTY-NINE AND 36/100 DOLLARS (\$455,149.36)
was adopted.

AGREEMENT

On motion of Councilwoman Scott, seconded by Councilman Rico,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH ARCADIS U.S., INC., FOR PROFESSIONAL SERVICES, RELATIVE TO CONTRACT NO. W-11-007-101, EVALUATION, DESIGN, AND CONSTRUCTION OF DISINFECTION SYSTEM ALTERNATIVES FOR THE EFFLUENT FROM MOCCASIN BEND WASTE WATER TREATMENT PLANT, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED ONE THOUSAND EIGHT HUNDRED DOLLARS (\$101,800.00)
was adopted.

EASEMENT DONATION

On motion of Councilman Gilbert, seconded by Councilman Murphy,
A RESOLUTION TO ACCEPT A DONATION OF CONSERVATION EASEMENT FROM JOE CHOD, INC. LOCATED AT 4065 CAINE LANE, TAX MAP NO. 137K-A-001, WHICH EASEMENT SERVES AS A CONTINUATION OF THE GREENWAY IN THE SOUTH CHICKAMAUGA CREEK AREA
was adopted.

OVERTIME

Overtime for the week ending September 22, 2011 totaled \$48,773.00.

PERSONNEL

The following personnel matters were reported for the various departments:

PUBLIC WORKS DEPARTMENT:

- **WALTER BANTHER, JR.**—Resignation of Equipment Operator 5, effective 9/20/11.

CHATTANOOGA FIRE DEPT.:

- **DAVID HULLANDER**—Demotion of Firefighter Senior, Range F2A, \$46,750.46, effective 9/20/11.

CHATTANOOGA POLICE DEPT.;

- **ESTHER ARCHER**—Resignation of School Patrol Officer, effective 9/16/11.

PURCHASE

On motion of Councilwoman Robinson, seconded by Councilman Gilbert, the following purchase was approved for use by Human Services Department:

B & B JANITORIAL (Excess of \$10,000 Limit)

Floor Cleaning Services/Head Start Division

\$16,485.00

REFUND

On motion of Councilman McGary, seconded by Councilwoman Robinson, the City Finance Officer was authorized to make the following refund for property tax payment:

HAMILTON COUNTY CLERK & MASTER \$10,907.90

ATTORNEY MCMAHAN

Attorney McMahan reported that **David Hullander** of the Chattanooga Fire Dept. had asked for a personnel hearing, and this matter has been turned over to the Administrative Law Judge.

DISTRICT 6 SUMMIT

Councilwoman Berz announced the District 6 Summit to be held **Friday, September 30th at 8:30 a.m.** This will present a new look for this District and everyone was invited, with Councilwoman Berz thanking those Councilpersons who show up on a regular basis. She stated that she and Councilman McGary would be talking about the new Water Quality Project, the Library and developments at the Airport. She stated that there were a lot of neat things happening and asked everyone to please come. Breakfast will be provided.

Councilman Gilbert asked if his appointment would be waiting until next week and was told "yes".

COMMITTEES

Councilwoman Scott stated that she had no committee report but that the Beer Sub-Committee would be meeting tomorrow morning from 10:00 a.m. until 12 noon.

Councilman Rico reminded everyone of the **Public Works Committee** that will be meeting on **Tuesday, October 4th immediately following the Agenda Session.**

Councilman Murphy announced that Redistricting of Council Districts would be discussed in two weeks (**October 11th**) and every two weeks thereafter. There will be a telephone number for feedback and also an e-mail address. He stated that we wanted the public to be engaged in the process from the beginning.

COMMITTEES

Councilman McGary announced that the **Health, Human Services and Multi-Cultural Affairs Committee met earlier today.**

Councilwoman Berz noted that the Council had requested that a letter go out in the late Fall to agencies. She stated that she would like to start mid-October and each Councilmember would receive an e-mail of a sample letter; that she would like to get this out before the first of the year.

AGENDA/10-4-11

Chairman Ladd stated that next week's agenda was discussed earlier during the Agenda Session.

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.

JEFF PERLACKY

Mr. Jeff Perlackey addressed the Council, stating that his concern was the Aetna Mountain Rd.; that he had spoken to the City Attorney, and there was a Court Order granting them access and to prevent them from being blocked; that City Police cars were blocking the access—that they had been hired by the Subdivision. He stated that this was in violation of the Court Order, and he would appreciate the City Council looking into this. He noted that Rick Mincey lived in Cummings Cove and while he was in police uniform he told him to find an alternative access to his property. He stated that his concern was that Officer Mincey was in control of security and he was also a Police Officer for the City, which he felt was a conflict of interest. He stated that he was concerned about his rights.

Attorney McMahan stated that he and Officer Snyder would get with him after this meeting.

MONTY BELL

Monty Bell approached the Council, stating that he was a homeless journalist; that he had a question for the City Attorney but first he would like to mention Councilman McGary, even though he had left the meeting by this time. He stated that he would like to thank him; that several months ago on his radio program he discussed a matter that was sensitive to the City of Chattanooga. He stated that he would like to have a copy of Councilman McGary's show concerning "color blindness"—that he wanted to personally thank him for this show, and his colleagues agreed also; that they did not think that anyone else could have pulled this show off; that he wished they had more programs like this on Black Format Stations. He reiterated that he wanted to personally thank Councilman McGary because this was a sensitive topic.

He then stated that he had a question for Attorney McMahan; that on June 13th he had made it know that there was information he needed for a court case; that he had made phone calls to the City Attorney's office but had yet to receive this information. He asked if there was any chance he could get a copy as to when he actually asked for this so that he could prevent the police from stalking him; that he thought this was public information, and it was not too late for him to receive it as his date in Court was on Thursday; that he wanted to have the officer to stop stalking him.

Attorney McMahan responded that Mr. Bell had spoken to his Staff and the material he wanted was not available because of an incomplete criminal investigation; that Mr. Bell could speak to a Ms. Mullender in his office, the telephone number being 643-8250, and she could give him a definite answer as to why he is not entitled to this information. Mr. Bell asked if he was not "entitled" to the information or if it were not "available"?

BASIL MARCEAUX

Basis Marceaux of 739 Ashland Terrace approached the Council. He stated that he was here 30 days ago and handed out an Order to the Council to not be "criminal"; that the Council refused to listen to the Higher Court and there was no policeman to arrest them; that they had to listen to the Higher Court of the State or be removed from office and that no cops came to arrest them. He stated that he was requesting to order the Council to cease and desist from "criminal" and to become "civil"—that the City Charter is wrong. He went on to say that the Council was laughing at him because he was a "superstar" and again asked why the City Council did not listen to a Higher Court.

ADJOURNMENT

Chairman Ladd adjourned the meeting of the City Council until Tuesday, October 4, 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)