

**City Council Building
Chattanooga, Tennessee
January 10, 2012
6:00 p.m.**

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

PLEDGE OF ALLEGIANCE/INVOCATION

Following the Pledge of Allegiance, Chairman Ladd gave the invocation for the evening.

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.

AMEND CITY CODE

On motion of Councilman Murphy, seconded by Councilman McGary,
**AN ORDINANCE AMENDING CHATTANOOGA CITY CODE, PART II,
CHAPTER 2, BY ADDING A NEW ARTICLE XVI, ESTABLISHING THE OFFICE
OF ADMINISTRATIVE HEARING OFFICER**
was deferred six months (July 10, 2012).

AMEND ORDINANCE 12296 – ANNEXATION

Chairman Ladd stated the next two items deal with annexation and asked for a show of hands of persons present in reference to them; a few in attendance raised their hands. She stated there are two separate areas involved and as they are read and a motion and second given, three speakers will be able to speak for a three minute time period each.

AMEND ORDINANCE 12296 – ANNEXATION
(Continued)

Mike Wilson of 5323 Hunter Road, Ooltewah, Tennessee stated most of his questions were answered outside prior to the meeting, but was concerned if this is an old annexation or something new. He indicated that he talked with City Attorney McMahan who told him it was from a lawsuit that has been dropped and has come back up, which answered one of his questions. He noted his other question will probably not receive an answer and asked if this is going to be the start of a new wave of annexation in Ooltewah.

Chairman Ladd stated we have had a request for discussion on the growth plan and the municipalities involved in the plan met last week and decided they did not need any further discussion.

Councilman Murphy asked if Mr. Wilson has property or an area he wants to have come into the city. Mr. Wilson responded “no”.

Councilman Murphy then noted he did not know if Mr. Wilson’s comments were hopeful and wanted our fine police and fire services!

City Attorney McMahan stated nobody knows what the future will hold but as of the present he assured Mr. Wilson there are no definite plans “on the table” to do any further annexations in this area; that it could change in a moment, but as of today there are no plans.

Mr. Wilson stated the 8A annexation is prior during the year 2009; that there was a lawsuit . . .

City Attorney McMahan stated “that is correct”; that this particular annexation dates back two years with a lawsuit brought by Mr. Stern and others and the only effects of this ordinance is it establishes a definitive date for the annexation to be final, being December 31, 2012. He stated otherwise we would have gone to court between now and June, we would have tried the case, but the parties thought it would be better to set a definite date. He stated the property bills for that section will not become taxable until January 1, 2013 with the bills going out in September and not payable until 2014 and will not be delinquent until 2014.

Councilwoman Scott asked for clarification, that even though the bills will not go to those property owners until then, she asked if the services will start.

AMEND ORDINANCE 12296 – ANNEXATION
(Continued)

City Attorney McMahan responded “yes”; that the services will start January 1 of 2013; that the departments will be ready to go at that time.

Mr. Wilson expressed his thanks with Chairman Ladd noting how polite he has been and always addresses the Council in a respectful manner, which is appreciated.

Councilman McGary jokingly asked if it is possible to make a motion to exclude a property based on good behavior!

Councilman Rico called for the question at this point!

On motion of Councilman Murphy, seconded by Councilman Rico,
AN ORDINANCE AMENDING ORDINANCE NO. 12296 EXTENDING THE CORPORATE LIMITS OF THE CITY OF CHATTANOOGA, TENNESSEE, TO ANNEX CERTAIN TERRITORY CONTIGUOUS TO THE PRESENT CORPORATE LIMITS OF THE CITY OF CHATTANOOGA KNOWN AS AREA 8A, BEING CERTAIN PARCELS ADJACENT TO INTERSTATE 75 AND HUNTER ROAD WITHIN THE URBAN GROWTH BOUNDARY OF THE CITY OF CHATTANOOGA, IN HAMILTON COUNTY, TENNESSEE, AS SHOWN BY THE ATTACHED MAP, BY CHANGING THE EFFECTIVE DATE OF SAID ANNEXATION TO DECEMBER 31, 2012

passed first reading; Councilman Gilbert voted “no”.

AMEND ORDINANCE 12299 – ANNEXATION

On motion of Councilman Murphy, seconded by Councilman Rico,
AN ORDINANCE AMENDING ORDINANCE NO. 12299 EXTENDING THE CORPORATE LIMITS OF THE CITY OF CHATTANOOGA, TENNESSEE, TO ANNEX CERTAIN TERRITORY CONTIGUOUS TO THE PRESENT CORPORATE LIMITS OF THE CITY OF CHATTANOOGA KNOWN AS AREA 11A, BEING CERTAIN PARCELS ADJACENT TO THE CURRENT CITY LIMITS OF MORRIS HILL ROAD, EAST BRAINERD ROAD, AND IGOU GAP ROAD WITHIN THE URBAN GROWTH BOUNDARY OF THE CITY OF CHATTANOOGA, IN HAMILTON COUNTY, TENNESSEE, AS SHOWN BY THE ATTACHED MAP, BY CHANGING THE EFFECTIVE DATE OF SAID ANNEXATION TO DECEMBER 31, 2012

passed first reading; Councilman Gilbert voted “no”.

REZONING

2011-130: Mitchel Everhart

Pursuant to notice of public hearing the request of Mitchel Everhart to rezone property located at 1808 South Holtzclaw Avenue came on to be heard.

The applicant was present; there was no opposition in attendance.

On motion of Councilman Rico, seconded by Councilman Murphy,

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1808 SOUTH HOLTZCLAW AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS

passed first reading.

REZONING

2011-131: Willie Arnold/Ruth Hau

Pursuant to notice of public hearing the request of Willie Arnold/Ruth Hau to rezone property located at 629 Shallowford Road came on to be heard.

The applicant was present; there was no opposition.

Councilmen Rico and Scott made the initial motion to approve the ordinance on first reading.

Councilman Murphy stated this use has some conditions in it; that the use he is familiar with is that it is a detail shop and has been operating as that in the past. He stated he has no objection to that; that there were certain included uses that were allowed according to the Planning Commission's version; that liquor stores were not included but grocery was. He made the **motion to amend to exclude any use that allows for the retail on-premise or off-premise consumption of alcohol**; **Councilman Gilbert** seconded the amendment.

Councilman Rico then made the motion to accept the amendment; **Councilman Murphy** seconded the motion; the motion carried.

REZONING (Continued)

On motion of Councilman Rico, seconded by Councilwoman Scott,
AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 629 SHALLOWFORD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM C-5 NEIGHBORHOOD COMMERCIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS
passed first reading.

AMEND CONDITION

2011-133: Eric Lovett, Tennessee Temple University, Highland Park Baptist Church

Pursuant to public notice, the request of Eric Lovett, Tennessee Temple University, Highland Park Baptist Church to amend condition #3 imposed in Ordinance 12257 came on to be heard.

The applicant was present; there was no opposition.

On motion of Councilman Murphy, seconded by Councilman Rico,
AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO APPROVE AMENDING CONDITION #3 IMPOSED IN ORDINANCE NO. 12257 TO ALLOW USE AS UNIVERSITY HOUSING ON PROPERTIES LOCATED AT 1715 UNION AVENUE AND IN THE 1700 BLOCK OF KIRBY AVENUE, BEING MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS
passed first reading.

REZONING

2011-134: Eric Lovett, Tennessee Temple University, Highland Park Baptist Church

Pursuant to public notice the request of Eric Lovett, Tennessee Temple University, Highland Park Baptist Church to rezone property located at 800 South Beech Street came on to be heard.

The applicant was present; there was no opposition in attendance.

REZONING (Continued)

On motion of Councilman Murphy, seconded by Councilman McGary,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY
LOCATED AT 800 SOUTH BEECH STREET, MORE PARTICULARLY
DESCRIBED HEREIN FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL
ZONE, SUBJECT TO CERTAIN CONDITIONS**
passed first reading.

REZONING

2011-135: Eric Lovett, Tennessee Temple University, Highland Park Baptist Church

Pursuant to notice of public hearing, the request of Eric Lovett, Tennessee Temple University, Highland Park Baptist Church to rezone property located at 1901 and 1907 Bailey Avenue came on to be heard.

The applicant was present; there was no opposition in attendance.

Councilman McGary asked if a blanket motion to approve can be made for the remaining requests involving Tennessee Temple University. City Attorney McMahan responded that all the ordinances would have to be read and could be voted on at one time.

On motion of Councilman McGary, seconded by Councilman Gilbert approval was given to make one blanket motion to approve all remaining Tennessee Temple University requests on tonight's agenda; the motion carried.

On motion of Councilman Murphy, seconded by Councilman McGary,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY
LOCATED AT 1901 AND 1907 BAILEY AVENUE, MORE PARTICULARLY
DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE TO R-4 SPECIAL
ZONE, SUBJECT TO CERTAIN CONDITIONS**
passed first reading.

REZONING

2011-136: Eric Lovett, Tennessee Temple University, Highland Park Baptist Church

Pursuant to notice of public hearing the request of Eric Lovett, Tennessee Temple University, Highland Park Baptist Church to rezone property located at 1918 and 1924 Chamberlain Avenue came on to be heard.

The applicant was present; there was no opposition in attendance.

On motion of Councilman Murphy, seconded by Councilman McGary,
AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1918 AND 1924 CHAMBERLAIN AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE , SUBJECT TO CERTAIN CONDITIONS
passed first reading.

REZONING

2011-137: Eric Lovett, Tennessee Temple University, Highland Park Baptist Church

Pursuant to notice of public hearing, the request of Eric Lovett, Tennessee Temple University, Highland Park Baptist Church to rezone property located at 2000 Chamberlain Avenue and 2001 Bailey Avenue came on to be heard.

The applicant was present; there was no opposition in attendance.

On motion of Councilman Murphy, seconded by Councilman McGary,
AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 2000 CHAMBERLAIN AVENUE AND 2001 BAILEY AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE AND R-3MD MODERATE DENSITY ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS
passed first reading.

REZONING

2011-138: Rachel Conn Collins

Pursuant to notice of public hearing, the request of Rachel Conn Collins to rezone property located at 4200 Dodds Avenue came on to be heard.

The applicant was present; there was no opposition in attendance.

On motion of Councilman Murphy, seconded by Councilman McGary,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY
LOCATED AT 4200 DODDS AVENUE, MORE PARTICULARLY DESCRIBED
HEREIN, FROM R-1 RESIDENTIAL ZONE TO UGC URBAN GENERAL
COMMERCIAL ZONE**

passed first reading.

SPECIAL POLICEMAN – UNARMED

On motion of Councilwoman Robinson, seconded by Councilman Rico,
**A RESOLUTION AUTHORIZING THE APPOINTMENT OF KRISTIN FRANKLIN
AS A SPECIAL POLICE OFFICER (UNARMED) FOR THE CITY OF
CHATTANOOGA PUBLIC WORKS DEPARTMENT, TO DO SPECIAL DUTY
AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS**

was adopted.

SPECIAL POLICEMAN – UNARMED

On motion of Councilwoman Robinson, seconded by Councilman Murphy,
**A RESOLUTION AUTHORIZING THE APPOINTMENT OF CHRISTIE TONEY
AS SPECIAL POLICE OFFICER (UNARMED) FOR THE CITY OF
CHATTANOOGA PUBLIC WORKS DEPARTMENT, TO DO SPECIAL DUTY
AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS**

was adopted.

INCREASE CONTRACT

On motion of Councilwoman Berz, seconded by Councilman Rico,
A RESOLUTION AUTHORIZING THE DIRECTOR OF THE OFFICE OF SUSTAINABILITY TO OBTAIN ADDITIONAL SERVICES FROM HDR ENGINEERING, FOR AN INCREASE IN THE CONTRACT AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00), FOR A TOTAL OF ONE HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$135,000.00)
was adopted.

PUD SPECIAL EXCEPTIONS PERMIT

2011-132: Eric Lovett, Tennessee Temple University, Highland Park Baptist Church

The applicant was present; there was no opposition in attendance.

On motion of Councilman McGary, seconded by Councilman Rico,
A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR AN INSTITUTIONAL PLANNED UNIT DEVELOPMENT ON PROPERTY BOUNDED ON THE NORTH BY CHAMBERLAIN AVENUE, SOUTH BY BENNETT AVENUE, EAST BY SOUTH WILLOW STREET, AND WEST BY SOUTH HICKORY STREET, SUBJECT TO CERTAIN CONDITIONS
was adopted; Councilwoman Berz voted "no".

CONTRACT

Councilman Gilbert asked City Attorney McMahan to check to see if the Disadvantaged Business Enterprises (DBE) was used on this project.

City Attorney McMahan stated he cannot make that check onsite about who the subcontractors were on the bid and asked if anyone from Purchasing were present to address the issue. (No one was present from Purchasing to respond). He stated he simply cannot answer the question.

Councilman Gilbert asked that the City Attorney find out if they were, and if not why there were not considered.

City Attorney McMahan stated he could do that and give a report to the Council.

CONTRACT (Continued)

Dan Johnson stated he does not have an exact knowledge and did not see the document when it went out but it went through the normal purchasing procedure which includes the DBE process and that is the only thing he could say; but did he see it, "no".

Councilman Gilbert stated he wants to see why if it was not.

Councilman Murphy stated the programs that would be relocated to this new facility are producing great results for the city and great savings and are doing so in their present facilities. He stated he has yet to see any indication that we would see better results with a \$4.1+ million dollar facility; that as far as he knows the research has not been done and at this time he cannot vote to make this expenditure. He stated he supports the programs that would be housed there that are currently housed in two other locations, but now is not the time for this city to spend over \$4 million dollars for questionable if not marginal gains -- if not perhaps regression in utility. He stated he will have to vote "no"; that he supports everything we would be doing in this facility should it be built and supports everything we are doing in our current facilities.

Councilwoman Scott stated she would be abstaining on the vote because she has a conflict of interest.

Councilman Benson stated timing is everything in life and wants to know in Mr. Johnson's own personal opinion whether he thinks this is the time to make an investment that will bring in the type of dividends in our total health premiums "down the road" and other things. He stated he wants to know if Mr. Johnson thinks this is a good investment to spend at this time or advise waiting until another time.

Dan Johnson stated this has been a fairly long process we have been going through; that we took "baby steps" to begin with and all of our services have been increasing every year. He stated in the coming year we will probably be saving roughly \$10 million dollars as compared to what it would have been if we had not had this program. He stated it did not reset overnight as it was progressive; that they are adding a lot of new services that can be housed in this facility that we do not have room for now or that are portions conducted elsewhere, disjointed. He stated this brings it all together in one location where they can have a coordinated effort increasing the services being offered and it is his thought it will involve additional savings in the future.

CONTRACT (Continued)

Councilman Benson stated as the good conservative person he knows Mr. Johnson to be, is he saying this is a good investment. Mr. Johnson responded "yes, sir, I am".

Chairman Ladd asked if there is a problem with one of the facilities we are currently using, asking if she heard it will have to go away or make some improvements.

Mr. Johnson responded it is in a triple wide trailer and the "life" of those things are not real great and they are not real safe. He stated we do have a recent history of tornadoes and once they get hit there is not much left of them. He stated it was intended to only be temporary, anyway, just to relocate it so we could service the fire and police population because we did not have the room in the other location to do so; that that was the reason for that temporary location.

Councilman Rico stated coming from the private sector he looks at it in a different way; that it takes money to make money and most people know that. He stated we cannot wait until we need something, we have to think ahead. He stated spending this money saves money and that is making money which is why he will vote for this.

Councilman Gilbert stated he will abstain on this, but feels it is a good program and will save money; that he needs to get the information from our lawyer before he can vote for it and will abstain.

Councilman Murphy stated he has been in the portable classroom on Amnicola for an appointment and there is nothing wrong with that structure and it has years and years of "life" left in it. He expressed respect for Mr. Johnson's opinion as an accountant if we are "crunching numbers" on this that is fine, but there has been no survey data to say the utility will go up with this new facility; that in fact there can be anecdotal belief that the utility will go down when we close the Amnicola location. He stated it is a lot of money, we are producing great savings working with what we have and now just is not the right time; that he will have to vote "no".

CONTRACT (Continued)

On motion of Councilman Benson, seconded by Councilman Rico,
A RESOLUTION AUTHORIZING THE DIRECTOR OF PERSONNEL TO ENTER INTO A CONTRACT WITH DBS CORPORATION TO CONSTRUCT A NEW EMPLOYEE HEALTH CENTER ON 11TH STREET, FOR AN AMOUNT NOT TO EXCEED FOUR MILLION ONE HUNDRED FIFTY-SEVEN THOUSAND THIRTY-NINE AND 25/100 DOLLARS (\$4,157,039.25)

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

BENSON	YES
GILBERT	ABSTAIN
BERZ	YES
RICO	YES
MCGARY	NO
MURPHY	NO
SCOTT	ABSTAIN
ROBINSON	YES
LADD	YES

OVERTIME

Overtime for the week ending January 5, 2012 totaled \$6,686.65.

PERSONNEL

The following personnel matters were reported for the various departments:

CHATTANOOGA HUMAN SERVICES:

- **ROSEANNA MCCALLIE** – Termination, Teacher, Day Care, effective December 9, 2011.

PERSONNEL (Continued)

- **CHERYL SAXTON** – Termination, Service Delivery Worker II, Social Services, effective December 22, 2011.
- **MICHELE BOSTWICK** – Hire (Part-time to full-time), Mental Health Coordinator, Head Start, \$54,974.40 annually, effective December 20, 2011.
- **BRENDA HINDMAN** – Hire (Part-time to full-time), Dietary Assistant, Head Start, \$10,132.22 annually, effective December 30, 2011.

PERSONNEL DEPARTMENT:

- **VANESSA HEATH** – Retirement, Human Resources Generalist, effective December 30, 2011
- **GAIL SCHRODT** – Termination (not retained during probationary period), Human Resources Generalist, effective January 3, 2012.

GENERAL SERVICES:

- **SANDRA KYLE** – Promotion, Administrative Support Assistant 2, Range 7, \$30,767.00 annually, effective December 30, 2011.

PARKS AND RECREATION:

- **BOBBY SAYLORS** – Retirement, Director, Parks, effective December 31, 2011.

CHATTANOOGA POLICE DEPARTMENT:

- **JEFF GAINES** – Return to Duty from Military Leave, Police Sergeant, effective January 2, 2012.

PERSONNEL (Continued)

PUBLIC WORKS:

- **MICHAEL HAPONSKI** – Hire, Manager, Stormwater, Land Development, Range 25, \$58,496.00 annually, effective December 27, 2011.
- **RAYMOND DECLUE** – Suspension (3 days without pay), Crew Worker 2, Traffic Engineering, effective January 5-9, 2012.
- **PETER D. WOODARD** – Termination, Crew Worker 3, Traffic Engineering, effective January 6, 2012.
- **TOM HECKAMAN, TRACY BROWN** – Promotion, Plant Operator 2, Waste Resources, Range 11, \$29,544.00 annually, effective December 30, 2011
- **STEPHEN WARE** – Lateral Transfer, Plant Operator 2, Waste Resources, Range 11, \$29,544.00 annually, effective December 30, 2011.
- **MARTHA FOWLER** – Retirement, Administrative Support Assistant 1, Waste Resources, effective December 30, 2011.

REFUNDS

On motion of Councilman Gilbert, seconded by Councilman Rico, the Administrator of Finance was authorized to issue the following refunds of water quality fees and/or property taxes:

CHATTANOOGA RIVERBOAT CO.	\$9,236.00
MOUNTAIN VIEW ACQUISITION	\$3,744.00
TENNESSEE HOTEL SUPPLY CO. INC.	\$1,056.34
FLOWERS BAKERY THRIFT STORE	\$1,183.83

PURCHASES

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

PURCHASES (Continued)

GENERAL SERVICES:

KEEF PLUMBING (Best bid)

R49686/301521

Blanket Contract for City Wide Major Plumbing Services (*America's Plumbing submitted a lower bid; however, they failed to bid all items.*)

\$45,000.00 – Annual approximation

CHASE SERVICES (Best bid)

R49684/301519

Blanket Contract for City Wide Minor Plumbing Services (*America's Plumbing submitted a lower bid; however, they failed to bid all items.*)

\$10,000.00 – Annual approximation

BEACON TECHNOLOGIES (Lower and better bid)

R51885/301552

Blanket Contract for Security Card Access Support Services and Hardware

\$62,000.00 – Annual approximation

LEE-SMITH, INC. (Lowest and best bid)

R51982/301539

Blanket Contract for Elgin OEM Sweeper Parts

\$10,000.00 – Annual approximation

PURCHASEES (CONTINUED)

PUBLIC WORKS DEPARTMENT:

WATER AND WASTE EQUIPMENT, INC.
R51858/301538

Purchase of a Hydromatic Pump

\$17,511.00

BOARD APPOINTMENT

On motion of Councilwoman Berz, seconded by Councilwoman Scott, the following Board appointment was approved:

HOSPITAL AUTHORITY BOARD:

- Joint appointment of the City and County of ***DR. NITA WALL SHUMAKER*** to fill the expired term of Dr. Charles Longer for a term expiring November 1, 2015.

Councilman Murphy stated he is not opposed; that our state delegation was talking about reforming this Act so the Council does not have to go through these exercises. He noted with great delight some of the quotes he saw from some of the thinking of our local delegation leadership that they might require actual backgrounds and something related to hospitals or health care to be on that Board in the future, which is not to denigrate those that have served in the past. He stated it is a half billion a year enterprise at this point and growing and it is time to take it out of this really goofy way this Board is composed!

CITY ATTORNEY'S REPORT

City Attorney McMahan stated Council members might have read in the newspaper this week the case of Jessie and Aline Wright who sued an officer in the city; that it was a case that received great notoriety at the time it occurred. He stated the man was taking his wife to the hospital and was running red lights and got stopped by the police office; they had a verbal altercation and possibly a physical altercation.

CITY ATTORNEY'S REPORT (Continued)

City Attorney McMahan stated the matter was filed in Federal Court and Judge Collier dismissed all charges except for any remaining State law charges and for all practical matters the more serious matters the city had been sued for was resolved in the city's favor. He stated that was the major event of the past week.

EXPRESSION OF THANKS

Councilman Gilbert expressed thanks to the police for a job well done in his neighborhood today explaining there was a shooting on Hancock Road and the criminals, from his understanding, came out shooting. He stated they could have been killed and the expert policemen did not kill them but wounded them; that he was glad they did not have any other kind of incident.

COMMITTEES

Councilwoman Scott scheduled a meeting of the **Personnel, Performance and Audit Review Committee for Tuesday, January 17 immediately following Public Works**. She also announced a meeting of the **Beer Code Sub-Committee scheduled for Friday, January 27 from 10 a.m. - noon** in the J.B. Collins Conference Room.

Councilman Rico scheduled a meeting of the **Public Works Committee for Tuesday, January 17**.

Councilman Murphy stated the **Legal, Legislative and Safety Committee** will not meet on the January 17, **will meet on January 24** and will make room on the committee agenda on the thirty-first and not meet. He stated the Committee would be briefly meeting on an every-other-week schedule.

Councilwoman Berz stated the Council did a great job today of having a Budget and Finance Committee meeting dealing with some pretty difficult stuff and we move on now to the first steps of the next year's budget.

Councilman Benson stated he would like to schedule a tentative meeting of the Economic Development Committee meeting as there is a potential PILOT being considered to be brought before the Council.

NEXT WEEK'S AGENDA: JANUARY 17, 2012

Chairman Ladd inquired as to whether there were questions regarding next week's agenda; being none, the meeting continued.

SISTER CITY INFORMATION

Chairman Ladd stated she was contacted earlier today by representatives of the Sister Cities Association who will speak tonight. She stated she had an opportunity to take a trip to Germany and was accompanied by two of our Sister City members and from that came four different initiatives that we can add onto work we are doing here which could have some additional economic impact for Chattanooga. She stated it was a great visit, a wonderful trip and she really had an opportunity firsthand to see how nicely we are treated when we are visiting and all the different things that can be gathered from a trip like that.

KAREN CLUMPNER

Karen Clumpner of Northbridge Lane spoke about the Sister City organization, noting that they would be sponsoring and inviting all Council members to attend a gala one week from Thursday for a celebration of Sister Cities old and new at the Volkswagen Conference Center to honor our new relationship with the city of Wolfsburg, Germany. She stated at that time the Council would be able to learn about all the different things that Sister Cities does and provides to our community; that there are a tremendous number of exchanges for schools in sharing pen pals and art work and students coming and going, as well as opportunities for many young people to learn a tremendous amount. She stated they have had recent exchanges with Russia with teachers coming to UTC and lots of opportunities for all kinds of development. She encouraged anyone interested in coming to join them in that celebration; that there will be food, tremendous music and a reservation will need to be made due to the provision of the food. She encouraged everyone to come and learn more about our wonderful Sister City exchanges.

ROXANNE LARSE

Roxanne Larse of 959 Gateway Avenue, Apartment 321 in Dogwood Manor stated she was present because in December she went to a Purpose Built Community meeting and they are talking about coming here as someone said it was a good idea.

ROXANNE LARSE (Continued)

Ms. Larse pointed out there are some things that are not so good about it noting she is very concerned about her neighbors and friends; not those at the projects but those in her building because in a lot of cases groups like this come in and promise big "stuff" but in the case of her high rise building they are most likely looking at putting in condominiums which means everyone from the buildings will have to be moved out. She stated "yes" they do pay for it, but they do not pay for them to move back in and do not provide Section 8 housing for those who cannot afford condominiums. She displayed a photo to the Council and indicated one thing they are not saying about the new buildings they are talking about is they want to demolish College Hill and they say there are 1400 residents in the East Lake community and 650 of those are units; that when they return after the construction is done they say there will be 2100 residents and 542 units. She stated they do not say that by law they only have to provide fifty percent of subsidized housing or HUD subsidized housing to the people, therefore most of them cannot move back. She stated they are also talking about the lower crime rate noting the reason it was lowered was because all the people were dispersed throughout the city instead of being in one area. She stated she talked with Officer Moses who said College Hill does have problems that are caused by people who come from the outside and are not necessarily the crimes committed by the people who live there; that she would like to save their homes because they do not want to go out to another building and like where they are; that they realize the Hills are prime property. She stated it was built for senior citizens and the disabled and they would like to stay there.

Councilwoman Robinson thanked Ms. Larse for coming this evening and made her aware she was the one talking about the housing and is the one that chairs the Housing Committee for the City Council. She invited her to come back on January 31 in the afternoon because the people who developed the Purpose Built community in Atlanta are going to come to speak to the Council. She stated Ms. Larse is right that is something that is being talked about as alternatives to high poverty; that crime intense projects are very much under consideration as a better way to grow into the community we are becoming. She again expressed hope Ms. Larse would come back and listen with the Council on that day and to let her know she is present to assure she can speak with the officials who will be here.

Ms. Larse stated she has signed up for one of the committees.

CHRISTINA BELLOW

Christina Bellow of 129 Walnut Street thanked the Council on behalf of the initiatives taken along with the Mayor to take a look at the crime and the increasing violence downtown. She stated she moved to Chattanooga two years ago as it is a beautiful city that has been built and cannot thank the Council enough for that and thanked the police department for what they have done as their presence downtown is noted and can guarantee that. She make Council members aware there is a group of residents downtown within the condos who are coming together to see what they can do to help; that she wants her name to be known to all on the Council and to contact her. She stated if they do not think there is violence, she invited them to come over for supper and later when it is rough out there they will be able to see what they see at night. She stated it is better and expressed appreciation for their help and thanked them again for addressing the safety, beauty and all we have here in Chattanooga.

Chairman Ladd stated it is not often we get encouragement and positive comments and invited Ms. Bellow to come back at any time.

MONTY BELL

Monty Bell introduced himself as a homeless journalist, P. O. Box 6306, and stated he was present to speak in reference to the \$75,000 that is still in the bank from the Tennessee Multicultural Chamber of Commerce. He stated he has been before the Council addressing the concerns of his neighborhood, community and the homeless and have continuously been ignored; that he personally has been ignored and does not know if he is offender and is embarrassed or ashamed that now two people have been annexed back to the city to handle the gang problem flourishing in his neighborhood. He stated he does not know how to address the Council to get a response as to whether or not he knows what he has been talking about for the last years even after his incarceration. He stated he is still baffled with information he has been obtaining since his release in 2010 and has a letter written to the Multicultural Chamber on the exact date that the affidavit of complaint against him was written charging him with being not only a member of a gang but being the leader of drug dealing youth gangs. He stated this is one of the hottest topics in the city and because he has been falsely labeled, incarcerated and accused of this the Council has set back silently and allowed a citizen of this community to be falsely accused, charged and incarcerated and are saying they have now found two people to come here and solve this problem.

MONTY BELL (Continued)

Mr. Bell stated he cannot understand for the life of the last drop of blood in his body what it is that he is going to have to do to not only contact their boss, Mr. Littlefield, and his constituencies to tell them to please return his life, his money and bring his parents back so he can tell them he does appreciate what they have done for him, not this city, but his parents. He stated he cannot tell them now that he appreciates the fact he has been allowed to travel freely throughout the United States, not the city of Chattanooga, without being hampered by what people may think of him because of his skin complexion or because he has an accent from a different country. He stated he cannot seem to grasp the words to say that he met his last end in asking in a calm manner to help him help his neighborhood and community as it is theirs, too. He stated he does not know what else to do; that a survey, study or leaving him out there sleeping on the streets is not the answer. He asked the Council to work with him for the last time; that until Mr. Beeland and Mr. Williams . . .

Chairman Ladd stopped Mr. Bell noting that his time had expired; that there will be an opportunity for community involvement in moving forward with this program.

ADJOURNMENT

Chairman Ladd adjourned the meeting of the Chattanooga Council until Tuesday, January 17, 2012 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)**