

**City Council Building
Chattanooga, Tennessee
June 12, 2012
6:00 p.m.**

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

PLEDGE OF ALLEGIANCE/INVOCATION

Councilwoman Ladd led the audience in the Pledge of Allegiance.

MINUTE APPROVAL

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

SPECIAL PRESENTATION: TML ACHIEVEMENT AWARD FOR COMMUNITY PROGRESS

Chairman Ladd shared with the Council and audience the award Chattanooga received this morning from the Tennessee Municipal League (TML) during its annual conference in Knoxville noting that the award is for being the most progressive city in Tennessee. She stated when someone found out she was from Chattanooga they began bragging about how wonderful and different things are that we are doing here. At this point she read from the press release announcing the award: *“As the state’s 4th largest city, Chattanooga is recognized most often for its scenic beauty, massive downtown redevelopment, and riverfront and amazing attractions such as the Tennessee Aquarium, Lookout Mountain, Civil War battlefield sites, and the Appalachian Trail. The world cheered as manufacturing giants Volkswagen and Amazon made the city their home. A \$1 billion investment, the German car manufacturer resulted in 3,000 direct jobs and 9,500 indirect jobs, while the distribution center, bringing 1,700 jobs, is already expanding its 17 football field-sized facility. Impressive as well are the mechanics going on beneath the surface of this progressive city”.*

**SPECIAL PRESENTATION: TML ACHIEVEMENT
AWARD FOR COMMUNITY PROGRESS (Continued)**

Chairman Ladd stated TML gave credit for what was done recently in helping the state get the RICO Law applied to some gang activity we are seeing locally; that she was particularly that Councilwoman Scott's law -- that she (Scott) helped write and was very influential in making several trips to Nashville -- passed that will enable us, when we have a bar that serves to underage teens and has disruptions, to be able to work in concert with their liquor license; that if we act on their beer license we can also now affect their liquor sales altogether, again crediting Councilwoman Scott, Matt Lea and Mayor Littlefield as being instrumental in getting that passed. She stated it was cited that was our approach to crime in a very creative way; that it was nice to hear so many wonderful things said about our city and wanted to share that with the Council and audience. She stated it was a very proud moment and expressed hope all others felt the same!

AMEND CITY CODE

On motion of Councilman Gilbert, seconded by Councilwoman Berz,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 5, SECTION 5-84 AND 5-85, RELATIVE TO THE BEER BOARD OF
CHATTANOOGA AND RECIPROCAL SUSPENSION OR REVOCATION OF
PERMITS**

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

REZONING

2012-054: Hugh Ault

Pursuant to notice of public hearing, the request of Hugh Ault to rezone property located at 1038 Graysville Road came on to be heard.

The applicant was not present; there was no opposition.

On motion of Councilman Benson, seconded by Councilwoman Berz,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY
LOCATED AT 1038 GRAYSVILLE ROAD, MORE PARTICULARLY
DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-2
CONVENIENCE COMMERCIAL ZONE**

was denied.

REZONING

2012-056: Flagship Group, Inc.

Pursuant to notice of public hearing, the request of Flagship Group, Inc. to rezone property located at 2854 East 49th Street came on to be heard.

The applicant was present; there was no opposition.

Councilwoman Scott stated her primary concern has to do with the orientation of the map and the parking lot to what looks like a residential neighborhood behind. She wanted to know if the building is going to be torn down and moved, whether is it a reconstruction or using the same building.

Gordy Germany, 3456 Hardee Avenue, Atlanta, Georgia, stated he is not using the building as he is buying the front part on Rossville Boulevard.

Councilwoman Scott asked if the parking is going to be directly across from the houses on Thirteenth Avenue as there is R-1 residential property there. Mr. Germany stated where the M-2 looks like it is sitting on a building he is not buying that as it stays M-2; that he is only buying the front part which goes with the C-2 in front of it on Rossville Boulevard, not the portion in the back on Thirteenth Street.

Councilwoman Scott asked if he is using the parking in the top right corner (in referencing the map shown by PowerPoint); that she is trying to determine that it looks like there is a parking lot that goes to the left of the building and above the building on the top right portion of the drawing shown by PowerPoint. Mr. Germany stated that is an existing parking lot right now.

Councilwoman Scott asked if he will be using that. Mr. Germany responded "yes"; that all in the rear is an existing building and he is not buying that.

Councilwoman Scott stated this is not the orientation of the residential property on this side. Mr. Germany responded "no". Councilwoman Scott stated that is what she needed to know.

On motion of Councilman McGary, seconded by Councilwoman Ladd,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY
LOCATED AT 2854 EAST 49TH STREET, MORE PARTICULARLY DESCRIBED
HEREIN, FROM M-2 LIGHT INDUSTRIAL ZONE TO C-2 CONVENIENCE
COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**

passed first reading.

AMEND ORDINANCE 12258: LIFT CONDITION

2012-057: John W. Pratt

Pursuant to notice of public hearing, the request of John W. Pratt to amend Ordinance No. 12258 to allow residential use on property located at 1101 Greens Road came on to be heard.

The applicant was present; opposition was in attendance.

Greg Haynes, Director of Development with the Regional Planning Agency (RPA), stated the request is to have a condition lifted as it was conditioned to office use only which would also allow an accessory use for storage of trucks and vehicles; that the original request when it was rezoned was for a tree service office which would allow them to park trucks and a couple tree service boom trucks which was the only thing permitted. He stated the applicant wishes to amend the condition to allow residential use with an office use and accessory truck storage; that if it is approved he will also be able to have this as residential use and could rent it for residential, as well. He stated the Planning Commission denied the request and Staff recommended approval to allow residential. He stated there was opposition at the Planning Commission meeting last month and there was a lot of discussion centering around enforcement about parking of the trucks which was the center of discussion as to whether or not he should be permitted to park the truck and tree service equipment since it is an accessory use and there was a question whether or not it was being used for office use which was permitted.

John Pratt of 8776 Igou Gap Road stated at the last meeting he was not aware of the complaints and during the last month the word signage was used and he had never heard of it before; that the complaint was parking his trucks too close to East Bari nerd Road and was not parking in the designated area from the site plan. He stated since that time he has delineated off where the site plan mark is and put his trucks in that area; that there was a complaint his booms were in the air and being used for signage. He stated there is a specific reason why that is done for cranes and bucket trucks as it is a way to check overnight if the cylinders or valves are leaking because when working around electrical wires there is a need to be sure there is no seepage thus the practical reason for that. He stated he can do that at the other place if the residents do not want his booms in the air; that it does not hurt anything and was taken as signage. He stated as far as having his office there he does not and has rented it as a residence; that he assumed since it was a residence it could still be used as a residence and apparently ignorance is not an excuse and is why he applied to add on a residence.

AMEND ORDINANCE 12258: LIFT CONDITION
(Continued)

Mr. Pratt stated he could move his office there but it is a pretty good size building and does not need the whole building; that it is a three bedroom house and an enclosed garage which would be remodeled for an office and would be glad to put his office there. He stated it would help if he could break even on some things which is what he has done; that he is requesting to be able to rent it as a residence, as well as an office.

Marlee Jones of 1140 Greens Road stated she is not in agreement with the C-2 zoning and apparently it has been that way for three years since Mr. Pratt has owned the property. She stated he has never been in compliance with the C-2 zoning as far as having the office there and it has been rented out all three years as residential use along with another home on the back side on McNichol. She stated the trucks have continually been parked to the side toward East Brainerd Road basically as advertisement; that the business license, personalty tax and other items for the business are not registered to this address as they are registered to Igou Gap where he has approximately 20 acres. She stated the trucks are very large and to put four on the back lot two could fit behind the house if he were to park them properly; that the individuals who drive them just started parking the trucks behind the house after June 1. She stated since then the booms have not been lifted and the trucks have been parked in their designated area. She stated she would not like to see the renters kicked out but since it has never been in compliance with the C-2 she would like to see it go back to R-1.

Councilman Benson stated he has had complaints since the change was made from residential into office; that it was purchased from an estate and we tried to help by making it into an office and Mr. Pratt thought that would be a help, but phone calls came in about the boom advertising with tree cutting signs showing. He stated they have been parked right on the road and made it look as if it was commercial which created a lot of speculation and people trying to buy property thinking it was spot zoning commercial. He stated it has been a headache the way Mr. Pratt has exercised his options whether legal or illegal; that Ms. Jones is not the only neighbor who has registered objection to this. He stated he does not know what to do with this; that he thought he could park the trucks in the back, keep the advertising out of East Brainerd Road's "face" and does not know if that could be added to the ordinance. He asked if this would satisfy Ms. Jones as a neighbor if that could be done and then turn this into a residence which would be more parking. He asked Mr. Pratt if he is asking that it be made residential. Mr. Pratt responded "as well as office".

AMEND ORDINANCE 12258: LIFT CONDITION
(Continued)

Councilman Benson asked if Mr. Pratt wants both. Mr. Pratt responded "yes"; that the neighbor to the left lives in there and has an office or business.

Councilman Benson stated an office is what it should be where Mr. Pratt is and now he (Pratt) is wanting to make it residential and have it both ways, office and residential.

Mr. Pratt responded "yes, sir if that is possible"; that it is a big building and he does not need the whole thing for an office.

Councilman Benson stated he could find other people to rent part of the building for an office. Mr. Pratt stated it could be used as two offices and not residential.

Councilman Benson asked if there could be two offices in the building as it is.

Mr. Haynes stated the only thing it could be used for is an office right now and the reason why it was not rezoned O-1, which allows offices and residential, is due to the truck storage. He stated O-1 would not allow that; C-2 would allow the truck storage as an accessory use, secondary use to the primary use of an office. He stated what is at question tonight is an additional use to allow it to be used not only as an office and secondary a truck parking, but also residential; that the enforcement question from the zoning enforcement official is the trucks should not be there unless an office is actually there.

Councilman McGary stated it would be helpful to him if this could be picked apart and put back together; that if this was simply a residence in an office space is there any reason for Planning to be against it, if it was only office and residential.

Mr. Haynes responded "no"; that Staff recommended approval for residential as it is an appropriate use here and part of a residential neighborhood. He stated if it were O-1 the only uses permitted in O-1 is an office use or single family residential home.

Councilman McGary then asked if there are no qualms with it being O-1 if that was the request, adding on the third request for accessory outdoor storage allowed by C-2 what does that do to the decision.

AMEND ORDINANCE 12258: LIFT CONDITION
(Continued)

Mr. Haynes stated if he recalls correctly, Staff did have a problem with that use but at the time the residents in the area indicated they supported the rezoning to C-2 if it were conditioned to office use only and the trucks parking allowed only if the office use were there. He stated he does not know if they had in mind the size of trucks being parked as the trucks do have signage on them identifying them as a tree service. He stated in effect it has become an advertising space for the service without the office use.

Councilman McGary stated if there was a condition placed that the trucks had to be parked only in the rear, what would be the response.

Mr. Haynes stated his opinion is that it is a small lot, the trucks would still be visible and would be set back another 20-25 feet from where they are now which is the only difference.

Councilman McGary asked if this is something Mr. Haynes does not see any problem with if that were a condition.

Mr. Haynes asked that Councilman McGary define "problem".

Councilman McGary asked if this is something he (Haynes) could support.

Mr. Haynes stated he did not know as Staff did not review it that way and could not speak to that.

Councilwoman Scott stated if the intention was never to use the trucks as signage, there is property at an alternative place, this is a small lot and there is residential and wants to rent it for a residence, would this be a better office with an opportunity for residential and a better idea to park the trucks elsewhere.

Mr. Pratt responded "no maam"; that there is a specific reason why the bigger trucks are parked there as the 20 acres are on the Ridge on Haven Crest; that only about an acre-and-a-half are level enough to park vehicles and because it is on the Ridge taking a crane up the narrow winding road is somewhat . . .

Councilman Scott continued by noting Mr. Pratt does not have the space up there and it is difficult to get there.

AMEND ORDINANCE 12258: LIFT CONDITION
(Continued)

Mr. Pratt stated it is not convenient to get the trucks in-and-out and turn around; that there is an economic factor having to do with fuel and wear and tear on vehicles going up and down the Ridge as it is big equipment and harder to drive them up and down the Ridge.

Councilwoman Scott asked if that is the only property he has, the two pieces; that it is either up there on the Ridge or on East Brainerd Road.

Mr. Pratt stated Ms. Jones mentioned that he owns the property behind that on East Brainerd Road; that it is a residential area and he rents it to some folks and bought all three at one time from the same individual.

Councilman McGary asked the basis for the denial from the Planning Commission.

Councilman Benson stated Mr. Hutsell appeared before the Planning Commission and raised objections to the manipulation to put what was essentially a small billboard where it was not supposed to be advertising the tree service which hung from a boom swinging close to East Brainerd Road in a residential area.

After the vote, Mr. Pratt stated the request was to make it residential, as well. Vice Chairman Murphy clarified that the zoning stays the same.

On motion of Councilwoman Ladd, seconded by Councilwoman Berz,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 38, ZONING ORDINANCE, AS AMENDED BY ORDINANCE
NO. 12258 SO AS TO ALLOW RESIDENTIAL USE ON PROPERTY LOCATED
AT 1101 GREENS ROAD, BEING MORE PARTICULARLY DESCRIBED
HEREIN, SUBJECT TO CERTAIN CONDITIONS**
was denied.

REZONING

2012-043: Thomas Austin

Pursuant to notice of public hearing, the request of Thomas Austin to rezone property located at 122 West Main Street and 1512 and 1514 Williams Street came on to be heard.

The applicant was present; there was no opposition.

REZONING (Continued)

On motion of Councilman McGary, seconded by Councilwoman Ladd,
AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 122 WEST MAIN STREET AND 1512 AND 1514 WILLIAMS STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS
passed first reading.

REZONING

2012-051: Jay Caughman

Pursuant to notice of public hearing, the request of Jay Caughman to rezone property located at 36 East Main Street came on to be heard.

The applicant was present; there was no opposition.

On motion of Councilman McGary, seconded by Councilwoman Ladd,
AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 36 EAST MAIN STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE
passed first reading.

FRANCHISE

City Attorney McMahan clarified that this matter has to be advertised five days prior to passage on second reading. He declared a public hearing in process and asked if anyone was present wanting to speak on this matter; no one gave indication of wanting to speak; the hearing was duly closed.

On motion of Councilman McGary, seconded by Councilwoman Ladd,
AN ORDINANCE GRANTING UNTO LIBERTY TOWER, LLC A FRANCHISE TO CONSTRUCT AND MAINTAIN A PEDESTRIAN WALKWAY LOCATED ACROSS THE 200 BLOCK OF 6TH STREET (CASE NO. 2012-037), AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS
passed first reading.

CONTRACT

On motion of Councilman McGary, seconded by Councilwoman Berz,
A RESOLUTION AUTHORIZING THE CHIEF OF THE POLICE DEPARTMENT TO AWARD A CONTRACT TO CHAZLER, INC. FOR THE SECOND FLOOR BUILD-OUT LOCATED AT THE POLICE SERVICE CENTER, IN THE AMOUNT OF SEVENTY-TWO THOUSAND ONE HUNDRED DOLLARS (\$72,100.00)
was adopted.

CONVEYANCE OF PROPERTY

Councilwoman Ladd made the motion to move Resolution (d) forward on the agenda; Councilman McGary seconded the motion; the motion carried.

Councilwoman Berz stated the alternate version of this Resolution might be more appropriation and made the motion to approve; Councilman Gilbert seconded the motion.

On motion of Councilwoman Berz, seconded by Councilman Gilbert,
A RESOLUTION AUTHORIZING CONVEYANCE OF DOGWOOD MANOR TO THE CHATTANOOGA HOUSING AUTHORITY IN EXCHANGE FOR THE POSS HOMES SITE AND ANOTHER FOUR ACRE PARCEL
was adopted; Vice Chairman Murphy voted "no".

AGREEMENT

On motion of Councilwoman Berz, seconded by Councilman Gilbert,
A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONSENT AND CONFIRMATION TO A MODIFICATION AGREEMENT BETWEEN FIRST TENNESSEE BANK AND THE CHATTANOOGA METROPOLITAN AIRPORT AUTHORITY TO REDUCE THE INTEREST RATE ON A 2009 BOND ISSUE, FROM 5.41% PER ANNUM TO 3.54% PER ANNUM
was adopted.

CHANGE ORDER

On motion of Councilwoman Ladd, seconded by Councilwoman Scott,
A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR BROWN AND CALDWELL FOR THE EQUIPMENT MAINTENANCE AND RELIABILITY IMPROVEMENT PROGRAM WHICH INCREASES THE CONTRACT BY TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00), FOR A REVISED CONTRACT AMOUNT OF ONE MILLION EIGHT HUNDRED TWENTY-THREE THOUSAND EIGHT HUNDRED DOLLARS (\$1,823,800.00)
was adopted.

OVERTIME

Overtime for the week ending June 7, 2012 totaled \$5,901.31.

COUNCILWOMAN LADD EXCUSED HERSELF FROM THE MEETING AT THIS POINT.

PERSONNEL

The following personnel matters were reported for the various departments:

PARKS AND RECREATION DEPARTMENT:

- **BENJAMIN EUDY** – Hire, Recreation Specialist, Range 9, \$27,500.00 annually, effective May 29, 2012.

PUBLIC WORKS DEPARTMENT:

- **KATIE LEONARD** – Hire, Laboratory Technician, Waste Resources, Range 12, \$31,021.00 annually, effective June 1, 2012.

CHATTANOOGA FIRE DEPRATMENT:

- **JESSICA PARKS** – Hire, Personnel Assistant, Range 8, \$25,521.00 annually, effective May 18, 2012.
- **DAVID HULLANDER** – Reinstatement, Firefighter Senior, Range F2A, \$46,750.46 annually, effective May 23, 2012.
- **GEORGE RATLEDGE, JR.** – Resignation, Firefighter Senior, effective June 3, 2012.
- **KEVIN YOUNG** – Resignation, Firefighter, effective June 4, 2012.
- **JEFFREY MCCOMMON** – Resignation, Firefighter Senior, effective June 5, 2012.

PERSONNEL (Continued)

CHATTANOOGA POLICE DEPARTMENT:

- **KRISTINA HOPKINSON** – Termination, School Patrol Officer, effective June 4, 2012.

SOLDIERS AND SAILORS AUDITORIUM

Admin. Crutchfield acknowledged the presence of members of the Soldiers and Sailors Campaign who want to voice their support for the Auditorium and civic facilities. She introduced Jim Bailiff, Mike Serna, Judy Serna and Daisy Pratt.

Jim Bailiff of 480 Patten Chapel Road stated he has been a member of this community since 2004 and referenced the city's Seal and the implement of a soldier noting that it was his privilege this morning to lay to rest one of his church members in the National Cemetery. He stated there is not a lot to do at the National Cemetery other than what was done this morning, but there is a place on McCallie that is dedicated to soldiers and sailors, veterans, the War Memorial Auditorium and sees all three as a very significant part of this scenic city noting that there are treasures contained within the building. He stated before he moved here he knew about Chattanooga for a long time because of what is in the Memorial Auditorium in the Austin Organ which is world famous as there are only six in the whole world and one of them is here! He stated it takes vision in order to see the possibility, the potential; that he would definitely ask that that kind of vision be used and take advantage of what is here; that the Memorial Auditorium is another one of those treasures and asked that it be moved way up on the list of priorities as it is something that cannot be replaced; that if torn down not only a federal thing would be lost but real treasures within the building. He stated the person he buried this morning was 86 years old and served in World War II as an air force pilot and would come to everything when there was a program featuring veterans which was a very special place to him. He stated our veterans proudly stand when they are recognized and extended a personal invitation to all to a program scheduled June 26.

Vice Chairman Murphy expressed thanks to those in attendance on this matter.

Admin. Crutchfield stated she spoke with the head of the Medal of Honor Museum this morning and they do not feel privatizing the facilities would work, either. She stated she would forward some of their thoughts to the Council.

PURCHASES

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

CHATTANOOGA FIRE DEPARTMENT:

MASIMO AMERICAS (Lower and better bid)
R58905/301939

Purchase of Three (3) Masimo Rad 57 Handhelds

\$13,461.00

CHATTANOOGA POLICE DEPARTMENT:

SHELF PLUS (Lower and better bid)
R58153 AND R58172/301903

Purchase of Lektriever Filing System

\$77,198.00

GENERAL SERVICES

BROOKER FORD, INC. (Lower and better bid)
R58990/301987

Purchase of Five (5) Ford Explorer Police Package

\$125,170.00

LEE-SMITH, INC. (Lowest and best bid)
R58935/301908

Purchase of a Hook Hoist Truck

\$94,184.00

PURCHASES (Continued)

PUBLIC WORKS DEPARTMENT:

UNIVERSAL SERVICE, INC. (Lowest and best bid)
R58225/301904

Blanket Contract for Line & Tank Cleaning Services

\$250,000.00 – Annual approximation

VAUGHAN COMPANY (Lowest and best bid)
R58441/301916

Purchase of Two (2) Chopper Pumps

\$19,112.00

PIPING & CORROSION SPECIALITIES (Lower and better bid)
R58031/301905

Purchase of a Cathodic Protection System

\$71,068.00

CONTROL DESIGN SUPPLY (Lowest ad best bid)
R58773/301931

Purchase of Two (2) Drive Contactors

\$15,329.28

ACCELA AUTOMATION COMPANY (Single source)
R59641

Purchase of Software Maintenance per TCA 6-56-304-2

\$57,089.01

PURCHASES (Continued)

CUMMINS POWER SOUTH, LCC (Lower and better bid) R58869/301294

Purchase of One (1) Generator

\$32,399.00

BOARD RE-APPOINTMENTS

On motion of Councilman McGary, seconded by Councilwoman Berz, the following Board re-appointments were approved:

ELECTRIC POWER BOARD:

- Re-appointment of **HAROLD COKER** and **VICKY GREGG** for five year terms expiring April 15, 2017.

BESSIE SMITH STRUT

Councilman McGary expressed congratulations, well wishes and overwhelming gladness for what happened at the Bessie Smith Strut on yesterday. He thanked the Police Department, the Mayor, his colleagues, Friends of the Festival -- all the players who worked together to make the Strut one of the most successful and safest we have ever had. He stated he looks forward to next year, as well as the discussion at the end of this month about the contracts going forward with the Strut and the Riverbend Festival noting it will be a very productive conversation.

CITY'S WEBSITE

Councilwoman Scott stated that the agenda is posted on the website and asked that backup documentation be posted on the website not only for the Council but for the public as a way of allowing them to look at the documents we see with the exception of those that would relate to law suits under attorney/client privilege. She stated it would save us quite a bit of zeroxing time, save a lot of paperwork and allow the public, whose business we do on a weekly basis, an opportunity to look at the documents ahead of time just as we look at them.

CITY'S WEBSITE (Continued)

Vice Chairman Murphy stated the question deals most germanely with the jurisdiction of Councilman Benson's Committee as it was given custody of the website.

Councilman Benson stated he would schedule an Economic Development Committee and noted he does not know how it relates to his committee.

Vice Chairman Murphy stated it was one of those "orphans" that the Chair and Vice Chair decided was going to go with him.

Councilman McGary stated in 2010, the second year of this Council, he introduced the idea of passing an open government policy with the idea Councilwoman Scott just described; that we as a body put forth the information we receive in a manner that is easily accessible by our constituencies. He stated that resolution has passed and it has been put out; that the only thing missing is implementation and actually pushing it. He stated he has spoken with Mark Keil and individuals at IS about this process and would love to have a more indepth conversation about making this a reality.

City Attorney McMahan stated this responsibility would totally be with him and his staff; that he will coordinate with Mr. Keil and does think there is a problem with the web space and will report back in a couple weeks if that would be satisfactory.

Councilwomen Berz added she likes the idea as we should be totally transparent; that Councilwoman Scott is talking about the backup documentation for purchases and decisions we make; that it would be nothing of a privileged attorney/client nature. She stated she does not know if there is anything that much to discuss about it other than if we should do it.

Vice Chairman Murphy stated he does not know if there will be any technical issues; that this has been the policy of this Council and the fact it has not happened leads him to believe there is some kind of process or technical situation that needs to be dealt with; that it can be dealt with and report back.

Councilman McGary stated in his conversation with Mr. Keil one of the points was the redevelopment of the city's website, so now that it has been recently re-launched it is very appropriate to have this conversation.

COMMITTEES

In the absence of Councilman Rico, Vice Chairman Murphy scheduled a meeting of the **Public Works Committee for Tuesday, June 19** immediately following the Agenda Session.

Councilwoman Berz reminded Council members of the educational session of the **Budget and Finance Committee scheduled for Tuesday, June 19 from 10 a.m. – noon** to finish discussion on the operational budget and to start discussion on the 2012-13 capital budget. She stated on next week's agenda will be the first reading of the operational budget as discussed earlier.

NEXT WEEK'S AGENDA: JUNE 19, 2012

Vice Chairman Murphy asked if there were any questions regarding next week's agenda; being none the meeting continued.

RULES OF PROCEDURE FOR ADDRESSING THE COUNCIL

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 BERNSTEN

Jeff Bernsten of 3922 Volunteer Drive with the Service Employees International Union (SEIU) referenced the discussions at today's budget meeting and expressed hope he would be recognized but was not during the session. He stated he wanted to discuss the 3% raises that are to be given at this point for the 1800 general employees noting that general employees have not received a raise since 2008 and even at that time the insurance rate hike went up and many of them did not receive anywhere near a 3% raise. He stated some may remember the Union wanted to get a dollar-an-hour raise and at that time the 3% was for all 2,500 employees and the dollar-an-hour would have been \$75,000, less expensive than a 3% raise; that it was not approved as the Council missed it by one vote. He stated today it is his understanding we are looking at being fair across the board noting he does not want to take anything from Police and Fire as they have a career ladder and the general employees do not; that he thinks 3% is fair if it is going to be the 3% spread across everybody.

JEFF BERNSTEN

Mr. Bernsten stated Councilman Murphy was right it is going to be roughly around a percent; that if we do that he would say one dollar-an-hour raise is five million; that fifty cents would be \$2.5 million which would be a bigger raise for the whole city up to \$100,000 than one percent would. He stated for people making \$25,000 – \$27,000 a year a 3% raise is about \$710.00; if they receive fifty cents that is \$1,040, a bigger raise; that the budget was \$2.8 million for the raises which would be \$2.5 million. He stated it is his thought we can do a lot better; that he thinks employees deserve 3% if we are looking at trying to help the lower tier, fifty cents is better than one percent, better than 3%; that it is Council's choosing.

Councilwoman Berz explained to Mr. Bernsten that he was not recognized today as it is the policy in work sessions, not committee hearings, not to recognize the general public which is why he was not. She thanked him for coming tonight as his points are well taken noting that he probably had a better audience here. She asked that he take no offense as he was not singled out for not being heard.

Mr. Bernsten stated he was present last week and a couple union representatives were able to speak. He expressed agreement with Councilman Rico for the first time to leave it at the 3%.

Councilman McGary stated he wanted to make sure that the details of the meeting were properly captured; that the substance of his and Councilman Murphy's motion is we take the \$2.8 million funds that are available, once longevity and other obligations are subtracted that is \$1.2 million that is now allocated for the raise, whether it is a 3% just for civilians, 3% for civilian and sworn, whether it is some combination or whatever, what is there is \$1.2 million to "play with". He stated the essence of their concern is a person that is a police officer and not part of the step increase that person has not received a pay increase either; if they are part of the fire department, a similar situation. He stated it is arbitrary to make a distinction between civilian and sworn if we are going to truly talk about pay raises for everybody as there is \$1.2 million to "play with". He asked to be shown the best option and he will vote for it and if that is better than one percent so be it; that whatever that is that is in the best interest of everyone he will vote for it as this is his feeling on the issue and is not speaking for anyone else.

MIKE WILSON

Mike Wilson of 5323 Hunter Road, Ooltewah, Tennessee stated that he knows it is time for the city's budget hearings and does not know if the Council ever realized there needs to be more security at City Council. He stated he is not taking anything away from the Chattanooga Police Department but knows in a lot of state and city buildings there is screening for weapons. He stated he has been in front of the Council when there was a rowdy audience and most of the decisions are either a win or loss for someone and (he) has seen tempers flare. He asked if there has been consideration for safety of them as they are like a target at an arcade, as well as safety for the audience. He asked if there has been any discussion on more safety.

Vice Chairman Murphy stated there has been a lot of discussion about security arrangements but does not think it is appropriate to talk about them publicly at this time. He stated there have been changes made in this term of office.

Councilman Benson stated Mr. Wilson should know what he is talking about as he lives in an area we annexed and he is a good citizen who knows what some people think about the annexation.

Vice Chairman Murphy thanked Mr. Wilson for his care and consideration both for the general public and the Council; that it is very kind of him to be concerned and voice it. He stated the Council has looked at other options and will continue to do so going forward.

Councilman Benson stated at a meeting recently all the people were blaming the Mayor and Council for annexation and Mr. Wilson did not want to be annexed; that Mr. Wilson stood up and said "don't blame the Mayor and Council, blame yourselves because you moved out here;" that "I was born out here years ago and you brought urbanization out here". He expressed appreciation for Mr. Wilson's fair attitude.

SGT. JEFFREY REARDEN

Sgt. Jeffrey Rearden of the Chattanooga Police Department invited Council members to an open car show at Finley Stadium on June 30; that there will be 400-500 classic cars, new car dealerships and children will have "bounce houses" to play on. He stated they are expecting 3,000 – 5,000 visitors and distributed fliers to everyone. He stated it is a non-profit event for the American Red Cross and urged everyone to attend!

ADJOURNMENT

Vice Chairman Murphy adjourned the meeting of the Chattanooga Council until Tuesday, June 19, 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)