

Municipal Building  
Chattanooga, Tennessee  
March 18, 1997

The meeting of the Chattanooga City Council was called to order by Chairman Hakeem with Councilmen Crockett, DiStefano, Eaves, Hurley, Lively, Pierce, Rutherford and Swafford present. City Attorney Randall Nelson and Council Clerk Carol O'Neal were also present.

INVOCATION

Invocation was given by Councilwoman Hurley.

MINUTE APPROVAL

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

SPECIAL PRESENTATION TO MAYOR GENE ROBERTS

Carlos Smith was present representing TAPA and introduced Tommy Wilson and Molly Sasse (Allied Arts). He expressed appreciation for the Council allowing them to be present to honor Mayor Roberts; that art is important to the entire community. He stated four-or-five years ago there was an article that commented on the fact that art and music in the community is very critical to the advancement of jobs; that through art and music you have many creative activities. He stated the Mayor has been a staunch supporter of the entire community. At this point Mr. Smith presented the Mayor with a replica of the Tivoli Theater with an inscription expressing appreciation for all he has done for the community and arts, in particular. He stated it is his hope the replica conveys how much the Mayor is appreciated and the joy he has brought to the entire citizenry.

Tommy Wilson stated he is most appreciative of the Mayor's support and made reference to the great numbers of students who have been bussed to the Tivoli for various performances; that young people have an opportunity see programs that they otherwise will not have had opportunity to see.

SPECIAL PRESENTATION TO MAYOR GENE ROBERTS (Cont'd.)

Mayor Roberts thanked everyone involved with the presentation; that he will treasure and display the replica prominently in his home; that it is very nice and he is truly appreciative. He expressed hope that funding for the arts will continue to find an enthusiastic reception; that it has been important for our young people in school, for those who attend various performances, for all the wonderful introductions to arts and the classics. He expressed thanks for all the things Allied Arts does and again expressed gratitude for the presentation.

DIETMAR HAHLOWIG

Mayor Roberts presented Dr. Dietmar Hahlwig, former Mayor of Erlangen, Germany. He stated Dr. Hahlwig has been a guest of Chattanooga for several days and has had a whirlwind tour of the city. He stated Dr. Hahlwig leaves tomorrow heading to Washington and Pennsylvania; that he is a Fulbright Scholar and has a lot of provocative insight about downtown development.

Dr. Hahlwig expressed thanks to Mayor Roberts, the citizens of Chattanooga, the Chairman and Council for an opportunity to say a very few words. He stated the city of Erlangen was lucky to have had Mayor Roberts for a few hours when he visited the city; that he made a presentation and told them the success story of Chattanooga after having had big problems and how it has changed. He stated they were very much impressed that public-private partnerships work together with the citizens to make much possible; that he was curious to see this and can tell the Council that in the last two days he has really been overwhelmed at what has been made possible by working together with all people of good ideas and strengths. He stated Chattanooga's way of making it a livable and sustainable city is a very good way and the term "sustainable" is a very good idea as it brings together economy, ecology and social questions. He expressed that much has been achieved already; that culture is a very important factor for the attractiveness of every city in the world. He wished everyone good luck for further good results.

Chairman Hakeem stated Chattanooga is a progressive city; that Dr. Hahlwig has shown there are opportunities to improve on what we have. He expressed appreciation to Dr. Hahlwig for his comments.

DESIGNATION AS RALPH H. COTHRAN  
POLICE SERVICES CENTER

Councilman Swafford made the motion to move Resolutions 7(m) and 7(n) up on the agenda; Councilman DiStefano seconded the motion; the motion passed.

Mayor Roberts expressed thanks to the Council for inviting Mrs. Cothran; that he thinks this is the appropriate designation for the Police Services Center; that it still has the Gene Roberts Center on it somewhere. He reiterated his feeling that this is appropriate that the Chief will be so honored.

Mrs. Cothran expressed thanks to Mayor Roberts, Chairman Hakeem and other members of the City Council and friends; that her family appreciates the two resolutions honoring Chief Cothran. She also expressed thanks to other members of the community who worked behind the scenes to perpetuate the memory of Chief Cothran, which shows his work was not in vain; that even in his death he can inspire young men and women in Chattanooga.

On motion of Councilman Pierce, seconded by Councilman DiStefano,  
A RESOLUTION DESIGNATING THE POLICE SERVICES CENTER AS  
THE CHIEF RALPH H. COTHRAN POLICE SERVICES CENTER  
was adopted.

CONTRACT: CESSNA DECOSIMO

Councilman DiStefano stated he will have to recuse himself from voting on this matter as it is a direct conflict; that Cessna DeCosimo is the son of his employer.

On motion of Councilman Pierce, seconded by Councilman Swafford,  
A RESOLUTION TO AUTHORIZE THE MAYOR TO CONTRACT WITH  
CESSNA DECOSIMO TO PRODUCE BUST(S) OF THE LATE CHIEF  
RALPH H. COTHRAN AT A COST NOT TO EXCEED NINE THOUSAND,  
FIVE HUNDRED AND NO/100 DOLLARS (\$9,500.00)  
was adopted; **Councilman DiStefano recused himself from voting.**

SPECIAL PRESENTATION TO BRAINERD  
HIGH SCHOOL "PANTHERS"

Mayor Roberts stated the Brainerd "Panthers" were State Champions last year and are State Runners-Up this year. He stated this is a good program and Brainerd has been one of the tops in the state for years; that a lot of credit goes to the Coaches. He stated Chattanooga is very proud of them and the way they conduct themselves on and off the court; that they are setting a good example for those that follow them. He reiterated Chattanooga is very pleased and proud of their showing this year.

Chairman Hakeem stated the special presentation to the "Panthers" was somewhat delayed so that they could have a few minutes to see what the Council does at City Hall; that what happens here affects everyone's lives in Chattanooga in many ways. He made reference to the city's overseas visitor (Dr. Hahlwig) stating there are opportunities for us to get involved in government and make a difference. He stated what the "Panthers" have accomplished is great; that everyone should think about all the high schools there are in Tennessee and all the young people who have tried to get where the "panthers" have been; that they have accomplished much as a team and know what it is like to work with someone else. He stated they might not have reached the pinnacle they desired, but are winners as they are an example for those that come behind them. He stated Coaches High and Byron and Ms. Donahue are people who are dedicated and committed to them and are making them good citizens. He asked that they continue to do the good things they are doing.

Coach Robert High stated in December of 1996 he never thought at that point the team was capable. He stated the team went out and played extremely well; that they knew they had a chance to win the state championship. He stated they wanted to bring the gold ball home; that the next best thing is the silver ball and they brought the silver ball home. He stated there were over 300 teams trying to get to Murfreesboro just for a chance to win; that they were one of the final two teams in AAA competition. He stated many people are behind this program and people support them everywhere they go. He stated he, Coach Byron and Ms. Donahue try to develop these young men into good citizens, which is their main purpose in getting them involved in something constructive. He stated they have a chance to see them develop and having them involved in something keeps them out of a lot of trouble; that they try to expose them to a lot of situations.

SPECIAL PRESENTATION TO BRAINERD  
HIGH SCHOOL "PANTHERS" (Cont'd.)

Coach High stated they like to travel; that there is a need for them to raise somewhere between \$8,000 - \$10,000 to go to Alaska December 17-21, 1997 to compete in an "Alaskan Shoot-out;" that they would like to be able to explore a lot of different cultures. At this point he introduced the team members and Mary, the scorekeeper, who had a stroke a few years prior; that she is back and is again part of them. On behalf of the entire "Panther" family Coach High expressed thanks to the Council for giving them an opportunity to come down and be recognized, which shows how much they are appreciated for what they have done.

Councilman Swafford echoed what was said by Chairman Hakeem; that Brainerd High School falls within his district (District 5). He stated he wishes he could have been physically able to participate in sports, but has always been a big supporter of athletics and was a trainer throughout high school. He stated this kind of activity keeps youth occupied and builds teamwork; that he found out most of the people involved in sports tended not to come through Juvenile Court during the time he was employed there. He stated Chattanooga is extremely proud of them. At this point he presented a Certificate of Appreciation to the them and a replica of the key to the city to each member and Coach.

PROCLAMATION FOR UTC "MOCS"

Mayor Roberts read a proclamation of support for the UTC "Mocs" which designated this week as "Chattanooga 'Moc' Week." He secured the signature of each Council member on the certificate.

DELEGATION OF AUTHORITY AND  
AUTHORIZATION/EXECUTION OF  
AGREEMENT

Councilman Swafford made the motion to move Resolution 7(1) up on the agenda; Councilman Crockett seconded the motion; the motion passed.

On motion of Councilman Crockett, seconded by Councilwoman Hurley,  
A RESOLUTION TO MAKE CERTAIN FINDINGS RELATIVE TO THE  
KENCO GROUP, INC. PROJECT, TO DELEGATE CERTAIN  
AUTHORITY TO THE INDUSTRIAL DEVELOPMENT BOARD OF THE  
CITY OF CHATTANOOGA, AND TO AUTHORIZE THE MAYOR TO  
ENTER INTO AND EXECUTE AN AGREEMENT FOR PAYMENTS IN  
LIEU OF AD VALOREM TAXES  
was adopted; **Councilman Lively recused himself from voting.**

REZONING

1996-281: Thomas M. Akins

On motion of Councilman Eaves, seconded by Councilman Lively, AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 7003 TYNER ROAD, BEING ON THE NORTHEAST LINE OF TYNER ROAD NORTHWEST OF KIRKMAN ROAD FROM R-1 RESIDENTIAL ZONE AND R-3 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE AND R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE passed second reading. On motion of Councilman Pierce, seconded by Councilwoman Rutherford, the ordinance passed third and final reading and was signed in open meeting.

CLOSE AND ABANDON

1997-005: Steve Rambalacos

On motion of Councilman Pierce, seconded by Councilwoman Rutherford, AN ORDINANCE CLOSING AND ABANDONING NORTH 11TH STREET LOCATED NORTHEAST FROM CRUTCHFIELD STREET, BETWEEN AMNICOLA HIGHWAY AND BELLE-ARBOR AVENUE, MORE PARTICULARLY DESCRIBED HEREIN passed second reading. On motion of Councilman Swafford, seconded by Councilman Pierce, the ordinance passed third and final reading and was signed in open meeting.

REZONING

1997-026: David W. Hoover

On motion of Councilman Lively, seconded by Councilman Pierce, AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED IN THE 1300 BLOCK OF HICKORY VALLEY ROAD, BEING ON THE SOUTHEAST LINE OF HICKORY VALLEY ROAD AT INTERSTATE 75, FROM O-1 OFFICE ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS passed second reading. On motion of Councilman Pierce, seconded by Councilwoman Rutherford, the ordinance passed third and final reading and was signed in open meeting.

REZONING

1997-031: City of Chattanooga

On motion of Councilwoman Rutherford, seconded by Councilman Pierce, AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 5300 BRAINERD ROAD, BEING ON THE SOUTHWEST LINE OF BRAINERD ROAD AT MCBRIEN ROAD AND BROOKS AVENUE, FROM R-4 SPECIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS passed second reading. On motion of Councilwoman Rutherford, seconded by Councilman Pierce, the ordinance passed third and final reading and was signed in open meeting.

REZONING

1997-033: R. Edward Demars

Mr. Bennett stated there is also a Version "D" for this ordinance; that he has spoken with the applicant who has no problem with this version which has been amended to rezone C-5 for neighborhood commercial with three conditions.

Councilman Crockett asked if the applicant had opportunity to view the various versions prior to tonight's meeting. The applicants responded that they had not seen it prior to this moment.

Councilman Crockett made reference to Section II where it indicates a site plan; that should they change it, it might be easier to add "subject to landscaping ordinance conditions."

Mr. Bennett stated C-5 is being requested as opposed to C-2 because of the uses C-2 would allow; that C-5 is the neighborhood commercial district and most of the uses that were mentioned would be permitted. Councilman Crockett inquired as to the specific uses for the C-5 zone. Mr. Bennett read from the zoning ordinance as to the permitted uses in the C-5 zone. Councilman Crockett stated based on what was said is the intended use, C-5 fits all those things.

Chairman Hakeem stated if the Council moves forward with this tonight it will be on first reading due to the caption change to C-5, with second and third next week.

Councilman DiStefano stated the conditions indicate a site plan is attached. Mr. Bennett stated the Clerk of the Council has the site plan.

REZONING (Cont'd.)

Robert Brown was present representing the applicants, Mr. & Mrs. DeMars. He stated they are the owners of the property, not only of the subject tract but are the owners of the adjoining tract which is already zoned C-2. He stated they have no problem, to their knowledge, in working with the Council to arrive at certain conditions; that he faxed City Attorney Nelson some suggested language for consideration; that the conditions that are incorporated in Version "D" are acceptable. He stated the one thing that is of concern to them is the change from the zoning category; that this is new to them; that their concern involves the adjacent tract which is zoned C-2. He stated the C-5 is what he cannot figure out and what it does in developing the entire tract; that he would request that the entire tract be kept C-2 or have the matter deferred and let them study it as he is not a zoning expert.

Councilman Swafford stated he might be willing to defer; that this is close to his area. He stated if they do not want to accept C-5 and still have a concern about C-2 he is willing to defer it.

Mr. Brown was asked how long he felt the matter needed to be deferred. Mr. Brown responded, "between now and this time next week."

Councilman Pierce stated reference was made to the adjoining property; that in looking at the map the other side is R-1. He asked how far is the Council going to let this intrude into R-1; that the Council should think about it.

Mr. Brown stated he has no quarrel with that; that this is not a high residential area because of the traffic.

On motion of Councilman Swafford, seconded by Councilwoman Rutherford,

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 4517 BONNY OAKS DRIVE, BEING ON THE NORTHEAST LINE OF BONNY OAKS DRIVE SOUTHEAST OF WILSON STREET, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS  
**was deferred one week.**

**(COUNCILMAN EAVES EXCUSED HIMSELF FROM THE MEETING AT THIS POINT.)**



AMEND ZONING ORDINANCE

On motion of Councilwoman Rutherford, seconded by Councilman Lively, AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO AMEND ARTICLE V, SECTION 504 AND ARTICLE VII, SECTION 107(8) RELATIVE TO PERMITTING OUTDOOR AMUSEMENT FACILITIES IN THE C-1 HIGHWAY COMMERCIAL ZONE passed second reading. On motion of Councilwoman Rutherford, seconded by Councilman Lively, the ordinance passed third and final reading and was signed in open meeting.

AMEND CITY CODE: ESTABLISH FEES  
FOR WARNER PARK ZOO

On motion of Councilman Lively, seconded by Councilman Swafford, AN ORDINANCE AMENDING THE CHATTANOOGA CITY CODE, PART II, CHAPTER 26, SO AS TO CREATE A NEW ARTICLE VI, RELATIVE TO THE WARNER PARK ZOO AND TO ESTABLISH FEES passed second reading. On motion of Councilwoman Rutherford, seconded by Councilman Lively, the ordinance passed third and final reading and was signed in open meeting.

AMEND CITY CODE: FIRE DISTRICT  
BOUNDARIES

On motion of Councilwoman Hurley, seconded by Councilman Swafford, AN ORDINANCE AMENDING THE CHATTANOOGA CITY CODE, PART II, SECTION 10-5, SO AS TO EXCLUDE TWO (2) TRACTS FROM THE FIRE DISTRICT BOUNDARIES passed second reading. On motion of Councilman Distefano, seconded by Councilwoman Hurley, the ordinance passed third and final reading and was signed in open meeting.

COMMUNITY DEVELOPMENT BLOCK GRANT  
FUNDS

Admin. Traughber stated there was a project that was approved by the Advisory Committee and discussed in Budget Committee but was left off the original Resolution. He stated there was a \$100,000 funding to the North Chamberlain Avenue Road Project; that under Admin. Marcellis' appropriation the 1996-97 contingency needs to be reduced by \$100,000.

COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (Cont'd.)

City Attorney Nelson amended the Resolution in open meeting to reflect the addition of the North Chamberlain Avenue Road Project, in the amount of \$100,000, and corrected the total amount of the funding schedule to reflect \$4,481,000.

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley,

A RESOLUTION APPROVING FISCAL YEAR 1997-1998 COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIP ACT AND EMERGENCY SHELTER GRANT FUNDING AS SHOWN MORE FULLY HEREINBELOW

was adopted.

MEMORANDUM OF AGREEMENT:  
CHATTANOOGA HOUSING AUTHORITY

On motion of Councilman Distefano, seconded by Councilman Swafford,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF GENERAL SERVICES TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE CHATTANOOGA HOUSING AUTHORITY RELATIVE TO CONSULTING SERVICES WITH GRANT PLANNING/PREPARATION ON THE SOUTHERN STREET AFFORDABLE HOUSING PROJECT, NOT TO EXCEED \$15,000.00

was adopted.

DECLARE SURPLUS

On motion of Councilman Crockett, seconded by Councilman Distefano,

A RESOLUTION DECLARING CERTAIN PROPERTY LOCATED AT 2800 DODSON AVENUE AS SURPLUS AND AUTHORIZING THE DONATION OF SAID SURPLUS PROPERTY TO HABITAT FOR HUMANITY FOR THE DEVELOPMENT OF SINGLE FAMILY RESIDENCES

was adopted.

INSTALLATION OF FIRE HYDRANTS

On motion of Councilman Lively, seconded by Councilman Pierce,

A RESOLUTION AUTHORIZING THE INSTALLATION OF THREE (3) FIRE HYDRANTS FOR PUBLIC FIRE PROTECTION AT A LOCATION MORE PARTICULARLY DESCRIBED HEREIN, AND AUTHORIZING PAYMENT OF THE TARIFF THEREFOR

was adopted.

SPECIAL POLICEMAN

Councilman Pierce asked if this person has been certified. Deputy Chief Gloster stated he did not talk with Admin. Dinsmore before he left.

The question was raised as to whether this is an armed officer. Deputy Chief Gloster indicated he would not be armed and was under special conditions.

On motion of Councilman Swafford, seconded by Councilwoman Hurley, A RESOLUTION AUTHORIZING THE APPOINTMENT OF THOMAS M. SMITH AS A SPECIAL POLICEMAN FOR THE CHATTANOOGA - HAMILTON TRADE CENTER, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS was adopted.

REVOKE SPECIAL COMMISSION

On motion of Councilwoman Rutherford, seconded by Councilman DiStefano,

A RESOLUTION TO REVOKE THE SPECIAL COMMISSION OF ROBIN FRANKS was adopted.

AMEND POLICE MANUAL

City Attorney Nelson stated part of the procedure deals with dead bodies which makes reference to the coroner; that that is now handled by the Medical Examiner. He stated there are a number of changes which have to be made and until that is done the whole Order is being deleted in its entirety.

On motion of Councilwoman Hurley, seconded by Councilman Lively, A RESOLUTION TO AMEND THE POLICE MANUAL BY DELETING MANUAL ORDER NO. 2.18 was adopted.

CONTRACT: BARGE, WAGGONER, SUMNER AND CANNON, INC.

On motion of Councilman DiStefano, seconded by Councilman Swafford, A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF PARKS AND RECREATION TO ENTER INTO A CONTRACT WITH BARGE, WAGGONER, SUMNER AND CANNON, INC., RELATIVE TO IMPROVEMENTS AND ADDITIONS TO CARVER PARK, FOR A FEE NOT TO EXCEED TWENTY-FIVE THOUSAND (25,000.00) was adopted.

AGREEMENT: TENNESSEE DEPARTMENT  
OF TRANSPORTATION

On motion of Councilman DiStefano, seconded by Councilwoman Rutherford,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION TO PAY THE CITY OF CHATTANOOGA THE COSTS OF RELOCATING SEWER LINES FOR THE JENKINS ROAD CONNECTOR IN THE VICINITY OF I-75

was adopted.

AMEND RESOLUTION NO. 21017

Councilman DiStefano explained that this matter deals with the viaduct and railroad; that it is just a modification of about \$22,000 for a final billing. City Attorney Nelson stated it is more like \$18,000. Ms. Pasley stated change orders had to be made; that the amount covers the additional cost for the change orders.

On motion of Councilman DiStefano, seconded by Councilman Lively,

AMEND RESOLUTION 21017, ENCAPTIONED "A RESOLUTION TO AMEND RESOLUTION 19674, ENCAPTIONED 'A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION, RELATIVE TO SHARING OF COST FOR THE CONSTRUCTION AND MAINTENANCE OF AN OVERHEAD BRIDGE STRUCTURE AT MCCALLIE AVENUE, PROJECT NO. BR-STP-2(18), WITH THE CITY PAYING TO THE DEPARTMENT OF TRANSPORTATION AN AMOUNT NOT TO EXCEED ONE MILLION ONE HUNDRED TWENTY THOUSAND TWO HUNDRED FORTY NINE AND NO/DOLLARS (\$1,120,249.00) UPON RECEIPT OF SEMI-ANNUAL INVOICES FROM THE STATE OF TENNESSEE DURING THE COURSE OF THIS CONSTRUCTION PROJECT, SAID FUNDS TO BE ADVANCED AND PAID FROM THE GENERAL FUND' SO AS TO INCREASE THE FEE TO ONE MILLION ONE HUNDRED FORTY-TWO THOUSAND AND NO/100 DOLLARS (\$1,142,000.00)" SO AS TO INCREASE THE FEE TO ONE MILLION ONE HUNDRED SIXTY THOUSAND AND NO/100 DOLLARS (\$1,160,000.00).

was adopted.

EMINENT DOMAIN

On motion of Councilman Lively, seconded by Councilwoman Rutherford,  
A RESOLUTION AUTHORIZING THE OFFICE OF THE CITY  
ATTORNEY TO FILE EMINENT DOMAIN PROCEEDINGS AGAINST  
VOLUNTEER BANK & TRUST COMPANY OF HAMILTON COUNTY, FOR  
A RIGHT-OF-WAY ON TRACT NO. 1, WIDENING OF NORTH POINT  
BOULEVARD  
was adopted.

OVERTIME

Overtime for the week ending March 14, 1997 totaled \$56,429.41.

PERSONNEL

The following personnel matters were reported for the Parks and  
Recreation Department:

TERRI L. KEOWN -- Resignation, Fitness Specialist, effective March  
29, 1997.

JOHN M. GREAVES -- Promotion, Fitness Specialist, Pay Grade 10/Step  
1, \$21,321.00 annually, effective March 31, 1997.

PURCHASE

On motion of Councilman Swafford, seconded by Councilman Lively, the  
following purchase was approved for use by the Parks and Recreation  
Department:

NEWTON CHEVROLET (Lower bid meeting city of Chattanooga  
specifications)  
Requisition No. 136667

Purchase of Extended Cargo Van (Includes base bid of \$21,950.00,  
plus ladder rack cross-member weather guard #233 for \$125.00)

\$22,075.00

BOARD APPOINTMENT

On motion of Councilwoman Hurley, seconded by Councilman DiStefano, the following board appointment was approved:

WASTEWATER REGULATIONS & APPEALS BOARD:

--Appointment of GARY SWANSON for a term to expire February 23, 1998.

PERSONNEL

The following personnel matters were reported for the Public Works Department:

ANDREW L. MOORE -- Family Medical Leave, Laborer III, City-wide Services, effective March 5, 1997 - May 5, 1997.

S. COLIN KINTON -- Promotion, Assistant City Traffic Engineer, Pay Grade 18/Step 2, \$37,908.00 annually, effective January 1, 1997.

HUBERT L. PICKETT -- Retirement, Electrical Foreman, Traffic Management, effective February 28, 1997.

PURCHASES

On motion of Councilwoman Rutherford, seconded by Councilman Swafford, the following purchases were approved for use by the Public Works Department:

ELLIOTT MACHINE AND INDUSTRIAL PRESS MACHINERY  
Requisition No. 137147

Purchase of Twelve Months Requirements Contract for Lasta Filter Press Parts

**(Price Information Available and Filed With Minute Material)**

PREBUL JEEP (Lower and better bid)  
Requisition No. 137166

Purchase of Utility Vehicle (4-Wheel Drive)

\$20,896.91

PURCHASES (Cont'd.)

ELLIOTT MACHINE SHOP (Single Source)  
Requisition No. 137146

Purchase of Twelve Months Contract for Maintenance on Lasta Frames

**(Price Information Available and Filed With Minute Material)**

INDUSTRIAL BOILER MECHANICAL CO. (Lower and better bid)  
Requisition No. 137047

Purchase of Contract for the Installation of Combustor Refractory Lining

\$20,691.00

CLM, INC. (Lower and Better Bid)  
Requisition No. 137179

Purchase of Contract for Grounds Maintenance

\$34,991.00

EUSCO EQUIPMENT CO. (Lower bid meeting city of Chattanooga specifications)  
Requisition No. 134741

Purchase of Bucket Truck

\$56,536.00

CHATTANOOGA FORD TRACTOR SALES, INC. (Lower and better bid)  
Requisition No. 137377

Purchase of Hydraulic Side-Mount Flail Mowers (3 @ \$9,275.00 ea.)

\$27,825.00

REFUNDS

On motion of Councilwoman Hurley, seconded by Councilman DiStefano, the Administrator of Finance was authorized to issue the following refunds:

WHELAND FOUNDRY -- User Surcharge Fee, Overpayment, \$8,827.62

TURNBULL CONE BAKING -- User Surcharge Fee, Overpayment, \$4,125.79

WILLIAM E. SHELTON -- Construction Deposit, Balance of Construction Deposit, \$11,670.67

REFUNDS

On motion of Councilman Pierce, seconded by Councilman Swafford, the Admin. of Finance was authorized to issue the following refunds for 1995 and 1996 Property Taxes:

WAL-MART STORES, INC. -- Bill No. 59323, Assmt. Change, \$5,340.60

CRACKER BARREL OLD COUNTRY STORE, INC. -- Bill No. 12408, Value Change per Assessment Appeals Comm., \$1,889.32

HEARINGS: MESSRS. BENN AND GREEN

City Attorney Nelson reminded Council members of the hearings scheduled for Messrs. Benn and Green beginning at 5:30 p.m. on Monday, March 24. Councilwoman Hurley will serve as Chair with Councilmen Hakeem and Pierce comprising the remainder of the committee.

COMMITTEES

Councilman Swafford stated a meeting of the Parks and Recreation Committee was held earlier; that the Tree Commission gave their annual report. He commended the Commission and Gene Hyde for the excellent job being done and urged everyone's continued support for what they do. He stated the Commission has selected certain areas within the nine districts for prunings and removals.

Councilwoman Hurley stated a decision has been made as to the final choice for the Council's Financial Analyst; that the person has not been negotiated with as far as details are concerned. She rescheduled a meeting of the **Budget and Finance Committee** from March 25 to **Tuesday, April 15 at 5 p.m.** for a presentation regarding the "One Stop Shop" office.



BRAINERD HILLS MEETING

Councilwoman Rutherford stated on April 1 the Council will hear the zoning request for Dave L. Brown Road; that there has been some misrepresentation given out in the neighborhood regarding the matter. She invited Council members to attend a meeting scheduled for Saturday, March 22 at 4 p.m. at the Brown Acres Clubhouse; that this is a neighborhood meeting with over 300 fliers having been distributed. She stated people from the City's staff and the Mayor-elect will be present; that it will be a good opportunity to get a good briefing as to what is proposed.

VAAP PROPERTY

Councilwoman Hurley stated at 9:45 a.m. Wednesday morning (March 19) during the County Commission meeting Sid Saunders will speak with regard to the VAAP property. She stated Mr. Saunders' presentation has been moved to the top of the agenda and if Council members can attend it would be beneficial.

FRED MORGAN

Fred Morgan stated he is a Turner Road resident of Sale Creek, Tennessee and a representative of SCAT; that he is putting the Council on notice they are organized and are a non-profit organization. He stated he was present to ask that the organization be provided with information regarding the landfill expansion; that they also be given information regarding any testing made and if there is information available on partial testing he would like for that to be submitted to them also. He stated information can be forwarded to SCAT, P.O. Box 500, Sale Creek, Tennessee 37373.

Chairman Hakeem informed Mr. Morgan that there will be a discussion before the Council on next week regarding this matter; that as of this time the city has not been able to go onto the property. He stated the effort is to go on the property to perform a test; that it might be determined this property is not of use. He stated the information requested will be public record; that if a request is made for information it will be forth coming.

Mr. Morgan asked to be directed to the proper office to secure the information. Chairman Hakeem stated Admin. Jack Marcellis is the head of the Public Works Department; that he does not know what Mr. Morgan will be asking for specifically; that Admin. Marcellis and the City Attorney will converse to see if there is anything that will need to be withheld.

FRED MORGAN (Cont'd.)

Mr. Morgan stated he will ask for everything he can get and asked for clarification regarding the stated made by the Chairman regarding information being withheld.

Chairman Hakeem clarified that items concerning public information will be provided; that Admin. Marcellis and City Attorney Nelson will make the final determination regarding dissemination if there is some dispute.

City Attorney Nelson stated the only matter coming up before the Council is the issue that we need to approve dealing with going onto the property to test it; that Bowater has not let us onto the property for the test; that he and others in the SCAT organization may or may not want to be present for the meeting next week.

Mr. Morgan indicated they would be present.

ADJOURNMENT

Chairman Hakeem adjourned the meeting until Tuesday, March 25, 1997 at 6 p.m.

  
SHIRLEY GANNON  
CLERK OF COUNCIL

  
YUSUF A. HAKEEM  
CHAIRMAN

(A LIST OF NAMES OR PERSONS IN ATTENDANCE IS FILED WITH MINUTE MATERIAL OF THIS DATE)