

Municipal Building  
Chattanooga, Tennessee  
April 1, 1997

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

INVOCATION

Invocation was given by City Attorney Randall Nelson.

MINUTE APPROVAL

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

HAMM, GERMANY GUESTS

Mayor Roberts introduced to the Council guests from Hamm, Germany stating they are in Chattanooga on a two day visit and will be going to California once they leave here and will make one other stop and back to Germany. He stated Mayor Wieland made a presentation to the staff today and Hamm's concerns mirror the concerns we have here: traffic, jobs, waste disposal, education and the renovation of the inner city. He stated it is amazing how similar what we are facing in this city they are facing, also. He stated the plans now are to develop an exchange program with Hamm and pay their person while they are here and they pay our person while they are there; that this is something the Council will have to resolve later on. At this point he introduced Mayor Jurgen Wieland, a former educator and school principal who has been Mayor for a good while. He also introduced the Mayor's interpreter, Annette Klinkert, who has just completed her dissertation entitled, "African Women Poets From 1930 Until Today."

HAMM, GERMANY GUESTS (Cont'd.)

Mayor Roberts proceeded to introduce each of the Council members and gave brief information regarding their background and tenure on the Council.

Mayor Wieland addressed the Council at this time and indicated his pleasure at being in Chattanooga and being a part of the 20 year partnership; that in the 20 years many young people have traveled between Chattanooga and Hamm promoting the partnership's good relationship and friendships; that the partnership is very important and valuable to them. He made reference to the problems pressing Hamm which include traffic, education, economic development, waste disposal, and others. He stated the most important goal for the next year is for us learn from each other; that they have only been here a few hours and have seen a lot from Chattanooga from what he saw here seventeen years ago; that he did not recognize Chattanooga as its "face" has changed completely. He expressed congratulations for the wonderful work that has been done in urban development and wished continued blessings to everyone.

Mayor Roberts introduced others present with Mayor Wieland: Herman Kampmann (Council member) and his wife, Ursula; Dr. Dieter Kraemer (City Manager); Doris Conradi (Council member); Udo Schulte (Council Member); Hubert Westermeier (Council member); and John Philben who came from Santa Monica, California to greet them.

SPECIAL PRESENTATION TO MAYOR  
ROBERTS

Chairman Hakeem stated the Council wanted Mayor Roberts to know how they felt about him; that this city is on the threshold of many great things because of the effort and time Mayor Roberts has put forth in laying the foundation to move this city forward. At this point Mayor Roberts was presented with a gift from the Council for his friendship and leadership over the years.

Mayor Roberts stated he has enjoyed the relationship he has had with both Councils and has been happy to tell people that. He stated he came into the new relationship (government) with a lot of concern about how it will work and thinks we have made a great team; that we have not always agreed but most of the time we have. He stated he leaves with a lot of friends he did not know before and considers each member of this Council as a friend and is proud to say that. He expressed thanks for the courtesy shown him; that Chattanooga is fortunate to have a Council of nine honorable people; that he is proud to say he is part of what has been done (for Chattanooga). He thanked the Council and stated he will make good use of the gift.

BOARD APPOINTMENT

On motion of Councilwoman Rutherford, seconded by Councilman Crockett the following board appointment was approved:

**CARTER STREET CORPORATION (TRADE CENTER) BOARD:**

The appointment of **JAMES HUDSON, III** to serve as Chairman of the Carter Street Corporation (Trade Center) Board for a term to expire December 2, 1997.

SPECIAL PRESENTATION: GLAD  
BAG-A-THON

Greather Tinker, Chairman of the Scenic Cities Beautiful Commission, was present on behalf of this year's Glad Bag-A-Thon effort. She expressed thanks to the Council for their support in the past and asked for their continued support. She stated there were 20,000 volunteers last year, and they are expecting 24,000 this year; that out of 100 cities, Chattanooga was one of the top seven that won an award for clean-up efforts last year; that they are very proud of the award and knows Chattanooga is, too. She invited everyone to come to Eastgate Mall on Saturday, April 5 from 9 a.m. - 2 p.m. to pick up bags for the community-wide clean up program. She stated 16,000 bags were sent from Glad for the effort; that since the tornado struck, they called and said they were going to put an additional 15,000 in the mail for the people who were involved. She stated Scenic Cities wants Chattanooga to stay a beautiful place in which to live.

SPECIAL PRESENTATION: JUDITH  
SCHORR

Judith Schorr stated she loves our city and it is a wonderful city; that she is here to give a progress report on what is being done. She presented a copy of the petition that is being circulated; that through the involement of her neighborhood association, they have had the privilege of working closely with the police department and has managed to develop a good working relationship with the police officers. She stated she is disturbed to hear the concerns from officers that they are not getting enough support; that she and others have decided to show the officers there are citizens who appreciate them and what they are trying to do in their effort to make our city a safe city; that there are people who believe in them and want them to do the job they have been trained to do. She stated they have extended the time for persons to sign the petitions; that it has been exciting to see the support they have garnered.

SPECIAL PRESENTATION: JUDITH SCHORR (Cont'd.)

Ms. Schorr continued by stating she will not present the petitions tonight because of the request for more time from others to sign and will ask to be placed on the agenda at a latter time in the month to present them. She inquired as to where the best place would be to leave the petitions once the effort is complete that would have the most effect in showing support.

City Attorney Nelson stated in reading the petition the judicial system is being petitioned; that it might be appropriate to send to all the courts in Hamilton County a copy.

Ms. Schorr stated anyone is welcome to sign the petition. (At this point Ms. Schorr read the caption of the petition.)

RECOGNITION OF BETTY BLEWER

Chairman Hakeem recognized the presence of Betty Blewer, newly elected President of the Highland Park Neighborhood Association.

RECOGNITION OF WARREN LOGAN

Councilman Swafford recognized the presence of Warren Logan, President of the Dalewood Neighborhood Association.

SPECIAL THANKS FOR TORNADO ASSISTANCE

Councilman Eaves stated there is always criticism of city government and all the things that are not done and what should be done; that everything that is bad gets "ballyhooed" about. He stated there was a terrible calamity the other night; that some people wanted to help but created a lot of trouble for the emergency service personnel; that the Police and Fire Departments were trying to keep some type of order in the area. He stated when the tornado touched down, no one believed that we would not bring a lot of bodies out of the ruins; that he saw six people come out of a home almost unscathed. He stated our people moved in and starting clearing away the debris; that portable lighting units were brought in and every department in the city government was pressed into service. He stated he saw personnel from Parks and Recreation, trucks, loaders -- everything working that you can possibly imagine.

SPECIAL THANKS FOR TORNADO ASSISTANCE (Cont'd.)

Councilman Eaves stated no one can imagine what a terrible calamity it was; that the Salvation Army, Red Cross and churches all helped; that Logan's Restaurant sent food and many organizations rushed in. He stated Claude Ramsey sent every vehicle they could find to help with removal of debris; that the Tennessee Highway Patrol was present, as well. He stated without being asked, Claude (Ramsey) volunteered county services as long as they are needed to help get the area cleaned up, and the Mayor has indicated we will continue with our crews. He stated much has been done in a short period of time; that Public Works came in and worked from dawn to dark and did a marvelous job. He stated with the help from the county we will continue to dig people out. He stated to all who helped thank you on behalf of the citizens of East Brainerd for the tremendous work that has been done.

Councilman Pierce inquired about the Electric Power Board and the job they did. Councilman Eaves stated the Water Company came in and the Electric Power Board sent in crews that brought search lights. He stated the tornado took huge concrete and steel towers and ripped them out of the ground; that the Gas Company people came in to shut off gas valves. He stated the Highway Patrol, county police and Chattanooga police took care of people so that they could get some rest and everyone had a place to go, food to eat and water to drink. He stated he wanted all the people in this city and county and surrounding counties to know how much we appreciate all the help.

Chairman Hakeem asked the City Attorney to start looking at putting together a resolution to express appreciation to the various agencies and individuals. He stated he had an opportunity on Saturday morning to see what the police had to deal with; that they had to decide who was appropriate to be in there.

CLOSE AND ABANDON

1997-001: Andrew C. Moore, Jr.

On motion of Councilman Distefano, seconded by Councilwoman Rutherford,

AN ORDINANCE CLOSING AND ABANDONING BRANNON AVENUE AND EAST 39TH STREET LOCATED SOUTHWEST FROM EAST 38TH STREET, NORTHWEST OF JEROME AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, UPON CERTAIN CONDITIONS passed second reading. On motion of Councilman Swafford, seconded by Councilwoman Rutherford, the ordinance passed third and final reading and was signed in open meeting.

FIREMEN'S AND POLICEMEN'S  
INSURANCE AND PENSION FUND

On motion of Councilman Crockett, seconded by Councilman Swafford, AN ORDINANCE TO INCREASE THE PENSION BENEFITS FOR THE SURVIVING SPOUSES OF CERTAIN RETIREES UNDER THE FIREMEN'S AND POLICEMEN'S INSURANCE AND PENSION FUND AS PROVIDED BY ORDINANCE NO. 8688, SECTION 1(10), NOW CODIFIED AS SECTION 13.75 OF THE CHATTANOOGA CITY CHARTER

passed second reading. On motion of Councilman Swafford, seconded by Councilman Distefano, the ordinance passed third and final reading and was signed in open meeting.

AMEND CITY CODE

Tom Dugan stated the purpose of this ordinance is to increase the number of representatives appointed by the City to the Board of CARTA; that the current membership is three from outside municipalities and four from the city of Chattanooga; that the decision of the Mayor was to recommend passage of an ordinance which would change the number from the current four. City Attorney Nelson stated there would be a minimum of ten from Chattanooga.

Councilman Distefano stated as far as the other cities or municipalities are concerned how can we change the number without their consent. Mr. Dugan stated he has spoken with them, and they are members of CARTA under the ordinance; that the ordinance recognizes their right to participate, and there is no action required by the other cities.

On motion of Councilman Pierce, seconded by Councilman Swafford, AN ORDINANCE AMENDING THE CHATTANOOGA CITY CODE, PART II, SECTION 23-2, SO AS TO AMEND BOARD APPOINTMENT PROVISIONS FOR THE CHATTANOOGA AREA REGIONAL TRANSPORTATION AUTHORITY

passed first reading.

SPECIAL POLICEMAN

On motion of Councilman Eaves, seconded by Councilwoman Rutherford, A RESOLUTION AUTHORIZING THE APPOINTMENT OF JOHNNY D. PATMON AS A SPECIAL POLICEMAN FOR THE CHATTANOOGA/HAMILTON COUNTY TRADE CENTER, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS

was adopted.

DECLARE SURPLUS

Councilman Eaves asked if we have something in place that says if the property is no longer needed for the purpose intended it will come back to us.

Admin. Traughber stated this stipulates that it has to be used for a church and if it is not, it says the property reverts back to the city, and we have the final right of refusal. He stated we can buy back the property for the amount they paid. He stated this resolution gives authority to move forward and negotiate the final details of the contract; that in the original mandatory referral in 1988 a portion of the land was to be used for a playground, but because of the nature of the plan we are recommending that the portion regarding the playground be removed, and this action will automatically remove that. He stated Rev. Kevin Adams, Pastor of the Church, is present tonight; that the church is located across the street from the site.

Chairman Hakeem asked Rev. Adams if he is familiar with the specifics of this request; that it has to be used for church property; that the city has the final right of refusal and the portion regarding the playground has been removed. Rev. Adams indicated his understanding of the terms.

On motion of Councilman Pierce, seconded by Councilwoman Rutherford, A RESOLUTION DECLARING CERTAIN PROPERTY KNOWN AS THE JOSEPH E. SMITH SCHOOL PROPERTY, LOCATED AT 651 E. 10TH STREET, AS SURPLUS AND AUTHORIZING THE SALE OF SAID PROPERTY TO OLIVET BAPTIST CHURCH FOR THE SUM OF SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00) was adopted.

DECLARE SURPLUS

Admin. Traughber stated there are a number of items that are still being negotiated with the Medal of Honor representatives; that there is a reversionary clause and a time table included; that if the time table is not achieved the property will revert back to the city. He stated because it is on the local Historical Register any redevelopment will have to be approved, clarifying there are a number of items that will have to be negotiated.

Chairman Hakeem asked representatives of the Museum if this was clear to them. Pete Chaney, Museum representative, stated they are very clear on the terms and have worked with the Historical Society regarding this.

DECLARE SURPLUS (Cont'd.)

Councilwoman Rutherford asked if there is a plan or is it being negotiated. Admin. Traugher stated what they are proposing is enough time; that they are being allowed a two-year span until January, 1999. He stated the Council previously approved funding for the replacement of the roof to further protect the integrity of the building.

On motion of Councilman Crockett, seconded by Councilwoman Rutherford,

A RESOLUTION DECLARING CERTAIN PROPERTY KNOWN AS THE ST. ELMO ELEMENTARY SCHOOL PROPERTY, LOCATED AT 4625 ST. ELMO AVENUE, AS SURPLUS AND AUTHORIZING THE DONATION OF SAID SURPLUS PROPERTY TO THE NATIONAL MEDAL OF HONOR MUSEUM OF MILITARY HISTORY

was adopted.

HIGHEST AND BEST OFFER FOR CERTAIN PARCELS OF PROPERTY

On motion of Councilwoman Rutherford, seconded by Councilman Pierce, A RESOLUTION ACCEPTING THE HIGHEST AND BEST OFFER FOR CERTAIN PARCELS OF PROPERTY ACQUIRED BY HAMILTON COUNTY AND THE CITY OF CHATTANOOGA THROUGH PREVIOUS DELINQUENT TAX SALES AND AUTHORIZING THE MAYOR AND CITY FINANCE OFFICER TO ENTER INTO AND EXECUTE DEEDS CONVEYING SAID PARCELS TO INDIVIDUALS LISTED HEREIN BELOW

was adopted.

SUBMISSION OF JOINT APPLICATION FOR GRANT FUNDS FROM TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION

Councilmen Crockett and DiStefano made the initial motion and second to approve this resolution.

Chairman Hakeem inquired as to the match of funds. Admin. McDonald stated the match for the city and county is \$125,000 to be divided between the two governments at approximately \$62,500.00

Councilman Swafford indicated there was no opportunity to have a meeting on this; that he made reference to this being on the agenda at last week's meeting in the event there were questions.



SUBMISSION OF JOINT APPLICATION  
FOR GRANT FUNDS FROM TENNESSEE  
DEPARTMENT OF ENVIRONMENT AND  
CONSERVATION (Cont'd.)

Chairman Hakeem stated there is a desire or proposal to get \$1 million in donations which was not clear; that if that does not materialize where will it come from.

Admin. McDonald stated that has been reduced to \$100,000; that we are seeking total funding to make up the deficit through state and federal funds. He stated on this grant you can apply the \$125,000 with another \$125,000, but it does not mean we will get it.

Chairman Hakeem stated now he is hearing there is a commitment of \$100,000 from a private source; that he thinks we are saying another \$100,000 from the city and state; that the county can come up with another \$100,000. He stated with the part being dropped the city can come back and pick up \$700,000 more. Admin. McDonald stated it is hoped we can get private, state and federal funds.

Councilman Pierce asked if that could not have been worked out before this Resolution was presented to the Council. Admin. McDonald stated if we wind up with a shortfall, the project will have to be scaled back.

Admin. Boney stated they did have some money in the capital budget that was appropriated and approved last June; that if they do not get the \$1 million it will be a challenge.

Councilwoman Rutherford stated she really supports this but does not feel she is knowledgeable enough to vote on it. **At this point she made the motion to defer the matter to Committee for discussion; Councilman Eaves seconded the motion.**

Admin. McDonald stated in order to qualify for the grant there might be a problem if this is deferred. Councilwoman Rutherford inquired as to the deadline for processing the request. Admin. McDonald stated the county has approved this

Councilwoman Rutherford stated we will not be here next week and can vote on it the following week, April 15.

SUBMISSION OF JOINT APPLICATION  
FOR GRANT FUNDS FROM TENNESSEE  
DEPARTMENT OF ENVIRONMENT AND  
CONSERVATION (Cont'd.)

Councilman Distefano stated he understands Councilwoman Rutherford's concern; that he assumes in applying we are not committing to the shortfall, if such exists. He stated we have a couple of alternatives; that in scaling back and saving the project over time will allow for direction on federal funds; that these funds could be used for future phases and development of the property without a lot of other activities. He stated there will be a problem to go forward with this and develop part of that Park without understanding every dollar we are going to spend on it. He stated we have been presented a budget and drawing down funds now will not solve our problem.

Councilwoman Rutherford stated she did not think she had missed any of the Parks and Recreation meetings and does not feel she is knowledgeable enough on the overall project. She stated when we are talking about a shortfall of \$750,000 that is quite a shortfall to go into one district when nine of us really need funding for recreation in our districts. She stated she does not want to cause the city to miss out on the opportunity for state funds, however, postponing two weeks will make her feel more capable for voting on it.

Admin. McDonald stated there are funds now that could possibly be shifted toward this match; that we will still have to get approval from the Council to be a joint partner; that this is just an opportunity to pick up another \$125,000 for the project.

Councilman Crockett stated he understands the concern; that you have to understand this match will go into the Coolidge Park project; that the other part was the Carousel part. He stated this match is separate the Carousel part; that this is a match with the state and county funds. He stated if they are willing to go forward, he would hate to hold it up for something that is not relevant to this point; that this is a small amount of money of the total requested from the State but it was important.

Councilman Swafford stated he asked for a Parks and Recreation meeting; that the first date that was open was April 22 due to the Council's committee schedule and the 22nd would be after the deadline for them to file. He stated the county approved their resolution on March 19; that he brought this matter up at last week's Council meeting so that questions could be answered between that time and now. He reiterated he did not have an opportunity to schedule a meeting due to the Council Committee schedule prior to knowing the deadline.

SUBMISSION OF JOINT APPLICATION  
FOR GRANT FUNDS FROM TENNESSEE  
DEPARTMENT OF ENVIRONMENT AND  
CONSERVATION (Cont'd.)

Councilwoman Rutherford stated if March 19 was the deadline we have passed it. Admin. McDonald stated the county has the staff to put the grants together; that we work with them but they give us the date and time; that we wait until the county approves before we ask for approval to make sure they are "on board."

Chairman Hakeem asked if the grant has been applied for. Admin. McDonald stated he will have to check with the grant administrator to make sure of the date; that the information he has before him does not give a date. He stated he will check and make a call if the matter can be tabled until the end of the meeting. He stated this resolution has to go with the application.

Later in the meeting Admin. McDonald returned to inform the Council that he could not get the application deadline date because he could not make contact with the necessary person; that the only thing to do is to defer until we can have a committee meeting. He expressed hope that the deadline would not be missed.

Councilman Swafford informed the Council he could not be present for a Parks and Recreation Committee meeting April 15; that someone else could chair the meeting for him. Councilman Eaves indicated that the matter could be added onto the items for discussion in Public Works Committee.

**By a show-of-hands vote the motion to defer failed with Councilmen Rutherford, Pierce and Hakeem voting "yes;" Councilmen Crockett, Distefano, Eaves and Swafford voted "no".**

**Councilmen Distefano and Crockett then made the motion to approve the resolution; by a show-of-hands vote the motion failed with Councilmen Crockett, Distefano, Eaves and Swafford voting "yes;" Councilmen Rutherford, Hakeem and Pierce voted "no."**

City Attorney Nelson stated the Council could authorize this tonight; that it is just an authorization and not a requirement if Admin. McDonald finds out he has to have it in within the next two weeks. He stated if the deadline is beyond the fifteenth, it can be discussed in committee.

SUBMISSION OF JOINT APPLICATION  
FOR GRANT FUNDS FROM TENNESSEE  
DEPARTMENT OF ENVIRONMENT AND  
CONSERVATION (Cont'd.)

On motion of Councilwoman Rutherford, seconded by Councilman Swafford,

A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT A JOINT APPLICATION WITH HAMILTON COUNTY FOR GRANT FUNDS FROM THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION FOR DEVELOPMENT OF THE COOLIDGE PARK SEGMENT OF THE TENNESSEE RIVERPARK AND TO ASSURE THE LOCAL REQUIRED MATCH

was adopted.

EASEMENT

On motion of Councilman Eaves, seconded by Councilman DiStefano, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN EASEMENT WITH ENVIRONMENTAL MATERIALS, LLC TO PROVIDE INGRESS AND EGRESS THROUGH THE BIRCHWOOD LANDFILL FOR OPERATION OF A PRIVATE LANDFILL

was adopted.

AGREEMENT: CONSOLIDATED  
TECHNOLOGIES, INC.

On motion of Councilman Eaves, seconded by Councilman Crockett, A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AN AGREEMENT WITH CONSOLIDATED TECHNOLOGIES, INC. TO CONDUCT ENGINEERING AND GEOTECHNICAL SERVICES INCLUDING A PRELIMINARY HYDROGEOLOGICAL INVESTIGATION AT THE NORTH HAMILTON COUNTY LANDFILL SITE FOR A FEE NOT TO EXCEED FORTY THOUSAND, FIFTY-FOUR DOLLARS (\$40,054.00)

was adopted; **Councilman Swafford abstained from voting.**

CONTRACT: MAYSE CONSTRUCTION  
COMPANY

On motion of Councilman Eaves, seconded by Councilman Crockett, A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. RW-1-97, FOR THE WIDENING OF JULIAN ROAD, DAVIDSON ROAD TO RAILROAD CROSSING, TO MAYSE CONSTRUCTION COMPANY FOR THEIR LOW BID IN THE AMOUNT OF SIX HUNDRED THIRTY THOUSAND SIX HUNDRED EIGHTY AND 50/100 DOLLARS (\$630,680.50) was adopted.

AGREEMENT: MEMORIAL HOSPITAL

On motion of Councilman Swafford, seconded by Councilman DiStefano, A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS AND THE CITY FINANCE OFFICER TO EXECUTE AND ATTEST, RESPECTIVELY, AN AGREEMENT WITH MEMORIAL HOSPITAL FOR THE INSTALLATION OF A PEDESTRIAN CROSSWALK FLASHING BEACON AT GLENWOOD DRIVE AND DE SALES AVENUE was adopted.

TEMPORARY USE

On motion of Councilman Crockett, seconded by Councilman Swafford, A RESOLUTION AUTHORIZING CHOO CHOO FLY & TACKLE TO USE TEMPORARILY A PORTION OF THE CITY'S RIGHT-OF-WAY LOCATED AT 40 FRAZIER AVENUE FOR THE INSTALLATION OF A TEN FEET (10') LONG CANVAS AWNING WHICH WILL PROJECT FOUR FEET (4') OVER THE SIDEWALK ON THE SOUTH SIDE OF FRAZIER AVENUE AT THIS LOCATION, MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS was adopted.

AGREEMENT: HAMILTON COUNTY,  
TENNESSEE

On motion of Councilman Swafford, seconded by Councilman DiStefano, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH HAMILTON COUNTY, TENNESSEE, RELATIVE TO THE CITY'S PURCHASE OF 175.64 ACRES OF THE BIRCHWOOD LANDFILL was adopted.

RECIPROCAL PARKING AGREEMENT

On motion of Councilman Rutherford, seconded by Councilman Crockett, A RESOLUTION AUTHORIZING THE MAYOR OR THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS AND RECREATION TO EXECUTE A RECIPROCAL PARKING AGREEMENT WITH HAMILTON COUNTY, CHATTANOOGA-HAMILTON COUNTY HOSPITAL AUTHORITY AND THE ENGEL STADIUM CORPORATION RELATIVE TO A JOINT PARKING ARRANGEMENT NEAR ENGEL STADIUM was adopted.

LEASE REVENUE RENTAL REFUNDING BONDS

City Attorney Nelson stated we have an agreement along with Hamilton County to the Industrial Development Board; that the Marriott, who leases property, wants to expand Kicks within the complex by letting them rent a portion of the patio outside their door. He stated we have to amend the agreement so that they can make that additional rental.

Tom Kale stated the Carter Street Corporation owns the entire block and the Carter Street Corporation leases everything to the city and county; he stated the lease has been assigned to the Trustee of the Boards. He stated what is excluded is where the hotel towers and the ancillary facilities are; that the lease does not include anything on the Eleventh Street Plaza. He stated Kicks wants to come out from the side of the building and build an outdoor patio area; that the area will be landscaped with a wrought iron fence.

On motion of Councilman Crockett, seconded by Councilman Swafford, A RESOLUTION OF THE CITY OF CHATTANOOGA, TENNESSEE, WITH RESPECT TO OUTSTANDING LEASE RENTAL REVENUE REFUNDING BONDS (CITY OF CHATTANOOGA AND COUNTY OF HAMILTON, TENNESSEE, LESSEES), SERIES 1994, OF THE INDUSTRIAL DEVELOPMENT BOARD OF THE COUNTY OF HAMILTON, TENNESSEE was adopted.

OVERTIME

Overtime for the week ending March 28, 1997 totaled \$59,691.76.

PERSONNEL

The following personnel matter was reported for the General Services Department:

WANDA NORRIS -- Promotion, Clerk V, Benefits Division, Pay Grade 7/Step 7, \$21,326.00 annually, effective March 28, 1997.

PURCHASE

On motion of Councilman DiStefano, seconded by Councilman Swafford, the following purchase was approved for use by the General Services Department:

DATEX (Overall low bid)  
Requisition No. 138016

Purchase of Twelve Months Requirements Contract for Truck Wash Concentrate and Film Breaker

\$1.90/gal.

PURCHASE

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

GEORGIA TURF & TRACTOR (Lower and better bid)  
Requisition No. 138264

Purchase of Tractor for Parks and Recreation Department

\$16,755.00

PERSONNEL

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

STEVE A. FILYAW -- Quit/No Notice, Laborer II, Traffic Management, effective March 20, 1997.

JAMES F. BROWN -- Resignation, Laborer II, Traffic Management, effective March 21, 1997.

PERSONNEL (Cont'd.)

EUGENE L. JONES -- Promotion, Traffic Signals Designer, Traffic Management, Pay Grade 14/Step 10, \$38,212.00 annually, effective March 28, 1997.

RONALD J. HAMBY -- Extended Family and Medical Leave, Equipment Operator I/Foreman, City-wide Services, effective March 19 - April 28, 1997.

MELVIN SMITH -- Family and Medical Leave, Laborer II, City-wide Services, effective March 17 - May 6, 1997.

ANTONIO L. TERRY -- Resignation, Truck Driver II, City-wide Services, effective March 21, 1997.

ALFIE N. EMERSON -- Resignation, Laborer III, City-wide Services, effective March 21, 1997.

JAMES T. SKINNER -- Resignation, Truck Driver III, City-wide Services, effective March 21, 1997.

PATRICIA W. SCRUGGS -- Resignation, Receptionist, City-wide Services, effective March 27, 1997.

WILLIE ARNOLD, JR. -- Retirement, Concrete Worker, City-wide Services, effective March 27, 1997.

KENNETH FOWLER -- Suspension (1 day without pay), Mechanic, Waste Resources, effective March 26, 1997.

BUFORD ASHLEY -- Suspension (1 day without pay), Instrument Technician, Waste Resources, effective March 26, 1997.

Jimmy A. Combs -- Employment, Laborer III, City-wide Services, Pay Grade 5/Step 1, \$15,834.00 annually, effective March 26, 1997.

PURCHASES

On motion of Councilman Eaves, seconded by Councilman Distefano, the following purchase was approved for use by the Public Works Department:

J.D. HELTON ROOFING COMPANY, INC. (Lower and better bid)  
Requisition No. 138839

Purchase of Re-roofing  
\$16,845.00



PURCHASES (Cont'd.)

CEM CORPORATION (Lowest bid meeting City of Chattanooga specifications)  
Requisition No. 137168

Purchase of Microwave Sample Preparation System  
\$19,708.80

EAGLE POINT (Single source purchase)  
Requisition No. 134299

Purchase of Software Package per TCA 6-56-301  
\$19,930.00

NOTE OF THANKS

Admin. Marcellis expressed thanks to Councilman Eaves for his previous comments; that the amount of brush collected in the last four days totaled 760 truck loads and over 11,000 tons, which is equivalent to 16-17 work days of brush and trash collection! He stated they are continuing to do the work and will try to finish up in the next couple of weeks; that he has good, dedicated people helping.

BACK TAX PROPERTY INQUIRY

Councilman Pierce inquired about the status and the new property ownership of the 2700 block of Cannon Street listed on the back tax properties resolution adopted earlier. Admin. Marcellis responded that he did not have anything to do with the back tax properties.

Councilman Pierce asked if the new owner is permitted to continue dumping in fill dirt. Admin. Marcellis stated he knows they were forewarned of environmental problems; that he will look into the matter. He stated he knows nothing about it; that it is still residential and should be operated as residential. He indicated he would get back with Councilman Pierce.

PERSONNEL

The following personnel matters were reported for the Safety Department:

JEFFERY LEBRON ALFORD -- Military Leave, Police Officer, effective May 8, 1997 [without pay] (began active duty March 28, 1997).

WAYNE E. JEFFERSON -- Military Leave, Sergeant, Police Department, effective August 7, 1997 [without pay] (began active duty March 28, 1997).

PURCHASE

On motion of Councilman DiStefano, seconded by Councilwoman Rutherford, the following purchase was approved for use by the Safety Department:

A & A PHOTOGRAPHIC SUPPLIES (Overall lower and better bid)  
Requisition No. 125709

Purchase of Six Month Requirements Contract for Photographic Supplies

**(Price information available and filed with minute material)**

NOTE OF THANKS

Admin. Dinsmore echoed the comments made by Councilman Eaves and Admin. Marcellis during the recent tornado and remarked that the city was lucky no one was killed.

OVERTIME INQUIRY

Councilman DiStefano inquired as to the large amount of overtime for patrol listed for the Safety Department. Admin. Dinsmore responded that the numbers reflected make reference to the street force; that the Drug Task Force has been working a 60 hour week.

JOHN MORGAN

John Morgan stated he was present representing the Sale Creek Action Team and to protest against the city giving any consideration to putting a landfill in Sale Creek. He stated the City Council has ignored the pleas of Sale Creek in considering this pristine land; that the proposed action will endanger wildlife, the drinking water of 600 residents and the lives of their children and grandchildren; that it will cause more than Hamilton County to stink.

JOHN MORGAN (Cont'd.)

Mr. Morgan stated in reference to Councilwoman Rutherford's request for information, he has not forgotten, and the information will be provided. He stated at last week's County Commission meeting it was mentioned that the VAAP property is still a viable site for a landfill; that the Sale Creek Action Team will take every possible action and opportunity to prevent the City Council if you attempt to proceed and will hold the Council accountable. He stated they know little about the inner workings of government but know the proposed action is wrong. He asked the City Attorney the steps involved in the eminent domain action.

City Attorney Nelson stated the City will file a petition for eminent domain in Circuit Court of Hamilton County, and the matter will come before the Court within three weeks after it is filed. He stated at that time the Judge will either grant or not grant, and if he does, we will go upon the property forthwith.

COUNCILMAN DISTEFANO

Councilman DiStefano stated the Council will not meet next week and felt this was the appropriate time to express thanks for the privilege of working with them. He stated should it be that he will be a part of this Council, he will know in two weeks time; that he hopes he will be but cannot be assured and is taking this final opportunity. He expressed a special thanks to members of the Council and particularly the Council staff whose support has helped him do his job. He stated it has been a great pleasure and honor.

ADJOURNMENT

Chairman Hakeem adjourned the meeting until Tuesday, April 15, 1997 at 6 p.m.

  
CLERK OF COUNCIL

  
CHAIRMAN

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

