

Municipal Building
Chattanooga, Tennessee
May 27, 1997

The meeting of the Chattanooga City Council was called to order by Chairman Swafford with Councilmen Crockett, Eaves, Hakeem, Hurley, Lively, Pierce, Rutherford, and Taylor present. City Attorney Randall Nelson, Management Analyst Randy Burns, and Assistant Clerk Shirley Crownover, were also present.

INVOCATION

Invocation was given by Councilman Crockett.

CHILDREN'S INTERNATIONAL SUMMER
VILLAGE

Ms. **Barbara McKerley** appeared before the Council, first thanking them for giving her the opportunity to tell them about her wonderful and unique organization. She stated she had been with them for 13 years; that this was a non-profit organization involving 96 countries throughout the world and Chattanooga was one of 18 cities in the United States. She stated that CISV was founded in 1951 by Dr. Doris T. Allen and in 1976, Dr. Fred Wright started our branch here. Ms. McKerley referred to the brochures in the pamphlets she handed out, which is made a part of the minute material. She stated their main goal was to bring children and young people from all over the world together--that as we all know the world is growing closer and closer together every day. She stated the information she had provided outlined their list of programs and provided a list of all the countries affiliated, as well as the other 17 cities in the USA. She explained that one of the great things about the organization was the community involvement; that Chattanooga had hosted 26 Japanese students, ending with a big International Dinner--that the students had a wonderful time in Chattanooga that they would always remember--that this was great for Chattanooga; that when the kids got back to Japan they would tell them what a wonderful place Chattanooga was to visit.

Ms. McKerley shared with the Council that Chattanooga would be hosting a Summer Village in 1997 with 14 different countries being represented; that this would be from June 27-July 24, and the students would stay at Red Bank High School--that 71 participants would be living at Red Bank High School for one month. She explained there was more information about the village coming up in the folder provided. She stated this was a great way to spread the word about Chattanooga to others--that we had so much to offer--that people would come and see our attractions and meet our people and take great stories back

CISV (Cont'd.)

home with them. She stated that some of the students who had visited here had even come back to live in Chattanooga; that this was great public relations for our community.

Ms. McKerley stated they would love to have the help and support of anyone who had the resources to provide food for 71 people who would need three meals a day; that they would love to be able to take them to our City attractions such as the Aquarium and the Creative Discovery Museum; and that they also needed help on transportation and media coverage would be wonderful. She ended by saying she wanted to get the word out about this great thing that would be happening in Chattanooga this Summer.

INTERIM BUDGET

On motion of Councilman Lively, seconded by Councilwoman Hurley, AN ORDINANCE PROVIDING FOR AN INTERIM BUDGET AND APPROPRIATING FUNDS FOR THE USUAL AND ORDINARY EXPENSES OF THE CITY GOVERNMENT FOR THE MONTHS OF JULY, AUGUST, AND SEPTEMBER, 1997, PENDING THE ADOPTION OF THE 1997-98 ANNUAL BUDGET, AND FURTHER TO AMEND ORDINANCE NO. 10465, THE BUDGET ORDINANCE, AS AMENDED AND AS ENCAPTIONED HEREINBELOW, SO AS TO DELETE FROM SECTION 7(C) THE PROVISION FOR AN ELECTRICAL SIGN INSPECTOR AND A SEPARATE SIGN INSPECTOR AND INSERT IN LIEU THEREOF A PROVISION FOR TWO (2) ELECTRICAL SIGN INSPECTORS

passed second reading. On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford, the ordinance passed third and final reading and was signed in open meeting.

CLOSURE AND ABANDONMENT

1997-067 (THOMAS A. & DEBORAH SHIRLEY)

On motion of Councilman Hakeem, seconded by Councilwoman Hurley, AN ORDINANCE CLOSING AND ABANDONING ALLEYS LOCATED SOUTHWEST FROM NORTROP STREET, NORTHWEST OF CROMPTON STREET, MORE PARTICULARLY DESCRIBED HEREIN, UPON CERTAIN CONDITIONS

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

CLOSURE AND ABANDONMENT

1997-082 (ROY L. WILLIAMS)

On motion of Councilman Eaves, seconded by Councilwoman Hurley, AN ORDINANCE CLOSING AND ABANDONING AN ALLEY LOCATED SOUTHEAST FROM THE SOUTHERN RAILROAD, BETWEEN BENNETT AVENUE AND EAST 12TH STREET, MORE PARTICULARLY DESCRIBED HEREIN, UPON CERTAIN CONDITIONS passed second reading. On motion of Councilman Lively, seconded by Councilwoman Rutherford, the ordinance passed third and final reading and was signed in open meeting.

AMEND CITY CODE (COURT COSTS)

On motion of Councilman Hakeem, seconded by Councilwoman Rutherford, AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 12, SO AS TO ADD SECTION 12-21, RELATIVE TO CITY COURT COSTS passed second reading with Councilman Pierce voting No and Councilmen Eaves and Swafford abstaining. On motion of Councilman Hakeem, seconded by Councilwoman Rutherford, the ordinance passed third and final reading and was signed in open meeting with Councilman Pierce voting NO and Councilmen Eaves and Swafford abstaining.

REZONING

1997-093 (FLOYD GREEN, SR.)

Councilman Taylor stated he had been out to view this and recommended approval.

On motion of Councilman Taylor, 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 ON LOUISE STREET NORTHEAST OF THE 1000 BLOCK OF MERONEY STREET, BEING ON THE SOUTHEAST AND SOUTHWEST LINE OF LOUISE STREET AT MERONEY STREET, FROM R-1 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE passed first reading.

CLOSURE AND ABANDONMENT

1997-041 (GEORGE MUSGRAVE)

Councilman Eaves stated this was discussed in Public Works Committee and was recommended for denial.

Councilman Lively stated this came with a recommendation for denial from Planning, and he asked Mr. Bennett if the access was the reason for this; that this piece of property was a straight drop-off from Crestview Drive, and he would recommend approval.

Mr. Bennett responded that there was another request similar to this one, and the Staff felt any potential right-of-way should remain open; that they felt it might be better at this point in time to keep all options open for development; that they felt if anyone should want to develop with a low-density development, they should be able to and both right-of-ways may be needed at this time.

Councilman Eaves questioned how this affected this case. Mr. Bennett responded that the other would be coming before the Council for consideration of abandonment; that if it were left open, it could be considered for abandonment at some later point.

Mr. Musgrave was present and asked to speak. He thanked the Council for allowing him to speak. He stated he had lived on Crestview Drive for 38 years; that there would be a 50-65% grade if one tried to build a street; that it was tried in the 1970's and Joe Glasscock lost \$20,000 just trying to grade it, and no one had attempted to build again or even talked about it; that if it were allowed to remain open and a street was put there, they would have to build a very high retaining wall with 8' to 10' footings and the base of the wall would have to be 15" wide to support his yard and keep it from going down on his neighbor--on the back yard, he stated, it would have to be more than that. He stated they would like to see this closed; that it would be in the best interest of Crestview Drive. He thanked the Council for listening to him.

Councilman Taylor asked Mr. Bennett about another access to this land, and on motion of Councilman Taylor, seconded by Councilwoman Rutherford,

AN ORDINANCE CLOSING AND ABANDONING ONYX DRIVE
LOCATED NORTHWEST FROM CRESTVIEW DRIVE, NORTHEAST
OF GADD ROAD, MORE PARTICULARLY DESCRIBED HEREIN
was tabled one week.

CLOSURE AND ABANDONMENT

1997-050 (SOVEREIGN STAINLESS FABRICATOR)

On motion of Councilman Hakeem, seconded by Councilman Eaves, AN ORDINANCE CLOSING AND ABANDONING AN ALLEY LOCATED SOUTHWEST FROM ELMENDORF STREET, BETWEEN RIVERSIDE DRIVE AND NORTH HICKORY STREET, MORE PARTICULARLY DESCRIBED HEREIN passed first reading.

CLOSURE AND ABANDONMENT

1997-053 (KENNETH KIRKLEN)

On motion of Councilman Lively, seconded by Councilman Crockett, AN ORDINANCE CLOSING AND ABANDONING ALLEN STREET LOCATED SOUTHEAST OF KIMBRO STREET, NORTHEAST OF GADD ROAD, MORE PARTICULARLY DESCRIBED HEREIN **was tabled one week.**

CLOSURE AND ABANDONMENT

1997-062 (MICHAEL JOHNSON)

Councilman Crockett stated that this was discussed in the Public Works Committee and that there was a Zoning Case pending.

On motion of Councilman Crockett, seconded by Councilwoman Hurley, AN ORDINANCE CLOSING AND ABANDONING AN UNNAMED STREET LOCATED NORTHEAST FROM HIGHWAY 153, NORTHEAST OF GRUBB ROAD, MORE PARTICULARLY DESCRIBED HEREIN, UPON CERTAIN CONDITIONS

was tabled until June 24th.

CLOSURE AND ABANDONMENT

1997-063 (PARKRIDGE HOSPITAL, INC.)

On motion of Councilman Hakeem, seconded by Councilwoman Hurley, AN ORDINANCE CLOSING AND ABANDONING AN ALLEY LOCATED SOUTHEAST FROM KELLEY STREET, BETWEEN MCCALLIE AVENUE AND OAK STREET, MORE PARTICULARLY DESCRIBED HEREIN, UPON CERTAIN CONDITIONS

was deferred for one week per request of the applicant.

CLOSURE AND ABANDONMENT

#1997-080 (NORMAN TALLEY, SR.)

On motion of Councilman Hakeem, seconded by Councilman Eaves, AN ORDINANCE CLOSING AND ABANDONING PULASKI STREET LOCATED NORTHWEST FROM LEE AVENUE, NORTHEAST OF O'LEARY STREET, MORE PARTICULARLY DESCRIBED HEREIN, UPON CERTAIN CONDITIONS passed first reading.

CLOSURE AND ABANDONMENT

#1997-094 (FLOYD GREEN, SR.)

On motion of Councilman Eaves, seconded by Councilwoman Hurley, AN ORDINANCE CLOSING AND ABANDONING LOUISE STREET LOCATED NORTHEAST FROM AUBIN AVENUE, NORTHEAST OF MERONEY STREET, MORE PARTICULARLY DESCRIBED HEREIN passed first reading.

CLOSURE AND ABANDONMENT

#1997-098 (THE MCCALLIE SCHOOL)

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley, AN ORDINANCE CLOSING AND ABANDONING AN ALLEY LOCATED SOUTHWEST FROM KIRBY AVENUE, NORTHWEST OF KYLE STREET, MORE PARTICULARLY DESCRIBED HEREIN, UPON CERTAIN CONDITIONS passed first reading.

AGREEMENT

On motion of Councilman Eaves, seconded by Councilwoman Rutherford, A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH WHEELABRATOR WATER TECHNOLOGIES INCORPORATED - BIO GRO DIVISION, RELATIVE TO AN ANNUAL CONTRACT FOR A PERIOD OF TWO (2) YEARS CONCERNING BIOSOLIDS MANAGEMENT AT THE MOCCASIN BEND WASTEWATER TREATMENT PLANT **was deferred for one month or 30 days.**

PROPOSAL ACCEPTANCE

On motion of Councilwoman Rutherford, seconded by Councilman Crockett, A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION RELATIVE TO U.S. 127 (S.R. 8, SIGNAL MOUNTAIN BOULEVARD) WIDENING PROJECT FROM U.S. 27 (S.R. 29) TO S.R. 27 (SUCK CREEK ROAD) **was deferred for two weeks.**

PUBLIC HEARING (SOUTHSIDE)

Councilman Crockett stated that the Economic Development Committee met last week at the Urban Design Studio and was briefed by the Planning Agency, Chattanooga Housing Authority, RiverValley, and CNE who have all worked with the two committees with 85 people involved in the different projects. He stated that the Committee as a whole had unanimously agreed to hold a **Public Hearing at 5:30 P.M. on Monday, June 9th at the Choo Choo Centennial Theatre.**

Chairman Swafford reported that the Council Clerk had made him aware of the fact that this was being hosted by the Chattanooga Housing Authority.

On motion of Councilman Crockett, seconded by Councilwoman Hurley, A RESOLUTION SETTING A DATE FOR PUBLIC HEARING TO AMEND AND EXPAND THE DOWNTOWN AREA IMPROVEMENT PROJECT TO INCORPORATE THE SOUTHSIDE was adopted.

CONTRACT EXTENSION

On motion of Councilman Pierce, seconded by Councilwoman Hurley, A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF GENERAL SERVICES TO EXTEND THE CONTRACT WITH TWH ARCHITECTS, INC., RELATIVE TO THE CENTRAL CITY COMPLEX IMPROVEMENTS, FOR A CONSIDERATION OF SIX THOUSAND DOLLARS (\$6,000.00), FOR A REVISED CONTRACT TOTAL OF SIXTEEN THOUSAND, FIVE HUNDRED DOLLARS (\$16,500.00) was adopted.

AGREEMENT

On motion of Councilman Lively, seconded by Councilman Crockett, A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AND EXECUTE AN AGREEMENT WITH HAMILTON COUNTY, TENNESSEE, RELATIVE TO LITTER COLLECTION ON MAJOR AND COLLECTOR STREETS, FOR A CONSIDERATION OF THREE THOUSAND, FORTY-TWO DOLLARS (\$3,042.00) PER MONTH, OR THIRTY-SIX THOUSAND, FIVE HUNDRED DOLLARS (\$36,500.00) ANNUALLY was adopted.

CONTRACT

On motion of Councilwoman Rutherford, seconded by Councilman Pierce, A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. 99C, CONSTRUCTION OF MISCELLANEOUS SANITARY SEWERS (REQUIREMENTS CONTRACT), TO MAYSE CONSTRUCTION COMPANY FOR THEIR BID IN THE AMOUNT OF SIX HUNDRED THOUSAND DOLLARS (\$600,000.00), AND TO EAST TENNESSEE GRADING INC. FOR THEIR BID IN THE AMOUNT OF FOUR HUNDRED THOUSAND DOLLARS (\$400,000.00), FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED ONE MILLION DOLLARS (\$1,000,000.00) was adopted.

RIGHT-OF-WAY PURCHASE

On motion of Councilman Lively, seconded by Councilwoman Rutherford, A RESOLUTION AUTHORIZING THE PURCHASE OF A RIGHT-OF-WAY FROM PAMELA G. HOLDER, RELATIVE TO CONTRACT NO. RW-8-96, WIDENING OF MOUNTAIN CREEK ROAD, TRACT NO. 14, FOR A CONSIDERATION OF TWO THOUSAND, ONE HUNDRED DOLLARS (\$2,100.00) was adopted.

RIGHT-OF-WAY PURCHASE

On motion of Councilwoman Hurley, seconded by Councilman Crockett, A RESOLUTION AUTHORIZING THE PURCHASE OF A RIGHT-OF-WAY FROM MARGARET B. RHODES, RELATIVE TO CONTRACT NO. RW-1-97, WIDENING OF JULIAN ROAD - DAVIDSON ROAD TO RAILROAD, TRACT NO. 12, FOR A CONSIDERATION OF TWO THOUSAND DOLLARS (\$2,000.00) was adopted.

TEMPORARY USAGE

On motion of Councilman Lively, seconded by Councilman Crockett, A RESOLUTION AUTHORIZING BI-LO, INC. TO USE TEMPORARILY THE NORTH SIDE AT 5901 SHALLOWFORD ROAD TO ACCOMMODATE REVISED SPACE REQUIREMENTS OF MODERN EIGHTEEN WHEELER TRUCKS, MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS was adopted.

OVERTIME

Overtime for the week ending May 23, 1997 totaled \$83,645.91.

Both Councilman Crockett and Councilwoman Rutherford questioned this amount.

Adm. Marcellis explained they had done 564 hours of brush pick-up, working ten hours a day and working on Saturday to pick up extra brush in the tornado area. He stated we could get reimbursed.

Councilman Eaves pointed out there was also extra time by the Police Department and Fire Department; that he did not think we are hurting badly with FEMA helping us out.

PERSONNEL

The following personnel matters were reported for the Public Works Dept.:

GREGORY D. KING--Three-day suspension without pay, effective 5/19/97 to 5/21/97.

ROBERT D. SHIPLEY--Family Medical Leave, effective 5/13/97.

EUGENE B. JACKSON--Employment as Laborer II in Traffic Operations, Pay Grade 4/1, \$14,868.00 annually, effective 5/28/97.

TRACEY L. ANDREWS--Employment as Laborer II in Traffic Operations, Pay Grade 4/1, \$14,868.00 annually, effective 5/28/97.

ELLA W. COLLUM--Resignation of Information Technician, effective 5/31/97.

PURCHASE

On motion of Councilwoman Hurley, seconded by Councilman Crockett, the following purchase was approved for use by the Public Works Dept.:

RAYMOND SERVICES, INC. (Only bid received)
Requisition No. 138977

Twelve Months' Contract for Freon Disposal Services at Summit Landfill Division

\$75.00/load

CERTIFICATION

Councilman Hakeem stated that in the last few weeks we had had discussions on electricians and journeymen; he asked as far as certification did we elect a certain body such as IBEW for certification and why. Adm. Marcellis responded their agency licenses on various journeymen and helpers and also they provide testing and licensing. Councilman Hakeem inquired as to which agency he was referring to, and Adm. Marcellis stated the Electrical Licenses Board. Chairman Hakeem clarified that we do not have to go outside for this, and Adm. Marcellis explained that the Mayor nominates persons to this Board, and the Council approves and funds the Board's time.

PERSONNEL

The following personnel matters were reported for the Safety Department:

KAREN TWITTY--Family or Medical Leave of Absence for Secretary, effective from 6/16/97 thru 9/02/97.

WILMA BROOKS--Return to duty of Patrol Officer from Military Leave of Absence, effective 5/23/97.

KELLEY MILLER--Compulsory Leave of Absence, effective 6/15/97 thru July of 1998.

TERRY YATES--Rescind the Reinstatement to Sergeant, effective May 9, 1997, Pay Grade 10/4, \$32,134.00 annually.

DARRYL BROWN--Three-day Suspension without pay, effective 5/27-5/29, 1997.

RANDY DOCKERY, JR.--One-day Suspension without pay, effective 5/26/97.

Adm. Dinsmore asked if there were any questions after he had passed out a new sheet of Personnel Transactions.

Councilman Eaves asked what Compulsory Leave of Absence was. Adm. Dinsmore explained it was Federal Government Leave of Absence.

PURCHASE

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

UNISOURCE (Lowest bid meeting City Specs.)
Requisition No. 125739

1000 Cases of Copy Paper

\$19,680.00

HOTEL PERMIT

On motion of Councilwoman Hurley, seconded by Councilman Pierce, the following Hotel Permit was approved:

HOLIDAY INN--3800 Cummings Highway

PURCHASES

On motion of Councilman Crockett, seconded by Councilman Pierce, the following purchases were approved for use by the General Services Dept.:

C & C OXYGEN (Overall low bid for the City)
Requisition No. 139541

Three-Year Contract for Welding Gas and Supplies

(Various Prices)

ADUDELL ROOFING (Lower and better bid for the City)
Requisition No. 139002

Contract to remove and replace roof on new Medal of Honor Museum at St. Elmo School

\$127,834.00

REFUND OF PROPERTY TAXES

On motion of Councilman Crockett, seconded by Councilman Lively, the Finance Officer was authorized to make the following refund on 1996 Property Taxes:

BRACH & BROCK CONFECTIONS, INC.--Bill #65082--Assmt. Change--\$11,274.53.

COMMITTEES

Councilman Crockett stated he had already made his report about last week's **Economic Development Committee** Meeting, and he had no further meeting scheduled.

Councilman Eaves stated he had no report at this time; however during the course of a **Public Works Committee** meeting it had been requested that we suspend all other discussions regarding the North end of Hamilton County until we hear from Attorney Randy Nelson concerning the legality of it.

Attorney Nelson stated that last week the Attorney General ruled that we have to get the County's approval for any proposed landfill site in Hamilton County; that a case could be ruled unconstitutional. He reiterated that we have to get permission from the County when we want to construct the landfill, which could be quite a ways down the road and the present County Commission might not even be the one we will be dealing with. He stated that we still have the right to proceed with what we have started.

Councilwoman Rutherford asked if the case Attorney Nelson was referring to was already on the docket of the Supreme Court. Attorney Nelson explained it would take 45 days to seek appeal to the Tennessee Supreme Court, and it was not on the docket.

Councilman Hakeem stated that last week we set dates for **Budget and Finance Committee** meetings; that we now need to change some of these dates; that we had previously set a meeting for Monday, June 2nd, and the Mayor would be out of the City on that day; therefore the meeting would be rescheduled for **Tuesday, June 3rd at 5:00 P.M.** We had set a meeting on Monday, June 9th at 5:00 P.M.; however there is a Public Hearing for the Southside Development set for 5:30 on June 9th, and the meeting will need to be changed to **Tuesday, June 10th at 5:00 P.M.** The meetings set for **Wednesday, June 18th at 5:00 P.M. and Tuesday, June 24th at 5:00 P.M.** will not change. He reminded the Council that the 24th is the date we are shooting for to pass the Budget Ordinance on first reading.

COMMITTEES (CONT'D.)

Councilman Pierce asked when the Council could expect to get their Budget packets; Adm. Boney responded by the June 3rd meeting. Councilman Pierce indicated it would be nice to get them as soon as possible. Councilman Hakeem noted that the first meeting would just be a preliminary discussion of the Budget, and then we would go into more detail at subsequent meetings. He requested that Adm. Boney make an effort to get this to the Council beforehand so that they would have time to peruse it.

Councilman Pierce reported that there had been a meeting of the **Safety Committee** earlier in the day to discuss discrepancies in pay for Fire/Police personnel, and the committee agreed to go along with Administration's recommendation.

Councilman Pierce asked City Attorney Nelson for his opinion from last week's discussion about the Judge ordering Meter Maids to Court. Attorney Nelson responded that he had not had time to research this; as far as the other matter, this was handled in the Safety Department's Personnel matters in support of the Public Hearing that had been held.

Councilwoman Rutherford reported that there had been a joint meeting of the **Youth & Family Support** and **Health, Education and Human Services Committees** earlier in the day; that they discussed briefly the Community Task Force Report and established guidelines for next week's meeting. She stated that Attorney Phil Noblelett would be here for discussions.

Councilman Taylor reiterated that we would return to these matters at a joint **Youth & Family Support** and **Health, Education and Human Services committees** meeting at 4:00 P.M. on Tuesday, June 3rd; that we would go into further detail and go through the recommendations presented to the Council.

CANCELLATION OF JUNE 17 COUNCIL MEETING

Chairman Swafford noted that on June 17th, five Council members would be in attendance at the Tennessee Municipal League meeting in Knoxville. **On motion of Councilwoman Rutherford, seconded by Councilman Taylor, there will be no Council meeting on Tuesday, June 17th** as the majority of the Council will be attending the TML meeting.

SPECIAL PRESENTATIONS

Chairman Swafford stated that because of the sudden numerous requests for Special Presentations before the Council, we would try to schedule them for the first or last meeting of each month or on the 5th Tuesday so they would not conflict with Zoning Cases.

NEXT WEEK'S AGENDA

Councilwoman Rutherford requested that **Ordinance 6(a)** on next week's agenda, **1996-278 Commercial Management Corporation** (From R-1 & R-3 to R-4), being a tract of land located in the 1100 block of Dave L. Brown Drive and the **Special Presentation by the Brainerd Hills Neighborhood Association be postponed for one month.** On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley, these two matters will be **postponed for one month.**

JOYCE STOVALL

Ms. Stovall appeared before the Council stating that she was here again--that this would be her last time and that she had already spoken to Councilman Hakeem. She stated she was still "going through hell" because of certain Councilmen, and she wanted the Council to be aware of who they were. She stated she felt there was an electric crisis going on, and that they were trying to "bump her off silently and real fast"; that TVA, Electric Power Board, Water Co., and the Air Pollution Control Board were all controlling and using genocide on people and trying to kill her, and they had killed her family, and she was wanting justice done and to undo the lies and stated she did not stand alone. She stated she was asking the Council fairly and squarely for help, and she wanted justice and want to know what the Council planned to do about this given to her in writing.

JIM GAITHER

Mr. Gaither had previously presented a copy of his statement to the Council Clerk, which is made a part of the minute material. He wished to speak concerning the proposed landfill at Sale Creek.

Councilman Eaves pointed out that we had already discussed this and moved that the Council suspend discussions of the landfill until further legal action and recommendation. Attorney Nelson verified that until the Court acts, we don't know what it will be.

JIM GAITHER (CONT'D.)

Councilman Pierce stated he was tired of listening to this until we are ready to take action; that it was not doing anyone any good. **Councilman Pierce seconded Councilman Eaves' motion to suspend discussions**, stating that we want to respect everyone, but there is nothing we can do right now.

Mr. Gaither stated that he did not agree with this.

Chairman Swafford explained that it was the City Attorney's opinion that no action could be taken at this point; that we were suspending discussions from a legal standpoint; that we would defer until some ruling is forthcoming from the City Attorney. He asked the timeframe. Attorney Nelson stated it would be 2-3 weeks until an appeal could be sought which would determine whether one provision of the State Law is unconstitutional.

Councilman Pierce assured those present that we know who the spokesperson is for SCAT, and we will let them know when this is brought up again so that they can be heard. Mr. Fred Morgan left his card with the Council Clerk.

(COUNCILWOMAN RUTHERFORD LEFT THE MEETING AT THIS TIME.)

LOUISE SEARCY

Ms. Searcy appeared before the Board stating she had been on this "detail" since last February (East Lake Park); that she would appreciate it if the Council would get on this and see if they could take care of it. She questioned what the police were supposed to do; that they worked and tried to take care of a good, nice clean park and could not do it alone. She related an incident where the police were called on Saturday to investigate a couple under a quilt at 4:00 in the afternoon while children were all around. She stated they called the police, and he went down and talked to them and left them there and told her they were cold; that she and two others who were on "detail" were watching this from a car, and they sent someone down and the couple were less than fully clothed. She asked what we could do with our police--that they were trying to get this cleaned up, and they wanted the police to do something for them at East Lake Park.

Councilman Taylor stated Mrs. Searcy had given him the details, and we would be following up on this.

LUCILLE WARE MYLES

Ms. Myles appeared before the Council as a concerned citizen about our youth and what is happening on Brainerd Rd. at the Car Wash, Walgreens, etc. She stated most of these young people were college kids and high school kids; that she was coming before the Council tonight with a request for some place for our children to hang out and have a nice time on weekends like children of other races. She stated a committee had been formed to address some of these issues, and they wanted their children to not have any fear; that she was afraid this was going to escalate into something ugly. She stated the kids were home from college, and she was afraid they would be hurt; that the police were giving them no respect and talked to them any way; that the police were saying nothing to the white children; that they wanted somewhere the kids can go where the parents will feel safe with them going there. She stated Mr. Nathan Lee was part of the committee and also Ms. Brenda Washington.

Tommy Buchanan, a young person, was present and questioned how they could earn one another's respect with the Police so that they could enjoy themselves peacefully.

Mr. Nathan Lee, Sr. spoke next. He stated he was proud of these kids for coming forward and looking for adult supervision; that people want them to "react" and not be "proactive"; that the kids came to them and told them they were having problems. He questioned if there were any areas where these kids could congregate and have fun.

Jawanna Drew, a young lady, spoke next, stating she came to the meetings of the committee and told them what was happening. She told of an incident on Mother's Day when traffic had become a problem at the Car Wash, and they were told to go to Eastgate, and they were not bothering anyone; that they were allowed to be there about two hours and several police cars came by and made everyone leave. She stated they (Police) did not do this nicely--that they ordered people in their cars. She questioned why they could not congregate; that the Police let the Target kids stay there, and they were making more noise. She stated they wanted to do the same as others and wanted something done about this. She mentioned Booker T. as being a suggestion.

Thomas Evans, a young man, spoke next, asking for equal opportunity as the white kids, stating something should be done about this at Eastgate and the Car Wash. He stated the only problem was when the Police use their power to overcome them--that they wanted equal opportunity.

BRENDA WASHINGTON

Ms. Washington stated this was not a teen-friendly town; that these kids were college educated; that there had been some interest about this a year ago in St. Elmo; that kids came to her and told her how the Police were harassing them and saying "we have a group of niggers and may need backup". She stated our children should not have to go through the same thing we used to have to go through. She stated she was a private person and had lived in St. Elmo over 20 years and had never seen any "gang stuff" as it was "hyped" up in the media nor gang graffiti in St. Elmo. She stated these kids were not gangs--that every black child is not in a gang. She told of an incident where a policeman had slammed her child against a car and expressed her concern that the insignificant things that black children were being charged with would result in all who are young and black landing up with a police record, noting they were being arrested for trespassing when they were only visiting relatives and friends in projects--that they were charging them with criminal trespassing and taking the boys to jail. She stated the City was going about this in the wrong way and making people angry. She went on to say that all Southside people are not poor, and she felt the Police were targeting certain areas. She stated she would refuse to shop in a place where they treat her children like they do--that Chattanooga is losing a lot of business, questioning if black money meant a lot to Chattanooga. She stated she had a big family, and they were not poor--that her family ranged from everywhere to California and Texas and had white friends--that they would not be having their Family Reunion here. She stated that kids respected her, and it was all in the way you approach people; that if the people in blue could not wear it with dignity and respect, they should not be wearing it at all.

Chairman Swafford stated he shared some of the same concerns and was part of a meeting that included Councilman Hakeem, Ken Hays, and Mayor Kinsey, stating he knew this was a genuine and serious issue. He stated there were some areas they were looking towards, and he asked Councilman Hakeem to comment on this direction, noting that the Parks and Recreation Dept. would be brought into this.

Councilman Hakeem stated he would first like to express his appreciation for the young people who had addressed the Council tonight. He asked them to be aware that City Government is not sitting still and as stated last week, we are trying to put a framework together on ways to go about this; that they would be meeting with a group of concerned adults and young people to identify the concerns and see what options there are; that an effort would be made to try to resolve the concerns that are there. He stated he thought it was very appropriate for the young people to be a part of this and that those in Government needed to be on the same page. He mentioned that there were some concerns of business people such as Target's; that there needed to be some form of positive outlets for people.

Mr. Lee stated they were not here trying to resurrect or circumvent; that they just wanted the City to investigate the situation and find out the most viable way of handling this and try to resolve things before it mushrooms.

Councilman Taylor stated he would like to join in with Councilman Hakeem and commend these young people and adults; that we need to work closely together--hand-in-hand, young and old; that he hoped the result of the Police Dept. and Recreation Dept. working together would be something great and that the young people would continue to express themselves positively.

Mrs. Ware stated she had contacted Walgreens and asked them what was happening--that this was a nice bunch of children with no dope and cursing. She stated she thought it was a matter of people not being able to get on the lots, and they had contacted Marti Rutherford, and she got the police out there for them.

Councilman Pierce mentioned the perspective of Black officers and disorders occurring during the past months. He stated this crowd had not been an unruly crowd but had been orderly. He stated it seemed like young kids want to be where you don't want them to be. He stated this may be a different group--that this group is here during daylight hours, and he would say to the Mayor and Police Administration that we should not discriminate against this group or any other group as long as they are not disorderly. He explained that we have no choice if the business owners ask them to move. He explained that we are trying to change the image of the Police Department, and it has not been like it should be; that with the new Administration there should be some changes.

Councilwoman Hurley stated she agreed that there needed to be equal attention given to both races; that she chaired the Parks and Recreation Committee and asked that those present give the Council Clerk their names so that the Council can sit down with them and see what can be done. She stated she was particularly troubled that Ms. Washington's Family Reunion would not be coming here and asked her to try to get them to come. She stated we needed to do something for young people of all races, noting that we had once had midnight basketball, and suggested that we probably needed to put some resources toward this.

Ken Hays stated he was present on behalf of Mayor Kinsey; that he had met with Councilmen Hakeem and Swafford where the recommendation had been made to approach this issue and do a better job--that there were opportunities for solutions on what to do, mentioning vacant private property. He stated this was a major issue to be addressed, and they were working towards that and would like to involve those present in this solution; that the private sector working together was the spirit of Mayor Kinsey.

Mrs. Myles, Mrs. Washington, and Mr. Lee provided their names, phone numbers, and addresses to Ms. Crownover.

ADJOURNMENT

Chairman Swafford adjourned the meeting until Tuesday, June 3, 1997 at 6:00 P.M.


CLERK OF COUNCIL


CHAIRMAN

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