

Municipal Building
Chattanooga, Tennessee
November 25, 1997

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

INVOCATION

The invocation was given by City Attorney Randy Nelson.

MINUTE APPROVAL

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

AMEND CITY CODE (LANDFILL FEES)

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley, AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 18, SECTION 18-123, RELATIVE TO LANDFILL FEES passed first reading.

AMEND CITY CODE (SALE OF BEER
AT MOTION PICTURE THEATERS)

Councilwoman Hurley stated that this was discussed in committee.

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford, AN ORDINANCE AMENDING CHATTANOOGA CITY CODE, PART II, CHAPTER 5-78(c), SO AS TO PERMIT THE SALE OF ON-PREMISE BEER AT MOTION PICTURE THEATERS SUBJECT TO CERTAIN RESTRICTIONS passed first reading.

CONTRACT CHANGE ORDER

Councilwoman Hurley stated this was discussed in committee and this increase represented a successful private corporation endeavor and equal contributions from the City, County, and University of Tennessee at Chattanooga.

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford, A RESOLUTION AUTHORIZING THE EXECUTION OF A CHANGE ORDER WITH LOSE AND ASSOCIATES AND TWH ARCHITECTS, CONTRACT FOR ARCHITECTURAL AND DESIGN SERVICES FOR THE STADIUM OF 1000 DREAMS, WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT UP TO NINETY-TWO THOUSAND, FIVE HUNDRED DOLLARS (\$92,500.00) FOR A REVISED CONTRACT AMOUNT UP TO ONE HUNDRED SEVENTY THOUSAND DOLLARS (\$170,000.00) was adopted.

SPECIAL POLICEMEN APPOINTMENT

On motion of Councilwoman Rutherford, seconded by Councilman Lively, A RESOLUTION AUTHORIZING THE APPOINTMENT OF CHARLES MOORE AND JOSEPH SHEATS AS SPECIAL POLICEMEN FOR THE EEO AND BETTER HOUSING DEPARTMENT WITH THE CITY OF CHATTANOOGA, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS was adopted.

SPECIAL POLICEMAN APPOINTMENT

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley, A RESOLUTION AUTHORIZING THE APPOINTMENT OF MARTY RAY AS A SPECIAL POLICEMAN FOR THE RIVERPARK, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS was adopted.

CONTRACT

On motion of Councilman Eaves, seconded by Councilman Hakeem, A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. 28G(EP3), EQUIPMENT PROCUREMENT OF SIPHON SLUDGE COLLECTOR FOR MOCCASIN BEND WASTEWATER TREATMENT PLANT, TO F. B. LEOPOLD COMPANY, INC. FOR THEIR LOW BID IN THE AMOUNT OF NINE HUNDRED EIGHT THOUSAND, THREE HUNDRED SEVENTY-FOUR DOLLARS (\$908,374.00) FOR EQUIPMENT AND THREE THOUSAND, ONE HUNDRED TWENTY-SEVEN DOLLARS (\$3,127.00) FOR MONTHLY STORAGE, IF NEEDED was adopted.

CONTRACT CHANGE ORDER

On motion of Councilman Eaves, seconded by Councilwoman Hurley, A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1, CONTRACT NO. SWM-2-96, NORTH TERRACE FLOOD CONTROL, WITH MAYSE CONSTRUCTION COMPANY, WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY EIGHTY-FOUR THOUSAND, EIGHTY-NINE AND 25/100 DOLLARS (\$84,089.25), FOR A REVISED CONTRACT AMOUNT OF SIX HUNDRED NINETY-FOUR THOUSAND, TWO HUNDRED SIXTY-SIX AND 75/100 DOLLARS (\$694,266.75) was adopted with Councilwoman Rutherford in opposition.

AGREEMENT (TVA)

On motion of Councilwoman Rutherford, seconded by Councilman Lively, A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE TENNESSEE VALLEY AUTHORITY, RELATIVE TO ANALYTICAL SERVICES FOR STORMWATER SAMPLES, FOR A TOTAL COST NOT TO EXCEED THIRTY-SIX THOUSAND DOLLARS (\$36,000.00) was adopted.

AGREEMENT (UTC)

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford, A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE UNIVERSITY OF TENNESSEE AT CHATTANOOGA, RELATIVE TO MONITORING FECAL COLIFORMS IN STORMWATER DISCHARGE, FOR A TOTAL COST NOT TO EXCEED TWENTY-SIX THOUSAND, FIVE HUNDRED THIRTY-FIVE DOLLARS (\$26,535.00) was adopted.

AGREEMENT (UTC)

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley, A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE UNIVERSITY OF TENNESSEE AT CHATTANOOGA, RELATIVE TO ASSESSMENT OF WATER QUALITY, HABITAT CONDITIONS, AND MACROINVERTIBRATE AND FISH ASSEMBLAGES IN URBAN STREAMS, FOR A TOTAL COST NOT TO EXCEED SIXTY THOUSAND, SEVENTY-SIX DOLLARS (\$60,076.00)

was adopted.

AGREEMENT (UTC)

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley, A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE UNIVERSITY OF TENNESSEE AT CHATTANOOGA, RELATIVE TO DIFFERENTIAL GEOGRAPHIC POSITIONING FOR MAPPING SAMPLING SITES, FOR A TOTAL COST NOT TO EXCEED FIFTY-THREE THOUSAND, TWO HUNDRED SEVENTY-SEVEN DOLLARS (\$53,277.00)

was adopted.

STORMWATER DETENTION FACILITY

On motion of Councilwoman Rutherford, seconded by Councilman Taylor, A RESOLUTION AUTHORIZING THE PURCHASE OF PROPERTY LOCATED AT 1310 CRAWFORD (TAX PARCEL #158B-C-003) FROM DENNIS LEE LOWE FOR USE AS A STORMWATER DETENTION FACILITY FOR A CONSIDERATION OF TWENTY-NINE THOUSAND, FIVE HUNDRED AND 42/100 DOLLARS (\$29,500.42)

was adopted.

COMBINED SEWER OVERFLOW FACILITY

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley, A RESOLUTION AUTHORIZING THE PURCHASE OF PROPERTY LOCATED AT 2705 WILLIAMS STREET FROM HENRY T. MOORE AND IDA MOORE, RELATIVE TO CONSTRUCTION OF THE WILLIAMS STREET COMBINED SEWER OVERFLOW FACILITY, FOR A CONSIDERATION OF FORTY THOUSAND, SEVEN HUNDRED TWENTY AND 04/100 DOLLARS (\$40,720.04)

was adopted.

COMBINED SEWER OVERFLOW FACILITY

On motion of Councilman Lively, seconded by Councilwoman Hurley, A RESOLUTION AUTHORIZING THE PURCHASE OF PROPERTY LOCATED AT WILLIAMS STREET (TAX PARCEL #155C-J-016, 017, 018, 019, 020) FROM ALFRED M. ODELL AND NORA ANN ODELL, RELATIVE TO CONSTRUCTION OF THE WILLIAMS STREET COMBINED SEWER OVERFLOW FACILITY, FOR A CONSIDERATION OF NINE THOUSAND, TWO HUNDRED FOURTEEN AND 59/100 DOLLARS (\$9,214.59) was adopted.

COMBINED SEWER OVERFLOW FACILITY

On motion of Councilman Lively, seconded by Councilwoman Rutherford, A RESOLUTION AUTHORIZING THE PURCHASE OF PROPERTY LOCATED AT WILLIAMS STREET (TAX PARCEL #155C-J-021) FROM JOHN A. THOMPSON, RELATIVE TO CONSTRUCTION OF THE WILLIAMS STREET COMBINED SEWER OVERFLOW FACILITY, FOR A CONSIDERATION OF SIX THOUSAND, EIGHT HUNDRED SEVENTY-THREE AND 05/100 DOLLARS (\$6,873.05) was adopted.

SEWER EASEMENT

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford, A RESOLUTION AUTHORIZING THE PURCHASE OF A SEWER EASEMENT FROM MICHAEL S. DOUGLAS AND JOHNA J. DOUGLAS, RELATIVE TO CONTRACT NO. 99C, MISCELLANEOUS SANITARY SEWERS REQUIREMENTS CONTRACT, TRACT NOS. 1 AND 2, FOR A CONSIDERATION OF ONE THOUSAND, THREE HUNDRED DOLLARS (\$1,300.00) was adopted.

SEWER EASEMENT

On motion of Councilman Hakeem, seconded by Councilman Pierce, A RESOLUTION AUTHORIZING THE PURCHASE OF A SEWER EASEMENT FROM CLIFFORD E. DAVIS, RELATIVE TO CONTRACT NO. 99C, MISCELLANEOUS SANITARY SEWERS REQUIREMENTS CONTRACT, TRACT NO. 5, FOR A CONSIDERATION OF FIVE HUNDRED DOLLARS (\$500.00) was adopted.

COMBINED SEWER OVERFLOW FACILITY

On motion of Councilman Lively, seconded by Councilwoman Hurley,
A RESOLUTION AUTHORIZING THE PURCHASE OF PROPERTY
LOCATED AT WILLIAMS STREET (TAX PARCEL #155C-J-016,
017, 018, 019, 020) FROM ALFRED M. ODELL AND NORA
ANN ODELL, RELATIVE TO CONSTRUCTION OF THE WILLIAMS
STREET COMBINED SEWER OVERFLOW FACILITY, FOR A CON-
SIDERATION OF NINE THOUSAND, TWO HUNDRED FOURTEEN
AND 59/100 DOLLARS (\$9,214.59)
was adopted.

COMBINED SEWER OVERFLOW FACILITY

On motion of Councilman Lively, seconded by Councilwoman Rutherford,
A RESOLUTION AUTHORIZING THE PURCHASE OF PROPERTY
LOCATED AT WILLIAMS STREET (TAX PARCEL #155C-J-021)
FROM JOHN A. THOMPSON, RELATIVE TO CONSTRUCTION OF
THE WILLIAMS STREET COMBINED SEWER OVERFLOW FACILITY,
FOR A CONSIDERATION OF SIX THOUSAND, EIGHT HUNDRED
SEVENTY-THREE AND 05/100 DOLLARS (\$6,873.05)
was adopted.

SEWER EASEMENT

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford,
A RESOLUTION AUTHORIZING THE PURCHASE OF A SEWER
EASEMENT FROM MICHAEL S. DOUGLAS AND JOHNA J.
DOUGLAS, RELATIVE TO CONTRACT NO. 99C, MISCELLANEOUS
SANITARY SEWERS REQUIREMENTS CONTRACT, TRACT NOS.
1 AND 2, FOR A CONSIDERATION OF ONE THOUSAND, THREE
HUNDRED DOLLARS (\$1,300.00)
was adopted.

SEWER EASEMENT

On motion of Councilman Hakeem, seconded by Councilman Pierce,
A RESOLUTION AUTHORIZING THE PURCHASE OF A SEWER
EASEMENT FROM CLIFFORD E. DAVIS, RELATIVE TO
CONTRACT NO. 99C, MISCELLANEOUS SANITARY SEWERS
REQUIREMENTS CONTRACT, TRACT NO. 5, FOR A CON-
SIDERATION OF FIVE HUNDRED DOLLARS (\$500.00)
was adopted.

SEWER EASEMENT

On motion of Councilwoman Rutherford, seconded by Councilman Pierce, A RESOLUTION AUTHORIZING THE PURCHASE OF A SEWER EASEMENT FROM DEWITT JONES AND NEENA M. JONES, RELATIVE TO CONTRACT NO. 99C, MISCELLANEOUS SANITARY SEWERS REQUIREMENTS CONTRACT, TRACT NO. 6, FOR A CONSIDERATION OF ONE THOUSAND, THREE HUNDRED FIFTY DOLLARS (\$1,350.00) was adopted.

RIGHT-OF-WAY PURCHASE

On motion of Councilwoman Rutherford, seconded by Councilman Taylor, A RESOLUTION AUTHORIZING THE PURCHASE OF A RIGHT-OF-WAY FROM LAURI W. HYYTI, RELATIVE TO CONTRACT NO. SS-2-97, SHALLOWFORD ROAD AT TUNNEL BOULEVARD STREETScape, TRACT NO. 12 FOR A CONSIDERATION OF THREE THOUSAND, THREE HUNDRED DOLLARS (\$3,300.00) was adopted.

TEMPORARY RIGHT-OF-WAY USE

On motion of Councilwoman Hurley, seconded by Councilman Taylor, A RESOLUTION AUTHORIZING MONKEY BUSINESS TO USE TEMPORARILY A PORTION OF THE CITY'S RIGHT-OF-WAY AT 30 FRAZIER AVENUE, SUBJECT TO CERTAIN CONDITIONS, FOR HANGING A BUSINESS SIGN, MORE PARTICULARLY DESCRIBED HEREIN was adopted.

PUD SPECIAL EXCEPTIONS PERMIT

Councilwoman Rutherford stated that she must have missed the committee meeting where this was discussed and questioned it. Attorney Nelson responded that it was the Final PUD. Councilwoman Rutherford asked if we had seen the plans. Attorney Nelson stated that we passed the Preliminary and this is the Final. Councilwoman Rutherford questioned if we needed to defer this until Councilman Crockett is present. Attorney Nelson stated that he thought they were in a real hurry on this one -- that it is Rick Ebersole's.

PUD SPECIAL EXCEPTIONS PERMIT
(CONT'D.)

On motion of Councilman Lively, seconded by Councilwoman Hurley,
A RESOLUTION GRANTING A SPECIAL EXCEPTIONS PERMIT
FOR A FINAL PLANNED UNIT DEVELOPMENT ON A TRACT OF
LAND LOCATED IN THE 4300 BLOCK OF WEBB ROAD, BEING
ON THE WEST LINE OF WEBB ROAD SOUTHWEST OF CHAMPION
ROAD, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN
ON PLAT ATTACHED HERETO AND MADE A PART HEREOF BY
REFERENCE
was adopted.

OVERTIME

Overtime for the week ending November 21, 1997 totaled \$94,035.60.

PURCHASE

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford,
the following purchase was approved for use by the Human Services
Dept.:

ATLANTIC DISTRIBUTORS (Only TDA Approved Distributor):
Requisition No. R0026569

Twelve (12) Month Requirements Contract for cold, dry
and cooler space for surplus USDA commodities, effective
through September 1998

@\$1.60 per case
(with items left in storage
over 90 days subject to a
monthly charge of \$.015 per
pound)

PURCHASES

On motion of Councilwoman Hurley, seconded by Councilman Lively, the following purchases were approved for use by the Parks and Recreation Dept.:

NEWTON CHEVROLET (Best bid received)
Requisition No. R0027528

Pick Up Truck

\$22,975.00

TENNESSEE OUTDOOR POWER, INC. (Lower and better bid)
Requisition No. R0027526

4500 Hustler Mower

\$17,894.00

PERSONNEL

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

NAVEED A. MINHAS--Promotion to Civil Engineer III at Pay Grade 18/6, \$46,032.00 annually, effective 12/31/97.

IRIS C. SESKO--Retirement of Civil Engineer III, effective 12/31/97.

LLOYD L. HUSSEY--Three-day suspension without pay of Sanitation Worker I, effective 11/21-24-25/97.

MACK H. BYNUM--Family Medical Leave for Laborer I, effective November 11, 1997 to February 3, 1998.

PAUL BELL--Dismissal of Laborer I, effective 11/5/97.

PAUL FERGUSON--Promotion to Clerk IV at the Moccasin Bend Treatment Plant, Pay Grade 6/11, \$22,809.00 annually, effective 11/21/97.

PURCHASES

On motion of Councilman Lively, seconded by Councilwoman Rutherford, the following purchases were approved for use by the Public Works Dept.:

VULCAN ALUMINUM (Lower and better bid)
Requisition No. R0005119

Twelve Month Requirements Contract for Sign Blanks for
Traffic Operations

(Various prices)

AUSTIN FEED & SEED CO. & PENNINGTON SEED (Extension of Contracts)
Contract No. P1145426 AND P1145427

Extension of Contracts respectively for grass seed and fertilizer

(Various prices)

FLASHER BARRICADE COMPANY (Lower and better bid)
Requisition No. R0030104

Twelve Month Contract for Flasher & Barricade Services

\$0.27/barricade/day

PERSONNEL

The following personnel matter was reported for the Police Dept.:

LOUISE T. WILLIAMS--Family and Medical Leave of Absence for
Dispatcher, effective 12/05/97 for a period of about four weeks.

PURCHASES

On motion of Councilwoman Rutherford, seconded by Councilman Lively, the following purchases were approved for the Police Dept.:

G. T. DISTRIBUTORS (Only bid received)
Requisition No. R0027824

Pistols

\$12,131.75

PURCHASES (CONT'D.)

G. T. DISTRIBUTORS (Only bid received)
Requisition No. R0027819

Ammunition

\$10,281.03

Councilman Pierce questioned if Chief Dotson was changing the type of guns in purchasing 50 new pistols. Chief Dotson responded that it was the same type of weapon, but we were just increasing the technology; that these type of weapons would be phased-in and by trading in weapons we were getting more value. Councilman Pierce asked the cost without the trade-ins, and the answer was \$496.87 per weapon; with the trade-ins it was \$252.50 per weapon.

PURCHASES

On motion of Councilman Lively, seconded by Councilwoman Hurley, the following purchases were approved for use by the Dept. of Finance and Administration:

INTERGRAPH CORPORATION (Single Source Purchase)
Requisition No. R0028227

Computer Equipment Upgrade for Planning Commission

\$10,960.00

INTERGRAPH CORPORATION (Single Source Purchase)
Requisition No. R0028228

Software/Hardware Maintenance Contract (12 Month)

\$12,612.00

DECEMBER 23RD COUNCIL MEETING

Chairman Swafford stated that the Council needed to make a decision on whether or not we would have a meeting on December 23rd. Councilman Pierce moved that we eliminate having a meeting that week. This was seconded by Councilman Taylor and approved by the Council.

Councilwoman Rutherford stated that she had brought up the question of whether the Friday after Christmas would be a holiday. She stated she knew what the Mayor had said about this but questioned what the Council's policy would be for their staff. Chairman Swafford stated that it would be handled the same way that it had been handled for the last three years with employees being able to use personal leave.

COMMITTEES

Councilwoman Rutherford reminded the Council of the Youth and Family Support Committee meeting scheduled for Tuesday, December 2nd at 4:00 P.M. for an update on the Families First Program.

Councilman Pierce stated that the Chief of the Fire Department had asked for a short meeting on Standard Operating Procedures, and he scheduled a meeting of the Fire and Police Committee to follow the Youth and Family Support Committee meeting on Tuesday, December 2nd.

Councilman Hakeem reported that the Budget and Finance Committee met today for a first look at the Capital Budget. He scheduled another meeting of the Budget and Finance Committee for Tuesday, December 9th at 5:00 P.M. to review the Capital Budget in more detail.

Councilman Hakeem also reported that on December 4th at 6:00 P.M. there would be a Glenwood Community Center Neighborhood Planning meeting for the Glenwood Precinct and that all were invited and that Planning would be assisting in this effort.

Councilwoman Hurley mentioned that she had received a number of concerns about our Permits of Construction Dump Sites in residential areas. She questioned how big they could be. She suggested that this be discussed in the next Public Works Committee meeting or a Legal and Legislative Committee meeting. She stated they were getting bigger and bigger and questioned if we have any control over the size; that maybe we needed to look at this and see if we needed to sharpen our focus. Chairman Swafford agreed that this had come up before and that we needed to look at this.

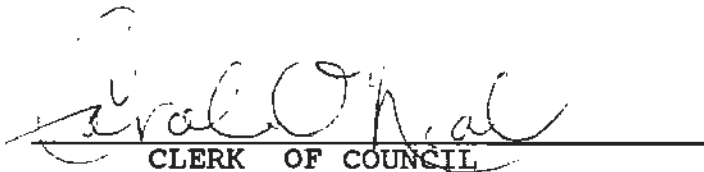
COMMITTEES (Cont'd.)

Councilwoman Rutherford asked Councilman Hakeem if Sports Medicine had been invited to the Glenwood Meeting. Councilman Hakeem indicated that they were aware of this meeting.

ADJOURNMENT

Chairman Swafford adjourned the meeting until Tuesday, December 2, 1997 at 6:00 P.M.


CHAIRMAN


CLERK OF COUNCIL

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