

Municipal Building  
Chattanooga, Tennessee  
October 20, 1998

The meeting of the Chattanooga Council was called to order by Vice Chairman Lively with Councilmen Eaves, Hakeem, Hurley, Pierce, Shockley, Rutherford and Taylor present; Chairman Crockett was out of the city on business. City Attorney Randall Nelson, Management Analyst Randy Burns and Council Clerk Carol O'Neal, CMC, were also present.

INVOCATION

Councilwoman Hurley gave the invocation for the evening.

MINUTE APPROVAL

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

SPECIAL PRESENTATION: OFFICERS  
MCCLAIN AND GIBBENS

Vice Chairman Lively asked Councilman Eaves, as Chairman of the Council's Safety Committee, to make the presentation to Officers McClain and Gibbens.

Councilman Eaves stated recently the Exchange Club of Chattanooga recognized Officers Phillip McClain and Roger Gibbens as "Officers of the Year". He stated the officers are assigned to East Lake Courts as Project Policemen and have gone above and beyond what was expected of them in trying to improve the quality of life for the residents. He stated Council members have been made aware that the officers have provided activities at their own expense and time. On behalf of the Council he commended them for their outstanding efforts by presenting a "Certification of Appreciation" and other gifts bearing the City's official Seal.

CLOSE AND ABANDON

1998-151: COMMERCIAL NET LEASE REALTY, INC.

On motion of Councilwoman Rutherford, seconded by Councilman Pierce, AN ORDINANCE CLOSING AND ABANDONING PROBASCO STREET, LOCATED NORTHWEST FROM GERMANTOWN ROAD NORTHEAST OF BRAINERD ROAD, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON PLAT ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE  
passed second reading. On motion of Councilwoman Hurley, seconded by Councilman Shockley, the ordinance passed third and final reading and was signed in open meeting.

REZONING

1998-168: WAYNE SHEARER

Councilwoman Rutherford made the motion to accept the amended version of the Ordinance which reflected R-4; Councilman Shockley seconded the motion; the motion passed.

On motion of Councilwoman Hurley, 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 1606 ALBERT LANE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL 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.

REZONING

1998-169: WILLIAM D. BURKHALTER

On motion of Councilman Eaves, 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 1055 GRAYS DRIVE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE

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.

REZONING

1998-172: THALIA BUSH

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley,

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 1407 MARKET STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS 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.

REMOVE CERTAIN CONDITIONS

1998-173: WILLIAM G. CORN

On motion of Councilwoman Rutherford, seconded by Councilman Shockley,

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REMOVE CERTAIN CONDITIONS IMPOSED IN ORDINANCE NO. 10106 ON PROPERTY LOCATED AT 317 SYLVAN STREET, BEING PROPERTY DESCRIBED IN PLAT BOOK 3, PAGE 31, ROHC, 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

1998-177: MARSHALL D. MIZE

Council members Pierce and Rutherford made the initial motion to approve this request on second reading; however, City Attorney Nelson indicated that a note had been received from George Elder on behalf of Marshall Mize asking that this matter be held indefinitely. Councilmen Pierce and Rutherford withdrew their motion at this time.

REZONING (Cont 'd.)

On motion of Councilwoman Hurley, 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 980 AIRPORT ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM C-1 HIGHWAY COMMERCIAL ZONE TO M-2 LIGHT INDUSTRIAL ZONE

**was deferred indefinitely at the request of the applicant.**

REZONING

1998-178: JAMES G. & BARRY A. PAYNE

On motion of Councilman Eaves, 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 7363 LEE HIGHWAY, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE AND R-4 SPECIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE passed second reading. On motion of Councilwoman Rutherford, seconded by Councilman Eaves, the ordinance passed third and final reading and was signed in open meeting.

REZONING

1998-181: HERB ADCOX

On motion of Councilwoman Rutherford, seconded by Councilman Hakeem, AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 1132 MOUNTAIN CREEK ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE passed second reading. On motion of Councilwoman Rutherford, seconded by Councilman Shockley, the ordinance passed third and final reading and was signed in open meeting.

REMOVE CERTAIN CONDITIONS

1998-183: BRINDLEY DEVELOPMENT COMPANY

Councilman Eaves inquired as to whether the conditions regarding this ordinance have been added. City Attorney Nelson stated the additions have been made a part of the site plan, and the site plan will be attached as part of the ordinance.

REMOVE CERTAIN CONDITIONS  
(Cont'd.)

Kathy Morton, a resident of Twinbrook, stated the residents talked with the development, and it was mentioned the dumpster on the property line would be moved; that she wants to make the Council aware of this.

Councilman Eaves stated leaving the dumpster would create a problem for the residents; that dumpsters create a problem everywhere we have commercial property; that the noise and early morning hours involved when the dumpsters are being hauled is a hardship on residents. He asked if removal of the dumpster can be made a part of the ordinance.

Mike Hedges of Brindley Development Company stated they have agreed to move the dumpster away from the property line and if necessary will make that commitment in writing; that they have no objection whatsoever. He stated what they hope to do is to install a trash compactor somewhere else on the property; that they certainly would not object committing to move the dumpster away from their (residents') property.

Councilman Eaves again asked if this could be written into the ordinance; that he understands this problem because he has had it before.

City Attorney Nelson inquired as to whether 80 feet would be a sufficient distance. Councilman Eaves expressed his thoughts that an 80 feet distance would cover the residents' very well. He stated from looking at the background of this Company if they thought there is a problem they will solve it. He stated when we have this difficulty we go to the dumpster company if they are moving the dumpsters at strange hours as many companies want to come in early, reiterating his having had this problem previously.

Doris Graham stated she was not at the last Council meeting when this matter was discussed because she was out of town on business. She asked for clarification regarding the parking spaces; that it was stated after the meeting with the developer that the developer is not sure they would need the parking spaces and would put a garage there instead.

Councilman Eaves stated at the meeting it was said they are going to have one story covered parking spaces there.

REMOVE CERTAIN CONDITIONS  
(Cont'd.)

At this time it was suggested that the Mesdames Graham and Morton and Mr. Hedges converse about this matter. City Attorney Nelson clarified the amended condition with reference to the dumpster being placed 80 feet from the Twinbrook property line.

Councilman Taylor made the motion to accept the amendments to this ordinance; Councilwoman Rutherford seconded the motion; the motion carried.

On motion of Councilwoman Hurley, seconded by Councilman Hakeem, AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REMOVE CERTAIN CONDITIONS IMPOSED IN ORDINANCE NO. 10260 ON PROPERTY LOCATED AT 7604 STANDIFER GAP ROAD, BEING PROPERTY DESCRIBED IN DEED BOOK 4490, PAGE 71, ROHC, SUBJECT TO CERTAIN CONDITIONS  
passed second reading. On motion of Councilman Hakeem, seconded by Councilwoman Rutherford, the ordinance passed third and final reading and was signed in open meeting.

REZONING

1998-185: INMAN, LLC

On motion of Councilwoman Rutherford, seconded by Councilman Taylor, 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 4200 BLOCK OF CUMMINGS HIGHWAY, MORE PARTICULARLY DESCRIBED HEREIN, FROM C-2 CONVENIENCE COMMERCIAL ZONE TO RT-1 RESIDENTIAL TOWNHOUSE ZONE  
passed second reading. On motion of Councilman Taylor, seconded by Councilwoman Rutherford, the ordinance passed third and final reading and was signed in open meeting.

REZONING

1998-186: THE CARTER STREET CORPORATION

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley,  
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 1200 BLOCK OF CARTER STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS  
passed second reading. On motion of Councilwoman Rutherford, seconded by Councilman Taylor, the ordinance passed third and final reading and was signed in open meeting.

REZONING

1998-187: ISSA BASSAM

On motion of Councilman Hakeem, seconded by Councilwoman Hurley,  
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 6500 BLOCK OF LEE HIGHWAY, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS  
passed second reading. On motion of Councilwoman Rutherford, seconded by Councilman Taylor, the ordinance passed third and final reading and was signed in open meeting.

AMEND ORDINANCE NO. 9080

1998-190 JAY E. FLOYD

On motion of Councilwoman Hurley, seconded by Councilman Taylor,  
AN ORDINANCE TO AMEND ORDINANCE NO. 9080, ENCAPTIONED "AN ORDINANCE CLOSING AND ABANDONING PARKER AVENUE LOCATED NORTHEAST FROM MORRISON SPRINGS ROAD AND SOUTHWEST FROM MOUNTAIN VIEW AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, UPON CERTAIN CONDITIONS." SO AS TO REMOVE THE CONDITION OF THE CLOSURE AND ABANDONMENT BEING SUBJECT TO RESERVATION OF AN EASEMENT FOR ANY EXISTING UTILITIES  
passed second reading. On motion of Councilwoman Rutherford, seconded by Councilman Taylor, the ordinance passed third and final reading and was signed in open meeting.

UTC COMMUNICATIONS CLASS

Vice Chairman Lively recognized the presence of Stephynie Chapman (teacher) and students from the Communications Class at UTC.

AMEND CITY CODE

Councilman Pierce questioned the purpose of this ordinance. Councilman Taylor expressed his thought that the matter was to go to Committee for explanation.

George Morgan stated under the current ordinance a person who retires, in order to cover that person's spouse and family, have to be with that employee five years prior to retirement. He stated this is a recommendation that that be changed to a two year period so that when a person retires if they were married to this spouse and produced a family within the two year period they (spouse and family) would still be covered. He stated if they were divorced subject to retirement and then remarry the new spouse will not be covered.

Councilman Pierce stated this is the second time this matter has been revisited as it came up three-or-four years ago where we reinstated the five year term. He stated there is trend of some employees marrying younger people after retirement and to him he basically does not think it was a good ordinance at the time, and now we are talking about changing it to two years. At this point he made the motion to deny the request; Councilman Eaves seconded the motion.

Councilwoman Rutherford inquired as to the financial impact this will have on the City. Mr. Morgan stated a study was conducted fifteen months ago and it was found there would be no significant impact to the cost of our medical program.

Councilman Taylor inquired as to the reason for the change from five to two years. Mr. Morgan stated the change is requested as a result of the request of employees.

Councilman Pierce stated it was Administration's request for the five year change and at that time there were no guidelines, and it was stated it was beneficial for us to approve the five year request.



AMEND CITY CODE (Cont'd.)

On motion of Councilman Pierce, seconded by Councilman Eaves,  
AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,  
CHAPTER 2, SECTIONS 2-175(a) AND 2-175(b), RELATIVE TO  
HOSPITALIZATION AND OTHER BENEFITS AFTER RETIREMENT

**was denied;** on roll call vote:

|            |       |
|------------|-------|
| Eaves      | "Yes" |
| Hakeem     | "Yes" |
| Hurley     | "Yes" |
| Lively     | "Yes" |
| Pierce     | "Yes" |
| Rutherford | "No"  |
| Shockley   | "Yes" |
| Taylor     | "No"  |

AMEND CITY CODE

Councilman Hakeem stated Ordinances 6(b) - (e) were heard in the  
Economic Development Committee and are recommended for approval;  
that they also have the support of the Manufacturer's Association.

On motion of Councilman Hakeem, seconded by Councilwoman Rutherford,  
AN ORDINANCE TO AMEND THE CHATTANOOGA CITY CODE, PART  
II, CHAPTER 4, WHICH CHAPTER IS KNOWN AS "THE  
CHATTANOOGA AIR POLLUTION CONTROL ORDINANCE" BY  
PROVIDING FOR INCORPORATION BY REFERENCE OF CERTAIN  
STATE REGULATIONS AND FEDERAL REGULATIONS  
passed first reading.

AMEND CITY CODE

On motion of Councilwoman Rutherford, seconded by Councilwoman  
Hurley,

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,  
CHAPTER 4, WHICH CHAPTER IS KNOWN AS "THE CHATTANOOGA  
AIR POLLUTION CONTROL ORDINANCE" BY PROVIDING FOR  
REVISIONS TO THE GENERAL DEFINITIONS, SAMPLING AND  
TESTING METHODS, PERMIT FEES, EMERGENCY EPISODES,  
PROCESS WEIGHT RULE, INFECTIOUS WASTE INCINERATOR RULE,  
PART 70 SOURCE REGULATION AND PERMITS, AND ADDING ANY  
CREDIBLE EVIDENCE CLARIFICATION, DEFERRAL FROM CERTAIN  
PERMIT REQUIREMENTS, A GENERAL PERMIT BY RULE FOR  
CERTAIN COATING OPERATIONS, CHEMICAL ACCIDENT  
PREVENTION REQUIREMENTS, COMPLIANCE ASSURANCE  
MONITORING, INSIGNIFICANT ACTIVITIES, HAZARDOUS  
AIR POLLUTANTS REQUIREMENTS, MUNICIPAL SOLID WASTE  
LANDFILL REQUIREMENTS, AND CERTAIN HOUSEKEEPING  
REVISIONS

passed first reading.

APPROPRIATION

On motion of Councilwoman Hurley, seconded by Councilman Taylor, AN ORDINANCE APPROPRIATING FIFTY THOUSAND DOLLARS (\$50,000.00) FROM THE CAPITAL ECONOMIC DEVELOPMENT FUND TO THE CHATTANOOGA-HAMILTON COUNTY AIR POLLUTION CONTROL BUREAU FOR THE BROWNFIELD PROGRAM passed first reading.

APPROPRIATION

On motion of Councilwoman Rutherford, seconded by Councilman Pierce, AN ORDINANCE APPROPRIATING TWELVE THOUSAND, FIVE HUNDRED DOLLARS (\$12,500.00) FROM THE CAPITAL ECONOMIC DEVELOPMENT FUND TO THE CHATTANOOGA-HAMILTON COUNTY REGIONAL PLANNING AGENCY FOR A STUDY OF THE VOLUNTEER ARMY AMMUNITION PLANT (VAAP). passed first reading.

STREET NUMBERING/ADDRESSING POLICY AMENDMENT

Councilman Hakeem stated Resolutions 7(a) and (e) were discussed in Economic Development Committee and are recommended for approval.

On motion of Councilwoman Rutherford, seconded by Councilman Pierce, A RESOLUTION ADOPTING AN AMENDMENT FOR CLARIFICATIONS AND PRACTICALITY TO THE STREET NUMBERING AND ADDRESSING POLICY FOR THE CITY OF CHATTANOOGA was adopted.

EXTEND PERSONAL SERVICES CONTRACT: GARY EDEN AND JOHN LEWIS

On motion of Councilman Hakeem, seconded by Councilwoman Rutherford, A RESOLUTION AUTHORIZING THE EXTENSION OF PERSONAL SERVICES CONTRACTS WITH GARY EDEN AND JOHN LEWIS, RELATIVE TO THE CLEAN-UP OF CITY-OWNED SURPLUS AND BACK TAX PROPERTIES, EACH FOR AN AMOUNT NOT TO EXCEED TWELVE THOUSAND DOLLARS was adopted.

EXTEND PERSONAL SERVICES CONTRACT:  
CHARLES TINKER

On motion of Councilwoman Rutherford, seconded by Councilman Taylor, A RESOLUTION AUTHORIZING THE EXTENSION OF A PERSONAL SERVICES CONTRACT WITH CHARLES TINKER, RELATIVE TO THE ORCHARD KNOB URBAN RENEWAL PROJECT, FOR AN ADDITIONAL AMOUNT OF FIVE THOUSAND DOLLARS (\$5,000.00), FOR A CONTRACT TOTAL OF FIFTEEN THOUSAND DOLLARS (\$15,000.00) was adopted.

LEASE AMENDMENT: RALPH C.  
GOODLET

On motion of Councilwoman Rutherford, seconded by Councilman Pierce, A RESOLUTION AUTHORIZING THE MAYOR AND CITY FINANCE OFFICER TO EXECUTE AND ATTEST, RESPECTIVELY, A LEASE AMENDMENT WITH RALPH C. GOODLET, ON BEHALF OF THE CHATTANOOGA-HAMILTON COUNTY AIR POLLUTION CONTROL BOARD, FOR THE RENTAL OF PREMISES LOCATED AT 3509-3511 ROSSVILLE BOULEVARD was adopted.

EXTENSION OF TIME: SIGMA CHI  
FRATERNITY HOUSE

On motion of Councilman Pierce, seconded by Councilwoman Rutherford, A RESOLUTION EXTENDING THE TIME FOR REBUILDING THE SIGMA CHI FRATERNITY HOUSE LOCATED AT 901 OAK STREET AS A LEGAL NON-CONFORMING USE UNTIL APRIL 18, 2000 was adopted.

CHANGE ORDER

Councilman Taylor stated Resolutions (f) - (s) were discussed in Public Works Committee and are recommended for approval.

On motion of Councilwoman Rutherford, seconded by Councilman Taylor, A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 2, CONTRACT NO. CSO-4a-97, CARTER STREET CSO CONTROL FACILITY, WITH W. ROGERS COMPANY, WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY TWENTY-SIX THOUSAND, TWO HUNDRED EIGHTY-FOUR AND 45/100 DOLLARS (\$26,284.45) FOR A REVISED CONTRACT TOTAL OF TWO MILLION, FIVE HUNDRED TWENTY-FIVE THOUSAND, THIRTY-SIX AND 97/100 DOLLARS (\$2,525,036.97) was adopted.

RIGHT-OF-WAY PURCHASE

On motion of Councilwoman Hurley, seconded by Councilman Hakeem, A RESOLUTION AUTHORIZING THE PURCHASE OF A RIGHT-OF-WAY FROM KAYO OIL COMPANY, RELATIVE TO EAST BRAINERD ROAD AND GUNBARREL ROAD PROJECT, TRACT NO. 9, FOR A TOTAL CONSIDERATION OF SEVEN HUNDRED SEVENTY-FIVE DOLLARS (\$775.00) was adopted.

SEWER EASEMENT PURCHASE

On motion of Councilman Hakeem, seconded by Councilman Taylor, A RESOLUTION AUTHORIZING THE PURCHASE OF A SEWER EASEMENT FROM WAYNE L. LEE, RELATIVE TO CONTRACT NO. 52E, SANITARY SEWER RELOCATION, I-75 WIDENING, EAST BRAINERD ROAD TO STATE ROUTE 153, TRACT NO. 1, FOR A TOTAL CONSIDERATION OF TWO THOUSAND, TWO HUNDRED (\$2,200.00) was adopted.

SEWER EASEMENT PURCHASE

On motion of Councilwoman Hurley, seconded by Councilman Hakeem, A RESOLUTION AUTHORIZING THE PURCHASE OF SEWER EASEMENTS FROM THOMAS LESLIE WOFFORD, RELATIVE TO CONTRACT NO. 52E, SANITARY SEWER RELOCATION, I-75 WIDENING, EAST BRAINERD ROAD TO STATE ROUTE 153, MORE PARTICULARLY DESCRIBED HEREIN, FOR A TOTAL CONSIDERATION OF ONE THOUSAND, SIX HUNDRED DOLLARS (\$1,600.00) was adopted.

SEWER EASEMENT PURCHASE

On motion of Councilwoman Hurley, seconded by Councilman Taylor, A RESOLUTION AUTHORIZING THE PURCHASE OF SEWER EASEMENTS FROM MARGARET WOFFORD WISE, RELATIVE TO CONTRACT NO. 52E, SANITARY SEWER RELOCATION, I-75 WIDENING, EAST BRAINERD ROAD TO STATE ROUTE 153, MORE PARTICULARLY DESCRIBED HEREIN, FOR A TOTAL CONSIDERATION OF ONE THOUSAND, SIX HUNDRED DOLLARS (\$1,600.00) was adopted.

SEWER EASEMENT PURCHASE

On motion of Councilman Pierce, seconded by Councilwoman Rutherford, A RESOLUTION AUTHORIZING THE PURCHASE OF A TEMPORARY CONSTRUCTION AGREEMENT FROM CSC ASSOCIATION, C/O CLAYTON R. WISELY, RELATIVE TO CONTRACT NO. 52E, SANITARY SEWER RELOCATION, I-75 WIDENING, EAST BRAINERD ROAD TO STATE ROUTE 153, TRACT NO. 12, FOR A TOTAL CONSIDERATION OF SEVEN HUNDRED DOLLARS (\$700.00) was adopted.

SEWER EASEMENT PURCHASE

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford,

A RESOLUTION AUTHORIZING THE PURCHASE OF A SEWER EASEMENT FROM LYNNE B. GREENE, RELATIVE TO CONTRACT NO. 52E, SANITARY SEWER RELOCATION, I-75 WIDENING, EAST BRAINERD ROAD TO STATE ROUTE 153, TRACT NO. 24, FOR A TOTAL CONSIDERATION OF TWO THOUSAND, TWO HUNDRED FIFTY DOLLARS (\$2,250.00) was adopted.

SEWER EASEMENT PURCHASE

On motion of Councilman Taylor, seconded by Councilwoman Rutherford, A RESOLUTION AUTHORIZING THE PURCHASE OF A SEWER EASEMENT FROM ERNEST D. BROOKS, RELATIVE TO CONTRACT NO. 52E, SANITARY SEWER RELOCATION, I-75 WIDENING, EAST BRAINERD ROAD TO STATE ROUTE 153, TRACT NO. 25, FOR A TOTAL CONSIDERATION OF EIGHT HUNDRED FIFTY DOLLARS (\$850.00) was adopted.

SEWER EASEMENT PURCHASE

On motion of Councilwoman Rutherford, seconded by Councilman Taylor, A RESOLUTION AUTHORIZING THE PURCHASE OF A SEWER EASEMENT FROM HARRY E. MARSHALL AND PATTY ELLEN MARSHALL, RELATIVE TO CONTRACT NO. 52E, SANITARY SEWER RELOCATION, I-75 WIDENING, EAST BRAINERD ROAD TO STATE ROUTE 153, TRACT NO. 26, FOR A TOTAL CONSIDERATION OF ONE THOUSAND, TWO HUNDRED SEVENTY-FIVE DOLLARS (\$1,275.00) was adopted.

SEWER EASEMENT PURCHASE

On motion of Councilwoman Rutherford, seconded by Councilman Taylor, A RESOLUTION AUTHORIZING THE PURCHASE OF A SEWER EASEMENT FROM OSCAR L. NORMAN AND INEZ D. NORMAN, RELATIVE TO CONTRACT NO. 52E, SANITARY SEWER RELOCATION, I-75 WIDENING, EAST BRAINERD ROAD TO STATE ROUTE 153, TRACT NO. 27, FOR A TOTAL CONSIDERATION OF THREE HUNDRED FIFTY DOLLARS (\$350.00) was adopted.

LOAN AGREEMENT: CARTER STREET CORPORATION

Councilman Pierce stated he was not present for the Economic Development Committee meeting and asked if the County is joining in on this.

Councilman Hakeem stated on this site we did not request it; that it is a loan by us to Carter Street that will be repaid to us in 12-15 months.

On motion of Councilman Hakeem, seconded by Councilwoman Hurley, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LOAN AGREEMENT WITH THE CARTER STREET CORPORATION WHEREBY THE CITY WILL LOAN ONE HUNDRED TWENTY-NINE THOUSAND, THIRTY-ONE DOLLARS (\$129,031.00) TO SAID CORPORATION FOR PARKING LOT DEVELOPMENT IN THE 1200 BLOCK OF CARTER STREET was adopted.

OVERTIME

Overtime for the week ending October 16, 1998 totaled \$20,694.03.

PERSONNEL

The following personnel matters were reported for the Human Services Department:

JENNIFER T. HARTZOG -- Resignation, Teacher, Head Start, effective September 14, 1998.

THEDRA PENDERGRASS -- Resignation, Clerk, Weatherization Division, effective September 24, 1998.

PERSONNEL (Cont'd.)

REESHEMA TAYLOR -- Resignation, Teacher Assistant, Head Start Division, effective October 2, 1998.

CARLA NEWBY -- Resignation, Family Service Assistant, Head Start Division, effective September 11, 1998.

FLORENCE POWERS -- Resignation, Teacher Assistant, Head Start Division, effective September 22, 1998.

THOMASINE STANSELL -- Resignation, Multi Team Manager, Head Start Division, effective October 1, 1998.

PURCHASE

On motion of Councilwoman Hurley, seconded by Councilman Hakeem, the following purchase was approved for use for the Human Services Department:

ATLANTIC DISTRIBUTORS (Sole Source Vendor)  
Requisition No. R0026756

Purchase of One Year Contract for Storage of Title II Commodities per TCA 6-56-301

\$1.75 per case

PURCHASE

On motion of Councilwoman Hurley, seconded by Councilman Hakeem, the following purchase was approved for the General Services Department:

BATTERIES PLUS (Lower and better bid)  
Requisition No. R0036560

Purchase of Automotive Type Batteries

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

PERSONNEL

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

DENNIS MOORE, WESLEY B. WILSON, BERNARD V. RENFROE, SR., -- Employment, Crew Worker, City-wide Services, Pay Grade 3/Step 1, \$15,230.00 annually, effective October 21, 1998.

KELVIN ANDERSON -- Resignation, Sanitation Worker, City-wide Services, effective September 29, 1998.

MARCUS STAMPS -- Dismissal, Sanitation Worker, City-wide Services, effective September 30, 1998.

JESSIE THORNTON -- Suspension (three days without pay), Truck Driver IV, City-wide Services, effective October 6, 8,9, 1998.

CAROL POLL -- Promotion, Administrative Secretary, Waste Resources, Pay Grade 9/Step 1, \$21,918.00 annually, effective October 26, 1998.

REFUNDS

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

ADM MILLING COMPANY -- Industrial User Surcharge, Overpayment, \$6,692.49

EARTHGRAINS -- Industrial User Surcharge, Overpayment, \$2,080.91

PURCHASE

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford, the following purchase was approved for use by the Fire Department:

MOTOROLA, INC.  
Requisition No. R0032887

Purchase of MTS 2000 Portable Radios  
\$22,029.00



PURCHASE (Cont'd.)

Councilman Pierce asked if the radios are for all firemen and how many units are involved. Chief Coppinger stated this purchase is for ten units.

Councilman Pierce inquired as to how many firemen will use them. Chief Coppinger stated on any one shift there are 109-110 firemen; that we have eligibility for four on each shift of equipment; that each unit will carry four radios.

Councilman Pierce asked if this is standard and acceptable by OSHA. Chief Coppinger stated it is standard and is a safety issue. At this point he made reference to an incident in Memphis where firemen were separated, and there was no way to communicate. He stated this will provide radio communication for the firemen.

Councilwoman Rutherford asked if this purchase will complete everyone having a radio, whether it completes what we have been working on for several years. Chief Coppinger stated this completes it for everyone that is on duty.

HOTEL PERMITS

On motion of Councilwoman Hurley, seconded by Councilman Hakeem, the following hotel permits were approved:

RED ROOF INN #162 - 7014 Shallowford Drive, Chattanooga, TN

LA PLAZA MOTEL -- 3222 Cummings Highway, Chattanooga, TN

BUDGETEL INN -- 3540 Cummings Highway, Chattanooga, TN

PERSONNEL

The following personnel matters were reported for the Police Department:

WENDY J. LAPOINT -- Resignation, Police Officer, effective October 29, 1998.

KELLEY DANNER, PATRICIA CHASTAIN -- Hire, Meter Patrol Officer, Pay Grade 5/Step 1, \$17,459.00 annually, effective October 23, 1998.

PURCHASE

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford, the following purchase was approved for use by the Police Department:

AMERICAN PAPER & TWINE (Lower and better bid)  
Requisition No. R0033254

Purchase of Paper, Copy, Multi-purpose 8 1/2 x 11 20 lb. Basic Weight Long Grain Premium Quality

\$18.50 per case

PERSONNEL

The following personnel matter was reported for the Department of Finance (City Court):

SHELLEY WOOLF -- Resignation, Court Clerk, effective October 15, 1998.

PURCHASE

On motion of Councilwoman Rutherford, seconded by Councilman Shockley, the following purchase was approved for use by the Department of Finance (Chattanooga-Hamilton County Bicentennial Library):

EBSCO INFORMATION SERVICES (Lower and better bid)  
Requisition No. R0028598

Purchase of One Year Subscription for Periodicals

\$56,838.97

PURCHASE

On motion of Councilwoman Rutherford, seconded by Councilman Shockley, the following purchase was approved for use by the Department of Finance (Information Services):

DELL COMPUTERS (Only responsible bid)  
Requisition No. R0033841

Purchase of Requirements Contract for Desktop Computers

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

BOARD REAPPOINTMENT

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford, the following Board reappointment was approved:

The Stadium Corporation

--Reappointment of **MERV PREGULMAN** for a term of four years ending October 20, 2001.

INDUSTRIAL DEVELOPMENT BOARD  
ELECTION

On motion of Councilwoman Hurley, seconded by Councilman Hakeem, the following persons were elected by acclamation to the Industrial Development Board for a term of six years ending June 9, 2004: **JEAN M. LOGAN, CAROLYN D. BEENE, RICHARD EBERSOLE, and EDWARD C. HAMMONDS.**

LIQUOR LICENSE

On motion of Councilman Hakeem, seconded by Councilman Taylor, the transfer of liquor license for Lefty's Liquors, located at 1509 Central Avenue was approved.

COMMITTEES

Councilman Taylor reminded Council members of the **Public Works Committee meeting scheduled for Tuesday, October 27 at 4 p.m.**

Councilman Eaves reminded Council members of the **Safety Committee meeting scheduled for Tuesday, October 27 immediately following the Public Works Committee meeting.**

BIRCHWOOD LANDFILL TOUR

Councilman Taylor stated Council members toured the Birchwood Landfill today. He stated it was a very interesting, as well as educational, tour and would encourage others who could not participate to go visit. He encouraged and stressed the importance of recycling to citizens and its value to landfill space.

PARKS AND RECREATION TEN YEAR PLAN

Councilwoman Rutherford reminded Council members of the November 10 meeting with Consultants regarding a presentation of the ten year Parks and Recreation Master Plan. She stated the meeting is scheduled for 2:30 p.m. in the Council Committee Room.

JOYCE STOVALL

Joyce Stovall stated she had not been before the Council in a pretty good while and distributed information regarding problematic situations she has been encountering. She stated she came before the Council several months ago with concerns and the Council "turned their heads the other way"; that she went to civic groups and family and they, too, "turned their heads". She stated she has been persecuted for 20 years and will not stop seeking assistance until something is done. She stated everyone is against her, but she will never "back down" from all the issues and inequities.

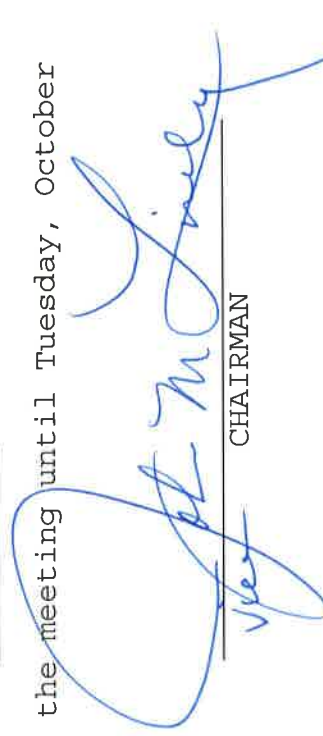
SISTER BEY

Sister Bey asked for an explanation regarding the C-7 zone and the Resolution the Council approved regarding Mr. Tinker, as she has not seen anything that has been done and lives in the area; that there are burned and boarded-up buildings and vacant lots. She stated she is not satisfied.

ADJOURNMENT

Vice Chairman Lively adjourned the meeting until Tuesday, October 27, 1998 at 6 p.m.

  
CLERK OF COUNCIL

  
CHAIRMAN

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