

Municipal Building
Chattanooga, Tennessee
June 1, 1999

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

INVOCATION

Invocation was given by Chairman Lively.

MINUTE APPROVAL

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

REZONING

On motion of Councilwoman Hurley, seconded by Councilman Eaves.

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 7432, 7434, AND 7436 PINWOOD DRIVE, BEING ON THE SOUTHWEST LINE OF PINWOOD DRIVE SOUTHEAST OF GUNBARREL ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE, SUBJECT TO A MAXIMUM OF EIGHTEEN (18) DETACHED SINGLE FAMILY RESIDENCES BEING DEVELOPED ON SAID TRACT

was substituted. On motion of Councilwoman Hurley, seconded by Councilman Pierce, the ordinance 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.

CLOSE AND ABANDON

On motion of Councilman Pierce, seconded by Councilman Franklin,
**AN ORDINANCE CLOSING AND ABANDONING PART OF EAST
23RD STREET LOCATED NORTHWEST FROM HUFF PLACE,
MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN
ON PLAT ATTACHED HERETO AND MADE A PART HEREOF
BY REFERENCE**

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

PARKS RATES

On motion of Councilman Taylor, seconded by Councilwoman Rutherford,
**AN ORDINANCE TO PROVIDE NEW RATES FOR THE USE OF
VARIOUS PARKS AND RECREATION FACILITIES**

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

ALLOCATION
“TOGETHER WE CAN
SCHOLARSHIP PROGRAM”

Councilwoman Hurley stated that this was discussed in committee and comes with a recommendation.

On motion of Councilwoman Hurley, seconded by Councilman Franklin,
**A RESOLUTION ALLOCATING THE SUM OF ONE HUNDRED
SIXTY THOUSAND DOLLARS (\$160,000.00) TO THE
COMMUNITY FOUNDATION OF GREATER CHATTANOOGA,
INC. FOR THE “TOGETHER WE CAN” SCHOLARSHIP
PROGRAM WITH SAID FUNDS TO BE REALLOCATED FROM
THE CONTINGENCY FUND**

was adopted.

ALLOCATION
RIVER VALLEY
PARKING

On motion of Councilman Pierce, seconded by Councilwoman Hurley,
A RESOLUTION ALLOCATING AN AMOUNT NOT TO EXCEED THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00) TO RIVER VALLEY PARTNERS, INC. FOR THE COMPLETION OF A LONG-TERM PARKING STRATEGY FOR DOWNTOWN CHATTANOOGA TO BE FUNDED FROM THE ECONOMIC DEVELOPMENT FUND
was adopted. Chairman Lively voted No.

ALLOCATION
ECONOMIC DEVELOPMENT

On motion of Councilman Taylor, seconded by Councilwoman Hurley,
A RESOLUTION ALLOCATING THE SUM OF TWO HUNDRED THOUSAND DOLLARS (\$200,000.00) TO THE CHAMBER OF COMMERCE FOR CONTINUING ECONOMIC DEVELOPMENT EFFORTS TO BE FUNDED FROM THE ECONOMIC DEVELOPMENT FUND
was adopted.

MOCCASIN BEND
HEALTH INSTITUTE

On motion of Councilman Taylor, seconded by Councilwoman Rutherford,
A RESOLUTION TO OPPOSE THE CLOSURE OF THE MOCCASIN BEND MENTAL HEALTH INSTITUTE
was adopted.

OVERTIME

Overtime for the week ending May 28, 1999, totaled \$31,034.42.

PERSONNEL

The following personnel matters were reported for the General Services Dept.:

MICHAEL L. WEST—Hire as Ass't. Purchasing Agent, Pay Grade 17/10, \$45,943, effective 5/07/99.

ANDY R. JONES—Hire as Facilities Superintendent, Pay Grade 16/2, \$31,206 annually, effective 5/27/99.

CARLTON CAMERON—Promotion to Crew Leader, Pay Grade 6/8, \$25,447.00 annually, effective 5/28/99.

CASEY N. WOODS—Hire as Custodian, Pay Grade 2/1, \$14,115.00 annually, effective 6/02/99.

ANTHONY LOFTON—Termination of Custodian, effective 4/30/99.

PERSONNEL

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

MAURICE DELANEY—Employment as a Sanitation Worker, Pay Grade 3/1, \$15,230.00 annually, effective 5/26/99.

SEIYID J. MATEEN—Resignation of Sanitation Worker, effective 5/20/99.

WILLIAM M. HARALSON—Employment of a Construction Worker, Pay Grade 7/1, \$19,689.00 annually, effective 5/20/99.

PURCHASES

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

PERKIN-ELMER (Lowest and best bid)
Requisition No. 0040237

Atomic Absorption Spectrometer System

\$28,619.00

SPECIALIZED OPERATIONS SERVICES, INC. (Lowest and best bid)
Requisition No. 0041995

Refurbish Dechol-Bisulfite System at Moccasin Bend Sewage Treatment Plant

\$14,170.00

FERGUSON EQUIPMENT CO. (Lowest and best bid)
Requisition No. 00402001

Cooling Tower for the Moccasin Bend Sewage Treatment Plant

\$30,953.00

LEE SMITH, INC. (Lowest and best bid)
Requisition No. R0040948

Thermopatch Patching Truck

\$90,757.25

PERSONNEL

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

DENNIS PEDIGO, JR.—Three-day suspension without pay, effective May 30-June 1, 1999.

PERSONNEL

The following personnel matter was reported for Finance and Administration:

LEILA FREEMAN—Resignation of Tax Clerk, effective 5/28/99.

PURCHASE

On motion of Councilwoman Hurley, seconded by Councilman Taylor, the following purchase was approved for use by the Bicentennial Library:

GREATER CHATTANOOGA LAWN & LANDSCAPE CO. (Lowest and best bid)
Requisition No. R0038724

Twelve (12) Months Requirements Contract for Grounds Maintenance

\$8,400.00

BOARD APPOINTMENT

On motion of Councilwoman Hurley, seconded by Councilman Taylor, the following Board Appointment was approved:

THE CHATTANOOGA HOUSING AUTHORITY BOARD—*Reverend Elton L. Young*, for a Five-Year Term expiring **June 1, 2004**.

PERSONNEL

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

NATHANIEL DONEGAN—Hire as Custodian, Pay Grade 2/1, \$14,115 annually, effective 6/2/99.

L'QUAN M. STRICKLAND—Promotion to Equipment Operator from Crew Worker, Pay Grade 6/1, \$18,574.00 annually, effective 6/9/99.

JAMES L. JOHNSON, II—Promotion to Equipment Operator from Crew Worker, Pay Grade 6/1, \$18,574.00 annually, effective 6/9/99.

PURCHASE

On motion of Councilwoman Hurley, seconded by Councilman Franklin, the following purchase was approved for use by the Parks and Recreation Department:

BRADLEY STONE & SAND, INC. (Lowest and best bid)
Requisition No. R0042510

Twelve (12) Months Requirements Contract to Supply White Ballfield Sand

\$13.00 per ton

COMMITTEES

Councilman Hakeem scheduled a **Budget and Finance Committee meeting for Monday, June 7th at 3:00 P.M.** He also reminded Council members of the meeting already scheduled for **Tuesday, June 8th immediately following the Parks and Recreation Committee meeting.** Councilman Hakeem invited Council members to the **District 9 Community Meeting on June 10th at 6:00 P.M. at the New City Fellowship Church on E. 4th St.** He stated that neighborhood services would be discussed and that Moses Freeman and Carol Putnam would be present.

(COUNCILMAN CROCKETT JOINED THE MEETING AT THIS POINT)

SPECIAL PRESENTATION
JUDGE WALTER WILLIAMS
QUARTERLY UPDATE

Judge Williams arrived at the meeting and stated that he would give the Council a brief synopsis; that there were a couple of things that we needed to pay special attention to that he felt were very serious. He explained that this covered the period from January 1, 1999 to April 30th; that they had had to wait to get the financial reports. He handed out copies of the Quarterly Report, which is filed with the minute material of this date, stating that he would not read it word by word as the Council members were intelligent enough to read it for themselves. He stated, however, that he would go over the high points.

JUDGE WILLIAMS
QUARTERLY REPORT

Judge Williams stated that the docket continues to be overloaded; that cases are scheduled up until October, and officers have a tendency to forget and their memory is not as sharp. He stated that this was a continuing problem; that anyone with speeding citations up to 25 miles per hour over the limit may now pay without coming to Court. He stated that in the past it had been not over 20 miles per hour. He stated that because of the heavy load that these people could pay their tickets off without any problems and that he felt these were people who should be made to come to Court; that it was an inconvenience to have to come to Court, but they could kill someone. He reiterated that because of the overload of cases, he had no other choice but to raise the limit, but he did so with great trepidation.

He directed attention to Page 2, discussing that I-75 is an area where speeding is a significant problem, noting that 379 citations were written on I-75 in these first four months of the year. He explained that if you speed in a construction area you get increased points, and these points come down against a person; that if you get two tickets, you lose your license.

Councilman Pierce asked if the City or State worked I-75. Judge Williams responded that both do, but these are not State charges; that as he understood it, the State Troopers yield to the City within the corporate limits; that if a State Trooper wishes to write a ticket, he can and it would go to Sessions Court; that some are being taken to Sessions Court and their dockets are bursting at the seams also. The other areas showing large numbers of citations included Hixson Pike with 374; Lee Highway with 335; Highway 153 with 314; Broad Street with 259; Dupont Parkway with 232; and Highway 27 with 232. He explained that we were talking about the part of Highway 27 where the Birmingham Highway takes off and this is troubling and something needs to be done about this.

Loud music going through the roofs of cars continues to be a problem. Judge Williams stated that he had had six calls about loud music, and the Police are doing all they can do, but enough is enough! He explained that this creates a traffic problem and related an incident where his own car was shaking from loud music from another car and an ambulance almost broadsided the young man because he could not hear the ambulance and luckily no one got hurt. He stated that he was issuing fines and taking radios; that he had taken 80 since January 1st, and the Purchasing Department sells them. He stated he was doing what he could.

Judge Williams stated that he was also concerned about drinking under age; that since January 1st he had had over 200 cases; that Sessions Court was bursting at the seams with these cases also. He stated that we have a serious problem, and he did not know the answer; that he was sending them to "drinking under age" classes, community service work, fines,

JUDGE WILLIAMS
(CONT'D.)

and suspension of driving privileges. Judge Williams added that the parents must take some of the responsibility.

Councilwoman Rutherford asked percentage-wise, how many of these cases were from the Lee Highway area, noting that this was a major problem here. Judge Williams responded at least 50% of them. Councilwoman Rutherford stated that she would like Judge Williams' advice on how to close down a particular teen club in this area; that the crowd often had to be dispersed; that she had been to Bill Cox's office about this problem, and he had said there was nothing he could do; that it would take years to build a case, and she might as well forget it.

Judge Williams mentioned that *Diamonds and Lace* were in this area and also drinking establishments and then we had this Teenage Club; that some were hanging out in the streets to 3:00 A.M., and this should go back to their parents for not knowing where their kids were, but if parents would not take the responsibility, then the Council and himself must "step to the plate". He stated that something needs to happen; that he had never seen so many cases; that they had similar problems at UTC and the Fraternity parties, and they were taking control at the University level.

Judge Williams mentioned the loitering and cruising on Brainerd Rd. and Lee Highway and on the lots; that the Police Dept. had "beefed" up enforcement. He stated that most of the people violating this law are from Georgia, Alabama, Soddy Daisy, and East Ridge and not residents of Chattanooga. He urged them to stay in their own communities and loiter and stay away from Chattanooga. He stated that we needed to find suitable places for young people to congregate and "Hang Time" at Warner Park was mentioned.

Judge Williams stated that parking continues to be a problem; that people are still parking across the lines, and the cases continue to increase and something needs to happen.

He stated that we were still getting Environmental Cases, and we have more activity because we have more inspectors. He mentioned three cases involving open burning, where fire gets out of hand, and we need several engines sent to the scene. He stated that we did not need to play games with this and need to pay more attention to open burning. He noted that contractors and developers often burn rather than taking the debris to the landfill and having to pay tipping fees.

Judge Williams mentioned that the Treasurers' Office was "beefing" up collections on back taxes; that Mr. Levi and his Staff were doing a good job.

JUDGE WILLIAMS
(CONT'D.)

Judge Williams stated that the Council could look at the revenues for their own information. He explained that he had submitted this report in a summary fashion, and the Council could read it at their leisure, and if anyone has any questions, they can contact him.

(At this point Councilman Crockett noted that this had been a very fast meeting and asked if he got credit for being in attendance!)

MILTON JACKSON

Mr. Jackson addressed the problem of alleyways in Alton Park, mentioning the trash and debris and asked what provisions the City has set up for this.

Attorney Nelson explained that we have a Committee working on this which is chaired by Adm. Jack Marcellis; that certain alleyways are to be abandoned and some we will keep and improve and clean up. He stated that he did not know where they were in this process.

Mr. Jackson asked if they would come to the communities first. Attorney Nelson responded that they were going through this with communities. Mr. Jackson stated they needed to look into this more closely.

Councilman Taylor added that a lot of people are concerned about their taxes going up and these things are being considered. He stated that we were waiting on this Committee to bring a finished product to us.

Mr. Jackson stated that they have to live with this, and it is beginning to get environmentally unsafe; that something should be done from the City's viewpoint; that he would like to know by written letter when we find out something.

Councilman Taylor stated that he would let Mr. Jackson know when the meeting would be held so that he could be present.

Chairman Lively added that the City only has easements, and it is left up to property owners to clean up their own property. Mr. Jackson responded that we needed to study this out and know who owns the property first. He stated that this was the City's responsibility, and the City should take care of it. Chairman Lively still maintained that it was the property owners' responsibility to keep their property clean. Mr. Jackson stated that it was urgent that the City maintain these alleys.

ADJOURNMENT

Chairman Lively adjourned the meeting until Tuesday, June 8, 1999, 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)**