

**Municipal Building
Chattanooga, Tennessee
November 2, 1999**

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

INVOCATION

Invocation was given by City Attorney Nelson.

MINUTE APPROVAL

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

**SPECIAL PRESENTATION: CHIEF PEGGIE
BULLARD**

Councilman Franklin stated it is a privilege and honor to recognize Mrs. Bullard upon her retirement after 34 years of service to the City of Chattanooga. He recognized the presence of her husband, Rev. Andrew Bullard, and the large delegation of other family members present. He stated that he considers himself an extended member of the Bullard family, indicating that he graduated from Brainerd High with one of Mrs. Bullard's sons (Alexander) in the class of 1977; that he has been scolded and counseled by Rev. and Mrs. Bullard on occasions when his parents were not around! He expressed how honored he was to have the opportunity to recognize Mrs. Bullard at this time and how grateful the City is for the many years of service the Bullard family has rendered to this City. He presented Mrs. Bullard with a certificate of appreciation signed by the Chairman and Vice Chairman of the Council, as well as other tokens bearing the City's Official Seal.

Captain Kelley presented Mrs. Bullard with a plaque on behalf of Chief Dotson in appreciation for her 34 years of outstanding service and dedication to the City of Chattanooga and the countless thousands of children she came in contact with.

Councilman Taylor recognized the presence of the School Patrol Officers present in support of Mrs. Bullard and expressed thanks for their presence.

**SPECIAL PRESENTATION: DELEGATION
FROM KITAMI CITY, JAPAN**

Jim Frierson stated the country of Japan has sent more delegations to Chattanooga in the last three years than any other nation; that the group here today is from the northern most prefecture of Japan. He stated Councilwoman Hurley was in Fukushima for two major speeches a year or more ago and in a matter of months the people from there will be coming to Chattanooga. He stated that he is scheduled to go to Kosho, Japan for a meeting of Chambers and Mayors next week and will have an opportunity to tell Chattanooga's story in Japan. He stated Keiji Oda, the interpreter for this group, has chosen to come back and it is his fourth trip to Chattanooga; that several within the group have returned for their second visit. He stated when he sees persons coming back for a second time that tells him that things are "really clicking" and they are finding things in Chattanooga that are of strong interest to them. He introduced Dr. Kanayama, Honorable Professor at the Kitami Institute of Technology, as the spokesperson for the group.

Dr. Kanayama stated he is leader of this delegation from Kitami, which is located in the northern most islands in Japan. He stated the group consists of the town's management organization, which is studying the redevelopment and revitalization of downtown Kitami City. He stated Kitami City has a temperature of almost 20 below in the winter, 100 degrees during summer and there is not much rain; that the City is surrounded by mountains, much like Chattanooga. He stated Kitami was founded in 1897 and was known as the mint-producing city in 1938 as 70 percent of the world's mint was processed there. He stated members of the delegation have been very much impressed by the warm welcome they have received by citizens and officials and that they pray for health and wealth of Chattanooga.

AMEND CITY CODE

Councilman Taylor inquired as to whether this addresses the matter of underground regulations of tanks. Admin. Marcellis responded "no"; that that is handled by the State of Tennessee's Solid Waste section.

On motion of Councilman Hakeem, seconded by Councilman Franklin,

**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 REVISIONS TO PERMIT FEES AND PART 70
OPERATING PERMIT EMISSIONS FEES**

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

AMEND CITY CODE

On motion of Councilwoman Hurley, seconded by Councilman Hakeem,
**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
FEDERAL REGULATIONS**

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

REPEAL ORDINANCE NO. 10813

Councilwoman Rutherford made the motion to approve this Ordinance on second reading; Councilman Franklin seconded the motion; the motion passed.

Councilman Taylor stated in reference to this matter he is not sure if representatives of the Tennessee-American Water Company will be coming before the Council for a presentation at anytime in the future or not; that, if possible it is hoped they will have an opportunity to talk about the things they would do as the other companies in regard to rate reductions and employee opportunities. He strongly recommended that the Council have a meeting with them to sit down and speak with them regarding this.

Councilman Crockett stated he, like Councilman Taylor, wanted to make sure their voices were heard on the vote taken last week and indicated that he is not sure he understands the urgency moving that vote forward a week prior to when the Council was going to discuss it. He stated he wanted to be on record as supporting the Resolution ending the takeover; that he told Chairman Lively prior that he had issues about the Resolution itself and the agreement and had hoped once the discussion was held the issue would be behind us. He stated that he thinks it is clear to all that there would be a rational discussion for a rational decision on the Water Company and that it was in our best interest to put it behind us to focus on the agreement itself and not have any distraction in doing that. He stated he did not ask to chair the Committee that was to meet this afternoon, but was prepared to say at the Committee meeting following that, given the issue that the takeover is behind us, that the issue in front of us was how we crafted the best and fairest deal for the City's rate payers; that he thinks that goes beyond the City Council. He stated he has suggested, and will suggest tonight, that that should include the service area of Tennessee-American, those other municipalities and the others served by this Company outside Chattanooga. He stated that should be the committee makeup representing all of us, not just Chattanooga, the Council and government, but a broader representation that can look at those issues.

REPEAL ORDINANCE NO. 10813 (Continued)

Councilman Crockett stated a lot of things were brought up in the last year and to bring this to some proper closure and some starting point for the future, he indicated that the issues have to be recapped. He stated the facts and issues that were raised, including as Councilman Taylor said the presentations by companies who are in the business of running water companies, made a number of observations or suggestions in the area of customer service, employment opportunities and technology, and significantly in capital improvements. He stated they made some statements regarding the range of those costs as quoted by three of the company finalists ranging from \$2 - \$3.5 million per year less than our current operating cost. He stated all three of those proposals included a management contract or profit, did not lay off any employees and most significantly included the maintenance of the fire hydrants. He stated even with all those things, including the maintenance of the fire hydrants, the bids were \$2 - \$3.5 million less; that the points important in pulling together a committee for the future is that that committee be formed among all municipalities. He stated we had a similar agreement to the one passed with Tennessee-American in the 1970's arriving out of a similar discussion, and within a year or so that agreement was laid aside and we were back at paying \$1 million. He stated we certainly would not want that to happen again. He stated the ideas brought forth by other companies is what we want to do to make sure that in the future we have some assurance and understanding on which we can understand any necessary rate increases.

Councilman Crockett stated points to consider in formulating a committee is that at \$2 - \$3.5 million less, including the cost of servicing the fire hydrants, we would hope that we would not see that appear on a bill or affect another municipality as was brought up by one municipality. He stated the franchise fee does not need be a court ordered kind of franchise fee; that Tennessee-American could enter into a franchise agreement with anyone here in this county or municipal area; that we would not want to do without a good understanding of the facts raised by some of those presentations and have that used inappropriately for rate increases or tacked on the bottom of a bill. He made reference to the capital requests brought up by the companies and stated they are the basis for rate increases and for profit; that the more spent on capital the higher the return to the Water Company and that eventually translates to a higher rate. He stated it was suggested during this conversation that by some alternative approaches to handling the capital improvements might reduce significantly the need for some of those. He stated we should meet the new water guideline mandates, as well as assure we have a high quality, well-maintained system. He stated the real issue around the capital is that the more that is spent on that the greater likelihood we face a rate increase; that we should have an idea or discussion about what is going on in that area.

REPEAL ORDINANCE NO. 10813 (Continued)

He asked the Chairman to forward to the appropriate committee the idea not of discussing these items further and not of trying to decide them, but of pursuing the establishment of the committee that would allow Tennessee-American to have a discussion with us and not answer them with public relations firms. He stated there would be discussion because he is sure they have points they would like to raise or counter some of their competitors. He stated the meeting needs to be held and start with a question that will allow us to have some predictability about our rates and our service and we would not have wasted a year's worth of efforts. H stated he does not think a year's worth of effort was wasted.

Councilman Hakeem stated the matter needs to be put to rest and made the motion to approve the Ordinance on third and final reading; Councilwoman Rutherford seconded the motion.

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,

AN ORDINANCE REPEALING SECTIONS ONE (1) AND TWO (2) OF ORDINANCE NO. 10813, ENCAPTIONED "AN ORDINANCE AUTHORIZING THE CITY TO OWN AND/OR OPERATE A WATERWORKS SYSTEM WITHIN AND/OR BEYOND THE BOUNDARIES OF THE CITY, AND FURTHER AUTHORIZING THE ACQUISITION BY EMINENT DOMAIN, PURCHASE, LEASE OR OTHERWISE ALL LANDS, GROUNDS AND OTHER PROPERTY INTERESTS, BOTH REAL AND PERSONAL, NECESSARY TO OPERATE SUCH WATERWORKS SYSTEM, AND FINALLY, AUTHORIZING A TRANSFER OF SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$750,000.00) FROM THE GENERAL FUND TO THE LIABILITY INSURANCE FUND TO BE RECOVERED FROM BOND PROCEEDS AT A LATER DATE, TO FINANCE ACQUISITION COSTS EXCEPT THOSE TO BE USED AS PAYMENT OF FAIR MARKET VALUE OF THE PROPERTY."

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

1999-025: Mountain View Properties

The applicant was present; there was no opposition in attendance.

REZONING (Continued)

Jerry Pace stated this request has been tabled since March so that the applicant and neighborhood could work out the conditions. He stated the property is at the intersection of Shallowford and Hickory Valley Road and is a long linear piece of property zoned R-4. He stated the request was for C-2 zoning, which was recommended for denial; that approval of a C-5 zone for property extending north from Shallowford with the remainder remaining R-4 is requested. He stated there were eight conditions placed on the property; that an additional right-of-way has been dedicated on Shallowford where a curb and gutter has been installed. He stated both parties have reached agreement on the C-5 zoning.

City Attorney Nelson stated the Ordinance he has is for "C-2".

Councilwoman Rutherford stated there have been so many zoning requests for this area and some have been held pending improvements at that intersection. She inquired as to whether that work has been completed.

Councilman Eaves stated what the City has required of people, it is felt some have been "beat up on" on Shallowford; that for various and sundry reasons the money has been put in place and sort of put on hold from the State for some reason or another. He stated it is on the agenda and is to be widened; that it has been requested from the City that one of the problems is that their people have asked too much money for the right-of-way and that is what prompted some of the difficulty. He stated in this case they dedicated all their right-of-way at no cost at all; that the problems the neighbors had and an extra expense to the applicant have been worked out for this one corner.

City Attorney Nelson redrafted the caption and read the new caption to incorporate ". . . C-5 Neighborhood Commercial . . ." He indicated that he needs the new conditions and the property description for the portion of the tract to be rezoned C-5.

Mr. Pace stated he was under the impression that the Planning Staff had sent the conditions.

Chairman Lively asked if the applicant and the neighbors in attendance are clear with the C-5 request. The response was "yes".

Mr. Pace stated the eighth condition made reference to the building moving forward with parking in the rear. He stated he has received a letter from the applicant's attorney requesting that the eighth condition be lifted; that he is not sure if the applicant would like to address that or understands that would be one of the conditions if they accept the eight conditions placed on the property.

Gerry King, the applicant, inquired as to what the eighth condition is.

REZONING (Continued)

Mr. Pace stated the last condition is that parking be located at the rear along a landscaped buffer area; that there will be no parking on the Shallowford Road side of the building.

Mr. King stated he was not aware of that condition; that he is with Mountain City Associates, the company that acquired the property from Mountain View in late October. He stated they proceeded with construction of two office buildings on that parcel and made reference to a conceptual drawing that he displayed to the Council; that completion of the building is scheduled for mid-December. He stated building permits have been issued with parking on the Hickory Valley side of the building and not the rear of the property; that he feels that would be preferable to the neighborhood to have them on the other side as it is now. He stated he would like for the last condition to be removed from the Ordinance; that all of the agreements made with the neighbors were to have been incorporated in this ordinance which involves site drainage away from the residential properties in the back.

Mr. Pace stated that is why he brought up the eighth condition; that he did not want the Council to pass something that would be attached and the applicant not be aware of it.

Councilman Eave asked if that is one of the conditions, now? He stated morning and evening head lights from cars glare into the back of the homes and it is a little bit difficult; that the neighbors had asked that the parking be left in front. He inquired as to whether he is incorrect in thinking that as he thought the matter had been worked out.

On motion of Councilman Eaves, seconded by Councilman Franklin,

**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 2300 BLOCK OF HICKORY VALLEY
ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4
SPECIAL ZONE TO C-5 NEIGHBORHOOD COMMERCIAL ZONE,
SUBJECT TO CERTAIN CONDITIONS**

passed first reading.

CLOSE AND ABANDON

1999-141: Stowers Machinery Corporation

The applicant was present; there was no opposition in attendance.

CLOSE AND ABANDON (Continued)

On motion of Councilwoman Rutherford, seconded by Councilman Taylor,
**AN ORDINANCE CLOSING AND ABANDONING AN ALLEY LOCATED
SOUTHWEST FROM EAST 21ST STREET, NORTHWEST OF LYERLY
STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS
SHOWN ON PLAT ATTACHED HERETO AND MADE A PART
HEREOF BY REFERENCE**

passed first reading.

CLOSE AND ABANDON

1999-149: L & P, LLC

On motion of Councilman Pierce, seconded by Councilman Franklin,
**AN ORDINANCE CLOSING AND ABANDONING EAST 24TH STREET
PLACE AND 7TH AVENUE NORTHWEST FROM 8TH AVENUE AND
ALLEYS NORTHEAST AND SOUTHWEST FROM EAST 24TH STREET
PLACE, MORE PARTICULARLY DESCRIBED HEREIN AND AS
SHOWN ON PLAT ATTACHED HERETO AND MADE A PART
HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS**

passed first reading.

**RIGHT-OF-WAY NAME CHANGE TO
"LEE ROBERSON STREET"**

On motion of Councilman Hakeem, seconded by Councilman Taylor,
**AN ORDINANCE CHANGING THE RIGHT-OF-WAY NAME FOR
BEECH STREET BETWEEN BAILEY AVENUE AND UNION AVENUE
TO "LEE ROBERSON STREET."**

passed first reading.

AMEND CITY CODE

Councilman Taylor stated this matter came before the Safety Committee and deals with some of the false alarms; that the Police Department receives 28,000 false alarms. He stated the Ordinance proposed requires that on the fourth false alarm call there will be a fine applied. He stated the Committee recommends approval.

Councilman Hakeem inquired as to how the proposed Ordinance differs from what is presently in place.

AMEND CITY CODE (Continued)

City Attorney Nelson stated it changes the penalty clause for one thing; that it requires an application process whereby all the people who want alarms have to report to the Police Department the name, address and telephone number of the person who assumes responsibility for cutting off the alarm. He stated that it also provides for a notice to be given to the owner, but the change in the notice does not have to be as formal as in the previous Ordinance; that previously all of the notices had to be sent by registered mail and this can be sent by regular mail, except the last one after the last false alarm has to be by registered or certified mail. He stated those are the primary changes.

Councilman Hakeem stated this is a lot of information when we look at issues of this nature and it is important to look at it from our constituents' perspective, also. He stated he is of the opinion there are people out there now who have to make a decision between medicine and food and things of this nature, and the potential of putting an added burden onto persons of that nature gives him great concern. He stated he would hope the Council could look at this from the standpoint of imposing this restriction on businesses at this time and see how that reduces the false alarm calls and, at the same time, go about the business of educating citizens on how to deal with their alarm system. He stated just to see how this goes, he would make that request in the form of a motion.

Councilman Eaves asked how "bad" a problem is this, how many false calls are being received and whether this is "running the police Department to death"?

Councilman Taylor stated the Chief made the Committee aware that the Department receives 28,000 false alarm calls a year with the police officers being able to "set their watches by when the alarms go off". He stated they receive so many false alarms after a while the police officer becomes immune to responding because the calls are received so frequently; that it was stated so many "cry wolf " so many times and there might be that instance there might be some danger and the officer not respond as quickly as they would due to thinking it is another false alarm. He stated as far as the cost, it averages out to be about four hours because when an alarm goes off the officer has to wait until the property owner is located so they can come turn it off. He stated it becomes costly and puts all our Policemen at risk because they are becoming immune to answering the false calls.

Councilman Hakeem stated information that was not provided was the breakout of businesses and residences. He stated the reference was made that Policemen can "set their watches" to the time an alarm goes off and was under the impression it was in regard to a business, and if that is not the case he stands to be corrected.

Councilman Pierce made the motion to table the matter one week for further discussion in Safety Committee; Councilwoman Hurley seconded the motion.

AMEND CITY CODE (Continued)

Councilman Crockett stated it is fine to take the matter back to Committee. He made reference to alarms that go off in his neighborhood frequently; that others in the neighborhood have become so accustomed to hearing them that they don't pay attention to them anymore. He expressed that it is a big problem that may be bigger with businesses and could be bigger in the residential areas.

At this point, Councilman Pierce called for the question on the motion and second to table the matter one week.

Councilwoman Hurley suggested that the breakout between residences and businesses would be very helpful at the Safety Committee meeting scheduled for next Tuesday.

On motion of Councilman Pierce, seconded by Councilwoman Hurley.

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
SECTION 16-55, RELATIVE TO FALSE ALARMS
was tabled one week.**

AMEND RESOLUTION 22231

On motion of Councilman Pierce, seconded by Councilwoman Rutherford,

**A RESOLUTION AMENDING RESOLUTION 22231, ENCAPTIONED " A
RESOLUTION AUTHORIZING THE ACQUISITION OF CERTAIN
PROPERTY LOCATED AT 804 CENTRAL AVENUE AND
AUTHORIZING THE TRANSFER OF SAID PROPERTY TO THE INNER
CITY DEVELOPMENT CORPORATION FOR A CONSIDERATION OF
FOURTEEN THOUSAND DOLLARS (\$14,000.00)." SO AS TO CLARIFY
PAYMENT PROCEDURES**

was adopted.

CONTRACT: FRANKLIN AND ASSOCIATES

On motion of Councilwoman Hurley, seconded by Councilman Pierce,

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE
DEPARTMENT OF PARKS, RECREATION, ARTS & CULTURE TO
ENTER INTO A CONTRACT WITH FRANKLIN AND ASSOCIATES
RELATIVE TO THE COLVILLE RECREATION CENTER IN AN
AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND DOLLARS
(\$25,000.00)**

was adopted.

CONTRACT: FRANKLIN AND ASSOCIATES

On motion of Councilman Franklin, seconded by Councilwoman Rutherford,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS, RECREATION, ARTS & CULTURE TO ENTER INTO A CONTRACT WITH FRANKLIN AND ASSOCIATES RELATIVE TO THE EASTDALE RECREATION CENTER IN AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00)

was adopted.

AGREEMENT: ARCADIS, GERAGHTY & MILLER

Councilman Franklin stated Resolutions 7(d) - (g) were discussed in Public Works Committee and are recommended for approval.

On motion of Councilwoman Rutherford, seconded by Councilman Pierce,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH ARCADIS, GERAGHTY & MILLER, RELATIVE TO THE SURVEY AND DESIGN OF STORMWATER PROJECT NOS. SWM-3-99 AND SWM-4-99, FOR A TOTAL FEE NOT TO EXCEED TWO HUNDRED THIRTY-EIGHT THOUSAND, FIVE HUNDRED DOLLARS (\$238,500.00) UNDER WORK AUTHORIZATION NO. 2

was adopted.

EASEMENT

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,
A RESOLUTION GRANTING A PERMANENT CHANNEL IMPROVEMENT EASEMENT TO THE GOVERNMENT OF HAMILTON COUNTY IN ORDER TO CARRY OUT A RIVERBANK PROTECTION PROJECT TO PROTECT RIVER STREET GOING THROUGH THE GIRLS PREPARATORY SCHOOL BY HAMILTON COUNTY IN COLLABORATION WITH THE U.S. ARMY CORPS OF ENGINEERS

was adopted.

EASEMENT

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,

A RESOLUTION GRANTING A PERMANET CHANNEL IMPROVEMENT EASEMENT TO THE GOVERNMENT OF HAMILTON COUNTY IN ORDER TO CARRY OUT A RIVERBANK PROTECTION PROJECT TO PROTECT OUR SEWER LINES GOING THROUGH THE HERITAGE LANDING CONDOMINIUM PROPERTY BY HAMILTON COUNTY IN COLLABORATION WITH THE U.S. ARMY CORPS OF ENGINEERS

was adopted.

TEMPORARY USE: HILLCREST BAPTIST CHURCH

On motion of Councilman Franklin, seconded by Councilman Taylor,

A RESOLUTION AUTHORIZING HILLCREST BAPTIST CHURCH TO USE TEMPORARILY THE CITY'S RIGHT-OF-WAY FOR THE INSTALLATION OF A TRAFFIC DIRECTIONAL SIGN ON THE SOUTH SIDE OF 42ND STREET, MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS

was adopted.

ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS, SERIES 2000

Chairman Lively stated it has been requested that this matter be tabled one week.

A RESOLUTION EXPRESSING THE INTENTION OF THE CITY OF CHATTANOOGA TO ISSUE OBLIGATIONS IN ONE OR MORE SERIES IN AN AGGREGATE PRINCIPAL AMOUNT UP TO \$45,000,000.00 TO FINANCE THE COST OF VARIOUS PROJECTS COMPRISING PART OF THE CAPITAL BUDGETS OF THE CITY FOR FISCAL YEARS 1999 AND 2000

was tabled one week without objection.

OVERTIME

Overtime for the week ending October 29, 1999 totaled \$18,320.99.

PERSONNEL

The following personnel matter was reported for the Parks and Recreation Department:

LYDIA V. NELSON -- Resignation, Food Clerk P.T., Golf Course, effective October 21, 1999.

PURCHASE

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

TENNANT (Best bid)
Requisition No. R0043421

Litter Vacuum Diesel 4-Wheel

\$25,038.57

PERSONNEL

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

GENE D. SETTLES -- New Hire, Purchasing Agent, Pay Grade 27/Step 9, \$60,033.00 annually, effective November 5, 1999.

PURCHASES

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford, the following purchases were approved for use by the Public Works Department:

BIO-LAB/FEDERAL SERVICES (Best bid)
Requisition No. R0039089

Rat and Pest Control per Bid No. P0013359

(Price information available and filed with minute material of this date)

PURCHASES (Continued)

VULCAN MATERIALS AND HANSON AGGREGATES (Best bids)
Requisition No. R0039090

Washed and Crushed Stone per Bid No. P0013362

(Price information available and filed with minute material of this date)

WES BLAKEMORE TRUCKING AND K & E TRUCKING (Best bids)
Requisition No. R0039091

Rental of Tandem Dump Trucks per Bid No. P0013360

(Price information available and filed with minute material of this date)

VULCAN, INC. (Per Section 2-342, Paragraph V, Chattanooga City Code)
Contract No. P0010596

Extention of Contract for Thermoplastic Paving

(Price information available and filed with minute material of this date)

VULCAN, INC. (Per Section 2-342, Paragraph V, Chattanooga City Code)
Contract No. P0010145

Extention of Contract for Thermoplastic Paving

(Price information available and filed with minute material of this date)

POTTER INDUSTRICS, INC. (Per Section 2-342, Paragraph V, Chattanooga City Code)
Contract No. P0010595

Extention of Contract for Glass Beads

(Price information available and filed with minute material of this date)

PURCHASES (Continued)

CROSIBLE FILTRATION, INC. (Per TCA 6-56-301, Single source purchase)
Requisition No. R0045087

Purchase of Twelve Months Requirements Contract for Filter Cloth

\$5,620.00

PERSONNEL

The following personnel matters were reported for the Police Department:

MICHAEL FAVORS -- Suspension (1 day without pay), Police Officer, effective October 26, 1999.

RICHARD COOK -- Suspension (10 days without pay), Police Officer, effective October 30, 1999.

KRISTAL WARD -- Transfer/Voluntary Demotion, Police Records Clerk, Pay Grade 3/Step 7, \$19,952.00 annually, effective November 5, 1999.

HEARING: RHONDA NUNLEY

City Attorney Nelson stated written notice has been received from Officer Rhonda Nunley expressing her wish to withdraw her request for a hearing (scheduled for November 8 at 6 p.m.).

On motion of Councilman Taylor, seconded by Councilman Pierce, the hearing was duly withdrawn.

COMMITTEES

Councilman Taylor reminded Council members of the **Safety Committee meeting scheduled for Tuesday, November 9** to continue discussion of the curfew and teen social clubs ordinances, as well as the false alarms ordinance.

Councilwoman Rutherford reminded Council members of the **Parks and Recreation Committee meeting scheduled for Tuesday, November 9 at 4 p.m.**

COMMITTEES (Continued)

Councilwoman Hurley stated an **Education Committee** was scheduled for Tuesday, November 16 and **has to be moved to November 23** because Superintendent Register has a School Board meeting on that date. She stated the purpose for the meeting is to discuss the City's appropriation to the Schools.

Councilman Hakeem stated a meeting of the **Budget and Finance Committee is scheduled for next Tuesday, November 9**; that the agenda for the meeting will involve the sales tax agreement, the bonding process and the addition of a Second Division of City Court.

Councilman Crockett stated a meeting of the **Economic Development Committee** was held earlier today with discussion regarding the south campus expansion of UTC going outward to M. L. King. He stated the Committee voted approval of the concept and some future funding not to be determined if he understood Councilman Taylor's motion. He scheduled a meeting of the Committee for **Tuesday, November 23 jointly with the Parks and Recreation Committee** to discuss a tax incentive for North American Royalties.

FIRE DISTRICTS

Councilman Pierce stated he had a concern regarding fire walls and hoped Chief Coppinger would be present to answer his concern. He stated Chattanooga Roofing and Supply constructed a new building on Central and are now having a problem; that they installed daylight panels on the top of the building and the City's inspectors have told them they could not use them because the building is located in a fire district. He stated the panels were installed at a cost of \$18,000. He stated Company officials went before the Variance Board and they were told they would not allow them to block or brick up a wall because the building is in a fire district. He stated his interpretation, when discussing the matter previously with the City Attorney and Fire Chief, was that when something of this nature occurs within a fire district the building can automatically be taken out of the fire district.

City Attorney Nelson stated he can prepare an ordinance to do that if that is what Council Pierce wishes.

Councilman Pierce stated the matter might be coming forth in an ordinance within the next two weeks; that neither he nor officials with the Company could justify the building being within a fire district on Central Avenue so close to Rossville Boulevard. He stated the Company was previously located on Fourth Street for the last fifty-or-sixty years and they just decided to move; that the City is giving them a problem.

FIRE DISTRICTS (Continued)

City Attorney Nelson stated the reason for the fire districts is that we have to keep in mind we have to stay in compliance with ISO standards. He stated he is not familiar enough with it to know whether or not those standards would be violated by taking them out, but those are things we could look into.

Councilman Taylor asked City Attorney Nelson to elaborate on fire districts.

City Attorney Nelson stated districts where there are denser commercial establishments like downtown could not be expanded if they are too close to residential houses; that fire walls are required between buildings so that the fire will not spread. He stated there are rules and regulations regarding this so that a fire will not spread from one building to another; that there are sprinkler requirements in other areas. He stated he does not know what particular problem this particular situation is if any; that it is something Chief Coppinger will have to look into.

METER PERSONNEL

Councilman Pierce made reference to the Meter Maids and the concern he has regarding their working until 6 p.m.; that their having to work until 6 p.m. is under an old law that needs revision. He indicated that he noticed an ordinance on next week's agenda regarding this and would like to move the matter into committee. He stated he would hate to think Meter Maids are out writing tickets after dark, as it is dark at 5:30 p.m. He stated everyone was under the impression that they stopped writing tickets at 4:00 p.m. or 4:30 p.m.; that the ordinance should be revised to reflect that time.

NETWORKING RECEPTION

Councilman Franklin invited all Council members to a networking reception sponsored by the Eastdale Neighborhood Association on Thursday, November 4 at 5 p.m. at the M.L. King building located at 317 Oak Street.

NOTE OF THANKS!

Councilman Crockett expressed thanks to the City Attorney, Public Works personnel, John VanWinkle and Planning Agency personnel for attending a community meeting on Monday evening. He stated a zoning issue involving Lake Resort Drive was discussed with several hundred people in attendance, along with the developer. He expressed appreciation for all the City's staff that was present to review the facts and some "to do's" came out of the meeting for Public Works for development of an alternative.

ADJOURNMENT

Chairman Lively adjourned the meeting until Tuesday, November 9, 1999 at 6 p.m.

CHAIRMAN

CLERK OF COUNCIL

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