

**City Council Building
Chattanooga, Tennessee
March 7, 2000**

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

INVOCATION

Invocation was given by Councilman Taylor.

CHAIRMAN LIVELY'S ABSENCE

Vice Chairman Hakeem clarified that Chairman Lively's absence was due to his having to take care of a personal engagement.

MINUTE APPROVAL

City Attorney Nelson stated the minutes from last Friday's joint meeting with the County Commission did not include the transcript of the court reporter; that when the minutes are approved this evening it will be done so subject to the subsequent inclusion of the court reporter's official transcript of the joint meeting of the City Council and the County Commission on Friday, March 3, 2000.

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford, the minutes of the previous meeting, subject to the subsequent inclusion of the court reporter's official transcript of the joint meeting of the City Council and the County Commission on Friday, March 3, 2000, were approved as published and signed in open meeting.

**SPECIAL PRESENTATION: 'FIGHT THE
BLIGHT' NEIGHBORHOOD INITIATIVE**

Admin. Moses Freeman stated on March 18 approximately 200 citizens will be surveying their neighborhoods looking for blighted conditions and making reports to the Neighborhood Services Department in an effort to gather a large list of major concerns citizens have and work on them in a systematic way. He stated this effort would cut down on complaints the Department would normally receive this spring and enforcement activities will rate more positively.

**SPECIAL PRESENTATION: “FIGHT THE
BLIGHT” NEIGHBORHOOD INITIATIVE**

Admin. Freeman stated it is hoped this will be done on an ongoing basis, and if not done annually, maybe biannually. He stated the t-shirts distributed to each Council member are to be worn on that day; that the Boy Scouts and various church groups have volunteered to participate, and that other groups have volunteered to clean up after the list of blighted areas has been received.

AMEND CITY CODE

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 11, SECTION 11-377, TO INCLUDE A NEW SUBSECTION
(9), WHICH PROHIBITS SIDEWALK VENDING ON THE CITY BLOCK
FROM THE EASTERN EDGE OF THE RIGHT-OF-WAY OF POWER
ALLEY WESTWARDLY TO THE RIGHT-OF-WAY OF I-124**

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

TEMPORARY USE: FRANCES MCDONALD

Councilwoman Hurley made the motion to move Resolution 7(h) up on the agenda; Councilman Crockett seconded the motion; the motion passed.

Councilwoman Hurley recognized the presence of Frances McDonald and stated this Resolution involves one of the projects funded through the Community Development Block Grant funds for recreation facilities; that murals will be painted by children who take part in the Colville Street Recreation Center under the leadership of Ms. McDonald. She stated there are other murals that will be painted and a report will be given regarding them at a later time; that Charles Newton is the artist for those, which will be painted inside recreation centers.

Councilwoman Rutherford commented on the mural painted on the exterior of the Barking Legs Theatre under the leadership of Ms. McDonald and stated that it is a wonderful addition to the Ridgedale neighborhood. She inquired as to whether fifth graders painted the mural, to which Ms. McDonald replied that the mural was painted by fourth, fifth and sixth grade students of East Lake.

**TEMPORARY USE: FRANCES
MCDONALD (Continued)**

On motion of Councilwoman Hurley, seconded by Councilman Taylor,

A RESOLUTION AUTHORIZING FRANCES MCDONALD TO USE TEMPORARILY A PORTION OF THE CITY'S RIGHT-OF-WAY ON BARTON AVENUE AND FRAZIER AVENUE FOR PAINTING MURALS, ONE FACING BARTON AVENUE AND THE OTHER ON A HIGH GROUND NORTH OF FRAZIER AVENUE, SUBJECT TO CERTAIN CONDITIONS

was adopted.

CONTRACT: J & J CONTRACTORS, INC.

Councilman Franklin stated Resolutions 7(a) – (g), including the temporary use previously approved [7(h)], were discussed in the Public Works Committee and are recommended for approval.

On motion of Councilwoman Hurley, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. DRC-1-2000, DEVELOPMENT RESOURCE CENTER CONSTRUCTION, TO J & J CONTRACTORS, INC. FOR AN AGREED-UPON BASE BUDGET AMOUNT OF TEN MILLION, NINE HUNDRED NINETY-NINE THOUSAND, SEVEN HUNDRED FORTY-ONE AND 67/100 DOLLARS (\$10,999,741.67), WITH A CONSTRUCTION CONTINGENCY ACCOUNT IN THE AMOUNT OF FIVE HUNDRED FORTY-NINE THOUSAND, NINE HUNDRED EIGHTY-SEVEN AND 08/100 DOLLARS (\$549,987.08)

was adopted.

**CONTRACT: TOWER CONSTRUCTION
CO., INC.**

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. SS-2-99, BRAINERD ROAD SREETSCAPE PROJECT, TO TOWER CONSTRUCTION CO., INC., FOR THEIR LOW BID IN THE AMOUNT OF ONE HUNDRED NINETY THOUSAND, FIVE HUNDRED FIVE AND 85/100 DOLLARS (\$190,505.85)

was adopted.

**CONTRACT: THOMAS BROTHERS
CONSTRUCTION COMPANY, INC.**

On motion of Councilman Franklin, seconded by Councilwoman Rutherford,

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. SWM-1-00, DRAINAGE AND WATER QUALITY ABATEMENT PROJECTS (OLIVE STREET), TO THOMAS BROTHERS CONSTRUCTION COMPANY, INC., FOR THEIR LOW BID IN THE AMOUNT OF ONE HUNDRED ELEVEN THOUSAND, THREE HUNDRED NINETEEN DOLLARS (\$111,319.00) (BASE BID LESS ALTERNATE #1)

was adopted.

CHANGE ORDER

On motion of Councilwoman Rutherford, seconded by Councilman Crockett,

A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1, CONTRACT NO. SS-2-99, BRAINERD ROAD STREETScape PROJECT, WITH TOWER CONSTRUCTION CO., INC., WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY SIXTY-THREE THOUSAND, EIGHT HUNDRED FIFTY AND 10/100 DOLLARS (\$63,850.10), FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED TWO HUNDRED FIFTY-FOUR THOUSAND, THREE HUNDRED FIFTY-FIVE AND 95/100 DOLLARS (\$254,355.95), AND WHICH CHANGE ORDER INCREASES THE CONTRACT TIME BY THIRTY (30) CALENDAR DAYS

was adopted.

**CONTRACT: ARTECH DESIGN GROUP,
INC.**

On motion of Councilwoman Hurley, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A CONTRACT WITH ARTECH DESIGN GROUP, INC., RELATIVE TO DESIGN SERVICES FOR FURNISHINGS AND ACCESSORIES FOR THE DEVELOPMENT RESOURCE CENTER, FOR AN AMOUNT NOT TO EXCEED NINETY-SEVEN THOUSAND, NINE HUNDRED DOLLARS (\$97,900.00)

was adopted.

CONTRACT: ARTECH DESIGN GROUP, INC.

On motion of Councilwoman Hurley, seconded by Councilman Crockett,

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A CONTRACT WITH ARTECH DESIGN GROUP, INC., RELATIVE TO PROCUREMENT OF THE FURNISHINGS AND ACCESSORIES FOR THE DEVELOPMENT RESOURCE CENTER, FOR AN AMOUNT NOT TO EXCEED ONE HUNDRED FORTY THOUSAND, EIGHT HUNDRED DOLLARS (\$140,800.00)

was adopted.

TEMPORARY USE: FOUNTAIN DRUGS

On motion of Councilman Franklin, seconded by Councilwoman Rutherford,

A RESOLUTION AUTHORIZING FOUNTAIN DRUGS TO USE TEMPORARILY THE ALLEY BETWEEN MARKET AND CHERRY STREETS FOR THE PURPOSE OF MODIFYING THE HINGES OF AN EXISTING THREE-FOOT (3') WIDE REAR DOOR, MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS

was adopted.

**AMEND RESOLUTION NO. 22234
(CONTRACT WITH HAMICO, INC.)**

Councilwoman Rutherford stated Resolutions 7(i) and (j) were discussed in today's Parks and Recreation Committee and are recommended for approval.

On motion of Councilwoman Hurley, seconded by Councilman Taylor,

A RESOLUTION AMENDING RESOLUTION NO. 22234, ENCAPTIONED "A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF PARKS, RECREATION, ARTS & CULTURE OF THE CITY OF CHATTANOOGA TO ENTER INTO A CONTRACT WITH HAMICO, INC. FOR THE CONSTRUCTION OF THE RIVERMONT TENNIS CENTER, MORE PARTICULARLY DESCRIBED HEREIN." SO AS TO REVISE THE FEE NOT TO EXCEED EIGHT HUNDRED THIRTY THOUSAND DOLLARS (\$830,000.00)

was adopted.

AMEND RESOLUTION NO. 22308
(CONTRACT WITH FRANKLIN AND
ASSOCIATES)

On motion of Councilman Franklin, seconded by Councilman Taylor,

A RESOLUTION AMENDING RESOLUTION NO. 22308, ENCAPTIONED “A RESOLUTION AUTHORIZING THE ADMINISTRATOR 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).” SO AS TO REVISE THE FEE NOT TO EXCEED FORTY-FIVE THOUSAND DOLLARS (\$45,000.00).

was adopted.

MORATORIUM ON CERTAIN REZONINGS:
PROPERTY IN THE BRAINERD AREA

Vice Chairman Hakeem stated a Resolution on next week’s agenda has gained approval from Councilmen Rutherford and Eaves to be moved forward to tonight’s agenda regarding a moratorium on certain rezonings in the Brainerd area.

Jerry Pace stated during the period of this moratorium the Planning Agency will look at the zoning area along North Terrace, North and South Moore Roads, Belvoir, McBrien and Spring Creek Road. He stated the Agency will look at the roads that face these areas to see whether the zoning policy currently in place is appropriate or if any changes need to be made.

On motion of Councilwoman Rutherford seconded by Councilman Franklin,

A RESOLUTION DECLARING A MORATORIUM FOR UP TO SIX (6) MONTHS ON CERTAIN REZONINGS ON PROPERTY IN THE BRAINERD AREA, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE, SO AS TO PERMIT THE CHATTANOOGA-HAMILTON COUNTY REGIONAL PLANNING AGENCY TIME TO PERFORM THE BRAINERD AREA ZONING STUDY

was adopted.

OVERTIME

Overtime for the week ending Marcy 3, 2000 totaled \$22,033.14.

PERSONNEL

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

THEODORE WATKINS – Resignation, Custodian, Civic Facilities, effective March 1, 2000.

PURCHASES

On motion of Councilwoman Rutherford, seconded by Councilman Franklin, the following purchases were approved for use by the Parks, Recreation, Arts and Culture Department:

A-1 CARPET CLEANING (Low and best bid)

Purchase Order P0014029

Carpet Cleaning for Fitness Center

\$150.00/month

GRAYBAR ELECTRIC (Lowest, best and most complete bid)

Requisition No. R0046737

Twelve Months Requirements Contract for Electrical Supplies

\$6,541.84 (with 4 No-bids)

CUSTOM RECREATION (Low and best bid)

Requisition No. R0046780/B0000411

Playground Equipment

\$54,642.23

REJECT ALL BIDS

On motion of Councilwoman Rutherford, seconded by Councilman Franklin, all bids were rejected for the construction of the Skate Park for the Parks, Recreation, Arts and Culture Department per Requisition No. R0046813.

PURCHASE

On motion of Councilman Franklin, seconded by Councilwoman Rutherford, the following purchase was approved for use by the General Services Department:

INTERNATIONAL EQUIPMENT CO. (Change Order #1)
Purchase Order P0013992

Change Order #1, Gate Operator System

\$23,630.00 – Original Contract
450.00 – Change Order #1
\$24,080.00 – Total Contract Cost

PERSONNEL

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

ANGELA D. ADAMS – Employment, Custodian, Citywide Services, Pay Grade 2/Step 1, \$14,115.00 annually, effective February 23, 2000.

TERRY CARTER – Suspension (eight days without pay), Equipment Operator, Citywide Services, effective February 22, 24, 29, 2000 and March 2, 7, 9, 14, 16, 2000

EUDUARDO PALACIOS, JR. – Suspension (three days without pay), Equipment Operator, Sr., Citywide Services, effective March 6, 7, 9, 2000.

DOTTIE M. BURNS – Transfer/Promotion, Administrative Secretary, Citywide Services, Pay Grade 9/Step 2, \$21,918.00 annually, effective March 10, 2000.

BOSSIE HALE – Employment, Crew Worker, Citywide Services, Pay Grade 3/ Step 1, \$15,230.00 annually, effective February 23, 2000.

WILLIAM L. MANNING -- Employment, Crew Worker, Citywide Services, Pay Grade 3/ Step 1, \$15,230.00 annually, effective March 1, 2000.

PURCHASES

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

INDUSTRIAL PROCESS MACHINERY (Single source)

Requisition No. R0048519

Renewal of Twelve Months Requirements Contract for the Supply of Diaphragms, Front and Back per TCA6-56-301

\$65,000.00

SMITH AND LOVELESS (Single Source)

Requisition No. R0048559

Replacement Impellers and Front Heads for Smith and Loveless Pumps

\$23,293.04

**UPDATE REGARDING WEST VIEW ROAD
INQUIRY**

Admin. Marcellis reported on the issue raised by Ray Sinor regarding construction equipment on West View Road. He stated that the matter has been investigated and the owner of the property, Mr. Marler, has been cited to Court on Thursday, March 30. He stated he will provided another report to the Council as a result of the Court appearance.

PERSONNEL

The following personnel matters were reported for the Chattanooga fire Department:

LESLEY COLE, THOMAS FORMAN, EDWARD JACKSON, LLOYD JONES, AARON MCCULLOUGH, RICHARD MIZELL, DEAN ROGERS, ROBERT SHEETS, KINNEY SHORT, MICHAEL WRIGHT – Promotion, Sr. Firefighter, Pay Grade F2/Step 3, \$27,376.80 annually, effective March 10, 2000.

SCOTTY HUDSON -- Promotion, Sr. Firefighter, Pay Grade 2/Step 5, \$29,865.60 annually, effective March 10, 2000.

RUSSEL RYMER – Promotion, Sr. Firefighter, Pay Grade F2/Step 8, \$33,598.80 annually, effective March 10, 2000.

PURCHASE

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

EAST RIDGE UNIFORMS (Low and best bid)

Requisition No. R0046555/P0014122

Fire Fighters Uniforms

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

PERSONNEL

The following personnel matter was reported for the Chattanooga Police Department:

FREDDIE MARBLE – Rescind Hiring, Animal Services Officer, effective February 28, 2000.

PURCHASE

On motion of Councilman Crockett, seconded by Councilman Franklin, the following purchase was approved for use by the Finance Department, City Court Division:

ACS-IMAGE SOLUTIONS (Best Bid)

Requisition No. R0o027374

Microimager

\$20,681.00

REFUND

On motion of Councilman Crockett, seconded by Councilman Franklin, the Administrator of Finance was authorized to issue to following refund of 1999 real and/or personalty taxes and stormwater refunds:

LANDHAM & NORMAN, INC. – Map No. 108L-A-001, \$1,085.70

CORLEY MANUFACTURING – Per. #0001777, \$6,539.08

REFUNDS (Continued)

THE WALK LTD. – Map No. 157A-F-006, \$1,872.11

CHARLES ALAN MCDONALD – Map, No. 101J-B-017, \$1,782.36

AMERICAN NATIONAL BANK -- Map. No. 1460-E-010, 1,123.56

NANCY F. LANDRETH – Map No. 158E-B-001, \$1,137.87

PLAZA RADIOLOGY LLC - Map No. 159H-B-022, \$4,994.50

BOARD APPOINTMENT

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford, the following board appointment was approved:

TAXICAB BOARD:

- Appointment of **JOHN GIDEON** to fill the vacant seat representing the taxi industry, for a term ending March 7, 2002

PERSONNEL

The following personnel matters were reported for the Chattanooga Personnel Office:

JANICE OWENS – Resignation, Personnel Assistant, effective February 3, 2000.

SHERRY HULGAN – Resignation, Clerk P/T, effective March 10, 2000.

PERSONNEL

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

RENAY METZGER – Termination, Neighborhood Relations Program Coordinator, effective March 1, 2000.

HEARING: CURTIS GREEN

City Attorney Nelson stated a request for a personnel hearing has been received from Officer Curtis Green regarding his 28 day suspension. **The hearing for Officer Green was scheduled for Monday, March 27 beginning at 6 p.m.** with Councilmen Crockett, Eaves and Franklin serving as the panel; that Councilman Eaves will serve as Chair of the panel.

HEARING: OFFICER YATES

City Attorney Nelson stated he was advised by the Police Department that both sides are requesting a continuance of this hearing because the Police Officer's attorney has been out of the city trying a case in Arizona and (he) is now in Washington state and will not have an opportunity to get together to stipulate the evidence before the hearing and want to pass it. He stated he could not agree to it because the Court has put down an Order saying we have to act by March 15; that if the Order is amended there may be a request to change the date of the hearing next Monday; that for the time being it is to be left as scheduled (March 13 at 6 p.m.)

COMMITTEES

Councilman Taylor scheduled a meeting of the **Safety Committee for Tuesday, March 21 immediately following the Public Works Committee.**

Councilwoman Hurley reminded Council members of the meeting of the **Health, Education, Human Services and Housing Opportunities Committee scheduled for Tuesday, March 14 immediately following the Parks and Recreation Committee meeting.**

Councilman Eaves scheduled meetings of the **Legal and Legislative Committee for Tuesday April 4 and 18 immediately following the Public Works Committee** for continuation of discussion as a result of today's committee meeting (possible Charter amendments, redistricting of recently annexed properties).

MAGLEV TEAM REPORT

Vice Chairman Hakeem reminded Council members of the joint meeting with the County Commission on Thursday morning, March 9 at 9 a.m. regarding the high speed rail; that the local Consultant, Ron Littlefield, will be assisting in this effort.

Councilman Crockett stated the final submission is one part of this and some of the deadlines have changed; that the project will be pushed to a longer period of preparation of the documents and the award of that culminating this year. He stated the consultant from Atlanta will be part of the team that will overview what has been presented to the Federal Railway Administration and the new time deadline; that the information is all positive with no negative messages.

MEETING RECESSED

Vice Chairman Hakeem recessed the meeting until Thursday, March 9, 2000 at 9 a.m. in the County Commission Assembly Room.

CHAIRMAN

CLERK OF COUNCIL

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