

**City Council Building  
Chattanooga, Tennessee  
September 12, 2000**

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

**AMEND RESOLUTION NO. 22629**

Carlos Smith, General Counsel for the Electric Power Board, stated that bids had been received for the purchase of \$40 million in bonds. He stated seven bids were received with the lowest bid being 5.195 from Paine Webber. He stated the bid was reviewed with their Bond Counsel and Financial Advisor, Hal Canary, who is of the opinion that it is the best and most advantageous bid for the Board. He requested that the City Council take action authorizing the acceptance of the bid. He stated as part of the bidding process a light modification of the Resolution passed on September 5 is needed that has to do with what was not included in the revenues, which included several projects.

Councilman Eaves asked Atty. Smith to explain in "layman's terms" why the changes are being inserted.

Atty. Smith stated when the agencies were asked to rate, they wanted some assurance that they would have a maximum amount of revenues pledged to the payment of bonds; that they wanted to exclude the revenues from separately financed projects, such as the telecommunications project, contributions in aid of construction, customer recall expenses above and beyond normal expenses to connect them to the system and if they sell assets with a value of \$1 million not to include that as part of the revenues so that it could go back into capital. He stated they really wanted assurance we would not sell the system to pay our debt coverage; that we could not use revenue dollars to pay for bonds.

**AMEND RESOLUTION NO. 22629**

On motion of Councilman Crockett, seconded by Councilwoman Hurley,

**A RESOLUTION AMENDING RESOLUTION NO. 22629, ENCAPTIONED “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE: AUTHORIZING THE ISSUANCE OF ELECTRIC SYSTEM REVENUE BONDS OF THE CITY FOR THE USE AND BENEFIT OF THE ELECTRIC POWER BOARD OF CHATTANOOGA; PROVIDING FOR THE PAYMENT OF SUCH BONDS FROM CERTAIN REVENUES FROM THE OPERATION BY THE ELECTRIC POWER BOARD OF CHATTANOOGA’S ELECTRIC SYSTEM; GRANTING AUTHORITY TO THE ELECTRIC POWER BOARD FOR THE EXERCISE OF CERTAIN RESPONSIBILITIES IN CONNECTION WITH THE ISSUANCE AND ADMINISTRATION OF THE BONDS; PROVIDING TERMS AND CONDITIONS FOR THE ISSUANCE OF ADDITIONAL OBLIGATIONS OF A PARITY WITH SUCH BONDS; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.” SO AS TO AMEND SECTION 2.01 AND 10.02(C) OF SAID RESOLUTION**

was adopted.

**BOND AWARD: PAINE WEBBER, INC.**

On motion of Councilman Franklin, seconded by Councilwoman Hurley,

**A RESOLUTION AWARDED FORTY MILLION DOLLARS (\$40,000,000.00) ELECTRIC SYSTEM REVENUE BONDS, SERIES 2000 TO PAINE WEBBER, INC.**

was adopted.

Once the Resolutions were adopted, Joe Ferguson, Chairman of the Electric Power Board, expressed appreciation to the Council for the manner in which the Council has worked with them in getting this bond issue up and going. He stated in the end what they are doing is enhancing the Power Board’s system and placing themselves in a position to move forward for their customers and the residents in the region in positioning the Power Board to continue moving forward to state-of-the art projects and services that will be a real enhancement to the things the Council is doing as a body to move this City forward.

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Councilman Crockett stated that he had an earlier conversation with Mr. Ferguson and informed him that he was doing a very good job of keeping the Council informed and allowing for dialogue. He stated one issue was how we treat some of the infrastructure within the City limits; that at some point in time he would like to renew discussion and if there are financial things like bond issues attached to try to address them. Mr. Ferguson indicated that the Council would be involved in that discussion; that the Board is sensitive to that.

Councilman Eaves inquired as to a percentage figure the Power Board has as a long-term goal with regard to telecommunications revenue. Mr. Ferguson stated that they have a short-term and long-term plan in place; that projects are such that within the next several months not only will they be even with their projection but moving forward and beyond. He stated the way the service is being received now is far beyond their expectations and the quality of the service has been very good.

Harold DePriest, President of the Electric Power Board, stated that they have looked at it differently rather than as percentage revenue; that they do not anticipate a rate increase for close to a ten year period.

Councilman Eaves asked if they are satisfied with their telecommunications plan? Mr. DePriest responded “yes”; that they are getting a lot of customers; that the biggest difficulty is getting them moved from Bell South, which is a bureaucratic and laborious process; that they are getting a lot of customers, have not lost any (customers), and are getting good feedback.

Councilman Franklin inquired as to jobs created for the telecommunications projects and the numbers attached and how they break down from a managerial to entry level. Mr. Ferguson stated that it is not a large group.

Mr. DePriest stated that there are about 25 people and they do not anticipate their structure ever getting below 50; that it is a relatively small amount and are continuing to use a process begun in the 1970’s by using the electric-wide work force.

Councilman Franklin asked if the hiring process would be advertised in-house. Mr. DePriest stated that they have a few people who have “crossed over” from in-house; that they have a nucleus of people with several years experience in telecommunications.

Councilman Franklin stated that persons have approached him about being hired on the telecommunications side with ten-to-fifteen years experience in the area. Mr. DePriest asked that Councilman Franklin send them to him.

Councilman Franklin stated a person who spoke with him regarding this has applied for a position but has not received a response. Mr. DePriest stated that one thing people do not understand is that with the technology available, staffing will be small compared to the idea of a telephone company ten years ago.

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Chairman Hakeem stated the name of the person Councilman Franklin was referencing is Gregory Shores.

Chairman Hakeem expressed thanks to the Electric Power Board for the work they have done and indicated that all are enthusiastic about what they will do in the future; that they have the people in mind, first, and that is very important.

**RECESSION OF MEETING**

Chairman Hakeem recessed the meeting until Tuesday, September 12, 2000 at 6 p.m.

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**CHAIRMAN**

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**CLERK OF COUNCIL**

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

**City Council Building  
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September 12, 2000**

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

**PLEDGE OF ALLEGIANCE/INVOCATION**

The Pledge of Allegiance was led by Chairman Hakeem, followed by invocation by Rev. Floyd Whiteside.

**MINUTE APPROVAL**

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

**REZONING**

**2000-100 – Daryl R. Marsh**

Pursuant to notice of public hearing the request of Daryl R. Marsh to rezone a tract of land located at 871 McCallie Avenue came on to be heard.

The applicant was present; considerable opposition was in attendance.

Jerry Pace, Planner with the Planning Agency, stated that this request is for R-4 for a fraternity house. He stated the site is south of the historic Fortwood neighborhood and that zoning in that area is R-4 and R-3; that there is some C-2 along McCallie Avenue and to the south is R-3 in the M.L. King area. He stated the Planning Commission recommended denial of the request and the Staff recommended approval subject to conditions.

**REZONING (Continued)**

Atty. Andrew Stinnett spoke on behalf of the seller of the property and the Pi Kappa Alpha Fraternity. He stated one big issue is that the building is not located within the Fortwood district; that it is located on McCallie Avenue and backs up to Fortwood. He stated the professional staff of the Regional Planning Agency recommended that the property be rezoned, the Planning Commission recommended denial and the Fortwood Association is opposed. He stated an attempt to find a location for the Pi Kappa Alpha house in the M.L. King area was also met with opposition by their neighborhood association. He stated Kappa Delta Sorority was denied rezoning on Fifth Street due to various reasons; that this is a classic case of “not in my back yard”. He stated the Pi Kappa Alpha Fraternity was established 130 years ago and the Chattanooga Chapter was established in 1947; that this is a case of discrimination as no one wants a fraternity or sorority house near them. He stated the Fraternity plans to renovate and purchase the property; that the concrete building is safe and replacement of the roof needed. He stated the primary concerns of the residents are related to wild parties that have occurred in the past. He stated the plan of this Fraternity is that the building will be used for housing and weekly Chapter meeting, not for open social functions, as the structure does not lend itself for that purpose.

Atty. Stinnett continued by stating that members of Pi Kappa Alpha have dedicated themselves to being good neighbors and for liability purposes and an attempt to be a good neighbor, they will not hold open parties; that the parties will be moved to another location. He stated this structure will house twelve students to help the overcrowding at UTC; that the building has 54 square feet and has 32 parking spaces; that 12 additional cars on the street is all there will be. He stated UTC has indicated they would provide on-campus space for fraternities; that in reference to a letter dated August 10 from Chancellor Stacy, Pi Kappa Alpha has not been contacted nor any discussion regarding housing on University property. He stated Roy Williams, President of Pi Kappa Alpha, sent a letter to Dr. Stacey and he has not responded; that UTC negotiated with the prior owner two years ago and Pi Kappa Alpha and Sigma Chi have been without fraternity houses for three and two years, respectively. He stated this is not a new issue as it has been ongoing for 20-25 years; that fraternity houses have been in Fortwood a long time. He stated Pi Kappa Alpha is a well-established organization and institution in this City with 75 percent of the membership from Chattanooga. He stated the roster of alumni are not only residents but doctors, lawyers, CEO's and a former Mayor; that Pi Kappa Alpha will dedicate to being a good neighbor and will do nothing that would adversely affect the residents.

Mark Huddle of Ooltewah, Tennessee made reference to the comments expressed by Councilman Pierce regarding the residency of members of Pi Kappa Alpha and stated that the Fraternity was in Fortwood from 1947-1990; that active students make actively involved alumni. He stated the Fraternity is willing to make a commitment of over \$400,000 which will add to the status of Fortwood and not take away from it; that they are not going to put their reputation at risk nor their pocketbooks.

**REZONING (Continued)**

Mr. Huddle stated the house would be run like a business with financial accountability; that students who violate the rules will not be allowed to live in the house. He stated at the Planning meeting members of the Fortwood Association were opposed and showed an "Animal House" video and fraternity members take offense to that. He made reference of a member of the Fraternity having received the Bronze Star and there are countless medical doctors, law school graduates, stockbrokers, accountants and insurance executives. He stated members of the Fraternity are active members of the community and are involved; that he is insulted when the threat is made to show an "Animal House" video to City Council members. He asked the Council to vote based on the merits and make a decision, not whether Fortwood has pictures or video.

Jerry Turner, a local attorney who resides at 864 Oak Street, spoke on behalf of the residents of the Fortwood community and presented letters to Council members from 26 residents opposed to the application. He asked those in attendance in opposition to the request to stand and indicated that land has been made available as referenced in a letter from UTC. He stated that after purchasing his home in Fortwood he had a new roof put on and invested \$150,000 in the home; that homeowners have invested approximately \$4 to \$10 million dollars in their properties and pay property taxes and prefer that the area remain a residential neighborhood. He stated the area behind his home was zoned C-2 and farther down on Oak; that he never imagined a fraternity house would be behind him; that he is against that sort of use as it is incompatible with residential use. He made reference to the Mizpah Congregation and the Church of God In Christ Churches in the area and stated that any weekend fraternity activity is incompatible with synagogue and church activities. He stated the City would receive \$814.58 from this property if rezoned and made a fraternity house; that they have the right to have an exception of property taxes and the City will receive nothing; that the official land use plans call for this property to be zoned commercial as it has been for decades.

Mr. Turner asked that the Council keep in mind that this Fraternity lost their Charter some years ago; that they were at 900 Oak and sold their house to another fraternity, Phi Delta Theta, and lost their grand fathering status in the early 1990's and had to rezone the 900 Oak Street property so that another fraternity could come in. He stated the Fraternity would get ten parking spaces from the property they are trying to buy and thinks Oak Street has absorbed enough fraternity houses. He stated he has been awakened at 1 a.m. and 2 a.m. and has found many beer cans in his yard; that he does not know these young men and is not prejudging them; that his experience has been a nightmare and it is hard for him to go to sleep with tooting horns during times of the season at homecoming and "rush". He stated this would be an incompatible land use and it has been commercial for years; that residents of Fortwood wish for it to remain that way and respectfully ask that the Council deny this.

**REZONING (Continued)**

Anita Polk Conley, President of the M.L. King Neighborhood Association, stated her organization supports the Fortwood Neighborhood Association on this issue; that it was mentioned earlier that the M.L. King Neighborhood Association was not interested in having a fraternity house in their area, as well. She stated both neighborhoods are in the process or revitalization and feel this would not be in their best interest.

Bob Pomeroy, President of the Fortwood Neighborhood Association, displayed a bag of garbage comprised on beer cans and other debris that he picked up after a fraternity party over the weekend that was found along the neighborhood in Fortwood so that Council members could see what the residents have to deal with. He stated there are over 100 residents in the Association and over half of the properties in Fortwood need the Council's help. He stated this is one of the historical districts remaining in Chattanooga and for the first time in many years younger families with children are becoming a part of Fortwood; that many have invested lots of money to have their homes restored. He stated the Neighborhood Association has raised funds for street trees and decorations and are working on a "tour of homes" for a charitable organization. He invited the Council to take a walking tour of the neighborhood and distributed brochures describing the area. He asked for the Council's help in strengthening the Fortwood and M.L. King Neighborhood Associations by denying this request and encouraging fraternities to locate on the UTC campus. He stated there are over 200 dwelling units and two churches off the site and there are traffic and parking problems; that even with 12 parking spaces that would account for over 80 trips to and from the Fraternity house a day. He concluded his remarks for asking the Council for support in denying the request.

Chairman Hakeem stated that Chattanooga is very proud of the Fortwood community and the young people at UTC; that it is obvious there is tenseness between the two that is not good for the community or University. He asked that those addressing the Council be mindful of that so that the two can work together.

Councilman Crockett asked that someone from the Fraternity comment on the letter from UTC regarding property on Collins Street. Mark Huddle responded that when the Fraternity turned in their Charter in 1990 the decision to do that was for financial reasons; that they sincerely feel the property is not in Fortwood. He stated when it is all said and done they feel they are being discriminated against. He stated when he spoke with Dean McDougald there was no offer made referencing the Collins Avenue property.

Councilman Crockett stated that it has been said the Fraternity wrote a letter to Roy Williams but has not received an answer; that he wanted to know if it is the letter Council members have been given. Mr. Huddle responded "no"; that they received the letter from Mr. Williams and the Fraternity asked for further guidance and clarification. That the letter Council members have is the one that has not been responded to; that he will read the letter again this afternoon.



**REZONING (Continued)**

Councilwoman Hurley stated that members of the Fraternity know about the Collins Avenue property because she sat on the Planning Commission when the presentation was made; that those representing Pi Kappa Alpha at the Planning meeting are different from the ones who are present this evening. She stated that the burden of the application seems to be doubt on the part of the Fraternity about UTC and she shares the Chairman's view of that. She stated that it seems unusual to her for the Alumni to be casting down on the institution's students they wish to provide for are attending; that she called Chancellor Stacy to ask about the letter and the University's intent. She stated there has been a great deal of conversation over a number of years about UTC's offer; that her impression from Chancellor Stacy is that the University is very serious about their offer for the Collins Avenue property; that there are some hurdles still to be overcome with the Building Commission in Nashville. She stated the University has every intention of making this property available. She stated she has received calls, which were mostly from Sigma Chi members, who worried about a 50-year lease; that it does seem to her that this is a situation that can be alleviated by the parties sitting down and discussing the intent of the University, which are genuine. She stated that she does not feel this situation will ever get any better with the concentration of a fraternity house in one geographic neighborhood; that she does not remember anyone mentioning the "Animal House" video in a serious way and does not remember it at the Planning meeting. She stated she could not imagine why the Fraternity would want to place young men in a situation where they can behave as they want and does not see why it is not preferable to be on the UTC campus to behave as genuine young men typically do. **At this point she made the motion to support the Planning Commission's recommendation for denial; Councilman Crockett seconded the motion.**

**Councilman Lively made the motion that the matter be deferred a couple weeks** and have representatives from UTC come to address the letter; that if this is looked upon as downzoning, when it comes before the Council it is usually automatic. He stated the statement has been made many times that we "zone property and not people"; that he understands the property is on McCallie and is not in Fortwood.

Councilwoman Rutherford stated she was not privy to the letter from UTC until now and asked Councilwoman Hurley when she spoke with Chancellor Stacy if he gave any time line on the property being available on Collins?

Councilwoman Hurley responded "no"; that it is believed it will happen as soon as he can make it happen; that there are hurdles to overcome in Nashville. She stated that she still believes that it will happen and a new development of fraternities will be very attractive on Collins Street, more so than at this location.

**REZONING (Continued)**

**Councilwoman Rutherford** stated it is her thinking that this Ordinance will fail eventually and **seconded Councilman Lively's motion to defer the matter**. She stated she would like for a University spokesman to come and explain the plan; that until then the Council knows we are to zone property and not people.

Councilman Pierce stated that he does not know what extent delaying this matter would have; that the University has acted in good faith by trying to offer property to the fraternities. He stated there have been two public hearing; that the first was with the fraternities who are well aware of what the University's intent is. He stated the matter is at the State level; that once the problem is resolved the land will be made available. He stated the Council will have another zoning in October or November which will be along the same lines; that he cannot see where delaying the matter will help; that he has attempted to arrange a meeting with the fraternity and the University and all seem to be "set in their mind." He reiterated that delaying the matter will not help.

**At this point the vote on the motion and second by Councilmen Lively and Rutherford to defer was taken; the motion failed.**

On motion of Councilwoman Hurley, seconded by Councilman Crockett,

**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 871 MCCALLIE AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM C-2 CONVENIENCE COMMERCIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**

**was denied; Councilman Lively abstained.**

**REZONING**

**2000-146: Natalie Scott Fay-Elder**

Pursuant to notice of public hearing, the request of Natalie Scott Fay-Elder to rezone a tract of land located at 2101 East Fifth Street came on to be heard.

The applicant was present; opposition was in attendance.

**REZONING (Continued)**

Mr. Pace stated this parcel is located between Glenwood and Orchard Knob; that there is commercial zoning along Fourth Street and Third Street to the north. He stated the request is for R-4 for a sign for a day care center; that signs can be posted in a residential zone, however signs are not allowed in single-family residential zones without a change to R-4. He stated both the Planning Commission and Staff recommend denial.

Countess Ramsey spoke on behalf of the applicant and stated that she is the administrator of the day care; that they are only asking to be allowed to place their sign on the front of their business. She stated when they went before the Planning Commission they were advised there were so many small businesses in the neighborhoods now that they really did not want to have to do a rezoning for each individual. She stated they were informed that the Planning Agency was in the process of trying to pass some type of Ordinance that would allow people to have signs in their neighborhood; that she was under the impression that the only thing they were waiting for was for someone to inform them of the size of the sign that could be used. She stated when it came to their attention they could not have a sign they immediately took it down.

Mr. Pace stated that the request Ms. Ramsey made reference to for hanging signs in a residential area is going to be withdrawn; that it is on tonight's agenda only because it has been advertised; that it will be withdrawn from consideration.

Carl White, President of the East Fifth Street Neighborhood Association, requested that the neighborhood not be rezoned; that they have a tranquil neighborhood where older citizens walk and have the time of their lives! He again requested that the Council not approve the rezoning.

Edith Peak, a retired Social Worker with the City Schools prior to merging with the County, stated she is a law abiding, tax paying citizen and a member of the East Fifth Street Neighborhood Association. She stated the Association opposes the rezoning from R-2 to R-4, however, they do not know what the R-4 means and are fearful of it. She stated there are numerous educators that live in the area and they love children, have worked with them and, in fact, have raised their children in the neighborhood to become productive citizens and do not want it changed to R-4 because they do not know what else can come in. She stated she has lived in the neighborhood a long time and is still trying to make Chattanooga beautiful; that there have been drug problems and roaming of stray dogs in her neighborhood and expressed thanks to the City for having a program now that has trained more dog catchers and it is somewhat better. She pled with the Council to not change the zone to R-4; that if it must be changed change it to a historic zone as they do live in an historic area.

**REZONING (Continued)**

Ms. Ramsey stated that this is a very small day care center with only 12 children; that it is a nice place; that there are children who have been in the day care from 8 weeks old and are still there today. She stated that the day care center has been there four years and she lives in the neighborhood one block over. She stated that it is her feeling that if anyone has a small business they should be able to advertise in some manner; that she can understand that the sign might not have been appropriate, yet is willing to work in any way she can as she would like to advertise her business. She reiterated that it is a small business with only 12 children; that they do not have a problem with people or have buses; that it is just a small day care and would like to be able to advertise with a small sign.

Councilman Franklin asked if it is necessary to rezone and whether rezoning would affect the operation of a business? Mr. Pace stated that rezoning would not affect the business; that signs are not allowed in an R-1 zone; that it has to be R-4 for a sign.

Councilman Franklin asked what else is allowed in R-4? Mr. Pace responded “residential and business offices, barbershops, beauty salons, etc.”

On motion of Councilwoman Rutherford, seconded by Councilman Pierce,

**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,  
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT  
OF LAND LOCATED AT 2101 EAST FIFTH STREET, MORE  
PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL  
ZONE TO R-4 SPECIAL ZONE**

was denied.

**REZONING**

**2000-152: Jefferson Place Associates, LLC**

Pursuant to notice of public hearing, the request of Jefferson Place Associates, LLC to rezone a tract of land located at 1910 Rossville Avenue came on to be heard.

The applicant was present; opposition was in attendance.

John Clark of Crye-Lieke Commercial Realty was present representing Jefferson Place Associates and stated they gained approval from the Regional Planning Staff; that the development has been recommended for denial by the Planning Commission. He requested a one month deferral in an effort to gain the support of the neighborhood.

**REZONING (Continued)**

Rev. Floyd Whiteside expressed concern about the terminology to “delay the matter one month to gain the neighborhood’s favor”; that what is being planned are 80 units versus single housing. He stated there is no possibility of “gaining the neighborhood’s favor” because they do not want 80 units!

Chairman Hakeem stated it is clear what the neighborhood’s position is; that what is being proposed is that the two parties talk and possibly come to some understanding. He stated that this is not being deferred to come back and say it has to be 80 units; that it is hopeful a “meeting of the minds” will come about that would be acceptable to the neighborhood and the developer can make a profit.

Councilman Pierce stated that he had an opportunity to talk to the developer prior to the meeting; that he received a call at about 11:30 a.m. today asking for a deferral. He stated in the meeting he indicated that there might be a desire to table the matter; that they talked about the possibility of doing 20 single residential houses as opposed to 80 units and expressed that to the neighborhood so that they would know what to expect when they meet. He stated in the past the matter was deferred at Planning so that the neighborhood could meet; that the meeting took place three-to-four days prior to the last Planning meeting. He stated a month passed and he received a call today at 11:30 a.m. asking that the matter be deferred. He urged the two parties to get together within the next two weeks to get something worked out for presentation to the Council.

Mr. Clark stated that he understands the neighborhood is opposed and has density questions; that he thinks their concerns are fair. He stated they have a strong interest in single family residential over apartments and they are going to try to get to that; that it will be a whole different “ball game” to try to get to that. He made the commitment to have a meeting with Rev. Whiteside and the neighborhood within the next two weeks.

On motion of Councilman Eaves, seconded by Councilman Lively,

**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,  
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT  
OF LAND LOCATED AT 1920 ROSSVILLE AVENUE, MORE  
PARTICULARLY DESCRIBED HEREIN, FROM M-1  
MANUFACTURING ZONE TO R-3 RESIDENTIAL ZONE**

**was tabled until October 17.**

**REZONING**

**2000-153: Jarnigan Road Limited Partnership**

Pursuant to notice of public hearing, the request of Jarnigan Road Limited Partnership to rezone a tract of land located at 7111 and 7119 Jarnigan Road and 2010 and 2016 Skyline Drive came on to be heard.

The applicant was present; there was no opposition.

On motion of Councilwoman Rutherford, seconded by Councilman Lively,

**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 7111 AND 7119 JARNIGAN ROAD AND 2010 AND 2016 SKYLINE DRIVE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**

passed first reading.

**REZONING**

**2000-154: Jarnigan Road Limited Partnership**

Pursuant to notice of public hearing, the request of Jarnigan Road Limited Partnership to rezone a tract of land located at 7201, 7209, 7213, and 7221 Jarnigan Road came on to be heard.

The applicant was present; there was no opposition.

On motion of Councilman Pierce, seconded by Councilman Lively,

**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 7201, 7209, 7213 AND 721 JARNIGAN ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE AND R-4 SPECIAL ZONE TO C-4 PLANNED COMMERCE CENTER ZONE, SUBJECT TO CERTAIN CONDITIONS**

passed first reading.

**REZONING**

**2000-159: Chattanooga Housing Authority**

Pursuant to notice of public hearing, the request of the Chattanooga Housing Authority to rezone a tract of land located in the 2100 block of Ocoee Street came on to be heard.

The applicant was present; there was no opposition.

Mark Rudisill of the Chattanooga Housing Authority stated that the Authority has no special plans for the property at the time and suggested that it be rezoned R-1, which the neighborhood requests.

Councilwoman Hurley stated that it is her recollection that Planning approved what the Council is about to vote on for R-1, which is the version the neighborhood association wanted.

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 IN THE 2100 BLOCK OF OCOEE STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE AND C-2 CONVENIENCE COMMERCIAL ZONE TO R-1 RESIDENTIAL ZONE**

passed first reading.

**REZONING**

**2000-160: Chattanooga Housing Authority**

Pursuant to notice of public hearing, the request of the Chattanooga Housing Authority to rezone a tract of land located at 2000 through 2111 North Hawthorne came on to be heard.

The applicant was present; there was no opposition.

On motion of Councilman Eaves, seconded by Councilman Pierce,

**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 2000 THROUGH 2111 NORTH HAWTHORNE STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**

passed first reading.

**REZONING**

**2000-1666: Marvin C. and Wanda Smith**

Pursuant to notice of public hearing, the request of Marvin C. and Wanda Smith to rezone a tract of land located at 8483 East Brainerd Road came on to be heard.

The applicant was present; there was no opposition.

On motion of Councilwoman Rutherford, 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 AT 8483 EAST BRAINERD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM O-1 OFFICE ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**

passed first reading.

**REZONING**

**2000-167: Fidelity Trust**

Pursuant to notice of public hearing, the request of Fidelity Trust to rezone a tract of land located at 1214 Dartmouth Street came on to be heard.

The applicant was not present; there was no opposition.

Councilwoman Hurley stated Paul Mallchok could not be present; that he accepts the conditions as recommended in the version from the Planning Commission.

On motion of Councilwoman Hurley, 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 AT 1214 DARTMOUTH STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM O-1 OFFICE ZONE TO C-5 NEIGHBORHOOD COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**

passed first reading.



**REZONING**

**2000-168: John R. Henry**

Pursuant to notice of public hearing, the request of John R. Henry to rezone a tract of land located at 1100 East 16<sup>th</sup> Street came on to be heard.

The applicant was present; there was no opposition.

On motion of Councilwoman Rutherford, 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 AT 1100 EAST 16<sup>TH</sup> STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE**

passed first reading.

**REZONING**

**2000-170: Ben Crownover**

Pursuant to notice of public hearing, the request of Ben Crownover to rezone a tract of land located at 6210 East Brainerd Road came on to be heard.

The applicant was present; opposition was in attendance.

Mr. Pace stated that this request is located in the East Brainerd area off Lee Highway near the Brainerd Hills subdivision. He stated general uses in the area are single family residential with some R-4 along the north side of East Brainerd Road. He stated the 1992 zoning policy for East Brainerd recommended that the area remain residential use and the recommendation from both Planning and Staff was for denial.

Ben Crownover stated he is a lifelong resident of Chattanooga and has been a CPA for 23 years. He stated his request for rezoning is for a professional office; that almost anyone would agree that this property will eventually become commercial. He asked that the Council base their vote on the facts and not on emotions and enumerated several points relating to the 2010 Plan which call for both sides of East Brainerd Road to become commercial and the road widened to four lanes; that property across the street is zoned for office use. He stated a traffic study showed that 16,470 cars pass this area every day and the only cars at his office would be his and two others, which would be less traffic than a family of four would have.

**REZONING (Continued)**

Mr. Crownover stated there is commercial property on both sides that are either for sale or have been sold; that commercial zoning would increase property value and taxes. He stated there was a petition circulated among the residents and he was not allowed to meet with them even though he requested to do so; that the signatures obtained are from persons who did not hear his plans regarding the property and should be considered and weighed accordingly. He stated he plans to limit any traffic to the front driveway while using the alley for himself and employees, even though there are no employees presently. He stated that he does not plan to make any alternations to the basic structure of the building and that it will maintain its residential appeal, with the exception of a new door and windows. He stated that he plans to plant shrubbery and build a fence to establish a buffer; that other than during tax season his business would open at 9 a.m. and close at 5 p.m. and most of the traffic would be after the children have gone to school and returned home.

Mr. Crownover continued by stating that his application was denied by Planning and the 1992 plan called for residential zoning; that the 2010 Plan called for the whole area to be commercial and the road widened due to potential traffic problems; that the traffic to his office would be a reduction. He stated the residents are against his request and that he understands their emotions; that as a resident of Hurricane Creek he was opposed to the Winn-Dixie rezoning. He stated uses of similar intention should face each other; that the most appropriate use for the property is for office use. He stated there is too much traffic in the area to make it as productive and attractive as residential. He again asked that the Council consider the facts and not emotions; that his rezoning request will have little or no impact and submits this as the least disruptive application the Council will see for this property as it relates to the residents of Brainerd Hills.

Dr. Carol Berz, a resident of Brainerd Hills, stated that she does deal with the facts and has the privilege of representing every resident of Brainerd Hills. She stated there is a petition signed by 156 people saying they do not want rezoning; that the fact is for a long time a precedent has been set by Planning and the Council that this block of East Brainerd Road would remain residential simply to protect Brainerd Hills, which is the oldest subdivision in the area dating back to the 1930's. She stated there is a fact that it has been recommended that this area remain solely residential; that she keeps hearing that the 2010 Plan calls for that to change.

Mr. Pace stated that the 2010 Plan Mr. Crownover referred to was developed in 1990; that the zoning calling for residential was approved in 1992, which substitutes for the 2010 Plan.

Dr. Berz stated the plan, therefore, is for residential; that an alleyway runs behind all sorts of homes where children play ball. She stated they are trying to go along with the long-range plan and revitalize the neighborhood and keep it residential. She introduced her daughter, Jenny Berz, who recently purchased a home in the Brainerd Hills area.

**REZONING (Continued)**

Jenny Berz stated that her house is two doors down from Mr. Crownover's and has been there for over six years. She stated she was not consulted as to what her opinion was of what the property should be rezoned to; that it is her thinking that it should remain commercial. She stated the neighborhood has been established for over 30 years and has been the foundation for family life and agrees the commercial area is but two blocks away on either side. She stated that she lives at the end of the alley and the only way to get to her home is through Mr. Crownover's property; that there is no one at the end and it is very private; that she uses the alley to access her house coming and going. She stated several children use the alley to play, walk, ride bikes or walk pets and even a private business would change the alley's use. She stated that she understands the right to start a business as her parents have had a private business in a location where it is more appropriate to start a business.

Dr. Berz stated Mr. Crownover contacted all of the residents back in January; that he had knowledge of the residential area and the residents found out that he was planning to use it for commercial; that they notified him in writing that that would not occur. She stated Mr. Crownover bought it knowing it would probably remain residential.

Mr. Crownover stated that he is not sure what the point is about being notified; that it seems to be a big point with the residents; that he knew it was residential when he bought it. He stated he probably will not use the back alley; that there is a back entrance to the house and a gate and there should not be a problem. He reiterated that all up and down East Brainerd is commercial with 16,740 cars passing a day; that the property should be commercial.

On motion of Councilwoman Rutherford, seconded by Councilman Crockett,

**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,  
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT  
OF LAND LOCATED AT 6210 EAST BRAINERD ROAD, MORE  
PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL  
ZONE TO O-1 OFFICE ZONE**

was denied.

**(Councilman Hakeem excused himself from the meeting at this point;  
Councilwoman Hurley chaired the remainder of the meeting)**

**REZONING**

**2000-171: Golden Gallon**

Pursuant to notice of public hearing, the request of Golden Gallon to rezone a tract of land located at 600 Ashland Terrace came on to be heard.

**REZONING (Continued)**

The applicant was present; there was no opposition.

Mr. Pace stated this request is located in Ashland Terrace and is currently open for business as a Golden Gallon convenience store. He stated to the west of Ashland Terrace is commercial and residential use and residential use beyond the fence toward the east, with the Lane Funeral Homes across the street. He stated approval is recommended from the Planning Commission and Staff.

On motion of Councilman Lively, seconded by Councilman Crockett,

**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 600 ASHLAND TERRACE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE**

passed first reading.

**AMEND ZONING ORDINANCE**

On motion of Councilman Crockett, seconded by Councilman Pierce,

**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, BY AMENDING ARTICLE II BY DELETING SECTION 100(47)(G) IN ITS ENTIRETY, AMENDING ARTICLE IV BY ADDING A NEW SECTION 112, AND AMENDING ARTICLE VIII, SECTION 107 BY ADDING A NEW SUBSECTION (22) TO PERMIT SMALL SIGNS IN ALL RESIDENTIAL ZONE FOR HOME OCCUPATIONS, DAYCARE CENTERS AND OTHER USES, SUBJECT TO CERTAIN CONDITIONS**

was withdrawn.

**AMEND ZONING ORDINANCE**

On motion of Councilman Crockett, seconded by Councilman Franklin,

**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, BY AMENDING ARTICLE IV, BY ADDING A NEW SECTION III, GRANTING CERTAIN POWERS TO THE CHIEF BUILDING OFFICIAL WHEN STAFF ERRORS OCCUR CONCERNING THE ZONING OF PROPERTY**

passed first reading.

**AMEND CITY CODE**

Councilman Crockett stated this matter was discussed in last week's Legal and Legislative Committee and is recommended for approval.

On motion of Councilman Franklin, seconded by Councilman Lively,

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, SECTION 16, TO ADD A NEW SECTION 16-13 AUTHORIZING THE AWARD OF A FIREFIGHTER'S HELMET UPON RETIREMENT OR DISABILITY**

passed first reading.

**AMEND BUDGET ORDINANCE 11027**

Vice Chairman Hurley indicated Resolutions 7(p) and (q) were discussed in Public Works Committee and are recommended for approval.

On motion of Councilman Lively, seconded by Councilman Crockett,

**AN ORDINANCE TO AMEND ORDINANCE NO. 11027, ENTITLED "AN ORDINANCE, HEREINAFTER ALSO KNOWN AS 'THE FY2000/2001 BUDGET ORDINANCE', TO PROVIDE REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 2000, AND ENDING JUNE 30, 2001, AND APPROPRIATING SAME TO THE PAYMENT OF EXPENSES OF THE MUNICIPAL GOVERNMENT; FIXING THE RATE OF TAXATION ON ALL TAXABLE PROPERTY IN THE CITY, AND THE TIME TAXES AND PRIVILEGES ARE DUE, HOW THEY SHALL BE PAID, WHEN THEY SHALL BECOME DELINQUENT; AND PROVIDING FOR INTEREST AND PENALTY ON DELINQUENT TAXES AND PRIVILEGES." SO AS TO PROVIDE FOR CERTAIN CHANGES IN THE PERSONNEL POSITIONS SET OUT IN SECTION 7(b); ADD SECTION 6(b); AND TO SET FORTH THE BUDGET OF THE INTERCEPTOR SEWER SYSTEM**

passed first reading.

**AMEND CITY CODE**

On motion of Councilman Taylor, seconded by Councilman Franklin,

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 31, SECTIONS 31-36, 31-41 AND 31-43, RELATIVE TO SEWER SERVICE CHARGES AND FEES**

passed first reading.

**AMEND CITY CODE**

Councilman Pierce stated that he would like for the record to reflect that he had indicated in Committee meeting last week that he would not support this Ordinance; that he is now in favor of the amendment and will vote for it.

On motion of Councilman Taylor, seconded by Councilman Franklin,  
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 2, SECTIONS 2-174(a) AND (b), SO AS TO DELETE THE FIVE-YEAR REQUIREMENT FOR DEPENDENT CHILDREN AND SPOUSES**  
passed first reading.

**ZONING POLICY**

On motion of Councilwoman Rutherford, seconded by Councilman Crockett,  
**A RESOLUTION TO ADOPT A NEW ZONING POLICY FOR THE AREA OF MOORE ROAD, NORTH TERRACE, BELVOIR AVENUE, SPRING CREEK ROAD AND MCBRIEN ROAD**  
was adopted.

**CONTRACT: JOHN LEWIS**

On motion of Councilman Franklin, seconded by Councilman Crockett,  
**A RESOLUTION AUTHORIZING THE DEPARTMENT OF GENERAL SERVICES ADMINISTRATOR TO ENTER INTO A PERSONAL SERVICES CONTRACT WITH JOHN LEWIS FOR PROPERTY MAINTENANCE FOR AN AMOUNT NOT TO EXCEED TWELVE THOUSAND DOLLARS (\$12,000.00) FOR A TERM BEGINNING APRIL, 2000 THROUGH OCTOBER 31, 2000.**  
was adopted.

(Councilwoman Rutherford excused herself from the meeting at this point.)

**CONTRACT: WILLIE COOPER**

On motion of Councilman Franklin, seconded by Councilman Crockett,  
**A RESOLUTION AUTHORIZING THE DEPARTMENT OF GENERAL SERVICES ADMINISTRATOR OT ENTER INTO A PERSONAL SERVICES CONTRACT WITH WILLIE COOPER FOR PROPERTY MAINTENANCE FOR AN AMOUNT NOT TO EXCEED FIFTEEN THOUSAND DOLLARS (\$15,000.00) FOR A TERM BEGINNING APRIL, 2000 THROUGH MARCH 31, 2001.**  
was adopted.

**CONTRACT: DENNIS SMITH**

On motion of Councilman Lively, seconded by Councilman Franklin,  
**A RESOLUTION AUTHORIZING THE DEPARTMENT OF GENERAL SERVICES ADMINISTRATOR TO ENTER INTO A PERSONAL SERVICES CONTRACT WITH DENNIS SMITH FOR PROPERTY MAINTENANCE FOR AN AMOUNT NOT TO EXCEED FIFTEEN THOUSAND DOLLARS (\$15,000.00) FOR A TERM BEGINNING APRIL, 2000 THROUGH MARCH 31, 2001**  
was adopted.

**PROPERTY ACQUISITION**

On motion of Councilman Taylor, seconded by Councilman Crockett,  
**A RESOLUTION AUTHORIZING THE ACQUISITION OF CERTAIN PROPERTY LOCATED AT 37<sup>TH</sup> AND FREDERICK STREETS FROM J.V. WILLIAMS, ET. AL. FOR A CONSIDERATION OF TWELVE THOUSAND, ONE HUNDRED NINE DOLLARS (\$12,109.00), PLUS REASONABLE TRANSACTION EXPENSES**  
was adopted.

**PROPERTY ACQUISITION**

On motion of Councilman Crockett, seconded by Councilman Franklin,  
**A RESOLUTION AUTHORIZING THE ACQUISITION OF CERTAIN PROPERTY LOCATED AT 3711 FREDERICK STREET FROM R. L. WILLIAMS FOR A CONSIDERATION OF TEN THOUSAND DOLLARS (\$10,000) REASONABLE TRANSACTION EXPENSES**  
was adopted.

**PROPERTY ACQUISITION**

On motion of Councilman Franklin, seconded by Councilman Taylor,  
**A RESOLUTION AUTHORIZING THE ACQUISITION OF CERTAIN PROPERTY LOCATED AT 3717 FREDERICK STREET FROM R.L. WILLIAMS FOR A CONSIDERATION OF FOUR THOUSAND, ONE HUNDRED SEVENTY-FIVE DOLLARS (\$4,175.00), PLUS REASONABLE TRANSACTION EXPENSES**  
was adopted.

**PROPERTY ACQUISITION**

Admin. Traughber stated the Frederick Street property acquisitions are for redevelopment in Alton Park for home ownership. He stated a full presentation will be made to the Council within the next 30-45 days; that the acquisitions are a joint venture with CNE, the UT School of Architecture for Sustainability and Howard School of Academics.

On motion of Councilman Lively, seconded by Councilman Taylor,

**A RESOLUTION AUTHORIZING THE ACQUISITION OF CERTAIN PROPERTY LOCATED AT 0000 FREDERICK STREET FROM R. L. WILLIAMS FOR A CONSIDERATION OF SIX THOUSAND, TWO HUNDRED NINETY-EIGHT DOLLARS (\$6,298.00), PLUS REASONABLE TRANSACTION EXPENSES**

was adopted.

**PROPERTY ACQUISITION**

Admin. Traughber stated this acquisition is the last after seven months of working with Habitat for Humanity for a project relating to surplus property; that this involves a structure that can be rehabbed for home ownership. He stated this is a reasonable offer and they will work through CNE or another not-for-profit agency for moderate-income persons.

On motion of Councilman Crockett, seconded by Councilman Taylor,

**A RESOLUTION AUTHORIZING THE ACQUISITION OF CERTAIN PROPERTY LOCATED AT 2112 CITICO AVENUE FROM PHILLIS ANN WHITE FOR A CONSIDERATION OF EIGHT THOUSAND DOLLARS (\$8,000.00), PLUS REASONABLE TRANSACTION EXPENSES**

was adopted.

**SPECIAL POLICEMAN**

Councilman Lively stated a Resolution was before the Council last week giving several people special police commissions; that he did not notice it at first, however, after looking at it all of the persons were stormwater personnel. He inquired as to why there is a need for them to have the special commission?

Administrator Marcellis stated illicit discharges are enforced; that special commissions have been granted other persons in the stormwater division for the last six years and that was another group that needed the ability to enforce and provide citations.



**SPECIAL POLICEMAN (Continued)**

Councilman Lively asked if the division could be convinced to clean out a few ditches? Admin. Marcellis asked Councilman Lively to give him a list of the locations that needed cleaning.

Councilman Crockett inquired as to whether there has been a status change as far as stormwater is concerned along Hamil Road? He stated persons living in this area have asked for a better explanation of what is going on. He asked if a meeting could be scheduled some time next week to discuss the matter?

Admin. Marcellis stated a meeting could be scheduled; that the persons along Hamil Road were offered to go before the Stormwater Regulations Board but did not make application.

Councilman Crockett stated that it is his thinking that they do not understand and asked if there is the possibility of getting together Thursday of next week?

On motion of Councilman Crockett, seconded by Councilman Taylor,

**A RESOLUTION AUTHORIZING THE APPOINTMENT OF DAVID L. BROOKS, JR. AS A SPECIAL POLICEMAN FOR THE CHATTANOOGA FIRE DEPARTMENT, FIRE PREVENTION DIVISION, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS**

was adopted.

**GRANT ACCEPTANCE**

On motion of Councilman Lively, seconded by Councilman Franklin,

**A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT FROM THE STATE OF TENNESSEE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE SOUTHSIDE TRAINING FACILITY IN THE AMOUNT OF THREE MILLION, FIVE HUNDRED THOUSAND DOLLARS (\$3,500,000.00)**

was adopted.

**CHANGE ORDER**

On motion of Councilman Lively, seconded by Councilman Crockett,

**A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 2, CONTRACT NO. CSO-5b-99, CITICO COMBINED SEWER OVERFLOW FACILITY, WITH HAREN CONSTRUCTION COMPANY, WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY SEVEN THOUSAND, ONE HUNDRED FIFTEEN DOLLARS (\$7,115.00) FOR A REVISED CONTRACT AMOUNT OF FIVE**

**CHANGE ORDER (Continued)**

**MILLION, ONE HUNDRED SEVENTY-FOUR THOUSAND, FOUR HUNDRED EIGHTY-THREE DOLLARS (\$5,174,483.00) AND WHICH INCREASES THE CONTRACT TIME BY FORTY-SIX (46) DAYS**  
was adopted.

**SEWER EASEMENT**

On motion of Councilman Crockett, seconded by Councilman Lively,  
**A RESOLUTION AUTHORIZING THE PURCHASE OF A SEWER EASEMENT FROM HYMIE WRIGHT, JOHN DONALSON DEARMOND WRIGHT, AND MAY LOLA WRIGHT WILLIAMS, RELATIVE TO CONTRACT NO. 45B, SANITARY SEWER RELOCATION FOR WIDENING OF STATE ROUTE 153 FROM NORTH HICKORY VALLEY ROAD TO AMNICOLA HIGHWAY, TRACT NO. 4, FOR A TOTAL CONSIDERATION OF EIGHT HUNDRED FIFTY DOLLARS (\$850.00)**  
was adopted.

**SOUTHSIDE REDEVELOPMENT CORPORATION**

Councilman Lively stated that this Resolution comes with the recommendation for approval from the Economic Development Committee.

On motion of Councilman Crockett, seconded by Councilman Franklin,  
**A RESOLUTION DESIGNATING THE SOUTHSIDE REDEVELOPMENT CORPORATION AS THE CITY'S AGENT FOR THE MANAGEMENT OF THE CONFERENCE CENTER TO BE CALLED THE CHATTANOOGAN; APPROVING THE PROPOSED MANAGEMENT AGREEMENT BETWEEN SOUTHSIDE REDEVELOPMENT CORPORATION AND BMC-THE BENCHMARK MANAGEMENT COMPANY; AUTHORIZING A CHANGE TO THE CHARTER OF SOUTHSIDE REDEVELOPMENT CORPORATION; AND AUTHORIZING THE MAYOR TO EXECUTE LEASES, AGREEMENTS, AND OTHER DOCUMENTS RELATING THERETO**  
was adopted.

**OVERTIME**

Overtime for the week ending September 8, 2000 totaled \$148,625.30.

**PERSONNEL**

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

**BILLY W. WATTENBARGER, SAMUEL M. GOODSON** – New Hire, Equipment Mechanic, II, Fleet Services, Pay Grade 11, Step 1, \$24,630.00 annually, effective September 8, 2000.

**HAROLD E. COLEMAN** – New Hire, Crew Worker, Fleet Services, Pay Grade 3/Step 1, \$15,535.00 annually, effective September 8, 2000.

**RAYMOND H. BROWN** – Promotion, Equipment Mechanic III, Fleet Services, Pay Grade 13/Step 10, \$40,088.00 annually, effective September 18, 2000.

**PERSONNEL**

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

**EARL MCALLISTER** – Employment, Sanitation Worker Sr., Citywide Services, Pay Grade 5/Step 1, \$17,808.00 annually, effective August 28, 2000.

**KENNETH SULLIVAN** – Employment, Crew Worker, Citywide Services, Pay Grade 3/Step 1, \$15,535.00 annually, effective August 30, 2000.

**EDWARD R. BARTON** – Promotion, Equipment Operator, Citywide Services, Pay Grade 6/Step 1, \$18,945.00 annually, effective August 30, 2000.

**PURCHASES**

On motion of Councilman Lively, seconded by Councilman Taylor, the following purchases were approved for use by the Public Works Department:

**STOWERS MACHINERY (Best bid)**  
**Requisition R0040374/B0000493**

Tandem Drive Motor Grader

\$165,432.43

**PURCHASES (Continued)**

**NEWTON CHEVROLET (Best bid)**  
**Requisition R0048281/B0000501**

Two 1/2 Ton Pick-up  
Trucks

\$26,975.00 each

**MARSHALL MIZE FORD (Lower and better bid)**  
**Requisition R0049733/B0000498**

Two Crew Cab Trucks

\$31,290.00 each

**MOUNTAIN VIEW FORD (Lower and better bid)**  
**Requisition R0048280/B0000499**

Crew Cab Chassis

\$32,853.40

**CHATTANOOGA TRACTOR AND EQUIPMENT (Lowest and best bid)**  
**Requisition R0049726/B0000497**

Tractor and Mower Attachment

\$32,998.00

**MID SOUTH EQUIPMENT (Best bid)**  
**Requisition R0049736/B0000494**

Asphalt Roller

\$27,825.00

**PURCHASES (Continued)**

**NEWTON CHEVROLET (Lowest and best bid)**

**Requisition R0049711/B0000507**

Pick-Up Truck with ¾ Ton Utility Bed

\$35,750.00

**CHATTANOOGA FORD TRACTOR (Lowest and best bid)**

**Requisition R0048272/B0000495**

Tractor With Mower Attachment

\$32,498.00

**FURROW-JUSTICE MACHINERY (Lower and better bid)**

**Requisition R0048268/B0000500**

Two Wheel Drive Rubber Tired Loader/Backhoe

\$53,764.00

**TEMPLE, INC. (Single Source)**

**Requisition R0048939**

LED Pedestrian Fixtures per TCA-56-301

\$14,280.00

**CLARK AND ASSOCIATES OF EAST RIDGE TENNESSEE (Single Source)**

**Requisition R0048922**

Xerox 8825-2C Document Reader/Printer per TCA-56-301

\$145 per month minimum and .023 per sq. ft.

**PURCHASES (Continued)**

**PVS TECHNOLOGIES (Best bid)**  
**Requisition R0052559/P0015073**

Liquid Ferrous Chloride

\$264.00/Dry Ton

**UPDATE ON STORMWATER CONTRACTS**

Councilman Crockett asked Admin. Marcellis if an update could be provided regarding the stormwater contracts for Hickory Valley Road that have been ongoing for a long time; that since the construction of Hamilton Place Mall significant flooding problems have continued.

Admin. Marcellis stated that he could give a report at the next Public Works Committee meeting.

**PERSONNEL**

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

**PRESTON HESS** – Suspension (2 days without pay), Firefighter, effective September 11, 2000.

**JACKIE D. BROWN** – Retirement, Captain, effective October 6, 2000.

**DONALD E. STRONG** – Retirement, Captain, effective September 22, 2000.

**RICHARD BOATWRIGHT, JEFF BOWMAN, MICHAEL DAVENPORT, THOMAS MONTGOMERY, SCOTT PELL, MELISSA SILVERS, DANNY USHER**– Promotion, Senior Firefighter, Pay Grade F2/Step 4, \$29,480.00 annually, effective September 8, 2000.

**PERSONNEL**

The following personnel matters were reported for the Finance Department, City Court Division:

**TIFFANY L. PARKER, DEIDRE CHAMBLISS** – New Hire, Court Clerk, Pay Grade 5/ Step 1, \$17,808.00 annually, effective September 22, 2000.

**VIRGINIA BANKS DANIEL** – Transfer, Court Clerk, Pay Grade 5/Step 10, \$26,532.00 annually, effective September 8, 2000.

**PURCHASE**

On motion of Councilman Pierce, seconded by Councilman Lively, the following purchase was approved for use by the Finance Department, Information Services Division:

**COMPAQ COMPUTER CORPORATION (Single Source)**  
**Requisition R0041745**

Software Products Licensing Agreement Renewal per TCA 6-56-304.2

\$40,520.00

**BOARD APPOINTMENTS**

On motion of Councilman Lively, seconded by Councilman Franklin, the following Board appointments were approved:

**BETTER HOUSING COMMISSION:**

☞ Reappointment of *CHARLES HENSON, STEPHEN HOLMES, JAMES MILLER*, and *JANICE PULVER*, for terms ending September 15, 2003.

**INDUSTRIAL DEVELOPMENT BOARD**  
**APPOINTMENTS**

Assistant City Attorney McMahan stated that there is a request to appoint Ralph West to replace Walter Justin, Jr. on the Industrial Development Board for a term expiring May 26, 2002; and to appoint Stefanie Crowe to replace Carol Beene for a term expiring June 9, 2004. He stated pursuant to State Law an election has to be held regarding their appointments.

On motion of Councilman Franklin, seconded by Councilman Lively, *RALPH WEST* was appointed to the Industrial Development Board for a term expiring May 26, 2002 (replacing Walter Justin, Jr.).

On motion of Councilman Franklin, seconded by Councilman Taylor, *STEFANIE CROWE* was appointed to the Industrial Development Board for a term expiring June 9, 2004 (replacing Carol Beene).

**HEARING: COREY BOYKIN**

Assistant City Attorney McMahan reminded Council members of the hearing for Corey Boykin scheduled for Monday, September 18 beginning at 4 p.m. with Councilmen Lively (Chairman), Rutherford and Taylor serving as the panel and with Councilman Eaves as alternate.

**ALTON PARK CHARRETTE**

Councilman Taylor invited the Council and community to participate in the Alton Park Charrette scheduled for Saturday at 9 a.m. at the former school administration building on West Fortieth Street.

**COMMITTEES**

Councilman Lively reminded Council members of the **Economic Development Committee meeting scheduled for Tuesday, September 19** immediately following Parks and Recreation Committee **and** scheduled another meeting of the Committee for **Tuesday, September 26** immediately following Public Works Committee for a report regarding tourism.

Councilwoman Hurley scheduled a meeting of the **Health, Education, Human Services and Housing Opportunities Committee for Tuesday, September 19** immediately following the Economic Development Committee meeting.

**SISTER BEY**

Sister Bey stated that she attended the Summit last Friday and had an opportunity to speak with the State Comptroller and one of the representatives of HUD for a better understanding of where her money is going. She also spoke in regard to the Room In The Inn issue previously before the Council several months ago and indicated that the issue is still being pursued to the objection of the community.

**ADJOURNMENT**

Vice Chairman Hurley adjourned the meeting until Tuesday, September 19, 2000 at 6 p.m.

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**CHAIRMAN**

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**CLERK OF COUNCIL**

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