

**City Council Building
Chattanooga, Tennessee
July 3, 2001
6:00 p.m.**

Chairman Hakeem called the meeting of the Chattanooga Council to order with Councilpersons Benson, Franklin, Littlefield, Lively, Page, Pierce, Robinson and Taylor present. City Attorney Randall Nelson, Management Analyst Randy Burns and Council Clerk Carol O'Neal, CMC, were also present.

PLEDGE OF ALLEGIANCE/INVOCATION

Following the Pledge of Allegiance, Councilman Littlefield gave invocation.

MINUTE APPROVAL

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

REZONING

2001-043: David Gaddy

On motion of Councilman Taylor, 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 1504 WEST 57TH STREET, MORE PARTICULARLY
DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO C-1 HIGHWAY
COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**

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

CLOSE AND ABANDON

MR-2001-060: Estate of Freeman Smith, First Tennessee Bank

Councilman Franklin stated this Ordinance is recommended for denial pursuant to discussion in today's Public Works Committee meeting.

On motion of Councilman Franklin, seconded by Councilman Benson,

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE CITY'S RIGHT-OF-WAY ON EAST 22ND STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON PLAT ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO A NEW SUBDIVISION PLAT

was denied.

AMEND CITY CODE: HOSPITALIZATION/OTHER BENEFITS AFTER RETIREMENT

City Attorney Nelson stated this Ordinance was added to tonight's agenda pursuant to approval during today's Legal and Legislative Committee meeting.

On motion of Councilman Lively, seconded by Councilman Littlefield,

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, SECTION 2-175, PROVIDING FOR HOSPITALIZATION AND OTHER BENEFITS AFTER RETIREMENT

passed first reading.

CONTRACT: MCBRAYER CONSTRUCTION CO., LLC.

On motion of Councilman Lively, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS, RECREATION, ARTS & CULTURE TO ENTER INTO A CONTRACT WITH MCBRAYER CONSTRUCTION CO., LLC, RELATIVE TO WORK AT THE JOHN A. PATTEN RECREATION CENTER, FOR AN AMOUNT NOT TO EXCEED FIFTY-NINE THOUSAND, FIVE HUNDRED SIXTY-FIVE DOLLARS (\$59,565.00)

was adopted.

CONTRACT: RMG CONSTRUCTION CO., INC.

On motion of Councilman Page, seconded by Councilwoman Robinson,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS, RECREATION, ARTS & CULTURE TO ENTER INTO A CONTRACT WITH RMG CONSTRUCTION CO., INC., RELATIVE TO RESTROOM RENOVATIONS AT THE MEMORIAL AUDITORIUM, FOR AN AMOUNT NOT TO EXCEED TWENTY-EIGHT THOUSAND, SIX HUNDRED FIFTY DOLLARS (\$28,650.00)
was adopted.

CONTRACT: HELTON CONSTRUCTION COMPANY, INC.

On motion of Councilman Page, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS, RECREATION, ARTS & CULTURE TO ENTER INTO A CONTRACT WITH HELTON CONSTRUCTION COMPANY, INC., RELATIVE TO SITE WORK AND CONSTRUCTION ON A CONCRETE PAD AT BROWN ACRES GOLF COURSE, FOR AN AMOUNT NOT TO EXCEED TWENTY-ONE THOUSAND, FIVE HUNDRED TWENTY DOLLARS (\$21,520.00)
was adopted.

CONTRACT: MCBRAYER CONSTRUCTION COMPANY

On motion of Councilman Franklin, seconded by Councilwoman Robinson,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS, RECREATION, ARTS AND CULTURE TO ENTER INTO A CONTRACT WITH MCBRAYER CONSTRUCTION COMPANY RELATIVE TO CONSTRUCTION OF THE PRO SHOP FOR THE SANCTUARY OF CHATTANOOGA (SANCTUARY SKATEPARK) FOR AN AMOUNT NOT TO EXCEED NINETY-SEVEN THOUSAND EIGHT HUNDRED ONE AND 00/100 DOLLARS (\$97,801.00)
was adopted.

CONTRACT: SHERMAN-DIXIE CONCRETE INDUSTRIES, INC.

Councilman Pierce and Robinson made the initial motion and second to approve this Resolution; however, both withdrew the motion and second after City Attorney Nelson indicated that this Resolution is to be held two weeks (July 17) per discussion in today's Public Works Committee.

On motion of Councilman Pierce, seconded by Councilman Taylor,

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. SS-1-98, 17TH STREET UNDERGROUND STORMWATER DETENTION FACILITIES, TO SHERMAN-DIXIE CONCRETE INDUSTRIES, INC., FOR THEIR LOW BID IN THE AMOUNT OF TWO HUNDRED EIGHTY THOUSAND, THIRTY-EIGHT DOLLARS (\$280,038.00)

was tabled two weeks (July 17).

CONTRACT: BLUE CROSS BLUE SHIELD

Councilman Littlefield stated that this matter was considered at great length by the Legal and Legislative Committee and comes with the recommendation for approval. He stated that he would like for the record to reflect his displeasure at learning in the process of today's hearing that employees have not been informed regarding the details of this plan. He stated if he thought there were other opportunities to extend the discussion debate on this issue in order to give employees time to adequately consider it, he would do so, but knowing that would only be putting employees in jeopardy of not having adequate coverage, his plans are to vote for and support it.

Councilman Taylor expressed agreement with Councilman Littlefield's comments and stated that the Council was informed an e-mail was sent to employees which read:

Mayor Corker presented the medical benefits proposal to the City Council last night. The Council will take final action on the proposal next Tuesday. Following that, a series of meetings at work locations throughout the City will be conducted to inform employees about the new plan. However, if you have questions or would like information before next Tuesday, please call your Benefits Office at 757-5360, or stop by 301 City Hall Annex where handouts are available. Supervisors, please distribute this information to employees who do not have access to Outlook as soon as possible.

CONTRACT: BLUE CROSS BLUE SHIELD (Continued)

Councilman Taylor stated the Council was assured the complete package would go out, or some information with figures, to employees. He stated that he wanted to verify that what the Council was told was that this information would be enclosed with employees' checks and would be broken down into detail so that employees would be able to identify their situation. He stated that was one of the things the Council was promised would take place for the employees to make sure they were informed. He stated this assurance was not adhered to; that the delay does not lie with the Council, it lies with getting information and educating our people, and, as a result, he indicated that he would have to vote against this Resolution, as he firmly believes Blue Cross Blue Shield can and will put a plan together before the deadline to make sure they adhere to what was stated to us that they would do.

Councilwoman Robinson stated many of the people who came to the Legal and Legislative Committee were employees of City Hall who do not have computer access the administrators have. She stated about a half hour into the meeting she realized that those in attendance did not know about the plan and did not have much detail about it. At this point she asked that the information Councilman Taylor referenced be furnished now for every employee as quickly as possible. She stated with tomorrow being July 4 we cannot get it in their hands, but hopes certainly by Thursday afternoon at the end of the workday every employee would have envelopes that give them basic information we have under consideration now. She stated that as a new member of the Council she feels that she was "left a little bit out there" tonight in talking with folks who really needed more information. She stated tonight's discussion was on a tense note and it is hoped we can undo that feeling.

Councilman Benson expressed concurrence with the previous comments by Council members. He stated he could very easily vote against this Resolution if he thought there were other options; that he has found himself a number of times in that position since taking this Council seat. He expressed sorrow that this situation occurred and stated that he has no choice except to go ahead and approve this and try to get this policy in force. He stated it does put the Council in somewhat of a more precarious situation as we look at other compensations to see if we correct any errors; that there is not adequate time in this process.

Councilman Taylor stated that time was truly a major problem, and, as previously stated, the Council was told the information would be distributed to the employees.

CONTRACT: BLUE CROSS BLUE SHIELD (Continued)

At this Councilman Taylor made the motion to table the matter one week; Councilman Pierce seconded the motion.

On roll call vote:

Benson	"No"
Franklin	"Yes"
Littlefield	"No"
Lively	"No"
Page	"No"
Pierce	"Yes"
Robinson	"No"
Taylor	"Yes"
Hakeem	"No"

The motion failed.

On motion of Councilman Lively, seconded by Councilman Benson,
A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH BLUE CROSS BLUE SHIELD TO PROVIDE HEALTHCARE INSURANCE COVERAGE TO CITY EMPLOYEES FOR AN ELEVEN (11) MONTH PERIOD WITH AN OPTION FOR SIX (6) MONTHS' EXTENSION was adopted; Councilmen Franklin, Pierce and Taylor voted "no".

OVERTIME

Overtime for the week ending June 29, 2001 totaled \$72,177.70.

PERSONNEL

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

JACKIE NATION – Resignation, Crew Worker, Citywide Services, effective June 29, 2001.

ROBERT COREY – Family Medical Leave, Equipment Operator Senior, Citywide Services, effective June 22 – July 9, 2001.

LEROY FITCH – Lateral Transfer, Equipment Operator Senior, Citywide Services, Pay Grade 8/Step 7, \$27,797.00 annually, effective July 11, 2001.

PERSONNEL

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

MARTHA P. HARRISON – Resignation, Police Records Clerk, Sr., effective June 21, 2001.

CHARLES J. SHAW – Resignation, Animal Service Officer, effective July 4, 2001.

SHELBY J. FINNEY – Resignation, Communications Officer, effective June 28, 2001.

JOSHUA VANDUSEN – Termination, Police Cadet, effective June 12, 2001.

PURCHASES

On motion of Councilman Franklin, seconded by Councilman Pierce, the following purchases were approved for use by the Chattanooga Police Department:

G. T. DISTRIBUTORS

Requisition R000054068/P0016269

Uniform Equipment/Leather Goods for Training Division

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

G. T. DISTRIBUTORS

Requisition 00546067/P0016288

Duty Weapons

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

PERSONNEL

The following personnel matter was reported for the Department of Finance and Administration, City Court Division:

DIERDRE CHAMBLISS – Suspension (5 days without pay), Court Clerk, effective July 2 – 6, 2001.

PURCHASE

On motion of Councilman Franklin, seconded by Councilman Pierce, the following purchase was approved for use by the Department of Finance and Administration, Air Pollution Control Bureau:

SHELTER ONE (Lower and better bid) **Requisition R0001299**

Ambient Air Monitoring Equipment Shelter

\$17,458.00

LIQUOR LICENSE

Admin. Boney requested approval of a liquor store license for a location at 3201 Wilcox Boulevard in Councilman Franklin's district. He stated the liquor store is moving and the ownership is changing as it has been sold to another person. He stated the matter has been properly advertised and Councilman Franklin has "checked it out". He stated the matter has been through Planning, the Traffic and Police Departments and there are no objections.

Councilman Pierce inquired as to whether this location is in the area that was downzoned sometime ago? Councilman Franklin responded that the location is in a commercial area in Foxwood Plaza on Wilcox Boulevard across from the Food Lion.

HONOR FOR REV. AMOS BAKER

Councilman Taylor announced that a beautiful program was held last week honoring Rev. Amos Baker for the service he has rendered to the Chattanooga community.

COMMITTEES

Councilman Lively scheduled a meeting of the **Safety Committee for Tuesday, July 10 immediately following the Parks and Recreation Committee** to discuss the fireworks issue Councilman Pierce mentioned at last week's Council meeting and to consider an item Chief Coppinger would like to address the Committee about.

COMMITTEES (Continued)

Councilman Pierce stated that he would like for the Committee to direct attention to the time for shooting fireworks, as one fireworks show began at 12:45 a.m. a couple weeks ago! He stated persons involved in this type of activity should be invited such as the Downtown Partnership, Friends of the Festival (Riverbend) and others.

HAMILTON PLACE CHARRETTE

Councilman Benson expressed thanks to all Council members and the Mayor for their attendance at Saturday's District 4 Charrette to discuss the new Hamilton Place Plan. He stated there was a great outpouring of 250 citizens from District 4 and indicated the money spent for two consultants was well spent.

Barry Bennett, Executive Director of the Planning Agency, stated that a record was established, if not a new standard, for community participation in the planning process. He stated as Councilman Benson has indicated approximately 250 persons were present and did a lot of work. He stated it was a five-hour work session and those in attendance were broken up into fifteen groups to discuss what they felt would be the most appropriate approach for planning the future of the community around Hamilton Place. He stated there was a surprising consensus among the fifteen groups participating and a great deal of communication between the residential and commercial communities. He, too, expressed thanks for the attendance of the Council members and Mayor. He stated at the present time the consultants have taken all the information that was presented back to their home base and will spend a month putting all the information together. He stated they are scheduled to come back next month for another public meeting to present the findings. He stated the Planning Agency would continue to keep the Council posted on the progress of that plan, as well as other areas in districts going through the same process.

SISTER BEY

Sister Bey approached the Council regarding the Room In The Inn and the problem with mounds of sand in her area, stating that she called everyone about the problem and County Commissioner Joann Favors was the only one who took care of the problem. She made reference to a playground in the area that she was not in favor of constructing, as well as the trash issue. She stated that she cannot sleep day or night and that the area used to be a peaceful place in which to live.

CLARENCE WILLIAMS

Clarence Williams, President of the North Brainerd Neighborhood Association inquired about the liquor store in the Foxwood Plaza area that was reported earlier in the meeting.

Councilman Franklin clarified that the liquor store will be located in a commercial district away from all churches and meets the 500 feet distance rule.

Chairman Hakeem asked that Mr. Williams be given other necessary information regarding this request.

ADJOURNMENT

Chairman Hakeem adjourned the meeting until Tuesday, July 10, 2001 at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL

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