

**City Council Building  
Chattanooga, Tennessee  
July 17, 2001  
6:00 p.m.**

Chairman Hakeem called the meeting of the Chattanooga Council to order with Councilmen 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 by Chairman Hakeem, City Attorney Nelson gave invocation.

#### **MINUTE APPROVAL**

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

#### **REZONING**

##### **2001-079: Joe E. Proctor**

Councilman Littlefield stated this matter was considered at the regular meeting of the Legal and Legislative Committee. He stated a site plan was presented as requested by the Brainerd Hills Neighborhood Association members through Mr. Fitzpatrick, Joe Proctor's agent. He stated a copy of the plan will be included with the record and was reviewed by Charles DuPre representing the Neighborhood Association and everything is in order.

**REZONING (Continued)**

On motion of Councilman Littlefield, 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 1010 NORTH KING STREET, MORE PARTICULARLY  
 DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO M-3 WAREHOUSE  
 AND WHOLESALE ZONE, SUBJECT TO CERTAIN CONDITIONS**

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

**REZONING**

**2001-079: City of Chattanooga**

On motion of Councilman Littlefield, 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 1080 EAST 23<sup>RD</sup> STREET, MORE PARTICULARLY  
 DESCRIBED HEREIN, FROM M-1 MANUFACUTRING ZONE TO M-1  
 MANUFACTURING ZONE, SUBJECT TO CERTAIN CONDITIONS**

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

**AD VALOREM TAXES**

On motion of Councilman Pierce, seconded by Councilman Taylor,  
**A RESOLUTION TO MAKE CERTAIN FINDINGS RELATING TO THE  
 CENTRAL BLOCK LIMITED PARTNERSHIP PROJECT AT MARKET AND 7<sup>TH</sup>  
 STREETS, TO DELEGATE CERTAIN AUTHORITY TO THE INDUSTRIAL  
 DEVELOPMENT BOARD OF THE CITY OF CHATTANOOGA, TENNESSEE,  
 AND TO AUTHORIZE THE MAYOR TO ENTER INTO AND EXECUTE AN  
 AGREEMENT FOR PAYMENTS IN LIEU OF AD VALOREM TAXES**

was tabled one week.

**PAYMENT AUTHORIZATION: DERTHICK, HENLEY & WILKERSON**

Admin. Boney expressed regret that this matter did not come before committee, stating that this Resolution is in reference to the final fee for the firms involved in the designing and monitoring of the construction of the Judge's chamber and Courtroom One.

On motion of Councilman Benson, seconded by Councilman Taylor,

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE FINANCE DEPARTMENT TO MAKE PAYMENT FOR ARCHITECTURAL SERVICES RELATIVE TO THE RENOVATION OF THE CITY COURT LOCATED IN THE HAMILTON COUNTY JUSTICE BUILDING TO DERTHICK, HENLEY & WILKERSON IN AN AMOUNT NOT TO EXCEED FOURTEEN THOUSAND ONE HUNDRED FORTY-NINE AND 41/100 DOLLARS (\$14,149.41)**

was adopted.

**CARD ENTRY SECURITY SYSTEM**

Councilman Lively stated this Resolution was discussed during last week's Public Safety Committee and approval is recommended.

On motion of Councilman Lively, seconded by Councilman Franklin,

**A RESOLUTION AUTHORIZING THE FIRE CHIEF TO PURCHASE A CARD ENTRY SECURITY SYSTEM FOR FIRE HALL NO. 1, FROM AMERICAN SECURITY CONSULT FOR A TOTAL CONSIDERATION OF TEN THOUSAND EIGHT HUNDRED THIRTY-EIGHT AND 00/100 DOLLARS (\$10,838.00)**

was adopted.

**CONTRACT: SHERMAN-DIXIE CONCRETE INDUSTRIES, INC.**

Councilman Littlefield stated Resolutions 7(d), (e), (f) and (g) were discussed in the Public Works Committee meeting and approval is recommended.

On motion of Councilman Littlefield, seconded by Councilman Pierce,

**A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. SS-1-98, 17<sup>TH</sup> 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 adopted.

**CONTRACT: U. S. FILTER/JWI, INC.**

On motion of Councilman Lively, seconded by Councilman Franklin,  
**A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT 28K (EP-4),  
MOCCASIN BEND WASTEWATER TREATMENT PLANT FILTER PRESS  
SYSTEM PROCUREMENT, TO U. S. FILTER/JWI, INC. FOR THEIR LOW BID  
IN THE AMOUNT OF SEVEN MILLION SEVEN HUNDRED SEVENTY  
THOUSAND TWO HUNDRED EIGHTY-ONE AND 75/100 DOLLARS  
(\$7,770,281.00)**  
was adopted.

**TEMPORARY USE: BYRON DEFOOR**

On motion of Councilman Benson, seconded by Councilman Franklin,  
**A RESOLUTION AUTHORIZING BYRON DEFOOR TO USE TEMPORARILY  
THE CITY'S RIGHT-OF-WAY ON THE WEST SIDE OF NAPIER DRIVE AT  
SHALLOWFORD ROAD FOR BEAUTIFICATION THROUGH  
LANDSCAPING, SUBJECT TO CERTAIN CONDITIONS**  
was adopted.

**PERMANENT SEWER EASEMENT DOCUMENT  
EXECUTION: LAKE WINNEPESAUKAH**

On motion of Councilman Littlefield, seconded by Councilman Franklin,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE  
DEPARTMENT OF PUBLIC WORKS TO EXECUTE ANY AND ALL  
DOCUMENTS RELATIVE TO A PERMANENT SEWER EASEMENT FOR  
CONTRACT NO. 53B-3, NORTHWEST GEORGIA SEWER, PHASE II, WITH  
THE PROPERTY OWNERS OF LAKE WINNEPESAUKAH**  
was adopted.

**OVERTIME**

Overtime for the week ending July 13, 2001 totaled \$94,880.47.

### PERSONNEL

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

**ROBERT COREY** – Extension of Family Medical Leave, Equipment Operator Senior, Citywide Services, effective July 9 – August 31, 2001.

**CHRISTOPHER DEAN** – Suspension (3 days without pay), Crew Worker, Citywide Services, effective July 10-12, 2001.

**JOHNNY H. PELFREY** – Termination, Sanitation Worker, Citywide Services, effective July 17, 2001.

**NATHANIEL METCALF** – Family Medical Leave, Equipment Operator Senior, Citywide Services, effective July 3 – August 28, 2001.

**RICHARD BOYD** – Family Medical Leave, Crew Worker, Citywide Services, effective July 3 – September 25, 2001.

**TYRONE LAMB** – Suspension (3 days without pay), Equipment Operator Senior, Citywide Services, effective July 17, 18, 25, 2001.

### PURCHASES

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

**WALTRON, LTD. (Single Source)**  
**Requisition R0055279**

Analyzers and Meters (per TCA 6-56-301).

\$11,076.00

### REFUNDS

On motion of Councilwoman Robinson, seconded by Councilman Taylor, the following hotel permits were approved:

**RESIDENCE INN BY MARRIOTT** – 215 Chestnut Street, Chattanooga, Tennessee

**REFUNDS (Continued)**

**HOLIDAY INN EXPRESS** – 4833 Hixson Pike, Chattanooga, Tennessee

**DAYS INN-RIVERGATE** – 901 Carter Street, Chattanooga, Tennessee

**BOARD APPOINTMENTS**

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

**HUMAN RIGHTS AND HUMAN RELATIONS COMMISSION:**

- ❖ Appointment of **MICHAEL MCREYNOLDS, RANDY NABORS, HATTIE MCFADDED, CARMEN DAVIS** and **WADE HINTON** for three year terms ending July 29, 2004.

**CHATTANOOGA HOUSING AUTHORITY:**

- ❖ Appointment of **CHRIS CRIMMINS** for a five-year term ending June 1, 2006.

Councilman Taylor inquired as to the appointments for the Human Rights and Human Relations Commission, expressing concern as to whether they are “open” or district appointments?

Eddie Holmes, President of the Commission, clarified that the appointments before the Council are those designated for appointment by the Mayor.

Councilman Pierce asked the number of persons serving on the Commission? Mr. Holmes responded “19”.

City Attorney Nelson indicated that the appointment to the Housing Authority Board does not need Council approval, as it is a direct appointment by the Mayor; that the appointment presented serves as notification to the Council.

**PURCHASES**

On motion of Councilman Franklin, seconded by Councilman Page, the following purchase was approved or use by the Department of Finance and Administration, Fleet Maintenance Division:

**JAT OIL & SUPPLY, INC. (Only bid)**  
**Requisition R0056234/P0016404**

Bulk Fuel Loading Requirements Contract

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

**PURCHASES**

On motion of Councilman Franklin, seconded by Councilman Page, the following purchase was approved or use by the Department of Finance and Administration, Information Services Division:

**COMPAQ COMPUTER CORPORATION (Single Source)**  
**Requisition R0049125**

Software Maintenance Agreement

\$40,520.00

**HEARING CANCELLED: OFFICER CARLTON PARKS**

City Attorney Nelson stated that the Attorney for Officer Carlton Parks has withdrawn his request for an appeal before the City Council; thus the hearing scheduled Monday, July 23 is hereby cancelled.

**HAMILTON PLACE**

Councilman Benson reminded Council members of the community-wide planning session for the Hamilton Plan scheduled for next Tuesday, July 24, at 6 p.m. He indicated that he would not be present for the Council meeting due to attendance at the community-wide planning session.

### **COMMITTEES**

Councilman Page reminded Council members of the meeting of the **Joint Economic Development/Budget Committees scheduled for Tuesday, July 24 immediately following the Parks and Recreation Committee.**

Chairman Hakeem stated that there are requests for Tom Varlan, State Lobbyist, and Mark VanLoh, newly appointed Airport Authority Executive Director, to come before a **joint meeting of the Economic Development and Budget Committees.** He stated the idea is to have Tom Varlan give an update regarding the State tax situation and for Mark VanLoh to give a report regarding his plans for the airport. The joint meeting for this matter was scheduled for **Tuesday, July 31 immediately following the meeting of the Public Works Committee.**

Councilwoman Robinson reminded Council members of the meeting of the **Parks and Recreation Committee scheduled for Tuesday, July 24 at 4 p.m.**

### **TWO BRIDGES NEIGHBORHOOD WATCH ASSOCIATION**

Councilwoman Robinson announced that a meeting of the Two Bridges Neighborhood Association Watch would be held on Thursday, July 19 at 7 p.m. at Tremont Baptist Church on Tremont Street.

### **CLARENCE WILLIAMS**

Clarence Williams, President of the North Brainerd Neighborhood Association, expressed that he was disturbed after reading a write-up concerning City cars being used by persons after they have retired (from the City). He stated that the City is asking for property taxes, wheel taxes, spending taxes, whatever, and that the City is letting a group of people use City cars after retirement, which is a disgrace. He forewarned the Council that "eagle eyes" are on them. He stated trees have been left along the Shallowford Road Streetscape area; that the trees need to be cleaned up before grass can be planted. He stated whoever had the contract did not clean up at the graveyard site across from New Hope Baptist Church.

Chairman Hakeem expressed surprise about a report that retirees are using City cars.

Admin. Boney stated that he would have to say that that is inaccurate; that there has been a cut-back on the number of take home cars anyone gets.



**CLARENCE WILLIAMS (Continued)**

Councilman Franklin also indicated that the statement was not accurate and that he would check into it.

Councilman Lively injected that it is also incorrect to say the City of Chattanooga proposed a wheel tax; that it is the City of Cleveland that proposed a wheel tax. Chairman Hakeem clarified that a wheel tax has not been proposed for the City of Chattanooga.

**KEN NEBLETTE**

Ken Neblette, President of the Southeast Tennessee Chapter of the Police Benevolent Association, stated there has been some discussion regarding the insurance plan and the comparison to Nashville's plan. He stated that he has researched information in Nashville and made reference to a communication addressed to Chief Dotson dated July 11, which was an effort to make administration aware of his research efforts. He stated the City's benefits were moved to what Nashville has; that there has been no discussion regarding compensation for City employees. He stated this year Nashville's minimum raise for Police Officers was 12% and in the next three years a 21% increase will be phased in with the same benefits package. He explained Nashville's hiring process for persons coming out of the Academy with a percentage increase in pay while a police trainee, a percentage increase six months after graduation from the Academy and another percentage increase after the first six months. He stated the minimum pay for a Nashville policeman is \$37,031, which is \$346 less than what the City's top patrolman makes.

Mr. Neblette continued by making reference to prescription costs for his wife in relation to how the new insurance plan has significantly decreased the value of benefits, yet there is still no talk of compensation. He asked for inclusion in the discussion process on the matter of compensation and expressed that he is aware he cannot be included in on everything, but would like to hear more about it (compensation). He stated this is the reason for bringing the matter forward now as educational information for the Council and Admin. Boney, so that groundwork can be laid with regard to expectations. **(Mr. Neblette's written information is filed with minute material of this date.)**

Chairman Hakeem stated in regard to compensation, it has been stated previously that during the budget process this matter will be discussed; that he does not know if Nashville did both at the same time in regard to insurance and compensation.

**KEN NEBLETTE (Continued)**

Mr. Neblette stated that the budget process is going on now, which is why he felt it important to bring the matter to the Council's attention this week.

Chairman Hakeem expressed appreciation to Mr. Neblette for the information, adding that he had hoped someone from Union 820 would be present, also, as he has heard similar things from both the police and fire departments. He stated in addition to compensation for fire and police we are talking about basic services that we afford every citizen and where that money will come from, as all of us are trying to grapple with that. He stated there is a lot of uncertainty from the State in regard to funding and a lot of factors that will go into what compensation, if any, comes from the City. He stated what Mr. Neblette has referenced has not been taken lightly as it is very important and serious and the Council will do what they can within the limits they have. He stated the fire and police departments are very important to the City and it is hoped the actions of the Council over the years has shown that the men and women of both departments are very important to all.

Councilman Littlefield indicated that Chip O'Dell was present earlier and was told the matter would be dealt with; that he brought a letter similar to Mr. Neblette's. He stated that he told Mr. O'Dell that the budget issue would be taken up sometime after next week, clarifying that the Mayor has said it would be August before the Council would have it.

Councilman Benson made reference to the last paragraph of Mr. Neblette's letter regarding rate expectations as referenced in the information distributed. He asked Mr. Neblette how he would like to express his expectations?

Mr. Neblette responded, "Similar to Nashville's compensation". He stated the insurance is similar to Nashville and he does not believe the cost of living is a \$10,000 variance; that there is some correlation.

Councilman Benson indicated that Mr. Neblette has given proper consideration in thoroughly studying this matter. Mr. Neblette stated that the information is before the Council and is just a foundation.

**ROBERT M. STANLEY**

Robert M. Stanley stated that for 22 years he was honored to be a police officer, firefighter and EMT with the City of Chattanooga; that he found it necessary to take complete disability 14 years ago and has not been employed since due to on-the-job injury and a physical ailment. He stated there is a particular circumstance for men and women who were injured in the line of duty who are 100% disabled for any occupation.

Mr. Stanley stated there are a small number of disabled persons whose problems are of such magnitude that they are unable to work, making reference to insurance and the family plan he has for himself and his wife. He stated while the increases seem to be an awful lot, he is grateful to have the insurance because two weeks ago he had a massive rotary cuff surgery on his right shoulder; that he is responsible for 20% of the total bill. He stated he was hoping there might be something for the few that are totally 100% disabled for any occupation; that he is not asking for a "free ride", just some type of help on the health insurance.

City Attorney Nelson stated there would obviously not be any financial judgments; that someone retiring before January 2 would pay the same thing as active City employees and those who retire after January 2 would have to pay one-and-one-half times what City employees pay. He stated he is certain Mr. Stanley's payment will not be of the magnitude others may pay.

Chairman Hakeem stated that City Attorney Nelson's comments might not have fulfilled Mr. Stanley's needs; that basically the City is not in a position to change the policy or make up the costs he (Stanley) spoke of.

**RAYMOND MURRAY**

Raymond Murray distributed information regarding his concern. Prior to speaking, Councilman Lively informed him that the matter he is before the Council about could be worked out. He asked that Mr. Murray meet with him and Admin. McDonald.

**EDNA TAYLOR**

Edna Taylor stated persons in attendance with her tonight represent those participating in the "cane mutiny". She stated they are not present to talk about the budget; that they are present because the Mayor said there would be a tax increase. She stated many have talked about it; that there are people who cannot afford a tax increase.

**EDNA TAYLOR (Continued)**

Ms. Taylor stated the Mayor can propose it, however it is up to the Council to vote; that it is her hope when the budget is presented the Council will remember these people as most are on Social Security. She stated when her husband died in 1981 she had no income for three years; that she did not come to the City for money but ended up selling her assets to live on until she could get on Social Security. She asked that the Council remember them at budget time.

Councilman Lively expressed understanding as to where Ms. Taylor is "coming from", assuring her that the Council would do its best to approve as little -- if there is -- tax increase. He stated that he really wishes the subject would not come up; that somebody should realize the Council reduced property taxes twice in the last five years; that he cannot find anyone to admit it. He stated that he wants to do the right thing and let people keep their money, however, it must be remembered that the Council lowered taxes twice in the last five years. He stated he does not want a tax increase any more than those present do.

**NEIGHBORHOOD CONFERENCE**

Admin. Curry reminded Council members of the Annual Neighborhood Conference scheduled to begin at 8:45 Thursday morning, July 19. He made reference to the packets distributed to each Council member, asking that they be present for the grand rally of neighborhoods; that pom poms have been distributed in various colors representing each districts' neighborhood. He invited citizenry to attend, also.

**ADJOURNMENT**

Chairman Hakeem adjourned the meeting of the Council until Tuesday, July 24, 2001 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)**