

**City Council Building
Chattanooga, Tennessee
November 20, 2001
6:00 p.m.**

Chairman Hakeem called the meeting of the Chattanooga Council to order with Councilmen Benson, Franklin, Littlefield, Lively, Page, Pierce and Robinson present; Councilman Taylor was absent due to personal commitment. 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, Councilwoman Robinson gave invocation.

MINUTE APPROVAL

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

CLOSE AND ABANDON

MR-2001-128: University of Tennessee at Chattanooga

On motion of Councilman Lively, seconded by Councilman Franklin,
AN ORDINANCE CLOSING AND ABANDONING TWO ALLEYS, ONE NORTHWEST FROM 500 AND 700 BLOCKS OF PALMETTO STREET AND ONE UNOPENED NORTHWEST FROM 700 BLOCK OF PALMETTO STREET, ONE UNOPENED ALLEY SOUTHEAST OF THE 100 BLOCK OF DOUGLAS STREET AND EAST 4TH STREET NORTH WEST FROM THE 400 AND 500 BLOCKS OF PALMETTO STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, AND PERMITTING COMCAST CABLE COMMUNICATIONS, INC. AND THE ELECTRIC POWER BOARD TO RETAIN THEIR RIGHTS-OF-WAY TO MAINTAIN THEIR SERVICE LINES

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

CLOSE AND ABANDON

MR-2001-142: Chattanooga Neighborhood Enterprise

On motion of Councilman Franklin, seconded by Councilman Page,
AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE RIGHT-OF-WAY LOCATED AT THE SOUTHEAST CORNER OF MARKET STREET AND FIRST STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, AND PERMITTING COMCAST CABLE COMMUNICATIONS, INC. TO RETAIN THEIR RIGHT-OF-WAY TO MAINTAIN THEIR SERVICE LINES

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

CLOSE AND ABANDON

MR-2001-148: City of Chattanooga

On motion of Councilman Franklin, seconded by Councilman Lively,
AN ORDINANCE CLOSING AND ABANDONING AN UNNAMED, UNOPENED AND UNUSED ALLEY SOUTHEAST OF THE 200 BLOCK OF BAKER STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE

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

CLOSE AND ABANDON

MR-2001-156: City of Chattanooga

On motion of Councilman Robinson, seconded by Councilman Pierce,
AN ORDINANCE CLOSING AND ABANDONING A PART OF THE 200 BLOCK OF RIVER STREET SOUTHEAST FROM THE WALNUT STREET BRIDGE RIGHT-OF-WAY, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, AND PERMITTING COMCAST CABLE COMMUNICATIONS, INC., THE ELECTRIC POWER BOARD AND TENNESSEE-AMERICAN WATER COMPANY TO RETAIN THE FULL WIDTH OF EXISTING RIGHT-OF-WAY FOR MAINTENANCE OF SERVICE EQUIPMENT

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

REZONING

2001-163: Henry Luken, III

On motion of Councilman Lively, seconded by Councilman Littlefield,
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE TRACTS OF LAND LOCATED AT 1333 CENTRAL AVENUE AND 815 EAST MAIN STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM C-2 CONVENIENCE COMMERCIAL ZONE TO M-1 MANUFACTURING ZONE, SUBJECT TO CERTAIN CONDITIONS

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

REZONING

2001-173: James Copeland

On motion of Councilman Page, seconded by Councilwoman Robinson,
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 2220 PARK DRIVE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO M-3 WAREHOUSE AND WHOLESALE ZONE

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

REZONING

2001-175: Home Depot USA, Inc.

Mr. Pace, Director of Operations with the Planning Agency, stated that it was agreed to list as conditions items that had been distributed by representatives of Home Depot USA. He stated there are a total of thirteen conditions on the list and there is a need to strike two of them.

Barry Bennett, Executive Director of the Regional Planning Agency, stated that condition one initially called for an area “...zoned C-4 with no permitted sales, display or storage in front of the building...” and “...approval of the City Traffic Engineer” was required for access from Shallowford Road.

REZONING (Continued)

Mr. Bennett continued by stating that the two conditions have been deleted, as Home Depot will be held to a higher standard than other similar stores within the area. He stated Home Depot has agreed to be in compliance with the ordinance and existing laws that there will not be any display or storage blocking entrances, which is the same as Lowe's and K-Mart. He stated another change that has been substituted deals with the area zoned O-1, which is actually the access strip in common with the YMCA access and the area that will be used for their identification sign. He stated the condition indicates the O-1 area would not be used for any building purposes, only for access and a commercial sign. He stated conditions 10 and 12 should be deleted.

Rick Thompson of the Architect Design Group stated item 10 states there should be an "undisturbed" buffer to the east and north of the Home Depot building. He stated in the plans to ready the site there will be some disturbance occurring; that they intend to meet all the City's ordinance requirements and requested that the term "*undisturbed*" be taken out and "*landscaped*" substituted (in condition 10). He stated with regard to condition 12 referencing maintenance "*. . . of existing trees on the Kay and Key properties.*" There should not be a restricted covenant on any future development and requested striking condition 12. He stated there would be no disturbance of those trees as there is a 600-foot buffer from Shallowford Road to Home Depot. He reiterated that there is no intent to disturb that area and the condition should be deleted. He stated the two items mentioned are the only requests they have.

Ron Calloway stated he and his mother own property at 7444 Shallowford Road. He stated it is his understanding after watching last week's telecast of the Council meeting that the entrance to the Home Depot building would be 75 feet or 100 feet from his mother's bedroom window. He stated that his mother is 71 and father is 75, and at this point his mother only gets two hours sleep a night because of the fire and/or burglar alarms emanating from the YMCA building, stating that it takes thirty minutes or more for a response to cut them off. He stated if the alarms are not sounding off, after hours vehicles with loud boom boxes and talking occur. He stated there is nothing in the conditions that says Home Depot has to put up a buffer between the roadway and his mother's bedroom; that he dwelling is five feet off the property line of Ms. Keys'. He stated that he spoke with both John Bridger and Barry Bennett who informed him there are no covenants in this proposal from Home Depot stating any buffer zone has to be put in; that landscaping would be done.

REZONING (Continued)

Mr. Calloway continued by stating that the City has an ordinance that indicates some type of sound buffer should be installed between residential and commercial property. He stated that he spoke with Jerry Moody this afternoon who informed him there is no ordinance indicating that a sound or lighting buffer had to be installed in manufactured zoning. He stated the lights that are planned for installation on the road would shine in her bedroom window and she would never get any peace. He stated that he had coffee with his mother this morning and her appearance was haggard and worn; that at her age once she is awakened she cannot go back to sleep. He stated right now she is having a rough time living there and once the road is in, there will be no visual buffer to block the light; that more mature shrubs are needed to absorb the noise.

Mr. Thompson stated in last week's package a rendering of the building was shown wherein the plan showed the entrance from Shallowford Road down to Commons, which will be tree-lined as stated in condition 6. He stated condition 3 makes reference to the roadway with streetscaping recommended in the plan; that the sidewalk on both sides will have trees and shrubs with low-level sidewalk lighting. He stated there would not be any big streetlights installed because they want to maintain the residential character that is there now. He stated in addressing the noise, once the project is complete the whole area would be patrolled better to eliminate the problem the gentleman's mother is suffering.

Chairman Hakeem asked Mr. Calloway if he understood Mr. Thompson's comments? Mr. Calloway responded that he did not understand.

Chairman Hakeem stated from what he understood from Mr. Thompson's remarks about lighting, unless Mr. Calloway saw something different he could not see the problem with it.

Mr. Calloway stated midway of this road is where the entrance to the YMCA is now, that the 108 feet of property Ms. Key owns does not give much distance; that between the middle and the other property is within ten feet behind his mother's bedroom.

Mr. Thompson gave indication that Mr. Calloway's comments were not correct regarding the footage and displayed the site plan showing the property line.

REZONING (Continued)

The Atlanta architect with the Home Depot project spoke at this time and stated that they are working within an 80 foot right-of-way easement and are not going any further; that they are not going outside the easement and there will still be the 108 feet across the property before getting to Mr. Calloway's mother's house. He stated the sidewalk on both sides would be landscaped.

Mr. Calloway stated that he did not think this would help the situation; that the trees going in should be fully grown trees as the small trees would be dead within five-to-eight years. He invited the architects and Council members to come out and listen to the noise; that the project would be tripling the noise situation and it will be terrible.

Mr. Thompson stated as far as landscaping goes they plan to meet the City's requirements and that the trees would be indigenous to the area. He stated the trees that are on the site would not be disturbed as it is heavily wooded; that they will not cut down any mature trees that do not have to be cut down and the natural buffer would still be in place. He stated the landscape on the streets would be pedestrian friendly.

Councilman Littlefield asked for clarification that it is his understanding there would be more trees and shrubs on the property, which should reduce the noise level? Mr. Thompson responded "yes," that the trees and shrubs would be on both sides and that the lighting would not be unlike the lights on Broad Street, which are low-level lights.

Councilman Benson stated Mr. Calloway's mother's house is the only house left in this area and endures the YMCA traffic. He stated there would be noise when the dozers start running and he does not think there is anything the Council can do about it as it is zoned for commercial. He expressed empathy with Mr. Calloway's situation, as the house was not purchased in this whole deal. He inquired as to the parking lot lights and whether they would be the type that would make it worse on this one resident?

Mr. Thompson responded "no," that the lighting used would not shine back toward the residents and would be shielded. He stated this is a fully wooded site and stated the road would be designed with an "S" curve with a 25 mile per hour speed limit.

Councilman Benson stated there has been a lot of "give and take" in the community and **made the motion to approve the amendments and substitutions; Councilman Littlefield seconded the motion; the motion carried.**

REZONING (Continued)

City Attorney Nelson stated that he would like to make sure all the substitutions are correct: that the first condition should read that the “... *area zoned O-1 should have no permitted sign in front of the building*”; *that the first word in condition 10 should be corrected and condition 12 is to be removed altogether.*

Mr. Calloway stated when he talked with Mr. Bennett indication was given there was nothing in the ordinance regarding screening and asked if there is something that would be done in writing or whether he would have to take Home Depot's word and have conditions changed later?

Mr. Bennett stated that when he spoke with Mr. Calloway several days ago he indicated that there were no conditions to specific screening in the ordinance at that time. He indicated to him that screening would be provided within the City's landscape ordinance, which provides for a ten-foot wide buffer and screening area between any O-1 and adjoining property. He stated there is a requirement within the landscape ordinance that they do something and Home Depot's plan as presented exceeds those requirements.

Councilman Littlefield stated in reference to the noise, to give some people hope for the future the Legal and Legislative Committee is working on a revision to the Noise Ordinance which would be applied in this case and city wide dealing with issues like boom boxes and motorized model cars.

On motion of Councilman Lively, 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 7442 SHALLOWFORD 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 second reading. On motion of Councilman Franklin, seconded by Councilman Littlefield, the Ordinance passed third and final reading and was signed in open meeting.

REZONING

2001-176: P & E Properties

Jerry Pace stated when this ordinance was approved on first reading last week one condition from Planning was for a “... *30 foot landscaped buffer along Caine Lane.*” He stated any time a manufacturing zone abuts a residential low-density area, a Type A 30-foot landscape buffer is required. He stated that the City Attorney was asked to prepare a substitution for condition one that a “... *Type A 30 foot landscape buffer*” be required.

Councilman Littlefield made the motion to substitute the amendments to this Ordinance; Councilman Lively seconded the motion; the motion carried.

On motion of Councilman Littlefield, seconded by **Councilman Franklin,**
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE TRACTS OF
LAND LOCATED AT 4008, 4022, 4100, 4130 AND 4134 CAINE LANE
AND 4701 SHALLOWFORD ROAD, MORE PARTICULARLY DESCRIBED
HEREIN, FROM R-1 RESIDENTIAL ZONE, O-1 OFFICE ZONE AND M-3
WAREHOUSE AND WHOLESALE ZONE TO M-2 LIGHT INDUSTRIAL ZONE,
SUBJECT TO CERTAIN CONDITIONS

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

REZONING

2001-177: Dowlen Construction, LLC

On motion of Councilman Lively, seconded by Councilman Littlefield,
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE TRACTS OF
LAND LOCATED IN THE 1600 BLOCKS OF SIR JOHN COURT AND IN THE
8100 AND 8200 BLOCKS OF CHULA CREEK ROAD, MORE
PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-
T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE SUBJECT TO
CERTAIN CONDITIONS

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

REZONING

2001-178: APC Development Group

On motion of Councilman Franklin, seconded by Councilman Littlefield,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
 KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF
 LAND LOCATED AT 3401 GEORGE STREET, MORE PARTICULARLY
 DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE TO C-2
 CONVENIENCE COMMERCIAL ZONE**

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

REZONING

2001-181: Chattanooga-Hamilton County Regional Planning Commission

Councilman Littlefield stated this ordinance was discussed in today's Legal and Legislative Committee and there was a need to revise it. He stated the ordinance as written requires very specific landscaping provisions around the whole perimeter of this rezoned tract. He stated after setting the ordinance up for Council action, it was discovered one of the Electric Power Board's transmission lines falls under one of the boundaries and will not allow the required berm and trees to be placed. He stated in today's Committee meeting representatives of the neighborhood association and the applicant were present to negotiate a solution, which was to delete the requirement of the berm and landscape buffer along the eastern boundary of the property adjacent to the railroad tract and require, instead, "*... that the building be backed up to that boundary which would provide a site obscuring buffer, and that siding on the building be an acceptable color*". He stated the ordinance would have to be rewritten and substituted prior to second and third reading. At this point, he made the motion to approve the ordinance on first reading.

On motion of Councilman Littlefield, seconded by Councilman Benson,
**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 M-3 WAREHOUSE AND WHOLESALE ZONE
 AND M-3 WAREHOUSE AND WHOLESALE ZONE WITH CONDITIONS TO
 M-3 WAREHOUSE AND WHOLESALE ZONE WITH CONDITIONS**

passed first reading.

ADOPTION OF DIGITAL VERSION OF ZONING MAP

Councilman Littlefield stated this is a wonderful amendment that he is happy to see the City take; that he knows how difficult it is to keep the zoning map up-to-date. He stated that this would put the official map on computer to be kept by Planning and gives the opportunity for Internet access that he knows will be important to the building community and real estate in Chattanooga. He stated the matter was heard in the Legal and Legislative Committee two weeks ago and approval is recommended.

On motion of Councilman Littlefield, seconded by Councilman Lively,

AN ORDINANCE TO ADOPT THE DIGITAL VERSION OF THE ZONING MAP PROPOSED BY THE CHATTANOOGA-HAMILTON COUNTY REGIONAL PLANNING AGENCY STAFF AND RECOMMENDED FOR APPROVAL BY THE CHATTANOOGA-HAMILTON COUNTY REGIONAL PLANNING COMMISSION ON OCTOBER 8, 2001, AS THE OFFICIAL ZONING MAP FOR THE CITY OF CHATTANOOGA, TENNESSEE

passed first reading.

AMEND ZONING ORDINANCE

Mr. Pace stated this amendment provides for commercial identification signs for commercial development within the two office zones R-4 and O-1. He stated the signs would be on-premise only and would have to be on commercial property; that it would not include any type of on-premise sign such as a billboard. He stated the appearance and size of the sign would have to be the same as for any sign permitted in the office zone with the same standards and regulations. He stated from the Staff's perspective, one of the main things it will do is preclude them from having to consider commercial spot zones in areas just for commercial identification signs and that it is something that is really needed citywide.

Councilman Pierce asked if the R-4 designation would have any effect upon day care centers in residential areas? Mr. Bennett responded that this does not affect any other uses in the R-4 or O-1 zone and does not affect day care centers.

Councilman Page inquired as to whether assurance can be given that there would not be a proliferation of signs in passing this ordinance? Mr. Bennett stated that the number of signs is controlled by the sign ordinance and at the present time only one on-premise sign is permitted. He stated all that will be allowed in the case of Home Depot or any other commercial establishment that has property that is to the rear of office development is that they may have road frontage, which would only allow for a single on-premise sign. He stated this would not allow any more signs than would be permitted already within the office zone.

REZONING (Continued)

On motion of Councilman Littlefield, seconded by Councilman Benson,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, BY AMENDING ARTICLE V,
SECTION 401 AND 421, TO INCORPORATE NEW LANGUAGE RELATIVE
TO COMMERCIAL IDENTIFICATION SIGNS IN THE O-1 OFFICE ZONE
AND R-4 SPECIAL ZONE**

passed first reading.

AGREEMENT: MARION ENVIRONMENTAL, INC.

Councilman Franklin stated that Resolutions 7(a), (b) and (d) were discussed in today's Public Works Committee and approval is recommended.

On motion of Councilman Franklin, seconded by Councilman Lively,
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE
DEPARTMENT OF PUBLIC WORKS TO EXECUTE AN ENGINEERING
AGREEMENT WITH MARION ENVIRONMENTAL INC., RELATIVE TO
ENVIRONMENTAL ASSESSMENT AND REMEDIATION FOR THE BUTCHER
BLOCK PROPERTY LOCATED ALONG BROAD STREET AND MARKET
STREET, FOR A TOTAL FEE NOT TO EXCEED SIXTY THOUSAND DOLLARS
(\$60,000.00), WITH SAID FEE INCLUDING AN ALLOWANCE FOR UNIT
PRICE ITEMS**

was adopted.

TEMPORARY USE: CHARTER REAL ESTATE CORP.

On motion of Councilman Lively, seconded by Councilman Franklin,
**A RESOLUTION AUTHORIZING CHARTER REAL ESTATE CORPORATION
TO USE TEMPORARILY THE CITY'S RIGHT-OF-WAY AT 414 VINE STREET
TO REPLACE AN OLD 32'+ CANOPY ATTACHED TO THE FRONT WALL OF
THE BUILDING, SUBJECT OT CERTAIN CONDITIONS**

was adopted.

PARKING AGREEMENT: CARTA

On motion of Councilman Littlefield, seconded by Councilman Page,
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE
DEPARTMENT OF FINANCE AND ADMINISTRATION TO EXECUTE A
PARKING AGREEMENT WITH THE CHATTANOOGA AREA REAGIONAL
TRANSPORTATION AUTHORITY (CARTA), RELATIVE TO THE USE OF THE
CARTA SHUTTLE PARK SOUTH, 1398 MARKET STREET, BY TENANTS OF
THE DEVELOPMENT RESOURCE CENTER**

was adopted.

COLLAPSED CLARIFIER WALLS

On motion of Councilman Franklin, seconded by Councilman Page,
**A RESOLUTION AUTHORIZING THE OFFICE OF THE CITY ATTORNEY TO
RETAIN ENGINEERS, ATTORNEYS, AND OTHER CONSULTANTS RELATIVE
TO THE COLLAPSED SECONDARY CLARIFIER WALLS AT THE MOCCASIN
BEND WASTEWATER TREATMENT PLANT**
was adopted.

OVERTIME

Overtime for the week ending November 16, 2001 totaled \$66,971.14.

PERSONNEL

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

ALFRED AMMONS, JR. – Family Medical Leave, Light Equipment Operator, Citywide Services, effective October 26, 2001 – January 18, 2002.

PATRICIA WIGGINS – Retirement, Office Assistant, Engineering, effective November 30, 2001.

LUKE E. JOHNSON – Termination, Plant Maintenance Mechanic, Waste Resources, effective November 12, 2001.

PURCHASES

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

JODY MILLARD PEST CONTROL (Lowest and best bid)
Requisition R0053176/P0016777

Rat and Pest Control Services

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

PURCHASES (Continued)

VULCAN CONSTRUCTION MATERIALS and HANSON AGGREGATES (Lower and better bids)

Requisition R0053177/P0016770

Washed and Crushed Stone

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

PERSONNEL

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

DENNIS L. COOK – Promotion, Lieutenant, Pay Grade F3A/Grade 9, \$40,347.00 annually, effective November 16, 2001.

ANDREW R. CARSON, WAYNE S. EVERETTE, JR., JEFFREY A. KINCER, THOMAS N. MIDDLEBROOKS – Promotion, Lieutenant, Pay Grade F3A/Step 5, \$34,657.00 annually, effective November 16, 2001.

RONALD A. BOYD, JODY D. HOUSTRUP, FREDDY D. LEAMON, JAMES T. SPURLING – Promotion, Captain, Pay Grade F4A/Step 8, \$45,153.00 annually, effective November 16, 2001.

HOTEL PERMITS

On motion of Councilman Franklin, seconded by Councilman Lively, the following hotel permits were approved:

BLUFF VIEW INN – 212 High Street, Chattanooga, Tennessee

CHATTANOOGA MARRIOTT – Two Carter Street, Chattanooga, Tennessee

PERSONNEL

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

REBECCA TOLBERT – Resignation, Police Service Technician, effective November 18, 2001.

SHERRI AYN TAYLOR – Resignation, Crime Scene Technician, effective November 7, 2001.

PURCHASES

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

MCCOY'S LAW LINE, INC. (Lowest and best bid)
Requisition R0049366/B0000627

Four (Each) Trailer Mounted Radar Units

\$27,780.00

WOLF CAMERA (Complete and best bid)
Requisition R0049362/P0016717

Photographic Supplies for Major Investigation and Identification Division, Requirements Contract (6 months w/option to renew for four additional 6 months periods)

\$3,500.71

Councilman Pierce inquired as to the **trailer mounted radar units**? Deputy Chief Parks responded that the units are for the traffic division and that the funding source is through the LLEBG Grant.

Councilman Littlefield asked if the units are like the one used by the highway department that can tell what speed an automobile is going as it approaches? Deputy Chief Parks responded "yes".

Councilman Pierce inquired as to whether there would be a future request for the trailer units? Deputy Chief Parks clarified that the total cost includes the trailers.

GIFTS APPROVAL

Deputy Chief Parks stated that Dillard's Department store has offered a twenty per cent discount to firemen and policemen on December 5 and 6. He stated approval is requested to accept the gift.

On motion of Councilman Littlefield, seconded by Councilman Lively approval was duly given.

HEARING: OFFICER MICHAEL FAVORS

City Attorney Nelson reminded Council members of the hearing scheduled for Officer Favors on Monday, November 26 beginning at 3 p.m. with Councilmen Lively (Chair), Benson and Robinson serving as the panel hearing the request.

COMMITTEES

Councilman Littlefield scheduled a meeting of the **Legal and Legislative Committee for Tuesday, December 4 at 3 p.m.**

Councilwoman Robinson stated a meeting of the Budget and Finance Committee was held earlier in the day to discuss the issue regarding the State of Tennessee's revenue sharing and a discussion regarding review of City-issued credit cards and payment approval. She stated the City is currently negotiating for better terms for the payment schedule to avoid any future late charges.

DISTRICT 4 MEETING

Councilman Benson reminded Council members of the District 4 meeting scheduled for Thursday, November 29 at 7 p.m. at Erlanger East. He stated when this was mentioned at last week's Council meeting there was a misunderstanding with regard to requested representation from the various departments. **He clarified that his request is to have a representative from each department and not the manager from each department.** He stated a department representative could be present to take some of the inquiries or requests back to management and indicated not all departments would have to be present. He asked that representatives from the Planning Agency, Parks and Recreation, Public Works, Neighborhood Services and Police Departments attend the meeting. He stated there is the possibility that a question might be raised regarding taxes and someone from the Finance Department should be present. **He stated that he did not want his request to be misunderstood as he is only asking for a representative and not managers.**

Councilman Pierce stated if management attended there would not be any overtime to pay. Councilman Benson stated that he would leave that up to the manager.

CLARIFICATION OF GIFTS APPROVAL

Chief Coppinger stated that Deputy Chief Parks requested approval to accept the gift from Dillard's and indicated that the Fire Department received the same gift.

Clarification was given that approval for Deputy Chief Parks' request included both Fire and Police Departments.

ADJOURNMENT

Chairman Hakeem adjourned the meeting of the Chattanooga Council until Tuesday, November 27, 2001 at 6 p.m.

CHAIRMAN

CLERK OF COUNCIL

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