

**City Council Building
Chattanooga, Tennessee
December 4, 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, Councilman Benson gave invocation.

MINUTE APPROVAL

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

CLOSE AND ABANDON

MR-2001-153: Americo Group by Thomas Kale

Councilman Taylor stated that he had an opportunity to speak with both parties involving this request and there was a lot of discussion and deliberation concerning the closure of the alley from West 33rd Street. He stated the Developer and Mr. Willingham looked at the matter and struggled hard to come up with a decision. He stated Bi-Lo representatives have been very supportive.

At this point, the Clerk of the Council was asked to read the original version of the closure that was read and approved on first reading at last week's Council meeting.

CLOSE AND ABANDON (Continued)

Councilman Littlefield asked for clarification that there would be no motion to substitute, that all four alleys are being closed? Councilman Taylor responded, "correct".

Councilman Littlefield stated that this is the first he had heard since this afternoon's Legal and Legislative Committee where the issue was discussed; that he would like to hear from Mr. Willingham regarding his thoughts in closing and abandoning the public right of way.

Mr. Willingham stated that he owns the property located at 33rd Street and Tennessee Avenue and what is being proposed is taking away the alley that is on the edge of his building. He stated there is a lot of traffic and the alley has been used for parking; that it is public parking and probably belongs to the City. He stated closure of the alley would take away from his property and as far as the value of his property this deal will "hurt" him. He stated it would "hurt" him for the traffic to be in his front door and to lose parking facilities.

Councilman Littlefield stated that he had a three-minute discussion with persons on the other side of this issue and it is his understanding that Mr. Willingham has easements; that the City's only interest is in the public right-of-way. He stated if the public has no public use for it, it is really to the City's advantage to give it up; that Mr. Willingham then acquires what was rightfully his, which is half of the public right-of-way. He stated Mr. Willingham's property, plus easements to cross to Bi-Lo's property would, in essence, give him the same ability to use the property as before.

Mr. Willingham stated that the alley is 25 feet wide; that he maintains it and the City paved it. He stated he is losing parking and will gain a lot of traffic in front of his building if this works like he has been told it would. He stated the site plan he saw would be right by his door on the edge of his property and it is felt the value of his property would be diminished.

Councilman Littlefield clarified that Mr. Willingham would still have the same use of the property. Mr. Willingham indicated that he would not have effective parking.

Councilman Littlefield stated that Mr. Willingham would have 12½ feet instead of 25 feet; that he could basically park a car on 12 ½ feet. He stated that he also understands that Mr. Willingham has rights by deed to parking space in the area and that would not be diminished.

CLOSE AND ABANDON (Continued)

Mr. Willingham responded, "that is true"; that the abandoned property would be cleaned up and that is exciting to him. He reiterated that it is his thought that his property is being diminished for two reasons: parking and traffic by his door.

Councilman Benson stated that it was his thought that this matter was settled last week. Mr. Willingham responded "no"; that last week he thought he heard it was changed to close three of the four alleys; that it is on the agenda exactly as it was the first week.

Councilman Taylor stated parking is a major concern and consideration has been addressed for additional parking spots.

Tom Kale of Charter Real Estate was present representing APC Development, applicant for the closure. He distributed information of the site plan showing Bi-Lo and Eckerd's as the current proposed tenants, an enlarged sketch showing the rear of the alley and parking lot and the proposal the Developer has talked with Mr. Willingham about following last week's meeting. He stated they did what the Council asked them to do and met with Mr. Willingham in the corridor after the meeting; that they came away with what they thought was an understanding, faxed it to his attorney and put it in his hands the following day. He stated they are basically willing to grant nine parking spaces on the Bi-Lo property and Bi-Lo approved this. He stated large development transactions are steered by large tenants who dictate the deal and parking ratios. He stated that he did receive approval for 9 spaces, which is what was understood going away from the meeting with Mr. Willingham on last Tuesday. He stated they were informed this afternoon that Mr. Willingham wanted an additional five spaces to which Bi-Lo refused. He stated plans do call for the alley to still be a thoroughfare; that they are closing it out of the City's hands to maintain and as it is drawn on the plans now it will still be a two-way widened street with better access.

Mr. Kale continued by stating that at the Planning meeting, Mr. McGinnis had the same concern Mr. Willingham had about cross access, easements and parking; that they worked with Mr. McGinnis at the Planning level to take the curb out so there is no curb and no definition between the rear of Eckerd's Drive-through and Mr. McGinnis' property. He stated they agreed as the developer to develop fourteen parking spaces at Mr. McGinnis's half of Glenview, and an additional fourteen double end parking spaces to be constructed to give Mr. McGinnis cross access.

CLOSE AND ABANDON (Continued)

Mr. Kale stated that was signed and agreed to; that Mr. Willingham's objections did not become known until the City Council level and they have "bent over backwards" to negotiate this; that Bi-Lo has basically said they cannot give up any more parking. He stated that they needed to know if this deal is going to happen and if the alley does not get closed they have given the official word they would not do this deal; that Eckerd's has indicated the same thing. He stated they do not have the ability to extend any further on this issue and if it is not something that can be resolved tonight it will not happen; that the Developer has been expeditious in working something out with Mr. Willingham.

Councilwoman Robinson asked for clarification as to the parking spaces; that Bi-Lo has given nine spaces and Eckerd's . . . Mr. Kale interjected that Eckerd's cannot give up any; that they are short on parking in their development.

Councilwoman Robinson stated that she heard something that the alley would be widened. Mr. Kale stated that the alley would probably be closer to a two-lane road; that it is a 25-foot alley, now. He stated parking in the alley is being done as if it is a City street and they are not taking away his parking; that they will continue to let him have access across the alleyway to his building.

Councilwoman Robinson asked if the alley is abandoned would Mr. Willingham get 12½ feet?

City Attorney Nelson stated that generally that is the way it works; that as a legal matter it would go back to the property owner from which the easement originally came; that if it all came from Mr. Willingham, all would go back to him. He stated if it all came from Bi-Lo's property they would get it all and if it came half-and-half it would go that way. He stated that they have no way of knowing where it originally came from. Mr. Kale stated that most of the streets in that area were platted over 100 years ago. City Attorney Nelson stated that that is the case in most instances.

Councilwoman Robinson asked if it is possible if Mr. Willingham wanted to use his 12½ feet for some kind of parking and use the alley as it has been used since it would be widened? Mr. Kale stated that the way the site plan is drawn, the word he has gotten from the Developer and architect is that are probably not going to be able to shift the road or driveway 12½ feet. He stated the assumption all along was that we would be able to work this out with Mr. Willingham; that they will offer cross access across Eckerd's property. He stated he would have to confer with the attorney; that this is a legal issue and (he) cannot speak on behalf of the Developer.

CLOSE AND ABANDON (Continued)

Councilman Littlefield stated in looking at the enlarged plan, he asked if the 12½ feet of improved alley is what he would be acquiring?

Mr. Kale stated that is what Councilwoman Robinson was referring to; that there are still issues to work out.

On motion of Councilman Taylor, seconded by Councilman Littlefield,

AN ORDINANCE CLOSING AND ABANDONING ALL RECORDED RIGHTS-OF-WAY BOUNDED BY 33rd STREET ON THE NORTH, WEST 35TH STREET ON THE SOUTH, BROAD STREET ON THE EAST AND ST. ELMO AVENUE ON THE WEST, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, AND PERMITTING COMCAST CABLE COMMUNICATION, INC., TENNESSEE-AMERICAN WATER COMPANY, THE ELECTRIC POWER BOARD AND THE CITY OF CHATTANOOGA TO RETAIN THEIR FULL RIGHTS-OF-WAY TO MAINTAIN THEIR SERVICE LINES AND EQUIPMENT, SUBJECT TO CERTAIN CONDITIONS

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

CLOSE AND ABANDON

MR-2001-162: Jeffery T. and Cynthia E. Messinger

On motion of Councilman Lively, seconded by Councilman Franklin,

AN ORDINANCE CLOSING AND ABANDONING ALLEYS, SOUTHWEST FROM THE 1500 BLOCK OF WEST 35TH STREET AND NORTHWEST FROM THE 1700 BLOCK OF CUMMINGS HIGHWAY, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, AND PERMITTING TENNESSEE-AMERICAN WATER COMPANY, COMCAST CABLE COMMUNICATIONS, INC., THE ELECTRIC POWER BOARD, BELLSOUTH AND THE CHATTANOOGA GAS COMPANY TO RETAIN THEIR RIGHTS-OF-WAY TO MAINTAIN THEIR SERVICE LINES AND EQUIPMENT

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

CLOSE AND ABANDON

MR-2001-180: Home Depot, USA, Inc.

On motion of Councilman Benson, seconded by Councilman Franklin,
**AN ORDINANCE CLOSING AND ABANDONING UNNAMED STREETS
 SOUTHWEST OF THE 7400 BLOCK OF SHALLOWFORD ROAD, 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 FULL WIDTH RIGHT-OF-WAY TO MAINTAIN THEIR SERVICE LINES
 AND EQUIPMENT**

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.

CLOSE AND ABANDON

MR-2001-028: City of Chattanooga

Councilman Franklin stated this Ordinance was discussed in today's Public Works Committee and approval is recommended.

On motion of Councilman Franklin, seconded by Councilman Lively,
**AN ORDINANCE CLOSING AND ABANDONING SEWER LINES LOCATED
 IN THE ALREADY ABANDONED SEWER EASEMENTS IN THE 1500 BLOCK
 OF MARKET STREET, THE FORMER 16TH STREET BETWEEN LONG STREET
 AND MARKET STREET AND A FORMER ALLEYWAY BETWEEN LONG
 STREET AND MARKET STREET, MORE PARTICULARLY DESCRIBED HEREIN
 AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART
 HEREOF BY REFERENCE**

passed first reading.

**AGREEMENT: MAINSTREAM CONSTRUCTION
 GROUP, INC.**

Councilman Franklin stated Resolutions 7(a) – (k) were discussed in today's meeting of the Public Works Committee and approval is recommended.

**AGREEMENT: MAINSTREAM CONSTRUCTION
GROUP, INC. (Continued)**

On motion of Councilman Franklin, seconded by Councilwoman Robinson,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH MAINSTREAM CONSTRUCTION GROUP, INC., RELATIVE TO IMPROVEMENTS IN THE CITY'S RIGHT-OF-WAY ON MARKET STREET BETWEEN 13TH STREET AND 14TH STREET IN FRONT OF CON-AGRA, FOR AN AMOUNT NOT TO EXCEED TWENTY THOUSAND ONE HUNDRED DOLLARS (\$20,100.00)

was adopted.

CHANGE ORDER

On motion of Councilman Lively, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1, RELATIVE TO CONSTRUCTION OF PHASE I AND II GAS COLLECTION SYSTEM, CONTRACT NO. BL-2-00, WITH WASTE ENERGY TECHNOLOGY, LLC, WHICH CHANGE ORDER DECREASES THE CONTRACT AMOUNT BY THIRTEEN THOUSAND ONE HUNDRED THIRTY AND 71/100 DOLLARS (\$16,130.71), FOR A REVISED CONTRACT PRICE OF FOUR HUNDRED ONE THOUSAND FIVE HUNDRED TWENTY-FIVE AND 29/100 DOLLARS (\$401,525.29)

was adopted.

CHANGE ORDER

On motion of Councilman Franklin, seconded by Councilman Page,
A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1, RELATIVE TO CONSTRUCTION OF PHASE I AND II GAS COLLECTION WELLS, CONTRACT NO. BL-1-01, WITH WASTE ENERGY TECHNOLOGY, LLC, WHICH CHANGE ORDER DECREASES THE CONTRACT AMOUNT BY THREE HUNDRED THIRTY-FIVE DOLLARS (\$335.00), FOR A REVISED CONTRACT PRICE OF ONE HUNDRED TWENTY-ONE THOUSAND FIVE HUNDRED SIXTY-FIVE DOLLARS (\$121,565.00)

was adopted.

AMEND CONTRACT

On motion of Councilman Franklin, seconded by Councilwoman Robinson,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AMENDMENT NO. 1 TO CONTRACT NO. SS-9-00, RELATIVE TO THE UNIVERSITY OF TENNESSEE AT CHATTANOOGA-MARTIN LUTHER KING HISTORIC DISTRICT STREETScape PROJECT, WITH CONSOLIDATED TECHNOLOGIES, INC., FOR ADDITIONAL ENGINEERING SERVICES IN THE AMOUNT OF THIRTEEN THOUSAND FIVE HUNDRED DOLLARS (\$13,500.00), FOR A TOTAL REVISED FEE NOT TO EXCEED FIFTY-ONE THOUSAND FOUR HUNDRED EIGHTY DOLLARS (\$51,480.00)

was adopted.

AMEND CONTRACT

On motion of Councilman Littlefield, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AMENDMENT NO. 2, TO CONTRACT NO. SS-1-98, RELATIVE TO THE 17TH STREET WATER TOWER, WITH CONSOLIDATED TECHNOLOGIES, INC., FOR ADDITIONAL ENGINEERING SERVICES IN THE AMOUNT OF TWELVE THOUSAND FIVE HUNDRED DOLLARS (\$12,500.00), FOR A TOTAL REVISED FEE NOT TO EXCEED SEVENTY-TWO THOUSAND FIVE HUNDRED DOLLARS (\$72,500.00)

was adopted.

CONTRACT ADDENDUM

On motion of Councilman Lively, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AN ADDENDUM TO CONTRACT NO. DRC-1-00, RELATIVE TO THE DEVELOPMENT RESOURCE CENTER, WITH ARTECH DESIGN GROUP, INC., FOR ADDITIONAL ARCHITECTURAL SERVICES IN THE AMOUNT OF ONE HUNDRED FIFTY-EIGHT THOUSAND DOLLARS (\$158,000.00), AN ADDITIONAL ALLOWANCE FOR REIMBURSABLE EXPENSES IN THE AMOUNT OF FIFTY-NINE THOUSAND DOLLARS (\$59,000.00) AND DESIGN CHANGE FEES AUTHORIZED BY THE OWNER IN THE AMOUNT OF SEVENTY-TWO THOUSAND EIGHT HUNDRED NINETY-ONE DOLLARS (\$72,891.00), FOR A TOTAL REVISED FEE NOT TO EXCEED ONE MILLION TWO HUNDRED SIXTY-SIX THOUSAND EIGHT HUNDRED NINETY-ONE DOLLARS (\$1,266,891.00), AND TO EXTEND THE CONTRACT THROUGH JANUARY 16, 2002

was adopted.

TRAFFIC DIRECTIONAL SIGN

On motion of Councilman Taylor, seconded by Councilwoman Robinson,
**A RESOLUTION AUTHORIZING PARKRIDGE MEDICAL CENTER TO
 INSTALL AN OVERHEAD TRAFFIC DIRECTIONAL SIGN AT A LOCATION
 ON MCCALLIE AVENUE BETWEEN DERBY STREET AND LYERLY STREET TO
 HELP THE PUBLIC TO FIND THE PROPER DESTINATION**
 was adopted.

SEWER EASEMENT

On motion of Councilman Franklin, seconded by Councilman Taylor,
**A RESOLUTION AUTHORIZING THE PURCHASE OF A SEWER EASEMENT
 FROM MICHAEL C. DUPREE, RELATIVE TO CONTRACT NO. 55F, THIRD
 STREET SEWER RELOCATION, TRACT NO. 3, FOR A TOTAL
 CONSIDERATION OF THREE THOUSAND NINE HUNDRED TWENTY-FIVE
 DOLLARS (\$3,925.00)**
 was adopted.

RIGHT-OF-WAY PURCHASE

On motion of Councilman Page, seconded by Councilwoman Robinson,
**A RESOLUTION AUTHORIZING THE PURCHASE OF A RIGHT-OF-WAY
 FROM C. C. HENDERSON, III, RELATIVE TO CONTRACT NO. SS-9-00,
 UNIVERSITY OF TENNESSEE AT CHATTANOOGA-MARTIN LUTHER KING
 HISTORIC DISTRICT STREETScape PROJECT, TRACT NO. 2, FOR A TOTAL
 CONSIDERATION OF TWO THOUSAND EIGHT HUNDRED FOURTEEN
 DOLLARS (\$2,814.00)**
 was adopted.

RIGHT-OF-WAY PURCHASE

On motion of Councilwoman Robinson, seconded by Councilman Franklin,
**A RESOLUTION AUTHORIZING THE PURCHASE OF A RIGHT-OF-WAY
 FROM THE FIRST PRESBYTERIAN CHURCH OF CHATTANOOGA,
 RELATIVE TO CONTRACT NO. SS-9-00, UNIVERSITY OF TENNESSEE AT
 CHATTANOOGA-MARTIN LUTHER KING HISTORIC DISTRICT
 STREETScape PROJECT, TRACT NOS. 1 AND 2, FOR A TOTAL
 CONSIDERATION OF NINE THOUSAND FIVE HUNDRED DOLLARS
 (\$9,500.00)**
 was adopted.

RIGHT-OF-WAY PURCHASE

On motion of Councilman Franklin, seconded by Councilman Littlefield,
A RESOLUTION AUTHORIZING THE PURCHASE OF A RIGHT-OF-WAY FROM THE FIRST CHURCH OF CHRIST SCIENTIST OF CHATTANOOGA, RELATIVE TO CONTRACT NO. SS-9-00, UNIVERSITY OF TENNESSEE AT CHATTANOOGA-MARTIN LUTHER KING HISTORIC DISTRICT STREETScape PROJECT, TRACT NO. 3, FOR A TOTAL CONSIDERATION OF FIFTEEN THOUSAND DOLLARS (\$15,000.00)
was adopted.

SPECIAL EXCEPTIONS PERMIT

2001-191: Forest Hills Cemetery Association

On motion of Councilman Lively, seconded by Councilman Page,
A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A TRACT OF LAND LOCATED AT 4110 TENNESSEE AVENUE, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS
was adopted.

OVERTIME

Overtime for the week ending November 30, 2001 totaled \$89,536.81.

PERSONNEL

The following personnel matters were reported for the Chattanooga Human Services Department:

SHANDRA FRITZ – Hire, Teacher Assistant, Head Start Division, \$17,035.00 annually, effective November 30, 2001.

JOHN GADD – Hire, General Maintenance, Head Start Division, \$26,644.80 annually, effective November 26, 2001.

PURCHASE

On motion of Councilman Franklin, seconded by Councilman Page, the following purchase was approved for use by the Chattanooga Human Services Department:

ALL-IN-ONE LAWN CARE (Best bid)
Requisition R0055874/P0016778

Lawn Care Services

\$14,030.00

PERSONNEL

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

OLIVER HARRIS, JR. – Resignation, Crew Worker, Citywide Services, effective November 27, 2001.

RONNIE W. CARPER – Promotion, Crew Supervisor Senior, Citywide Services, Pay Grade 12/Step 3, \$29,421.00 annually, effective November 15, 2001.

NATHANIEL GREEN – Return from Family Medical Leave, Crew Worker, Citywide Services, effective November 26, 2001.

PERSONNEL

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

DAVID E. COWDEN – Hire, Firefighter, Pay Grade F1A/Step 1, \$25,504.00 annually, effective November 30, 2001.

RICHARD JARVIS – Retirement (25 years of devoted service), Lieutenant, effective December 14, 2001.

DAVID WALKER – Promotion, Captain, Pay Grade F4/Step 11, \$50,114.00 annually, effective December 14, 2001.

EDWARD SCOTT DAVIS – Promotion, Captain, Pay Grade F4/Step 7, \$43,500.00 annually, effective December 14, 2001.

PERSONNEL

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

MARGARET CHASTAIN – Promotion, Police Records Clerk Supervisor, Pay Grade 12/Step 6, \$33,363.00 annually, effective December 14, 2001.

BARRY BURNS, MITCHELL MOSS – Military Leave, Police Officer, effective November 15, 2001- November 14, 2002.

PURCHASE

On motion of Councilman Franklin, seconded by Councilman Taylor, the following purchase was approved for use by the Chattanooga Police Department:

FORENSIC COMPUTERS.COM (Single Source)
Requisition R0049426/P0016977

Forensic Lab Computer Equipment

\$16,000.00

PERSONNEL

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

SHAWN L. BRAMLETT – Resignation, Office Assistant Sr., effective November 29, 2001.

REFUND

On motion of Councilman Page, seconded by Councilman Franklin, the Administrator of Finance was authorized to issue the following refund:

CHATTEM, INC. – Map No. PER-1022211, Picked up as an "in lieu of" account per Tax Assessor, \$1,825.02.

TERESA L. WEISE – Map No. 149K-C-033.04, Property Tax/Stormwater Refund, \$1,163.80.

PURCHASE

On motion of Councilman Page, seconded by Councilman Taylor, the following purchase was approved for use for the Department of Finance and Administration, Division of Purchasing:

SIMONTON SOLUTIONS (Lowest and best bid)
Requisition R0050418/B0000547

Purchasing Software

\$163,850.00

PURCHASE

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

INCODE (Lower and better bid)
Requisition R0041772/B0000568

Municipal Court Records Management System

\$178,663.00

PERSONNEL

The following personnel matter was reported for the Department of Neighborhood Services:

WILLIAM PENN, JR. – Transfer, Assistant Administrator, Pay Grade 28/Step 6, \$56,555.00 annually, effective November 30, 2001.

Councilman Pierce inquired as to the Assistant Administrator position, stating that he knows there are persons in the Neighborhood Services Department that have been employed a number of years and this person is coming from the Public Works Department. He asked what the qualifications were to allow this preference?

PERSONNEL (Continued)

Admin. Curry stated that Mr. Penn was the most certified with over twenty years of management and supervisory experience. He stated that other applicants available in the "pool" were looked at; that Mr. Penn was the best-qualified person for the job.

Councilman Pierce inquired as to whether anyone from the Department applied? Admin. Curry responded "yes"; that Mr. Penn, in his mind, was superior to the persons inside the Department.

PURCHASE

On motion of Councilman Taylor, seconded by Councilwoman Robinson, the following purchase was approved for use by the Department of Neighborhood Services:

RICK JOHNSON (Sole Source)
Requisition R0045882/P0016907

Graphic Design and Print Layout Designer per TCA 6-56-304.2

\$20,000.00

Councilman Littlefield inquired as to why this matter was not sent out for bid? Admin. Curry responded that no bids were returned that could carry an idea from the original concept to publication. He stated for the services Mr. Johnson is providing the other designers did not want to bid on it. He stated the larger design houses included Jones Printing, yet none of them wanted to provide services from the original concept.

Councilman Littlefield inquired as to what this contract is for? Admin. Curry responded that it is for the Department's "Common Ground" magazine, conference publications, City Services Guide and other publications generated by the Neighborhood Services Department and the City. He stated the City does not currently have a design and graphics team for any of its publications.

Councilman Littlefield asked if this contract is just for technical support and not printing of anything? Admin. Curry responded that the contract does not involve any printing whatsoever.

COMMITTEES

Councilman Page stated the Economic Development Committee met earlier today for an update from Fluor-Daniel Corporation; that plans are moving forward regarding the VAAP plan.

Councilman Littlefield stated a meeting of the Legal and Legislative Committee was held this afternoon regarding updates on the Highway 58 and Glenwood-Churchville Plans. He stated one other item dealt with the closure of an alleyway in the development on Broad Street heard earlier this evening. He stated an item that will be coming before the Council next week for first reading is in regard to the re-codification of the zoning ordinance; that all amendments that have occurred since the last time the ordinance was in place will be renumbered. He stated the City Attorney is working on the re-codification of the **City Code**, in general, and after the first reading of the zoning ordinance, the matter will be passed on to the City Attorney for inclusion in the larger project coming before the Council in January.

DISTRICT 7 CHRISTMAS PARTY

Councilman Taylor reminded Council members, department heads and the general public of the District 7 Christmas Party scheduled for Monday, December 10 from 6 – 8 p.m. at the Chattem Building on Broad Street (next to Channel 12 Television Station). He assured everyone that Santa is scheduled to make an appearance!

A NOTE OF THANKS!

Councilman Franklin expressed thanks to everyone for their prayers concerning the illness of his mother, Mrs. Eva Franklin, and stated that she is making remarkable progress. He stated tests confirmed today that she is in a state of remission and once again expressed heartfelt thanks for the prayers, cards, telephone cards and other acts of concern.

DISTRICT 4 COMMUNITY MEETING

Councilman Benson expressed thanks to all managers and representatives who participated in last Thursday evening's District 4 community-wide meeting. He stated 169 persons were present and it was a mutually beneficial evening.

"GRATEFUL GOBBLERS' WALK"

Councilman Benson expressed thanks to Chief Dotson, Mayor Corker, Councilwoman Robinson and others for their participation in the "Grateful Gobblers' Walk" held on Thanksgiving morning. He stated \$40,000 was raised for the homeless, a \$10,000 jump over last year.

SISTER BEY

Sister Bay addressed the Council regarding the high water bill statements she has received for the last three months and stated that she cannot afford to pay them as she is on fixed income and is a widow. She stated her statements have been running approximately \$50 per month with no explanation as to why the statement is so high, nor an explanation as to the sewer charges reflected on the statement.

Chairman Hakeem reminded Sister Bey that the Water Company does not fall under the purview of the Council. He referred the matter to the Water Company's representative that was present to explore and investigate the concerns expressed.

ADJOURNMENT

Chairman Hakeem adjourned the meeting of the Chattanooga Council until Tuesday, December 11, 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)**