

**City Council Building  
Chattanooga, Tennessee  
January 29, 2002  
6:00 p.m.**

Vice Chairman Littlefield called the meeting of the Chattanooga Council to order with Councilmen Benson, Franklin, Lively, Page and Taylor present; Councilmen Hakeem, Pierce and Robinson were 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, Councilman Littlefield 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.

**SOUTHERN UNIVERSITY PHOTOGRAPHY CLASS**

Vice Chairman Littlefield recognized the presence of members of Southern University's Photography Class whose assignment was to attend tonight's Council meeting and take photos.

**CLOSE AND ABANDON**

**MR-2001-042: Timber Brook Subdivision**

Vice Chairman Littlefield indicated that this matter was discussed in last week's Public Works Committee and approval is recommended.

**CLOSE AND ABANDON (Continued)**

On motion of Councilman Page, seconded by Councilman Franklin,  
**AN ORDINANCE CLOSING AND ABANDONING A SEWER EASEMENT  
LOCATED IN THE TIMBER BROOK SUBDIVISION NEAR TYNER ROAD, AS  
SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF  
BY REFERENCE**  
passed first reading.

**AMEND ORDINANCE NO. 9481**

**MR-2001-126: Joseph C. Wilson, III**

On motion of Councilman Page, seconded by Councilman Taylor,  
**AN ORDINANCE AMENDING ORDINANCE NO. 9481, BY RESCINDING  
THE CLOSING AND ABANDONING OF THE ALLEY LOCATED BETWEEN  
LOT 6 AND LOT 11, SOUTH OF MCCALLIE AVENUE AND WEST OF  
ORCHARD KNOB AVENUE, AND REINSTATING IT AS AN ALLEYWAY,  
MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE  
MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE,  
SUBJECT TO CERTAIN CONDITIONS**  
passed first reading.

**SPECIAL POLICEMEN**

On motion of Councilman Franklin, seconded by Councilman Lively,  
**A RESOLUTION AUTHORIZING THE APPOINTMENT OF GEORGE W.  
MAFFETT, JR., NATHANIEL A. METCALF, GERALD W. SIMMONS AND  
JERRY W. WILKERSON AS SPECIAL POLICEMEN (UNARMED) FOR THE  
CITY OF CHATTANOOGA DEPARTMENT OF PUBLIC WORKS, TO DO  
SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN  
CONDITIONS**  
was adopted.

**SPECIAL POLICEMAN**

On motion of Councilman Taylor, seconded by Councilman Franklin,  
**A RESOLUTION AUTHORIZING THE APPOINTMENT OF GERALD BENTON  
AS SPECIAL POLICEMAN (UNARMED) FOR THE CITY OF  
CHATTANOOGA DEPARTMENT OF NEIGHBORHOOD SERVICES, TO DO  
SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN  
CONDITIONS**  
was adopted.

### CHANGE ORDER

Vice Chairman Littlefield stated that this Resolution is to be deferred pursuant to discussion in today's Parks and Recreation Committee meeting.

On motion of Councilman Franklin, seconded by Councilman Lively,

**A RESOLUTION AUTHORIZING THE EXECUTION OF A CHANGE ORDER, RELATIVE TO THE CONSTRUCTION OF EAST BRAINERD PARK, WITH MCBRAYER CONSTRUCTION COMPANY, INC., WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY FIVE THOUSAND FOUR HUNDRED SEVENTEEN DOLLARS (\$5,417.00), FOR A REVISED CONTRACT PRICE OF FIVE HUNDRED FIFTY-TWO THOUSAND FIVE HUNDRED TWENTY-FOUR DOLLARS (\$552,524.00)**

was deferred.

### DEVELOP DOWNTOWN URBAN DEVELOPMENT PLAN

Karen Hundt of the Planning and Design Studio stated that the last downtown plan was published almost ten years ago and it is time for a new one. She stated in thinking back to 1992 or 1993, the Aquarium had just opened, there was nothing on the south side, the IMAX Theater was not there and a lot of things are taken for granted today that was not there in 1992; that a lot has happened. She stated a lot has been accomplished and they sometimes find themselves struggling to keep up with the pace of development and reacting; that it is thought in order to stay competitive with other cities and their downtowns, we need a new road map for the future and better ideas from this point on.

Ms. Hundt stated that the last time a downtown study was done was for a smaller area, basically the north shore, riverfront, central business district and a little on the south side. She stated this time the proposal is to expand that area and look at some of the surrounding downtown neighborhoods, go eastward toward Central to include the M. L. King neighborhood, Fortwood, Battery Place, and the University. She stated they plan to include the neighborhoods south of the Interstate which are still very much part of downtown, go west toward the River and catch the west side that was not included in the last plan.

Ms. Hundt stated with Council approval, it is hoped the plan will be complete in eighteen months. She stated that neighborhood plans often take less time; however, several neighborhoods are included in this plan, as well as the central business district. She stated this is a complex issue and they want to be very inclusive and have all the stakeholders included.

**DEVELOP DOWNTOWN URBAN DEVELOPMENT  
PLAN (Continued)**

Ms. Hundt continued by stating that they will not draw it out too long and are proposing to focus on six different topic areas as a way of managing the process: Shopping, Working, Playing Living, Getting Around and Building Downtown. She stated there is a lot of overlap with each topic and a lot of general principle that will permeate the entire process in all topics. She stated that economic development is a very important issue that they want to look at, as well as resource conservation as they move forward and redevelop the downtown area into urban neighborhoods and make them good, safe places for people to live.

Ms. Hundt concluded her comments by stating that there are other issues involving design, diversity, housing and different options and places for people to live, and the overlapping issues, looking at not only the urban structure and the manmade environment, but also looking at what works in tying it all together. She stated on Tuesday, February 12 the Chattanooga Downtown Partnership will host a roundtable breakfast and will have a table where people will have an opportunity to sign up for participation in the process. She encouraged everyone to become involved: City Council, department heads, surrounding neighborhoods, merchants and business owners. She reiterated that what they are proposing is complex, however they want it to be inclusive; that it is a comprehensive task they are taking on which will cover a lot of area.

Councilman Lively inquired as to whether this plan is being done in conjunction with the riverfront study that money was appropriated for? Ms. Hundt responded "yes"; that they are working closely together.

Councilman Page inquired as to the difference from the riverfront study where money was appropriated and this one?

Ms. Hundt stated that the riverfront study is for the urban waterfront, which focuses more on the physical design of the waterfront and looks at certain issues, whereas the downtown plan, although it does look at those things, will cover a somewhat larger and different geographical area and touch on other issues the waterfront plan will not deal with. She stated the downtown plan will look at transportation and housing issues in downtown neighborhoods not addressed in the same way as the waterfront plan.

**DEVELOP DOWNTOWN URBAN DEVELOPMENT  
PLAN (Continued)**

Ken Hays of RiverValley Partners stated if the Council looks at the downtown area, in the case of the south side, the business district and the north shore, all had individual plans. He stated the downtown plan is an effort to coordinate and bring it all together so there is linkage and a connection between them all. He stated the neighborhood plans adopted by the Council have never included neighborhoods in the downtown area. He reiterated that the effort is to get them all together and make a connection.

Councilman Benson stated in February and March the plan is to meet with stakeholders. He asked Ms. Hundt to define stakeholders.

Ms. Hundt stated in the case of downtown, the stakeholder is everyone in this region and community.

Councilman Benson expressed that he was glad Ms. Hundt explained it that way; that he was worried she would get too parochial! Ms. Hundt stated that downtown is everybody's neighborhood!

Vice Chairman Littlefield stated that he spoke with Councilman Pierce earlier today and expressed to him that the downtown plan would be discussed and of his need to be present. He stated Councilman Pierce indicated to him that he did not need to be present because the downtown area is everybody's district and that he (Pierce) is supportive of the plan.

Councilman Franklin asked if the plan coordinates with plans as it relates to the two-way streets for McCallie and M. L. King?

Ms. Hundt responded "yes"; that it is another piece they are trying to pull together and will coordinate with consultants and everyone involved.

Councilman Page asked for clarification that there is no cost for the downtown plan and that the City will be using their internal resources – the Urban Design Studio and Regional Planning Agency staff? Ms. Hundt responded affirmatively.

Mr. Hays stated that they have received additional funding from the Lyndhurst Foundation in addition to money already in the budget; that they are ready to go.

Councilman Taylor stated that this is a good plan; that one thing that has been brought out is that it brings in other plans for a master plan, so to speak.

**DEVELOP DOWNTOWN URBAN DEVELOPMENT  
PLAN (Continued)**

On motion of Councilman Taylor, seconded by Councilman Franklin,  
**A RESOLUTION REQUESTING THE CHATTANOOGA-HAMILTON COUNTY  
 REGIONAL PLANNING AGENCY AND THE URBAN DESIGN STUDIO TO  
 DEVELOP A DOWNTOWN URBAN DEVELOPMENT PLAN FOR THE  
 DOWNTOWN CHATTANOOGA AREA, MORE PARTICULARLY DESCRIBED  
 HEREIN, TO BETTER REFLECT REDEVELOPMENT GOALS FOR SAID AREA**  
 was adopted.

**CHANGE ORDER**

On motion of Councilman Lively, seconded by Councilman Franklin,  
**A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER  
 NO. 1 (FINAL), RELATIVE TO DRAINAGE AND WATER QUALITY  
 ABATEMENT, CONTRACT NO. SWM-3-99, WITH MAYSE CONSTRUCTION  
 COMPANY, WHICH CHANGE ORDER INCREASES THE CONTRACT  
 AMOUNT BY NINETY-SIX THOUSAND NINE HUNDRED FORTY-SEVEN  
 AND 5A9/100 DOLLARS (\$96,947.59), FOR A REVISED CONTRACT  
 PRICE OF ONE MILLION ONE HUNDRED SEVENTY-SEVEN THOUSAND  
 EIGHT HUNDRED TWENTY-FOUR AND 37/100 DOLLARS (\$1,177,824.37)**  
 was adopted.

**SEWER EASEMENT PURCHASE**

On motion of Councilman Franklin, seconded by Councilman Page,  
**A RESOLUTION AUTHORIZING THE PURCHASE OF A SEWER EASEMENT  
 FROM BALLUBHAI M. AND PADMABEN PATEL, RELATIVE TO CONTRACT  
 NO. 55A-3 SANITARY SEWER RELOCATION FOR TENNESSEE  
 DEPARTMENT OF TRANSPORTATION PROJECT NO. 33005-2163-44, NH-  
 I-75-(105)5, PARCEL 139F-B-003.03, TRACT NO. 11, FOR A TOTAL  
 CONSIDERATION OF ONE THOUSAND FOUR HUNDRED NINETY  
 DOLLARS (\$1,490.00)**  
 was adopted.

**TEMPORARY USE: GEORGE B. HARLESS, JR.**

Vice Chairman Littlefield stated that it is his understanding these streets and alleyways are unopened.

**TEMPORARY USE: GEORGE B. HARLESS, JR.**  
**(Continued)**

Jerry Pace, Operations Manager with the Regional Planning Agency, stated that he spoke with Ms. Hammonds and gave her a copy of the temporary use and explained to her that the alleyway and right-of-way is still under the City's jurisdiction; that they will not be turned over to Mr. Harless in anyway.

Vice Chairman Littlefield clarified that this only involves those that are unopened and in use. Mr. Pace responded "correct"; that they are unopened.

On motion of Councilman Lively, seconded by Councilman Page,

**A RESOLUTION AUTHORIZING GEORGE B. HARLESS, JR. TO USE TEMPORARILY THE CITY'S RIGHT-OF-WAY AT BASKETTE STREET AND TWO ALLEYS BETWEEN EAST 19<sup>TH</sup> STREET AND EAST 21<sup>ST</sup> STREET FOR ACCESS AND CONTINUED LEGAL USES ASSOCIATED WITH THE 23<sup>RD</sup> STREET FLEA MARKET, SUBJECT TO CERTAIN CONDITIONS**

was adopted.

**TEMPORARY USE: JEFF CARTER**

On motion of Councilman Benson, seconded by Councilman Franklin,

**A RESOLUTION AUTHORIZING JEFF CARTER TO USE TEMPORARILY THE CITY'S RIGHT-OF-WAY AT 432 MARKET STREET TO ATTACH A BUSINESS SIGN FOR THE MONKEY TREE, SUBJECT TO CERTAIN CONDITIONS**

was adopted.

**OVERTIME**

Overtime for the week ending January 25, 2002 totaled \$105,565.89.

**PERSONNEL**

The following personnel matters were reported for the Parks and Recreation Department:

**JOHN D. GUNN** – Retirement (25 years of service), Parks Superintendent, Parks Administration, effective December 31, 2001.

**CLARENCE B. MINGLE** – Retirement, Concessions Coordinator, Civic Facilities, effective December 31, 2001.

**PERSONNEL (Continued)**

**NATHAN E. TAYLOR** – Retirement, Crew Worker, Sr., Parks Division, effective December 31, 2001.

**FREDERICK STOLPHMANN** – Retirement, Plumber, Buildings & Structures, effective December 31, 2001.

**STERLING SHERWIN, AUDREY A. ROBINSON** – New Hire, Crew Worker, TN Riverpark/Downtown, Pay Grade 3/Step 1, \$17,680.00 annually, effective January 9, 2002.

**STUART D. HOLLEY** – Promotion, Building Maintenance Mechanic, Buildings & Structures Division, Pay Grade 7/Step 1, \$20,995.00 annually, effective January 2, 2002.

**MATEO Q. RAMIREZ** – New Hire, Crew Worker, TN Riverpark/Downtown, Pay Grade 3/Step 1, \$17,680.00 annually, effective January 9, 2002.

**ROGER T. WILLIAMSON** – Resignation, Assistant Superintendent - Maintenance, Buildings & Structures, effective January 24, 2002.

**THOMAS E. HORTON** – New Hire, Crew Worker, TN Riverpark/Downtown, Pay Grade 3/Step 1, \$17,680.00 annually, effective January 23, 2002.

**ALFRED M. CANTRELL** – Promotion, Recreation Facility Manager, Recreation Division, Pay Grade 12/Step 4, \$30,735.00 annually, effective January 25, 2002.

**NATHAN A. COLLUM** – Resignation, Ranger Supervisor, TN Riverpark Security, effective January 23, 2002.

**PERSONNEL**

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

**TONY L. BOYD** – Promotion, Superintendent - Street Construction, Citywide Services, Pay Grade 25/Step 3, \$46,004.00 annually, effective January 25, 2002.

**ARTHUR SANDS** – Return from Family Medical Leave, Equipment Operator, Citywide Services, effective January 22, 2002.



### REFUSE POLICY

Deputy Admin. Johnson stated the refuse policy brochure has been printed and is now in the mail through a partnership with the Electric Power Board. She stated every household that receives electricity in the City would receive a brochure. She stated that the mailing began on January 24 and would take one month to complete the cycle. She stated tonight's adoption of the Resolution for special police commissions closes the gap in implementation of the policy, which will begin effective February 7.

Councilman Benson asked if citizens would be subject to a citation effective February 7 if trash were not properly set out? Deputy Admin. Johnson responded, "That is correct, February 7".

### PERSONNEL

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

**REGINALD B. CLARK** – Death, Lieutenant, effective January 28, 2002.

**CHARLES R. STEELE** – Family Medical Leave, Firefighter, effective January 22, 2002.

**STEVEN D. HINES** – Family Medical Leave, Firefighter, January 28, 2002.

Chief Coppinger referenced the personnel transaction regarding the passing of Lt. Reginald Clark on Monday. He stated Lt. Clark was employed with the Fire Department for eighteen years, was a man of high integrity and moral value and will be sorely missed both personally and professionally. He asked that the Lieutenant's family be remembered in prayer.

Vice Chairman Littlefield stated that the Council's thoughts and prayers are with Lt. Clark's family.

### PERSONNEL

The following personnel matters were reported from the Department of Finance:

**MICHAEL S. HICKS** – Family Medical Leave, Accountant, Accounting Division, effective November 19, 2001 – February 11, 2002.

**ELAINE H. SMITH** – Transfer, Office Assistant, Purchasing Division, Pay Grade 3/Step 11, \$25,071.00 annually, effective January 25, 2002.

### **REFUND**

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

**MICHAEL TAYLOR** – Map No. 159I-B-009/Bill No. 57138, Overpayment for tax year 2001, \$1,066.55

### **BOARD APPOINTMENT**

On motion of Councilman Lively, seconded by Councilman Franklin, the following Board appointment was approved:

#### **BEER BOARD:**

- ✍ Appointment of Jerry Walls, representing District 1, for a term ending January, 2005.

### **COMMITTEES**

Vice Chairman Littlefield reminded Council members of the meeting of the **Legal and Legislative Committee scheduled for Tuesday, February 5 beginning at 3 p.m.**

Councilman Franklin reminded Council members of the meeting of **the Public Works Committee scheduled for Tuesday, February 5 at 4 p.m.**

### **MICHAEL FAVORS HEARING**

Councilman Lively stated a personnel hearing scheduled at the request of Officer Michael Favors was to have been held on yesterday afternoon and was canceled for the fourth time; that his attorney became ill. He stated the hearing would be rescheduled next week when Councilwoman Robinson is present. He stated with the Council's indulgence he asked if some thought could be given to "seeing" where there is a stopping point for cancellations. He stated that he realizes the Council wants to be as kind as possible to someone, but thinks a limit needs to be set as expenses are involved each time a hearing is cancelled. He reiterated that the matter should be discussed in the Legal and Legislative Committee as to how far the Council wants to go in accommodating personnel who have requested appeals.

### **NORTH RIVER LAND USE STUDY**

Councilman Pace stated on behalf of Councilmen Lively and Robinson, the first North River Land Use Study meeting will begin next week with a community meeting and Charrette on Monday, February 4 at 6 p.m. at DuPont Elementary School and another scheduled for Thursday, February 7 at 6 p.m. at Hixson High School. He stated the meetings are duplications of each other in an effort to give people a choice of attending the meeting on Monday at DuPont or Thursday at Hixson High.

### **"WALK FOR EDUCATION"**

Councilman Taylor expressed appreciation and thanks to everyone for their participation in this past Saturday's "Walk for Education". He expressed special thanks to the Council members, Mayor and Mike Loftin of the Tennessee-American Water Company, as well as the media, for their attendance and participation.

### **ABSENCE OF COUNCIL MEMBERS**

Vice Chairman Littlefield explained that Councilman Pierce's absence is due to illness and that he is still dealing with a family matter having to do with the passing of his mother. He stated Councilwoman Robinson is out of the city tonight and Chairman Hakeem is at a neighborhood meeting in Glenwood.

### **SISTER BEY**

Sister Bey addressed the Council concerning the Resolution involving the study for the downtown area, stating that the change in government was to have brought about a change. She stated instead of (the government) doing better it appears to be getting worse. She stated she does not "see" the Council making a lot of idle promises and then "run all over the world" trying to say there is a great relationship with all citizens here in Chattanooga. She stated promises have been made to the Bushtown and Churchville areas and she does not see anything the Council is doing in these areas. She stated none of "her people" see anything and never have. He suggested that the Council "get their act together".

**HELEN CARTER**

Helen Carter, owner of the Monkey Tree, stated that it recently came to her attention and several business owners and citizens that a contract is about to be signed with CARTA and asked that the Council take a look at it. She stated it appears a CARTA bus will be on every block on both sides of the street from First to Main Street and that approximately \$150,000 is lost each year in parking meters alone. She stated it is her feeling that for the amount of people that ride the bus this is a bit of overkill; that the City needs to take a look at alternating stops with blocks.

Vice Chairman Littlefield suggested that Ms. Carter speak with personnel from the Regional Planning Agency.

**ADJOURNMENT**

Vice Chairman Littlefield adjourned the meeting of the Chattanooga Council until Tuesday, February 5, 2002 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)**