

**CITY COUNCIL BUILDING  
CHATTANOOGA, TENNESSEE  
APRIL 23, 2002  
6:00 P.M.**

Chairman Littlefield called the meeting of the Chattanooga City Council to order with Councilmen Benson, Franklin, Hakeem, Lively, Page, Pierce, Robinson and Taylor present. City Attorney Randall Nelson, Management Analyst Randy Burns, and Assistant Clerk to the Council Shirley Crownover were also present.

**PLEDGE OF ALLEGIANCE/  
INVOCATION**

Following the Pledge of Allegiance, Chairman Littlefield gave the invocation.

**MINUTE APPROVAL**

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

**SHERRIE GILCHRIST  
AFRICAN AMER. CHAMBER**

Chairman Littlefield called on **Ms. Sherrie Gilchrist** of the African American Chamber of Commerce to give a brief update.

Ms. Gilchrist introduced J.T. McDaniel, Chairman of the Board, and Board members Jeff Olingy, Bertha Seals, and Charles Fields. She proceeded to go over a Quarterly Update to show the Council where they were at this time. She stated that they were currently serving 1,000 individuals and businesses on an annual basis. The membership is 400 and growing; 12 workshops were held during the year; they assisted five companies with loan packaging; and was the winner of the Small Disadvantage Business Advocacy Award from the State of Tennessee.

Ms. Gilchrist went on to say that they were partnering with the Chattanooga Housing Authority and also Pennrose Development with technical assistance to DBE's for the HOPE VI Project. She mentioned that the Chattanooga Metropolitan Airport was involved in a tremendous undertaking and preparing DBE's for procurement opportunities. She mentioned the Hamilton County Government's notification and support program to identify participants and also the Electric Power Board is building a major facility downtown and starting a DBE Assistance Program.

**SHERRIE GILCHRIST**  
**(CONT'D.)**

Ms. Gilchrist explained that the return on the investment of \$150,000 that had been allocated to them had resulted in a total return of investment of \$5,092,136.

At this point Ms. Gilchrist asked that two members be allowed to give a brief message on what the African American Chamber had done for them. The first speaker was **Rheubin Mitchell**, who is with Creative Touch Landscaping. He explained that they were a small business and trying to grow and get help and had met with Ms. Gilchrist, and she had taken them under her wing and taught them how to do books and now they were successful and growing. He stated that they had been able to pick up government contracts, and he thanked the Council.

**Ginger Chitlin** was the next speaker and a member of a non-profit association in town. She stated that she met with the African American Chamber and was able to start a Youth Camp on the mountain and that she had a job she had always dreamed of having and had met a lot of great friends through the Chamber; that they had been tremendous.

Chairman Littlefield stated that this was an excellent report.

At this point Ms. Gilchrist asked that the Chairman of the Board, J. T. McDaniels, be allowed to speak.

**Mr. McDaniels** thanked the Council for allowing them the opportunity to come before this distinguished body. He stated that there had been plenty of opportunities for disadvantaged businesses to grow and the dollars were being re-invested in the lives of people.

Councilman Taylor commended the Chamber on their report and the two individuals who had given testimonies. He stated that he knew it was a struggle out there and encouraged the Chamber to keep going.

Vice Chairman Franklin stated that it appears from the quantitative results that the investment that the City made is being well spent, and he encouraged the Chamber to inspire young people to go into business and find career work. He stated that he was proud of this record and urged the Chamber to continue the good work that they were doing.

**SHERRIE GILCHRIST**  
**(CONT'D)**

Chairman Littlefield commended the Chamber on bringing new and old friends to the meeting tonight. He stated that the Council would take this report into consideration during budget time. Ms. Gilchrist added that there had been 112 visits to the Chamber.

**CLOSE AND ABANDON**

**MR-2002-053 (Cecil Drake)**

On motion of Vice Chairman Franklin, seconded by Councilman Pierce,  
**AN ORDINANCE CLOSING AND ABANDONING AN UNNAMED  
ALLEY LOCATED IN THE 2000 BLOCK OF DAISY 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 Lively, seconded by Councilman Page, the Ordinance passed third and final reading and was signed in open meeting.

**REZONING**

**2002-040 (City of Chattanooga)**

On motion of Councilman Benson, seconded by Councilman Pierce,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS  
AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO  
REZONE TRACTS OF LAND LOCATED IN THE 6000 BLOCK OF  
HALL ROAD, 6000 BLOCK OF OOLTEWAH-GEORGETOWN  
ROAD, 8700-8900 BLOCKS OF OLD LEE HIGHWAY AND 7800  
BLOCK OF OLD CLEVELAND PIKE, MORE PARTICULARLY  
DESCRIBED HEREIN, FROM TEMPORARY ZONES TO  
PERMANENT ZONES, AS SHOWN ON THE MAP ATTACHED  
HERETO AND MADE A PART HEREOF BY REFERENCE**

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

**CAPITAL BUDGET**

This was heard in committee last week and comes with a recommendation.

On motion of Councilman Lively, seconded by Councilman Page,

**AN ORDINANCE APPROPRIATING, AUTHORIZING OR  
ALLOCATING FUNDS TO THE CAPITAL IMPROVEMENTS  
BUDGET FOR THE FISCAL YEAR 2001/2002**

passed first reading.

**CHARTER AMENDMENT**

Chairman Littlefield noted that this was discussed in Legal and Legislative Committee and comes with a recommendation. He asked Attorney Nelson to further elaborate on this.

Attorney Nelson explained that the present City Charter came about in 1971 through Home Rule, and we then had the Board of Commissioners. In 1990 the City Council came into being after the *Brown V. Board of Commissioners, Et Al* case, and we have been carrying on the present form of government, Mayor and Council, for the last 12 years. He explained that a lot of provisions were carried over but some were in conflict with the Federal Court Order, and the Federal Court Order takes priority. Those reading the Federal Court Order would not know the provisions in the Charter that are wrong. We have changed all references to read the Mayor or City Council and have taken out conflicting provisions and tried to conform the Charter to one place so that there will be no more conflict and people can look on the Internet with some confidence that this is what the Charter actually says. This will bring it to one place.

Chairman Littlefield added that this will be submitted to the voters in August. Attorney Nelson noted that this would go for two weeks and then be published in the newspaper and transmitted to the Election Commission for the August election.

**CHARTER AMEND.(CONT'D)**

On motion of Councilman Page, seconded by Vice Chairman Franklin,

**AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF CHATTANOOGA, AND ALL ACTS, ORDINANCES, AND OTHER CHARTER PROVISIONS AMENDATORY THEREOF, PURSUANT TO THE PROVISIONS OF ARTICLE XI, SECTION 9, OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT) SO AS TO AMEND AND RESTATE THE CHARTER OF THE CITY IN ITS ENTIRETY SO AS TO CONFORM IT TO THE DECISION OF THE UNITED STATES DISTRICT COURT IN BROWN V. BOARD OF COMMISSIOENRS, ET AL. AND SUBSEQUENT AMENDMENTS THERETO**

passed first reading.

**SALE OF PROPERTY**

As Councilman Hakeem had to leave the meeting early, he asked that Resolutions (h) and (i) be moved up on the Agenda. **On motion of Councilman Hakeem, seconded by Councilman Taylor, these two Resolutions were moved to the top of the agenda.**

Councilman Benson noted that these two Resolutions came before the Housing Committee earlier in the evening and were thoroughly discussed; that there were questions and concerns and answers from our professional staff, and they come with a recommendation for approval.

Councilwoman Robinson stated that she would like to suggest and place a motion on the floor that this item be placed on the agenda one week from tonight. She explained that she had received assurance that it would not pose an undue hardship; that there had been a collaborative exchange of information, and she had received a very good briefing in advance, and she felt this was a good plan that provided the balance to grow in our community and would add to the much needed growth on the Southside. She explained that she would not propose to delay such a good program if she did not feel there was a

need for a collaborative effort between professional owners and residents in the Southside area; that after receiving E-mails from someone who is a developer and also a nearby restaurant owner, that it just seemed to her that a one week's delay would not be a hardship. **Councilwoman Robinson made the motion to place this on the agenda one week from tonight. This was seconded by Councilman Page.**

Page 6

### **SALE OF PROPERTY(CONT'D)**

Councilman Page stated that he had looked at the individual involved and that Councilwoman Robinson was a forerunner in downtown development and had a willingness to work with people and that she was willing to give this another week and let people come together for maybe an alternative.

Councilman Benson stated that he supported Councilwoman Robinson and Councilman Page; that this did come before the Council in a "hurried" way. He stated, however, that he understood we could not delay this one week; that he would support the delay if there is no problem but that he came out of the committee meeting with the impression it was critical.

**Ken Hays** spoke next and stated that in all due respect, he did not hear any solutions—just problems—in the committee meeting; that he had negotiated in good faith with the Bank and had asked to be heard last week and was told to put this matter on tonight's agenda. He explained that he had been meeting as the City's representative with the property owner for 8-10 days, and this had consumed a considerable amount of time; that he had made a commitment to Union Planters Bank, and he would like to have this "voted up or down" tonight; that he was getting pressure from City Hall to get this done; that if we are going to go forward "let's do it", and if the Council is going to turn it down, then do so, but move on it tonight.

Councilman Pierce stated that he would like to ask Councilwoman Robinson just what could be accomplished by delaying this one week; that the Bank is satisfied but not the property owners; that this would just allow the property owners more opportunity to lobby; that the Council has to make hard decisions and sometimes matters are hastily voted on; that he thought we had already gone too far with this item, and we don't need to leave Mr. Hays "out in the water". He stated that he could not support a motion to table.

Councilman Hakeem stated that he shared the same concern as Councilman Pierce and would like to vote it up or down tonight.

Councilman Lively stated that if there were some kind of positive thing to look for in delaying this one week, he would understand, but he did not think a week's delay would change anything.

Page 7

### **SALE OF PROPERTY(CONT'D)**

Councilman Page indicated that he would like to see if there are potential alternative sites or uses; that we saw the Yarbrough property a few weeks ago. He stated that he could not be comfortable that all alternatives have been explored, and he thought something good could come out of a delay.

**Councilwoman Robinson again made the motion to delay for one week, and it was seconded by Councilman Page. The motion failed for lack of a majority vote.**

Councilwoman Robinson thanked the Council for considering the delay, stating that she thought this was a good Plan and wanted to make one last plea for a week's delay.

On motion of Councilman Lively, seconded by Councilman Pierce,

**A RESOLUTION AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY LOCATED AT 13<sup>TH</sup> STREET AND COWART STREET, MORE PARTICULARLY DESCRIBED HEREIN, TO UNION PLANTERS BANK, N.A., FOR THE SUM OF SIXTY THOUSAND DOLLARS (\$60,000.00)**

was adopted, with Councilman Page abstaining.

### **ACCEPTANCE OF PROPERTY**

On motion of Councilman Hakeem, seconded by Councilman Taylor,

**A RESOLUTION AUTHORIZING THE ACCEPTANCE OF CERTAIN REAL PROPERTY LOCATED AT 4<sup>TH</sup> STREET AND BROAD STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM RIVERCITY COMPANY**

was adopted.

COUNCILMAN HAKEEM HAD TO LEAVE THE MEETING AT THIS POINT TO ATTEND A NEIGHBORHOOD MEETING.

Page 8

**TRANSFER TO CARTA**

Vice Chairman Franklin noted that this item came before the Public Works Committee last week and was recommended for approval.

On motion of Vice-Chairman Franklin, seconded by Councilman Lively,

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO TRANSFER AN AMOUNT NOT TO EXCEED FIFTY THOUSAND DOLLARS (\$50,000.00) FROM THE PUBLIC WORKS CAPITAL PROJECTS FUND P416 TO THE CHATTANOOGA AREA REGIONAL TRANSPORTATION AUTHORITY (CARTA) RELATIVE TO BUILDING OUT THE CURBS AND SIDEWALKS AT SEVEN LOCATIONS FOR INSTALLATION OF BUS SHELTERS**

was adopted.

**CORRECT CONTRACT FEE**

On motion of Vice Chairman Franklin, seconded by Councilman Lively,

**A RESOLUTION AMENDING RESOLUTION NO. 23218, ADOPTED DECEMBER 4, 2001, RELATIVE TO THE DEVELOPMENT RESOURCE CENTER CONTRACT NO. DRC-1-00, WITH ARTECH DESIGN GROUP, INC., TO CORRECT THE TOTAL REVISED FEE MATHEMATICAL ERROR BY DELETING “NOT TO EXCEED ONE MILLION TWO HUNDRED SIXTY-SIX THOUSAND EIGHT HUNDRED NINETY-ONE DOLLARS (\$1,266,891.00) AND SUBSTITUTING IN LIEU THEREOF “NOT TO EXCEED ONE MILLION THREE HUNDRED NINETEEN THOUSAND EIGHT HUNDRED NINETY-ONE DOLLARS (\$1,319,891.00)”**

was adopted.



**DRC CHANGE ORDER**

On motion of Councilman Lively, seconded by Vice Chairman Franklin,  
**A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1 (FINAL) RELATIVE TO THE DEVELOPMENT RESOURCE CENTER, CONTRACT NO. DRC-1-00, WITH ARMSTRONG RELOCATION SERVICES, WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY NINE THOUSAND THREE HUNDRED NINETEEN DOLLARS (\$9,319.00), FOR A REVISED CONTRACT PRICE OF FIFTY-ONE THOUSAND ONE HUNDRED NINETY-SIX DOLLARS (\$51,196.00)**

was adopted.

Page 9

**DRC CHANGE ORDER**

On motion of Councilwoman Robinson, seconded by Councilman Taylor,  
**A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1 (FINAL) RELATIVE TO THE DEVELOPMENT RESOURCE CENTER, CONTRACT NO. DRC-1-00, WITH ACCESS/POMEROY, WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY TWENTY-ONE THOUSAND TWO HUNDRED DOLLARS (\$21,200.00), FOR A REVISED CONTRACT PRICE OF THREE HUNDRED TWENTY-TWO THOUSAND FORTY-NINE DOLLARS (\$322,049.00)**

was adopted.

**DRC CHANGE ORDER**

On motion of Councilman Benson, seconded by Councilman Lively,  
**A RESOLUTION AUTHORIZING THE EXECUTION OF A FINAL CHANGE ORDER RELATIVE TO THE DEVELOPMENT RESOURCE CENTER, CONTRACT NO. DRC-1-00, WITH J&J CONTRACTORS, WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY TWO HUNDRED NINETEEN THOUSAND NINETY-THREE AND 75/100 DOLLARS (\$219,093.75), FOR A REVISED CONTRACT PRICE OF ELEVEN MILLION SEVEN HUNDRED SIXTY-EIGHT THOUSAND EIGHT HUNDRED TWENTY-TWO AND 50/100 DOLLARS (\$11,768,822.50)**

was adopted.

**DRC AMENDMENT**

On motion of Vice Chairman Franklin, seconded by Councilwoman Robinson,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AMENDMENT NO. 1 (FINAL), RELATIVE TO CONTRACT NO. DRC-1-00, FOR PROFESSIONAL SERVICES WITH ARTECH DESIGN GROUP, INC. FOR DESIGN SERVICES AT THE DEVELOPMENT RESOURCE CENTER, WHICH AMENDMENT INCREASES THE CONTRACT AMOUNT BY TEN THOUSAND TWO HUNDRED THIRTEEN DOLLARS (\$10,213.00), FOR A REVISED CONTRACT AMOUNT OF ONE HUNDRED EIGHT THOUSAND ONE HUNDRED THIRTEEN DOLLARS (\$108,113.00)**  
was adopted.

Page 10

At this point Councilman Lively pointed out that even though there are increases in this project, it is still coming in under budget.

**HAMILTON COUNTY REIMBURSEMENT**

On motion of Vice Chairman Franklin, seconded by Councilwoman Robinson,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO REIMBURSE THE HAMILTON COUNTY TRUSTEE FROM THE SOUTHSIDE REDEVELOPMENT FUND CU03, RELATIVE TO EXPENSES RELATED TO THE TELECOMMUNICATION INFRASTRUCTURE AND EQUIPMENT AT THE DEVELOPMENT RESOURCE CENTER, CONTRACT NO. DRC-1-00, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED NINETY-FIVE THOUSAND EIGHT HUNDRED THIRTY-FIVE AND 45/100 DOLLARS (\$195,835.45)**  
was adopted.

Councilman Pierce stated that he may have missed the committee meeting when this was discussed and wanted to know why we are reimbursing the County. Adm. McDonald explained that this was for the infrastructure that Hamilton County had installed in the DRC building. Councilman Pierce asked if this infrastructure just benefited the county. Adm. McDonald responded “no”—the lines serve both the City and County, and this is part of the original agreement. Councilman Pierce pointed out that costs are very seldom split. Chairman Littlefield added that this was a very complex project. Councilman Taylor asked for clarification as to the County sharing the expense with us. Adm. McDonald asked if he was referring to operating expenses and explained that they pay on

a square foot basis. Councilman Benson asked for what period of time this was negotiated, and Daisy Madison answered 29 years. Councilman Benson asked if this was subject to re-negotiation, and Ms. Madison responded that the Mayor has not signed the contract, and it is a 29-year contract, which goes along with the terms of the bond issue.

Chairman Littlefield stated that this was subject to discussion; that the comparison between this building and the Justice Building had been raised; that the Justice Building is a county building, and we pay part of the maintenance, and in this case the DRC building is ours, and the County has to pay us likewise. We are paying a portion of the capital expenses at the Justice Building, and Chairman Littlefield stated that he knew the Mayor and County Executive were discussing the sunset of this contract.

Councilman Pierce stated that since there is ongoing talk with the County Executive that the Mayor could report to the Council.

Page 11

At this point Vice Chairman Franklin stated that he knew we had changed our policy as it relates to personnel transactions, stating that he had a question on one of the items, which was the suspension of Dana West in Neighborhood Services. Chairman Littlefield asked that Vice Chairman Franklin voice his concern when Departmental Reports are given.

### **OVERTIME**

Overtime for the week ending April 19, 2002, totaled \$107,758.80.

### **PERSONNEL**

The following personnel matters were reported for the various departments:

#### **FINANCE AND ADMINISTRATION—CITY COURT:**

- ✍ **JACQUELINE MOORE** – Transfer to Court Clerk Position, Pay Grade 5/9, \$26,483.00 annually, effective 5/3/02.

#### **PUBLIC WORKS DEPARTMENT:**

- ✍ **CLYDE NICK WILLIAMS** –Promotion to Electrical Instru. Tech., Pay Grade 12/8, \$36,792.00 annually, effective 4/10/02.
- ✍ **DAVID JENKINS** – Hire as Electrical Instru. Tech., Pay Grade 12/1, \$26,792.00 annually, effective 4/10/02.

- ✍ **WESLEY E. MCCUISTON** – Promotion to Monitoring Tech., Pay Grade 8/1, \$22,153.00 annually, effective 4/05/02.
- ✍ **CURTIS WYATT** – Family Medical Leave, effective 4/3/02 to 6/25/02.
- ✍ **DARRELL P. CAMPBELL** – Lateral Transfer to Sanitation Worker, Pay Grade 3/1, \$17,680.00 annually, effective 4/17/02.
- ✍ **WILLIAM L. NATION** – Lateral Transfer to Crew Worker, Pay Grade 3/1, \$17,680.00 annually, effective 4/17/02.
- ✍ **TERRY D. CARTER** – Lateral Transfer to Crew Worker, Pay Grade 3/1, \$17,680.00 annually, effective 4/17/02.
- ✍ **PERRY L. BECK** – Suspension of Equipment Operator, effective 4/15/02 to 4/17/02.
- ✍ **DARLENE DAVIS** – Family Medical Leave, effective 4/17/02 to 7/10/02.
- ✍ **WILLIAM L. NATION** – Resignation of Crew Worker, effective 4/17/02.

Page 12

**PERSONNEL (CONT'D)**

**DEPARTMENT OF PARKS, RECREATION, ARTS & CULTURE:**

- ✍ **NATHANIEL HAMMONDS** – Suspension of Crew Worker, effective 4/09/02 to 4/11/02
- ✍ **CHARLES LLOYD, JR.** -- Promotion to Crew Worker, Pay Grade 3/3, \$17,941.00 annually, effective 3/27/02.
- ✍ **NATHANIEL DONEGAN** -- Promotion to Crew Worker, Pay Grade 3/3, \$17,941.00 annually, effective 3/27/02.
- ✍ **EDWARD HUGHES** – Promotion to Crew Worker, Pay Grade 3/3, \$17,941.00 annually, effective 3/27/02.
- ✍ **BRANDON BURGER** – Promotion to Crew Worker, Pay Grade 3/1, \$17,680.00 annually, effective 4/12/02.
- ✍ **EVAN H. SMITH** – Termination of Crew Worker, effective 4/10/02.
- ✍ **ROGER BRASWELL** – Re-Hire of Crew Worker, Pay Grade 3/1, \$17,680.00 annually, effective 4/17/02.
- ✍ **ROBERT TAYLOR** – Promotion to Bldg. Maint. Mech., Pay Grade 7/2, \$22,018.00 annually, effective 4/24/02.
- ✍ **MATEO QUINONEZ** -- Termination of Crew Worker, effective 4/12/02.
- ✍ **JESSE E. CLIETT, III** – Resignation of Ranger Supervisor, effective 5/02/02.
- ✍ **NATHANIEL DONEGAN** – Suspension of Crew Worker, effective 4/11/02.

**CHATTANOOGA POLICE DEPT.:**

- ✍ **THOMAS FAULK** – Resignation of Police Cadet, effective 4/18/02.

- ✍ **LULU GARNER** – Compulsory Leave of Office Asst. Sr., effective 1/24/02.
- ✍ **BARBARA A. WILSON** – Termination of School Patrol Officer, effective 3/18/02.

**CHATTANOOGA FIRE DEPT.:**

- ✍ **EDWARD JACKSON** – Promotion to Lieutenant, Pay Grade F3/4, \$33,234.00 annually, effective 4/19/02.
- ✍ **CHRIS ARENDALE, CHARLES A. BLEVINS, WILLIAM MATLOCK III, SETH MILLER & BRADLEY A. PETTY** – Promotion to Senior FF, Pay Grade F 2/2, \$27,964.00 annually, effective 4/19/02.
- ✍ **RANDALL K. HERRON** – Promotion to Senior FF, Pay Grade F4/2, \$35,233.00 annually, effective 4/19/02.

Page 13

**PERSONNEL (CONT'D.)**

**HEAD START DEPT.:**

- ✍ **KIMBERLY PATTERSON** – Hire as Teacher Assistant, \$14,560.00 annually, effective 4/09/02.
- ✍ **JAIME LACEY** – Hire as Registered Dietician, \$40.00 an hour, effective 4/01/02.

**DAY CARE:**

- ✍ **TERESA BAKER** – Hire as Substitute, \$6.00 an hour, effective 4/22/02.

**NEIGHBORHOOD SERVICES DEPT.:**

- ✍ **DANA WEST** – Suspension of Administrative Sec., Sr., effective 4/24/02 to 4/25/02.

At this point Vice Chairman Franklin addressed the suspension of Dana West. He stated that he would like to have the opportunity to explore the nature of this to see if there was justification. He stated that he was not sure she would be appealing this, and he would like to discuss it further with the Administrator of the Department.

Attorney Nelson explained to Vice Chairman Franklin that if Ms. West does appeal, and he had gone out and done research, he would have to be recused from being a member of the panel. Vice Chairman Franklin assured that he was not going out to research this.

Attorney Nelson added that each side would be afforded due process. Vice Chairman Franklin stated that he just needed to look into this further and needed to talk to the Administrator.

Councilman Pierce stated that personnel actions are administrative and unless the person wants to appeal, the Council does not have any say. In the meantime, since the Department Head was not present, we would still have time to explore this.

**DEPARTMENT HEADS**  
**ATTENDANCE**

Councilman Taylor stated that the Council did move to exempt Department Heads from being present at Council meetings; that he was afraid there would be someone here with questions regarding a particular department, and the Council can only channel them in the right direction. He stated that he saw the necessity of having a representative from the departments present as we move forth on different issues and concerns. He asked that serious consideration be given to this as it is a very serious issue, and it can delay pertinent information that the Council needs.

Page 14

**DEPARTMENT HEADS**  
**(CONT'D)**

Councilman Benson stated that he supported Councilman Taylor; that he never thought that department heads should not be here; that either they, or their representative, should be here; that they could send a representative if they could not come.

Councilman Pierce explained that his motion for Department Heads to not have to come just to report Personnel items was because he felt they should not have to sit here through the whole meeting just to give the Council a Personnel Report since the Council is in no position to take action on personnel items anyway.

Councilman Benson still maintained that we need representatives here on decisions affecting these departments.

Vice Chairman Franklin stated that we might be debating two different issues; that he understood what Councilman Pierce was saying; that most of the Administrators or representatives were here.

Councilman Taylor stated that he definitely understood the two points being made; that it would make it convenient for department heads to be present as we never know what will come up at the end of meetings and sometimes there is no one to report to; that when citizens come with needs, we need to make sure some representative is here. He stated that he thought this was very crucial.

Councilman Pierce indicated that this issue should go to committee.

Chairman Littlefield stated that this would be taken under advisement; that it is a point for discussion and needs to be discussed with Administration; that sometimes on personnel matters you can get more information than you want; that right now we are just receiving a report and asking questions to see if policy has been violated. He stated that this was a lot to talk to Administration about and a report would be forthcoming.

### **PURCHASE**

On motion of Vice Chairman Franklin, seconded by Councilman Lively, the following purchase was approved for use by the Chattanooga Human Services Dept.:

**SIGNAL VOICE (Lowest and best bidder):**  
**Requisition R0058238/P0017303**

Telephone and Paging System for Head Start

\$12,717.83

Page 15

### **HOTEL PERMIT**

On motion of Councilman Lively, seconded by Vice Chairman Franklin, the following Hotel Permit was granted:

**RODEWAY INN – 2000 E. 23<sup>RD</sup> ST.**

### **PURCHASES**

On motion of Councilman Taylor, seconded by Vice Chairman Franklin, the following purchases were approved for Purchasing, Air Pollution Control Bureau, and the Chattanooga Hamilton County Bicentennial Library:

**CHATTANOOGA AUTO AUCTION (Only bidder meeting specs.)**  
**Requisition R0042714/P0017049**

Requirements Contract for Vehicle Auctioning Services

(See minute material for prices)

**CAPITAL TOYOTA OF CHATTANOOGA (Single Source Purchase)**

**Requisition R0049111/P0017626**

(l) 2002 Toyota Prius for the Air Pollution Control Bureau

\$21,540.95

**A PERFECT LAWN (Lowest and best bidder meeting specs.)**

**Requisition R0051571/P0017455**

Requirements Contract to cover Grounds Maintenance for the four Chattanooga Hamilton County Bicentennial Library branch locations

\$6,432.00 annually

**CERTIFIED MAINTENANCE SERVICE, INC. (Lowest and best bid meeting specs.)**

**Requisition R0051572/P0017454**

Requirements Contract to cover Janitorial Services for the four Chattanooga Hamilton County Bicentennial Library branch locations

\$16,620.00 annually

Page 16

**DISTRICT 4 COMMUNITY MEETING**

Councilman Benson reminded everyone of the District 4 community meeting scheduled for April 25<sup>th</sup> at 7:00 P.M. at Grace Baptist Church. Councilman Benson stated that he expected 200-300 people to be there and would like to have representatives from each department to be there so that they can meet with the citizens and listen to their concerns and help the citizens to understand why there are limitations on fulfilling their needs. He emphasized that we need professional staff people there.

**COMMITTEES**

Vice Chairman Franklin reminded everyone of the **Public Works Committee Meeting** scheduled for **Tuesday, April 30<sup>th</sup> at 4:00 P.M.**

**SOUTH CHATTANOOGA RECREATION COMPLEX**



Councilman Taylor thanked everyone who came out for the grand opening of the South Chattanooga Recreation Complex. He stated that there was a tremendous turnout and that if anyone missed the “Dream Team”, made up of Mayor Corker, Guard; Chairman Littlefield, Center; Vice Chairman Franklin, Forward; and himself as Guard, they missed a lot. He added that Councilman Hakeem was the coach, but he left before the game, and they lost by one point! The game lasted for two minutes and went into overtime! All in all, Councilman Taylor stated, everyone did real good and used a lot of Ben-Gay and the paramedics were on hand!

Chairman Littlefield added that he was the only one on the court with an AARP Card!

Councilman Taylor also mentioned that Dr. Grace Hewell was in Washington, D.C. and is ill at this time and asked that everyone keep her in their thoughts and prayers.

### **AGENDA FOR APRIL 30<sup>TH</sup>**

Chairman Littlefield asked if anyone had any questions or comments about next week’s Agenda. There being none, the meeting proceeded.

Page 17

### **SISTER BEY**

Sister Bey informed the Council that she had attended the United Nations General Assembly where 189 countries were represented; that they treated her like the queen of the world, and she had with her various flags of different nations that she showed to the Council. She went on to say that she could not see coming into their neighborhood and tearing down houses and stated that she had gotten a letter from the Judge saying that he was going to have her arrested. She stated that she did not see any of the money; that the City had also taken over the McCallie Homes and Wheeler Homes, and this was racist. She stated that the people in the UN (General Assembly) invited her to come back and reiterated that they treated her like the Queen of the World. She stated that she had done all she could; that “they” had taken over the Bessie Smith Strut, and she was tired of this; that she was a divine member of Islam and if the God she worshiped wanted her to integrate, he would have made her “one of you all”. She stated she was tired of persecution and asked that the Council get their act together.

### **GARY BRIDGES**

Mr. Bridges addressed the Council and stated that he used to work for Public Works; that on January 16<sup>th</sup> a limb had hit him in the eye, and he was sent to the doctor and had received a slip to go back to work; that after MLK Day, he was pulled off his truck; that his eyes had been examined by Dr. Funderburk and that he had been terminated because Bill Neighbors and Paul Nation were in cahoots to get rid of him; that he had been with the City 26 years, and he felt like they had abused their authority.

Chairman Littlefield asked Mr. Bridges if he had filed a grievance under the normal procedures. Mr. Bridges answered that he had tried to get legal advice and could not get any. Attorney Nelson explained that he has 15 days to file a grievance procedure after he had been terminated. Mr. Bridges maintained that his right eye had been cleared from the accident. Attorney Nelson stated that if he was terminated back in January that it was beyond the time limit.

Mr. Bridges went on to say that they pulled him off and laid him off, and he was not actually terminated until the last of February, which was a 30-day gap; that he tried to explain to Paul Nation, and he made the remark that he would not accept but one doctor's opinion. He stated that he had always been under the care of Dr. Funderburk.

Page 18

#### **GARY BRIDGES (CONT'D.)**

Councilman Taylor pointed out that he was terminated in February and this is April. Mr. Bridges stated that he had been trying to find an attorney and no one wanted to come before the City Council to represent him. Councilman Taylor asked if he had talked to the department head. Mr. Bridges responded that at that time, Mr. Lee Norris was not there. Councilman Taylor asked if he had talked to Adm. McDonald, and he responded "no". Chairman Littlefield asked if he was represented by any union. Mr. Bridges responded that he was a member of the Teamsters, but they were no longer down there; that the City "kicked them out".

Councilman Benson noted that Mr. Bridges did not have to have an attorney to file a grievance; however, he added, that he could call Legal Aid. Mr. Bridges stated that he had checked with the Bar Association, and they said they could not recommend anyone.

Chairman Littlefield explained to Mr. Bridges that he had gone beyond the time limit; that he could talk to Adm. McDonald, and he would bear him no ill will; that it seemed a

medical condition had complicated this, and he wanted to make sure Mr. Bridges had every opportunity. Mr. Bridges stated that he had not been told about any timeframe and was not given an opportunity. Chairman Littlefield explained to him that we could not do anything tonight and that it sounded like a complicated situation. He assured Mr. Bridges that Adm. McDonald would not mislead him and that he could talk to him and the people in Personnel and see if he had been given all the advice that he needed.

Mr. Bridges reiterated that he had been “railroaded” by Bill Neighbors and Paul Nation; that Paul Nation wanted a relative to be hired.

Chairman Littlefield assured him that he would be given all opportunities. Mr. Bridges again noted that he had worked for the City 26 ½ years and that he would be glad to make an appointment to talk to Adm. McDonald.

Councilman Taylor added that he was hearing quite a bit about accidents and then terminations. Attorney Nelson mentioned a graduated system of discipline in an issue such as this.

Page 19

### **ADJOURNMENT**

Chairman Littlefield adjourned the meeting of the Chattanooga City Council until Tuesday, April 30, 2002 at 6:00 P.M.

---

**CHAIRMAN**

---

**CLERK OF COUNCIL**

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