

**City Council Building
Chattanooga, Tennessee
May 21, 2002
6:00 p.m.**

Vice Chairman Franklin called the meeting of the Chattanooga Council to order with Councilmen Benson, Hakeem, Lively, Page, Pierce, Robinson and Taylor present; Chairman Littlefield was out of the city on business. 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 Taylor, the minutes of the previous meeting were approved as published and signed in open meeting.

**SPECIAL PRESENTATION: STATE OF THE
YOUTH COUNCIL REPORT**

Dennis Clark, outgoing President of the Chattanooga/Hamilton County Youth Council, stated he and Robyn Burns were before the Council two years ago proposing the idea of a youth group that would serve and embody all walks of youthful life in Chattanooga. He stated since the Youth Council has been formed, it is making a difference in the greater Chattanooga area and has accomplished its goal, indicating that the work is only half way completed in securing the continuity of the Youth Council for generations to come. He expressed appreciation to the City for its reception of the youths' involvement and stated that it is the Youth Council's goal to be more community based and build a closer relationship with counterparts on the City Council.

**SPECIAL PRESENTATION: STATE OF THE
YOUTH COUNCIL REPORT (Continued)**

Mr. Clark stated the Youth Council should indulge itself in more programs that promote safe and healthy lives for teenagers and work toward the goals of allowing youthful voices to be heard and taken seriously when issues of young people are in the public eye, such as school budget cuts, the rising rates of drinking and driving and premarital sex.

Mr. Clark concluded his comments by stating that it has been an honor for him to serve as liaison between youth and government and will cherish the lessons he has learned in leadership. At this point, he introduced the incoming Youth Council President, Casey Skorput. **(A copy of Mr. Clark's statement is filed with minute material of this date.)**

Casey Skorput stated that it is a privilege and honor to serve as President for the upcoming year; that it is her hope the Youth Council will become more involved in the community through activities and initiatives. She stated that she looks forward to working with the Council on behalf of the young people of the Chattanooga community.

Mr. Clark recognized the presence of Jennifer McGintis, a recent graduate of Boyd-Buchanan, and personally thanked Councilman Hakeem for his support, as well as Parks and Recreation personnel, Admin. Mitchell, Barbara Readnowar, Cynthia Perkins and Trinetta Ballard for their support.

Councilman Hakeem expressed appreciation on behalf of the Council to the young people for their involvement. He stated adults often know what is best for young people without consulting them; that all are learning to consult youth in the decisions that are made.

Vice Chairman Franklin applauded the efforts of the Youth Council, and acknowledged the passage of leadership from Mr. Clark to Ms. Skorput, stating that the Council looks forward to great things (from the Youth Council) in the future.

AMEND DIGITAL VERSION OF ZONING MAP

On motion of Councilman Page, seconded by Councilman Taylor,
**AN ORDINANCE TO ADOPT AN AMENDED DIGITAL VERSION OF
 THE ZONING MAP TO CORRECT ERRORS OF OMISSION AS
 SHOWN ON "EXHIBIT A" ATTACHED HERETO AND MADE A PART
 HEREOF BY REFERENCE**

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

REZONING

2002-050: Michael E. Catlett

Councilmen Lively and Taylor made the motion and second to substitute the amendment to this Ordinance; the motion passed.

On motion of Councilman Benson, seconded by Councilman Taylor,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS
 AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO
 REZONE A TRACT OF LAND LOCATED AT 6540 LEE HIGHWAY,
 MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2
 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE,
 SUBJECT TO CERTAIN CONDITIONS**

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

REZONING

2002-071: Volunteer Behavioral Health Care Systems

Jerry Pace, Director of Operations for the Regional Planning Agency (RPA), stated that the applicant has requested that this matter be deferred for 30 days.

Jerry Jenkins with Volunteer Behavioral Health Care Systems stated that all they want to do is be a good neighbor and provide services that are needed in communities where they are located.

REZONING (Continued)

Mr. Jenkins stated Volunteer specializes in community-based services to adults and children with mental illness; that as a result, law enforcement agencies such as the Chattanooga Police Department, Hamilton County Sheriff's Department, as well as local hospitals and emergency rooms, in particular, and other providers, advocates and consumers have supported and asked for assistance from them. He stated Volunteer was asked to develop a couple services centering on crisis stabilization as a diversion center. He stated the work on the center started on December 5 of last year at the request of the community and in the interim they developed a walk-in triage stabilization center, which is the gist of the rezoning request.

Mr. Jenkins continued by stating that their desire is to construct a crisis facility on the bottom floor; that the building has two addresses, one on Bell Avenue and one on Spring Street, with the plan being to use the Spring Street address. He stated they have been very careful to consider the safety of consumers, the community and staff, reiterating that they want to be good neighbors. He stated that he understood from the meeting last week that there was some concern and opposition and that he is present tonight on behalf of Volunteer to request deferral of this request until June 25, during which time they would have an opportunity to work with the neighborhood association and stakeholders in an effort to develop a solution. He expressed thanks to Councilman Taylor and Linda Bennett for cooperatively working with them and indicated that he did not know there was a neighborhood association and have been there almost a year! He stated that he is encouraged by the dialogue and looks forward to the involvement with the neighborhood.

Councilman Hakeem stated that he wanted to be clear on Mr. Jenkins' comments wherein it was stated that the request was from the community in regard to a walk-in centers, asking if he is referencing the community around North Chattanooga or the Chattanooga community as a whole?

Mr. Jenkins stated the request was from the Chattanooga Police Department, the Sheriff's Department and Erlanger's Emergency Room, specifically.

Councilman Hakeem asked why a center of this kind is in a neighborhood rather than a medical facility?

REZONING (Continued)

Mr. Jenkins stated that they are proposing non-hospital care; that there are a group of people that need to be in either primary care like Erlanger or Parkridge, a group that needs to be in Valley or Moccasin Bend, and a larger group that needs a safe place for stabilization purposes.

Councilman Hakeem asked for assurance that real discussion with the neighborhood will take place over the course of the next 30 days.

Mr. Jenkins asked that all in attendance understand this has been a request from the community. He stated Erlanger provides primary care, but people who need to be stabilized have no specialty place to go to. He stated they would triage and give a disposition to wherever they need to go, whether Moccasin Bend, Valley or another provider.

Councilman Hakeem stated there is a perception, real or imaginary, that from a safety factor this could put the community in some harm.

Mr. Jenkins stated that there are two reactions to Councilman Hakeem's comments. He stated one, working in that environment, he does not want to do anything to jeopardize the consumer or staff person; that their goal is to provide for a safe community. Secondly, he stated, when persons don't get the service they need they do things that make "front page" which is one of the reasons that got them into this.

Councilman Taylor asked that representatives of the neighborhood have an opportunity speak, clarifying that Mr. Jenkins just met with the neighborhood this week.

Councilman Benson asked Mr. Jenkins if this facility is for assessment reasons, only? Mr. Vincent responded "no".

Councilman Benson then asked if the facility is for remedial services and overnight stays? Mr. Jenkins responded "no" to the facility providing remedial services and indicated that there would be overnight stays.

Councilman Benson inquired as to the patient capacity for the facility? Mr. Jenkins responded that the current model could accommodate sixteen in an enclosed facility with limited egress.

Councilman Benson then asked about the patient ratio? Mr. Jenkins stated that the ratio is one-fourth and is staffed with psychiatric nurses.

REZONING (Continued)

Councilman Benson asked if an ongoing assessment would be made once the patient moves out? Mr. Jenkins responded "yes" reiterating that this group does not need hospital care but a safe place until their medication stabilizes.

Councilman Page complimented Mr. Vincent and Volunteer for the work they do, stating that he would like to have question answered prior to voting on the matter so that he can completely understand. He stated that he understands this would be a triage facility and it seems that triage situations need to be at a medical complex where doctors and nurses are. He asked if this facility would make the decision as to where the patient goes for medical support and help that would be vitally needed?

Mr. Jenkins stated if a person is physically ill they go to Erlanger; if they need psychiatric acute care, they are taken to Moccasin Bend, Valley or a location of their choice. He stated Councilman Page is making a good observation; that there needs to be an alternative to take the pressure off emergency rooms needed to deal with truly emergency situations.

Daniel Anderson stated that he owns property at 429 Bell Avenue, directly across the street from this facility. He expressed thanks to Volunteer for taking an interest in the community and for the work they do, as it is very important and much needed. He stated he has been a police officer for the City for seven years and worked the North Chattanooga area for three (years). He stated that he believes in community policing and lives it and practices it by living in the neighborhood he works in. He stated when he first heard about this he was very concerned; that he saw the construction and attempted to find out what facility was being constructed. He stated that he spoke to one of the builders as to what was being constructed and was told that they did not know, however, two-or-three-weeks later he saw the signs for Joe Johnson and realized some type of evaluation center was "going in".

Mr. Anderson stated that he and his wife are in fear of this center being there; that his experience in dealing with transporting persons to one of these facilities is that they are in desperate need. He stated not all of them are violent and not all of them get into trouble, however, from time-to-time it does happen. He stated because of that, they are very concerned about this facility's location across the street from them.

REZONING (Continued)

Mr. Anderson stated that he takes pride in his neighborhood and works hard; that he feels for a facility to come into a neighborhood will be a real setback and he would be forced to move. He stated when Mr. Jenkins indicated that the community at-large requested this, he overlooked the community directly affected and those who live there. He stated after attending the meeting last Thursday, it was the neighborhood's consensus that everyone, except two, would try to prevent this from happening.

Councilman Hakeem stated that he knows Mr. Anderson is not a medical professional and not to take his comments personally, and asked where he (Anderson) would "see" a facility of this nature -- in a neighborhood or next to a hospital?

Mr. Anderson stated that he "sees" it next to a hospital, indicating that he worked Moccasin Bend for three years and answered several calls; that Moccasin Bend is an isolated facility and if a person is off their medication they should be taken to Moccasin Bend and not into a community where people reside.

Councilman Hakeem stated when we hear of an individual who may have a cold as opposed to a medical situation and needs to be in the hospital, that is considered the norm; that it was expressed this will not be a hospital situation but a measure to relieve pressures on triage rooms at a hospital.

Mr. Anderson stated someone in need of special care goes to a transitional facility; that they would be brought to this location and may stay three-to-five days or 24 hours. He stated at that time they are evaluated to see if they need to go to Moccasin Bend or get medication for stabilization and are sent back home. He stated it is during that transitional period when they are in the facility that they are concerned about. He stated he has received several calls where staff members are being assaulted and the patient has walked away. He stated that he understands it will be a secure facility with a guard, but is still very concerned.

Linda Bennett, President of the North Chattanooga Community Association, stated that she is glad to see there is an opportunity to take a closer look at what will happen. She stated the services have been expanded from what was offered at Four Squares and nothing we have in Chattanooga compares to this.

REZONING (Continued)

Ms. Bennett stated most know the North Chattanooga community has been working for the last two years with guidance from Councilman Taylor and Neighborhood Services to develop a neighborhood plan. She stated they have a land use plan that is on the "drawing board" and something like this has the possibility of impacting this community in a powerful way. She stated they are really looking at what can be done as a community to provide a safe, secure and stable environment. She stated most know their community has been targeted by Mayor Corker as one of the strategic neighborhoods; that they are a neighborhood in crisis and they have a crime problem. She asked that the Council delay this a few weeks and invited them to be a part of the meetings planned for June.

Councilman Hakeem asked Ms. Bennett if she "saw" this proposal in regard to zoning as being positive for manufacturing or R-4? Ms. Bennett stated that R-4 zoning is much more neighborhood friendly and a better zone for the community. She stated one thing they are concerned about is that it is not a hospital and she is not certain how special permits fit into this as there are conditions built in. She stated the conditions were discussed at the community meeting and the overnight stay is not a good idea. She inquired as to whether there are conditions that would prohibit the overnight stay? She stated this facility is now serving 15-20 walk-ins daily with some kept as residents for one-to-five days.

Councilman Taylor made the motion to defer the matter 30 days and invited everyone to participate in the process, stating even though this is considered a zoning step down, it would have a major impact on the neighborhood. He stated that he is concerned about zoning and the land use plan, but more importantly concerned about who goes into these facilities and how this community can move forward. **Councilman Lively seconded the motion.**

Vice Chairman Franklin asked Councilman Taylor to amend his motion to reflect deferral until June 25. Councilmen Taylor and Lively agreed.

On motion of Councilman Taylor, seconded by Councilman Lively,
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 413 SPRING STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS
was tabled until June 25, 2002 at the request of the applicant.

AGREEMENT: FIRST TENNESSEE BANK

Councilwoman Robinson stated Resolutions 7(a) – (c) were discussed in Parks and Recreation Committee and approval is recommended.

On motion of Councilman Lively, seconded by Councilman Pierce,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ENTER INTO AN AGREEMENT WITH FIRST TENNESSEE BANK RELATIVE TO FINANCIAL CHARGE CARD SERVICES FOR THE CITY OF CHATTANOOGA

was adopted.

PAYMENT AUTHORIZATION

On motion of Councilwoman Robinson, seconded by Councilman Pierce,
A RESOLUTION AUTHORIZING PAYMENT IN THE AMOUNT OF TWENTY THOUSAND DOLLARS (\$20,000.00) TO ALLIED ARTS OF GREATER CHATTANOOGA FOR THEIR ADMINISTRATION OF THE ART IN PUBLIC PLACES PROGRAM FOR THE DEPARTMENT OF PARKS, RECREATION, ARTS AND CULTURE

was adopted.

(COUNCILMAN HAKEEM EXCUSED HIMSELF FROM THE MEETING AT THIS POINT.)

AGREEMENT: TOWER CONSTRUCTION CO.

On motion of Councilman Page, seconded by Councilman Lively,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS, RECREATION, ARTS AND CULTURE TO EXECUTE AN AGREEMENT WITH TOWER CONSTRUCTION COMPANY, RELATIVE TO THE RENOVATION OF THE SHEPHERD RECREATION CENTER, IN AN AMOUNT NOT TO EXCEED FORTY-ONE THOUSAND FOUR HUNDRED THIRTY-THREE DOLLARS (\$41,433.00)

was adopted.

CONTRACT: TDOT

On motion of Councilman Benson, seconded by Councilman Page,
**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A
MAINTENANCE CONTRACT WITH THE TENNESSEE DEPARTMENT
OF TRANSPORTATION FOR FISCAL YEAR 2002-2003, RELATIVE TO
THE STATE REIMBURSING THE CITY FOR MAINTENANCE WORK
ON STATE HIGHWAYS ROUTED THROUGH THE CITY**
was adopted.

**CONTRACT: CHATTANOOGA
METROPOLITAN AIRPORT AUTHORITY AND
FIRST TENNESSEE BANK**

On motion of Councilman Lively, seconded by Councilman Page,
**A RESOLUTION AUTHORIZING THE MAYOR OR THE CITY
FINANCE OFFICER TO EXECUTE AN AIRPORT OPERATIONS
SERVICE CONTRACT WITH THE CHATTANOOGA METROPOLITAN
AIRPORT AUTHORITY AND FIRST TENNESSEE BANK**
was adopted.

**AMEND AGREEMENT: CONSOLIDATED
TECHNOLOGIES, INC. AND ARCADIS
GERAGHTY & MILLER, INC.**

On motion of Councilman Benson, seconded by Councilman Lively,
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE
DEPARTMENT OF PUBLIC WORKS TO EXECUTE AMENDMENT NO.
2, FOR PROFESSIONAL SERVICES RELATIVE TO THE MOCCASIN
BEND WASTE WATER TREATMENT PLANT, WITH CONSOLIDATED
TECHNOLOGIES, INC. AND ARCADIS GERAGHTY & MILLER, INC.,
A JOINT VENTURE (CTI/AGM), IN THE AMOUNT OF ONE MILLION
NINE HUNDRED ONE THOUSAND SEVEN HUNDRED FORTY
DOLLARS (\$1,901,740.00), FOR A TOTAL REVISED FEE NOT TO
EXCEED THREE MILLION SIX HUNDRED SIXTY-THREE THOUSAND
FIVE HUNDRED NINETY DOLLARS (\$3,663,590.00)**
was adopted.

OVERTIME

Overtime for the week ending May 17, 2002 totaled \$100,030.17.

PERSONNEL

The following personnel matters were reported for the various departments:

CHATTANOOGA FIRE DEPARTMENT:

- ✍ **RONALD BARROWS** – Promotion, Captain, Pay Grade F4/Step 8, \$45,153.00 annually, effective May 17, 2002.

CHATTANOOGA POLICE DEPARTMENT:

- ✍ **LULA B. GARNER** – Disability Retirement, Office Assistant, Sr., effective April 10, 2002.
- ✍ **ELAINE H. SMITH** – Transfer, Police Records Clerk, effective May 17, 2002.

PUBLIC WORKS DEPARTMENT:

- ✍ **GERALD ROBINSON** – Termination, Crew Worker, Citywide Services, effective May 2, 2002.
- ✍ **TERRANCE T. ALLEN** – Suspension, Crew Worker, Citywide Services, effective May 16-17, 2002.

CHATTANOOGA HUMAN SERVICES DEPARTMENT:

- ✍ **MARY CRAWFORD, MARGARET EDWARDS** – Transfer, Teacher Assistant, Head Start, \$14,560.00 annually, effective May 7, 2002.
- ✍ **VANESSA GREGORY** – Transfer, Teacher Assistant, Head Start, \$20,111.00 annually, effective May 17, 2002.
- ✍ **DEBBIE HAMPTON** – Hire, Dietary Assistant, Head Start, \$5.15 per hour, effective April 29, 2002.
- ✍ **KIMBERLYN JOHNSON** – Transfer, Family Services Supervisor, Head Start, \$21,840.00 annually, effective May 7, 2002.

PERSONNEL (Continued)

- ✍ **ANGELA RAMSEY** – Hire, Family Services Supervisor, Head Start, \$14,560.00 annually, effective May 7, 2002.
- ✍ **VERONICA RUSSELL** – Hire, Teacher Assistant, Head Start, \$14,560.00 annually, effective May 7, 2002.
- ✍ **KAREN SMITH** – Hire, Classroom Substitute, Head Start, \$5.15 per hour, effective May 17, 2002.

FINANCE DEPARTMENT:

- ✍ **LEONDRA JORDAN** – Retirement, Secretary, Building Division, effective May 17, 2002.
- ✍ **BARBARA CANNON** – Hire, Payroll Technician, Payroll Division, Pay Grade 8/Step 1, \$22,153.00 annually, effective May 31, 2002.
- ✍ **MARK D. TIMON** – Medical Leave, Programmer, Information Systems Division, effective May 15 – June 28, 2002.

PURCHASES

On motion of Councilwoman Robinson, seconded by Councilman Benson, the following purchases were approved for use by the Parks and Recreation Department:

KELLEMS RECYCLING (Lowest and best bid)
R0054682/B0000684

Playground Mulch

\$12.50/cubic yard

EARTHSCAPES, LLC (Only bidder)
R0054683/B0000685

Mulch Installation Service

\$7.50/cubic yard

PURCHASES (Continued)**BOOKER FORD, Inc. (Lowest and best bid)****R0054668/B0000682**

Crew Cab Pick-Up Truck

\$24,890.00

BROOKER FORD (Lowest and best bid)**R0057877/B0000683**

Three-Fourth Ton Pick-Up Truck

\$20,781.30

PURCHASE

On motion of Councilman Lively, seconded by Councilman Pierce, the following purchase was approved for use by the Public Works Department:

KUT-KWICK CORP. (Best bid)**R060807/B0000582**

Commercial Slope Mower

\$37,510.00

PURCHASE

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

SIGNATURE EMPLOYMENT AGENCY AND CAROLYN'S TEMPRESOURCE**(Dual contracts)****R0037709/P0017264**

Citywide Temporary Employment Services Requirements Contract

(Signature Employment Agency: Lowest and best bid awarded as the primary contract. Carolyn's TempResource: Second lowest bid, secondary contract to serve as a back-up support.)

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

REFUND

On motion of Councilman Pierce, seconded by Councilman Lively, the Administrator of Finance was authorized to issue the following refund for 2001 property taxes:

PVS MAC LLC – Error and Release 2116 - Amended Report, Map No. 1023862, \$2,786.99.

COMMITTEES

Councilwoman Robinson stated during next week's Public Works Committee meeting two volunteers who have been active in their neighborhood park through the Parks and Recreation Department will discuss their joint sponsorship and how it is working. She stated the volunteers want to express thanks to the Public Works Department for the job they're doing and encourage their park model as one to follow for other neighborhood parks' maintenance and care.

NORTH RIVER/HIXSON LAND USE PLAN

Councilman Page spoke on behalf of Councilmen Lively and Robinson regarding the presentation of the land use plan for the North River/Hixson area. He stated there was a great turnout and those in attendance were asked to make comments; that there was an effort to ensure that the public had an opportunity to express their view. He expressed thanks to the Regional Planning Agency for their participation, indicating the plan would be presented to the Council in about thirty days.

NEXT WEEK'S AGENDA: MAY 28, 2002

Vice Chairman Franklin asked Council members to peruse next week's agenda for any concerns they might have.

SISTER BEY

Sister Bey addressed the Council regarding the removal of two vehicles from her yard and the illegality of persons coming onto her property. She stated that she is being charged \$65 a day for storage of the vehicles and that she had spoken with Judge Meyer about the matter and was told to file a suit against the City. She stated that she intends to speak to the Secretary of HUD about this during his visit to the City on Thursday.

SISTER BEY (Continued)

Sister Bey stated that she asked Kenardo Curry what would happen to the two cars (a Cadillac and a Cadillac Sedan DeVille) and was told they would be demolished. She stated that she would hold the City liable if her cars were demolished.

ADJOURNMENT

Vice Chairman Franklin adjourned the meeting of the Chattanooga Council until Tuesday, May 28, 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)**