

**City Council Building  
Chattanooga, Tennessee  
July 2, 2002  
6:00 p.m.**

Chairman Littlefield called the meeting of the Chattanooga Council to order with Councilmen Benson, Franklin, Hakeem, Lively, Pierce, Robinson and Taylor present; Councilman Page was absent due to personal commitment. City Attorney Randall Nelson, Management Analyst Randy Burns and Council Clerk Carol O'Neal, CMC, were also present.

#### **PLEDGE OF ALLEGIANCE/INVOCATION**

Following the Pledge of Allegiance, Councilman Taylor gave invocation.

#### **MINUTE APPROVAL**

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

#### **REZONING**

**2002-073: River City Resort, Inc.**

On motion of Councilman Lively, seconded by Councilwoman Robinson,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,  
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF  
LAND LOCATED AT 501 MANUFACTURERS ROAD, MORE PARTICULARLY  
DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3  
CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS**

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

**AMEND ORDINANCE NO. 11216**

**MR-2001-153: Americo Group by Thomas Kale**

Councilwoman Robinson expressed thanks to City Attorney Nelson for his assistance in getting this Ordinance prepared for tonight's agenda.

City Attorney Nelson stated the Council approved the closure and abandonment of this property sometime last December and the property description described it as being between 33<sup>rd</sup> Street, 35<sup>th</sup> Street, Broad Street and St. Elmo Avenue, and went on to describe another part as being "*more particularly described herein*" and mentioned Glenview Street. He stated the title company did not like the part indicating "*more particularly described herein*" and asked that all streets being abandoned be named or not name any of them except in that area. He stated it was determined that the latter was easier to do and this amendment only amends the description.

On motion of Councilman Taylor, seconded by Councilwoman Robinson,  
**AN ORDINANCE AMENDING ORDINANCE NO. 11216, ADOPTED  
 DECEMBER 4, 2001, CLOSING AND ABANDONING ALL RECORDED  
 RIGHTS-OF-WAY IN AN AREA BOUNDED BY WEST 33<sup>RD</sup> STREET ON THE  
 NORTH, WEST 35<sup>TH</sup> STREET ON THE SOUTH, BROAD STREET ON THE EAST  
 AND ST. ELMO AVENUE ON THE WEST, AS SHOWN ON THE MAP  
 ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, BY  
 CORRECTING THE PROPERTY DESCRIPTION**  
 passed first reading.

**CLOSE AND ABANDON**

**MR-2002-041: Regina Sawyer**

Councilman Hakeem stated Ordinances 6(b) and (c) were discussed in today's Public Works Committee and approval is recommended.

On motion of Councilman Hakeem, seconded by Councilman Lively,  
**AN ORDINANCE CLOSING AND ABANDONING A FIFTY FOOT (50')  
 WIDE RIGHT-OF-WAY LOCATED IN THE 1800 BLOCK OF MOREHOUSE  
 STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON  
 THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY  
 REFERENCE**  
 passed first reading.

**CLOSE AND ABANDON**

**MR-2002-064: S. Reginald Ruff, III**

The applicant was present; there was no opposition.

On motion of Councilman Taylor, seconded by Councilman Benson,  
**AN ORDINANCE CLOSING AND ABANDONING ALL INTERIOR RIGHTS-  
OF-WAY LOCATED WITHIN THE MCCALLIE HOMES COMPLEX, MORE  
PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP  
ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE**  
passed first reading.

**DONATION OF PROPERTY**

On motion of Councilman Lively, seconded by Councilman Franklin,  
**A RESOLUTION AUTHORIZING THE DONATION OF PROPERTY LOCATED  
NEAR U.S. 27 AND MANUFACTURER'S ROAD IN NORTH  
CHATTANOOGA, AS SHOWN ON EXHIBIT "A" ATTACHED HERETO AND  
MADE A PART HEREOF BY REFERENCE, TO THE TENNESSEE DEPARTMENT  
OF TRANSPORTATION FOR THE OLGIATTI BRIDGE IMPROVEMENT  
PROJECT**  
was adopted.

**DECLARE SURPLUS**

**MR-2002-015: City of Chattanooga**

On motion of Councilwoman Robinson, seconded by Councilman Taylor,  
**A RESOLUTION DECLARING CERTAIN PARCELS OF REAL PROPERTY  
LOCATED ON FREDERICK STREET IN ALTON PARK, MORE PARTICULARLY  
DESCRIBED HEREIN, AS SURPLUS AND AUTHORIZING THE  
CONVEYANCE OF SAID PROPERTIES TO CHATTANOOGA  
NEIGHBORHOOD ENTERPRISE**  
was adopted.

**DECLARE SURPLUS**

On motion of Councilman Taylor, seconded by Councilwoman Robinson,  
**A RESOLUTION DECLARING CERTAIN PARCELS OF REAL PROPERTY LOCATED AT 1003, 1005 AND 1009 EAST 11<sup>TH</sup> STREET, MORE PARTICULARLY DESCRIBED HEREIN, AS SURPLUS AND AUTHORIZING THE CONVEYANCE OF CERTAIN PARCELS OF REAL PROPERTY LOCATED ON MARTIN LUTHER KING BOULEVARD AND EAST 11<sup>TH</sup> STREET, MORE PARTICULARLY DESCRIBED HEREIN, TO INNER CITY DEVELOPMENT CORPORATION**  
 was adopted.

**PAYMENT AUTHORIZATION**

Councilwoman Robinson indicated Resolutions 7(d) – (f) were discussed in Parks and Recreation Committee and are recommended for approval.

On motion of Councilwoman Robinson, seconded by Councilman Taylor,  
**A RESOLUTION AUTHORIZING PAYMENT IN THE AMOUNT OF FIFTY THOUSAND DOLLARS (\$50,000.00) TO RIVERCITY PARTNERS AS THE CITY OF CHATTANOOGA'S SHARE OF THE COSTS TO CREATE A PUBLIC PARK ON 17<sup>TH</sup> STREET BETWEEN MARKET STREET AND LONG STREET**  
 was adopted.

**SOCCER COMPLEX MANAGEMENT AUTHORITY CORPORATION BOARD APPOINTEES**

On motion of Councilwoman Robinson, seconded by Councilman Franklin,  
**A RESOLUTION CONFIRMING AND APPROVING THE APPOINTMENTS OF JOHN BODE, WHITNEY DRAYER AND MARK LYNSKEY TO REPRESENT THE CITY OF CHATTANOOGA ON THE REGIONAL SOCCER COMPLEX MANAGEMENT AUTHORITY CORPORATION BOARD**  
 was adopted.

**APPROPRIATION**

On motion of Councilman Pierce, seconded by Councilwoman Robinson,  
**A RESOLUTION AUTHORIZING THE APPROPRIATION OF ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) FROM THE EXISTING CAPITAL FUND TO THE WESTSIDE COMMUNITY DEVELOPMENT CENTER FOR CONSTRUCTION OF A WALKING TRACK AND PAVILION**  
 was adopted.

**CONTRACT: LICHTENSTEIN CONSULTING  
ENGINEERS, INC.**

Councilman Hakeem stated Resolutions 7(g), (h), (j) and (k) were discussed in Public Works Committee and approval is recommended.

On motion of Councilman Hakeem, seconded by Councilman Taylor,

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO A CONTRACT WITH LICHTENSTEIN CONSULTING ENGINEERS, INC., RELATIVE TO THE FOURTH BIENNIAL INSPECTION OF THE WALNUT STREET BRIDGE, IN AN AMOUNT NOT TO EXCEED THIRTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$37,500.00)**

was adopted.

**CONTRACT: C&I CONSTRUCTION & IMPROVEMENT  
SPECIALTY CO., INC.**

As the Clerk of the Council read the caption of this Resolution as written, it was indicated that the caption made reference to "Baldwin" Elementary School. Councilman Hakeem inquired as to whether the caption should reflect "Brown" Elementary School? Chairman Littlefield indicated that the matter should reflect Brown Elementary School and thanked Councilman Hakeem for "catching" the unintentional error. City Attorney Nelson made the change in open meeting.

On motion of Councilwoman Robinson, seconded by Councilman Pierce,

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO A CONTRACT WITH C&I CONSTRUCTION & IMPROVEMENT SPECIALTY CO., INC., RELATIVE TO COMPLETION OF A SIDEWALK IN FRONT OF THE BROWN ELEMENTARY SCHOOL, FOR AN AMOUNT NOT TO EXCEED EIGHTEEN THOUSAND EIGHT HUNDRED FORTY-EIGHT DOLLARS (\$18,848.00)**

was adopted.

**CITY-FUNDED NEIGHBORHOOD GRANTS**

On motion of Councilman Lively, seconded by Councilman Franklin,

**A RESOLUTION AUTHORIZING THE AWARD OF CITY-FUNDED NEIGHBORHOOD GRANTS IN THE TOTAL AMOUNT OF ONE HUNDRED FIFTEEN THOUSAND DOLLARS (\$115,000.00)**

was adopted.

**AGREEMENT: TDOT**

On motion of Councilman Benson, seconded by Councilman Franklin,

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION TO AUTHORIZE THE INSTALLATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF BRAINERD ROAD AT THE OSBORNE DEVELOPMENT ENTRANCE, WITH SAID SIGNAL TO BE DESIGNED AND INSTALLED BY OSBORNE OFFICE/RETAIL DEVELOPMENT, INC.**

was adopted.

**AGREEMENT: TDOT**

On motion of Councilman Hakeem, seconded by Councilman Franklin,

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION RELATIVE TO THE RIGHT-OF-WAY FOR STREET IMPROVEMENTS ON STATE ROUTE 389 (4<sup>TH</sup> STREET) AND STATE ROUTE 9 (MARKET STREET)**

was adopted.

**AGREEMENT: OOLTEWAH NURSERY AND LANDSCAPE COMPANY**

On motion of Councilwoman Robinson, seconded by Councilman Pierce,

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS, RECREATION, ARTS AND CULTURE TO EXECUTE AN AGREEMENT WITH OOLTEWAH NURSERY AND LANDSCAPE COMPANY, INC., RELATIVE TO PHASE 2 OF THE WASHINGTON HILLS FOOTBALL FIELD REHABILITATION PROJECT, IN AN AMOUNT NOT TO EXCEED SEVENTY-ONE THOUSAND TWO HUNDRED FIFTY-THREE DOLLARS (\$71,253.00)**

was adopted.

**DECLARE A MORATORIUM**

Chairman Littlefield indicated that this Resolution is a continuation of a moratorium that has been in place for some time.

**DECLARE A MORATORIUM (Continued)**

Councilman Pierce inquired as to whether the former Henry Branch YMCA property is included in the moratorium?

Jerry Pace, Director of Operations for the Regional Planning Agency, stated if the property does not require a rezoning change, the moratorium is on rezoning requests for the area. He stated the property is presently zoned R-3.

City Attorney Nelson clarified that the moratorium is on any non-residential use property.

Mr. Pace stated that this matter was discussed earlier; that this is an extension of the earlier 90-day moratorium.

Councilman Pierce stated that the process for this particular property was in before the moratorium began and the development is ready to start. He asked if it is possible to come back and rezone that one piece?

Mr. Pace stated what is proposed for that site does not require rezoning. He stated a single-family development is proposed (for that site) and R-1 can go in that zone; that the area will be downzoned to R-1.

On motion of Councilman Taylor, seconded by Councilman Hakeem,  
**A RESOLUTION DECLARING A MORATORIUM ON ANY REZONINGS OR  
 NON-RESIDENTIAL USES, FOR A PERIOD NOT TO EXCEED SIXTY (60)  
 DAYS, ON ALL PROPERTIES BOUNDED BY MCCALLIE AVENUE, 11<sup>TH</sup>  
 STREET, O'NEAL STREET AND LINDSAY STREET, SO AS TO PERMIT THE  
 CHATTANOOGA-HAMILTON COUNTY REGIONAL PLANNING AGENCY  
 TIME TO PERFORM AN AREA ZONING STUDY**

was adopted.

**CONTRACT: STEIN CONSTRUCTION CO., INC.**

On motion of Councilman Lively, seconded by Councilman Taylor,  
**A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT SS-1-02,  
 CARTER STREET AND 13<sup>TH</sup> STREET STREETScape, TO STEIN  
 CONSTRUCTION COMPANY, INC. FOR THEIR LOW BID FOR PHASE 1A,  
 1B AND 1C IN THE AMOUNT OF FIVE HUNDRED NINETY-NINE  
 THOUSAND ONE HUNDRED EIGHTY-TWO AND 34/100 DOLLARS  
 (\$599,182.34) AND FOR ALTERNATE PHASE II IN THE AMOUNT OF FOUR  
 HUNDRED THIRTY-TWO THOUSAND SIX HUNDRED TWENTY-FIVE AND  
 39/100 (\$432,625.39)**

was adopted.

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

**OVERTIME**

Overtime for the week ending June 28, 2002 totaled \$101,024.42.

**PERSONNEL**

The following personnel matters were reported for the various departments:

**CHATTANOOGA FIRE DEPARTMENT:**

**LINDA WRIGHT** – Retirement, Executive Assistant, effective June 28, 2002

**MARCUS WOLFF** – Suspension (6 days without pay), Captain, effective June 27, 2002.

**FINANCE DEPARTMENT:**

**BARRY BROOKS** – Hire, Accountant, Pay Grade 17/Step 1, \$32,590.00 annually, effective July 12, 2002.

**SHANNON DEFRIESE** – Resignation, Court Clerk, City Court Division, effective July 3, 2002.

**PARKS, RECREATION, ARTS AND CULTURE DEPARTMENT:**

**REBECCA D. KOONTZ** – Resignation, Cultural Arts Program Coordinator, effective June 30, 2002.

**CHATTANOOGA POLICE DEPARTMENT:**

**DANIEL R. ROWE** – Resignation, Police Officer, effective July 11, 2002.

**EDWARD A. JACKSON** – Military Leave, Police Officer, effective June 24, 2002.

**CHICHAEL W. CHOQUETTE** – Return from Military Leave, Police Officer, effective July 8, 2002.



**PERSONNEL (Continued)****PUBLIC WORKS DEPARTMENT:**

**EDWARD L. WARE** – Hire, Crew Worker, Senior, Waste Resources, Pay Grade 5/Step 1, \$18,674.00 annually, effective June 26, 2002.

**CARLTON W. CAMERON** – Lateral Transfer, Equipment Operator, Citywide Services, Pay Grade 5/ Step 1, \$30,463.00 annually, effective June 26, 2002.

**CURTIS WYATT** – Compulsory Medical Leave, Equipment Operator, Citywide Services, effective June 26 – December 26, 2002.

**GREGORY S. BALLARD** – Family Medical Leave, Survey Instrument Technician, Engineering, effective June 16 – July 31, 2002.

**JEFF PFITZER** – Hire, Development Planning Manager, Administration, Pay Grade 28/Step 1, \$45,346.00, effective May 13, 2002.

**COMMUNITY SERVICES DEPARTMENT:**

**JAN Y. BEALL** – Resignation, Secretary, Senior, Community Development, effective June 4, 2002.

**PURCHASE**

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

**SOUTHERN PUMP & TANK CO. (Only bidder)**  
**R0064149/B0000699**

Electronic Card System, Ross' Landing Marina

\$14,916.00

**PURCHASES (Continued)****INTEC (Contract supplement)****R0057872/B0000678**

Telecommunications Equipment and Cabling

*(Two options were proposed for this system, Option A with Nortel (\$19,712) for a 4-port voicemail system or Option B for a Siemens Office Point (\$18,605) with a 4-port voicemail system. The amount approved by the Council on May 7, 2002 was based upon the cost of Option B for \$18,605; however, on advice of Information Services' Telecommunications Division, Option A was chosen due to the City's moving toward standardization of voice communications equipment, an increase of \$1,107.00).*

\$19,712.00

**HOTEL PERMIT**

On motion of Councilwoman Robinson, seconded by Councilman Taylor, the following hotel permit was approved:

**HAMPTON INN** – 1920 Hamill Road, Chattanooga, TN**PURCHASE**

On motion of Councilman Taylor, seconded by Councilman Franklin, the following purchase was approved for use by the Finance Department, Information Services Division:

**COMPAQ COMPUTER CORPORATION (COMPAQ) (Lowest and best bid)****R0049205/P0017509**

Computer Hardware Maintenance Requirements Contract

\$11,527.16 per month

**ADVICE FROM COUNSEL**

City Attorney Nelson stated after recusing himself from a zoning matter (*2002-071 – Volunteer Behavioral Health Care Systems*) last week and after conferring with Council Chairman Littlefield, an attorney with Spears, Moore, Rebman and Williams will be present next week to meet with the Council in an effort to advise them regarding the matter.

**JUDGE WALTER WILLIAMS**

Chairman Littlefield recognized the presence of City Court Judge Walter Williams.

**LINDSEY MALLEN**

Councilwoman Robinson welcomed a special visitor attending the Council meeting, her granddaughter, Lindsay Mallen, an eighth grade student who will be working with her this summer on various projects in the hope she will have interesting information to share with classmates in September!

**COMMITTEES**

Councilman Lively reminded Council members of the **Budget and Finance Committee scheduled for Tuesday, July 9 immediately following the Public Works Committee meeting.**

Councilman Franklin scheduled a **Safety and Security Committee meeting for Tuesday, July 16 immediately following the meeting of the Parks and Recreation Committee.**

**AGENDA FOR JULY 9, 2002**

Chairman Littlefield indicated that the agenda for July 9 appears to be pretty full, with quite a bit of "ground to cover".

**SISTER BEY**

Sister Bey addressed the Council regarding Resolution 7(l) authorizing neighborhood grants in the amount of \$115,000. She inquired as to what neighborhoods are involved, indicating that the Bushtown community does not "see" any of the money. She stated members of "her organization" are going to Washington on July 12 to the Federal Security Administration and plan to have a caucus in Nashville, as well, as they are "tired of being used". She indicated Chattanooga Neighborhood Enterprise was supposed to repair a house next door to her and no work has started on it.

**ADJOURNMENT**

Chairman Littlefield adjourned the meeting of the Chattanooga Council until Tuesday, July 9, 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)**