

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

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

MINUTE APPROVAL

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

**SPECIAL PRESENTATION: "QUILT OF THANKS" BY
THE BUSY BEE QUILTERS**

Jim Long, Recreation Specialist at John A. Patten Center, stated that the Busy Bee Quilters are celebrating their tenth anniversary with the Center. He stated they have made quilts for the Center and the Parks and Recreation Department that have been raffled off at state and national conferences. He introduced members of the group who were present and indicated that they meet three days a week (at the Center) and are a blessing to the City.

At this point the quilt was presented by the members and was accepted by Councilwoman Robinson on behalf of the City.

Gladys Barley, a member of the group, stated that the quilt is a sampler and that each of the nine members of the group made four designs. She stated that they enjoy having a nice place to quilt and appreciate the City more than any one knows!

**SPECIAL PRESENTATION: "QUILT OF THANKS" BY
THE BUSY BEE QUILTERS**

Councilwoman Robinson presented the ladies of the group with a framed Certificate of Appreciation on behalf of the Council.

REZONING

2002-071: Volunteer Behavioral Health Care Systems

Councilman Taylor stated this matter was deferred from October 15 and the request is to defer an additional three weeks, until November 19.

On motion of Councilman Taylor, 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 413 SPRING STREET, MORE PARTICULARLY
DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-2
CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN
CONDITIONS**

was deferred three weeks (November 19, 2002).

**AMEND BUDGET ORDINANCE AND SET FORTH
INTERCEPTER SEWER SYSTEM BUDGET**

Councilman Hakeem stated Ordinances (a) and (b) were discussed in Public Works Committee today and approval is recommended. He stated representatives from the Manufacturer's Association were present at the Committee meeting and, according to Admin. McDonald, all parties are convinced this is a "win-win" situation for everyone.

Admin. McDonald expressed thanks to Ray Childress of the Manufacturer's Association for their work.

Ray Childress, President of the Chattanooga Manufacturer's Association (CMA), stated that the CMA appreciates the opportunity provided by the Mayor, Waste Water staff and Council to permit the Association to have meaningful input into the rate setting process. He stated the CMA supports the Ordinance and that it makes him feel good to be able to say that! He stated the CMA looks forward to working with the Waste Water staff to identify opportunities to continue to provide competitive rates in which the cost of service is the key determinant.

**AMEND BUDGET ORDINANCE AND SET FORTH
INTERCEPTER SEWER SYSTEM BUDGET**

Robert Clark expressed concern and asked if this is the matter that was on the voting ballot today pertaining to the City having the opportunity to raise taxes on property.

Chairman Littlefield stated this matter was not on the ballot; that it sets the budget for the sanitary sewer service system.

City Attorney Nelson explained that the item on the ballot was the assessment to back taxes and some of the procedures the City goes through to collect property taxes, which has nothing to do with sewer taxes.

Mr. Clark expressed that he understood.

On motion of Councilman Hakeem, seconded by Councilman Benson,
AN ORDINANCE TO AMEND ORDINANCE NO. 11285, ENTITLED "AN ORDINANCE TO PROVIDE REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 2002, AND ENDING JUNE 30, 2003, AND APPROPRIATING SAME TO THE PAYMENT OF EXPENSES OF THE MUNICIPAL GOVERNMENT, FIXING THE RATE OF TAXATION ON ALL TAXABLE PROPERTY IN THE CITY, AND THE TIME TAXES AND PRIVILEGES ARE DUE, HOW THEY SHALL BE PAID, WHEN THEY SHALL BECOME DELINQUENT; AND PROVIDE FOR INTEREST AND PENALTY ON DELINQUENT TAXES AND PRIVILEGES." SO AS TO PROVIDE FOR CERTAIN CHANGES IN THE PERSONNEL POSITIONS SET OUT IN SECTION 7(b); ADD SECTION 6(c); AND TO SET FORTH THE BUDGET OF THE INTERCEPTER SEWER SYSTEM
passed first reading.

AMEND CITY CODE

Chairman Littlefield explained that this is a "companion" to the Ordinance that was just passed on first reading.

On motion of Councilman Hakeem, seconded by Councilman Franklin,
AN ORDINANCE TO AMEND PART II, CHATTANOOGA CITY CODE, CHAPER 31, ARTICLE II, SECTIONS 31-36, 31-41 AND 31-43, RELATIVE TO SEWER SERVICE CHARGES AND FEES
passed first reading.

**ADOPTION OF RECORDS RETENTION MANUAL
APPROVED BY MTAS**

On motion of Councilman Hakeem, seconded by Councilman Franklin,
**A RESOLUTION ADOPTING THE RECORDS RETENTION MANUAL
APPROVED BY THE MUNICIPAL TECHNICAL ADVISORY SERVICE AS THE
OFFICIAL RECORDS RETENTION SCHEDULE OF THE CITY OF
CHATTANOOGA**
was adopted.

TEMPORARY USE: CHARLES STANDEFER

On motion of Councilman Page, seconded by Councilman Benson,
**A RESOLUTION AUTHORIZING CHARLES STANDEFER TO USE
TEMPORARILY THE CITY'S RIGHT-OF-WAY AT 4373 CROSS STREET FOR
LANDSCAPE ENHANCEMENTS, SUBJECT TO CERTAIN CONDITIONS**
was adopted.

TEMPORARY USE: CONOCO, INC.

On motion of Councilman Taylor, seconded by Councilman Franklin,
**A RESOLUTION AUTHORIZING CONOCO, INC. TO USE TEMPORARILY
THE CITY'S RIGHT-OF-WAY AT THE 200 BLOCK OF BROWNS FERRY
ROAD FOR INSTALLATION OF A GROUNDWATER MONITORING WELL,
SUBJECT TO CERTAIN CONDITIONS**
was adopted.

**TEMPORARY USAGE/AGREEMENT: U.S. PARK
SERVICE AND FRIENDS OF THE CHICKAMAUGA
AND CHATTANOOGA NATIONAL MILITARY PARK**

On motion of Councilman Franklin, seconded by Councilman Page,
**A RESOLUTION APPROVING, RATIFYING AND CONFIRMING A
TEMPORARY USAGE BY THE UNITED STATES PARK SERVICE AND THE
FRIENDS OF THE CHICKAMAUGA AND CHATTANOOGA NATIONAL
MILITARY PARK FOR THE PLACEMENT OF HISTORIC MARKERS ON CITY
LAND IN CONNECTION WITH THE BRAGG RESERVATION PROJECT AND
FURTHER AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT, A
COPY OF WHICH IS ATTACHED HERETO AND MADE A PART HEREOF BY
REFERENCE**
was adopted.

CHANGE ORDER

On motion of Councilman Page, seconded by Councilwoman Robinson,
A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1, RELATIVE TO MOCCASIN BEND WASTE WATER TREATMENT PLANT, CENTRIFUGE BUILDING NO. 2 AND PLANT WAREHOUSE, CONTRACT NO. 28K, WITH MAX FOOTE CONSTRUCTION COMPANY, INC., WHICH CHANGE ORDER DECREASES THE CONTRACT AMOUNT BY TWO THOUSAND THREE HUNDRED SEVENTY-EIGHT DOLLARS (\$2,378.00), FOR A REVISED CONTRACT PRICE OF THREE MILLION NINE HUNDRED FIFTY-NINE THOUSAND SIX HUNDRED TWENTY-TWO DOLLARS (\$3,959,622.00)
was adopted.

OVERTIME

Overtime for the week ending October 25, 2002 totaled \$14,712.21.

PERSONNEL

The following personnel matters were reported from the various departments:

PUBLIC WORKS DEPARTMENT:

- ✍ **ALONZO TRAMMELL** – Family Medical Leave, Crew Worker, Citywide Services, effective October 21, 2002 – January 13, 2003.
- ✍ **BUDDY L. BROWN** – Voluntary Demotion, Equipment Operator, Sr., Citywide Services, Pay Grade 8/Step 11, \$34,058.00 annually, effective October 21, 2002.
- ✍ **JAMES J. SWILLEY** – Correction of Pay Grade and Step for Transfer/Promotion, Water Quality Technician, Engineering, Pay Grade 10/Step 1, \$24,474.00 annually, effective October 4, 2002.

CHATTANOOGA POLICE DEPARTMENT:

- ✍ **WAYNE HENNESSEE** – Rehire, School Patrol Officer, \$26.01 per hour, effective October 21, 2002.

PERSONNEL (Continued)

- ✍ **DEVONA R. JENKINS, SANDRA J. BRINLING, LINDA J. HENDERSON** – Hire, School Patrol Officer, \$26.01 per hour, effective October 21, 2002.
- ✍ **HASSELLE C. WARE** – Hire, School Patrol Officer, \$26.01 per hour, effective October 28, 2002.
- ✍ **MARIO T. CUNNINGHAM** -- Military Leave Extension, Police Officer, extended to September 27, 2003.
- ✍ **TONYA RANSOM** – Return from Medical Leave, Police Officer, effective October 18, 2002.

CHATTANOOGA HUMAN SERVICES DEPARTMENT:

- ✍ **ANNETTE TATUM** – Hire, Teacher Assistant, Head Start, \$13,377.00 annually, effective October 11, 2002.

PURCHASE

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

TIBURON, INC. (Proprietary supplemental purchase)
R0065076/P0018404

Annual Software Maintenance and Support Agreement per TCA 6-56-304.2

\$37,568.00

PURCHASE

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

MCBRAYER CONSTRUCTION (Lower and better bid)
R0064977/B0000723

New Call Center Construction

\$70,040.00

REFUND

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

FORTWOOD CENTER, INC. -- Map No. 1360-C-005.01, State of Tennessee Board of Equalization exemption approval effective January 1, 2001, \$1,442.14.

BOARD APPOINTMENT

On motion of Councilman Hakeem, seconded by Councilman Pierce, the following Board appointment was approved:

VARIANCES AND SPECIAL PERMITS BOARD:

- ✍ Appointment of **NICOLE DESTASIO** for a term ending August 15, 2004, representing District 9.

COMMITTEES

Councilman Benson scheduled a meeting of the **Legal and Legislative Committee for Tuesday, November 5 at 3 p.m.**

Councilman Hakeem reminded Council members of the meeting of **the Public Works Committee scheduled for Tuesday, November 12 at 4 p.m.**

Councilman Page stated a meeting of the **Economic Development Committee is scheduled for Tuesday, November 5 immediately following the meeting of the Parks and Recreation Committee.**

Councilwoman Robinson stated the meeting of the **Parks and Recreation Committee is scheduled for Tuesday, November 5 at 4 p.m.** for an update to the Council on the action plan and community workshop approved for the public art program.

Chairman Littlefield made reference to the public art displayed in China during his recent visit, indicating that a lot of money and effort has been put into that program, as public art is very important to them. He indicated that the roadways are landscaped and that window boxes are prevalent on interstate passovers.

REQUEST FOR AVONDALE LAND USE STUDY

Councilman Pierce asked the Regional Planning Agency (RPA) to conduct a land use study for the Avondale area. He stated the community representatives have discussed the matter with Mr. Pace and are actually the ones requesting the study. He stated it has come to the community's attention that the Housing Authority is looking at land in the area for redevelopment.

Jerry Pace of the Regional Planning Agency stated that the Housing Authority has begun a redevelopment plan for the Avondale community and Barry Bennett, Executive Director of the RPA, has attended some of the meetings. He stated one component of the plan is to be a land use component and it is his understanding from some of those in the neighborhood that they are not satisfied with the Housing Authority's efforts in the redevelopment plan and the possible involvement of Section 8 housing. He stated that he is not certain that the redevelopment has that intent (Section 8 housing) and there could be some misconceptions from the neighborhood. He stated Councilman Pierce has the right to request RPA to do a land use plan; however, he indicated with the workload RPA has there will be a minimum of one year before getting to the plan, and possibly eighteen months. He stated the RPA is backed up that far with other plans and will put the matter on their "to do" list and work on it at their earliest convenience.

Councilman Pierce stated that he wanted to make sure no other requests might come before this; that he knows RPA has a back log.

Councilman Benson expressed concern for Councilman Pierce's comments, referencing the significant impact upon the community. He stated Mr. Pace has indicated that it would be a year "off" before the study is complete as other districts have pending studies. He inquired as to the position for zoning requests that predestines the study.

Councilman Pierce stated he is not fully aware of the situation, yet noticed that the Housing Authority requested some of the City's back tax property which would be part of their development and would have a great effect on what happens in the area. He stated that he knows the City at one time assembled some property on Southern Street for the Housing Authority adjacent to the Harriett Tubman area for the purpose of building single-family transitional housing; that the Housing Authority backed off the project and now want to come back. He stated that it is his thought the biggest concern is that the Housing Authority wants to build not only Section 8 single-family housing but clustered housing, as well. He stated he plans to talk with Mark Rudisill more in-depth and would be meeting with him soon.

REQUEST FOR AVONDALE LAND USE STUDY
(Continued)

Chairman Littlefield suggested that the necessary parties get together to see if priorities are acceptable.

Councilman Pierce inquired as to who would coordinate the meeting.

Chairman Littlefield suggested that Mr. Pace ask Mr. Bennett to give him a call in an effort to get the parties together as quickly as possible.

Mr. Pace stated that he would let Mr. Bennett know in an effort to try to coordinate something with all parties.

DISTRICT 7 "HOPE VI JOB FAIR"

Councilman Taylor invited Council members to the District 7 "HOPE VI JOB FAIR" scheduled for Friday, November 1 at the South Chattanooga Recreation Center. He stated this will be an all day event and that applications would be distributed in an effort to put people to work!

SISTER BEY

Sister Bey stated that she recently visited the United Nations and presented replicas of various flags of "her people". She again indicated her concern that the "Council can seize property," relating to the "seizure" of two Cadillacs from her yard and that no arrangements have been made for her to get them back. She reiterated that she was "tired of the deception" and will not stop fighting!

ADJOURNMENT

Chairman Littlefield adjourned the meeting of the Chattanooga Council until Tuesday, November 5, 2002 at 6 p.m.

CHAIRMAN

CLERK OF COUNCIL

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