

**City Council Building
Chattanooga, Tennessee
January 28, 2003
6:00 p.m.**

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

MINUTE APPROVAL

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

SPECIAL PRESENTATION: BICYCLE PLAN UPDATE

Phil Pugliese stated the Chattanooga Urban Area Bicycle Task Force was made up of persons interested in transportation planning. He stated the Task Force's mission is to devise a plan and programs to facilitate safe use of bicycles and promote connections between land uses. He introduced Chris Gilligan, Chairman of the Task Force, who continued the update by PowerPoint presentation.

Chris Gilligan stated that the Regional Planning Agency (RPA) and many citizens worked over the last year to institute a bicycle master plan for the next twenty-five years. He stated they are proud of the plan and happy it was adopted by the City Council and many other municipalities in the metropolitan area. He stated over eighteen miles of bike routes and lanes have been completed so far and indicated that drainage and storm grates have been upgraded in an effort to accomplish the plan to this point. He stated they inventoried the roads and found previous repaving projects did not address storm grates as many were below level and unsafe for anyone on the road.

SPECIAL PRESENTATION: BICYCLE PLAN UPDATE
(Continued)

Mr. Gilligan stated by spring of 2003 bike racks will have been installed on all 66 CARTA buses for more options for those not wanting to drive a car; that they would ride to the nearest bus stop and place their bikes on the bus. He stated other accomplishment involve a bike-to-work program and that full programs will be offered during the spring and summer for help in better use of bicycles for transportation. He indicated bicycle camps would be an ongoing public education campaign to help people understand how to ride in traffic safely. He stated special biking events will include architectural and historical tours and will be featured as one of the Neighborhood Services Conference events scheduled for this spring.

Mr. Gilligan stated Chattanooga is home to an active bicycle club and there was a 24 percent increase in membership last year. He stated the organization sponsored a Three-State Three-Mountain Challenge with over 400 participants and that Mayor Corker led the ride; that the event will be held again this year and it is anticipated there will be 600+ participants. He stated proceeds from the Challenge goes to various charities. He stated they plan to apply for the Bicycle Friendly Community Designation through the League of American Bicyclists for more national recognition for Chattanooga. He stated one important thing bicycling does on a national and local level is to help the city be in compliance with clean air standards.

Mr. Gilligan concluded his comments by stating one of the next steps they plan to incorporate is a Bicycle and Pedestrian Coordinator and will be working with various agencies and businesses to help secure grant monies to employ a Coordinator, indicating that they do not expect the City to "foot the bill" for this. He stated the person employed in the Coordinator position would work with the various agencies, as well, as they have formed a partnership with various businesses to help promote an active life style to integrate bicycling as a public transportation use. He stated whether or not they get the grant, they will have all the people "at the table" talking about ways to use the facilities that have been built - greenways and bicycle pedestrian facilities. He stated Phase I of the program is expected to be completed by 2004 and they will continue to work with the City to institute the additional miles still slated for production. At this point he thanked the Council for their help in improving the quality of life for all of Chattanooga.

Councilman Benson inquired as to whether the Association has been contacted regarding the April 5th opening of Heritage Park in East Brainerd and the bike-a-thon that has been planned.

SPECIAL PRESENTATION: BICYCLE PLAN UPDATE
(Continued)

Mr. Gilligan responded "yes"; that they have been asked about that.

Councilman Benson referenced that the East Brainerd area is included in Phase 4 of the plan. Mr. Gilligan responded that Phase I of the plan would involve the first three years and indicated that the Mayor asked that the routing be completed by January, which has been done.

Councilman Hakeem asked if there are standards as far as the type of bicycle that could be used on streets. Mr. Gilligan responded that right now there are no standards on repairs of bicycles appropriate for street use. He stated there are some City Code standards about riding, reflectors and warning devices; that there should be a bell on the bicycle if persons are not capable of yelling loudly enough to get the attention of others. He stated they certainly want people to understand how to maintain their bicycles better; that it is important to have a safe bicycle and keep it well maintained.

Chairman Littlefield stated that it was his thought a bell is required. One of the persons in attendance with the Task Force stated that a sounding device is still required.

Chairman Littlefield expressed thanks for Mr. Gilligan and others' presence to bring the Council "up to speed" on where the plan is and expressed hope that good things will continue to happen through their partnerships!

CLOSE AND ABANDON

MR-2002-124: Eva L. Pate and Ernest L. Pate, Jr.

On motion of Councilman Lively, seconded by Councilman Franklin,
**AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED ALLEY
LOCATED WEST OF EAST 33RD STREET AND WEST 15 FEET OF EAST 33RD
STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON
THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY
REFERENCE, SUBJECT TO THE CITY MAINTAINING A SEWER EASEMENT
FOR THE FULL WIDTH OF EAST 33RD STREET**

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

REZONING

2002-136: Troy L. Cox

On motion of Councilwoman Robinson, 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 706 ASHLAND TERRACE, MORE PARTICULARLY
DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE AND C-2
CONVENIENCE COMMERCIAL ZONE TO C-2 CONVENIENCE
COMMERCIAL ZONE TO WITHIN SIXTY (60) FEET OF THE EAST PROPERTY
LINE, FIFTY (50) FEET OF THE WEST PROPERTY LINE, EIGHTY (80) FEET OF
THE SOUTH PROPERTY LINE AND SIXTY (60) FEET OF THE EAST PROPERTY
LINE WITH THE REMAINDER OF THE R-1 RESIDENTIAL ZONE PROPERTY
BEING R-1 RESIDENTIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**

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

CLOSE AND ABANDON

MR-2002-198: Robert L. and Donna S. Morris

On motion of Councilwoman Robinson, seconded by Councilman Page,
**AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED
PORTION OF THE 1100 BLOCK OF MORRIS LANE, 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 Franklin, the Ordinance passed third and final reading and was signed in open meeting.

REZONING

2002-209: Timothy Duckett

Judge Walter Williams addressed this request by indicating that there is a problem that is happening routinely with persons operating prior to a zoning change becoming effective, which creates nothing but havoc! He stated it is hoped the Council would emphasize to those making rezoning requests that their zone change does not become effective until fifteen days after the second and third reading.

REZONING (Continued)

Judge Williams stated that it is his thought that persons should be cited and that the Council should reconsider the request from moving forward if someone does this. He stated that he has received several calls about this because this person has already begun using the property; that he has warned this person before in Court about violating zoning ordinances regarding this property. He stated he is not objecting if the Council wishes to move forward; however, this person is doing the same thing he told him previously not to do and he (Williams) is tired of it! He stated he spoke with Mr. Duckett today and told him he was coming to make the Council aware of it. He stated that he is not suggesting that the Council deny the request; that maybe a handout of some type could be generated specifying that persons are not to begin operation until fifteen days after the zoning has been approved on second and third reading.

Chairman Littlefield stated traditionally persons have been told the request would not pass until after second and third reading; that it disturbs him if people become upset once a rezoning request has been approved.

Judge Williams stated that the calls he received were from a competitor, quite frankly; another gentleman in the bonding business who might feel another has a competitive advantage over him.

Councilman Franklin stated that he had a brief conversation with Judge Williams today about this matter, indicating that he attended a meeting of the neighborhood association about this. He stated that he concurs with Judge Williams that a competitor has been creating a little havoc. He stated the applicant was not present for last week's public hearing and is not present tonight. He asked that the matter be tabled one more week prior to third reading.

Management Analyst Randy Burns stated that Mr. Duckett did come by and he told him he (Duckett) probably did not need to be present.

Councilman Pierce stated Mr. Duckett could come next week; that there would still be another two weeks after third reading before the rezoning would become effective.

Chairman Littlefield stated that it is his thought the purpose would be to let him know he should not start construction; that he went by the site and dirt is being moved out there.

Councilman Franklin clarified that dirt is not being moved; that the applicant is just parking vehicles on the lot.

REZONING (Continued)

Councilman Benson stated that Mr. Duckett is in operation. Chairman Littlefield stated that he is moving into an existing building. Councilman Benson then stated that the building is unoccupied; that the former owner died.

Councilman Franklin clarified that that is not right; that ownership has been passed from one company to the next.

Councilman Benson stated that he drives by the area every day and there was a lot of activity as the first reading passed; that he thought it was presumptuous to initiate this activity out-of-zone.

Councilman Franklin asked the Council's indulgence to table third reading one more week to re-enforce the applicant's understanding of how this should proceed.

On motion of Councilman Franklin, seconded by Councilman Hakeem,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A PORTION
OF A TRACT OF LAND LOCATED AT 1323 GREENWOOD ROAD, MORE
PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-
4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**
passed second reading.

CLOSE AND ABANDON

MR-2002-231: City of Chattanooga

On motion of Councilman Lively, seconded by Councilman Taylor,
**AN ORDINANCE CLOSING AND ABANDONING AN UNNAMED ALLEY
AND A PORTION OF THE 2000 BLOCK OF CUSHMAN STREET, MORE
PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP
ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE,
SUBJECT TO THE CITY MAINTAINING A SEWER EASEMENT**
passed second reading. On motion of Councilman Pierce, seconded by Councilman Franklin, the Ordinance passed third and final reading and was signed in open meeting.

**AMEND CITY CODE: FIREMEN'S AND POLICEMEN'S
PENSION FUND**

City Attorney Nelson stated that this ordinance has been before committee twice and the last time it was discussed the Council wanted to put a sunset on it and that has been included. He stated there is also a clause that if any portion of the ordinance were declared invalid the whole thing would back to where it began.

Chairman Littlefield stated the changes are simply to deal with the unknown in today's financial market to maintain the pension as solid and stable and provide for what it is intended for.

On motion of Councilman Benson, seconded by Councilwoman Robinson,
**AN ORDINANCE TO AMEND THE FIREMEN'S AND POLICEMEN'S
INSURANCE AND PENSION FUND AND TO RESTATE SAME AS THE FIRE
AND POLICE PENSION FUND, CHATTANOOGA CITY CODE, PART II,
CHAPTER 2, ARTICLE III, DIVISION 8**
passed first reading.

REZONING

2002-162: James K. Glenn

The applicant was not present; there was no opposition in attendance.

Mr. Pace stated this request has been deferred on two-or-three occasions waiting for approval of the downtown plan. He stated the plan is in the final states at this point yet not ready for adoption, however this matter was scheduled to come back up tonight. He stated the applicant is ready to move forward and the parties involved are in agreement to move forward with this request. He stated the request is located on Rossville Avenue and the surrounding properties are M-1 and R-3; that it is mostly a manufacturing area. He stated the Planning Commission recommends approval for M-1 and the Staff recommended deferral until the downtown plan was complete. He stated since the plan is taking longer than anticipated, the Staff concurs with the Planning Commission that this property should move forward and approval is recommended.

REZONING (Continued)

On motion of Councilman Pierce, seconded by Councilman Page,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF
LAND LOCATED AT 1918 ROSSVILLE AVENUE, MORE PARTICULARLY
DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE TO M-1
MANUFACTURING ZONE**
was adopted.

RIGHT-OF-WAY NAME CHANGE

2002-230: City of Chattanooga

On motion of Councilman Hakeem, seconded by Councilwoman Robinson,
**AN ORDINANCE TO CHANGE THE RIGHT-OF-WAY NAME FOR THE 1700
AND 1800 BLOCKS OF CUMMINGS HIGHWAY TO BROAD STREET AND
FOR A PORTION OF BROAD STREET TO CHATTANOOGA CHRISTIAN
SCHOOL BOULEVARD (CCS BOULEVARD), SAID RIGHTS-OF-WAY
BEING MORE PARTICULARLY DESCRIBED HEREIN**
was tabled two weeks (February 11, 2003).

SPECIAL POLICEMEN

On motion of Councilman Taylor, seconded by Councilman Page,
**A RESOLUTION AUTHORIZING THE APPOINTMENT OF TIMMY J. BELCHER
AND MATT SIGLER AS SPECIAL POLICEMEN (UNARMED) FOR THE CITY
OF CHATTANOOGA DEPARTMENT OF NEIGHBORHOOD SERVICES, TO
DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN
CONDITIONS**
was adopted.

**AGREEMENT: DADE COUNTY WATER AND SEWER
AUTHORITY OF DADE COUNTY, GEORGIA**

Councilman Hakeem stated all matters involving public works were discussed in last week's meeting of the Public Works Committee and approval is recommended.

**AGREEMENT: DADE COUNTY WATER AND SEWER
AUTHORITY OF DADE COUNTY, GEORGIA
(Continued)**

On motion of Councilman Hakeem, seconded by Councilman Lively,
A RESOLUTION AUTHORIZING THE MAYOR OR THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AN AGREEMENT WITH THE DADE COUNTY WATER AND SEWER AUTHORITY OF DADE COUNTY, GEORGIA, RELATIVE TO CONVEYANCE OF WASTEWATER TO THE CITY OF CHATTANOOGA'S WASTEWATER SYSTEM FOR TREATMENT AND DISPOSAL
was adopted.

GRANT

On motion of Councilman Hakeem, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO APPLY FOR AND, IF APPROVED, ACCEPT A GRANT FROM THE UNITED STATES DEPARTMENT OF ENVIRONMENT AND CONSERVATION, RELATIVE TO THE HOUSEHOLD HAZARDOUS WASTE PROGRAM, IN THE AMOUNT OF EIGHTY-FIVE THOUSAND DOLLARS (\$85,000.00)
was adopted.

CONTRACT: RAINES BROTHERS, INC.

On motion of Councilman Lively, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT CW-1-01, SPREADER RACK FACILITY FOR CITYWIDE SERVICES, TO RAINES BROTHERS, INC., FOR THEIR LOW BID IN THE AMOUNT OF NINETY-SIX THOUSAND SEVENTY-FIVE DOLLARS (\$96,075.00)
was adopted.

CONTRACT: SUN VALLEY LIGHTING

On motion of Councilman Benson, seconded by Councilwoman Robinson,
A RESOLUTION AUTHORIZING THE AWARD OF THE CONTRACT FOR PROCUREMENT OF SIDEWALK LIGHT FIXTURES TO SUN VALLEY LIGHTING FOR A TOTAL AMOUNT NOT TO EXCEED SIX HUNDRED TWENTY THOUSAND DOLLARS (\$620,000.00)
was adopted.

CONTRACT WORK AUTHORIZATION NO. 12:
ARCADIS G & M, INC.

On motion of Councilman Hakeem, seconded by Councilman Pierce,
A RESOLUTION AUTHORIZING THE EXECUTION OF WORK AUTHORIZATION NO. 12, WITH ARCADIS G & M, INC., FOR PROFESSIONAL SERVICES PERTAINING TO CONSTRUCTION PHASE SERVICES AND CONSTRUCTION STAKING RELATIVE TO CONTRACT NO. 73B-3, HIXSON MARINA COLLECTION SYSTEM, FOR A TOTAL FEE NOT TO EXCEED SIXTY-SEVEN THOUSAND SIX HUNDRED FIFTY DOLLARS (\$67,650.00)
was adopted.

SEWER EASEMENT

On motion of Councilman Lively, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE PURCHASE OF A PERMANENT SEWER EASEMENT FROM JAMES L. HENRY, RELATIVE TO THE SEWER RELOCATION AT HAMILL ROAD, PARCEL NO. 168I-A-023, TRACT NOS. 1 AND 2, FOR AN AMOUNT NOT TO EXCEED SIX HUNDRED FIFTY DOLLARS (\$650.00)
was adopted.

SEWER EASEMENT

On motion of Councilman Hakeem, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE PURCHASE OF A PERMANENT SEWER EASEMENT FROM MARINA COVE PLACE, INC., RELATIVE TO CONTRACT NO. 73B-3, HIXSON MARINA COLLECTION SYSTEM, PARCEL NO. 101G-C-030, TRACT NO. 004.3, FOR AN AMOUNT NOT TO EXCEED ONE THOUSAND SIX HUNDRED TWENTY-FIVE DOLLARS (\$1,625.00)
was adopted.

SEWER EASEMENT

On motion of Councilman Franklin, seconded by Councilman Benson,
A RESOLUTION AUTHORIZING THE PURCHASE OF A PERMANENT SEWER EASEMENT FROM WILLIAM TIMOTHY PIERCE AND SHANNON SHIPLEY, RELATIVE TO CONTRACT NO. 73B-3, HIXSON MARINA COLLECTION SYSTEM, PARCEL NO. 101-56.14, TRACT NO. 030.1, FOR AN AMOUNT NOT TO EXCEED ONE THOUSAND FIFTEEN DOLLARS (\$1,015.00)
was adopted.

SEWER EASEMENT

On motion of Councilwoman Robinson, seconded by Councilman Pierce,
A RESOLUTION AUTHORIZING THE PURCHASE OF A PERMANENT SEWER EASEMENT FROM WILLIAM TIMOTHY PIERCE AND SHANNON SHIPLEY, RELATIVE TO CONTRACT NO. 73B-3, HIXSON MARINA COLLECTION SYSTEM, PARCEL NO. 101-56.15, TRACT NO. 031.1, FOR AN AMOUNT NOT TO EXCEED ONE THOUSAND ONE HUNDRED TWENTY DOLLARS (\$1,120.00)
was adopted.

TEMPORARY USE: CENTRAL BLOCK CORP.

On motion of Councilman Benson, seconded by Councilman Page,
A RESOLUTION AUTHORIZING CENTRAL BLOCK CORPORATION TO USE TEMPORARILY THE CITY'S RIGHT-OF-WAY AT 632-638 NORTH MARKET STREET FOR THE INSTALLATION OF CANOPIES, SUBJECT TO CERTAIN CONDITIONS
was adopted.

TEMPORARY USE: CENTEX-RODGERS, INC.

On motion of Councilman Hakeem, seconded by Councilman Lively,
A RESOLUTION AUTHORIZING CENTEX-RODGERS, INC. OF THE PARKRIDGE MEDICAL CENTER TO USE TEMPORARILY THE CITY'S RIGHT-OF-WAY LOCATED IN THE 2000 BLOCK OF MCCALLIE AVENUE TO INSTALL AN EMERGENCY DIRECTIONAL SIGN, SUBJECT TO CERTAIN CONDITIONS
was adopted.

OVERTIME

Overtime for the week ending January 24, 2003 totaled \$93,391,97.

PERSONNEL

The following personnel matters were reported for the various departments:

PUBLIC WORKS DEPARTMENT:

- ✍ **JOHN F. RICHARDS** – Military Leave, Crew Worker, Waste Resources, effective January 17, 2003.

PERSONNEL (Continued)

- ✍ **DALE IRWIN** – Termination (RIF), Civil Engineer II, Engineering, effective December 31, 2002.

CHATTANOOGA FIRE DEPARTMENT:

- ✍ **JOSEPH B. BUTLER** – Promotion, Senior Firefighter, Pay Grade F2A/Step 5, \$32,844.00 annually, effective January 24, 2003.
- ✍ **KRISTEN R. DUKE, TYLER S. HEAD, VERNON M. LANE, JERRY R. LEE, LEE B. MAYWEATHER, GALEN D. ROBERTS, ERIC D. STONE, GRAYLING L. WILKES, TRAVIS M. WILLIAMS, DENNIS A. WITT** – Promotion, Senior Firefighter, Pay Grade F2A/Step 3, \$30,150.00 annually, effective January 24, 2003.
- ✍ **JAMES E. JACKSON** – Promotion, Senior Firefighter, Pay Grade F2B/Step 2, \$40,923.00 annually, effective January 24, 2003.

CHATTANOOGA POLICE DEPARTMENT:

- ✍ **AMY PEDIGO** – Hire, Communications Officer, Pay Grade 11/ Step 1, \$25,633.00 annually, effective January 24, 2003.
- ✍ **CURTIS PENNEY** – Suspension (10 days without pay), Police Officer, effective January 27 – February 7, 2003.
- ✍ **JOYCE ANN STEPHENS** – Resignation, School Patrol Officer, effective January 22, 2003.
- ✍ **SHAWN L. HICKEY** – Military Leave, Police Sergeant, effective January 17, 2003 – January 17, 2004.
- ✍ **WILMA J. BROOKS, JENNIFER R. SCHRAMM** – Military Leave, Police Officer, effective January 17, 2003 – January 17, 2004.
- ✍ **GREGORY COOKE** – Military Leave, Communications Officer, effective January 17, 2003 – January 17, 2004.
- ✍ **RICHARD B. HUTSON** – End of Military Leave, Police Officer, effective January 2, 2003.

PERSONNEL (Continued)

- ✍ **KRISTAL WARD** – Family Medical Leave, Police Records Clerk, effective February 3 – March 17, 2003.

FINANCE AND ADMINISTRATION DEPARTMENT:

- ✍ **KEVIN L. BOYER** – Resignation, Programmer, Information Systems, effective January 31, 2003.

PURCHASE

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

SITON CONSTRUCTION CO. (Lower and better bid)
R0067229/P0018518

Straddle Carrier Operators and Roll-Off Truck Drivers

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

HOTEL PERMITS

On motion of Councilman Lively, seconded by Councilman Taylor, the following hotel permits were approved:

SKY HARBOR BAVARIAN INN – 2159 Old Wauhatchie Pike, Chattanooga, TN

LA PLAZA MOTEL – 3222 Cummings Highway, Chattanooga, TN

RAMADA LTD. – 30 Birmingham Highway, Chattanooga, TN

PURCHASE

On motion of Councilman Franklin, seconded by Councilman Lively, the following purchase was approved for use by the Chattanooga Fire Department:

PURCHASE (Continued)

TENNESSEE FIRE EQUIPMENT & SUPPLY (Lowest and best bid)

R0066539/P0018462

Fire Fighters Protective Clothing

\$798.50 ea. Bunker Coat
\$528.75 ea. Bunker Pant
\$92.00 per pair Fire Fighter Boots
\$125.00 per Helmet
\$48.00 per pair Gloves
\$39.95 per pair Suspenders
\$25.50 per Nomex Hood
\$118.00 ea. Gear Bag

Councilman Pierce inquired as to whether this purchase was for all fire fighters.

Chief Coppinger stated a new Academy is scheduled to begin February 21 and this purchase is part of the contracted services to outfit that Academy and includes some equipment that has to be replaced. He stated the equipment is quite expensive!

Councilman Pierce inquired as to whether the equipment has to be replaced continuously. Chief Coppinger responded "yes".

FIRE DEPARTMENT PERSONNEL INQUIRY

Councilman Taylor inquired as to the promotions for personnel in the Fire Department as listed in the personnel matters.

Chief Coppinger explained that the fire fighters listed were being promoted to Senior Fire Fighter status as a result of the amount of certification they have received; that they would be automatically moved into the senior position upon completion of the certification requirements. He stated this effort approved four-to-five years ago has helped to motivate and uplift morale and expressed appreciation to the Council for their support.

REFUNDS

On motion of Councilman Pierce, seconded by Councilman Taylor, the Administrator of Finance was authorized to issue the following refunds for overpayment of 2002 property taxes and stormwater fees:

TEDDIE CALDWELL - \$1,032.34

GEORGE GROVE - \$1,450.62

REFUNDS

On motion of Councilman Pierce, seconded by Councilman Taylor, the Administrator of Finance was authorized to issue the following refunds of real and/or property taxes for the 2001 tax year:

VOLUNTEER BEHAVIORAL HEALTH CARE -- \$1,020.65

PURCHASE

On motion of Councilman Taylor, seconded by Councilman Lively, the following purchase was approved for use by the Department of Finance, Fleet Maintenance, Division 1:

HOLOX, LTD. (Lowest and best bid)
R0067257/P0018320

Welding Gases and Supplies Requirements Contract

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

HEARING RESULTS: BRIAN LITTLE

Councilman Franklin reported that a hearing was held for former police officer Brian Little on Monday, January 28 and the panel hearing the request voted two-to-one to uphold Administration and Chief Dotson's recommendation for termination. He stated the Panel consisted of himself (serving as Chair) and Councilmen Hakeem and Littlefield.

HEARING: ERSKINE STARKEY

City Attorney Nelson reminded Council members of the hearing for Erskine Starkey scheduled for Monday, February 3 beginning at 3 p.m. with Councilmen Littlefield, Lively and Robinson serving as the panel.

Chairman Littlefield stated he and Councilman Hakeem discussed this case earlier, indicating that he plans to check with Personnel on a few items on tomorrow in an effort to try to resolve this.

COMMITTEES

Councilman Benson stated a meeting of the Legal and **Legislative Committee will be held on Tuesday, February 4 at 3 p.m.** for a discussion concerning the wrecker ordinance. He stated the carriage ordinance was discussed in today's Committee meeting and is being forwarded to the Council for approval and first reading next week.

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

Councilman Pierce stated a meeting of the **Committee Of-The-Whole** was held earlier today for the first discussion on redistricting. He stated Randy Burns gave an overview of the process and will be distributing literature and maps regarding the different options to Council members. He asked Council members to stop by Mr. Burns' office to get an idea of what may be taking place. He scheduled a meeting of the Committee for **Tuesday, February 11 immediately following the meeting of the Parks and Recreation Committee.**

SISTER BEY

Sister Bey displayed a framed photo of the flag of Morocco that she carries with her at all times. She stated there is nothing in the City's Charter that "says" anything about "messaging" with a swing vote in the seventh district. She stated she has studied and restudied this matter and implored the Council to keep their "hands off" the seventh district; that "her" people do not want white representation; that she is dark and her God is dark! She stated she is tired of being pushed around and that "her" people have feelings, too; that white people cannot represent "her" people! She stated she would go to the Security Council on this matter, again asking that the Council keep their "hands off" the seventh district. She stated she has asked the President to do away with Home Rule, as there is an effort to force it upon people.

GEORGE WILCOX

George Wilcox, Chairman of the Historical Zoning Committee and a resident of St. Elmo, stated that a Victorian cottage was "lost" in St. Elmo due to demolition last week; that part of it was due to conflict of ordinances. He stated apparently application is through Neighborhood Services if the house is in poor condition and a demolition order can be issued for the house. He stated the Historic Zoning Commission represents four different areas in the City and demolition has to be approved by the Zoning Commission and is in conflict with what the Historic Zoning Commission is trying to do. He stated those involved with the loss of the Victorian cottage were fully aware of the process for getting approval from the Historic Zoning Commission prior to demolition indicating that the house is gone, now, and there is nothing that can be done to bring it back. He stated the church is the property owner and the church demolished the house for a parking lot. He stated that he would like to see the ordinance "cleared up" as the church will start parking on this land. He stated there is no penalty for a violation of this type and asked the Council for help.

On behalf of the Council Chairman Littlefield asked that the City Attorney and RPA staff have a look at this. He stated that it is recognized there are some conflicting measures in the Code as it relates to this that needs clarifying if it is the Council's pleasure to pass an ordinance to make the Historic Zoning ordinance the controlling ordinance. He stated as for a penalty, he inquired of the City Attorney as to what the statewide municipalities' are limited to, and the response is a \$50 fine. He stated there is a need for clarification; that the Historic Zoning Ordinance was adopted with great pain, stressing that it was difficult to get the ordinance adopted.

Councilman Taylor suggested that the matter be referred to the Legal and Legislative Committee for discussion.

Councilman Benson stated that the matter would be scheduled for discussion on the Committee's agenda on Tuesday, February 11 at 3 p.m. He asked the City Attorney to bring the appropriate information needed for discussion.

Councilman Taylor suggested that Admin. Kenardo Curry of Neighborhood Services is contacted to participate in the dialogue that will take place.

DOUG HISHEW

Doug Hishew stated that he has been a resident of St. Elmo for twelve years and owns two parcels of property adjacent to the church property where the houses were demolished.

DOUG HISHEW (Continued)

Mr. HisheW stated the house was demolished before the Historic Zoning Commission could give permission to tear both houses down, stating two houses were previously on the church property. He stated he attended the Historic Zoning meetings and the signs were put up on the property and everywhere. He stated that he had been inside both houses; that one house was in very poor condition and the other was in good condition. He stated that he purchased a house at the corner of 48th and Virginia for \$23,000 that was in similar condition to the one that was in good condition; that he rehabbed it and currently has renters. He stated it is a beautiful house and "fits in" with the neighborhood and is proud of the houses he has worked on.

Mr. HisheW stated he is disappointed the church was able to tear down this house; that he had been tracing and monitoring the sign on the house; that he came home one afternoon and it was gone! He stated that he was unaware of this; that now the church plans to put in a parking lot and he is concerned about water runoff that might affect his property. He stated that he is also concerned about landscaping required; that he has a vested interest not only emotionally but also financially as he has invested a lot of money in the area and has a lot of affection to it.

Chairman Littlefield stated he would ask the authorities to make sure the parking lot is done in an appropriate fashion and that screening and landscaping is exercised with due diligence. He stated that this is a very unfortunate situation in this case and will look to see what can be done about the \$50 limit.

ADJOURNMENT

Chairman Littlefield adjourned the meeting of the Chattanooga Council until Tuesday, February 4, 2003 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)**