

**City Council Building
Chattanooga, Tennessee
April 29, 2003
6:00 p.m.**

Chairman Franklin called the meeting of the Chattanooga Council to order with Councilmen Benson, Hakeem, Littlefield, 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, City Attorney Nelson gave invocation.

MINUTE APPROVAL

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

RECOGNITION OF BOY SCOUT TROOP 137

Chairman Franklin recognized the presence of five representatives and two Scout leaders, Messrs. Wheeler and Miller, of Boy Scout Troop 137 from Wesley Memorial United Methodist Church. The Scouts introduced themselves and it was indicated from one of their Troop leaders that they were present as a requirement for the Citizenship and Communications Merit Badge.

Chairman Franklin expressed his hope that the young men would earn their badges and learn something of how the government operates.

SPECIAL PRESENTATION: CITY COURT UPDATE BY JUDGE WALTER WILLIAMS

Judge Williams presented his final City Court update to the Council. His entire comments are spread upon the minutes.

JUDGE WALTER WILLIAMS (Continued)

A FEW THOUGHTS FROM THIS
RETIRING JUDGE

I owe a great deal of thanks to the citizens of Chattanooga for electing me twice to be the City Judge for Chattanooga. In my first political race I captured 56% of the vote. But it was my second race where I captured 70% of the vote that gave me a mandate to stay the course. I'm sure you remember how my opponents and their minimum supporters did everything they could to discredit me and call into question the decisions and actions I took to reorganize the Court.

But I am glad, yes glad, an overwhelming number of voters reaffirmed to me that I was on the right course.

In church we sometimes sing the song "I'm Glad God Made Me."

*I'm glad man didn't make the sunshine, for he may not let it
shine on me*

*I'm glad man didn't make raindrops, for he may forget to water
the grain*

I'm glad man didn't create me, for he might surely forsake me

I'm glad, glad, yes, glad, glad, glad, that God made me.

I am glad that I had the guts to do what was right to help change the lives of many who appeared in City Court.

A true test of any politician is fulfilling the campaign promises made while running for office. Like others who have run for office, I promised to do things to improve operations and bring about positive results.

Today, I show you one of my campaign placards I developed in 1991 setting forth what I would describe as my "Call To Action." Each item listed has been accomplished with the help of many and despite the criticism of others.

I have no apology to give to anyone regarding positions I took on issues or things I did to enhance City Court.

JUDGE WALTER WILLIAMS (Continued)

It was right that I “cleaned up” the attitudes of lawyers, policemen, defendants and others who appeared in City Court. You clearly remember that in the “old City Court” people had little, if any, respect for proper decorum in court (talking, chewing tobacco, talking while court was in session, etc.).

You do remember how City Court had the unfortunate reputation as the dirtiest court in the County. Yes, I had my job cut out for me and I went to work *Day 1* to change things; and change I made, to move the Court to where it is today. Remember that I literally had to get City workers to strip the floors of old wax; clean the carpets; repair broke benches and chairs; put in new bulbs to increase lighting; and last, but not least, wash the large windows in the courtroom that had not been washed for at least 10 years.

When I was sworn in at noon on April 15, 1991, I came immediately to work at 3:00 p.m. (the evening docket) with approximately 350 cases to put things in action. Yes, it was tough but I could not have done it without a firm commitment that it was for the good of the community. Every action that I have taken whether popular or not, has been to move City Court forward.

The salary adjustments I pushed for at the Council was the right thing to do and I knew that unless I took the leadership in moving it forward it would not have been done. Yes, I lobbied for it (and I thank those City Council persons who cast, at times difficult votes, to show their support). Now that the compensation is established that question is behind us. (As a caveat, I want to reiterate that there was no legal problem with the Council’s decision and I hate that the District Attorney or the City did not appeal the matter to the Supreme Court. I am assured that the City’s position would have prevailed as confirmed by several Supreme Court justices who made their thoughts known to me and others.

I did support Mayor Gene Robert’s decision to not challenge District Attorney Gary Gerbitz’s decision to move State cases to Sessions court.

JUDGE WALTER WILLIAMS (Continued)

As I pointed out to Mayor Roberts and others, the City of Chattanooga for years was losing hundreds of thousands of dollars each year to try these cases with the County and State reaping the revenues. (City Court could not keep any fines on these cases and only received approximately \$19.00 of the then \$59.00 court costs although City Finance officials confirmed that it costs approximately \$39.00 per case to handle State cases. Therefore, the City actually was subsidizing the County and losing \$23.00 per case.) Also, remember that we had two (2) City judges and the cases were voluminous. If City Court heard cases today with the then overload and constant increases in cases, I submit to you that we could possibly now have 4 City Court judges. Can you imagine the cost to the City? So, whatever I am accused of doing was clearly in the City's financial interest.

As we moved from this very building to the new courthouse someone had to be able, willing and up-to-date on modernization to take the Court to the next level. City Court was the first court in the entire county to put computers on the bench for the clerk and judge; to bring other technologies to the courtroom to better handle cases. When I invited the National Center for Courts came to review our operations in 1998 and offer suggestions for improvements we received high marks and advised the Court and administration that our City Court was well ahead of most first-level courts. So, while some like to throw darts our way, let the record speak for itself.

As I moved to create the environmental docket (also known as Environmental Court), much effort and "out of the box" thinking had to be used. I'm glad that I ignored the "naysayers" who initially challenged whether such a docket or court was legal or needed in the community. You do remember that it was said that the City Code only provided for fines and "Judge Williams could not enforce corrective actions on people for violating City ordinances." Well, 12 years later, you be the judge of what can be done if you stay the course and not be tempted to bow to pressure and unfair innuendo. Departments of the City who handle cases in Environmental Court will tell you that compliance is at an all time high.

JUDGE WALTER WILLIAMS (Continued)

When I started the Court, compliance was around 37%. Today, I am told that compliance is around 89%.

(In 1995, an article was written in the *Knoxville-News Sentinel* regarding code and zoning violations. In that article the Knoxville City Judge claimed all he could do was fine the violators of illegally operating a garage the sum of \$50 – no ingenuity; no boldness; no “out of the box” thinking. Where would we be if this City Judge was not willing to do what was needed to bring about positive changes?)

Our Environmental Court has received glowing reviews across the country and we consistently have judges, inspectors and others come by to review our operations to implement the same. As an aside, the next quarterly issue of *Southern Living* will have a featured article on yours truly giving emphasis on the Environmental Court and what a difference it has made in neighborhoods and across the City. So, I am glad I did not bow to the naysayers.

It was not until 1991 forward that greater revenues to the City occurred. Other judges certainly did what they could but I took more effort in demanding that those who owe fines pay them. However, I am the first to acknowledge that additional work must be done.

It is not new to the Court that payments via credit or debit cards will be advantageous. In fact, when I was first elected the Clerk accepted credit cards. It was then Finance Administrators that argued about the fees charged by the bank and opted to discontinue use of credit cards. I find it rather interesting today that the new Finance Administrator is now calling for their use today.

All entities must work together to ensure that those who are ordered to pay fines and costs should do as ordered. However, don't forget that a sizeable amount of money owed to the City will never be collected given it is owed by persons in nursing homes; prisons; on fixed government pensions (Social Security, SSI, VA) which is not subject to garnishment or levy. I have more than once suggested to Finance that we move to clean up the books to show real (collectable) revenue.

JUDGE WALTER WILLIAMS (Continued)

Also, many persons who owe the City no longer live here and collections can only occur if the City hires a lawyer and reduce the City judgment to a judgment where the defendant lives. The reluctance in doing this is clearly the costs versus the realistic possibility of collection.

Finally, I am so glad, yes glad, that I did not listen to the “naysayers” who thought it was wrong for me to order, push, encourage or whatever term you wish to use defendants to obtain their General Equivalency Diploma (G.E.D.). I know that there are 893 persons who appeared before me who are now better positioned to move forward in life. In fact, at UTC’s upcoming graduation, there are three (3) students who are grateful of my intervention, as they will be graduating from college after being ordered by yours truly to get a G.E.D.

I am sure that one of our local dentists is glad, yes glad, that I intervened in his life so that he could finish college and dental school.

I am certain that there are countless numbers of nursing home residents who appreciate my allowing defendants to take gifts and make visits instead of paying costs.

I am equally certain that others whom we have helped to find decent housing, jobs and a better way of life are glad that I ignored the sly remarks, the media attacks, the cartoons, the “behind the scene” deals to make me seem “strange and unusual” as I found ways to help them as they came my way.

Thus, I take my leave from my position as City Judge knowing full well that I have done my job to the best of my ability. Yes, today I feel like the Apostle Paul when he wrote these words as found in II Timothy 4:17 –

“I have fought a good fight, I have finished my course, I have kept the faith.”

JUDGE WALTER WILLIAMS (Continued)

My recommendation to you is to move slowly in restructuring City Court. Some suggestions that have and will be made merit action. Others, on the other hand, merit careful and thoughtful debate. Haste can make waste.

For those who really don't know me or have wondered what drives me to do what I do; to say what I say; to act the way I do; should only understand that I want the best for those I sit in judgment on and to be a catalyst for change in their lives. I want the history books to record that Walter F. Williams of Chattanooga, Tennessee; of a housing project called College Hill Courts; of Howard High School; of Morehouse College; of Howard University; a twice-elected City Court Judge for Chattanooga did serve the citizens of Chattanooga well; that it was embedded in him from his mother and grandmother to make a difference, not just a living.

The structure for a good and smooth running Court is in place and I trust whomever follows me can capitalize on my efforts and take City Court to higher heights. Some have uttered, "they do not care who becomes the next city judge." Well, I do care given the long hours, sleepless nights, personal attacks my family and I have endured over the years to reorganize the court. So yes I do care.

I want it recorded that he did fulfill his lifelong dream, that he did indeed

"help somebody as he passed along so that his living would not be in vain."

THANK-YOU MR. CHAIRMAN AND MEMBERS OF THE COUNCIL FOR INDULGING THIS RETIRING SERVANT.

Upon completion of his report Judge Williams was given a standing ovation.

JUDGE WALTER WILLIAMS (Continued)

Chairman Franklin stated Judge Williams has served admirably and many young persons thank him for his demeanor in the courtroom in making sure the mistakes made at an immature age did not cost many years behind bars. He stated some who came before Judge Williams are living productive lives and have gone to college and doing things productive based on what could have been unorthodox things. He thanked him for making young people understand respect and the value of leading productive lives, for correcting those things that were deficient in City Court, for raising revenues for the City and making recommendations to this body and the County on how things should be done based on his many years of experience and uncanny way of getting the job done in spite of obstacles encountered.

Councilman Littlefield added his appreciation and praise to Judge Williams for the work he has done, stating that he has known the Judge since sometime in the 1970's when he was a City employee like himself. He stated that he enjoyed working with him during the time he (Littlefield) served as Public Works Commissioner when he (Williams) was the prosecutor in cases before Better Housing and remembers the time when cases finally got to City Court they were readily ignored. He stated City Court, at that time, had State cases and environmental cases involving dumping, substandard housing, abandoned cars and all things that run neighborhoods down paled in comparison to violent cases sometimes that City Court dealt with.

Councilman Littlefield continued by stating that the Judge fulfilled his promise with the Environmental Court and all know how effective that has been. He stated he does not belittle anything the City Court does these days and referenced a fairly recent situation involving a neighborhood in his district. He stated everyone and the law enforcement agency had been patient toward this individual; that he had been cited to court but did not show up. He stated Judge Williams sent the police officer to bring him in, which made a big difference in the neighborhood and the problem was resolved within the week. He stated the Judge has a lot of admirers in people who will hire him to help in the future and expressed thanks to him for all he did. He stated that he remembered all the things about the pay raise and he, too, felt the City had a good case and had the choice been to pursue it that would have kept State cases in City government. He expressed his sadness to see this very effective, colorful and entertaining period in City government end. He noted that he looks forward to the new individual that will fill the position and expressed hope that Judge Williams would help all of us make that transition successful.

JUDGE WALTER WILLIAMS (Continued)

Councilman Hakeem thanked Judge Williams for what he has done in City Court and indicated that it has been very meaningful to him (Hakeem) that the Judge has not forgotten where he came from. He stated for the Judge to accomplish as much as he has he has not forgotten his roots and he truly thanked him for that, in addition to what he has done in City Court.

Councilman Taylor stated there are no adequate words to express the service Judge Williams has rendered and expressed true admiration for his work, his way with so many people and all the good things he has done throughout this City. He commended him for a job well done and expressed hope he would keep up the good work. He stated whoever the next Judge will be cannot "fill his shoes" for they will have to "bring their own shoes"! He wished God's blessings upon him.

Councilwoman Robinson added her voice as someone who has long admired the Judge personally and the job he does for the City. She wished him and his family well as he takes the "next step" and echoed Councilman Taylor's comments with regard to the "big pair of shoes" for someone to try to fill. She expressed hope that in the weeks, months and years to come the Judge will be someone the Council can look to for advice and counsel. She wished Godspeed in his new endeavor.

Councilman Benson indicated that he did not intend to speak, yet indicated that he could not let Judge Williams leave his tenure by any type of feeling he was an unorthodox judge. He stated when Judge Williams came the orthodox practice was broken; that the City Court was fading and the orthodox way had not worked. He stated the system was "broken" and required some unorthodox actions. He expressed appreciation to Judge Williams for having the courage and strength to apply his methods and bring back decorum in the courtroom and make it effective. He stated he brought respect back to the judicial system in City Court so that a judge can come in and find it under control. He stated Judge Williams did a great job and expressed that he will be missed. He stated he cannot be replaced but he might have to be called upon again if orthodox practices break down!

Councilman Pierce stated that he and Judge Williams have had their differences yet they have learned to understand each other. He stated that he has been approached on many occasions by the press about their relationship and he informed them that the relationship he has with Judge Williams is the same he has with everyone – that it is a loving relationship.

JUDGE WALTER WILLIAMS (Continued)

Councilman Pierce stated the Judge cannot tell anyone that the two dislike each other; that they both have their way of operating, yet they understand each other. He expressed admiration for the Judge and stated not only would the Council miss him but the entire City (would miss him). He indicated that he did not personally agree with everything the Judge did, but that the Judge made friends in this City. He stated whoever is selected will not be able to fill his position and there is no need for anyone coming in trying to do so. He stated that he made a statement to the reporter with Chattanooga.com last night that he resented those who had taken cheap shots at the Judge during this time he has offered to retire. He stated by the votes received in the last election the Judge has the support of the people. He expressed appreciation for what the Judge has done indicating that he has done nothing wrong and knows he has been ridiculed by many of his peers. He encouraged him to "keep his head high" because "only the strong survive". He stated that his (Pierce) motto during his campaign was "Do the right thing!" and that is what the Judge feels in his heart he has done and can go home at night and sleep. He told him not to worry about the press or the attorneys who want to take cheap shots and to continue on. He again expressed appreciation for all Judge Williams has done.

Chairman Franklin reminded everyone of the reception for Judge Williams scheduled for Friday, May 2 from 4 – 6 p.m. at the Chattanooga.

Councilman Taylor recommended that Friday, May 2 be declared as "**JUDGE WALTER WILLIAMS DAY**" stating that he should be recognized for his great contributions to this City and his outstanding work.

On motion of Councilman Taylor, seconded by Councilman Benson, May 2, 2003 will be identified as "JUDGE WALTER WILLIAMS DAY" in the City of Chattanooga; the motion carried.

Councilman Hakeem suggested that the proclamation proclaiming the day be framed.

SPECIAL POLICEMEN

On motion of Councilman Littlefield, seconded by Councilman Lively,
A RESOLUTION AUTHORIZING THE APPOINTMENT OF CURTIS LEON GREEN AND ERIK VENCENT REEVES AS SPECIAL POLICEMEN (ARMED) FOR THE CHATTANOOGA HOUSING AUTHORITY, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS
was adopted.

GRANT APPLICATION

On motion of Councilman Hakeem, seconded by Councilman Benson,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO APPLY FOR AND, IF APPROVED, ACCEPT A GRANT FROM THE TENNESSEE DEPARTMENT OF AGRICULTURE, DIVISION OF FORESTRY, RELATIVE TO AN URBAN AND COMMUNITY FORESTRY GRANT, IN THE AMOUNT OF TWELVE THOUSAND DOLLARS (\$12,000.00)
was adopted.

SEWER EASEMENT

On motion of Councilwoman Robinson, seconded by Councilman Taylor,
A RESOLUTION AUTHORIZING THE PURCHASE OF A PERMANENT SEWER EASEMENT FROM JOHN D. AND STEPHANIE D. CATE, RELATIVE TO MEADOW TRACE PUMP STATION, PARCEL NO. 110J-F-060, TRACT NO. TE-02.1, FOR AN AMOUNT NOT TO EXCEED FIVE HUNDRED FIFTY DOLLARS (\$550.00)
was adopted.

TEMPORARY USE

On motion of Councilman Pierce, seconded by Councilman Lively,
A RESOLUTION AUTHORIZING CONESTEGO-ROVERS & ASSOCIATES, INC. TO USE TEMPORARILY THE CITY'S RIGHT-OF-WAY AT THE 6100 BLOCK OF AIRWAYS BOULEVARD FOR THE INSTALLATION OF FIVE (5) SOIL BORINGS, AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS
was adopted.

OVERTIME

Overtime for the week ending April 25, 2003 totaled \$22,141.32.

PERSONNEL

The following personnel matters were reported for the various departments:

PUBLIC WORKS DEPARTMENT:

- ✍ **FIRMAN MITCHELL** – Retirement, Equipment Operator, Sr., Citywide Services, effective April 30, 2003.
- ✍ **ROBERT C. PARKS** – Retirement, Crew Worker, Sr., Citywide Services, effective April 30, 2003.
- ✍ **CECEDRIC TREMBLE** – Suspension, Sanitation Worker, Citywide Services, effective April 22 – 25, 2003.
- ✍ **YURY KULAKEVICH** – Family Medical Leave, Crew Worker, Sr., Citywide Services, effective May 5 – July 21, 2003.

CHATTANOOGA HUMAN SERVICES DEPARTMENT:

- ✍ **TRACY BAILEY** – Full time employment, Teacher Assistant, Head Start, \$14,924.00 annually, effective March 31, 2003.
- ✍ **PATRINA BOYD** – Full time employment, Teacher, Head Start, \$18,372.00 annually, effective March 31, 2003.
- ✍ **CATHERINE DENT** -- Full time employment, Dietary Assistant, Head Start, \$9,945.00 annually, effective March 31, 2003.
- ✍ **PATRICIA DISMUKE** – Hire, Teacher, Head Start, \$18,928.00 annually, effective March 31, 2003.
- ✍ **DIANNA HAYNES, REBECCA THOMAS** – Full time employment, Teacher Assistant, Head Start, \$12,792.00 annually, effective March 31, 2003.
- ✍ **AUNDREA LIVELY** – Full time employment, Center Clerk, Head Start, \$17,830.80 annually, effective March 31, 2003.
- ✍ **LISA LOGAN** – Full time employment, Teacher Assistant, Head Start, \$17,890.60 annually, effective March 31, 2003.

PERSONNEL (Continued)

- ✍ **CURTIS SANDS** – Full time employment, Teacher, Head Start, \$18,928.00 annually, effective March 31, 2003.

CHATTANOOGA FIRE DEPARTMENT:

- ✍ **BILLIE POLLARD** -- Return from Family Medical Leave, Receptionist, effective April 28, 2003.

CHATTANOOGA POLICE DEPARTMENT:

- ✍ **JANET TILLEY** – Resignation, Communications Officer, effective April 25, 2008.
- ✍ **FRANCIS VINE** – Resignation, Police Records Clerk, Sr., effective May 1, 2003.

FINANCE AND ADMINISTRATION DEPARTMENT:

- ✍ **JANA LOWERY** – Promotion, Application Services Manager, Information Services, Pay Grade 32/Step 7, \$65,322.00 annually, effective April 25, 2003.

REFUNDS

On motion of Councilman Littlefield, seconded by Councilwoman Robinson, the Administrator of Finance was authorized to issue the following refund of 2001 property taxes:

SIGNAL CENTERS, INC. – Refund due to assessment change per State Board of Equalization exemption status, \$2,650.04

APPOINTMENT OF JOHN MILLICAN AS CITY COURT JUDGE

Admin. Eichenthal stated that the Mayor transmitted a letter to the Council last week regarding the appointment of John Millican to fill the vacancy resulting from the retirement of Judge Williams for the position of City Court Judge.

Councilman Benson made the motion to accept the Mayor's recommendation and appoint John Millican as City Court Judge to fill the vacancy resulting from Judge Williams' retirement; Councilman Littlefield seconded the motion.

Prior to the Chairman Franklin's "call for the question," Councilman Pierce stated that he wanted to make a brief statement prior to voting. He stated that he personally did not agree with the process in coming up with this name. He stated at no time in history – and maybe the "rules of the game" are changing – that both the Council and Mayor's office jointly appoint a panel to select or make recommendations as to who will be appointed. He stated that he could not see any rationale behind that other than whoever the Committee recommended this Council would be almost bound to accept. He stated that he withdrew from the process early because he did not feel this was the way to do this process; that the law stipulates that the Mayor should present the person to the Council and the Council would then approve.

Councilman Pierce continued by stating there are two phases of government – administrative and legislative -- and however the Mayor comes up with the selection of names is his right; that if he wants to appoint a committee to recommend back to him he (Pierce) has no problem, but it is his feeling the Council should have had input into making the recommendation (prior to it coming back). He stated for that reason, if no other reason, he would not be able to support the candidate recommended, emphasizing that there is nothing personal against the candidate nor the Committee. He commended the Committee for their work, indicating that they performed the job they were asked to do. He stated that the process should be looked into in the future if this is the course it will go and expressed that the process was taken out of proportion being done this way.

Councilman Pierce stated that he did not know how many have had an opportunity to read Chattanooga.com as it carries comments he made; that he became very upset last night when he had an opportunity to read the Chattanooga Times-Free Press' editorial and their slanderizing of Judge Williams. He stated the editorial was written to try to make Judge Williams look like some type of villain trying to persuade someone.

**APPOINTMENT OF JOHN MILLICAN AS CITY COURT
JUDGE (Continued)**

Councilman Pierce stated it is his thought Judge Williams has a right to name who he feels would be best for the job or someone he would like to support. He stated the person does not have to be the best, but the person he would like to support, indicating nothing is wrong with that. He stated that he feels badly about the way this whole thing has been handled; that in offsetting one candidate for another candidate the press has used Judge Williams as a way of doing that. He stated it is bad and sometimes we fall victim to the system and become just as guilty as those who have "perpetrated the crime."

Councilman Pierce concluded his comments by stating that he wanted to say this tonight and would not be in a position to vote to confirm Mr. Millican, reiterating that he has nothing personal against him. He communicated to those in attendance that Mr. Millican was his first choice until he found out others were interested; that he took a stand and had a right to say whom he would like to support and had mentioned to some those he would support. He stated he could understand the process when a group of attorneys involved in making a recommendation as to who is qualified prompted him to ask what the qualifications are. He stated that it "takes nothing" to be a City Judge other than that the person must be thirty (30) years of age; that there are no qualifications. He stated that it is his personal opinion that this position was a position for a younger person that could have been groomed to become part of the system. He stated if anyone read Chattanooga.com they would have read that he had said he was thinking of running for City Judge and he told several attorneys this because there are no qualifications. He stated that he found out this afternoon that he would not be running, so no one should worry! He stated State law restricts him from running, even though several citizens have been candidates. He spoke directly to Judge Williams and stated as much as the two have been through together he sympathizes very much with him (Williams) and had to say so publicly. At this point he called for a roll call vote on the motion.

Councilman Hakeem stated that the Committee was made up of citizens who did not ask to be part of the process, but who were asked. He stated at no time was he aware the Council opposed or had difficulty with those individuals who were appointed to the Committee. He stated that he had an opportunity to review their work, attended three interviews and was pleased with the Committee's questions, consistency and professionalism. He stated when we talk about a young person being groomed and developed, we are talking about an individual, a young black man who has done everything the system has asked that he do; that he is a stable young family man.

**APPOINTMENT OF JOHN MILLICAN AS CITY COURT
JUDGE (Continued)**

Councilman Hakeem asked what message would it send to other children in this community if we have someone who has done what the system asked them to do and has worked in the community. He stated ministers have come forth citing how he has helped members of the congregation and sought methods of justice that did not incarcerate persons for the rest of their lives – that if he votes against this person, what message would it send to other young men in our community. He stated during his formative years, everyone has used the African American male as a “stepping stone” or someone to be stepped on! He stated he could not see himself as someone who would “step on” what the system has required of them to do and who has assisted other young people in this community.

Councilman Taylor personally thanked members of the Committee for their service and going through the interview process to produce a name. He stated even though the process has been questioned it is now “water under the bridge”. He stated when you look at the qualifications of the candidates he is certain it was a tough choice. He thanked them again for their service.

Councilman Benson “piggybacked” onto Councilman Pierce’s comments and stated that prior to establishment of the Committee he was thinking of voting for someone else. He expressed his pleasure that the Committee was made up of people the Council had input in selecting; that each was told to make recommendations for their approval on the Committee. He stated when it was a unanimous decision for the person selected he had to give it another look. He stated that he is glad there was a Committee, now, as he did not understand it at some point in time and maybe he and Councilman Pierce were both in the same “shape” on that. He stated that we have a person whose experience is valuable with the ability and judgment to really follow up on what Judge Williams started. He expressed strong support for their recommendation and appreciation for the service given.

Chairman Franklin stated that he made a commitment to one of the candidates before any of this started which was unbiased and based upon what he knew and not what he did not know. He stated during that process there were comments made by others and everyone has the right to make that determination on their own. He stated there were situations presented in this process that warranted making sure the process went fairly; that he was interviewed by the newspaper and questioned as to whether the process had been tainted.

**APPOINTMENT OF JOHN MILLICAN AS CITY COURT
JUDGE (Continued)**

Chairman Franklin stated in his viewpoint and based upon everything that had gone forward, there were some things that happened that maybe should not have and probably more emphasis given on individuals that was not right, however everyone has the freedom of speech.

Chairman Franklin expressed respect for Judge Williams and the Committee who volunteered indicating that they did not get paid for anything; that they were asked to do a job and they did that to the best of their ability. He stated we have to now move on, regardless whether we like it or not and allow what is already in place to remain in place. He stated that he has learned in politics over the past few years that you have to "roll with the punches" and try to make the best decision. He stated all the candidates were individuals of good character with different levels of experience, but all capable and judged based on their merits.

At this point a roll call vote was taken on the motion to approve John Millican as City Court Judge:

Benson	"Yes"
Hakeem	"Yes"
Littlefield	"Yes"
Lively	"Yes"
Pierce	"No"
Robinson	"Yes"
Taylor	"Yes"
Franklin	"Yes"

Chairman Franklin confirmed by virtue of the 7(yes) -1 (no) vote, Atty. John Millican as City Court Judge. He asked that the minutes reflect that Councilman Page was absent due to personal family commitment.

COMMITTEES

Councilman Lively scheduled a meeting of **the Budget and Finance Committee for Tuesday, May 6 immediately following the meeting of the Parks and Recreation Committee.**

Councilman Hakeem reminded Council members of the meeting of the **Public Works Committee scheduled for Tuesday, May 13 at 4 p.m.**

COMMITTEES (Continued)

Councilman Benson announced that it would not be necessary to have a meeting of the **Legal and Legislative Committee** on next Tuesday; however, he scheduled a meeting of the Committee for **Tuesday, May 13 at 3 p.m.**

RIBBON CUTTING FOR ALEXIAN BROTHERS

Councilman Taylor invited all Council members and citizens to the ribbon cutting for Alexian Court in St. Elmo located in the former St. Elmo Elementary School building on tomorrow morning at 10 a.m. He stated several Council members supported this to make the dilapidated building take shape! He stated it is a remarkable facility, has revitalized the community and is truly a “crown” in the neighborhood!

PUBLIC ART PROGRAM

Councilwoman Robinson “echoed” the invitation from Mayor Corker to attend the public art meeting in May, which is a couple more weeks away. She stated many people are in anticipation of the presentation of the final draft of the public art program for the City.

MEMORIAL CELEBRATION FOR OFFICER JACKS

Councilman Hakeem invited everyone to the memorial service celebrating the life of Officer Julie Jacks scheduled for Tuesday, May 6 at 7:30 p.m. at Coolidge Park. He asked that all special guests and citizens be present to celebrate what she meant to this city.

EAST BRAINERD (DISTRICT 4) COMMUNITY MEETING

Councilman Benson invited everyone to the semi-annual meeting of the East Brainerd (District 4) community on Monday, May 5 at 7 p.m. at Erlanger East. He especially invited the various departmental managers/representatives to meet with citizens to hear concerns of the District. He stated the district meetings are held twice a year in May and November.

COMMITTEE SIGN-UP

Chairman Franklin stated that he has circulated a list of the Council Committees for Council members to consider. He requested Council members to peruse the list and submit their suggestions to the Clerk of the Council.

ADJOURNMENT

Chairman Franklin adjourned the meeting of the Chattanooga Council until Tuesday, May 6, 2003 at 6 p.m.

CHAIRMAN

CLERK OF COUNCIL

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