

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

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

PLEDGE OF ALLEGIANCE/INVOCATION

Following the Pledge of Allegiance, Councilman Lively gave invocation.

MINUTE APPROVAL

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

REZONING

2003-150: Napier Associates

Jerry Pace, Director of Operations with the Regional Planning Agency (RPA), stated that the petitioner has requested a two-week deferral on this matter.

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 7327 SHALLOWFORD ROAD, MORE PARTICULARLY
DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL
ZONE, SUBJECT TO CERTAIN CONDITIONS**

was tabled two weeks at the request of the petitioner.

AGREEMENT

Councilman Hakeem stated with the Public Works Committee met today and with the exception of this matter, Resolutions (b) and (c) are recommended for approval. He indicated that it is the recommendation of the Committee that this matter be tabled two weeks and that a meeting to adequately discuss this issue and that of the Stormwater Board is scheduled for Monday, November 10 beginning at 9 a.m.

On motion of Councilman Hakeem, seconded by Councilman Littlefield,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AN AGREEMENT WITH FULLER, MOSSBARGER, SCOTT & MAY ENGINEERS, INC. ("FMSM") TO CONDUCT PHASE II OF THE STORMWATER PROGRAM REVISION, CONTRACT NO. S-02-002-102, IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED SIXTY THOUSAND DOLLARS (\$460,000.00)
was tabled two weeks.

TEMPORARY USE: DEVAN NORMAN OF DESIGN BUILDERS OF CHATTANOOGA, INC.

On motion of Councilwoman Robinson, seconded by Councilman Pierce,
A RESOLUTION AUTHORIZING DEVAN NORMAN OF DESIGN BUILDERS OF CHATTANOOGA, INC. TO USE TEMPORARILY THE CITY'S RIGHT -OF-WAY LOCATED IN THE 5700 BLOCK OF FISK AVENUE TO PLANT TREES AND SHRUBS WITHIN THE RIGHT-OF-WAY, SUBJECT TO CERTAIN CONDITIONS
was adopted.

CONTRACTS

On motion of Councilman Littlefield, seconded by Councilman Lively,
A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. E-03-021, SIDEWALK REQUIREMENT CONTRACT AND CONTRACT NO. E-03-22, 5TH STREET, LINDSAY STREET AND HOUSTON STREET, TO YERBEY CONCRETE CONSTRUCTION, INC. FOR A COMBINED TOTAL AMOUNT NOT TO EXCEED FOUR HUNDRED TEN THOUSAND DOLLARS (\$410,000.00); AND AWARDED CONTRACT NO. E-03-034, GLENWOOD DRIVE, 3RD STREET TO MCCALLIE AVENUE SIDEWALKS, TO YERBEY CONCRETE CONSTRUCTION, INC. FOR A TOTAL AMOUNT NOT TO EXCEED FIFTY-SIX THOUSAND DOLLARS (\$56,000.00) INCLUDING A CONTINGENCY FEE OF TWO THOUSAND THREE HUNDRED DOLLARS (\$2,300.00)
was adopted.

OVERTIME

Overtime for the week ending October 24, 2003 totaled \$11,411.39.

PERSONNEL

The following personnel matters were reported for the various departments:

PUBLIC WORKS DEPARTMENT:

- ✍ **RICKY D. COLSTON, JR.** – Promotion, General Supervisor, Sr., Citywide Services, Pay Grade 16/Step 2, \$33,966.00 annually, effective October 22, 2003.
- ✍ **MICHAEL S. REAMS** – **Suspension** (15 days without pay), Citywide Services, October 14 – November 6, 2003, **and Demotion**, Crew Worker, Pay Grade 3/Step 1, \$25,823.00 annually, effective October 14, 2003.
- ✍ **MICHAEL B. RICHIE** – Promotion, Crew Supervisor, Citywide Services, Pay Grade 11/Step 1, \$26,402.00 annually, effective October 15, 2003.

CHATTANOOGA FIRE DEPARTMENT:

- ✍ **LARRY ZINK** – Promotion, Captain, Pay Grade F4/Step 6, \$44,395.00, effective October 31, 2003.
- ✍ **CHRISTINE WARREN** – Promotion, Lieutenant, Pay Grade F3/Step 4, \$35,258.00 annually, effective October 31, 2003.
- ✍ **BILAL MUHAMMED** – Promotion, Senior Firefighter, Pay Grade F2/Step 2, \$29,667.00 annually, effective October 31, 2003.

CHATTANOOGA POLICE DEPARTMENT:

- ✍ **MITCHELL BALL, PHILLIP F. GRACE** – Retirement, Sergeant, effective October 30, 2003.
- ✍ **DARRYL HUBBARD** – Family Medical Leave, PST, Sr., effective October 2 – December 25, 2003.

PURCHASES

On motion of Councilman Lively, seconded by Councilman Littlefield, the following purchases were approved for use by the Public Works Department:

ACCUSONIC TECHNOLOGIES OF EAST FALMOUTH, MA (Single source)
R0072091

Flowmeter per TCA 6-56-304.2

\$40,456.00

OLD DOMINION BRUSH COMPANY (Lower and complete bid)
R0070206/B0001017

Leaf Machine with Leaf Box

\$69,936.00

Admin. McDonald explained that Lee Norris is very creative and found a better way to pick up leaves that is better than a \$60,000 leaf vacuum truck. He stated this machine has a vacuum on it as well as a trailer in the rear; that two are being purchased for \$69,936 rather than one for \$60,000.

SPECIALIZED OPERATIONS SYSTEMS OF CLEVELAND, TN (Single source)
R0072093

Milltronics Flow Equipment and Instrumentation per TCA 6-56-304.2

\$10,446.00

HOTEL PERMIT

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

**CHATTANOOGA RESIDENCE INN BY MARRIOTT – 215 Chestnut Street,
Chattanooga, TN**

PURCHASE

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

AARON'S PEST CONTROL (Low bidder)
R0054788/B0000999

Pest Control Services

\$310.00 per month

RECOGNITION OF RETIREMENT

Chief Coppinger recognized the retirement of Robert Fryar after twenty-nine years of dedicated service to the City.

DECLARE SURPLUS AND DONATE

On motion of Councilman Lively, seconded by Councilwoman Robinson, approval was given to declare surplus a nine year old German Shepherd dog and donation of the dog to the dog's handler, Officer Barry Vrandenburgh. It was explained that the dog has an enlarged prostate and the Department was advised that the dog should cease working due to health reasons.

REFUNDS

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

TUPPERWARE HOME PARTIES – Refund due to amended report from tax management audit stating no vehicles in county for 2002, \$1,039.64

HUNTCO STEEL INC. – Refund due to amended report with non-standard valuation approved by Tennessee Division of Property Assessments, \$2,888.17

MEDIQ PRN LIFE SUPPORT SERVICES – Refund due to district change from one (1) to two (2) (outside corporate limits of Chattanooga), \$2,834.45

PURCHASE

On motion of Councilman Page, seconded by Councilman Hakeem, the following purchase was approved for use by the Mayor's Office, Office of Performance Review:

ORACLE SYSTEMS (Single source)
R0069333

Annual Software Maintenance and Support Renewal per TCA 6-56-304.6

\$9,075.00 annually

BOARD APPOINTMENT

On motion of Councilman Lively, seconded by Councilman Littlefield, the following Board appointment/reappointment was approved:

CARTER STREET CORPORATION

- ? Appointment of ***DON MERCER*** for a term ending December 1, 2007.
- ? Reappointment of ***MAURA PHILLIPS*** for a term ending April 15, 2006.

HEARING: ANTHONY W. CHATMAN

City Attorney Nelson reminded Council members of the hearing for Anthony W. Chatman scheduled for Monday, November 3 at 3 p.m. with Councilman Page, Franklin and Littlefield serving as the panel. He indicated Councilman Benson is designated as an alternate if needed.

COMMITTEES

Councilman Hakeem scheduled a meeting of the **Public Works Committee for Tuesday November 11 at 4 p.m.**, and reminded Council members of the **meeting scheduled for Monday, November 10 at 9 a.m.** for a discussion regarding the proposed stormwater consultant contract and board.

Councilman Littlefield stated the **Legal and Legislative Committee would meet as usual on Tuesday, November 4 at 3 p.m.** He stated the agenda for the meeting involves a discussion regarding the Stormwater Board Ordinance. He stated the Stormwater Contract would be discussed at the meeting scheduled for Monday, November 10.

REQUEST FOR AN RPA STUDY

Councilman Pierce requested an updated study of the Fortwood area. He stated Mr. Pace is familiar with what has been going on and why.

Mr. Pace stated that RPA would come back with recommendations for language for the scope of work to be determined. He stated Mr. Pomeroy presented a letter to Councilman Pierce and RPA would take the request under advisement and come back with a recommendation.

Councilman Pierce asked if the matter would come forward next week. Mr. Pace stated that he is hopeful they could present the matter next week.

Councilman Littlefield asked RPA to consider in their proposal the return of two-way to Vine and continuation of traffic through the University campus once again. He stated there has been discussion off-and-on with UTC and it is his thought it would be good to include that in the study.

Mr. Pace stated that it is his thought the Design Studio, which handles all downtown projects, will take this and incorporate it into the downtown plan or as part of the study, but separate from the downtown plan overall.

RECOGNITION OF FORMER JUDGE WALTER WILLIAMS

Councilman Littlefield recognized the presence of former Judge Walter Williams and indicated that the Judge was "standing in" for Sister Bey once again! He stated Sister Bey is a "regular" at Council meetings and that he looks forward to her presence; that it is something unusual that she is not present.

ADJOURNMENT

Vice Chairman Benson adjourned the meeting of the Chattanooga Council until Tuesday, November 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)**