

**City Council Building
Chattanooga, Tennessee
June 15, 2004**

Chairman Benson called the meeting of the Chattanooga City Council to order with Councilmen Franklin, Hakeem, Littlefield, Lively, Page, Pierce, and Taylor present. Councilwoman Robinson was absent due to personal commitment. City Attorney Randall Nelson, Management Analyst Randy Burns, and Shirley Crownover, Assistant Clerk to the Council, were also present.

**PLEDGE OF ALLEGIANCE/
INVOCATION**

Following the Pledge of Allegiance, Councilman Hakeem gave the 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.

**“TOGETHER WE CAN
SCHOLARSHIP
RECIPIENTS”**

Chairman Benson stated that we have the honor once a year of recognizing the “Together We Can Scholarship Recipients” along with Dr. Jane Harbaugh and Pete Cooper. He called upon Dr. Harbaugh.

Dr. Harbaugh stated that this was a result of a highly effective partnership; that they had 40 students receiving scholarships as a result of the working together of both the City of Chattanooga and the Community Foundation; that Pete Cooper was the co-author of this, and we also had with us Mr. Pete Serodino, whom Dr. Harbaugh thanked for his hard work. She explained that this year’s scholarships had been made complex by the lottery and that they had spent hours plotting their course; that scholarships required a 3.0 grade point average and that they had developed a “safety net”, and it was very complicated; that our students will receive funds capped at \$3,000, and we will provide the “safety net” if necessary.

“TOGETHER WE CAN” (CONT'D)

Dr. Harbaugh went on to say that they do an ongoing review and study of how our students are doing; that our 4th year return rate is higher than that of Howard University and UTC. She attributed this fact to the seriousness of purpose of our students and their professional handholder, Rebecca Smith. She also acknowledged another major factor, which was the parents, and she asked the parents in the audience to stand.

At this point Dr. Harbaugh asked each student to stand and introduce themselves and to tell what school they were from and where they planned to attend college. Each student thanked the Council for the part they had played in this accomplishment. A list of the students is made a part of this minute material.

Chairman Benson expressed appreciation for each and every student.

Councilman Hakeem stated that it made him feel good to see these kids; that it was like himself having a whole room of children going off to college; that when this program started, he did not sign off on it, but the kids had won him over and that it meant a lot to him to be a part of this. He stated that Dr. Harbaugh, Mr. Cooper and Mr. Serodino were great people and also Ms. Smith, who was a very key player in the students' success. He also mentioned the parents, families and loved ones who were a support mechanism and stated that it was wonderful to see that we are thinking about our young people who need a “safety net”. He told the students that they had made us proud of their success and stated that he thought it was wonderful to have the diversity of male and female and black and white but also the diversity in the schools that they had chosen to attend. He ended by saying that he loved all of the students but noted that the kids from Howard High had a colleague sitting on the Council—himself, and that his children had graduated from Brainerd High School.

Chairman Benson expressed appreciation for the students' efforts and advised them to keep their vision and to work hard. He thanked Dr. Harbaugh and Mr. Cooper and others who held this program together and made it worthwhile.

CHATT. MUSIC CLUB

Chairman Benson stated that at this point **Mary Sharp** would like to make a short presentation. Ms. Sharp stated that she was the Publicity Chairman for the Chattanooga Music Club and had told Councilwoman Robinson that she would like to come before the Council and invite everyone to a celebration on **Saturday, June 19th at 2:00 P.M. at the Memorial Auditorium.** This will be an Organ Concert, and she asked each Councilperson to put this on their calendars and to bring their families with them; that it will be a great opportunity to hear a wonderful Organist and to see what our Organ will do. She mentioned that in her younger days she loved to hear the Organ at the Auditorium and asked the Council to please come and relive old memories.

Councilman Littlefield thanked those who had worked on the Organ. He mentioned the monuments and great cathedrals in Europe and expressed appreciation for those individuals who keep working on trying to put the pieces of this Organ together. He stated that it was a great treasure and expressed thanks for those who continued to work on the restoration of this community treasure.

**AMEND CODE
WRECKERS**

On motion of Councilman Littlefield, seconded by Councilman Lively,
**AN ORDINANCE TO AMEND PART II, CHATTANOOGA
CITY CODE, CHAPTER 35, ARTICLE IV, SECTIONS 148
AND 160, RELATIVE TO DISTRICT WRECKERS**
passed second reading, with **Councilman Page voting No.** On motion of Councilman Lively, seconded by Councilman Littlefield, the Ordinance passed third and final reading and was signed in open meeting, **with Councilman Page voting No.**

REZONING

2004-060 (City of Chattanooga)

On motion of Councilman Hakeem, seconded by Councilman Taylor,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS
AMENDED, KNOWN AS THE ZONING ORDINANCE, SO
AS TO REZONE A TRACT OF LAND LOCATED IN THE
6900 BLOCKS OF ROBINSON DRIVE AND PARK DRIVE,
MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2
RESIDENTIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT
TO CERTAIN CONDITIONS**
passed second reading. On motion of Councilman Lively, seconded by Councilman Taylor, the Ordinance passed third and final reading and was signed in open meeting.

CLOSE AND ABANDON

MR-2004-082 (Kenny L. Sadler for Hudson Companies)

On motion of Councilman Lively, seconded by Councilman Littlefield,
**AN ORDINANCE CLOSING AND ABANDONING A
SANITARY SEWER EASEMENT LOCATED
PERPENDICULAR TO THE WEST LINE OF THE 1200
BLOCK OF NORTH HOLTZCLAW AVENUE BEING
LOCATED ON PROPERTY IN THE 1500 BLOCK OF
WILCOX BOULEVARD, 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 Pierce, seconded by Councilman Taylor,
the Ordinance passed third and final reading and was signed in open meeting.

REZONING

2004-083 (Neeld J. Messler, II)

On motion of Councilman Taylor, seconded by Councilman Pierce,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS
AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS
TO REZONE A TRACT OF LAND LOCATED AT 57 EAST
MAIN STREET, MORE PARTICULARLY DESCRIBED
HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3
CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN
CONDITIONS**

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

REZONING

2004-088 (Delores N. Williams)

On motion of Councilman Lively, seconded by Councilman Hakeem,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS
AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS
TO REZONE A TRACT OF LAND LOCATED AT 3030
DODSON AVENUE, MORE PARTICULARLY DESCRIBED
HEREIN, FROM R-2 RESIDENTIAL ZONE TO C-5
NEIGHBORHOOD COMMERCIAL ZONE**

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

REZONING

2004-092 (ANT Group, LLC)

On motion of Councilman Lively, seconded by Councilman Page,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS
AMENDED, KNOWN AS THE ZONING ORDINANCE, SO
AS TO REZONE TRACTS OF LAND LOCATED AT 7442,
7444 AND 7446 SHALLOWFORD ROAD, MORE
PARTICULARLY DESCRIBED HEREIN, FROM R-1
RESIDENTIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT
TO CERTAIN CONDITIONS**

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

REZONING

2004-093 (Berry, Hunt & Yarbough)

On motion of Councilman Page, seconded by Councilman Littlefield,
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 2010 GODSEY DRIVE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS
passed second reading. On motion of Councilman Littlefield, seconded by Councilman Hakeem, the Ordinance passed third and final reading and was signed in open meeting.

REZONING

2004-095 (Rhea Developments)

On motion of Councilman Taylor, seconded by Councilman Pierce,
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 5979 HIGHWAY 153, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE
passed second reading. On motion of Councilman Hakeem, seconded by Councilman Littlefield, the Ordinance passed third and final reading and was signed in open meeting.

REZONING

2004-097 (Towne Center North, LLC)

On motion of Councilman Lively, seconded by Councilman Hakeem,
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE TRACTS OF LAND LOCATED IN THE 1000 BLOCK OF COWART DRIVE AND JOHN MARK ROAD TOGETHER WITH PART OF 5810 WINDING LANE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE AND R-4 SPECIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS

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

REZONING

2004-098 (Chattanooga Funeral Home)

On motion of Councilman Taylor, seconded by Councilman Hakeem,
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE TRACTS OF LAND LOCATED AT 8214 AND 8226 EAST BRAINERD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE AND C-5 NEIGHBORHOOD COMMERCIAL ZONE TO R-4 SPECIAL ZONE

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

2004-101 (MK, LLC)

On motion of Councilman Hakeem, seconded by Councilman Franklin,
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 1419 MARKET STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS

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

REZONING

2004-102 (Bassam Abdelnour)

On motion of Councilman Littlefield, seconded by Councilman Pierce,
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 4410 BRAINERD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO 0-1 OFFICE ZONE

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

2002-036 (Jon Kinsey)

Chairman Benson explained that this had been thoroughly discussed prior to this meeting; that it was thoroughly discussed in previous months, but because of the delay between second and third readings, he thought maybe a report was needed.

REZONING (CONT'D)

Councilman Littlefield stated that this had been discussed in the Legal and Legislative Committee and that we were being maybe excessively cautious and following the City Attorney's recommendation and were only hearing this for second reading tonight, which would give one additional week for others to learn about it. He stated that he felt confident it would pass on second reading tonight and third reading next week, but in any event we were being cautious in not moving too fast.

Mr. Jerry Pace, Director of Operations RPA, stated that he thought this had been explained enough by Councilman Littlefield; that it had been heard and discussed at the Planning Commission and that the same conditions apply as in other C-3 Central Business Zones; that one exception is Condition No. 13—that they had deleted the words "*approved by the Planning and Design Studio*" and just left "*reviewed by the Planning and Design Studio*".

On motion of Councilman Littlefield, 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 IN THE NORTHWEST CORNER OF MAIN STREET AND MARKET STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS
passed second reading with the change in one condition as explained by Mr. Pace.

OVERTIME

Overtime for the week ending June 11, 2004, totaled \$105,384.31.

PERSONNEL

The following personnel matters were reported for the various departments:

PUBLIC WORKS DEPARTMENT:

- ❖ **JENNIFER SMITH**—New Hire of Engineer Designer, Pay Grade 17/2, \$35,220 annually, effective May 28, 2004.
- ❖ **ERIC BOOKER**—New Hire of Engineer Designer, Pay Grade 17/2, \$35,220 annually, effective May 28, 2004.

CHATTANOOGA FIRE DEPT.:

- ❖ **THOMAS BLACKBURN**—Military Leave of Firefighter, effective June 14, 2004.

CHATTANOOGA POLICE DEPT.:

- ❖ **JAMES F. HOLLOWAY**—Military Leave extension, effective 6/7/04—12/07/05.
- ❖ **REGINALD R. ABERNATHY**—Resignation of Police Officer, effective 6/11/04.

Chief Skip Vaughn explained that Mr. Holloway was being deployed to Iraq for 18 months and that Reginald Abernathy was resigning after being a police officer for 14 years to take a job with an overseas contractor and would probably land up in Iraq also.

Chairman Benson asked Chief Vaughn how he felt the Strut went last night. Chief Vaughn responded that it went remarkably smooth; that they had two “volunteers” to go to jail—one for underage drinking; that this was a big contrast to the 30 arrests last year.

POLICE DEPT.
CHIEF VAUGHN

Councilman Pierce asked Chief Vaughn the reasoning behind some vendors complying with the order to stop selling beer at 8:30 and some not; that he was getting complaints from the ones on the lower end that complied while those vendors at Market St. at MLK continued to sell beer. Chief Vaughn stated that Market St. at MLK was not on their venue; that they do a sweep down to Georgia Ave. Chairman Benson interjected that Market St. at MLK was not their assignment. Councilman Pierce questioned how that part got separated from the Strut area. Chief Vaughn continued to say that this was outside their purview. Councilman Pierce still contended that the Bessie Smith Strut included MLK at Market and that was part of the event; that there seemed to be two sets of rules at each end. Chairman Benson noted that Chief Vaughn had done a great job! Councilman Pierce still contended that some were allowed to sell beer after hours and that was unfair.

Councilman Franklin asked Chief Vaughn if he associated the success of the Strut with moving the time up some. Chief Vaughn responded that they were slow at taking the stage down, and it blocked the street while Public Works was doing their sweep; that Public Works did the sweep and the Police Officers moved the crowds back so that the sweepers could work. He mentioned that the waste containers were cardboard with no liners and that the bottoms came out and the debris was on the streets; that the sweepers don't pick up wet debris and that made the sweep last longer. He stated that he didn't know who was responsible, but it was a bad idea, but overall, the Strut did go well.

Chairman Benson expressed appreciation for Chief Vaughn being present and also his suggestions.

Adm. McDonald noted that the waste containers were furnished by Riverbend and that he would talk to them.

Chairman Benson expressed appreciation for the team work between Public Works and the Police Dept. and also for a Police Chief's presence each week.

PURCHASE

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

BROOKER FORD (Offered more favorable delivery date)
Requisition No. R0074262

Ford Ranger Super Cab

\$14,090.00

HOTEL PERMIT

On motion of Councilman Hakeem, seconded by Councilman Littlefield, the following Hotel Permit was approved:

QUALITY INN—5500 Brainerd Rd.

REFUND

On motion of Councilman Hakeem, seconded by Councilman Littlefield, the Administrator of Finance was authorized to issue the following refund of real and/or personal property taxes for the tax year 2003 per assessment appeals commission.

COLONIAL REALTY LIMITED PARTNERSHIP \$7,693.36

PURCHASES

On motion of Councilman Hakeem, seconded by Councilman Littlefield the following bid rejection and purchases were approved for Finance and Administration:

REJECT ALL BIDS (Appear to be exorbitant)
Requisition No. R0070162

Auto Glass Replacement for Fleet Maintenance, Division I

PURCHASES (CONT'D)

PARMAN LUBRICANTS (Lowest and best bid meeting specs.)
Requisition No. R0074582/B0001533

Petroleum Products for Fleet Maintenance Div. 1

Requirements Contract

USInfrastructure, Inc. (Lowest and best bid)
Requisition R0065428

Cityworks Implementation & Deployment

(See minute material for pricing)

CERTIFIED MAINTENANCE (Lowest and best responsive bid)
Requisition R0051662/B0001513

Janitorial Services for Library

\$16,620.00

CAROLYN'S TempResource, Inc. (Lowest and best bid)
Requisition R0062759/B0001578

Citywide Temporary Employment Services

\$363,445.00

COMMITTEES

Councilman Pierce related that the **Budget and Finance Committee** met earlier in the evening and went over line items in the Budget Ordinance. Several questions were raised and another meeting was set jointly with Legal and Legislative on **Tuesday, June 22nd at 3:00 P.M.** There will be an opportunity for public input.

Chairman Benson announced that there would be a **4th District Meeting at the Concord Baptist Church on Thursday, June 17th at 7:00 P.M.** The Mayor, as well as Department Heads, will be present to address community concerns.

COMMITTEES (CONT'D)

Councilman Littlefield reminded everyone that the **Legal and Legislative Committee will meet next Tuesday, June 22nd at 3:00 P.M.** The Brainerd Rd. Plan that had been referred to Planning several weeks ago will be discussed.

Councilman Hakeem reminded everyone that the **Public Works Committee will meet next Tuesday, June 22nd at 4:00 P.M.** He also noted that the MPO meeting had brought up a couple of plans concerning transportation needs in the region—one is a Congestion Management Plan and the other is a Transportation Plan. He also noted that when the young people were here earlier that he had told them that they had a representative from Howard High School on the Council—that his colleague, Councilman Pierce, was also from Howard.

DR. LORETTA PRATER

Dr. Loretta Prater of 2310 Abbey Rd., Cape Girarden, MO, addressed the Council, thanking them for allowing her to speak concerning the death of her son, **Leslie Vaughn Prater**, who died on January 2, 2004, as a result, as she phrased it, of being brutally murdered by four officers employed by the Chattanooga Police Department.

She continued with the issues, stating that the police neglected to do their job, which is to serve and protect citizens; that the police stated that upon their arrival, they were unsure if they were dealing with a medical or mental problem, but neglected to follow departmental policy in dealing with such situations; that the officers used excessive, unreasonable and unnecessary force; that the four officers violated the constitutional 4th Amendment Rights of Leslie Vaughn Prater; that the body of Mr. Prater was severely beaten, as evidenced by two independent autopsy reports showing 21 rib fractures, a broken arm, a dislocated shoulder, blunt trauma to the scrotum and numerous other bruises and lacerations; that two officers used pepper spray, which compromised his ability to breathe; ; that homicide by positional asphyxia was the cause of death, which included keeping him face down in the dirt after his hands were cuffed behind his back; that Mr. Prater was unarmed, as could be determined because he was nude and that he posed no threat to the well-being or safety of the four officer.

DR. PRATER (CONT'D)

Dr. Prater went on to say that the family demanded the incident report and the release of the public files of the four officers, including their pictures; justice for their loved one; accountability, including a thorough, independent and objective investigation; an end to the double standard of justice when police officers are the perpetrators; immediate release of the four officers from duty pending the outcome of the investigation; and the dismantling of the Blue Wall.

Dr. Prater continued talking over the allotted time and Chairman Benson acknowledged that he failed to warn her that there was a time limit and allowed her to wrap up her statements.

Dr. Prater noted that Mayor Corker had agreed to meet with the family and that they would like a Resolution from the Council for the end of police brutality; that they would like a public hearing to hear from people and their situations relating to police brutality.

Chairman Benson summarized her concerns as wanting to get an Incident Report; Double Standard; Blue Wall; Resolution from Council; and a Public Hearing.

Dr. Prater added, also the release of the officers from duty; that they should not be on the streets until a thorough investigation is completed; that they were only given seven days off.

Councilman Franklin asked about the two independent autopsies. Dr. Prater responded that one was done by Frank King and one by Dr. Levi.

Councilman Hakeem stated that it would probably be better for the City Attorney to respond to Dr. Prater on the Council's behalf; that the Council did not want to speak out of turn.

Attorney Nelson advised that he would suggest taking this up in committee and going from there—that it could be the Safety Committee or Legal and Legislative.

Councilman Pierce stated that this really needed to be “aired” out and that we might need to set a Special Meeting.

DR. PRATER (CONT'D)

Dr. Prater stated that she lived in Missouri and planned to leave Chattanooga on Sunday; that they were still homeowners in Chattanooga; that because of the killing of their son, they would be here when needed; that she would not allow this to be put “out of sight and out of mind”. She stated that her schedule was flexible.

It was suggested that this be heard in **Legal and Legislative committee on Tuesday, June 29th at 3:00 P.M.** Chairman Benson assured Dr. Prater that the Council would try to work out a format, and she could attend the meeting.

Councilman Page stated that he would like a specific agenda for the meeting, saying what we hope to accomplish; that we would need a Report from Internal Affairs. He questioned what we wanted to accomplish at the committee meeting.

Chairman Benson asked that Dr. Prater leave her letter with the Council and that the Council would spend two weeks trying to find answers.

Dr. Prater stated that she would also leave contact information and Chief Vaughn could have a copy of this if he wanted it.

Chairman Benson stated that we regretted the circumstances under which Dr. Prater was here tonight and that we grieved with her.

GARY BALL

Mr. Ball addressed the Council, stating that he and Sylvia Bennett had talked this afternoon; that he was representing Ridgedale; that he was going to bring up an issue that involved a problem in the inner-city neighborhoods—that was people parking in their yards. He stated that there was an Ordinance that speaks about the inability to drive across sidewalks and what a permitted driveway is; that the problem that he and Sylvia had talked about was the ability of new construction getting by the Building Department; that they were unsure how new homes were being built without curb cuts and this was deteriorating and lowering property values; that Neighborhood Services was trying remotely to deal with this; that when you called 311 they said that they did not take these complaints. He stated that he thought this was a problem that a number of neighborhoods shared.

GARY BALL (CONT'D)

Chairman Benson agreed that this was not peculiar to just this district.

Councilman Taylor thanked Mr. Ball for bringing this issue up; that it was brought up several years ago and was a major problem in every community; that cars were parked everywhere, and it needs to be addressed in the Building Code. He stated that he would like to take this back up; that it could be discussed in a Housing Committee that would piggy-back with Legal and Legislative; that this plagued the whole city.

Chairman Benson stated that people need to know that they are violating an Ordinance.

Councilman Hakeem agreed that this is a problem throughout the city and that we need to deal with it; that there are persons who have curb cuts and pads and still park another car in the yard; that sometimes the reason they do this is to keep their car from being hit on the street; that to avoid pulling cars into the yard, they need to understand all the ramifications and how it impacts the neighborhood.

Councilman Littlefield stated that this was a universal problem and getting worse; that people could get approval to pave elliptical driveways in their front yard; that we need to adopt some kind of Code that requires some type of pavement because this creates muddy messes; that even graveled driveways do not last and causes problems. He stated that this would require a little study but that it is timely; that it is unattractive and lessens property values; that it is a problem in older neighborhoods that were not built for cars; that it is not an easy problem to wrestle with, and he looked forward to it; that it could come up under the Housing Committee.

Councilman Taylor stated that we dealt with this a couple of years back to come up with a solution; that it does deal with housing and communities and behooves us to see what improvements can be made with a major, major problem. He stated that he would put this in committee and that at the first meeting, we should have pictures; that we would make it in about two weeks, and he asked Attorney Nelson to see what other cities are doing.

Councilman Pierce asked Councilman Taylor to go back and get notes from previous meetings.

GARY BALL (CONT'D)

Councilman Page noted that one of the things being passed around is an Ordinance that is on the books and asked if we had enforcement of what we have already established. Mr. Ball responded that it was “jumbled up” as to who was responsible and that this needs an orderly discussion, and he and Sylvia and everyone would be satisfied if they knew it was being worked on.

Chairman Benson stated that we would make it so that it could be enforced.

Councilman Taylor added that we would be dealing with parking on sidewalks and crossing sidewalks into yards.

Chairman Benson stated that if we were unable to enforce the Ordinance because of the way that it is written, that we need to deal with this.

SYLVIA BENNETT

Sylvia Bennett was the next person to address the Council. Chairman Benson had already read the rules regarding speaking more than a certain number of times in 30 days, and Mrs. Bennett stated that she did not know if she had spoken in the last 30 days or not. She stated that we were paying the Humane Society to take care of animals; that she was over there this morning and found 13 to 17 empty water buckets in this heated weather. She directed attention to the Contract on Page 11 that states upon request, the City shall allow inspections done during regular business hours. She stated that they were not allowed to go in one-half of the Shelter; that maybe employees taking care of 50-60 animals don't have time. She asked that the Council write a letter that would allow people to check out what we are paying for.

Chairman Benson stated that a letter could be prepared from the City Council that would allow for “spot inspections”; that it could approve that Sylvia and someone such as Barbie Wilson be allowed to make spot visits throughout the Shelter and any closed off section.

Councilman Hakeem moved that the Council authorize our Chairman to move forward with a letter. This was seconded by Councilman Littlefield.

Chairman Benson stated that he would have the letter prepared by Friday.

ADJOURNMENT

Chairman Benson adjourned the meeting of the Chattanooga City Council until Tuesday, June 22, 2004 at 6:00 P.M.

CHAIRMAN

CLERK OF COUNCIL

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