

**City Council Building
Chattanooga, Tennessee
October 4, 2005
6:00 p.m.**

Chairman Robinson called the meeting of the Chattanooga Council to order with Councilmen Bennett, Benson, Franklin, Hakeem, Page, Pierce, Rico and Rutherford 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, Chairman Robinson gave invocation.

MINUTE APPROVAL

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

AMEND CITY CODE

Councilwoman Rutherford stated this matter was discussed in last week's Public Safety Committee meeting and approval is recommended.

On motion of Councilwoman Rutherford, seconded by Councilman Rico,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
SECTION 2-155, RELATIVE TO COMPENSATORY LEAVE FOR CERTAIN
CITY EMPLOYEES ENGAGED IN LAW ENFORCEMENT ACTIVITIES**
passed first reading.

AMEND CITY CODE

On motion of Councilman Pierce, seconded by Councilman Rico,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 25, ARTICLE II, SECTION 25-68(a)(8), BEING PART OF THE
NOISE ORDINANCE**
passed first reading; Councilmen Rutherford, Page and Bennett voted "no".

ACCEPT FUNDS

On motion of Councilwoman Rutherford, seconded by Councilman Rico,
**A RESOLUTION AUTHORIZING THE CHIEF OF POLICE TO ACCEPT FUNDS
SEIZED PURSUANT TO TENNESSEE CODE ANNOTATED TITLE 39, CHAPTER
11, RATIFYING SAID CHAPTER, DESIGNATING THE ACCOUNTING FUND
INTO WHICH SUCH FUNDS ARE TO BE DEPOSITED, AND DESIGNATING
HOW SUCH FUNDS ARE TO BE DISTRIBUTED**
was adopted.

OVERTIME

Overtime for the week ending September 30, 2005 totaled \$97,969.53.

PERSONNEL

The following personnel matters were reported for the various departments:

PUBLIC WORKS DEPARTMENT:

- **JIMMY L. YEARBY, KENNETH L. TRAMMELL** – Hire, Crew Worker, City Wide Services, Pay Grade 3/Step 1, \$18,850.00 annually, effective September 15, 2005.
- **ROBERT A. SMITH, JR.** – Crew Worker, City Wide Services, Pay Grade 3/Step 1, \$18,850.00 annually, effective September 26, 2005.
- **GEORGE D. STUART, JR.** – Transfer/Voluntary Demotion, Equipment Operator, Sr., City Wide Services, Pay Grade 8/Step 5, \$27,276.00 annually, effective September 28, 2005.

PERSONNEL (Continued)

CHATTANOOGA FIRE DEPARTMENT:

- **JAMES APPLEBERRY** – Retirement, Operations Chief, effective September 30, 2005.
- **DAVID ARNOLD** – Retirement, Battalion Chief, effective September 30, 2005.

Chief Coppinger acknowledged the retirement of Chiefs Appleberry and Arnold, stating that they came to work together, grew up together and have done an outstanding job for fire service and the citizens of Chattanooga. He stated that he wanted to recognize them in open meeting to have it known how much their service was appreciated.

On behalf of the Council, Chairman Robinson expressed appreciation for the many years of service Chiefs Appleberry and Arnold gave.

CHATTANOOGA POLICE DEPARTMENT:

- **JUSTIN M. ALLEN, CARRIE A. BARNES, EDWARD BENCOSME, LAROMIE W. BOYD, JONATHAN R. BROCK, JAKE S. EAVES, LYNN M. KROPP, DWIGHT A. MANGHANE, JOHNNY R. MCBEE, JOHN A. PATTERSON, KAREN B. PICKARD, LADARIUS G. PRICE, LAKISHA M. REID, EDWARD A. TINNEY, TERRANCE D. TUMLIN, GREGORY J. WILHELM, RANDALL J. WOOD** – Hire, Police Officer, Pay Grade P1/S1, \$29,437.00 annually, effective September 30, 2005.
- **MARK D. SIMS** – Hire, Police Officer, Pay Grade P1/S6, \$36,657.00 annually, effective September 30, 2005.
- **DOROTHY NEWSOME-HARRIS, KEITH PITTS, LORA SALTER** – Hire, School Patrol Officer, \$28.22 per day, effective October 7, 2005.
- **THOMAS FORTSON** – Resignation, Communications Officer, effective September 30, 2005.

Councilman Hakeem inquired as to the person listed on the Police Department's personnel transaction as having a higher pay grade. He asked if there was something different about this person as a result of having gone through the Academy.

PERSONNEL (Continued)

Executive Chief Cooper explained that the list involves Academy hires and the person Councilman Hakeem referenced resigned the first day the academy started. He stated the person was from TVA and had police experience and certification, yet resigned the first day of the Academy and is no longer an issue.

Councilman Hakeem asked if this person was replaced in the Academy. Chief Cooper responded that there has not been a replacement.

Councilman Hakeem asked if the hires are just seventeen (people) to which Chief Cooper responded that there are sixteen as of today; that a second person resigned on yesterday and the present level is sixteen.

PURCHASES

On motion of Councilwoman Rutherford and Franklin the following purchase was approved for use by the Department of Finance and Administration:

CHATTANOOGA PUBLISHING COMPANY (Single source)

R0085378

Newspaper Advertising per TCA 6-56-304.2

\$50,000.00

DOYLE HAYES (Lowest and best bid)

R0084501/B0002526

Tire Recaps and Tire Repairs

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

REJECT ALL BIDS

On motion of Councilman Pierce, seconded by Councilman Page, approval was given to reject all bids on R0084521/B0002515, Tires and Tire Liners for Fleet Maintenance.

BOARD APPOINTMENT

On motion of Councilwoman Rutherford, seconded by Councilman Franklin, the following Board appointment was approved:

CHATTANOOGA HOUSING AUTHORITY:

- Appointment of **BARBARA READNOWER** for a five year term expiring October 4, 2010.

NOISE ORDINANCE AMENDMENT

Councilman Pierce inquired about the amendment to the Noise Ordinance that was adopted on first reading this evening, wanting to know if it would become effective immediately.

City Attorney Nelson responded that it would become effective immediately next week after second reading.

Councilman Pierce asked if there was any way to pass it (tonight).

City Attorney Nelson responded that second reading would be on next Tuesday; that an ordinance can be passed only on one reading per week and this ordinance has to have two reading. He noted tonight was the first reading and next Tuesday would be the second reading.

Councilman Pierce gave a hypothetical situation indicating if the workers went back out to work this weekend, would they have any leverage other than being cited to court and paying \$50.

City Attorney Nelson stated that has no bearing on what was done tonight; that the Ordinance must pass second reading.

Councilman Pierce asked if they go back would they would be cited \$50 per day.

City Attorney Nelson responded "yes": that the penalty for violation of a city Ordinance is \$50.

COMMITTEES

Councilwoman Rutherford scheduled a meeting of the **Public Safety Committee for Tuesday, October 11 beginning at 3 p.m.**

Councilman Hakeem asked if the promotions policy could be discussed in Councilwoman Rutherford's meeting as he has questions.

Councilwoman Rutherford responded if the meeting is long enough; that the purpose for next Tuesday's meeting is to discuss some activity in parking lots that we need to get a "handle on". She stated she would speak with Chief Parks to see if he can be available and if he is willing to have a meeting it will be fine with her. She stated she would rather have two matters discussed in one meeting than to do it every week.

Councilman Pierce stated he does not know what the matter involves as far as parking lots, and asked if the city has any authority dealing with private parking lots.

City Attorney Nelson stated that it depends on what goes on on those lots.

Councilwoman Rutherford stated that she has spoken with Messrs. Nelson and Fritz and it is her belief Chief Cooper and Mr. Johnson are aware that there needs to be some discussion if not "tweaking" of some ordinances.

Councilman Hakeem reminded Council members of the meeting of the **Public Works Committee scheduled for Tuesday, October 11 at 4 p.m.**

Councilman Benson stated a long **Legal and Legislative Committee** was held today and a similarly long meeting is **scheduled for Tuesday, October 18**. He thanked representatives of the various departments for being present tonight as there are cases that come up and questions that need to be asked. He asked Mr. Norris to give some indication as to where we are on the annual paving program; that he has a street that was prepared for paving but was not (paved).

Lee Norris explained that a contract was let for \$660,000 with Highways, Inc. and paving should be underway as we speak.

Councilman Benson asked if there is a time line and noted that the cold weather is coming. He stated paving was started on a street and it got too cold to put asphalt down and he did not want that to happen again.

COMMITTEES (Continued)

Mr. Norris stated that a lot of times if the road requires repair that is done prior to paving; that they try to get ahead with repairs so it does not slow them down.

Councilwoman Rutherford interjected that she knows her constituents in District 6 would love for work to be done on Saturday and Sunday if their streets are paved!

Councilwoman Bennett stated the Economic Development Committee met today and expressed appreciation to the representatives of the Chamber and Advanced Transportation Technology Institute for making their presentation and bringing the Council up to date on what is happening in economic development.

MRS. BARBARA RICO

The attendance of Mrs. Barbara Rico was recognized at this time. Chairman Robinson expressed thanks on behalf of the Council to Mrs. Rico for the wonderful hospitality she has extended (to the Council) so often!

ADJOURNMENT

Chairman Robinson adjourned the meeting of the Chattanooga Council until Tuesday, October 11, 2006 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)**