

**City Council Building
Chattanooga, Tennessee
January 10, 2006
6:00 p.m.**

Chairman Robinson called the meeting of the Chattanooga Council to order with Councilmen Bennett, Benson, Franklin, Hakeem, Page, Rico and Rutherford present; Councilman Pierce was absent due to death in family. City Attorney Randall Nelson, Management Analyst Randy Burns and Council Clerk Carol O'Neal were also present.

Chairman Robinson noted the absence of Councilman Pierce and stated that he was out of town due to the loss of a brother-in-law whose funeral service is scheduled for tomorrow. She asked that everyone pause to express sympathy to him, his wife and their family.

PLEDGE OF ALLEGIANCE/INVOCATION

Following the Pledge of Allegiance by Councilwoman Rutherford, City Attorney Nelson gave invocation.

MINUTE APPROVAL

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

SPECIAL PRESENTATION: GIRLS CLUB 45TH ANNIVERSARY

Councilwoman Bennett asked Maxine Bailey to join her at the podium. She stated that she was excited to announce that Girl Inc. is celebrating their 45th anniversary. At this time she read excerpts from a proclamation that had been prepared and signed by Mayor Littlefield designating 2006 as ***THE CHATTANOOGA YEAR OF THE GIRL*** in tribute to the 45th anniversary of Girls Incorporated of Chattanooga's service to our community.

SPECIAL PRESENTATION: GIRLS CLUB 45TH
ANNIVERSARY (Continued)

Maxine Bailey, Executive Director of Girls Inc., thanked Councilwoman Bennett and members of the Council. She stated it is going to be a good year and they are going to have many exciting events; that 22,000 girls have been served and the number will continue to grow by leaps and bounds. She stated a group of girls were brought to the City Council chambers during the summer to hear remarks from Councilmen Robinson and Hakeem and one of the things they told her was that they were planning to get ready to take positions on the City Council! She stated Girls Inc. inspires all girls to be strong, smart and bold! She recognized members of the Girls Inc. Board, staff, parents and a number of young women members who were present with her who were already strong, smart and bold!

Chairman Robinson expressed best wishes and congratulations for the first 45 years.

REZONING

2005-168: Institute of Healing and Health (Wildwood Lifestyle Center)

Representatives for the applicant were present; there was no opposition.

Jerry Pace, Director of Development Services with the Regional Planning Agency (RPA), stated that this request had been deferred and involves the Institute of Health and Healing in Lookout Valley. He stated it involve a portion of 400 acres with a request for R-3 to accommodate structures that would allow more than one structure on residential lots. He stated to accomplish this the property has to be rezoned to R-3; that the problem is with access to the site on the west side of Interstate 24 which goes through a narrow underpass from one side to the other. He stated the Fire Chief and Steve Leach of Public Works did go out and inspect the problem and both have submitted recommendations to Councilwoman Bennett.

Councilwoman Bennett stated that she has spoken with Chief Rowe and Steve Leach in Public Works and there are so many concerns about access to the property. She stated after looking more closely at the matter and with a clear conscious her motion would be to deny the rezoning; that it is important to keep the development as minimal as possible under these particular conditions.

REZONING (Continued)

Councilwoman Rutherford stated she would like to be refreshed; that as it stands now how many units can be built and if it were rezoned how many could there be.

Mr. Pace stated one could be built as there is only one lot; that there is more than one on it now; that it was in the county and was annexed into the city and rezoned R-1. He stated only one lot could be built; that all the property is not usable as it is hilly and mountainous.

Fernando Ferrera, Vice President of Wildwood Hospital, asked if anyone on the Council knows about Wildwood Hospital. (Councilman Rico responded "yes".) He stated it is very sad they are being treated in the way they area being treated; that he has been with the hospital for 13 years and there are eleven dwellings on that part of the property. He expressed that he did not believe the City Council has the right to deny Wildwood's petition to build one single dwelling; that they have been incorporated into the city of Chattanooga and they did not wish for that to happen, but it did, and now they are stuck because they can not do much. He stated this underpass was built in those days to serve them without any problem; that long ago they had a big fire on that side and had twenty two vehicles from the fire department and did not notice any problem. He stated that he did not understand how the Council has the responsibility to deny one single request from this institution that has been serving the community for sixty-three years; that it is his thought they deserve to be treated differently because they want to build one house there. He stated this is unfair and noted that God knows he is telling the truth. He stated they have been operating for sixty-three years, was annexed into the city and are now stuck and cannot build a single house. He stated that he would appreciate it if the Council could review this situation.

Councilman Benson stated that he has labored on this a long time; that he first picked it up when it was presented at the courthouse at Planning. He stated that the Council realizes the value of Wildwood and want it to continue, however, the Council could not do something that would jeopardize safety of the new development. He stated the Fire Chief went to look around and found the property was very limited on the safety issue as to whether we could provide a fire engine, ambulance and any other equipment because of the narrow tunnel. He stated when Wildwood purchased the property it was R-1 and if the Council changed it to R-3 it would not only put Wildwood in a position of increasing growth but also jeopardizing citizens in the area if a massive tragedy occurred and the fire department could not get in to service it.

REZONING (Continued)

Mr. Ferrera stated that he understood; that the fire at that time had 22 vehicles to respond; that it was his thought this was a big fire and the fire department was able to extinguish it with their resources.

Councilman Benson stated at that time the city did not have Quints; that we now have bigger engines with great capacity to serve wider and bigger areas. Mr. Ferrera stated the fire was two years ago.

Chief Rowe stated the brush fire Mr. Ferrera referenced that happened several years ago actually had brush trucks respond, not engines. He stated the brush trucks are not a problem as they are a lot smaller and a lot more maneuverable. He stated there would be less maneuverability with the current engines and Quints.

Councilman Page expressed sadness that the city could not provide the resources to protect what Wildwood wants to develop; that it is his belief there may be an opportunity for deannexation as he has seen that done before and perhaps there may be other avenues that could be taken. He stated he does not know for certain that this might be a possibility but would certainly be a way they could continue to serve and do the things they want to do in this area.

Councilwoman Rutherford asked Chief Rowe if he has physically tried to take the Quint through the tunnel.

Chief Rowe stated that they had been out to the area three times and the first two times were with the equipment. He stated the very first time they were stopped by train traffic due to train track repair and there was a six minute delay both times by the train. He stated the equipment could narrowly make it through the tunnel and noted that that is just part of the problem. He stated once on the property there are two other problems that would hamper any type of fire fighting effort which would be the lack of water and the lack of maneuverability with a fire engine.

Councilwoman Rutherford stated that she would like to work with Wildwood and expressed her thought that the suggestion Councilman Page made may be on the right track; that the city of Chattanooga can not put any citizen in jeopardy like this to be able to do as they (Wildwood) need to do.

Charles Hightower expressed thanks to the Council for laboring with this problem and indicated that he was not certain if there is anything to Councilman Page's suggestion with regard to other avenues we may take, noting that they could possibly investigate it.

REZONING (Continued)

On motion of Councilwoman Bennett, seconded by Councilman Benson,
**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 4580 CHAMBERS ROAD, MORE
PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-
3 RESIDENTIAL ZONE, SUBJECT TO A CONDITION**
was denied.

REZONING

2005-199: 2901 Orchard Knob, LLC

The applicant was present.

Mr. Pace stated this request was tabled until today for M-1 zoning to expand a similar service in the area. He stated that the request is recommended for approval by both Planning and Staff with conditions and referenced the hammerhead turnaround listed in the conditions. He stated the applicant agrees to all four conditions except the hammerhead turnaround.

Dewayne Gentry, owner of the property, stated that he does not have any problem with the conditions other than the hammerhead turnaround.

At this point, Councilmen Rico and Rutherford made the motion and second to delete the condition referencing the hammerhead turnaround.

Councilman Hakeem stated that he would like to hear from Mr. Pace about the hammerhead turnaround and whether garbage trucks would be able to turn around.

Mr. Pace stated that the city's traffic engineer made the recommendation for the hammerhead.

Councilman Benson stated that it was his thought it was understood there would be a handicapped turn around when it was first discussed and that now he is hearing there is a garbage truck problem.

REZONING (Continued)

Mr. Pace stated there is no hammerhead turnaround existing now; that he does not know how garbage pickup is currently handled; that they apparently pull up and back out toward Brown Street, which is the next street to the north and turn around. He stated that is why the traffic engineer recommended the condition to be placed on the rezoning of this property.

Councilman Benson asked if there is a problem with the garbage trucks being able to turn around.

Mr. Gentry responded "no"; that he currently owns the property and is asking for it to be zoned from R-1 to M-1.

Mr. Pace clarified that the property is currently fenced-in.

Mr. Gentry stated currently there is no turnaround; that if a hammerhead is made on the property access would be cut off and he would not be able to get to the rear of the property down that side; that there is currently a building there to the east of that.

City Attorney Nelson suggested that the Council not rule on this tonight; that the matter should be brought back up next Tuesday for an opportunity to find out from the traffic engineer or whoever made the suggestion regarding the turnaround.

Councilman Hakeem and Franklin made the motion to table the matter one week.

Councilman Franklin stated that it would be helpful to the Council if a site design could be displayed to show how the hammerhead would be accommodated.

Mr. Pace stated Ordinance (g) on tonight's agenda should also be held also.

Councilman Hakeem and Franklin amended their motion and second to table this Ordinance and Ordinance 6(g) one week.

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 TRACTS OF
LAND LOCATED AT 2913 AND 2914 SOUTH HAWTHORNE STREET, MORE
PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO
M-1 MANUFACTURING ZONE, SUBJECT TO CERTAIN CONDITIONS**
was tabled one week.

CLOSE AND ABANDON

MR-2005-151: Joseph Michael Mahoney

Councilman Hakeem stated that at the last meeting of the Public Works Committee, Ordinances (a) – (f) and Resolutions (a) and (b) were discussed; that all come with recommendations for approval.

On motion of Councilman Hakeem, seconded by Councilman Franklin,
AN ORDINANCE CLOSING AND ABANDONING AN UNNAMED AND UNOPENED ALLEY LOCATED NORTH OF THE 2500 BLOCK OF ELMENDORF STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE

passed first reading.

CLOSE AND ABANDON

MR-2005-152: The Montessori School

On motion of Councilman Hakeem, seconded by Councilwoman Rutherford,
AN ORDINANCE CLOSING AND ABANDONING AN UNNAMED STREET LOCATED ON THE SOUTH LINE OF THE 1000 BLOCK OF MCCALLIE AVENUE, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS

passed first reading.

CLOSE AND ABANDON

MR-2005-164: William H. Ring & Mark E. Stolpman

On motion of Councilman Franklin, seconded by Councilman Rico,
AN ORDINANCE CLOSING AND ABANDONING LOUISE STREET FROM THE WEST LINE OF THE 1000 BLOCK OF DALLAS ROAD TO A DEAD-END, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HRETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS

passed first reading.

REZONING

2005-181: GVA Hunter

Pursuant to notice of public hearing, the request of GVA Hunter to rezone a tract of land located at 3370 Jenkins Road came on to be heard.

The applicant was present; there was no opposition.

Mr. Pace stated this request is for C-2 and the property is currently vacant. Properties in the R-4 zone were displayed with apartments to the north and a house to the east along the east property line. He stated Staff and Planning recommend approval of the R-4 zone.

Councilmen Rico and Franklin made the initial motion and second to approve on first reading.

Councilman Benson asked the applicant if he understood and is agreeable to the R-4.

Mark Mourier of Pryor Bacon Realty responded "yes"; that it is requested that the north portion be zoned C-5; that it would be "butting up" against the apartments.

Councilman Benson asked if that could be done. Mr. Pace stated that the matter was discussed at Planning; that the request was for a portion to be rezoned to accommodate a small commercial component. He stated the discussion at Planning centered on a recommendation for R-4 for the entire site. He stated the C-5 could be incorporated; that Mr. Mourier submitted a site plan showing that but RPA did not receive it in time to include it in the presentation tonight. He stated that it certainly could be part of the development.

Councilman Benson stated that this is the district he represents and that a lot of people are not comfortable with R-4 for now as it is a change from the original climate. He stated more definite information is needed.

Mr. Pace stated there is the need for more definite information as well as the size; that the maximum footprint for C-5 is 5,000 square feet, which is not a large commercial use. He stated by next Council meeting there should be more definite information and location of the request for C-5.

Councilman Benson stated the neighborhood would need to go along with it and would like to give it one more week to let it settle in.

REZONING (Continued)

On motion of Councilman Benson, seconded by Councilwoman Rutherford,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF
LAND LOCATED AT 3370 JENKINS ROAD, MORE PARTICULARLY
DESCRIBED HEREIN, FROM M-3 WAREHOUSE AND WHOLESALE ZONE
TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**
was tabled one week.

CLOSE AND ABANDON

MR-2005-184: Ben Frizzell

On motion of Councilman Hakeem, seconded by Councilman Rico,
**AN ORDINANCE CLOSING AND ABANDONING THE UNOPENED 5800
BLOCK OF SNOW HILL ROAD FROM LEE HIGHWAY TO I-75, MORE
PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP
ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE,
SUBJECT TO CERTAIN CONDITIONS**
passed first reading.

CLOSE AND ABANDON

MR-2005-192: Judith Silvey

Mr. Pace inquired as to whether opposition was in attendance since there were persons in opposition at the Planning Commission meeting. No one was present in opposition to this request.

On motion of Councilwoman Rutherford, seconded by Councilman Hakeem,
**AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED ALLEY
LOCATED SOUTH OF THE SOUTHWEST LINE OF THE 500 BLOCK OF
STRINGER STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS
SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF
BY REFERENCE**
passed first reading.

CLOSE AND ABANDON

MR-2005-200: 2901 Orchard Knob, LLC

On motion of Councilman Hakeem, seconded by Councilman Franklin,
**AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE
2900 BLOCK OF SOUTH HAWTHORNE STREET AND THE UNOPENED 1700
AND 1800 BLOCKS OF EAST 29TH STREET, MORE PARTICULARLY
DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO
AND MADE A PART HREOF BY REFERENCE, SUBJECT TO CERTAIN
CONDITIONS**

was tabled one week.

REZONING

2005-215: Urban Spaces, LLC

Pursuant to notice of public hearing, the request of Urban Spaces, LLC to rezone tracts of land located at 1431 and 1435 Market Street came on to be heard.

Mr. Pace stated this request is for C-3 across from the Choo Choo. Photos of the site and area were displayed by PowerPoint. He stated approval is recommended from Staff and Planning.

On motion of Councilman Franklin, seconded by Councilman Rico,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE TRACTS OF
LAND LOCATED AT 1431 AND 1435 MARKET STREET, MORE
PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING
ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN
CONDITIONS**

passed first reading.

REZONING

2005-217: James Sherrell Polis Studio (on behalf of Rick Ellis, PH.D.)

Pursuant to notice of public hearing, the request of James Sherrell Polis Studio (on behalf of Rick Ellis, Ph.D.) to rezone a tract of land located at 6430 Hixson Pike came on to be heard.

The applicant was present; there was no opposition.

REZONING (Continued)

Mr. Pace stated that there is commercial to the north abutting the property and a church to the south in the R-4. He stated both Staff and Planning recommend approval of this request.

On motion of Councilwoman Rutherford, seconded by Councilman Rico,
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 6430 HIXSON PIKE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE AND C-2 CONVENIENCE COMMERCIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS
passed first reading.

REZONING

2005-219: Hart Construction

Pursuant to notice of public hearing, the request of Hart Construction to rezone a tract of land located at 1721 Jenkins Road came on to be heard.

Mr. Pace stated that the applicant submitted a letter asking that this request be withdrawn.

On motion of Councilwoman Rutherford, seconded by Councilman Rico,
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 1721 JENKINS ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO RZ-1 ZERO LOT LINE RESIDENTIAL ZONE, SUBJECT TO CERTAIN CONDITIONS
was withdrawn at the request of the applicant.

REZONING

2005-224: Pryor Bacon Company

Pursuant to notice of public hearing, the request of Pryor Bacon Company to rezone a tract of land located at 1511 Gunbarrel Road came on to be heard.

The applicant was present; there was no opposition.

REZONING (Continued)

Mr. Pace stated this request is located near the Concord Apartments on East Brainerd Road for a split zone request for C-5 and R-4; that the front is requested C-5 and the rear abutting R-1 properties is requested for R-4. He stated there is O-1 in the Applegate subdivision to the north and a house is currently on the property. He stated the recommendation is to approve R-4 for the entire site with conditions for landscaping and denial of the C-5.

Councilman Benson stated that Mr. Bacon has worked well with the community and would like to have the C-5 on the front; that it is agreed rather than getting nothing he is willing to put the office all in the R-4.

Pryor Bacon stated that that is basically it; that he does not want to try putting anything in the Plan at this point; that the property is 470 X 470 and they would take back the west 170 feet and put two 12,000 foot identical office buildings near Hamilton Place. He stated there would be transition from residential on the back and the front, at this point, would be left for sale zoned R-4.

Councilman Benson again stated that Mr. Bacon has worked well with the community and expressed appreciation, noting that commercial is not on this side of Gunbarrel at this point in time.

On motion of Councilman Benson, seconded by Councilman Rico,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF
LAND LOCATED AT 1511 GUNBARREL ROAD, MORE PARTICULARLY
DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL
ZONE, SUBJECT TO CERTAIN CONDITIONS**

passed first reading.

CORRECT STREET NAME AND LIFT CONDITIONS

2005-226: Chattanooga Neighborhood Enterprises

Pursuant to notice of public hearing, the request of Chattanooga Neighborhood Enterprises to correct the street name and lift conditions imposed in Ordinance No. 11544 on a tract of land located in the 900 block of Magnolia Alley came on to be heard.

The applicant was present; there was no opposition.

CORRECT STREET NAME AND LIFT CONDITIONS
(Continued)

Mr. Pace stated this request is located in the M. L. King area and Tenth Street and conditions required that the entire right-of-way be retained for easements and utilities in the area. He stated a turnaround is to be built at the end of that alleyway and the request is to lift conditions because CNE is working with the utility companies and relocating the utility lines so they will not need the right-of-way; that the structure to be built will “fit” on the property better and the turnaround will be incorporated in the development for any vehicular traffic that might need it. He stated the matter is recommended for approval from both Planning and Staff on lifting the conditions. He stated that it was discovered in researching the matter that the initial request refers to Wall Street and it was found that the street is not Wall, it is Magnolia Alley and this request corrects that, as well.

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 CORRECT THE STREET
NAME AND LIFT CONDITIONS IMPOSED IN ORDINANCE NO. 11544 ON
A TRACT OF LAND LOCATED IN THE 900 BLOCK OF MAGNOLIA ALLEY,
BEING MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN
CONDITIONS**

passed first reading.

REZONING

2005-227: City of Chattanooga – Real Property Department

Pursuant to notice of public hearing, the request of the City of Chattanooga – Real Property Department to rezone a tract of land located at 102 Manufacturers Road came on to be heard.

A representative for the applicant was present; there was no opposition.

Mr. Pace stated this request is located in North Chattanooga in an area that is part of the old Manufacturers Road that intersects with Cherokee Boulevard. He stated the Staff supports the recommend for C-3 and the Planning Commission recommended denial of the C-3 and approval of C-7 for the entire site.

Councilwoman Bennett stated that the C-3 and C-7 zones were discussed and since part of the north shore plan will have to be tweaked the C-3 zone would be the best and most desirable zone for this project.

REZONING (Continued)

Councilman Benson stated this matter was discussed in today's Legal and Legislative Committee meeting and approval for C-3 was recommended.

Councilman Page acknowledged the presence of the grandson of Mr. Coolidge, stating that he collected signatures in sub-zero weather and would like to recognize his hard work in making this a reality.

Chairman Robinson also thanked Mr. Coolidge and asked that he stand and recognize persons with him, noting that they were part of the group that camped out on the Walnut Street Bridge all winter.

Mr. Coolidge stood and introduced his mother, Marie Coolidge, as well as Mary Hudson, Christie Drake and Geri Tollett. He stated without all of them and many others there would be a hotel in Coolidge Park! He expressed thanks to the Council and Mayor Littlefield for their hard work!

Chairman Robinson stated that she and Linda Bennett, who also represents this district, feel this is an important "win-win" for the whole city and applauded the unelected civic leadership as being an integral part of the Council's governing capacity.

Councilwoman Bennett and Hakeem made the motion and second to approve on first reading and to change the caption to reflect "*C-3 Central Business Zone*"; the motion carried. City Attorney Nelson changed the caption in open meeting.

On motion of Councilwoman Bennett, 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 102 MANUFACTURER'S ROAD, MORE
PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE
TO C-3 CENTRAL BUSINESS ZONE**
passed first reading.

PRELIMINARY PUD

2005-221: Chattanooga Housing Authority

Councilwoman Rutherford asked that Resolution 7(h) be moved forward on the agenda; Councilman Rico seconded by motion; the motion carried.

PRELIMINARY PUD (Continued)

Mr. Pace stated this is a preliminary PUD for the Chattanooga Housing Authority and noted that the property is currently zoned R-3 and R-1 and is the site of the old Johnson Apartments that have been demolished and will return with new units. He stated the request has conditions and has been through the subdivision review process. A photo was displayed of the current vacant site and elevation of the structure. He stated both Planning and Staff recommend approval.

Councilman Hakeem expressed appreciation to the Housing Authority for the partnership and their willingness to work together with the community in this effort. He stated this community is about the business of revitalization and feel this development will be an integral part of that.

On motion of Councilman Rico, seconded by Councilman Hakeem,

A RESOLUTION APPROVING A PRELIMINARY PLANNED UNIT DEVELOPMENT SPECIAL EXCEPTIONS PERMIT FOR A PROPOSED PLANNED UNIT DEVELOPMENT, KNOWN AS THE STONE GATE PLANNED UNIT DEVELOPMENT, ON A TRACT OF LAND LOCATED AT 1615 DODSON AVENUE, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS

was adopted.

TEMPORARY USE

On motion of Councilman Rico, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING DAVID TOMLINSON TO USE TEMPORARILY THE UNUSED ALLEY AS 1210 WEST 49TH STREET TO INSTALL A FENCE, AS SHOWN ON THE DRAWING ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS

was adopted.

TEMPORARY USE

On motion of Councilman Rico, seconded by Councilwoman Rutherford,

A RESOLUTION AUTHORIZING BRIGHT MEYERS LOOKOUT VALLEY ASSOCIATION, L.P. TO USE TEMPORARILY AN UNNAMED ROAD BETWEEN THE 3500 AND 3600 BLOCK OF CUMMINGS HIGHWAY, AS SHOWN ON THE DRAWING ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS

was adopted.

PAYMENT APPROVAL

Councilman Franklin stated that Resolution (c) and (g) was discussed before this afternoon's Parks and Recreation Committee and approval is recommended.

On motion of Councilman Franklin, seconded by Councilwoman Bennett,
A RESOLUTION APPROVING A PAYMENT TO CONNECT-A-DOCK AS PART OF THE PURCHASE OF DOCKS FOR "THE HOOCH" ROWING EVENT IN AN AMOUNT NOT TO EXCEED NINE THOUSAND NINE HUNDRED DOLLARS (\$9,900.00)

was adopted.

PROPERTY EXCHANGE

On motion of Councilman Benson, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO FACILITATE THE PROPERTY EXCHANGE BETWEEN THE CITY OF CHATTANOOGA, OF ITS PROPERTY LOCATED AT THE INTERSECTION OF MANUFACTURER'S ROAD AND CHEROKEE BOULEVARD, AND MILL CREEK DEVELOPMENT, INC., FOR ITS PROPERTY LOCATED AT 200 RIVER STREET AND IDENTIFIED AS STATE TAX MAP NO. 135E-N-026

was adopted.

Immediately upon adoption of this Resolution, representatives from the North Shore area stood and applauded!

PROPERTY INSURANCE RENEWAL

On motion of Councilman Benson, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL NECESSARY DOCUMENTS TO OBTAIN PROPERTY INSURANCE RENEWAL THROUGH ARTHUR J. GALLAGHER & COMPANY AS BROKER FROM TRAVELERS AS CARRIER AT A RATE OF SEVEN AND 10/100 CENTS (\$.0720) PER ONE HUNDRED DOLLARS (\$100.00) IN VALUE FOR AN ESTIMATED PREMIUM OF TWO HUDNRED SEVENTY-THREE THOUSAND ONE HUNDRED THIRTY-EIGHT (\$273,138.00)

was adopted.

ADOPTION OF COMPREHENSIVE PLAN 2030

Councilman page inquired as to whether the Manufacturers Association had an opportunity to peruse this.

Councilman Benson responded "yes"; that they have no problem with this and are in support of the Plan.

Chairman Robinson stated that the Manufacturers Association and the Association of General Contractors are in support of this; that representatives of both agencies were present when this matter appeared on the County Commission's agenda.

On motion of Councilman Hakeem, seconded by Councilman Franklin,
**A RESOLUTION AUTHORIZING THE ADOPTION OF THE COMPREHENSIVE
PLAN 2030**
was adopted.

EXTENSION OF TEMPORARY EMPLOYMENT

On motion of Councilman Franklin, seconded by Councilman Benson,
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE
DEPARTMENT OF PARKS AND RECREATION TO EXTEND THE
TEMPORARY EMPLOYMENT, PREVIOUSLY ADOPTED ON JUNE 21, 2005,
OR DARRELL MCDONALD RELATIVE TO MONTAGUE PARK AND OTHER
PROJECTS FOR A PERIOD OF TWO (2) MONTHS AND FOR AN AMOUNT
NOT TO EXCEED FOUR THOUSAND DOLLARS (\$4,000.00) PER MONTH**
was adopted.

OVERTIME

Overtime for the weeks ending December 23, 2005 totaled \$74,451.84, December 30, 2005 totaled \$13,264.06 and January 6, 2006 totaled \$71,244.23 for a grand total of \$158,960.14 for the three weeks.

PERSONNEL

The following personnel matters were reported for the various departments:

PERSONNEL (Continued)

PUBLIC WORKS DEPARTMENT:

- **SHIRLEY COLLINS-JENKINS** – Retirement, Office Assistant Senior, Waste, effective December 30, 2005.
- **WILLIAM BROGDON** – Retirement, Heavy Equipment Operator, Waste, effective December 31, 2005.
- **ROBERT C. THOMPSON, JR.** – Hire, Heavy Equipment Operator, Waste, Pay Grade 10/Step 1, \$25,208.00 annually, effective December 21, 2005.
- **JEFFERY B. TEMPLIN** – Voluntary Demotion, Crew Supervisor Senior, City Wide Services, Pay Grade 12/Step 10, \$40,862.00 annually, effective December 30, 2005.
- **JACK E. LOVE** – Promotion, Combination Inspector, Land Development, Pay Grade 14/Step 3, \$32,932.00 annually, effective December 23, 2005.
- **WIATT WEHUNT** – Resignation, Engineering Designer, Engineering, effective January 10, 2006.
- **GEORGE A. MAFFETT, JR.** – Retirement, Refuse Inspector, City Wide Services, effective December 30, 2005.
- **WILIAM R. TEMPLETON** – Disability/Retirement, Plant Operator, Waste, effective December 1, 2005.

CHATTANOOGA POLICE DEPARTMENT:

- **PAIGE KIDWELL** – Medical Leave, Communications Officer, effective December 19, 2005 – March 13, 2006.
- **LYNN M. KROPP** – Resignation, Police Cadet, effective December 22, 2005.
- **SANYA SHAFFER** – Hire, Police Records Clerk, Sr., Pay Grade 5/Step 1, \$19,350.00 annually, effective January 6, 2006.
- **JANNIE D. REEVES** – Voluntary Demotion, Accounting Technician, Pay Grade 8/Step 11, \$35,080.00 annually, effective January 6, 2006.

PERSONNEL (Continued)

- **LORA SALTER** – Resignation, School Patrol Officer Sergeant, effective December 27, 2005.
- **TOM MCKINNEY** – Suspension, Sergeant, effective January 11-12, 2006.
- **NICHOLAS B. PORTER** – Hire, Communications Officer, Pay Grade 11/Step 1, \$26,402.00 annually, effective January 6, 2006.

CHATTANOOGA FIRE DEPARTMENT:

- **FRED DANIEL** – Retirement, Captain, effective December 23, 2005.
- **CLAY INGLE** – Retirement, Battalion Chief, effective December 23, 2005.
- **HERMAN DAVENPORT** – Retirement, Captain, effective December 30, 2005.
- **JAMES CRAIG HANEY** – Promotion/Appointment, Fire Marshall, Pay Grade F6/Step 2, \$57,941.00 annually, effective January 6, 2006.

PARKS AND RECREATION DEPARTMENT:

- **ANTWAN ALEXANDER** – Hire, Recreation Specialist, Pay Grade 9/Step 4, \$27,536.00 annually, effective December 19, 2005.
- **KRISTIN DILLARD** – Hire, Recreation Specialist, Pay Grade 9/Step 2, \$25,187.00 annually, effective December 23, 2005.
- **TRICIA KING** – Promotion, Grants and Special Initiatives Coordinator, Pay Grade 17/Step 10, \$49,759.00 annually, effective December 23, 2005.
- **LANCE FRYAR** – Medical Leave, Crew Worker, effective December 30, 2005.
- **WENDELL SHARPE** – Retirement, Recreation Facility Manager, effective December 30, 2005.
- **AUDREY ROBINSON** – Promotion, Inventory Clerk, Pay Grade 5/Step 3, \$21,106.00 annually, effective December 23, 2005.

PERSONNEL (Continued)

PERSONNEL DEPARTMENT:

MATTIE ANGEL – Retirement, Personnel Technician, effective December 30, 2005.

NEIGHBORHOOD SERVICES, CODES AND COMMUNITY SERVICES DEPARTMENT:

- **EDWARD G. GRAHAM** – Promotion, Chief Code Enforcement Inspector, Pay Grade 15/Step 6, \$38,843.00 annually, effective January 3, 2006.
- **DORIS C. PARHAM** – Promotion, Chief Code Enforcement Inspector, Pay Grade 15/Step 4, \$35,777.00 annually, effective January 3, 2006.
- **DIANNA BLACKMON** – Promotion, Office Assistant Sr., Pay Grade 5/Step 4, \$22,042.00 annually, effective January 3, 2006.
- **YOLANDA YOUNG** – Promotion, Office Assistant Sr., Pay Grade 5/Step 4, \$22,042.00 annually, effective January 3, 2006.

PURCHASE

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

ACHESON FOUNDRY & MACHINE WORKS, INC. (Only bid)
R0084754, B0002606

Manhole Catch Basins and Castings

\$36,000.00

HOTEL PERMITS

On motion of Councilwoman Rutherford, seconded by Councilman Rico, the following hotel permits were approved:

GUEST HOUSE INN – 2201 Park Drive, Chattanooga, TN

HOTEL PERMITS (Continued)

HAMPTON INN – 1920 Hamill Road, Hixson, TN

COUNTRY INN & SUITES – 3725 Modern Industries Parkway, Chattanooga, TN

MAYOR’S MANSION INN – 801 Vine Street, Chattanooga, TN 37403

FIRE MARSHALL: CHIEF FRED HANEY

Chief Rowe formally introduced the new Fire Marshall, Chief Fred Haney. He stated that he was certain Council members would be talking with him from time-to-time.

Chief Haney stated that he was excited about the opportunity to serve the city in a different capacity and was looking forward to meeting each Council member and working through issues in the Fire Marshall’s office.

PURCHASE

On motion of Councilman Hakeem, seconded by Councilman Franklin, the following purchase was approved for use by the Department of Finance and Administration, Chattanooga-Hamilton County Bicentennial Library:

BB&T – HUFFAKER & TRIMBLE (Only bid)
R0085732/B0002628

Insurance Coverage

\$25,197.00

REFUNDS

On motion of Councilman Rico, seconded by Councilman Franklin, the Administrator of Finance was authorized to issue the following refunds for stormwater fees and/or property taxes for the year 2005:

STEVEN L. COULTER, MD	\$5,910.94
NEIL KJOS	1,225.74

REFUNDS (Continued)

KATHY C. MCMAHAN	2,552.34
LEWIS RICHARDS	1,014.24
ALEXANDER E. WIERBICKI	1,136.45
BARRY WAYNE MCGHEE	1,436.47
DAVID NEVAN JOHNSON	1,113.88
NATHAN COSTERISAN	1,073.14
LANDHAM & NORMAN, INC.	1,196.79
MARTHA A. HICKS	1,307.49

COMMITTEES

Councilman Franklin scheduled a meeting of the **Parks and Recreation Committee for Tuesday, January 24 at 4 p.m.**

Councilman Hakeem reminded Council members of the meeting of the **Public Works Committee scheduled for Tuesday, January 17 at 4 p.m.**

Councilwoman Rutherford scheduled a meeting of the **Public Safety Committee for Tuesday, January 17 at 3 p.m.** She noted that items from both the Fire and Police Departments would come before the Committee.

GERI TOLLETT

Geri Tollett stated that she has tried for several years to get a resolution to a situation on Colville Street playground that is visible as soon as a person turns off Forest Avenue. She stated there is a building on the playground that has been covered with a sheet that has been painted. She stated that it is really an eyesore for the neighborhood, noting that she lives three blocks from the location and has to pass it each time she goes to and from home. She stated when this first went up several of the people in the neighborhood approached those responsible and asked how long it would be standing and was told that it was erected as an honor to some lady.

GERI TOLLETT (Continued)

Ms. Tollett stated that it has been up five years and that is long enough; that they had been told distinctly at the very beginning that it would be up for a short time and would be coming down. She stated this is across the street from a \$750,000 home where there are large trees that have been purposely left up to block the eyesore. She stated that she took pictures of the building and took them to a neighborhood association meeting one night and a representative from the Parks and Recreation Department was present and took the photos. She stated a vote was taken at the meeting which was unanimous that they wanted the eyesore removed. She stated nothing has happened as it is still there.

She stated the other reason she is present is to make the Council aware there are no parking signs from the time a person turns onto Colville off Forest Avenue as far as Eleanor Street. She stated when she goes home from work she can not see oncoming traffic either way and asked if there is the possibility of getting parking signs in the area.

Councilman Benson stated in reference to the first matter he knew the lady well; that she worked in the school system and was a beloved person. She stated Mr. Healy is present tonight and there must be a more appropriate place to recognize her for her contribution to parks and recreation and education; that he would hate to see all remembrances of her destroyed.

Chairman Robinson stated that the paintings could possibly be relocated to an interior wall of the recreation center. She asked that Ms. Tollett connect with Mr. Healey after Council meeting. She also indicated that Admin. Leach was present, as well, and could speak with her in regard to the parking signs.

ADJOURNMENT

Chairman Robinson adjourned the meeting of the Chattanooga Council until Tuesday, January 17, 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)