

City Council Building
Chattanooga, Tennessee
February 7, 2006
6:00 p.m.

Chairman Robinson called the meeting of the Chattanooga Council to order with Councilmen Bennett, Benson, Franklin, Page, Rico and Rutherford present; Councilman Pierce was absent due to attendance at Mrs. Coretta Scott King's funeral service in Lithonia, Georgia. City Attorney Randall Nelson, Management Analyst Randy Burns and Council Clerk Carol O'Neal were also present.

PLEDGE OF ALLEGIANCE/INVOCATION

Following the Pledge of Allegiance, Chairman Robinson gave invocation

MINUTE APPROVAL

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

LEASE AGREEMENT

Councilman Franklin stated this Resolution was discussed in today's Parks and Recreation Committee meeting and approval is recommended.

On motion of Councilman Franklin, seconded by Councilwoman Rutherford,

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE
DEPARTMENT OF PARKS AND RECREATION TO EXECUTE A LEASE
AGREEMENT WITH TENNESSEE ELECTRIC MOTOR FOR ELECTRIC GOLF
CARTS RELATIVE TO CITY GOLF COURSES FOR A PERIOD OF THREE
YEARS**

was adopted.

EASEMENT

On motion of Councilwoman Bennett, seconded by Councilwoman Rutherford,
A RESOLUTION AUTHORIZING THE PURCHASE OF A RIGHT-OF-WAY, PERMANENT DRAINAGE EASEMENT, SLOPE EASEMENT, AND TEMPORARY CONSTRUCTION EASEMENT FROM LAWRENCE M. AND RUTHMARIE SPITCAUFSKY AT 7759 IGOU GAP ROAD, PARCEL NO. 159B-B-005, TRACT NO. 43, RELATIVE TO THE IGOU GAP ROAD WIDENING PROJECT, CONTRACT NO. E-03-011, FOR AN AMOUNT NOT TO EXCEED THREE THOUSAND FIVE HUNDRED EIGHTY DOLLARS (\$3,580.00)

was adopted.

PAYMENT

Councilman Benson stated this request was discussed in today's Legal and Legislative Committee meeting and approval is recommended.

On motion of Councilman Benson, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING PAYMENT TO HAMILTON COUNTY FOR THE CITY OF CHATTANOOGA'S SHARE OF THE COST FOR DIGITAL ORTHO PHOTOGRAPHY, PLAINMETRIC AND TOPOGRAPHIC MAPPING FOR THE HAMILTON COUNTY GEOGRAPHIC INFORMATION SYSTEM (HGIS) IN AN AMOUNT NOT TO EXCEED TWO HUNDRED FORTY THOUSAND FIVE HUNDRED FIFTY-NINE DOLLARS (\$240,559.00) SUBJECT TO HAMILTON COUNTY EARMARKING FIFTY PERCENT (50%) OF THE REVENUE OF THE HCGIS DEPARTMENT RESULTING FROM THE DATA ACQUIRED FROM THIS PROJECT TO MAINTAIN THIS GIS DATA

was adopted.

AGREEMENT

Councilman Benson stated after much discussion in today's Legal and Legislative Committee meeting approval is recommended.

On motion of Councilman Benson, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AND EXECUTE AN AGREEMENT WITH CAREHERE, LLC RELATIVE TO ON-SITE MEDICAL SERVICES FOR CITY EMPLOYEES

was adopted.

OVERTIME

Overtime for the week ending February 3, 2006 totaled \$66,249.55.

PERSONNEL

The following personnel matters were reported for the various departments:

PUBLIC WORKS DEPARTMENT:

- **BOBBY C. THOMPSON** – Return from Family Medical Leave, Crew Worker, City Wide Services, effective January 31, 2006.
- **TONY L. DAVIS** – Leave of Absence, Equipment Operator, Sr., City Wide Services, effective January 27 – April 28, 2006.
- **WALTER D. BOYD** – Family Medical Leave, Equipment Operator, Sr., City Wide Services, effective February 8 – May 3, 2006.
- **JOHNNY V. REESE** – Dismissal, Crew Worker, City Wide Services, effective January 27, 2006.
- **MICHAEL G. DODSON** – Disability Retirement, Plant Maintenance Mechanic, Waste, effective November 1, 2005.
- **DAVID A. DAVIS** – Hire, Heavy Equipment Operator, Waste, Pay Grade 10/Step 1, \$25,208.00 annually, effective January 31, 2006.
- **DONALD KING** – Disability Retirement, Electrical Instrument Technician, Waste, effective December 1, 2005.
- **JERRY W. HAYES** – Family Medical Leave, Crew Worker, City Wide Service, effective February 1 – April 26, 2006.
- **GEORGE W. DERAMUS** – Suspension (3 days without pay), Equipment Operator, City Wide Services, effective February 3, 6, 7, 2006.

CHATTANOOGA POLICE DEPARTMENT:

- **O'DELL DRAPER** – Resignation, Police Officer, effective February 3, 2006.

PERSONNEL (Continued)

CHATTANOOGA FIRE DEPARTMENT:

- **MARK NORMAN** – Voluntary Demotion, Firefighter, Pay Grade F1B/Step 2, \$40,316.00 annually, effective February 3, 2006.

NEIGHBORHOOD SERVICES DEPARTMENT:

- **DAVID HOOD** – Hire, Code Enforcement Inspector, Pay Grade 11/Step 1, \$26,402.00 annually, effective February 3, 2006.

PURCHASE

On motion of Councilwoman Rutherford, seconded by Councilman Rico, the following purchase was approved for use by the Public Works Department:

SOUTHERN UNDERGROUND (Best evaluated bid)
R0086639/B0002749

Excavator

\$71,590.00

HOTEL PERMITS

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

QUALITY INN – 5505 Brainerd Road, Chattanooga, TN

HILTON GARDEN INN – HAMILTON PLACE -- 2343 Shallowford Drive, Chattanooga, TN

HOLIDAY INN HOTEL & SUITES – 2345 Shallowford Village Drive, Chattanooga, TN

PURCHASE

On motion of Councilman Franklin, seconded by Councilwoman Rutherford, the following purchase was approved for use by the Chattanooga Police Department:

RITZ CAMERA CENTER (Best bid)
R0086161/B0002741

Digital Camera & Equipment

\$13,779.00

BLUE RIBBON PERSONNEL COMMITTEE

Councilman Page asked Donna Kelley, Personnel Director, if there is any news regarding the Blue Ribbon Personnel Committee.

Donna Kelley responded "there is no news, yet".

Councilman Page asked if this is being worked on, to which Ms. Kelley responded "yes".

BOARD APPOINTMENT

On motion of Councilman Benson, seconded by Councilman Franklin, the following board appointment was approved:

TREE COMMISSION:

- Appointment of **DAVE GARDNER** for a term ending July 31, 2009.

REFUND

On motion of Councilman Franklin, seconded by Councilwoman Rutherford, the Administrator of Finance was authorized to issue the following refund of stormwater fees and/or property taxes:

TGM FONTAINE, INC. \$11,846.76

PURCHASE

On motion of Councilman Franklin, seconded by Councilwoman Bennett, the following purchase was approved for use by the Finance and Administration Department, Fleet Maintenance Division:

YATES WRECKER SERVICE (Only bid)

R0085516/B0002668

Towing Service

\$24,210.00

NICK BRUSTIN

Nick Brustin, Attorney with the law firm Cochran, Neufeld and Scheck of New York, stated he was present along with Amelia Roberts and (Attorney) John Wolfe representing the family of John Henderson. He stated John Henderson lost his life a few years ago at the hands of a Chattanooga police officer; that he was shot while committing no crime as the police department has found. He stated he was present to respectfully ask the Council to consider the third portion of a settlement proposal that was made to the city; that the city has agreed to the first two and rejected proposal three. He stated the City Council agreed to a monetary settlement and it is hoped that money will help the children of John Henderson with their education. He stated the Council agreed to counseling for the children and is also hopeful the Council will help the children get over the death of their father. He stated they made one final very small proposal that is felt would make an enormous difference to his children. He stated the Council may or may not know that John Henderson had four children ranging from four to 13 years of age and noted that the youngest child was six months old when he was killed.

Atty. Brustin stated that he does a lot of civil rights work and has found that children need to have something they can look to to have a memory of the person they lost. He stated they proposed a very small something to remember him by such as a public building, room, gym or a room in the library; something where a plaque could be placed in honor of their father to show the city actually cared about what happened to him; something they (children) can go to when there is a question why their father died. He stated this is something the children would look to and say their father's life meant something to this city. He stated that it is his thought something like that could make an enormous difference.

NICK BRUSTIN (Continued)

Atty. Brustin stated this is not about money or anything like that; just a small token could make a large difference in his children's lives, especially as they grow. He respectfully asked the Council consider that portion of the settlement proposal.

Chairman Robinson stated that the Council would take the matter under advisement.

ADJOURNMENT

Chairman Robinson adjourned the meeting of the Chattanooga Council until Tuesday, February 14, 2006 at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL

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