

**City Council Building
Chattanooga, Tennessee
February 28, 2006**

Chairman Robinson called the meeting of the Chattanooga City Council to order with Councilmen Bennett, Benson, Franklin, Page, Pierce, Powers, Rico and Rutherford present. City Attorney Randall Nelson, Management Analyst Randy Burns, and Shirley Crownover, Assistant Clerk to the Council, were also present.

**PLEDGE OF ALLEGIANCE/
INVOCATION**

The Pledge of Allegiance was led by Councilman Franklin, followed by invocation.

MINUTE APPROVAL

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

AMEND ZONING ORD.

On motion of Councilman Rico, seconded by Councilman Pierce,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS
AMENDED, KNOWN AS THE ZONING ORDINANCE, BY
AMENDING ARTICLE V, SECTION 406, BY DELETING SAID
SECTION IN ITS ENTIRETY AND CREATING A NEW SECTION
406, MIXED USE ZONE (MXU), AS A SEPARATE ZONING
DESIGNATION**
passed second and final reading and was signed in open meeting.

CLOSE AND ABANDON

2005-203 (Chris Farris)

On motion of Councilman Rico, seconded by Councilwoman Rutherford,
AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED ALLEY LOCATED ON THE NORTH LINE OF THE 3400 BLOCK OF MARTIN STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS
passed second and final reading and was signed in open meeting.

CLOSE AND ABANDON

2005-204 (Robmer Partners)

On motion of Councilman Rico, seconded by Councilman Franklin,
AN ORDINANCE CLOSING AND ABANDONING THE PARTIALLY OPENED 1900 BLOCK OF FORT STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS
passed second and final reading and was signed in open meeting.

CLOSE AND ABANDON

2005-213 (Paul Wirz)

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,
AN ORDINANCE CLOSING AND ABANDONING THE 2100 BLOCK OF PEACOCK STREET BEGINNING ON THE NORTH LINE OF THE 2300 BLOCK OF 15TH 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 second and final reading and was signed in open meeting.

CLOSE AND ABANDON

2005-216 (Watson Properties)

On motion of Councilwoman Rutherford, seconded by Councilman Benson,

AN ORDINANCE CLOSING AND ABANDONING THE 300 BLOCK OF PATTEN STREET LOCATED ON THE WEST LINE OF THE 2000 BLOCK OF WASHINGTON STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS
passed second and final reading and was signed in open meeting.

CLOSE AND ABANDON

2005-220 (City of Chattanooga/William Payne)

On motion of Councilman Franklin, seconded by Councilman Benson,

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE 700 BLOCK OF WALL STREET AND THE 900 BLOCK OF MAGNOLIA ALLEY, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS
passed second and final reading and was signed in open meeting.

AGREEMENT

Chairman Robinson noted that this came before the Education, Arts and Culture Committee and comes with a recommendation to the full Council.

On motion of Councilman Rico, seconded by Councilwoman Bennett,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF EDUCATION, ARTS AND CULTURE TO EXECUTE AN AGREEMENT WITH TIVOLI AUDITORIUM PROMOTION ASSOCIATION, INC. FOR THE MANAGEMENT OF FUNDS APPROPRIATED FOR PROMOTION OF THE TIVOLI AND MEMORIAL AUDITORIUMS
was adopted.

AGREEMENT

On motion of Councilman Rico, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AN AGREEMENT WITH COLONIAL PIPELINE COMPANY TO RELOCATE EXISTING PIPELINES RELATIVE TO CONTRACT NO. E-04-036-103, ENTERPRISE SOUTH CONNECTOR ROAD, IN AN AMOUNT NOT TO EXCEED ONE MILLION NINETY-NINE THOUSAND EIGHT HUNDRED SIXTY-NINE DOLLARS (\$1,099,869.00), TO BE SHARED EQUALLY WITH HAMILTON COUNTY

was adopted.

COMM.DEVEL. BLOCK GRANT

On motion of Councilman Page, seconded by Councilman Franklin,
A RESOLUTION APPROVING FISCAL YEAR 2006-2007 COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIP ACT AND EMERGENCY SHELTER GRANT FUNDING AS SHOWN MORE FULLY HEREINBELOW

was adopted.

PROPERTY PURCHASE

On motion of Councilman Rico, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE PURCHASE OF CERTAIN PROPERTY LOCATED AT 0 CHICKAMAUGA CREEK, TAX MAP NO. 128N-C-011, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, FROM THE TRUST FOR PUBLIC LAND IN AN AMOUNT NOT TO EXCEED FIFTY-THOUSAND DOLLARS (\$50,000.00), PLUS REASONABLE CLOSING COSTS, AND AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS AND RECREATION TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR SAID PURCHASE

was adopted.

FINAL PUD (PROPOSED)

2001-041 (Ken Millican)

On motion of Councilman Rico, seconded by Councilman Franklin,
A RESOLUTION APPROVING A PROPOSED FINAL PLANNED UNIT DEVELOPMENT SPECIAL EXCEPTIONS PERMIT FOR A PLANNED UNIT DEVELOPMENT KNOWN AS MOUNTAIN CREEK TRAILS PLANNED UNIT DEVELOPMENT, PHASE 2, ON A TRACT OF LAND LOCATED AT 839 READS LAKE ROAD, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE FINAL PLANNED UNIT DEVELOPMENT PLAN ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS
was adopted.

CONTRACT

On motion of Councilwoman Rutherford, seconded by Councilman Pierce,
A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. E-06-001-401, INDEPENDENT RESIDENT PROJECT REPRESENTATIVE (RPR) CONTRACT FOR THE 2006 CITY SIDEWALK REQUIREMENTS CONTRACT - PHASE 1, TO DENNIS SMITH FOR A TOTAL AMOUNT NOT TO EXCEED TWELVE THOUSAND FIVE HUNDRED (\$12,500.00) DOLLARS
was adopted.

CONTRACT

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO HIGHWAYS, INC. RELATIVE TO CONTRACT NO. E-06-005-201, 2006 BITUMINOUS PAVEMENT RESURFACING FOR A TOTAL AMOUNT NOT TO EXCEED THREE HUNDRED FIFTY SEVEN THOUSAND (\$357,000.00) DOLLARS
was adopted.

GRANT

Councilman Franklin stated that this was discussed in the Parks and Recreation Committee, as well as Resolution (i); that he was not present at the meeting but that both come with a recommendation for approval.

On motion of Councilman Franklin, seconded by Councilwoman Rutherford,

A RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT FROM UNUM PROVIDENT TO THE PARKS AND RECREATION'S THERAPEUTIC DEPARTMENT IN THE AMOUNT OF FIVE THOUSAND (\$5,000.00) DOLLARS
was adopted.

ROWING MACHINES

On motion of Councilman Franklin, seconded by Councilman Rico,
A RESOLUTION AUTHORIZING ACCEPTANCE OF TWO ROWING MACHINES DONATED FROM THE LOOKOUT ROWING CLUB TO THE PARKS AND RECREATION POWERHOUSE FITNESS CENTER, EACH PRICED AROUND EIGHT HUNDRED FIFTY (\$850.00) DOLLARS
was adopted.

NEIGHBORHOOD PARTNERS PROJECTS

On motion of Councilman Rico, seconded by Councilman Franklin,
A RESOLUTION REVISING RESOLUTION NO. 24481 BY DELETING NEIGHBORHOOD GRANTS AND SUBSTITUTING THE WORDS "NEIGHBORHOOD PARTNERS PROJECTS"
was adopted.

SPECIAL POLICEMEN

On motion of Councilman Page, seconded by Councilman Franklin,
**A RESOLUTION AUTHORIZING THE APPOINTMENT OF
DAVID A. HOOD AND TIMOTHY MCGINNIS AS SPECIAL
POLICEMEN (UNARMED) FOR THE DEPARTMENT OF
NEIGHBORHOOD SERVICES TO DO SPECIAL DUTY AS
PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS**
was adopted.

CIGNA INSURANCE

On motion of Councilman Benson, seconded by Councilman Franklin,
**A RESOLUTION RENEWING HEALTH AND
HOSPITALIZATION INSURANCE WITH CIGNA INSURANCE
COMPANY AS THE CARRIER AND AUTHORIZING THE
MAYOR TO NEGOTIATE AN OPTIONAL PLAN WITH CIGNA
INSURANCE COMPANY**
was adopted.

OVERTIME

Overtime for the week ending February 24, 2006 totaled \$12,777.31.

PERSONNEL

The following personnel matters were reported for the various departments:

PUBLIC WORKS DEPARTMENT:

- **REGINALD L. COTTON**—Termination of Crew Worker, effective 2/23/06.
- **DANIEL R. MATTHEISIS**—Hire Heavy Equipment Operator, Pay Grade 10/1, \$25,208.00 annually, effective 2/22/06.

PERSONNEL (CONT'D)

CHATTANOOGA HUMAN SERVICES DEPT.:

- **RENITA HUDGINS**—Resignation of Teacher, effective 2/16/06.

CHATTANOOGA POLICE DEPT.:

- **MELISSA L. BENSON**—Hire Animal Services Officer, Pay Grade 9/1, \$24,013.00, effective 2/27/06.
- **SUSAN L. VINCENT**—Retirement of Personnel Assistant, effective 3/1/06.

Chief Cooper stated that Ms. Vincent had been a loyal and dedicated employee for 25 years.

PURCHASES

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

SHRADER SECURITY & LOCK (Lowest and best bid)
Requisition No. R0087701/B0002907

Installation of Fully Functioning Electronic Card Access

\$14,885.00

TRI-S COMPANY (Lowest and best bid)
Requisition No. R0086616/B0002772

Traffic Safety Materials/Traffic Cones

(See Minute Material for various pricing)

PURCHASES (CONT'D)

LANGDALE FOREST PRODUCTS (Lowest and best bid)
Requisition No. R0087426/B0002875

Wooden Poles

\$11,180.00

PURCHASE

On motion of Councilwoman Rutherford, seconded by Councilman Rico, the following purchase was approved for use by the Chattanooga Police Dept.:

COLEMAN TECHNOLOGIES (Single Source Purchase)
Requisition No. R0087872

Network Equipment Upgrade & Hub Replacements

\$10,991.75

BOARD APPOINTMENT

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

HOSPITAL AUTHORITY:

- Appointment of **GENE ROBERTS** for a term to expire **November 1, 2009**.

Chairman Robinson stated that we were honored to have a former Mayor in this leadership role.

PURCHASE

On motion of Councilwoman Rutherford, seconded by Councilman Franklin, the following purchase was cancelled for the Dept. of Finance and Administration and a new purchase approved:

ADVANCE PAPER CO. (Cancellation)
Requisition No. R0085206/P0023610

Contract for Paper Goods (Schedule I)

\$37,785.46 (Cancelled)

A.V.M. ENTERPRISES, INC. (Next low bidder)
Requisition No. R0085206/P0023610

Contract for Paper Goods (Schedule 1)

\$38,673.00

REFUND

On Motion of Councilwoman Bennett, seconded by Councilman Franklin, the Administrator of Finance was authorized to issue the following refund due to an error in stormwater calculation for tax year 2005:

LAKWOOD HAMILTON CEMETERY CO. \$12,470.21

HEARING:
SGT. TOM MCKINNEY

The hearing for Sgt. Tom McKinney was reset for Monday, March 27th at 10:00 A.M. with Councilmen Robinson, Rutherford and Franklin serving as the panel and Councilwoman Bennett as the alternate.

COMMITTEES

Councilman Rico scheduled a meeting of the **Health, Education, Human Services and Housing Opportunities** for Tuesday, March 7th at 4:00 P.M.

Councilman Benson scheduled a meeting of the **Legal and Legislative Committee** for Tuesday, March 7th at 3:00 P.M.

Councilman Franklin scheduled a meeting of the **Parks and Recreation Committee** for Tuesday March 7th at 4:30 P.M.

ADJOURNMENT

Chairman Robinson adjourned the meeting of the Chattanooga City Council until Tuesday, March 7th at 6:00 P.M.

CHAIRMAN

CLERK OF COUNCIL