

City Council Building  
Chattanooga, Tennessee  
April 4, 2006

Chairman Robinson called the meeting of the Chattanooga Council to order with Councilmen Bennett, Benson, Franklin, Page, Pierce, Powers, Rico and Rutherford present. 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 Powers, seconded by Councilman Pierce, the minutes of the previous meeting were approved as published and signed in open meeting.

#### **PROPERTY ACQUISITION**

On motion of Councilwoman Rutherford, seconded by Councilman Page,  
**A RESOLUTION ACCEPTING THE HIGHEST AND BEST OFFERS FOR CERTAIN PARCELS OF PROPERTY ACQUIRED BY THE CITY OF CHATTANOOGA AND HAMILTON COUNTY THROUGH PREVIOUS DELINQUENT TAX SALES AND AUTHORIZING THE CITY FINANCE OFFICER TO ENTER INTO AND EXECUTE DEEDS CONVEYING SAID PARCELS TO INDIVIDUALS AS SHOWN ON THE LIST ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE**

was adopted.

#### **PROPERTY TRANSFER**

On motion of Councilman Rico, seconded by Councilwoman Rutherford,  
**A RESOLUTION AUTHORIZING THE CITY FINANCE OFFICER TO EXECUTE A QUITCLAIM DEED TO TRANSFER CERTAIN REAL PROPERTY ALONG MANUFACTURERS ROAD, AS DESCRIBED IN AND AS SHOWN ON THE QUITCLAIM DEED AND MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, TO THE TENNESSEE DEPARTMENT OF TRANSPORTATION**

was adopted.

## DONATION

On motion of Councilman Benson, seconded by Councilman Powers,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO ACCEPT A DONATION FROM THE ELECTRIC POWER BOARD IN THE AMOUNT OF ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00) FOR THE EXPENSES RELATED TO THE ANNUAL CHATTANOOGA TREE COMMISSION AWARDS LUNCHEON TO BE HELD ON APRIL 19, 2006**  
was adopted.

## CONTRACT

On motion of Councilwoman Rutherford, seconded by Councilwoman Bennett,  
**A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO EASTMAN CONSTRUCTION COMPANY FOR THEIR LOW BID IN THE AMOUNT OF FORTY-THREE THOUSAND DOLLARS (\$43,000.00) RELATIVE TO THE RENOVATION OF THE EASTGATE PRECINCT**  
was adopted.

## OVERTIME

Overtime for the week ending March 31, 2006 totaled \$56,456.60.

## PERSONNEL

The following personnel matters were reported:

### PUBLIC WORKS DEPARTMENT:

- **SIGMUND BLATT** – Suspension (4 days without pay), Crew Worker, City Wide Services, effective March 22-28, 2006.
- **MICKEY PARK** – Hire, GIS Specialist, Engineering, Pay Grade 11/Step 5, \$31,567.00 annually, effective March 17, 2006.

### CHATTANOOGA FIRE DEPARTMENT:

- **CHARLES RAY VAUGHN** – Retirement, Senior Firefighter, effective March 31, 2006.

## PERSONNEL (Continued)

- **GEORGE RATLEDGE** – Family Medical Leave, Firefighter, effective March 28 – June 21, 2006.

### PARKS AND RECREATION DEPARTMENT:

- **ROBERT ROLLINGS** – Hire, Crew Worker Senior, Pay Grade 5/Step 1, \$19,350.00 annually, effective March 17, 2006.
- **MIRANDA CAGLE** – Promotion, Zookeeper, Pay Grade 6/Step 1, \$20,428.00 annually, effective March 17, 2006.
- **JULIE STEPHENS** – Promotion, Crew Supervisor, Pay Grade 11/Step 5, \$31,576.00 annually, effective March 31, 2006.
- **CHARLES MCGRAW** – Termination, Crew Worker Senior, effective March 24, 2006.
- **CHARLES W. GROSS** – Retired, Brown Acres Golf Manager, effective March 31, 2006.

### CHATTANOOGA POLICE DEPARTMENT:

- **LAKISHA REID** – Resignation, Police Officer, effective March 27, 2006.
- **TYRONE D. CHRISTIAN** – Reinstatement, Communications Officer, Pay Grade 11/Step 1, \$26,402.00 annually, effective March 31, 2006.
- **RANDALL VINCENT DEAN, JAMES T. MARLIN** – Retirement, Sergeant, effective April 3, 2006.
- **PAUL STAMPS** – Resignation, Police Officer, effective April 6, 2006.

Deputy Chief Vaughn recognized the retirement of Sgts. Vincent Dean and James Marlin. He stated Sgt. Marlin had 25 years of service and was one of the polygraph examiners. He stated Sgt. Marlin served in many sections of the Department and would be missed. He stated Sgt. Dean had 27 years of service with two as a civilian; that he served as Vice Mayor of East Ridge and is now a State Legislator. He stated he was always capable of operating far above the rank he held and has done well. He stated that he wanted to recognize both of them for their service.

**PERSONNEL (Continued)**

Councilman Franklin noted that he served with Sgt. Dean on the TML Board and talked with him today during his first day in Nashville. He stated that Mr. Dean is adjusting very well!

**REJECT ALL BIDS**

On motion of Councilman Page, seconded by Councilwoman Rutherford, the following purchase following bid was rejected for the Public Works Department:

**R0087159/B0002857 for Rescission of Sewer Line Grout Chemicals Contract**

**PURCHASES**

On motion of Councilwoman Rutherford, seconded by Councilman Powers, the following purchases were approved for use by the Chattanooga Fire Department:

**CARE SAFETY (Best bid)**  
**R0088512/B000306**

Hazmat Protective Equipment

\$15,382.20

**LIFE SAFETY SYSTEMS (Lowest and best bid)**  
**R0088517/B0003008**

Mini-Radiac Personal Radiation Monitors (33)

\$17,907.78

**TENNESSEE FIRE EQUIPMENT (Best bid)**  
**R0088504/B0002996**

MSA Millennium Air Purifying Respirators

\$27,545.00

### **ROB HEALY**

City Attorney Nelson stated it was mentioned in Legal and Legislative Committee this afternoon that one matter of business has been "left hanging". He stated that the Council will recall a couple weeks ago the Mayor terminated the services of Rob Healy and the Charter requires in order for the termination to be effective the Council would need to approve the same, if it is their desire.

**On motion of Councilman Benson, seconded by Councilman Franklin, the termination of Rob Healy as Administrator of the Department of Parks and Recreation was approved; Councilwoman Rutherford abstained.**

### **REZONING**

Councilman Benson asked for consideration to add a rezoning matter on next week's agenda from R-1 zoning to R-4 for property on Jarnigan Road (2003-079: William Walters). He stated the matter had been tabled indefinitely and he wanted to make it part of the record so the public would know and attend next week.

### **COMMITTEES**

Councilman Powers scheduled a meeting of the **Public Works Committee for Tuesday, April 11 at 4 p.m.**

Councilwoman Rutherford scheduled a **Public Safety Committee meeting for Tuesday, April 18 immediately following the meeting of the Legal and Legislative Committee** for a presentation by the Fire Department.

### **HERITAGE HOUSE OPENING**

Councilman Benson acknowledged the fine opening at Heritage House last Saturday and expressed appreciation to Missy Crutchfield, Arts and Culture Administration, for the great job she did, as well as Mayor Littlefield and Councilwoman Rutherford for their attendance. He stated there was a good crowd for the opening and the building will be a service to the community. He stated a Concord community association meeting is scheduled for Thursday evening at the House.

## EAGLE SCOUT

Chairman Robinson recognized a young man who was present and working toward the Eagle Scout designation with Boy Scouts of America. She asked the young man to stand and introduce himself. The young man noted that he was working toward the Communications Merit Badge.

## RICHARD WEST

Richard West, Sports Coordinator with the Parks and Recreation Department, stated that he wanted to read a letter that had been endorsed by 33 staff members in the recreation division. He stated the total years of service by those who endorsed the letter are 510 years and five months.

Mr. West began reading the letter which stated that the undersigned employees of the City of Chattanooga Parks and Recreation Department respectfully submit this letter to the members of the City Council. He stated that they all shared the common goal and bond as employees to deliver the best services possible. He stated their bond is pride, commitment and satisfaction in working as a team to maximize resources to effectively and efficiently deliver services. He stated many years of service evidenced by the signatories of the letter fully realize the importance of full team effort to accomplish goals.

At this point, Councilman Pierce interrupted Mr. West by stating with the previous vote of the Council it is his desire this matter would end. He stated open discussion was held in Committee this afternoon and at that time it was stated that the least said the better; that the matter has escalated to the point that what has happened is in the past and it is now time to look forward from this day on. He stated he was just one person and expressed the way he felt about this but did not know the thoughts of the remaining Council members.

Councilman Benson stated maybe Councilman Pierce should have stopped Mr. West when he first started reading; that "one shoe had been dropped" and he did not know whether the other one would "drop".

Councilman Pierce stated everyone has a copy of the letter.

Councilman Benson stated that he wished Councilman Pierce had stopped Mr. West at the beginning.

Councilman Pierce stated if the Council allows him (West) to speak, how many more will come.

**RICHARD WEST (Continued)**

Councilman Benson stated that Mr. Healy commented two weeks ago, to which Councilman Pierce immediately stated "that was in the past, Councilman".

Councilman Franklin stated that everyone has a copy and one will be filed with the record. He stated he was inclined to agree with Councilman Benson. He asked Mr. West if he is the spokesman for the group. Mr. West responded "Yes".

Councilwoman Rutherford stated that she wanted to support Councilman Pierce; that it is her thought this is a "dead horse that has been beaten to death". She stated in reading the letter there is nothing that has not been said previously.

Chairman Robinson thanked Mr. West for taking time to gather the signatures and asked that he leave a copy with the Council Clerk.

**At this point, Councilman Benson made the motion to allow Mr. West to speak; Councilman Franklin seconded the motion.**

Councilman Page stated that his thought is simple; that everyone has a copy of the letter and the Council could follow the process and allow the three minutes.

Councilman Benson stated that Mr. West came to him while he was chairing the Legal and Legislative Committee. He stated he asked Mr. West not to speak in Committee and told him he would have an opportunity to do so at Council meeting. He stated that he feels he misled him.

At this point, Councilman Franklin called for the question on the motion and second to allow Mr. West to speak. The voice vote was not discernable, thus a roll call vote was requested. On roll call vote:

<b>Bennett</b>	<b>"Yes"</b>
<b>Benson</b>	<b>"Yes"</b>
<b>Franklin</b>	<b>"Yes"</b>
<b>Page</b>	<b>"Yes"</b>
<b>Pierce</b>	<b>"No"</b>
<b>Powers</b>	<b>"Yes"</b>
<b>Rico</b>	<b>"Yes"</b>
<b>Rutherford</b>	<b>"No"</b>
<b>Robinson</b>	<b>"No"</b>

**The motion carried.**

### RICHARD WEST (Continued)

Mr. West continued reading the letter by stating all effective teams need good leadership, a leader that can inspire team members to higher goals and collaborate with them. He stated over the last nine months the department has not had that type of leadership; that their former administrator, Rob Healy, was a complete contrast to the type of leadership described. He stated he (Healy) did not inspire; that he deflated morale by displaying contempt for existing employees without college degrees and personally and directly demeaned employees with rudeness and refused to meet with his management team for four months after obtaining his position. He stated he did not foster the team approach, discouraged input from experienced managers within the department, discouraged existing staff to apply for advancements and in one case tailored a job description to require the applicant have a Bachelor's degree in architecture and experience in construction technology that only a favored applicant from Nashville could meet, all of which are a few examples of poor leadership displayed by Mr. Healy.

Mr. West continued by stating that the signatories love the work of their department, desires the best for it and respectfully request that the elected officials reject Mr. Healy's request for reinstatement. He stated the department is now under new professional and capable leadership that can help move them forward and can once again become the department of which they can all be proud. **(A copy of Mr. West's complete statement/letter is filed with minute material of this date.)**

### TROY COX

Troy Cox stated that first time he was present it was announced that Ashland Terrace was on hold, which was a fourteen year project; that he was told funding was not in place. He stated at the second meeting he was informed that projects such as Ashland Terrace typically get moved around.

At this point, Councilman Pierce interrupted Mr. Cox and stated that the Council has a rule in place that a person could not address the Council more than twice within a 30 day period. He stated this is Mr. Cox's third time and the Council is hearing the same thing over-and-over.

City Attorney Nelson quoted from Resolution 19757 adopted March 9, 1993 which states "*...the Chair be and is hereby prohibited from recognizing any person, neighborhood association or organization to speak to the City Council during the 'non-agenda matters' portion of the agenda more than twice in any thirty (30) day period*".



### **TROY COX (Continued)**

Mr. Cox then asked how he could get on the Council's agenda.

Chairman Robinson advised him to communicate with the Chairman of the Legal and Legislative Committee.

### **GREG DIXON**

Greg Dixon was present regarding concerns referencing the Hope VI project. He stated he is frustrated and angry that citizens of this city cannot get jobs out there. He stated if a person rides down 38<sup>th</sup> Street they will find no one out there but Mexicans. He stated that he brought this to the attention of Councilman Rico a year ago and he has not heard anything about it. He stated it is frustrating for him as he is a craftsman in painting and cannot get work that and that is basically it. He stated that he would like to know whom he could talk to in order to get work; that he knows when time for elections and voting comes around doors are always open! He stated that he never gets any feedback when he comes to talk with anyone.

Councilman Rico informed Mr. Dixon there would be a meeting at the Bethlehem Center on Thursday at 6:30 p.m. and asked that he be there to have his questions answered. He stated Mr. Dixon should have received a letter regarding this.

Mr. Dixon stated that he has lived in Alton Park since 1954 but moved out. He stated Elizabeth Dixon is the person who helped get HOPE VI going and jobs were promised. He stated he is just frustrated and needs to express himself on paper because he is full of anger and frustration!

Chairman Robinson stated that she asked the City Attorney the best way to proceed on this and it is his thought the Chattanooga Housing Authority is managing that program. She stated if Mr. Dixon could stay after the meeting a couple of Council members could speak with him and get him exactly where he should go with that request.

Councilwoman Rutherford stated Primrose Properties is the developer and Mark Straub is directing Primrose. She stated all of that is private development and suggested that Primrose be brought into the discussion.

Councilman Franklin stated there are also several independent contractors who might be able to help and indicated he would speak with Mr. Dixon following the meeting.

### **REV. EUGENE OVERSTREET**

Rev. Eugene Overstreet stated it has come to his attention in the five years he has been in Chattanooga that there is an unwritten law that the ministers of this city, namely African American ministers, are to preach on Sunday, raise money from the parishioners and not be involved until election time with the everyday living and conditions of our people. He stated he is present to say to the Council and Mayor that that day is no longer! He stated there is fresh, new leadership, both civic and in the pulpit, and introduced the new president of the Koinonia, Rev. Nathaniel Carter, and noted there is a changing of the guard. He stated they already have 16-86 churches registered under his leadership and he (Overstreet) is proud to be in his cabinet. He stated that he knows him and there will no longer be promises and pacts; that they will walk the promises to the end of the road.

Rev. Overstreet stated that he is the chair of the citywide revival this year that will comprise a myriad of diversified churches, black and white, to bring about a mosaic for the social, economic and political well being of our city. He stated the plan is to make the pulpit mobile, run for political office and speak for the people to whom they preach. He stated like any other metropolitan city preachers are not relegated to the pulpit, as they are the core of politics in this country.

Chairman Robinson stated the Mayor would be pleased to hear that; that everyone knows he has made a commitment to work with all faith-based initiatives and is looking forward to meeting communities needs.

Rev. Overstreet stated if the first three letters of the words faith-based initiatives are taken out it would be F – B – I. He stated we should be careful how we take faith-based money as nothing from Washington comes free!

Chairman Robinson stated the last time she checked she did not believe the government gives any churches any money.

### **MIKE TODD**

Mike Todd stated he was present with the persons from Parks and Recreation and submitted a letter to the Council signed by several within the Department supporting the selection of Larry Zehnder as head of the Department. The letter states Mr. Zehnder is a professional which is reflected in part by the many state and national awards he has received for accomplishments in the field of recreation.

**MIKE TODD (Continued)**

Mr. Todd's letter stated Chattanooga will be "back on the map" as having the best facility in the southeast. **(A copy of Mr. Todd's complete letter is filed with minute material of this date.)**

**MAHMOOD ABDULLAH**

Mahmood Abdullah stated that he has a problem with the HOPE VI project in Alton Park and noted that he has a business. He distributed a letter to the Council and stated during the time the project was done in 2001 inspectors came out after the project was completed and gave approval. He stated he was a truck driver and on the road and when he came back in 2003 to get ready to operate the business he had to have inspectors come in. He stated when they came in they cited other problems saying something was wrong and this caused a delay (in opening). He stated the inspectors came back and said additional work was needed, which was previously approved from the city. He stated he was not present before the Council to sue as he thinks what is going on in Alton Park is beautiful. He stated what he is asking for has been written in a letter that was distributed to the Council. He stated that he talked with Councilman Rico and did not hear anything; that the information distributed is clear. He stated he is looking for assistance to finish opening his business as he has put all his funds in what has been needed to be done.

Chairman Robinson stated that she conferred with the City Attorney and this concern is one that should be directed to the Public Works Department under the direction of Steve Leach.

**ADJOURNMENT**

Chairman Robinson adjourned the meeting of the Chattanooga Council until Tuesday, April 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)**