

**City Council Building
Chattanooga, Tennessee
April 25, 2006
6:00 P.M.**

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

STATE OF CITY ADDRESS
MAYOR LITTLEFIELD

Chairman Pierce acknowledged that Mayor Littlefield would tentatively speak on the State of the City and turned the meeting over to Mayor Littlefield.

Mayor Littlefield began by saying that he would spend a few minutes delivering the State of the City address in a different way. He noted that a State of the City Address is not required by Code and had been delivered in a different fashion in the past. He stated that this would be Episode One -that it was time to present a report card, as the present Administration and this Council had been in office just a few days past one year. He stated that this would be a report card in some detail. He explained that in the past the State of the City address had often been a 20-minute address at noon to a Civic Club and not so big and elaborate; that in recent years it had become more elaborate.

MAYOR LITTLEFIELD (CONT'D)

Mayor Littlefield stated that he was different—that he had worked with this Council previously and also in a planning capacity, and he felt more comfortable delivering his address in this fashion—that he could give so much detail that the Council would be overwhelmed, but tonight he would be talking about something more current; that he chose to talk to the Council in their chambers in the same way as it is done at the State level and the Federal level and this was the way he wished to do it here, as the Council and Administration are all partners in this together and also the public, which we serve, can view this on television on Channel 45.

He stated that he was taking advantage of a relatively uncluttered agenda tonight and next week, as well; that if the Council would permit, he would return next week to expand in greater detail.

Mayor Littlefield explained that he had gone back and looked at the past and the things he promised to do during his campaign—that there had been a Seven-Step Strategy—(1) Finish what we've started; (2) Fill in the economic gaps; (3) Enhance links and gateways; (4) Nourish the neighborhoods; (5) Keep growing the greenway; (6) Attack fear with technology; and (7) Focus on teaching, mentioning the "Great Ideas" program that we are completing. He noted that he had looked back at the nine district plans that were laid out, which he had discussed with the Council, and highlighted the things that had been done and not been done; that he would talk more about this later but wanted to look back at the Plan laid out.

He stated that this had been an interesting year, starting with Katrina; that there were a number of economic development issues; that he could give an exhaustive list but there was not sufficient time to focus on each.

Mayor Littlefield stated that when this Administration took office one year ago, in an address to the public, he talked about creativity, compassion and change, which would be principles we would utilize in moving forward; that tonight he was going to talk about something that would address all of these precepts—creativity and change, but mostly compassion; that it is something we have talked about publicly and have met with offices and agencies and neighborhood groups and even the President's officials that work with the Faith Based Initiative.

MAYOR LITTLEFIELD (CONT'D)

Mayor Littlefield noted that Al Chapman was in Phoenix, Arizona, currently, concerning models related to what we are proposing to do.

He stated that he was talking about the Farmer's Market; that his campaign headquarters was located near here, and he had been impressed by the fact of how people were struggling to live in cold and wet conditions; that he had had the opportunity to attend a National Conference on Homelessness In New York, and we had all toured the Community Kitchen, which goes back to the time that he was formerly in government, mentioning that Councilman Franklin's father had talked about the history of the Community Kitchen, which offers many resources.

Mayor Littlefield went on to say that as good fortune would have it or an act of God, the nine acres Farmer's Market property came on the market for sale and that he asked Charlie Hughes and Mr. Fender if the City were able to buy Farmer's Market, could they utilize these facilities—that Community Kitchen had been planning to build underneath, which was a flooded area, and he had told them that the flooding would happen again. He explained that the owners had an appraisal done, assessing the price to be \$800,000, we had offered \$750,000 and negotiated at \$775,000.

He went on to talk about Shirley Franklin, the Mayor of Atlanta, who is a unique person; that she had talked eloquently about her experiences with the homeless and at one time her father had found himself on the streets and that Ms. Franklin talked in a moving way about this—that there was a huge homeless problem in Atlanta, and they were struggling to address this. He stated that he had talked to her several times since this. He went on to say that his father was a hobo and one of seven children in a textile family—not owning the textile company but working for one; that his father and one of the older brothers had to leave home in the 1920's, and they took to the rails; that his father had told him stories about their "wonderful" adventures, but he knew there were a lot of cold nights and hunger; that the Depression was a time when a lot of people had these stories to share but that his father overcame it, but never the effects; that when he was growing up, his father would never turn anyone away who needed help.

MAYOR LITTLEFIELD (CONT'D)

Mayor Littlefield went on to say that Chattanooga has become a “City on the Hill”, and we have the opportunity to offer something in a different fashion and to be on a short list of progressive communities. He went on to say that he is religious and thinks that things happen for a purpose; that a local architectural association was looking for a project; that David Hudson, an architect, was assigned to a local committee to select a project, and they picked the Farmer’s Market as something with the most promise. He turned this portion of the meeting over to Mr. Hudson.

David Hudson spoke next, stating that he represented AIA (American Institute of Architects); that it was their 150th birthday and as a birthday present they had committed to taking on a project that would benefit the whole community; that he had been to training sessions in Washington and Atlanta; that this was a very important event for AIA—that they would utilize their services to show the community what they could do and leave the City with a lasting legacy.

He explained that there was a committee of five people, who started “brainstorming” to come up with something that would benefit the community; that they started with 15 projects and got it down to 2—one was something that would address the school system and the other was this nebulous thing of homelessness; that they felt like the homelessness issue was much bigger and more important—that homelessness will never go away; however they still did not know what their project would be; that they heard about the City’s purchasing the Farmer’s Market and their unanimous vote was to assist the City, and they contacted the Mayor’s Office and offered their services.

Mr. Hudson went on to tell about 20 architects attending a meeting at the DRC building to come up with a Master Plan—that they were still working on this. He explained that their first goal was to “dream” what this could be! He stated that they did not want this to be nothing but a place to deposit homeless people; that it needed to be integrated into the whole neighborhood; that Farmer’s Market is part of the City, and it should attract people from all over the City.

**MAYOR LITTLEFIELD/
DAVID HUDSON (CONT'D)**

Mr. Hudson explained that after the charette, they were able to illustrate a dream of what this could be and that he would try to describe this dream. At this point he showed a map of the 11th Street area and the Community Kitchen and the railroad tracks. The light blue area of the map was intended to be commercial space and the homeless quarters would be on the upper level; that they wanted this area to be a welcome to all of the community and not just the homeless. He showed the Farmer's Market as a series of booths that would be open during the day, accommodating artists, small businesses and farmers selling their vegetables and fruits, which would all serve to bring the public in. He also showed a pavilion, which would serve as a central recreation area for the folks in need.

He went on to show the housing in a private area and in the center a park with a playground; there would be housing for temporary shelters all the way to home ownership—people would be able to see that they might start out in the temporary shelter and work themselves around to home ownership—this would give them some hope and dignity. He stated that this would be a dignified place where the homeless would be treated as regular citizens of the City.

Mr. Hudson noted that this area is almost immediately between the two downtown schools, which he was sure that Mayor Littlefield, as a former planner, had envisioned. He explained that a large amount of homeless people are children, and they need a place and a sense of home; that there would be bus stops. He mentioned that they were very fortunate that CARTA runs both ways along 11th Street, and that the hope was that buses would have the name of "Farmer's Market" or whatever else it might be called on the front so that anyone would be able to get here easily. He noted that right now we had several agencies all across the City, and people don't always know where to go.

He ended by saying that as architects, they were trying to see how they could change this neighborhood. He showed a picture of how 11th Street looks now and how it could look in the future, with restaurants, commercial space and retailers, which would serve the community as a whole.

MAYOR LITTLEFIELD (CONT'D)

Mayor Littlefield advised the Council that there would be more; that he would not answer questions tonight; that Councilwoman Rutherford had asked what this would cost—that this was a vision and a dream, and at the present time he had no cost element; that he felt like it would be cheaper to provide adequate services than let these people live on the streets and frequent jails and hospitals—that everything is a trade-off; that the President's people had spoken about us applying for federal funds for transitional housing.

He reiterated that the State of the City Address would be more than this—that we had talked about downtown versus neighborhoods, and it was not a question of either/or. He mentioned more than \$100 million dollars in present development downtown, which he stated was doing very well; that people were willing to invest \$80 to \$150 million dollars downtown and had already bought property. He went on to say that we talk about neighborhoods every week, and we are doing more in sidewalks--\$750,000 more in sidewalk construction. He mentioned extending the greenways and improving parks, mentioning the opening of Renaissance Park soon, which had already had a "soft" opening.

Mayor Littlefield noted that we have gone through complex land swaps in relation to the development along Cherokee Blvd. in place of the Walnut Street Bridge area, and we will be using the old floor covering building for Outdoor Chattanooga, which is still going forward.

He noted that Hayes Ledford of the Chamber was present tonight and would be interested in hearing more about economic development next week, mentioning that we have worked effectively with the Chamber of Commerce and the County in an aggressive manner; that next week he would talk about new proposals to the City Council for tax advantages—that he would talk about this quite a lot next week. He mentioned our lobbying efforts in Nashville, where we are trying to get an incentive program through.

Mayor Littlefield ended by saying that there was never a better time to be in Chattanooga, whether it be as a resident, business person, or public servant and that he was looking forward to next week for Episode Two of the State of City Address.

MAYOR LITTLEFIELD (CONT'D)

Chairman Pierce thanked Mayor Littlefield and Mr. Hudson for their presentations in regards to the new Curb Market, stating that he appreciated them coming in.

FRANCHISE

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,

AN ORDINANCE GRANTING UNTO XSPEDIUS MANAGEMENT CO. OF CHATTANOOGA, LLC d/b/a XSPEDIUS COMMUNICATIONS A FRANCHISE TO INSTALL AND MAINTAIN FIBER OPTIC CABLES IN CERTAIN RIGHTS-OF-WAY IN THE CITY OF CHATTANOOGA, AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, TO PROVIDE TELECOMMUNICATION SERVICES, SUBJECT TO CERTAIN CONDITIONS

passed first reading.

STREET NAME CHANGE

Councilman Powers noted that this had been discussed in the Public Works Committee and comes with a recommendation.

On motion of Councilman Benson, seconded by Councilwoman Rutherford,

AN ORDINANCE TO CHANGE THE RIGHT-OF-WAY NAME OF THE 3500 THROUGH 3700 BLOCKS OF FREDERICK STREET TO CARL WHITE PLACE, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE

passed first reading.

R-O-W PURCHASE

On motion of Councilman Page, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE PURCHASE OF A RIGHT-OF-WAY FROM CSG LEASING CORP AT 5200 HIGHWAY 153, PARCEL NO. 110J-A-024, TRACT NO. A-24, RELATIVE TO THE HAMILL ROAD WIDENING AT HIGHWAY 153 PROJECT, CONTRACT NO. E-02-008, FOR AN AMOUNT NOT TO EXCEED THIRTY THOUSAND SEVEN HUNDRED SIXTY-FIVE DOLLARS (\$30,765.00)

was adopted.

AGREEMENT

On motion of Councilman Rico, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH VOLKERT & ASSOCIATES, INC. RELATIVE TO CONTRACT NO. E-06-003-101, DESIGN OF SIDEWALKS ALONG STUART STREET AND CAMPBELL STREET, IN AN AMOUNT NOT TO EXCEED THIRTY-THREE THOUSAND THREE HUNDRED DOLLARS (\$33,300.00)

was adopted.

AGREEMENT

On motion of Councilman Rico, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH VOLKERT & ASSOCIATES, INC. RELATIVE TO CONTRACT NO. W-04-008-102, LAKE HILLS INTERCEPTOR RELOCATION, IN AN AMOUNT NOT TO EXCEED TWENTY THOUSAND EIGHT HUNDRED DOLLARS (\$20,800.00)

was adopted.

CONTRACT CHANGE ORDER

On motion of Councilman Rico, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1 (FINAL) RELATIVE TO CONTRACT NO. E-06-001-202, 2006 CITY SIDEWALK REQUIREMENTS CONTRACT – PHASE I – CDBG WITH YERBEY CONCRETE CONSTRUCTION, INC., WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY ONE THOUSAND EIGHT HUNDRED FIFTY-SEVEN AND 31/100 DOLLARS (\$1,857.31), FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED TWO HUNDRED ONE THOUSAND EIGHT HUNDRED FIFTY-SEVEN AND 31/100 DOLLARS (\$201,857.31)

was adopted.

CONTRACT CHANGE ORDER

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1 (FINAL) RELATIVE TO CONTRACT NO. E-06-005-201, 2006 BITUMINOUS PAVEMENT RESURFACING – CDBG, WITH HIGHWAYS, INC., WHICH CHANGE ORDER DECREASES THE CONTRACT AMOUNT BY SEVENTEEN THOUSAND EIGHT HUNDRED SIXTY-NINE AND 61/100 DOLLARS (\$17,869.61), FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED FOUR HUNDRED THIRTY-NINE THOUSAND AND ONE HUNDRED THIRTY AND 39/100 DOLLARS (\$439,130.39)

was adopted.

ZONING STUDY
S. BROAD ST. AREA

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,

A RESOLUTION DIRECTING THE CHATTANOOGA-HAMILTON COUNTY REGIONAL PLANNING AGENCY TO CONDUCT A ZONING STUDY OF THE SOUTH BROAD STREET REDEVELOPMENT PLAN AREA

was adopted.

OVERTIME

Overtime for the week ending April 21, 2006 totaled \$19,956.97.

PERSONNEL

The following personnel matters were reported for the various departments:

PUBLIC WORKS DEPARTMENT:

- **EDDIE J. KEITH**—Return from FMLA of Senior Crew Worker, effective 4/10/06

CHATTANOOGA POLICE DEPT.:

- **TROY CANNON**—Return to Duty of Police Officer, effective 3/9/06.
- **JOANN DAVIS**—Return to Duty of Communications Officer, effective 4/18/06.
- **AUDRE WILSON**—Resignation of School Patrol Officer, effective 4/18/06.
- **JENNIFER KILGORE**—Resignation of Police Officer, effective 4/21/06.
- **TAMMY COOK**—Military Leave of Police Officer, effective 4/30/06—8/22/06.
- **JASON WHITTEMORE**—Resignation of Police Officer, effective 4/27/06.

CHATTANOOGA HUMAN SERVICES DEPT.:

- **WILLIAM DELANEY**—Resignation of Family Services Ass't., effective 4/13/06.

PURCHASES

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

STOWERS MACHINERY (Only bid meeting specs.)
Requisition R00886648/B0003019

Heavy and Light Equipment Maintenance & Repairs

\$250,000

QUALITY TRAFFIC SYSTEMS (Lowest and best bid meeting specs)
Requisition R0085265/B0002759

Round Steel Strain Poles

\$31,000.00

NABCO ELECTRIC CO. (Best bid meeting specs)
Requisition R0087955/B0002986

Electrical Services for Signalized Equipment

\$49,860.00

PURCHASES

On motion of Councilwoman Rutherford, seconded by Councilman Franklin, the following purchases were approved for the Chattanooga Fire Dept.:

INGERSOL-RAND COMPANY
Requisition R0088806/BO003035

Air Compressor

\$48,235.00

PURCHASES (CONT'D)

HAZMAT MEDICAL ASSOCIATES
Requisition R0088507/B0003004

Hazmat Decontamination Trailers

\$42,990.00

PURCHASE

On motion of Councilwoman Rutherford, seconded by Councilman Rico, the following purchase was approved for use by the Department of Finance and Administration:

VISIONAIR INFORMATION SYSTEM (Single Source Purchase)
Requisition R0089219

Software License & Support (City Court Clerk's Office)

\$16,894.00

REFUND

On motion of Councilwoman Rutherford, seconded by Councilman Rico, the City Finance Officer was authorized to make the following refund:

RODNEY & ALETHA G. HALL--\$1,436.66—Due to overpayment received from Bankruptcy Court.

At this point Councilman Benson asked Ms. Madison about a Budget Report that she had given earlier in Committee concerning the state of affairs. He asked her if she would be bringing back a recommendation for remediation. Ms. Madison explained that this was a new accounting requirement that had to be in place by 2008—that we will be required to report unfunded liability; that during the new fiscal year we will work on a plan to address this issue. Councilman Benson confirmed that this was a requirement by Federal Law to have this plan in action. Ms. Madison assured him that we would take a pro-active step in this regard.

HEARING: TARA WEAVER

City Attorney Nelson noted that a hearing was held for **Tara Weaver** on Monday of this week. Councilman Benson stated that the panel hearing this case was Councilmen Powers, Rico and himself; that the hearing concerned a 30-day suspension, and the panel voted unanimously to sustain the action of the Fire Chief in regards to insubordination.

It was noted that there will be a conflict with Councilman Benson serving on the panel for a personnel hearing on **May 8th** due to his responsibilities with the Planning Commission meeting. Councilwoman Rutherford, who was also on the panel for this date, also has a conflict and will not be able to serve. Chairman Pierce indicated that we would make the changes next week.

COMMITTEES

Councilwoman Bennett announced that there would be a Crime Prevention meeting **from 10:00 a.m. to noon on Saturday, April 29th at the North Chattanooga Recreation Center.**

Councilman Benson scheduled a meeting of the **Legal and Legislative Committee meeting for Tuesday, May 2nd at 3:00 p.m.**

Councilman Franklin scheduled a meeting of the **Parks and Recreation Committee meeting for Tuesday, May 2nd at 4:00 p.m.**

Councilman Page noted that a **Budget Committee meeting** was held earlier in the day to discuss plans that will be worked on over the next two years to be in place in 2008.

Councilwoman Robinson stated that she would like to take a moment to thank Councilwoman Bennett, Councilman Rico, and Councilman Pierce and also Jerry Pace for joining a group of residents in her district earlier in the day to discuss a PUD development involving a wall and landscaping scenery. She stated that this would be coming before the Council shortly, and there would be another neighborhood meeting with the developer and residents to discuss these concerns.

WALLACE POWERS
SERVICE TIME

Chairman Pierce stated that he had one question for Attorney Nelson; that next week might be Mr. Power's last week of service, and he would like to get the Attorney's opinion on this.

Attorney Nelson explained that Mr. Powers would serve until such time that his successor is elected and qualified; that the election is next Tuesday, but he did not know how long it would take to certify the results; that we will have a winner on May 2nd, as there is no run-off; that after the winner is certified, he or she can take the oath of office—that he did not know when the meeting would be set; that if the new person is qualified by the following week, May 9th, they will begin serving, and we will have a swearing in. He reiterated that this depends on when the results of the election are certified; that he thought the meeting was usually the Monday, following the election.

Councilman Benson verified that we would have Councilman Powers next week. Chairman Pierce confirmed that he would be here on May 2nd. Attorney Nelson added that it was still up in the air for May 9th. Councilman Benson stated that we had been very fortunate to have the service of Councilman Powers for several weeks, and he would like to extend his service as long as we can—that that would be wonderful; that he did not want it to seem that Chairman Pierce was trying to get rid of him!

ADJOURNMENT

Councilman Rico moved that the meeting be adjourned until May 2nd 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)**

