

City Council Building
Chattanooga, Tennessee
May 30, 2006
6:00 p.m.

Chairman Pierce called the meeting of the Chattanooga Council to order with Councilmen Bennett, Benson, Franklin, Gaines, Page, Rico, Robinson 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, Councilwoman Robinson gave invocation.

MINUTE APPROVAL

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

AMEND CITY CODE

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 2, SECTION 2-552, RELATIVE TO WHEN PURCHASES, LEASES
AND LEASE-PURCHASES REQUIRE PUBLIC ADVERTISEMENT AND
COMPETITIVE BIDDING**
passed second and final reading and was signed in open meeting.

APPROPRIATION

On motion of Councilwoman Robinson, seconded by Councilwoman Rutherford,
**AN ORDINANCE APPROPRIATING FROM THE GENERAL FUND TO THE
CHATTANOOGA REGIONAL HISTORY MUSEUM THE AMOUNT OF TEN
THOUSAND SEVEN HUNDRED NINETY-ONE AND 28/100 DOLLARS
(\$10,791.28) FOR REIMBURSEMENT OF 2003 PROPERTY TAXES AND
RELATED INTEREST AND PENALTIES DUE TO INABILITY TO OBTAIN TAX-
EXEMPT STATUS IN A TIMELY MANNER**
passed second and final reading and was signed in open meeting.

INTERIM BUDGET

Chairman Pierce stated this matter was discussed in this morning's agenda session and administration has recommended deferring the matter two weeks.

On motion of Councilwoman Robinson, seconded by Councilman Franklin
AN ORDINANCE PROVIDING FOR AN INTERIM BUDGET AND APPROPRIATING FUNDS FOR THE USUAL AND ORDINARY EXPENSES OF THE CITY GOVERNMENT FOR THE MONTHS OF JULY, AUGUST AND SEPTEMBER 2006, PENDING THE ADOPTION OF THE 2006-2007 ANNUAL BUDGET

was tabled two weeks.

INTERLOCAL AGREEMENT

Councilman Benson stated Resolutions (a), (b), and (d) were discussed in today's Legal and Legislative Committee and, after much discussion, approval is recommended. He stated Resolution (e) was recommended to be deferred one week.

On motion of Councilman Benson, seconded by Councilwoman Rutherford,
A RESOLUTION AUTHORIZING THE CHIEF OF THE CITY OF CHATTANOOGA FIRE DEPARTMENT TO ENTER INTO AN INTERLOCAL AGREEMENT, IN THE FORM ATTACHED HERETO, WITH HAMILTON COUNTY, TENNESSEE, TO REIMBURSE HAMILTON COUNTY FOR THE PURCHASE OF MMRS SUPPLIES AND EQUIPMENT IN AN AMOUNT NOT TO EXCEED EIGHTY-SIX THOUSAND SEVEN HUNDRED FIFTY-FOUR AND 63/100 DOLLARS (\$86,754.63), FROM MMRS CONTRACT FUNDS PROVIDED TO THE CITY OF CHATTANOOGA BY THE UNITED STATES GOVERNMENT DURING FISCAL YEAR 2005-2006

was adopted.

CONTRACT

On motion of Councilman Benson, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF NEIGHBORHOOD SERVICES TO ENTER INTO A PERSONAL SERVICES CONTRACT WITH GLORIA S. MCKELDIN FOR PROFESSIONAL CONSULTING SERVICES IN AN AMOUNT NOT TO EXCEED FORTY THOUSAND DOLLARS (\$40,000.00)

was adopted.

TEMPORARY USE

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,
**A RESOLUTION AUTHORIZING JAMES E. CITY TO USE TEMPORARILY
THE CITY'S RIGHT-OF-WAY AT 2525 BROAD STREET TO INSTALL AN
AWNING, AS SHOWN ON THE DRAWINGS ATTACHED HERETO AND
MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN
CONDITIONS**

was adopted.

ACCEPT PROPOSAL

On motion of Councilman Benson, seconded by Councilwoman Rutherford,
**A RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE PROPOSAL OF
ANIMAL CARE TRUST FOR THE FUNDRAISING, CONSTRUCTION AND
OPERATION OF A NEW ANIMAL CARE AND ADOPTION FACILITY, TO BE
NAMED "MCKAMEY ANIMAL CARE AND ADOPTION CENTER"**

was adopted.

BEST BID

Councilwoman Robinson inquired as to the status of this whole project and the bidding process for work and construction.

City Attorney Nelson explained that the matter was put out for bid and an addendum was added. He stated it is unclear whether the company's bid was on the original or addendum and over the next week the matter would be checked on to be sure it is copasetic. He stated they will come back with a recommendation next week.

Councilman Benson stated that a report regarding this was heard in Committee and it was his understanding a request for proposal (RFP) was put out for two weeks in a row.

City Attorney Nelson responded "no"; that it was advertised twice and two responses were received. He stated the request for proposal was put out and an amendment was added to the RFP; that it is unclear whether Strauss accepted the amendment as well as another company.

Councilman Benson stated one respondent was out of town and is a company he has never heard of.

Councilwoman Robinson stated that her question was in reference to the advertising and public notice.

BEST BID (Continued)

City Attorney Nelson responded "yes"; that there was an update in committee and a drawing was shown of the new center. He stated it is his understanding that ground breaking is scheduled for sometime in mid-June.

On motion of Councilman Benson, seconded by Councilwoman Bennett,
A RESOLUTION AUTHORIZING ACCEPTANCE OF THE BEST BID BY STRAUSS COMPANY FOR CONSTRUCTION MANAGEMENT SERVICES RELATIVE TO THE MCKAMEY ANIMAL CARE AND ADOPTION CENTER PROJECT IN AN AMOUNT NOT TO EXCEED TWO HUNDRED FORTY-SEVEN THOUSAND FOUR HUNDRED FIFTY-THREE DOLLARS (\$247,453.00), PLUS A SIX PERCENT (6%) OVERHEAD AND PROFIT FEE
was deferred one week.

(Chairman Pierce excused Councilwoman Rutherford from the meeting at this point due to a previous commitment to attend a neighborhood meeting within her district.)

OVERTIME

Overtime For the week ending May 26, 2006 totaled \$70,199.60.

PERSONNEL

The following personnel matters were reported for the various departments:

PUBLIC WORKS DEPARTMENT:

- **ERIC C. DOUGLAS** – Promotion, Construction Inspector Supervisor (Land Development, Pay Grade 19/Step 8, \$49,067.00 annually, effective May 15, 2006.
- **BILLY CAYLOR** – Promotion, Soil Engineering Specialist, Land Development, Pay Grade 16/Step 9, \$46,068.00 annually, effective May 15, 2006.
- **HAROLD G. BURKE, JR.** – Termination, Plant Operator, Waste, effective May 24, 2006.

PERSONNEL (Continued)

CHATTANOOGA POLICE DEPARTMENT:

- **CHANDRA MCFARLAND** – Family Medical Leave, Communications Officer, effective May 31 – September 20, 2006.
- **LEIGHTAYLOR NOORBERGEN** – Resignation, Sergeant, effective May 26, 2006.

NEIGHBORHOOD SERVICES:

- **RACHEL BURNS** – Resignation, Grants Specialist, effective May 19, 2006.

PURCHASE

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

**SOUTHERN UNDERGROUND (Overall lowest and best bid)
R0089506/B0003150**

Excavators

\$153,767.25

“NATIONAL PUBLIC WORKS WEEK”

Adm. Leach expressed appreciation to Council members for coming by to see the display in Miller Plaza during “National Public Works Week”. He thanked them for their interest and support.

REFUND

On motion of Councilwoman Gaines, seconded by Councilman Rico, the Administrator of Finance was authorized to issue the following refund of personalty tax due to TMA audit and reassessment:

BETA MEDICAL EQUIPMENT, INC.

\$11,499.79

COMMITTEES

Councilwoman Gaines scheduled a meeting of **the Parks and Recreation Committee for Tuesday, June 6 at 4:30 p.m.**

Councilman Page scheduled a meeting of the **Economic Development Committee for Tuesday, June 20 at 3:30 p.m.**

Councilwoman Robinson reminded Council members of the meeting of the **Health, Education, Human Services and Housing Opportunities Committee scheduled for Tuesday, June 6 at 3 p.m.**

ADJOURNMENT

Chairman Pierce adjourned the meeting of the Chattanooga Council until Tuesday, June 6, 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)**