

**CITY COUNCIL BUILDING
CHATTANOOGA, TENNESSEE
JUNE 27, 2006**

Chairman Pierce called the meeting of the Chattanooga City Council to order with Councilpersons Bennett, Benson, Franklin, Gaines, Rico, Robinson and Rutherford present. Councilman Page was absent due to prior commitment. City Attorney Randall Nelson; Management Analyst Randy Burns; and Shirley Crownover, Assistant Council Clerk, were also present.

**PLEDGE OF ALLEGIANCE/
INVOCATION**

The Pledge of Allegiance was led by Councilwoman Rutherford, followed by invocation given by Attorney Randall Nelson.

MINUTE APPROVAL

On motion of Councilwoman Rutherford, seconded by Councilman Benson, the minutes of the June 13th Council meeting were approved as published and signed in open meeting. On motion of Councilman Franklin, seconded by Councilwoman Rutherford, the minutes of June 20th were approved as published and signed in open meeting.

**SPECIAL PRESENTATION:
MARSHALL FELLOWSHIP**

Councilman Rico wished everyone a good afternoon, stating that he had the honor of introducing the European Marshall Memorial Fellowship. He asked each person to introduce themselves to the Council and then turned the meeting over to **Jerome Geudj** of France.

Mr. Geudj addressed the Council, apologizing for his “ugly” French accent. He stated that he was very impressed to meet the Council; that they had spent four days in Chattanooga and confessed that most of them did not know anything about Chattanooga before their arrival; however they would go back to Europe and tell that they saw a City with passionate energy. He stated that they had met people from different origins on their trip, who had all told them about the future of their cities; that they had been told that Chattanooga had overcome many things in the past.

MARSHALL FELLOWSHIP
(CONT'D)

Mr. Geudj went on to say that they met important people in Washington who explained to them that people in the United States were of two cultures: “To Be” and “To Do”—that Chattanooga was a “To Do” City. He went on to say that they were very impressed with what they had seen and could go back to Europe with some practical ideas. He mentioned the involvement of citizens in the City, which he stated was very exciting and how they had appreciated the quality of life in Chattanooga. He stated that they had had a wonderful and interesting time here and that they would never forget Chattanooga, adding “thanks a lot”.

SPECIAL PRESENTATION:
ACT “SPOKESCRITTERS”

Mayor Littlefield stated that he had had a wonderful time meeting with the Marshall Fellowship; however he expressed some difficulty in telling them what he had to do next on his agenda—introducing a dog and a cat! He noted that a number of people had been working diligently on our new animal shelter; that plans and designs had been long in the making, and we had been presented with regular reports. He mentioned that Barbi Wilson had headed up the campaign, which had attracted many investors, most notably being Mr. McKamey, for whom the new shelter is named.

He brought attention to the two appropriate “Spokescritters” for this undertaking, explaining that there had been competition for these two animals. The dog and cat chosen had the appropriate background, as they were both “pound” critters; they also had the right personality and attractive qualities and the right kind of composure for the job. He introduced “Harry” the “Spokesdog” and “Mack” the “Mascat”, stating that they were both quite friendly and knew no strangers. He also noted that Harry loved the French people, pointing out that “Mack”, a short-haired Tabby, was not quite so comfortable. He reiterated that both came from the pound and noted that both were beautiful animals, and their owners had allowed us to use them. He turned the presentation over to Mrs. Wilson.

“SPOKESCRITTERS” (CONT’D)

Mrs. Wilson stated that she would be brief—that “Harry” and “Mack” were true representatives of what ACT was all about; that ACT had been created in August of 2004 and many thought we would never make it this far; that on July 20th there would be a groundbreaking for the new center, which is an exciting and historic thing for Chattanooga. She stated that she hoped all of the Council would support them and talk this up. Mayor Littlefield was holding “Mack” and Mrs. Wilson expressed hope that the cat would not bite him!

AMEND CITY CODE
ALCOHOLIC BEVERAGES

Councilman Benson stated that Ordinances (a) and (b) both come with a recommendation for approval from the Legal and Legislative Committee and that Ordinance (a) would require substitution. Councilwoman Rutherford asked what the substitution was for and was told by Attorney Nelson that it involved the effective date. Councilman Benson added that also a person under the age of 21 had to be accompanied by an adult. Councilwoman Rutherford asked if this was just an adult or a parent. Councilman Benson responded that it could be either a parent or guardian.

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE,
PART II, CHAPTER 5, SECTIONS 5-48, 5-75, AND 5-82,
RELATIVE TO BEER AND ALCOHOLIC BEVERAGES**
was substituted. On motion of Councilwoman Rutherford, seconded by Councilman Franklin, the Ordinance passed second and final reading and was signed in open meeting.

AMEND CITY CODE:
PARKING

Attorney Nelson explained that he was asked to change the effective date on this Ordinance to make it effective immediately on passage; that he had dictated this change to Ms. Crownover.

On motion of Councilwoman Rutherford, seconded by Councilwoman Robinson,

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 24, SECTION 24-305, RELATIVE TO PARKING was substituted. On motion of Councilman Rico, seconded by Councilwoman Rutherford, the Ordinance passed second and final reading and was signed in open meeting.

REZONING

2006-090 (Mary Sue Foskey)

On motion of Councilman Rico, seconded by Councilman Franklin,
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE TRACTS OF LAND LOCATED AT 2819 AND 2821 WALKER ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO O-1 OFFICE ZONE, SUBJECT TO CERTAIN CONDITIONS
passed second and final reading and was signed in open meeting.

AMEND CITY CODE
CHATT. POLICE DEPT.

On motion of Councilman Rico, seconded by Councilwoman Rutherford,
AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 16, ARTICLE III, BY REPEALING SECTIONS 16-44, 16-45, 16-47, AND 16-48, RELATIVE TO THE CHATTANOOGA POLICE DEPARTMENT
passed first reading.

BUDGET ORDINANCE
FY 2006-2007

Councilwoman Bennett stated that this was discussed in the Budget and Finance Committee and comes with a recommendation for approval.

On motion of Councilman Rico, seconded by Councilwoman Robinson,

AN ORDINANCE, HEREINAFTER ALSO KNOWN AS "THE FISCAL YEAR 2006-2007 BUDGET ORDINANCE", TO PROVIDE REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 2006, AND ENDING JUNE 30, 2007, AND APPROPRIATING SAME TO THE PAYMENT OF EXPENSES OF THE MUNICIPAL GOVERNMENT; FIXING THE RATE OF TAXATION ON ALL TAXABLE PROPERTY IN THE CITY, AND THE TIME TAXES AND PRIVILEGES ARE DUE, HOW THEY SHALL BE PAID, WHEN THEY SHALL BECOME DELINQUENT; PROVIDING FOR INTEREST AND PENALTY ON DELINQUENT TAXES AND PRIVILEGES AND TO AMEND CITY CODE CHAPTER 18, SEC. 18-123(g)

passed first reading.

CONTRACT

On motion of Councilman Rico, seconded by Councilwoman Rutherford,

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. W-06-002-201, CITY LANDFILL, AT BIRCHWOOD, AREA 3, PHASE I, LINER, TO WRIGHT BROTHERS CONSTRUCTION COMPANY, INC. IN AN AMOUNT NOT TO EXCEED NINE MILLION THREE HUNDRED FORTY-TWO THOUSAND FOUR HUNDRED FIVE AND 73/100 DOLLARS (\$9,342,405.73), SUBJECT TO COUNCIL APPROPRIATION OF FUNDS

was deferred until July 11th.

DONATION/ST ELMO

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING A DONATION TO BE MADE BY THE CITY OF CHATTANOOGA IN THE AMOUNT OF ELEVEN THOUSAND EIGHT HUNDRED DOLLARS (\$11,800.00) TO FESTIVE ST. ELMO FOR THE PURPOSE OF BUILDING A PLAYGROUND ON PROPERTY OWNED BY THE CITY, WHICH WILL SERVE THE CITY OF CHATTANOOGA

was adopted.

**ALLOCATION—FRONT
PORCH ALLIANCE**

On motion of Councilwoman Robinson, seconded by Councilwoman Rutherford,

A RESOLUTION AUTHORIZING THE DEPARTMENT OF NEIGHBORHOOD SERVICES TO ALLOCATE AN AMOUNT NOT TO EXCEED FIVE THOUSAND DOLLARS (\$5,000.00) TO THE FRONT PORCH ALLIANCE TO PAY CERTAIN COSTS ASSOCIATED WITH THE 2006 WORLD CHANGER PROJECT, A COLLABORATIVE PARTNERSHIP OF THE DEPARTMENT OF NEIGHBORHOOD SERVICES AND COMMUNITY DEVELOPMENT, OFFICE OF FAITH-BASED INITIATIVES, DEPARTMENT OF PUBLIC WORKS, AND FRONT PORCH ALLIANCE

was adopted.

CAP SYSTEMS PAY

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE HUMAN SERVICES DEPARTMENT TO PAY CAP SYSTEMS THE AMOUNT OF THIRTEEN THOUSAND FIVE HUNDRED DOLLARS (\$13,500.00) FOR SOFTWARE MAINTENANCE SERVICES FOR FY2006

was adopted.

XEROX EQUIP.RENTAL

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE HUMAN SERVICES DEPARTMENT TO PAY XEROX THE AMOUNT OF ELEVEN THOUSAND FIVE HUNDRED DOLLARS (\$11,500.00) FOR EQUIPMENT RENTAL FOR FY2006

was adopted.

CONTRACT

Councilman Benson stated that this was recommended for approval through the Legal and Legislative Committee.

On motion of Councilman Franklin, seconded by Councilman Benson,
A RESOLUTION AUTHORIZING THE CHIEF OF POLICE TO EXECUTE A CONTRACT WITH COMPUDYNE CORPORATION FOR SOFTWARE MAINTENANCE THROUGH JUNE 30, 2006 IN AN AMOUNT NOT TO EXCEED TWENTY-FOUR THOUSAND THREE HUNDRED SIXTY-FIVE AND 25/100 DOLLARS (\$24,365.25)

was adopted.

OVERTIME

Overtime for the week ending June 23, 2006, totaled \$80,524.82.

PERSONNEL

The following personnel matters were reported for the various departments:

PUBLIC WORKS DEPARTMENT:

- ❖ **JEHU J. WILSON**—FMLA for Crew Supervisor, effective 6/16/06—9/08/06.

CHATTANOOGA FIRE DEPARTMENT:

- ❖ **PAMELA WILLIAMS**—Return from FMLA of Senior Firefighter, effective 6/21/06.

PERSONNEL (CONT'D)

CHATTANOOGA POLICE DEPARTMENT:

- ❖ **JOSHUA J. STEVENSON, JAMES MATTHEW AGNEW, & ROBERT O. WADE**—Resignation of Police Officers, effective 6/19/06.
- ❖ **LISA M. MYRICK**—Return to duty of Communications Officer, effective 6/23/06.

NEIGHBORHOOD SERVICES:

- ❖ **ANTHONY O. SAMMONS**—Hire Deputy Administrator, Pay Grade 34/9, \$76,814.00 annually, effective 6/23/06.

Adm. Beverly Johnson stated that she would like to formally introduce Anthony Sammons as Deputy Administrator for Neighborhood Services. She stated that he comes to us with 25 years of banking experience—for the past seven years he has been Assistant Vice President and Branch Manager for AmSouth Bank. Prior to joining AmSouth, he was Branch Manager and Bank Analyst for SunTrust Bank for 18 years. Ms. Johnson stated that his first day on the job was yesterday and he was “baptized” into the position and that she was looking forward to working with him.

Mr. Sammons thanked the Council for allowing him to address them. He stated that he was pleased to become a member of such an esteemed organization, which he felt was a step up for him. He stated that we had many challenges before us and that he would do his best to handle the challenges. He asked that Councilmembers let him know if he could be of any assistance to them.

PURCHASE

On motion of Councilwoman Rutherford, seconded by Councilman Franklin, the following purchase was approved for use by the Public Works Dept.:

ROME ELECTRIC MOTOR WORKS (Lowest & best complete bid)
Requisition #R0090177/B0003246

Repair Services for Motor Driver Pumps

\$80,000.00

PURCHASES

On motion of Councilwoman Robinson, seconded by Councilman Franklin, the following purchases were approved for use by the Chattanooga Police Dept.:

GLS CONSULTING, LLC (Sole Source Purchase)
Requisition # R0091068

Protective Equipment for SWAT Division

\$43,165.38

G & C SUPPLY (Best bid meeting specs.)
Requisition #R0090508

Thermal Imaging Camera (Homeland Security)

\$11,838.00

SMITHS DETECTION'S (Lowest and best bid)
Requisition #R0090507/B0003309

Monitoring Equipment

\$34,650.00

PURCHASE

On motion of Councilwoman Rutherford, seconded by Councilman Franklin, the following purchase was approved for use by the Personnel Dept.:

VISION FITNESS SYSTEM (Best evaluated bid meeting specs.)
Requisition #R0090608/B0003315

Legend Fitness Equipment for On-Site Medical Clinic

\$44,400

PURCHASE

On motion of Councilman Franklin, seconded by Councilwoman Rutherford, the following purchase was approved for use by the Air Pollution Control Bureau:

ADVANCED TRANSPORTATION TECHNOLOGY INSTITUTE (Lowest & best bid meeting specs.)

Requisition #R0089886/B0003320

Ford Escape Hybrid Vehicle

\$21,525.00

REFUND

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

MANIBA CORP. d/b/a PARTH GROCERY—Refund of Gross Receipts Tax--\$3,972.43.

BOARD APPOINTMENTS

On motion of Councilwoman Rutherford, seconded by Councilman Franklin, the following Board Appointments were approved:

BOARD OF SIGN APPEALS

- ❖ Appointment of **TIM MOORE** for a term to expire on **July 31, 2009**, for **District 6**.
- ❖ Appointment of **JEFFREY WILSON** for a term to expire **July 31, 2009**, for **DISTRICT 5**.
- ❖ Appointment of **ROBERT C. CRATES** for a term to expire on **July 31, 2009**, for **District 2**.

MORATORIUM

Chairman Pierce inquired about the Park City community, which is in an area proposed for downzoning. He stated that he would like to get a moratorium or freeze for 60 days. **On motion of Councilman Benson, seconded by Councilman Franklin, this was authorized to occur.**

Mr. Pace explained that this would be a moratorium on building permits for anything **other than single-family**. Attorney Nelson asked Mr. Pace if he would care to define the boundaries. Mr. Pace indicated that he had the boundaries but not with him.

COMMITTEES

Councilwoman Bennett noted that a Budget and Finance Committee had met earlier in the day and expressed appreciation to Ms. Madison and her staff for all the hard work done on the Budget. She added that the Council would like to hear more about some of the new initiatives, which could be a presentation at another meeting.

Councilwoman Rutherford reminded Councilmembers of an **ARTS, EDUCATION AND CULTURE COMMITTEE meeting to be held July 18th at 4:00 p.m.**

RECOGNITION OF SCOUTS

Chairman Pierce recognized Richard Powell, Sr. and Richard Powell, Jr. of Boy Scout Troop 172 in Hixson. Richard Powell, Sr. explained that attendance at this meeting went towards his son's Merit Badge. He also mentioned that this troop had done some volunteer work with ACT.

ADJOURNMENT

Chairman Pierce adjourned the meeting of the Chattanooga City Council until Tuesday, July 11th at 6:00 p.m. There will not be a meeting on July 4th.

CHAIRMAN

CLERK OF COUNCIL

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

