

**City Council Building
Chattanooga, Tennessee
August 8, 2006**

Chairman Pierce called the meeting of the Chattanooga Council to order with Councilmen Bennett, Benson, Gaines, Page, Rico, Robinson and Rutherford present; Councilman Franklin was absent due to personal commitment. 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, Councilman Page gave 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.

APPROPRIATION

Councilman Page stated this was discussed in last week's Parks and Recreation Committee and approval is recommended.

On motion of Councilman Rico, seconded by Councilwoman Robinson,
AN ORDINANCE APPROPRIATING FROM THE GENERAL FUND TO THE CHATTANOOGA BAR FOUNDATION UP TO THE AMOUNT OF TWO THOUSAND DOLLARS (\$2,000.00), AS SPONSORSHIP FOR "THE ALLIANCE: TWO NOBLE PROFESSIONS, MEDICINE AND THE LAW, IN HARMONY" EVENT

passed second and final reading and was signed in open meeting.

APPROPRIATION

On motion of Councilman Rico, seconded by Councilwoman Rutherford,
**AN ORDINANCE APPROPRIATING FROM THE CHATTANOOGA
OUTDOOR OPERATING BUDGET TO THE CHATTANOOGA TRACK CLUB
THE AMOUNT OF FIVE THOUSAND DOLLARS (\$5,000.00) AS PART OF
THE PARTNERSHIP TO HOST THE CHATTANOOGA WATERFRONT
TRIATHLON**

passed second and final reading and was signed in open meeting.

AMEND CITY CODE

Councilman Benson stated this was discussed in Legal and Legislative Committee last week and approval is recommended.

On motion of Councilwoman Rutherford, seconded by Councilwoman Bennett,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 2, ARTICLE III, DIVISION 8, SECTION 2-406, RELATING TO THE
FIRE AND POLICE PENSION FUND SO AS TO CHANGE LOCATIONS FOR
ELECTIONS OF THE BOARD OF DIRECTORS**

passed second and final reading and was signed in open meeting.

REZONING

2006-104: BlueCross BlueShield of Tennessee, Inc. & GDRC, LLC

Pursuant to notice of public hearing the request of BlueCross BlueShield of Tennessee, Inc. & GDRC, LLC to rezone tracts of land located at 409 and 488 Cameron Hill Circle and 501 West Martin Luther King Junior Boulevard came on to be heard.

Chairman Pierce stated this was discussed in Committee last week and asked if anything has changed.

Jerry Pace, Director of Development Services with the Regional Planning Agency (RPA), stated that nothing has changed; that approval is recommended for the new office building campus on Cameron Hill.

REZONING (Continued)

On motion of Councilman Benson, seconded by Councilman Rico,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE TRACTS OF
LAND LOCATED AT 409 AND 488 CAMERON HILL CIRCLE AND 501
WEST MARTIN LUTHER KING JUNIOR BOULEVARD, MORE PARTICULARLY
DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE, R-4 SPECIAL ZONE
AND C-2 CONVENIENCE COMMERCIAL ZONE TO C-3 CENTRAL
BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS**
passed first reading.

REZONING

2006-139: Butler Ridge Development, Inc

Pursuant to notice of public hearing, the request of Butler Ridge Development, Inc. to rezone a tract of land located at 7248 East Brainerd Road came on to be heard.

The applicant was present; there was no opposition in attendance.

Mr. Pace stated that the applicant has requested a two month deferral. He stated there is a Preliminary PUD Resolution request for the same property and asked that it be deferred for the same length of time, as well.

On motion of Councilman Benson, seconded by Councilwoman Rutherford,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF
LAND LOCATED AT 7248 EAST BRAINERD ROAD, MORE PARTICULARLY
DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-2 RESIDENTIAL
ZONE, SUBJECT TO CERTAIN CONDITIONS**
was deferred 63 days (October 10) at the request of the applicant.

PRELIMINARY PUD

2006-129: Butler Ridge Development, Inc.

Councilmen Benson and Rutherford made the motion and second to move this Resolution forward on the agenda; the motion carried.

PRELIMINARY PUD (Continued)

On motion of Councilman Benson, seconded by Councilwoman Rutherford,
A RESOLUTION APPROVING A PRELIMINARY PLANNED UNIT DEVELOPMENT SPECIAL EXCEPTIONS PERMIT FOR A PROPOSED PLANNED UNIT DEVELOPMENT, KNOWN AS RIDGEVIEW AT PANORAMA DRIVE PLANNED UNIT DEVELOPMENT, ON TRACTS OF LAND LOCATED AT 7248 EAST BRAINERD ROAD, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAPS AND DRAWINGS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS
was deferred 63 days (October 10) at the request of the applicant.

LIFT CONDITIONS

2006-146: Dana Lynn McKamey

Pursuant to notice of public hearing, the request of Dana Lynn McKamey to lift conditions imposed in Ordinance No. 10683 (Case No. 1998-036) on a tract of land located at 7304 Jarnigan Road came on to be heard.

The applicant was present; there was no opposition in attendance.

Mr. Pace stated this request is to lift the conditions for use as a beauty shop only; that the property is zoned commercial and the applicant would like to have a pharmaceutical vitamin compound store. He stated Planning and Staff reviewed the recommendation and approved lifting conditions for use as a hair salon only, but have added two conditions: *“access from Jarnigan Road only; and no drive-thru fast food services, convenience stores, service stations or adult-oriented establishments”*. He stated that the pharmaceutical compound store will have drive-thru pickup; however the intent is there not be a drive-thru for fast food. He stated approval is recommended with the added conditions.

On motion of Councilman Benson, seconded by Councilwoman Robinson,
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO LIFT CONDITIONS IMPOSED IN ORDINANCE NO. 10683 (CASE NO. 1998-036) ON A TRACT OF LAND LOCATED AT 7304 JARNIGAN ROAD, MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS
passed first reading.

REZONING: 2003-085 – OSCAR HURLEY

City Attorney Nelson stated it was called to his attention that a case was deferred three years ago without setting a date for it to be heard again. He stated that he suggested the matter go back to Planning.

Mr. Pace stated the request is to put the matter back on the agenda; that the matter could be discussed now or at the end of the meeting.

Councilman Benson asked that the matter be discussed now as all three properties are related.

Mr. Pace stated that the one previously approved is not but is near there. He stated there are two existing offices in between this property and the other larger piece that was deferred because there was not a site plan or any owner or occupant ready and it was considered speculative. He stated now that is resolved and has been incorporated into a larger development as part of the overall R-4 office complex. He stated there is a site plan and the owner of the development is ready which is why it has been requested that the matter be put back on the agenda. He stated there has been discussion about the length of time and there was no opposition at Planning or at the Council meeting; that approval was recommended. He stated it is up to the Council.

Councilman Benson expressed his wish to get this resolved as there is some inconsistency. He stated three months ago approval was given for a parcel in the middle of these two pieces of land which had been deferred for nearly three years. He stated now they have a little piece they want to get rezoned to be part of the bigger piece and the City Attorney has said three years and three months is too long for it to come back without being advertised.

Mr. Pace stated both were deferred at the same time with two separate owners; that the one approved in April would lean up to this development.

A person in the audience spoke up at this point and stated that the owner of the property, Oscar Hurley, would be present closer to the end of the meeting. He stated the owner did not realize the matter would come up this early in the meeting. He stated Mr. Hurley is an elderly gentleman and is trying to relocate himself and delaying this delays his relocation.

Chairman Pierce stated if the Council has been wrong in the past the mistake was realized; that he does not see repeating the same thing over. He stated it is up to the Council if they want to send it back (to Planning).

REZONING: 2003-085 – OSCAR HURLEY
(Continued)

Councilman Benson stated he would like to wait until the end of the meeting and listen to the owner.

Chairman Pierce asked if the Council has a recommendation.

Councilman Benson stated that the request is included in the land use plan and would like to see it brought back next week.

Mr. Pace noted it would have to be placed on the Council agenda.

Chairman Pierce stated that the Council would have to give approval tonight for it to appear on next week's agenda; that he would not add it himself.

On motion of Councilman Benson, seconded by Councilman Rico, rezoning case 2003-085: Oscar Hurley would be added to the August 15, 2005 agenda on first reading.

REZONING

2006-147: Ben F. Miller & Louis Belua

Pursuant to notice of public hearing, the request of Ben F. Miller & Louis Belua to rezone a tract of land located at 6844 McCutcheon Road came on to be heard.

The applicant was present; there was no opposition in attendance.

Mr. Pace stated this request is located in the East Brainerd area close to Lee Highway along McCutcheon Road. He stated C-5 backs up to C-2 in the rear and the surrounding area is office and residential in nature. He stated approval is recommended from Planning and Staff with conditions.

On motion of Councilwoman Rutherford, seconded by Councilman Rico,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF
LAND LOCATED AT 6844 MCCUTCHEON ROAD, MORE PARTICULARLY
DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL
ZONE, SUBJECT TO CERTAIN CONDITIONS**

passed first reading.

REZONING

2006-148: B & B Development

Pursuant to notice of public hearing, the request of B & B Development to rezone a tract of land located at 5900 Hixson Pike came on to be heard.

The applicant was present; there was no opposition in attendance.

Mr. Pace stated this property is located in the Hixson area on the Creeks Bend golf course across from Valley Brook. He stated R-3 property is in between this and two other small properties for development of town houses. He stated approval is recommended with conditions.

Councilman Page stated what will be built is a first class development and expressed thanks to the applicant for giving it to the Hixson area.

On motion of Councilman Page, seconded by Councilwoman Rutherford,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF
LAND LOCATED AT 5900 HIXSON PIKE, MORE PARTICULARLY
DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-3 RESIDENTIAL
ZONE, SUBJECT TO CERTAIN CONDITIONS**

passed first reading.

REZONING

2006-153: 2525 Broad Street, LLC

Pursuant to notice of public hearing, the request of 2525 Broad Street, LLC to rezone tracts of land located at 2517 and 2525 Broad Street, together with two unaddressed tracts of land located in the 400 block of West 25th and West 26th Streets came on to be heard.

The applicant was present; there was no opposition in attendance.

Mr. Pace stated this request is located in the south side area on Broad Street. He stated surrounding zoning includes M-1 and C-2 and approval is recommended from Planning and Staff with the same conditions as similar cases in the downtown corridor on requests for C-3.

REZONING (Continued)

Councilwoman Robinson inquired as to the alley that goes into the property.

Mr. Pace stated a separate building is located there that is not part of the rezoning; that it is a tile shop in that little parcel of land that is very narrow, reiterating that it is not included.

Councilwoman Robinson asked if they are okay with this. Mr. Pace noted that he had not talked with them.

On motion of Councilwoman Rico, seconded by Councilwoman Robinson,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE TRACTS OF
LAND LOCATED AT 2517 AND 2525 BROAD STREET, TOGETHER WITH
TWO (2) UNADDRESSED TRACTS OF LAND LOCATED IN THE 400 BLOCK
OF WEST 25TH AND WEST 26TH STREETS, MORE PARTICULARLY
DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3
CENTRAL BUSINESS ZONE**

passed first reading.

REZONING

2006-155: Deanna Duncan & Terry Cannon

Pursuant to notice of public hearing, the request of Deanna Duncan & Terry Cannon to rezone a tract of land located at 1800 Rossville Avenue came on to be heard.

The applicant was present; there was no opposition in attendance.

Mr. Pace stated that this is located in the south side area along Rossville Avenue. Photos of the area were displayed by PowerPoint showing the industrial-type buildings on the property as well as structures that are to be built. He stated approval is recommended with the same conditions that were included in the previous request for C-3 zoning in the downtown corridor.

Councilman Rico stated that a couple conditions for this request need to be deleted. He stated under Condition No. 3: Building facades and access, the conditions that state *“Ground floor openings (doors and windows) shall constitute a minimum of 50 percent of the ground floor façade area for commercial building”* and *“No security-type roll up metal doors shall be permitted to front streets other than interior block alleys”* should be deleted.

REZONING (Continued)

Mr. Pace stated the two conditions would not fit with the existing building; that the design of the building is not going to meet those conditions. He stated if it were a new building the conditions would be required.

On motion of Councilwoman Rutherford, seconded by Councilman Rico,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF
LAND LOCATED AT 1800 ROSSVILLE AVENUE, MORE PARTICULARLY
DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3
CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS**
passed first reading.

REZONING

2006-158: Aaron D. Smith & William E. Clegg, Jr.

Pursuant to notice of public hearing, the request of Aaron D. Smith & William E. Clegg, Jr. to rezone a tract of land located at 2104 Hamill Road came on to be heard.

The applicant was present; there was no opposition in attendance.

Mr. Pace stated this request is located in the Northgate area for a request for O-1. He stated the Bradenton Subdivision is a nice residential area tucked in near the North Park Hospital and there is R-4 and R-1 adjacent and across the street, with the hospital to the northwest of the project. He stated Hamill Road is being improved and again noted there is residential property to the east and a new office building in the R-4 area on the west side of Bradenton. He stated the lot of the property is deep and extends from Hamill Road back toward Bradenton Avenue. He stated approval is recommended from Planning and Staff with conditions. He stated in order for the structure to fit in with the existing R-4, a one story building would be more appropriate; that it was felt it is necessary to limit access and not have that many curb cuts along Hamill since it is a heavily traveled road

Councilman Page stated that this matter came before the Steering Committee to assure it is consistent with the Plan. He stated the Steering Committee endorsed this as part of the community plan.

REZONING (Continued)

Everett Fairchild, Chairman of the Leadership and Planned Growth Committee, stated that a Committee meeting was convened and after looking at the plan it was felt the necessary requirements were being met to protect the neighborhood behind this and to continue growth on Hamill. He stated it was felt this request is reasonable and appropriate.

On motion of Councilman Page, seconded by Councilwoman Robinson,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF
LAND LOCATED AT 2104 HAMILL ROAD, MORE PARTICULARLY
DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO O-1 OFFICE
ZONE, SUBJECT TO CERTAIN CONDITIONS**

passed first reading.

REZONING

2006-160: City Council, City of Chattanooga

Pursuant to notice of public hearing, the request of the City Council, City of Chattanooga to rezone certain tracts of land located in the 2300 through 2700 blocks of Cannon Avenue and the north side of the 1200 to 1400 blocks of East 28th Street came on to be heard.

There was no opposition in attendance.

Mr. Pace stated this request is located in the Park City area and should have been part of the overall Rossville Boulevard Study downzoning a few months ago. He stated this portion is on the north side of East 28th Street and was left out of the rezoning request. He stated RPA looked at it and the majority of the property in this area, even with all the R-2 and a small R-4 in the center, is single family residential. He stated to be consistent and bring this in with the rest of the Park City neighborhood that was zoned R-1, it was felt it was appropriate to rezone this to R-1 and approval is recommended.

At this point Chairman Pierce declared a public hearing in process and asked those wishing to speak "for" or "against" to make themselves known; being none, the hearing was duly closed.

REZONING (Continued)

On motion of Councilman Rico, seconded by Councilwoman Rutherford,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE CERTAIN
TRACTS OF LAND LOCATED IN THE 2300 THROUGH 2700 BLOCKS OF
CANNON AVENUE AND THE NORTH SIDE OF THE 1200 TO 1400
BLOCKS OF EAST 28TH STREET, MORE PARTICULARLY DESCRIBED
HEREIN, FROM R-2 RESIDENTIAL ZONE AND R-4 SPECIAL ZONE TO R-1
RESIDENTIAL ZONE**

passed first reading.

QUITCLAIM DEED

On motion of Councilman Rico, seconded by Councilwoman Rutherford,
**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A QUITCLAIM
DEED TO TRANSFER CERTAIN REAL PROPERTY LOCATED AT 2212
BENNETT AVENUE, TAX MAP NO. 146N-Y-016.01, TO THE
CHATTANOOGA COMMUNITY HOUSING DEVELOPMENT
ORGANIZATION, INC.**

was adopted.

CONSERVATION AGREEMENT

On motion of Councilman Page, seconded by Councilwoman Rutherford,
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE
DEPARTMENT OF PARKS AND RECREATION TO EXECUTE A
CONSERVATION AGREEMENT WITH THE TRUST FOR PUBLIC LAND, IN
THE FORM ATTACHED HERETO AND MADE A PART HEREOF BY
REFERENCE, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED
THOUSAND DOLLARS (\$100,000.00), TO BE PAID IN FOUR QUARTERLY
INSTALLMENTS OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00)
EACH, RELATIVE TO THE CHATTANOOGA GREENWAYS PROGRAM,
FOR A TERM BEGINNING JULY 1, 2006 THROUGH JUNE 30, 2007**

was adopted.

CHANGE ORDER

On motion of Councilman Rico, seconded by Councilwoman Rutherford,
A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1 FOR THE HVAC SYSTEM INSTALLATION AT THE WATKINS STREET MAINTENANCE FACILITY WITH ASSOCIATED MECHANICAL SYSTEMS, INC., WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY TWO THOUSAND THREE HUNDRED FORTY-TWO AND 39/100 DOLLARS (\$2,342.39), FOR A REVISED CONTRACT PRICE OF TWO HUNDRED FIFTEEN THOUSAND THREE HUNDRED THIRTEEN AND 39/100 DOLLARS (\$215,313.39)

was adopted.

AGREEMENT

On motion of Councilwoman Rutherford, seconded by Councilwoman Robinson,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS AND RECREATION TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH BTB FOUNDATION, INC. TO UTILIZE ROSS'S LANDING FOR THE BETWEEN THE BRIDGES FESTIVAL TO TAKE PLACE ON AUGUST 12, 2006 AND AUGUST 13, 2006

was adopted.

PROFESSIONAL SERVICES CONTRACT

Councilwoman Robinson stated this matter was discussed in the Health, Education, Human Services and Housing Opportunities Committee today and approval is recommended. She stated that this contract will fund a process of cataloguing properties from the River and Missionary Ridge to inventory and assess a comprehensive database with a \$10,000 State grant and a \$3,478.00 matching grant from the city.

On motion of Councilwoman Robinson, seconded by Councilman Rico,
A RESOLUTION APPROVING A PROFESSIONAL SERVICES CONTRACT WITH THOMASON & ASSOCIATES RELATIVE TO THE CHATTANOOGA HISTORIC RESOURCES EDUCATION GRANT RECEIVED FROM THE TENNESSEE HISTORICAL COMMISSION'S 2005 HISTORIC PRESERVATION FUND

was adopted.

OVERTIME

Overtime for the week ending August 4, 2006 totaled \$79,664.01.

PERSONNEL

The following personnel matters were reported for the various departments:

PUBLIC WORKS DEPARTMENT:

- **MITCH UNDERWOOD** – Promotion, Watershed Specialist, Engineering, Pay Grade 17/Step 4, \$39,680.00 annually, effective July 12, 2006.
- **ROBERT L. MARSHALL** – Termination, Crew Worker, City Wide Services, effective August 3, 2006.

CHATTANOOGA POLICE DEPARTMENT:

- **AVIS NEW** – Retirement, Office Assistant, effective July 31, 2006.
- **STEVE BAKER** – Promotion, Sergeant, Pay Grade P2/Step 5, \$31,987.00 annually, effective August 4, 2006.
- **DEBBIE LLOYD** – Family Medical Leave, Communications Officer, effective July 31 – October 23, 2006.

CHATTANOOGA FIRE DEPARTMENT:

- **RICHARD J. BOATWRIGHT** – Promotion, Captain, Pay Grade F4/ Step C5, \$43,920.00 annually, effective August 4, 2006.
- **RODNEY W. JONES** – Promotion, Captain, Pay Grade F4/Step A8, \$49,340.00 annually, effective August 4, 2006.
- **KINNEY H. SHORT, JR.** – Promotion, Captain, Pay Grade F4/Step A5, \$43,920.00 annually, effective August 4, 2006.
- **GEORGE E. TURLEY** – Promotion, Captain, Pay Grade F4/Step A6, \$45,727.00 annually, effective August 4, 2006.

PERSONNEL (Continued)

- **JACK K. BABB** – Promotion, Lieutenant, Pay Grade F3/Step A8, \$42,534.00 annually, effective August 4, 2006.
- **KEVIN M. CARPENTER** – Promotion, Lieutenant, Pay Grade F3/Step A5, \$37,871.00 annually, effective August 4, 2006.
- **MICHAEL DELANDO DAVENPORT** – Promotion, Lieutenant, Pay Grade F3/Step C5, \$37,871.00 annually, effective August 4, 2006.
- **HENRY L. MCELVAIN** – Promotion, Lieutenant, Pay Grade F4/Step C4, \$42,114.00 annually, effective August 4, 2006.
- **CARLOS D. TIBBS** – Promotion, Lieutenant, Pay Grade F4/Step C6, \$45,727.00 annually, effective August 4, 2006.

HOTEL PERMITS

On motion of Councilwoman Rutherford, seconded by Councilman Rico, the following hotel permits were approved:

MAYOR’S MANSION INN – 801 Vine Street, Chattanooga, Tennessee

AMERICA’S BEST VALUE INN – 2100 Market Street, Chattanooga, Tennessee

PURCHASES

On motion of Councilwoman Rutherford, seconded by Councilman Rico, the following purchase was approved for use by the Mayor’s Office, General Services:

THURMAN BRYANT and WESCO (Best evaluated bids)
R0088860/B0003127

Electrical Supplies *(The two contracts will make it more convenient, cost effective in fuel, maintenance, and man hours by allowing employees to go to the nearest supplier.)*

\$26,500 -- Bryant
\$26,500 – WESCO

PURCHASE (Continued)

Chairman Pierce inquired as to whether a dual award provides a fair chance for bidding. City Attorney Nelson responded "yes".

PURCHASES

On motion of Councilwoman Rutherford, seconded by Councilman Rico, the following purchases were approved for use by Information Services:

ACS GOVERNMENT SYSTEMS (Single source)
R0091679

Financial Software Renewal per TCA 6-56-304.2

\$47,455.63

NOW SOLUTIONS (Single source)
R0091676

Payroll Software Renewal per TCA 6-56-304.2

\$68,707.00

PLANNING COMMISSION APPOINTMENT

Paul Page presented a recommendation from the Mayor regarding the appointment of Will Smith for a four year term on the Planning Commission replacing Deborah Maddox.

Chairman Pierce stated Mr. Smith has served four years on the Planning Commission and it is time for someone new.

Councilman Benson responded "yes"; that they are getting someone new.

Jerry Pace clarified that Mr. Smith would be serving on the Planning Commission

Chairman Pierce stated that the Board appoints their own chairman.

PLANNING COMMISSION APPOINTMENT
(Continued)

Mr. Pace noted that this appointment does not require Council action. He stated each government appoints seven members to the Planning Commission with a joint appointment for Chairman. He stated the members are certified and approved by the State and there is no requirement for action from the City Council. He stated it is a matter of reporting it and it goes to the State for approval.

Chairman Pierce stated that he wanted to know if Mr. Smith is being reappointed and giving him another four years.

Mr. Pace responded "yes".

(Councilman Rico excused himself from the meeting at this point.)

HOUSING AUTHORITY BOARD APPOINTMENT

Mr. Page presented the names of Milton Greaves and Al Chapman as appointees to the Chattanooga Housing Authority Board.

City Attorney Nelson stated no motion is necessary for these appointments as no action is required by the Council.

KING STREET CONSTRUCTION

Chairman Pierce inquired as to the construction roadblock around King Street.

Mr. Page stated that he has been working with Public Works to get it open as fast as possible; that an ADA handicap access is being built. He stated they are moving as rapidly as they can; that it is a good project and worthwhile.

Chairman Pierce inquired as to when it would be reopened.

Mr. Page responded that he wished he could tell him; that it would be within the next four-to-five weeks.

PARTICIPATION IN GAS COMPANY PROCEEDINGS

City Attorney Nelson stated that the Gas Company has filed for a rate increase and approval is needed for him to participate on behalf of the city in those proceedings in Nashville in cooperation with the Manufacturers Association.

On motion of Councilwoman Rutherford, seconded by Councilwoman Robinson, the City Attorney was duly authorized to participate on behalf of the city.

SPECIAL MEETING OF COUNCIL

City Attorney Nelson stated that a special meeting of the Council should be scheduled two weeks from today beginning at 11 a.m. to accept the best bids we can get on the Electric Power Board's bonds of up to \$67 million; that it needs to be done in time so that the transfer could be made at or about noon on that day.

On motion of Councilwoman Robinson, seconded by Councilwoman Rutherford, a special meeting of the City Council was confirmed for Tuesday, August 22 beginning at 11 a.m.

ALLIED ARTS TOUR

Councilwoman Rutherford stated that a tour of Allied Arts was tentatively scheduled for August 22, however due to the heat the tour will be postponed until Tuesday, October 24 at 2:30 p.m.

COMMITTEES

Councilwoman Robinson stated that the Health, Education, Human Services and Housing Opportunities Committee met today and heard from Mrs. Merri Mai Williamson, a local resident of District 8, who reported on her objection to the proposed Chattanooga Resource Center for the Homeless. She stated that Mrs. Williamson brought forward a report from her visit to three cities that have homeless programs to compare and contrast with the situation in Chattanooga. She stated the Blueprint Plan, which was prepared to make recommendations on ending homelessness that was created in 2003, was discussed as the template for future planning with the understanding that neighborhood representatives would be added to the committee which will be forming to update the (Blueprint) Plan as the process goes forward.

COMMITTEES (Continued)

Councilwoman Gaines scheduled a meeting of the **Parks and Recreation Committee immediately following the Legal and Legislative Committee on Tuesday, August 15.**

Councilman Benson stated the **Legal and Legislative Committee will meet on Tuesday, August 15 at 3 p.m.** to discuss proposed amendments to the *City Charter*, alternative financing services and subdivision of lot sizes.

Jerry Pace stated that it was his thought a recommendation had been submitted to Planning regarding lot subdivisions and is scheduled for the (Planning) agenda this month.

Councilman Benson clarified there would be two items on the Committee's agenda and that a written agenda would be generated by the Council Clerk by noon on Monday.

City Attorney Nelson stated a third Ordinance would be the downtown renaissance vending ordinance.

Councilman Benson asked for a listing of Charter amendments prior to the Committee meeting.

City Attorney Nelson stated that the amendments would be included in this week's agenda that will be mailed out this week.

FRANK DEPINTO

Frank DePinto of 401½ Bell Avenue expressed appreciation for the opportunity to speak to the Council. He expressed concern that the Mayor's Recycling Task Force does not have enough legitimate time to consider and implement a successful curbside recycling program in the city of Chattanooga. He stated it is his feeling the Task Force would need to extend their time to end in November in order to develop a program to increase curbside recycling in Chattanooga. He stated that he would also like for the city to consider allocating to the Task Force budget \$5,000 that would be used at the discretion of the Task Force to bring representatives to the city from other successful cities to review and make recommendations to help improve and increase curbside recycling in the city of Chattanooga.

FRANK DEPINTO (Continued)

Councilwoman Robinson stated that it is her belief the Recycling Task Force Chairman and Mayor have had a conversation about the extension of time, which is no problem. She stated that a request for funding should come from the Committee and not individual members.

Mr. DePinto asked if he should ask the Task Force.

Councilwoman Robinson stated that if there is something they would want to bring forward for a budget is something that needs to come from the Committee rather than an individual member.

Mr. DePinto asked if he would need to get a motion from the Committee for that.

Councilwoman Robinson reiterated any recommendations should come from the entire Committee and not individual members.

ADJOURNMENT

Chairman Pierce adjourned the meeting of the Chattanooga Council until Tuesday, August 15, 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)**