

**City Council Building
Chattanooga, Tennessee
April 17, 2007
6:00 p.m.**

Chairman Page called the meeting of the Chattanooga Council to order with Councilmen Bennett, Benson, Rico, Robinson and Rutherford present; Councilmen Gaines, Franklin and Pierce were 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, City Attorney Nelson gave invocation.

MINUTE APPROVAL

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

OTHER BUSINESS – REQUEST RPA TO DO LAND USE STUDY FOR SHEPHERD AREA

Councilwoman Rutherford made the motion to move other business items forward on the agenda; Councilwoman Bennett seconded the motion; the motion carried.

Councilwoman Rutherford recognized residents of the Shepherd Community and made the **motion to request that the Regional Planning Agency (RPA) do a land use study followed by a zoning study of the area including Shallowford to Airport Road and Airport Road to Lee Highway; Councilwoman Bennett seconded the motion.** She stated that the matter has been discussed with the community with Atty. Walter Williams and Greg Haynes of RPA present. **She amended her motion to include a moratorium on rezonings in those boundary lines during the time the study is being conducted. The motion carried.**

City Attorney Nelson inquired as to whether the boundary includes 153. Councilwoman Rutherford responded that the boundary would go beyond 153 to Shallowford Road; that 153 splits the Shepherd Community and she wants the entire area included.

AMEND ZONING ORDINANCE

On motion of Councilwoman Robinson, seconded by Councilwoman Rutherford,

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, BY AMENDING ARTICLE V, SECTION 1705(1), REDUCED PARKING IN THE URBAN OVERLAY ZONE, INTENT

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

AMEND ZONING ORDINANCE

On motion of Councilwoman Rutherford, seconded by Councilman Rico,
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, BY AMENDING ARTICLE V, SECTION 708(1), RELATIVE TO YARD SETBACKS FOR RESIDENTIAL USE IN C-3 CENTRAL BUSINESS ZONE

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

REZONING

2007-032: City of Chattanooga

On motion of Councilwoman Bennett, 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 215 LOOKOUT STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS

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

REZONING

2007-033: City of Chattanooga c/o Bill Payne

On motion of Councilman Rico, seconded by Councilwoman Rutherford,
AN ORDINANCE TO CHANGE THE RIGHT-OF-WAY NAME OF THE 100 BLOCK OF LAWN STREET PLACE TO MOONSTONE ROAD, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE

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

REZONING

2007-035: City of Chattanooga c/o Bill Payne

City Attorney Nelson stated that this ordinance has been amended to reflect that it would “*become effective immediately*”.

Councilmen Rico and Bennett made the motion and second to substitute the amendment to this ordinance; the motion carried.

On motion of Councilwoman Bennett, seconded by Councilwoman Robinson,

**AN ORDINANCE TO CHANGE THE RIGHT-OF-WAY NAME OF THE 400
BLOCK OF BENNETT ROAD TO TALL TIMBER TRAIL, MORE PARTICULARLY
DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO
AND MADE A PART HEREOF BY REFERENCE**

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

REZONING

2007-043: Mandeep Grewal, M.D.

On motion of Councilwoman Rutherford, seconded by Councilwoman Bennett,

**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF
LAND LOCATED AT 637 MORRISON SPRINGS ROAD, MORE
PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE AND
R-3 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN
CONDITIONS**

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

REZONING

2007-046: Greg Vital

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 REZONE A TRACT OF
LAND LOCATED AT 5501 OLD HIXSON PIKE, MORE PARTICULARLY
DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL
ZONE, SUBJECT TO CERTAIN CONDITIONS**

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

REZONING

2007-047: Tom Cofer

On motion of Councilman Rico, seconded by Councilman Benson,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF
LAND LOCATED AT 5005 HIGHWAY 58, MORE PARTICULARLY
DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO C-2
CONVENIENCE COMMERCIAL ZONE**
passed second and final reading and was signed in open meeting.

CLOSE AND ABANDON

MR-2007-029: Ed's Supply Company

On motion of Councilman Rico, seconded by Councilwoman Rutherford,
**AN ORDINANCE CLOSING AND ABANDONING A PORTION OF AN
UNNAMED ALLEY LOCATED EAST OF AND PARALLEL TO THE 3000
BLOCK OF ROSSVILLE BOULEVARD, MORE PARTICULARLY DESCRIBED
HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE
A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS**
passed first reading.

AGREEMENT

On motion of Councilwoman Rutherford, seconded by Councilman Rico,
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE
DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AND EXECUTE AN
AGREEMENT WITH DENNIS SMITH RELATIVE TO CONTRACT NO. W-07-
004-401, CONSTRUCTION INSPECTION SERVICES, DURING THE
CONSTRUCTION OF VARIOUS PUBLIC WORKS PROJECTS IN AN
AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY THOUSAND DOLLARS
(\$150,000.00)**
was adopted.

DONATION

On motion of Councilwoman Robinson, seconded by Councilman Rico,
**A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A DONATION TO
THE POLICE DEPARTMENT FROM FRED'S IN THE AMOUNT OF ONE
HUNDRED FIFTY-FOUR DOLLARS AND FIFTY CENTS (\$154.50) AND
EXPRESSING THE GRATITUDE OF THE MAYOR AND CITY COUNCIL FOR
SAID DONATION**
was adopted.

SCHOLARSHIP

On motion of Councilwoman Rutherford, seconded by Councilwoman Bennett,

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A SCHOLARSHIP FROM THE OFFICE FOR VICTIMS OF CRIME, OFFICE OF JUSTICE PROGRAMS, U.S. DEPARTMENT OF JUSTICE, IN THE AMOUNT OF ONE THOUSAND DOLLARS (\$1,000.00) AS PARTIAL REIMBURSEMENT FOR THE COST OF SENDING A CHATTANOOGA POLICE OFFICER TO A TRAINING PROGRAM CONCERNING VICTIMS OF SEXUAL ASSAULT AND EXPRESSING THE GRATITUDE OF THE MAYOR AND CITY COUNCIL FOR SAID SCHOLARSHIP

was adopted.

SPECIAL ADVISOR

On motion of Councilwoman Rutherford, seconded by Councilman Rico,

A RESOLUTION AUTHORIZING DR. JONATHAN CHRISTIANSON TO SERVE IN THE POSITION OF SPECIAL ADVISOR FOR THE CHATTANOOGA POLICE DEPARTMENT'S SPECIAL WEAPONS AND TACTICS ("SWAT") TEAM, EFFECTIVE IMMEDIATELY FOR A CONSIDERATION OF THREE HUNDRED DOLLARS (\$300.00) PER MONTH

was adopted.

PAYMENT

On motion of Councilwoman Robinson, seconded by Councilwoman Bennett,

A RESOLUTION AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO MAKE A PAYMENT TO WHITEHALL PROPERTIES IN THE AMOUNT OF FORTY-EIGHT THOUSAND ONE HUNDRED NINETY-EIGHT DOLLARS (\$48,198.00) FOR RECONSTRUCTION OF TAMPA STREET RELATIVE TO THE DEVELOPMENT KNOWN AS FOUR SEVENTEEN FRAZIER FOR ITEMS 1 THROUGH 7 SHOWN ON THE ATTACHED QUOTATION FROM T. U. PARKS CONSTRUCTION COMPANY

was adopted.

OVERTIME

Overtime for the week ending April 13, 2007 totaled \$63,285.66.

PERSONNEL

The following personnel matters were reported for the various departments:

PERSONNEL (Continued)

CHATTANOOGA FIRE DEPARTMENT:

- **JASON G. COLLINS** – Resignation, Recruit, effective April 9, 2007.

CHATTANOOGA POLICE DEPARTMENT:

- **BRYAN ANDREW ERWIN** – Hire, Communications Office, Pay Grade 1/Step 2, \$28,526.00 annually, effective April 13, 2007.
- **JASON WAGNON** – Resignation, Police Officer, effective April 13, 2007.
- **LIBERTY ANNE MUSE** – Hire, Animal Services Officer, Pay Grade 9/Step 1, \$24,732.00 annually, effective April 13, 2007.
- **LAWRENCE GOODINE** – Termination, Police Officer, effective April 13, 2007.

PUBLIC WORKS DEPARTMENT:

- **BENJAMIN TAYLOR** – Transfer/Promotion, Traffic Operations Analyst, Traffic Engineering, Pay Grade 18/Step 5, \$42,857.00 annually, effective March 16, 2007.
- **RICHARD T. WILLIAMS** – Termination, Equipment Operator, Sr., City Wide Services, effective April 10, 2007.
- **JIMMY L. YEARBY** – Suspension (2 days without pay), Crew Worker, effective April 16-17, 2007.
- **KENNETH L. TRAMMELL** – Permanent, Crew Worker, City Wide Services, Pay Grade 3/Step 1, \$20,000.00 annually, effective April 13, 2007.
- **NATHAN LEE, JR.** – Promotion, Crew Worker, Sr., City Wide Services, Pay Grade 12/Step 4, \$32,607.00 annually, effective April 6, 2007.
- **ERIC T. CROSS** – Rescind Involuntary Demotion, Equipment Operator, Pay Grade 6/Step 5, \$25,144.00 annually, effective April 6, 2007.

PURCHASE

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

POWER EQUIPMENT (Best bid)

R0097285/B0003974

Wheel Loader; Actual purchase price of \$88,500 less \$9,000 trade-in allowance. *(Although Mid South Equipment was the low bidder their product failed to meet the specifications in several areas.)*

\$79,500.00

PURCHASES

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

TRISTATE SECURITY (Lowest and best bid)

R0097077/B0003923

Security Guard Services

(PRICE INFORMATION AVAILABLE AND FILED WITH MINUTE MATERIAL OF THIS DATE)

NALCO COMPANY (Lowest and best bid)

R0097620/B0003999

Emulsion Polymer

(PRICE INFORMATION AVAILABLE AND FILED WITH MINUTE MATERIAL OF THIS DATE)

TRI-S AND A-1 GLOVE & SUPPLY (Lowest and best bids)

R0096678/B0003904

Safety Work Gloves

(PRICE INFORMATION AVAILABLE AND FILED WITH MINUTE MATERIAL OF THIS DATE)

NATIONAL AWARD RECOGNITION

Lee Norris informed the Council that the city was recognized by the National Planning Association and has received the "Award for Excellence" for implementation of the bike program started several years ago. He stated Karen Rennich is on the way back and will bring the trophy!

Councilwoman Robinson acknowledged that she would like to see the program expanded and taken to the next level.

HOTEL PERMIT

On motion of Councilwoman Robinson, seconded by Councilwoman Rutherford, the following hotel permit was approved:

ALPINE LODGE, 4328 Cummings Highway, Chattanooga, TN

PURCHASE

On motion of Councilwoman Rutherford, seconded by Councilwoman Bennett, the following purchase was approved for use by the Chattanooga Fire Department:

COLEMAN TECHNOLOGIES, INC. (Single source)
R0097780

Geographic Information System Hardware (GIS) per TCA 6-56-304-6

\$19,983.50

PURCHASES

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

REMINGTON ARMS COMPANY (Change Order #1)
R0097313/P0026103

Eye Ball R1 Surveillance Equipment (Homeland Security Equipment)

PURCHASES (Continued)

Original Contract 3/27/07	\$15,997.00
Change Order #1 Increase	<u>10,673.00</u>
Total Contract Cost	\$26,670.00

INSIGHT PUBLIC SECTOR (Lowest and best bid)
R0097311/B0004002

Panasonic Notebooks & Microsoft Software

\$50,048.38

PURCHASES

On motion of Councilwoman Rutherford, seconded by Councilman Benson, the following purchases were approved for use by the Mayor's Office, General Services Division:

LEE-SMITH, INC. (Lowest complete overall bidder)
R0096085/B0003877

Vehicle Parts

\$157,813.72 (Estimated annual cost)

MOSTELLER'S WRECKER SERVICE (Lowest and best bid)
R0096991/B0003901

Towing Services (*Although Jackson's Towing Service submitted a bid with the lowest total amount, the bid was incomplete.*)

\$23,541.00 (Estimated annual cost)

PERISCOPE HOLDINGS, INC. (Single source)
R0098302

Annual Software Maintenance & Support

\$29,270.00

COMMITTEES

Councilman Benson stated that the **Legal and Legislative Committee is scheduled to meet on Tuesday, April 24 at 3 p.m.** He stated that he met today with the city attorney to bring back to tangible recommendations: one for panhandling and the other will be for traffic safety.

Councilwoman Rutherford asked if the traffic safety issue involves basketball that is being played in the street.

Councilman Benson stated that it does not as it is written now and that some thought was given to that. He stated it might have to get to a third stage; that they are doing it in stages to make certain there is no litigation involved.

Councilwoman Rutherford stated that she spoke to Randy Nelson about it and noted that she has received close to a dozen calls as a result of Herman Wang's article; that people are really concerned.

Councilman Benson stated that it has to be done in stages as he does not want one item to "shoot everything down"; that they are working on each one individually so it stands on its own merit.

Councilman Rico indicated that he receives complaints in the summer; that we are coming out of winter and summer is starting.

Councilman Benson stated that the Committee would move right on it as it is bad all over the city.

ADJOURNMENT

Chairman Page adjourned the meeting of the Chattanooga Council until Tuesday, April 24, 2007 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)