

City Council Building  
Chattanooga, Tennessee  
May 15, 2007  
6:00 p.m.

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

#### **MINUTE APPROVAL**

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

#### **SPECIAL PRESENTATION: "PUBLIC WORKS WEEK"**

Mayor Littlefield began his comments by reading a letter from David Clapp of the Bicentennial Library referencing a gift to the Library in the form of a book entitled "Grandma Runs the Town's Garbage Service". He stated that Chattanooga does not have to depend on Grandma to drive our garbage trucks; that things happen that would bring this city to a half if not for the men and women of the public works department, a department that is close to his heart. He read a proclamation proclaiming the week of May 20-25 at 2007 *National Public Works Week*. The proclamation has been spread upon the minutes:

**WHEREAS:** The public works infrastructure, facilities and services are of vital importance to the health, safety, and well-being of the residents of the City of Chattanooga; and

**SPECIAL PRESENTATION: "PUBLIC WORKS WEEK"**  
**(Continued)**

**WHEREAS:** Such facilities and services could not be provided without the dedicated efforts of public works professionals, engineers and administrators, representing our City, who are responsible for and must design, build, operate, and maintain the transportation system , sewage collection and treatment systems, our solid waste collection and disposal system, and other structures and facilities essential to serve our citizens; and

**WHEREAS:** It is in the public interest for the citizens and civic leaders of this country to gain knowledge of and to maintain a progressive interest in the public works needs and programs of their respective communities;

**NOW, THEREFORE,** I, Ron Littlefield, Mayor of Chattanooga, Tennessee do hereby designate the week May 20-26, 2007, as

**National Public Works Week**

with the theme of Public Works: 'Moving Life Forward.' I further urge all our citizens to join with representatives of our governmental agencies and the American Public Works Association in activities and ceremonies designed to pay tribute to our public works professionals, engineers and administrators and to recognize the substantial contributions they have made to our national health and welfare.

In Witness Whereof, I have hereunto set my hand and caused the Seal of the City of Chattanooga to be affixed this the 20<sup>th</sup> day of May, 2007

***Ron Littlefield, Mayor***

After reading the proclamation, Mayor Littlefield asked public works professionals to stand and be recognized and presented the proclamation to Adm. Steve Leach.

Chairman Page thanked the Mayor, Adm. Leach and all public works people who take care of our city each day and noted that they are the "backbone" of the city!

Councilman Franklin echoed Chairman Page's sentiments and stated that everyone on the Council appreciates the good work done by public works personnel every day of the week and through the weekend.

Chairman Page inquired as to the number of public works employees. Adm. Leach responded "640". He acknowledged that the department does a tremendous job and thanked them.

## CITY HALL GRAND RE-OPENING

Mayor Littlefield reminded Council members of the big party scheduled for Saturday for the re-opening of City Hall as everyone moves back in. He asked that they plan to be present; that the ceremonies will begin at noon and promises to be brief. He stated the celebration will be done in grand fashion as it has been almost 100 years; that all have moved back in and are trying to get oriented. He stated that his wife has made a dress and a horse drawn carriage will bring them and others in and it will be quite a show!

## AMEND ZONING ORDINANCE

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,  
KNOWN AS THE ZONING ORDINANCE, BY AMENDING ARTICLE V,  
SECTIONS 650 AND 1700, SO AS TO CLARIFY PARKING REQUIREMENTS  
WITHIN THE URBAN GENERAL COMMERCIAL (UGC) ZONE**  
passed second and final reading and was signed in open meeting.

## REZONING

**2007-038: Sabrena Turner**

**Councilmen Rico and Rutherford made the initial motion and second to substitute the amendments to this ordinance.**

Councilman Benson stated that this matter was approved on first reading last week and no one has called since it was approved, nor has he heard any objections at all. He stated items four (4) and six (6) in Section 2 seem redundant, noting that item four refers to "*Leyland Cypress trees with a minimum height of six feet (6') shall be planted and spaced a maximum of ten feet (10') on-center along the north and west property lines*"; and item (6) notes the "*erection of a six foot (6') vinyl privacy fence along the north and west property lines that abut the existing R-1 zones*". He stated it seems redundant to have both trees and a vinyl fence and asked if there is a reason to have both.

Greg Haynes, Director of Development Services with the Regional Planning Agency (RPA), responded "not really"; that it appears to be a little overkill.

City Attorney Nelson suggested amending the ordinance to remove item four (4) that referenced the Leyland Cypress trees.

REZONING (Continued)

Councilmen Benson and Rutherford made the motion and second delete condition four (4) referencing Leyland Cypress trees; the motion carried.

Councilmen Rutherford and Franklin made the motion and second to substitute the amendments to the ordinance; Councilmen Benson voted "no"; Councilwoman Bennett abstained.

On motion of Councilman Rico, seconded by Councilman Pierce,

**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE TRACTS OF LAND LOCATED AT 1413 NORTH CONCORD ROAD AND THE 6900 BLOCK OF CONCORD CIRCLE, 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; **Councilman Benson voted "no"**.

REZONING

**2007-049: THP-Investors, Inc.**

Councilmen Franklin and Rico made the motion and second to substitute the amendments to the ordinance; the motion carried.

Councilman Page asked for clarification as to whether the amendment includes the change from last week for the locked emergency exit on Webb Road.

Mr. Haynes responded affirmatively.

On motion of Councilwoman Robinson, 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 3928 AND 3952 WEBB ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE AND R-2 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**

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

**REZONING**

**2007-055: Earthworx, LLC**

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,  
KNOWN AS THE ZONING ORDINANCE, SO AS TO AMEND CONDITION  
NO. 2 IMPOSED IN ORDINANCE NO. 11540 (CASE NO. 2004-030) ON  
A TRACT OF LAND LOCATED IN THE 500 BLOCK OF CLEAR CREEK  
ROAD, MORE PARTICULARLY DESCRIBED HEREIN**  
passed second and final reading and was signed in open meeting.

**REZONING**

**2007-063: Robert L. Cummings**

Councilman Benson stated that he thought changes had been made to the ordinance.

Mr. Haynes stated that the landscaping buffer on Joiner Road includes the R-1 property. He stated as it was discussed initially during Council meeting last week there was a need to measure so it would look similar to the development across the street; that they looked at it and the other is a larger development and the buffer is sixty-five feet (65') deep. He stated if this request were made sixty-five feet (65') deep it would take up a lot of the site; that it was scaled back to twenty-eight feet (28') to be proportionate to the other development.

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

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,  
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF  
LAND LOCATED AT 7425 ZIEGLER ROAD, 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**

**2007-058: Gregg Juster c/o Elder Healy & Company**

The applicant was present; there was no opposition.

## REZONING (Continued)

**Councilmen Rico and Franklin made the initial motion and second to approve the request on first reading.**

**Greg Juster** stated that this site is what was formerly an old church building behind the fire station what is now Rossville Avenue; that there will be a petition to change the name at a later date. He stated that he and his wife plan to use a portion of the building for their home and the other for a neighborhood café/art bar in the basement area, which is why he asked for the C-3 zoning as it would fit in the area. He stated he has discussed everything with Staff up to this point.

Mr. Haynes stated a condition was added that addressed the parking plan which can not be graveled; that he had a conversation with the Traffic Engineer and found that that condition is no longer necessary and it would follow the typical C-3 provisions.

City Attorney Nelson stated in this morning's agenda session there was discussion regarding the difference between the Staff and Planning versions; that he compared the two and found that the only difference is that the Planning version specifies the property is to be used for "*residential and restaurant or deli use only*" and the Staff version contained no such condition.

Chairman Page clarified that the Clerk of Council read Planning's version.

Mr. Haynes stated that Planning's version had the parking requirement and noted that Planning and Staff recommend approval. He stated Planning did add "*use only for residence, restaurant or deli*" and since have taken out the parking requirement.

Mr. Juster referenced the use only for residence, restaurant and café and stated that that was not his understanding under the zoning; that he did not receive anything after the Planning meeting stating this. He stated that he requested the C-3 basically with no restrictions; that the only question was that they were talking about an asphalt parking lot and asked why as a gravel lot is there already. He stated that was the only question.

Councilman Benson stated if the condition for utilization were taken off it would put it into a speculative arena as the Council would not know what this will open up to. He stated that the applicant might want to defer the matter until the Council knows what he will do with it.

## REZONING (Continued)

Mr. Juster stated that he knows their number one plan was for him and his wife to live there; that there are other options that were discussed as the cellar would make an excellent art bar.

Councilman Benson stated that the applicant might want to go ahead and get this approved with some restrictions and then remove the condition at a later time with another application.

Mr. Juster stated that it depends upon what the restrictions area; that he is new to the city and has only been here just over a year. He stated there is C-3 around them and as a businessman buying a business he needs some flexibility. He stated he is not looking to an industrial plan; that they own two condominiums – one they own and the second one for resale. He stated they are looking to have a restaurant, hair place or magazine store in there; that the options in the building of putting in a business would fit within the Main Street revival.

Chairman Page stated that it sounds like there are questions from both Planning and the Council; that deferral for a week would allow time to settle this.

Mr. Juster stated one week will not make much difference to him; that he did not know it would be so restrictive; that a large restaurant will not want to move in this building.

City Attorney Nelson informed Mr. Juster he could come back and seek to amend conditions.

Councilman Benson stated that the Council is not restricting him in any use in the present zone; that he is present asking for a new zone. He stated the Council has to know about what he is asking to be put in before they know whether or not to change the zone. He stated that he (Juster) might want to wait a week.

Councilwoman Rutherford asked why Planning or Staff restricted this to use as a residence and/or deli.

Mr. Haynes stated when the matter came to Planning for approval there were no conditions; that Planning wanted conditions restricting the use for residence, café and restaurant use only. He stated then the question of parking came up with Traffic Engineering and since they were not sure what the use may be they wanted to make sure the parking lot would not be left graveled and the issue of how the spaces would be striped came up.

**REZONING (Continued)**

Mr. Haynes stated that the request came from Planning with approval and they conditioned it to that use only, then after the Planning Commission he and Mr. VanWinkle met with Mr. Juster to make sure what use he would have and keep the parking requirement. He stated after the discussion, Mr. Juster said he wanted residential and at some point a small café-type use and Mr. VanWinkle said "fine" as a parking plan or paving would not be required.

Councilwoman Rutherford stated that she still did not understand and did not get her question answered. She stated he does not understand why Planning restricted it to these two uses and still have the C-3.

Mr. Haynes stated that the restrictions were tied to the parking.

Councilwoman Rutherford stated that she is not sure there would be enough parking available.

Mr. Haynes stated if it is left wide open he would not be sure there would be enough parking.

City Attorney Nelson stated that the parking condition is still a part of the ordinance as presented; that he could strike that if the Council wanted to act on it tonight or put it off a week.

**Councilwoman Rutherford made the motion to defer the matter one week so that the applicant could get together with RPA and figure out what he wants to do; Councilman Pierce seconded the motion.**

Mr. Haynes stated that he thought they had.

On motion of Councilman Rutherford, seconded by Councilman Pierce,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,  
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF  
LAND LOCATED AT 1601 ROSSVILLE AVENUE, MORE PARTICULARLY  
DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3  
CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS**  
was tabled one week.



**ADOPT C-7 NORTH SHORE GUIDELINES**

On motion of Councilwoman Bennett, seconded by Councilwoman Robinson,  
**A RESOLUTION ADOPTING DESIGN GUIDELINES FOR THE C-7 NORTH SHORE COMMERCIAL/MIXED USE ZONE, IN SUBSTANTIALLY THE FORM ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE**  
was adopted.

**GRANT**

On motion of Councilwoman Rutherford, seconded by Councilwoman Bennett,  
**A RESOLUTION AUTHORIZING THE DEPARTMENT OF PARKS AND RECREATION TO ACCEPT A GRANT FROM THE STATE OF TENNESSEE IN THE AMOUNT OF THREE HUNDRED THOUSAND DOLLARS (\$300,000.00) RELATIVE TO THE PAVILION IN RENAISSANCE PARK (FORMER ROPER SITE)**  
was adopted.

**DONATION**

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,  
**A RESOLUTION AUTHORIZING ACCEPTANCE OF A DONATION FROM THE COMMUNITY FOUNDATION OF GREATER CHATTANOOGA, INC. IN THE AMOUNT OF ONE THOUSAND DOLLARS (\$1,000.00) TO THE DEPARTMENT OF EDUCATION, ARTS & CULTURE FOR ITS "FRIDAY NIGHT LIVE" PROGRAM**  
was adopted.

**GRANT**

On motion of Councilwoman Rutherford, seconded by Councilwoman Robinson,  
**A RESOLUTION AUTHORIZING THE FIRE CHIEF TO APPLY FOR AND ACCEPT A GRANT FROM THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, 2007 ASSISTANCE TO FIREFIGHTERS GRANT IN THE AMOUNT OF TWO HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$250,000.00), WITH EIGHTY PERCENT (80%) OF THE FEDERAL SHARE BEING TWO HUNDRED THOUSAND AND 00/100 DOLLARS (\$200,000.00), WHICH, IF AWARDED, WILL REQUIRE LOCAL MATCHING FUNDS OF TWENTY PERCENT (20%), IN THE AMOUNT OF FIFTY THOUSAND AND 00/100 DOLLARS (\$50,000.00)**  
was adopted.

### CONTRACT

On motion of Councilwoman Gaines, seconded by Councilman Franklin,  
**A RESOLUTION AUTHORIZING THE CHIEF OF THE CHATTANOOGA FIRE DEPARTMENT TO AWARD A CONTRACT TO JASON HELTON ROOFING TO REMOVE AND REPLACE THE ROOF OF FIRE STATION NO. 16 FOR ITS LOWEST AND BEST BID IN AN AMOUNT NOT TO EXCEED FORTY-SEVEN THOUSAND THREE HUNDRED DOLLARS (\$47,300.00)**  
was adopted.

### SPECIAL POLICEMEN

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,  
**A RESOLUTION AUTHORIZING THE APPOINTMENT OF OATHER D. CALES, CHARLES L. FREEMAN, JR., DONALD W. WOODY AND RICHARD R. ROBERTS AS SPECIAL POLICEMEN (UNARMED) FOR THE CITY OF CHATTANOOGA DEPARTMENT OF PUBLIC WORKS TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS**  
was adopted.

### SPECIAL POLICEMAN

On motion of Councilwoman Gaines, seconded by Councilman Franklin,  
**A RESOLUTION AUTHORIZING THE APPOINTMENT OF RICKY L. TATE AS SPECIAL POLICEMAN (UNARMED) FOR THE CITY OF CHATTANOOGA DEPARTMENT OF PUBLIC WORKS TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS**  
was adopted.

### DONATIONS

**Councilmen Rutherford and Franklin made the motion and second to adopt this Resolution.**

Councilman Benson stated that he knows everything is fine on this, yet it is still his thought that we might make it even better and take away the appearance of anyone giving a donation and being given some favorable status, if there would be an amendment or agreement to the motion that there is a listing for public information of everyone who made a contribution to this.

It was noted by several on the Council that the names of the contributors are included within the body of the Resolution.

**DONATIONS (Continued)**

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO ACCEPT DONATIONS FROM VARIOUS COMPANIES IN A TOTAL AMOUNT OF EIGHT THOUSAND ONE HUNDRED FIFTY DOLLARS (\$8,150.00) FOR EXPENSES RELATED TO THE PUBLIC WORKS WEEK CELEBRATION AND EXPRESSING THE GRATITUDE OF THE MAYOR AND CITY COUNCIL FOR SAID DONATIONS**

was adopted.

**SUBMIT APPLICATION**

On motion of Councilman Rico, seconded by Councilman Franklin,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO SUBMIT AN APPLICATION TO THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR CONSTRUCTION OF A PROPOSED INDUSTRIAL ACCESS ROAD OFF ALTON PARK BOULEVARD TO SERVE A PROPOSED DISTRIBUTION CENTER AND AUTHORIZING THE PAYMENT OF FIFTY PERCENT (50%) OF THE RIGHT-OF-WAY ACQUISITION AND UTILITY RELOCATION EXPENSE INCURRED BY TDOT, IF ANY**

was adopted.

**CONTRACT**

On motion of Councilman Benson, seconded by Councilman Franklin,  
**A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. E-05-024-201, GUNBARREL ROAD AT STANDIFER GAP ROAD INTERSECTION IMPROVEMENT, TO TALLEY CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF THREE HUNDRED TWENTY-TWO THOUSAND ONE HUNDRED FIFTY-TWO AND 31/100 DOLLARS (\$322,152.31), PLUS A CONTINGENCY AMOUNT OF THIRTY-TWO THOUAND EIGHT HUNDRED FORTY-SEVEN AND 69/100 DOLLARS (\$32,847.69), FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED THREE HUNDRED FIFTY-FIVE THOUSAND DOLLARS (\$355,000.00)**

was adopted; Councilwoman Rutherford abstained.

### 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. W-05-003-101, EASTGATE PUMP STATION NO. 2, GRAVITY CONNECTOR SEWER AND FORCE MAIN, WITH CONSOLIDATED TECHNOLOGIES, INC., WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00), FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED FIFTY-TWO THOUSAND FIFTY DOLLARS (\$52,050.00)**  
was adopted.

### CHANGE ORDER

On motion of Councilman Rico, seconded by Councilwoman Rutherford,  
**A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1 (FINAL) RELATIVE TO CONTRACT NO. W-05-003-201, EASTGATE PUMP STATION NO. 2, GRAVITY CONNECTOR SEWER AND FORCE MAIN WITH EAST TENNESSEE GRADING, INC., WHICH CHANGE ORDER DECREASES THE CONTINGENCY ENCUMBRANCE BY TWENTY-SEVEN THOUSAND SEVEN HUNDRED NINETY-SEVEN AND 49/100 DOLLARS (\$27,797.49), FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED FIVE HUNDRED SEVENTY THOUSAND SIX HUNDRED EIGHTY-NINE AND 01/100 DOLLARS (\$570,689.01)**  
was adopted.

### OVERTIME

Overtime for the week ending May 11, 2007 totaled \$68,819.59.

### PERSONNEL

The following personnel matters were reported for the various departments:

#### PUBLIC WORKS DEPARTMENT:

- **GERALD V. D. SIMMONS** – Retirement, General Supervisor, City Wide Services, effective May 31, 2007.
- **HAROLD W. HARDEN** – Family Medical Leave, Equipment Operator, Sr., City Wide Services, effective May 4 – July 27, 2007.

### PERSONNEL (Continued)

- **FRED W. SIMPSON** – Family Medical Leave, Automated Garbage Collection Equipment Operator, effective May 3 – July 26, 2007.
- **MELVIN E. SPURLOCK** – Suspension (3 days without pay), Crew Worker, City Wide Services, effective May 2,3,4, 2007.
- **BECKY ROBERTS** – Promotion, Traffic Engineering Designer, Traffic, Pay Grade 13/Step 9, \$42,173.00 annually, effective May 11, 2007.
- **BILLY DAVID MUMPOWER** – Leave of Absence Without Pay, Codes Coordinator, Land Development, effective May 5 – June 4, 2007.

#### CHATTANOOGA FIRE DEPARTMENT:

- **CHARLES PARKS, LARRY KING** – Promotion, Senior Firefighter, Pay Grade 2/Step 3, \$31,987.00 annually, effective May 11, 2007.
- **JACK THOMPSON** – Military Leave, Senior Firefighter, effective June 19-August 24, 2007.

#### PERSONNEL DEPARTMENT:

- **ROGER HANKINS** – Resignation, Loss Control Coordinator, Benefits Office, effective May 18, 2007.

#### CHATTANOOGA POLICE DEPARTMENT:

- **STACY HIGGINS** – Resignation, Communications Officer, effective May 7, 2007.
- **TIFFANY MCKENLEY** – Family Medical Leave, Animal Services Officer, effective May 11 – August 3, 2007.

### HOTEL PERMIT

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

**HOTEL PERMIT (Continued)**

**COUNTY INN & SUITES BY CARLSON – TIFTONIA** – 3725 Modern Industries Parkway, Chattanooga, TN

**PURCHASE**

On motion of Councilman Franklin, seconded by Councilwoman Rutherford, the following purchase was approved for use by the Chattanooga Police Department:

**MOTOROLA, INC. (Single source)**  
**R0098753/R0098755**

Motorola Radios and Accessories per TCA 6-56-304.6

\$208,119.30

**REFUND**

On motion of Councilwoman Rutherford, seconded by Councilwoman Gaines, the Administrator of Finance was authorized to issue the following refund due to district change for 2006:

<b>CHASE HOME FINANCE LLC</b>	<b>\$1,121.37</b>
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**FITNESS CENTER GRAND OPENING**

Adm. Donna Kelley reminded Council members that the employees' fitness center is due to open on Wednesday at 11:30 a.m.

Councilman Franklin inquired as to the hours of operation.

Adm. Kelley stated that the hours of operation are from 5:30 a.m. – 9:30 p.m. with key card entry.

**HEARING: OFFICER LAWRENCE GOODINE**

City Attorney Nelson stated two weeks ago a hearing was set for Officer Goodine; that apparently the investigation is not yet completed and the police department has not been able to furnish his attorney with the papers requested. He stated a request from Officer Goodine's attorney has been received requesting a reschedule date from the May 21 hearing.

**HEARING: OFFICER LAWRENCE GOODINE**  
**(Continued)**

Chairman Page asked if a new date should be set or (should we) wait.

City Attorney Nelson noted that he does not know how long the investigation might last.

Councilman Pierce suggested that the hearing be scheduled thirty days from now. City Attorney Nelson suggested twenty-seven days.

Chief Snyder stated that 27-30 days would be appropriate.

**The hearing date for Officer Goodine was rescheduled for Monday, June 18 at 10 a.m. with the same panel – Councilmen Benson, Pierce and Rutherford; Councilwoman Gaines volunteered as alternate.**

**COMMITTEES**

Councilman Franklin stated that the Economic Development Committee met this afternoon and Council members requested involvement in the entire budgetary process so the Council would have more input leading up to the presentation of the budget. He stated the seminar sponsored by TML could be used as a template and all on the Council agreed. He stated Yuen Lee is to come back to committee at a later date to give more information regarding the presentation on development trends.

Councilman Page asked if each committee is to participate prior to the budget presentation.

Councilman Franklin stated each Council member would have input in all things concerning departments.

Councilman Pierce stated something is already in the working and there is a need to have a clear understanding of how to do this.

Councilman Franklin stated a Resolution might be coming forth to solidify the process.

Councilman Benson reminded Council members of the **Legal and Legislative Committee meeting scheduled for Tuesday, May 22 at 3 p.m.**

**COMMITTEES (Continued)**

Councilwoman Bennett stated a meeting of the **Health, Human Services and Housing Opportunities Committee is scheduled to meet on Tuesday at 4 p.m. in the Council Assembly Room.** She stated the Homeless Task Force formed by Councilman Pierce is due to give their final report at this time. She stated information will be placed in each Council member's mailbox; that it is her hope a final draft will be ready by late Monday afternoon.

Councilman Pierce noted that the public is invited to attend the meeting.

**DISTRICT 3 MAYOR'S MEETING**

Councilman Page announced that the Mayor's District 3 meeting is scheduled for Thursday, May 24 beginning at 5:30 p.m. at the North River Civic Center.

**ADJOURNMENT**

Chairman Page adjourned the meeting of the Chattanooga Council until Tuesday, May 22, 2007 at 6:00 p.m.

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**CHAIRMAN**

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**CLERK OF COUNCIL**

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