

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

Chairman Page called the meeting of the Chattanooga Council to order with Councilmen Bennett, Benson, Franklin, Gaines, Pierce, Rico, and Robinson present; Councilwoman Rutherford was absent due to attendance at a neighborhood meeting within her District. 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 Councilman Franklin, the minutes of the previous meeting were approved as published and signed in open meeting.

#### **REZONING**

**2007-097: Andrew Fahsholtz**

On motion of Councilwoman Bennett, 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 266 WAYNE AVENUE, MORE PARTICULARLY  
DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO R-T/Z  
RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE, SUBJECT TO CERTAIN  
CONDITIONS**

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

REZONING

**2007-100: Scannell Properties #85, LLC and Manko, LLC**

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 IN THE 2900 BLOCK OF ALTON PARK BOULEVARD, THE  
3000 BLOCK OF BASHAM STREET, AND 3011 WEST AVENUE, MORE  
PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE TO  
M-1 MANUFACTURING ZONE**

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

REZONING

**2007-102: Kenneth Crisp and Keith Crisp**

On motion of Councilman Rico, seconded by Councilwoman Gaines,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,  
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE TRACTS OF  
LAND LOCATED AT 2013 AND 2015 CHAMBERLAIN AVENUE, MORE  
PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO  
UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN  
CONDITIONS**

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

GRANT

Chairman Page noted that all Resolutions were discussed in committee and approval is recommended.

On motion of Councilwoman Gaines, seconded by Councilman Franklin,  
**A RESOLUTION AUTHORIZING THE CHIEF OF POLICE TO APPLY FOR  
AND ACCEPT A THREE-YEAR BYRNE MEMORIAL GRANT FROM THE  
OFFICE OF CRIMINAL JUSTICE PROGRAMS IN NASHVILLE IN AN  
AMOUNT NOT TO EXCEED FIFTEEN THOUSAND DOLLARS (\$15,000.00)  
PER YEAR AND AUTHORIZING THE REQUIRED LOCAL MATCHING  
FUNDS FROM THE CITY IN THE AMOUNT OF FIVE THOUSAND DOLLARS  
(\$5,000.00) PER YEAR**

was adopted.

GRANT

On motion of Councilman Franklin, seconded by Councilman Benson,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF EDUCATION, ARTS & CULTURE TO APPLY FOR AND, IF AWARDED, ACCEPT A COMMUNITY ENHANCEMENT GRANT FROM THE STATE OF TENNESSEE IN AN AMOUNT UP TO TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) FOR THE HERITAGE HOUSE**  
was adopted.

GRANT

On motion of Councilwoman Gaines, seconded by Councilman Franklin,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF EDUCATION, ARTS & CULTURE TO APPLY FOR AND, IF AWARDED, ACCEPT A GRANT FROM THE STATE OF TENNESSEE IN AN AMOUNT UP TO NINETY-FIVE THOUSAND DOLLARS (\$95,000.00) FOR THE BOYZ INC. PROGRAM**  
was adopted.

GRANT

On motion of Councilman Franklin, seconded by Councilwoman Gaines,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF EDUCATION, ARTS & CULTURE TO APPLY FOR AND, IF AWARDED, ACCEPT A GRANT FROM THE STATE OF TENNESSEE IN AN AMOUNT UP TO FIFTY-ONE THOUSAND DOLLARS (\$51,000.00) FOR THE CONNECT THE DOTS THROUGH TECHNOLOGY PROGRAM**  
was adopted.

OVERTIME

Overtime for the week ending July 13, 2007 totaled \$9,376.37.

PERSONNEL

The following personnel matters were reported for the various departments:

## PERSONNEL (Continued)

### PUBLIC WORKS DEPARTMENT:

- **SABRINA CARLSON** – Resignation, Historic Preservation Planner, Land Development, effective July 20, 2007.
- **CHARLES L. THOMAS, SR.** – Promotion, Chief Plant Operator, Waste, Pay Grade 13/Step 7, \$41,546.00 annually, effective July 4, 2007.
- **RONNIE BURT** – Promotion, Crew Supervisor, Sr., Waste, Pay Grade 12/Step 1, \$28,424.00 annually, effective June 22, 2007.
- **CHARLES E. ASHLEY, III** – Suspension (2 days without pay), Crew Worker Sr., City Wide Services, effective June 28-29, 2007.
- **CHARLES E. ASHLEY, III** – Suspension (4 days without pay), City Wide Services, effective July 2,3,5,6, 2007.
- **HERANA ROBINSON, SR.** – Return from Family Medical Leave, Crew worker, City Wide Services effective July 2, 2007.
- **SCOTT R. DELAP** – Hire, Equipment Operator, City Wide Services, Pay Grade 6/Step 1, \$21,042.00 annually, effective July 6, 2007.
- **EDDIE HILL** – Lateral Transfer, Crew Worker, City Wide Services, Pay Grade 3/Step 11, \$26,598.00 annually, effective July 6, 2007.
- **CHARLES E. ASHLEY, III** – Suspension (4 days without pay; Mr. Ashley has had three different occurrences), City Wide Services, effective July 16-19, 2007.
- **GERALD D. MADDEN** – Family Medical Leave, City Wide Services, Crew Worker, effective June 22 – September 14, 2007.
- **DEWAYNE BENNING** – Promotion, Crew Worker Sr., City Wide Services, Pay Grade 5/Step 3, \$21,739.00 annually, effective June 29, 2007.

**PERSONNEL (Continued)**

CHATTANOOGA POLICE DEPARTMENT:

- **JANICE GREEN** – Hire/Termination (**Ms. Green worked 2 hours and resigned the same day**), Police Service Technician Sr., Pay Grade 5/Step 1, \$20,650.00 annually, effective July 6, 2007.
- **TIFFANY A. MCKENLEY** – Return to Duty, Animal Services Officer, Pay Grade 9/Step 2, \$26,721.00 annually, effective July 16, 2007.

**EMERGENCY PURCHASE**

The Public Woks Department’s emergency rental of one (1) Kobelco Excavator from Mashburn Equipment for the period of May 20 –June 20, 2007, in the amount of \$12,900.00 was duly reported and signed in open meeting.

**PURCHASE**

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

**DICKSON/PEARSON SUPPLY, INC. (Best bid)**  
**R0099795/B0004260**

Seepex Pump Parts

\$42,320.00

**PURCHASE**

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

**PELLA WINDOW & DOOR COMPANY (Only bid)**  
**R096926/B0004340**

Replacement Windows

\$12,465.12

### HOTEL PERMITS

On motion of Councilwoman Robinson, seconded by Councilwoman Bennett, the following hotel permits were approved:

**BEST WESTERN INN** – 7641 Lee Highway, Chattanooga, TN

**AMERICA'S BEST INN** – (2007 request) 7717 Lee Highway, Chattanooga, TN

**AMERICA'S BEST INN** – (2006 request) 7717 Lee Highway, Chattanooga, TN

**MICROTEL CHATTANOOGA** – 7014 McCutcheon Road, Chattanooga, TN

**QUALITY SUITES** – 7324 Shallowford Road, Chattanooga, TN

### REFUND

On motion of Councilman Franklin, seconded by Councilwoman Bennett, the Administrator of Finance was authorized to issue the following refund of personalty taxes:

**CLEAN HARBORS, INC.** -- \$13,342.49

### BOARD APPOINTMENTS

#### **CHATTANOOGA-HAMIOTON COUNTY AIR POLLUTION CONTROL BOARD:**

On motion of Councilman Rico, seconded by Councilman Franklin,

- Approval of **JOHN TUCKER** to serve as joint county/city appointee to fill the unexpired term of Gene Van Horn for a term beginning June 6, 2007 and expiring October 18, 2008.

#### **CHATTANOOGA HOUSING AUTHORITY BOARD:**

On motion of Councilwoman Robinson, seconded by Councilman Rico,

- Approval of **BETTY ROBINSON** to serve as Resident Commissioner for a five year term expiring July 17, 2012.

**BOARD APPOINTMENTS (Continued)**

**HISTORIC ZONING BOARD:**

On motion of Councilman Franklin, seconded by Councilwoman Gaines,

- Approval of **JOBETH KAVANAUGH** to serve a five year term expiring June 26, 2012.

**SIGN APPEALS BOARD:**

On motion of Councilman Franklin, seconded by Councilwoman Gaines,

- Reappointment of **PATRICIA ROBINSON**, representing District 9, **MATTIE SHOULDERS**, representing District 7 and **DR. WARREN MACKEY**, representing **District 3**, for terms beginning July 17, 2007 and expiring June 30, 2010.

**PURCHASE**

On motion of Councilman Franklin, seconded by Councilman Rico, the following purchase was approved for use by the Mayor's Office, General Services Division:

**TRIAD (Schedule I) and NABCO (Schedule II) [Lowest and best complete bids]**  
**R0098838/B0004202**

Electrical Labor Services

(Price information available and filed with minute material of this date)

**COMMITTEES**

Councilwoman Bennett stated that the **Budget and Finance Committee** would meet immediately following **Public Works** on **Tuesday, July 24**.

Councilman Franklin scheduled a **Parks and Recreation Committee** meeting for **Tuesday, July 31** immediately following the **Legal and Legislative Committee** meeting.

Councilman Rico stated that the **Public Works Committee** would meet on **Tuesday, July 24 at 3 p.m.**

## PREPARE ORDINANCE

Councilman Pierce asked City Attorney Nelson to prepare an ordinance for next week that would rescind the three percent ordinance passed last week. He stated that he felt uncomfortable with the three percent and the way it will be dispersed and the Council would probably pass on the budget in a piecemeal manner. He stated that he understands it is a little late as the budget may be up for full adoption next week, but he does not see why the Council has to act on the budget next week. He stated that he would like for the ordinance to come before the Council for a vote, yet he does not know where the votes will be. He stated that he supported Councilman Benson's proposal of \$500 dollars per employee; that he had his own idea and would say up front that he has not talked to any Union member; that he came to his own conclusion. He stated that the idea he has, as far as the budget was concerned, was exactly along the lines the Union presented. He stated that he would like to see the overall three percent amount divided by the number of employees to give each an equal raise. He stated that the only difference in the proposal from the Union and his is that they did the math on it and came up with the idea of one dollar per hour, which he agrees with wholeheartedly. He stated that it was his wish other Council persons would think about this between now and next week and realize it costs just as much for a laborer to go to the store, purchase and pump gas and to pay insurance premiums as top executives. He stated to see the kind of raises and the disparity in those raises is just out of the ordinary.

Councilman Benson expressed support for Councilman Pierce's motion or request. He stated what he proposed last week was not as good as what he (Pierce) is talking about and strongly supports it. He stated if the three percent is spread across the board it does create a greater division than we have now; that we cannot afford to be divided as we are one team and a family of public servants. He stated that it is his thought the three percent across the board to those who least need it are getting the most and the most who need it are getting the least; that this is not something he feels comfortable with at all. He stated if the request requires a second he so seconds.

Councilman Pierce noted that a motion is not required.

City Attorney Nelson reminded Council members that any two Council members could add something to the agenda (in accordance with the Council's Rules of Procedure).

**DOUG COLLIER**

**Doug Collier** of SEIU, Nashville, Tennessee, confirmed that Councilman Pierce was correct; that he has not had any contact with him. He expressed thanks to the Council for reconsideration of what was acted upon last week and looks forward to everyone taking under consideration what needs to be looked at on a broader stand in the next week.

**ROBERT S. EDWARDS**

**Robert S. Edwards** of Ridgeside was present to bring the Council notice of the fact that this morning, in the 25 year history of Chattanooga's Sister City relations, a group of thirteen public and private high school students and three teachers from public and private schools departed for Wuxi, China for an eleven day stay. He stated that he wanted to bring this to the attention of the Council and presented each with a copy of a newspaper article covering Jean Troy who many know was instrumental 25 years ago along with Mayor Rose and others in creating Chattanooga's first Sister City in China. He stated according to Jean Troy Chattanooga was only the third city in the United States in 1982 to have a Sister City in China. He stated this fall for the first time the Chinese language will be taught in Chattanooga schools; that three private schools have picked up and one brave principal, Dr. Mary Lewis at Twenty-First Century School, will have it. He stated October 12 will mark the 25<sup>th</sup> Anniversary of this relationship; that it is his thought China is now "on the rise" and the fact we will have several Chinese language speaking students this time next year is exciting. He stated he and others have been informed from a visit with family and students about a month ago that a company known as SunTech Power, a billion dollar solar power company, is pushing China positively forward. He stated the group that visits Wuxi during the celebration will be introduced to the founder and billionaire of SunTech and it seems an ideal potential investor for Chattanooga.

Chairman Page stated that the Council joins in congratulating the Sister City program and Mr. Edwards' work.

Councilwoman Robinson thanked Mr. Edwards for his presentation and noted that he has been an unofficial ambassador for the City for many years and has had a big influence on a number of people who appreciate the Chinese culture, understand the world economy and what China has meant. She stated three years ago he led her and a group from the Mayor's office on an expedition to try to promote economic development and with his fluency of the Chinese language and understanding of their culture really opened a lot of doors gracefully for them. She commended him for his work!

**ROBERT S. EDWARDS (Continued)**

Councilman Franklin (jokingly) asked if classes would be available to Council members!

**GARY BALL**

**Gary Ball** addressed the Council and stated that he was present to set the record straight on the City Court Watchers program before the newspaper article appears on tomorrow. He stated Julie Dean is one of the police officers who has met with them a number of times and noted that Mr. Cox and others have met with them, as well. He stated probably five-to-seven years ago he and others started something they saw on the Internet which has evolved over the years. He stated several people have passed that were in the initial meeting, such as Jean Swafford and Jim Davis; that the initial group was encouraged through the Police Department to pursue. He stated they followed the prostitutes in their area, which was all they have been able to follow in the courts; that they have not had any real input from the Police Department to follow other phases. He stated that he was saying this to say that the city utilized a neighborhood block grant in 2004 to encourage this group to enlarge itself and a group went to Florida and met for a couple years. He stated through circumstances the other group, which will be getting all the press in the newspaper tomorrow, has never been a part of this group; that some people were originally in the Court Watch group. He stated that he would probably get the blame for speaking a rumor as he only found out about it on Saturday; that a number of people in city government have known about this for at least a week or two and did not bother to "jump on it" and diffuse it and now it will "play out" in the newspaper which will be counter productive to the work the initial ones got into to try to better the quality of life in some inner city neighborhoods such as Ridgedale, Oak Grove, Ferger Place and Highland Park - the primary areas that started this. He stated that he wanted to make sure this was part of the record.

**SGT. JULIE DEAN**

**Sgt. Julie Dean** of the Chattanooga Police Department and representing IBPO 673 stated when she came to the meeting this afternoon she was "heavy at heart" because of the way the three percent was "played out"; that as she spoke in committee it enlarges the space between the top and the bottom. She stated after sitting in the meeting she feels ten times better than when she walked in the door knowing that the matter is going to be discussed.

**SGT. JULIE DEAN (Continued)**

Sgt. Dean stated if her brothers and sisters that she is the voice for that work in blue could be here they would thank the Council as much as she is for taking this back and discussing it again. She stated that was all she wanted to say and thanked the Council very, very much!

**HAROLD MURPHY**

**Harold Murphy**, an employee of Public Works in Sanitation, approached the Council regarding news he had heard about where a person lives and the number of vehicles on the street.

It was clarified that the matter Mr. Murphy was addressing involved Dalton, Georgia and not Chattanooga.

Mr. Murphy then stated that he had been with the city seven-and-a-half years and has been given only two-or-three steps since; that he barely makes more than when he started. He stated there are a lot of workers for the city out there who really "hump" it day-in and day-out and when it comes to three percent the Council does not really see how hard they work out there! He stated that they had to sign a paper stating whether they have a second job after work and it is his thought that is not right; that it is none of anyone's business what happens after city hours as they have to do that to make ends meet. He stated that is all he wanted to say.

Chairman Page expressed appreciation for Mr. Murphy's comments.

**ADJOURNMENT**

Chairman Page adjourned the meeting of the Chattanooga Council until Tuesday, July 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)**