

City Council Building
Chattanooga, Tennessee
October 2, 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. 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 Benson 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.

AMEND BUDGET ORDINANCE

On motion of Councilman Rico, seconded by Councilwoman Robinson,
AN ORDINANCE TO AMEND ORDINANCE NO. 11994, ENTITLED "AN ORDINANCE, HEREINAFTER ALSO KNOWN AS 'THE FISCAL YEAR 2007-2008 BUDGET ORDINANCE', TO PROVIDE REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 2007, AND ENDING JUNE 30, 2008, 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 SO AS TO SET FORTH THE BUDGET OF THE INTERCEPTOR SEWER SYSTEM AND TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 31, SECTIONS 31-15, 31-36, 31-37, 31-40, 31-41 AND 31-43

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

CAPITAL IMPROVEMENTS BUDGET

Councilmen Rico and Robinson made the motion and second to substitute the amendment to this Ordinance; the motion carried.

On motion of Councilwoman Bennett, seconded by Councilman Franklin,
AN ORDINANCE APPROPRIATING, AUTHORIZING OR ALLOCATING FUNDS TO THE CAPITAL IMPROVEMENTS BUDGET FOR THE FISCAL YEAR 2007-2008 TO AMEND THE FISCAL YEAR 2007-2008 BUDGET ORDINANCE NO. 11994 AND TO AMEND THE FISCAL YEAR 2006 CAPITAL BUDGET ORDINANCE NO. 11762

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

CLOSE AND ABANDON

MR-2007-117: Long Street, LLC

On motion of Councilman Rico, seconded by Councilman Franklin,
AN ORDINANCE CLOSING AND ABANDONING THE 1000 BLOCK OF LINN STREET, THE 3000 BLOCK OF BROWN STREET, AN UNOPENED ALLEY BEGINNING ON THE EAST LINE OF THE 3000 BLOCK OF LONG STREET, AND AN UNOPENED ALLEY BEGINNING ON THE NORTH LINE OF THE 1000 BLOCK OF LINN STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE

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

APPROPRIATION

On motion of Councilman Rico, seconded by Councilwoman Gaines,
AN ORDINANCE APPROPRIATING FROM THE GENERAL FUND TO THE CHATTANOOGA HAMILTON COUNTY BRANCH OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORD PEOPLE (NAACP) THE AMOUNT OF EIGHT HUNDRED DOLLARS (\$800.00), AS SPONSORSHIP FOR "THE 20TH ANNUAL RUBY HURLEY DINNER"

passed first reading.

AGREEMENT

On motion of Councilman Franklin, seconded by Councilwoman Gaines,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS AND RECREATION TO ENTER INTO AN AGREEMENT WITH THE AMERICAN NATIONAL RED CROSS, GREATER CHATTANOOGA AREA CHAPTER ("RED CROSS"), FOR THE USE OF THE BRAINERD AND SOUTH CHATTANOOGA RECREATION CENTERS AS RED CROSS EMERGENCY SHELTERS IN THE EVENT OF AN EMERGENCY SITUATION AND AUTHORIZING THE WAIVING OF RENTAL FEES FOR THE RED CROSS IN SUCH EVENT
was adopted.

BONDS ISSUANCE

On motion of Councilman Pierce, seconded by Councilwoman Gaines,
A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF CHATTANOOGA TO ISSUE BONDS IN THE AGGREGATE AMOUNT NOT TO EXCEED TWENTY MILLION DOLLARS (\$20,000,000.00) OF THE CITY OF CHATTANOOGA, TENNESSEE FOR THE PURPOSE OF PAYING ALL OR A PORTION OF THE COSTS OF THE FOLLOWING: IMPROVEMENTS TO ENTERPRISE SOUTH PARKWAY (I-75 TO ENTERPRISE SOUTH); ENTERPRISE SOUTH BOULEVARD; ENTERPRISE SOUTH WETLANDS/DETENTION; ROAD IMPROVEMENTS – NORTHPOINT BOULEVARD EXTENSION; HAMILL ROAD (HWY 153 – HIXSON) AND HIXSON AREA; WARNER PARK IMPROVEMENTS; AND "SUMMIT OF SOFTBALL" SPORTS COMPLEX
was adopted.

FIVE-YEAR CAPITAL IMPROVEMEN PLAN

On motion of Councilwoman Bennett, seconded by Councilwoman Gaines,
A RESOLUTION ADOPTING A FIVE-YEAR CAPITAL IMPROVEMENT PLAN, SUBJECT TO FUTURE REVISIONS, A COPY OF WHICH IS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE
was adopted.

OVERTIME

Overtime for the week ending September 28, 2007 totaled \$85,990.37.

PERSONNEL

The following personnel matters were reported for the various departments:

PUBLIC WORKS DEPARTMENT:

- **BRAD S. PRYOR** – Voluntary Demotion, Heavy Equipment Operator, City Wide Services, Pay Grade 10/Step 7, \$34,860.00 annually, effective September 21, 2007.
- **ALONZO TRAMMEL, JR.** – Promotion, Equipment Operator, Sr., City Wide Services, Pay Grade 8/Step 10, \$35,796.00 annually, effective September 28, 2007.
- **ANTHONY D. SPEARS** – Termination, Crew Worker, City Wide Services, effective September 26, 2007.
- **JENNIFER B. RIDLEY** – Resignation, Permit Clerk, Land Development, effective October 5, 2007.

CHATTANOOGA POLICE DEPARTMENT:

- **KENNETH G. BRUMFIELD** – Resignation, Animal Services Officer, effective September 21, 2007.
- **APRIL JOHNSON** – Hire, Communications Officer, Pay Grade 11/Step 1, \$28,010.00 annually, effective September 28, 2007.

MAYOR'S OFFICE - INFORMATION SYSTEMS DIVISION:

- **DAVE CAMILLERI** – Hire, Programmer, Pay Grade 16/Step 4, \$39,414.00 annually, effective September 21, 2007.

MAYOR'S OFFICE - 311 CENTER DIVISION:

- **WENDY BROWN** – Hire, Customer Service Representative, Pay Grade 7/Step 4, \$26,298.00 annually, effective September 28, 2007.
- **SONIA SASSE** – Hire, Customer Service Representative, Pay Grade 7/Step 5, \$27,417.00 annually, effective October 12, 2007.

CHATTANOOGA FIRE DEPARTMENT:

- **LESLEY MORGAN** – Return from Family Medical Leave, Captain/Fire Investigator, effective October 1, 2007.

PURCHASE

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

BREUTAG MID-SOUTH, INC. (Lowest and best bid)
R0102566/B0004480

Liquid Chlorine

\$461.00/ton

EMERGENCY PURCHASE

The emergency purchase of replacement of two air conditioning units for the Department of Public Works to Malone Heating and Air on R0103066 in the amount of \$21,602.00 was duly reported and signed in open meeting.

PURCHASE

Deputy Administrator Anthony Sammons explained that this request is for an immediate need for printing of the Department's *Common Ground* newsletter which is now due for issuance and printing. He stated they have sought bids for an annual contract which are still currently under review until a winner of the contract is decided and reiterated the current issue of *Common Ground* is due and needs to go out now. He stated that three bids were submitted and the lowest and best bidder was Diversified Companies, who also printed the last two editions of the newsletter. He stated this request will place that company in the position of exceeding the \$10,000 amount and approval from the Council is sought for them to provide the service.

PURCHASE (Continued)

On motion of Councilman Franklin, seconded by Councilwoman Gaines, the following purchase as approved for use by the Department of Neighborhood Services and Community Development:

DIVERSIFIED COMPANIES LLC (Lowest and best bid)

Newsletter printing (*Immediate need; contract for newsletter printing services without formal advertisement which will exceed \$10,000 in a twelve month period.*)

\$4,690.00

HOTEL PERMITS

On motion of Councilman Franklin, seconded by Councilwoman Gaines, the following hotel permits were approved:

MOTEL 6 DOWNTOWN -- 2440 Williams Street, Chattanooga, TN

COMFORT SUITES – 2431 Williams Street, Chattanooga, TN

BEST WESTERN ROYAL INN – 3644 Cummings Highway, Chattanooga, TN

SUPER 8 MOTEL – 20 Birmingham Highway, Chattanooga, TN

REFUNDS

On motion of Councilwoman Bennett, seconded by Councilwoman Gaines, the Administrator of Finance was authorized to issue the following refunds of gross receipts tax and amended report from IMA post audit, respectively:

MOCCASIN BEND LLC -- \$1,130.45

FRESH MARKET -- \$1,974.40

PURCHASES

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

PURCHASES (Continued)

WHITESIDE CHEVROLET (Lowest and best bid)

R0101795/B0004426

Three (3) Mini-Vans

\$50,940.00

AMERICAN PAPER AND TWINE (Lowest and best bid)

R0101633/B0004424

Blanket Contract for Cleaning Supplies

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

Councilwoman Gaines inquired as to the amount of the blanket items for this purchase.

Paul Page responded that the purchase award is 25 pages long and noted that the bottom line range is \$1,140.47 per month, which equals about \$14,000 a year; that the amount can be higher or lower and American Twine was the lowest bidder.

COS BUSINESS PRODUCTS AND INTERIOR

R0097146/P0026656

Change Order Due to Unforeseen Items Left Out of the Original Contract for Furnishings for the Mayor's Office and Other Floors at City Hall

\$214,665.00 – Original Contract
350,000.00 – Change Order Amount
\$564,665.00 – Total

INTERIM COMMITTEE ASSIGNMENT

Chairman Page stated there is a vacated City Council position and Councilwoman Rutherford chaired the Education, Arts and Culture Committee. He asked that Councilwoman Bennett serve as interim chair of the Committee until the position is filled. Councilwoman Bennett readily agreed.

DISTRICT 6 VACANCY

Chairman Page stated that the District 6 vacancy was discussed as an additional item in today's Public Works Committee meeting as to the procedure for filling this vacancy. He stated it was decided that a deadline of 4:30 p.m. on Monday, October 8, 2007 was established for interested and qualified candidates to send a letter of application to the Clerk of the Council. He stated applicants should attach background information and their qualifications for the position. He stated the application should be mailed or hand delivered; that e-mail and faxes are not acceptable. He stated during next Tuesday's (October 9) Legal and Legislative Committee meeting a decision will be made when interviews and a public meeting with the candidates will be held. He stated in the public meeting, each candidate will be allowed to make a brief statement regarding their qualifications and their desire to serve. He concluded comments by stating at the next Council meeting following the public meeting, the Council will elect an interim representative who will serve until the next city election, February 5, 2008.

Councilman Pierce expressed concern as to the question of qualifications, noting that this should be part of the resume. He asked what is meant by "qualifications".

City Attorney Nelson explained that the qualifications are that the candidate must have been a resident of the district for more than a year, must be 21 years of age or older and can not have a contract with the city – that generally, those are the parameters.

Councilman Pierce stated that could be a question addressed to each individual and assumes each would know they must be a resident of the district.

City Attorney Nelson stated Chairman Page indicated that an application could be sent in by next Monday at 4:30 p.m.; that the intent is to have received them by Monday at 4:30 or they can be dropped in the mail to get to the Clerk's office by Thursday or Friday.

Chairman Page stated that the Clerk of Council must have them in hand by the end of day on Monday, October 8.

City Attorney Nelson stated that he wanted to clarify that.

Chairman Page again clarified that no e-mail or faxes would be accepted; that the communication must be an original, signed document expressing an interest by the end of day on Monday, October 8.

DISTRICT 6 VACANCY (Continued)

Councilwoman Robinson clarified that the end of day means 4:30 p.m.

Chairman Page reiterated no later than 4:30 p.m. on Monday, October 8.

COMMITTEES

Councilwoman Bennett scheduled a meeting of the **Budget and Finance Committee for Tuesday, October 9 immediately following the Legal and Legislative Committee.**

Councilman Benson stated that the **Legal and Legislative Committee would meet on Tuesday, October 9 at 3 p.m.**

Councilwoman Robinson stated today the Economic Development Committee was briefed on five resolutions for companies which are expanding and eligible for PILOT status. She stated all five will be before the Council one week from today.

OPEN RECORDS SUBCOMMITTEE

Councilman Franklin reported that he was in Nashville earlier today in attendance at the Open Records Subcommittee meeting as part of a joint study on open government which includes open records and meetings. He stated the meeting was held at 10 a.m. this morning with individuals present representing Government Owned Hospitals, AT&T, the American Civil Liberties Union of Tennessee, Tennessee Association of Chiefs of Police, Tennessee Sheriffs' Association, representatives of the Nashville Electric Service, the Editor of the University of Memphis newspaper and two television stations in Memphis. He stated the Committee will conclude their findings in November and will make recommendations to the Legislature. He stated this is all very interesting as it relates to theft, as well as how records should be accessed by the community as it relates to city government and/or any quasi-governmental entity such as the Electric Power Board and Tennessee-American Water Company. He stated in the last few years there have been many incidences of identity theft which was discussed as to how certain information should not be given due to individuals who may have been convicted and come back to try to perpetrate acts against others.

ADJOURNMENT

Chairman Page adjourned the meeting of the Chattanooga Council until Tuesday, October 9, 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)**