

**CITY COUNCIL BUILDING
CHATTANOOGA, TENNESSEE
October 9, 2007
6:00 P.M.**

Chairman Page called the meeting of the Chattanooga City Council to order with Councilmen Bennett, Benson, Franklin, Gaines, Pierce, Rico and Robinson present. City Attorney Michael McMahan; Management Analyst Randy Burns; and Shirley Crownover, Assistant Clerk to the Council, were also present.

**PLEDGE OF ALLEGIANCE/
INVOCATION**

Councilman Franklin led the Pledge of Allegiance, followed by invocation.

MINUTE APPROVAL

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

APPROPRIATION

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

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

PRELIMINARY PUD

(2007-166 William H. Ring)

Councilwoman Bennett asked that this Resolution be moved to the front of the agenda. On motion of Councilman Franklin, seconded by Councilwoman Robinson, this action was taken.

Councilwoman Bennett stated that she would like to hear from Mr. Barry Bennett concerning this; that they had been meeting with the community and neighborhood associations, and there were a couple of conditions that he could address.

Mr. Barry Bennett, Executive Director of RPA, stated that this was located in the 1000 Block of Dallas Road and is a Special Exceptions Permit for R-1 Zoning for 3.7 units per acre. The surrounding zoning is R-1 to the west and north; R-2 to the south; C-2 and M-3 to the east across Dallas Rd. Both the Staff and Planning Commission recommended approval subject to the following conditions: (1) Provide community lot including usable open space in addition to cul-de-sac; (2) Provide landscaping at entrance; (3) Meet with Hill City Neighborhood Association prior to City Council; (4) Entrance location to be approved by the City Traffic Engineer; (5) Review of slopes by Land Development Office; and (5) The attached PUD review and site plan. Mr. Bennett went on to say that there had also been meetings between the Staff and the neighborhood representatives, and they would like to add an additional condition—(6) Soil Stabilization Study.

On motion of Councilwoman Bennett, seconded by Councilman Benson,

A RESOLUTION APPROVING A PRELIMINARY RESIDENTIAL PLANNED UNIT DEVELOPMENT SPECIAL EXCEPTIONS PERMIT FOR A PROPOSED PLANNED UNIT DEVELOPMENT, KNOWN AS THE DALLAS ROAD SUBDIVISION PLANNED UNIT DEVELOPMENT, ON TRACTS OF LAND LOCATED IN THE 1000 BLOCK OF DALLAS ROAD, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP AND DRAWING ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDTIONS

was adopted.

REZONING

(2007-165 GVH Shall-Jen Associates)

Councilman Benson asked that this be brought forward on the agenda as there were quite a number of people planning to come to this meeting, and he had discussed this with the community and would like to move this item up. On motion of Councilman Franklin, seconded by Councilwoman Robinson, this item was moved forward.

Chairman Page asked if there was any opposition present.

Councilman Benson stated that they had met many times on this; that he had had at least 100 citizens call, and he had asked them not to come down tonight; that the applicant wanted it withdrawn; however the President of the Friends of East Brainerd was present tonight to read a statement. Councilman Benson stated that he would recommend denial so that it could not come back as quickly.

Sue Shaw was present to read the statement. She corrected the statement that she was President of the Friends of East Brainerd, stating that she was just a member; that this was a non-profit organization to implement improvements for the Hamilton Place Community Plan; that this Plan was adopted in September of 2001 after eight months of community input; that it was designed with the understanding that commercial zoning would be balanced with residential; that the community spoke clearly in wanting the current residences to remain residences and the commercial to remain commercial; that this was a commercial interest that was encroaching on a residential area and was not compatible with the Plan; that TDOT had made plans for five lanes between Gunbarrel and Jenkins; that the neighborhood clearly spoke out against this, asking the State to develop three lane roads to promote the structure of the neighborhoods. She went on to say that they had considered the requests of the developer and had attended his meetings and did not see any reason to disrupt tenants from residential to commercial; that the Friends of East Brainerd voted against this rezoning request.

REZONING (CONT'D)

On motion of Councilman Benson, seconded by Councilwoman Bennett,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS
AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS
TO REZONE TRACTS OF LAND LOCATED AT 7906
SHALLOWFORD ROAD, MORE PARTICULARLY DESCRIBED
HEREIN, FROM R-2 RESIDENTIAL ZONE TO C-2
CONVENIENCE COMMERCIAL ZONE**
was denied.

At this point Councilwoman Bennett expressed her appreciation for those who were present from Hill City, stating that she really appreciated the Hill City representatives.

**AMEND CITY CODE
PARKING METER ZONES**

On motion of Councilman Rico, seconded by Councilman Franklin,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE,
PART II, CHAPTER 24, SECTION 24-505, RELATIVE TO
PARKING METER ZONES**
passed first reading.

REZONING

(2007-056 Frederick Metzger)

Councilman Franklin noted that the district where this is located does not have a representative; that it is located in the Shepherd community, and he used to represent this area; that he had talked to the applicant, and he asked Mr. Barry Bennett to give a presentation.

Mr. Bennett, Executive Director of RPA, explained that the Shepherd Community Plan had been before the Planning Commission yesterday; that they voted to defer the Plan and the Zoning Study until some time next month; that there were a number of land use issues with regards to downzoning a portion of the area to R-1; that there were a number of vacant properties zoned R-2; that a compromise was reached that all

REZONING (CONT'D)

properties would be downzoned to R-1 with the exception of duplexes; that some of the vacant property was under contention.

Mr. Bennett went on to say that with regards to this request, the Planning Commission recommended approval of commercial zoning with restrictions; that the Zoning Study has been initiated; that part of the compromise is a Transitional Zone. He added that they had indicated to the applicant that in order for the Council to approve what the Planning Commission was initiating that it would have to go back to the Planning Commission—however the applicant wished action one way or the other tonight. He further explained that if the Council denied the C-2 Zoning that it would be nine months before he could apply again; that it would be more to his advantage to withdraw.

Councilman Benson noted that he was at yesterday's meeting and did not think this property was in the proposed plan to be commercial; that there was a situation about a possible duplex, and this area was to be downzoned to R-1. He noted that what was discussed was a Compromise Plan.

Councilman Franklin stated that he thought Councilmen Benson was referring to a different piece of property.

Mr. Bennett noted that Planning indicated commercial use—that the Zoning Study would be more restrictive.

Karen Rennich explained that this was recommended for approval at the Planning Commission; that the Zoning Study is occurring, and there will be more of a transitional mix; that this property was recommended for the transitional use.

The applicant, **Frederick Metzger**, spoke, stating that he was the current owner of the property at 5933 Fisk Ave.; that he had purchased this property in the hopes of running a business; that it was a paved area, and he was hoping for C-2 zoning since it was a paved lot; that he had attended lots of meetings; that he was no longer planning a business there but had an investor who was showing some interest in buying this property.

REZONING (CONT'D)

Councilman Franklin stated that his only reservation was borderline, questioning if the investor was intending to buy the whole block; that unless the applicant knew this, it was speculative; that he, too, was a business person as well and knew how important it was to have someone on the line to buy a property, but we had to be fair to all, noting that this had been deferred two times already.

Mr. Metzger stated that he understood from the City Attorney that this could only be deferred for so long, and he thought that this might be the last point legally that deferral would be allowed.

Councilman Franklin asked what options Mr. Metzger had?

Mr. Bennett responded that the Council could either approve commercial zoning or deny it; that they could defer action until the Plan is completed; or allow the applicant to withdraw this request.

Councilman Benson stated that he thought there was another option or maybe several more; that it could be approved with conditions of restrictive use.

At this point Mr. Bennett read the original application, with Councilman Benson noting that the conditions are very acceptable.

Councilman Franklin questioned if Mr. Metzger wanted to sell the rest of the property, and if this would be conditioned on someone buying additional property. Mr. Metzger responded that the investor is also interested in other property, but he could not speak to this—that he could only speak to his property—his one little piece of property. Councilman Franklin confirmed that this property was currently R-1.

Councilman Benson indicated that he would be in favor of approving this with the conditions that Mr. Bennett had read. Councilwoman Gaines seconded this.

Councilman Pierce inquired of Councilman Franklin if he had any knowledge of what the neighborhood association wanted; that they had been real vocal about this and asked if the neighborhood was satisfied.

REZONING (CONT'D)

Councilman Franklin stated that he had not talked to them about this particular piece of property; that this area had no representative at this time, but he used to represent them; that he did not want to hold Mr. Metzger hostage.

Councilman Pierce mentioned the Land Use Plan for Study, stating that he could not see zoning this property with a Land Use Plan out there.

Mr. Bennett explained that they had discussed transitional zoning for offices; that the Planning Commission may not agree; that if the Council approved this for commercial tonight that the Plan would change. He stated that this was before the Planning Commission yesterday, and they deferred it for one month.

Councilman Franklin wanted to know if this piece was included? Mr. Bennett responded that it was included in the Plan but not a contention with the neighborhoods.

Councilwoman Gaines stated that she noted in revised Staff comments a mention of light business mix. She asked if the Zoning Study would be completed in November of 2007?

Mr. Bennett responded that the Planning Commission separated them—the Zoning Study from the Land Use Plan and deferred action on the Zoning Study for two months, which would be December; that the Land Use Plan will just take one month.

Councilwoman Gaines stated that she would like to express her concerns to Councilman Benson (since she had seconded his motion to approve); that she now thought this should be deferred until the Study is done and for community input.

Councilman Benson indicated that the Staff could get together on this.

Councilwoman Bennett indicated that she was reluctant to vote for zoning this commercial until the Land Use Study is complete.

Councilman Benson and Councilwoman Gaines withdrew their motions.

REZONING (CONT'D)

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 5933 FISK AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS
was deferred until November 20th.

CLOSE AND ABANDON

(2007-107 Thom Mills)

Pursuant to notice of public hearing, this request to close and abandon the unopened 4100 and 4200 Blocks of Broad Street, the unopened 2400 Block of Mill Street, and the unopened 2400 Block of an unnamed alley came on to be heard.

There was no opposition.

On motion of Councilwoman Bennett, seconded by Councilman Franklin,

AN ORDINANCE CLOSING AND ABANDONING THE UNOPENED 4100 AND 4200 BLOCKS OF BROAD STREET, THE UNOPENED 2400 BLOCK OF MILL STREET, AND THE UNOPENED 2400 BLOCK OF AN UNNAMED ALLEY, 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.

CLOSE AND ABANDON

(2007-110 Bragg Point Properties, LLC)

Pursuant to notice of public hearing, the request to close and abandon a portion of the unit block of Laurel Drive came on to be heard.

There was no opposition.

On motion of Councilwoman Bennett, seconded by Councilman Franklin,
**AN ORDINANCE CLOSING AND ABANDONING A PORTION
OF THE UNIT BLOCK OF LAUREL DRIVE, MORE
PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON
THE MAPS ATTACHED HERETO AND MADE A PART
HEREOF BY REFERENCE, SUBJECT TO CERTAIN
CONDITIONS**
passed first reading.

CLOSE AND ABANDON

(MR-2007-122 City of Chattanooga)

Pursuant to notice of public hearing, the request to close and abandon a public sanitary sewer line on a tract of land located at 61 and 100 North Market Street came on to be heard.

There was no opposition.

On motion of Councilwoman Bennett, seconded by Councilman Franklin,
**AN ORDINANCE CLOSING AND ABANDONING A PUBLIC
SANITARY SEWER LINE ON A TRACT OF LAND LOCATED
AT 61 AND 100 NORTH MARKET STREET, MORE
PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON
THE MAPS ATTACHED HERETO AND MADE A PART
HEREOF BY REFERENCE, SUBJECT TO CERTAIN
CONDITIONS**
passed first reading.

CLOSE AND ABANDON

(MR-2007-127 City of Chattanooga)

Pursuant to notice of Public Hearing, the request to close and abandon an alley on a tract of land beginning at the west line of Magnolia Street came on to be heard.

This was discussed in committee.

Mr. Bennett explained that it was a Mandatory Referral from Public Works and a request for an abandoned alley right-of-way on Magnolia Street; that the Planning Staff recommended approval and the Planning Commission recommended denial.

Adm. Leach spoke on behalf of the City as applicant. He explained that this request comes to this body as an effort to resolve a dilemma per a review for land use issue; that in 1978, the City Commission approved abandonment for a portion of the block and codified this; however the attached map showed the entire block being abandoned, when in actuality only a portion was abandoned. This is an effort to clear this up—the east side of this is on Magnolia, and Public Works is simply trying to clarify this for all parties involved and to make certain whether this is abandoned or not; that some don't want this to happen, and it has become an issue, and we need to clarify this.

Mr. Bob Summitt spoke in opposition, along with Major Lawrence. He stated that he did not know they were the opposition but thought they were the applicant; that they needed to have this open; that he was not sure how this got so confused. He reiterated that they needed this open as a fire alley for the Salvation Army; that there are all kinds of people there, and they use this area for youngsters—that they really wanted this to stay open.

Major Lawrence added that this was the only access to the back of the building for their ministry and for maintenance; that it was the only access they had.

CLOSE AND ABANDON
(CONT'D)

Councilman Pierce stated that he had been involved with this alley since the City first made application; that application was made to close the alley in 1978, and it was partially closed, and a building had been built across the alley; that the Salvation Army fronts on E. 8th Street, which would give them access—that this includes only about 20' of the alley, and we are talking about 120 ft. He mentioned that a resident had built a carport in the middle of the alley, thinking that she owned one-half of the abandoned alley—that the owner on the other side had no problem with the carport. He added that he went up there this evening and noticed that the telephone company had wires in the alley, which has nothing to do with us abandoning our part; that the City made application to close this based on the City's use; that the City has no use for the alley, and it is costing us money; that it is an alley we don't need, and he would recommend that it be closed and would support the City's application.

Mr. Summitt noted that the 8th Street entrance had a wall that was 5' high, and they would have to move a lot of stuff, and the alley is the only way they can get in for use of the lot; that the Salvation Army had been there a long time, and they were good for the community; that they had hopes for a playground there, and it was the only way for fire protection.

Councilman Benson noted that the City had initiated this and asked Adm. Leach why they wanted to close it? He stated that he did not want to get into another "alley fight" and always proposed to go according to the professionals.

Adm. Leach responded that they really thought this was closed in 1978 by the City Commission—that they were under the assumption that it was closed; that the Salvation Army wanted it closed in 1978; however the Commission only closed a portion of it; that they were under the assumption that it was closed and were just trying to clarify whether it was open or closed; that they had heard several things about the fire department access.

Fire Chief Parker was present; however he stated that he was not familiar with this alley but asked to be allowed time to speak with the Salvation Army, and he would get out there first thing in the morning if this could be put off for one week.

CLOSE AND ABANDON
(CONT'D)

Councilwoman Bennett asked if we do close and abandon this, what kind of choices does the neighborhood have? Adm. Leach responded that the Salvation Army is on 8th Street, which provides another way into the building; that at this point in time, Public Works thought it was closed; that a woman put a carport there, and there was a complaint, and this was the way it came to the Department's attention.

On motion of Councilwoman Robinson, seconded by Councilman Franklin,

AN ORDINANCE CLOSING AND ABANDONING AN ALLEY ON A TRACT OF LAND BEGINNING AT THE WEST LINE OF MAGNOLIA STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS
was deferred for one week.

Councilwoman Gaines asked that Mr. Summitt get with the Fire Department; that if the Fire Department needed to get in the building that they needed to work with Judge Summitt and his availability. She expressed to Judge Summitt that it was good to see him again.

REZONING

(2007-154 Deanna Duncan & Terry Cannon)

Pursuant to notice of public hearing, the request to rezone tracts of land located at 1642 and 1644 Rossville Ave. came on to be heard.

There was no opposition present.

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 TRACTS OF LAND LOCATED AT 1642 AND 1644 ROSSVILLE AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS
passed first reading.

CLOSE AND ABANDON

(2007-155 City of Chattanooga)

Pursuant to notice of public hearing, the request to close and abandon sewer easements located between the Unit Block of Laurel Avenue and 200 Block of Ridge Ave. came on to be heard.

There was no opposition.

On motion of Councilman Benson, seconded by Councilwoman Robinson,
**AN ORDINANCE CLOSING AND ABANDONING SEWER
EASEMENTS LOCATED BETWEEN THE UNIT BLOCK OF
LAUREL AVENUE AND 200 BLOCK OF RIDGE AVENUE,
MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN
ON THE MAPS ATTACHED HERETO AND MADE A PART
HEREOF BY REFERENCE, SUBJECT TO CERTAIN
CONDITIONS**

passed first reading.

STREET NAME CHANGE

(2007-159 City of Chattanooga)

On motion of Councilman Pierce, seconded by Councilwoman Robinson,
**AN ORDINANCE TO CHANGE THE RIGHT-OF-WAY NAME OF
THE 7100 BLOCK OF SHEPHERD VIEW DRIVE TO
SHEPHERD VIEW CIRCLE, MORE PARTICULARLY DESCRIBED
HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO
AND MADE A PART HEREOF BY REFERENCE**

passed first reading.

STREET NAME CHANGE

On motion of Councilwoman Bennett, seconded by Councilman Benson,
**AN ORDINANCE TO CHANGE THE RIGHT-OF-WAY NAME OF
AN UNOPENED PORTION OF LAKE RESORT DRIVE TO
TRAILHEAD DRIVE, MORE PARTICULARLY DESCRIBED
HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO
AND MADE A PART HEREOF BY REFERENCE**

passed first reading.

REZONING

(2007-162 Will Haisten)

Pursuant to notice of public hearing, the request to rezone tracts of land located at 14 Manning Street and in the 300 Block of Woodland Ave. from R-3 and R-4 to C-7, came on to be heard.

There was no opposition present.

On motion of Councilwoman Bennett, 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 14 MANNING STREET AND IN THE 300 BLOCK OF WOODLAND AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE AND R-4 SPECIAL ZONE TO C-7 NORTH SHORE COMMERCIAL/MIXED USE ZONE, SUBJECT TO CERTAIN CONDITIONS

passed first reading.

REZONING

(2007-163 John Prestwood)

Pursuant to notice of public hearing, this request to rezone a tract of land located at 875 Intermont Road from R-1 to C-2, came on to be heard.

There was no opposition present.

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 875 INTERMONT ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS

passed first reading with Councilman Pierce abstaining.

REZONING (CONT'D)

Councilman Pierce questioned which version had been read. Ms. Crowover noted that she had read the Planning Commission version that recommended R-1 to C-2. Councilman Pierce noted that the Staff recommended O-1.

Councilman Benson explained that at the Planning Commission meeting they put certain conditions on this and came up with C-2 zoning; that there was only one objection, and it was really not an objection but a question.

Mr. Bennett explained that this was a special type of commercial use.

Councilman Pierce questioned if the Staff's recommendation was no longer taken into consideration? Councilman Benson explained that the Planning Commission just "refined" the Staff's recommendation. Councilman Pierce still contended that he thought we always used the Staff's recommendation.

REZONING

(2007-167 Geoffrey Tarr)

Pursuant to notice of public hearing, the request to rezone a tract of land located at 621 East Main Street from M-1 to C-3 came on to be heard.

The applicant was present. There was no opposition present.

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 A TRACT OF LAND LOCATED AT 621 EAST MAIN STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS
passed first reading.

STREET NAME CHANGE

(2007-171 City of Chattanooga)

On motion of Councilman Rico, seconded by Councilwoman Robinson,

AN ORDINANCE TO CHANGE THE RIGHT-OF-WAY NAME OF THE 1700 BLOCK OF PETTY ROAD TO SOUTHERNWOOD DRIVE, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE

passed first reading.

FUNDS ACCEPT.

On motion of Councilman Franklin, seconded by Councilwoman Robinson,

A RESOLUTION AUTHORIZING ACCEPTANCE OF FUNDS TOWARDS SPONSORSHIP OF GO! FEST 2007

was adopted.

INTERLOCAL AGREE.

On motion of Councilman Franklin, seconded by Councilwoman Gaines,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS AND RECREATION TO NEGOTIATE AN INTERLOCAL AGREEMENT WITH HAMILTON COUNTY FOR THE INSTALLATION OF A WALKING TRAIL AT THE JOHN A PATTEN RECREATION CENTER AND AUTHORIZING THE MAYOR TO EXECUTE THE FINAL INTERLOCAL AGREEMENT APPROVED BY THE CITY ATTORNEY'S OFFICE

was adopted.

INTERLOCAL AGREE.

On motion of Councilman Franklin, seconded by Councilwoman Robinson,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS AND RECREATION TO NEGOTIATE AN INTERLOCAL AGREEMENT WITH HAMILTON COUNTY FOR THE INSTALLATION OF A WALKING TRAIL AT THE SHEPHERD RECREATION CENTER AND AUTHORIZING THE MAYOR TO EXECUTE THE FINAL INTERLOCAL AGREEMENT APPROVED BY THE CITY ATTORNEY'S OFFICE

was adopted.

PROFESS. SERVICES CONT.

Some clarification was needed regarding this Resolution.

Mr. Frank Wrinn was present and explained that Strategy Team Facilitators Consultants is located in Atlanta, and there were four members working with him on the original contract; that they were also working with Multi-Cultural Affairs Dept.; in other words, working with more than just him. A representative of the company was present along with Mr. Wrinn.

Chairman Page inquired if they were using local talent, with Mr. Wrinn responding that "he was the local talent".

On motion of Councilwoman Gaines, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE MAYOR TO EXTEND THE PROFESSIONAL SERVICES CONTRACT FOR GRANT WRITING WITH STRATEGY TEAM FACILITATORS CONSULTANTS FOR AN ADDITIONAL TWELVE (12) MONTHS TO CONTINUE TO ASSIST THE MAYOR AND CITY DEPARTMENTS WITH STRATEGIC PLANNING, PROJECT PLANNING AND IMPLEMENTATION, COMMUNITY INVOLVEMENT, INTER-ORGANIZATIONAL COLLABORATION, AND RESOURCE DEVELOPMENT RELATED TO VARIOUS CITY INITIATIVES FOR AN AMOUNT NOT TO EXCEED THE CURRENT RATE OF EIGHT THOUSAND EIGHT HUNDRED EIGHTY-EIGHT AND 89/100 DOLLARS (\$8,888.89) PER MONTH

was adopted.

GRANT

On motion of Councilwoman Robinson, seconded by Councilwoman Gaines,

A RESOLUTION AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO APPLY FOR, AND IF AWARDED, ACCEPT A GRANT FROM THE TENNESSEE WILDLIFE RESOURCE AGENCY FROM THE TWRA AQUATIC HABITAT PROTECTION PROGRAM TO ASSIST THE WATER QUALITY PROGRAM WITH STREAM CLEAN-UP PROJECTS IN AN AMOUNT NOT TO EXCEED ONE THOUSAND DOLLARS (\$1,000.00)

was adopted.

EASEMENT PURCHASE

On motion of Councilwoman Robinson, seconded by Councilman Pierce,

A RESOLUTION AUTHORIZING THE PURCHASE OF A RIGHT-OF-WAY AND TEMPORARY CONSTRUCTION EASEMENT FROM E. CLIFFORD WOLFE AT 2105 HAMILL ROAD, PARCEL NO. 110J-A-012, TRACT NO. 03, RELATIVE TO THE NORTHPOINT BOULEVARD EXTENSION PROJECT, CONTRACT NO. E-06-006, FOR AN AMOUNT NOT TO EXCEED THIRTY-TWO THOUSAND THREE HUNDRED EIGHTY-FIVE DOLLARS (\$32,385.00)

was adopted.

EASEMENT PURCHASE

On motion of Councilman Franklin, seconded by Councilwoman Robinson,

A RESOLUTION AUTHORIZING THE PURCHASE OF A RIGHT-OF-WAY AND TEMPORARY CONSTRUCTION EASEMENT FROM VIRGIL RAYMOND CATLETT, III AND RUTH ANN CATLETT AT 2111 HAMILL ROAD, PARCEL NO. 110J-A-013, TRACT NO. 01, RELATIVE TO THE NORTHPOINT BOULEVARD EXTENSION PROJECT, CONTRACT NO. E-06-006, FOR AN AMOUNT NOT TO EXCEED FORTY-FIVE THOUSAND TWO HUNDRED FORTY DOLLARS (\$45,240.00), WITH A PAYMENT TO EACH OWNER IN THE AMOUNT OF TWENTY-TWO THOUSAND SIX HUNDRED TWENTY DOLLARS (\$22,620.00)

was adopted.

EASEMENT PURCHASE

On motion of Councilman Franklin, seconded by Councilwoman Robinson,

A RESOLUTION AUTHORIZING THE PURCHASE OF A RIGHT-OF-WAY, PERMANENT DRAINAGE EASEMENT, AND TEMPORARY CONSTRUCTION EASEMENT FROM ALLEMANDE HALL, INC., INC. AT 7400 STANDIFER GAP ROAD, PARCEL NO. 149B-A-024, TRACT NO. 02, RELATIVE TO THE GUNBARREL ROAD AT STANDIFER GAP ROAD INTERSECTION IMPROVEMENT PROJECT, CONTRACT NO. E-05-024, FOR AN AMOUNT NOT TO EXCEED FIVE THOUSAND ONE HUNDRED TWENTY-FIVE DOLLARS (\$5,125.00)

was adopted.

AGREEMENT

On motion of Councilman Franklin, seconded by Councilman Rico,

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN EXECUTE AN AGREEMENT WITH THE SOUTHEAST DEVELOPMENT CORPORATION TO COORDINATE THE CITY BROWNFIELDS REDEVELOPMENT PROGRAM, DEVELOP, MANAGE, AND MARKET HUD 108 REVOLVING LOAN FUND, FACILITATE THE DEVELOPMENT OF STRATEGIC SMALL AND MIDSIZE INDUSTRIAL SITES, ASSIST THE CITY AND COMMUNITY ORGANIZATIONS WITH TARGETED AREA ECONOMIC DEVELOPMENT PLANNING, AND COMPLETE PLANS FOR A DEVELOPMENT FINANCE CENTER IN AN AMOUNT NOT TO EXCEED NINETY-FIVE THOUSAND DOLLARS (\$95,000.00)

was adopted.

CLEANUP GRANT

On motion of Councilman Rico, seconded by Councilman Franklin,
**A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR
AND, IF AWARDED, ACCEPT AN ENVIRONMENTAL
PROTECTION AGENCY BROWNFIELDS CLEANUP GRANT IN
THE AMOUNT OF TWO HUNDRED THOUSAND DOLLARS
(\$200,000.00) TO CLEANUP A PORTION OF THE FORMER
ANCHOR GLASS SITE ON OHLS AVENUE, WHICH, IF
AWARDED, WILL REQUIRE LOCAL MATCHING FUNDS OF
ONE HUNDRED THOUSAND DOLLARS (\$100,000.00)**
was adopted.

JOB TRAINING GRANT

On motion of Councilman Franklin, seconded by Councilwoman Gaines,
**A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR
AND IF AWARDED, ACCEPT AN ENVIRONMENTAL
PROTECTION AGENCY BROWNFIELDS JOB TRAINING
GRANT IN THE AMOUNT OF TWO HUNDRED THOUSAND
DOLLARS (\$200,000.00) TO DEVELOP A BROWNFIELDS
ASSESSMENT AND CLEANUP JOB TRAINING PROGRAM IN
AREAS AFFECTED BY BROWNFIELDS**
was adopted.

CONTRACT CHANGE ORDER

On motion of Councilman Franklin, seconded by Councilwoman
Robinson,
**A RESOLUTION AUTHORIZING THE EXECUTION OF
CHANGE ORDER NO. 1 RELATIVE TO CONTRACT NO. E-06-
011, ROADWAY RESURFACING, WITH SOUTHEASTERN
MATERIALS, INC., WHICH CHANGE ORDER DECREASES THE
CONTRACT AMOUNT BY SEVENTY-ONE THOUSAND
SEVENTY-FIVE AND 89/100 DOLLARS (\$71,075.89), FOR A
REVISED CONTRACT AMOUNT NOT TO EXCEED ONE
MILLION FIVE HUNDRED FOURTEEN THOUSAND FOUR
HUNDRED TWENTY-FOUR AND 11/00 DOLLARS
(\$1,514,424.11)**
was adopted.

Chairman Page noted that Resolutions (m) through (q) are great news for Chattanooga, because these companies are investing money and creating new jobs.

TAX ABATEMENT (FEDEX)

On motion of Councilman Rico, seconded by Councilman Franklin,
A RESOLUTION TO MAKE CERTAIN FINDINGS RELATING TO THE SCANNEL PROPERTIES #85, LLC AND FEDEX GROUND PACKAGE SYSTEM, INC. PROJECT, TO DELEGATE CERTAIN AUTHORITY TO THE INDUSTRIAL DEVELOPMENT BOARD OF THE COUNTY OF HAMILTON, TENNESSEE, AND TO AUTHORIZE THE MAYOR TO ENTER INTO AND EXECUTE AN AGREEMENT FOR PAYMENTS IN LIEU OF AD VALOREM TAXES

was adopted.

TAX ABATEMENT (FEDEX)

On motion of Councilman Rico, seconded by Councilwoman Robinson,
A RESOLUTION TO MAKE CERTAIN FINDINGS RELATING TO THE FEDEX GROUND PACKAGE SYSTEM, INC. PROJECT, TO DELEGATE CERTAIN AUTHORITY TO THE INDUSTRIAL DEVELOPMENT BOARD OF THE COUNTY OF HAMILTON, TENNESSEE, AND TO AUTHORIZE THE MAYOR TO ENTER INTO AND EXECUTE AN AGREEMENT FOR PAYMENTS IN LIEU OF AD VALOREM TAXES

was adopted.

**TAX ABATEMENT
(MADEM REELS USA, INC.)**

On motion of Councilman Rico, seconded by Councilman Franklin,
A RESOLUTION TO MAKE CERTAIN FINDINGS RELATING TO THE MADEM REELS USA, INC. PROJECT, TO DELEGATE CERTAIN AUTHORITY TO THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF CHATTANOOGA, AND TO AUTHORIZE THE MAYOR TO ENTER INTO AND EXECUTE AN AGREEMENT FOR PAYMENTS IN LIEU OF AD VALOREM TAXES

was adopted.

TAX ABATEMENT
(NAT'L PRINT GROUP)

On motion of Councilman Rico, seconded by Councilwoman Robinson,
**A RESOLUTION TO MAKE CERTAIN FINDINGS RELATING
TO THE NATIONAL PRINT GROUP, INC./NATIONAL
POSTERS, INC. PROJECT, TO DELEGATE CERTAIN
AUTHORITY TO THE INDUSTRIAL DEVELOPMENT BOARD
OF THE CITY OF CHATTANOOGA, AND TO AUTHORIZE
THE MAYOR TO ENTER INTO AND EXECUTE AN
AGREEMENT FOR PAYMENTS IN LIEU OF AD VALOREM
TAXES**
was adopted.

TAX ABATEMENT
SOUTHERN CHAMP. TRAY

On motion of Councilwoman Robinson, seconded by Councilman Rico,
**A RESOLUTION TO MAKE CERTAIN FINDINGS RELATING
TO THE SOUTHERN CHAMPION TRAY, L.P. PROJECT, TO
DELEGATE CERTAIN AUTHORITY TO THE INDUSTRIAL
DEVELOPMENT BOARD OF THE CITY OF CHATTANOOGA,
AND TO AUTHORIZE THE MAYOR TO ENTER INTO AND
EXECUTE AN AGREEMENT FOR PAYMENTS IN LIEU OF AD
VALOREM TAXES**
was adopted.

TEMP. USAGE

On motion of Councilwoman Bennett, seconded by Councilman Franklin,
**A RESOLUTION AUTHORIZING BRAGG POINT PROPERTIES,
LLC TO USE TEMPORARILY A PORTION OF THE UNOPENED
UNIT BLOCK OF LAUREL DRIVE NORTH OF THE CLOSURE
AND ABANDONMENT REFERENCED IN CASE NO. MR-2007-
110 TO RECONFIGURE ACCESS TO THEIR PROPERTY,
MORE PARTICULARLY DESCRIBED IN CASE NO. MR-2007-
110 AND SHOWN ON THE DRAWINGS ATTACHED HERETO
AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO
CERTAIN CONDITIONS**
was adopted.

PUD SPECIAL EXCEPT.
PERMIT

Mr. Bennett explained that this was a 2004 Case that had expired, and it was necessary for it to go back through the process.

(2004-23 Iris Knoll Development Company)

On motion of Councilman Franklin, seconded by Councilman Pierce,
**A RESOLUTION APPROVING A SPECIAL EXCEPTIONS
PERMIT FOR A PLANNED UNIT DEVELOPMENT KNOWN AS
THE IRIS KNOLL PLANNED UNIT DEVELOPMENT, ON A
TRACT OF LAND LOCATED IN THE 6600 BLOCK OF
SANDSWITCH ROAD, MORE PARTICULARLY DESCRIBED
HEREIN AND AS SHOWN ON THE FINAL PLANNED UNIT
DEVELOPMENT PLAN ATTACHED HERETO AND MADE A
PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN
CONDITIONS**

was adopted.

PUD SPECIAL EXCEPT.
PERMIT

(2007-164 Windward Properties)

Chairman Page noted that this had gone quickly in front of the Planning Commission and needs to go back to Public Works for final review.

Mr. Bennett explained that the Plan was originally recommended for denial, and by the time it went to the Planning Commission the applicant had submitted a revised plan, which the Commission thought was acceptable; however no one on the RPA Staff nor Public Works had had an opportunity to review it, and they were recommending deferral. He explained that the applicant would not lose any time—that it would be on the same time line.

Chairman Page asked if one week would be long enough? Mr. Bennett suggested next month. Adm. Leach stated that Public Works needed to take a closer look at this and asked that the Council give them one week; that their Staff needs to look at road variances; that this could change the design of the PUD, and he suggested next week.

PUD SPECIAL PERMIT
(CONT'D)

On motion of Councilwoman Robinson, seconded by Councilman Benson,
**A RESOLUTION APPROVING A PRELIMINARY RESIDENTIAL
PLANNED UNIT DEVELOPMENT SPECIAL EXCEPTIONS
PERMIT FOR A PROPOSED PLANNED UNIT DEVELOPMENT
ON TRACTS OF LAND LOCATED IN THE 4500 BLOCK OF
WEBB ROAD, MORE PARTICULARLY DESCRIBED HEREIN
AND AS SHOWN ON THE MAP AND DRAWING ATTACHED
HERETO AND MADE A PART HEREOF BY REFERENCE,
SUBJECT TO CERTAIN CONDITIONS**
was deferred for one week.

OVERTIME

Overtime for the week ending October 5, 2007, totaled \$11,517.73.

PERSONNEL

The following personnel matters were reported for the various departments:

PUBLIC WORKS DEPARTMENT:

- **DOUG PELL**—Promotion to Plant Operator, Pay Grade 9/1, \$25,474.00 annually, effective 10/3/07.

FINANCE DEPT. (TREASURER'S OFFICE):

- **NETIA REEL**—Extension of FMLA for Tax Clerk, 10/01/07—10/22/07.

CHATTANOOGA POLICE DEPT.:

- **AMY MCBRYAR**—Return to Duty of Communications Officer, effective 10/01/07.

PERSONNEL (CONT'D)

CHATTANOOGA HUMAN SERVICES DEPARTMENT:

- **KIMBERLY REED**—Resignation of Family Services Ass't., effective 9/29/07.

PURCHASE

On motion of Councilman Franklin, seconded by Councilman Rico, the following purchase was approved for use by the Chattanooga Human Services Dept.:

SONITROL (Change Order for existing contract)
Requisition R0090457/P0025083

Four Year Contract Renewal for Burglary/Fire Monitoring & Maintenance Services

\$ 8,725.92 One year contract
\$35,012.00 Change Order for Four Years

PURCHASE

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

ACTION ALARMS (Lowest and best bid)
Requisition R0099877/B0004398

Contract for Alarm Monitoring Services

\$1,269.00/Month

PURCHASE

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

WONDER WINDOW WASHERS (Lowest and best bid)
Requisition R102371/B00044645

Annual Blanket Contract for Sewer Backup Cleanup and Repairs

(See minute material for pricing)

PURCHASE

On motion of Councilwoman Bennett, seconded by Councilman Franklin, the following purchase was approved for use by the Chattanooga Police Dept.:

ANIMAL CLINIC (Change Order for additional vendor)
Requisition REQ/R0102424

Additional location for Spay & Neuter Services

(Cost N/A)

DISTRICT 6 REPRESENTATION

At this point Councilman Benson stated that he had two housekeeping items to be discussed. **On motion of Councilman Benson, seconded by Councilwoman Robinson, the Council accepted the resignation of Councilwoman Rutherford and deemed her official position vacant.**

On motion of Councilman Benson, seconded by Councilman Pierce, the Council extended the deadline for applications to serve as representative for District 6 until October 31, 2007.

DISTRICT 6 (CONT'D)

Councilman Pierce stated that he felt the Council should make another motion dealing with what happens after October 31st.

Chairman Page acknowledged that there would be one more recommendation that we do not have in writing.

Councilman Pierce stated that in light of what has happened, that those who wish to run for the position in February must have qualified to run by November 15, 2007; that he would make the motion that the Council wait until after November 15th to appoint someone to fill the vacant position. This was seconded by Councilman Benson.

Chairman Page stated that he wanted to make sure that he understood the motion; that we would interview applicants after November 15th, and would consider someone who elects not to run for the City Council position in February; that we should be able to complete this by November 20th.

Councilwoman Gaines confirmed that the Council would make a decision on November 20th after the deadline of November 15th to run for the position in February.

Chairman Page asked for a restatement of the motion, with **Councilwoman Robinson stating that we would receive applications until October 31st; that after November 15th (deadline for applicants in the February election), we would have time to interview candidates and make a decision; that the decision could be made on November 20th.**

Chairman Page clarified that we would interview those who would not be actually running in February.

Councilwoman Robinson confirmed that those people who would be running in February would not be eligible candidates.

Councilman Rico stated that he could not go along with this—that people who apply to run in February can't apply for the interim position was not acceptable.

DISTRICT 6 (CONT'D)

Chairman Page questioned if we wanted to allow those who qualify to run in the February election to still apply for the interim position and be interviewed?

Councilman Benson stated that he would prefer that we leave our options open to include or exclude.

Chairman Page questioned if this meant “exclude” anyone who will be a candidate in February? He noted that after the deadline for applying in November, that the Council will know after November 15th the persons who intend to run in February, and we will just be selecting an interim person.

Councilman Franklin stated that this would be the intent of the motion, even though it could not be enforced by law.

Attorney McMahan added that until the Council decides, they could still change their minds.

Councilman Benson still maintained that the Council should keep their options open—that he could not accept that the interim person had to be someone who would not be running for the office in February.

Councilman Pierce maintained that if we selected someone who would be running in February that that person would have a “heads up”; that he would not want to put the Council in the position to “pick” who would represent District 6 if we picked a candidate who would be running; that it was only fair that we don’t give someone “a heads up”.

Councilman Benson maintained that we were “reversing” ourselves. Councilman Pierce questioned if he was saying this because we made a motion?

DISTRICT 6 (CONT'D)

Chairman Page clarified that the motion was made by Councilman Pierce, and seconded by Councilwoman Robinson, that the Council wait until after the deadline for qualifying to run in the February election to elect an interim person to represent District 6 and that it would not be someone who will be running for the position in the February election. Councilmen Rico and Benson voted “no” on this, with Councilman Benson stating that he could not accept the last phrase and disagreed.

Chairman Page reiterated that the selection for an interim person for District 6 would be someone who will **not** be running in the February 5th election.

Councilman Pierce jokingly said that everyone better get used to this in light of what happened to him this afternoon.

COMMITTEES

Councilwoman Bennett scheduled a meeting of the **Budget and Finance Committee next Tuesday, October 16th, following the Public Works Committee** for an update on the Segal Report.

Councilman Benson stated that there would be an interim meeting of the **Legal and Legislative Committee next Tuesday, October 16th at 2:00 P.M.**

Councilwoman Gaines stated that there would be a joint **Public Safety/Public Works Committee meeting on Tuesday, October 16th at 3:00 P.M.**

Councilman Rico reminded everyone of the scheduled **Public Works Committee meeting at 3:00 P.M. on Tuesday, October 16th.**

GARNETT CHAPIN

Mr. Chapin addressed the Council, stating that he had been asked by two Neighborhood Associations on the north side of the river to discuss Mr. Ring's development; that they had met with him several times, and the meetings had been very productive; that this requires directions from RPA in cases of PUD's; that partial information was given, and the approval was subject to conditions—that there were six pages of requirements and conditions that were given to Mr. Ring. He maintained that sparse and indefinite information was given on the front end; that neighborhoods are "lay" people and need to see accurate information and good drawings before anything is approved; that RPA develops communication with neighborhood associations; that in this case there was an indefinite Plan and Mr. Ring was given six pages telling him how to meet requirements; that neighborhoods don't have this information to make informed decisions, and there is not enough information at the onset. He went on to say that we have come a long way in empowering people to have real input on these issues, but if the people do not see the plans for parking, landscaping, etc., the people in the neighborhood associations don't have enough information. He noted that the PUD says all of this, and they would like to see this before approval, again mentioning the six-page document. He reiterated that they needed more information on the front end so that lay people can have real input; that people need to do their homework and invest money on the front end.

Chairman Page stated that Mr. Chapin had made some good points, and he thanked him for taking the time to come to this meeting.

Mr. Chapin went on to say that he had spoken to Councilwoman Bennett; that on the North Shore in Hill City they had lots of hills and difficult sites in regards to grading; that in the future they would like to see modifications in the North Shore area to take into account these steeper slopes—that there are steep sloping sites, and they need to be addressed early on. He urged to try to find a way to "tweak" the system.

Councilwoman Bennett also expressed appreciation to Mr. Chapin for taking the time to be here in the interest of Hill City, stating that he had made some good points; that there had been a lot of discussion about the North Shore Plan and the moratorium and zoning study; that they were trying to do "due diligence" and take the time to address key issues.

JIM KIMBALL

Mr. Kimball addressed the Council, stating that he had been approached by an individual from the Interfaith Homeless Network to come to a fundraiser to raise funds for the homeless shelter. He stated that he asked them if they were talking about the Farmer's Market, and they said "yes", and he asked if this was a "done deal", and they said "yes". He went on to say that he thought there was a committee studying the Blueprint and did not think this was a "done deal". He stated that he was concerned about too many of this same kind of operations in his district.

Councilwoman Bennett stated that she had not heard anything back from the re-formed Blueprint Committee; that there had been no recommendation, and she was not aware that a Board had been formed—that she had heard nothing.

Councilman Pierce added that there were questions as to whether this is a "done deal" or not; that a transportation agency is being located at this point to transport the homeless; that if anyone wants to get their questions answered, they need to go to Administration and see their plans; that the Council is not being told anything; that the plans that are in the making will affect us sooner or later whether it be good or bad. He reiterated that he did not know any answers to the questions.

Chairman Page asked for a representative from the committee to contact Councilwoman Bennett.

Councilman Pierce questioned who would coordinate this? Councilwoman Bennett responded that she thought it would be Administration and Richard Beeland. Councilman Pierce asked if they would come back to the Council and make a report? Councilwoman Bennett stated that she was not sure how far along they are, but it was a good thing to ask for an update.

GERALD BORN

Mr. Born addressed the Council in regards to HES in the Highland Park area. He stated that on September 19th he had three dogs in the back of his pickup truck, and they were removed and taken to the Humane center; that he had visited four times, and in the meantime had to have surgery, and they did not contact him before they euthanized them—that the dogs were Australian Shepherds. He went on to say that Guy Bilyeu gave the direct order to have the dogs euthanized and did not call him; that he went by on October 4th to pick his dogs up, and they told him they had killed them. He stated that he would like to ask that Mr. Bilyeu be immediately suspended from his position.

Chairman Page responded that he would acknowledge that we have a problem, but we are building a new shelter. He stated that he would ask Mr. Dan Johnson to ask the Chief of Police to get a report and see what happened for the Council to review; that HES's contract will be coming up for authorization, and other than that, the Council has no authority over HES. He stated that we would ask for this report and would also ask that Mr. Bilyeu respond to it.

Chairman Page went on to ask for Mr. Born's address, stating that we would ask Mr. Bilyeu to respond. Mr. Born's address is 1817 E. 28th St.

CARTICIA SALES

Ms. Sales addressed the Council, stating that she wanted to share with them how impressed she was to see one of the officers that represents the Animal Shelter—that she had sent faxes to the Mayor, and they had communicated with each other; that Officer Boyd put his life on the line (Kirby Street)—that she assisted also in capturing an animal who had an embedded collar around its neck; that officers in the Animal Shelter have to have the same credentials as Police Officers but do not have the materials to protect themselves in helping to capture animals safely. She stated that this was one of the things that she had written to the Mayor; that they do have a tranquilizer gun to assist them—that animals are like family members and when one is hurt, it is like hurting one of our children; that she wants to work on safely assisting our animal officers with the materials that they need.

CARTICIA SALES (CONT'D)

Councilman Benson responded that in the case of HES, where the animals were killed, city government has nothing to do with this; that we are building a quasi-governmental humane shelter. He stated that he would like to commend our animal officers because they are doing a great job; that he thought the man earlier spoke the facts about HES.

ADJOURNMENT

Chairman Page adjourned the meeting of the Chattanooga City Council until Tuesday, October 16th, 2007, at 6:00 P.M.

CHAIRMAN

CLERK OF COUNCIL

