

City Council Building
Chattanooga, Tennessee
December 4, 2007
6:00 p.m.

Chairman Page called the meeting of the Chattanooga Council to order with Councilmen Benson, Feely, Franklin, Gaines, Pierce, Rico and Robinson present; Councilwoman Bennett joined the meeting later. 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 Franklin gave invocation.

MINUTE APPROVAL

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

AMEND CITY CODE

On motion of Councilman Benson, seconded by Councilman Rico,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 4, WHICH IS KNOWN AS "THE CHATTANOOGA AIR
POLLUTION CONTROL ORDINANCE," BY PROVIDING FOR
INCORPORATION BY REFERENCE OF CERTAIN STATE REGULATIONS
AND FEDERAL REGULATIONS**
passed first reading.

AMEND CITY CODE

On motion of Councilman Rico, seconded by Councilman Franklin,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 4, WHICH CHAPTER IS KNOWN AS "THE CHATTANOOGA AIR
POLLUTION CONTROL ORDINANCE," BY PROVIDING FOR REVISED
RULES FOR NEW SOURCES REVIEW AND PORTLAND CEMENT PLANTS;
INCREASED PERMIT FEES; REVISED AMBIENT AIR QUALITY STANDARDS;
AND CERTAIN HOUSEKEEPING PROVISIONS**
passed first reading.

RENEW MEMBERSHIP

On motion of Councilman Franklin, seconded by Councilwoman Gaines,
A RESOLUTION AUTHORIZING THE MAYOR TO RENEW THE CITY OF CHATTANOOGA'S MEMBERSHIP IN THE NATIONAL LEAGUE OF CITIES AND THE PAYMENT OF 2008 DUES IN THE AMOUNT OF TEN THOUSAND TWO HUNDRED TWO DOLLARS (\$10,202.00)

was adopted.

AGREEMENT

On motion of Councilman Rico, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE DIRECTOR OF GENERAL SERVICES TO ENTER INTO AN ANTENNA LICENSE AGREEMENT WITH 801 ASSOCIATES, LLC TO INSTALL ANTENNA AND CONNECTION CABLES AT THE PIONEER BANK BUILDING LOCATED AT 801 BROAD STREET IN THE AMOUNT OF THREE THOUSAND DOLLARS (\$3,000.00) ANNUALLY AND A TERM OF FIVE (5) YEARS WITH AN OPTION TO RENEW

was adopted.

GRANT

Bill McCarthy of 2822 Heywood Avenue inquired as to when the streetscaping is scheduled to begin and when it will be out for bid or negotiated.

Adm. Leach responded that this is phase two of the streetscape for this section of Main Street. He stated he did not know the exact time frame when this would be put out for bid; that it would follow the normal process. He stated this is actually for the section of Wilhoit to Adams on the south side of Main, reiterating that at this point in time it has not been let for bid.

Chairman Page inquired as to the normal time frame, whether it is ninety days.

Adm. Leach responded "yes"; that a lot depends upon the weather; that it would follow the normal contract process. He stated if Mr. McCarthy is on the contract list he should receive a notice.

On motion of Councilman Franklin, seconded by Councilwoman Gaines,
A RESOLUTION AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACCEPT A GRANT FROM THE LYNDHURST FOUNDATION RELATIVE TO CONTRACT NO. E-06-012, MAIN STREET STREETSCAPING PHASE 2, IN THE AMOUNT OF SIXTY-ONE THOUSAND FOUR HUNDRED FORTY-FIVE DOLLARS (\$61,445.00)

was adopted.

CONTRACT

On motion of Councilman Benson, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AN AGREEMENT WITH JORDAN, JONES & GOULDING, INC. FOR PROFESSIONAL ENGINEERING SERVICES RELATIVE TO CONTRACT NO. E-07-017, WATER SYSTEM INTERCONNECT STUDY, IN AN AMOUNT NOT TO EXCEED EIGHTY-ONE THOUSAND SIX HUNDRED DOLLARS (\$81,600.00)
was adopted.

CONTRACT

Councilman Benson stated that he knows this matter was discussed in last week's Public Works Committee meeting however he received an e-mail on Sunday from an engineer and asked Jerry Stewart to come forward. He stated that he thought the question had been relayed to Mr. Stewart but an answer has not been received. He stated the person e-mailed him and asked if it would be cheaper in the long run to take another route as opposed to what is being requested by Resolution.

Jerry Stewart responded "no"; that an overall upgrading is being done of the existing plant. He stated to build a new plant of similar design would cost \$13 million and a liquid oxygen site would be \$7.5 million. He stated studies have been diligently conducted over the last three-to-four years to determine the best way to spend money and doing it this would give another twenty years of "life" on the equipment once it is installed.

Councilman Benson stated that he just wanted to ask the question; that he will get the e-mail to Mr. Stewart so he can answer; that in the long run this is the most cost effective way.

Councilwoman Robinson noted that a lot of people are interested in the odor assessment issue and asked if this is going to be a platform for that.

Mr. Stewart responded "no"; that that is a different new process. He stated when a meeting was held with the stakeholders interested in the odor assessment issue, everyone was told it would be included in the 2008 or 2009 capital budget monies that would be set aside for this. He stated this involves three stages that take 92 percent at a cost between three-to-five million; that the rest of the eight percent will be about four million. He stated they would get the best "bang for the buck" in the 2008-2009 money to do the first part.

CONTRACT (Continued)

On motion of Councilman Benson, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. W-07-003 (28J1), IMPROVEMENTS TO OXYGEN GENERATION SYSTEM MOCCASIN BEND WWTP, TO H&H BROWN INC. IN THE AMOUNT OF FOUR MILLION FIVE HUNDRED FORTY-FIVE THOUSAND NINE HUNDRED DOLLARS (\$4,545,900.00), PLUS A CONTINGENCY AMOUNT OF ONE MILLION ONE HUNDRED THOUSAND DOLLARS (\$1,100,000.00), FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED FIVE MILLION SIX HUNDRED FORTY-FIVE THOUSAND NINE HUNDRED DOLLARS (\$5,645,900.00), FUNDED THROUGH TDEC STATE REVOLVING FUND (SRF) LOAN PROGRAM
was adopted.

CONTRACT

On motion of Councilman Rico, seconded by Councilwoman Robinson,
A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. S-07-010-201, PRIVATE SANITARY SEWER SERVICE LINE REPAIR (SLAP), TO ACTION PLUMBING IN THE AMOUNT OF ELEVEN THOUSAND THREE HUNDRED FIFTY DOLLARS (\$11,350.00), PLUS A CONTINGENCY AMOUNT OF TWO THOUSAND SEVEN HUNDRED SEVENTY-FIVE DOLLARS (\$2,775.00), FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED FOURTEEN THOUSAND ONE HUNDRED TWENTY-FIVE DOLLARS (\$14,125.00)
was adopted.

PAYMENT

On motion of Councilwoman Robinson, seconded by Councilman Pierce,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS AND RECREATION TO MAKE A PAYMENT IN THE AMOUNT OF TWENTY THOUSAND DOLLARS (\$20,000.00) TO AMERICAN STAGE COMPANY FOR THE FABRICATION OF PUBLIC ART
was adopted.

CONTRACT

On motion of Councilman Rico, seconded by Councilwoman Robinson,
A RESOLUTION ACCEPTING THE PROPOSAL FROM, AND AUTHORIZING THE DIRECTOR OF GENERAL SERVICES TO ENTER INTO A CONTRACT WITH, ARTECH DESIGN GROUP FOR ARCHITECTURAL AND DESIGN SERVICES RELATIVE TO THE CONSTRUCTION OF FIRE HALL NO. 4 AT 2110 BRAGG STREET IN AN AMOUNT NOT TO EXCEED SEVENTY THOUSAND DOLLARS (\$70,000.00)
was adopted.

OVERTIME

Overtime for the week ending November 30, 2007 totaled \$13,486.30.

PERSONNEL

The following personnel matters were reported:

PUBLIC WORKS DEPARTMENT:

- **JOHNNY WILLIAMS** – Suspension (2 days without pay), Crew Worker, City Wide Services, effective November 26-27, 2007.
- **JERRY MARSHALL**—Hire, Traffic Electrician Apprentice, Traffic, Pay Grade 9/Step 1, \$25,474.00 annually, effective November 23, 2007.

CHATTANOOGA FIRE DEPARTMENT:

- **DAVID N. TALLENT** – Family Medical Leave (updated, change in dates), Lieutenant, effective February 1 – April 25, 2008.

CHATTANOOGA POLICE DEPARTMENT:

- **MARTHA E. BROWN, CLEON W. WALKER** – Hire, School Patrol Officer, \$15.0767 per hour, effective November 26, 2007.
- **STANLEY MAFFETT** – Promotion, Assistant Chief, Pay Grade 5/Step 6, \$79,466.00 annually, effective November 30, 2007.

PURCHASE

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

LEISURE DESIGN SYSTEMS (Lowest evaluated overall proposal)

R009991

Automated Payment Access System

\$18,000.00

PURCHASES

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

CONVERTEAM CANADA, INC. (Single source)

R0103434/B0004611

VFD Spare Parts per TCA 6-56-304.2

\$25,419.00

MCGINNIS BROTHERS (Lowest and best bid)

R103978/B0004706

Sewer Plumbing Services

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

METRO CONCRETE PRODUCTS, INC. (Lower and better bid)

R0103519/B0004596

Concrete Manhole Risers

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

PURCHASES (Continued)

SELECT TREES, INC. (Best bid)
R0103464/B0004586

Trees (*Hidden Valley Nursery was the lowest bidder; however, they took several exceptions to the specifications which made them non-responsive and ineligible for the award.*)

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

MID-TENN TURF, INC. (Lower and better bid)
R0103262/B0004566

Sod

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

PURCHASES

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

METRO JANITORIAL, INC. (Best bid)
R0101718/R0101899

Janitorial Services (*Cleaning Solutions, LLC submitted a lower bid; however, they failed to meet the required employee background checks for employees working on the premises of the Police and Fire Departments.*)

\$89,784.00

RFQ/R0102424

Spay and Neuter Services (Change Order #2 request to award contract to five additional animal clinics)

(Councilwoman Bennett joined the meeting at this point.)

PURCHASES

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

LEE-SMITH, INC.

R0104336

Twenty-Four (24) Emergency Equipment Kits at \$1,575 per kit. *(The item was not advertised since the items being purchased were recently advertised and awarded to Lee-Smith, Inc. on contract P0027057. Since Lee-Smith, Inc. has agreed to extend their previous contract prices for this purchase, no advertising is necessary.)*

\$37,800.00

ASAP SOFTWARE (Single source)

R0104428

Annual Software Licenses per TCA 6-56-304.6.

\$13,909.05

PURCHASE

Donna Kelley stated that this would offer four Level I programs and two Level II programs; that the demand for this type of training has increased considerably.

On motion of Councilman Franklin, seconded by Councilwoman Gaines, the following purchase was approved for use by the Personnel Department:

MUNICIPAL TECHNICAL ADVISORY SERVICE MTAS

Municipal Management Academy Supervisory Training per TCA 6-56-304.6

\$50,000.00

BOARD APPOINTMENT

City Attorney Nelson stated that he informed the Council a while back of the vacancy on the Health, Education Facilities Board. He brought forth the name of Stephanie Crowe to fill the vacancy replacing Randy Fairbanks for a term ending April 4, 2012. He stated Ms. Crowe was formerly on the Board but had to resign due to a conflict with her employment; that she no longer works for that employer and can now serve. He noted that she served as Secretary of the Board and attended practically one hundred percent of the meetings. He stated that her name would have to be placed in nomination and an election conducted.

Councilman Pierce nominated Stephanie Crowe to fill the vacancy for a term ending April 4, 2012; Councilwoman Robinson seconded the motion; the motion carried confirming Ms. Crowe to fill the vacancy.

COUNCIL MEETINGS

Chairman Page stated there are two more Council meetings for this year, December 11 and 18. He stated if there are items that need to come before the Council this year it should be submitted as soon as possible to assure it is conducted this fiscal year.

City Attorney Nelson reminded Chairman Page that Tuesday, January 1 is a holiday, as well.

Chairman Page clarified that the Council would not meet for two weeks – December 25 and January 1.

City Attorney Nelson stated if anything needs to be done in the next month it should be submitted as soon as possible as the Council will not meet December 25 or January 1.

COMMITTEES

Councilwoman Bennett expressed thanks to Councilwoman Robinson for chairing the Budget and Finance Committee this afternoon.

Councilman Franklin stated that the **Economic Development Committee is scheduled to meet on Tuesday, December 11 immediately following Public Works.**

COMMITTEES (Continued)

Councilman Rico stated that the **Public Works Committee** would meet on **Tuesday, December 11 at 3 p.m.**

Councilwoman Robinson scheduled a meeting of the **Health, Human Services and Housing Opportunities Committee** for **Tuesday, December 11 immediately following Economic Development.**

SENIOR CITIZENS TAX FREEZE MEETING

Councilwoman Bennett stated that TML is sponsoring a meeting regarding the Senior Citizens' Tax Freeze on Wednesday morning at 9 a.m. at the Cleveland Chamber of Commerce.

HEARING: OFFICER DERRICK STEWART

Councilwoman Gaines reported that she and Councilmen Pierce and Benson conducted the hearing for Officer Stewart on Monday and unanimously voted to give him a fifteen day suspension, reinstatement and six months probation.

ADJOURNMENT

Chairman Page adjourned the meeting of the Chattanooga Council until Tuesday, December 11, 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)**