

City Council Building  
Chattanooga, Tennessee  
March 18, 2008  
6:00 p.m.

Chairman Page called the meeting of the Chattanooga Council to order with Councilmen Bennett, Benson, Berz, 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, Councilwoman Robinson gave invocation.

#### **MINUTE APPROVAL**

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

#### **AMEND CITY CODE**

Councilman Benson stated that this matter was held up from last week due to revisions; that the revisions have been made and reviewed in the Legal and Legislative Committee and comes to the full Council with a recommendation for passage.

**Councilman Benson and Rico made the motion and second to substitute the amendments to this ordinance; the motion passed.**

On motion of Councilman Benson, seconded by Councilman Rico,  
**AN ORDINANCE TO AMEND PART II, CHATTANOOGA CITY CODE,  
CHAPTER 35, RELATIVE TO VEHICLES FOR HIRE AND TO ADD A NEW  
ARTICLE RELATIVE TO PEDAL CARRIAGE OR PEDICABS, RICKSHAWS  
AND PERSONAL MOBILITY DEVICES USED AS VEHICLES FOR HIRE**  
passed second and final reading and was signed in open meeting.

**CLOSE AND ABANDON**

**Mr-2007-183: Dale M. Smith**

On motion of Councilman Rico, seconded by Councilman Pierce,  
**AN ORDINANCE CLOSING AND ABANDONING PART OF SANITARY  
SEWER LINE NO. 11454, MORE PARTICULARLY DESCRIBED HEREIN AND  
AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART  
HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS**  
passed second and final reading and was signed in open meeting.

**CHANGE RIGHT-OF-WAY NAME**

**2008-030: City of Chattanooga, c/o City Engineer**

On motion of Councilwoman Robinson, seconded by Councilman Franklin,  
**AN ORDINANCE TO CHANGE THE RIGHT-OF-WAY NAME OF THE 400  
BLOCK OF WEST 6<sup>TH</sup> STREET TO THE 400 BLOCK OF GATEWAY AVENUE,  
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.

**REZONING**

**2008-039: Jan C. Pass, PE/Earthworx, 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 AT 2100 MARKET STREET, MORE PARTICULARLY  
DESCRIBED HEREIN, FROM C-3 CENTRAL BUSINESS ZONE WITH  
CONDITIONS TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT  
TO CERTAIN CONDITIONS**  
passed second and final reading and was signed in open meeting.

## CHANGE RIGHT-OF-WAY NAME

### **2008-040: City of Chattanooga, c/o City Engineer**

On motion of councilman Rico, seconded by Councilman Franklin,

**AN ORDINANCE TO CHANGE THE RIGHT-OF-WAY NAME OF AN UNNAMED ALLEY TO THE 2800 THROUGH 3000 BLOCKS OF DONNA LANE, 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.

## REZONING

### **2007-182: City of Chattanooga c/o RPA**

Councilman Pierce stated before a motion is entered he asked Barry Bennett and Karen Rennich to give an overview of what has happened since discussion last December.

Karen Rennich, Director of Comprehensive Planning with the Regional Planning Agency (RPA), stated that the City Council requested that the RPA conduct a zoning study for Fort Wood in March of 2007; that the issues of the study were fraternal organizations, multi-family residences, lodging/boarded homes and maintaining the residential feel of the community. She stated in December of 2007, the Regional Planning Agency presented a rezoning recommendation for the Fort Wood Community. She stated there was opposition to the proposed rezoning at Planning and denial was recommended to the City Council; that there was extensive opposition to the zoning study at the first and second reading of the ordinance at City Council and at the time of the second reading the Council voted for a three month deferral so that RPA could review the area.

Ms. Rennich stated RPA did a reassessment of the study and tried to find a balance between meeting the needs of the community and addressing concerns of opposition. By PowerPoint the current zoning in the Fort Wood area was shown where it was mentioned fraternal organizations and offices were not part of the discussion; that they tried to quantify some of the issues for Fort wood. She stated since there is continued opposition, the matter was reviewed by Staff and three main areas were focused upon: land use, parking and code enforcement.

## REZONING (Continued)

Ms. Rennich stated lot sizes in Fort wood are similar to those found in older urban areas of Chattanooga and range from 1,500 square feet to 68,000 square feet; that current zones in Fort Wood are R-3 and R-4 uses; that twelve lots have the ability to develop into more than four units based on lot size and no other factors. She stated parking was another issue; that there is parking there now and RPA is trying to quantify the situation. She stated the western portion is designated restricted on-street parking due to the location next to UTC, its historic nature and limited amount of off-street parking. She stated in 2008 it was found 128 parking permits were issued with 209 legal on-street parking spaces. She stated at least eight properties have six or more parking permits issued and six properties are offices. She stated 311 and Code Enforcement was another issue as it was felt higher intensity uses and density had great code issues. She stated they have a zoning alternative that is an attempt to address issues that have arisen such as parking, the change in land use, something other than zoning that would not create a lot of resistance in the community.

Ms. Rennich stated the revised recommendations are based on existing zoning and lot size requirements in conjunction with off-street parking requirements, concerns expressed during the public hearings at the Planning Commission and the City Council, enforcing existing City Code and strengthening development processes. She stated based on the revised recommendations, RPA plans to send a letter to all residents in the community regarding zoning, uses and lot sizes so everyone will understand what they can do with their property and the method to make sure the property remains in compliance with city regulations. She stated another alternative is to become more stringent in requirements for parking permits; that the city Traffic Engineer has been very helpful in identifying concerns and agrees and will enforce requirements of the existing parking code.

Ms. Rennich concluded her presentation by stating Greek and fraternal organizations seem to have support in the community and RPA recommends adopting a formal policy that there be no more than four at any given time in Fort Wood; that there are currently four now and if one goes away another could take its place. She stated this is the only recommendation that needs sanction by the Council if the Council would like to pursue this becoming a formal policy that the city and RPA would use in having discussions.

Barry Bennett, Executive Director of the Regional Planning Agency (RPA), stated that the quick bottom line with regard to the proposed zoning changes is that it is felt it is no longer necessary to even be advisable to do this at this point. He stated they feel in the future it will be pretty much self-regulating due to the existing lot sizes.

## REZONING (Continued)

Mr. Bennett stated that it is not going to make a lot of difference what properties are zoned whether R-1, R-3 or R-4 as most are not going to be higher density uses anyway. He stated there is no need to do that as they are already grandfathered-in; that there are more units that are actually allowed under the zoning regulations and there are already legal non-conforming uses. He stated that the issue Karen brought out is that most of the problem can be changed through enforcement of existing regulations and codes we presently have; that the only other thing that can be handled as a policy statement is with regard to fraternal organizations. He stated RPA's recommendation at this point is to take action either denying the proposed zoning change or simply "taking it off the table" since the city is the applicant in this case and then recommend adoption of a policy of incorporating language relative to the UTC fraternities.

Chairman Page asked for clarification; that tonight the Council is voting just on the original ordinance as presented and if the Council wants to do more would result in a separate motion and advertised.

Mr. Bennett stated if the Council is adopting a policy it does not have to be advertised as it is not amending the zoning or code.

Councilman Pierce stated in light of what has been explained, the neighborhood association asked him to ask for the study and he knows everyone is not completely happy but he is willing to compromise. He stated that it is his thought the main "sticking point" was the downzoning and that is the ordinance that was passed on first reading on December 11; that it was tabled on December 18 and reheard tonight. At this point he made the motion to withdraw the original ordinance.

City Attorney Nelson stated it should be "defeated".

Councilman Pierce stated that he does not like that word, "defeated"; that he prefers denied!

City Attorney Nelson asked if the Council would like to adopt the policy recommendation as a neighborhood plan.

Councilman Pierce responded "okay".

City Attorney Nelson stated that he would prepare a resolution for next week.

**REZONING (Continued)**

Mr. Bennett stated that it is not a neighborhood plan as that has a different connotation; that it is just a policy statement and is not done as a neighborhood plan, per se.

**On motion of Councilman Pierce, seconded by Councilwoman Robinson, the City Attorney was duly authorized to prepare a policy resolution incorporating language relative to the UTC fraternities for next week's agenda.**

On motion of Councilman Pierce, seconded by Councilman Benson,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE SPECIFIC R-3 RESIDENTIAL ZONE AND R-4 SPECIAL ZONE PROPERTIES WITHIN THE FORT WOOD AREA, WHICH IS BOUNDED ON THE NORTH BY EAST 5<sup>TH</sup> STREET, ON THE SOUTH BY MCCALLIE AVENUE, ON THE EAST BY CENTRAL AVENUE, AND ON THE WEST BY PALMETTO STREET, MORE PARTICULARLY DESCRIBED HEREIN, TO R-3MD MODERATE DENSITY ZONE AND R-4 SPECIAL ZONE WITH CONDITIONS, SUBJECT TO CERTAIN CONDITIONS**

was denied.

**POLICY STATEMENT**  
**AMEND CITY CODE**

On motion of Councilwoman Gaines, seconded by Councilman Benson,  
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 11, BY ADDING SECTION 291 TO RESTRICT THE USE OF LARGE VEHICLES AND/OR TRAILERS IN RESIDENTIAL DISTRICTS, AREAS, NEIGHBORHOODS AND ZONES**

was deferred one week.

**AMEND CITY CODE**

On motion of Councilwoman Gaines, seconded by Councilman Benson  
**AN ORDINANCE TO AMEND PART II, CHATTANOOGA CITY CODE, CHAPTER 19, BY AMENDING SECTION 19-91 REGARDING CERTIFICATION FEES**

was deferred one week.

**AMEND CITY CODE**

On motion of Councilman Benson, seconded by Councilman Pierce,  
**AN ORDINANCE TO AMEND PART II, CHATTANOOGA CITY CODE,  
CHAPTER 27, BY AMENDING SECTION 27-61 REGARDING LICENSE FEE**  
passed first reading.

**AMEND CITY CODE**

On motion of Councilman Rico, seconded by Councilman Pierce,  
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE PART II,  
CHAPTER 22.5, BY AMENDING SECTION 22.5-55 REGARDING LICENSE  
FEE**  
passed first reading.

**CLOSE AND ABANDON**

**MR-2007-096: Watson Properties**

There was no opposition in attendance.

On motion of Councilwoman Gaines, seconded by Councilman Franklin,  
**AN ORDINANCE TO APPROVE THE WATSON PROPERTIES FOR THE  
ABANDONMENT OF A PART OF THE 100 BLOCK OF EAST 22<sup>ND</sup> STREET,  
THE 2000 BLOCK OF READ STREET, PART OF THE 2200 BLOCK OF  
BALDWIN STREET AND AN UNOPENED ALLEY LOCATED ON THE SOUTH  
LINE OF THE 100 BLOCK OF EAST 22<sup>ND</sup> STREET WITH TENNESSEE  
AMERICAN WATER, ELECTRIC POWER BOARD, AT&T SOUTHEAST AND  
COMCAST TO MAINTAIN AN EASEMENT IN THE FULL WIDTH, AS  
REFERENCED IN CASE NO. 2007-096**  
passed first reading.

**CLOSE AND ABANDON**

**MR-2007-177: D&M PROPERTIES AND EAST LLC**

There was no opposition in attendance.

On motion of Councilman Rico, seconded by Councilman Franklin,  
**AN ORDINANCE TO APPROVE THE REQUEST OF D&M PROPERTIES, LLC  
FOR THE ABANDONMENT OF TWO UNOPENED ALLEYS LOCATED  
BETWEEN THE 2800 BLOCKS OF EAST 49<sup>TH</sup> STREET AND EAST 50<sup>TH</sup> STREET  
AS REFERENCED IN CASE NO. 2007-177, SUBJECT TO AT&T SOUTHEAST  
AND CHATTANOOGA GAS MAINTAINING AN EASEMENT OVER THE  
FULL WIDTH, APPROVAL OF REQUEST IS ALSO SUBJECT TO THE  
CONDITIONS**  
passed first reading.

## CLOSE AND ABANDON

### **MR-2007-202: Hudson Companies, Inc. c/o David L. Williams**

Steve Leach stated Mr. Williams is present representing the Hudson Companies as discussed prior in Committee. He stated that this matter came before both Planning and Public Works with both agreeing a permit should be issued for temporary use only. He stated it was felt based on the previous use of the property and hope for the future that it could be reopened; that a temporary use for the property is recommended.

**David Williams** of the Hudson Companies stated this street has been closed for probably 20 years; that it is actually a gravel driveway on both sides owned by Jim Sheets; that it used to be Duff Brothers Pharmaceutical Company. He stated he really does not see anything residential being developed; that he talked with the people in Bushtown and there is no opposition to it. He stated the Electric Power Board is presently leasing the property and has an option to purchase it and they, as well as Mr. Sheets, asked him to propose this abandonment. He stated that he thought he had a really good "shot at it" because hardly anything has been done in 25 years.

Councilman Benson asked Admin. Leach if this is classified as Tier 1. Mr. Leach responded "yes".

Councilman Benson asked if the city has a policy against closing Tier 1 alleys. Mr. Leach responded "correct". Councilman Benson stated it has been done one time that he knows of.

Mr. Leach stated that it is his thought there certainly are times the city might want to consider closing a right-of-way that is a Tier 1 or 2; that in this proposal what is planned to be built is not listed. He stated essentially the use from what he understands is similar to what it is now, reiterating that there certainly is no building proposed. He stated the temporary use would suffice.

On motion of Councilman Rico, seconded by Councilwoman Robinson,  
**AN ORDINANCE TO DENY THE REQUEST OF HUDSON COMPANIES, INC. FOR THE ABANDONMENT OF THE UNEOPENED 1600 BLOCK OF VINE STREET, AS REFERENCED IN CASE NO. 2007-202. A TEMPORARY USAGE OF RIGHT-OF-WAY IS RECOMMENDED**  
was denied.

TEMPORARY USE

Councilmen Bennett and Franklin made the motion and second to approve a temporary use for the Hudson Companies, Inc.

Councilman Pierce asked Mr. Williams if the Company wanted the temporary use and whether it would do them any good.

Mr. Williams stated that it is his thought they can use it that way.

Councilman Pierce stated that is good enough!

On motion of Councilwoman Bennett, seconded by Councilman Franklin,  
**A TEMPORARY USE REQUEST FOR HUDSON COMPANIES, INC.**  
was adopted by unanimous vote (with no written Resolution).

CLOSE AND ABANDON

**MR-2008-022: Barry Yearwood**

There was no opposition in attendance.

On motion of Councilwoman Gaines, seconded by Councilman Pierce,  
**AN ORDINANCE TO APPROVE THE MANDATORY REFERRAL FOR THE CLOSING AND ABANDONING OF A PORTION OF SEWER LINE AND EASEMENT #50377 LOCATED IN THE 100 BLOCK OF PARMENAS LANE, AS REFERENCED IN CASE NO. 2008-022, ALSO, SUBJECT TO THE RELOCATION OF THE SANITARY SEWER**  
passed first reading.

AMEND CITY CODE

On motion of Councilwoman Gaines, seconded by Councilman Rico,  
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 31, SECTION 31-325, LANDFILLING REQUIREMENTS IN CERTAIN RESIDENTIAL AREAS**  
passed first reading.

## AGREEMENT

On motion of Councilman Franklin, seconded by Councilman Rico,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH VOLKERT AND ASSOCIATES, INC. RELATIVE TO CONTRACT NO. 3-03-007-104, WILCOX BOULEVARD TUNNEL ROADWAY MODIFICATIONS, IN AN AMOUNT NOT TO EXCEED TWO HUNDRED FIVE THOUSAND DOLLARS (205,000.00)**  
was adopted.

## TEMPORARY USE

On motion of Councilwoman Robinson, seconded by Councilman Rico,  
**A RESOLUTION AUTHORIZING RICHARD BUTLER TO USE TEMPORARILY THE RIGHT-OF-WAY OF THE ENTRANCE OF THE HERITAGE RIDGE SUBDIVISION LOCATED OFF CASSANDRA SMITH ROAD TO INSTALL AN ENTRY SIGN AND A 20 FT. FLAG POLE, AS SHOWN ON THE ATTACHED DRAWING, SUBJECT TO CERTAIN CONDITIONS**  
was adopted.

## SPECIAL POLICEMAN (ARMED)

Councilman Pierce asked the City Attorney why the Council has to give a special permit to be armed; that the request does not involve a person in a city position.

City Attorney Nelson responded "because certain organizations, including the Sheriff's Department and the City can give permission for special officers to be armed and since this agency is in the city he presumed they chose us" (the Council).

Councilman Pierce inquired as to the training this person has had.

City Attorney Nelson stated that he did not know, but presumed the person has been through the police officers basic course.

Councilman Pierce stated that it can be presumed but he does not know. He stated he is not trying to be contrary; that the Council is permitting a person to carry a gun and does that make us liable.

City Attorney Nelson responded "no".

## SPECIAL POLICEMAN (ARMED)

Capt. Randy Dunn stated that he did not know the gentleman that is being referred to and does not know if the person is POST certified, which is what they have to be prior to carrying a firearm. He stated a certified police officer is required to continue yearly qualifications with the hand gun they would carry.

Councilman Pierce asked if permission is needed from the city to carry a gun if they are POST certified.

Capt. Dunn responded if the person is POST certified they can carry a firearm, even a retired officer, which is his understanding.

City Attorney Nelson stated in looking at the application for special policeman issued by the city, it refers to Ernie Meyer in the personnel department who checked it out and signed it dated February 26, 2008. He stated that it came to the office on Chattanooga Police Department stationery from Ruth Braley; that as far as he is concerned the police department has "signed off".

Councilman Pierce stated that he would like for Ernie Meyer to come before some committee at some given time; that if he is "signing off" on agencies being armed and at various locations the Council needs to know if they are POST certified.

Councilman Benson stated that it could be discussed at the Legal and Legislative Committee for a quick review.

Donna Kelly stated that she is certain Mr. Meyer would be present. She stated what he is "signing off" on is background information conducted on the individual applying which is certified to the police department.

Councilman Pierce stated he does not have to come to Committee if there is something in place that tells the Council the person is certified.

Councilwoman Gaines stated documents in her notebook reflect an attachment of certification for a special officer.

Councilman Pierce inquired as to the certification.

Councilwoman Gaines responded that the document is dated and signed by Ernie Meyer.

Chairman Page requested that Mr. Meyer be asked to come before Committee to brief the Council on what is going on.

**SPECIAL POLICEMAN (ARMED)**

On motion of Councilman Rico, seconded by Councilwoman Gaines,  
**A RESOLUTION AUTHORIZING THE APPOINTMENT OF KENT GILLEY AS  
SPECIAL POLICEMAN (ARMED) FOR ERLANGER HEALTH SYSTEMS,  
HOSPITAL POLICE, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN,  
SUBJECT TO CERTAIN CONDITIONS**  
was adopted.

**CHANGE ORDER**

On motion of Councilman Rico, seconded by Councilman Pierce,  
**A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER  
NO. 1 (FINAL) FOR PENNROSE PROPERTIES OF TENNESSEE INFR, INC.  
RELATIVE TO HOPE VI INFRASTRUCTURE IMPROVEMENTS CONTRACT,  
WHICH CHANGE ORDER DECREASES THE CONTRACT AMOUNT BY  
THREE HUNDRED FIFTY-FIVE THOUSAND NINE HUNDRED SIXTY DOLLARS  
(\$355,960.00) FOR A REVISED AMOUNT NOT TO EXCEED ELEVEN  
MILLION TWO HUNDRED THIRTY-ONE THOUSAND TWO HUNDRED  
TWENTY-TWO DOLLARS (\$11,231,222.00)**  
was adopted.

**OVERTIME**

Overtime for the week ending February 29, 2008 (\$63,334.45) and March 14,  
2008 (\$80,599.23) totaled \$143,033.69.

**PERSONNEL**

The following personnel matters were reported for the various departments:

**PUBLIC WORKS DEPARTMENT:**

- **GEORGE W. DERAMUS** – Promotion, Crew Supervisor Sr., City Wide Services, Pay Grade 12/Step 1, \$29,277.00 annually, effective February 29, 2008.
- **BENNIE L. GRAHAM** – Suspension (three days without pay), Equipment Operator Sr., City Wide Services, effective March 11-13, 2008.

### PERSONNEL (Continued)

- **LYNN H. PICKEL** – Retirement, Combination Inspector, Land Development Office, effective March 31, 008.
- **GRADY L. SHOOK** – Return from Family Medical Leave, Crew Worker Sr., City Wide Services, effective March 10, 2008.
- **TYERRENCE L. JACKSON** – **Correct position title reported February 12, 2008:** New Hire, Crew Worker Senior, Waste Resources, Pay Grade 5/Step 1, \$20,650.00 annually, effective February 1, 2008.
- **JAMES M. SHIESSER** – Promotion, Plant Operator Principal, Waste Resources, Pay Grade 13/Step 3, \$33,543.00 annually, effective February 1, 2008.

#### INFORMATION SERVICES:

- **ROBERT JOLLEY** – Retirement, Programmer Analyst, effective March 27, 2008.

#### NEIGHBORHOOD SERVICES DEPARTMENT:

- **DENNIS TATE** – Suspension (Five days without pay), Neighborhood Relations Coordinator, effective March 11-18, 2008.

#### PARKS AND RECREATION DEPARTMENT:

- **LISA MARLENE WILSON** – Family Medical Leave, Recreation Facility Manager, effective March 1, 2008.
- **DAVID R. YOUNG** – Suspension (Seven days without pay), Zookeeper, effective March 3-11, 2008.

#### CHATTANOOGA POLICE DEPARTMENT:

- **TRACI M. MAY** – Return to duty from Family Medical Leave, Police Officer, effective February 4, 2008.

**PERSONNEL (Continued)**

- **SHARON D. ZACKERY** – Hire, School Patrol Officer, effective February 15, 2008.
- **DENNIS E. NORWOOD** – Resignation, Manager, Police Information Center, effective February 21, 2008.
- **CATHERIN PINKARD** – Resignation, Police Officer, effective February 25, 2008.
- **MICHELLE TIMMONS** – Return to duty from Family Medical Leave, Police Officer, effective February 25, 2008.
- **EDITH Y. HUBBARD, DARRELL J. STAMPER, ANITA N. TOLBERT** – Hire, Communications Officer, Pay Grade 11/Step 1, \$28,010.00 annually, effective February 29, 2008.

**REJECT ALL BIDS**

On motion of Councilwoman Robinson, seconded by Councilwoman Gaines, all bids on R01057515/B0004784 for Bulk Lime Kiln Dust were duly rejected. The Waste Resources Division has determined the bid specifications are inadequate because they were written for disposal of Biosolids in a landfill rather than for land application and the current bid specifications do not meet the standards required by the State of Tennessee for land application. The specifications will be revised and this requirement will be re-advertised.

**PURCHASES**

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

**FREIGHTLINER OF CHATTANOOGA (Best Bid)**  
**R0106249/B0004892**

Medium Duty Dump Truck *(Although the Lee-Smith bid for a GMC truck [base bid] was the lowest bid submitted, it did not meet the minimum specifications for engine horsepower or torque; Freightliner met both requirements.)*

\$80,440.00

**PURCHASES (Continued)**

**LEE-SMITH, INC. (Lower and better bid)**

**R0106247/B0004894**

Utility Truck

\$72,261.00

**ROADTEC, INC. (Only bidder)**

**R0106537/B0004922**

Milling Machine

\$440,199.00

**FLOTTWEG SEPARATION TECHNOLOGY, INC. (Change Order #1)**

**P0028002**

Centrifuge Parts (*Increase is needed to correct a keying error committed in preparing the purchase order and resulting from some confusion over the identification of one of the spare part items.*)

Original Contract 1/29/08	\$31,024.80
Change Order #1 Increase	<u>315.00</u>
New Contract Amount	\$31,339.80

**ACHESON FOUNDRY & MACHINE WORKS, INC.**

**R0106289/B0004872**

Manhole Components

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

**PURCHASE**

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

**PURCHASE (Continued)**

**SCENIC CITY SIGNS (Best lowest and complete bid)**  
**R0104928**

Banners and Signs

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

**PURCHASE**

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

**PARRIS ROOFING & SHEET METAL CO., INC. (Lower and better bid)**  
**R0106563/B0004945**

Replacing Roof on Fire Hall No. 8

\$14,924.00

**LOW BIDDER**

Paul Page reconfirmed that the low bidder the Council approved on February 26 is still the low bidder. (One of the bidders for Front End Loader Service spoke at the end of the February 26 meeting challenging the award of the bid to City Disposal.)

**MINORITY CONTRACTS COMMITTEE**

Mr. Page stated that the minority contracts committee is underway and is in the process of being reactivated.

**PURCHASE**

On motion of Councilman Rico, seconded by Councilwoman Gaines, the following purchases were approved for use by the General Services Division:

**DIVERSIFIED COMPANIES (Lowest and best overall bid)**  
**R0106001/B0004890**

### **PURCHASE (Continued)**

City Wide Printing Services

\$47,783.70

### **EMERGENCY PURCHASE**

The emergency purchase of Chiller Pump Repairs for the General Services Division at the Development Resource Center in the amount of \$15,550.00 issued to Johnson Controls was duly reported and signed in open Council meeting.

### **COMMITTEES**

Councilwoman Bennett stated nine hours have been spent in preliminary budget presentations the last few days and expressed thanks for the Council members' participation, all administrators and their management teams/staff for helping to put it together. She reminded Council members of budget presentations from the non-profit agencies scheduled for Monday, March 24 from 9 a.m. – 1 p.m., with a make-up presentation from the Finance Department scheduled for Tuesday, March 25 at 2 p.m.

Chairman Page commended Councilwoman Bennett, noting that she has changed the scope of work of the Council substantially since becoming Budget Chairman. He stated all Council members will know more about the budget and what goes on this year than before. He stated that she needs to be congratulated and acknowledged.

### **TOM MCDANIEL**

Tom McDaniel of 1711 Howard Lane, Hixson, stated that he was forced to retire from the Chattanooga Police Department in 2003 after 23 years due to a fight on duty. He stated that he was injured and does not know where to go from here; that he never received any monetary gain from the Police Department and lives on his pension from the Department, which is hard (to live on), reiterating that he was present to see in what direction he is to go from here. He displayed 71 hospital badges representing the various surgeries he has had as a result of his injury and stated that he could not bring his medical records because they were too heavy to carry. He stated maybe the Council could steer him in the direction to go from here.

**TOM MCDANIEL (Continued)**

Chairman Page asked that Mr. McDaniel speak with Donna Kelly following tonight's Council meeting and asked that the Council be made aware of the findings next week.

**ADJOURNMENT**

Chairman Page adjourned the meeting of the Chattanooga Council until Tuesday, March 25, 2008 at 6:00 p.m.

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**CHAIRMAN**

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**CLERK OF COUNCIL**

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