

City Council Building
Chattanooga, Tennessee
April 1, 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, Councilman Benson gave invocation.

MINUTE APPROVAL

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

AMEND CITY CODE

On motion of Councilwoman Gaines, seconded by Councilwoman Bennett,
**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**
passed second and final reading and was signed in open meeting.

FRANCHISE

On motion of Councilwoman Gaines, seconded by Councilwoman Berz,
**AN ORDINANCE GRANTING UNTO HARBOR LODGING, LLC A
FRANCHISE IN THE NATURE OF A LEASE FOR CONSTRUCTION AND
MAINTENANCE OF A PUBLIC PARKING LOT ON REAL PROPERTY
OWNED BY THE CITY OF CHATTANOOGA AND LOCATED AT 201
RIVERFRONT PARKWAY, CHATTANOOGA, TENNESSEE**
passed second and final reading and was signed in open meeting.

APPROPRIATION

On motion of Councilman Rico, seconded by Councilman Pierce,
AN ORDINANCE APPROPRIATING ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00) FROM THE GENERAL FUND TO "A NIGHT TO REMEMBER," A NON-PROFIT ORGANIZATION, AS A SPONSORSHIP FOR ITS 21ST ANNIVERSARY
passed first reading.

TEMPORARY USE

On motion of Councilman Rico, seconded by Councilwoman Bennett,
A RESOLUTION AUTHORIZING LEARA N. MORRIS TO USE TEMPORARILY THE RIGHT-OF-WAY FOR THE 600 BLOCK OF CREST DRIVE TO GAIN ACCESS TO AN UNDEVELOPED EASEMENT, AS SHOWN ON THE DRAWINGS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS
was adopted.

ADOPTION OF POLICY

On motion of Councilman Rico, seconded by Councilman Pierce,
A RESOLUTION ADOPTING A POLICY RELATIVE TO THE NUMBER OF UNIVERSITY AFFILIATED FRATERNAL ORGANIZATIONS WITHIN THE FORTWOOD AREA, AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE
was adopted.

GRANT

On motion of Councilman Franklin, seconded by Councilman Rico,
A RESOLUTION AUTHORIZING THE DEPARTMENT OF PARKS AND RECREATION TO APPLY FOR AND, IF AWARDED, ACCEPT A UNITED STATES GOLF ASSOCIATION GRANT IN AN AMOUNT UP TO THIRTEEN THOUSAND ONE HUNDRED FORTY-FIVE DOLLARS (\$13,145.00), FOR ITS C.H.I.P.S. GOLF PROGRAM, WHICH GRANT REQUIRES FIFTY PERCENT (50%) LOCAL MATCHING FUNDS IN AN AMOUNT UP TO TWELVE THOUSAND DOLLARS (\$12,000.00) FROM THE CITY OF CHATTANOOGA AND THE PURCHASE OF A GOLF CART
was adopted.

ENDORSEMENT

On motion of Councilman Rico, seconded by Councilman Franklin,
**A RESOLUTION ENDORSING THE CONCEPT OF STATEWIDE
FRANCHISING IN ORDER TO BRING COMPETITION INTO THE MARKET
FOR TELEVISION, INFORMATION AND DATA SERVICES THROUGHOUT
THE STATE OF TENNESSEE**
was adopted.

OVERTIME

Overtime for the week ending March 28, 2008 totaled \$79,531.21.

PERSONNEL

The following personnel matters were reported for the various departments:

PARKS AND RECREATION:

- **DORIS TONEY** – Suspension (one day without pay), Crew Worker Senior, effective March 19, 2008.

CHATTANOOGA POLICE DEPARTMENT:

- **DANIEL ANDERSON** – Resignation, Police Officer, effective March 28, 2008.
- **CHRISTOPHER BAILEY** – Resignation, Police Officer, effective March 27, 2008.

PUBLIC WORKS DEPARTMENT:

- **MAURICE POWELL** – Promotion, Automated Garbage Collection Equipment Operator, City Wide Services, Pay Grade 9/Step 5, \$30,459.00 annually, effective March 10, 2008.
- **SEDARA M. BOND** – Dismissal, Office Assistant, effective March 17, 2008.

PERSONNEL (Continued)

EDUCATION, ARTS AND CULTURE DEPARTMENT:

- **DOROTHEA RICHARDSON** – Return from Family Medical Leave, Cultural Arts Specialist, effective April 7, 2008.

PURCHASE

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

NIKE (Sole source)
R01081280, R0108132

Pro-Shop Merchandise per TCA 6-56-304.2

\$13,363.02

PURCHASE

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

CLC CATTLE COMPANY (Lower and better bid)
R0107080/B0004959

PURCHASES

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

GEAR ZONE PRODUCTS (Lowest and best bid)
R0107228/B0004972

Body Armor

\$14,346.94

PURCHASES (Continued)

FIRST RESPONDER PRODUCTS (Best bid)

R0105879/B0004823

Bloodborne Pathogen Personal Protection Kits (*Lower bids submitted by Moore Medical and Fieldtex Products were rejected due to failure to meet specifications. Lower bids submitted by Kentron Health Care and Airgas were ruled non-responsive and disqualified since they failed to submit the required samples of the protection kits being offered.*)

\$6,645.50

PURCHASES

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

ROSENBAUER (Lowest and best proposal)

R0105160

Fire Pumper (RFP) and Rescue Pumper (RFP)

\$360,944.14 – Fire Pumper

\$425,861.41 – Rescue Pumper

Chief Flint explained that the difference in the two Pumpers is that one performs more technical rescue efforts.

PURCHASE

On motion of Councilman Franklin, seconded by Councilman Rico, the following purchase was approved for sue by the General Services Division:

JOHNSON CONTROLS, INC. OF CHATTANOOGA (Sole source)

R0108019

Annual Maintenance Services on the York Absorption Chiller in the DRC per TCA 6-56-304.2

\$12,018.00

BOARD APPOINTMENTS

On motion of Councilman Benson, seconded by Councilwoman Gaines, the following Board Appointments were approved:

TRANSPORTATION BOARD:

- Appointment of **TERRY HART, J. BARTLETT QUINN, BRUCE ROLLINS** and **TIM DUCKETT** for one year terms expiring April 1, 2009;
- Appointment of **MICHAEL SHUFORD, ROBERT T. ("Bob") DOAK** and **GEORGE FLETCHER** for two year terms expiring April 1, 2010;
- Appointment of **MANUEL RICO** for a three year term expiring April 1, 2011.

Councilman Benson stated that the Transportation Board meets this Thursday afternoon and stated that another person needs to be added; that he would like to start out with a new Board this Thursday.

Dan Johnson stated as he understands it, there is no representative from the limousine industry represented.

At this point Councilman Franklin volunteered to serve as the representative from the limousine industry until someone is appointed.

BOARD RE-APPOINTMENTS

On motion of Councilwoman Gaines, seconded by Councilman Franklin, the following Board re-appointments were approved:

ENTERPRISE CENTER BOARD:

- Reappointment of **RONALD LOVING** and **JAMES E. HALL** for two year terms expiring April 1, 2010.

HEARING: LAWRENCE GOODINE

City Attorney Nelson stated that it is his understanding two Councilpersons have recused themselves from serving on this panel and noted that the case needs to be reset for sometime in June so that the transcripts of the criminal case can be transcribed and used in the proceedings before the Council.

HEARING: LAWRENCE GOODINE (Continued)

Councilman Pierce asked if it would take that much time to get the transcript from the criminal case and whether it takes that much to prepare their case.

City Attorney Nelson stated that it is his thought both sides want it.

Councilman Pierce asked who would pay for it.

City Attorney Nelson responded if both sides want to split the cost, it would just be one side they will have to pay.

Councilman Pierce stated that the city should have their case without going through the transcript to get a case. He stated that he does not want to listen to evidence heard then.

City Attorney Nelson stated that it would be useful; that if somebody does not testify the same way both times, then they would have evidence in front of them as to the problem.

Councilman Pierce asked if we will subpoena everyone from the criminal case for this hearing.

City Attorney Nelson stated that he did not say that; that until the transcript is read he does not know what we will need.

Councilman Benson stated that he can not serve on the panel.

Chairman Page volunteered Councilwoman Berz to serve on the panel.

City Attorney Nelson stated that the request is to set the case sometime in June.

Councilman Pierce asked if the other attorney has been consulted.

City Attorney Nelson responded that the other attorney wants to move the case to June, also, and has not given a preference in date.

The hearing for Lawrence Goodine was rescheduled for Monday, June 2 beginning at 9 a.m. with Councilmen Rico, Franklin and Berz serving as the panel; Councilwoman Robinson will serve as alternate.

DISTRICT 1 MEETING

Councilwoman Bennett invited everyone to the District 1 meeting hosted by Mayor Littlefield that is scheduled for Thursday, April 3 beginning at 5:30 p.m. at the John A. Patten Center.

COMMITTEES

Councilman Benson stated that the **Legal and Legislative Committee is scheduled to meet on Tuesday, April 8 at 3 p.m.** He stated that the Committee has a full agenda and good attendance is needed.

Councilwoman Berz scheduled a meeting of the **Education, Arts and Culture Committee for Tuesday, April 15 immediately following Public Works.** She stated that the Department has exciting things to tell us about!

Councilman Franklin reminded Council members of the **Economic Development Committee meeting scheduled for Tuesday, April 8 immediately following Legal and Legislative.**

CHAIRMAN PAGE'S LAST MEETING

Councilman Pierce stated that next week would be Councilman Page's last meeting as Chairman, noting that he has done a great job as Chair!

DISTRICT 3 MEETING

Chairman Page stated that the District 3 meeting scheduled for April at the North River Civic Center has been cancelled. He stated the meeting will be rescheduled for sometime in May on a date to be determined.

ADJOURNMENT

Chairman Page adjourned the meeting of the Chattanooga Council until Tuesday, April 8, 2008 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)**