

**City Council Building  
Chattanooga, Tennessee  
April 29, 2008  
6:00 p.m.**

Chairman Bennett called the meeting of the Chattanooga Council to order with Councilmen Bennett, Berz, Gaines, Page, Pierce, Rico and Robinson; Councilman Franklin was absent due to personal commitment. 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 Rico gave invocation.

#### **MINUTE APPROVAL**

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

#### **SPECIAL PRESENTATION: RECOGNITION OF "UNBOUGHT AND UNBOSSSED" HONOREEES**

Councilwoman Berz stated a week ago she had the privilege of receiving an honor from Girls, Inc. which dealt with the "Unbossed and Unbought" program reminiscent of Shirley Chisholm where special people were honored for being their own women. She stated she was selected among a terrific group of people; that the people that impressed her the most were not the women chosen but the young women who made the presentations. She stated this is an outstanding group of young women in our community of which these ladies present are just a sample. She asked Bea Lurie, head of Girls, Inc., to tell a little about the event and asked each young lady present to introduce themselves, tell who they honored and what they plan to do when they grow up a little more.

**SPECIAL PRESENTATION: RECOGNITION OF  
"UNBOUGHT AND UNBOSSSED" HONOREEES**

**Bea Lurie**, President and CEO of Girls, Inc., stated she is part of an organization that is 144 years old. She stated the "Unbossed and Unbought" project started the year Shirley Chisholm died who was the first woman to be a serious contender for the Presidency who talked about how she wanted to continue to be "unbought and unbossed" as she had been during her Congressional years. She stated this award ceremony has been going on for four years and Girls, Inc. leaders are chosen to nominate from the community those women they see as the woman they want to be.

Ms. Lurie stated the girls made selections and learned about the significance of those they identified; that they were taught interviewing skills, interviewed the honorees, taught how to write speeches, make presentations and, something she can not do, PowerPoint presentations, noting that they did "wow" presentations! She stated each of the honorees were asked to serve as mentors to the girls and it has been amazing to watch the relationships develop – it has been incredible! She stated she is proud of the girls and is delighted to be here and be recognized.

At this point each of the young ladies present introduced themselves and made Council members aware of the school they attend, as well as their future professional goal.

Councilwoman Berz expressed thanks to the girls and Ms. Lurie and stated the Council is proud to have them present.

Chairman Bennett stated that she knows their future is bright from indications of their future professions. She stated she and Councilman Rico had the opportunity to be present for the awards ceremony and was very impressed.

Councilman Rico noted that several of the young ladies in attendance wore Boyd-Buchanan School paraphernalia and exclaimed "Go Bucs!" much to their delight!

CLOSE AND ABANDON

MR-2008-012: Susan Elliott Rich, Esq. for JH Holding Company

On motion of Councilman Rico, seconded by Councilwoman Gaines,  
**AN ORDINANCE CLOSING AND ABANDONING THE 600 BLOCK OF EAST 12<sup>TH</sup> STREET LOCATED OFF THE WEST LINE OF THE 1100 BLOCK OF BALDWIN STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS**  
passed second and final reading and was signed in open meeting.

CLOSE AND ABANDON

MR-2008-042: Christopher J. Theobald

On motion of Councilman Pierce, seconded by Councilman Benson,  
**AN ORDINANCE CLOSING AND ABANDONING A PORTION OF A SANITARY SEWER LINE AND EASEMENT NO. 958 ON A TRACT OF LAND LOCATED IN THE 1700 AND 1800 BLOCKS OF GLENROY AVENUE, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP AND DRAWING ATTACHED HERETO AND MADE A PART HREOF BY REFERENCE**  
passed second and final reading and was signed in open meeting.

CLOSE AND ABANDON

MR-2008-043: City of Chattanooga c/o William Payne

On motion of Councilman Rico, seconded by Councilman Pierce,  
**AN ORDINANCE CLOSING AND ABANDONING A PORTION OF A SANITARY SEWER LINE AND EASEMENT NO. 958 ON A TRACT OF LAND LOCATED IN THE 1800 BLOCK OF GLENROY AVENUE AND THE 1900 BLOCK OF AVALON AVENUE, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP AND DRAWING ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE**  
passed second and final reading and was signed in open meeting.

CLOSE AND ABANDON

MR-2008-054: Arcadis c/o Jay E. Floyd, PE

On motion of Councilman Rico, seconded by Councilman Page,  
**AN ORDINANCE CLOSING AND ABANDONING TWO (2) PORTIONS OF THE 5900 AND 6200 BLOCKS OF GOTHARD ROAD AND WILSON ROAD, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS**  
passed second and final reading and was signed in open meeting.

CLOSE AND ABANDON

MR-2008-055: Arcadis c/o Jay E. Floyd, PE

On motion of Councilman Rico, seconded by Councilman Pierce,  
**AN ORDINANCE CLOSING AND ABANDONING TWO (2) PORTIONS OF SANITARY SEWER LINE AND EASEMENT NOS. 51347 AND 51344 LOCATED IN THE 6500 BLOCK OF GRUBB ROAD AND THE 5800 BLOCK OF HIGHWAY 153, 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**  
passed second and final reading and was signed in open meeting.

APPROPRIATION

Councilman Rico stated Ordinances (a) – (f) were discussed in today’s Public Works Committee meeting and approval is recommended.

On motion of Councilwoman Robinson, seconded by Councilman Page,  
**AN ORDINANCE APPROPRIATING FROM THE GENERAL FUND TO FRIENDS OF MOCCASIN BEND NATIONAL PARK THE AMOUNT OF THIRTY THOUSAND DOLLARS (\$30,000.00) TO FUND FIFTY PERCENT (50%) OF THE COST OF A FEASIBILITY STUDY TO HELP MEET REQUIREMENTS BY THE NATIONAL PARK SERVICE FOR THE CAPITAL CAMPAIGN AND BUILDING PROJECT FOR THE INTERPRETIVE CENTER AT THE MOCASIN BEND NATIONAL ARCHEOLOGICAL DISTRICT, SUBJECT TO HAMILTON COUNTY CONTRIBUTING THE REMAINING FIFTY PERCENT (50%) OF THE COST OF SAID PROJECT**  
passed first reading.

**AMEND CITY CODE**

On motion of Councilman Rico, seconded by Councilwoman Robinson,  
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,  
CHAPTER 3, SECTION 3-7, RELATIVE TO SIGN PERMITS**  
passed first reading.

**AMEND CITY CODE**

On motion of Councilman Page, seconded by Councilman Rico,  
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,  
SECTION 10-2(a), TO REMOVE ANY REFERENCE TO APPENDIX H –  
SIGNS, AND TO AMEND SECTION 10-3, BY DELETING SUBSECTION (q)  
IN ITS ENTIRETY**  
passed first reading.

**AMEND CITY CODE**

On motion of Councilman Rico, seconded by Councilwoman Robinson,  
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, TO  
AMEND SECTION 10-3 CONCERNING SPECIAL AMENDMENTS TO THE  
INTERNATIONAL BUILDING CODE, AND THE INTERNATIONAL  
RESIDENTIAL CODE**  
passed first reading.

**AMEND CITY CODE**

On motion of Councilman Rico, seconded by Councilwoman Robinson,  
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,  
CHAPTER 32, ARTICLE XII, SECTION 32-64, RELATIVE TO EXCAVATION  
PERMIT APPLICATION FEES**  
passed first reading.

**AMEND BUDGET ORDINANCE**

Councilman Benson stated that he is prepared to vote on this tonight on first reading but does not feel ready to vote to finalize it. He stated that he does not know how the rest of the Council members feel noting that he still needs more information; that he would vote to approve on first reading tonight.

## AMEND BUDGET ORDINANCE (Continued)

Councilman Page suggested that the matter be reviewed in Legal and Legislative Committee next week if there is need to discuss it further.

Councilman Benson stated that the Committee has a full agenda and asked if the Chairman could set up a special meeting for those on the Council in unreadiness. He stated if the rest of the Council is ready, satisfied and confident they do not need to attend the meeting.

Councilman Pierce stated he is supportive to move this on first reading and take the matter to Committee for concerns Council members may have. He stated Mrs. Madison did invite him to have a one-on-one with her to discuss this however he has been a little out-of-kilter about talking about the budget and these type instances coming up. He stated he would like to have more input and is not saying that Mrs. Madison did not do her job as she did invite him to sit down with her and (he) had not taken her up on it.

Councilman Benson stated that does not think there would be time to take it up in Legal and Legislative and would like to see a meeting set some time next Monday if all need information as he does.

Chairman Bennett asked the Clerk of Council to find a time that is agreeable for more information.

City Attorney Nelson stated next Tuesday the only Committee is Legal and Legislative and the Council might have a two-and-a-half hour meeting.

Councilman Rico suggested that the meeting could start earlier (than Legal and Legislative).

Councilman Benson stated that he does not feel the need to hold up employees' salaries and does not want to be a party to holding that up; however, he does not have enough information; that a special meeting is needed.

Councilwoman Berz abstained when the vote was taken and explained her abstention by stating that this may be the greatest proposal in the world and she assumes it is. She stated she is not at all critical of the proposal, yet she is not comfortable with the process, particularly since Council members sat in a meeting last Monday or Tuesday and it was stated when presented this was something that the Council had approved. She stated she had not seen it other than conceptually and prefers to "stay" now rather than vote "no".

**AMEND BUDGET ORDINANCE (Continued)**

Chairman Bennett stated the meeting requested might answer a lot of questions.

On motion of Councilman Page, seconded by Councilman Rico,

**AN ORDINANCE TO AMEND ORDINANCE NO. 11994, ENTITLED "AN ORDINANCE, HEREINAFTER ALSO KNOWN AS 'THE FISCAL YEAR 2007-2008 BUDGET ORDINANCE', TO PROVIDE REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 2007, AND ENDING JUNE 30, 2008, AND APPROPRIATING SAME TO THE PAYMENT OF EXPENSES OF THE MUNICIPAL GOVERNMENT; FIXING THE RATE OF TAXATION ON ALL TAXABLE PROPERTY IN THE CITY, AND THE TIME TAXES AND PRIVILEGES ARE DUE, HOW THEY SHALL BE PAID, WHEN THEY SHALL BECOME DELINQUENT; PROVIDING FOR INTEREST AND PENALTY ON DELINQUENT TAXES AND PRIVILEGES," AS AMENDED, SPECIFICALLY BY ORDINANCE NO. 12023, SO AS TO AMEND CITY EMPLOYEE POSITION TITLES AND PAY GRADES**

passed first reading; Councilwoman Berz abstained.

**GRANT**

On motion of Councilwoman Gaines, seconded by Councilman Rico,

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF EDUCATION, ARTS & CULTURE TO APPLY FOR AND, IF AWARDED, ACCEPT A GRANT FROM THE TARGET STORES FOUNDATION IN THE AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) TO INITIATE PHASE II OF THE "STRAIGHT UP – LET'S TALK ABOUT DRUGS" ANTI-DRUG CAMPAIGN FOR CHATTANOOGA YOUTH**

was adopted.

**AMEND RESOLUTION NO. 25458**

On motion of Councilman Page, seconded by Councilman Rico,

**A RESOLUTION TO AMEND RESOLUTION NO. 25458, ENCAPTIONED, "A RESOLUTION AUTHORIZING RICHARD BUTLER TO USE TEMPORARILY A 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," TO CORRECT THE NAME OF THE TEMPORARY USER TO HERITAGE RIDGE SUBDIVISION ASSOCIATION, REVISE CONDITION NO. 1, AND REPLACE THE AGREEMENT ATTACHED TO SAME WITH THE AGREEMENT ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE**

was adopted.

**WAIVE RENTAL FEES**

On motion of Councilman Rico, seconded by Councilwoman Gaines,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS AND RECREATION TO WAIVE RENTAL FEES IN THE AMOUNT OF EIGHT HUNDRED DOLLARS (\$800.00) FOR THE USE OF THE CARVER RECREATION CENTER ON JUNE 7, 2008 BY CHATTANOOGA NEIGHBORHOOD ENTERPRISE FOR ITS ANNUAL COMMUNITY EVENT**  
was adopted.

**PAYMENT AUTHORIZATION**

On motion of Councilman Rico, seconded by Councilwoman Robinson,  
**A RESOLUTION AUTHORIZING PAYMENT TO SOUTHEAST TENNESSEE DEVELOPMENT DISTRICT FOR 2008 DUES IN THE AMOUNT OF THIRTY-SIX THOUSAND THIRTY-EIGHT DOLLARS (\$36,038.00)**  
was adopted.

**PAYMENT AUTHORIZATION**

On motion of Councilman Page, seconded by Councilwoman Gaines,  
**A RESOLUTION AUTHORIZING PAYMENT TO P&C CONSTRUCTION IN THE AMOUNT OF TWO HUNDRED FORTY-FIVE THOUSAND SEVEN HUNDRED FORTY DOLLARS (\$245,740.00) RELATIVE TO THE EXPANSION AND RENOVATION OF THE RESTROOM FACILITIES PROJECT AT THE TIVOLI THEATRE**  
was adopted.

**ZONING STUDY**

Councilwoman Gaines acknowledged the presence of LaMonte Vaughn, President of the Orchard Knob Neighborhood Association, a representative from Community Impact, the Chairman of the Churchville area, and the President of her neighborhood association and some of her neighbors. She expressed thanks for their presence.

On motion of Councilwoman Gaines, seconded by Councilman Rico,  
**A RESOLUTION AUTHORIZING THE CHATTANOOGA-HAMILTON COUNTY REGIONAL PLANNING AGENCY TO CONDUCT A ZONING STUDY FOR THE ORCHARD KNOB AND CHURCHVILLE AREAS**  
was adopted.



### ZONING STUDY

On motion of Councilman Rico, seconded by Councilwoman Robinson,  
**A RESOLUTION AUTHORIZING THE CHATTANOOGA-HAMITON COUNTY  
REGIONAL PLANNING AGENCY TO CONDUCT A ZONING STUDY FOR  
THE SOUTH BROAD STREET AREA**  
was adopted.

### AGREEMENT

On motion of Councilwoman Berz, seconded by Councilwoman Gaines,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE  
DEPARTMENT OF PARKS AND RECREATION TO EXEUCTE A TWO-YEAR  
LICENSE AGREEMENT WITH RIVER CITY DUCKS, LLC FOR THE USE OF  
THE ROSS'S LANDING RAMP TO ACCESS THE TENNESSEE RIVER FOR THE  
OPERATION OF AN AMPHIBIOUS VEHICLE IN AN AMOUNT OF FOUR  
HUNDRED FIFTY DOLLARS (\$450.00) PER MONTH DURING MONTHS OF  
OPERATION, WITH AN OPTION FOR A TWO-YEAR EXTENSION**  
was adopted.

### OVERTIME

Overtime for the week ending April 25, 2008 totaled \$75,545.12.

### PERSONNEL

The following personnel matters were reported:

#### CHATTANOOGA POLICE DEPARTMENT:

- **JASON R. JONES** – Reassigned to 911, Communications Officer, Pay Grade 11/Step 8, \$38,168.00 annually, effective April 16, 2008.
- **RUSHA LANSDEN** – Voluntary Demotion, Police Records Clerk Sr., Pay Grade 5/Step 4, \$23,384.00 annually, effective April 17, 2008.
- **AHARON P. WELLES** – Resignation (Correction), Police Officer, effective May 31, 2005.
- **ASHLEY BISHOP** – Resignation, Police Cadet, effective April 17, 2008.

**PERSONNEL (Continued)**

- **CAMEKA SANDEFUR** – Resignation, Police Cadet, effective April 22, 2008.
- **GROVER WILSON** – Military Leave, Police Officer, effective May 3 – September 29, 2008.
- **DARRELL J. STAMPER** – Military Leave, Communications Officer, effective May 13, - July 4, 2008.

**CHATTANOOGA FIRE DEPARTMENT:**

- **BRANDON ATKINS, MICHAEL BATTLE, STONEY BURNS, BRADLEY FREEMAN, CHRISTINA HENSLEY, VERNON HORN, DAVID JONAS, DUC Q. LE, CHAD MANSFIELD, LIBERTY MUSE, CHRISTOPHER NEWBY, PATRICK O'BRIEN, JUSTIN VICE, ADAM WALDROP, JOHN WATSON, JEFF WEBSTER** – New Hire, Fire Cadet Pay Grade F/Step 0, \$31,577.00 annually, effective April 25, 2008.
- **JUSTIN MCCOMMON** – Transfer from Chattanooga Police Department, Fire Cadet, Pay Grade F/Step 1, \$36,720.00 annually, effective April 25, 2008.
- **RAYMOND REED** – Transfer from Animal Control, Fire Cadet, Pay Grade F/Step 0, \$31,577.00 annually, effective April 25, 2008.
- **MISCHELLE A. KINCER** – Termination, Executive Assistant, effective May 23, 2008.

**PURCHASE AND PAYMENT OF PAST DUE INVOICES**

On motion of Councilman Rico, seconded by Councilman Page, the following purchase was approved for use by the Chattanooga Human Services Department:

**CHILD CARE NETWORK**  
**R0108655**

Collaborate Partnership Services - *(TCA 12-4-106 provides that contracts for professional services of high ethical standards shall not be based upon competitive bids, but shall be based upon recognized competence and integrity)*

\$10,948.00 per month

**PURCHASES (Continued)**

On motion of Councilwoman Robinson, seconded by Councilwoman Berz, following past due invoices were authorized for payment per approval of the above contract with Child Care Network:

Past Due Invoices Under Current Contract

December	\$ 4,998.00
January	5,474.00
February	4,998.00
March	4,998.00
April	<u>5,236.00</u>
TOTAL	\$25,704.00

**DONATIONS**

On motion of Councilwoman Berz, seconded by Councilwoman Robinson, the following donations were approved for receipt by the Parks and Recreation Department for Sinks Disc Golf and Junior Disc Golf:

<b>CODDINGTON ENTERPRISE</b> (Equipment and labor)	\$ 360.00
<b>ASHWOOD TREE SERVICE</b> (Cutting/removal of dead trees)	500.00
<b>VOLVO RENTS</b> (Heavy equipment)	4,000.00
<b>SOUTHERN SERVICES REIGHT-OF-WAY CLEARING</b> (Clearing and grading six acres)	9,600.00

**BATTERY PLACE REPAIR**

Councilman Pierce inquired as to the work that was supposed to be done in the Battery Place area.

Adm. Larry Zehnder stated that the project has not been overlooked; that the project has been bid and the bids came in much over the bid prices; that they had to go back and take bids again. He stated that the repairs cost almost \$10,000; that it is just a small area and the way it is constructed they are trying to figure out a more inexpensive way of making repairs, which is the part that is delaying the project. He stated he would get with the Parks Director and find out what time frame will be involved and let Councilman Pierce know.

**BATTERY PLACE REPAIR (Continued)**

Councilman Pierce stated that it was his impression that the project was to begin sometime in November; that it is just a small area and (he) can not see it costing that much.

Adm. Zehnder stated specifications had to be written and it takes time and they had to go back twice to get a bid and are trying to get the best possible cost to get it done right.

Councilman Pierce expressed appreciation and asked that Mr. Zehnder follow up with him.

**PURCHASES**

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

**IE MONITORING (Best bid)**  
**R0108080/B0005038**

Ten (10) Gas Monitors (*Although one bid from Prime Distributors Inc. was lower, the item bid was an alternate product that was not as specified in the bid solicitation.*)

\$16,600.00

**CHEROKEE TRUCK EQUIPMENT (Best bid)**  
**R0108252/B0005073**

Sand Spreader (*B&H Sales [alternate bid #1] was the lowest bid, however, this bid took exceptions to the stainless steel specifications by offering mild steel.*)

\$36,408.00

**MORATORIUM UNTIL ZONING STUDIES COMPLETE**

Councilman Pierce stated that he made the request for a land use study for the M. L. King area and asked Mr. Leach if he recalls the request.

Adm. Steve Leach responded "no".

**MORATORIUM UNTIL ZONING STUDIES COMPLETE**  
**(CONTINUED)**

Councilman Pierce stated that he has been looking at a lot of yellow signs posted up all over the area and was wondering if a “freeze” is normally placed on zoning until a study has come back. He stated that he has noticed property owners are making a request for a change of zone.

Chairman Bennett stated that she did not think a moratorium could be placed unless the Council requests it.

Councilman Pierce stated that he has requested the plan; that two were approved tonight and a moratorium was not placed on them. He asked if there is a need to do that on all requests for zoning studies.

City Attorney Nelson responded “yes”.

Councilman Rico stated that it is too late if the signs are up.

He asked Councilwoman Gaines if she would like to have a moratorium in place for the area of the zoning study adopted tonight in her area.

Councilwoman Gaines responded “no”.

**Councilman Benson** stated that it is not a good practice to announce a study and then announce a moratorium; that it is not too late as there could be more out there. At this point he **made the motion to request a moratorium on any new zoning for the areas approved tonight for zoning studies, as well as the M. L. King area.**

Councilwoman Gaines apologized at this time noting that she misunderstood Councilman Pierce’s question. She stated that she thought he was asking for a hold on the two zoning study requests on tonight’s agenda. She stated she is in favor of a moratorium being placed on new zoning until the study is complete.

Councilman Pierce stated that he does not want something coming in during the study that would be against the zoning.

City Attorney Nelson stated that the motion should be amended to take into consideration how long the study will be; that the Regional Planning Agency is stacked up with four-or-five studies now and if a moratorium is place it could last for more than a year or more and it gets to the point where it could become pretty onerous.

**MORATORIUM UNTIL ZONING STUDIES COMPLETE  
(CONTINUED)**

**Councilman Benson** stated that he could put a timeline on it in months and if it ends and should continue the moratorium could be renewed, adding **that a moratorium be placed on all rezoning for three months.**

City Attorney Nelson added "or until the zoning study is complete, which ever is sooner".

Councilman Benson responded "yes".

At this point **Councilwoman Robinson** seconded the motion.

Chairman Bennett clarified that the motion for the moratorium is for the two new studies adopted tonight and the M. L. King study that is in process.

City Attorney Nelson stated that he would have resolutions prepared for next week.

Chairman Bennett stated rather than carry the vote through, the City Attorney will prepare resolutions for next week's agenda.

**HOMELAND SECURITY DRILL**

Chairman Bennett addressed Chief Flint and noted that she attended today's Homeland Security drill and expressed hope that all went well.

Chief Flint acknowledged "it did".

**PURCHASE**

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

**GT DISTRIBUTORS (Best Bid)**  
**R0107693/B0005030**

AR15 Rifles (*DGG Taser & Tactical Supply submitted the lowest bid; however, past experience with the brand rifle they offered resulted in rifle malfunctions due to manufacturer assembly.*)

### PURCHASE (Complete)

*The malfunctions resulted in one rifle requiring shipment to the manufacturer for repairs and being out of service for a long period of time.)*

\$175,385.00

### RECOGNITION OF OFFICERS

Councilman Benson stated that he received word four officers did a great job and should be recognized; that four officers were called for a burglary and found out it led to drug manufacturing.

Chief Williams stated that there was a home invasion and another house burglary and in the course of investigating found evidence of marijuana manufacturing. He stated several arrests were made; that a great deal of initiative was shown on the parts of the officers and they will be given the Chief's Challenge Coin Award. He stated this is a relatively new thing and he will start sending the announcement of the Challenge Coin presentations to the Council.

Councilman Benson asked the names of the officers involved.

Chief Williams noted that he did not have the names with him.

Councilman Benson asked that the names be sent to the Clerk of Council for inclusion as part of the official record.

Chief Williams stated he would start sending the information to the Council when the Chief's Challenge Coin presentations are made for outstanding work.

Chairman Bennett added that the Council would be honored to have the officers recognized during Council meeting as a special presentation.

**Upon receipt of information, officers that will be recognized to receive the Chief's Challenge Coin Award will be Officers James Daves, Michael Terry, George Richart and Christ Scheeler.**

**PURCHASES**

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

**GAULT & ASSOCIATES, INC. (Best evaluated proposal)**

**R0108223**

Audio System

\$26,316.00

**ARMSTRONG RELOCATON (Change order)**

**R0097546/P002666**

Contract for the Move to City Hall (Police Internal Affairs Offices)

\$26,764.79 (Change order increase)

\$71,764.79 Revised Contract Amount

Councilman Pierce stated several years ago the thought was moving the Internal Affairs office away from government would give a comfort level to citizens and it looks as if we are now bringing it back under the same "umbrella". He stated that was the reason they located where they presently are and he knows space is running out. He stated he just does not know if citizens will feel that comfortable going to the Police Services Center to register a complaint or here at City Hall; that it is a little more comfortable to be away. He stated that he wanted the record to reflect he does not support it coming back into the annex building, even though there may be a cost savings to do so.

Councilwoman Gaines stated that she noticed there were no bids and asked if additional bids were required since there was an increase in the original contract and whether it was a state bid.

Mr. Page explained that the contract was bid months ago when people were moved back into City Hall. He stated at the very end of the bid there was space rented at Warehouse Row that was costing the city \$20,000 per month; that they had to get people out quickly and spent some extra money moving them out as quickly as they could to keep the \$20,000 from "kicking in". He stated they also have other movements that would not come directly until Internal Affairs moves which would be in June of this year.



### **PURCHASES (Continued)**

Councilwoman Robinson wanted to be certain that the "IA" mentioned on the documents before her is for Internal Affairs and not Internal Auditing.

Mr. Page clarified that it is for Internal Affairs for the Police Department.

Councilman Benson stated Chief Dotson wanted Internal Affairs moved there (where they are) and he (Benson) did not like spending that kind of money for it; that it was Chief Dotson's thought to get them out of Amnicola. He asked Mr. Page where Internal Affairs would be located.

Mr. Page responded "third floor of the annex".

Councilman Benson asked if money would be saved doing this.

Mr. Page responded "yes".

Councilman Benson stated that the third floor is about as ominous as any place; that it is his thought they would have sanctity even better over there than the once at Central Avenue. He stated every time he has driven by he has looked over to see how many cars were there and who they were; that there is nothing to worry about with them on the third floor.

Councilman Pierce stated that he did not think there would be a problem, either, and referenced parking in the immediate area and police cars parking on the meters.

Councilman Benson stated he would rather see them on the third floor than where they are.

Councilman Pierce acknowledged that they need more space and there is no question about it.

### **BEST ONE TIRES (Lower and better bid)** **R0107312/B0005020**

Truck Tires

\$154,091.51

PURCHASES (Continued)

SOUTHEAST GROUNDS MAINTENANCE, INC. (Overall lowest and best complete bid)

R0108022/B0005070

Property Maintenance Services *(The lower bids submitted by Thompson Handyman Service and B & J Lawn Care were not considered for award since both vendors submitted incomplete bids.)*

\$15,840.00

HEAVY DUTY LIFT & EQUIPMENT (Single source)

R0106091

Truck Lifts and Stands

\$18,820.00

BOARD APPOINTMENT

City Attorney Nelson stated that the Health, Education and Housing Facilities Board has one board member, Roger Smith, who is retiring, has moved out of the city and is no longer eligible to be re-elected. He stated that a suitable new member has been found; that he is Greg Gentry, Senior Vice President with Human Resources at Erlanger Health Systems and presented his Vita for perusal.

**Councilman Rico made the motion to nominate GREG GENTRY to the Health, Education and Housing Facilities Board for a four year term expiring May 15, 2012; Councilman Page seconded the motion; the motion carried.**

City Attorney Nelson stated the other two members' terms are not quite up yet and would bring the issue back in a week-or-two.

COMMITTEES

Councilman Benson stated that the **Legal and Legislative Committee is scheduled to meet on Tuesday, March 6 at 3 p.m.** He stated the Council would have a look at how to comply with the City Code on the auditing situation and is hopeful the City Attorney will come prepared.

## **COMMITTEES (Continued)**

Chairman Bennett reminded Council members to turn in their committee preferences right away so that committee assignments could be completed.

## **RESIDENCY QUESTION**

Councilman Pierce asked the City Attorney if a person moves out of the city whether that is grounds for terminating a person from a city board position.

City Attorney Nelson responded "not necessarily"; that the previous situation with regard to the Health, Education and Housing Facilities Board is set up by State Statute and requires residency within the city, both this Board and the Industrial Development Board. He stated there are other boards like the Airport Authority that have people from Georgia and all around.

Councilman Pierce noted that the Airport Authority is a regional board and he could see that residency would not be an issue.

Councilwoman Gaines stated that it is her thought Councilman Pierce may be referring to a district appointment. She stated that she received a telephone call this week informing her that a person representing District 9 lives in the state of Georgia.

City Attorney Nelson stated that it depends on what board the person is on and for Councilwoman Gaines to talk with him later so as not to reveal the name in open meeting.

Councilwoman Gaines asked if the bylaws of the particular board would determine residency.

City Attorney Nelson stated that he would have to look at the particular board's rules and requirements.

Councilman Benson jokingly added that it is hard to prove where people live!

Councilman Rico quickly interjected "it still hasn't been proved!"

## MARSHA GRISSOM

**Marsha Grissom**, 3911 Midland Pike, stated that she was present to speak in reference to a situation that has been going on for months and noted others from the neighborhood were in attendance, as well. She stated they have been trying to get the matter taken care of and related receipt of a letter stating their street address had been changed from Midland Pike to Lana Lane. She stated when she first noticed the sign saying there would be a name change she called trying to find out what was going, whether it was access to the road, an address or whatever and was told "no" just the street name change to Lana Lane. She stated Lana Lane is not a road as it is just an access to houses on the hill off Midland Pike to the driveway of five houses. She displayed an illustration of the location of their homes and access off Midland Pike. She stated she has been trying to find out about the change and received a letter saying their address would be changed to Lana Lane, which is the back of their houses. She stated she wanted to get some understanding of what is going on and (get) some assistance.

Mrs. Grissom continued by stating that they were told any financial occurrences would be theirs; that she is not talking about just making an address change for someone who has been there thirty-nine years as there are deeds, wills, medical changes and a whole lot of other expenses. She stated they have been working on this for four-or-five months and have been told one of the engineers would come to talk to them however no one has called; that each time she calls she is given the runaround. She stated no one knew what was going on until they received the letter. She stated their homes are in the middle of Midland Pike and the question is how do they become Lana Lane.

Adm. Leach responded stating this came before the Council a couple months ago for a vote and he assumes the reason for the change for the small alley that has been called Lana Lane over the years has to do with services to the homes that come off Lana Lane. He stated as a result the 911 response would all come to Lana Lane where access is truly to the back of the house, which was the reason to address them where there is actually access.

Chairman Bennett clarified that the front of the homes are on Midland Pike. Ms. Grissom responded "yes".

Adm. Leach stated that it was an alley road and eventually became Lana Lane; that they went through the process of naming it Lana Lane officially.

Mrs. Grissom stated that Lana Lane is the official name as it has been there thirty-nine years or more on maps and in the telephone book.

### MARSHA GRISSOM (Continued)

Adm. Leach stated that it got down to a 911 issue and emergency services finding or not finding accessibility; that access is off Lana Lane.

Councilwoman Berz stated if the houses front on Midland Pike, where is the address.

Mrs. Grissom stated that it is on the front where there are five mailboxes at the corner on Midland Pike.

Councilwoman Berz clarified if someone tries to come to their homes they will see the address in front of your house but have to go to the back to get in your house. She asked if the address has always been on Midland Pike.

Mrs. Grissom stated that it has been there thirty-nine years and no one has any problem when called. She stated she does not understand why it changed suddenly and has come up to five houses that have been pulled out and given addresses at the back and the mailboxes are in the front at the corner.

Adm. Leach stated the engineers will have to look and verify that; that the issue for the Council was the official name. He stated Mrs. Grissom is right there was a sign indicating Lana Lane and accessibility to it was going to be off Lana Lane and not off Midland Pike. He stated that is all he can tell at this point and would look into it.

Councilwoman Gaines asked that Adm. Leach follow-up with her and let her know. She stated that she had a conversation with Mrs. Grissom and invited her to come tonight and thought the situation was a little odd. She stated for the most part many name changes have actually been located at lights; that this case is very odd and noted it will be interesting to see what happens with this.

### CORA GODBEE

**Cora Godbee**, 4001 Midland Pike, stated that she lives on the corner and the Midland Pike sign is in the front of her house and the back of her house is connected to Belle Vista. She stated that they can not come to the back of her house and she tried to tell them that; that her fence separates her yard and the yard from Belle Vista. She asked why change her address from 4001 Midland Pike to 4001 Lana Lane because when the emergency vehicles go up they turn there past her house going up the hill looking for her!

**CORA GODBEE (Continued)**

Mrs. Godbee stated that she missed her water and cable bill because the postman was looking in the next block for her home; that she called and told them she could not pay to have her water turned on, her cable bill or anything else. She asked that officials come to look and see; that she has been there thirty years and there has not been a problem at all. She stated her mailbox is in front of her house on Midland Pike and the postman does not go up Lana Lane.

Chairman Bennett stated that this involves more than just changing an address.

Mrs. Grissom stated they are asking for someone to take a look and work this out in a more sensible way; that it is not a matter of someone being there a couple years and just changing an address as there are a lot of legal documents for those who have been there thirty-nine years or more. She stated that they want someone to sit down and talk with them.

**RED BANK HIGH SCHOOL STUDENTS**

Chairman Bennett recognized the presence of students from Red Bank High School.

**ADJOURNMENT**

Chairman Bennett adjourned the meeting of the Chattanooga Council until Tuesday, May 6, 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)**