

City Council Building  
Chattanooga, Tennessee  
September 23, 2008  
6:00 p.m.

Chairman Bennett called the meeting of the Chattanooga Council to order with Councilmen Benson, Gaines, Page, Pierce, Rico, Robinson and Shockley present; Councilwoman Berz 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, City Attorney Nelson gave invocation.

**MINUTE APPROVAL**

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

**RECOGNITION OF LYDIA BUDDEMEYER**

Chairman Bennett recognized the presence of Lydia Buddemeyer, a student at Red Bank High School who was present as a requirement of the School's Governmental Class.

**INTERCEPTOR SEWER SYSTEM BUDGET**

On motion of Councilwoman Robinson, seconded by Councilman Rico,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 12139, ENTITLED "AN ORDINANCE, HEREINAFTER ALSO KNOWN AS THE 'FISCAL YEAR 2008-2009 BUDGET ORDINANCE', TO PROVIDE REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 2008, AND ENDING JUNE 30, 2009, 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," SO AS TO SET FORTH THE BUDGET OF THE INTERCEPTOR SEWER SYSTEM AND TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 31, SECTIONS 31-36, 31-37, 31-41 AND 31-43**

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

**SOLICIT/ACCEPT SPONSORSHIPS**

On motion of Councilman Rico, seconded by Councilwoman Gaines,  
**A RESOLUTION AUTHORIZING THE MAYOR'S OFFICE TO SOLICIT AND ACCEPT MONETARY AND IN-KIND SPONSORSHIPS FROM VARIOUS ORGANIZATIONS, BUSINESSES, AND CORPORATIONS FOR THE CURRENT AND ALL FUTURE ANNUAL "GO! FEST" EVENTS**  
was adopted.

**AGREEMENT**

On motion of Councilman Page, seconded by Councilman Benson,  
**A RESOLUTION AUTHORIZING THE PERSONNEL DIRECTOR TO EXECUTE AN AGREEMENT WITH THE BENEFIT ADVOCATE, INC. AND CAREHERE, LLC, TO PROVIDE ONSITE PHARMACY SERVICES FOR CITY EMPLOYEES, REITREES, AND DEPENDENTS COVERED UNDER THE CITY'S HEALTH INSURANCE PLAN AND FOR JOB-RELATED INJURIES AND FURTHER AUTHORIZING THE PERSONNEL DIRECTOR TO EXECUTE AN ADDENDUM TO THE AGREEMENT WITH CAREHERE, LLC FOR THE OPERATION OF THE CITY'S ONSITE MEDICAL CLINICS SO AS TO CHANGE THE TERM THEREOF TO BE CONTEMPORANEOUS WITH THE AGREEMENT FOR PHARMACY SERVICES**  
was tabled one week.

**SPECIAL POLICEMAN**

On motion of Councilwoman Gaines, seconded by Councilman Pierce,  
**A RESOLUTION AUTHORIZING THE APPOINTMENT OF BRAD C. GARDNER AS SPECIAL POLICEMAN (UNARMED) FOR THE DEPARTMENT OF NEIGHBORHOOD SERVICES AND COMMUNITY DEVELOPMENT TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS**  
was adopted.

**FUNDS ACCEPTANCE**

On motion of Councilwoman Gaines, seconded by Councilman Rico,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF NEIGHBORHOOD SERVICES AND COMMUNITY DEVELOPMENT TO ACCEPT ANY FUNDS REMAINING UNDER THE CHATTANOOGA HOUSING AUTHORITY (CHA) CONTRACT AUTHORIZED BY RESOLUTION NO. 25262 AND TO EXPEND SUCH FUNDS FOR THE PURPOSE OF CREATING PERMANENT, SUPPORTIVE HOUSING OPPORTUNITIES FOR INDIVIDUALS AND FAMILIES EXPERIENCING CHRONIC HOMELESSNESS**  
was adopted.

**CONTRACT**

On motion of Councilman Rico, seconded by Councilwoman Gaines,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF NEIGHBORHOOD SERVICES AND COMMUNITY DEVELOPMENT TO ENTER INTO A PERSONAL SERVICES CONTRACT WITH MARY SIMONS TO PROVIDE PROJECT MANAGEMENT SERVICES IN AN AMOUNT NOT TO EXCEED FIFTY THOUSAND DOLLARS (\$50,000.00)**  
was adopted.

**GRANT**

On motion of Councilman Rico, seconded by Councilwoman Gaines,  
**A RESOLUTION AUTHORIZING THE DEPARTMENT OF NEIGHBORHOOD SERVICES AND COMMUNITY DEVELOPMENT, IN PARTNERSHIP WITH INTERFAITH HOMELESS NETWORK AND THE CHATTANOOGA REGIONAL HOMELESS COALITION, TO APPLY FOR AND, IF AWARDED, ACCEPT A FEDERAL HOUSING AND URBAN DEVELOPMENT (HUD) CONTINUUM OF CARE SUPPORTIVE HOUSING PROGRAM THREE-YEAR "RAPID RE-HOUSING FOR HOMELESS FAMILIES" GRANT IN AN AMOUNT UP TO THREE HUNDRED EIGHTY-SEVEN THOUSAND DOLLARS (\$387,000.00), WHICH GRANT REQUIRES A TOTAL IN-KIND LOCAL MATCH OF UP TO TWENTY-THREE THOUSAND TWO HUNDRED TWENTY DOLLARS (\$23,220.00) OVER THE DURATION OF THE GRANT**  
was adopted.

**DONATION**

On motion of Councilwoman Robinson, seconded by Councilman Rico,  
**A RESOLUTION AUTHORIZING THE DIRECTOR OF GENERAL SERVICES TO ACCEPT THE DONATION OF THREE (3) HVAC UNITS, AS SET FORTH HEREIN, FROM ALSTOM POWER, INC. AND EXPRESSING THE GRATITUDE OF THE MAYOR AND CITY COUNCIL FOR SAID DONATION**  
was adopted.

**AGREEMENT**

On motion of Councilman Shockley, seconded by Councilman Rico,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS AND RECREATION TO ENTER INTO A LEASE AGREEMENT WITH SERGEANT DAVID FRYE FOR A HOUSE LOCATED AT 406 BROWN ROAD, AS REFERENCED IN CASE NO. MR-2008-153, IN CONSIDERATION OF ONE HUNDRED DOLLARS (\$100.00) PER MONTH IN RENT AND SERGEANT FRYE'S SECURITY SERVICES AT BROWN ACRES GOLF COURSE AND BRAINERD GOLF COURSE, IN SUBSTANTIALLY THE FORM ATTACHED HERETO**  
was adopted.

**AGREEMENT**

On motion of Councilman Rico, seconded by Councilman Shockley,  
**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE, ON BEHALF OF THE CITY, AN INTERLOCAL AGREEMENT BY AND BETWEEN THE CITY, HAMILTON COUNTY, AND THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF CHATTANOOGA RELATIVE TO THE AGREEMENT IN PRINCIPLE WITH VOLKSWAGEN GROUP OF AMERICA, INC. TO FACILITATE LOCAL GOVERNMENT COMMITMENTS TOWARD CONSTRUCTION OF AN AUTOMOBILE ASSEMBLY PLANT AT ENTERPRISE SOUTH**  
was adopted.

**GRANT**

On motion of Councilman Rico, seconded by Councilman Benson,  
**A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR AND, IF APPROVED, ACCEPT A BROWNFIELD GRANT FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA) RELATIVE TO ENVIRONMENTAL JOB TRAINING IN BROWNFIELD COMMUNITIES IN AN AMOUNT UP TO TWO HUNDRED THOUSAND DOLLARS (\$200,000.00)**  
was adopted.

**OVERTIME**

Overtime for the week ending September 18, 2008 totaled \$217,604.43.

## PERSONNEL

The following personnel matters were reported for the various departments:

### PUBLIC WORKS DEPARTMENT:

- **BRANDON L. COX** – Termination, Crew Worker 1, City Wide Services, effective September 5, 2008.
- **JIMMY L. YEARBY** – Return from Leave of Absence, Crew Worker 1, City Wide Services, effective September 16, 2008.
- **DAVID L. HILL** – Suspension (4 days without pay), Crew Worker 1, City Wide Services, effective September 18, 19, 22, 23, 2008.
- **BRIAN K. CONRY** – Suspension (2 days without pay), Equipment Operator 4, effective September 18-19, 2008.

### FINANCE DEPARTMENT:

- **LINDA D. ERWIN** – Suspension (10 days without pay), Accountant Technician 1, effective September 19 – October 2, 2008.

### CHATTANOOGA POLICE DEPARTMENT:

- **SAMUEL R. LONG** – Resignation, Police Officer, effective September 9, 2008.
- **JENNIFER ROBERTS** – Family Medical Leave, Police Records Tech, effective September 15 – December 8, 2008.

### MAYOR'S OFFICE/INFORMATION SYSTEMS DIVISION:

- **JODI PIERCE** – Family Medical Leave, 311-Customer Service Representative 1, effective June 2 – September 15, 2008.

### **EMERGENCY PURCHASE**

The emergency purchase of Bonny Oaks Drive and Hickory Valley Road Intersection Construction to meet Volkswagen construction date of October 15, 2008 for the Public Works Department, Requisition R0113769 to Thomas Brothers Construction Company in the amount of \$468,996.90, plus a contingency amount of \$46,900.00, for a total amount not to exceed \$515,896.90 was duly reported and signed in open meeting.

### **NICKELODEON'S WORLD WIDE DAY OF PLAY**

Adm. Zehnder stated on Saturday the department is participating in Nickelodeon's World Wide Day of Play wherein youth and young people are asked to turn off Saturday's Nickelodeon programs. He stated his department will be participating by having many activities at all recreation centers, as well as special girls' softball clinics in celebration of the special Day.

Councilman Benson publicly thanked and expressed appreciation to the Parks and Recreation Department for their services and the facilities provided at Heritage Park on Saturday. He stated they had 2,000 people and a net profit of nearly \$2,000 going toward the dog park out there; that there are plans to build one similar to the one downtown.

### **DONATION**

Adm. Zehnder reported the donation of a climbing wall valued at \$9,854 from Everlast Climbing Industries, Inc. of Mendota Heights, Minnesota. The report was duly accepted by the Council.

Councilman Pierce asked if a motion is needed to accept the donation.

City Attorney Nelson responded "no".

Chairman Bennett stated for the purpose of transparency, when donations are made department heads are asked to publicly announce and acknowledge the donation in open Council meeting.

### **UNITED WAY DUNK TANK**

Adm. Zehnder expressed thanks and appreciation to Councilman Rico for his participation in the City Employees' United Way Campaign program last Thursday by his willingness to sit in the dunk tank. He stated quite a bit of money was raised on his behalf!

**PURCHASES**

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

**ARMOR HOLDINGS FORENSICS (Lowest and best bid)**  
**R0113145/B0005471**

Light Flair Kits

\$18,600.00

**LOGOS IMAGING (Single source)**  
**R0113141**

Digital X-Ray System per Purchase Contract, May 27, 2008 in accordance with Ordinance 10913

\$29,715.00

**CHALLENGE COIN**

Chief Mike Williams reported that Challenge Coins were recently presented to Officers Boller, Frisbee, Davis, Tinney and Miller for job performance above and beyond what officers normally do.

**GANG ROUND-UP PRESS CONFERENCE**

Chief Williams stated that several agencies were involved in going after the worse validated gang members in Chattanooga. He stated agencies involved included the Chattanooga Police Department, U. S. Attorney's Office, U.S. Parole and Probation Office, FBI, DEA, ATF, U.S. Marshall's Service, ICE, Tennessee Bomb and Arson Investigators, Tennessee Department of Parole and Probation, Hamilton County District Attorney's Office, Hamilton County Sheriff, Correction Corporation of America's Intelligence Unit, Chattanooga Fire Department, Fire Marshall's Office, Chattanooga Weed and Seed Programs and the Hamilton County Rescue Rehabilitation vehicle. He stated that he travels and teaches a good bit and is very fortunate to work very closely with state and federal agencies on these operations.

**GANG ROUND-UP PRESS CONFERENCE**  
**(Continued)**

Chief Williams stated in twelve hours they accomplished 47 felony arrests on federal and state charges, 14 misdemeanors, 135 warrants were served on federal and state charges, two consent searches of residences wherein crack cocaine was seized, two illegal firearms and one stolen vehicle that was recovered. He stated they ran a panhandling operation downtown and made one arrest and issued five citations. He stated they did a "sting" with a bike and two people were arrested for trying to steal the bike and ended up in jail. He stated 187 moving citations were issued, 369 parking citations, 52 violations of the fire code and 52 field interrogation reports on individuals. He stated our officers were very busy and all feel it was a successful operation. He stated that they got some really bad people off the streets ranging from murder, carjacking, aggravated assault and parole and probation violations. He stated his telephone was very quiet over the weekend, which is unique for him! He expressed how proud he was of the accomplishments of the officers and appreciation for the federal and state agents that worked with them.

Councilman Benson stated that it sounds like a great job and it is his hope the courts will give support as well as penal institutions to really make this a lasting cleanup. He asked how the roundups are initiated as there have been two-or-three; that somebody has to coordinate this.

Chief Williams stated that it starts with them (CPD); that Lt. McPherson of the Fugitive Division tries to move within different Sectors; that this operation was in Sector 1 (downtown, St. Elmo, South Chattanooga) and they did not limit it to that. He stated Capt. Kennedy, Lt. Eric Tucker, and Sgt. Dan Ramsey were also involved.

Councilman Benson commended Chief Williams for an article he read in the newspaper in reference to a young person who was making signs to him while driving on Highway 153.

Chief Williams stated that the person was quite surprised when he saw the uniform and his statement was that he "didn't know I was a cop". He stated that he asked him if he were a citizen it was his guess it would be okay and emphatically stated "I don't think so"! He stated they are trying to run plain cars that do not look like police cars and in the article it was mentioned that almost 700 tickets were written just on 153 and the C. B. Robinson Bridge for aggressive and reckless driving and a variety of other things. He stated it is insane the way folks drive with kids in the car and in car seats. He stated he is not above writing citations and remembers where his ticket book is!



**GANG ROUND-UP PRESS CONFERENCE**  
**(Continued)**

Councilman Pierce asked if Chief Williams was off duty at the time.

Chief Williams responded that he was on the way to work in uniform.

Councilman Bennett expressed appreciation for the partnerships the department has forged and all the creativity that is shown.

**LIQUOR LICENSE**

Adm. Madison reported the request for a liquor license for Emily Cameron and J. Anthony Cobble at 5506 Hixson Pike in Councilman Page's District and David C. Treadway at 7703 Lee Highway in Councilman Benson's district. She distributed the documents for signatures from Council members.

**DEPARTMENTAL PURCHASES**

On motion of Councilman Rico, seconded by Councilwoman Gaines, the following purchase was approved for use by the Mayor's Office, Information Services Division:

**Oracle Corporation (Single source)**  
**R0113755**

Oracle Annual Software Maintenance and Support Agreement, October 11, 2008 – October 10, 2009 per TCA 6-56-304.6

\$30,599.99 annually

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

**SHERWIN WILLIAMS COMPANY (lowest and best bid)**  
**R0112991/B0005459**

Thermoplastic Paving & Marking Material Requirements Contract, September 24, 2008 – September 23, 2010

Based upon unit prices \$749.00 per ton

**DEPARTMENTAL PURCHASES (Continued)**

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

**STUART C. IRBY COMPANY (Overall lowest and best bid)**  
**R0112520/B0005456**

Traffic Electrical Supplies Annual Blanket Contract, September 24, 2008 – September 23, 2010

On motion of Councilman Rico, seconded by Councilwoman Gaines, the following purchase was approved for use by the Mayor’s Office, Information Services Division:

**EXCALIBUR INTEGRATED SYSTEMS (Only quote)**  
**R0112404/B0005448**

Security Consultant Services to Check and Evaluate Coolidge Park Wireless Security System, September 25, 2008

\$9,600.00

**REJECT BIDS**

On motion of Councilman Rico, seconded by Councilwoman Gaines, all bids for a city-wide contract were duly rejected for Fire Extinguisher Services, Annual Blanket Contract, R0112358/B0005432. A new all inclusive invitation to bid will be issued.

**HOTEL PERMITS**

On motion of Councilman Rico, seconded by Councilwoman Gaines, the following hotel permits were approved:

**MAYOR’S MANSION INN** – 801 Vine Street, Chattanooga, TN

**NORTHSIDE MOTEL** – 442 Cherokee Boulevard, Chattanooga, TN

**TENNESSEE RIVER PLACE** – 3104 Scenic Waters Lane, Chattanooga, TN

**TENNESSEE RIVER PLACE** – 3128 Scenic Waters Lane, Chattanooga, TN

### CITY WIDE TOUR

Chairman Bennett reminded Council members to turn in their list for the city wide tour on Thursday to Mrs. O'Neal so that an adequate schedule could be made for Thursday.

### COMMITTEES

Councilman Rico reminded Council members of the **Public Works Committee meeting scheduled for Tuesday, September 30 immediately following the agenda discussion.**

Page scheduled a meeting of the **Economic Development Committee for Tuesday, September 30 immediately following Public Works.** He stated RiverCity has a project and would like to get the matter on next week's Council agenda.

### CULTURE FEST

Councilwoman Robinson reported on this Saturday there will be a city wide event at Coolidge Park, the Culture Fest, sponsored by the Arts and Education Council with help from the city, Allied Arts and others. She stated it is a day long celebration of cultures from all around the world with music, dance, and good food. She stated it is free to the public, is a great way to entertain families and expressed that everyone is welcome!

### EXPRESSION OF THANKS!

Councilwoman Robinson expressed thanks to Larry Zehnder and the Public Works Department for all the ongoing work they are doing with TWH and Campbell and Associates in helping determine what is needed to repair The Passage and get it done as quickly as possible to try to have it open in time for the tourist season next summer.

**ADJOURNMENT**

Chairman Bennett adjourned the meeting of the Chattanooga Council until Tuesday, September 30, 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)**