

**City Council Building
Chattanooga, Tennessee
October 28, 2008
6:00 p.m.**

Vice Chairman Benson called the meeting of the Chattanooga Council to order with Councilmen Berz, Gaines, Page, Pierce, Rico, Robinson and Shockley present; Councilwoman Bennett was with a delegation representing the City of Chattanooga in Wuxi, China, Chattanooga's Sister City. 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 Page 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.

SPECIAL PRESENTATION: RENAMING A PORTION OF I-24 TO HONOR JULIE JACKS

Vice Chairman Benson stated that the Council is honored to have the opportunity to receive a very special presentation from elected leaders in the area who are good citizens and very compassionate in this situation. At this point he recognized the presence of State Senators Watson and Berke and State Representatives Dr. Brown and Dean.

Representative Vince Dean expressed appreciation to the Council for allowing the opportunity to come to make this presentation and announcement. He also expressed appreciation to Representative Dr. Brown noting that he brought the matter to her attention last year at the first of the Legislative Session regarding the highway naming as it is actually in her district. He stated she allowed him to carry it forward as she knew why he wanted to carry it and signed onto it.

**SPECIAL PRESENTATION: RENAMING A PORTION
OF I-24 TO HONOR JULIE JACKS (Continued)**

Representative Dean stated Senator Berke was glad to carry this Bill and Senator Watson “jumped on board”; that every member of the Delegation signed onto the Bill to name and designate I-24 from South Crest Road to Central Avenue as Julie Jacks Memorial Highway. He stated this is very, very significant because that stretch goes through the Fox Team’s area where Julie Jacks spent many years serving, and tonight they are announcing that.

Representative Dr. Brown addressed family members and the Council indicating that this is a heartfelt moment for all of us and expressed that everyone shares the pain, as well as the pride of having one who has given so much to so many in an effort to protect us all. She stated it is certainly her pleasure to join with her colleagues in sharing this moment and the future for all young people and citizens to see and understand the heroic deeds given by those who serve us.

Senator Berke stated that he wanted to make sure Representative Dean was thanked as he did a good job in making sure this would happen and noted that he did not think anyone could have said it better than Representative Dr. Brown. He stated this is a special moment for him and something he has certainly thought about along with the family; that he wanted to take a moment to make sure we remember that some of us when we put on our shoes and walk out of our homes there is a very different calculation whether we get back home. He stated that is one of the things he looks at in this Resolution and during the Julie Jacks Blue Grass Festival – that he keeps those things in mind every day.

Senator Watson stated it is often said at the conclusion of Veterans ceremonies “... on behalf of a grateful nation”. He thanked Representative Dean and noted this is on behalf of a grateful community for her service, not only for Julie Jacks, but for all represented here tonight. He stated public service is immeasurable and again thanked him.

Representative Dean stated that he wanted to try to keep his comments very brief because part of the reason is not only was she a co-worker but a very dear friend, as well. He noted that those who have served with him know he can get emotional “at the drop of a hat” and (he) did not want to become emotional. He stated that he wants this to be a tribute, something for years to come for his grandchildren and others grandchildren when riding in a car who can say “who is this Julie Jacks” and their parents can respond “someone who gave their life so you can live in a safer city,” and Julie did that.

**SPECIAL PRESENTATION: RENAMING A PORTION
OF I-24 TO HONOR JULIE JACKS (Continued)**

At this point Representative Dean asked family members of Ms. Jacks to come forward and presented them with a replica of the sign, which is already in place and will be unveiled in the morning by representatives of the Tennessee Department of Transportation, and a framed copy of the Bill that was passed and signed by both Speakers, Governor Bredesen and all sponsors.

Vice Chairman Benson thanked the Delegation for making this presentation, noting that the tragedy happened four years ago and her memory is probably stronger than ever.

CLOSE AND ABANDON

MR-2008-121: Corrie Eldred/Betts Engineering

On motion of Councilman Rico, seconded by Councilman Pierce,
AN ORDINANCE CLOSING AND ABANDONING THE 3000 BLOCK OF BASHAM STREET AND FOUR (4) UNOPENED ALLEYS LOCATED OFF THE WEST LINE OF THE 2900 BLOCK OF ALTON PARK BOULEVARD, 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.

CLOSE AND ABANDON

Vice Chairman Benson stated that all agenda matters were reviewed and discussed in Committee. He invited the public to attend committee meetings to hear discussion of agenda items.

MR-2008-141: James Schwall

On motion of Councilman Rico, seconded by Councilwoman Gaines,
AN ORDINANCE CLOSING AND ABANDONING A PORTION OF AN UNOPENED ALLEY LOCATED BETWEEN THE FORMER 1600 BLOCKS OF FIRST STREET AND EAST 29TH STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS

passed first reading.

IDENTITY THEFT POLICY

On motion of Councilman Rico, seconded b Councilman Pierce,
A RESOLUTION ADOPTING THE "CITY OF CHATTANOOGA IDENTITY THEFT POLICY" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE
was adopted.

ISSUANCE AND SALE OF BONDS

Vice Chairman Benson stated this matter was discussed at length today in Committee.

Councilwoman Berz stated that the only thing she wanted to make clear is that these are all projects in process and in this tight time of economics she would not want us to look frivolous and we are far from frivolous! She stated these are ongoing projects that we have projected in substance earlier.

Vice Chairman Benson stated that he is glad the point was made these are programs in the works; that it does not mean completion; that we are setting aside up to \$65 million so bonds may be floated up to that amount and it will be incremental when they come out. He stated roads in districts are not to be completed until 2010 and it does take setting aside monies each year from both operating and bonds; that it some ways it is considered "lay by money with \$29 million for Enterprise South as "lay by money".

On motion of Councilwoman Gaines, seconded by Councilman Rico,
A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF BONDS IN THE AGGREGATE AMOUNT NOT TO EXCEED SIXTY-FIVE MILLION DOLLARS (\$65,000,000.00) OF THE CITY OF CHATTANOOGA, TENNESSEE FOR THE PURPOSE OF PAYING ALL OR A PORTION OF THE COSTS OF ROAD IMPROVEMENT NORTHPOINT BOULEVARD EXTENSION, SIDEWALKS, ENTERPRISE SOUTH PARKWAY, ENTERPRISE SOUTH BOULEVARD, ENTERPRISE SOUTH WETLANDS/DETENTION POND, WARNER PARK IMPROVEMENTS AND SUMMIT OF SOFTBALL SPORTS COMPLEX, NORTH SHORE GARAGE, ROAD IMPROVEMENT GOODWIN DRIVE, ROAD IMPROVEMENT BOYNTON DRIVE/MLK BOULEVARD, ROAD IMPROVEMENT NORTHPOINT BOULEVARD EXTENSION, ROAD IPROVEMENT HAMILL ROAD (HIGHWAY 153 TO HIXSON PIKE), ROAD REHABILITATION HUDSON ROAD, ROAD IMPROVEMENT SHALLOWFORD ROAD (GUNBARREL TO JENKINS), WARNER PARK IMPROVEMENTS, SUMMIT OF SOFTBALL SPORTS COMPLEX, HVAC REPLACEMENT, FIRE APPARATUS/FIRE PUMPER, CERTAIN PROJECTS IN CONNECTION WITH THE VOLKSWAGEN MANUFACTURING FACILITY

ISSUANCE AND SALE OF BONDS
(Continued)

INCLUDING STREETS, HELIPAD, WELCOME CENTER, FIRE BUILDING AND RELATED EQUIPMENT, ELECTRIC TRANSFORMER STATION, WASTEWATER, WATER AND STORMWATER DRAINAGE, CERTAIN UTILITY INFRASTRUCTURE AND FINANCING CERTAIN OTHER PUBLIC WORKS PROJECTS AND FIXING THE MAXIMUM RATE OF INTEREST SUCH BONDS SHALL BEAR

was adopted.

AMENDMENT TO CITY'S GREENWAY MASTER PLAN

On motion of Councilwoman Robinson, seconded by Councilwoman Gaines,
A RESOLUTION TO AMEND THE CITY'S GREENWAY MASTER PLAN TO INCLUDE THE JOHN C. WILSON PARK, OWNED AND OPERATED BY THE LOOKOUT MOUNTAIN CONSERVANCY

was adopted.

PAYMENT AUTHORIZATION

On motion of Councilman Rico, seconded by Councilwoman Gaines,
ADDITIONAL AMOUNT OF TWENTY-SEVEN THOUSAND THREE HUNDRED TEN AND 98/100 DOLLARS (\$27,310.98) FOR COMPLETION OF THE RENOVATION OF THE RESTROOM FACILITIES AT THE TIVOLI THEATRE PER CHANGE ORDER NO. 001 DATED OCTOBER 2, 2008

was adopted.

GRANT

On motion of Councilman Rico, seconded by Councilman Page,
A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR AND, IF AWARDED, ACCEPT AN ENHANCEMENT GRANT FROM TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR THE FY 2009 TRANSPORTATION ENHANCEMENT PROGRAM FOR SIDEWALK IMPROVEMENTS ON HIGHWAY 58 FROM ELLER ROAD TO WEBB ROAD, IN AN AMOUNT TO BE DETERMINED, WITH EIGHTY PERCENT (80%) BEING THE TDOT SHARE AND TWENTY PERCENT (20%) BEING REQUIRED FROM THE CITY AS LOCAL MATCHING FUNDS

was adopted.

GRANT

On motion of Councilman Rico, seconded by Councilwoman Berz,

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR AND, IF AWARDED, ACCEPT AN ENHANCEMENT GRANT FROM TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR THE FY 2009 TRANSPORTATION ENHANCEMENT PROGRAM FOR SIDEWALK IMPROVEMENTS ON ROSSVILLE BOULEVARD FROM THE GEORGIA STATE LINE TO EAST 48TH STREET, IN AN AMOUNT TO BE DETERMINED, WITH EIGHTY PERCENT (80%) BEING THE TDOT SHARE AND TWENTY PERCENT (20%) BEING REQUIRED FROM THE CITY AS LOCAL MATCHING FUNDS

was adopted.

CONTRACT

On motion of Councilman Rico, seconded by Councilman Shockley,

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. W-08-008-201, TO INSTITUFORM TECHNOLOGIES, INC., FOR MISCELLANEOUS SANITARY SEWER LINING CONTRACT, FOR UNIT PRICES NOT TO EXCEED THOSE ON THE LIST ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE

was adopted.

CHANGE ORDER

On motion of Councilman Rico, seconded by Councilman Page,

A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1 (FINAL) RELATIVE TO CONTRACT NO. E-06-013-201, 2007 CITY SIDEWALK REQUIREMENTS CONTRACT WITH KLEENCO CONSTRUCTION OF TENNESSEE, INC. THIS CHANGE ORDER IS TO INCREASE THE CONTRACT AMOUNT BY FOUR THOUSAND EIGHT HUNDRED FIFTY-EIGHT AND 02/100 DOLLARS (\$4,858.02) FOR A REVISED AMOUNT NOT TO EXCEED THREE HUNDRED FIFTY-FOUR THOUSAND EIGHT HUNDRED FIFTY-EIGHT AND 02/100 DOLLARS (\$354,858.02)

was adopted.

CHANGE ORDER

On motion of Councilman Rico, seconded by Councilwoman Gaines,
A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1 (FINAL), RELATIVE TO CONTRACT NO. T-06-005-201, FRAZIER AVENUE AT TREMONT STREET INTERSECTION IMPROVEMENT, WITH STEIN CONSTRUCTION CO., INC., WHICH CHANGE ORDER DECREASES THE CONTRACT AMOUNT BY NINE THOUSAND FIVE HUNDRED TWENTY-ONE AND 32/100 DOLLARS (\$9,521.32), FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED EIGHTY-TWO THOUSAND SEVEN HUNDRED FORTY-SEVEN AND 67/100 DOLLARS (\$82,747.67), AND TO RELEASE THE CONTINGENCY FUNDS IN THE AMOUNT OF NINE THOUSAND TWO HUNDRED THIRTY-ONE AND 01/100 DOLLARS (\$9,231.01)
was adopted.

RIGHT-OF-WAY NAME CHANGE

2008-PW-00: City of Chattanooga c/o Bill Payne, City Engineer

On motion of Councilman Rico, seconded by Councilwoman Robinson,
A RESOLUTION TO CHANGE THE RIGHT-OF-WAY NAMES OF THE 5400 TO 5900 BLOCK OF DIXIE AVENUE, THE 1700 TO 1899 BLOCK OF WEST 54TH STREET, AND THE 5400 TO 5699 BLOCK OF TEXAS AVENUE TO 5400 THROUGH 5599 GLENN FALLS, AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE
was adopted.

RIGHT-OF-WAY NAME CHANGE

2008-PW-002: City of Chattanooga c/o Bill Payne, City Engineer

On motion of Councilman Rico, seconded by Councilwoman Robinson,
A RESOLUTION TO CHANGE THE RIGHT-OF-WAY NAME OF 4100 TO 4299 POLK STREET (AKA POLK AVENUE) TO 4100 TO 4200 QUINN ADAMS STREET, AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE
was adopted.

RIGHT-OF-WAY NAME CHANGE

2008-PW-003: City of Chattanooga c/o Bill Payne, City Engineer

Councilwoman Berz inquired as to whose districts the row-of-way name changes are located.

Councilman Rico responded "my district".

Councilwoman Berz stated that she assumes the residents have gotten notice and they are in agreement.

Councilman Rico responded "the assumption is correct".

On motion of Councilman Rico, seconded by Councilman Shockley,
**A RESOLUTION TO CHANGE THE RIGHT-OF-WAY NAME OF 2300 TO
2499 POLK STREET TO 2300 TO 2499 BALTO STREET, AS SHOWN ON THE
MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE**
was adopted.

RIGHT-OF-WAY NAME CHANGE

2008-PW-004: City of Chattanooga c/o Bill Payne, City Engineer

On motion of Councilman Rico, seconded by Councilman Shockley,
**A RESOLUTION TO CHANGE THE RIGHT-OF-WAY NAME OF 1300 TO
1499 POLK STREET TO 1300 TO 1499 TOP STREET, AS SHOWN ON THE
MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE**
was adopted.

OVERTIME

Overtime for the week ending October 23, 2008 totaled \$84,918.98.

Vice Chairman Benson stated he did not understand why \$2,000 was spent in one week and then the next week it was \$21,000 and then back to \$3,000 in previous overtime reports. He asked what made the amount jump to \$21,000 in one week.

Adm. Daisy Madison stated that she sent everyone the spread sheet in an effort to explain it. She explained that the report had to do with four weeks of payrolls; that we have two cycles of payrolls: one is weekly and the other biweekly.

OVERTIME (Continued)

She stated the weekly payroll will definitely be less overtime than biweekly, but the biweekly will include weekly as well as the biweekly payroll; that at the very least it will have three times as many people being paid on the biweekly pay cycle than on the weekly pay cycle and that is one of the reasons. She stated there were some discrepancies that had to do with Enterprise South and another period with two major areas involving the police department and the parks and recreation department related to the hurricane efforts they had done.

PERSONNEL

The following personnel matters were reported for the various departments:

PUBLIC WORKS DEPARTMENT:

- **WILLIAM D. BLAKE** – Family Medical Leave, Equipment Operator 3, City Wide Services, effective October 15, 2008 – January 7, 2009.
- **ARLEY L. HARVEY** – Family Medical Leave, Equipment Operator 3, City Wide Services, effective October 16-24, 2008.
- **JASIMINUS A. TAYLOR** – Suspension (2 days without pay), Crew Worker 1, City Wide Services, effective September 29-30, 2008.
- **GILLRAY GATES, JR.** – Resignation, Equipment Operator 3, City Wide Services, effective October 10, 2008.
- **JERRY L. HATTER** – Suspension (2 days without pay), Crew Worker 1, City Wide Services, effective October 27-28, 2008.

CHATTANOOGA POLICE DEPARTMENT:

- **TODD RICHARDS** – Family Medical Leave, Police Officer, effective October 3 -- December 26, 2008.

CHATTANOOGA FIRE DEPARTMENT:

- **GABRIEL THRASH** – Return from Family Medical Leave, Senior Firefighter, effective October 27, 2008.

PERSONNEL (Continued)

- **MICHAEL BARONAVSKI** – Retirement, Battalion Chief, effective October 27, 2008.

- **CLIFFORD BRYANT** – Retirement, Captain, effective October 27, 2008.

PARKS AND RECREATION DEPARTMENT:

- **KELLY LILES** – Temporary Transfer (From Fire Department to Parks and Rec.), Recreation Specialist, Range 9, \$32,077.00 annually, effective October 20 – December 19, 2008.

EMERGENCY PURCHASE

The emergency purchase of Professional Engineering Services for the Public Works Department from Volkert & Associates, Inc. in the amount of \$109,000 on R0115477 was duly reported and signed in open meeting.

EMERGENCY PURCHASE

The emergency purchase of Emergency Flow Monitoring Services for the Public Works Department from ADS Environmental Services in the amount of \$51,960.00 on R0115733 was duly reported and signed in open meeting.

SIDEWALK GRANTS

Councilwoman Gaines stated several months ago the Council was notified about grants for sidewalks and at that point we had the opportunity to participate in naming some of the general areas in the community that were in immediate need. She stated the last two resolutions served as a reminder; that she has received calls as one of the projects she requested was in the Eastdale area. She asked where we are at this point in reference to the grants.

Adm. Leach stated these sidewalks are related more to state highways and the other ones go through the operations budget. He stated he would have to get back with her specifically in reference to Eastdale as he is not sure it is operational or part of the capital budget.

SIDEWALK GRANTS (Continued)

Councilwoman Gaines stated that it is her thought they were special grants and upon notification it was mentioned Council members needed to recommend two sidewalks immediately due to a special grant.

Adm. Leach stated he would try to figure it out.

PURCHASES

On motion of Councilman Rico, seconded by Councilwoman Robinson, the following purchases were approved for use by the various departments:

PUBLIC WORKS DEPARTMENT:

FLOTTWEG SEPARATION TECHNOLOGY, INC. (Single Source)
R0113581/B0005609

Flottweg Centrifuge Parts per TCA 6-56-304.2

\$12,902.00

PARKS AND RECREATION DEPARTMENT:

A-AFFORDABLE FENCE (Claim/unauthorized purchase)
R0115331

Fencing Materials and Installation

\$19,597.00

SWEET DIVERSITY EVENT IN DISTRICTS 2 AND 3

Councilman Page reminded everyone of the Sweet Diversity event scheduled for Thursday, October 30 for Districts 2 and 3 beginning at 6:00 p.m. at Big Ridge Elementary School.

COMMITTEES

Councilwoman Robinson scheduled a meeting of the **Health, Human Services and Housing Opportunities Committee for Tuesday, November 4 immediately following Economic Development Committee.** She stated the agenda would consist of discussion regarding the Neighborhood Stabilization Program for Neighborhood Services.

Vice Chairman Benson scheduled a meeting of the **Legal and Legislative Committee for Tuesday, November 4 immediately following discussion of agenda items.**

Councilman Page scheduled a meeting of the **Economic Development Committee for Tuesday, November 4 immediately following Legal and Legislative** to discuss the Scenic Industries PILOT and two EPA Brownfield grants.

ADJOURNMENT

Vice Chairman Benson adjourned the meeting of the Chattanooga Council until Tuesday, November 4, 2008 at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL

(A LIST OF NAMES OF PERSON SIN ATTENDANCE
IS FILED WITH MINUTE MATERIAL OF THIS DATE)