

**City Council Building
Chattanooga, Tennessee
July 7, 2009
6:00 p.m.**

Chairman Benson called the meeting of the Chattanooga Council with Councilmen Berz, Gilbert, Ladd, McGary, Murphy, Rico, Robinson and Scott present. City Attorney Michael McMahan, 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 Councilman Rico, seconded by Councilman Murphy, the minutes of the previous meeting were approved as published and signed in open meeting.

CLOSE AND ABANDON

MR-2008-149: Charles T. Bowman

On motion of Councilman Rico, seconded by Councilman McGary,
**AN ORDINANCE CLOSING AND ABANDONING SEWER LINE G-3 AND
THE EASEMENT CONTAINING LINE G-3 LOCATED OFF THE EAST LINE OF
THE 1100 BLOCK OF SHADY REST ROAD, 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.

CLOSE AND ABANDON

MR-2008-159: Randy Brady, Jr.

On motion of Councilman Rico, seconded by Councilman Gilbert,
AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE UNOPENED RIGHT-OF-WAY IN THE 4000 BLOCK OF LOWELL STREET LOCATED OFF THE 4000 BLOCK OF GLENCOE 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.

AMEND CITY CODE

On motion of Councilman Rico, seconded by Councilwoman Berz,
AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE PART II, CHAPTER 5, ARTICLE III, SECTION 5-48, RELATIVE TO ALCOHOLIC BEVERAGES WITH RESPECT TO PERSONS UNDER THE AGE OF TWENTY-ONE (21)
passed first reading.

DONATION OF FREE CAROUSEL TICKETS

Councilman Murphy inquired as to whether these Carousel tickets were going to students of the county, unincorporated areas or other municipalities.

Adm. Zehnder responded that no distinction has been made between children who reach these goals; that he does not know that for a fact and can report at the next Council meeting.

On motion of Councilman Gilbert, seconded by Councilman Rico,
A RESOLUTION AUTHORIZING THE DEPARTMENT OF PARKS AND RECREATION TO DONATE FREE CAROUSEL TICKETS TO THE CHATTANOOGA-HAMILTON COUNTY BICENTENNIAL LIBRARY IN SUPPORT OF ITS SUMMER READING PROGRAM TO BE GIVEN TO ALL YOUNG READERS WHO COMPLETE THEIR READING GOALS
was adopted.

AGREEMENT

Councilwoman Scott asked if anyone has seen the budget for the next year or a copy of it, to which there was no response.

Chairman Benson stated that he did not know what the budget is going to be.

On motion of Councilwoman Ladd, seconded by Councilwoman Berz,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS AND RECREATION TO ENTER INTO A MANAGEMENT AGREEMENT WITH THE TRUST FOR PUBLIC LAND FOR THE DESIGN AND CONSTRUCTION OF A PART OF THE NORTH CHICKAMAUGA GREENWAY IN AN AMOUNT NOT TO EXCEED FIFTY THOUSAND DOLLARS (\$50,000.00)

was adopted; Councilwoman Scott voted "no".

GRANT

On motion of Councilman Rico, seconded by Councilman Murphy,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO APPLY FOR AND, IF AWARDED, ACCEPT A GRANT FROM THE NATIONAL PARK SERVICE IN AN AMOUNT UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) RELATIVE TO CONTRACT NO. T-09-002, TRANSPORTATION PLANNING STUDY, MOCCASIN BEND NATIONAL ARCHEOLOGICAL DISTRICT

was adopted.

CONTRACT

On motion of Councilman Rico, seconded by Councilwoman Ladd,

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. E-04-019-201, HUDSON AND TERMINAL ROAD RECONSTRUCTION, TO STEIN CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF FOUR HUNDRED NINETY-THREE THOUSAND TWO HUNDRED TWELVE AND 76/100 DOLLARS (\$493,212.76), PLUS A CONTINGENCY AMOUNT OF FORTY-NINE THOUSAND THREE HUNDRED TWENTY-TWO AND 24/100 DOLLARS (\$49,322.24), FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED FIVE HUNDRED FORTY-TWO THOUSAND FIVE HUNDRED THIRTY-FIVE DOLLARS (\$542,535.00)

was adopted.

TEMPORARY USE

On motion of Councilman Murphy, seconded by Councilman Rico,
A RESOLUTION AUTHORIZING CUSTOM DESIGNS, ON BEHALF OF JEFF SIMS, TO USE TEMPORARILY THE RIGHT-OF-WAY AT 409 BROAD STREET TO INSTALL AN AWNING AND SIGNAGE, AS SHOWN ON THE DRAWINGS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS
was adopted.

OVERTIME

Overtime for the week ending July 2, 2009 totaled \$86,030.18.

PERSONNEL

The following personnel matters were reported for the various departments:

GENERAL SERVICES:

- **DONALD TONEY** – Leave of Absence, Crew Worker 1, effective July 6 – 31, 2009.

INFORMATION SYSTEMS:

- **MICHAEL J. MCGRATH** – Hire, IT Technician, Range 15, \$39,000.00, effective July 2, 2009.

CHATTANOOGA FIRE DEPARTMENT:

- **LESLEY MORGAN** – Return to Duty from Family Medical Leave, Staff Captain, effective July 6, 2009.
- **K. LAMAR FLINT** – Promotion, Executive Deputy Fire Chief, Range 29, \$80,445.34 annually, effective July 3, 2009.
- **J. CHRIS ADAMS** – Promotion, Deputy Fire Chief, Range F7C, \$68,579.00 annually, effective July 3, 2009.

PERSONNEL (Continued)

- **RODNEY JONES** – Promotion, Fire Battalion Chief, Range F5A, \$60,756.00 annually, effective July 3, 2009.
- **DEANGELO NEWSON** – Demotion, Firefighter, Range F1A, \$40,557.37 annually, effective July 3, 2009.

CHATTANOOGA POLICE DEPARTMENT:

- **SHEILA CAMERON, APRIL MILLSAPS, SADA STRICKLAND** – Position Elimination (Fiscal 2010 Budget Recovery), effective June 30, 2009.

PARKS AND RECREATION:

- **KIM BATTLE** – Suspension (2 days without pay), Recreation Program Coordinator, effective June 29-30, 2009.
- **FREDDIE PAYNE** – Suspension (Suspended with pay until further notice), Recreation Facility Manager 1, effective June 23, 2009.
- **MAURICE HORTON** – Suspension (Suspended with pay until further notice), Crew Worker 1, effective June 12, 2009.

DONATION

Adm. Zehnder duly reported the donation of \$2,500.00 from private citizens that were used for prizes and food for the Parks and Recreation Department's National Go Skateboarding Day event held at the Chattown Skate Park on June 21, 2009. (The list of donations is filed with minute material of this date.)

BILL MCDONALD

Chairman Benson recognized the presence of former Public Works Administrator Bill McDonald.

BOARD APPOINTMENT

On motion of Councilman Rico, seconded by Councilwoman Berz, the following Board appointment was approved:

BOARD OF ADJUSTMENT AND APPEALS:

- Appointment OF **JOE SLIGER** as the General Contractor required by *City Code* for a four year term expiring July 7, 2013.

RESOLUTION REFERENCING GUNS IN PARKS

Councilman McGary stated it was announced in committee earlier today that the resolution in reference to guns in the parks will be before the Council on next week's agenda. He stated the Council would officially take a vote upholding the current ordinance.

Chairman Benson expressed thanks to Councilman McGary for announcing the matter, noting that the announcement gives the public notice, as well.

COMMITTEES

Councilman Rico scheduled a meeting of the **Public Works Committee for Tuesday, July 14 immediately following the agenda session.**

Councilman Murphy reported that the Legal and Legislative Committee met today to take up pressing matters.

A JOB WELL DONE!

Councilwoman Robinson stated that she wanted to state publicly what a wonderful job the Public Works and Parks and Recreation Departments did at Coolidge Park over the weekend. She stated "Pops in the Park" was held with probably 10,000-15,000 people and the next morning as she was jogging through the area, not a single candy wrapper was anywhere and the place was completely immaculate! She commended everyone who played a part in the wonderful cleanup!

COMMITTEES (Continued)

Councilwoman Berz stated that the Audit Committee process was finalized today relative to the Council Auditor, which was previously announced as Randy Burns. She stated the Audit Committee is composed of David DiStefano, CPA, Charles Millsaps, CPA and Tim Moore, Founder/Managing Partner of Moore, Raven, Samuel and Bradley, indicating two more slots are to be filled. She stated that the three persons named will be given notification and will begin immediately implementing the Council Auditor. She expressed thanks to all Council members for their support, noting that it has been a rather long process, yet a very successful one.

Councilwoman Scott stated that she wanted to make sure the public announcement was made of the 2 p.m. meeting for the City Council's agenda on next Tuesday,

Chairman Benson clarified that the 2 p.m. is not the agenda meeting as the agenda meeting begins at 3 p.m.

Councilwoman Scott stated that the 2 p.m. meeting is the time set to work on the Council's Mission and the public is invited.

AGENDA FOR NEXT WEEK: JULY 14, 2009

The agenda for next Tuesday appears below:

Ordinances – First Reading:

- a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Section 38-228, by deleting subsections (2), (3), and (4) and renumbering the remaining subsections.
- b) An ordinance to amend Chattanooga City Code, Part II, Chapter 5, Article III, Section 5-108, relative to retail sale of wine.
- c) 2008-114 Mehdi Malekzadeh (R-1 Residential Zone to R-4 Special Zone.) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 6709 Shallowford Road, more particularly described herein and as shown on the maps and drawing attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-4 Special Zone. **(Not recommended for approval by Planning.)**

AGENDA FOR NEXT WEEK: JULY 14, 2009
(Continued)

2008-114 Mehdi Malekzadeh (R-1 Residential Zone to R-4 Special Zone.) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 6709 Shallowford Road, more particularly described herein and as shown on the maps and drawing attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- d) 2009-089 David Hudson (R-4 Special Zone to C-3 Central Business Zone.) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 215 Lookout Street, more particularly described herein and as shown on the maps attached hereto and made a part hereof by reference, from R-4 Special Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning.)**

2009-089 David Hudson (R-4 Special Zone to C-3 Central Business Zone.) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 215 Lookout Street, more particularly described herein and as shown on the maps attached hereto and made a part hereof by reference, from R-4 Special Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- e) 2009-092 Kile Kim (R-1 Residential Zone and R-4 Special Zone with conditions to R-4 Special Zone.) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 1412 and 1420 Crawford Street, more particularly described herein and as shown on the maps and drawings attached hereto and made a part hereof by reference, from R-1 Residential Zone and R-4 Special Zone with conditions to R-4 Special Zone. **(Not recommended for approval by Planning.)**

2009-092 Kile Kim (R-1 Residential Zone and R-4 Special Zone with conditions to R-4 Special Zone.) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 1412 and 1420 Crawford Street, more particularly described herein and as shown on the maps and drawings attached hereto and made a part hereof by reference, from R-1 Residential Zone and R-4 Special Zone with conditions to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

AGENDA FOR NEXT WEEK: JULY 14, 2009
(Continued)

- f) **MR-2008-150 Vitality Livarchuk (Abandonment).** An ordinance closing and abandoning an unopened portion of the 1900 block of East 21st Street, more particularly described herein and as shown on the maps and drawings attached hereto and made a part hereof by reference. (Not recommended for approval by Planning or Public Works.) (Recommended for deferral by Staff.)

MR-2008-150 Vitality Livarchuk (Abandonment). An ordinance closing and abandoning an unopened portion of the 1900 block of East 21st Street, more particularly described herein and as shown on the maps and drawings attached hereto and made a part hereof by reference, subject to certain conditions. (Recommended for approval by Planning or Public Works.)

Resolutions:

- a) A resolution authorizing the Administrator of the Department of Public Works and the Interceptor Sewer System to enter into an agreement for professional engineering services for the new Eastgate Pump Station and Force Main Project, Contract No. W-09-008 with CTI Engineers, Inc., in an amount not to exceed \$205,000.00. **(Deferred from 6/30/09.)**
- b) A resolution authorizing the Administrator of the Department of Public Works and the Interceptor Sewer System to enter into an agreement for professional engineering services for the upgrade of the South Chickamauga Creek Pump Station and Force Main Project, Contract No. W-09-006 with CTI Engineers, Inc., in an amount not to exceed \$180,000.00. **(Deferred from 6/30/09.)**
- c) A resolution authorizing the Mayor to enter into and execute an “Offer to Purchase” relative to Tract 19 of the Enterprise South Industrial Park and to execute deeds and other necessary closing documents conveying said property to Gestamp North America, Inc. or assigns.
- d) A resolution authorizing the Administrator of the Department of Public Works to apply for and, if awarded, accept a grant to perform a green city analysis from the Lyndhurst Foundation in the amount of \$30,000.00.
- e) A resolution authorizing the execution of Change Order No. 2, relative to Contract No. W-07-004-401, construction inspection services with Dennis Smith, which change order increases the contract amount by \$30,000.00, for a revised contract amount not to exceed \$210,000.00.

AGENDA FOR NEXT WEEK: JULY 14, 2009
(Continued)

- f) A resolution authorizing the Mayor to execute a maintenance contract with the Tennessee Department of Transportation for fiscal year 2009-2010, relative to the State reimbursing the City for maintenance work on state highways routed through the City.
- g) A resolution authorizing the award of Contract No. E-04-036-202, Enterprise South Roadway Extension Phase 1B to East Tennessee Grading, Inc. in an amount not to exceed \$935,374.51.
- h) A resolution authorizing the Department of Neighborhood Services and Community Development to enter into a contract with the Chattanooga Convention Center for an amount not to exceed \$40,000.00 for the 11th Annual Neighborhoods and Codes Conference scheduled for October 22-23, 2009.
- i) **A resolution pursuant to T.C.A. § 39-17-1311(d) to prohibit handguns in City public municipal parks, natural areas, historic parks, nature trails, campgrounds, forests, greenways, waterways, or other similar public places.**

FRANK DEPINTO

Frank DePinto stated that information was distributed to everyone through their mailboxes and he would refer to it later. He expressed appreciation to Councilmen McGary and Benson for their help, as well as the Mayor for bringing twice monthly curbside recycling, noting that is why he was present tonight to make sure this new effort is a success and not a failure as it has been in the past. He stated he has done a lot of research analysis and has talked with many planners around the nation about their program; that there are a lot of successful curbside programs in the nation with 80% households participating and 60% recycling. He stated Chattanooga is not an environmental city; that it is a scenic city and has a miserable record of recycling, which is an embarrassment to him as he is hopeful two times monthly will correct that.

Mr. DePinto stated the big problem is the association with Orange Grove; that no other city has this situation. He stated Orange Grove becomes a black hole of funds and a process of bookkeeping; that other cities take material, sells the material and it pays for collection and sorting services. He stated in this process there are two main components of service operation: collection of curbside material by the city who takes it over to Orange Grove who sorts it; that the cost nationwide is \$114 per ton, \$70 per ton for collection and \$75 per ton for sorting.

FRANK DEPINTO (Continued)

Mr. DePinto stated this is a misappropriation by the City Council within the contract the City Attorney has made, which created a situation of misappropriations in 2007 according to documents; that he has legal evidence a misappropriation of \$50,000 to Orange Grove should have been spent toward operation of recycling.

At this point Chairman Benson made Mr. DePinto aware that he had used the three minute time limited allowed persons addressing the Council on non-agenda matters.

Councilman Murphy indicated that he wanted to say a few things and stated as an attorney privately and in his private capacity he represents many folks who are developmentally disabled and unable to work. He stated that the Orange Grove sorting facility is located within his District and the city would be perfectly within its rights to make appropriations to Orange Grove to support vocational services to support those people in an amount identical to or exceeding the amount they sell those products for, first. He stated that would not be a misappropriation of city resources as it is done with agencies throughout this city. Secondly, he stated the value of those materials fluctuate on a weekly if not daily basis. He pointed out that Orange Grove has a requirements contract with us and they take it and process it regardless of value and they are providing an excellent service to this community, sir, directly addressing Mr. DePinto. He stated we are not misappropriating anything; that this has all been public for years and if the tax payers have a problem with it they can take it up with each of us at the ballot box.

At this point Mr. DePinto asked if he could respond to Councilman Murphy's comments, to which Chairman Benson noted he had used his allotted three minutes and his (DePinto) wanting to respond would be on the record.

City Attorney McMahan stated that he wanted to follow up to what Councilman Murphy said, noting that the city entered into an agreement with Orange Grove many years ago in order to provide meaningful employment for these young people who are not as privileged as all of us are in being able to go out and find a regular job. He stated these young people enjoy doing what we may see as exceedingly menial jobs; that they get pleasure out of offering service to the public in this manner. He stated the city has always known they are providing support for Orange Grove, not strictly on a dollar-for-dollar kind of a quid pro quo; that it has always been somewhat of a subsidy and the city has always known that from the very first contract they made with Orange Grove. He stated it can be changed by any City Council, but that has always been the practice.

FRANK DEPINTO (Continued)

Mr. DePinto expressed his disagreement, again asking to respond; however Chairman Benson asked that he wait, adding that he (DePinto) may be given an opportunity to do so.

Councilwoman Ladd stated for years we did not recycle appropriately and our waste stream was polluted with so much trash, which was the biggest reason why the program became ineffective. She stated they still had to sort through the trash and they still had to invest labor to go through and separate trash from what was a decent recycle waste stream. She stated they also lost a lot of money on what they did not receive because we misappropriated what we put in; that the misappropriation has been with users in a lot of the cases here for years. She stated if we look at what they have done with labor and what we have gotten in return for a good waste stream we probably owe them a lot more than they ever made.

Chairman Benson stated with the Council's permission Mr. DePinto could be given an additional three minutes to respond in an effort to be fair and close this subject once and for all. A majority of the Council members voted to grant an additional three minutes to Mr. DePinto; Councilmen Murphy and Rico voted "no".

Mr. DePinto expressed appreciation for the Council's responses and acknowledged his knowing there has been a long tradition with Orange Grove; that he values the service they give our community. He stated what has been done has been because there has not been a lot of thought about this and what is being done is destroying curbside recycling because of Orange Grove. He stated there should be two separate entities; that the monies collected from the valuables from citizens should be put back in the recycling operation and not to Orange Grove as they get paid for sorting and the people there work there, but there should not be a granting of any surplus to Orange Grove and should be put back into the operation. He stated it is his theory this is why it keeps failing and the Mayor keeps saying there is no money; that there is no money because it is given back to Orange Grove without giving it back to the city operation for collections. Secondly, he stated, everyone talked about "this and that" and the "feel good stuff", but what is needed are spread sheets and data and that is what he has and something the Council lacks! He stated Councilman Benson did not give him a spread sheet, and noted that the \$50,000 should have been put in operations and not given to Orange Grove because they get money and got \$100,000 for sorting; He stated that the Council needs accountability and transparency and not just a lot of talk and "jibberish"; that they need to put it down on paper and make sure the books are balanced and the money goes to the proper people.

FRANK DEPINTO (Continued)

Mr. DePinto continued by stating instead of spending \$100,000 for a raccoon and giving out money to Waterhouse PR, the city should give that money to Orange Grove, adding that is a suggestion he would make also. He stated that the Mayor has wasted \$200,000 that could have been put in operations for recycling and could have been given to Orange Grove. This concluded Mr. DePinto's comments and he expressed thanks to the Council.

Councilwoman Robinson stated at the end of the day education is what it is all about and we have to keep telling our citizens over-and-over how important recycling is and how to do it correctly; that we have had some success and it is getting better, now. She stated we have come a long way in the past couple years and commended the Public Works Department. She stated that she likes "Rocky" the Raccoon and thinks he helps people understand what recycling is, and if we get kids excited about recycling they will take it into the classroom and Sunday School and will make sure Mom and Dad do it at home and keep on making it better!

RONALD HAYNES

Ronald Haynes of 3467 Pan Gap Circle stated that the city wants to change his address. He stated that he also lives at 1205 Pan Gap Circle and 1055 Pan Gap Circle and has not moved! He stated he has a 32 year history of emergency service including a stint with the Chattanooga Fire Department and EMS when we had ambulances. He stated that he knows Pan Gap runs from the 600-700 block and there is no 3400-3700 block or numerals the same, nor any cross streets the same. He requested that the City Council leave their street name alone! He stated there are also other problems with some who have applied for different jobs; that there are a lot of questions when he puts down three addresses and then try to explain he has lived at the same place for fifteen years! He stated that he has a wife and a seven year old and if he thought there was any danger to them he would be the first up here asking to have it changed.

Chairman Benson made Mr. Haynes aware of his Council representative, Councilwoman Scott, and Public Works Deputy Administrator Lee Norris and asked that he talk with them following the meeting.

Councilwoman Scott stated that there have been several issues similar to this in her District where residents have been notified of a need to change; that there was one changing O'Grady to Pan Gap Circle and now they are changing it a third time.

RONALD HAYNES (Continued)

Councilwoman Scott stated some individuals have changed driver's licenses, credit ratings and all the other accouterments that some with having a change of address. She stated one of the things she thinks need to be revalued is the concept that we can not have streets that have, for instance, Bennett **Lane**, Bennett **Court**, or Bennett **Circle**. She stated this past weekend she was trying to locate an area on a map here in the city and she looked down the index and essentially noted that 33-50 percent of the roads in the city wind up having the different ending to it. She stated that she read the ordinance of the 911 street naming in an attempt to come up with non-duplicative names and it appears if we use that and follow it as written we wind up possibly changing half of the roads in the city of Chattanooga! She stated that is going to put an undue burden on people; that she knows there are people who probably will have to change four times and thinks we should have that reviewed for those very reasons.

Chairman Benson stated that Councilwoman Scott's advice is well taken; that he and Councilman Murphy have talked about this and we have an ordinance we are not following as tightly as prescribed to be followed. He stated that we still have to come up with something to assure safety and response to 911 so duplication and confusion does not result, again noting that we have a real problem and he is cognizant of that.

Councilman Murphy expressed agreement to talk about it two weeks from now in Legal and Legislative in an effort to review the ordinance and talk about what makes sense. He stated that he is also concerned about streets and what led to this; that it is his belief North and South Broad, for example, are streets in conflict and we need to look at renaming or adjusting those streets. He stated in his "mind's eye", for instance, Hemphill **Drive** or **Circle**, when someone calls 911 they may say "305 Hemphill" and leave off the last part; that it is his hope a competent 911 operator would ask whether it is "Street, Drive or Circle" or the cross street. He stated 911 is absolutely immune from litigation if they make mistakes; that it is not on them by state law and that is for good reason. He stated the problem is there is a convenience factor and a common sense factor and "somewhere the 'twain' will meet". He asked that the City Attorney provide a copy of the ordinance to Council members in advance of the meeting.

Chairman Benson confirmed that the meeting would take place two weeks from today, July 21 at 3 p.m. if Mr. Haynes would like to attend.

RONALD HAYNES (Continued)

Councilwoman Scott stated in addition to the burden placed upon those having to undergo this, psychologically it is bad as people feel vested in that name. She stated there is one individual in her District whose address has been changed three times and they are putting in a new drive way to avoid having to change again, which is proof positive this is an issue that needs our attention.

ADJOURNMENT

Chairman Benson adjourned the meeting of the Chattanooga Council until Tuesday, July 14, 2009 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)**