

**City Council Building
Chattanooga, Tennessee
June 29, 2010
6:00 p.m.**

Chairman Rico called the meeting of the Chattanooga Council to order with Councilmen Benson, Berz, Gilbert, Ladd, McGary, Murphy, 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 Berz gave the invocation for the evening.

MINUTE APPROVAL

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

SPECIAL PRESENTATION: APPOINTMENT OF CHIEF OF POLICE

Mayor Littlefield stated approximately three months ago the police chief of the city retired and the *Charter* requires that an interim could serve during a period of time but that within 90 days he should nominate a successor. He stated on the 89th day of that period he is pleased to say he is bringing to the Council a proposed successor to Chief Freeman Cooper. He stated he has had the experience of serving with a number of Chiefs over the years and in the process of considering who should be the next Chief went back to the files of people who were principal candidates for that position within the department and it was truly like a trip back in time for him. He stated he saw references to many people who have long since retired, some that have long since died, many Chiefs from the past and it was quite an interesting exercise.

**SPECIAL PRESENTATION: APPOINTMENT OF CHIEF
OF POLICE (Continued)**

Mayor Littlefield stated a conference was held earlier today and it is not a surprise to the Council that after reviewing all of the possibilities that he is recommending the appointment of Chief Bobby H. Dodd as the next Chief. He stated Chief Dodd will be stepping up to that position; Chief Mark Rawlston has retired and has indicated this was his choice if not selected again; that there is no animosity but he was at that position in his career where so many have had to leave because of the pension system being what it is. He stated Chief Dodd is younger and therefore will be able to stay with us longer. He stated he wanted to bring him forth and introduce him to the Council formally along with his wife, Karen; that he has gotten a great deal of praise today about this appointment. He stated he is pleased to present Chief Bobby H. Dodd and his wife, Karen. (Applause was given at this time.)

Chief Dodd introduced his best friend and wife, Karen Dodd. He stated he is honored by this selection and excited; that when this first started he was trying to decide whether or not he wanted to "throw his hat in the ring" and get involved and at one point he was urged to and did. He stated he was overwhelmed by the support he received from inside the department as well as outside. He stated he has some ideas of things he wants to change and would like to bring those forward in the next couple weeks and noted he would get an opportunity next week to do that. He expressed thanks to the Mayor and Council for their support and the men and women of the police department.

Mayor Littlefield stated that he knows a committee hearing has been scheduled for next week; that Councilman Benson is chairing the Safety Committee and a list of questions will be put together. He stated Chief Rawlston will not be retiring until mid-July and will be assisting through the transition period; that his last official day will be July 15 and there will be a couple weeks where there will be an opportunity for a smooth transition. He expressed appreciation to the Council for their patience in this process and looks forward to talking with the Council next week.

AMEND 2009/2010 BUDGET ORDINANCE

Councilwoman Scott explained for everyone to understand that this is for an amendment to last year's fiscal budget and has nothing to do with the one coming up for fiscal year 2011.

On motion of Councilwoman Berz, seconded by Councilwoman Ladd,
AN ORDINANCE TO AMEND ORDINANCE NO. 12288, ENTITLED "AN ORDINANCE, HEREINAFTER ALSO KNOWN AS 'THE FY 2009/2010 BUDGET ORDINANCE', TO PROVIDE REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 2009, AND ENDING JUNE 30, 2010, AND APROPRIATING 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; AND PROVIDING FOR INTEREST AND PENALTY ON DELINQUENT TAXES AN DPRIVILEGES." SO AS TO PROVIDE FOR CERTAIN CHANGES IN APPROPRIATIONS SET OUT IN SECTION 6

Passed second and find reading and was signed in open meeting.

REZONING

2010-060: Arvin H. Reingold, Attorney

On motion of Councilman McGary, seconded by Councilman Murphy,
AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 1109 FAIRVIEW AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS

Was deferred two weeks (July 13).

2010-2011 BUDGET

Councilwoman Berz made the motion to approve this Ordinance on first reading with an amendment; Councilman McGary seconded the motion.

2010-2011 BUDGET (Continued)

Councilwoman Berz explained that the amendment is to restore the money to Parks and Recreation to bring it back to its level before the original cuts.

Councilman Gilbert stated before the vote he wanted to make it understood how he plans to vote. He stated the reason he ran for City Council is to help people who cannot help themselves – the only reason why he ran. He stated that goes for the city of Chattanooga, Fifth District and the employees of the city; that he finds it very difficult to vote for something if we are going to raise taxes and leave out the “backbone” of the city as far as giving employees a raise. He stated his vote will be “no” because we need to look out for the ones that are making very little money and what we are telling them now is we are raising taxes and not giving them a raise which is something he cannot do.

Councilman Benson stated originally the presentation was for a 64 cents tax increase and that was four-to-five weeks ago when the Council got that which shocked them all; that he took the position he did not want to raise anything other than what was necessary to keep this city afloat, viable and safe. He stated the Council has been working and working on this, trying to figure out how to keep this city going; that we cannot continue the way we have been going. He stated for the last three years with the downturn and the gas revenue, the Hall's tax and sales tax, we have had to spend more than we have taken in; that we are taking it out of the reserve funds and lowered that fund from \$54 million down to \$27 or \$26 million. He stated he has now been told if we go any lower we will lose our AA bond rating and we cannot continue to spend more than we are bringing in. He stated we have tried to cut and cut and have cut; that we cut all the agencies today by 16 percent and they will be hurting; that we are hurting here in this city. He stated he and Councilwoman Robinson have been on the Council ten years and raised the taxes the first year they came on and it has not been raised since; whether it is a home owner or government service we cannot continue to spend more than we are taking in. Councilman Benson stated we do not have that kind of savings account or reserve fund and we are down now where we have to do something; that this Council, working with the Mayor, Dan Johnson and Daisy Madison, have gotten it down from 64 cents to 39 cents a week ago and now today with this motion it will be 37 cents. He stated he is going to support this motion today to get it on the floor on first reading; that we have a second reading next week where it is his hope we can find other ways to cut even further.

2010-2011 BUDGET (Continued)

Councilman Benson stated that he supports this motion with the understanding it is not 64 cents it is 37 cents today; that it could be the same next week on second and final reading, if have it next week as we could postpone it. He stated he wanted to state the background on this as the Council has really worked and sweated over this.

Councilman McGary stated he has received numerous phone calls, e-mails and calls on the radio talk show about this issue, so even after he leaves the official capacity as City Councilperson on talk radio he still gets to answer the lovely questions about this subject. He stated he has heard a wide variety of responses in regard to this issue and he is aware of the difficulty this proposed tax increase will pose to many individuals; that he is prepared to vote for this budget tonight as a testament and to say he stands in support of his colleagues who have exercised their best effort toward cutting down this budget and, as has been said, this is our best effort on a first reading. He stated his appeal has been and will continue to be to all whether individually or collectively, whether a call-in on the talk show or not, he is prepared to answer any questions that may be asked, he is prepared to entertain any option, prepared to go through the budget and talk about any other proposed cuts that can be made and, hopefully, by the second reading we might be able to make more movement on this budget. He stated he wanted to make it clear this is not the Council's budget, this is "your" budget and if there are ideas that have not been presented to this Council or him individually he welcomes them and looks forward to hearing from the public as the Council continues to work through this difficult task together.

Councilwoman Scott expressed appreciation for all the efforts on behalf of the City Council to try and make reductions in this budget. She stated that we got to this point as a result of declining revenues during a bad economy and the addition of a lot of debt for the building of the VW plant, and also a failure when the first signs of the economy came about that the economy was sliding and destabilizing we did not make a lot of the adjustments in spending we should have made and it is her thought those things are coming back to haunt us now. She stated the first budget presented was unrealistic; the second budget that has been presented is better, however, it is her thought there is still room for modification and reductions. She expressed hope that the Council would work as energetically as they have in the past few weeks during the next week to try and see if they cannot do even better.

2010-2011 BUDGET (Continued)

On motion of Councilwoman Berz, seconded by Councilman McGary,
AN ORDINANCE, HEREINAFTER ALSO KNOWN AS 'THE FISCAL YEAR 2010-2011 BUDGET ORDINANCE', TO PROVIDE REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, AND ENDING JUNE 30, 2011; 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; AND TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 2, SECTION 2-267, RELATIVE TO PAID LEAVE FOR ACTIVE-DUTY TRAINING AND TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 31, SECTIONS 31-36, 31-37, 31-41, 31-43, 31-39 AND 31-40

Passed first reading; **on roll call vote:**

SCOTT	NO
ROBINSON	YES
LADD	YES
BENSON	YES
GILBERT	NO
BERZ	YES
MCGARY	YES
MURPHY	NO
RICO	YES

AMEND CITY CODE

On motion of Councilwoman Berz, seconded by Councilwoman Ladd,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 2, SECTION 2-150, HOSPITALIZATION AND OTHER BENEFITS
AFTER RETIREMENT, BY ADDING NEW SUBSECTIONS (F) THROUGH (H)**
Passed first reading.

AGREEMENT

On motion of Councilman Gilbert, seconded by Councilman McGary,
**A RESOLUTION AUTHORIZING THE DEPARTMENT OF PARKS AND
RECREATION TO ENTER INTO A SPONSORSHIP AGREEMENT AND TO
ACCEPT A DONATION FROM BI-LO, LLC IN THE AMOUNT OF TWENTY-
FOUR THOUSAND DOLLARS (\$24,000.00) TO PROVIDE TWELVE (12)
FREE YOUTH CLINICS, CAMPS, SKILLS COMPETITIONS AND/OR
LEAGUES INVOLVING VARIOUS INTERESTS, FIVE (5) SPECIALTY WEEK
LONG YOUTH SUMMER CAMPS (KIDZ KAMP, ZOOABILITY CAMP,
OUTVENTURE CAMP, ART CAMP AND TENNIS CAMP) AND A TEEN
BASKETBALL LEAGUE TO BE PROVIDED BY THE CITY OF
CHATTANOOGA PARKS AND RECREATION DEPARTMENT**
Was adopted.

CONTRACT

On motion of Councilwoman Ladd, seconded by Councilwoman Robinson,
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF PUBLIC WORKS
TO APPROVE THE AWARD OF CONTRACT NO. E-03-028-203, HAMILL
ROAD IMPROVEMENTS – HWY. 153 TO HIXSON PIKE, PHASE 3, TO
BROWN BROTHERS, INC. IN THE AMOUNT OF ONE MILLION FOUR
HUNDRED NINETY-EIGHT THOUSAND THREE HUNDRED FORTY-SIX
DOLLARS (\$1,498,346.00) WITH A CONTINGENCY AMOUNT OF ONE
HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00), FOR AN AMOUNT
NOT TO EXCEED ONE MILLION SIX HUNDRED FORTY-EIGHT THREE
HUNDRED FORTY-SIX DOLLARS (\$1,648,346.00)**
Was adopted.

CONTRACT

On motion of Councilwoman Ladd, seconded by Councilman Benson,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF PUBLIC WORKS TO APPROVE THE AWARD OF CONTRACT NO. W-09-005-201, UPPER AMNICOLA AND TIFTONIA INTERCEPTOR REHABILITATION CONTRACTS, TO SAK CONSTRUCTION, LLC, IN THE AMOUNT OF THREE MILLION SEVENTY-TWO THOUSAND THIRTY-FIVE DOLLARS (\$3,072,035.00) WITH A CONTINGENCY AMOUNT OF THREE HUNDRED THOUSAND DOLLARS (\$300,000.00) FOR AN AMOUNT NOT TO EXCEED THREE MILLION THREE HUNDRED SEVENTY-TWO THOUSAND THIRTY-FIVE DOLLARS (\$3,372,035.00)

Was adopted.

ALLOCATION

On motion of Councilman Murphy, seconded by Councilwoman Ladd,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF NEIGHBORHOOD SERVICES AND COMMUNITY DEVELOPMENT TO ALLOCATE UP TO ONE HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$135,000.00) OF NEIGHBORHOOD STABILIZATION PROGRAM FUNDS TO QUALITY LIFESTYLE SERVICES FOR THE PURPOSE OF ACQUIRING FORECLOSED PROPERTY TO CREATE AFFORDABLE, PERMANENT HOUSING AND AUTHORIZING AN AGREEMENT WITH THE ORGANIZATION FOR THE SAME

Was adopted.

ALLOCATION

On motion of Councilman Murphy, seconded by Councilwoman Ladd,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF NEIGHBORHOOD SERVICES AND COMMUNITY DEVELOPMENT TO ALLOCATE UP TO EIGHTY-NINE THOUSAND DOLLARS (\$89,000.00) OF NEIGHBORHOOD STABILIZATION PROGRAM FUNDS TO 28TH LEGISLATIVE DISTRICT COMMUNITY DEVELOPMENT CORPORATION FOR THE PURPOSE OF DEVELOPING AFFORDABLE HOUSING AND AUTHORIZING AN AGREEMENT WITH THE ORGANIZATION FOR THE SAME

Was adopted.

ALLOCATION

On motion of Councilman McGary, seconded by Councilwoman Ladd,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF NEIGHBORHOOD SERVICES AND COMMUNITY DEVELOPMENT TO ALLOCATE UP TO SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00) OF NEIGHBORHOOD STABILIZATION PROGRAM FUNDS TO ROSEWOOD SUPPORTIVE SERVICES FOR THE PURPOSE OF ACQUIRING FORECLOSED PROPERTY TO CREATE AFFORDABLE, PERMANENT, SUPPORTIVE HOUSING AND AUTHORIZING AN AGREEMENT WITH THE ORGANIZATION FOR THE SAME

Was adopted.

DECLARE SURPLUS

MR-2010-070/071 – City of Chattanooga c/o Dan Thornton

Councilwoman Berz made the motion to adopt this Resolution; Councilman Benson seconded the motion.

Councilman Murphy asked if more information can be given for the public's benefit regarding the relative valuations of these properties to understand what he sees as something in the heart of downtown we are trading for something at Eastgate; that we need to compare the relative values.

Councilwoman Berz stated there are two issues and it is her belief she gave Councilwoman Scott the information. She stated one building is totally separate from the parking lot issue Councilwoman Scott was talking about; that the Eastgate building has a higher value than the downtown building.

Dan Johnson stated that he did not have the numbers before him; that Councilwoman Berz is correct that the appraisal for the Eastgate building was higher than the one at 730 Chestnut Street which is the old Fowler building at the corner of Chestnut and Eighth Streets. He stated it was previously occupied by Blue Cross and it came to the city's hands in a trade with Blue Cross in their process of staying downtown and building on Cameron Hill.

DECLARE SURPLUS (Continued)

Mr. Johnson stated the appraisals came out once they did the future benefit of the two properties as to what they were set up to produce; that one downtown was in a lease with a developer who was going to put a hotel in the McClellan Building and he needed that to try to get some parking for the hotel as they were using an elevator in the process because there was not enough room in the building to put in the "round robin" that is normally in parking lots and they were using an elevator to lift the cars and deposit them on each floor. He stated the value of the Eastgate building primarily will produce revenue and the Eastgate Library was planning on being moved there and establish a museum at the Brainerd Mission; that the property is next door to the Brainerd Mission property. He reiterated that he did not have the numbers before him; that Dan Thornton had them today in Committee.

Councilwoman Scott stated that the property was around \$2 million and the building is about six floors high located on Chestnut Street; that for the benefit of the public, the question is whether this structure would be more beneficial for parking and she is not sure in its current state if it is; that we have a problem with parking in the downtown area and there is precious little of it. She stated the other question is whether there might be other properties within the Eastgate area which might serve the purpose of a library and a Mission and that is what the discussion is about.

Mr. Johnson stated it is not in their plans to use this property as parking; that there is parking currently at City Park which is cattycornered from the building, there is parking one block away at Seventh and Chestnut Streets, a building where the garage is not fully occupied and another garage next to it. He stated there is no intention of using it as a parking lot; that they do have further plans on Twelfth Street in the future couple years.

Councilwoman Ladd stated Dr. Berz can correct her if she is wrong as this is in her (Berz) district and has looked at this for two-to-three years as a possibility; that one of the attractions to this particular piece of property that holds an interest for us in Eastgate Loop is that the Brainerd Mission is already located there and there is a cemetery there and we want to adjoin that and make that an upsurge for that Brainerd Mission which has historic value to Chattanooga as a settlement by the Indians some centuries ago.

DECLARE SURPLUS (Continued)

Councilwoman Ladd stated when we say "mission" she does not want anyone to have the idea we are creating a housing mission; that this is the old Brainerd Mission that has great historical value and this would definitely be a great connector for us to have that property surrounding it to make that further development for that historic statement and also for the library space. She stated she wanted to further clarify that for her it has value as it connects what we already have out there and it involves the cemetery area.

Councilman Benson stated one of the reasons we are having to raise taxes, in his opinion, is we have taken on a lot of fine amenities and gave the example of Renaissance Park noting that he does not know how much cost there is in maintaining and securing that, the River Walk and the Riverfront. He stated he is for this but not if it is going to tie us up with ongoing expenses we cannot afford during this economy. He asked what we are doing in this old building, wanting to know whether we have to maintain it. Mr. Johnson responded "yes". Councilman Benson stated that is a cost. Mr. Johnson again responded "yes".

Councilman Benson asked if we swap will we immediately have some ongoing expenses and extra costs. Mr. Johnson stated there are currently some tenants in the building as he understands, but they may have moved out by now.

Councilman Benson stated if we put this up for sale that is something we can use to help build up our reserve fund a little bit. Mr. Johnson inquired as to putting which building up for sale. Mr. Benson stated the one we own now. Mr. Johnson stated it is tied up with a lease with the developer right now. Councilman Benson asked if there is any way to get rid of this cost factor downtown except to swap for another cost factor. Mr. Johnson stated except to change ownership of it or the developer to go ahead and build a hotel under the current arrangement. He stated it is the intent of the developer to go into an agreement with the previous owner of McClellan.

Councilman Benson stated even though he made the motion to second this, he would rather defer it now and get into further study; that he does not want to assume some ongoing cost during this economy as it will take us right back in the same spot next year raising taxes.

DECLARE SURPLUS (Continued)

Councilman Murphy stated he did not mean to start all this “kerfuffle”; that he wanted to assure the public we were getting a better deal by the swap. He stated typically one would not think of a parcel of property in the heart of downtown being worth less than a parcel of property at the Eastgate office area; that the appraisals were professionally done and he trusts them. He stated he would like to point out Councilwoman Ladd's point about the adjacency to that Brainerd Mission historic site; that even if we do nothing but maintain tenants in that structure now and keep it income producing it sounds like one of the situations where if we can obtain title to it and then in the future when times are good perhaps be able to develop it would probably be the appropriate course. He stated there is only so much land around that cemetery and we cannot move the cemetery.

Councilwoman Berz stated there is another dimension as we are already paying Luken the library lease at Eastgate which is a year-to-year (lease) and we want to move it into our own building. She stated every way she looks at this it is a cost saving; that the building we are getting in swap is worth more than the building downtown and again indicated that she gave the information to the Council. She stated it is her thought the Council should go ahead and do this as it is a golden opportunity and the time is right to go forward with it.

Councilman McGary asked if there is some time sensitivity to this issue if we defer this a week or two weeks; that if it were deferred for a week or two weeks time would we lose out.

Councilwoman Berz stated what brought this to the floor is the people who are considering the swap want to go ahead and do something with the Eastgate building; that this just came up and when we saw the appraisals we thought “oh, yeah” we need to go ahead and do this. She stated Luken is the owner of that building and they have been waiting around and they want to go ahead and do something with it, so there is some time sensitivity, “yes sir”.

Councilman McGary inquired as to whether two weeks difference would make a difference. Councilwoman Berz responded that she could not speak to that.

Councilwoman Scott inquired as to the county's position of sharing this with us; whether we know their position.

DECLARE SURPLUS (Continued)

Councilwoman Berz responded she is not sure what that question even means; that the bottom line is right now the way we are structured the county pays half of library expenses.

Councilwoman Scott asked if they are going to pay half. Councilwoman Berz stated that is the way it is structured right now; that there have been all kinds of discussion should the library be funded solely by the city or should there be a divorce there, she does not know. She stated the bottom line is wherever we do it the county right now pays for half of the expenses. She guessed one of the important features has to do with the fact our lease is up at Eastgate at that Branch now; that we have gotten an extension however it is time to make some sort of decision and every way we have looked at it it is to our benefit to do it economically. At this point she called for the question.

Councilman Gilbert stated as he listened to the discussion he heard about downtown, downtown, downtown; that we have to remember there is more to it than downtown. He stated he is grateful we did a lot for downtown but there are other places that we need to start looking at as far as upkeep and this is one of them. He stated we are paying for this building at Eastgate currently and we are going to own the building eventually when we actually build one in the future so there is a savings and an uplift for the community, also, as it is a Mission where the Cherokee Indians were located, so that is historical for this city and would bring more tourists, also. He stated that he understands about downtown but we need to start looking at other areas besides downtown.

On motion of Councilwoman Berz, seconded by Councilman Benson,

**A RESOLUTION DECLARING SURPLUS PROPERTY FOR SALE/EXCHANGE
OF 730 CHESTNUT STREET BUILDING FOR THE ACQUISITION OF 911
EASTGATE LOOP ROAD BUILDING FOR THE PURPOSE OF LIBRARY
EXPANSION AND THE ADDITION OF MUSEUMS IN RELATION TO THE
"BRAINERD MISSION" AND OTHERS**

Was adopted; **on roll call vote:**

ROBINSON

YES

LADD

YES

DECLARE SURPLUS (Continued)

BENSON	NO
GILBERT	YES
BERZ	YES
MCGARY	NO
MURPHY	YES
SCOTT	NO
RICO	YES

CONTRACT

On motion of Councilwoman Robinson, seconded by Councilwoman Ladd,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF PUBLIC WORKS TO APPROVE THE AWARD OF CONTRACT NO. E-09-002-202, CITY SIDEWALK CONTRACT – BARTON AVENUE, TO INTEGRATED PROPERTIES, LLC, IN THE AMOUNT OF SIXTY THOUSAND FIVE HUNDRED TWENTY-FIVE DOLLARS (\$60,525.00), WITH A CONTINGENCY AMOUNT OF SIX THOUSAND FIFTY DOLLARS (\$6,050.00), FOR AN AMOUNT NOT TO EXCEED SIXTY-SIX THOUSAND FIVE HUNDRED SEVENTY-FIVE DOLLARS (\$66,575.00)

Was adopted.

OVERTIME

Overtime for the week ending June 24, 2010 totaled \$12,362.16.

PERSONNEL

The following personnel matters were reported for the various departments:

PERSONNEL (Continued)

CHATTANOOGA HUMAN SERVICES DEPARTMENT:

- **JOHN KELLY** – Termination, Weatherization Inspector, effective June 30, 2010.
- **G. MARK SMITH** – Termination, Weatherization Inspector, effective June 30, 2010.
- **TONY SMITH** – Termination, Weatherization Inspector, effective June 30, 2010.
- **BERNADINE TURNER** – Retirement, Administrator Human Services, effective June 30, 2010.

FINANCE DEPARTMENT:

- **ULYSTEAN OATES** – Family Medical Leave, Management & Budget Analyst 1, effective June 14 - September 3, 2010.

CHATTANOOGA FIRE DEPARTMENT:

- **KELLY SCHROYER** – Leave of Absence without pay, Firefighter Senior, effective June 20 - August 1, 2010.

PUBLIC WORKS DEPARTMENT:

- **JAMES R. WIMPEE** – Hire, Equipment Operator 3, Traffic Engineering, Range 8, \$25,521.00 annually, effective June 18, 2010.
- **MATTHEW R. BROOM** – Family Medical Leave, Survey Instrument Technician, Engineering, effective June 8, 2010.

PERSONNEL (Continued)

CHATTANOOGA POLICE DEPARTMENT:

- **JAMES EARL BROCK** – Retirement, Police Officer, effective June 23, 2010.
- **RUTH BRALY** – Retirement, Administrative Support Assistant 2, effective June 30, 2010.

DONATION

Admin. Zehnder duly reported the donation of 44 televisions (valued at \$100 each) and 14 television bracket mounts (valued at \$100.00 each) to the Parks and Recreation Department by Buffalo Wild Wings. He stated the total donation is valued at \$5,900.00, noting that the equipment will be distributed among the 16 recreation centers, the Zoo and the Parks and Recreation administrative offices.

DONATION

Captain Kennedy duly reported the donation of 544 books valued at approximately \$21,754.56 from Culturlink Business Development Center. He stated the books originally sold for \$39.99 each prior to discontinuance and would be used by Officers on the street in patrol cars to assist in Hispanic communication.

HOTEL PERMITS

On motion of Councilman McGary, seconded by Councilwoman Robinson, the following hotel permits were approved:

TOWN AND COUNTRY INN, 2000 East 23rd Street, Chattanooga, TN

QUALITY INN BY CHOICE HOTEL, 3109 Parker Lane, Chattanooga, TN

REFUND

On motion of Councilman McGary, seconded by Councilwoman Berz, the Administrator of Finance was authorized to issue the following refund of property taxes:

DRV ATRIUM LLC c/o DIVERSIFIED REALTY VENTURES LLC \$10,317.85

EMERGENCY PURCHASE

The emergency purchase of Liquid Oxygen from Air Liquide Industrial U. S. LP for the Public Works Department on R29953 in the amount of \$32,175.06 was duly reported and signed in open meeting.

PURCHASES

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

EDUCATION, ARTS AND CULTURE DEPARTMENT:**INTELLI-MARK (ETIX) (Single source)****R26077**

Purchase of a Blanket Contract for Online Ticketing and Box Office Management per TCA 6-56-304.6

\$175,000.00 – Not to exceed annually

PUBLIC WORKS DEPARTMENT:**MHW SOFT AMERICAS, INC. (Single source)****R29319**

Purchase of Sewer License Agreement and Annual Maintenance Software per TCA 6-56-3404.6

\$14,345.00

PURCHASES (Continued)

VALLEY MECHANICAL INC. (Lowest and best bid)

R27395

Purchase of Blanket Contract for Machining, Fabrication and Related Repair Services

\$62,000.00 – Approximately annually

COLE TECHNOLOGY, INC. (Lowest and best bid)

R26726

Purchase of Blanket Contract for Repair Services for Electric Motors, Drive and Boards

\$147,969.00 - Approximately annually

GENERAL SERVICES DEPARTMENT:

TRIAD ELECTRIC (Lowest and best bid)

R28427/B0006556

Purchase of a Blanket Contract for Electrical Labor – City Wide

\$700,000.00 – Annual estimate

MOUNTAIN VIEW FORD (Lowest and best bid)

R26636

Purchase of Emergency Equipment for Police Vehicles

\$93,030.00

PURCHASES (Continued)**LEE-SMITH, INC.****R29001, R29580, R29581, R29814, R30104, R30124, R30189**

Ratification of Purchase of Vehicle Parts

\$174,294.78

ELECTRODATA, INC. (Only bid meeting specifications)**R26899**

Purchase of Two T1 Testers

\$10,540.00

PARKS AND RECREATION DEPARTMENT:**DUNLAP STONE (Lower and better bid)****R28283/B0006554**

Purchase of Blanket Contract for White Ball Field Sand - \$15.40 per ton

\$11,000.00 - Annually

COMMITTEES

Councilman Benson scheduled a meeting of the **Safety Committee for Tuesday, July 6 beginning at 3 p.m.** for the purpose of interviewing Chief Bobby Dodd. He asked that Council members come to the meeting with questions prepared.

Councilwoman Berz stated the **Budget, Finance and Personnel Committee would meet on Tuesday, July 6 from 10:30 a.m. – 3:00 p.m.** She stated the Committee would recess for any other Committees that need to happen and, time permitting, would resume deliberations until the 6:00 p.m. meeting. She stated there will be other considerations of the operational budget if appropriate and begin with the capital budget discussion.

COMMITTEES (Continued)

Councilwoman Ladd scheduled a meeting of the **Public Works Committee for Tuesday, July 6 immediately following the Agenda Session.**

Councilman McGary scheduled a meeting of the **Education, Arts and Culture Committee for Tuesday, July 6** to discuss alcohol and wine sales at the Tivoli and Memorial Auditorium.

Councilman Murphy stated the Legal and Legislative Committee would not meet on Tuesday, July 6 and would pick up the following week.

Councilwoman Scott stated the Economic Development Committee met today to discuss two PILOTs, one for LJT and the other for Gestamp, both of which will be moved forward into the agenda for next week.

(Councilman Murphy excused himself from the meeting at this point.)

AGENDA FOR JULY 6, 2010

Chairman Rico stated the agenda for July 6 was discussed earlier today during the Agenda Session.

CAROL GADDY

Carol Gaddy stated Councilman Rico represents her neighborhood and (she) was present in reference to Resolution 26721 that was approved by the Council. She stated she gave the Council two sheets of paper indicating the Council was violating the law by this grant which targets paid for older citizens' homes to steal them. She stated the language on the paper refers to the city as the grantee and would draw themselves deed in lieu of foreclosure and the homes were to go to non-English speaking people who did not know how to speak or read the English language; that this Resolution needs to be repealed. She stated that she had to wait three weeks to speak due to the Council's rules and now has two weeks before the city levies another \$100 against her tax bill, which was fully paid on time in February; that she is before the Council again as a court cost will be levied and foreclosure on her home by the Clerk and Master, noting she is tired of this!

CAROL GADDY (Continued)

Ms. Gaddy stated Councilman Rico needs to meet her In front of her house as the city's rainwater runs into her yard and none of her rain water runs into the street; that she is talking about a \$340 additional levy after her taxes were paid on this rain tax. She stated this is not right; that Councilman Murphy, who has left, needs to meet her on the street in front of her son's house as her son spent \$1,000 in grading and gravel work because the city's street water was running under his house and they had to fix the problem themselves. She stated on top of the violation of having to spend their money the city continued to attack them; that they filed the appeal on the \$115 but this city sent her a letter after the appeal after not sending anyone to her house and sent a bill instead of \$115 and a bill for \$340. She stated in mid-July another \$100 will be lumped on top of that which his over \$400 and then foreclosure will begin on her house again because the fees are going on her tax bill.

BRANDON LEWIS

Brandon Lewis of 15 Marlboro Avenue stated when he saw that the ordinance passed today he was disappointed but not necessarily surprised; that it seems like there comes a point when organizations in government stop existing for the people they serve and start existing for themselves. He stated it is not distinct to our city as it happens a lot with non-profits and companies when constituents and customers say "this is not what they want" or "not what they hired people to do". He stated when they were told the public could have input to look at detailed documents an open records request was made and thanks to Councilwoman Ladd the request received movement; that once they said an injunction was needed they finally got detailed records on Friday and had Monday to look at them and now they are already too late. He stated in working with politicians and raising money for them and getting paid he is always amazed at some of the things they do and why they do them; that it seems in about ten-to-thirty years we will be "worm food" anyway; that why they do not take a more solid stand more often surprises him. He stated he wanted to be present on behalf of the folks to thank Councilmen Scott, Murphy and Gilbert on behalf of the senior citizens, the business owners and the single family folks that are really going to be hurt the most by this.

BRANDON LEWIS (Continued)

Mr. Lewis stated this tax increase is going to cost jobs; that the money comes out of the private sector into the government and then folks are unemployed, businesses shut down and people sell their homes, folks on fixed income have to face another year where they have another \$200-\$300 coming out of their pocket. He stated it is not too late; there are municipalities all over the land making cuts that are happening in Florida, Alabama and surrounding municipalities; that we should follow their example and get to a revenue neutral budget this year.

ISABELLA LANE

Isabella Lane, President of Foxwood Heights and the Eastdale area, stated that there were articles in the newspaper and on television that there is a possible closing of the Eastdale fire hall which is her association's concern. She stated this fire hall serves her area well and with efficiency as Station 15, which is one of the busiest fire halls we have. She stated they feel secure in the fact that they have this fire hall close to them because most of their homes are old and are frame houses; that a ten minute delay could be a loss of all they have worked for and their memories could be washed away. She stated her Council member, Peter Murphy, has left and asked the Council to please keep the Number 15 Fire Hall in their neighborhood. She stated there are retired and disabled citizens in the Foxwood-Eastdale area and asked that the City Council vote "no" to the tax increase; that if they vote "yes" this will place a hardship on those that live below the poverty line. She stated they are parents and grandparents struggling one day at a time; that if Council members live long enough and life prevails this could be them!

CYNTHIA STANLEY CASH

Cynthia Stanley Cash, President of the North Brainerd Neighborhood Association, stated that she is a 20 year resident of the Eastdale-Dalewood-Indian Hills community wherein Councilman Gilbert serves and the area is shared with Councilman Murphy. She stated Councilman Gilbert informed them that the closing of the Eastdale Fire Hall has been removed from the "chopping block" and expressed thanks for that. She stated they still do not understand whether the employees would be moved around, whether it will still be manned and the response was "yes".

CYNTHIA STANLEY CASH (Continued)

Ms. Cash stated she and other residents are present to show support to their Councilmen about their position not to close the fire hall; that they have frame houses and beautiful brick homes over \$100,000 valuation and very proud of their community. She stated they do suffer with a lot of flooding and rainwater and have complained for years about the roads in her community; that Shallowford Road at the levee crossing the bridge and the road connecting to the bridge is rough on the cars. She stated at Jersey Pike by Vulcan she has spoken to Mr. Norris but they still do have not gotten pavement; that they see on the agenda where public works has been approved for \$1.5 million to do street pavement in Hixson and another several hundred thousand dollars somewhere else. She stated they still cannot get the roads repaired starting at Third and Glenwood and up Glenwood and across the Ridge is bumpy; that Tunnel Boulevard toward the levee and the islands at Jersey Pike and Shallowford Road are areas she has complained about for years. She stated during the first term of Mayor Littlefield and during this term they have complained and asked why their roads are not repaired!

Chairman Rico responded that it comes to a matter of money; that the Council is trying to keep taxes down and cannot fix everything right away.

Councilwoman Scott stated she could not agree with Ms. Cash more about the idea of putting tax dollars into repair of roads; that the city of Chattanooga's roads are in terrible condition unless they happen to be surrounding the new VW plant! She stated we need to have roads money as part of every operational budget and not just in the capital budget; that the capital budget roads are one thing but we need to have a certain amount of money in the budget every year so that every year we do a certain percentage of roads so that the roads that are in front of people's houses that they drive in-and-out-of every year a certain portion of them will be maintained. She stated that amount of money was in the budget and it was diminished today; that to tell the truth \$1 million on doing repair of neighborhood roads is a "drop in the bucket"; that we cannot go ten-to-fifteen years and not maintain a road and then come in and put \$1 million and expect to see anything more than a bunch of potholes covered and we need more. She stated we need fire hydrants in those areas that have water already down the road because we have citizens that may be in the city that may have water through one of the water companies but they do not have the fire plugs that are attached to where that puts that fire protection with them; that they have to have tanker water. She stated these are primary safety issues that ought to be high on the list of a budget.

CYNTHIA STANLEY CASH (Continued)

Ms. Cash asked for clarification that she was not just talking about the personal streets; that she was talking about the main artery roads. At this point Chairman Rico advised Ms. Cash that her time had expired.

Councilman Benson stated that he agreed with Councilwoman Scott that Council members want this and that the Mayor's 64 percent increase might have provided this, not only the things needed in Ms. Cash's community but in other districts. He stated the problem is during these economic times we had to "beat this request" for what we needed to collect in taxes down to the bare minimum. He stated all of us need better roads and as Councilwoman Scott stated \$1 million would not pave very many of the roads and two cents brings in a million dollars. He stated for every million needed we have to go up another two cents; that tonight we brought it down to 37 cents and hope to get it lower, but cannot when week-after-week people from different communities come in talking about their needs and we cannot have it both ways! He stated we can honor this recession right now and that is what the Council is trying to do and asked that everyone be patient; that we can get times back and start getting the sales tax, the Hall's tax and the gas tax collections up -- the kinds of things that are "beating us down" more than the real estate tax; that grants, state road taxes and federal grants are all down. He stated it is all coming down on local tax payers and the Council is not going to let this city sink; that what Ms. Cash is asking for will just drive the taxes up more!

Ms. Cash expressed a desire to clarify something but had used up her time. At this point Councilman Gilbert asked Ms. Cash to complete her statement as he wanted to hear what she had to say.

Ms. Cash stated for clarification she was not talking about spending a lot of money and creating new roads, but talking about rehabbing and repairing their main artery roads, the main thoroughfares. She stated they have not been paved in several, several years; that she is sure something could be found to just smooth that area off.

CLARENCE WILLIAMS

Clarence Williams, Vice President of the North Brainerd Neighborhood Association and President of the Council, stated that his concern involves Shallowford Road.

CLARENCE WILLIAMS (Continued)

Mr. Williams inquired as to what is going to be done about FedEx; that TDOT has left them and they have talked to Councilman Gilbert, but cannot get in contact with Councilman Murphy who has left the meeting noting it is a shame Council members cannot stay in the meetings so the public can talk to them and it is sad they cannot make contact when they need them! He stated his concern is Shallowford Road, getting the bridge fixed and whatever needs to be done. Prior to leaving the lectern he commented that Chairman Rico has a snobby attitude that needs to be changed to which Chairman Rico quickly quipped "opinions vary"!

Councilman Gilbert asked if officials from public works were present; indication was given they had left the meeting. He stated public works has indicated that the State is going to repair the bridge and make it into five lanes; that he wanted them to be present to say that. He expressed hope they would be present next week to verify it.

ERIC SMITH

Eric Smith of 209 Eveningside Drive in Councilman McGary's district commented about last week's committee meeting wherein Councilwoman Scott and the Mayor discussed whether or not the economy was turning around; that he wanted to propose if the Council believes what the Mayor is saying and the economy is turning around, our sales tax revenues should be coming up; that the gas tax revenues should be coming up and asked if this is presented in the budget and reflects the increase the Mayor talked about -- the "booming economy" we are about to see! He stated if it is not present there how can the Council believe him when he (Mayor) presents himself here that the economy is turning around. He stated if the economy is not turning around we are all making cuts at our homes and the Council is making cuts on the budget; that by increasing taxes the Council is asking the citizens to make cuts. He stated the Mayor hinted taxes are being raised in other places noting that Bradley County passed a budget that was flat with no increase and so did Red Bank, East Ridge and Signal Mountain. He stated he understands the Council has been struggling with the budget and would personally love to see us go with a budget similar to last year with no increases; to put the dollars where they need to be put to benefit the police, fire and public works; that there are other departments we may need to cut and other departments we may need to boost; that he would love to see a \$167 million budget passed with no property tax increase.

SHARON PEEKER

Sharon Peeker stated she lives in Councilwoman Ladd's district at 2015 Wisteria Drive. She expressed thanks to Councilmen Gilbert, Scott and Murphy for turning down the budget during the first hearing. She stated that she heard something about the VW plant and how much money it cost and how much money the city is putting into it before we realize the benefits of it later on. At this point she read from a prepared statement which she, like many others not present, is opposed to the 37 percent tax hike. She expressed appreciation for the difficulty the Council had in maneuvering and trying to come up with a budget that is palatable with the Mayor and Chattanooga residents and appreciation to Councilwoman Scott's time and analytical efforts; that we have to do a lot of serious analysis to cut this budget. She stated the problem she has with the entire budget is the Mayor wants more of our money now to conduct business as usual that is mismanagement and misallocation our hard earned money to fund his pet projects, fund special interest agencies and groups and "suck up" to VW! She stated misallocation of funds and mismanagement is why he cannot support the annexed area he annexed to increase his tax base in the first place.

Ms. Peeker expressed belief that having VW here will be a good thing for Chattanooga but VW has already been granted lots of tax breaks and now they have turned down CARTA's request to share in the expense of transporting their employees back and forth and the reason is because as quoted by the CARTA representative "Europeans are not used to having to pay for public transportation"; that to that statement she would say, "when in America do as the Americans do"! She proposed CARTA's budget be cut in half because that is the kind of analysis we need whether or not we do that and look at every single agency to really come down to a zero percent to perhaps single digit tax hike if anything. She stated CARTA is one of the city's most costly agencies with a budget of over \$4 million and the vast majority of Chattanooga residents do not use it.

At this point, Chairman Rico informed Ms. Peeker her time had expired and advised her to "wind it down".

Ms. Peeker proposed that since we are in the midst of a recession CARTA be used for downtown purposes only; that those relatively few residents from other areas who use it will be able to find alternate means of transportation for the time being.

SHARON PEEKER (Continued)

Ms. Peeker stated the Mayor has said people expect the city to have a public transportation system, and asked that a vote be taken from "the people" on that. She stated what the Mayor means is that the out-of-towners expect it.

Again, Chairman Rico stopped Ms. Peeker and asked that she not abuse the time because there are others wanting to speak.

Ms. Peeker responded that she was not the only one taking more than three minutes; that she spent a lot of time on her speech and wanted to finish and is just about there. Chairman Rico asked that she please finish. It was at this time that one of the speakers yielded some of his time to her.

Ms. Peeker continued by stating what the Mayor means is that the out-of-towners expect a public transportation system and a free one at that and we do not want to inconvenience "those people". She stated the Mayor says there are indicators we are coming out of the recession and the implication of his remark is therefore we can afford this tax hike and to tell that to the Blue Bird Bus Company and Mohawk Industries who laid off hundreds more people and closed shop last week and the unemployment rate is over ten percent. She seriously questioned the validity of the sources of the Mayor's self-serving economic indicators. She stated according to the Mayor's way of thinking Chattanooga is entering a period of unprecedented prosperity and all because of the VW plant.

Once again, Chairman Rico interrupted Ms. Peeker asking how much longer she planned to speak; that she is really abusing this time as others are waiting to talk and she has gone over twice the limit. He stated he could not let her abuse the time! The speaker who previously yielded some of this time yielded the remainder of his three minutes to her.

Ms. Peeker stated with regard to the VW plant she heard the Mayor declare "we have not yet realized the growth and economic benefits of that plant". She noted truer words she has never heard him speak but until we realize the growth and economic benefits of that plant we adopt a wait and see attitude and not put the "cart before the horse". She asked how many of the VW hirees will be from the ranks of Chattanooga's unemployed rather than other areas or countries; that we expect there will be some growth here but it has not happened yet.

SHARON PEEKER (Continued)

Ms. Peeker stated since it seems like we will get a tax hike and to please keep it within the single digits; that if taxes must be raised it should only be to pay for the much deserved and overdue pay raises for police and fire departments and for road repair and schools; that all other should be on an austerity budget if that is necessary and no raises for any city employees. She stated the library can solicit Starbucks or Dunkin' Donuts to install coffee shops; that other city libraries install coffee shops during more prosperous times and this is not one of those times. She stated a single digit tax hike is within the Council's means if the "fluff" is eliminated; that it is in their (Council's) hands to take a sensible, responsible and analytical approach.

Ms. Peeker continued by stating aside from the budget there is one single issue she feels compelled to address to Councilman McGary; that she is ashamed for him for allowing a man at last week's meeting who was a non-resident not only of the city of Chattanooga but of the state of Tennessee for taking up our time, much more than three minutes, to speak in front of our City Council for his (McGary's) agenda. She stated he spoke against one of the city's most important departments vital to the city's infrastructure, our police department. She stated it is always the police and fire departments that are the first to suffer under the Mayor's regime. She stated it is our police department who handles home invasions, bank robberies and car accidents as well as the fire department. She stated our police department provides protection against the bad elements of this city; that the bad elements, such as gangs, do exist "big time" and they are getting worse. She stated she is deeply saddened and concerned about the flack they receive more from the city's leadership than from the thugs on the street. She stated a good mayor is proud of his police department and if it needs improvement a good mayor works to improve it with support and sound leadership, because a good mayor knows if he is not part of the solution he is part of the problem.

At this point, Chairman Rico stated that is enough; that he would ask security to remove her if she does not wind it down; that she has more than doubled her time.

Ms. Peeker stated she would heed the warning; that it is her thought that is a bit extreme for someone exercising their right granted by the Constitution.

Chairman Rico cautioned the remaining speakers that they have three minutes only otherwise the meeting would be adjourned!

ANTONETTE PEREIRA

Antonette Pereira, President of the North Shore Neighborhood Improvement Association, was present along with others because they do not want their community center closed, the Frances B. Wyatt Recreation Center. She stated it is a very vibrant part of the community and is the reason many people move there with children. She stated it helps raise their property taxes so the city can tax more; that a lot of the people in the blue t-shirts are members of the Pickle Ball Tournament team/Senior Olympics; that people come from all over Tennessee and Georgia to play in the tournaments. She stated people have told her on the streets who grew up in North Chattanooga that they grew up going to that Center and do not want it closed and cannot conceive of it not existing. She stated the Center has tennis courts, ball fields, swings, a gym and programs in the art center for children; that to have it closed down increases their lack of security and crime which is something they are working very hard to bring their community together through neighborhood watch. She stated they have these community facilities and every community needs a community center; that they have small lots because they are so close to downtown. She stated this is an environmentally sound thing to bring the community together in using this facility. She stated they do not want it closed.

LANA SUTTON

Lana Sutton of 7203 Sylvia Trail, a city employee, stated a lot of city employees are present who told her not to protest the tax as they could get a salary increase. She told them they are not going to get a salary increase, they are going to get taxed, rent will go up and homes will go up; that they are getting "skinned". She stated they can recall the Mayor and the Council; that they do not have to get "skinned". She asked if they noticed what the Council did today: they are looking at buying real estate and asked what are they doing! She stated that is not the function of government; that we pay them taxes for schools, road, police protection, for fire; that they dangle the fire and police departments in front of us and underfund these guys; they starve police, fire and schools and dangle them in front of us every time they want a tax increase! She stated they say we need more money and use the \$32 million of whatever they try to gather as a slush fund to buy buildings and asked how important these tenants are on Chestnut are. She asked what we are buying real estate for as it is not the role of government.

LANA SUTTON (Continued)

Ms. Sutton stated give these city employees a raise as they work very hard; that instead raises are being given to the administrators that the Mayor brought in with him. In addressing some of the administrators present, she stated these people make \$100,000, \$60,000 and \$75,000; that people who do the actual work that do not spend their time meeting with other \$100,000 wage earners do the actual work! She stated we need to recall this Mayor and the Council who are arrogant; that these "guys" procedurally operate according to *Robert's Rule of Order* and there is nothing in there about three second rules, three minute rules, five people minimums – no such thing as "you cannot speak twice in a month". She stated that is foolish arrogance and outrageous!

Chairman Rico stated that is the City Council's rule, to which Ms. Sutton stated "no, that is Rico's rule and it is outrageous!" Chairman Rico again confirmed it is a Council rule.

City Attorney McMahan explained that the Council does not operate strictly by *Robert's Rules*; that it has its own rules of procedures. He stated all public bodies from the United States Congress and United States Supreme Court to the State Legislature have to have some control over their meetings. He stated the City Council has adopted a rule that the public comment period which we are now engaged in is limited to three minutes to matters that the Council can actually do something about; things within their jurisdiction. He stated that is a rule they have adopted; that they are not regulating the content of the speech, only regulating the amount of time a person has to present their point. He stated if the Council wants more information they will ask for it.

Chairman Rico stated that rule was established long before he became a member of the Council and he is trying to abide by the rules.

MARK WEST

Mark West stated that he lives outside the city but owns property in the city and expressed thanks to the three Council members who voted against the property increase noting that it took significant courage. He stated he did not plan on saying anything until he sat 20-30 minutes and observed the attitudes of certain members of the Council; that true leadership is expressed in a spirit of humility and servanthood noting that he does not see that in some of the Council members but sees an air of contempt and arrogance.

MARK WEST (Continued)

Mr. West stated he is reminded of the scripture that says "Pride goes before a fall" and expressed belief in God's word; that he fears for some of the Council members, not for their safety but for their future because when there is a certain attitude towards the people that elect a Council of contempt and arrogance he fears for their political future. He stated a budget is nothing more than priority; that we all individually have budgets that we live by every day of the year and we tighten our belts when things go down. He stated he had not planned to speak tonight but when he listened to some of the comments of some of the council members it struck him as unbelievably naïve; that he heard someone on the Council make reference to a reserve fund of tens of millions of dollars that they had to reduce down to \$30 million and it was his thought that would be great if we had a reserve fund of "X" thousands of dollars individually. He stated in tough times you do not seek to increase the reserve fund, you seek to use them to get through the tough times; that the budget is not balanced "on the backs" of so many people who are suffering and trying to get through a "rainy day" themselves. He implored the Council to reconsider the vote next week; that he has worked with seniors for the better part of his adult life in caring for them and taking care of them in their homes and this is going to devastate the seniors. He stated it is thought \$200 is not that much, but it is significant to senior citizens as he has seen them struggle to figure out whether to pay for food or medications; that a couple hundred dollars makes the difference between whether they get food or medications and the \$200 will go into the city's "pocket" because the Council chooses to not make the tough decisions. He stated the tough decisions are what the Council was called to do in their positions of leadership; that the Council should make the tough choices now or tougher choices later. He asked the Council to cut the budget, cut the increases and not to listen to Mayor Littlefield who is on the way out! He implored the Council to use wisdom in this regard and find a way to cut this.

ANSLEY HURT

Ansley Hurt was present to speak out against the closing of the Wyatt Art Center stating that the Center means a lot to her personally as she is unable to work but being able to go to the Center and be artistic and express herself artistically and interact with other people means a lot. She stated yesterday she played Bingo with senior citizens and had lunch there; that she gets to do stuff that allows her life to have meaning is really what the Center means to her.

ANSLEY HURT (Continued)

Ms. Hurt stated if it is not kept open it will be an empty building and there will not be anything else building-wise and asked why close it. She asked that it be allowed to be open.

DENISE MORROW

Denise Morrow stated that she has property across from the Wyatt Center and has seen it both utilized and under-utilized and it is a safer neighborhood attracting a very positive element contributing a lot; that she has called the Council and Mayor's offices and stated that. She stated she was told that the parks and recreation person made the decision of what to cut and asked if any cuts need to be made. She stated she attended the Ridgedale Association meeting with her mother and Councilman Rico was present and she indicated that she did not want the Wyatt Center closed; that there were other speakers and politicians for county offices and one of the candidates told her a budget was presented by a Council member that did not raise taxes and did not cut anything and asked if that were true.

Councilwoman Scott responded that an alternate budget was submitted but it did have cuts. Ms. Morrow asked if that was more along the lines of what everybody wants.

HARRY DEBOARD

Harry Deboard stated that he is a citizen of this city and at the end of the year he is a tax payer. He stated he does not mind the taxes that much as long as they are going for the good of the people of this community, not necessarily just bringing Volkswagen in with the hope that sometime in the future the "goose that lays the golden egg" will still be here. He expressed his wish that whether the Council goes with 64, 37 or five cents the Council should be good stewards of this money and the employees of Chattanooga. He stated there are six examples where caring people sat down and decided it is good to give to the employees because they deserve it; that it is a shame what our people make in this city -- the police, firemen, public works personnel, it is a shame!

KELLY SMITH

Kelly Smith stated that she knows the Council has been tasked with some very tough decisions and expressed appreciation for their responses to letters to keep the Wyatt Center open. He stated the Center means the world to her as she lives down the street from it and plans her daily life around going to the Center. She stated seniors were mentioned earlier as far as taxes hurting them and their food and medication; that the 40-50 seniors present tonight use the Center every week. She stated in this room are national senior Olympic athletics who have won gold medals for badminton, volleyball, basketball and pickle ball; that the soft ball fields are utilized and there are other people who live around the area that go to the tennis courts, have picnics and use the playgrounds. She stated there are a lot of areas within the facilities that are utilized; that she understands we have to figure out a balance for our seniors; that maybe they cannot go to a movie or buy video games but they can go to the Center as it is an outlet for people. She stated she loves the seniors and the Center; that the Director has gone beyond her means; that people come from other areas to the Center and then buy things on the north Shore. She stated the tournaments that come in bring more people to the area and furthers the quality of life of our seniors and neighbors in fellowship and safety by utilizing the building. She stated she loves the Center and appreciates the Council's time and responses which mean a lot to her.

STEPHEN WEST

Stephen West, a city employee, stated for the last three years employees have not received a raise and are already in a recession as they live it every day. He stated when his son asks to go to a movie he tells him "no" because he cannot afford it. He asked all city employees present to stand and stated that he understands the Council does not want a tax increase and neither do the employees; however, the thing about it is the city is not going to run without one. He stated if garbage is not picked up people will be present "raising sand" with the Council; that people are already "raising sand" about brush not being picked up and not picking up all brush in the neighborhood because an address is not on the list for pickup. He stated he does not know how he is going to afford this property tax, but noted he does not put his trust in the Council as he puts it in God, first, because He will always make a way for all of us. He stated East Ridge, Signal Mountain and Red Bank did not have a tax increase but they are not as big as Chattanooga so we have to have an increase; that he helps his mother pay for her medication which is why he cannot afford to take his son to the movies and she wonders how she will do this or that.

STEPHEN WEST (Continued)

Mr. West stated we have to have this tax increase to do it and to those who voted against it, he asked Council members to look at what they make and whether they could make it on that salary without a second job. He asked that the Mayor put something in the budget for the employees; that he has come up with a scenario and knows the Council will not like it. He asked that an additional four cents be added to the 37 cents which will allow everyone to receive a dollar an hour raise and would still be within the Mayor's budget because it is bad when employees have been in a recession for three years and cannot do this or that. He asked that they help all the employees for a change because they need help; that if the Council does not give them help what are they going to do! He asked that the Council go home and think about it and again asked whether they can make it on their Council salary just as Councilmen; that Councilman McGary could not which is why he has a second job! He asked that they look at the employee's situation; that the Council members make more money on their Council salary than some of the city employees; that the employees work five days a week! He asked that the Council look at the budget a little closer and put something in it for the employees – not a percentage raise because it will only help “the rich”.

Councilwoman Berz stated that she missed Mr. West's comment about something about 37 cents would only add something if we do not give employees a percentage raise but give a dollar an hour raise; that she missed what he said.

Mr. West stated do not give a percentage raise because a percentage is not going to help them.

Councilwoman Berz inquired as to the tax increase Mr. West mentioned.

Mr. West responded add four more “pennies” to the 37 cents would increase it to 41 cents and would give everybody in this city a dollar raise. He stated if they want to save money on that situation, cap it – people making over \$50,000 do not get a raise because they already make enough money as it is. He stated he likes his supervisor who is great and makes \$70,000 - \$80,000 and one makes over \$100,000 a year! He asked that they think about all of them who go out and pick up garbage, the policemen who go out on a domestic call and do not know if they are coming back home or not!

ADJOURNMENT

Chairman Rico adjourned the meeting of the Chattanooga Council until Tuesday, July 6, 2010 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)**