

**City Council Building  
Chattanooga, Tennessee  
November 23, 2010**

Chairman Rico called the meeting of the Chattanooga City Council to order with Councilmen Benson, Berz, Gilbert, Ladd, McGary, Robinson, and Scott present. Councilman Murphy was unable to attend. City Attorney Phil Noblett; Management Analyst Randy Burns; and Shirley Crownover, Assistant Clerk to the Council, were also present.

**PLEDGE OF ALLEGIANCE/  
INVOCATION**

The Pledge of Allegiance was led by Councilman McGary, followed by invocation.

**MINUTE APPROVAL**

On motion of Councilwoman Robinson, seconded by Councilwoman Ladd, the minutes of the previous meeting were approved as published.

**"AWARDS OF EXCELLENCE"  
PARKS AND RECREATION**

Chairman Rico called on Adm. Zehnder. Adm. Zehnder stated that it was his pleasure to introduce two outstanding recognitions that his department had received during the last two months. The first recognition was accepted by Mayor Ramsey on behalf of the City and County from the American Trails Association. This was a National Planning Design Award that was given to both the City and County. It is a National Award for the best Park and Trail in the country. Adm. Zehnder noted that we are now recognized all over the country, and he wanted the Mayor and City Council to recognize this award that was made to both the City and County.

The second recognition was received at the Tennessee Recreation Park Association meeting in September at the State Conference. The award was for a program called "Do Good Chattanooga", which was deemed best in the State. At this time Adm. Zehnder recognized Karen and Ronnie Roach who headed up this citizen effort for "Responsible Dog Behavior". He noted that Ms. Roach had processed 600 people on her web page and had gone above and beyond what a citizen would ordinarily do in trying to help. He noted that the City had been reluctant in opening up all our

**“AWARDS OF EXCELLENCE”**  
**“CONT'D”**

parks to dogs because of the mess, but Ms. Roach was helping to keep people alert to responsible dog ownership. He stated that this was an excellent program, and he wanted to recognize the Roaches because they had made a big difference in downtown Chattanooga.

**AMEND CITY CODE/ALCOHOL**

On motion of Councilman McGary, seconded by Councilwoman Ladd,  
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE PART  
II, CHAPTER 5, ARTICLE III, SECTION 5-145, RELATIVE TO  
ALCOHOLIC BEVERAGES**

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

**PLAN OF SERVICES**  
**WEST HILLS DRIVE**

On motion of Councilman Benson, seconded by Councilwoman Robinson,  
**AN ORDINANCE ADOPTING A PLAN OF SERVICES AND  
EXTENDING THE CORPORATE LIMITS OF THE CITY OF  
CHATTANOOGA, TENNESSEE, BY ANNEXING CERTAIN  
TERRITORY CONTIGUOUS TO THE PRESENT CORPORATE  
LIMITS OF SAID CITY, BEING THE NORTHERN MOST PART OF  
TAX PARCEL NO. 153-007 LOCATED ALONG WEST HILLS DRIVE  
NEAR CUMMINGS HIGHWAY IN HAMILTON COUNTY,  
TENNESSEE, OWNED BY OBAR INVESTMENTS, LLC, BEING  
MORE FULLY DESCRIBED HEREIN**

passed second and final reading and was signed in open meeting **with Councilman Gilbert voting no.**

**AMEND CITY CODE/ALCOHOL**

On motion of Councilwoman Berz, seconded by Councilwoman Ladd,  
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART  
II, CHAPTER 5, ARTICLE III, SECTION 5-55, RELATIVE TO  
ALCOHOLIC BEVERAGES**

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

**AMEND CITY CODE./**  
**OFF-STREET PARKING**

On motion of Councilman McGary, seconded by Councilwoman Scott,  
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART  
II, CHAPTER 24, ARTICLE X, SECTIONS 24-303(a) AND (b),  
RELATIVE TO OFF-STREET PARKING REQUIRED FOR PERSONS  
PARKED TRANSACTING BUSINESS FROM VEHICLES AND  
CARTS IN THE CITY**

was substituted. On motion of Councilwoman Robinson, seconded by Councilwoman Ladd, the Ordinance passed second and final reading and was signed in open meeting.

**REZONING**

**2010-130 (W. C. Helton)**

The applicant, Mr. Helton, was present. He approached the podium, stating that he was from Maryville, Tennessee. Councilwoman Berz asked if he had been able to meet with the opposition. He responded in the affirmative, stating that he was glad to report that they had a good, long, meaningful meeting and went over everything point by point that each had objected to; that they came to an agreement, which is before the Council, on what is to be prohibited.

Chairman Rico asked if the opposition was in agreement and they said they were.

Councilman McGary expressed appreciation that they had met and resolved their differences.

Councilman Benson was not sure whether we were voting on the applicant's version or the Planning Commission's version, stating that he thought Mr. Helton did not agree. Mr. Helton expressed that everyone was in total agreement for C-2 zoning with conditions.

Councilwoman Scott noted that she had received a list of the conditions by e-mail; that they were sent today.

**REZONING (CONT'D)**

On motion of Councilman McGary, seconded by Councilwoman Robinson,  
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 200 EAST 37<sup>TH</sup> ST., MORE PARTICULARLY DESCRIBED HEREINT, FROM R-4 SPECIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**

passed first reading.

**AMEND CITY CODE  
SPEED LIMITS**

On motion of Councilman McGary, seconded by Councilwoman Berz,  
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 24, ARTICLE XIV, SECTION 24-502, TO ESTABLISH SPECIFIC SPEED LIMITS ON DISCOVERY DRIVE AND VOLKSWAGEN DRIVE AND REVISING THE SPECIFIC SPEED LIMITS ON STATE ROUTE 153**

passed first reading.

**DEANNEXATION/  
O'GRADY DRIVE**

On motion of Councilwoman Scott, seconded by Councilwoman Robinson,  
**AN ORDINANCE DEANNEXING CERTAIN TERRITORY ADJACENT TO O'GRADY DRIVE, SCENIC WATERS LANE, AND TIPTON LANE WHICH ARE CURRENTLY WITHIN THE CITY OF CHATTANOOGA UPON THE REQUEST OF THE LITTLE, FRYAR, SHOWN, AND TIPTON FAMILIES**

was deferred for one week and is to exclude the Tipton Family.

**DEANNEXATION/  
ELDER MOUNTAIN ROAD**

Councilwoman Scott made the motion to defer this case also; however Councilwoman Robinson stated that she was not sure we had heard from everyone on this; that she had gotten phone calls. Councilwoman Scott withdrew her motion to defer since there were people in the audience who were in opposition and wished to speak.

**Carole Klimesch of 1132 Cumberland Rd.** was the first speaker. She stated that most of the people did not know this was taking place; that they had a long history of being in Chattanooga, and there was no road to Marion County. She asked that this be delayed three months to find out what their options were and what the implementation would be—that this would get us through Thanksgiving and Christmas. She stated that this issue came to a head with Mr. Burke, who had bought the Holmberg home. She was requesting that they be allowed to remain in the City of Chattanooga with all the rights of Chattanooga citizens for all their property, even that included in Marion County; that they had nothing to do with this and had been in the City of Chattanooga for 35 years. She emphasized that this was strictly something that Mr. Burke wanted and that he knew he was in the City when he bought the property. She noted that the letter she received stated that they wanted to do something about this before the end of the year and that they were not asking to be taken out of the City.

Councilwoman Berz asked if Mrs. Klimesch was speaking for all who lived in Hamilton County and in the City of Chattanooga. Ms. Klimesch responded that the legal description is the high point of the mountain and that they were inside the City of Chattanooga but were also in Marion County. Councilwoman Berz noted that she had said they were annexed 35 years ago and asked her to speak more about this.

Mrs. Klimesch stated that the mountain was developed by the Elders in the 1930's, and they always intended to work and live in Chattanooga; that plans were already in the making then for annexation into the city, and a new road into Chattanooga was built—that they had to come up this road in order to get to their homes; that this was a mountain road and when it snowed, it was difficult to get trucks from one end to the other end. She noted that there was only one or one and a half miles distance between TVA (Raccoon Mountain) entrance and the top of the mountain; that most all that lived on Elder Mountain had a business or job in Chattanooga, and this is where their doctors and lawyers were.

DEANNEXATION (CONT'D)

Councilwoman Berz indicated that this would be the same for anyone who lived in Hamilton County and asked if Mrs. Klimesch was under the impression that she had always been a member and resident of Chattanooga for 35 years. Mrs. Klimesch stated that she thought they were annexed by the City of Chattanooga in 1972. Attorney Noblett noted that it was 1974—that Mrs. Klimesch' house is in the City of Chattanooga.

Councilwoman Scott asked how many in the audience have houses in Chattanooga that are involved in this. Four or five people raised their hands. She asked how many had paid Chattanooga City Taxes on this last year and all four or five raised their hands again. Councilman Benson stated that he thought Councilwoman Scott would ask one more question—How many who live in the City of Chattanooga want to be deannexed. It was noted that only one person wanted the deannexation.

At this point, Attorney Noblett noted that the Public Hearing was set for November 30<sup>th</sup> in order to give all ample notice.

Mrs. Klimesch again asked that this decision be delayed, noting that Mr. Burke was not annexed in 1974.

**Gerald Holmes of 1164 Cumberland Rd.** spoke next. He stated that he had been in the City of Chattanooga since 1975 and one half of his property was in Hamilton County and the other half in the City, and he had been paying taxes all of this time; that he had never received any services from the City or County except for the road going up the mountain. He stated that emergency service was quite a controversy as to when Hamilton County would arrive; that he had called 911 for ambulance service, and they have to come a long way; that his question was if this is deannexed from the City of Chattanooga would it change their 911 service from Hamilton County and the services they receive from Hamilton County?

Attorney Noblett responded that it would depend on whether it is Hamilton County or Marion County? Mr. Holmes responded “then we still don't know”; that at times service had been provided for “certain” people; that they got no service from the City of Chattanooga, and he felt the people on Elder Mountain needed emergency service from somewhere without them having to come 30 miles.

**DEANNEXATION (CONT'D)**

Councilwoman Scott stated that she would like some clarification about ambulance service; that we do not have authority over this and that Mr. Holmes needs to talk with his County Commissioner about this. He responded that he had “talked to those people”. Councilwoman Scott reiterated that we are not in charge of the ambulance service. Attorney Noblett added that the City does provide First Responder within the City, prompting Mr. Holmes to ask “What is considered in the City”? Attorney Noblett responded that Mr. Holmes needed to get Chief Parker to tell him this. Mr. Holmes still maintained that the City had responded to some fire requests, and they did not know how it was happening—that it was for some people and some that were not in the City.

Councilwoman Berz asked if Mr. Holmes was saying that he never received any service from the City other than road clearance, yet he was a taxpayer. She questioned if he was paying taxes on his swimming pool? He stated that he was paying taxes on approximately one-half of two acres. Councilwoman Berz asked him what services he expected to get for his swimming pool? Mr. Holmes responded that basically he was saying that if they got no service at all, they did not need to pay city taxes; that he was quite concerned about ambulance service and if the City pulled out, what effect would this have on what they got from the County?

Councilman Benson stated that they were getting the roads serviced and the winter time presents problems. He asked Chief Parker to speak to the First Responder.

Chief Parker stated that they were the First Responder in the City of Chattanooga; that there were three other houses near the entrance; that at some point 911 calls would be routed to Marion County; that Mr. Holmes’ pool is in the City, but his residence is in Marion County. Mr. Holmes still maintained that the City responded to people who were not in the City. Chief Parker explained that we have a contract with EMS of Hamilton County to provide back-up; that we go because of this contract, but we can’t continue to go up there; that many times phone calls are made on cell phones, and they just say Cumberland Rd. and naturally they would respond in cases of emergency—that they would go; however a house in Marion County would not receive service.

Councilman Benson noted that they would fight fires there. Chief Parker responded that over the past 10-15 years, there had only been brush fires. Mr. Holmes still maintained that sometimes they come and sometimes they don’t and that the people up there were confused.

**DEANNEXATION (CONT'D)**

On motion of Councilwoman Robinson, seconded by Councilman Benson,  
**AN ORDINANCE DEANNEXING CERTAIN PROPERTIES ON  
ELDER MOUNTAIN AND ELDER MOUNTAIN ROAD WHICH ARE  
CURRENTLY IN THE CITY OF CHATTANOOGA**

was asked to be denied. It was pointed out that a Public Hearing is scheduled for November 30<sup>th</sup>, and this could not be denied. No action was taken.

**DELETION OF ANNEXED AREA**

Attorney Noblett explained that we had discussed amending the Ordinance passed in 2009 to delete one parcel so that all the others could come into the City.

Councilwoman Scott stated that this made no sense to her—to have one party out of every one on the street and leave them out. She stated that what she thought would happen would be that they won't be paying taxes but would get all of the services—that a garbage truck would not know the difference; that she could not see picking one homeowner out and how it would work right. She questioned if we would have signage saying this property is not in the City of Chattanooga and are to get no services whatsoever.

Councilwoman Robinson stated that she, also, was not sure about this.

Councilman McGary stated that he thought it had been explained that this is based on location—that looking at the logistics, it would make more sense because this was on the edge of the road rather than in the center.

Chairman Rico asked Attorney Noblett to explain why we are doing this.

Attorney Noblett stated that the purpose was because this is being held up in a lawsuit by one property owner; that this would result in deleting all of the others by the end of the year, and we are ready for development; that if we just delete this one property, it could be annexed later on; that Public Works could have special instructions and no services would be provided in the City.

Councilwoman Robinson confirmed that this one property is threatening a lawsuit and questioned if this was a reason to exclude them?



ANNEXED AREA DELETION  
(CONT'D)

Attorney Noblett responded that they had already filed a lawsuit, and we are being held up. Councilman Benson stated that this property was on the fringe; that it is in his district and will hold up annexation; that once we have the area annexed, we will have even more grounds; that this is in the Urban Growth Plan; that this could tie us up in litigation just because of their petulance, and we should not let them govern what is best for the community.

Councilwoman Berz asked if these people we are deannexing were on the fringe and not in the center? Attorney Noblett stated that they were towards the end and all other parcels will be annexed.

Councilwoman Scott stated that the map she had seen showed that right and left of this property was part of the annexation; that at the Public Hearing, the City of Chattanooga Department Heads talked to us about why this would benefit these residences—that we had adequate evidence and legal grounds to annex this—that the same evidence and legal grounds would include this property; that if this were not true, then we should let the entire group go; that her decision had to be based on the information we were given.

Councilwoman Robinson stated that she wanted to make sure that if we vote to deny this deletion that she understood; that we have an unhappy parcel owner who is suing us and saying “see you in court”; that we have the authority to annex. Attorney Noblett explained that anyone can file a suit against us and slow down the process; that if we allow this one to come out, we will get taxes on the other before the end of the year; that if we have to wait until the lawsuit is resolved, we won't get the taxes by December 31<sup>st</sup>. Councilwoman Robinson confirmed that this one was holding up the entire annexation, in which case she stated she would have to support this.

On motion of Councilman Benson, seconded by Councilwoman Ladd,

**AN ORDINANCE AMENDING ORDINANCE NO. 12300, ADOPTED OCTOBER 13, 2009, EXTENDING THE CORPORATE LIMITS OF THE CITY OF CHATTANOOGA, TENNESSEE, TO CHANGE THE DESCRIPTION SO AS TO DELETE ONE (1) PARCEL OF CERTAIN PROPERTIES ADJACENT TO OLD LEE HIGHWAY, GREEN SHANTY ROAD, REXWAY LANE, RANCO CIRCLE, AND MAYWATER ROAD WITHIN THE URBAN GROWTH BOUNDARY OF THE CITY OF CHATTANOOGA, IN HAMILTON COUNTY, TENNESSEE, AS SHOWN BY THE ATTACHED MAP**

passed first reading with Councilwoman Scott and Councilman Gilbert voting “no”.

**DELETION OF ANNEXED AREAS**

Attorney Noblett explained that two property owners are involved here, and it is a fairly extensive area. The purpose of this is to allow the land between the City of Chattanooga and Collegedale to be resolved; that this will assist in resolving the boundaries for Collegedale.

On motion of Councilman Benson, seconded by Councilwoman Robinson,  
**AN ORDINANCE AMENDING ORDINANCE NO. 12301, ADOPTED OCTOBER 13, 2009, EXTENDING THE CORPORATE LIMITS OF THE CITY OF CHATTANOOGA, TENNESSEE, TO CHANGE THE DESCRIPTION SO AS TO DELETE TWO (2) PARCELS WITHIN THE ANNEXATION AREA OF ORDINANCE NO. 12301 AND WITHIN THE URBAN GROWTH BOUNDARY OF THE CITY OF CHATTANOOGA, IN HAMILTON COUNTY, TENNESSEE, AS SHOWN BY THE ATTACHED MAP**

passed first reading, with Councilwoman Scott and Councilman Gilbert voting “no”.

**RAINBRO, INC. SUIT**

Councilwoman Scott stated that she had several questions about this and had not gotten answers and was uncertain; that she would have to vote “no” because she did not have the additional information.

On motion of Councilwoman Ladd, seconded by Councilman Benson,  
**A RESOLUTION AUTHORIZING THE OFFICE OF THE CITY ATTORNEY TO FILE SUIT AGAINST RAINBRO, INC. AND ANY OTHER NECESSARY PARTY FOR BREACH OF CONTRACT, DECLARATORY JUDGMENT, AND INJUNCTIVE RELIEF RELATIVE TO THE WINDSTONE SEWER SYSTEM**

was adopted with Councilwoman Scott voting “no”.

**STREET NAME CHANGE**

On motion of Councilwoman Berz, seconded by Councilman Benson,  
**A RESOLUTION TO CHANGE THE RIGHT-OF-WAY NAME OF THE 3300 TO 3499 BLOCK OF PINWOOD TERRACE LANE TO THE 3300 TO 3499 BLOCK OF PINWOOD TERRACE TO CORRECT THE STREET NAME**

was adopted.

**CONTRACT**

On motion of Councilwoman Robinson, seconded by Councilwoman Berz,  
**A RESOLUTION AUTHORIZING THE CITY FINANCE OFFICER TO EXECUTE A CONTRACT WITH NATIONWIDE RECOVERY SERVICE, INC. FOR COLLECTION SERVICES FOR THE CITY**  
was adopted.

**SURPLUS DECLARATION**

On motion of Councilwoman Berz, seconded by Councilwoman Scott,  
**A RESOLUTION DECLARING AS SURPLUS THE SALE OF FOURTEEN (14) PROPERTIES, INCLUDING 3306 MONTVIEW FOR FIFTY THOUSAND DOLLARS (\$50,000.00); ALL PROCEEDS OUTSIDE OF CLOSING COSTS SHALL BE RETURNED TO CDBG FOR EQUITY DISTRIBUTION TO THE SPECIFIC HOUSING PROGRAM FROM WHICH THE FUNDS ORIGINATED; AND AUTHORIZING THE DIRECTOR OF GENERAL SERVICES TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR SAID SALE, ALL AS REFERENCED BELOW**  
was adopted.

**OVERTIME**

Overtime for the week ending November 18, 2010, totaled \$54,302.17.

**PERSONNEL**

The following personnel matters were reported for the following departments:

**CHATTANOOGA FIRE DEPARTMENT:**

- **CHARLES B. GASTON**—Retirement of Fire Lieutenant, effective 11/18/10.
- **KENNETH ATKINS**—Two Days Suspension without pay for Fire Captain, effective 11/16/10—11/17-10.

**PERSONNEL (CONT'D)**

**INFORMATION SERVICES DEPT.:**

- **ROBERT SEILER**—Hire as IT Technician, Range 15, \$40,000 per year, effective 11/22/10.

**CHATTANOOGA POLICE DEPT.:**

- **SHEILA JETTON**—Leave of Absence for Police Officer, effective 9/11—12/11/10.
- **CHARLES BRYSON**—Retirement of Police Officer, effective 11/18/10.
- **BARRY BURNS**—Return to Duty (Military) of Police Sergeant, effective 11/15/10.

**FINANCE DEPARTMENT:**

- **JANET MASSENGALE**—Promotion to Payroll Technician, Range 11, \$29,544.00, effective 11/19/10.

**DONATIONS**

Adm. Zehnder reported the following two donations: \$150.00 check from Chili's Giveback Night, November 2, 2010, to benefit Therapeutic Recreation Services. The second donation was in the amount of \$5,000 from Commissioner Warren Mackey for the Youth Development Division.

**EMERGENCY PURCHASE**

Vickie Haley, Assistant Finance Officer, reported an emergency purchase in the amount of \$16,898 for repair of a Water Pump at Dogwood Manor Building from Mountain City Service, Inc.

**PURCHASES**

On motion of Councilwoman Berz, seconded by Councilwoman Ladd, the following purchases were approved for use by the various departments:

**GENERAL SERVICES DEPT.:**

**CHATTANOOGA FIRE PROTECTION (Overall Lowest and Best Bid)**  
**Requisition No. 32831**

Blanket Contract for City Wide Fire Extinguishers and Service

\$30,000 annually, approximately

**CHEROKEE TRUCK EQUIPMENT (Best Bid Meeting Specs.)**  
**Requisition 34175**

Service Bodies

\$10,837.00

**PUBLIC WORKS DEPARTMENT:**

**SOLUTIONWERKS, INC. (Best Proposal meeting specs.)**  
**Requisition 33989**

Reversing Heat Exchanger Installation

\$351,000 plus \$40,000 Contingency

**CHATTANOOGA POLICE DEPT.:**

**MICROCEPTION, INC. (Sole Source Purchase)**  
**Requisition 36408**

Surveillance System

\$38,609

**PURCHASES (CONT'D)**

**CHATTANOOGA FIRE DEPT.:**

**MOTOROLA, INC. (Single Source Purchase)**  
**Requisition 36392**

Motorola Radio and Accessories

\$40,922

**NEIGHBORHOOD SERVICES & COMMUNITY DEVELOPMENT:**

**MUNICIPAL SOFTWARE CORP. (Single Source Purchase)**  
**Requisition 36647**

CityView 9 Software Upgrade

\$80,000

**APPOINTMENT**

Councilwoman Robinson explained that she was asking the Council to consider affirming this appointment in view of the fact that we do have a policy to wait a couple of weeks. She explained that the Beer Board has a Training Session on December 2<sup>nd</sup> and that it would be nice for this new appointee to be part of this training program.

On motion of Councilwoman Robinson, seconded by Councilman Gilbert, the following Board Appointment was approved:

**BEER AND RECORD BOARD:**

- Appointment of **KEVIN MCKENNA (District 2 Representative)** for a three year term, expiring **November 23, 2013**. He is replacing Ms. Kathy Jones, whose term has expired.

**COMM. JOE GRAHAM**

Chairman Rico recognized the presence of Commissioner Joe Graham. Councilman Benson stated that Commissioner Graham shows an inclination to conceptualize that City citizens are also represented by him, as a County Commissioner. He stated that he wished all nine of the County Commissioners would support the City in their efforts to bring about better government.

**COMMITTEES**

Councilwoman Berz scheduled a **Budget, Finance and Personnel Committee** to be held **Tuesday, November 30<sup>th</sup>, immediately following the** Legal and Legislative Committee. This meeting is relative to the Fire and Police Pension Fund. On **Tuesday, December 7<sup>th</sup>**, there will also be a **Budget, Finance and Personnel Committee to immediately** follow the Public Works Committee to discuss the On-site Pharmacy Services. On **Tuesday, December 14<sup>th</sup>**, there will be a **Budget, Finance and Personnel Committee**, as requested by the Council in regards to FLSA relative to the Firefighters.

Councilwoman Robinson thanked Habitat for Humanity for the celebration of the Allen Family, stating that she and Chairman Rico participated in the celebration when the family received the keys to the house. She commended Habitat for Humanity for this program.

**ADJOURNMENT**

Chairman Rico adjourned the meeting of the Chattanooga City Council until Tuesday, November 30<sup>th</sup> at 6:00 P.M.

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**CHAIRMAN**

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**CLERK OF COUNCIL**

**(A LIST OF NAMES OF PERSONS IN ATTENDANCE IS FILED WITH MINUTE MATERIAL OF THIS DATE)**

