

City Council Building  
Chattanooga, Tennessee  
March 8, 2011  
6:00 p.m.

Chairman Rico called the meeting of the Chattanooga Council to order with Councilmen Benson, Berz, Gilbert, McGary, Murphy and Scott present; Councilwoman Ladd was absent due to illness; Councilwoman Robinson was absent due to personal commitment. Assistant City Attorney Phil Noblett, Management Analyst Randy Burns and Council Clerk Carol O'Neal were also present.

#### **PLEDGE OF ALLEGIANCE/INVOCATION**

Following the Pledge of Allegiance, Attorney Noblett gave the invocation for the evening.

#### **MINUTE APPROVAL**

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

#### **AMEND CITY CODE**

On motion of Councilman Murphy, seconded by Councilman McGary,  
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,  
CHAPTER 18, ARTICLE VII, SECTION 18-2 RELATIVE TO NONRESIDENTIAL  
AND RESIDENTIAL SERVICE AND SECTION 18-86 RELATIVE TO  
RESIDENTIAL BULKY TRASH AND RESIDENTIAL YARD TRASH**

Was deferred one week.

**AMEND CITY CODE**

Councilmen Murphy and McGary made the motion and second to substitute the amendment to this Ordinance; the motion carried with **Councilwoman Scott voting "no"**.

On motion of Councilman Murphy, seconded by Councilman McGary,  
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 2, ARTICLE III, SECTION 174, RELATIVE TO PERSONNEL APPEAL HEARINGS**

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

**AMEND BUDGET ORDINANCE**

Councilwoman Scott reminded the audience that although this is pertaining to sewer rates, it is a correction of a rate that actually improves the situation and is not an increase of any kind of sewer rate; that it is an oversight.

On motion of Councilman Benson, seconded by Councilman McGary,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 12410, ENTITLED "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," TO AMEND SECTION 31-36(a) PERTAINING TO SEWER RATES**

Passed first reading.

**REZONING**

**2011-007: Terry W. Barker**

Pursuant to notice of public hearing, the request of Terry W. Barker to rezone property located at 1511 and 1517 Mitchell Avenue came on to be heard.

**REZONING (Continued)**

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 PROPERTY LOCATED AT 1511 AND 1517 MITCHELL AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**

Passed first reading.

**REZONING**

**2011-008: Erica Stearns**

Pursuant to notice of public hearing, the request of Erica Stearns to rezone property located at 906 East 10<sup>th</sup> Street came on to be heard.

On motion of Councilman Benson, seconded by Councilman McGary,  
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 906 EAST 10<sup>TH</sup> STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE**

Was denied.

**REZONING**

**2011-010: Elemi Architects, LLC for RiverCity Company**

Pursuant to notice of public hearing, the request of Elemi Architects, LLC for RiverCity Company to rezone property located at 1624 Rossville Avenue came on to be heard.

There was no opposition in attendance.

On motion of Councilman Murphy, seconded by Councilman Gilbert,  
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1624 ROSSVILLE AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE**

Passed first reading.

**LIFT CONDITIONS**

**2011-011: Eugene H. Schimpf, III/Cameron Harbor, LLC**

Pursuant to notice of public hearing, the request of Eugene H. Schimpf, III/Cameron Harbor, LLC to lift Condition No. 2, Sections a), b), c) and Condition No. 3 Section a); and to amend Condition 3, Section b) of Ordinance No. 11736 on property located at 495 Riverfront Parkway came on to be heard.

On motion of Councilman Benson, seconded by Councilwoman Scott,  
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO LIFT CONDITION NO. 2, SECTIONS a), b), c) AND CONDITION NO. 3 SECTION a); AND TO AMEND CONDITION NO. 3, SECTION b) OF ORDINANCE NO. 11736, ON PROPERTY LOCATED AT 495 RIVERFRONT PARKWAY, BEING MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS**

Passed first reading.

**REZONING**

**2011-013: Frank Goodwin/Fassnacht Properties**

Pursuant to notice of public hearing, the request of Frank Goodwin/Fassnacht Properties to rezone property located at 625 East Main Street came on to be heard.

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 PROPERTY LOCATED AT 625 EAST MAIN STREET, MORE PARTICULARLY DESCRIBED HERIEN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS**

Passed first reading.

**REZONING**

**2011-014: City of Chattanooga/Regional Planning Agency**

Pursuant to notice of public hearing, the request of the City of Chattanooga/Regional Planning Agency to rezone property located in part of the 200 block of West Hills Drive came on to be heard.

REZONING (Continued)

On motion of Councilwoman Scott, seconded by Councilwoman Berz,  
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED IN PART OF THE 200 BLOCK OF WEST HILLS DRIVE, MORE PARTICULARLY DESCRIBED HEREIN, FROM TEMPORARY ZONE R-1 RESIDENTIAL ZONE AND RT-1 RESIDENTIAL TOWNHOUSE ZONE TO PERMANENT ZONES**

Passed first reading.

REZONING

**2011-022: Roberta Reyes**

Pursuant to notice of public hearing, the request of Roberto Reyes to rezone property located at 509 Airport Road came on to be heard.

On motion of Councilwoman Berz, seconded by Councilman Benson,  
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 509 AIRPORT ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM O-1 OFFICE ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**

Passed first reading.

REZONING

**2011-025: City of Chattanooga/RPA**

Pursuant to notice of public hearing, the request of the City of Chattanooga/RPA to rezone property located in annexed Area 10A of Ordinance No. 12300 and amended by Ordinance No. 12451 came on to be heard.

**Greg Haynes**, Director of Development Services with the Regional Planning Agency (RPA), stated that he noticed the caption reflects "permanent M-2" and the Planning version was for a "*permanent M-1*"; that the Staff was for M-2 and wanted to make sure it was clarified. He stated it should be *permanent M-1*.

Attorney Noblett stated it does say permanent M-2 and will make the correction. Chairman Rico clarified the matter would be corrected prior to second reading.

REZONING (Continued)

On motion of Councilman Murphy, seconded by Councilman Benson,  
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED IN ANNEXED AREA 10A OF ORDINANCE NO. 12300 AND AMENDED BY ORDINANCE NO. 12451, FROM TEMPORARY R-2 RESIDENTIAL ZONE, C-2 COMMERCIAL ZONE, AND M-1 MANUFACTURING ZONE TO PERMANENT R-2 RESIDENTIAL ZONE, C-2 COMMERCIAL ZONE AND M-1 MANUFACTURING ZONE**

Passed first reading.

REZONING

**2011-026: City of Chattanooga/RPA**

Pursuant to notice of public hearing, the request of the City of Chattanooga/RPA to rezone property located in annexed area 10B of Ordinance 12301 and amended by Ordinance no. 12452 came on to be heard.

Mr. Haynes stated that he wanted to make sure that the Planning Commission's recommendation was to make the temporary R-5 a *permanent R-5*.

Attorney Noblett stated it says R-5 residential zone and thinks it is permanent in that one; that it is so noted for correction.

On motion of Councilman Murphy, seconded by Councilwoman Scott,  
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED IN ANNEXED AREA 10B OF ORDINANCE NO. 12301 AND AMENDED BY ORDINANCE NO. 12452, FROM TEMPORARY R-1 RESIDENTIAL ZONE, R-2 RESIDENTIAL ZONE, R-5 RESIDENTIAL ZONE, C-2 COMMERCIAL ZONE, AND M-1 MANUFACTURING ZONE TO PERMANENT R-2 RESIDENTIAL ZONE, R-5 RESIDENTIAL ZONE, C-2 COMMERCIAL ZONE, AND M-1 MANUFACTURING ZONE**

Passed first reading.

**CONTRACTS**

On motion of Councilman Murphy, seconded by Councilwoman Berz,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF NEIGHBORHOOD SERVICES AND COMMUNITY DEVELOPMENT TO ENTER INTO PROFESSIONAL LAND APPRAISAL SERVICES CONTRACTS WITH CHARLES TINDELL: SCOTT & SCOTT ASSOCIATES; NORTHWEST APPRAISALS; PRESTWOOD APPRAISAL SERVICES; AND CARTER APPRAISAL SERVICES FOR NEIGHBORHOOD STABILIZATION PROGRAM (NSP) RELATED PROPERTIES, FOR A TOTAL AMOUNT NOT TO EXCEED FIFTEEN THOUSAND DOLLARS (\$15,000.00), WITH THE LENGTH OF THE CONTRACTS BEING FOR TWELVE (12) MONTHS, WITH AN OPTION TO RENEW FOR AN ADDITIONAL TWELVE (12) MONTH PERIOD**

Was adopted.

**CDBG/ HOME INVESTMENT PARTNERSHIP ACT FUNDS**

On motion of Councilwoman Berz, seconded by Councilman Murphy,  
**A RESOLUTION APPROVING THE ACCEPTANCE AND DISTRIBUTION OF FISCAL YEAR 2011-2012 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND HOME INVESTMENT PARTNERSHIP ACT FUNDS FROM THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) AND PROGRAM INCOME, ALL TOTALING APPROXIMATELY THREE MILLION SIX HUNDRED NINETY THOUSAND DOLLARS (\$3,690,000.00), AS SHOWN MORE FULLY HEREINBELOW**

Was adopted.

**EMINENT DOMAIN**

Councilman Gilbert inquired as to whether Mr. Woodard is cooperating with us on the property.

Admin. Leach responded "yes".

Councilman Gilbert stated we have already started on it and noted that it was mentioned last week the State has a court issue and asked if we are going to wait to see the outcome of that until we do something.

**EMINENT DOMAIN (Continued)**

Admin. Leach stated this is a situation where the project already started and Mr. Woodard agreed to our price in principle. He stated Mr. Woodard is in discussion with the State with a legal action against him and is not certain of the particulars on this; that Mr. Woodard did not feel the State's price was adequate. He stated we are a third party to this but we had to enter into this process to keep that land available to us to use; that he has granted us a right of entry and we are already on the property.

Atty. Noblett stated this does not prohibit us from continuing to talk to the property owner in trying to resolve that with him; that the eminent domain action going on allows the case to proceed under the construction constraints. He stated they can discuss whatever settlement they can come up to and deal with the issue of what the State is willing to pay later on.

On motion of Councilman Benson, seconded by Councilman Murphy,  
**A RESOLUTION AUTHORIZING THE OFFICE OF THE CITY ATTORNEY TO INSTITUTE EMINENT DOMAIN PROCEEDINGS AGAINST WOODARD DEVELOPMENT COMPANY RELATIVE TO OLD LEE HIGHWAY AT APISON PIKE SANITARY SEWER RELOCATION AND FORCE MAIN PROJECT, CONTRACT NO. W-10-010, FOR TRACT NO. 4, TAX MAP AND PARCEL NO. 140A-A-010; TRACT NO. 12, TAX MAP AND PARCEL NO. 1310-B-014; TRACT NO. 13, TAX MAP AND PARCEL NO. 1310-B-015; AND TRACT NO. 17, TAX MAP AND PARCEL NO. 1310-B-017**

Was adopted.

**CHANGE ORDER**

On motion of Councilman Benson, seconded by Councilman Murphy,  
**A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1 (FINAL) WITH LAMAR DUNN AND ASSOCIATES, INC., RELATIVE TO CONTRACT NO. W-09-013-101, APISON PIKE AND OLD LEE HIGHWAY SEWER RELOCATION AND FORCE MAIN, FOR AN INCREASED AMOUNT OF TEN THOUSAND NINE HUNDRED EIGHTEEN AND 27/100 DOLLARS (\$10,918.27), FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED EIGHTEEN THOUSAND FOUR HUNDRED EIGHTEEN AND 27/100 DOLLARS (\$18,418.27)**

Was adopted.



ACCEPT FUNDS

On motion of Councilwoman Scott, seconded by Councilman Murphy,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO ACCEPT FIVE THOUSAND SIX HUNDRED SIXTY-SEVEN AND 10/100 DOLLARS (\$5, 667.10) FROM FORT TOWN, LLC RELATIVE TO THE COST OF MITIGATION OF ASPHALT ISSUES FOR THE AMBERBROOK SUBDIVISION**

Was adopted.

SPECIAL EXCEPTIONS PERMIT

**2011-019: Byurnis Mayes, Jr.**

**Charlie Rucker**, a resident of Lake Hills, was present along with a group in opposition to this request. He expressed appreciation to the Council for denying the application.

At this point Councilman Benson called for the question.

On motion of Councilman Gilbert, seconded by Councilwoman Berz,  
**A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL HOME FOR HANDICAPPED AND/OR AGED PERSONS ON A COMMERCIAL BASIS ON PROPERT LOCATED AT 4609 LOCKINGTON LANE**

Was denied.

LEASE AGREEMENT

**MR-2011-027: Larry Zehnder, Parks and Recreation**

On motion of Councilman Murphy, seconded by Councilwoman Berz,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS AND RECREATION TO ENTER INTO A LEASE AGREEMENT WITH THE NORTH CHICKAMAUGA CREEK CONSERVANCY FOR THE LEASE OF ONE ROOM WITHIN AN EXISTING STRUCTURE FOR OFFICE SPACE AT GREENWAY FARMS AT THE RATE OF ONE HUNDRED DOLLARS (\$100.00) PER MONTH FOR A TERM OF ONE YEAR**

Was adopted.

## OVERTIME

Overtime for the week ending March 3, 2011 totaled \$6,929.91.

## PERSONNEL

The following personnel matters were reported for the various departments:

### CHATTANOOGA POLICE DEPARTMENT:

- **ROY GRASHAM** – Family Medical Leave, Police Officer, effective February 28, 2011.

### PARKS AND RECREATION DEPARTMENT:

- **TIM REID** – Family Medical Leave, Crew Worker, effective January 31 – March 1, 2011.
- **JOSE ANDINO** – Promotion, Crew Supervisor 1, Range 8, \$32,527.23 annually, effective February 25, 2011.

### FINANCE DEPARTMENT:

- **JENNIFER L. PEDGINSKI** – Hire, Accountant 1, Range 17, \$42,000.00 annually, effective February 21, 2011.

### PUBLIC WORKS DEPARTMENT:

- **YURI KULAKEVICH** – Promotion, Crew Supervisor 2, City Wide Services, Range 12, \$31,021.00 annually, effective February 11, 2011.
- **GEOFFREY J. KOROUS** – Hire, Accident Investigator, City Wide Services, Range 10, \$28,137.00 annually, effective February 21, 2011.
- **DONALD E. CAGLE** – Retirement, Equipment Operator 4, City Wide Services, effective February 28, 2011.

### PERSONNEL (Continued)

- **ROBERT E. ALLEN, III** – Promotion, General Supervisor, City Wide Services, Range 18, \$41,427.00 annually, effective February 25, 2011.
- **MARK A. WEISS** – Promotion, General Supervisor, City Wide Services, Range 18, \$48,494.14 annually, effective February 25, 2011.
- **JEFFREY M. MOORE** – Termination, Equipment Operator 5, Waste Resources, effective January 2, 2011.
- **WILLIE C. NORMAN** – Demotion, Equipment Operator 2, City Wide Services, effective March 1, 2011.

### HOTEL PERMITS

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

**KNIGHTS INN** – 3655, Cummings Highway, Chattanooga, TN

**RAMADA LIMITED** – 30 Birmingham Highway, Chattanooga, TN

### DONATION

Captain Susan Blaine stated she was given a letter requesting acceptance of donations to the Bike Patrol from community groups and businesses in the Brainerd area for use in the Sector 3 Bike Patrol which includes four bike helmets and four trunk-mount bike racks. She stated a list of the contributors is contained within the communication.

**On motion of Councilwoman Berz, seconded by Councilman McGary the donations were accepted for use by the police department.**

Councilwoman Berz stated this is an example of neighborhoods working with the police department; that the police department talked with them about the bike patrol and various organizations and individuals helped donate helmets and bike racks; that there were other things donated, as well, in the history.

Captain Blaine stated some of the bikes were donated in the past not only in Sector 3 but also in Sector 2 in the Highland Park area.

**DONATION (Continued)**

Councilwoman Berz stated it is a really neat thing that is happening and wanted the public to know about it.

**REFUNDS**

On motion of Councilman McGary, seconded by Councilman Murphy, the Administrator of Finance was authorized to issue the following refund of water quality fees and/or property taxes:

**AUTUMN BROOK LP -- \$6,908.53**

**BOWMAN & ASSOCIATES -- \$2,375.91**

**MMR TENNESSEE LLC -- \$13,980.47**

**YERBEY CONCRETE CONSTRUCTION INC. -- \$4,110.75**

**PURCHASES**

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

**PUBLIC WORKS DEPARTMENT:**

**RADARSIGN, LLC (Sole source)**

**R38723**

Purchase of Radar Speed Displays per TCA 6-56-304-2

\$28,000.00

**UNITED RENTALS, STOWERS RENTAL & SUPPLY, GODWIN PUMPS (Best bids)**

**R38533/300832**

Three (3) Blanket Contracts for Rental Equipment

\$80,000.00 – Annual approximation

**PURCHASES (Continued)**

**OTTO ENVIRONMENTAL SYSTEMS (Lowest and best bid)**  
**R38224/B300822**

Blanket Contract to Purchase Roll-Out Waste Containers

\$150,000.00 – Annual estimation

**MID-SOUTH EQUIPMENT COMPANY (Better and lower bid)**  
**R39860**

Purchase for Excavator with Bucket

\$88,900.00

PARKS AND RECREATION:

**SOUTHERN ATHLETIC FIELDS (Lower and better bid)**  
**R39116**

Blanket Contract to Purchase Marking Marble Dust

\$15,000.00 – Annual approximation

GENERAL SERVICES:

**INTEGRATED NETWORKING TECHNOLOGIES (Best bid)**  
**R38384/B300835**

Blanket Contract for Structured Cabling

\$100,000.00 – Estimation

## PURCHASES (Continued)

### INFORMATION SERVICES:

#### DELL MARKETING L.P. (Lower and better bid) R38337/B300827

Blanket Contract to Purchase Servers Hardware and Software

\$150,000.00 – Estimation

### PERSONNEL:

#### NEW HORIZONS COMPUTER LEARNING CENTERS (Best proposal) R39158

Issue Contract for Offsite Computer Training Classes

\$20,000.00 – Estimation

## BOARD APPOINTMENT/REAPPOINTMENTS

On motion of Councilman Murphy, seconded by Councilman McGary, the following Board appointment/reappointments were approved:

### TREE COMMISSION BOARD:

- Re-appointment of *LISA LEMZA* and *JUNE COPPINGER* for three year terms expiring March 8, 2014.
- Appointment of *SALLY L. WENCEL* for a term expiring July 31, 2011 (filling the unexpired term of Paul Belk).

## SETTLEMENT OF CLAIM

Attorney Noblett requested approval for the settlement of a case where a garbage truck backed into the front of a school bus and the amount of damages totals \$10,025.64, slightly over the \$10,000 limit.

### SETTLEMENT OF CLAIM (Continued)

On motion of Councilman McGary, seconded by Councilman Murphy authorization was duly given.

### COMMITTEES

Councilwoman Scott stated Economic Development met today to discuss information relating to PILOTs and the economic impact of sprinklers being added.

Councilman Murphy scheduled a meeting of the **Legal and Legislative Committee for Tuesday, March 15.**

In the absence of Councilwoman Ladd, Chairman Rico reported that the **Public Works Committee is scheduled to meet on next Tuesday, March 15 immediately following the Agenda Session.**

Councilwoman Berz stated on **Thursday, March 10 from 6 p.m. – 8 p.m. there will be a Budget, Finance and Personnel Committee work session** and is open to everyone; that it is not a public hearing but everyone is welcome as there will be budget presentations from the administrative departments. She stated on **March 15 from 10 a.m. – noon** the Committee will complete the budget presentations of the quasi-governmental agencies, again noting in an effort to be open and transparent and have all the information available to the public the meetings are being held in the mornings and afternoons in an effort to meet the needs of people that want to know about these things. She reiterated they are work sessions, not public hearings.

### DISTRICT 5 MEETING

Councilman Gilbert invited everyone to the Brainerd Center on March 17 for a discussion of the Wilcox Tunnel and the Eastdale and North Brainerd Plans.

### MICHAEL DOUGLAS HEARING

Councilman Gilbert stated he would have to come off the panel for the Michael Douglas hearing noting that someone approached him about the case.

Chairman Rico asked if he could have stopped the person; Councilman Gilbert stated he tried.

**AGENDA: TUESDAY, MARCH 15, 2011**

Chairman Rico stated the agenda for next week was discussed earlier during the Agenda session.

**ADJOURNMENT**

Chairman Rico adjourned the meeting of the Chattanooga Council until Tuesday, March 15, 2011 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)**