

**CITY COUNCIL BUILDING  
CHATTANOOGA, TENNESSEE  
MAY 31, 2011**

Chairman Ladd called the meeting of the Chattanooga City Council to order with Councilmen Benson, Berz, Gilbert, Murphy, Rico and Scott present. Councilpersons Robinson and McGary were absent due to prior commitment. City Attorney Michael McMahan, 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 Gilbert, followed by invocation by Attorney McMahan.

**MINUTE APPROVAL**

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

**INTERIM BUDGET**

Councilman Murphy stated that some work had been done on the Budget, and he felt this was premature; that he would like to pass a Budget on time and would vote "no" on this.

On motion of Councilwoman Scott, seconded by Councilman Rico,  
**AN ORDINANCE PROVIDING FOR AN INTERIM BUDGET AND  
APPROPRIATING FUNDS FOR THE USUAL AND ORDINARY  
EXPENSES OF THE CITY GOVERNMENT FOR THE MONTHS OF  
JULY, AUGUST, AND SEPTEMBER 2011, PENDING THE ADOPTION  
OF THE 2011-2012 ANNUAL BUDGET**

passed first reading with Councilman Murphy voting "no".

**CLOSE AND ABANDON**

**2009-014 (Windward Properties—District 3)**

On motion of Councilman Rico, seconded by Councilman Gilbert,  
**AN ORDINANCE CLOSING AND ABANDONING A RECORDED  
SEWER EASEMENT BEGINNING SOME ONE HUNDRED TWENTY-  
FIVE (125') FEET FROM ITS INTERSECTION WITH MF# 52070  
THENCE SOUTHWEST SOME TWO HUNDRED SEVENTY-SIX (276')  
FEET A DEAD-END BEING PART OF THE SEWER EASEMENT, MORE  
PARTICULARLY DESCRIBED HEREIN**  
passed first reading.

**CLOSE AND ABANDON**

**2009-070 (Michael S. Morgan—District 7)**

On motion of Councilman Rico, seconded by Councilwoman Berz,  
**AN ORDINANCE CLOSING AND ABANDONING A RIGHT-OF-WAY  
OF AN UNOPENED ALLEY BEGINNING ON THE SOUTH LINE OF  
THE 1700 BLOCK OF WEST 57<sup>TH</sup> STREET THENCE SOUTHWEST  
SOME TWO HUNDRED FIFTY (250') FEET TO THE NORTH LINE OF  
THE UNOPENED 1700 BLOCK OF C. STREET, MORE  
PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN  
CONDITIONS**  
passed first reading.

**CLOSE AND ABANDON**

**2011-052 (Vision Hospitality Group, District 4)**

On motion of Councilman Benson, seconded by Councilman Gilbert,  
**AN ORDINANCE CLOSING AND ABANDONING A PORTION OF  
RIGHT-OF-WAY IN THE OPEN 2000 BLOCK OF SKYLINE DRIVE  
BEGINNING AT THE SOUTHERN BOUNDARY OF THE PROPERTY  
AT TAX MAP NO. 184M-G-008, MORE PARTICULARLY DESCRIBED  
HEREIN, SUBJECT TO CERTAIN CONDITIONS**  
passed first reading.

ANNEXATION DATE

On motion of Councilman Benson, seconded by Councilwoman Scott,  
**AN ORDINANCE AMENDING ORDINANCE NO. 12312 EXTENDING THE CORPORATE LIMITS OF THE CITY OF CHATTANOOGA, TENNESSEE, TO CHANGE THE EFFECTIVE DATE OF ANNEXATION OF CERTAIN TERRITORY CONTIGUOUS TO THE PRESENT CORPORATE LIMITS OF THE CITY, TO INCLUDE CERTAIN PARCELS, KNOWN AS AREA 6A, ADJACENT TO THE WESTERN RIGHT-OF-WAY OF HIGHWAY 58 AND TURKEYFOOT 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 Councilman Gilbert voting “no”.

At this point, Councilman Murphy made a statement for the Public’s benefit. He explained that the above Ordinance concerning annexation and the two following annexation Ordinances are annexations that are happening on the terms of the interested parties—that they are terms that have been agreed to. These areas will be coming into the City at a future date and all have agreed to this.

Chairman Ladd noted that it might seem that we are moving quickly but that all Ordinances and Resolutions have been discussed at length; that much research had gone into this.

Councilman Benson stated that it was not an “unknown” future date—that the date has been decided for these annexations and it is December 31, 2012; they will be taxed on January 1, 2013.

ANNEXATION DATE

On motion of Councilman Benson, seconded by Councilman Rico,  
**AN ORDINANCE AMENDING ORDINANCE NO. 12313 EXTENDING THE CORPORATE LIMITS OF THE CITY OF CHATTANOOGA, TENNESSEE, TO CHANGE THE EFFECTIVE DATE OF ANNEXATION OF CERTAIN TERRITORY CONTIGUOUS TO THE PRESENT CORPORATE LIMITS OF THE CITY, TO INCLUDE CERTAIN PARCELS, KNOWN AS AREA 6B, ADJACENT TO THE WESTERN RIGHT-OF-WAY OF HIGHWAY 58 AND ADJACENT TO THE RIGHT-OF-WAY FOR HICKORY VALLEY 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 Councilman Gilbert voting “no”.

**ANNEXATION DATE**

On motion of Councilman Murphy, seconded by Councilman Rico,  
**AN ORDINANCE AMENDING ORDINANCE NO. 12314 EXTENDING THE CORPORATE LIMITS OF THE CITY OF CHATTANOOGA, TENNESSEE, TO CHANGE THE EFFECTIVE DATE OF ANNEXATION OF CERTAIN TERRITORY CONTIGUOUS TO THE PRESENT CORPORATE LIMITS OF THE CITY, TO INCLUDE CERTAIN PARCELS, KNOWN AS AREA 6C, ADJACENT TO THE EASTERN AND WESTERN RIGHTS-OF-WAY OF HIGHWAY 58 UP TO ITS INTERSECTION WITH HARRISON-OOLTEWAH ROAD, INCLUDING PORTIONS OF OTHER STREETS NAMED BENT PINE, CONGRESS, DEARWOOD, MAHLON CLARK, CHURCH, TYNER, AND EASTER, WITHIN THE URBAN GROWTH BOUNDARY OF THE CITY OF CHATTANOOGA IN HAMILTON COUNTY, TENNESSEE, AS SHOWN BY THE ATTACHED MAP**

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

**TEMP. R-O-W USE**

On motion of Councilman Murphy, seconded by Councilman Rico,  
**A RESOLUTION AUTHORIZING ALEX HERNANDEZ TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 203 EAST MAIN STREET FOR THE PLACEMENT OF A SIGN OVER A PORTION OF THE RIGHT-OF-WAY (SIDEWALK), AS SHOWN ON THE ATTACHED MAP AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS**

was adopted.

**TEMP. R-O-W USE**

On motion of Councilman Murphy, seconded by Councilman Rico,  
**A RESOLUTION AUTHORIZING TY COOPER TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 201 WEST MAIN STREET FOR THE PLACEMENT OF A SIGN OVER A PORTION OF THE RIGHT-OF-WAY (SIDEWALK), AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS**

was adopted.

TEMP R-O-W- USE

On motion of Councilman Murphy, seconded by Councilman Rico,  
**A RESOLUTION AUTHORIZING BLUE PLATE BAR TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 191 CHESTNUT STREET FOR THE INSTALLATION OF AWNINGS THAT WILL PROJECT INTO THE RIGHT-OF-WAY, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS**  
was adopted.

TEMP R-O-W USE

On motion of Councilman Murphy, seconded by Councilman Rico,  
**A RESOLUTION AUTHORIZING ANDREW GAGE TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 509 EAST MAIN STREET FOR THE PLACEMENT OF A SIGN OVER A PORTION OF THE RIGHT-OF-WAY (SIDEWALK), AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS**  
was adopted.

CONTRACT C.O.

On motion of Councilman Rico, seconded by Councilman Murphy,  
**A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1 (FINAL) FOR HIGHWAYS, INC. RELATIVE TO CONTRACT NO. E-09-016-201, DAYTON BOULEVARD ARRA RESURFACING CONTRACT FOR A DECREASED AMOUNT OF ONE HUNDRED SIX THOUSAND SEVEN HUNDRED SIX AND 48/100 DOLLARS (\$106,706.48) FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED THREE HUNDRED SIXTY-FIVE THOUSAND SIX HUNDRED SEVENTEEN AND 52/100 DOLLARS (\$365,617.52), AND TO RELEASE THE REMAINING CONTINGENCY AMOUNT OF FORTY-TWO THOUSAND NINE HUNDRED THIRTY-NINE DOLLARS (\$42,939.00)**  
was adopted.

Councilwoman Scott clarified that the Clerk did read “decrease” rather than “increase”.

CONTRACT C.O.

On motion of Councilwoman Scott, seconded by Councilwoman Berz,  
A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1 (FINAL) FOR ALLEN AND HOSHALL, INC. RELATIVE TO CONTRACT NO. E-10-006-401, CONSTRUCTION, ENGINEERING, INSPECTION (CEI) SERVICES FOR ARRA RESURFACING CONTRACT, FOR A DECREASED AMOUNT OF ONE HUNDRED FIVE THOUSAND SIX HUNDRED SIXTY-THREE AND 33/100 DOLLARS (\$105,663.33), FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED EIGHTY-EIGHT THOUSAND THREE HUNDRED THIRTY-SIX AND 67/100 DOLLARS (\$88,336.67)  
was adopted.

CONTRACT C.O.

On motion of Councilwoman Berz, seconded by Councilman Gilbert,  
A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1 (FINAL) FOR HIGHWAYS, INC. RELATIVE TO CONTRACT NO. E-09-011-201, AIRPORT ROAD/SHEPHERD ROAD ARRA RESURFACING CONTRACT, FOR A DECREASED AMOUNT OF ONE HUNDRED FIFTY-NINE THOUSAND FIVE HUNDRED TWELVE AND 21/100 DOLLARS (\$159,512.21), FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED SIX HUNDRED THIRTEEN THOUSAND EIGHTY-FIVE AND 79/100 DOLLARS (\$613,085.79), AND TO RELEASE THE REMAINING CONTINGENCY AMOUNT OF SEVENTY THOUSAND TWO HUNDRED THIRTY-SIX DOLLARS (\$70,236.00)  
was adopted.

CONTRACT C.O.

On motion of Councilwoman Scott, seconded by Councilman Rico,  
A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1 (FINAL) FOR HIGHWAYS, INC. RELATIVE TO CONTRACT NO. E-09-017-201, BARTON AVENUE ARRA RESURFACING CONTRACT, FOR A DECREASED AMOUNT OF FORTY THOUSAND NINE HUNDRED EIGHTY-NINE AND 64/100 DOLLARS (\$40,989.64), FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED ONE HUNDRED SIXTY-SEVEN THOUSAND AND ONE HUNDRED NINETY-NINE AND 36/100 DOLLARS (\$167,199.36), AND TO RELEASE THE REMAINING CONTINGENCY AMOUNT OF EIGHTEEN THOUSAND NINE HUNDRED TWENTY-SIX DOLLARS (\$18,926.00)  
was adopted.

**CONTRACT C.O.**

Councilman Benson stated that this was discussed in committee, and he thought this should be Standifer Gap between Hickory Valley and Lee Highway. Lee Norris responded that he thought Councilman Benson was talking about Resolution (j). Councilman Benson stated that he thought all of Hickory Valley had been paved. Mr. Norris stated that it had, with Councilman Benson noting that we were paying after the fact.

On motion of Councilman Rico, seconded by Councilwoman Berz,

**A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1 (FINAL) FOR HIGHWAYS, INC. RELATIVE TO CONTRACT NO. E-09-010-201, HICKORY VALLEY ROAD ARRA RESURFACING CONTRACT, FOR A DECREASED AMOUNT OF EIGHTY-TWO THOUSAND EIGHT HUNDRED NINE AND 88/100 DOLLARS (\$82,809.88), FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED TWO HUNDRED SEVENTY-TWO THOUSAND FOUR HUNDRED THIRTY-FOUR AND 12/100 DOLLARS (\$272,434.12), AND TO RELEASE THE REMAINING CONTINGENCY AMOUNT OF THIRTY-TWO THOUSAND TWO HUNDRED NINETY-FIVE DOLLARS (\$32,295.00)**

was adopted.

**CONTRACT**

On motion of Councilman Rico, seconded by Councilman Murphy,

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF PUBLIC WORKS TO AWARD CONTRACT NO. E-11-003-201, THE 2011 RESURFACING CONTRACT TO TALLEY CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF ONE MILLION NINE HUNDRED FIFTY-THREE THOUSAND SEVENTY-ONE AND 65/100 DOLLARS \$1,953,071.65), WITH A CONTINGENCY AMOUNT OF FORTY-SIX THOUSAND NINE HUNDRED TWENTY-EIGHT AND 35/100 DOLLARS (\$46,928.35), FOR AN AMOUNT NOT TO EXCEED TWO MILLION DOLLARS (\$2,000,000.00)**

was adopted.

**PROPERTY CONVEYANCE**

On motion of Councilman Murphy, seconded by Councilman Rico,  
**A RESOLUTION AUTHORIZING THE CONVEYANCE TO HABITAT FOR HUMANITY OF PROPERTY LOCATED AT 2709 CURTIS STREET, MORE PARTICULARLY DESCRIBED HEREIN, FOR CONSTRUCTION OF HOUSING AS PART OF THE NEIGHBORHOOD STABILIZATION PROGRAM, AND AUTHORIZING THE DIRECTOR OF GENERAL SERVICES TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY RELATING THERETO**  
was adopted.

**AGREEMENT**

On motion of Councilman Gilbert, seconded by Councilman Rico,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF HUMAN SERVICES TO ENTER INTO AN AGREEMENT WITH JDH ROOFING COMPANY FOR THE REPAIR OF THE ROOF AT THE HUMAN SERVICES BUILDING LOCATED AT 501 W. 12<sup>TH</sup> STREET, CHATTANOOGA, TENNESSEE, IN THE AMOUNT OF NINETEEN THOUSAND FIVE HUNDRED TWENTY-FIVE DOLLARS (\$19,525.00)**  
was adopted.

It was noted that this is federal funding.

**OVERTIME**

Overtime for the week ending May 26, 2011, totaled \$44,528.09.

**PERSONNEL**

The following personnel matters were reported for:

**HUMAN SERVICES DEPT.:**

- ✓ **BEVERLY MCKELDIN**—Resignation of Director, effective 5/20/11.



PERSONNEL (CONT'D)

**PARKS AND RECREATION DEPT.:**

- ✓ **TRAVIS COLLINS**—Promotion to Crew Worker 2, Range 4, \$23,373.00 annually, effective 4/29/11.
- ✓ **ED ODOM**—Promotion to Recreation Facility Manager 1, Range 14, \$40,545.32 annually, effective 5/20/11.
- ✓ **KYLE KENNEDY, KEVIN PALMER & EDWARD CHUBB**—Hire as Crew Worker 1, Range 2, \$22,050.00 annually, effective 5/20/11.
- ✓ **ERIC JELINSKI**—Hire as Asst. Director of Recreation, Range 21, \$52,124.00 annually, effective 5/31/11.
- ✓ **JACQUELINE SIMPSON**—Retirement of Recreation Facility Manager 1, effective 5/31/11.

**PUBLIC WORKS DEPT.:**

- ✓ **DOUGLAS BURCH & RICHARD DAVIS**—Termination of Equipment Operators 4, effective 5/23/11.

HUMAN SERVICES

Adm. Ron Swafford announced that Commodities Distribution was scheduled for June 8, 2011 in Birchwood, Ooltewah, and Soddy Daisy. The Chattanooga distribution is scheduled for June 9, 2011 at a new location: **Arcade Marketing Building (Across from Armando's) located at 1815 E. Main St.**

REFUNDS

On motion of Councilwoman Berz, seconded by Councilman Gilbert, the Administrator of Finance was authorized to issue the following refunds due to lowering of assessments:

VILLAS AT OAK CREST	\$4,632.84
DODSON AVENUE PARTNERS LP	\$1,890.96
CARRIAGE PARK ASSOCIATION	\$23,164.20
DRA NORTHTOWNE VILLAGE LLC	\$12,023.33
CARRIAGE PARK ASSOCIATION	\$2,678.85
C.D. WEST, JR. LLC ETAL	\$4,550.91
GOLDEN GATEWAY APARTMENTS,LTD`	\$1,213.36
MOUNTAIN CREEK APARTMENTS CO.LLC	\$6,271.67
NORTH CHATT. HOUSING PARTNERS I LP	\$1,139.30
ARBOR CREEK APT. PROPERTY LLC	\$17,562.25
ST.ELMO SENIOR HOUSING LP	\$2,212.37

PURCHASES

On motion of Councilman Rico, seconded by Councilman Murphy, the following purchases were approved for use by the various departments, with Councilman Benson "abstaining".

**PUBLIC WORKS DEPARMENT:**

**WATER & WASTE EQUIPMENT, INC. (Best Bid Meeting Specs.)**  
**Requisition 300987/41284**

Four Grinder Pumps

\$12,340.00

**PURCHASES (CONT'D)**

**TELEDYNE ISCO C/O KAZMIER & ASSOCIATES (Single Source Purchase)**  
**Requisition 42920**

Two Compact Portable Composite Samplers & Two Bubbler Flowmeters

\$11,840.00

**WATER ENVIRONMENTAL CONSULTANTS (Lowest and best bid)**  
**Requisition 42323/301031**

Blanket Contract for Chemical Addition & Conditioning Testing & Analysis Services

\$100,000 annually, approximately

**CHATTANOOGA POLICE DEPT.:**

**ALEXANDER XTREME GREEN VEHICLES (Lowest and Best Bid)**  
**Requisition 41089/300969**

Three Personal Mobility Vehicles

\$26,772.63

**PARKS AND RECREATION DEPT.:**

**METROSPACE DESIGN GROUP (Lowest bid meeting Specs)**  
**Requisition 43188**

Tables and Chairs

\$36,789.20

**COMPETION ATHLETIC SURFACES (Lowest and best bid)**  
**Requisition 42890**

Resurfacing of Hixson Recreation Center Tennis Courts

\$15,900.00

**PURCHASES (CONT'D)**

**CHATTANOOGA TRACTOR & EQUIPMENT (Lowest and best bid)**  
**Requisition 42885**

Two Tractors

\$41,822.00

**BOARD APPOINTMENT**

On motion of Councilman Rico, seconded by Councilman Murphy, the following Board Reappointment was approved:

**HISTORIC ZONING BOARD:**

- ✓ **RYAN FISHER** for a five year term expiring **May 31, 2016.**

**CITY ATTORNEY**

Attorney McMahan presented the following two matters to the Council: (1) \$15,000 payment of claims to Mr. Smith—one of our sanitation trucks backed into him. (2) Police Officer Tonya Lass hit a pedestrian—settlement is \$150,000. **On motion of Councilman Murphy, seconded by Councilman Rico, authorization was given for these two settlements.**

**5<sup>TH</sup> OF JULY COUNCIL MEETING**

Councilman Murphy stated that he had looked at his calendar and the 5<sup>th</sup> of July is a Tuesday. **He moved that the Council cancel the July 5<sup>th</sup> City Council meeting in honor of our Nation, Apple Pie, and Motherhood (thrown in for the benefit of Councilman Benson) so that those who cover the media and the Staff can have this time to spend with their families. This was seconded by Councilman Gilbert.**

Councilman Benson stated that he did not think that the general public gets a whole week off for the 4<sup>th</sup> of July; that it is the Council's responsibility to be here on Tuesdays, unless Tuesday falls on a national holiday, and he saw no need to carry this holiday (4<sup>th</sup> of July) a day after. He added that this Council had been out of session more than any preceding Council, and we needed to be available. He stated that the agenda might be light, but constituents might have something on their minds that needed to be discussed.

5<sup>TH</sup> OF JULY (CONT'D)

Councilman Rico explained that we were just talking about not meeting on Tuesday night—that we would be here during the week; that people do schedule vacations at this time of the month; that he would be here Monday through Friday.

A Roll Call Vote was taken on whether to cancel the July 5<sup>th</sup> meeting:

COUNCILMAN BENSON	NO
COUNCILMAN GILBERT	YES
COUNCILWOMAN BERZ	NO
COUNCILMAN RICO	YES
COUNCILMAN MURPHY	YES
COUNCILWOMAN SCOTT	YES
CHAIRMAN LADD	NO

The motion failed for lack of five votes. (Councilman Rico stated that it could be brought up again next week.)

COMMITTEES

Councilwoman Scott reported that the **Personnel, Performance and Audit Review Committee** met today and heard a good presentation by Donna Kelley and her associates regarding the Employee Health and Wellness Center. The committee also met later concerning how we deal with audit results.

Councilman Rico reminded everyone of the **Public Works Committee** scheduled for **Tuesday, June 7<sup>th</sup> to immediately follow the** Agenda Session.

Councilman Murphy reminded everyone of the **Legal and Legislative/Safety Committee** scheduled for **Tuesday, June 7<sup>th</sup> to immediately follow the** Public Works Committee.

**COMMITTEES (CONT'D)**

Councilwoman Berz scheduled a meeting of the **Budget and Finance Committee on Tuesday, June 7<sup>th</sup> at 11:00 a.m. to 12:00** to hear a presentation by WTCL. There will be a **Budget and Finance Committee on the same day at 1:00 p.m. to 3:00 p.m.** to continue budget deliberations. The following week on **Tuesday, June 14<sup>th</sup>** there will be a **Budget and Finance Committee** from 10:00 a.m. until noon for budget deliberations.

**NEXT WEEK'S AGENDA:**  
**JUNE 7, 2011**

Chairman Ladd stated the agenda for next week was discussed earlier during the Agenda Session.

**RULES OF PROCEDURE FOR**  
**ADDRESSING THE COUNCIL**

At this time, City Attorney McMahan read from the Council's Rules of Procedure with reference to persons wishing to address the Council on non-agenda matters.

**PHIL ACORD**

**Mr. Phil Acord, President of the Children's Chambliss Home** addressed the Council. He asked Board members and Staff who were present to stand. He stated that he was present at the Budget meeting this morning and saw the Council in action; that he was pleased and impressed that they were taking these issues seriously; that they had received \$450,000 from the County and now were looking to the City; that they, like other agencies, were concerned. He stated that he appreciated the due diligence, noting that they performed a valuable service, as did other agencies; that he wanted to let the Council know that they were there for them if there were questions and concerns. He added that they were in an awkward position; that he had worked with the community for 40 years, and he was a little nervous about this part of the process; that they wanted to be good citizens; that Children's Chambliss Home had served the community for 139 years; that they were part of Chattanooga and provided a valuable service and needed the government as a partner. He stated that he would appreciate the Council's consideration.

**PHIL ACORD (CONT'D)**

Councilman Murphy mentioned their Frisbee Golf Course, stating that he knew they had lost a lot of old trees during the tornado.

Mr. Acord stated that the tornado did not hit their building, but they did lose 27 trees; that they had received a bid of \$41,000 to remove the trees; that some volunteer groups had helped; that some of these trees were over a 100 years old; that this was a beautiful piece of property that now looked like a war zone.

Councilman Murphy asked if the loss was insured? Mr. Acord responded only five trees that hit a structure—that they were waiting to hear from their insurance. He added that their summer program was in full swing, and the downed trees presented a problem for children playing. Councilman Murphy stated that he would be willing to help; that he had a chain saw and would travel! He added that he thought this discussion would let people know that their loss was not insured and people would be willing to help—that we don't get great things without everyone coming together. (Chairman Ladd quipped that Councilman Murphy could not help on July 5<sup>th</sup>!!)

Councilman Benson asked if Mr. Acord had gone to the County and asked for money, too? Mr. Acord noted that their County Commissioner was new, and he had not met with him yet; that their initial contact with the County said that the money they had always received was part of the Sales Tax money—that they had other responsibilities, and there was no money for agencies—that he had been told this by two officials, reiterating that the initial response was that there was nothing there. Councilman Benson noted that the County would be getting the 1% transmitting fee from the City, and they would have excess money. He added that the City wanted them funded.

Chairman Ladd expressed appreciation for Mr. Acord and the Board coming this evening; that they were an outstanding organization, and she wished them good luck with their process.

**ADJOURNMENT**

Chairman Ladd adjourned the meeting of the Chattanooga City Council until Tuesday, June 7, 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)**