

**City Council Building
October 25, 2011
6:00 P.M.**

Chairman Ladd called the meeting of the Chattanooga City Council to order with Councilmen Benson, Berz, Gilbert, McGary, Murphy, Rico, Robinson and Scott present. City Attorney Michael McMahan; Management Analyst Randy Burns; and Shirley Crowover, Assistant Clerk to the Council, were also present.

**PLEDGE OF ALLEGIANCE/
INVOCATION**

The Pledge of Allegiance was led by Councilwoman Scott, followed by invocation.

MINUTE APPROVAL

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

**DOMESTIC VIOLENCE
PRESENTATION**

Chairman Ladd called on Mayor Littlefield. The Mayor thanked the Council, stating that we often talk about the transformation of Chattanooga, and the conversation usually goes back to the Aquarium and the Riverfront; however our first great victory was something that had been hanging around for decades, which was the need for a Family Shelter for Domestic Violence; that Kay Chitty raised funds and accomplished something that had been needed for a long time and had been overlooked; that many tragic events are domestic violence issues and tonight we are honoring and recognizing those who wrestle with this on a daily basis and are transforming our community.

He read the following Proclamation:

Whereas: October has been proclaimed National Domestic Violence Awareness Month by the President of the United States since 1987, and

Whereas: The family is the foundation of a safe and healthy community and it is a goal of this mayoral administration for our communities to be safe, and

DOMESTIC VIOLENCE (CONT'D)

Whereas: The domestic violence affects all citizens of Chattanooga crossing all racial, social, religious, ethnic, geographic, and economic groups, and

Whereas: In our country, intimate homicide accounts for 30% of the murders of women and 5% of the murders of men, and on average, three women are murdered by their husbands or boyfriends in this country every day; and

Whereas: Ending domestic violence requires a collaborative effort involving every part of our society and requires our law enforcement and justice system to work together to hold offenders accountable and to protect victims and their children

Now Therefore,

I, Ron Littlefield, Mayor of the City of Chattanooga do hereby
Proclaim the month of October, 2011, as

DOMESTIC VIOLENCE AWARENESS MONTH

Mayor Littlefield called on Ms. Regina McDevitt and asked her to introduce those with her. Ms. McDevitt introduced Hugh Reece and Cameron Hudson. She stated that she was speaking on behalf of the Family Violence Center—that this was their 25th year of service in Chattanooga and that October gave them the opportunity to tell about their activities and services to help victims to become free from oppression and violence; that they wished to reflect what Chattanooga is doing. She mentioned that the state of Tennessee ranks fifth in the nation in domestic violence, and we have a lot to work on in Chattanooga; that last year we had two homicides, and it is much worse this year. She stated that domestic violence does not affect just families but the neighborhood as a whole. She provided some figures, noting that \$15 million dollars was spent in prison costs for offenders; that a lot of dollars are spent from an economic view. She noted 3,139 domestic violations reported in Hamilton County, stating that the number was much more significant because many cases are not reported; that they sheltered 203 women and children and helped 500 plus in court; that 339 people were provided with counseling. The Sexual Assault Center cared for 292 victims; 92 examinations were performed at no cost to the victim. She added that one in every four women will be a victim of domestic

DOMESTIC VIOLENCE(CONT'D)

violence in their lifetime—that domestic violence is no respecter of person and transcends all racial, social, religious, ethnic, geographic and economic groups. Ms. McDevitt stated that we were doing a lot and more is needed. She mentioned that a Fatality Review Board had been created last year and victims were meeting with court advocates; that they partnered with law enforcement.

She went on to say that they worked with LaPaz and the Federal Government with Latino victims and had grown their staff from one to four Spanish speaking people; that they partnered with a Federal Grant. She stated that in bringing services together it makes for a safer environment.

Ms. McDevitt mentioned some of their services: 24-hour Hotline; Court Advocacy; Crisis Counselor; Children’s Programs; Support Groups; Transitional Housing; and Forensic Exams at no charge. She added that no matter how much planning we do, things sometime end in tragedy; that they tried to promote awareness and used billboards to get their message out. She mentioned the program “Cut It Out”, which attempts to get hairdressers involved. This is their 25th Anniversary, and they were working on getting people involved with their time and money. She talked about the website that had been created “StopViolence.com”. She noted that in the packages that had been handed out was an invitation to a Domestic Violence Candlelight Walk, honoring victims of Domestic Violence that will be held Friday, October 28th at 7:00 p.m. at Heritage Park, UTC. She extended their thanks to the Council, the City and citizens who all promote their services. She ended by saying that they were committed to ending violence and appreciated the Council’s support.

Councilwoman Berz thanked Ms. McDevitt very much, stating that she (Councilwoman Berz) authored a report that had been mentioned and had gone across the State talking to women; that she had been in Nashville, today, looking at these studies again. She related to Ms. McDevitt that they would be calling on her for data. She next related to Mayor Littlefield that the Proclamation he had read was the most thoughtful expose that she had heard; that whoever wrote this had done a wonderful job in portraying us as a progressive city. She stated that the cards that Ms. McDevitt had with her should be put in all restrooms, and she encouraged members of the Council to put them any place where people can privately get them, stating that this would be very helpful; that they should be made available and should be put in all city restrooms. She again thanked Ms. McDevitt.

DOMESTIC VIOLENCE (CONT'D)

Mayor Littlefield stated that the Council should remember this night when the next Budget comes up because this is an agency that asks for funding.

Chairman Ladd thanked those present for a good turnout, stating that we would like to work hard to put them out of business.

REZONING

2011-104 (The Palms on Concord, LLC)

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 1515 NORTH CONCORD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE, SUBJECT TO CERTAIN CONDITIONS

passed second and final reading and was signed in open meeting, with Councilwoman Berz recusing herself.

ENHANCEMENT GRANT

On motion of Councilman Gilbert, seconded by Councilman McGary,
A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR AND, IF APPROVED, ACCEPT AN ENHANCEMENT GRANT FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR FISCAL YEAR 2012 TRANSPORTATION ENHANCEMENT PROGRAM FOR SIDEWALK AND BICYCLE FACILITY IMPROVEMENTS ON BRAINERD ROAD FROM THE BRAINERD LEVEE (SOUTH CHICKAMAUGA CREEK GREENWAY) TO EASTGATE LOOP ROAD ON THE WEST SIDE OF THE EASTGATE CENTER, IN AN AMOUNT TO BE DETERMINED, WITH EIGHTY (80%) PERCENT BEING THE TDOT SHARE AND TWENTY (20%) PERCENT BEING REQUIRED FROM THE CITY AS LOCAL MATCHING FUNDS

was adopted.

ENHANCEMENT GRANT

On motion of Councilwoman Scott, seconded by Councilman Murphy,
A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR AND, IF APPROVED, ACCEPT AN ENHANCEMENT GRANT FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR FISCAL YEAR 2012 TRANSPORTATION ENHANCEMENT PROGRAM FOR SIDEWALK AND BICYCLE FACILITY IMPROVEMENTS ON MANUFACTURERS ROAD AND HAMM ROAD FROM U.S. HIGHWAY 27 TO MOCCASIN BEND VISITOR CENTER, IN AN AMOUNT TO BE DETERMINED, WITH EIGHTY (80%) PERCENT BEING THE TDOT SHARE AND TWENTY (20%) PERCENT BEING REQUIRED FROM THE CITY AS LOCAL MATCHING FUNDS
was approved.

ENHANCEMENT GRANT

On motion of Councilman McGary, seconded by Councilman Gilbert,
A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR AND, IF APPROVED, ACCEPT AN ENHANCEMENT GRANT FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR FISCAL YEAR 2012 TRANSPORTATION ENHANCEMENT PROGRAM FOR SIDEWALK AND BICYCLE FACILITY IMPROVEMENTS ON HIGHWAY 58 FROM WEBB ROAD TO MURRAY HILLS DRIVE (PHASE 2), IN AN AMOUNT TO BE DETERMINED WITH EIGHTY (80%) PERCENT BEING THE TDOT SHARE AND TWENTY (20%) PERCENT BEING REQUIRED FROM THE CITY AS LOCAL MATCHING FUNDS
was adopted.

TDEC GRANT

On motion of Councilman Rico, seconded by Councilman Murphy,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO APLY FOR AND, IF APPROVED, ACCEPT A GRANT FROM THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION (TDEC) FOR AN "EDUCATIONAL TRAIL FOR FRIAR BRANCH STREAM RESTORATION PROJECT," PROJECT NO. S-11-007-801, IN THE AMOUNT OF SEVENTY-TWO THOUSAND NINE HUNDRED SEVENTEEN DOLLARS (\$72,917.00), ALONG WITH MATCHING FUNDS FROM TENNESSEE STREAM MITIGATION PROGRAM (TSMP), IN THE AMOUNT OF FOUR THOUSAND EIGHT HUNDRED SEVENTY-SIX DOLLARS (\$4,876.00), AND CITY MATCHING FUNDS OF THIRTEEN THOUSAND THREE HUNDRED FIFTY-THREE DOLLARS (\$13,353.00)

was adopted.

AGREEMENT FUNDS

On motion of Councilwoman Scott, seconded by Councilman Murphy,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO ACCEPT FUNDS FROM WISE CONSTRUCTION, LLC IN THE AMOUNT OF FIVE THOUSAND ONE HUNDRED EIGHT DOLLARS (\$5,108.00), AND TO EXECUTE A PARTNERSHIP AGREEMENT FOR THE 201 CHEROKEE BOULEVARD STREETSCLAPING PROJECT NO. E-11-019

was adopted.

SP. POLICE APP'T.

On motion of Councilman McGary, seconded by Councilman Gilbert,
A RESOLUTION AUTHORIZING THE APPOINTMENT OF LT. MICHAEL DOZIER AS A SPECIAL POLICE OFFICER (UNARMED) FOR THE CITY OF CHATTANOOGA FIRE DEPARTMENT, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS

was adopted.

Chairman Ladd explained that it seemed we were voting very quickly on these items; however they have all been thoroughly discussed in committee.

Councilwoman Scott added that all committee meetings are open to the public and start at 3:00 p.m. on Tuesdays.

STREET NAME CHANGE

On motion of Councilman Gilbert, seconded by Councilman Benson,
**A RESOLUTION TO CHANGE THE RIGHT-OF-WAY NAME OF THE
4000 BLOCK OF DODSON AVENUE TO THE 2300 BLOCK OF
HARRISON PIKE**

was adopted.

STREET NAME CHANGE

On motion of Councilman Rico, seconded by Councilwoman Scott,
**A RESOLUTION TO CHANGE THE RIGHT-OF-WAY NAME FOR THE
BLOCKS OF CENTER STREET BETWEEN DOWER ROAD AND
ISBILL; AND CENTER STREET BETWEEN ISBILL AND INTERSTATE
I-24 DUE TO BROKEN SEGMENTS AND DUPLICATE NUMBERS OF
CENTER STREET TO CENTERVIEW LANE**

was adopted.

STREET NAME CHANGE

On motion of Councilman McGary, seconded by Councilman Rico,
**A RESOLUTION TO CHANGE THE RIGHT-OF-WAY NAME OF THE
200 TO 299 BLOCK OF SPRING STREET RENAMED AS A
CONTINUATION OF THE 400 TO 499 BLOCK OF E. 2ND STREET
FOR EMERGENCY ISSUES**

was adopted.

STREET NAME CHANGE

Councilman Murphy asked if we had heard from the one business that was concerned or if they had been notified? Councilman McGary stated that he had not talked to them personally but assumed they had received a letter.

On motion of Councilman McGary, seconded by Councilman Rico,
**A RESOLUTION TO CHANGE THE RIGHT-OF-WAY NAME FROM 2ND
STREET TO AQUARIUM WAY BETWEEN POWER ALLEY AND
RIVERSIDE DRIVE DUE TO BROKEN SEGMENT OF E. 2ND STREET
ACROSS RIVERSIDE DRIVE DUE TO STREET NAME DUPLICATION**

was adopted.

STREET NAME CHANGE

On motion of Councilman Rico, seconded by Councilwoman Berz,
**A RESOLUTION TO CHANGE THE RIGHT-OF-WAY NAME FROM
THE 22 TO 99 BLOCK OF W. MARLBORO AVENUE TO THE 22 TO
99 BLOCK OF S. TUXEDO AVENUE**
was adopted.

AMEND CAPITAL PLAN

On motion of Councilman Benson, seconded by Councilman McGary,
**A RESOLUTION AMENDING THE FIVE YEAR CAPITAL
IMPROVEMENT PLAN TO INCLUDE AN ADDITIONAL TEN
MILLION DOLLARS (\$10,000,000.00) OF TIGER FUNDS IN FISCAL
YEAR 2013 TO BE USED FOR THE RENOVATION OF WILCOX
TUNNEL FOR A TOTAL PROJECT COST ESTIMATE OF FORTY-
SEVEN MILLION DOLLARS (\$47,000,000.00) WITH A CITY MATCH
OF TWENTY-TWO MILLION DOLLARS (\$22,000,000.00) OVER A
FIVE YEAR PERIOD**
was adopted.

CONTRACT EXTENSION

On motion of Councilman Benson, seconded by Councilwoman Robinson,
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE
DEPARTMENT OF NEIGHBORHOOD SERVICES AND COMMUNITY
DEVELOPMENT TO EXTEND THE CONTRACT FOR CONSULTANT
WORK WITH APD URBAN PLANNING AND MANAGEMENT, LLC
FROM NOVEMBER 4, 2011, TO JUNE 30, 2012, TO INCREASE THE
CONTRACT AMOUNT AN ADDITIONAL FIFTY THOUSAND
DOLLARS (\$50,000.00), FOR A TOTAL PAYMENT NOT TO
EXCEED TWO HUNDRED FIFTY-FIVE THOUSAND FIFTY DOLLARS
(\$255,050.00) UNDER THE NEIGHBORHOOD STABILIZATION
PROGRAM**
was adopted.

FEDERAL TRANSP.GRANT

On motion of Councilman McGary, seconded by Councilman Rico.

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS AND RECREATION TO APPLY FOR AND, IF GRANTED, ACCEPT ADDITIONAL FUNDS THROUGH THE FEDERAL TRANSPORTATION GRANT PROGRAM FOR PHASE 3 OF THE I-24 SECTION OF THE DOWNTOWN RIVERWALK, IN THE AMOUNT OF TWO MILLION THREE HUNDRED FOUR THOUSAND DOLLARS (\$2,304,000.00), WITH THE CITY'S PORTION IN THE AMOUNT OF TWO HUNDRED EIGHTY-EIGHT THOUSAND DOLLARS (\$288,000.00), FOR A TOTAL AMOUNT OF THE PROJECT IN THE AMOUNT OF TWO MILLION EIGHT HUNDRED EIGHTY THOUSAND DOLLARS (\$2,880,000.00)

was adopted.

OVERTIME

Overtime for the week ending October 20, 2011, totaled \$32,670.02.

PERSONNEL

The following personnel matters were reported for the various departments:

CHATTANOOGA POLICE DEPARTMENT:

- ✓ **RICKY BROWN**—Hire as Police Property Technician, Range 7, \$24,306 annually, effective October 21, 2011.

PARKS AND RECREATION DEPARTMENT:

- ✓ **CHRISTOPHER LANCE**—Hire as Equipment Operator 4, Range 10, \$29,928, effective October 21, 2011.

REFUNDS

On motion of Councilman Gilbert, seconded by Councilwoman Berz, the Administrator of Finance was authorized to issue the following refunds for current taxes and for property taxes for past years:

PROFESSIONAL MEDICAL PROPERTIES	\$3,122.69
ROCK CREEK OUTFITTERS, INC.	\$4,147.78
CLEAR CREEK CHURCH OF CHRIST	\$2,889.93
BFH c/o FLETCHER BRIGHT CO.	\$1,024.83

PURCHASES

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

CHATTANOOGA POLICE DEPARTMENT:

TASER INTERNATIONAL (Single Source Purchase)
Requisition R48268

30 X26 Tasers

\$19,949.50

Councilman Benson asked Mr. Johnson how many tasers this included and was told 30. It was explained that they are for the upcoming Police Academy.

PUBLIC WORKS DEPARTMENT:

DLT SOLUTIONS (Sole Source Purchase)
Requisition R49656

Software License for Traffic Engineering

\$13,826.34

PURCHASES

PENINSULA EQUIPMENT (Lowest Bid meeting specs.)
Requisition R47807

Blanket Contract for Wood Grinder Parts

\$50,000 annually

INFORMATION SERVICES:

DLT SOLUTIONS (Contract Agreement with State of Tennessee)
Requisition R49559

Oracle Renewal Software update

\$35,197.32

INSIGHT SOFTWARE (Single Source Purchase)
Requisition R49498

Blanket Agreement for Oracle Software Reporting Tools

\$20,000 annually, approximately

Councilwoman Scott asked to take another look at the purchase for the Police Dept. of a Zodiac Mark IV Emergency Response Boat from Kentuckiana Yacht Sales in the amount of \$20,206.00. She questioned one boat costing \$20,000 and asked if it were completely inflatable? She also wanted to know the longevity of this boat and if it inflated on its own? Capt. Dunn responded that he did not know the longevity; that the Military had been using these type boats for years, and it was tougher than one would think; that it was used for emergencies and was made out of canvas, not rubber. She asked if it were self inflatable? Capt. Dunn indicated that he would think not—that the Council had the same information that he had; that it was coming from grant funds. Councilwoman Scott requested that this be voted on separately or else put it off for a week. **Councilwoman Scott made the motion to defer this, seconded by Councilman Benson.**

Mr. Johnson asked the two of them what additional information they wanted?

PURCHASES (CONT'D)

Councilwoman Berz stated that she could not imagine someone having to “blow” it up.

Councilwoman Scott stated that she wanted to know how long it would last, questioning having to take the time to “blow” up an emergency boat.

Councilman Benson stated that Councilwoman Scott was right; that the one that this was replacing was not an inflatable boat; that it was said that it was worn out—that he, too, needed more information.

Capt. Dunn stated that he thought it could be pumped up while someone was in it; that the life expectancy is indefinite; that the ones used in the Military were old.

Councilman Benson stated that he did not think the one that this was replacing was inflatable.

Councilman McGary asked if Councilwoman Scott was still asking for deferral? She indicated that she would withdraw that motion.

Councilman Murphy, seconded by Councilman Rico, made the motion to go ahead with this purchase. Councilman Murphy stated that this was being paid for by a grant and was a priority to the Police Department; that he thought it would be good to support their decision.

Councilwoman Scott stated that her question was not whether or not it was needed but was this the boat that we need and the most appropriate one.

Councilman Benson stated that he was not against this but could not imagine \$20,000 for a rubber boat; that he still needed more information.

On motion of Councilman Murphy, seconded by Councilman McGary, a roll call vote was taken on whether or not to approve the purchase of this boat.

COUNCILMAN GILBERT “YES”

COUNCILWOMAN BERZ “YES”

COUNCILMAN RICO “YES”

COUNCILMAN MCGARY “YES”

PURCHASES (CONT'D)

COUNCILMAN MURPHY	“YES”
COUNCILWOMAN SCOTT	“NO”
COUNCILWOMAN ROBINSON	“YES”
COUNCILMAN BENSON	“NO”
CHAIRMAN LADD	“YES”

The motion passed to purchase the Zodiak Mark IV Emergency Response Boat from Kentuckiana Yacht Sales for \$20,206.00.

BOARD REAPPOINTMENTS

On motion of Councilman Rico, seconded by Councilman McGary, the following Board reappointments were approved:

HOSPITAL AUTHORITY BOARD

- ✓ Reappointment of **JAMES A. WORTHINGTON, JR.** for a four-year term expiring **October 25, 2015**.
- ✓ Reappointment of **RONALD A. LOVING** for a four-year term expiring **October 25, 2015**.

COMMITTEES

Councilwoman Berz stated that everyone had received copies of the Agencies’ letter, and she had received comments from several, and they were fine comments, too. She noted that the deadline for this was December 31st.

Councilman Murphy announced that the **Legal, Legislative and Safety Committee would meet next week on Tuesday, immediately following the Public Works Committee** for further redistricting efforts before us. We will be concentrating on District 8 next week, but every other district that abuts District 8 will be up for discussion. This includes Districts 1, 7, 2 and 9. He noted that we are seeking public input, and the public is invited to come to the

COMMITTEES (CONT'D)

committee meeting. Information is also online at Redistricting@chattanooga.gov. There is also a phone number.

Councilwoman Robinson stated that the **Housing and Neighborhood Services Committee** met earlier today to discuss the existing planning policy for the City in obtaining the changing housing demands. There will be another meeting on **Tuesday, November 8th, immediately following the Agenda Session** to further discuss this. Smart Growth will be considered by RPA, Homebuilders' Association and the Association of Realtors and others to help us figure out ways to grow smartly.

Councilwoman Scott announced that the **Personnel, Performance and Audit Review Committee will hold an Educational Session on Tuesday, November 8th at 2:00 p.m.** to discuss two topics—An overview of Employment Education and a Review of a proposed draft Ordinance relative to progressive discipline.

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.

RICKIE BLEVINS

Rickie Blevins of "Occupy Chattanooga" stated that he came before the Council on behalf of the local Occupy Chattanooga movement; that it was with due diligence and respect for the Chattanooga community that he came here to request that Occupy Chattanooga be given a place where they may peacefully assemble in solidarity with the national Occupy movement and protest injustice in our federal government without fear of arrest or retaliation, as is their First Amendment Right. He stated that he sincerely hoped that the Council could also find it in their hearts to waive the fee and waiting period requirements so that they can assemble immediately and without intimidation. He stated that this was an opportunity for Chattanooga to show the nation that our city openly embraces free speech and equality without restriction. He added that the Council is a body of elected officials that is the voice of their constituents and that they were relying on the Council to allow them this opportunity to speak and to make changes in the Federal Government, where corruption lies.

RICKIE BLEVINS (CONT'D)

Councilwoman Berz asked Mr. Blevins what his address was? He responded 6210 Hunter Valley Rd. She asked him if he were seeking freedom from being arrested and harassed? She stated that she was not aware of any threat.

Mr. Blevins stated that someone had told their organization that if they attempted to occupy an area in Tennessee that they would be arrested; that was why he was coming to the Council to address this; that this was not something that would cause trouble but would help the nation.

Councilwoman Berz wanted to know if they were told they would be arrested by an officer of Chattanooga? Mr. Blevins responded “no”—not to his knowledge. She stated that she applauded their use of freedom of speech. She wanted to know if it were true that anyone had opposed these rights. Mr. Blevins responded “not to me personally” but to another contact within their organization; that they felt this was incorrect, and they should be free to do what they needed to do.

Councilwoman Berz agreed but added that it should be without endangering the public welfare. She wanted to know what the Council could do, noting that public safety comes first. She stated that we were proud of our city; that she had fought for peoples’ rights, and the Council works with people like this. She stated that she had no impression than anyone in authority with the City had threatened these rights.

Councilman Benson stated “amen” to Councilwoman Berz; that this group was free to do anything, within the law, that they wanted to do. He stated that he had a grandson that was marching with this group, and he had told him if they obeyed the law, there would be no problems in Chattanooga; that their participation was to be admired, and he was glad that they were exercising their First Amendment rights within the law.

Councilman McGary stated that he had two questions. He wanted to know how many people would be gathering in an area and was told, 100, and it may grow to more. He also wanted to know if they were requesting an indefinite timeframe? Mr. Blevins stated that they knew it was their social responsibility to keep a clean and safe place. Councilman McGary wanted to know the difference between “occupy and protest”? He wanted to know what their intent was.

RICKIE BLEVINS (CONT'D)

Mr. Blevins stated that their intent was to “occupy” a location in town; that in other places this had been stricken down and people had been harassed by the police across the nation; that they needed a central location to discuss how things can be better in this nation; that they have a meeting once a week, but this is slowing down the process; that if they are more connected all the time, things will move more quickly.

Councilman McGary again asked if it were protesting or occupying? Mr. Blevins responded that they were protesting against the Federal Government corruption; that they needed to show their faces and make a stand until they were heard and until action is taken to make things better.

Attorney McMahan discussed occupying in Coolidge Park, Renaissance Park, and Ross’ Landing, stating that they would have to leave at 11:00 p.m.; that this is in accordance with the existing City Ordinance; that all of these parks have another purpose; that they can also be used for public forums but safety measures have to be provided, and he thought this group was very cognizant of this; that a specific parcel of a city park cannot be taken for the sole benefit of one group.

Councilman Murphy stated that he had four and one-half recreation centers in his district—that he was “land rich” in this aspect. He mentioned Carver Recreation Center and the East Chattanooga Recreation Center, which had a sizable pavilion, stating that both should be available as long as the group is respectful; that one of the centers even has an indoor bathroom; however no camping would be allowed. He stated that if the group could make it secure by using off-duty police officers, we could consider this; however this was not a situation where the city could use their police resources and take them away from their regular duty. He suggested that they get with the Administrator of Parks and Recreation and tell him their needs.

Councilwoman Scott stated that Mr. Blevins had mentioned that they were doing a protest against the Federal Government. She questioned their protesting the Federal Government and holding their protests on City property as opposed to a Federal location. Mr. Blevins responded that this was their city, and they were proud of it; that they lived and worked here and many had responsibilities that prohibited them from going to New York City for a larger protest; that they were committed and working together to have a link to the main body. Councilwoman Scott responded that Chattanooga has federal land if they were looking for a federal issue; that there might be federal land that would be more consistent to their use.

RICKIE BLEVINS (CONT'D)

Councilman Murphy stated that Councilwoman Scott had made an excellent suggestion; that they could contact the Federal Park Service—that there is a 50 acre park on Lightfoot Mill Rd.—the Sherman Reservation; that the Federal Government could give them a permit to use this. He suggested that they contact the Federal Park Service.

MICHAEL GUINN

Mr. Guinn addressed the Council, giving his address as 3725 Fountain Ave. He stated that he was affiliated with Common Ground, which is based on the historic settlement house movement and is a collaborative project with the UTC Social Work Department and a variety of community partners. He provided a handout (which is made a part of this minute material) called “Shared Table Café: a place of radical hospitality and community”. The Café is located at The Oak Street Center and the café dates are November 10th and 17th from 11:00 a.m. until 1:00 p.m. A person who is unable to pay for lunch eats for free. He provided their website—commongroundchatt.webs.com/.

ADJOURNMENT

Chairman Ladd adjourned the meeting of the Chattanooga City Council until Tuesday, November 1, 2011 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)**