

Municipal Building  
Chattanooga, Tennessee  
November 26, 1996

The meeting of the Chattanooga City Council was called to order by Chairman Hakeem, with Councilmen Crockett, DiStefano, Eaves, Hurley, Lively, Pierce, Rutherford and Swafford present. City Attorney Randall Nelson and Assistant Council Clerk Shirley Crowover were also present.

INVOCATION

City Attorney Randall Nelson gave the invocation for the evening.

MINUTE APPROVAL

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

RECOGNITION

Councilman Pierce recognized Ms. Anne McGintis of the Family Resource Center who was in the audience, along with Mr. Charles Young, a Board member.

FRANCHISE (ERLANGER MEDICAL CENTER)

On motion of Councilman DiStefano, seconded by Councilman Swafford,  
AN ORDINANCE GRANTING UNTO ERLANGER MEDICAL CENTER  
A FRANCHISE TO CONSTRUCT A PEDWAY OVER WIEHL STREET,  
MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN  
CONDITIONS  
passed second reading.

AMEND CITY CODE (THROUGH STREETS)

On motion of Councilman Crockett, seconded by Councilman Pierce,  
AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE,  
PART II, SECTION 24-502, RELATIVE TO SCHEDULE II,  
SPEED ON THROUGH STREETS  
passed first reading.

AMEND CITY CODE (ABANDONED VEHICLES)

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley,  
AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,  
SECTION 24-341(c) AND SECTION 24-341(d), RELATIVE TO  
DISCARDED AND ABANDONED VEHICLES  
passed first reading.

Councilman DiStefano mentioned the fact that this was the first item  
to be implemented as a result of the Citizens Task Force on Housing.

POLICEWOMAN APPOINTMENT

On motion of Councilman DiStefano, seconded by Councilwoman Hurley,  
A RESOLUTION AUTHORIZING THE APPOINTMENT OF ROBIN  
FRANKS AS A SPECIAL POLICEWOMAN FOR THE HAMILTON  
COUNTY PARK (RIVERPARK) TO DO SPECIAL DUTY AS  
PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS  
was adopted.

POLICEWOMAN APPOINTMENT

On motion of Councilman Lively, seconded by Councilman DiStefano,  
A RESOLUTION AUTHORIZING THE APPOINTMENT OF SHANNON L.  
JOHNSON AS A SPECIAL POLICEWOMAN FOR THE HAMILTON  
COUNTY PARK (RIVERPARK) TO DO SPECIAL DUTY AS  
PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS  
was adopted.

GRANT (POLICE OFFICERS)

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley,  
A RESOLUTION AUTHORIZING AND ACCEPTING A GRANT FROM  
THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF  
COMMUNITY ORIENTED POLICING SERVICES, FOR THE HIRING  
OF POLICE OFFICERS, WHICH PROGRAM SHALL NOT EXCEED  
ONE MILLION, FOUR HUNDRED TWENTY-TWO THOUSAND, ONE  
HUNDRED SIXTY-EIGHT DOLLARS (\$1,422,168.00), FOUR  
HUNDRED SEVENTY-FOUR THOUSAND, FIFTY-SIX DOLLARS  
(\$474,056.00) OF WHICH WILL BE LOCAL CHATTANOOGA  
FUNDS  
was adopted.

GRANT (CONT'D.)

Councilman DiStefano asked if this was a three-year grant. Adm. Dinsmore responded that it was the rest of the funding for thirty-one. Councilman DiStefano inquired if this was a one-year grant. Adm. Dinsmore stated that it was a full three-year grant--that it was a \$2 million-plus total grant.

R-O-W PURCHASE

On motion of Councilwoman Rutherford, seconded by Councilman Lively,  
A RESOLUTION AUTHORIZING THE PURCHASE OF A RIGHT-  
OF-WAY FROM ROBERT L. HUMBLE, RELATIVE TO CONTRACT  
NO. RW-7-96, WIDENING OF GUNBARREL ROAD NORTH OF  
SHALLOWFORD ROAD, TRACT NO. 2, FOR A CONSIDERATION  
OF FIFTEEN THOUSAND DOLLARS (\$15,000.00)  
was adopted.

SLOPE EASEMENT PURCHASE

On motion of Councilman Swafford, seconded by Councilman DiStefano,  
A RESOLUTION AUTHORIZING THE PURCHASE OF A GENERAL  
SLOPE EASEMENT FROM PRYOR E. BACON, JR., RELATIVE  
TO CONTRACT NO. RW-7-96, WIDENING OF GUNBARREL ROAD  
NORTH OF SHALLOWFORD ROAD, TRACT NO. 10 FOR A CON-  
SIDERATION OF NINE HUNDRED DOLLARS (\$900.00)  
was adopted.

SEWER EASEMENT PURCHASE

On motion of Councilman Lively, seconded by Councilwoman Rutherford,  
A RESOLUTION AUTHORIZING THE PURCHASE OF A SEWER  
EASEMENT FROM DORRELL B. GRIFFIN, RELATIVE TO  
CONTRACT NO. 73C, BIG RIDGE COLLECTION SYSTEM V,  
TRACT NO. 980, FOR A CONSIDERATION OF ELEVEN  
THOUSAND, EIGHT HUNDRED FIFTY DOLLARS (\$11,850.00)  
was adopted.

TRAFFIC SIGNAL INSTALLATION

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley,  
A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A  
CONTRACT WITH THE STATE OF TENNESSEE, DEPARTMENT  
OF TRANSPORTATION, RELATIVE TO INSTALLATION OF A  
TRAFFIC SIGNAL AT THE INTERSECTION OF TENNESSEE AVENUE  
AND 37TH STREET  
was adopted.

TEMPORARY R-O-W USE

On motion of Councilwoman Rutherford, seconded by Councilman Lively,  
A RESOLUTION AUTHORIZING THE HOMEOWNERS' ASSOCIATION  
OF HURRICANE CREEK SUBDIVISION TO USE TEMPORARILY A  
PORTION OF THE CITY'S RIGHT-OF-WAY LOCATED AT THE  
WEST CORNER OF THE INTERSECTION OF EAST BRAINERD  
AND HURRICANE CREEK ROADS FOR THE PURPOSE OF CON-  
STRUCTING A DECORATIVE ENTRANCE, MORE PARTICULARLY  
DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS  
was adopted.

CONTRACT CHANGE ORDER

On motion of Councilman Lively, seconded by Councilman DiStefano,  
A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE  
ORDER NO. 1, CONTRACT NO. RW-8-96, WIDENING OF  
MOUNTAIN CREEK ROAD, WITH TALLEY CONSTRUCTION  
COMPANY, WHICH CHANGE ORDER INCREASES THE CONTRACT  
AMOUNT BY ELEVEN THOUSAND, EIGHT HUNDRED EIGHTY  
DOLLARS (\$11,880.00) FOR A REVISED CONTRACT PRICE  
OF SEVEN HUNDRED THIRTY-ONE THOUSAND, FIVE HUNDRED  
FOUR DOLLARS (\$731,504.00)  
was adopted.

CONTRACT CHANGE ORDER

On motion of Councilman Eaves, seconded by Councilman DiStefano,  
A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE  
ORDER NO. 1 (FINAL), CONTRACT NO. 40F, DUPONT  
PARKWAY PUMP STATION, WITH J. S. HAREN COMPANY,  
WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT  
BY EIGHTEEN THOUSAND, FIVE HUNDRED EIGHTY AND 32/100  
DOLLARS (\$18,580.32) FOR A FINAL CONTRACT PRICE OF  
SEVEN HUNDRED SIXTY-TWO THOUSAND, FIVE HUNDRED  
EIGHTY AND 32/100 DOLLARS (\$762,580.32)  
was tabled.

CONTRACT CHANGE ORDER (CONT'D.)

Councilman DiStefano asked what this change order was for. Adm. Marcellis responded that it was the normal pluses and minuses at the end of a contract--that it represented a 2 1/2% increase from the base fee.

Councilman Eaves asked if we had added to the contract. Adm. Marcellis responded "No"--just the pluses and minuses. Councilman Eaves asked if the first contract was not solid? Adm. Marcellis responded that it was solid from the viewpoint that there was no change of scope, etc. Councilman Eaves asked if he finished on time. Adm. Marcellis responded that knowing him, the answer was probably "No", but he did not know this for sure. Councilman Eaves asked if there was a penalty involved. Adm. Marcellis responded that we were not asking for a penalty--that there were two or three other things involved. Councilman Eaves questioned if he did not finish on time, if we had to pay the field engineer extra and if this was deducted from the contract. Adm. Marcellis responded that we negotiated--that there may be other things involved as we negotiate; that at this point he could not tell for sure if this was late or on time. Councilman Eaves indicated that he would like to wait for these answers before the Council acted on this.

AGREEMENT

On motion of Councilwoman Rutherford, seconded by Councilman DiStefano,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AN AGREEMENT WITH CONSOLIDATED TECHNOLOGIES, INC. RELATIVE TO THE SPRING CREEK PUMP STATION AND CATOOSA COUNTY LIFT STATION, MORE PARTICULARLY DESCRIBED HEREIN, FOR AN AMOUNT NOT TO EXCEED THREE HUNDRED SEVENTY-SIX THOUSAND, ONE HUNDRED TWENTY-FIVE DOLLARS (\$376,125.00)

was adopted.

AGREEMENT

On motion of Councilwoman Rutherford, seconded by Councilman Lively,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AN AGREEMENT WITH PIEDMONT OLSEN HENSLEY RELATIVE TO THE LAKE-VIEW DRIVE INTERCEPTOR (CONTRACT NO. 53B-3), MORE PARTICULARLY DESCRIBED HEREIN, FOR AN AMOUNT NOT TO EXCEED ONE HUNDRED SEVENTEEN THOUSAND, THREE HUNDRED DOLLARS (\$117,300.00)

was adopted.

AGREEMENT

On motion of Councilman DiStefano, seconded by Councilman Eaves,  
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE  
DEPARTMENT OF PUBLIC WORKS TO EXECUTE AN AGREEMENT  
WITH PIEDMONT OLSEN HENSLEY RELATIVE TO THE SPRING  
CREEK AND WAVERLY DRIVE INTERCEPTORS (CONTRACT NO.  
53B-4), MORE PARTICULARLY DESCRIBED HEREIN, FOR AN  
AMOUNT NOT TO EXCEED TWENTY-ONE THOUSAND, FOUR  
HUNDRED DOLLARS (\$21,400.00)  
was adopted.

Adm. Marcellis explained that all three of the preceding resolutions  
were in regard to the North Georgia Pump Station--that, by verbal  
commitment they would provide an estimated million dollars; that the  
cost would be split between us at 50% and the other 50% by the two  
counties--that the two counties and city would reimburse us for the  
loan. He explained we were front-ending one-half of the engineering,  
and they would pay us monthly for the next 20 years--that one-half was  
ours and one-half was theirs.

OVERTIME

Overtime for the week ending November 22, 1996, totaled \$48,555.90.

PERSONNEL

The following personnel matter was reported for the Parks and  
Recreation Department:

DONALD M. STEPHENS--Promotion to Maintenance Technician, Pay Grade  
8/1, \$19,127.00 annually, effective 11/20/96.

PERSONNEL

The following personnel matters were reported for the Public Works  
Dept.:

GUY L. WILKERSON--Resignation as Sanitation Worker I, Pay Grade 4/14,  
\$21,545.00, effective 11/15/96.

MONTE R. BALES--Dismissal of Laborer III for excessive absenteeism,  
effective 11/13/96.

PURCHASES

On motion of Councilwoman Rutherford, seconded by Councilman Pierce, the following purchases were approved for use by the Department of Public Works:

HAJOCA (Lower and better bid)  
Requisition No. 132900

Valves for pumps for Interceptor Sewer System

\$8,243.90

OHCO, INC. (Only bid meeting City Specifications)  
Requisition No. 136082

12-Months Requirements Contract for Cleaning Rags, Interceptor Sewer System

\$24.75/25 lb. box

TEMPLE INCORP. (Lower and better bid)  
Requisition No. 135692

Two Traffic Signal Controllers

\$10,350.00

TAYLOR-RAMSEY CORPORATION (Lower and better bid)  
Requisition No. 136417

Timber for Guardrail

\$11,260.85

(Councilman Lively asked if this was for the project he was interested in, and the answer was "yes".)

NEWTON CHEVROLET (Only bid with a realistic delivery)  
Requisition No. 136468

Four-Wheel Drive Vehicles

\$26,975.00

PURCHASES (CONT'D.)

NEWTON CHEVROLET (Only bid with a realistic delivery)  
Requisition No. 136470

Four-Wheel Drive Vehicles

\$26,475.00

HOLIDAY GARBAGE PICK-UP

Adm. Marcellis announced that because of the two-day holiday that Thursday's garbage would be picked up on Wednesday; that Friday's garbage would be picked up on Friday with overtime; that recyclables that are normally picked up on Thursday and Friday should be held until the following week, and they will be picked up then.

PERSONNEL

The following personnel matters were reported for the Safety Department:

KIMBERLY EVANS--Resignation of RMS Data Analyst in the Police Dept., effective 11/29/96.

CHRIS EIDSON--Suspension for one 24-hour period from the Fire Dept. without pay, effective 11/21/96.

HOTEL PERMIT

On motion of Councilman Swafford, seconded by Councilwoman Hurley, the following hotel permit was approved:

QUALITY INN DOWNTOWN--2000 E. 23rd St.

EMERGENCY RESOLUTION

Adm. Dinsmore stated that he would like to have a Resolution placed on next week's agenda concerning the First Responder Agreement in order to allow the paramedics to do paramedic duties. Chairman Hakeem questioned if this needed to be talked about in committee first. Adm. Dinsmore stated he needed this as soon as possible--that he was having a problem with private ambulances wanting us to do First Response and that he was in a bind. Councilman Lively stated he thought this could be put on the agenda as it was fairly routine. Chairman Hakeem agreed that it could be put on next week's agenda and that Adm. Dinsmore is to put something in writing to each Council member so that they could talk to Adm. Dinsmore individually if they needed to. He stated this seemed to be somewhat of an emergency.

PURCHASE

On motion of Councilman Crockett, seconded by Councilman DiStefano, the following purchase was approved for use by the Finance and Administration Dept.:

COMPUTERWORKS (Only bid meeting City Specifications)  
Requisition No. 132692

12-Months Requirements Contract for Personal Computer Maintenance  
(Data Processing Division)

(See minute material for additional information)

PERSONNEL HEARING (ANGELA JAMES)

Attorney Nelson explained that there was still some work to be done on this case and asked that this be put off until the end of January or the first of February. He stated that Ms. James' attorney was in agreement.

Councilman DiStefano noted that if an employee should be re-instated that they would get paid for all the time they were off from work and questioned the Council putting a hearing off for three months when we might end up paying an employee for this time off. He stated he felt we should expedite hearings on terminations.

Adm. Dinsmore stated that in this case there was an ongoing investigation, and he needed as much time as he could get. He reiterated that he needed the time. Councilman DiStefano stated that in this case, the time might be a wise investment.

**The hearing for Angela James was set for Monday, January 27th at 6:00 P.M. Councilwoman Hurley will serve as Chairman.**

PERSONNEL HEARING (GRADY RATLIFF)

Adm. Traughber noted that he had requested the postponement of this case; that he was prepared to move forward on this now. The hearing was re-set for **Monday, December 16th at 6:00 P.M.**

PERSONNEL HEARING (ROBIN KILBY)

Attorney Nelson explained that the request of **Robin Kilby** appeared not to have arrived on time; that he needed to check on this further; that it appeared to be too late, but he would report on this next week.

BEER BOARD APPOINTMENTS

On motion of Councilman Crockett, seconded by Councilman Distefano, the following appointment to the Beer Board was approved:

**MARSHEL LUSK**--For a full three-year term to the **Beer Board**.

Councilman Swafford submitted this individual from District 5, stating that he wished to extend his appreciation to Bobby Burton, who had previously served on the Beer Board, and had asked to be relieved due to a change in his work shift. He expressed appreciation to him for serving.

On motion of Councilman Swafford, seconded by Councilwoman Rutherford, the following appointment to the Beer Board was approved:

**SHIRLEY SWANSON**--Reappointment to **Beer Board** for a three year term.

Councilman Crockett submitted Ms. Swanson from District 3, stating she had done an outstanding job and serves as Chairman.

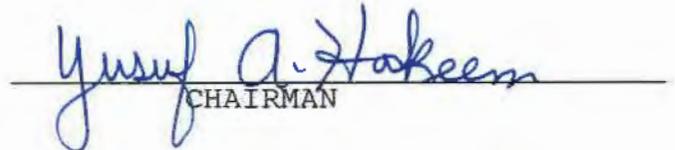
COMMITTEES

Councilwoman Hurley commended Chairman Hakeem on the excellent Committee-of-the-Whole meeting regarding family and children issues. She thanked him for calling the meeting.

ADJOURNMENT

Chairman Hakeem adjourned the meeting until Tuesday, December 3, 1996 at 6:00 P.M.

  
CLERK OF COUNCIL

  
CHAIRMAN

(A list of names of persons in attendance is  
filed with minute material of this date)