

Municipal Building  
Chattanooga, Tennessee  
March 31, 1998

The meeting of the Chattanooga Council was called to order by Chairman Swafford, with Councilpersons Eaves, Hurley, Lively, Pierce, and Rutherford being present. Councilmen Crockett, Hakeem, and Taylor were out of the City on business. City Attorney Randall Nelson, Management Analyst Randy Burns, and Assistant Clerk to the Council Shirley Crownover were also present.

INVOCATION

Chairman Ron Swafford gave the invocation for the evening.

MINUTE APPROVAL

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

SPECIAL PRESENTATION  
GLAD BAG-A-THON PROGRAM

Ms. Greather Tinker, Chairman of Scenic Cities, began the presentation, announcing that it was "clean-up" time again. She stated that Carolyn Skipper, Jeanette Eigelsbach, and herself thanked the Council for their past support again and again. She announced the kick-off date of **April 4th at the Paul Clark Building from 9:00 A.M. to 10:30 A.M.** and urged Council members to be present or to send volunteers.

Ms. Carolyn Skipper presented gifts to those present and thanked J.B. Collins for his wonderful article. She stated that he had devoted a whole column to "litter". She stated her little gift consisted of trash bags and recycling bags, as their purpose was two-fold -- clean-up and recycling. She also mentioned a bandanna, noting that she asked for as many items as she could and had received lots of bandannas and had used the bandannas as a gift wrap for the bags, noting the many ways the bandanna could be used. She mentioned the Kick-Off on Saturday, April 4th, with particular mention of the Jefferson Heights and Ft. Negley communities. She noted that this was the first year that their information had been printed in Spanish, also. She introduced Jeanette Eigelsbach, who is the Project Coordinator, stating that she comes from Audubon Acres and noted that they are grateful to have her with them; that she will enable them to triple their amount of work. She ended by saying, "See you Saturday!"

SPECIAL PRESENTATION (CONT'D.)

Chairman Swafford stated that this was a very worthwhile project and hoped that many neighborhoods would participate. At this point Ms. Skipper read the list of participating neighborhoods.

CAPITAL IMPROVEMENTS BUDGET

On motion of Councilman Lively, seconded by Councilwoman Hurley, AN ORDINANCE TO AMEND ORDINANCE NO. 10650, ENTITLED "AN ORDINANCE APPROPRIATING, AUTHORIZING, OR ALLOCATING FUNDS TO THE CAPITAL IMPROVEMENTS BUDGET FOR THE FISCAL YEAR 1997/98", SO AS TO REALLOCATE FUNDS AS SET FORTH BELOW; AND TO PROVIDE FOR THE APPROPRIATION OF ADDITIONAL FUNDS FROM VARIOUS SOURCES

passed second reading. On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford, the ordinance passed third and final reading and was signed in open meeting.

AMEND ZONING CONDITIONS

#1998-050 (FIDELITY TRUST COMPANY)

On motion of Councilman Eaves, seconded by Councilwoman Hurley, AN ORDINANCE TO AMEND ORDINANCE NO. 6958, KNOWN AS THE ZONING ORDINANCE, SO AS TO AMEND CERTAIN CONDITIONS IMPOSED IN ORDINANCE NO. 10539 ON PROPERTY LOCATED AT 1834 AND 1836 GUNBARREL ROAD, BEING PROPERTY DESCRIBED IN DEED BOOK 4713, PAGE 936, ROHC, SUBJECT TO CERTAIN CONDITIONS passed first reading.

AMEND BUDGET ORDINANCE  
FIRE PERSONNEL

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley, AN ORDINANCE TO AMEND ORDINANCE NO. 10589, ENTITLED "AN ORDINANCE TO PROVIDE REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 1997, AND ENDING JUNE 30, 1998, AND 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; AND PROVIDE FOR INTEREST AND PENALTY ON DELINQUENT TAXES AND PRIVILEGES.", SO AS TO PROVIDE FOR CERTAIN CHANGES IN PERSONNEL SET OUT IN SECTION 8(c) passed first reading.

SURPLUS AND TRANSFER OF PROPERTIES

Adm. Traughber explained that this Resolution was for the transfer of two properties -- one was in Orchard Knob and concerned Howard students and work they were doing in conjunction with CNE; the other was in Fort Negley and concerned an expanded playground.

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford, A RESOLUTION DECLARING CERTAIN PROPERTIES LOCATED IN THE ORCHARD KNOB AND FORT NEGLEY AREAS, MORE PARTICULARLY DESCRIBED HEREIN, AS SURPLUS AND AUTHORIZING THE TRANSFER OF SAID SURPLUS PROPERTY TO CHATTANOOGA NEIGHBORHOOD ENTERPRISE, INC. (CNE) was adopted.

RENTAL CONTRACT (PILOT STUDIES)

On motion of Councilman Lively, seconded by Councilwoman Rutherford, A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF PUBLIC WORKS TO ENTER INTO A RENTAL CONTRACT WITH DRY VAC ENVIRONMENTAL, RELATIVE TO PILOT STUDIES FOR SLUDGE DEWATERING AND THICKENING AT THE MOCCASIN BEND WASTEWATER TREATMENT PLANT, FOR ONE (1) MONTH RENTAL AT AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND, NINE HUNDRED FIFTY DOLLARS (\$25,950.00) was adopted.

RENTAL CONTRACT (PILOT STUDIES)

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley, A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF PUBLIC WORKS TO ENTER INTO A RENTAL CONTRACT WITH ASHBROOK CORPORATION, RELATIVE TO PILOT STUDIES FOR SLUDGE DEWATERING AND THICKENING AT THE MOCCASIN BEND WASTEWATER TREATMENT PLANT, FOR TWO (2) WEEKS RENTAL AT AN AMOUNT NOT TO EXCEED FOURTEEN THOUSAND DOLLARS (\$14,000.00) was adopted.

RENTAL CONTRACT (PILOT STUDIES)

On motion of Councilman Lively, seconded by Councilwoman Rutherford, A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF PUBLIC WORKS TO ENTER INTO A RENTAL CONTRACT WITH WATERLINK, INC./HYCOR CORPORATION, RELATIVE TO PILOT STUDIES FOR SLUDGE DEWATERING AND THICKENING AT THE MOCCASIN BEND WASTEWATER TREATMENT PLANT, FOR TWO (2) WEEKS RENTAL AT AN AMOUNT NOT TO EXCEED SEVEN THOUSAND, FIVE HUNDRED DOLLARS (\$7,500.00) was adopted.

CONTRACT (WASTE TECH, INC.)

On motion of Councilwoman Rutherford, seconded by Councilman Pierce, A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. CSO-4a(EP)-98, CARTER STREET CSO CONTROL FACILITY EQUIPMENT PROCUREMENT, SCHEDULE I, FOR SCREENS, TO WASTE TECH, INC. FOR THEIR LOWEST RESPONSIVE BID IN THE AMOUNT OF SEVENTY-FOUR THOUSAND, SIX HUNDRED DOLLARS (\$74,600.00)

was adopted.

CONTRACT (GRANDE, NOVAC & ASSOC. INC.)

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford, A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. CSO-4a(EP)-98, CARTER STREET CSO CONTROL FACILITY EQUIPMENT PROCUREMENT, SCHEDULE II, FOR TIPPING BUCKETS, TO GRANDE, NOVAC & ASSOCIATES, INC. FOR THEIR LOW BID IN THE AMOUNT OF FORTY-NINE THOUSAND, SIX HUNDRED DOLLARS (\$49,600.00)

was adopted.

AGREEMENT (CONSOLIDATED TECH. INC.)

On motion of Councilman Lively, seconded by Councilwoman Rutherford, A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH CONSOLIDATED TECHNOLOGIES, INC. FOR ENGINEERING SERVICES RELATIVE TO ESTABLISHMENT AND SAMPLING OF GROUND WATER WELLS AT BIRCHWOOD LANDFILL FOR AN AMOUNT NOT TO EXCEED THIRTY-SIX THOUSAND, THREE HUNDRED SEVENTY-ONE DOLLARS (\$36,371.00)

was adopted.

TEMPORARY USE

On motion of Councilman Pierce, seconded by Councilwoman Rutherford, A RESOLUTION AUTHORIZING CHERRY STREET CAFE TO USE TEMPORARILY THE SIDEWALK AT 725 CHERRY STREET FOR RENOVATING AN EXISTING NINETEEN-FOOT (19') LONG AND SIX FOOT (6') WIDE CANVAS-COVERED METAL AWNING, MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS

was adopted.

TEMPORARY USE

On motion of Councilwoman Hurley, seconded by Councilman Pierce, A RESOLUTION AUTHORIZING OLIVET MISSIONARY BAPTIST CHURCH TO USE TEMPORARILY A STRIP OF THE CITY'S RIGHT-OF-WAY ON 10TH STREET AND AN UNNAMED ALLEY-WAY AT 751 M.L. KING BOULEVARD, MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS was adopted.

OVERTIME

Overtime for the week ending March 27, 1998, totaled \$91,846.65.

PERSONNEL

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

**DAVID B. MOSTELLER** -- Termination of Pro Shop Clerk, effective 3/26/98.

PURCHASE

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley, the following purchase was approved for use by the Parks and Recreation Dept.:

TOWER CONSTRUCTION (Best Bid for City):  
Requisition No. R0032499

Installation of New Filter System

\$249,505.00

PERSONNEL

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

**JESSE RUSSELL** -- Retirement of Laborer II, Moccasin Bend Treatment Plant, effective 4/21/98.

**HAROLD DEAN MELTON** -- Retirement of Operator III, Moccasin Bend Treatment Plant, effective 4/21/98.

**JEFFERY L. BREWER** -- Dismissal of Sanitation Worker I, effective 3/16/98.

**JOHN NIKOL** -- Lateral transfer from Laborer II in Plant Maintenance to Clerk II in the Warehouse, Pay Grade 4/3, \$16,112.00, effective 3/18/98.

**JIMMY COMBS** -- Promotion to Vac Truck Operator, Pay Grade 6/1, \$17,201.00 annually, effective 4/1/98.

PURCHASE

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford, the following purchase was approved for use by the Public Works Department:

CUE'S, INC. (Single Source Purchase):  
Requisition No. 0033696

TV Inspection Data Collection and Picture Capture System for  
Interceptor Sewer System at Moccasin Bend

\$13,000.00

PERSONNEL

The following personnel matters were reported for the Fire Dept.:

**JAMES W. RICHARD** -- Hire as Laborer II in Maintenance Division, Pay Grade 4/1, \$15,165.00 annually, effective 3/27/98.

**CECIL BARBER** -- Suspension of Lieutenant for three days without pay, effective March 30-31 and April 1, 1998.

Councilman Pierce asked about the suspension. Chief Coppinger explained that it was due to their Vehicle Accident Policy; that there had been four accidents within a certain period that were preventable.

HOTEL PERMITS

On motion of Councilwoman Hurley, seconded by Councilman Lively, the following Hotel Permits were approved:

CHATTANOOGA CHOO-CHOO/HOLIDAY INN -- 1400 Market St.

CHATTANOOGA MARRIOTT -- 2 Carter Plaza

MICROTEL INN -- 2440 Williams St.

BUDGETEL INN -- 3540 Cummings Highway

PERSONNEL

The following personnel matter was reported for the Police Dept.:

**JACKIE L. WILLIAMS** -- Retirement of Sergeant, effective 3/26/98.

PURCHASE

On motion of Councilman Lively, seconded by Councilwoman Hurley, the following purchase was approved for use by the Police Department:

XEROX

Requisition No. 0033233

Upgrade of present Copier System

\$5,378.00 per month

Deputy Chief Gloster reported that Chief Dotson is doing well; that he is coming to the office for part of the day and should be back in the next few weeks.

HEARING: PAUL HILL

City Attorney Randy Nelson stated that he had been advised that two Public Works Superintendents will not be available on Monday, April 13th for Mr. Hill's hearing. He suggested that the hearing be moved until Monday, April 27th at 6:00 P.M. Chairman Swafford noted that Councilman Taylor was Chairman for this hearing, and in his absence did not know if this date was suitable with him. He stated that the hearing would be rescheduled for **Monday, April 27th at 6:00 P.M.** and asked that everyone concerned be notified.

RIDGEDALE PLANNING SESSION

Councilwoman Rutherford stated that the Planning Session held last Saturday for Ridgedale was outstanding, and she was very well pleased with it. She noted that Councilman Hakeem was also there.

HAROLD BRYSON

Mr. Bryson appeared before the Council. He stated that when he told his daughter that he was coming to speak to the City Council that she responded that she had seen them on TV, and they looked "mean"; he stated he told her that they were just tired by that time of day. He stated that he represented Stanley United Methodist Church, and they were concerned with the proposal by Lawler-Wood, Inc. out of Knoxville. He announced that there would be a Family & Community Meeting regarding this proposal on Monday, April 6th at 7:00 P.M. at the Stanley United Methodist Church. He stated that the developer would present his project. Mr. Bryson stated he wanted all of the Council to know that the community was in support of what they were doing to better the community but stated it should be a partnership; that they planned to meet with the developer and discuss things about this project.

Mr. Bryson stated that he had a copy of the March 17th minutes where the THDA Tax Credit Program was discussed. He noted that Adm. Traugher stated that Chris Hodges was present from Knoxville that night. He stated that there was some discussion about whether this was a Resolution of Acknowledgment or one of support, and he questioned what the conclusion of that discussion was. Chairman Swafford explained to him that the Council was simply acknowledging all of the participants who had filed -- that it was acknowledgment and not support. Attorney Nelson added that all they were asking for was acknowledgment.

Mr. Bryson stated that he understood this was the first year for this category and in talking about acknowledgment, low-to-moderate income was mentioned. He stated that consequently he had received information from the Tennessee Housing Development Agency, and their goal says housing for low and very low-income households and moderate-income is not there. He stated that he would leave a copy of this information, which is made a part of the minute material, for each Council person.

HAROLD BRYSON (CONT'D.)

In further talking about partnerships, Mr. Bryson stated that Director Lee Ferguson appeared to be excited about the program. He stated that the community appreciated Councilman Yusuf Hakeem becoming involved; that local community leaders were mentioned, but added they (community) were not included at that time. He emphasized they would be included on April 6th, and they would meet and proceed in an orderly fashion. He stated that Mr. Ferguson had stated that there was a strong demand for this type of housing, and it had bothered them when they heard what type of housing they were talking about (for low and very low-income households).

Mr. Bryson reiterated that he spoke for the Church and the surrounding community and not for himself; that they needed a community evaluation concept, and this would be done on April 6th, and they would inform their Councilman of what they wanted. Mr. Bryson stated that Rayburn Traugher had helped him understand the proceedings of THDA; that he would like it to go on record that his main concern was for City leaders to know what they wanted, and they would work with the leaders to improve the City any way that they could; that they welcomed potential growth and beautification.

Mr. Bryson went on to say that he was from Chattanooga and not East Brainerd; that when he was away from Chattanooga and people asked him where he was from, and he replied Chattanooga; that Chattanooga meant "all of Chattanooga" and not just portions. He stated saying East Brainerd would mean nothing to that person -- that Chattanooga is "all family"; that when he receives mail it does not say East Brainerd but Chattanooga, Tennessee. He reiterated that he would leave a copy of what he had stated here. He stated that he was a good man and one that approached the Council being "wise as a serpent and harmless as a dove".

Chairman Swafford assured Mr. Bryson that each Councilperson would get this information, and he thanked him for showing his concern and stated that he appreciated him coming to the Council.

STADIUM NOISE

Councilman Pierce stated that a lady had called him and that she was supposed to be here tonight; that she had called him about the event held at the Stadium over the weekend, and she was concerned about the noise level. Councilman Pierce stated that being on the outside, he at first defended the Stadium; however it seemed that the PA System was overly loud, and it was not just the cars. He questioned if there was not something the Council could do to correct this problem.

Attorney Nelson stated that someone should get in touch with the Stadium Corporation to handle this internally.

Councilman Pierce noted that we have a noise decibel law "on board" and maybe the PA System is too loud.

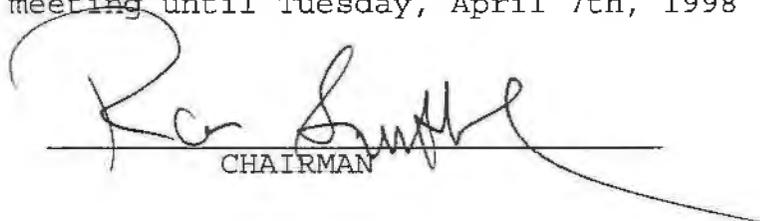
Attorney Nelson stated that this would vary with the number of people present in the Stadium; that late at night the sounds are louder and carry further.

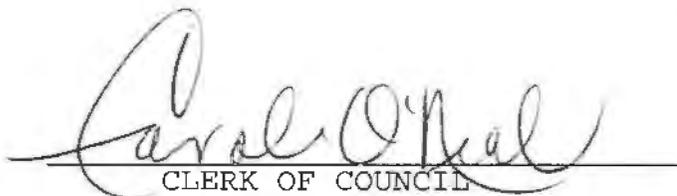
Chairman Swafford asked the timeframe of the noise. Councilman Pierce stated that the lady had a 40 minute tape recording; that he did not get any other details. He stated that the lady might be here by 7:00 P.M.

Chairman Swafford asked that a copy of these minutes be sent to the Stadium Corp. Chairman to show that this matter did come up at the meeting tonight. Attorney Nelson stated that Rick Linio was the Chairman.

ADJOURNMENT

Chairman Swafford adjourned the meeting until Tuesday, April 7th, 1998 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)