

Municipal Building  
Chattanooga, Tennessee  
April 21, 1998

Chairman Swafford called the meeting of the Chattanooga Council to order Councilman Crockett, Eaves, Hakeem, Hurley, Lively, Pierce, and Taylor present; Councilwoman Rutherford was absent due to District 6 business. City Attorney Randall Nelson, Management Analyst Randy Burns and Council Clerk Carol O'Neal were also present.

INVOCATION

Councilman Hakeem gave the invocation for the evening.

MINUTE APPROVAL

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

COUNCIL ELECTIONS: CHAIRMAN

Chairman Swafford stated it has been an honor and privilege to serve as Vice Chairman and Chairman of the Council and hopes the Council's business has been conducted in a professional manner; that this has certainly been an experience. He expressed thanks to the Council members for helping him through the year as Chairman.

At this point, Chairman Swafford declared the "floor open" for nominations for the office of Chairman of the Council.

Councilman Pierce nominated Councilman Crockett for the office of Chairman; Councilman Lively seconded the motion; the motion carried.

Councilwoman Hurley made the motion to accept the one name by acclamation; Councilman Taylor seconded the motion; the motion carried by unanimous vote by Council persons in attendance.

Chairman Crockett expressed appreciation for the opportunity to serve as Chairman; that Councilman Swafford did a good job as Councilman and Chairman this past year and is a credit to the City Council and his district.

COUNCIL ELECTION: VICE CHAIRMAN

Chairman Crockett declared the "floor open" for nominations for the office of Vice Chairman of the Council.

Councilman Hakeem nominated Councilman Lively for the office of Vice Chairman; Councilwoman Hurley seconded the motion; the motion carried.

Councilman Pierce made the motion to close the nominations on the one said name; Councilman Taylor seconded the motion; the motion carried by unanimous vote by Council persons in attendance.

Councilman Lively stated he is happy to have the opportunity to serve in this capacity.

**(COUNCILMAN EAVES EXCUSED HIMSELF FROM THE MEETING AT THIS POINT.)**

SPECIAL PRESENTATION: SANDRA  
HAKEEM

Sandra Bowers, Assistant Superintendent for Student Services for the Hamilton County Department of Education, stated she and Sandra Hakeem are pleased to be present today; that Ms. Hakeem is the Alternative Outreach Coordinator. She stated the school system has taken on new initiatives with the alternative education and character education programs and want to get the word out that they are involved. She asked that Council members use the office of Student Services and invite them into their communities to explain to parents and students the services they offer and the impact they can make on the communities they serve. She expressed appreciation for the appropriation of monies to fund the School Resource Officers, which could not have been a better or more useful gift. She thanked Council members for the opportunity to speak and distributed calling cards for herself and Ms. Hakeem so Council members will know how to contact them.

AMEND ZONING ORDINANCE: LANDSCAPE  
ORDINANCE

Mr. Bennett stated the amended version of the Landscape Ordinance the Council members have is not a new version; that it is the same one that was passed on first reading last week with a few changes incorporated. He stated some of the changes have come as a result of last week's discussion; that the changes were worked out in a meeting last week between Staff and the Association of General Contractors (AGC).

AMEND ZONING ORDINANCE: LANDSCAPE  
ORDINANCE (Cont'd.)

Mr. Bennett made reference to the amendments to the Ordinance on pages 3, 5 and 19.

Councilwoman Hurley congratulated Ann Coulter, Planning Commission Staff and others who worked for "years, months and decades" and contributed their hard work. She also expressed thanks to Jim Vaughan and Charlie Clevenger and others in the community for their cooperation; that the ordinance represents a great deal of hard work toward a landmark decision. She stated everybody who worked together so cooperatively needs a round of applause.

Charlie Clevenger spoke on behalf of AGC and expressed thanks to Ann Coulter and John Bridger for allowing AGC's input; that this is a better ordinance today than it was last week.

Chairman Crockett stated the ordinance will become effective September 1, 1998.

Councilman Pierce made the motion to accept the amendments to this ordinance; Councilwoman Hurley seconded the motion; the motion carried.

On motion of Councilman Lively, seconded by Councilwoman Hurley,  
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,  
KNOWN AS THE ZONING ORDINANCE, SO AS TO AMEND ARTICLE  
VI, TO ADD A NEW SECTION 115 ENTITLED "LANDSCAPING  
PROVISIONS" AND TO ESTABLISH GENERAL REGULATIONS FOR  
LANDSCAPING REQUIREMENTS WITHIN NEW AND EXISTING  
DEVELOPMENTS WITHIN THE CITY OF CHATTANOOGA

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

RIGHT-OF-WAY NAME CHANGE

1998-041: Colman Hochman

On motion of Councilman Lively, seconded by Councilman Hakeem,  
AN ORDINANCE TO CHANGE A RIGHT-OF-WAY NAME FOR LEGANCY  
PARK COURT LOCATED NORTH OF JENKINS ROAD, SOUTHWEST OF  
EDITH DRIVE TO LEGACY PARK COURT

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

REZONING

1998-043: C. W. Hassler, Jr.

On motion of Councilman Swafford, seconded by Councilman Lively,  
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,  
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT  
OF LAND LOCATED AT 801 MOUNTAIN CREEK ROAD, FROM R-2  
RESIDENTIAL ZONE TO C-5 NEIGHBORHOOD COMMERCIAL ZONE,  
SUBJECT TO CERTAIN CONDITIONS

passed second reading. On motion of Councilman Swafford, seconded  
by Councilman Taylor, the ordinance passed third and final reading  
and was signed in open meeting.

AMEND CITY CODE

Councilman Pierce stated this matter was held over two weeks for  
discussion in Safety Committee as Council members had concerns  
regarding it. He stated everyone has been satisfied that this would  
present no problem.

On motion of Councilman Pierce, seconded by Councilman Swafford,  
AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,  
SECTION 2-152(H), RELATIVE TO OVERTIME PAY FOR CERTAIN  
CITY EMPLOYEES ENGAGED IN LAW ENFORCEMENT ACTIVITIES  
passed first reading.

NEW SOFTBALL STADIUM NAME

Councilwoman Hurley stated this matter was discussed in Parks and  
Recreation Committee; that the matter was purposely held until the  
grand opening was held so that it would be a surprise before  
confirmation by Resolution.

On motion of Councilwoman Hurley, seconded by Councilman Swafford,  
A RESOLUTION NAMING THE NEW SOFTBALL STADIUM IN WARNER  
PARK JIM FROST STADIUM "STADIUM OF A THOUSAND DREAMS"  
was adopted.

LEASE AGREEMENT ASSIGNMENT: ROSS'  
LANDING MARINA, LLC

Councilwoman Hurley stated this matter comes with the Parks and Recreation Committee's recommendation for approval.

On motion of Councilwoman Hurley, seconded by Councilman Lively,  
A RESOLUTION AUTHORIZING AN ASSIGNMENT OF THE LEASE  
AGREEMENT FOR ROSS'S LANDING MARINA FROM RESORT  
INVESTMENT GROUP TO ROSS' LANDING MARINA, LLC

was adopted.

AGREEMENT: CONSOLIDATED  
TECHNOLOGIES, INC.

Councilman Lively stated in Councilman Eaves' absence Resolutions (c) - (f) were discussed in Public Works Committee and are recommended for approval.

On motion of Councilman Lively, seconded by Councilman Swafford,  
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF PUBLIC  
WORKS TO ENTER INTO AN AGREEMENT WITH CONSOLIDATED  
TECHNOLOGIES, INC. FOR ENGINEERING SERVICES RELATIVE TO  
A GRAVITY FORCE MAIN FROM THE BIRCHWOOD LANDFILL TO THE  
WWTA SEWER AT HARRISON FOR AN AMOUNT NOT TO EXCEED ONE  
HUNDRED THREE THOUSAND, FIVE HUNDRED THREE DOLLARS  
(\$103,503.00)

was adopted.

CONTRACT: MAYSE CONSTRUCTION  
COMPANY

On motion of Councilman Lively, seconded by Councilwoman Hurley,  
A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. 73D,  
LAKESHORE COLLECTION SYSTEM, TO MAYSE CONSTRUCTION  
COMPANY FOR THEIR BID IN THE AMOUNT OF NINE HUNDRED  
THIRTY-SEVEN THOUSAND, EIGHT HUNDRED SEVENTY-NINE  
DOLLARS (\$937,879.00)

was adopted.

TEMPORARY USE: LAW ENGINEERING  
AND ENVIRONMENTAL SERVICES, INC.

On motion of Councilman Hakeem, seconded by Councilman Lively,  
A RESOLUTION AUTHORIZING LAW ENGINEERING AND  
ENVIRONMENTAL SERVICES, INC. TO USE TEMPORARILY THE  
BROAD STREET RIGHT-OF-WAY BETWEEN WEST THIRTY-FIRST  
(31ST) STREET AND WEST THIRTY-SECOND (32ND) STREET,  
MORE PARTICULARLY DESCRIBED HEREIN, FOR THE PURPOSE OF  
DRILLING TWO (2) GROUNDWATER MONITORING WELLS, SUBJECT  
TO CERTAIN CONDITIONS  
was adopted.

TEMPORARY USE: REGIS CORPORATION

On motion of Councilman Swafford, seconded by Councilman Pierce,  
A RESOLUTION AUTHORIZING THE REGIS CORPORATION TO USE  
TEMPORARILY THE CITY'S SEWER EASEMENT FOR INSTALLING A  
BUSINESS SIGN AT 4310 DISTRIBUTION DRIVE APPROXIMATELY  
TWENTY (20) FEET FROM THE EDGE OF THE PAVEMENT, SUBJECT  
TO CERTAIN CONDITIONS  
was adopted.

HIGHEST AND BEST OFFER FOR CERTAIN  
PARCELS OF PROPERTY

On motion of Councilman Pierce, seconded by Councilwoman Hurley,  
A RESOLUTION ACCEPTING THE HIGHEST AND BEST OFFER FOR  
CERTAIN PARCELS OF PROPERTY ACQUIRED BY HAMILTON COUNTY  
AND THE CITY OF CHATTANOOGA THROUGH PREVIOUS DELINQUENT  
TAX SALES AND AUTHORIZING THE MAYOR AND CITY FINANCE  
OFFICER TO ENTER INTO AND EXECUTE DEEDS CONVEYING SAID  
PARCELS TO INDIVIDUALS ON ATTACHED LIST  
was adopted.

OVERTIME

Overtime for the week ending April 17, 1998 totaled \$26,509.16.

PERSONNEL

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

ROBERT G. STEPHENSON -- New Hire, Assistant Project Coordinator,  
Administrative Office, Pay Grade 10/Step 2, \$22,563.00 annually,  
effective April 24, 1998.

PURCHASE

On motion of Councilman Taylor, seconded by Councilwoman Hurley, the following purchase was approved for use by the Parks and Recreation Department:

KITSMILLER & COMPANY (Lower and better bid)  
Requisition No. R0032488

Purchase of Resurfacing Brainerd Tennis Courts

\$21,944.00

PERSONNEL

The following personnel matters were reported for the Public Works Department:

ALBERT J. WILLIAMS, JR. -- Resignation, Traffic Operations Analyst, effective April 23, 1998.

EDWINA CARLA LEWIS -- Employment, Clerk III, Inspection, Pay Grade 5/Step 1, \$16,151.00 annually, effective April 20, 1998.

PURCHASES

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

AUSTIN FEED & SEED (Lower and better bid)  
Requisition No. R0031949

Purchase of Twelve Months Contract for Fertilizer

\$4.95 per 50 lb. bag

DUNCAN ELECTRIC (Lower and better bid)  
Requisition No. R0030776

Purchase of Twelve Months Contract for Pole Painting with an Additional Twelve Months to Renew (Labor and Equipment)

\$258.00 each

PURCHASES (Cont'd.)

MARSHAL MIZE (Lower and better bid)  
Requisition No. 0027264

Purchase of Pick-Up Truck

\$11,235.00

RIVERBEND CONSTRUCTION (Lower and better bid)  
Requisition No. 0029707

Purchase of Twelve Months Requirements Contract for Concrete Curb and Gutter, Concrete Sidewalks and Concrete Driveway per Project No. SW-1-98

(Price information available and filed with minute material)

BOARD APPOINTMENTS

On motion of Councilwoman Hurley, seconded by Councilman Swafford, the following Board appointments were approved:

CARTA BOARD:

Appointment of **LAVORN "SONNY" MOORE** to fill a five year term.

HEALTH, EDUCATION & HOUSING FACILITIES BOARD:

Upon nomination by the Mayor, the following individuals were elected by the Council to six year terms:

**STEPHANIE DZIEDZIC** and **FAY BOYLE** (reappointment)

PERSONNEL

The following personnel matters were reported for the Police Department:

**RITA CRUTCHER** -- Promotion, Dispatcher, Pay Grade 10/Step 6, \$25,825.00 annually, effective April 10, 1998.

**VICTOR WOUGHTER** -- Resignation, Police Officer, effective April 28, 1998.

**ANGIE WHITTEMORE** -- Resignation, Police Officer, effective April 17, 1998.

PURCHASE

On motion of Councilman Hakeem, seconded by Councilman Swafford, the following purchase was approved for use by the Police Department:

G. T. DISTRIBUTORS (Lower and better bid)  
Requisition No. 0033429

Purchase of Twelve Months Contract for Police Training Ammunition

(Price information available and filed with minute material)

PERSONNEL

The following personnel matters were reported for the Personnel Department:

SUSAN DUBOSE -- Promotion, Assistant Personnel Director, Pay Grade 17/Step 7, \$43,964.00 annually, effective April 21, 1998.

JOE SHAW -- New Hire, Assistant Personnel Director, Pay Grade 17/Step 1, \$34,823.00 annually, effective April 21, 1998.

HEARING: PAUL HILL

City Attorney Nelson reminded Council members of the hearing for Paul Hill scheduled for Monday, April 27 beginning at 6 p.m. with Councilmen Taylor (serving as Chairman), Hurley and Lively as the committee hearing the appeal.

OTHER BUSINESS

Councilman Hurley stated everyone enjoyed the grand opening of the "Stadium of 1000 Dreams" last evening; that many Council members were present and enjoyed it.

Councilman Pierce stated there was an article in Sunday's newspaper regarding the paving schedule which was written by J.B. Collins. He stated he has had a couple calls from constituents in his district wanting to add their name to the list; that he gave them Mr. Collins' number (to have their name added)!

OTHER BUSINESS (Cont'd.)

Councilman Taylor stated the groundbreaking for Coolidge Park was held today; that he appreciates those who had an opportunity to come and the Council was well-represented. He acknowledged the talent of Councilman Swafford's son, who sang a solo with the singing group performing for the occasion.

NATIONAL ASSOCIATION OF COUNTIES MEETING

Chairman Crockett stated Councilman Taylor represented the City at the National Association of Counties today; that the Association has a whole week of events. He stated County Commissioner Paul McDaniel (who serves on the Board of the National Association of Counties), County Executive Ramsey and other public and community leaders were present for the event.

ASSIGNMENT OF COMMITTEES

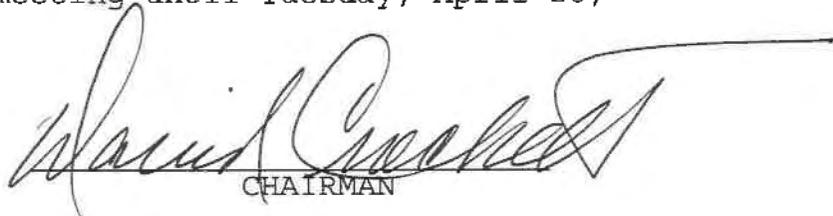
Chairman Crockett stated Council members will be asked to indicate their committee preferences; that he will have the listing complete within the next two weeks.

EXPRESSION OF THANKS

Chairman Crockett again expressed thanks to the former Chairman for the job he did and thanked Council members for giving him the opportunity serve in the office of Chairman.

ADJOURNMENT

Chairman Crockett adjourned the meeting until Tuesday, April 28, 1998 at 6 p.m.

  
CHAIRMAN

  
CLERK OF COUNCIL

(A LIST OF NAMES OF PERSONS IN ATTENDANCE IS FILED WITH MINUTE MATERIAL OF THIS DATE)