

Municipal Building
Chattanooga, Tennessee
July 7, 1998

The meeting of the Chattanooga Council was called to order by Vice Chairman Lively with Councilman Eaves, Hakeem, Hurley, Pierce, Swafford and Taylor present; Chairman Crockett was absent due to personal commitment; Councilwoman Rutherford was out of the city. City Attorney Randall Nelson, Management Analyst Randy Burns and Council Clerk Carol O'Neal were also present.

INVOCATION

City Attorney Randall Nelson gave the invocation for the evening.

MINUTE APPROVAL

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

AMEND CITY CODE:

On motion of Councilman Pierce, seconded by Councilman Taylor,
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 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

1998-045: City of Chattanooga

On motion of Councilman Hakeem, seconded by Councilwoman Hurley, AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO IMPOSE ADDITIONAL CONDITIONS UPON CERTAIN TRACTS OF LAND LOCATED BETWEEN THE 1300-1700 BLOCKS OF BAILEY AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PRESENTLY ZONED R-4 SPECIAL ZONE WITH CONDITIONS TO R-4 SPECIAL ZONE WITH CONDITIONS SUBJECT TO THE FOLLOWING ADDITIONAL CONDITIONS AND TO REZONE CERTAIN TRACTS OF LAND LOCATED WITHIN THE 1800 BLOCK OF BAILEY AVENUE (NORTHSIDE ONLY), MORE PARTICULARLY DESCRIBED HEREIN, PRESENTLY ZONED R-4 SPECIAL ZONE WITH CONDITIONS TO R-4 SPECIAL ZONE WITH CONDITIONS SUBJECT TO THE FOLLOWING ADDITIONAL CONDITIONS passed first reading.

DECLARE SURPLUS

Councilwoman Hurley stated this matter was discussed in the Mayor's staff meeting and it is recommended the matter be held two weeks.

On motion of Councilman Swafford, seconded by Councilman Pierce, A RESOLUTION DECLARING CERTAIN PROPERTY LOCATED AT BELL AVENUE AND GURLEY STREET, TAX MAP NO. 135C-010, AS SURPLUS AND AUTHORIZING THE TRANSFER OF SAID SURPLUS PROPERTY TO TERRY PARKS, SUBJECT TO CERTAIN CONDITIONS was tabled two weeks.

DECLARE SURPLUS

On motion of Councilman Hakeem, seconded by Councilman Pierce, A RESOLUTION DECLARING CERTAIN PROPERTY LOCATED AT 1507 LYNNBROOK AVENUE, TAX MAP NO. 156B-M-032, MORE PARTICULARLY DESCRIBED HEREIN, AS SURPLUS AND AUTHORIZING THE TRANSFER OF SAID SURPLUS PROPERTY TO HOPE FOR CHATTANOOGA, A NOT FOR PROFIT COMMUNITY DEVELOPMENT CORPORATION was adopted.

ACQUISITION OF PROPERTY

Councilman Pierce stated he has questions about this Resolution and asked that the matter be tabled for discussion in committee.

Councilman Pierce made the motion to table the matter two weeks; Councilman Taylor seconded the motion; the motion passed.

Councilman Taylor recognized persons from the community surrounding the property in question.

Barbara McKibben Brabson, President of the South Chattanooga Neighborhood Association, stated Pringle Park is located on Long Street in her community; that the Park is used each and every day. She stated there is a new park located on Market Street (Harris-Johnson Park), but Pringle Park is within the community and residents of the area want to keep it; that they are asking that the property be purchased. She stated she has a petition with 50-75 signatures of persons who want to keep the Park in their community.

Councilman Pierce explained that the Council has voted to table the issue so that it can be discussed in Committee; that residents of the community will have an opportunity to come to the meeting and have input. He stated after the Committee meeting the matter will come back to the Council with a recommendation; that there is no intention to take the land the Park is on; that he wants the Council to look at some things before the matter is acted upon.

Mrs. Brabson confirmed that she and others in the neighborhood want to keep the Park because it is used every day.

Councilwoman Hurley stated the matter can be discussed in her Committee next Tuesday (July 14).

At this time Councilman Taylor made the motion to rescind the previous motion to table the matter two weeks; Councilman Pierce seconded the motion; the motion passed.

On motion of Councilman Taylor, seconded by Councilman Swafford,
A RESOLUTION AUTHORIZING THE ACQUISITION OF PROPERTY
LOCATED AT LONG AND WEST 26TH STREETS, MORE
PARTICULARLY DESCRIBED HEREIN, FROM GERTRUDE W. GASTON
FOR A CONSIDERATION OF FORTY-FOUR THOUSAND DOLLARS
(\$44,000.00)
was tabled one week.

CONTRACT: TENNESSEE DEPARTMENT OF
TRANSPORTATION

On motion of Councilwoman Hurley, seconded by Councilman Swafford,
A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A
UTILITY RELOCATION CONTRACT WITH THE TENNESSEE
DEPARTMENT OF TRANSPORTATION (TDOT), RELATIVE TO STATE
PROJECT NO. NH-I-75-1(95)3, 33005-2154-44, WIDENING
I-75 FROM BRAINERD ROAD TO .6 MILES NORTH OF
SHALLOWFORD ROAD AT AN ESTIMATED COST OF \$1,067,430.00
was adopted.

OVERTIME

Overtime for the week ending July 3, 1998 totaled \$102,595.46.

PERSONNEL

The following personnel matters were reported for the Human Services
Department:

OCIE THURMAN -- Deceased, Cook, Child Care Division, effective June
10, 1998.

LAURA E. HARRIS -- Resignation, Teacher, Head Start Division,
effective June 4, 1998.

PURCHASE

On motion of Councilman Swafford, seconded by Councilwoman Hurley,
the following purchase was approved for use by the Human Services
Department:

COTHAM CONSTRUCTION (Change Order #3)
P.O. #P0005611

Change Order for renovation to Avondale Center

\$ 3,695.00 (Change Order 3)
160,906.00 Total Cost

PURCHASE

On motion of Councilman Pierce, seconded by Councilwoman Hurley, the following purchase was approved for use by the Human Services Department:

FLAV-O-RICH DAIRY (Lower and better bid)
P. O. #P0008536

Purchase of Twelve Months Requirements Contract for Milk (not to exceed \$75,000.00 total)

(Price information available and filed with minute material)

PURCHASE

On motion of Councilman Swafford, seconded by Councilwoman Hurley, the following purchase was approved for use by the Human Services Department:

FLOWERS BAKING CO. (Lower and better bid)
P.O. #P0008560

PERSONNEL

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

KAREN R. EADY -- Resignation, Laborer II, Plaza Division, effective July 8, 1998.

PERSONNEL

The following personnel matter was reported for the Public Works Department:

ROGER RAPIER -- Promotion, Equipment Operator III, Waste Resources Division, Pay Grade 9/Step 1, \$20,777.00 annually, effective July 8, 1998.

WILCOX TUNNEL INQUIRY

Councilman Swafford expressed appreciation for the work that has been done on the Wilcox Tunnel and made Admin. Marcellis aware of a telephone call he received from a lady regarding railing in the Tunnel.

Admin. Marcellis stated he will look at the plans and (will) get back with Councilman Swafford.

Councilman Pierce stated he would like to know about his District's end of the same project. Admin. Marcellis stated the project should have started yesterday. Councilman Pierce indicated that he drove through the area today and nothing was being done. Admin. Marcellis stated the project will get started before the end of the week.

PERSONNEL

The following personnel matter was reported for the Fire Department:

WALLACE H. CRY -- Retirement, Lieutenant, effective July 2, 1998.

FIRE DEPARTMENT UNIFORMS

Chief Coppinger stated members of the Fire Department will be in new uniforms effective July 17; that they are uniforms members of the Department decided upon. He stated they voted overwhelmingly to make the change.

PURCHASE

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

TENN FIRE EQUIPMENT (Lower and better bid)
Requisition No. 0031624

Purchase of Breathing Apparatus and Spare Cylinders

\$40,188.68

HOTEL PERMIT

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

QUALITY INN, 2000 E. 23rd Street, Chattanooga, TN

PERSONNEL

The following personnel matters were reported for the Police Department:

BRYAN MALFE -- Resignation, Part-time Aquarium Ranger, effective July 3, 1998.

CHARLES BALLARD, SR. -- Retirement, Lieutenant, effective July 13, 1998.

BELINDA SANFORD -- Family & Medical Leave of Absence, Meter Officer, effective July 1, 1998.

PURCHASE

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

STRAUSS CONSTRUCTION (Lower and better bid)
Requisition No. 00327181

Purchase of Renovation of 911 Building

\$419,800.00

Councilman Hakeem inquired about the 911 building and its ownership. Chief Dotson stated when the building was built it was agreed the second floor would be shared by the Police Department.

Councilman Hakeem stated there is a need to know what belongs to whom. Councilman Pierce clarified that information is in the agreement.

PURCHASE (Cont'd.)

Councilman Hakeem stated he does not want it to come back and it be said that the building does not belong to us as we have invested a lot of money in it.

Admin. Boney stated there is a lease and construction agreement that the bottom floor and half of the commons area is for 911 and the upper floor is to be shared with personnel of the Police Department. He stated the money being used for the renovation is money we have for this purpose.

Councilwoman Hurley inquired as to the time frame of the lease. Admin. Boney indicated his not being able to recall.

Councilman Eaves inquired as to whether the City is part owner. Admin. Boney stated we own some of the structure and we may even own it 100%. He stated he will look into it and get back with Councilman Eaves.

PERSONNEL

The following personnel matter was reported for the Finance Department, Information Services:

ELIZABETH CLARK -- Resignation, Programmer I, effective July 2, 1998.

PERSONNEL

The following personnel matter was reported for the Finance Department, Treasurer's Office:

ROSIE RUSSELL -- Resignation, Clerk V, effective July 16, 1998.

LIQUOR LICENSE APPROVAL

Councilwoman Hurley stated the request has to do with the change of ownership of an existing store at 3974 Hixson Pike and has been through all the compliances.

On motion of Councilwoman Hurley, seconded by Councilman Hakeem, the following liquor license was approved:

VNH, Inc., Vasudev D. Chavna, Owner
The Bottle Shoppe, 3975 Hixson, Pike, Chattanooga, TN

PERSONNEL

The following personnel matter was reported for the Neighborhood Services Department:

JENNIFER LYNN PUGH-NOLAN -- Termination, Executive Director, Human Rights Division, effective June 30, 1998.

COMMITTEES

Councilwoman Hurley scheduled a meeting of the **Health, Education, Human Services and Housing Opportunities Committee for Tuesday, July 14 at 4:30 p.m.** (immediately following Public Works Committee) to discuss amendments to the Fortwood District's historic zoning guidelines and to discuss the matter regarding the acquisition of property located at Long and West 26th Streets.

DR. GRACE HEWELL

Dr. Grace Hewell stated her remarks focus on education issues and the issue relevant to the advancement of persons 16 and older; that she tried to get a copy of the draft Resolution regarding literacy from Councilman Taylor prior to the meeting as she will not be in the city the remainder of the month and will have to go back to Washington. She inquired as to whether Councilwoman Hurley and the members of her Committee would entertain changes to the Resolution as this is just a "focus" on the literacy issue. She stated she would like to see the Resolution caption changed to reflect ". . . a look into Chattanooga's efforts to raise the lowest literacy level of education . . ." She stated if that is okay she would prefer the Council consider that language.

Councilwoman Hurley stated this matter can be discussed in Committee next week along with the other (property acquisition) issue if it seems appropriate to create a task force. She stated she understands the word "combating" as presently stated in the proposed Resolution would be eliminated as the request is to "raise" the literacy level from its lowest level.

SISTER BEY

Sister Bey inquired as to what is meant by "literacy" and strongly contested the Council's consideration of a Resolution on the issue. Dr. Hewell indicated she would explain the information to her.

ADJOURNMENT

Vice Chairman Lively adjourned the meeting until Tuesday, July 14, 1998 at 6 p.m.


DAVID CROCKER
CHAIRMAN


CAROL O'NEAL
CLERK OF COUNCIL

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