

**Municipal Building
Chattanooga, Tennessee
May 04, 1999**

The meeting of the Chattanooga Council was called to order by Chairman Lively, with Councilmen Eaves, Franklin, Hakeem, Hurley, Pierce, Rutherford and Taylor present; Councilman Crockett was out of the City on business. City Attorney Randall Nelson, Management Analyst Randy Burns, and Council Clerk, Carol O'Neal, CMC, were also present.

INVOCATION

Invocation was given by Councilman Franklin.

MINUTE APPROVAL

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

**SPECIALPRESENTATION:
CHARLOTTE BOATWRIGHT
DOMESTIC VIOLENCE COALITION**

Charlotte Boatwright stated the Domestic Violence Task Force is the law enforcement and prosecution unit that deals with domestic violence. She stated the Task Force started May 4, 1997 with eight officers. She stated when the Task Force was originally proposed it began as a proactive, preventive and early intervention unit to prevent domestic homicide incidences in the community. She stated during the first year of the Task Force's existence the number of domestic homicides went from fourteen (14) to twenty-two (22), and made reference to the fact sheet distributed to the Council. She stated she was present to request funding for four (4) additional officers for the Task Force. She stated the Task Force has been successful and has never really been funded or adequately staffed; that the devoted officers they have are working double shifts and coming on their days off. She stated without adequate staffing the unit will fail. It was indicated that a half dozen officers cannot do the work and more officers are needed to save lives and prevent this crime.

REZONING

Councilman Taylor stated Chris Hodges would like to address the Council.

Chris Hodges stated that he was surprised at what happened last week; that in his conversation with some of the Council members there was some misunderstanding and lack of information in considering the issues at-hand. He stated he was present to request a two-to-three week deferral for second and third reading for an opportunity to continue to work with the community and provide the Council with additional information. He stated on other occasions he has tried to work closely with the community throughout this process, both pro and con; that the people in opposition have been very respectful to him and his position. He stated he hopes those in opposition feel he has followed through on his commitments in keeping them informed and providing information. He stated the recent site plan has substantial modifications regarding access and configurations to redirect traffic from Pine Ridge and Miriam Street and more toward Snow Street. He stated he has talked with Councilman Taylor in identifying an additional site in North Chattanooga that might be blighted or vacant and would lower the density of this block by relocating some of the buildings into other areas of the community to make it more representative. He stated these conversations have taken place since the meeting last week; that the architects have not done a lot of work as he has spent more time with Councilman Taylor and others in the community to identify alternate sites. He stated he would like more time to get with the architects and see what can be done to lower the density in the block. He again requested that the matter be deferred for three weeks for additional information and further conversations.

Councilwoman Hurley stated she is not sure how many people were in opposition last week that are present tonight; that this does present something of a problem. She stated many thought the decision had gone in their direction. She stated it is important to have everyone involved in this conversation as many do have difficulty with the density; that managing housing is a very professional responsibility.

Councilwoman Rutherford asked Mr. Hodges if the property the Council zoned R-1 last week would stay R-1.

Mr. Hodges responded "no"; that a portion of the property identified that fronts on Miriam and Pine Ridge, alternate sites would be found to relocate those buildings and the developer will agree to let those parcels be zoned R-1. He stated this poses a significant problem regarding the waiting period for rezoning; that once rezoned all will comply with the THDA guidelines. He stated they are trying to come up with something that satisfies as much as possible some of the concerns of the community in opposition. He stated he intends to communicate with everyone during the three week time period.

REZONING (Continued)

A person in opposition stated from the audience that others in opposition did not know the matter would be reheard tonight and (she) did not have an opportunity to call the others.

Councilwoman Rutherford inquired if the person was still in opposition; the response was "yes".

Councilman Taylor stated the two neighborhoods have been working together, and how to "grow" a community has been interesting to him. He stated we have to "grow" a community in single family residential and have a mixture, as well. He made the motion that the matter be deferred to give everyone an opportunity to converse and encouraged Mr. Hodges to make contact with the community.

On motion of Councilman Taylor, seconded by Councilman Eaves,

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE CERTAIN PROPERTY GENERALLY DESCRIBED AS BOUNDED ON THE NORTH BY THE RED BANK/CHATTANOOGA CITY LIMITS, ON THE WEST BY INTERSTATE 124 (US27/TN29), ON THE SOUTH BY MANNING STREET, AND FOLLOWING AN IREGULAR LINE ON THE EAST FROM NORTH MARKET STREET TO THE RED BANK/CHATTANOOGA CITY LIMITS, MORE PARTICULARLY DESCRIBED HEREIN AS THE NORTH CHATTANOOGA RESIDENTIAL ZONING STUDY 99/024, SUBJECT TO CERTAIN CONDITIONS

Was tabled three weeks.

AMEND CITY CODE: ADDRESS NUMBERING SYSTEM

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 32, ARTICLE VIII, RELATIVE TO CREATING A UNIFORM ADDRESS NUMBERING SYSTEM

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

**AMEND CITY CODE: MAXIMUM AGE
FOR CHATTANOOGA POLICE
OFFICERS/FIREFIGHTERS**

City Attorney Nelson stated this ordinance completely eliminates any age requirements for fire and police beginning their service; that Ordinance 6(a) limits the age to 40. He stated the Council should notice that the Ordinance does have an age limit that was passed on first reading, which is why it is reflected for second and third tonight. He stated he was directed to prepare both ordinances for presentation tonight and put them back-to-back. He stated if the Council goes with the age 40 requirement, it will require first, second and third readings.

On motion of Councilman Hakeem, seconded by Councilman Taylor,

AN ORDINANCE TO AMEND THE PART OF SECTION 16-2, PART II, CHATTANOOGA CITY CODE, WHICH ESTABLISHES AGE THIRTY-ONE (31) AS THE MAXIMUM AGE FOR CHATTANOOGA POLICE OFFICERS AND FIREFIGHTERS TO BEGIN THEIR SERVICE

Failed; on roll call vote:

Eaves	"No"
Franklin	"Yes"
Hakeem	"Yes"
Hurley	"No"
Pierce	"No"
Rutherford	"No"
Taylor	"Yes"
Lively	"No"

AMEND CITY CODE:
MAXIMUM AGE FOR CHATTANOOGA
POLICE OFFICERS/FIREFIGHTERS

City Attorney Nelson stated this Ordinance establishes Age 40 as the maximum age with the exception of sub-sections (1) and (2) (as identified in the Ordinance).

On motion of Councilman Pierce, seconded by Councilwoman Rutherford,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE,
PART II, SECTION 16-2, WHICH ESTABLISHES MINIMUM AND
MAXIMUM AGES AT WHICH CHATTANOOGA POLICE
OFFICERS AND FIREFIGHTERS MAY BEGIN THEIR SERVICE**

Passed first reading; on roll call vote:

Eaves	"Yes"
Franklin	"Yes"
Hakeem	"Yes"
Hurley	"Yes"
Pierce	"Yes"
Rutherford	"Yes"
Taylor	"Yes"
Lively	"Yes"

(At this point Councilwoman Hurley excused herself from the meeting.)

AMEND CITY CODE

City Attorney Nelson stated this adds a new Section to the Code that will permit the Chairman of any authorized board to notify the Mayor of any member's failure to attend three consecutive meetings.

On motion of Councilwoman Rutherford, seconded by Councilman Taylor,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE,
PART II, CHAPTER 2, SO AS TO ADD SECTION 2-12, RELATIVE
TO THE REMOVAL OF MEMBERS FROM BOARDS AND/OR
COMMISSION**

Passed first reading.

CLOSE AND ABANDON

MR-99-008

Councilwoman Rutherford stated that this involves a purchase by the Salvation Army and inquired as to what type programs will be going in.

Capt. Jim Waller stated this will be similar to the program that takes place at the Salvation Army Corp's community center located at Fourth Avenue and 28th Avenue.

Councilwoman Rutherford inquired as to when the program will begin. Capt. Waller stated it is scheduled to open June 1.

Councilwoman Rutherford stated she received a call from someone asking about recreation for Brainerd and will inform the caller that it is on the way.

On motion of Councilman Hakeem, seconded by Councilman Eaves,

**AN ORDINANCE ABANDONING AN OLD TENNESSEE
ELECTRIC POWER EASEMENT LOCATED AT 1029 NORTH
MOORE ROAD BETWEEN LARCHMONT AVENUE AND NORTH
MOORE ROAD, MORE PARTICULARLY DESCRIBED HEREIN**

Passed first reading.

FRANCHISE: THE DIXIE GROUP, INC.

On motion of Councilman Pierce, seconded by Councilwoman Rutherford,

**AN ORDINANCE GRANTING A FRANCHISE TO THE DIXIE
GROUP, INC. OR ITS SUCCESSORS OR ASSIGNS TO OPERATE
AND MAINTAIN AN EIGHT INCH (8") INDUSTRIAL WATER
SUPPLY LINE ALONG CERTAIN STREETS AND ALLEYS AND IN
THE RIGHT-OF-WAYS THEREOF, AS MORE PARTICULARLY
DESCRIBED HEREIN, FOR A PERIOD OF TEN (10) YEARS, ON
CERTAIN TERMS AND CONDITIONS AS MORE FULLY
DESCRIBED HEREIN**

Passed first reading.

AD VALOREM TAXES:
SEABOARD FARMS

Councilman Hakeem stated this matter was discussed in the Budget and Finance Committee this afternoon and is recommended for approval.

On motion of Councilman Hakeem, seconded by Councilwoman Rutherford,
A RESOLUTION TO MAKE CERTAIN FINDINGS RELATING TO SEABOARD FARMS OF CHATTANOOGA, INC. PROJECT, TO DELEGATE CERTAIN AUTHORITY TO THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF CHATTANOOGA, AND TO AUTHORIZE THE MAYOR TO ENTER INTO AND EXECUTE AN AGREEMENT FOR PAYMENTS IN LIEU OF AD VALOREM TAXES

Was adopted.

CONTRACT: IT NETWORK

On motion of Councilman Eaves, seconded by Councilwoman Rutherford,
A RESOLUTION AUTHORIZING THE CITY FINANCE OFFICER TO EXECUTE A CONTRACT WITH IT NETWORK, ALPHARETTA, GEORGIA, TO PRODUCE AN INTERACTIVE GUIDE FOR CITY SERVICES TO BE INCLUDED IN THE LOCAL TELEPHONE DIRECTORY FOR AN AMOUNT NOT TO EXCEED SIXTEENTHOUSAND, EIGHT HUNDRED DOLLARS (\$16,800.00)

Was adopted.

LEASE AGREEMENT:
PROVIDENT COMPANIES, INC.

On motion of Councilman Pierce, seconded by Councilwoman Rutherford,
A RESOLUTION AUTHORIZING THE CHIEF OF THE CHATTANOOGA POLICE DEPARTMENT TO ENTER INTO A LEASE AGREEMENT WITH PROVIDENT COMPANIES, INC., SUBSTANTIALLY IN THE FORM ATTACHED HERETO, FOR THE LEASE OF PROPERTY LOCATED AT 224 WALNUT STREET TO BE USED AS A DOWNTOWN PRECINCT STATION

Was adopted.

**CANCELLATION CONTRACT
ASSIGNMENT AND RELEASE:
BRYANT ELECTRIC CO., INC.**

Councilman Taylor Resolutions 7(d) through (m) were discussed in Public Works Committee and are recommended for approval.

On motion of Councilwoman Rutherford, seconded by Councilman Pierce,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE PUBLIC WORKS DEPARTMENT AND THE CITY FINANCE OFFICER TO EXECUTE AND ATTEST, RESPECTIVELY, A MUTUAL CANCELLATION CONTRACT ASSIGNMENT AND RELEASE WITH BRYANT ELECTRIC COMPANY, INC., RELATIVE TO CONTRACT NO. CSO-2-98, CENTRAL AVENUE CSO CONTROL FACILITY, SCHEDULE I (PIPING)

Was adopted.

NOVATION AGREEMENT

On motion of Councilman Taylor, seconded by Councilwoman Rutherford,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE PUBLIC WORKS DEPARTMENT AND THE CITY FINANCE OFFICER TO EXECUTE AND ATTEST, RESPECTIVELY, A NOVATION AGREEMENT BETWEEN BRYANT ELECTRIC COMPANY, INC. AND SHERMAN DIXIE CONCRETE, INC., SAID AGREEMENT MORE PARTICULARLY DESCRIBED HEREIN, RELATIVE TO CONTRACT NO. CSO-2-98, CENTRAL AVENUE CSO CONTROL FACILITY SCHEDULE I (PIPING)

Was adopted.

**CONTRACT: CASH CONSTRUCTION
COMPANY**

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. CSO-2a-99, CENTRAL AVENUE CSO CONTROL FACILITY SITE PIPING INSTALLATION, TO CASH CONSTRUCTION COMPANY FOR THEIR LOW BID IN THE AMOUNT OF TWO MILLION, EIGHT HUNDRED SEVENTY-FIVE THOUSAND, TWO HUNDRED NINE DOLLARS (\$2,875,209.00)

Was adopted.

CHANGE ORDER

On motion of Councilwoman Rutherford, seconded by Councilman Taylor,

A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 2, CONTRACT NO. CSO-2-98, CENTRAL AVENUE CSO CONTROL FACILITY, SCHEDULE II (FACILITY), WITH CROWDER CONSTRUCTION COMPANY, WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY FIVE HUNDRED SEVEN THOUSAND, SIX HUNDRED TWENTY-SEVEN AND 56/100 DOLLARS (\$507,629.56), FOR A REVISED CONTRACT AMOUNT OF TEN MILLION, FIVE HUNDRED TWENTY-FOUR THOUSAND, FIVE HUNDRED FOUR AND 08/100 DOLLARS (\$1,524,504.08)

Was adopted.

PURCHASE OF TRACTS OF LAND

On motion of Councilwoman Rutherford, seconded by Councilman Taylor,

A RESOLUTION AUTHORIZING THE PURCHASE OF TRACTS 145FB011 AND 145FB012 AT 1604 RIVERFRONT PARKWAY FROM EUREKA FOUNDRY COMPANY, RELATIVE TO CONTRACT #4b, 19TH STREET CSO, FOR A CONSIDERATION OF ONE HUNDRED SIXTY-ONE THOUSAND DOLLARS (\$161,000.00)

Was adopted.

**AGREEMENT AMENDMENT:
COMQUEST, LLC**

On motion of Councilman Franklin, seconded by Councilman Pierce,

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE AGREEMENT WITH COMQUEST, LLC, TO INCLUDE ENGINEERING SERVICES DURING THE CONSTRUCTION PHASE OF FRIAR BRANCH PHASE III DETENTION BASIN PROJECT, WHICH AMENDMENT INCREASES THE CONTRACT BY THE AMOUNT OF SIXTEEN THOUSAND, FIVE HUNDRED SOLLARS (\$16,500.00) FOR A REVISED CONTRACT AMOUNT OF SIXTY-FIVE THOUSND, SEVEN HUNDRED DOLLARS (\$65,700.00)

Was adopted.

**CONTRACT: MAYSE CONSTRUCTION
CO.**

On motion of Councilman Eaves, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. SWM-7-98, FRIAR BRANCH - MCCUTCHEON ROAD DETENTION AREA AND DRAINAGE IMPROVEMENTS, TO MAYSE CONSTRUCTION COMPANY FOR THEIR LOW BID IN THE AMOUNT OF SIX HUNDRED THIRTY-SIX THOUSAND, EIGHTY-THREE DOLLARS (\$636,083.00)

Was adopted.

CHANGE ORDER

On motion of Councilman Franklin, seconded by Councilman Taylor,

A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 2, CONTRACT NO. 53B-1, SPRING CREEK AND FORT OGLETHORPE PUMP STATIONS, WITH JONES ENVIRONMENTAL CONSTRUCTION, INC., WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY SIXTY-SEVEN THOUSAND DOLLARS (\$67,000.00) FOR A REVISED CONTRACT AMOUNT OF EIGHT HUNDRED FORTY-FOUR THOUSAND, NINE HUNDRED TWENTY-SIX AND 80/100 DOLLARS (\$844,926.80), AND WHICH CHANGE ORDER INCREASES THE CONTRACT TIME BY SIXTY (60) CALENDAR DAYS

Was adopted.

CHANGE ORDER

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1, CONTRACT NO. SWM-5-97, EXTRUDED ASPHALT AND/OR CONCRETE CURB, WITH GAMBLE CONSTRUCTION COMPANY, INC., WHICH CHANGE ORDER DECREASES THE CONTRACT AMOUNT BY SEVENTY-TWO THOUSAND, NINE HUNDRED NINETY-SEVEN AND 42/100 DOLLARS (\$72,997.42), FOR A REVISED CONTRACT TOTAL OF SIXTY-FIVE THOUSAND, THREE HUNDRED FIFTY-EIGHT AND 98/100 (\$65,358.98), AND WHICH CHANGE ORDER INCREASES THE CONTRACT TIME BY EIGHTY-THREE (83) CALENDAR DAYS FOR A NEW COMPLETION DATE OF APRIL 1, 1999

Was adopted.

**CONTRACT: RIVERBEND
CONSTRUCTION CORPORATION**

On motion of Councilman Taylor, seconded by Councilwoman Rutherford,
A RESOLUTION AUTHORIZING AWARD OF CONTRACT NO. SS-2-98, BROAD STREET STREETScape, 5TH STREE TO 6TH STREET, TO RIVERBEND CONSTRUCTION CORPORATION FOR THEIR LOW BID IN THE AMOUNT OF THREE HUNDRED THIRTY-TWO THOUSAND, TWO HUNDRED DOLLARS (\$332,200.00)

Was adopted.

ACQUIRED PROPERTIES

On motion of Councilwoman Rutherford, seconded by Councilman Pierce,
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 THE LISTS ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE

Was adopted.

OVERTIME

Overtime for the week ending April 30, 1999 totaled \$16, 630.46.

PURCHASE

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

**GEORGIA TURF & TRACTOR (Best and only bid)
Requisition No. R0041314**

Utility Mower

\$19,790.00

PERSONNEL

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

RAY S. HARRINGTON -- Family Medical Leave, Water Quality Analyst, Engineering Division, effective May 7 - August 3, 1999.

PURCHASES

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

AVANTI INTERNATIONAL (Best and only bid)
Requisition No. R0041876

Chemicals

(Price information available and filed with minute material)

LEE SMITH, INC. (Best bid)
Requisition No. R0031932

Conventional Cab and Chassis with 16 ft. Trash Body

\$132,593.49

EMERGENCY PURCHASE

The emergency purchase of Labor, Equipment, and Materials to re-enforce existing concrete panels at Moccasin Bend for the Public Works Department, Purchase Order No. P0011690 in the amount of \$39,250.00, issued to Stein Construction, was duly reported and signed in open meeting.

PERSONNEL

The following personnel matters were reported for the Police Department:

DIANE HOLLAND -- Transfer/Promotion, Administrative Coordinator, Pay Grade 10/Step 1, \$23,033.00 annually, effective May 3, 1999.

PERSONNEL (Continued)

CORDELIA JARRETT -- Return to duty, Communications Officer, effective April 15, 1999.

WAYNE JEFFERSON, JR. -- Four day suspension without pay, May 10, 1999.

JOHN R. MONROE, JR. -- Return to Duty, effective April 12, 1999.

PURCHASE

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

PHALTLESS, INC. (Lowest and best bid)
Requisition No. R0032738

Paving Police Service Center Parking Lots

\$46,549.00

HEARING: ALVIN THOMPSON, JR.

City Attorney Nelson stated the attorney for Alvin Thompson has asked for a reschedule date due to conflict in scheduling. **The hearing was rescheduled for Monday, June 21 beginning at 6 p.m.**

HEARING: JOHN COLLINS

City Attorney Nelson stated the attorney for John Collins has also requested a reschedule date due to his having to be in Federal Court on a case. **The hearing was rescheduled for Monday, June 28 beginning at 6 p.m.**

Chairman Lively stated that administration needs to inform in writing why after a Council vote in favor of putting Mr. Collins back to work that he was never put back to work and is now having another hearing. He stated that has set a precedent that has never happened before; that the panel hearing the case voted in Mr. Collins' favor and he was never put back to work.

HEARING: JOHN COLLINS
(Continued)

Councilman Pierce stated Mr. Collins was never put back to work and was then fired; that he does not understand that.

Councilwoman Rutherford stated she served on the panel and has some real concerns about when this Council makes a decision why the decision is not followed through with, and in this case it was not follow through. She stated she asked Atty. Parker several times why they were not finding a position for Mr. Collins and never got an answer.

Councilman Pierce stated he would like for this to go to Committee because it needs more discussion. He stated he is not that familiar with the case.

City Attorney Nelson stated if the matter is going to be discussed both lawyers should be present. He stated he could give explanations but the Council is the judge and jury and does not want to present one side.

Councilwoman Rutherford restated that she would like to have a committee meeting held also because she would like to know why the decision was never carried forth.

The question arose as to the Council members serving on the Thompson and Collins hearings. The Council, Clerk Carol O'Neal, clarified that the panel hearing the Thompson case will be Councilmen Crockett, Hakeem, and Hurley (Chair). She stated the panel hearing the Collins case involves Councilmen Franklin (Chair), Hurley and Hakeem.

Councilman Eaves raised the question, too, as to why the judgment was not passed on and it is now being recommended that he be fired. Chairman Lively clarified that Mr. Collins has been fired.

Councilman Eaves inquired as to whether Mr. Collins has been paid from the time the panel made the judgment until now. City Attorney Nelson stated "that was the purpose".

Councilman Eaves asked if Mr. Collins is a City employee. City Attorney Nelson stated that is the purpose why Councilman Pierce has asked for a meeting of the original panel.

Councilman Pierce inquired as to who will be included in the meeting. City Attorney Nelson stated it will involve the Council, the two attorneys and Mr. Collins; that it will be like a court proceeding. He stated he cannot present his side without the other lawyer.

HEARING: JOHN COLLINS
(Continued)

Councilwoman Rutherford asked if the meeting will be public; that there will be two attorneys, the City Council and Mr. Collins who will all be present to hear what is being said. She stated she does not understand why the press would be excluded if everything the Council does is in the public's eye. Councilman Pierce indicated that the case would be prejudiced.

Councilman Eaves stated he is not asking to prejudice the case, but does not understand why he (Collins) was not put back to work. He stated he is not interested in the lawyers or anything else. He stated the Council made a decision and he does not understand why he was not put back to work; that as far as his being fired, now, that is fine. He reiterated his wanting to know why Mr. Collins was not put back to work.

Councilman Pierce stated the question will be answered; that the timing is not right for that question. He stated he does not feel comfortable with certain questions being asked in public with a hearing coming up.

Councilwoman Rutherford stated she knew Mr. Collins was not put back to work; that she has asked numerous times and Shelley Parker has never answered her questions. She stated she feels the Council has a right to know.

(At this point Councilman Eaves excused himself from the meeting.)

HEARING RESULTS:
EASTERLING SMITH

Councilman Hakeem stated the personnel hearing for Easterling Smith was held last evening and the Committee voted two-to-one to uphold the termination by Administration.

COMMITTEES

Councilman Taylor stated the regular meeting of the **Public Works Committee will be held on Tuesday, May 18 at 4 p.m.** He stated he will be out of the City and will need someone to chair the meeting. Councilman Franklin, newly assigned Public Works Chair, volunteered to chair the Committee.

Councilwoman Rutherford stated a meeting of the **Parks and Recreation Committee will be held at 4:30 p.m. on Tuesday, May 11.**

COMMITTEES (Continued)

Councilman Hakeem stated the **Budget and Finance Committee meetings will be added to the Committee schedule each week beginning May 25 through June 29** to discuss the 1999-2000 budget.

JOINT BUDGET HEARINGS

Councilman Hakeem reminded Council members of the joint City-County budget hearings scheduled for Wednesday, May 12 beginning at 9:30 a.m. at the County Commission meeting room.

JAMES WILLIAMS

Councilman Franklin recognized the presence of James Williams, a new City employee in charge of brownfields.

BILL SCHWALL

Bill Schwall stated he was present to participate in a Better Housing hearing. Chairman Lively informed Mr. Schwall that the hearing will take place at the close of the Council meeting.

RECESS

Chairman Lively recessed the meeting for five minutes prior to the Better Housing hearing scheduled immediately following Council meeting.

BETTER HOUSING HEARING

A hearing for Raymond Gorrell and William Schwall was held at this point regarding their appeal to the Better Housing Commission.

ADJOURNMENT

Chairman Lively adjourned the meeting until Tuesday, May 11, 1999 at 6 p.m.

CHAIRMAN

CLERK OF COUNCIL

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