

**Municipal Building  
Chattanooga, Tennessee  
June 15, 1999**

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

**INVOCATION**

Invocation was given by City Attorney Randall Nelson.

**SPECIAL PRESENTATION:  
CHARLES LOVE**

Charles Love, Vice President of the Hamilton County Board of Education, expressed appreciation for the \$8 million the City has voluntarily given to the School System. He stated the City is not under any mandate to do it, yet it is done out of a commitment for quality education in our schools. He stated that the main reason he is present is because the Council will be voting on a budget (tonight) that includes additional Resource Officers for the middle schools. He stated since the Resource Officers have been in the high schools there has been a significant decrease of incidents of violence over the last two years and all are looking forward to the same happening in the middle schools. He stated a positive understanding and relationship regarding law enforcement has begun since the law enforcement officials have been working within the schools. He stated character education programs, increased support from the County, the School Resource Officers and other programs have made a big difference and prevents the kinds of incidents formerly seen in the other schools systems. He stated he wanted to show his appreciation to the Council for their support of education by making his comments a part of the record. He stated he is certain he speaks for his colleagues on the Hamilton County Board and acknowledged the presence of Board member, Joe Conner.

**SPECIAL PRESENTATION: VISITING GUESTS**

Councilman Hakeem stated he had the pleasure of visiting with guests from all over the world who have come to Chattanooga through the Marshall Fund. He stated Eleanor Cooper has served as hostess to them and that he had an opportunity to talk with them about Chattanooga and its form of government. He asked that they introduce themselves and give their impressions of Chattanooga.

Cyril Garcia of Paris, France served as spokes person for the group and stated they have been sent to Chattanooga by the German Marshall Fund which helps young Europeans discover the United States and the different aspects of political, economic and social life. He stated they previously stopped in Washington and will be in Chattanooga for three days. He stated they have been "very well greeted" by people here and appreciates the way they have been received. Others visiting with them were Josep Oriol, Barcelona, Spain; Michal Nedorost, Prague, Czech Republic; Tunde Puskas, Galanta, Slovakia; and Andrea Thilo, Berlin, Germany.

Councilman Hakeem stated Mr. Garcia's primary interest had to do with the privatization of water and they had a lot to discuss today! He stated it was a pleasure meeting each of the visiting guests and hopes each can take away something they have learned from our City that can be used.

**REZONING**

**1999-052: Lincoln Trust**

On motion of Councilwoman Rutherford, seconded by Councilman Hakeem,

**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 1740 GUNBARREL ROAD, BEING ON THE SOUTHEAST LINE OF GUNBARREL SOUTHWEST OF IGOU GAP ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM O-1 OFFICE ZONE WITH CONDITIONS TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**

passed second reading; Councilman Pierce voted "no". On motion of Councilman Hakeem, seconded by Councilman Taylor, the ordinance passed third and final reading and was signed in open meeting; **Councilman Pierce voted "no"**.

**REZONING**

**1999-063: Gunbarrel Properties, LLC c/o John Anderson**

Councilman Eaves stated there has been a lot of misinformation concerning these two cases; that the original zoning case for 29 acres was approved by the Council in February of 1997 before any other zoning cases came up. He stated that has not been made clear throughout the county and the City and the only thing that is being zoned is a small piece of property that the City insisted they buy because the City no longer wants offsetting roads that cost large sums of money to line up and install signals. He reiterated that at the City's insistence they bought the property so that their entrance and exit would line up with the road across the street. He stated that is the only zoning involved here; that it has nothing to do with the 29 acres that were zoned in February, 1997. He stated he wanted to clear this up for those who are still perplexed by it.

On motion of Councilman Eaves, seconded by Councilman Franklin,

**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 1804 GUNBARREL ROAD, BEING ON THE SOUTHEAST LINE OF GUNBARREL ROAD SOUTHWEST OF IGOU GAP ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM O-1 OFFICE ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**

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

**REZONING**

**1999-077: Paul L. Morgan**

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,

**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 1000 HIXSON PIKE, BEING ON THE EAST LINE OF HIXSON PIKE NORTH OF BARTON AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM O-1 OFFICE ZONE TO C-5 NEIGHBORHOOD COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**

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

**REZONING**

**1999-078: Leo E. Harner**

On motion of Councilwoman Rutherford, seconded by Councilman Pierce,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,  
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT  
OF LAND LOCATED AT 2316 CENTER STREET SOUTHWEST OF  
MCCUTCHEON ROAD, MORE PARTICULARLY DESCRIBED  
HEREIN, FROM R-2 RESIDENTIAL ZONE TO C-2 CONVENIENCE  
COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**  
passed second reading. On motion of Councilwoman Rutherford, seconded by Councilman Taylor, the ordinance passed third and final reading and was signed in open meeting.

**REZONING**

**1998-080: Sheila D. Evans**

Councilman Taylor made the motion to substitute the amendments to this ordinance; Councilwoman Rutherford seconded the motion; the motion passed.

On motion of Councilman Hakeem, seconded by Councilman Taylor,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,  
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT  
OF LAND LOCATED AT 54 WEST 26<sup>TH</sup> STREET, BEING ON THE  
SOUTHWEST LINE OF WEST 26<sup>TH</sup> STREET, BEING ON THE  
SOUTHWEST LINE OF WEST 26<sup>TH</sup> STREET AT CARR STREET, MORE  
PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL  
ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO  
THE CONDITION THAT THE USE BE RESTRICTED TO A RESALE  
SHOP**  
passed second reading. On motion of Councilwoman Rutherford, seconded by Councilman Taylor, the ordinance passed third and final reading and was signed in open meeting.

**REZONING**

**1998-087: J. Frank Harrison**

Councilwoman Rutherford stated the applicant was asked to be present this week. Councilman Taylor stated he spoke with Councilwoman Hurley regarding this; that she had an opportunity to speak with the applicant who indicated that he will abide by the conditions.

**REZONING (Continued)**

On motion of Councilman Taylor, seconded by Councilman Pierce,

**AN ORDINANCE TO AMEND ORDINANCE NO. 6958 AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 921 BARTON AVENUE, BEING ON THE NORTHWEST LINE OF BARTON AVENUE AT DORCHESTER STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO C-5 NEIGHBORHOOD COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**

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.

**REZONING**

**1998-088: Baker, Donelson, Bearman & Caldwell, PC**

On motion of Councilman Hakeem, seconded by Councilman Franklin,

**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 5402 HIGHWAY 153, BEING ON THE NORTHEAST LINE OF HIGHWAY 153 NORTHWEST OF HIXSON PIKE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-3 WAREHOUSE AND WHOLESALE ZONE TO M-2 LIGHT INDUSTRIAL ZONE**

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

**PAY INCREASE FOR CITY PERSONNEL**

Councilman Hakeem made the motion to substitute the amendments to this ordinance; Councilman Franklin seconded the motion.

On motion of Councilwoman Rutherford, seconded by Councilman Taylor,

**AN ORDINANCE TO PROVIDE FOR A PAY INCREASE FOR CITY PERSONNEL EFFECTIVE JULY 1, 1999**

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

**CLOSE AND ABANDON**

**1998-132: Chattanooga Neighborhood Enterprise**

Councilman Franklin stated this matter was discussed in Public Works Committee and is recommended for approval.

On motion of Councilwoman Rutherford, seconded by Councilman Taylor,

**AN ORDINANCE CLOSING AND ABANDONING AN UNNAMED ALLEYWAY LOCATED NORTHWEST FROM WILLIAMS STREET AND SOUTHWEST FROM WEST 17<sup>TH</sup> STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON PLAT ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE**

passed first reading.

**AMEND CITY CODE**

City Attorney Nelson stated this matter was discussed in Committee last week and eliminates the distance requirements in the C-7 zone to make it the same as in the C-2 and C-3 zones.

Councilwoman Rutherford inquired as to the distance requirements for the C-2 and C-3 zones. City Attorney Nelson stated it is 500 feet from a church and/or school building.

Councilwoman Rutherford inquired as to how the ordinance can be changed regarding distance requirements to make it where alcohol and beer sales cannot be allowed next to a residence or adjacent to one. City Attorney Nelson stated the matter would have to be looked into. Councilwoman Rutherford expressed hope that it would be looked into because there are several problems on Brainerd Road.

On motion of Councilman Hakeem, seconded by Councilman Crockett,

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, SECTION 5-75(B), REGARDING DISTANCE RESTRICTIONS FOR THE SALE OF BEER OR OTHER BEVERAGES OF LIKE ALCOHOLIC CONTENT WITHIN THE C-7 NORTH SHORE COMMERCIAL ZONE**

passed first reading.

**FY 1999/2000 BUDGET**

Councilman Hakeem stated this matter was discussed in Budget and Finance; that there has been an opportunity over the past couple weeks to review the budget and the recommendation is to pass it on first reading, with the second and third reading occurring separately over the new two weeks.

**FY 1999/2000 BUDGET (Continued)**

Councilwoman Rutherford apologized to Councilman Hakeem and stated that she did not realize until after the budget meeting today that there is an item that she cannot philosophically vote for. She stated there is an appropriation of \$75,000 for the African-American Chamber, which is philosophically against her beliefs; that both races should work together under one Chamber. She stated at a committee meeting she expressed herself quite in a lengthy fashion; that she is happy to work with the black community to have a branch of the Chattanooga Chamber but cannot support a separate entity. She stated she will have to decline her vote tonight and maybe something will happen by next week that this item can be changed and she can vote for the budget; that she would like to vote for the budget. She stated she is sorry she did not bring it up earlier but did not know it was in until a few minutes before Council meeting.

Councilman Hakeem stated this has been reviewed by the Budget and Finance Committee and seems to be in line with the direction the City is moving (in). He stated it is somewhat of an affront to those people who have worked diligently and hard with both Chambers to not vote for an item of this nature, especially not to vote for the whole budget because of this item. He stated people have made great contributions to this city, both Caucasian and African-American; that there are items within the budget that everyone doesn't agree with. He stated there may be something within Councilwoman Rutherford's district that someone does not agree with, yet, as a whole, the whole budget is being voted for. He stated it is not uncommon throughout this nation to have an African-American Chamber.

Councilwoman Rutherford stated that she considers it an affront when she went to the Mayor and asked him several weeks ago if this item would be in the budget and she understood it would not be; that it would be handled separately. She stated there are probably many things she does not like in this budget but is the only thing she knows of in this budget which is philosophically opposed to her beliefs. She stated she believes this is regressive and very divisive; that she will not vote for anything she thinks will cause harm to any part of this City. She stated this one item will cause great harm to Chattanooga and she will not vote for it.

Councilman Taylor stated he had a chance to visit both Chambers to observe the working relationship both Chambers are moving in. He expressed that he sees change, now, and is something that has been long overdue; that this is something that will bring the Chambers and both communities together as they work toward economic development. At this point he "called for the question".

**FY 1999/2000 BUDGET (Continued)**

Councilman Hakeem stated there are issues that come before the African-American Chamber that the broader Chamber might not want to address or feel they cannot and there needs to be a forum for that. He stated there will be someone who will wake up every day and work on economic development within the African-American community. He stated when we talk about assisting African-American businesses we are talking about assisting this City as a whole by providing jobs and getting people off the street. He stated it is his hope this can be looked at in a positive light and not a negative one. He stated all of us might not agree with this item, but the budget in toto is good for this City.

On motion of Councilman Hakeem, seconded by Councilman Taylor,

**AN ORDINANCE, HEREINAFTER ALSO KNOWN AS "THE FY 1999/2000 BUDGET ORDINANCE", TO PROVIDE REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 1999, AND ENDING JUNE 30, 2000, 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 AN DPRIVILEGES ARE DUE, HOW THEY SHALL BE PAID, WHEN THEY SHALL BECOME DELINQUENT; AND PROVIDING FOR INTEREST AND PENALTY ON DELINQUENT TAXES AND PRIVILEGES**

passed first reading; **Councilwoman Rutherford voted "no"**.

**DECLARE SURPLUS**

On motion of Councilman Hakeem, seconded by Councilman Franklin,

**A RESOLUTION THAT CERTAIN PROPERTY LOCATED OFF GREENWOOD ROAD AND LOCATED ON WINDSOR STREET, MORE PARTICULARLY DESCRIBED HEREIN, BE DECLARED SURPLUS**

was adopted.

**DEPARTMENT NAME CHANGE**

Councilman Pierce inquired as to what is significant about changing the Department's name; that he does not think it is a name change but an addition to the name.

Admin. Mitchell stated when he was brought into the position as Admin. of Parks and Recreation he made a commitment to help build the arts in Chattanooga and help strengthen the City's arts program. He made reference to a visit to Atlanta and the Bureau of Cultural Affairs there.

**DEPARTMENT NAME CHANGE (Continued)**

Admin. Mitchell stated he noticed that the Council's committee is called "Parks, Recreation, Arts and Culture" and are the issues the Committee addresses. He stated the decision was made to enlarge the name to put more emphasis in the public to say this department is also about the arts besides parks, recreation and sports recreation.

Councilman Pierce stated he was not questioning it; that this is one of the departments that has existed for many years and now we are going to change the name, reiterating that it is not a name change. He asked how the public would really accept or get used to the longer part on the name. He indicated that he cannot support this.

On motion of Councilwoman Rutherford, seconded by Councilman Taylor,

**A RESOLUTION CHANGING THE NAME OF THE PARKS AND RECREATION DEPARTMENT FROM "DEPARTMENT OF PARKS AND RECREATION" TO "DEPARTMENT OF PARKS, RECREATION, ARTS & CULTURE"**

was adopted; **Councilman Pierce voted "no"; Councilwoman Rutherford abstained.**

**LEASE AGREEMENT: CORNERSTONE ORGANIZATION**

On motion of Councilwoman Rutherford, seconded by Councilman Taylor,

**A RESOLUTION AUTHORIZING THE PARKS AND RECREATION ADMINISTRATOR TO EXECUTE A LEASE AGREEMENT WITH THE CORNERSTONE ORGANIZATION, RELATIVE TO THE WALNUT STREET BRIDGE AND WALNUT STREET TURNAROUND ON SEPTEMBER 25, 1999, FOR THE ANNUAL WINE OVER WATER FESTIVAL**

was adopted.

**TEMPORARY USE: TROTTER PROPERTIES, INC.**

On motion of Councilwoman Rutherford, seconded by Councilman Hakeem,

**A RESOLUTION AUTHORIZING TROTTER PROPERTIES, INC. TO USE TEMPORARILY THE RIGHT-OF-WAY AT 1212 BROAD STREET FOR THE INSTALLATION OF TWO (2) TEMPORARY MONITORING WELLS, SUBJECT TO CERTAIN CONDITIONS**

was adopted.

**OVERTIME**

Overtime for the week ending June 11, 1999 totaled \$20,341.95.

**PERSONNEL**

The following personnel matters were reported for the Parks, Recreation, Arts and Culture Department:

TRAVIS D. MIDDLEBROOKS, MICHAEL A. WOODS, VINCENT K. FIELDS, WILLIAM H. RYAN, LARRY D. HELTON -- New Hire, Crew Worker, Ross' Landing Plaza, Pay Grade 3/Step 1, \$15,250.00 annually, effective June 24, 1999.

HERBERT LAZENBY -- Termination, Custodian, Memorial Auditorium, effective June 14, 1999.

**LARRY ZEHNDER**

Councilwoman Rutherford asked Admin. Mitchell to commend on Deputy Administrator Larry Zehnder's recent honor.

Admin. Mitchell stated Larry Zehnder was elected National Recreation Parks and Association Chairman of the President's Council; that he has formerly served as President. He stated Mr. Zehnder is soon to come off as the Tennessee Recreation and Parks Association's (TRPA) President and was elected Chairman of the President's Council at the National meeting, which is a high national honor. He stated Chattanooga will be well represented and will give (us) great leverage internationally.

**PURCHASES**

On motion of Councilman Hakeem, seconded by Councilman Franklin, the following purchases were approved for use by the Parks, Recreation, Arts and Culture Department:

**R & W CONTRACTORS, INC. (Only bid received)**  
**Requisition No. R0042554**

Twelve Months Requirements Contract for Maintaining and Repairing Pumps and Accessories with the City's Option to Renew

**(Price information available and filed with minute material)**

**PURCHASES (Continued)**

**CARRIER CORP. (Lowest and best bid)**  
**Requisition No. R0036857**

Twelve (12) Months Requirements Maintenance Contract for Memorial Auditorium HVAC with the City's Option for Two (2) One Year Renewals

\$23,660.00 per year

**PERSONNEL**

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

MICHAEL L. WEST -- Resignation, Assistant Purchasing Agent, effective June 11, 1999.

**PURCHASE**

On motion of Councilwoman Rutherford, seconded by Councilman Taylor, the following purchase was approved for use by the General Services Department:

**TOWER CONSTRUCTION COMPANY**  
**Purchase Order No. P0011715**

Change Order #1 (Installation of 568 lineal feet of new curbing along Tenth Street and for landscaping work along Eleventh Street near Community Kitchen)

\$209,084.45 (Original approval 3/2/99)

30,611.00 (Change Order #1)

\$239,695.45 (Total Contract Cost)

**PERSONNEL**

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

NATHANIEL HOWARD -- Return from Family Medical Leave, Equipment Operator, City-wide Services, effective May 18, 1999.

BENNIE L. GRAHAM -- Promotion, Equipment Operator, City-wide Services, Pay Grade 8/Step 4, \$23,923.00 annually, effective May 12, 1999.

**PURCHASES**

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

**DICKSON/PEARSON SUPPLY, INC. (Best bid)**

**Requisition No. 0041996**

Muffin Monster Grinder

\$14,739.00

**DIXIE FILTERS, INC. (Option #2, Best Bid)**

**Requisition No. 0041997**

Four (4) Purafil Drum Scrubbers

\$10,600.00

**FAIRFIELD SERVICE COMPANY (Lowest and best bid)**

**Requisition No. R0041950**

Bar Screen Parts

\$27,387.00

**CARL ERIC JOHNSON, INC. (Lowest and bet bid)**

**Requisition No. 0042050**

Moyno Pumps and Parts

\$26,700.00

**A. F. GREEN TRUCKING (Lowest and best bid)**

**Requisition No. 0041973**

Twelve (12) Months Contract for Leachate Pumping & Hauling

\$ 50.00/load/2000 gal. truck

125.00/load/5000 gal. truck

**PERSONNEL**

The following personnel matters were reported for the Fire Department:

RONALD MIZELL -- Resignation, Cadet, effective June 11, 1999.

ERNEST J. PORTER -- Suspension (2 days without pay), Chief, effective June 11-12, 1999.

**PURCHASES**

On motion of Councilman Crockett, seconded by Councilman Franklin, the following purchases were approved for use by the Fire Department:

**TRI-STATE STEEL DRUM, INC. (Only bid received)**  
**Requisition No. R0042907**

Twelve (12) Months Requirements Contract to Supply Waste Removal Service for the Chattanooga Fire Department

\$250.00/per 55 gal. drum

**NEDERMAN, INC. (Proprietary purchase)**  
**Requisition No. R0039480**

Exhaust Systems for Fire Hall Nos. 6, 8, 10, 13, 19, 20, 21, 22 per TCA 6-56-301

\$56,886.00

**MOTOROLA (Only available source)**  
**Requisition No. R0042908**

Upgrade if the Motorola MOSCAD Fire Department Alarm System

\$38,563.00

**PURCHASES**

**REMAINS TO BE SEEN (Acceptance on 6 items, Lower and better bid)**  
**NATIONAL ASSOCIATION OF TOWN WATCH (Acceptance on 5 items, Lower and better bid)**  
**Requisition No. R0038308**

Novelty Items for "National Police Night Out"

**(Price information available and filed with minute material)**

Councilman Taylor inquired as to the date for the "National Police Night Out". Chief Dotson stated the event will be held the first Tuesday in August (August 3); that the "National Night Out" encourages all neighbors to come out and introduce themselves to their neighbors.

**PERSONNEL**

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

DANIEL J. ANDERSON -- Resignation, Code Enforcement Inspector, Codes and Community Services, effective June 3, 1999.

KAREN D. CLAY -- Family Medical Leave, Office Assistant, Codes & Community Services, effective June 9, 1999.

**BOARD APPOINTMENTS**

On motion of Councilwoman Rutherford, seconded by Councilman Hakeem, the following Board appointments were approved:

**LIBRARY BOARD:**

☞ The reappointment of **Doris Kelley, David Turner, and Mary Lou Drazich** for terms to expire July 1, 2002.

☞ The appointment of **Randy Burns and Charles Steinhice** for terms to expire July 1, 2002.

**HEARING: STEVE LOGAN**

City Attorney Nelson stated Steve Logan has requested a hearing concerning his termination from the Chattanooga Police Department. **A hearing date of July 26 beginning at 6 p.m. was scheduled with Councilmen Eaves (service as Chairman), Hurley and Hakeem as the panel hearing the request; Councilman Taylor will serve as alternate.**

**HEARING: ALVIN THOMPSON**

City Attorney Nelson stated the attorney for Alvin Thompson has requested a reschedule date for his client's hearing due to personal conflicts. He indicated that the attorney had previously requested a reschedule date, which is why Mr. Thompson's hearing was rescheduled for Monday, June 21.

Councilman Hakeem inquired as to whether Mr. Thompson's attorney is aware of the one-time cancellation rule. City Attorney Nelson stated Mr. Thompson's attorney is aware of the rule; that he has postponed once.

Councilman Eaves stated matters of this nature can "go on forever"; that he has postponed once.

City Attorney Nelson was authorized by the Council to inform Mr. Thompson's attorney that his request for a second postponement will not be granted.

**COMMITTEES**

Councilwoman Rutherford scheduled a meeting of the **Parks and Recreation Committee for Tuesday, June 22 at 4 p.m.** She reminded everyone of the "Hassle Free" community event scheduled this week at the Eastgate Town Center.

Councilman Hakeem scheduled a meeting of the **Budget and Finance Committee for Tuesday, June 22 immediately following the Parks and Recreation Committee.**

**APPOINTMENT TO TML BOARD**

Councilman Franklin stated Councilman Hakeem was elected to a full term on the Tennessee Municipal League (TML) Board during the Conference held this week here in Chattanooga, and will serve as one of the representatives from East Tennessee.

**INTERNET AVAILABILITY**

Councilman Crockett stated he has received several calls from constituents asking for the availability of the budget to the public, specifically the budget on the Internet. He stated he would like for Mr. Burns to come forward and give an update on where we are on that subject.

Randy Burns, Management Analyst for the Council, stated the City has a web page and every effort has gone into updating departmental web pages. He indicated that the Council now has a web page. He stated as part of the finance department's web page the budget will be available; that the budget is not final and has not been approved. He stated once the budget is approved it will be included on the web page. He stated as it stands now, the Comprehensive Annual Budget Report (CABR) and Comprehensive Annual Financial Report (CAFR) are available in their entirety. He indicated that the City's web page address is [www.chattanooga.gov](http://www.chattanooga.gov) and that there is a lot of information out there on the web. He stated everything is not on the web for some matters and there is a lot of "work in progress".

Councilman Crockett inquired as whether there is an estimate as to when the web page will be completed. Mr. Burns responded that he did not know.

Councilman Crockett stated a number of people have asked him about the City's web page; that the web site is easy to find. He stated he did not know all of the financial information that is available; that he looked at the web site this afternoon and it looks good.

Mr. Burns stated many other departments are on the web site and it is a tool the whole City can use.

**DR. GRACE HEWELL**

Dr. Grace Hewell inquired as to the status of the redevelopment of the contaminated areas in Alton Park and Piney Woods; that several proposals have been submitted. She stated she attended a meeting when Councilman Taylor gave consideration to using brownfield areas as potential golf courses for inner-city youths and parks for the disabled; that we should think of parks not only for recreation and art, but also as educational parks. She stated other communities have gone rapidly ahead to develop in this manner; that EPA has funded golf courses as viable sources for economic development.

Councilman Taylor thanked Dr. Hewell for her comments and expressed appreciation for her dedication to the community. He stated at this present time there is a brownfield person who was recently employed that will be working to focus on brownfield initiatives. He stated Dr. Hewell brought up a good point regarding utilizing brownfields for golf courses and different things of that nature; that this is done quite often all over the world. He asked Dr. Hewell to continue to work with him and others in this effort and to meet with him personally to move that project in a forward motion.

**DR. GRACE HEWELL (Continued)**

Dr. Hewell stated she would like to have Councilman Taylor's request in writing and the role he would like for her to play prior to giving it consideration.

Councilman Crockett also expressed appreciation to Dr. Hewell for her contributions; that he thinks it is a good idea regarding utilization of brownfields for golf courses.

**DR. LEWIS SUMTER**

Dr. Lewis Sumter, semi-retired Professor Emeritus at UTC, stated all citizens must appreciate the Council for the great deal of work it takes in running this City; that it is no easy task and the consequences of certain decisions will determine the well being of Chattanooga. He stated he has three questions regarding the proposed take-over of the Tennessee-American Water Company that will set a dreadful precedent. He asked if it would be best to table or put on hold this proposed acquisition until serious public debate can take place and a thorough study conducted by competent, independent experts. He stated his second question has to do with education; that education in this City and America can be described as a disaster and it is obvious to students that the schools are not being served. He stated his question is "What is learning and how do we make provisions for it?" He stated there should be serious public debate before submitting to something that is not going to work. He stated his third question has to do with the purpose of governance; that it is now time for the Mayor and this Council to ask what the proper role of government is in this City.

**L.E. SPARKS**

L.E. Sparks of 5313 Kimbro Street addressed the Council again regarding the water runoff problem he is encountering; that the Public Works department head was to have given him a call and was to come out to look at it. He stated he has not heard from him nor has he seen him.

Phillip Lynn, City Engineer, stated there was a discussion regarding Mr. Sparks' concern as mentioned in open Council meeting. He stated the information was given to Mr. Marcellis, who has not passed the information on to him (Lynn). He stated he does not have the information and will be out to see Mr. Sparks on tomorrow.

At this point Chairman Lively reminded Mr. Sparks of the thirty-day rule wherein a person addressing the Council can only appear twice within a thirty-day period.

**ADJOURNMENT**

Chairman Lively adjourned the meeting until Tuesday, June 22, 1999 at 6 p.m.

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CHAIRMAN

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CLERK OF COUNCIL

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