

**Municipal Building
Chattanooga, Tennessee
October 19, 1999**

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

INVOCATION

The invocation was given by Attorney Randall Nelson.

MINUTE APPROVAL

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

SPECIAL PRESENTATION
EASTGATE TOWN CENTER

Mr. Jerry Chauvin, Senior Vice-President and Project Manager made the Eastgate Town Center presentation. He thanked the Council for allowing them to talk to them and gave an update of the process, stating that it was a unique one. He explained that the vision of Eastgate was quality mixed-use; that this City is focused, visionary, and committed to sustainable growth in regards to this project. Mr. Chauvin then went on to tell a little bit about the status—that it is a mixed-use town center and a neighborhood within a neighborhood; that Eastgate had lost its purpose and that the City of Chattanooga, the Planning Agency, and others all came together to achieve the visionary idea. He reiterated that the Plan called for mixed-use, including offices, retail and service entities; that what one sees now is total redevelopment from the outside; there are 400,000 offices and 4,000 office workers; the YMCA is housed here; there is a full-fledged Day Care; and there is a Food Court. Mr. Chauvin mentioned the quality retail, including the Gap and Dress Barn; that there was some discussion about entertainment venues; that Eastgate is not what it was and has quickly grown into mixed-use.

EASTGATE TOWN CENTER
(CONTINUED)

Mr. Chauvin noted that the City had played an integral role in this; that acquisition of a Center like this has to be aggressive; that it would be a \$40 million project including acquisition and exclusive of what happened to the roads; that this price is for the center and mall itself and adjacent areas. He noted that the Park is on the agenda and is the issue we are here about tonight; that the Park is the gateway to the project, and it is modeled after a Civic Plaza and calls for lining the Park with several buildings—the two-story Schlotzsky's with office space above being one of them; one of the other buildings is the Champion Cleaners; on the east side of the Plaza are two additional buildings going into construction, including a restaurant chain out of Atlanta and a franchise from downtown, which will operate a smaller operation.

Mr. Chauvin talked about the retail component and the challenge to bring it back as mixed-use; that this was successful as an office site, noting that it was difficult to attract quality retail and the retail would be moved to the east side. He mentioned the ice rink and health house and again expressed his appreciation for the efforts of the City of Chattanooga in bringing this to fruition.

Councilman Hakeem thanked Mr. Chauvin and Mr. Wood for coming out and sharing this with us; that it gave the Council a better feel of what was going on, and he felt it was to the City's benefit to move forward, and he again thanked them for their efforts.

Councilman Crockett noted that we have a lot of people through Chattanooga from all over the world and one of the most interesting things was the redevelopment of spaces like this mall. He mentioned an Augusta, Georgia, group who had flown up to Chattanooga and had looked over the Eastgate Mall and was now consulting with the Eastgate group to do one like this in Augusta; that he hoped this concept would spread all over the southeast and the country. It was noted that a group from Baton Rouge have been here also.

On motion of Councilman Hakeem, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE PAYMENT OF UP TO TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00) FROM THE ECONOMIC DEVELOPMENT FUND TO THE EASTGATE TOWN CENTER FOR THE CONSTRUCTION OF A COMMERCIAL PLAZA IN CONJUNCTION WITH THE AGREEMENT WITH EASTGATE TOWN CENTER AS AUTHORIZED BY RESOLUTION NO. 22067

was adopted. Councilwoman Rutherford stated that she was thrilled about this and recused herself from this vote.

FRANCHISE
KMC TELECOM III, INC.

On motion of Councilman Hakeem, seconded by Councilman Pierce,
**AN ORDINANCE GRANTING UNTO KMC TELECOM III, INC. A
FRANCHISE TO INSTALL AND MAINTAIN FIBER OPTIC
CABLES IN CERTAIN RIGHTS-OF-WAY IN THE CITY OF
CHATTANOOGA TO PROVIDE TELECOMMUNICATION
SERVICES, SUBJECT TO CERTAIN CONDITIONS**
passed second reading.

REZONING

#1999-167 (CBH Properties, LLC)

On motion of Councilman Hakeem, seconded by Councilwoman Rutherford,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS
AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO
REZONE A TRACT OF LAND LOCATED SOUTHWEST OF THE
7400 BLOCK OF GOODWIN ROAD, MORE PARTICULARLY
DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO C-5
NEIGHBORHOOD COMMERCIAL ZONE**
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

#1999-168 (Chattanooga-Hamilton County Hospital Authority)

On motion of Councilman Pierce, seconded by Councilman Franklin,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS
AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO
REZONE TRACTS OF LAND LOCATED ON THE SOUTH SIDE
OF EAST 3RD STREET LOCATED AT 1116 EAST 3RD STREET
AND IN THE 1100 BLOCK OF EAST 3RD STREET, MORE
PARTICULARLY DESCRIBED HEREIN, FROM R-3
RESIDENTIAL ZONE TO O-1 OFFICE ZONE, SUBJECT TO
CERTAIN CONDITIONS**
passed second reading. On motion of Councilwoman Rutherford, seconded by
Councilman Pierce, the ordinance passed third and final reading and was signed in open
meeting.

REZONING

#1999-170 (Allied Metal Company)

On motion of Councilman Crockett, 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 ON THE SOUTHEAST SIDE OF LIGHTFOOT MILL ROAD LOCATED IN THE 3400 BLOCK OF LIGHTFOOT MILL ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO M-1 MANUFACTURING 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.

REZONING

#1999-171 (Fidelity Trust Company)

Councilman Crockett made the motion to substitute. This was seconded by Councilman Franklin. On motion of Councilman Crockett, 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 ON THE NORTHWEST SIDE OF HIXSON PIKE LOCATED AT 1307 HIXSON PIKE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO THE CONDITION THAT THE OUTWARD APPEARANCE OF THE STRUCTURE BE MAINTAINED SIMILAR TO OTHER ADJACENT RESIDENTIAL STRUCTURES

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

#1999-174 (Silas L. Johnson)

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 ON THE NORTHEAST SIDE OF EAST BRAINERD ROAD LOCATED AT 6033, 6041, AND 6065 EAST BRAINED ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE AND R-2 RESIDENTIAL ZONE TO O-1 OFFICE ZONE, SUBJECT TO CERTAIN CONDITIONS

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

REZONING

#1999-176 (George S. Elder)

On motion of Councilman Hakeem, seconded by Councilwoman Rutherford,

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED ON THE SOUTH SIDE OF EAST MAIN STREET LOCATED AT 100 EAST MAIN STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS 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.

**AMENDING ZONING
CONDS. & REZONING**

1999-150 and 1999-151 (L & P, LLC)

Councilman Pierce stated that these cases had been passed to give Planning a chance to work with the applicant; that we have four versions, and the applicant is not present tonight and the Planning Staff has asked that this be held for one more meeting. **On motion of Councilman Pierce, seconded by Councilman Crockett, this will be tabled for one more week.** Mr. Pace stated he would get with the parties involved; that it would not require a committee meeting; that this was a very complicated case.

AMEND BUDGET ORDINANCE

On motion of Councilman Hakeem, seconded by Councilman Crockett,
AN ORDINANCE TO AMEND ORDINANCE NO. 10872, ENTITLED "AN 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 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 GENERAL FUND ESTIMATED REVENUE; TO PROVIDE FOR CERTAIN CHANGES IN APPROPRIATIONS SET OUT IN SECTION 5; TO PROVIDE FOR CERTAIN CHANGES IN PERSONNEL SET OUT IN SECTION 7C; TO PROVIDE FOR CERTAIN CHANGES SET OUT IN SECTION 9; AND TO PROVIDE FOR CERTAIN CHANGES SET OUT IN SECTION 11

passed first reading.

CONTRACT

On motion of Councilman Hakeem, seconded by Councilman Crockett,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS, RECREATION, ARTS & CULTURE TO ENTER INTO A CONTRACT WITH ARTECH DESIGN FOR ARCHITECTURAL SERVICES RELATIVE TO THE EAST CHATTANOOGA RECREATION CENTER FOR AN AMOUNT NOT TO EXCEED SEVENTY-FIVE THOUSAND (\$75,000.00)

was adopted.

CONTRACT

On motion of Councilman Franklin, seconded by Councilwoman Rutherford,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS, RECREATION, ARTS & CULTURE TO ENTER INTO A CONTRACT WITH RITCHIE SMITH ASSOCIATES RELATIVE TO THE BRAINERD RECREATION COMPLEX IN AN AMOUNT NOT TO EXCEED THREE HUNDRED THOUSAND DOLLARS (\$300,000.00)

was adopted.

Councilman Hakeem noted that the following two Resolutions were discussed in committee and come with recommendation.

CONTRACT CHANGE ORDER
HAREN CONSTRUCTION CO.

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1, CONTRACT NO. CSO-5b-99, CITICO COMBINED SEWER OVERFLOW FACILITY, WITH HAREN CONSTRUCTION COMPANY, WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY THIRTY-FOUR THOUSAND, THREE HUNDRED SIXTY-EIGHT DOLLARS (\$34,368.00) FOR A REVISED CONTRACT AMOUNT OF FIVE MILLION, ONE HUNDRED SIXTY-SEVEN THOUSAND, THREE HUNDRED SIXTY-EIGHT DOLLARS (\$5,167,368.00)

was adopted.

STREETSCAPE PROJECT
BELLSOUTH STADIUM

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING A STREETSCAPE PROJECT NEAR BELLSOUTH STADIUM AT A COST NOT TO EXCEED THREE HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$325,00.00) TO BE FUNDED FROM THE ECONOMIC DEVELOPMENT FUND, AND FURTHER AUTHORIZING THE AWARD OF CONTRACT NO. SS-4-99, THIRD STREET STREETSCAPE PROJECT, TO RIVERBEND CONSTRUCTION CORPORATION FOR THEIR LOW BID IN THE AMOUNT OF TWO HUNDRED SEVENTEEN THOUSAND, SIX HUNDRED NINE AND 50/100 DOLLARS (\$217,609.50) AS A PART OF THAT PROJECT

was adopted.

Councilman Hakeem noted that the next Resolution came with a joint recommendation from the Budget Committee and the Economic Development Committee.

**CHAMBER FOUNDATION
PAYMENT**

On motion of Councilman Hakeem, seconded by Councilwoman Rutherford,

**A RESOLUTION AUTHORIZING PAYMENT TO THE
CHAMBER FOUNDATION IN THE AMOUNT OF THIRTY-
SEVEN THOUSAND, FIVE HUNDRED DOLLARS (\$37,500.00)
FROM THE ECONOMIC DEVELOPMENT FUND FOR AN
ECONOMIC DEVELOPMENT STUDY**

was adopted.

**CONTRACTS
BEERS/PARKS**

Councilman Hakeem stated that this was discussed in committee today and comes with a recommendation. Adm. Boney substituted another copy of the Resolution, noting that there was no error in the total, but that this would be accomplished in two structural phases and this just showed a slightly different breakdown.

On motion of Councilman Hakeem, seconded by Councilman Franklin,

**A RESOLUTION AUTHORIZING THE EXECUTION OF
CONTRACTS WITH BEERS/PARKS, A JOINT VENTURE, TO
CONSTRUCT THE CONFERENCE CENTER AND PARKING
DECK FOR A TOTAL CONSTRUCTION BUDGET OF THIRTY-
FIVE MILLION, NINE HUNDRED TWENTY THOUSAND, FOUR
HUNDRED THIRTY-THREE AND NO/100 DOLLARS
(\$35,920,433.00)**

was adopted.

Councilman Crockett stated that he enthusiastically supported this and everyone knows how difficult it is to make parking garages attractive, and this will be put up in two phases, and he hopes they would look at the architecture and hoped that this garage would not detract from the looks of the City.

OVERTIME

Overtime for the week ending October 15, 1999 totaled \$14,998.58.

PURCHASE

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

GAMETIME/DOMINICA RECREATION (Best and lowest bid)
Requisition No. R0042694

Playground Equipment (East Lake Park Imp.)

\$34,475.00

PURCHASES

On motion of Councilman Pierce, seconded by Councilman Crockett, the following purchases were approved for use by the Department of General Services:

ASSOCIATED MECHANICAL SYSTEM, INC. (Lowest and best bid)
Requisition No. R0042262

HVAC Modifications at Bessie Smith Hall

\$64,760.00

WALLACE TILE (Lowest and best)
Requisition No. R0042270

Flooring at Bessie Smith Hall

\$44,000.00

PERSONNEL

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

JACKIE MCCRARY, JR.—Employment of Heavy Equipment Operator, Pay Grade 10/1, \$23,033.00 annually, effective 10/20/99.

BARBARA R. TIBBALS—Employment of Information Technician, Pay Grade 10/1, \$23,033.00 annually, effective 10/08/99

EARL HILL, JR.—Lateral Transfer of Heavy Equipment Operator, Pay Grade 10/5, \$27,641.00 annually, effective 10/20/99.

Councilman Crockett stated that this week's Coolidge Park opening made him recall a conversation he had had with Adm. Marcellis about the bridges; that Market Street Bridge was being rehabbed; that with all of the additional people going to the park, he thought sidewalks and railings were needed on the bridges—that foot traffic would be increasing and there would be mothers with small children going to Coolidge Park. He asked if this could be investigated by the State as he had brought this up repeatedly and could it be a part of this work.

Adm. Marcellis responded that in the next phase we will look at sidewalks and railings; that he had not yet been able to convince TDOT to put guardrails in—that they feel they would be too close to the narrow lanes of the Market Street Bridge and would take up 2 ft. of the sidewalk. He stated that he had not gotten a positive answer yet. Councilman Crockett suggested inviting TDOT to take a walk with us across the bridges.

Councilman Eaves stated that he was concerned about this, too; that on the Walnut Street Bridge one slides in the “dog poop”; that if we allow dogs on the Market Street Bridge a man would be in the traffic if he should fall. He asked that this be added to the Study!

PURCHASE

On motion of Councilman Hakeem, seconded by Councilwoman Rutherford, the following purchase was approved for use by Finance & Administration:

GEOGRAPHIC TECHNOLOGIES, GROUP, INC. (Lowest and best bid for City): Requisition No. R0040442

Computer Software—GIS Related

\$104,000.00

COMMITTEE REPORTS

Councilman Taylor announced that there would be a Safety Committee meeting on **November 9th immediately following the Parks and Recreation Committee.** Councilman Taylor thanked those who came out and made the Coolidge Park opening a success. He also invited everyone to come out and celebrate **“Scrub Day” in the Alton Park Community at 10:00 A.M. on Saturday, October 23rd.**

COMMITTEE REPORTS
(CONTINUED)

Councilwoman Rutherford reminded Council members of the **Parks and Recreation Committee scheduled on Tuesday, October 26th at 4:00 P.M.** She asked Councilman Taylor about the cemetery clean-up on Saturday. He responded that it went extremely well; that they had support from all over the City, and he thanked everyone. He noted that Public Works was supposed to pick up the debris. Adm. Marcellis stated that they had not done this, but they would do it.

Councilman Hakeem asked if it were appropriate for him to mention the letter that Chairman Lively had put in each of their mailboxes in regards to the Water Company agreement. He stated that he respected Chairman Lively's desire to resolve this situation and was willing to listen, and he respected Councilman Lively, as Chairman, for putting it in committee. He stated he did, however, question it being put in the Economic Development Committee. Chairman Lively responded that there are several options on the table; that he took a chance, hoping that Councilman Crockett can handle this.

Councilman Franklin stated that he had no report; however he thanked Public Works for taking on stormwater problems and bugs and noted that there was a large underground bee nest in the cemetery.

Councilman Eaves stated that Adm. Marcellis needed to check the load-bearing capacity of the Walnut Street Bridge—that it looked like either elephants or water buffaloes were walking across it.

Councilman Crockett scheduled a **Committee-of-the Whole meeting on Tuesday, November 2nd at 3:00 P.M.** **The Public Works Committee will immediately follow this, and the Economic Development Committee will immediately follow Public Works.**

Councilman Crockett reminded Councilmembers of the meeting **Thursday night at 6:00 P.M. at the Bicentennial Library on the proposed Rail Link and environmental issues.** He stated that consultants and engineers would be present.

HALLOWEEN

Chairman Lively announced that the Council Office had received several calls asking if the Council was going to pass a Resolution on the appropriate time to celebrate Halloween this year since it fell on Sunday. He suggested that children observe Halloween on Saturday and keep the Lord's Day Holy. He stated that the Council had passed a Resolution one time designating the day Halloween would be observed but would never do this again—that we would not pass a Resolution designating that Halloween be celebrated on Saturday.

VISITING STUDENT

Councilman Lively recognized a student who was visiting the Council meeting tonight and asked her to introduce herself. She was Susie Sokohl , a 7th grader from GPS.

ADJOURNMENT

Chairman Lively adjourned the meeting until Tuesday, October 26, 1999 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)**

