

**City Council Building  
Chattanooga, Tennessee  
August 15, 2000**

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

**PLEDGE OF ALLEGIANCE/INVOCATION**

Following the Pledge of Allegiance, City Attorney Nelson gave invocation.

**MINUTE APPROVAL**

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

**CLOSE AND ABANDON**

**2000-050: Anchor Trust, Inc.**

On motion of Councilman Lively, seconded by Councilman Taylor,

**AN ORDINANCE CLOSING AND ABANDONING A SEVENTY (70)-  
FOOT LENGTH OF JOHN DOUGLASS DRIVE FROM THE DEAD END  
AND MOVING THE CUL-DE-SAC SEVENTY (70) FEET TOWARDS  
CHAPMAN ROAD, MORE PARTICULARLY DESCRIBED HEREIN  
AND AS SHOWN ON PLAT ATTACHED HERETO AND MADE A PART  
HEREOF BY REFERENCE, SUBJECT TO A CERTAIN CONDITION**

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**

**2000-098: Patten Golf, Inc.**

Chairman Hakeem stated that the attorney representing the applicant for Ordinances 5(a) and (c) has requested postponement until August 29.

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 AMEND CERTAIN CONDITIONS IMPOSED IN ORDINANCE NO. 10499 ON PROPERTY LOCATED AT 1073 MACKEY AVENUE, BEING MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS**

was tabled two weeks (August 29).

**REZONING**

**2000-099: Patten Golf, Inc.**

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 1071 MACKEY AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE AND O-1 OFFICE ZONE TO C-1 HIGHWAY COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**

was tabled two weeks (August 29).

**REZONING**

**2000-130: Jerry Hagan**

Councilmen Lively and Hurley made the motion and second to substitute the amendment to this Ordinance; the motion passed.

**REZONING (Continued)**

On motion of Councilman Lively, 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 1603 AND 1605 GUNBARREL ROAD AND 7387  
APPLEGATE LANE, MORE PARTICULARLY DESCRIBED HEREIN,  
FROM R-1 RESIDENTIAL ZONE AND O-1 OFFICE ZONE TO R-4  
SPECIAL ZONE**

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**

**2000-136: Raymond Garrell**

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 2003 WATAUGA STREET, MORE  
PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL  
ZONE TO M-1 MANUFACTURING ZONE**

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

**REZONING**

**2000-156: Melissa Hefferlin and Daud Mahkriv**

On motion of Councilwoman Hurley, 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 IN THE 1400 BLOCK OF WILLIAMS STREET,  
MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1  
MANUFACTURING ZONE TO C-2 CENTRAL BUSINESS ZONE**

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

**CLOSE AND ABANDON**

**1999-184: City of Chattanooga**

Councilman Franklin stated this request came before Public Works Committee and approval is recommended.

On motion of Councilman Franklin, seconded by Councilwoman Hurley,

**AN ORDINANCE CLOSING AND ABANDONING A ONE HUNDRED FOOT PLUS/MINUS (100'±) AND FIFTEEN FOOT PLUS/MINUS (15'±) WIDE SECTION OF RIGHT-OF-WAY OF BROAD STREET AT EAST 10<sup>TH</sup> STREET, MORE PARTICULARLY DSECRIBED HEREIN AND AS SHOWN ON PLAT ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS**

passed first reading.

**REZONING**

**2000-108: Steven Reese**

The applicant's representative was present; there was opposition in attendance.

Jerry Pace of the Planning Agency stated that this request was deferred from last week and is south of the newly rezoned WalMart Center. He stated the area to the west of the requested site is M-3, and to the east and south is all single family residential with some M-3 and C-2 zones to the north. He displayed a map of the area and stated that the recommendation from the Planning Commission and Staff is to deny because it was felt approval would encourage similar requests in the area for rezoning, indicating that Winding Lane is a very narrow lane road and is of a residential nature.

Councilman Lively stated that he did not feel there was a great urgency to move on this request tonight and suggested that the matter be delayed for 30 days. He stated it is his understanding several more requests for rezoning have gone up, as there are signs up-and-down the street.

Mr. Pace stated that some of the signs are old signs that are left from the WalMart Center request; that as far as he knows there are no new requests this month. Councilman Lively indicated that he did not look at the dates on the signs.

Chairman Hakeem inquired as to the location of the M-3 area. Mr. Pace responded that the M-3 area involves the mini-warehouses and that there is a strip of land between and beyond the site that separates the mini-warehouses that is also zoned M-3.

**REZONING (Continued)**

Chairman Hakeem stated that he saw a sign labeled “Wolford” and assumed that to be the developer of the complex. Mr. Pace indicated that several of the signs from the WalMart rezoning were still up.

Chairman Hakeem asked for clarification regarding the entrance to the WalMart Center. Mr. Pace stated that the entrance is on the east side; that there is a 64-foot strip area zoned C-2 from Winding Lane to the area for the WalMart.

Chairman Hakeem inquired as to the property on the east side that is zoned C-2. Mr. Pace stated that that particular property was rezoned last month.

Councilman Crockett clarified that the C-2 is only for the purpose of a road leading to the WalMart. Mr. Pace indicated that Councilman Crockett was correct. Councilman Crockett asked if the C-2 could be downzoned? Mr. Pace responded “no”; that a residential zone cannot be crossed to get to commercial property.

Councilman Crockett asked if there is a purpose for the C-2 other than just a road? Mr. Pace stated that the C-2 serves as a bumper guard in not allowing trucks into the area; that cars are permitted but no trucks.

Atty. John Anderson of Grant, Konvalinka and Harrison stated he was present representing Steve Reese and indicated that Mr. Pace had presented everything he planned to say; that he would like to add that there is C-2 on the east side and the north and west is bounded by M-3; that there is a pocket of residential surrounded by commercial and manufacturing zones. He stated it would be appropriate to rezone this property to C-2 and that it would not encourage the “domino effect” of having additional requests as the circumstances of this property are unique. He respectfully requested the petition for C-2 be granted.

Councilwoman Hurley asked if the applicant has any plans or drawings? Atty. Anderson stated that there is a site plan and they are in discussion regarding them. He stated there has been no formalization of plans; that the use will be for the traditional out parcel-type uses and retailers interested in this site.

Councilwoman Hurley stated that there was discussion at last week’s meeting that in other areas O-1 is used as a buffer between development and residential areas; that there was some sentiment last week of the proposal taking O-1 as another step down.

REZONING (Continued)

Atty. Anderson stated that O-1 would not be as attractive or quite as marketable; that all the discussion entered into has centered around C-2 as a buffer to residential, with C-2 on the east and north and manufacturing on the west. He stated the O-1 as a buffer would not be effective with landscaping on the front. He again requested approval of the property as C-2.

Councilwoman Hurley stated that she sat on the Planning Commission when this issue was heard and both Staff and the Planning Commission were unanimous in denial. She stated that it is her thinking that the reason they were as such is because of the large development that had been approved and the developer was held to unusually high standards to get approval; that the request came with support from the neighborhood and support from the Staff and Planning Commission. She stated WalMart has gone through unusual lengths to buffer and have a treatment for this development that is of a very high standard; that the arguments that were most mitigated against that large development was this very thing, that out parcels would begin to stair step into the neighborhood, which is the reason she voted against it.

Councilman Lively stated before the Council gets too deeply involved in this and if the majority of the Council feels inclined to approve, he suggested that the same restrictions for landscaping and setback requirements be imposed on this property as was set for the WalMart development; that as it stands now there are no restrictions.

Councilman Crockett stated that the point needs to be made that he never worked with a developer that went to the lengths and did as good a job as the developer who is developing WalMart; that they flew to Chattanooga four times to meet and make modifications to design, color scheme and everything else that is not typically done. He stated there was a lot of interaction with the community and for that reason not a single person showed up to oppose one of the largest developments done in close proximity to a neighborhood he has ever seen. He stated this property could have been sold as it has always been close to M-2; that the existing zoning was always there. He stated this is only being offered and is not being cut off because a huge investment has gone into it; that there should be care in making sure this property owner is treated fairly, also. He asked that the matter be tabled until it can be figured out how this fits in, whether in O-1 or C-2; that he would be hesitant to vote for C-2, but his mind is not "closed" to it.

**Councilman Crockett** stated that real issue is will this through the same type of process of discussion that we went through on a huge transaction? He again suggested that the matter be tabled until the matter can be figured out, not from one strip on the map but get WalMart's plans and go through the same process of interaction with the community and keep faith that both developers and the community can decide. He **made the motion to table the matter without a time frame; Councilman Lively seconded by motion.**

**REZONING (Continued)**

Councilwoman Rutherford asked if there was any opposition at the Planning Commission pertaining to this? At this point a gentleman in the audience raised his hand in opposition that was not present when the request was initially read.

Mr. Pace stated that he could not remember anyone in opposition; that he would have to look back into the file.

Councilwoman Rutherford asked if the entrance off Winding Lane is the main entrance into the WalMart Center? Mr. Pace responded “no”; that it is a secondary entrance; that they have two or three entrances off 153.

Councilwoman Rutherford stated that Councilman Crockett indicated that there is no zoning change around this property, asking if the C-2 in the area has always been C-2? Mr. Pace responded “no”; that it was R-1.

Councilwoman Hurley stated that since the matter came before Planning her impression, as Councilman Crockett suggested, was that there was a good deal of neighborhood interaction and concern about WalMart; that there were assurances given to the neighborhood that the “foot print” of WalMart would be just that. She stated that it is her impression that the neighborhood was not aware this sign was moving from that original agreement.

Councilman Franklin stated for his sake and Councilman Taylor’s who were not present last week, he asked the developer if there was any desire to do any of the restrictions that were outlined in the WalMart development to make this “piece” more cohesive.

Atty. Anderson stated there would not be any objection to place the restrictions that were placed on the Wolford development in terms of landscaping.

Councilman Franklin asked if there has been any communication with the community people or residents that live in the immediate proximity?

Atty. Anderson stated there was no direct communication; that his clients have had discussion with various community residents.

Councilman Crockett stated there is a lot of confusion out there from old zoning cases that are still up on the property. He indicated that he stopped in a new neighborhood that has been built and they were not aware this was a new zoning case; that they knew we had gone through the WalMart rezoning, but were not aware this was a separate new case. He stated they were a little disturbed that they did not know what was going on; that there will be some community discussion when they understand that.

**REZONING (Continued)**

Atty. Anderson stated that the preference is to move on; that if the Council so desires to table the matter he asked that it not be for an indefinite period of time but be more time specific. He requested that the delay not exceed 30 days.

**Councilman Crockett modified his previous motion to include a “30 day delay”; Councilman Lively, as seconder of the motion, sanctioned his agreement.**

Tony Williams, developer of the Chase Meadows Subdivision, stated that he owns the homes in the subdivision. He stated when WalMart came in they were very good about having community meetings; that his subdivision has 18 or 20 residents who were afraid WalMart would depreciate their property. He stated they were assured from that point on by the WalMart developers of everything they did; that the City and Planning put up a buffer going down the road from the C-2 zoning, which was one of the reasons they did not have any opposition from that community and adjacent communities. He stated there have been yellow signs up for over six months and he cannot tell “which from what”. He stated he did not know of this zoning request, as it will have a strong influence with his subdivision in the rear; that the way he found out about it was through the article in Monday’s newspaper. He reiterated that the community does not know about this.

Mr. Pace stated that when applicants pick up their signs for rezoning requests they are asked to keep the sign up through the process; that they do not have anything that says when to take them down. He stated this is something the Agency will look into with regard to removal of signs, as it can be very confusing.

On motion of Councilman Crockett, 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 5925, 5927 AND 5929 WINDING LANE, MORE  
PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL  
ZONE AND R-5 RESIDENTIAL ZONE TO C-2 CONVENIENCE  
COMEMRCIAL ZONE**

**was tabled 30 days (September 19).**

**CLOSE AND ABANDON**

**2000-144: Carter Street Corporation**

Councilman Franklin stated this matter came before the Public Works Committee and is recommended for approval.

**CLOSE AND ABANDON (Continued)**

On motion of Councilman Franklin, seconded by Councilman Lively,

**AN ORDINANCE CLOSING AND ABANDONING FORT STREET BETWEEN WEST 12<sup>TH</sup> AND WEST 13<sup>TH</sup> STREETS AND OF 12<sup>TH</sup> STREET BETWEEN CHESTNUT STREET TO CARTER STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON PLAT ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS**

passed first reading.

**AMEND CITY CODE**

City Attorney Nelson stated after the committee meeting regarding this matter he drafted the Ordinance and could not recall whether it was the intent of the Council to bar someone from serving two terms in the same office or the same person from two terms as an officer. He stated that an alternate has been prepared for whichever version. It was clarified that Version 1 was the version the Council requested.

On motion of Councilwoman Rutherford, seconded by Councilman Taylor,

**AN ORDINANCE TO AMEND PART II, CHATTANOOGA CITY CODE, SECTION 5-17, BY DELETING FROM SUBSECTION (c) THE SENTENCE WHICH PROHIBITS MEMBERS FROM SERVING MORE THAN TWO (2) CONSECUTIVE TERMS ON THE BEER BOARD, AND ADDING A PROVISION TO SUBSECTION (E) PROHIBITING OFFICERS FROM SERVING CONSECUTIVE TERMS IN THE SAME OFFICE**

passed first reading.

**AMEND BUDGET ORDINANCE NO. 11027**

Admin. Boney stated this matter was discussed in Committee today and appropriates money for the Solid Waste Fund and back taxes.

On motion of Councilman Franklin, seconded by Councilwoman Hurley,

**AN ORDINANCE TO AMEND ORDINANCE NO. 11027, ENTITLED "AN ORDINANCE, HEREINAFTER ALSO KNOWN AS 'THE FY 2000/2001 BUDGET ORDINANCE', TO PROVIDE REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 2000, AND ENDING JUNE 30, 2001, AND APPROPRIATING SAME TO THE PAYMENT OF EXPENSES OF THE MUNICIPAL GOVERNMENT; FIXING THE RATE OF TAXATION**

**AMEND BUDGET ORDINANCE NO.  
11027 (Continued)**

**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 PROVIDING FOR INTEREST AND PENALTY ON DELINQUENT TAXES AND PRIVILEGES.” SO AS TO PROVIDE FOR CERTAIN CHANGES IN APPROPRIATIONS SET OUT IN SECTION 5; AND TO PROVIDE FOR CERTAIN CHANGES IN REVENUE AND APPROPRIATIONS SET OUT IN SECTION 6**

passed first reading.

**CONVEYANCE OF PROPERTY TO CNE**

Councilman Taylor made the motion to move Resolution 7(f) forward on the agenda; Councilman Lively seconded the motion; the motion passed.

Admin. Traughber stated this matter was previously before the Council several months ago and Councilman Taylor asked that the matter be tabled to allow for more discussion and input from the community; that several meetings have taken place since that time. He stated representatives from CNE and the development firm are present this evening.

Councilwoman Rutherford stated that she received a call today from a neighbor in the area who brought up three questions that she indicated she would ask (for the caller). She stated the first question is if Section 8 housing were involved, would it be discriminatory to prohibit young people from living there or could only the elderly? She stated that she spoke with City Attorney Nelson who led her to believe that was not true.

City Attorney Nelson clarified that his response was that he did not believe it was; that he checked with Administrator Traughber and there will be no Section 8 money involved in this project.

Councilwoman Rutherford then stated that the caller needs assurance in the lease that the tenant who lives in the complex will not be allowed to move families in for any extended period of time. Seneca Foote of Alexian Brothers, co-owner and manager of the project, stated that they need to be specific regarding time limitations for families, which is restricted to a one week period of time.

Councilwoman Rutherford stated that she spoke with John Bridger (of the Planning Agency) and the concern is that the eight duplexes to be built on the property would not be built in accordance with the historic accuracy of the area.

**CONVEYANCE OF PROPERTY TO CNE**  
**(Continued)**

John Bridger stated that this matter will be received by the Historic Zoning Commission; that there was discussion in one of the public meetings regarding the site and they are looking to make sure the duplexes are built to work with the neighborhood.

Councilman Taylor stated that the meetings were thorough; that they wanted to make sure they had the appropriate people at the meetings to answer questions persons had. He expressed appreciation to Councilwoman Rutherford for bringing the questions forward.

Andy Mendosa, a resident of St. Elmo, presented a petition he worded and was signed by 400 residents in the community. He read the caption of the petition, which related to “delaying the transference of the St. Elmo Elementary School property to Chattanooga Neighborhood Enterprise”. He also quoted from a book by Henry Moore, Assistant City Manager of Savannah, Georgia regarding the involvement of citizens in providing answers to community concerns, and presented a copy of the book to the Council for their reading pleasure.

Mr. Mendosa then read from a prepared statement, stating that of the three public meetings held it came to the forefront that the request was not based on a neighborhood plan, rather it was a request made of Planning by Councilman Taylor for the purpose of developing such a plan. He continued that it was very apparent the purpose of the meetings was not for the purpose of determining whether the majority were “for” or “against”; that by the end of the last meeting the request was made to delay the process so that residents could have opportunity not to develop a plan, but to use the planning process as a forum for determining how the proposal would fit in. He stated the names on the petition represent a wide spectrum of St. Elmo – youth, adults, blacks and whites, those “for” and “against” and those who had not made up their minds. He stated it was a very diverse group that agreed to the decision to delay and is the wisest course to take. He stated if a vote were taken tonight to convey this property to CNE, it would be a vote of no confidence and a serious blow to the momentum accomplishing the goal. He stated on behalf of those who signed let the vote be based on a vote of wisdom and reason.

Chairman Hakeem asked Mr. Taylor if this process was done in a “vacuum” and what has been the response of the neighborhood regarding this development?

Councilman Taylor responded that Chairman Hakeem’s question was a good one; that the effort was made to try to reach and involve as many residents as possible because there are over 3,000+ residents. He stated at the beginning there were some misnomers and the effort was made to get those participating in the development, such as Reggie Ruff, representatives of CNE, Lawler Wood, Tennessee-American Water Company and Alexian Brothers, to attend.

**CONVEYANCE OF PROPERTY TO CNE**  
**(Continued)**

He stated the effort was made to make sure representatives from the Planning Agency were present to address questions coming from the community; that great concern was expressed by all. He expressed thanks to everyone involved – those “for” and “against” – for getting involved and making things happen. He expressed his excitement about the plan and again thanked to the neighborhood for their input.

Delores Wood, a St. Elmo resident, stated that she attended St. Elmo Elementary as a child and has been involved with the meetings all along. She stated the plan is well planned; that she and many others in St. Elmo are in favor of it and the community has been definitely strengthened because of the public meetings. She stated a lot of questions were answered and indicated there could not have been a better plan.

Councilman Lively expressed his understanding as to the concern on behalf of the residents for a project like this; that the residents should stop and realize who is involved. He stated everyone knows about Alexian Brothers and CNE as there is a large apartment complex in his district that had been purchased with a federal loan; that the City of Chattanooga was able to obtain it and turn it over to CNE. He stated when the property was received it was run down, yet it is now in great shape; that it is in a very nice neighborhood and the neighbors are “tickled” that what was once an eyesore is now a very nice looking apartment complex. He stated that he passed by the school property a week or more ago; that it has been “sitting there” for nine years and vandals have made it a total eyesore. He offered that the neighborhood will be surprised and pleased at what these organizations do.

Sam Moseley of 4515 Alabama Avenue stated that he does not know a lot about Alexian Brothers and has heard the pros and cons, and due to the fact he lives almost in the schoolyard he is very concerned. He stated that he has put a lot of work in his home and is still working on it; that he is scared this project will end up as Section 8 housing. He stated with this project duplexes are allowed in their historical zone and he cannot put storm doors or siding on his home without “fighting” City Hall! He reiterated his concern regarding the project and stated that the Council should take into consideration the 400 persons that signed the petition and have an open meeting and let the residents know what is really going to happen. He stated what he heard tonight adds to his anxiety.

Once the vote on the motion to approve was taken, an unidentified resident stood and stated that she has been a resident of St. Elmo for 56 years and taught at St. Elmo Elementary for 17 years; She stated that she is thrilled that somebody is going to do something with the School and expressed that this project will help the community.

**CONVEYANCE OF PROPERTY TO CNE**  
**(Continued)**

On motion of Councilman Taylor, seconded by Councilman Lively,

**A RESOLUTION AUTHORIZING THE CONVEYANCE OF CERTAIN  
PROPERTY LOCATED AT 4625 ST. ELMO AVENUE, TAX MAP NO.  
167G-E-016, TO CHATTANOOGA NEIGHBORHOOD ENTERPRISES,  
INC. (CNE)**

was adopted.

**EASEMENT**

Councilman Franklin stated Resolution 7(a) was recommended for a two week deferral in today's Public Works Committee meeting and approval is recommended for Resolutions 7(b), (c), (d) and (e).

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford,

**A RESOLUTION AUTHORIZING THE EXECUTION OF A SOLAR  
PROJECT EASEMENT AND LICENSE AGREEMENT WITH THE  
TENNESSEE VALLEY AUTHORITY (TVA), RELATIVE TO TVA'S  
INSTALLATION OF SOLAR PANELS AND ASSOCIATED FACILITIES  
AT FINLEY STADIUM**

was tabled two weeks.

**AGREEMENT AMENDMENT**

On motion of Councilwoman Rutherford, seconded by Councilman Taylor,

**A RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENT  
NO. 1 TO THE AGREEMENT WITH CONSOLIDATED  
TECHNOLOGIES, INC., RELATIVE TO CONTRACT NO. BL-4-98, CITY  
LANDFILL LEACHATE FORCE MAIN, SAID AMENDMENT NOT TO  
EXCEED THIRTY-FIVE THOUSAND, SIX HUNDRED TWENTY-SIX  
AND 70/100 DOLLARS (\$35,626.70) FOR A REVISED TOTAL FEE NOT  
TO EXCEED ONE HUNDRED THIRTY-NINE THOUSAND, ONE  
HUNDRED TWENTY-NINE AND 70/100 DOLLARS (\$139,129.70)**

was adopted.

**WORK AUTHORIZATION**

On motion of Councilwoman Hurley, seconded by Councilman Franklin,

**A RESOLUTION AUTHORIZING THE EXECUTION OF WORK AUTHORIZATION NO. 5 WITH ARCADIS GERAGHTY & MILLER, INC., RELATIVE TO ADDITIONAL DESIGN ENGINEERING SERVICES AND CONSTRUCTION PHASE SERVICES ON CONTRACT NO. CSO-8-98, RIVERVIEW AREA SEWER SEPARATION, FOR A TOTAL FEE NOT TO EXCEED TWENTY-SEVEN THOUSAND, EIGHT HUNDRED SEVENTY-FIVE DOLLARS (\$27,875.00)**

was adopted.

**CONTRACT: JONES BROTHERS, INC.**

On motion of Councilman Lively, seconded by Councilman Franklin,

**A RESOLUTION AUTHORIZING THE AARD OF CONTRACT NO. RW-4-00, WIDENING AND IMPROVEMENTS TO SHALLOWFORD ROAD FROM TWO THOUSAND, TWENTY-FIVE FEET (2,025') WEST OF NORTH MOORE ROAD TO ONE THOUSAND, TWO HUNDRED TWENTY-FIVE FEET (1,225') EAST OF NORTH MOORE ROAD, TO JONES BROTHERS, INC., FOR THEIR LOW BID IN THE AMOUNT OF ONE MILLION, FIVE HUNDRED NINE THOUSAND, FIVE HUNDRED EIGHTY-FOUR AND 01/100 DOLLARS (\$1,509,584.01)**

was adopted.

**TEMPORARY USE: ERLANGER HEALTH SYSTEMS**

Councilman Pierce inquired as to what this request would do to the other hospitals in the area. City Attorney Nelson indicated that the Resolution is only requesting that directional "arms" be put up on the sidewalks and stated that the matter was discussed in today's Public Works Committee meeting.

Councilman Pierce questioned what this means if Memorial and Park Ridge Hospitals want the same rights? City Attorney Nelson responded all they have to do is come and ask for it.

Councilwoman Hurley stated that the important thing is that Erlanger is paying for this; the City is not.

Councilman Pierce asked for clarification that the Resolution is only requesting the right to display signs? City Attorney Nelson responded "yes".

**TEMPORARY USE: ERLANGER HEALTH SYSTEMS (Continued)**

On motion of Councilwoman Hurley, seconded by Councilman Franklin,

**A RESOLUTION AUTHORIZING ERLANGER HEALTH SYSTEMS TO USE TEMPORARILY THE CITY'S RIGHT-OF-WAY AT VARIOUS LOCATIONS, MORE PARTICULARLY DESCRIBED HEREIN, FOR INSTALLATION OF STRAIN POLES AND CANTILEVER MAST ARMS TO SUPPORT DIRECTIONAL INFORMATION TRAFFIC SIGNS, SUBJECT TO CERTAIN CONDITIONS**

was adopted.

**ZONING STUDY**

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,

**A RESOLUTION REQUESTING THE CHATTANOOGA-HAMILTON COUNTY REGIONAL PLANNING AGENCY TO CONDUCT A ZONING STUDY OF AN AREA BOUNDED ON THE WEST BY GUNBARREL ROAD, ON THE NORTH BY STANDIFER GAP ROAD, ON THE EAST BY JENKINS ROAD, AND ON THE SOUTH BY EAST BRAINERD ROAD, BUT EXCLUDING PROPERTIES THAT ARE CURRENTLY COVERED BY AN ADOPTED ZONING POLICY**

was adopted.

**OVERTIME**

Overtime for the week ending August 11, 2000 totaled \$220,358.32.

**PERSONNEL**

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

**KEVIN HALFACARE** – New Hire, Crew Worker, TN Riverpark/Downtown, Pay Grade 3/Step 1, \$15,535.00 annually, effective August 2, 2000.

**DELTON CARROLL, OSCAR O. SMITH, LARRY ANDERSON** – New Hire, Custodian, Recreation Maintenance, Pay Grade 2/step 1, \$14,397.00 annually, effective August 2, 2000.

**PAMELA PARKS CHATFIELD** – Step Correction, Accounting Technician, Parks Division, Pay Grade 8/Step 6, \$26,524.00 annually, effective July 28, 2000.

**PERSONNEL (Continued)**

**JACQUELINE MOORE** – Step Correction, Accounting Technician, Recreation Administration, Pay Grade 8/Step 3, \$23,341.00 annually, effective July 28, 2000.

**KENNETH BLUE** – Resignation, Crew Worker, Golf Division, effective August 15, 2000.

**JAMES L. JOHNSON, II** – Resignation, Equipment Operator, TN Riverpark/Downtown, effective August 8, 2000.

**JENNIFER BLACKWELL** – New Hire, Assistant Manager, Champions Club, Pay Grade 15/Step 1, \$29,178.00 annually, effective August 11, 2000.

**WESLEY E. MCCUISTON** – New Hire (former temporary), Crew Worker, Pay Grade 3/Step 1, \$15,535.00 annually, effective August 11, 2000.

**PURCHASES**

On motion of Councilman Lively, seconded by Councilwoman Rutherford, the following purchases were approved for use by the Parks and Recreation Department:

**SMITH SERVICE (Lowest and best bid)**

**Requisition R0036937/B0000491**

HVAC Instrumentation and Controls

\$42,000.00

**THOMAS BROTHERS CONSTRUCTION (Lowest and best bid)**

**Requisition R0051037/B0000492**

Preliminary Site Work – South Chattanooga Recreation Center

\$147,000.00

**PERSONNEL**

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

**MAURICE DELANEY** – Termination, Crew Worker, Citywide Services, effective June 29, 2000.

**PERSONNEL (Continued)**

**ANDREW WILLIAMS** -- Family Medical Leave, Sanitation Worker, Citywide Services, effective August 3 – 24, 2000.

**DENISE EDWARDS** – Lateral Transfer, Crew Worker, Citywide Services, Pay Grade 3/Step 9, \$22,216.00 annually, effective August 2, 2000.

**CORNELIUS D. WHITLOCK** – Employment, Sanitation Worker, Citywide Services, Pay Grade 3/Step 1, \$15,535.00 annually, effective August 3, 2000.

**STEPHEN V. WRIGHT** – Employment, Crew Worker, Citywide Services, Pay Grade 3/Step 1, \$15,535.00 annually, effective August 9, 2000.

**JAMES COLLIER, III** – Rehire, Crew Worker, Citywide Services, Pay Grade 3/Step 1, \$15,535.00 annually, effective August 2, 2000.

**CHARLES G. FULTS** – Resignation, Crew Worker, Citywide Services, effective August 10, 2000.

**JAMES CLEM** – Medical Disability Retirement, Construction Inspector, Engineering Division, effective July 22, 2000.

**PERSONNEL**

The following personnel matters were reported for the Chattanooga Fire Department:

**ROBERT W. MARTIN** – Retirement, Captain, effective August 11, 2000.

**PRESTON A. COLLINS** – Retirement, Firefighter, effective August 18, 2000.

**WAYNE J. HALE** – Retirement, Firefighter, effective August 25, 2000.

**HOTEL PERMITS**

On motion of Councilwoman Hurley, seconded by Councilman Franklin, the following hotel permits were approved:

**HAMPTON INN** – 3652 Cummings Highway, Chattanooga, Tennessee

**KING'S LODGE** – 2400 West Side Drive, Chattanooga, Tennessee

**PERSONNEL**

The following personnel matters were reported for the Chattanooga Police Department:

**IAN L. KIRK** – Hire/Part-time, Police Services Technician, \$9.48/hour, effective August 9, 2000.

**SCOTT DIETER** – Promotion, Staff Services Coordinator, Pay Grade 15/ Step 4, \$33,554.00 annually, effective August 11, 2000.

**BOARD APPOINTMENT**

On motion of Councilwoman Rutherford, seconded by Councilman Lively, the following Board appointment was approved:

**CHATTANOOGA HUMAN RIGHTS/HUMAN RELATIONS COMMISSION:**

✍ Appointment of **ALAN RICHELSON** for a term ending July 1, 2003.

**"SAFE WALK" RIBBON CUTTING**

Councilman Taylor invited everyone to the ribbon cutting of the Safe Walk on Monday, August 21, 2000 beginning at 7:15 a.m. He stated following the ribbon cutting, everyone is invited to walk to school with the children.

**COMMITTEES**

Councilman Franklin reminded Council members of the **Parks and Recreation Committee meeting scheduled for Tuesday, August 22 at 4 p.m.**

**HEARING: COREY BOYKIN**

City Attorney Nelson reminded Council members of the personnel hearing for Corey Boykin scheduled for Monday, August 21 beginning at 4 p.m. with Councilmen Lively (Chair), Rutherford and Taylor serving as the panel.

**ADJOURNMENT**

Chairman Hakeem adjourned the meeting until Tuesday, August 22, 2000 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 MINUE MATERIAL OF THIS DATE)**