

**City Council Building
Chattanooga, Tennessee
February 20, 2001**

Chairman Hakeem called the meeting of the Chattanooga Council to order with Councilmen Eaves, Franklin, Hurley, Lively, Pierce, Rutherford and Taylor present; Councilman Crockett 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, Councilman Franklin gave invocation.

MINUTE APPROVAL

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

**SPECIAL PRESENTATION: SHERRIE GILCHRIST –
UPDATE REGARDING THE CHATTANOOGA
AFRICAN AMERICAN CHAMBER OF COMMERCE
(CAACC)**

Bertha Seals, CAACC Board Chair, expressed thanks to the Council for their support and investment when it was desperately needed and commended them for their public service. She stated that the Chamber has accomplished a few things since they reported to the Council late last year; that they have completed their second year of operation and recently closed their membership drive with 301 members. She stated their goal for membership was set at \$60,000 and was met with pledges over that amount. She stated that they are proud of their accomplishments; that there is much to be done, yet, they are making great strides in trying to do things that will benefit the African American community and Chattanooga, as a whole.

**SPECIAL PRESENTATION: SHERRIE GILCHRIST –
UPDATE REGARDING THE CHATTANOOGA
AFRICAN-AMERICAN CHAMBER OF COMMERCE
(CAACC) (Continued)**

Chairman Hakeem expressed appreciation to Mrs. Seals for her history and “track record” of work in the Chattanooga community.

Sherrie Gilchrist, President/CEO of CAACC, distributed copies of the organization’s Annual Report and stated the CAACC is working with the Bethlehem Center and the Alton Park Development Corporation to aggressively “grow” sustainable businesses through HOPE VI, and is attempting to recruit more African American general contractors in an effort to mentor small subcontractors. She stated they are currently working with the assistance from UTC to secure funding as seed money to develop an incubator of micro-enterprises for youth; that they are planning an African American Summit on Economic Empowerment for persons serving on the various boards, task forces and committees to come together to set a community agenda for economic growth. She also stated that the CAACC is in the process of hiring a Job Placement Specialist to assist with resources and programs; that they are partnering with the traditional Chamber and the Community Impact Fund in an effort to look at the revitalization of five neighborhoods. She concluded her remarks by stating that in their travels they are looking at models around the United States to focus on three venues: education, work force development, as well as small business entrepreneurs. **(A copy of the report is filed with minute material of this date.)**

Chairman Hakeem asked Ms. Gilchrist if she was aware that the City has appointed a task force through the Community Impact Fund that is gathering information from other cities in regard to inner-city redevelopment as far as businesses are concerned?

Ms. Gilchrist responded that she is aware that a task force has been put in place; that they are looking for additional data focusing on all three venues; that right now they do not have the data to support the three.

Chairman Hakeem expressed thanks for the collective update.

REZONING

2000-190: S. Reginald Ruff, III

On motion of Councilman Taylor, seconded by Councilman Franklin,

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO AMEND THE PROPERTY DESCRIPTION CONTAINED IN ORDINANCE NO. 11081 ON PROPERTY LOCATED AT 4625 ST. ELMO AVENUE, BEING MORE PARTICULARLY DESCRIBED HEREIN, 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

2000-226: KLH Development, LLC

Councilman Lively made the motion to substitute the amendment to this Ordinance; Councilwoman Hurley seconded the motion; the motion carried.

On motion of Councilwoman Hurley, 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 IN THE 3000 AND 3100 BLOCKS OF JENKINS ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO M-3 WAREHOUSE AND WHOLESALE 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

2001-007: Brian Tune

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 6632 LEE HIGHWAY, MORE PARTICULARLY DESCRIBED HEREIN, FROM C-2 CONVENIENCE COMMERCIAL ZONE TO M-2 LIGHT INDUSTRIAL 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

2001-008: Rick L. Stallard & Tim Walls

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 2403 JENKINS ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO RZ-1 ZERO LOT LINE RESIDENTIAL ZONE

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

REZONING

**2001-012: Chattanooga Community Housing Development Organization
and SCGC**

On motion of Councilman Taylor, 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 AT 2516 LONG STREET, MORE PARTICULARLY
DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE TO R-4 SPECIAL
ZONE**

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

CLOSE AND ABANDON

2000-037: Commercial Management Corporation

On motion of Councilwoman Hurley, seconded by Councilman Franklin,
**AN ORDINANCE CLOSING AND ABANDONING A TRACT OF LAND
LOCATED AT 1290 PREMIER DRIVE, MORE PARTICULARLY DESCRIBED
HEREIN AND AS SHOWN ON THE PLAT ATTACHED HERETO AND MADE
A PART HEREOF BY REFERENCE, SUBJECT TO CONSTRUCTION OF A
PERMANENT CUL-DE-SAC**

passed first reading.

LEASE AGREEMENT

Councilman Franklin indicated that this matter has been discussed thoroughly in
the Parks and Recreation Committee and approval is recommended.

Councilwoman Rutherford inquired as to the amendments to this Resolution.

City Attorney Nelson stated the original document had a fifty -year (50) term
lease and it was changed to forty (40) years; that the Council wanted added to
the agreement that the appropriation the City made would be matched by the
County.

LEASE AGREEMENT (Continued)

Councilman Pierce inquired as to whether the lease agreement amount is paid up front or yearly? Admin. Boney indicated that he was not certain about the terms of the lease.

On motion of Councilman Lively, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE MAYOR TO NEGOTIATE AND ENTER INTO A LEASE AGREEMENT WITH THE UNIVERSITY OF TENNESSEE AT CHATTANOOGA (UTC) FOR A TERM OF FORTY (40) YEARS COMMENCING FEBRUARY 1, 2001, AND TERMINATING JANUARY 31, 2041, FOR CERTAIN PROPERTY KNOWN AS THE ENGEL STADIUM COMPLEX AND AUTHORIZING THE MAYOR TO SIGN ALL NECESSARY DOCUMENTS TO FACILITATE SAID AGREEMENT, SUBJECT TO THE CITY'S CONTRIBUTIONS BEING MATCHED BY HAMILTON COUNTY

was adopted.

CHANGE ORDER

Councilman Pierce expressed his understanding regarding the painting of this facility and inquired as to the type of work that is going on.

Chief Dotson stated that this involves an old gymnasium, which was constructed when the building was built; that the Department is renovating it to make it into a wellness center; that the walls had not been painted since it was constructed. He stated extensive work had to be done, which is the rationale for the change order for painting.

Councilman Pierce stated for the last three weeks he has been questioning the various change orders and asked why this could not have been foreseen in the beginning as opposed to having to go through this type of renovation?

Roy Dickey stated that the main reason this change order was initiated is that this is the only time the facility has been painted since it's construction in 1974. He stated during the scope of work the basketball goals located on the full court had to be chiseled out of the wall and relocated to make it a half court; that space has been allotted for wellness use and the other for a half gym. He stated there have been numerous leaks over the years and water damage was sustained; that when the goal posts and support brackets were chiseled-out, gaping holes were left in some of the blocks, which had to be properly patched, otherwise it would have been very unsightly, thus the reason for the change order.

CHANGE ORDER (Continued)

Councilman Pierce expressed appreciation for the effort of cosmetic appeal and stated that it is his thinking that these kinds of things could have been thought out before going out for contract; that it should have been realized that the facility would have needed painting. He stated that it looks bad for contracts to keep coming back with change orders, especially for matters that could have been included in the whole process of bidding in the beginning.

Mr. Dickey expressed agreement regarding Councilman Pierce's comments.

On motion of Councilman Lively, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 WITH C & S CONSTRUCTION COMPANY, RELATIVE TO PAINTING OF THE GYMNASIUM WALLS AT THE WELLNESS/FITNESS CENTER AT THE POLICE SERVICE CENTER, WHICH CHANGE ORDER INCREASES THE CONTRACT BY EIGHT THOUSAND, EIGHT HUNDRED EIGHTY-SIX DOLLARS (\$8,886.00) FOR A REVISED CONTRACT TOTAL OF SIXTY-EIGHT THOUSAND, SEVEN HUNDRED FIFTY-SIX DOLLARS (\$68,756.00)

was adopted.

ACCEPTANCE OF DONATION OF BUSES

Councilman Eaves inquired as to the purpose for this donation.

Chief Coppinger stated that this is a matter the Department has been trying to work out for a couple years; that CARTA graciously donated two buses to the City for the Fire Department's use. He stated CARTA leases their tires from Firestone (not the one's recalled!), and since the City has assumed the use it would have cost twice the amount for new tires. He stated the tires are in good shape, were "check out" with Fleet Maintenance, and the recommendation was made to make the lease.

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley,

A RESOLUTION ACCEPTING THE DONATION OF TWO (2) FORD 1994 E350 BUSES, MORE PARTICULARLY DESCRIBED HEREIN, FROM THE CHATTANOOGA AREA REGIONAL TRANSPORTATION AUTHORITY (CARTA), SUBJECT TO REIMBURSEMENT BY THE CITY TO CARTA FOR BUYOUT OF THE FIRESTONE LEASE ON THE TIRES IN THE TOTAL AMOUNT OF SEVEN HUDNRED FORTY-SIX AND 69/100 DOLLARS (\$746.69)

was adopted.

CONTRACT: CHATTANOOGA BOILER & TANK COMPANY, INC.

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. SS-1-98 (TANK), 17TH STREET WATER TOWER, TO CHATTANOOGA BOILER & TANK COMPANY, INC. FOR THEIR LOW BID IN THE AMOUNT OF ONE HUNDRED FIFTY-NINE THOUSAND, NINE HUNDRED FORTY-SEVEN DOLLARS (\$159,947.00)
was adopted.

CONTRACT: STEIN CONSTRUCTION COMPANY, INC.

On motion of Councilman Lively, seconded by Councilwoman Rutherford,
A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. SS-9-00, UTC/MARTIN LUTHER KING HISTORIC DISTRICT STREETScape, TO STEIN CONSTRUCTION COMPANY INC. FOR THEIR LOW BID IN THE AMOUNT OF ONE MILLION, THREE HUNDRED SIXTY-FIVE THOUSAND, SEVEN HUNDRED EIGHTY-FOUR AND 50/100 DOLLARS (\$1,365,784.50)
was adopted.

RIGHT-OF-WAY PURCHASE

On motion of Councilwoman Rutherford, seconded by Councilman Pierce,
A RESOLUTION AUTHORIZING THE PURCHASE OF A RIGHT-OF-WAY FROM DUPONT COMMUNITY CREDIT UNION, RELATIVE TO CONTRACT NO. RW-3-00, WIDENING AND IMPROVEMENTS TO SHALLOWFORD ROAD, TRACT NO. 22, FOR A TOTAL CONSIDERATION OF TWENTY-FOUR THOUSAND, THREE HUNDRED DOLLARS (\$24,300.00)
was adopted.

EASEMENT

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE PURCHASE OF A CONSTRUCTION EASEMENT FROM GERALD L. BAUGHMAN AND DIANE BAUGHMAN, RELATIVE TO CONTRACT NO. RW-3-00, WIDENING AND IMPROVEMENTS TO SHALLOWFORD ROAD, TRACT NO. 28, FOR A TOTAL CONSIDERATION OF EIGHT HUNDRED DOLLARS (\$800.00)
was adopted.

RIGHT-OF-WAY PURCHASE

On motion of Councilwoman Rutherford, seconded by Councilman Lively,
A RESOLUTION AUTHORIZING THE PURCHASE OF A RIGHT-OF-WAY FROM GRANT ADCOX, JR., RELATIVE TO CONTRACT NO. RW-3-00, WIDENING AND IMPROVEMENTS TO SHALLOWFORD ROAD, TRACT NO. 40, FOR A TOTAL CONSIDERATION OF EIGHT THOUSAND, EIGHT HUNDRED DOLLARS (\$8,800.00)
was adopted.

SEWER EASEMENT

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley,
A RESOLUTION AUTHORIZING THE PURCHASE OF A SEWER EASEMENT FROM COMMERCIAL NET LEASE REALTY, INC., RELATIVE TO CONTRACT NO. 69C, HIXSON PIKE SANITARY SEWER RELOCATION, TRACT NO. 19, FOR A TOTAL CONSIDERATION OF SIX THOUSAND, FIVE HUNDRED DOLLARS (\$6,500.00)
was adopted.

EMINENT DOMAIN

On motion of Councilman Taylor, seconded by Councilwoman Hurley,
A RESOLUTION AUTHORIZING THE OFFICE OF THE CITY ATTORNEY TO INSTITUTE EMINENT DOMAIN PROCEEDINGS AGAINST DAVID S. MCCONNELL AND PAMELA A. MCCONNELL FOR A SEWER EASEMENT ON TRACT NO. 20, CONTRACT NO. 69C, HIXSON PIKE SANITARY SEWER RELOCATION
was adopted.

TEMPORARY USE: CHATTANOOGA NEIGHBORHOOD ENTERPRISE, INC.

On motion of Councilwoman Hurley, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING CHATTANOOGA NEIGHBORHOOD ENTERPRISE, INC. TO USE TEMPORARILY AN ALLEY BETWEEN COWART AND WILLIAMS STREETS AND LOTS FRONTING ON 1605 WILLIAMS STREET TO PLACE A GARBAGE DUMPSTER AT THE END OF SAID ALLEY, SUBJECT TO CERTAIN CONDITIONS
was adopted.

TEMPORARY USE: QWEST COMMUNICATIONS

On motion of Councilwoman Rutherford, seconded by Councilman Lively,
**A RESOLUTION AUTHORIZING QWEST COMMUNICATIONS TO USE
TEMPORARILY AN ALLEY LOCATED NEAR 2001 ROSSVILLE AVENUE
AND MADISON AVENUE FOR THE INSTALLATION OF FIBER-OPTIC
CABLES FROM THE RAILROAD INTO THE NEW FACILITY AT 2001
ROSSVILLE AVENUE, SUBJECT TO CERTAIN CONDITIONS**
was adopted.

OVERTIME

Overtime for the week ending February 9, 2001 totaled \$88,690.44 and for the week ending February 16, 2001 totaled \$16,872.97, for a grant total of \$105,563.41 for the two weeks.

PERSONNEL

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

LUKE E. JOHNSON, HAROLD ALEXANDER, KARL BROOKS – Employment, Plant Maintenance Mechanic, Waste Resources, Pay Grade 11/Step 1, \$24,630.00 annually, effective February 14, 2001.

WALTER C. PENDERGRASS – Retirement (31 years of service), Equipment Operator, Citywide Services, effective February 28, 2001.

CORNELIUS KING – Dismissal, Crew Worker, Citywide Services, effective February 21, 2001.

MICHAEL A. JONES – Promotion, Equipment Operator Senior, Citywide Services, Pay Grade 8/Step 3, \$23,341.00 annually, effective February 21, 2001.

WANDA Y. COCHRAN – Dismissal, Office Assistant, Administration, effective February 15, 2001.

PERSONNEL

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

TAMMY BOSTICK-MCCLINTOCK, THOMAS FEATHERS, PAM TALLEY-HICKMAN – Hire, Police Service Technician, Pay Grade 3/Step 1, \$15,535.00 annually, effective February 23, 2001.

KENNETH BOYD, GARY WILLIAMS – Hire, Animal Service Officer, Pay Grade 9/Step 1, \$22,356.00 annually, effective February 23, 2001.

RODNEY BROWN – Leave of Absence/Military, Police Officer, effective February 27, 2001.

CHARLES E. BROWN, EYO E. EFIOM, THOMAS G. LAYNE, II, EDWIN MCPHERSON, ALBERT E. TALLANT, ERIC L. TUCKER – Promotion, Sergeant, Pay Grade P2A/3, \$35,853.00 annually, effective February 23, 2001.

ANDREW H. HILTON, DAVID T. RODDY, AHARON PATRICK WELLES – Promotion, Sergeant, Pay Grade P2A/2, \$34,224.00 annually, effective February 23, 2001.

DANNA L. REED – Promotion, Sergeant, Pay Grade P2A/1, \$32,594.00 annually, effective February 23, 2001.

GIFFORD LEE ROBBS, CHARLES B. RUSSELL, DAVID L. WOOSLEY – Promotion, Sergeant, Pay Grade P2A/5, \$39,112.00 annually, effective February 23, 2001.

DARRELL HOWELL – Resignation, School Patrol Officer, effective February 5, 2001.

CHAD A. JESTER – Resignation, Police Officer, effective February 19, 2001.

RODNEY BOWMAN – Retirement (25 years of service), Police Sergeant, effective February 22, 2001.

PERSONNEL

The following personnel matter was reported for the Department of Finance and Administration:

CINDY PETTY – New Hire, Payroll Technician, Pay Grade 8/Step 2, \$22,280.00 annually, effective February 23, 2001.

REZONING ORDINANCE

City Attorney Nelson stated that the Southside rezoning was discussed at last week's meeting. He stated the request was supposed to be an Ordinance and not a plan. He stated the matter will have to go through the two-week mandatory advertising process and will be on the March 13 agenda.

SPECIAL MEETING

City Attorney Nelson stated that a special meeting of the Council should be scheduled for noon on March 13 to accept the low bid on the bonds. He asked the Clerk of the Council to advertise the special meeting for that date and time and requested that Council members mark their calendars.

COMMITTEES

Councilman Franklin stated a meeting of the Parks and Recreation Committee was held earlier in the day to discuss several Resolutions that will come before the Council on next week, all with the Committee's recommendation for approval.

Councilwoman Hurley stated a meeting of the Health, Education, Human Services and Housing Opportunities Committee was held today regarding this year's CDBG recommendations. She stated the matter would come before the Council next week with the Committee's recommendation for approval.

Councilman Taylor scheduled a meeting of the **Budget and Finance Committee for Tuesday, February 27 immediately following the Public Works Committee meeting.**

ADJOURNMENT

Chairman Hakeem adjourned the meeting until Tuesday, February 27, 2001 at 6 p.m.

CHAIRMAN

CLERK OF COUNCIL

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