

**City Council Building
Chattanooga, Tennessee
March 27, 2001**

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

**PLEDGE OF ALLEGIANCE/
INVOCATION**

Following the Pledge of Allegiance, Councilman Lively gave the invocation.

SURPLUS & SALE OF PROP.

On motion of Councilman Pierce, seconded by Councilman Franklin, this item was brought to the top of the agenda.

Adm. Traugher stated that after last week's committee meeting representatives of the Martin Luther King Community Development Corporation (CDC) and Olivet Baptist Church had reached some accord, and that we had worked out an agreement to sell this property to the CDC and allow Olivet Baptist Church to have access at certain times and also the first right of refusal if the MLK CDC should decide to sell. He noted that Reverend Adams of Olivet Baptist Church was present, as well as Mr. Edwards of MLK CDC. He called on Reverend Adams to speak.

Reverend Adams expressed his appreciation for the opportunity and interest in purchasing this property and since it did not go their way stated that they had talked with Mr. Edwards and had worked out a situation for joint usage for the betterment of the community.

Mr. John Edwards, Vice-Chairman of MLK CDC spoke next, stating that they did meet with representatives of Olivet Baptist Church to address their needs for additional space and were able to meet these needs and that the church would have first option to purchase the building should they desire to sell and also first option to lease the space when the Urban League moves out in the next two years. He stated that they talked about a partnership to better serve the residents of the area and were glad to say that they had reached an agreement.

SURPLUS & SALE (CONT'D.)

Chairman Hakeem expressed his appreciation to Pastor Adams and Mr. Edwards in coming together to make this a reality in the best interest of the community and coming together in a way that would benefit the community as a whole.

On motion of Councilman Pierce, seconded by Councilman Crockett,

A RESOLUTION REFERRING PROPERTY LOCATED AT 730 MARTIN LUTHER KING BOULEVARD, TAX MAP NO. 145E-J-04, TO THE CHATTANOOGA-HAMILTON COUNTY REGIONAL PLANNING COMMISSION FOR CONSIDERATION AS BEING DECLARED SURPLUS PROPERTY, AND AUTHORIZING THE MAYOR TO NEGOTIATE THE SALE OF SAID PROPERTY TO THE MARTIN LUTHER KING COMMUNITY DEVELOPMENT CORPORATION (CDC) FOR A CONSIDERATION OF FOUR HUNDRED SIXTY THOUSAND DOLLARS (\$460,000.00), SUBJECT TO CERTAIN CONDITIONS

was adopted.

CLOSE & ABANDON

2001-003 (Kayo Oil Company)

On motion of Councilman Lively, seconded by Councilwoman Hurley,

AN ORDINANCE CLOSING AND ABANDONING TWO (2) UNOPENED ALLEYS BETWEEN THE 1200 BLOCKS OF MAIN STREET AND EAST 14TH STREET AND BETWEEN THE 1600 BLOCKS OF HOLTZCLAW AVENUE AND GULF STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON PLAT ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO RECORDING A NEW SUBDIVISION PLAT

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.

CLOSE & ABANDON

2001-010 (Marty M. Stone)

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley,
**AN ORDINANCE CLOSING AND ABANDONING THE 1000
BLOCK OF CHAMBERLAIN AVENUE FROM THE RAILROAD
RIGHT-OF-WAY SOUTHEAST TO THE OPEN PORTION OF
THE 1000 BLOCK OF CHAMBERLAIN AVENUE, MORE
PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON
PLAT ATTACHED HERETO AND MADE A PART HEREOF BY
REFERENCE, SUBJECT TO RECORDING A NEW
SUBDIVISION PLAT**

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

CLOSE & ABANDON

2001-013 (Granite Heights, L.P.)

On motion of Councilwoman Rutherford, seconded by Councilman Pierce,
**AN ORDINANCE CLOSING AND ABANDONING FIVE (5)
UNNAMED, UNOPENED RIGHTS-OF-WAY LOCATED
BETWEEN THE 1300-1400 BLOCKS OF NORTH
CHAMBERLAIN AVENUE AND NORTH CREST ROAD, MORE
PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON
PLAT ATTACHED HERETO AND MADE A PART HEREOF BY
REFERENCE, SUBJECT TO RECORDING A NEW PLAT FOR
THE ENTIRE AREA**

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

2000—018 (Jerry W. Brown, Sr.)

Mr. Pace of the Planning Staff was asked to give a brief overview of this case. Mr. Pace stated that it came to the Council last February a year ago and was deferred at two different meetings. He stated that the property was located on Airport Rd. It was deferred indefinitely on February 22, 2000. Mr. Pace stated that signs were posted last year, but prior to this meeting they were no longer there. He stated that he took some digital pictures of the area and could go through the process and explain it as it existed a year ago. He stated that he thought there should be some discretion on the length of time taken to come back and questioned if the Council wanted this reconsidered by the Planning Staff and another review through the Planning Commission so that the neighborhood could be notified.

Attorney Nelson asked if there had been any re-advertisement. Mr. Pace stated that there was none that he was aware of other than the notification of this meeting in the paper. Mr. Pace stated that he did not know when the signs were taken down. Attorney Nelson stated that he did not recall whether the Council had had a public hearing on this; that he would suggest either re-advertising or refer it back to the Planning for another review; that it had been out for a year. He went on to say that there was nothing in the Ordinance or State Law that gives any period of time to act. He stated, however, that we needed to be reasonable and give the public some notification that this would be heard again.

Councilwoman Rutherford asked if there was any opposition at the last meeting, stating that she did not recall any.

Councilwoman Franklin stated that the first time there were some concerns; however he did not recall total opposition. He stated that he had talked with the applicant about what they wanted to do. He stated that he would suggest that we go with the recommendation of the City Attorney and give ample opportunity for all to be informed.

Councilwoman Rutherford stated that as she recalled there was no opposition and no actual use being proposed last year and now there seemed to be an actual use.

A woman representing the applicant stated that at the last meeting there was nothing said about a time limit and no time limit was set.

REZONING (CONT'D.)

Chairman Hakeem asked what the pleasure of the Council was—did they want to hear this case tonight? He then gave the applicant a chance to address the Council.

Ms. Mildred Delay of Central Real Estate was representing the applicant. She stated that they had been told a number of things; that at the previous meeting they did not have a buyer, and the Council thought it was speculation. She reiterated that no one said anything about having a particular length of time to come back. She stated that they had a buyer and had carried out Councilman Franklin's request that they talk to the owners in the neighborhood, which is a Trailer Park. She mentioned that the third owner they talked to said everything was fine with her if they carried this out and made it look nice. She mentioned a precedent being set. She went on to say that she was representing Mr. Brown, and he asked her to come tonight; that everyone had been very gracious to them.

Councilman Lively stated that he thought the Council delayed this because of no particular use at the time and there was no actual opposition. He stated that he had no problem passing on this tonight.

On motion of Councilman Lively, 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 601 AND 603 AIRPORT ROAD, AND 209 AND 211 NOWLIN LANE, BEING ON THE NORTHWEST LINE OF AIRPORT ROAD BETWEEN NOWLIN LANE AND PINEHURST AVENUE, AND THE NORHTEAST LINE OF NOWLIN LANE NORTHWEST OF AIRPORT ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE, R-3 RESIDENTIAL ZONE AND R-4 SPECIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE

was brought before the Council.

Chairman Hakeem asked if the notification to residents was not a part of this motion.

Councilman Franklin stated that he did not have a major problem with this, but he felt the Council should go with Attorney Nelson's suggestion and make sure all are notified since this had been dormant for a while.

REZONING (CONT'D)

Councilman Lively asked if we go back through the Planning Commission, how much time we were talking about.

Attorney Nelson felt that it could come back next week; however Mr. Pace explained that it would be heard at the May Planning Commission meeting and would come back to the Council in June.

At this point Councilman Crockett asked how much time had elapsed. Chairman Hakeem told him a year.

Mr. Pace again stated that it had been heard in February of 2000 and delayed two weeks and on February 22nd it was deferred indefinitely; that when they post signs, they are supposed to stay up throughout the process, and they inform the applicant of this so that citizens would be notified. He stated that apparently the signs had been torn down or blown down by the wind.

Attorney Nelson asked that Mr. Burns get the minutes of the February meetings in 2000 to see if there had been a public hearing. He stated to put it off until June would be a long time.

Mr. Pace stated that as he recalled there was no site plan or buyer at the previous meetings, and Councilwoman Rutherford asked what they were planning to use the property for.

Attorney Nelson expressed an interest in knowing if anyone who came to those meetings had been given a chance to speak.

Councilman Pierce suggested that the Council go ahead and pass this on first reading tonight and then wait 2-3 weeks for second reading, giving ample time for people to be notified.

Attorney Nelson cautioned that we wanted to be sure to not put this over into the new Council as there could be legal problems with two Councils hearing one case.

Ms. Delay stated that she had the buyer here with her tonight.

REZONING (CONT'D.)

Chairman Hakeem explained to her that the Council was considering having this heard on 2nd and 3rd readings two weeks from now; that this would give Planning an opportunity to inform any interested neighborhood associations, and if there was any opposition it could be heard at the Council prior to second and third readings.

Mr. Pace asked that any motion the Council makes be clarified. He explained that the Planning Commission recommended changing the zoning to C-2 and the Planning Staff recommended changing it to R-4.

Councilwoman Hurley asked the use of the property.

Ms. Delay stated that the Council could talk to the buyer tonight; that she thought he would be willing to use it for anything within reason that the Council would like.

Mr. Robert Allison, the buyer, spoke next concerning the use. He stated that their interest was to build an office building; that the property was already zoned R-4, and they were asking for C-2 Zone to proceed with an office building. He stated that they had been in business for 20 years and thought it was time to get a place of their own.

Mr. Pace stated that it was the intent of the Staff in making the recommendation to deny the C-2 and approve R-4 or O-1 since it was indicated that it would be an office use, and they felt R-4 would be more conducive to a neighborhood for office use rather than allowing for commercial use.

Chairman Hakeem questioned if the purpose Mr. Allison had outlined could be accommodated by R-4. Mr. Pace responded "yes". Mr. Allison added that they wanted to get C-2 in case this purpose did not work out and they would have something to fall back on. Mr. Pace reiterated that R-4 was for office use.

Attorney Nelson confirmed that R-4 allows offices, with medical and dental offices being included.

Councilwoman Rutherford noted that the difference with C-2 is that he could have retail. She asked Mr. Allison if he planned any retail.

REZONING (CONT'D.)

Mr. Allison responded that they would like to build an office building; that they could have some use on the ground floor that possibly would be retail; that one of the reasons they wanted C-2 was because if by chance the market restricted their size, they could talk to a branch bank, which could come into a C-2 zone. He stated that they also wanted to be able to put a sign up.

Mr. Pace stated that banks have to be in C-2.

At this point Attorney Nelson read the uses allowed in R-4 which included multiple-family dwellings, lodging houses, schools and colleges, social agencies, dormitories, commercial parking lots, professional medical or dental offices, laboratories, offices, parks and playgrounds, home occupations, drug stores or restaurants in office buildings of four or more stories, hobby clubs, hospitals and nursing homes, mortuaries, day care homes, kindergartens, banks and branch banks, small animal hospitals, radio production studios, halfway houses, photography studios, museums, and gift shops.

Mr. Pace asked if the Council would like to see his slides.

Chairman Hakeem noted that Attorney Nelson had outlined the uses that can be put in R-4 and asked if the Council wanted to go with the motion for C-2 or amend it to R-4.

Councilman Franklin stated that if all of these uses are allowed in R-4, he would think the Council should go with R-4 and made this in the form of an amendment to the previous motion.

Chairman Hakeem agreed, stating that the argument could be made by residents in the neighborhood that C-2 Zone is speculative. He asked Mr. Allison if he would be willing to go with R-4 Zone.

Mr. Allison stated that he would have to do some more study on this; that they had taken a hard look at C-2 and that they did want to be able to have a sign.

Chairman Hakeem reminded him that all of the uses outlined tonight could be in an R-4 Zone. Mr. Allison asked him "What about the sign?" He asked if the Council could not go ahead with C-2 on first reading tonight and when it comes back for second and third readings, if there is any opposition then it could be addressed at that time.

REZONING (CONT'D.)

Chairman Hakeem reiterated that the uses outlined tonight can be done under R-4 Zone and that we could seek clarification about the sign. Attorney Nelson noted that there was nothing under R-4 Zone with reference to signs. Mr. Pace added that signs are not part of the Zoning Ordinance. Attorney Nelson stated that there were some restrictions on signs; that home occupations cannot have signs outside.

Councilwoman Rutherford asked if this meant that Mr. Allison could have a sign.

Chairman Hakeem reminded the Council that we have an amendment before us to change the motion to R-4.

Mr. Allison indicated that before he agreed to changing to R-4 that he would like an opportunity to talk to his attorney. Chairman Hakeem stated that he would have two weeks to do this—before it comes up for second and third readings.

On motion of Councilman Franklin, seconded by Councilwoman Hurley, the previous motion was amended and

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 601 AND 603 AIRPORT ROAD, AND 209 AND 211 NOWLIN LANE, BEING ON THE NORTHWEST LINE OF AIRPORT ROAD BETWEEN NOWLIN LANE AND PINEHURST AVENUE, AND THE NORTHEAST LINE OF NOWLIN LANE NORTHWEST OF AIRPORT ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE, R-3 RESIDENTIAL ZONE AND R-4 SPECIAL ZONE TO R-4 SPECIAL ZONE

passed first reading.

Councilwoman Rutherford stated that she wanted it in the Ordinance to be sure that he could have a sign in R-4 Zone; that he should be able to have the sign he feels he needs.

Chairman Hakeem stated that Richard Hutsell was the Administrator of the Sign Ordinance; that we needed to contact him to give us this information.

REZONING (CONT'D.)

Councilwoman Rutherford pointed out that in two weeks, if there is a problem, there will be no time to change the motion back to C-2. Attorney Nelson stated that there could be an amended version in two weeks should this happen. Councilwoman Rutherford verified that in two weeks the Council could still do C-2 Zoning if signs are not allowed in R-4.

Councilman Pierce asked about another option of allowing C-2 with restrictions.

Chairman Hakeem pointed out that we had already amended the motion to go with R-4 and asked if now we wanted another amendment to go with C-2 with restrictions. He questioned how we could place restrictions if the Council was not clear on what the buyer is planning on doing.

Councilman Crockett stated that a number of times we don't have the buyer who is involved with the transaction present. He stated that we needed to make sure that all understand what we are doing.

Ms. Delay stated that she had sat here and listened to the Council; that they had been told at the meeting in February of 2000 that the Council did not want to rezone to C-2 because it was speculative, and they did not have a buyer! She stated that at that very same meeting the Council had set a precedent by allowing CBL to build a building without a purchaser.

Chairman Hakeem stated that that would be researched but reminded Ms. Delay that this would not "color" what the Council did tonight. **He stated that this would come back before the Council in two weeks for second and third readings.**

At this point Councilman Pierce stated that he saw something a little easier to deal with and moved that the Council move Resolution (j) up on the agenda. This was seconded by Councilwoman Hurley.

**SURPLUS AND CONVEYANCE
OF PROPERTY**

On motion of Councilwoman Rutherford, seconded by Councilman Crockett,
**A RESOLUTION DECLARING CERTAIN PROPERTY
LOCATED IN THE 700 BLOCK OF McCALLIE AVENUE AND
EXTENDING TO EAST EIGHTH (8TH) STREET, TAX MAP NO.
145D-Q-016, AS SURPLUS, AND AUTHORIZING THE
CONVEYANCE OF SAID PROPERTY TO THE CAMPUS
DEVELOPMENT FOUNDATION, INC., A SUBSIDIARY OF UC
FOUNDATION, SUBJECT TO CERTAIN CONDITIONS**
was adopted.

**Councilman Pierce stated that Ordinance (e) goes along with this
Resolution and should also be moved forward. He made this motion,
which was seconded by Councilman Crockett.**

CLOSE & ABANDON

On motion of Councilwoman Hurley, seconded by Councilman Franklin,
**AN ORDINANCE CLOSING AND ABANDONING BALDWIN
STREET FROM EIGHTH (8TH) STREET TO FLYNN STREET,
UNNAMED ALLEY FROM END OF BALDWIN STREET TO
RAILROAD; AND FLYNN STREET FROM BALDWIN STREET
TO UNIVERSITY 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.

Mr. Joe Decosimo was present and was recognized by Chairman Hakeem at
this time.

Mr. Decosimo stated that he was Chairman of the UTC Foundation and
thanked the Council for the tremendous support that they had given them. He
stated that this would galvanize MLK Blvd. along with Phase I and II of the
elementary school. He stated that without the Council's support, they could
not have done this, and he again thanked the Council for their support.

Mr. John Anderson was also recognized but did not wish to speak.

Councilwoman Hurley noted that Ordinances (b), (c), and (d) comes from committee with a recommendation to approve.

CLOSE & ABANDON

2000-064 (George G. Hixson)

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley,
AN ORDINANCE CLOSING AND ABANDONING LINDEN STREET, LOCATED NORTHEAST OF TREMONT STREET AND SOUTHWEST OF DARTMOUTH 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.

CLOSE & ABANDON

2000-224 (Glen A. Holland)

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,
AN ORDINANCE CLOSING AND ABANDONING THE UNOPENED 25-FOOT WIDE, 3500 BLOCK OF WALTHALL AVENUE WEST OF THE SOUTHERN RAILROAD TRACKS; A 20-FOOT WIDE, UNOPENED ALLEY WHICH BEGINS ON THE SOUTH LINE OF THE 1400 BLOCK OF EAST 35TH STREET AND EXTENDS SOUTH TO THE NORTH LINE OF THE 1400 BLOCK OF 36TH STREET; AND A 20-FOOT WIDE UNOPENED ALLEY WHICH BEGINS ON THE EAST LINE OF THE 3500 BLOCK OF DIVINE STREET, AND EXTENDING EAST TO THE WEST LINE OF WALTHALL AVENUE, 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.

CLOSE & ABANDON

2001-027 (City of Chattanooga)

On motion of Councilwoman Rutherford, seconded by Councilman Pierce,
AN ORDINANCE CLOSING AND ABANDONING A STRIP OF WEST 16TH STREET RIGHT-OF-WAY MEASURING 135 FEET LONG AND 4.2 FEET AT THE NORTH END AND 1.6 FEET AT THE SOUTH END ADJACENT TO 1517 MITCHELL AVENUE YMCA BUILDING DUE TO ENCROACHMENT OF THIS BUILDING INTO THE CITY'S RIGHT-OF-WAY, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON PLAT ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE

passed first reading.

Councilwoman Hurley stated that Resolutions (a) thru (i) had been discussed in the appropriate committee and come with recommendations.

MEMO OF UNDERSTANDING
CNE

On motion of Councilwoman Rutherford, seconded by Councilwoman Hurley,
A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF CHATTANOOGA TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH CHATTANOOGA NEIGHBORHOOD ENTERPRISES, INC., TO SERVE AS DEVELOPER OF THE JAYCEE TOWERS, II, SUBJECT TO THE CITY ACQUIRING THE PROPERTY FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND ACCEPTABLE FINANCIAL TERMS

was adopted.

AGREEMENT
CHIEF JIMMIE DOTSON

On motion of Councilwoman Hurley, seconded by Councilman Franklin,
**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER
INTO AN AGREEMENT WITH JIMMIE L. DOTSON, CHIEF
OF POLICE, SO AS TO EXTEND THE TERM OF CHIEF
DOTSON'S CONTRACT TO OCTOBER 31, 2001**
was adopted.

CONTRACT CHANGE ORDER

On motion of Councilwoman Hurley, seconded by Councilman Franklin,
**A RESOLUTION AUTHORIZING THE EXECUTION OF A
CHANGE ORDER, RELATIVE TO RENOVATIONS TO THE
WARNER PARK TENNIS COURTS, WITH STEIN
CONSTRUCTION COMPANY, WHICH CHANGE ORDER
INCREASES THE CONTRACT AMOUNT BY ONE
THOUSAND, ONE HUNDRED THIRTY-FIVE DOLLARS
(\$1,135.00), FOR A REVISED CONTRACT AMOUNT OF ONE
HUNDRED ONE THOUSAND, ONE HUNDRED THIRTY-FIVE
DOLLARS (\$101,135.00)**
was adopted.

CONTRACT CHANGE ORDER

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,
**A RESOLUTION AUTHORIZING THE EXECUTION OF
CHANGE ORDER NOS. 4 THROUGH 6, RELATIVE TO
ALTERATIONS AND ADDITIONS TO THE AVONDALE
RECREATION CENTER, WITH RMG CONSTRUCTION
COMPANY, WHICH CHANGE ORDERS INCREASE THE
CONTRACT AMOUNT BY SEVENTEEN THOUSAND FIVE
HUNDRED SIXTY-NINE AND 92/100 DOLLARS (\$17,569.92),
FOR A REVISED CONTRACT AMOUNT OF THREE
HUNDRED FOURTEEN THOUSAND, EIGHT HUNDRED
NINETY-SIX AND 63/100 DOLLARS (\$314,896.63)**
was adopted.

CONTRACT

On motion of Councilman Franklin, seconded by Councilman Pierce,
**A RESOLUTION AUTHORIZING THE EXECUTION OF A
CONTRACT WITH W. C. TEAS COMPANY, RELATIVE TO
CONTRACT NO. 37C-1, CITICO PUMP STATION UPGRADE,
FOR AN AMOUNT NOT TO EXCEED ONE MILLION, ONE
HUNDRED SEVENTY-TWO THOUSAND, FOUR HUNDRED
THIRTY-SEVEN DOLLARS (\$1,172,437.00)**
was adopted.

SLOPE EASEMENT

On motion of Councilwoman Hurley, seconded by Councilman Franklin,
**A RESOLUTION AUTHORIZING THE PURCHASE OF A
GENERAL SLOPE EASEMENT FROM CHATTANOOGA
PROPERTIES-I, RELATIVE TO CONTRACT NO. RW-3-00,
SHALLOWFORD ROAD IMPROVEMENTS, TRACT NO. 25,
FOR A TOTAL CONSIDERATION OF ONE THOUSAND, SIX
HUNDRED FIFTY DOLLARS (\$1,650.00)**
was adopted.

R-O-W PURCHASE

On motion of Councilwoman Hurley, seconded by Councilman Franklin,
**A RESOLUTION AUTHORIZING THE PURCHASE OF A
RIGHT-OF-WAY FROM LOIS KLEZMER, ET AL, RELATIVE
TO CONTRACT NO. RW-3-00, SHALLOWFORD ROAD
IMPROVEMENTS, TRACT NO. 35, FOR A TOTAL
CONSIDERATION OF TWENTY-THREE THOUSAND, EIGHT
HUNDRED DOLLARS (\$23,800.00)**
was adopted.

TEMP.SIDEWALK USAGE

On motion of Councilman Franklin, seconded by Councilwoman Hurley,
A RESOLUTION AUTHORIZING JOE V. WILLIAMS TO USE TEMPORARILY THE SIDEWALK IN SOUTH BROAD STREET FOR PLACING A 10" DIAMETER STORM PIPE OVER A LENGTH OF 96 FEET AT 2633 SOUTH BROAD STREET TO SERVE AS AN OVERFLOW CONTROL FROM A DETENTION BASIN TO AN EXISTING CURB INLET, SUBJECT TO CERTAIN CONDITIONS
was adopted.

OVERTIME

Overtime for the week ending March 23, 2001 totaled \$112,593.71.

PERSONNEL

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

KAREN R. EADY—Resignation of Crew Leader—Riverpark, effective 3/23/01.

JAMES D. EVANS—Hire as Crew Worker—Riverpark, Pay Grade 3/1, \$15,535 annually, effective 3/21/01.

PURCHASE

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

CALABRIAN CORP. (Best bid meeting specs.)
Requisition R0052806/P0015502

Liquid Sodium Bisulfite

\$304/Dry Ton

PURCHASE

On motion of Councilwoman Rutherford, seconded by Councilman Lively, the following purchase was approved for use by the Chattanooga Fire Department:

THE BLIND PLACE (Lowest and best bidder)
Requisition R0043042

Vertical Blinds including installation for Main Street Fire Station

\$10,366.80

PERSONNEL

The following personnel matter was reported for the Chattanooga Police Department:

DANNY MINGO—Resignation of Police Officer, effective 3/31/01.

PURCHASE

On motion of Councilwoman Hurley, seconded by Councilman Franklin, the following purchase was approved for use by Information Services:

BELLSOUTH (Single Source Purchase)
Requisition R0041774/P0015980

Nortel Option Telecommunication System Upgrade at the Police Services Center and City Hall

\$14,339.56.

PERSONNEL HEARING:
VINCENT WATKINS

Attorney Nelson reminded the Council of the Personnel Hearing set for **Officer Vincent Watkins at 3:00 P.M. on Monday, April 2, 2001. Councilman Franklin is Chair of this hearing, along with Councilmen Pierce and Rutherford.**

PERSONNEL HEARING:
REGINALD FINLEY

Attorney Nelson also informed the Council that the case of **Officer Reginald Finley** would again be heard **at 4:00 P.M. on Monday, April 2, 2001.** The Panel to hear this consists of **Councilman Eaves, Chairman, along with Councilwomen Rutherford and Hurley.**

COMMITTEES

Councilman Franklin reminded the Council of the **Parks and Recreation Committee scheduled for Tuesday, April 3 at 4:00 P.M.**

Chairman Hakeem noted that Councilman Crockett had scheduled a **Legal and Legislative Committee to immediately follow the Parks and Recreation Committee on Tuesday, April 3rd.**

STEVE KELLEY

Mr. Steve Kelley addressed the Council. He stated that he was a former City employee who is now retired. He stated that there was a question as to whether his retirement was on-the-job or not-on-the job. He stated that he had been sent all around to various City departments, including the City Attorney's Office, and then sent back to the General Pension Board, who stated that they could not rule on such issues.

Attorney Nelson stated that he was not familiar with this case. He asked Mr. Kelley to whom he spoke to in his office. Mr. Kelley indicated that he had received a couple of letters from Attorney Nelson. Mr. Kelley stated that he had a letter from Dr. Boehm, noting that there was a difference in insurance and several other things depending on the type of retirement. Attorney Nelson asked that Mr. Kelley provide him with his name and phone number, and he would find out who handled this in his office.

ADJOURNMENT

Chairman Hakeem adjourned the meeting until Tuesday, April 3, 2001, 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)**