

**City Council Building
Chattanooga, Tennessee
April 3, 2001
6:00 p.m.**

Chairman Hakeem called the meeting of the Chattanooga 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 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, invocation was given by Councilwoman Hurley.

MINUTE APPROVAL

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

"GREAT AMERICAN CLEAN-UP"

Carolyn Skipper was present regarding the annual "Great American Clean-Up". She stated that the clean-up campaign has been called many things over the years as evidenced in today's newspaper article. She stated the City received the "Award of Excellence" from the Tennessee Department of Transportation for the work that was done last year. She stated that the kick-off for this year is scheduled for (this) Saturday with 28 neighborhoods "on board"; that the clean-up campaign will continue through mid-May. She stated that it is no too late for other organizations, neighborhoods and churches to join the effort and that Gain is one of this year's national sponsors.

"GREAT AMERICAN CLEAN-UP" Continued

Ms. Skipper expressed appreciation to Councilman Crockett for all he has done on the Council for Scenic Cities and the community and urged him to get the fast train here in Chattanooga! She stated that Councilman Crockett means a lot to this community and that Greenway Farm is a "jewel". She extended words of appreciation to Councilwoman Hurley for her involvement in Vision 2000, the work she has done in her neighborhood, her with the arts and all other contributions. She commended Councilwoman Rutherford for initiating "Brainerd Bounce", the Christmas tree decoration of Brainerd businesses during her first year on the Council and the assistance provided in filling of bags during various events. She concluded by expressing appreciation to each on the Council for what they do.

Chairman Hakeem expressed appreciation for all Scenic Cities does in bringing about awareness and putting Chattanooga in a position to win plaques and trophies because of the work done throughout the City.

CLOSE AND ABANDON

2000-064: George G. Hixson

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

CLOSE AND ABANDON

2000-224: Glen A. Holland

On motion of Councilwoman Rutherford, seconded by Councilman Pierce,
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 FO 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 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 AND ABANDON

2001-027: City of Chattanooga

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

CLOSE AND ABANDON

**2001-030: City of Chattanooga/Chattanooga-Hamilton County
Regional Planning Commission**

On motion of Councilman Lively, seconded by Councilwoman Hurley,
**AN ORDINANCE CLOSING AND ABANDONING BALDWIN STREET
FROM EIGHT (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 second reading. On motion of Councilwoman Hurley, seconded by
Councilwoman Rutherford, the Ordinance passed third and final reading and
was signed in open meeting.

RIGHT-OF-WAY NAME CHANGE

2001-042: T. J. Snow Company, Inc.

Councilwoman Rutherford inquired as to whether the street name is being
changed only in the front and whether this affects any of the residents?

Jerry Pace, Planner with the Planning Agency, stated that the name change
extends down to the existing cul-de-sac and does not affect anyone.

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,
**AN ORDINANCE TO CHANGE THE RIGHT-OF-WAY NAME OF
PROVENCE STREET AND CHICKAMAUGA WORLEY SHORTCUT TO JIM
SNOW WAY, SAID RIGHT-OF-WAY BEING MORE PARTICULARLY
DESCRIBED HEREIN SUBJECT TO CERTAIN CONDITIONS**

passed first reading.

NEW RATES FOR MUNICIPAL GOLF COURSES

Councilman Franklin stated that this matter was discussed in Parks and Recreation Committee and approval is recommended.

On motion of Councilman Franklin, seconded by Councilman Pierce,
AN ORDINANCE TO PROVIDE NEW RATES FOR THE USE OF MUNICIPAL GOLF COURSES, AS SET FORTH MORE FULLY HEREINBELOW
passed first reading.

PROPERTY

On motion of Councilman Lively, seconded by Councilwoman Rutherford,
A RESOLUTION ACCEPTING THE HIGHEST AND BEST OFFER FOR CERTAIN PARCELS OF PROPERTY ACQUIRED BY HAMILTON COUNTY AND THE CITY OF CHATTANOOGA THROUGH PREVIOUS DELINQUENT TAX SALES AND AUTHORIZING THE MAYOR AND CITY FINANCE OFFICER TO ENTER INTO AND EXECUTE DEEDS CONVEYING SAID PARCELS TO INDIVIDUALS ON THE LISTS ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE
was adopted.

CONTRACT: WASTE ENERGY TECHNOLOGY, LLC (WET)

On motion of Councilman Franklin, seconded by Councilwoman Rutherford,
A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. BL-1-01, CITY LANDFILL AT BIRCHWOOD, PHASES I AND II GAS COLLECTION WELLS, TO WASTE ENERGY TECHNOLOGY, LLC (WET) FOR THEIR LOW BID IN THE AMOUNT OF ONE HUNDRED TWENTY-ONE THOUSAND, NINE HUNDRED DOLLARS (\$121,900.00)
was adopted.

CONTRACT: YERBEY CONCRETE CONSTRUCTION, INC.

On motion of Councilman Lively, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. SW-1-01, CONCRETE CURB AND GUTTER, SIDEWALKS, AND DRIVEWAYS REQUIREMENTS CONTRACT, TO YERBEY CONCRETE CONSTRUCTION, INC. FOR THEIR LOW BID IN THE AMOUNT OF ONE HUNDRED EIGHTY-SIX THOUSAND, THREE HUNDRED FIFTY DOLLARS (\$186,350.00)
was adopted.

SUBMIT GRANT APPLICATION

Councilman Franklin reported that Resolutions 7(d) and (g) are recommended for approval as the result of discussion in Parks and Recreation Committee.

On motion of Councilman Franklin, seconded by Councilwoman Rutherford,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS, RECREATION, ARTS & CULTURE TO SUBMIT A GRANT APPLICATION TO ALLIED ARTS OF GREATER CHATTANOOGA AND, IF SELECTED FOR APPROVAL, ACCEPT A GRANT IN THE AMOUNT OF NINE THOUSAND, TWO HUNDRED DOLLARS (\$9,200.00) RELATIVE TO THE DANCE ALIVE PROGRAM
was adopted.

CONTRACT: GLATTING JACKSON KERCHER ANGLIN LOPEZ RINEHART, INC.

Chairman Hakeem stated Resolutions 7(e) and (f) were discussed in today's Legal and Legislative Committee and are recommended for approval by a vote of 4-1.

**CONTRACT: GLATTING JACKSON KERCHER
ANGLIN LOPEZ RINEHART, INC. (Continued)**

On motion of Councilwoman Hurley, seconded by Councilman Franklin,
**A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OF THE
CHATTANOOGA-HAMILTON COUNTY REGIONAL PLANNING AGENCY
TO ENTER INTO A CONTRACT WITH GLATTING JACKSON KERCHER
ANGLIN LOPEZ RINEHART, INC. TO PERFORM A COMPREHENSIVE LAND
USE PLAN OF THE HAMILTON PLACE AREA FOR A TOTAL FEE NOT TO
EXCEED ONE HUNDRED FIFTY-SEVEN THOUSAND, EIGHT HUNDRED
FIFTY DOLLARS (\$157,850.00)**

was adopted; Councilman Pierce abstained.

**COMMUNITY-WIDE PROCESS IN ADOPTING NEW
CITY FLAG**

Councilman Crockett stated he had initially asked for an Ordinance regarding a new City flag to replace the one we presently have, which is not very well known. He expressed appreciation to Council members for the work that was done on this; that the request is not an Ordinance to approve a new flag, rather a Resolution to start the process. He stated all on the Council support doing something; that it was suggested there would be a bigger opportunity to do a community-wide process to really focus on the strengths and values, as the flag is representative of those things and it is more important to get that done, first. He stated that it is his belief that this is the right way to start the step by not focusing in on design, but on what the design stands for.

On motion of Councilman Crockett, seconded by Councilwoman Rutherford,
**A RESOLUTION REQUESTING THAT THE NEXT CITY COUNCIL AND
ADMINISTRATION CONDUCT A COMMUNITY-WIDE PROCESS TO
IDENTIFY THE STRENGTHS AND VALUES AND THE PRINCIPLES TO GUIDE
THIS COMMUNITY'S DECISIONS AS A PART OF THE PROCESS OF
ADOPTING A NEW CITY FLAG**

was adopted.

DETERMINATION OF FUTURE USES OF GREENWAY FARM

Councilman Crockett stated that a great deal of work and hundreds of people were involved on the front end when the Farm was obtained, and hundreds more are using it. He stated it is important to get people in the community involved, as there was a large expression of support made when the issue of how the Farm would be used came up last year. He stated to have that well understood and adopted, it is better to do that again by the next administration.

On motion of Councilwoman Rutherford, seconded by Councilman Lively,
**A RESOLUTION REQUESTING THAT THE NEXT CITY COUNCIL AND
ADMINISTRATION ESTABLISH A COMMUNITY PROCESS TO DETERMINE
THE FUTURE USES OF GREENWAY FARM**
was adopted.

OVERTIME

Overtime for the week ending March 30, 2001 totaled \$14,827.47.

PURCHASES

On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford, the following purchases were approved for use by the General Services Department:

TECH MECHANICAL (Lowest and best bid)
Requisition R0048783/B0000562

Boiler
\$22,550.00

ASSOCIATED MECHANICAL (Lowest and best bid)
Requisition R0048784/B0000563

Chiller
\$209,834.00

PERSONNEL

The following personnel matters were reported for the Public Works Department

EDWARD R. BARTON – Lateral Transfer, Equipment Operator, Citywide Services, Pay Grade 6/Step 1, \$18,945.00 annually, effective March 28, 2001.

NATHANIEL GREEN – Lateral Transfer, Crew Worker, Citywide Services, Pay Grade 3/Step 11, \$24,079.00 annually, effective March 28, 2001.

JOHNNY WILLIAMS – Employment, Crew Worker, Citywide Services, Pay Grade 3/Step 1, \$15,535.00 annually, effective March 21, 2001.

DAVID BURTON PERRY – Retirement, Chief Electrical Inspector, Codes & Inspection, effective March 31, 2001.

HOTEL PERMIT

On motion of Councilman Lively, seconded by Councilman Franklin, the following hotel permit was approved.

THE CHATTANOOGAN – 1201 South Broad Street, Chattanooga, Tennessee

PERSONNEL

The following personnel matters were approved for use by the Chattanooga Police Department:

IAN L. KIRK – Promotion, Assistant Crime Analyst, Pay Grade 10/Step 1, \$23,494.00 annually, effective April 6, 2001.

SCOTT R. RANDOLPH – Resignation, Police Officer, effective April 10, 2001.

JOSEPH SANCHEZ – Resignation, Police Officer, effective April 5, 2001.

PERSONNEL

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

LISA D. CULVER – Family Medical Leave, Internal Auditor, Internal Audit Division, effective March 29 – July 19, 2001.

HEARING: REGINALD FINLEY

The hearing for Reginald Finley for rescheduled for Wednesday, April 11 at 3 p.m.

HEARING: VINCENT WATKINS

Chairman Hakeem stated the personnel hearing for Vincent Watkins' appeal of a one-day suspension for not appearing in court was held on yesterday. He stated the panel hearing the request determined that the suspension should be increased to two days without pay.

BOARD APPOINTMENT: INDUSTRIAL DEVELOPMENT BOARD

City Attorney Nelson stated that Edward Hammonds has been chosen as the new City Court Clerk and is no longer eligible to serve on the Industrial Development Board. He stated it is up to the Council to elect a new member and that Chairman Hakeem has a recommendation.

Chairman Hakeem stated with the support of the Council he would like to put in nomination the name of Bobby Hampton, former branch manager of SunTrust Bank on East Third Street. He stated Mr. Hampton is a minister, lives in the community and, to his knowledge, has an impeccable reputation.

City Attorney Nelson stated that the Industrial Development Board met last week and Mr. Hampton's name was "floated" at that time; that several on the Board knew him (Hampton) and thought highly of him.

On motion of Councilman Franklin, seconded by Councilman Crockett the appointment of *Rev. Bobby Hampton* to the *Industrial Development Board* was unanimously approved.

SPECIAL RECOGNITION OF COUNCIL MEMBERS

Councilman Franklin stated that it has been a privilege and honor to serve with Councilmen Rutherford, Hurley, Crockett and Eaves; that the service rendered during their tenure on the Council has been exemplary and looks forward to working with them as community persons.

Chairman Hakeem stated on next Tuesday there will be an opportunity once again to express sentiment in regard to Council colleagues. He stated expressions of appreciation will come from the Council to those departing and those who have been on the Council previously.

CLOSURE AND ABANDONMENT INQUIRY

Charles Harrison inquired as to a closure and abandonment that was supposed to be scheduled on the agenda.

Deputy Admin. Johnson stated that she and Phillip Lynn met with Councilman Pierce to address the issues Councilman Pierce had in regard to the owners of the property that was being requested for closure and abandonment. She stated because the issue is not resolved and the property does not belong to the City, the proposal is to come back next week with a Resolution for temporary use. She stated that the property actually belongs to the State of Tennessee and they will approach the Tennessee Department of Transportation regarding the process for closure and abandonment.

Chairman Hakeem asked Deputy Admin. Johnson to meet with Mr. Harrison after the meeting and provide further details.

GARY BALL AND JIM DAVIS

Gary Ball and Jim Davis were present representing the Ridgedale Community Association. Mr. Ball stated that their area has the distinction of having two Councilpersons (Hakeem and Rutherford) representing them because of the way the lines were drawn. He stated due to the recent elections Councilman Hakeem would remain for another four years and the Association looks forward to working with him.

GARY BALL AND JIM DAVIS (Continued)

Mr. Ball stated that they would be losing Councilwoman Rutherford and expressed that she had been a great friend to the community and an energetic person in working for and with them; that a lot was accomplished during her time on the Council. He asked others from the community present to stand and presented Councilwoman Rutherford with a printed Mylar balloon and framed certificate of appreciation. (Jim Davis injected his note of thanks to Councilwoman Rutherford, also.)

Councilwoman Rutherford stated that the Association was founded a few months after she was elected, which was about eight years ago. She stated that she tells people throughout the City and county that if every neighborhood association worked as hard and accomplished as much as the Ridgedale Association has this would be a whole different City. She stated this neighborhood association has worked against the hardest odds of any group she has had the privilege of working with and expressed thanks for their kind expression.

CHIEF COPPINGER

Chief Coppinger extended an invitation to the Council to attend the graduation of 22 cadets scheduled for Thursday evening at 6 p.m. at the Fire Training Center. He expressed excitement that the new Number 1 Fire Station would be operational as of 7 a.m. on Wednesday morning and thanked the Council for authorizing the appropriation to make it a reality.

ADJOURNMENT

Chairman Hakeem adjourned the meeting until Tuesday, April 10, 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)**