

**City Council Building
Chattanooga, Tennessee
May 22, 2001
6:00 p.m.**

Chairman Hakeem called the meeting of the Chattanooga Council to order with Councilmen Benson, Franklin, Littlefield, Lively, Page, Pierce, Robinson and Taylor present. 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 Lively gave invocation.

MINUTE APPROVAL

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

SPECIAL PRESENTATION: HAMID ANDALIB

Hamid Andalib addressed the Council regarding the original mission of the new Conference Center, indicating that the original mission has been derailed. He stated that he was a member of the Board of Chattanooga Venture twenty years ago when Vision 2000 was undertaken and City residents were asked what they wanted the City to become and it was indicated there was a need for a conference center. He stated as a result of Vision 2000, the Aquarium and Riverwalk began to develop, and ten years later, due to the success of Vision 2000, Revision 2000 was focused upon as to how to go to the next millennium. He stated the idea of the conference center was borne among those kinds of discussions with members of the community. He displayed a "road map" of ideas that were discussed during the discussion years ago as to what people wanted in a conference center.

SPECIAL PRESENTATION: HAMID ANDALIB
(Continued)

Mr. Andalib stated that he was present to communicate and emphasize, as a member of the community, that he still believes having a strategic conferencing plan is very important; that the original mission of a conference center was to bring smaller conferences and/or meetings to beautiful surroundings with high technology and housing to take care of them, with the hope those in attendance would take the time to spend time in the City. He stated as an individual he is very involved in every aspect of this community and "drove" the idea with all that he could. He clarified that he was not present in any way to oppose the conference center or the City of Chattanooga; that he was part of the original "driving mission" of raising money for a conference center.

Mr. Andalib continued by making reference to the wages offered persons at the Chattanooga employed as waiter and chef, indicating that a few members of his staff resigned to work there, never realizing that it was the conference center. He stated that he took his secretary and wife to lunch at the Chattanooga for "Secretary's Week", had a great lunch and asked who owns the Chattanooga? He indicated that he was told a construction company owned it and later found out the City owns it! He stated the real surprise came on "Mothers Day" wherein the majority of persons went to the Chattanooga, still not realizing it was the conference center. He made reference to various colored ads in magazines referencing an "upscale hotel with a beautiful lobby", as well as a website he accessed hailing the hotel, not a conference center.

Mr. Andalib concluded his remarks by stating the ultimate goal was not to have another hotel, as it was to have a strategic conference center focused on bringing meetings here. He stated that he is totally convinced this body and the people responsible for the conference center have told management over and over that this is a conference center. He asked the Council to look into this and asked anyone from the conference center to understand that the people of Chattanooga asked for a conference center. He asked that it be understood and made more meaningful for people to use the facility as a conference center to help develop new jobs and show off our city to everyone as a conference center. He asked that the facility not be advertised as a hotel and introduce it as a "high tech" conference center and for the message to be clear. At this point he asked members of the Restaurant Association present in support of his comments to stand.

SPECIAL PRESENTATION: HAMID ANDALIB
(Continued)

Chairman Hakeem stated Mr. Andalib has a history and track record of being a worker and servant in this community and expressed thanks for that. He stated Mr. Andalib's comments were not perceived in a negative manner and expressed that the effort is to focus on the mission of the Chattanooga as opposed to trying to dismantle it, so to speak. He stated there could be the perception that the City is subsidizing competition in the private sector and there is some concern among merchants in that area. He stated that he is of the opinion that a level of awareness and understanding will come out of this with the hope there will be a win-win situation; that the effort is that no one will lose out because it is a part of the fabric of this community; that some of its greatest allies should and will be from the hotel and restaurant industry.

Councilwoman Robinson stated that she was happy to have Mr. Andalib express himself to the Council. She stated that she, too, remembers when the conference center concept was developed; that what we are seeing now is the startup from an early marketing decision that can be tweaked and refined. She stated that Mr. Andalib is correct that it is a facility developed to be technologically connected as (he) described; that it is her belief continuing attention should be paid as to how it is leased and the people in marketing can straighten it out. She again expressed appreciation for Mr. Andalib's presence and stated that she wants the people in the audience to know that she is supportive of them and business and would not willingly jeopardize their business.

Councilman Page made the motion that the conference center be reviewed and inquiries made of the operation of the Chattanooga, with recommendations formulated for presentation to the Council through the appropriate committee, probably the Legal and Legislative Committee. Councilman Taylor seconded the motion.

Chairman Hakeem asked if **the motion could be broad enough to include both Legal and Legislative and Economic Development Committees with the intent of reviewing the mission.** He clarified that the intent is not to tear down but for everyone to work together to enhance the private sector and the conferencing center. **Councilman Page amended his motion to include Chairman Hakeem's remarks.**

SPECIAL PRESENTATION: HAMID ANDALIB
(Continued)

Councilman Taylor expressed agreement with the motion to look into the matter and make sure the Chattanooga is on target in expressing itself as a conference center.

Councilman Benson also expressed support for the motion with the understanding that in no way is the motion to reflect anything negative about the development of the Chattanooga; that nothing Mr. Andalib said should be taken as anything but positive. He stated the facility has just come in and "stepped across our threshold"; that if this is meant to lead and guide to fulfill the original intent of the motion, he supports the motion. He concluded his comments by "calling for the question" on the motion.

Chairman Hakeem assigned the matter to the Legal and Legislative and Economic Development Committees, indicating that time lines for response on this issue will be set.

Councilman Pierce asked for clarification regarding the original startup of the Chattanooga as to whether an organization was designated to run it for the City? The response was that Benchmark was approved as the designated agency.

Councilman Pierce stated that the Council is not in a position to dictate policies or make suggestions; that we are looking at a professional organization that operates facilities of this nature across the nation and they know how to market a conferencing center. He stated that he understands what is being said today and clarified that this is their startup; that it is his thinking for the first six months things may happen out of the ordinary as they have to get their name out one way or another. He stated that it is a little premature to come in and start talking about working against other businesses; that he does not think this is the case and cannot see Benchmark doing anything like that. He stated that he would hate to dictate to them in their first two months what direction they should take; that he would have more questions at a later date.

Councilman Lively stated that he understands the concern and expressed agreement with Councilman Pierce's comments that it is too early to make snap decisions and get too upset. He stated from what he has seen their prices should not interfere with anyone; that competition is competition, no matter what.

SPECIAL PRESENTATION: HAMID ANDALIB
(Continued)

Councilman Lively continued by stating it is like Councilman Pierce stated, it is their startup and it is felt that they are using the wrong tactics in Mr. Andalib and others' opinion in advertising. He stated instead of "jumping through hoops" and making snap decisions we should wait to see what happens first as he does not think anyone is going to run out of business in the next 30 days, reiterating that the facility is just starting up.

Councilman Taylor stated that sometimes it does not take a couple months and you can be out of business. He stated as a business owner Mr. Andalib brings a legitimate concern to the table that really needs to be looked at. He stated he is not speaking against their policy, but wants to make sure they stay within their aim or focus and, hopefully, the business the Chattanooga will generate will spill over into our community and neighborhoods, as neighborhoods are the lifeline of our community. He stated they employ our citizens and we definitely want to look at it, not at implementing policy but looking at their focus and mission.

Councilman Franklin stated that the bottom line is that if the conference center advertises as a conference center it should be marketed as a conference center. He stated that the scope of the original intent should be stated.

Chairman Hakeem stated that the Committees will review the matter and come back with some type of conclusion. He stated even though this is the startup phase, a level of awareness came out today that was not there previously

Mr. Andalib stated that he and others are not "jumping the gun"; that they understand there will still be "growing pains". He stated that it is hoped they will understand that the will of the people of Chattanooga is to have a conference center.

INTERIM BUDGET

On motion of Councilman Lively, seconded by Councilman Taylor,

AN ORDINANCE PROVIDING FOR AN INTERIM BUDGET AND APPROPRIATING FUNDS FOR THE USUAL AND ORDINARY EXPENSES OF THE CITY GOVERNMENT FOR THE MONTHS OF JULY, AUGUST AND SEPTEMBER, 2001, PENDING THE ADOPTION OF THE 2001-2002 ANNUAL BUDGET

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

Councilman Pierce made the motion to move Ordinance 6(d) up on the agenda; Councilman Franklin seconded the motion.

2001-036: Crombie-Pinkard Funeral Services, now Pinkard & Mee

The applicant was present; there was no opposition.

Nathanial Pinkard and Mr. Mee, applicants, were present. Mr. Pinkard stated that they are trying to survive as a young business; that they have a funeral home on Broad Street and the primary purpose for wanting the road closed is to help control the appearance of the business; that they would like to beautify the area and have additional parking. He stated they would like to have control to prevent the junk yard behind them from placing junk on the inside of their fence; that this has been an eyesore for years for people they serve and the community. He stated that is all they are trying to do and is the only rationale behind the request for closure. He stated they want to be good citizens; that they have a growing business and want to beautify the area.

Chairman Hakeem stated it is his understanding an agreement has been worked out with the scrap yard as to the use of this property.

Mr. Pinkard stated the agreement is that the junkyard is supposed to keep everything clean in that area; that he does not know about an agreement for them to abide by. He stated the owner of the junkyard has started cleaning it up but does not know how long that will last.

CLOSE AND ABANDON (Continued)

Chairman Hakeem clarified that what he was referring to was that the recommendation is for denial and it has been suggested that an agreement has been worked out between the two parties. Mr. Mee indicated that he knows nothing about an agreement of any kind.

Jerry Pace, Planner with the Planning Agency, stated that the request is located on Broad Street in South Chattanooga for the closure of 22nd Street, which is a city street. He stated both Planning and Staff recommend denial, as the closure of 22nd Street is not appropriate since it provides entrance to the scrap metal facility. He stated a portion of the alley behind the funeral home was part of the request; that both parcels were considered together as one unit. He stated Planning would have no problem with the portion behind the funeral home being closed.

Bill McDonald, Acting Administrator of Public Works, expressed his unfamiliarity with the details of this matter, and stated that it was the Department's understanding that there had been an agreement worked out between the scrap iron facility and the funeral home. He stated the reason for denial is that other companies use it and the scrap iron facility uses it as their entrance. He stated that he understands that the funeral home can use it during the times they have a funeral in process and it would stay open, clarifying that that is the information that had come back to him. Chairman Hakeem asked if Acting Admin. McDonald was referencing both the street and alley or just the alley? Acting Admin. McDonald responded that the alley was what he was referencing.

Councilman Pierce stated that he knows there is no value on the alley to the funeral home or junkyard; that the main value would be the street. He stated the alley could be closed or left open and he does not know who would be the beneficiary of the property if the street were closed; that it would have to be researched. He stated that he spoke with Mr. Mee this afternoon and was informed that they had not talked to the junkyard owner since the Planning Commission meeting. He stated that he drove by the location and saw 55 gallon drums sitting outside and abandoned cars on the back of one of the other lots. He stated what he is hearing is that if they could get the junkyard owner to clean up the outside fence fronting the side of their (funeral home) entrance they would be satisfied and we could go ahead and deny the request; that there is nothing we can do as far as imposing demands on the junk yard.

CLOSE AND ABANDON (Continued)

Councilman Pierce stated all we can do is take the matter to Neighborhood Services and let them go out and see what needs to be done in an effort to get them to clean it up.

Councilman Taylor echoed Councilman Pierce's comments indicating that the involvement of Neighborhood Services would be extremely helpful. He stated if the Council chose to close the alley it could present a further problem with regard to ownership of the land and equal share of property.

Councilman Littlefield asked if the scrap iron business has any other access? Mr. Pinkard responded "yes"; that they have access coming in off 21st Street.

Councilman Pierce stated that the alley off 21st street is very small and there is no way to have adequate access through the narrow alley.

Chairman Hakeem stated the owner of the junkyard has not had an opportunity to address the issue today. He asked if there is the assumption that something had been worked out on their part and is the result of their not being present?

Mr. Pace stated that a one week delay would give opportunity to further look into the matter and come back with a better solution if they do not have adequate access off 21st Street; that he would like to make sure all "bases have been touched" if the street is closed.

At this point Councilmen Lively and Robinson made the motion to defer the matter one week.

City Attorney Nelson stated in looking at the information, it appears Bell South, the Electric Power Board and the Gas Company all have facilities in the alley which might be prejudiced if the alley were closed. He stated that is something that needs to be looked at if the matter is deferred a week; that he would not want public utilities to be compromised.

Mr. Pace stated that it was not his intent to make the recommendation to close the alley; that it is his thinking that the Staff and Planning would recommend denial. He explained that he would like to make sure the scrap metal business is aware of what is happening.

CLOSE AND ABANDON (Continued)

Councilman Pierce stated that he is not sure about the utilities; that the street dead ends into the freeway and this is the portion that is a half block from the freeway. He stated that he would like for someone to look into the matter, as it appears the junkyard has fenced the alley off on that end. Mr. Pace indicated that he would make sure someone looked at that. Mr. Pinkard confirmed that the junkyard has fenced the alley off on that end.

On motion of Councilman Lively, seconded by Councilwoman Robinson,
AN ORDINANCE CLOSING AND ABANDONING A TEN (10) FOOT ALLEY AND AN UNOPENED FIFTY (50) FOOT RIGHT-OF-WAY OF WEST 22ND STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON PLAT ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE

was tabled one week.

AMEND LEGAL DESCRIPTION IN NO. ORDINANCE 11131

2000-064: George G. Hixson

Councilman Franklin explained that Ordinances 6(a) – (c) and (e) were discussed in Public Works Committee and the recommendation is for approval.

On motion of Councilman Franklin, seconded by Councilman Lively,
AN ORDINANCE TO AMEND ORDINANCE NO. 11131 ENCAPTIONED "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." SO AS TO REPLACE THE LEGAL DESCRIPTION

passed first reading.

CLOSE AND ABANDON

2001-026: Bear Branch, Inc., Jim G. Meeks & Pattie M. Meeks

On motion of Councilman Franklin, seconded by Councilwoman Robinson,
AN ORDINANCE CLOSING AND ABANDONING THREE (3) UNOPENED ALLEYS LOCATED BETWEEN THE 300 BLOCK OF NORTH MARKET STREET AND THE 300 BLOCK OF WOODLAND AVENUE, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON PLAT ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE
passed first reading.

CLOSE AND ABANDON

2001-033: Provident Life & Accident Insurance Company

On motion of Councilman Lively, seconded by Councilman Franklin,
AN ORDINANCE CLOSING AND ABANDONING AN ALLEY LOCATED BETWEEN THE 400 BLOCKS OF CHERRY STREET AND WALNUT STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON PLAT ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE
passed first reading.

CLOSE AND ABANDON

2001-045: Joe Wheeler

On motion of Councilman Franklin, seconded by Councilman Littlefield,
AN ORDINANCE CLOSING AND ABANDONING AN OPEN ALLEY LOCATED NORTHEAST FROM EAST KENT STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON PLAT ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO A CERTAIN CONDITION
passed first reading.

SPECIAL POLICEMEN

On motion of Councilman Franklin, seconded by Councilwoman Robinson,
A RESOLUTION AUTHORIZING THE APPOINTMENT OF MICHAEL L. JACKSON AND MATOYA BEST AS SPECIAL POLICEMEN FOR THE CHATTANOOGA METROPOLITAN AIRPORT AUTHORITY, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS
was adopted.

SPECIAL POLICEMAN

On motion of Councilman Littlefield, seconded by Councilwoman Robinson,
A RESOLUTION AUTHORIZING THE APPOINTMENT OF RUSSEL A. DAVIS AS A SPECIAL POLICEMAN FOR THE RIVERPARK, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS
was adopted.

CONTRACT: TDOT

Councilman Franklin stated Resolutions 7(c) and (d) were discussed in Public Works Committee and approval is recommended.

On motion of Councilman Franklin, seconded by Councilman Benson,
A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MAINTENANCE CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR FISCAL YEAR 2001-2002, RELATIVE TO THE STATE REIMBURSING THE CITY FOR MAINTENANCE WORK ON STATE HIGHWAYS ROUTED THROUGH THE CITY
was adopted.

TEMPORARY USE: MOUNTAIN CREEK CHURCH OF GOD

On motion of Councilman Lively, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING MOUNTAIN CREEK CHURCH OF GOD TO USE TEMPORARILY THE CITY'S RIGHT-OF-WAY AT 949 RUNYAN DRIVE FOR INSTALLATION OF A DIRECTIONAL SIGN AT THE INTERSECTION OF RUNYAN DRIVE AND NORTH RUNYAN DRIVE, SUBJECT TO CERTAIN CONDITIONS
was adopted.

LAND TRADE

Admin. Traughber stated one of the challenges during the Frederick Street project was not only to develop the street in terms of housing but also to address the needs of the Church. A colored drawing of the properties in question was displayed, wherein he explained that the land trade involves parking and allows for continuation of the Frederick Street development. He stated within the next two weeks there would be a transfer of the first four parcels of land to CNE for initiating the development phase.

Admin. Traughber indicated that he had brochures available for new Council members outlining the rationale for the Frederick Street project and would be available for discussion if there were a need. He stated the information also gives a preview of the HOPE VI plan the Department is working toward in terms of developing the Alton Park neighborhood.

On motion of Councilman Taylor, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING A LAND TRADE BETWEEN THE CITY OF CHATTANOOGA ("CITY") AND THE ALTON PARK CONGREGATION OF JEHOVAH'S WITNESS TRS ("CONGREGATION") FOR THE PURPOSE OF COMPLETING THE FREDERICK STREET HOMES PLANNED UNIT DEVELOPMENT, WHEREBY THE CONGREGATION WILL CONVEY TO THE CITY PROPERTY LOCATED AT FREDERICK AND WEST 38TH STREETS, TAX MAP NO. 155N-E-034, AND IN EXCHANGE THE CITY WILL CONVEY TO THE CONGREGATION PROPERTY LOCATED AT WEST 38TH AND PIROLA STREETS, PART OF TAX MAP NO. 155N-F-001, AND PROPERTY LOCATED AT FREDERICK AND WEST 38TH STREETS, PART OF TAX MAP NO. 155N-B-009

was adopted.

OVERTIME

Overtime for the week ending May 18, 2001 totaled \$84,842.34.

PERSONNEL

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

WILLIAM C. BOYD – Resignation, Concrete Worker, Citywide Services, effective May 15, 2001.

PERSONNEL (Continued)

JOHNNY V. REESE – Lateral Transfer, Sanitation Worker, Citywide Services, Pay Grade 3/Step 1, \$15,535.00 annually, effective May 23, 2001.

GEOFFREY FARMER – Promotion, Equipment Operator, Citywide Services, Pay Grade 6/Step 1, \$18,945.00 annually, effective May 16, 2001.

BOBBY G. CRUTCHER – Suspension (3 days without pay), Light Equipment Operator, Citywide Services, effective May 21-23, 2001.

ANTONIO MATTHEWS – Retirement (30 years of service), Equipment Operator Senior, Waste Resources, effective June 1, 2001.

RONALD WAMPLER – Retirement (16 years of service), Heavy Equipment Operator, Waste Resources, effective May 31, 2001.

WILLARD G. TROTTER – Promotion, Sanitation Worker Senior, Citywide Services, Pay Grade 5/Step 7, \$23,328.00 annually, effective April 11, 2001.

PERSONNEL

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

JAMIE RATCHFORD – Promotion, Senior Firefighter, Pay Grade F2/Step 3, \$28,198.00 annually.

PERSONNEL

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

WILLIE GRIFFIN, SR. – Medical Leave of Absence, Crew Worker, effective May 14, 2001.

PATRICIA LANCE – Medical Leave of Absence, Police Service Technician Sr., effective May 14, 2001.

PERSONNEL (Continued)

ELAINE SMITH – Voluntary Demotion, Police Records Clerk, Pay Grade 3/Step 11, \$24,079.00 annually, effective May 22, 2001.

GENEVA FREEMAN – Rescind Employment, School Patrol Officer, effective May 4, 2001.

APPROVAL OF GRATUITY

Chief Dotson stated that a local businessman wants to give a dinner honoring ten police officers this summer. He stated each officer will be given a table for eight or ten persons and will be allowed to invite anyone he or she desires. He stated some members of the command staff in the Department will be invited, as well as City Council members and other distinguished guests. He continued by stating that each of the ten officers will be given a plaque recognizing his or her service to the community, however, there will be no monetary award to the officers; that the businessman will also make a donation to the Chattanooga Police Foundation in honor of one of these ten officers to be used for training purposes.

Chairman Hakeem indicated that each Council member received written information regarding this request.

On motion of Councilman Pierce, seconded by Councilwoman Robinson the gratuity was approved.

COMMITTEES

Councilman Littlefield stated to begin the work assigned to him and Councilman Page as Chairmen of the Legal and Legislative and Economic Development Committees, he requested that City Attorney Nelson supply them with a copy of the contract with Benchmark so that they could peruse the contractual requirements and, perhaps, meet with Benchmark personnel to ask about their marketing plan. He stated once that has been done a committee meeting will be called to report how the material was gathered and will go from there.

Councilman Page suggested that it might be helpful to secure any other information as to how they are structured.

COMMITTEES (Continued)

Councilman Pierce stated in talking with Benchmark both Councilmen might inquire as to their startup marketing plan in other places.

Councilman Franklin indicated that both Councilmen should consider speaking with Rob Taylor for additional information, as well, as Mr. Taylor has been intimately involved in the whole process.

ADJOURNMENT

Chairman Hakeem adjourned the meeting until Tuesday, May 29, 2001 at 6 p.m.

CHAIRMAN

CLERK OF COUNCIL

**(THE SIGNATURE SHEET OF PERSONS IN ATTENDANCE
IS NOT FILED WITH MINUTE MATERIAL OF THIS DATE
AS THE SIGN-IN BOOKLET WAS REMOVED)**