

City Council Building
Chattanooga, Tennessee
December 2, 2003
6:00 p.m.

Chairman Franklin called the meeting of the Chattanooga Council to order with Councilmen Benson, Hakeem, 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 Littlefield gave invocation.

CORRECTION OF NOVEMBER 18, 2003 MINUTES

Council Clerk Carol O'Neal indicated that the minutes of the Council meeting held on November 18, 2003 will be corrected to reflect the addition of two words ("it if") that were unintentionally omitted on page 24, second paragraph, last sentence. The sentence will be corrected to read, ". . . he hates *it if* Mr. Fowler thinks business (commercial) would be good . . ."

MINUTE APPROVAL

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

AMEND CITY CODE: STORM WATER REGULATIONS BOARD

On motion of Councilman Hakeem, seconded by Councilman Littlefield,
**AN ORDINANCE TO AMEND PART II, CHATTANOOGA CITY CODE,
CHAPTER 31, ARTICLE VIII, SECTIONS 31-360 THROUGH 31-365,
RELATIVE TO THE STORM WATER REGULATIONS BOARD**
passed second reading. On motion of Councilman Lively, seconded by Councilman Littlefield, the Ordinance passed third and final reading and was signed in open meeting.

CLOSE AND ABANDON

MR-2003-180: LDG Construction, Inc.

On motion of Councilman Hakeem, seconded by Councilman Pierce,

AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED PORTION OF THE 2400 BLOCK OF 13TH AVENUE LOCATED BETWEEN THE 2700 BLOCKS OF WOODSIDE STREET AND EAST 25TH STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS

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

AMEND CITY CODE, RELATIVE TO ONE-WAY STREETS

On motion of Councilman Benson, seconded by Councilman Littlefield,

AN ORDINANCE TO AMEND PART II, CHATTANOOGA CITY CODE, CHAPTER 24, ARTICLE XIV, SECTION 24-504, RELATIVE TO ONE-WAY STREETS

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

SPECIAL POLICEMAN: CHARLES A. HUGHLEY

On motion of Councilman Pierce, seconded by Councilwoman Robinson,

A RESOLUTION AUTHORIZING THE APPOINTMENT OF CHARLES A. HUGHLEY AS SPECIAL POLICEMAN (UNARMED) FOR THE CITY OF CHATTANOOGA COURT, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS

was adopted.

CONTRACT: JDH ROOFING, INC.

Councilwoman Robinson stated Resolutions (b), (c) and (d) were discussed in Parks and Recreation Committee and approval is recommended.

CONTRACT: JDH ROOFING, INC. (Continued)

On motion of Councilwoman Robinson, seconded by Councilman Littlefield,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS, RECREATION, ARTS AND CULTURE TO EXECUTE A CONTRACT WITH JDH ROOFING, INC., RELATIVE TO RE-ROOFING A PORTION OF THE ROOF AT THE TIVOLI THEATRE, IN AN AMOUNT NOT TO EXCEED FORTY-FIVE THOUSAND DOLLARS (\$45,000.00)
was adopted.

AGREEMENT: EASTMAN CONSTRUCTION COMPANY

On motion of Councilman Lively, seconded by Councilman Littlefield,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS, RECREATION, ARTS AND CULTURE TO EXECUTE AN AGREEMENT WITH EASTMAN CONSTRUCTION COMPANY, RELATIVE TO THE REPAINTING OF WALKER PAVILION AT COOLIDGE PARK, FOR A TOTAL FEE NOT TO EXCEED TEN THOUSAND NINE HUNDRED NINETY-FIVE DOLLARS (\$10,995.00)
was adopted.

AGREEMENT: EASTMAN CONSTRUCTION COMPANY

On motion of Councilman Page, seconded by Councilman Taylor,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS, RECREATION, ARTS AND CULTURE TO EXECUTE AN AGREEMENT WITH EASTMAN CONSTRUCTION COMPANY, RELATIVE TO THE REPAINTING OF THE CAROUSEL BUILDING AT COOLIDGE PARK, FOR A TOTAL FEE NOT TO EXCEED TWELVE THOUSAND FIVE DOLLARS (\$12,005.00)
was adopted.

HAZARD MITIGATION GRANT: TEMA

Councilman Hakeem stated Resolutions (e) – (j) were discussed in Public Works Committee and approval is recommended.

HAZARD MITIGATION GRANT: TEMA (Continued)

On motion of Councilman Lively, seconded by Councilman Littlefield,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO APPLY FOR AND, IF APPROVED, ACCEPT A HAZARD MITIGATION GRANT FROM THE TENNESSEE EMERGENCY MANAGEMENT AGENCY (TEMA), IN THE AMOUNT OF SIX HUNDRED EIGHTY THOUSAND TWO HUNDRED FIFTY DOLLARS (\$680,250.00), RELATIVE TO ACQUIRING NINE (9) PROPERTIES, MORE PARTICULARLY DESCRIBED HEREIN, DAMAGED BY THE MAY, 2003, FLOOD

was adopted.

CHANGE ORDER

On motion of Councilman Pierce, seconded by Councilman Taylor,

A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1 (FINAL), RELATIVE TO THE MARKET STREET STREETScape FROM 6TH STREET TO 10TH STREET, CONTRACT NO. SS-6-00, WITH EAST TENNESSEE GRADING, INC., WHICH CHANGE ORDER DECREASES THE CONTRACT AMOUNT BY ONE HUNDRED SIX THOUSAND TWO HUNDRED FIFTY-FIVE AND 14/100 DOLLARS (\$106,255.14), FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED ONE MILLION SEVEN HUNDRED EIGHTY-NINE THOUSAND ONE HUNDRED SIXTY-SEVEN AND 36/100 DOLLARS (\$1,789,167.36)

was adopted.

CONTRACT: VOLKERT & ASSOCIATES, INC.

On motion of Councilman Hakeem, seconded by Councilman Taylor,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AMENDMENT NO. 3, TO CONTRACT NO. SS-6-00, RELATIVE TO THE MARKET STREET STREETScape PROJECT WITH VOLKERT & ASSOCIATES, INC., FOR ENGINEERING CONSTRUCTION SERVICES (RESIDENT PROJECT REPRESENTATIVE) IN AN AMOUNT NOT TO EXCEED FORTY-ONE THOUSAND FIVE HUNDRED FIFTY AND 50/100 DOLLARS (\$41,550.50), FOR AN INCREASED AMOUNT SO AS NOT TO EXCEED TWO HUNDRED NINETY-EIGHT THOUSAND FIFTY AND 50/100 DOLLARS (\$298,050.50)

was adopted.

AGREEMENT: CONSOLIDATED TECHNOLOGIES, INC.

On motion of Councilman Littlefield, seconded by Councilman Taylor,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AN AGREEMENT WITH CONSOLIDATED TECHNOLOGIES, INC., RELATIVE TO ENGINEERING SERVICES FOR CONTRACT NO. W-03-009-101, ASHLAND TERRACE SEWER RELOCATION PROJECT, FOR A TOTAL AMOUNT NOT TO EXCEED SEVENTY-ONE THOUSAND THREE HUNDRED EIGHTY-TWO DOLLARS (\$71,382.00)
was adopted.

AGREEMENT: CONSOLIDATED TECHNOLOGIES, INC.

On motion of Councilman Page, seconded by Councilman Littlefield,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AN AGREEMENT WITH CONSOLIDATED TECHNOLOGIES, INC., RELATIVE TO PROFESSIONAL SERVICES FOR CONTRACT NO. W-03-004-101, SHALLOWFORD ROAD SEWER RELOCATION PROJECT, FOR A TOTAL AMOUNT NOT TO EXCEED FIFTY-SEVEN THOUSAND SEVEN HUNDRED TWENTY-FIVE DOLLARS (\$57,725.00)
was adopted.

WORK AUTHORIZATION NO. 23: ARCADIS G&M, INC.

On motion of Councilman Hakeem, seconded by Councilman Pierce,
A RESOLUTION AUTHORIZING THE EXECUTION OF WORK AUTHORIZATION NO. 23, WITH ARCADIS G&M, INC., FOR RESIDENT PROJECT REPRESENTATIVE SERVICES RELATIVE TO CONTRACT NO. E-02-003 MARTIN LUHER KING BOULEVARD, BAILEY AVENUE AND MCCALLIE AVENUE TWO-WAY CONVERSION, IN AN ADDITIONAL AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) FOR A TOTAL FEE NOT TO EXCEED SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00)
was adopted.

**CONTRACT: EASTMAN CONSTRUCTION
COMPANY**

Councilman Lively stated this matter was discussed in the Safety Committee and approval is recommended.

On motion of Councilman Benson, seconded by Councilman Littlefield,
**A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO
EASTMAN CONSTRUCTION COMPANY FOR THEIR LOW BID IN THE
AMOUNT OF ONE HUNDRED NINETEEN THOUSAND NINE HUNDRED
DOLLARS (\$119,900.00) RELATIVE TO CONSTRUCTION OF A VEHICLE
CANOPY AT THE POLICE SERVICE CENTER**
was adopted.

OVERTIME

Overtime for the week ending November 28, 2003 totaled \$85,807.87.

PERSONNEL

The following personnel matters were reported for the various departments:

CHATTANOOGA FIRE DEPARTMENT:

- ✍ **MATTHEW K. MCELHANEY, STEPHEN D. DAVIS, CHARLES THOMASON** – Promotion, Senior firefighter, Pay Grade F2/Step 3, \$31,055.00 annually, effective November 30, 2003.

CHATTANOOGA POLICE DEPARTMENT:

- ✍ **AMY RAE FAZI** -- Hire, Crime Statistical Analyst, Pay Grade 15/Step 2, \$32,713.00 annually, effective November 28, 2003.

FINANCE DEPARTMENT:

- ✍ **RACHELLE THOMPSON SMITH** – Resignation, Management & Budget Analyst, effective November 28, 2003.

PURCHASES

On motion of Councilman Lively, seconded by Councilwoman Robinson, the following purchase was approved for use by the Parks, Recreation, Arts and Culture Department:

BROOKER FORD (Lowest and best bid)
R0072180/B0001077

¾ Ton Pick-Up Truck

\$19,055.99

GEORGIA TURF & TRACTOR (Lower bidder)
R0072160/B0001100

Professional Utility Mower

\$20,505.00

BROOKER FORD (Lowest and best bid)
R0072181/B0001059

¾ Ton Van

\$15,136.76

PURCHASES

On motion of Councilman Hakeem, seconded by Councilman Littlefield, the following purchases were approved for use by the Public Works Department:

NORTH AMERICAN SALT CO. (Single source)
R0071602

Salt for Ice Removal per TCA 6-56-304.6 (*Wolf Tree Experts' lower bid is not recommended for award because of unsatisfactory past performance.*)

(Price information available and filed with minute material)

PURCHASES (Continued)

ASPLUNDH TREE CO. (Best bid meeting specifications)
R0070210

Tree Trimming and Removal Services

\$70.04 per hour

REFUND

On motion of Councilman Taylor, seconded by Councilman Pierce, the Administrator of Finance was authorized to issue the following refund of storm water fees and/or property taxes for 2003:

COUNTRYWIDE HOME LOANS -- \$1,834.31

LIQUOR APPLICATION

Admin. Eichenenthal presented a request for Kay Cho and Ho S. Cho for a liquor license for Welcome Liquor located at 2001-A Market Street. He stated the request has been duly advertised and distributed the document for Council member signatures.

BOARD APPOINTMENT

On motion of Councilman Hakeem, seconded by Councilwoman Robinson, the following Board appointment was approved:

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) BOARD:

☞ Appointment of **DONNA WILLIAMS** for a term expiring June 30, 2005.

COMMITTEES

Councilman Littlefield stated the **Legal and Legislative Committee is scheduled to meet as usual on Tuesday, December 9 at 3:00 p.m.**

COMMITTEES (Continued)

Councilman Littlefield stated for additional information he would be traveling to Athens, Georgia on Thursday to participate in an event all Council members were invited to attend, the Carl Vinson Institute of Municipal Metropolitan Areas. He stated there are three metropolitan areas in Georgia that span the state line and Chattanooga is the only one where a principal city is on the other side; that Chattanooga is one of the largest in Georgia and people from Columbus and Augusta are expected to attend.

Councilman Hakeem reminded Council members of the meeting of the **Public Works Committee scheduled for 4:00 p.m. on Tuesday, December 9.**

Councilman Lively scheduled a meeting of the **Safety Committee for Tuesday, December 9 following the Public Works Committee meeting.**

DISTRICT 7 CHRISTMAS PARTY

Councilman Taylor extended an invitation to Council members and department heads to the District 7 Christmas Party scheduled for 6 p.m. on Thursday, December 11 at Alexian Court in St. Elmo. He stated this is an expression of thanks for all the work the various departments have rendered not only to District 7 but also to the City as a whole.

DISTRICT 4 COMMUNITY WIDE MEETING

Councilman Benson stated that the District 4 community wide meeting is scheduled for Thursday, December 4 at 7 p.m. at Erlanger East. He requested that each department be represented to listen to concerns of the community and give the solution or answers. He stated that community meetings are held twice a year and this is the second for this year.

SISTER BEY

Sister Bey addressed the Council regarding the home that was torn down next to her. She indicated that she asked Senators Frist and Alexander to help close this City Council! She stated that she was tired of the City's "running around" and tearing down houses and putting people out of "projects". She again lamented her concern regarding HUD monies that the City receives, indicating that she does not know where the money is going because she doesn't see anything done other than the house that was torn down next to her!

SISTER BEY (Continued)

Sister Bey stated the City took her cars, which was illegal according to the Constitution in Article 14, Section 2. She stated her property was private property and the City is forcing people out of their homes; that the City is asking people for money to build homes! She stated the "buck does not stop here"! She stated she is getting all her documents together and that the Secretary General is to be in New York today; that she is waiting on the peace treaty because the "mess" the Council is "carrying on" is not "real" to her; that she wants "her people" to "come out of the dream world and wake up"! At this point she asked that the Clerk of Council read a letter she had distributed to Council members, however, Chairman Franklin indicated it was not necessary for the Clerk to read the document because all Council members had a copy.

ADJOURNMENT

Chairman Franklin adjourned the meeting of the Chattanooga Council until Tuesday, December 9, 2003 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)**