

City Council Building
Chattanooga, Tennessee
September 7, 2004
6:00 p.m.

Chairman Benson called the meeting of the Chattanooga Council to order with Councilmen Hakeem, Littlefield, Lively, Page, Pierce, Robinson and Taylor present; Councilman Franklin joined the meeting later. 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, Admin. Bill McDonald gave invocation.

MINUTE APPROVAL

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

AMEND CITY CODE

On motion of Councilman Littlefield, seconded by Councilman Taylor,
**AN ORDINANCE TO AMEND PART II, CHATTANOOGA CITY CODE,
CHAPTER 25, ARTICLE III, SECTION 69, RELATIVE TO UNLAWFUL NOISES**
passed second reading. On motion of Councilman Littlefield, seconded by Councilwoman Robinson, the Ordinance passed third and final reading and was signed in open meeting.

EXPRESSION OF OFFICIAL INTENT

Councilwoman Robinson inquired as to the purpose for this Resolution.

Deputy Finance Admin. Daisy Madison explained that this matter was discussed in last week's Legal and Legislative Committee and gives authorization for the City to incur expenditures related to an upcoming bond issue.

EXPRESSION OF OFFICIAL INTENT (Continued)

On motion of Councilman Lively, seconded by Councilman Littlefield,
A RESOLUTION EXPRESSING OFFICIAL INTENT THAT CERTAIN EXPENDITURES TO BE INCURRED IN CONNECTION WITH CERTAIN PUBLIC WORKS PROJECTS AND RELATED EXPENDITURES BE REIMBURSED FROM PROCEEDS OF NOTES, BONDS OR OTHER INDEBTEDNESS TO BE ISSUED BY THE CITY OF CHATTANOOGA, TENNESSEE

was adopted.

(Councilman Franklin joined the meeting at this point.)

CONTRACT: NABCO ELECTRIC COMPANY, INC.

Councilman Hakeem stated Resolutions (b) and (c) were discussed in last week's Public Works Committee meeting and approval is recommended.

Councilman Pierce asked what this Resolution is in regard to, explaining that he was not present for last week's Public Works Committee meeting.

Councilman Hakeem stated this Resolution is in reference to traffic signal lights; that the LED signal indicators are more cost efficient and, as a result, the City would be using these. He stated over a period of six years it was stated that the lights would pay for themselves.

Admin. McDonald stated using LED signals would save the City about \$12,000 per month on electricity and does not include the maintenance and replacement of incandescent bulbs. He stated the LED's would pay for themselves in about six years.

On motion of Councilman Hakeem, seconded by Councilman Littlefield,
A RESOLUTION AUTHORIZING THE AWARD OF REQUIREMENTS CONTRACT NO. T-04-001, RELATIVE TO THE REPLACEMENT OF TRAFFIC SIGNAL INDICATIONS WITH LED TRAFFIC SIGNAL MODULES AND REPLACEMENT OF SIGNAL HEADS, TO NABCO ELECTRIC COMPANY, INC. FOR A TOTAL AMOUNT NOT TO EXCEED SIX HUNDRED FIFTY THOUSAND DOLLARS (\$650,000.00)

was adopted.

CHANGE ORDER

On motion of Councilman Lively, seconded by Councilman Hakeem,
A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 3, RELATIVE TO INSTALLATION OF OXYGENATION EQUIPMENT AND ACCESSORIES, MOCCASIN BEND WASTEWATER TREATMENT PLANT, CONTRACT NO. 28J2, WITH H & H BROWN, INC., WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY NINETY-TWO THOUSAND THREE HUNDRED NINE DOLLARS (\$92,309.00), FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED TWO MILLION TWO HUNDRED SEVENTY-EIGHT THOUSAND THREE HUNDRED SEVENTY-FIVE DOLLARS (\$2,278,375.00)

was adopted.

CONTRACT: FRANKLIN AND ASSOCIATES ARCHITECTS, INC.

On motion of Councilman Hakeem, seconded by Councilwoman Robinson,
A RESOLUTION AUTHORIZING THE CHIEF OF THE CHATTANOOGA FIRE DEPARTMENT TO ENTER INTO A CONTRACT WITH FRANKLIN ASSOCIATES ARCHITECTS, INC., RELATIVE TO THE RENOVATION OF THE FIRE TRAINING CENTER, INCLUDING FURNISHING ALL PLANS NEEDED FOR THE PROJECT AND TO OVERSEE THE CONTRACTOR DURING CONSTRUCTION, IN AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00)

was adopted.

ELECTRIC POWER BOARD APPOINTMENT

On motion of Councilman Littlefield, seconded by Councilman Hakeem,
A RESOLUTION CONFIRMING AND APPROVING THE APPOINTMENT OF WARREN E. LOGAN, JR. AS A MEMBER OF THE ELECTRIC POWER BOARD OF CHATTANOOGA

was adopted.

OVERTIME

Overtime for the week ending September 3, 2004 totaled \$110,628.12.

PERSONNEL

The following personnel matters were reported for the various departments:

PUBLIC WORKS DEPARTMENT:

- **DONALD W. WOODBY** – Hire, Crew Worker Senior, Waste, Pay Grade 5/Step 1, \$19,234.00 annually, effective September 1, 2004.
- **MICHAEL D. BLACKWELL** – Suspension (5 days without pay), Crew Worker, Citywide Services, effective August 31-September 7, 2004.
- **HUBERT PARIS, JR.** – Suspension (3 days without pay), Refuse Inspector, Citywide Services, effective September 1-3, 2004.
- **DEREK R. WATTS** – Termination, Crew Worker Senior, Citywide Services, effective August 31, 2004.
- **VAN M. JOHNSON** – Suspension (15 days without pay), Equipment Operator, Sr., Citywide Services, effective August 30 – September 23, 2004.
- **ERIC T. CROSS** – Demotion, Equipment Operator, Citywide Services, Pay Grade 6/Step 4, \$23,416.00 annually, effective September 1, 2004.

CHATTANOOGA POLICE DEPARTMENT:

- **NEAL MILLER** – Hire, School Patrol Officer, \$27.59 a day, effective August 19, 2004.
- **EDNA MATHIS** – Resignation, School Patrol Officer, effective August 27, 2004.
- **GEORGE W. STEPHENS** – Resignation, Police Officer, effective August 29, 2004.
- **VERNON E. TURNER** – Family Medical Leave, Communications Officer, effective August 21 – November 22, 2004.
- **CORY A. WEST** – Resignation, Police Officer, effective September 9, 2004.
- **JEFFERY TYRONE THOMPSON** – Military Leave (up to 24 months), Police Officer, effective September 7, 2004.

PERSONNEL (Continued)

- **ALFRED GRAHAM** – Suspension (7 days without pay), Communications Clerk, effective September 5-11, 2004.

PARKS, RECREATION, ARTS AND CULTURE DEPARTMENT:

- **ROBERT L. COREY** – Resignation, Crew Worker, effective August 31, 2004.

PURCHASES

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

L.T. MASO COMPANY (Best bid)
R0077179/B0001801

On-site Instrumentation Maintenance and Repair Service

(Price information available and filed with minute material)

POWER EQUIPMENT (Lowest and best bid)
R0077136/B0001774

Heavy and Light Equipment Maintenance Services

(Price information available and filed with minute material)

Councilman Franklin asked that Admin. McDonald “get to the bottom” of any violations in reference to today’s Committee meeting regarding housing in the Highway 58 area.

Admin. McDonald stated that he has a note to meet with Henry (Yankowski) first thing tomorrow morning to review and make sure everything is being handled properly.

Chairman Benson stated that he and other Council members would like to know the disposition of the review by e-mail.

HOTEL PERMIT

On motion of Councilwoman Robinson, seconded by Councilman Franklin, the following hotel permit was approved:

LOOKOUT LAKE BED & BREAKFAST – 3408 Elder Mountain Road, Chattanooga, TN

HEARING: KENNETH SULLIVAN

City Attorney Nelson stated that a request for a hearing was received from Kenneth Sullivan regarding his termination from Public Works.

A hearing for Mr. Sullivan was scheduled for Monday, September 27 beginning at 1 p.m. with Councilmen Benson, Robinson and Hakeem serving as the panel; Councilman Franklin volunteered to serve as alternate.

COMMITTEES

Councilman Taylor scheduled a meeting of the **Health, Education, Human Services and Housing Opportunities Committee for Tuesday, September 14 immediately following the Public Works Committee meeting.**

Councilman Littlefield scheduled a meeting of the **Legal and Legislative Committee for Tuesday, September 14 at 3 p.m.** to begin consideration of the draft of the tree harvesting ordinance.

Councilman Hakeem reminded Council members of the **Public Works Committee scheduled for 4 p.m. on September 14.**

HIXSON-NORTH RIVER PLAN UPDATE

Councilman Page stated that the Hixson-North River Plan is being updated and stated a meeting is scheduled for Monday, September 20 from 4-6 p.m. at the Hixson Civic Center. He stated a community meeting would follow at 6:30 p.m. and Mayor Corker is scheduled to be present.

AILEEN CARROLL

Aileen Carroll of 3209 Twelfth Avenue displayed photos of a building next door to her and referenced an e-mail that she had sent earlier in the day.

AILEEN CARROLL (Continued)

Ms. Carroll stated that residents of East Lake have worked diligently to come up with a neighborhood plan that is now being compiled and would be before the Council in October. She stated they are familiar with the moratorium Councilman Taylor requested for stoppage of duplexes that are going in at this time; that they have an area that has infrastructure potential, yet there is an onslaught of duplexes coming in on small lots with improper buildings. She asked that everything be stopped so that these people could meet with the neighborhood and plan in an effort to keep this area as vital as it can become.

Councilman Taylor stated that the moratorium was passed last week and is currently in effect. He stated it does not address this issue as the inspectors went out to measure this lot and looked at the situation and found that it is in compliance. He stated that they did a complete measurement and he spoke with Ms. Swafford as it relates to that. He inquired as to the person's name that is building.

Ms. Carroll stated that the sign in the yard refers to Goodwin Properties, however, she could not find a listing in the telephone book. She stated people are willing to do a lot more than maybe has been reflected and need the encouragement and backing of the Council. She stated they have a wonderful area with a lake, parks and sidewalks and still have grocery stores that so many other communities have lost; that they want to draw attention to that. She stated they need a chance and is present on behalf of Jean Swafford and the other ladies present with her who work hard! She stated they need the Council's help now!

Councilman Taylor asked Admin. Curry and City Attorney Nelson if they had anything to add at this point in addressing the issue.

Admin. Curry stated that the issue is being addressed and a team is scheduled to go out tomorrow. He stated that he received three e-mails today, reiterating that the team is scheduled to go out on Wednesday.

After looking at the photos, Councilman Littlefield asked if anyone has said anything about the obvious crappy foundation; that he could not believe that it is in compliance with anything! He stated that he would hate to see houses built where one wall is leaning.

Jean Swafford of 3722 Fifth Avenue stated that the wall has fallen once.

AILEEN CARROLL (Continued)

Councilman Littlefield stated that the Council today discussed an issue with an individual who came in concerned about duplexes where there is only room for the cars to park in the front yard and back into the street; that he knows people do back into the street from a driveway in theory. He stated if duplexes are being built side-by-side to do nothing but back into the street creates a traffic hazard; that people misunderstood the issue of parking in front yards.

Ms. Swafford stated that she and others went before the Variance Board and they were told if the request were approved they would have to park in the back.

Councilman Littlefield stated there is no way to get to the back from the photos he saw.

Ms. Swafford stated that the alley is blocked and piled up; that the owner was able to get one passed on Third Avenue with conditions and even with their objections it was passed. She stated she and others have gone to the Variance Board for nearly a year on the duplexes and there are several on tomorrow's agenda.

Councilman Littlefield stated he would be joining them at the Variance Board meeting in the morning.

ADJOURNMENT

On motion of Councilman Page, seconded by Councilman Littlefield, the meeting of the Chattanooga Council was adjourned until Tuesday, September 14, 2004 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)**