

**City Council Building  
Chattanooga, Tennessee  
March 14, 2006  
6:00 p.m.**

Chairman Robinson called the meeting of the Chattanooga Council to order with Councilmen Bennett, Benson, Page, Pierce, Powers, Rico and Rutherford present; Councilman Franklin was out of the city on business. City Attorney Randall Nelson, Management Analyst Randy Burns and Council Clerk Carol O'Neal were also present.

**PLEDGE OF ALLEGIANCE/INVOCATION**

Following the Pledge of Allegiance, Councilman Rico gave invocation.

**MINUTE APPROVAL**

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

**SPECIAL PRESENTATION: RECOGNITION OF DAISY  
MADISON – RECIPIENT OF NATIONAL BUDGET  
AWARD**

Mayor Littlefield stated that he is pleased when one of our own is recognized by national organizations. At this time he called Finance Administrator Daisy Madison to the podium and stated that he has known her for quite some time; that he has always given her great respect when he was a member of the City Council and she served as Treasurer. He stated that he has been working with her as this administration has taken shape in the role as the city's Finance Officer. He stated it has been a pleasure to get to know her skills as the person who can "make the numbers dance". At this point he presented her with a Certificate of Recognition for Budget Preparation from the Government Finance Officers Association of the United States and Canada. He stated that he wanted Mrs. Madison to be recognized before the Council and the public for this honor.

**SPECIAL PRESENTATION: RECOGNITION OF DAISY  
MADISON – RECIPIENT OF NATIONAL BUDGET  
AWARD (Continued)**

Adm. Madison expressed thanks to Mayor Littlefield and the Council and noted that she should not express thanks on her behalf for this award because without the assistance of the Finance Department this would not have happened. She introduced Fredia Kitchen, Simone White, Edward Wellman, Preciosa Goduco and Randy Ray and asked each of them to stand as she publicly recognized them, noting that Chris Haley could not be present. She stated when she came to the city in 1992 her first goal was to make sure the financial affairs of the city were handled in a very fiscally prudent and sound financial manner. She stated not only did she want to make sure the financial budget and accounting reporting was done in accordance with accepted principles of accounting, she wanted to go above and beyond that. She stated that she set out to gain the Certificate of Achievement for Excellence in Financial Reporting.

Adm. Madison stated the national recognition the Mayor presented was for putting together a budget document that not only gives numbers but communicates the financial plan and operation of the city. She stated when she came to the city she soon realized she could not do it but as she looked around she saw a dedicated, professional staff in the office that had the will and talent to do it, and wanted to recognize them for their achievement of this goal; that they deserve it much more than she. She stated the persons introduced earlier are the ones that are really responsible for the preparation of the document along with all of the cooperation of every department in the city and the support of the Mayor and Council.

**SPECIAL PRESENTATION: RECOGNITION OF  
HUMAN RIGHTS/HUMAN RELATIONS COMMISSION  
MEMBERS**

Adm. Beverly Johnson stated that this is the last week as the Human Rights/Human Relations Commission transitions into a new era. She stated in November of last year the Human Rights Commission became a committee of the newly formed Office of Multicultural Affairs (OMA); that this is a great opportunity and moment for us to see them transition, however it is a sad moment because it means she can no longer work with them in the capacity of what she has almost become accustomed to, having been with them for a brief nine months. She stated tonight culminates the recognition of members of the Commission by presenting them with a traditional plaque from the city in recognition of their service.

**SPECIAL PRESENTATION: RECOGNITION OF  
HUMAN RIGHTS/HUMAN RELATIONS COMMISSION  
MEMBERS (Continued)**

At this point Adm. Johnson asked Al Richelson, outgoing Chairman of the Commission, to come forward.

Mayor Littlefield presented the plaque to Mr. Richelson for his service and continued service, noting that he was originally appointed by him (Littlefield) and the now Councilwoman Rutherford from District 6.

Mr. Richelson presented plaques to Commission members present, Khalid Hasmi, Wade Hinton, Jane Perfetti and Armelia Williams.

Adm. Johnson extended congratulations and thanks to other members of the Commission who were unable to attend.

**AMEND ZONING ORDINANCE**

Jerry Pace, Director of Development Services with the Regional Planning Agency (RPA), stated that this ordinance “cleans up” the requirements in PUD regulations.

On motion of Councilwoman Rutherford, seconded by Councilman Page,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,  
KNOWN AS THE ZONING ORDINANCE, BY AMENDING ARTICLE V,  
SECITON 1208, SITE IMPROVEMENTS, WITHIN PLANNED UNIT  
DEVELOPMENT – RESIDENTIAL, BY DELETING SUBSECTIONS (4) AND (5),  
RELATIVE TO CURBS, GUTTERS AND STORM DRAINAGE STRUCTURES**  
passed first reading.

**CLARIFY AND REZONE**

**2006-014: City of Chattanooga (by staff)**

Pursuant to notice of public hearing the request of the City of Chattanooga (by staff) to clarify and rezone certain tracts of land located within the East Chattanooga Study Boundary came on to be heard.

Mr. Pace stated this is another “clean up” operation regarding the downzoning of the East Chattanooga area a few months ago. He stated some property numbers left in the commercial, industrial, R-5 and R-2 zones were put into R-1 zones.

**CLARIFY AND REZONE (Continued)**

Mr. Pace stated this ordinance puts those properties back as the Council recommended. He stated he has spoken with representatives of the neighborhood association about this and the Council member for this district was informed. He stated the request is recommended for approval from Staff and the Planning Commission.

On motion of Councilman Powers, seconded by Councilman Pierce,

**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO CLARIFY AND REZONE CERTAIN TRACTS OF LAND LOCATED WITHIN THE EAST CHATTANOOGA STUDY BOUNDARY, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-2 RESIDENTIAL ZONE, R-3 RESIDENTIAL ZONE, R-5 RESIDENTIAL ZONE, C-2 CONVENIENCE COMMERCIAL ZONE, C-5 NEIGHBORHOOD CONVENIENCE ZONE, M-1 MANUFACTURING ZONE AND M-3 WAREHOUSE AND WHOLESALE ZONE**

passed first reading.

**REZONING**

**2006-017: City of Chattanooga (by staff)**

Pursuant to notice of public hearing the request of the City of Chattanooga (by staff) to rezone a tract of land located at 5447 Highway 58 came on to be heard.

Mr. Pace stated this is another area that was annexed into Chattanooga a few years ago; that it is part of the property on the west side of Highway 58 rather than the east, is a big part of Enterprise South and was a temporary zone for this section. He stated this ordinance brings the temporary area into compliance for permanent zoning for the area.

On motion of Councilwoman Rutherford, seconded by Councilman Pierce,

**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 5447 HIGHWAY 58, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE AND C-2 CONVENIENCE COMMERCIAL ZONE (TEMPORARY) TO R-1 RESIDENTIAL ZONE**

passed first reading.

## REZONING

### **2006-022: Leighton Smith**

Pursuant to notice of public hearing the request of Leighton Smith to rezone a tract of land located at 823 East 11<sup>th</sup> Street came on to be heard.

Mr. Pace stated this request is located downtown along East Eleventh Street for C-3 rezoning. He stated the request is recommended for approval with the same conditions that are placed on all C-3 requests in the downtown area.

On motion of Councilwoman Rutherford, seconded by Councilman Benson,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,  
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF  
LAND LOCATED AT 823 EAST 11<sup>TH</sup> STREET, MORE PARTICULARLY  
DESCRIBED HEREIN, FROM M-2 LIGHT INDUSTRIAL ZONE TO C-3  
CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS**  
passed first reading.

## LIFT CONDITION

### **2006-039: City of Chattanooga City Council**

Pursuant to notice of public hearing, the request of the City of Chattanooga City Council to lift condition number 4 imposed in Ordinance No. 11784 on a tract of land located at 1511 Gunbarrel Road came on to be heard.

Mr. Pace explained that this request is located in the Hamilton Place community along Gunbarrel. He stated it was rezoned last month with conditions for an office to be placed on the property. He stated the applicant is negotiating with a bank and has asked that conditions be lifted to accommodate (the bank). He stated approval is recommended from both Staff and Planning.

Councilman Benson clarified that the request is to remove the office designation so a bank could be placed. Mr. Pace responded "yes".

Councilman Benson asked by removing the office designation what else does this opens up to. Mr. Pace stated that apartments are permitted in the R-4 zone, but that is not one of the uses intended; that there could be a beauty shop which would require a special permit in that zone. He stated basically there could be office and residential-type uses.

**LIFT CONDITION (Continued)**

On motion of Councilman Benson, seconded by Councilman Rico,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,  
KNOWN AS THE ZONING ORDINANCE, SO AS TO LIFT CONDITION NO.  
4 IMPOSED IN ORDINANCE NO. 11784 ON A TRACT OF LAND  
LOCATED AT 1511 GUNBARREL ROAD, MORE PARTICULARLY  
DESCRIBED HEREIN**  
passed first reading.

**PROPERTY ACQUISITION**

On motion of Councilwoman Rutherford, seconded by Councilman Pierce,  
**A RESOLUTION AUTHORIZING THE ACQUISITION OF CERTAIN  
PROPERTY LOCATED WEST OF MARKET STREET ON MANUFACTURERS  
ROAD, COMMONLY KNOWN AS THE FORMER CHATTANOOGA  
TRACTION COMPANY LAND, MORE PARTICULARLY DESCRIBED HEREIN,  
FROM THE CINCINNATI, NEW ORLEANS, AND TEXAS PACIFIC RAILWAY  
COMPANY FOR THE AMOUNT OF FIFTY-FIVE THOUSAND NINE  
HUNDRED THIRTY-ONE DOLLARS (\$55,931.00), PLUS REASONABLE  
CLOSING COSTS, SUBJECT TO THE MANDATORY REFERRAL PROCESS**  
was adopted.

**GRANT**

On motion of Councilman Pierce, seconded by Councilwoman Bennett,  
**A RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT FROM  
ALLIED ARTS TO THE DEPARTMENT OF PARKS AND RECREATION FOR  
THE "IMAGINATION RECREATION" DRAWING CONTEST IN THE  
AMOUNT OF THREE HUNDRED TWENTY-FIVE DOLLARS (\$325.00) AND  
EXPRESSING THE GRATITUDE OF THE DEPARTMENT, THE MAYOR AND  
THE CITY COUNCIL**  
was adopted.

**PRELIMINARY PUD**

**2006-034: Larry Plemons**

Mr. Pace stated that this request is for a preliminary planned unit development in the East Brainerd area along Gentry Road and near Primrose Lane. He stated the request is recommended for approval subject to the attached subdivision review.

PRELIMINARY PUD (Continued)

On motion of Councilman Benson, seconded by Councilman Page,  
**A RESOLUTION APPROVING A PRELIMINARY PLANNED UNIT DEVELOPMENT SPECIAL EXCEPTIONS PERMIT FOR A PROPOSED PLANNED UNIT DEVELOPMENT, KNOWN AS PLEMONS PLACE PLANNED UNIT DEVELOPMENT, ON TRACTS OF LAND LOCATED AT 735 AND 751 GENTRY ROAD, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS**  
was adopted.

CONTRACT

On motion of Councilman Rico, seconded by Councilman Powers,  
**A RESOLUTION AUTHORIZING THE MAYOR TO NEGOTIATE AND EXECUTE A CONTRACT TO PURCHASE CERTAIN PROPERTY LOCATED ON EAST 11<sup>TH</sup> STREET KNOWN AS "THE FARMERS MARKET PROPERTY"**  
was adopted.

CONTRACT

Councilman Page stated that with Mr. Healy moving to Chattanooga Outdoor, this is going to be a great addition and movement for the city of Chattanooga. He congratulated Mr. Healy on the move.

Chairman Robinson stated that Councilman Page's comments reflect comments made in Committee; that she told Mr. Healy earlier he should have been there to hear the accolades!

Councilwoman Rutherford expressed agreement with statements made noting that she is really happy to hear Rob is going to Chattanooga Outdoor.

On motion of Councilman Pierce, seconded by Councilman Powers,  
**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AND CONTRACT WITH BARGE, WAGGONER, SUMNER AND CANNON, INC. TO PERFORM PROFESSIONAL MANAGEMENT SERVICES FOR THE DEPARTMENT OF PARKS AND RECREATION IN AN AMOUNT NOT TO EXCEED NINETY-EIGHT THOUSAND FIVE HUNDRED DOLLARS (\$98,500.00)**  
was adopted.

## OVERTIME

Overtime for the week ending March 10, 2006 totaled \$7,658.20.

## PERSONNEL

The following personnel matters were reported for the various departments:

### PUBLIC WORKS DEPARTMENT:

- **ANTHONY D. SPEARS** – Demotion, Crew Worker, City Wide Services, Pay Grade 3/Step 7, \$21,906.00 annually, effective March 8, 2006, as well as suspension (4 days without pay) effective February 28 – March 3, 2006.

### CHATTANOOGA FIRE DEPARTMENT:

- **STANLEY WALKER** – Retirement, Lieutenant, effective March 10, 2006.
- **JEFF BOWMAN** – Deceased, Lieutenant, effective March 11, 2006.

## ROB HEALY

Rob Healy stated that he wanted to clarify his position in Outdoor Chattanooga. He stated that the Mayor presented a proposal last week about going to Outdoor Chattanooga and he told him he would think about it over the weekend. He stated he had a meeting with him on yesterday and told him he was not willing to accept the position of Director of Outdoor Chattanooga. He stated he is not sure where this Resolution will leave him as administrator of parks and recreation and is very unclear as far as that is concerned. He stated that he did make it clear with the Mayor and Mr. Zehnder that he was not interested in the Directorship of Outdoor Chattanooga; that if there has been some miscommunication regarding his accepting that post he would like to clarify it at this time.

Councilman Benson stated that the city really needs him in outdoor education; that it has been the missing ingredient that was started during the last administration under his (Healy's) leadership that he did so well. He stated there has been a void and there is the need for success in other parks and recreation and outdoor activities offered in Chattanooga.

## ROB HEALY (Continued)

Councilman Benson stated as Chairman Robinson stated in committee it was mentioned that Chattanooga is competing against Atlanta and others and this is one of the things where Mr. Healy's leadership is needed in making the most of outdoor activities and opportunities available. He asked Mr. Healy to reconsider.

Mr. Healy stated that he did not want to become emotional and expressed appreciation to the Council for their support. He stated that he wanted to read a prepared statement and again expressed appreciation for the support he has received and the opportunity he has had with the city as it has been a learning experience for him. At this point he read the prepared statement which has been spread upon the minutes:

"I am assuming by the resolution presented by Mayor Littlefield to execute a contract with Barge, Waggoner, Sumner and Cannon, Inc. to perform professional management services for the Department of Parks and Recreation that I have been fired from my position as the Administrator. Over the last 9 months I have been told many times to be more political – I have come to realize that this means that I must compromise my values and ethics so to appease separate interest groups. I have been encouraged to look the other way when people are misusing City funds. I have been pressured to hire people that are not the best candidates for the job. Continually I have been told one thing in private and when there is public opposition these private commitments are not honored or voiced. I was hired by Mayor Littlefield to be the Administrator of Parks and Recreation. It is an organization that is broken- I have started to organize a department of people that are committed to restoring it, just as I am. I believe you hire great people and then you give them guidance and encouragement and try and provide them the tools they need to be successful."

"I am actively working to restore accountability, credibility and a solid work ethic in this department. I certainly disagree with the proposal to outsource the management of this department, which is one of the largest in the city, and I hope that I can finish the job I started. While my tenure may be considered controversial, I feel we have made a lot of progress and I am convinced that we are on track to meet the needs of the Mayor, Council and the community. I am not afraid of the challenge to continue this important work for our community."

**ROB HEALY (Continued)**

"I believe that decisions should be made based on what is right or wrong. You make them based on what is morally right and what is in the best interest of the citizens—not based on what is politically right, not based on what is most convenient, not on black or white- rich or poor- male or female-friend or foe-political contributor or an opponent's ally. I have worked hard to base my decisions on what is best for the great City of Chattanooga—and do what is right 100% of the time not 50% or 60%."

"I really appreciate the great people I have met and worked with over the last 18 months-new friends- and people that share the same vision of making this a better city for our children and all our citizens."

Councilwoman Bennett stated in today's committee it was the assumption that Rob would be staying and that was the general feeling or information the Council received. She stated that she is sorry to hear he is not going to be here as that was not the situation mentioned in Committee.

Chairman Robinson stated Councilwoman Bennett's comments speak for many on the Council.

**PURCHASE**

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

**C. W. MATTHEWS CO. and HIGHWAYS, INC. (Lowest and best complete bids)**  
**R0087925/B0002928**

Bituminous Plant Mix

Matthews	\$454,000.00
Highways	11,000.00

**PURCHASE**

On motion of Councilman Page, seconded by Councilman Powers, the following purchase was approved for use by the Finance and Administration Department:

**LEE-SMITH, INC. (Best bid)**  
**R0087050/B0002903**

Straight Truck Provision

\$70,800.00

**REFUNDS**

On motion of Councilwoman Rutherford, seconded by Councilman Rico, the Administrator of Finance was authorized to issue the following refunds:

**2004 In Lieu of Taxes:** *Due to Hamilton County Assessor of Property omitting credit of leasehold amount per Industrial Development Board agreement on prior year PILOT calculation.:*

<b>BURNER SYSTEMS INTERNATIONAL, INC.</b>	\$3,839.35
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**2005 Property Taxes:** *Due to error and release #23233 per amended report from Tax Management Audit:*

<b>EUREKA FOUNDRY. CO.</b>	\$1,009.11
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**2005 Overpayments - Stormwater Fees and/or Property Taxes:**

Carmack & Johnson LLC	\$ 4,104.21
Ken Defoor Properties LLC	1,088.28
Hard Luck Land & Cattle Co.	3,340.69
Donald Bradley III	1,048.92
BASF Corp Tax Dept.	10,012.10
Freight Depot Partners LLC	28,561.59
William L. Gaither, Jr.	2,649.66
Regal Entertainment GRP, Inc.	2,919.96
Regal Entertainment GRP, Inc.	1,351.50
Gordon Butler	1,403.99
Kenco Group, Inc.	1,391.31

### **MOMENT OF SILENCE**

At this point, Chairman Robinson called for a moment of silence so everyone in attendance could pause and pay respect to the family of Fireman Jeff Bowman, a longtime employee of the Chattanooga Fire Department. She stated Mr. Bowman served with great distinction and departed this life this week. She stated his funeral is scheduled for tomorrow at 11 a.m.

### **JAMES GILLIAM**

James Gilliam stated that he is a democrat and resides in District 9. He stated that he works for the Parks and Recreation Department and on last Wednesday he was driving a department vehicle and hit a light pole near the riverfront. He stated his supervisor sent him to a location on Amnicola for a drug test and noted that he has not heard anything about the outcome and assured all in attendance that he does not take drugs. He stated that he was told he was off without pay yet does not understand as no one from the city has called him.

Dan Kral, Director of Parks and Recreation stated that Mr. Gilliam is not a full time employee and does not receive benefits. He stated as with all vehicular accidents, each individual involved in vehicular accidents with Parks and Recreation are sent for a drug test and that is the policy. He stated they have not heard the results as yet and he has not discussed the matter with his supervisor, however he would first thing in the morning.

### **SCOTT HOLMBERG**

Scott Holmberg stated that he wanted to address the issue of the Chattanooga Parks and Recreation Department and the decision to outsource. He stated anytime someone is put into a position as Mr. Healy was it takes a long time to get things worked out and on track. He stated he has traveled around the United States and has seen a lot of cities with great parks and recreation facilities, which is something Chattanooga is lacking. He stated the outdoor initiative did bring in a lot of business and commerce and provided an opportunity for families to bond. He stated outsourcing is starting all over again and if this is done every three years the city would be going back ten years in time! He stated someone would have to be chosen and stick with it to help make it work; that you cannot continue to throw someone "out the window" and start all over as this does not help the community. He stated he has known Rob for a short time and found him to be very supportive of the community and helped promote family recreation, something they have been trying to promote.

### **SCOTT HOLMBERG (Continued)**

Mr. Holmberg stated that he has been working in the city for ten years to make this happen; that the city can not afford to let him go and start over. He encouraged the Council to keep him for their family, Chattanooga and businesses here.

Councilwoman Rutherford expressed that she was truly sick about this whole situation. She stated that the public needs to understand that this government has two branches; that the Council is the legislative branch and the Mayor heads the administrative branch. She stated this type of issue involves personnel and certainly an administrative position comes under the Mayor. She stated if she has "her druthers" this would have never come up, noting that she is truly saddened and really sick! She stated Mr. Healy's remarks were right on point and as she stated this several in attendance began to clap, however she immediately noted that she was not happy; that this is the Mayor's administration and that they would have to stop and realize the Mayor has to make certain decisions and this is one he made.

Councilman Benson reemphasized in speaking about the outdoor initiative that the city has really been in limbo in the last few months and the outdoor initiative needs to get the focus back on. He stated that it is his thought it is very important and certainly hopes Mr. Healy would reconsider taking back what he was originally hired for and did such a great job; that all of a sudden he had a massive department that he had responsibility for and was doomed to have problems with that much responsibility. He commended him for doing as well as he did, again noting that we have to get the outdoor initiative back on target and for him to reconsider and focus equally on parks and recreation and outdoor initiatives rather than outdoor being the "stepchild".

### **KARL EPPERSON**

Karl Epperson stated that he was present to address a problem he and other tenants at J. C. Towers I are having involving flood lights Blue Cross/Blue Shield has installed on the west side of the Cameron Hill apartments they are purchasing. He stated the lights affect floors 8 - 11 on the north side of the building and at night it looks like a spotlight is shining in the windows, including his! He stated he has called three times with no response and has a complaint signed by 27 people. He asked Councilman Pierce to look into getting something done as they can not enjoy the view at night any more and have to keep the blinds drawn.

**KARL EPPERSON (Continued)**

Councilman Pierce expressed appreciation for Mr. Epperson's comments and noted that he was sorry he attended the Council meeting to address him as he knows how to get in touch with him. He stated no one has said anything to him about this and assured Mr. Epperson he would speak with someone at Blue Cross and would come by personally to see what can be done.

**ROBERT CLARK**

Robert Clark stated that he listens to the radio and hears everyone talking about raising taxes. He addressed the Council regarding the traffic light at Main and Holtzclaw, stating there is going to be a terrible wreck if something is not done; that there is a line of cars attempting to come into the street to make a turn from the gas station there and something needs to be done. He stated that they approach the red light as if it is not there! On another issue he informed that Council that drivers do not use their left turn signals and this is wrong; that there was a time when drivers had to use their hands to signal and now there are car signals and they are not used. He stated the city needs to get on the ball and stop this rather than raising taxes!

**DR. CHARLES NEDER**

Dr. Charles Neder stated that he wanted to speak in reference to the Rob Healy issue. He stated Mr. Healy made some good improvements and asked that the Council take his (Healy's) statement, investigate it and see what is really there and what is substantial. He stated the Council should look at it and see where this is taking place and whatever happens to Mr. Healy happens to Mr. Healy and stop reassigning people.

Councilman Benson stated that the city is in the process of resolving some things and asked the Chief of Staff to speak to the process.

Dan Johnson, Chief of Staff, stated that the comments Rob made were correct as there has been misappropriation of funds and there is an ongoing criminal investigation involved with that. He stated some of the results have been seen and there would probably be more later, however he could not comment on that at this time.

Dr. Neder stated if Mr. Healy was doing such a good job why not allow him to do his job.

**DR. CHARLES NEDER**

Councilman Pierce stated that it was explained earlier that there is an administrative and legislative form of government; that once the budget is appropriated the Mayor has the authority to hire the staff he would like to operate under his administration. He stated it would be out of the ordinary for the Council to tell him who he could hire; that if he has a reason to terminate a staff person if they are a regular employee, then they would have an opportunity to appeal, but a change in a staff person that serves at the will of the Mayor happens all the time. He stated there is no man that is indispensable; that we can all be replaced.

Dr. Neder added "even the Mayor".

Councilman Pierce stated that he (Neder) would have that opportunity.

**ADJOURNMENT**

Chairman Robinson adjourned the meeting of the Chattanooga Council until Tuesday, March 21, 2006 at 6:00 p.m.

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**CHAIRMAN**

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**CLERK OF COUNCIL**

**(A LIST OF NAMES OF PERSONS IN ATTENDANCE  
IS FILED WITH MINUTE MATERIAL OF THIS DATE)**