

**City Council Building
Chattanooga, Tennessee
August 1, 2006**

Chairman Pierce called the meeting of the Chattanooga Council to order with Councilmen Bennett, Benson, Franklin, Page, Rico, Robinson and Rutherford present; Councilwoman Gaines was absent due to illness. City Attorney Randal Nelson, Management Analyst Randy Burns and Council Clerk Carol O'Neal were also present.

INVOCATION/PLEDGE OF ALLEGIANCE

Following the Pledge of Allegiance, Councilwoman Robinson gave invocation.

MINUTE APPROVAL

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

REZONING

2006-122: B. Paul Hatcher & Bambi L. Hatcher

On motion of Councilman Rico, seconded by Councilman Page,

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 1412 MCCALLIE AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM C-5 NEIGHBORHOOD COMMERCIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS

passed second and final reading and was signed in open meeting; Councilwoman Rutherford voted "no".

AMEND CHARTER

Councilman Benson stated this matter was discussed in today's Legal and Legislative Committee and it is the Committee's recommendation that it be deferred two weeks for further study.

On motion of Councilman Benson, seconded by Councilwoman Robinson,
AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF CHATTANOOGA, AND ALL ACTS, ORDINANCES, AND OTHER CHARTER PROVISIONS AMENDATORY THEREOF, PURSUANT TO THE PROVISIONS OF ARTICLE XI, SECTION 9, OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT) TO REPEAL THE PROVISIONS REGARDING THE APPOINTMENT OF MEMBERS OF THE ELECTRIC POWER BOARD AND PROVIDING THAT THE MAYOR SHALL APPOINT SUCH MEMBERS, SUBJECT TO CONFIRMATION BY THE CITY COUNCIL
was deferred two weeks.

APPROPRIATION

On motion of Councilwoman Rutherford, seconded by Councilwoman Robinson,
AN ORDINANCE APPROPRIATING FROM THE GENERAL FUND TO THE CHATTANOOGA BAR FOUNDATION UP TO THE AMOUNT OF TWO THOUSAND DOLLARS (\$2,000.00), AS SPONSORSHIP FOR "THE ALLIANCE: TWO NOBLE PROFESSIONS, MEDICINE AND THE LAW, IN HARMONY" EVENT
passed first reading.

APPROPRIATION

On motion of Councilman Rico, seconded by Councilman Page,
AN ORDINANCE APPROPRIATING FROM THE CHATTANOOGA OUTDOOR OPERATING BUDGET TO THE CHATTANOOGA TRACK CLUB THE AMOUNT OF FIVE THOUSAND DOLLARS (\$5,000.00) AS PART OF THE PARTNERSHIP TO HOST THE CHATTANOOGA WATERFRONT TRIATHLON
passed first reading.

AMEND ORDINANCE 11812 (SIDEWALK VENDING)

Councilwoman Robinson stated that this matter was discussed in Legal and Legislative Committee this afternoon and it was agreed at the time that the Council would vote on first reading tonight and if it passes, second reading would be held until such time a complete draft could be completed which could take longer than a week. She stated the matter would be brought back when it is ready.

On motion of Councilwoman Robinson, seconded by Councilman Benson,
**AN ORDINANCE TO AMEND ORDINANCE NO. 11812, ENCAPTIONED,
"AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 11, SECTION 11-377, TO INCLUDE A NEW SUBSECTION (10),
WHICH PROHIBITS SIDEWALK VENDING ON THE CITY BLOCKS
LOCATED BETWEEN MARKET STREET BRIDGE AND OLGATI BRIDGE
ADJACENT TO RIVERFRONT PARKWAY AND ALSO FOR THE SIDEWALK
AND PARKS LOCATED BETWEEN MARKET STREET AND WALNUT STREET
ADJACENT TO FIRST STREET WITHIN THE PROTECTED VENDING ZONES
OF THE TWENTY-FIRST CENTURY WATERFRONT DEVELOPMENT PROJECT
AS SHOWN ON THE ATTACHED MAP" SO AS TO PROVIDE ADDITIONAL
RESTRICTED AREAS AND TO PERMIT LIMITED VENDING SUBJECT TO A
REQUEST FOR PROPOSALS**
passed first reading.

AMEND CITY CODE

On motion of Councilwoman Rutherford, seconded by Councilwoman Robinson,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 2, ARTICLE III, DIVISION 8, SECTION 2-406, RELATING TO THE
FIRE AND POLICE PENSION FUND SO AS TO CHANGE LOCATIONS FOR
ELECTIONS OF THE BOARD OF DIRECTORS**
passed first reading.

MEMORANDUM OF UNDERSTANDING

On motion of Councilman Rico, seconded by Councilman Franklin
A RESOLUTION AUTHORIZING THE CHATTANOOGA FIRE DEPARTMENT METROPOLITAN MEDICAL RESPONSE SYSTEM (MMRS) PROJECT MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE AMERICAN RED CROSS REGARDING SUPPLIES FOR A RAPID RESPONSE SHELTER TRAILER WITH THE UNDERSTANDING THAT THE REPAIR AND REPLACEMENT OF ALL EQUIPMENT AND/OR SUPPLIES ISSUED TO THE AMERICAN RED CROSS BY THE CHATTANOOGA METROPOLITAN MEDICAL RESPONSE SYSTEM SHALL BE THE SOLE RESPONSIBILITY OF THE AMERICAN RED CROSS

was adopted.

DONATION

On motion of Councilman Franklin, seconded by Councilwoman Rutherford,
A RESOLUTION AUTHORIZING THE DONATION OF CERTAIN SURPLUS EQUIPMENT FROM THE CHATTANOOGA POLICE DEPARTMENT TO THE BRADFORD, TENNESSEE POLICE DEPARTMENT

was adopted.

SPECIAL POLICEMAN

On motion of Councilman Franklin, seconded by Councilwoman Rutherford,
A RESOLUTION AUTHORIZING THE APPOINTMENT OF HARRIET A. WHITE AND JAMES D. AVERY AS SPECIAL POLICEMEN (ARMED) FOR THE CHATTANOOGA HOUSING AUTHORITY PUBLIC SAFETY DIVISION, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS

was adopted.

SPECIAL POLICEMEN

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE APPOINTMENT OF JENNIFER WRIGHT AND ERIK REEVES AS SPECIAL POLICEMEN (ARMED) FOR THE CHATTANOOGA HOUSING AUTHORITY PUBLIC SAFETY DIVISION, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS

was adopted.

SPECIAL POLICEMAN

Councilman Rico stated Resolutions (e) – (h) were discussed in last week’s Public Works Committee and approval is recommended.

On motion of Councilman Rico, seconded by Councilwoman Robinson,
A RESOLUTION AUTHORIZING THE APPOINTMENT OF JASON D. PAYNE AS SPECIAL POLICEMAN (UNARMED) FOR THE CITY OF CHATTANOOGA DEPARTMENT OF PUBLIC WORKS TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS

was adopted.

CONTRACT

On motion of Councilman Franklin, seconded by Councilwoman Rutherford,
A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. E-06-003-201, 2006 CITY SIDEWALK REQUIREMENTS CONTRACT – PHASE 3, TO YERBEY CONCRETE CONSTRUCTION, INC. IN THE AMOUNT OF ONE HUNDRED EIGHTEEN THOUSAND SEVEN HUNDRED SEVENTY DOLLARS (\$118,770.00), PLUS A TWO THOUSAND DOLLAR (\$2,000.00) CONTINGENCY AMOUNT, FOR A TOTAL AMOUNT NOT TO EXCEED ONE HUNDRED TWENTY THOUSAND SEVEN HUNDRED SEVENTY DOLLARS (\$120,770.00)

was adopted.

CONTRACT

On motion of Councilman Rico, seconded by Councilwoman Robinson,
A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. E-03-029-102, CHEROKEE BOULEVARD AT MARKET STREET INTERSECTION IMPROVEMENTS, PHASE II, TO LAMAR DUNN & ASSOCIATES, INC. FOR DESIGN AND CONSTRUCTION PHASE SERVICES IN AN AMOUNT NOT TO EXCEED EIGHTEEN THOUSAND FIVE HUNDRED DOLLARS (\$18,500.00)

was adopted.

TEMPORARY USE

On motion of Councilman Rico, seconded by Councilwoman Robinson,
A RESOLUTION AUTHORIZING THE JIM BERRY COMPANY TO USE TEMPORARILY THE 800 BLOCKS OF CHERRY STREET AND GEORGIA AVENUE TO INSTALL TWO (2) DECKS, AS SHOWN ON THE DRAWINGS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS
was adopted.

SUPPLEMENTAL RESOLUTION TO RESOLUTION 22629
(SERIES 2006A BONDS)

On motion of Councilman Rico, seconded by Councilwoman Rutherford,
A SECOND SUPPLEMENTAL RESOLUTION TO RESOLUTION NO. 22629 AS AMENDED AND SUPPLEMENTED PROVIDING FOR THE ISSUANCE OF CITY OF CHATTANOOGA, TENNESSEE ELCTRIC SYSTEM REVENUE BONDS SERIES 2006A AUTHORIZING UP TO \$40,000,000 SERIES 2006A BONDS
was adopted.

SUPPLEMENTAL RESOLUTION TO RESOLUTION 22629
(SERIES 2006B BONDS)

On motion of Councilman Franklin, seconded by Councilwoman Rutherford,
A THIRD SUPPLEMENTAL RESOLUTION TO RESOLUTION NO. 22629 AS AMENDED AND SUPPLEMENTED PROVIDING FOR THE ISSUANCE OF CITY OF CHATTANOOGA, TENNESSEE ELECTRIC SYSTEM REFUNDING REVENUE BONDS SERIES 2006B AUTHORIZING UP TO \$27,000,000.00 SERIES 2006B BONDS
was adopted.

CONTRACT

On motion of Councilwoman Rutherford, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO KNOWLEDGE COMPUTING CORPORATION FOR ITS BEST PROPOSAL IN AN AMOUNT NOT TO EXCEED TWO HUNDRED FIFTY-THREE THOUSAND ONE HUNDRED TWENTY-FIVE DOLLARS (\$253,125.00) FOR THE COPLINK SYSTEM, A JOINT REGIONAL INFORMATION EXCHANGE SYSTEM FOR THE CHATTANOOGA POLICE DEPARTMENT
was adopted.

OVERTIME

Overtime for the week ending July 28, 2006 totaled \$10,354.78.

PERSONNEL

The following personnel matters were reported for the various departments:

CHATTANOOGA FIRE DEPARTMENT:

- **GEORGE RATLEDGE** – Senior Firefighter, Leave of Absence, effective July 22 – August 22, 2006.
- **DANIEL J. ATKINS, SEAN MAYFIELD** – Promotion, Senior Firefighter, Pay Grade F2A/Step 4, \$33,415.00 annually, effective August 4, 2006.
- **JASON D. GREER, NICHOLAS D. SEWELL, SHAUN M. STANDIFER** – Promotion, Senior Firefighter, Pay Grade F2A/Step 3, \$31,987.00 annually, effective August 4, 2006.

CHATTANOOGA POLICE DEPARTMENT:

- **NORMA J. MCAFEE** – Resignation, School Patrol Officer, effective July 11, 2006.
- **MARTE' WILLIAMS** – Resignation, School Patrol Officer, effective July 18, 2006.

PURCHASE

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

H & H BROWN, INC.
Contract No. R-06-001-202

Temporary protection to electrical cabinets under Market Street Bridge

\$17,375.00 (Not to exceed)

HOTEL PERMIT

On motion of Councilwoman Rutherford, seconded by Councilman Rico, the following hotel permit was approved:

RAMADA LIMITED, 30 Birmingham Highway, Chattanooga, Tennessee

COMMITTEES

Councilwoman Robinson scheduled a meeting of the **Health, Education, Human Services and Housing Opportunities Committee for Tuesday, August 8 beginning at 3:30 p.m.** to hear a report from Mary Mai Williamson.

Councilman Rico reminded Council members of the **Public Works Committee scheduled for Tuesday, August 8 at 4 p.m.**

Councilman Benson stated the **Legal and Legislative Committee** met today and **is scheduled to meet again on August 15 at 3 p.m.** to discuss alternative financing institutions and proposed Charter amendments.

ADJOURNMENT

Chairman Pierce adjourned the meeting of the Chattanooga Council until Tuesday, August 8, 2006 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)**