

CITY COUNCIL BUILDING  
CHATTANOOGA, TENNESSEE  
October 24, 2006

Chairman Pierce called the meeting of the Chattanooga City Council to order with Councilmen Bennett, Benson, Gaines, Page, Rico and Robinson present. Councilman Franklin was absent due to a prior commitment. Councilwoman Rutherford was absent due to illness. City Attorney Randall Nelson, Management Analyst Randy Burns, and Shirley Crossover, Assistant Clerk to the Council, were also present.

**PLEDGE OF ALLEGIANCE/  
INVOCATION**

The Pledge of Allegiance was led by Councilman Page, followed by invocation given by Attorney Randall Nelson.

**MINUTE APPROVAL**

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

**DONALD MICKEY ARP**

Mayor Littlefield was present, stating that this was a happy responsibility that he was glad to undertake. He asked Mr. Arp and his wife to please come to the podium. Mayor Littlefield noted that this was a "Big Deal" and that he was glad to deliver this Proclamation. At this point he read the Proclamation, honoring Mr. Arp—

***Whereas:*** *The City of Chattanooga takes great pleasure in paying tribute to those special employees who have gained International admiration and celebrating milestones in their career, and*

***Whereas:*** *The City of Chattanooga wishes to honor Mr. Donald "Mickey" Arp, Chief Plumbing, Gas, and Mechanical Inspector for the City of Chattanooga as the honored recipient of the 2006 International Code Council's prestigious and international honor as Code Official Of the Year, and*

**MICKEY ARP (CONT'D)**

**Whereas:** *Mr. Arp's forty-two years of dedicated service and guidance to the plumbing and code enforcement Industries has earned him the admiration of his peers, both nationally and internationally, and*

**Whereas:** *For the last 20 years, Mr. Arp has conscientiously worked for the City of Chattanooga and kept a vigilant, alert eye to maintain the safety of the general public through his learned, meticulous, and thorough knowledge of safe building practices, and*

**Whereas:** *Mr. Arp actively volunteers in numerous community organizations and businesses including, but not limited to, the apprentice program for the Plumbers and Pipe-fitters Union Local #43, the Tennessee Valley Authority, the Lower Eastern Chapter of the Tennessee Building Officials Association (LETBOA) and the Tennessee Plumbing and Mechanical Inspectors Association, and*

**Whereas:** *As a servant to his trade and fellow man, Mr. Arp actively works in "YouthBuild Chattanooga", a program for at-risk youth, which provides guidance, education, construction training, and leadership for unemployed, uneducated youth, and*

**Whereas:** *As an instructor in YouthBuild Chattanooga, Mr. Donald "Mickey" Arp engages his proficient and learned knowledge of his profession to teach plumbing, licensing and permit law, and with cooperation from Chattanooga State Technical and Community College has developed a new program for the Building and Construction Institute of the Southeast, which will teach students code and licensing training, and*

**Whereas:** *For the first time, The International Code Council has bestowed upon a City of Chattanooga employee and Tennessee resident the prestigious international award of Code Official of the Year.*

**Now Therefore:** *I, Ron Littlefield, Mayor of the City of Chattanooga, do hereby wish to pay tribute and honor to the distinguished 2006 Code Official of the Year,  
**Mr. Donald "Mickey" Arp***

**MICKY ARP (CONT'D)**

Mayor Littlefield asked Mr. Arp to say a few words. Mr. Arp stated that this had been an overwhelming year; that the group he worked with represented some of the finest people in Chattanooga; that his was the greatest department in the world; that this was a really great honor, and he appreciated it.

**KATHLEEN ALLISON**

Councilwoman Bennett introduced a young lady who had been with her most of the day—an intern, Kathleen Allison. She noted that Ms. Allison had “shadowed” her most of the day and indicated her appreciation to Ms. Allison for taking time to be a part of this program and spending the day with us.

**CLOSE AND ABANDON**

**MR-2006-159 (City of Chattanooga c/o Gregory Albritton)**

On motion of Councilman Benson, seconded by Councilman Rico,  
**AN ORDINANCE CLOSING AND ABANDONING SEWER  
EASEMENT NO. R-11 ON TRACTS OF LAND LOCATED IN  
THE 7200 BLOCK OF JARNIGAN ROAD AND 7413 IGOU  
GAP ROAD, MORE PARTICULARLY DESCRIBED HEREIN AND  
AS SHOWN ON THE MAP ATTACHED HERETON AND MADE  
A PART HEREOF BY REFERENCE**

passed second and final reading and was signed in open meeting.

**REZONING**

**2006-110 (Melissa Bradley)**

Mr. Greg Haynes, Director of Comprehensive Planning with RPA, explained that this case had been deferred a number of times and the applicant has requested that this be deferred once again—the reason being that this needs to be deferred until the North Shore Plan is complete and this will be in February of next year. He stated that the Council could go ahead and discuss this case or just defer it.

**REZONING (CONT'D)**

Attorney Randall Nelson stated that this matter was discussed this morning at the Agenda session, and the suggestion was made to refer this back to Planning to proceed in conjunction with the North Shore Plan. He noted that this was just a suggestion.

Councilwoman Robinson stated that she, too, felt it needed to be referred back to Planning; that there was still quite a lot of discussion to take place.

Councilwoman Bennett noted that part of the understanding was that the applicant was to meet with the community and no meeting had taken place; that before she would even consider this, she would like it to go back to Planning, and would ask prior to this that there be a meeting with the neighborhood, as promised—that she would like this meeting before it goes back to Planning.

Mr. Haynes explained that a yellow zoning sign would be put back up and notices would be mailed to neighborhood associations.

Attorney Nelson indicated that it also needed to be re-advertised in the newspaper so that the neighbors would know when to come. Mr. Haynes assured that this was a requirement that would be met.

On motion of Councilman Rico, seconded by Councilwoman Bennett,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS  
AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS  
TO REZONE A TRACT OF LAND LOCATED AT 601  
TREMONT STREET, MORE PARTICULARLY DESCRIBED  
HEREIN, FROM R-2 RESIDENTIAL ZONE TO C-5  
NEIGHBORHOOD COMMERCIAL ZONE, SUBJECT TO  
CERTAIN CONDITIONS**  
was referred back to Planning.

REZONING

**(2006-162 Elite Hotels Group, LLC)**

Chairman Pierce asked if anyone was present in opposition. There was no opposition.

Mr. Haynes explained that this case had been deferred previously in order to allow time for a site plan that would match the conditions. He stated that the applicant was present to explain the site plan.

**Mr. Charles King, Architect**, was present representing the applicant. First he noted that he had worked with Mr. Mickey Arp for many years and that Mr. Arp had always treated architects with the utmost respect and that he was greatly deserving of the honor that had been bestowed upon him tonight. He stated that it was indeed, really an honor!

He stated that he was present tonight, along with the owner, and that he would give a brief history of this case; that it was underway two months ago and after meeting with the Planning Commission and Greg Haynes, it was their wish and desire that they re-design this so that it would be in tune with what the City of Chattanooga wanted. He presented the revised Site Plan of the proposed hotel on MLK Blvd. He explained that this is where Lawrence Doster had been located.

Mr. King went on to say that they had completely rotated the building 90 degrees, and they had brought the front door of the structure to MLK Blvd., and now they were able to front the street, which was more in tune with the Downtown Plan; that to be in compliance, they had eliminated curb cuts; that in addition they had complied by bringing a brick front entry in line with the street and had eliminated retaining walls—that by rotating the building 90 degrees, they had been able to eliminate retaining walls and would not be building retaining walls.

He went on to talk about the elevation looking south and presented a front door element. He noted that the site has some slope, and they tried to eliminate the slope and afforded a series of stoic brick elements, which afforded more of a front-door view.

**REZONING (CONT'D)**

Mr. King next discussed the elevation from I-24, noting that they had reduced the square footage and reduced the amount of signage that would be necessary. At this time he asked for comments or questions.

Chairman Pierce stated that we had waited awhile for this, and it seemed to be something that was worth the wait, and he appreciated this and looked forward to seeing progress made. He asked Mr. King how soon this would be finished. Mr. King responded they would start in about 90 to 120 days—that the weather played a big factor in this.

On motion of Councilman Benson, seconded by Councilwoman Robinson,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 440 WEST MARTIN LUTHER KING BOULEVARD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE AND C-2 CONVENIENCE COMMERCIAL ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS**  
passed first reading.

**CNE ACTIONS**

Councilman Benson asked if this matter had been before committee.

Attorney Nelson explained to him that he thought this had to do with the Morrison Springs Apartments.

Councilman Benson stated that he was on the CNE Board and could not determine what this is about.

Dan Johnson explained that it is actually replacing a Resolution that had previously said the Administrator of General Services -that we are replacing it to say the Mayor or his designee.

Councilman Benson stated that he just wanted this clear in his own mind.

Attorney Nelson explained that the other Resolution was an old one, and we felt this was the right time to re-do it.

**CNE ACTIONS (CONT'D)**

On motion of Councilman Rico, seconded by Councilwoman Robinson,  
**A RESOLUTION AUTHORIZING THE MAYOR, OR HIS  
DESIGNEE, TO AUTHORIZE CHATTANOOGA  
NEIGHBORHOOD ENTERPRISE TO TAKE SUCH ACTIONS AS  
ARE NECESSARY TO COLLECT DEBTS OWED TO THE CITY  
OF CHATTANOOGA WHICH ARE ADMINISTERED BY  
CHATTANOOGA NEIGHBORHOOD ENTERPRISE AND ALSO  
FOR THE MAYOR, OR HIS DESIGNEE, TO EXECUTE ANY  
AND ALL DOCUMENTS RELATIVE TO SAME**  
was adopted.

**GENERAL SERVICES  
PAUL PAGE**

On motion of Councilman Rico, seconded by Councilwoman Robinson,  
**A RESOLUTION AUTHORIZING PAUL PAGE, DIRECTOR OF  
THE GENERAL SERVICES DIVISION, TO SIGN VOUCHERS,  
REQUISITIONS, AND OTHER NECESSARY DOCUMENTS FOR  
AND ON BEHALF OF THE MAYOR'S OFFICE, RELATIVE TO  
RENOVATION CAPITAL FUNDS, PURCHASING, REAL  
ESTATE, AND BUILDING AND FLEET MAINTENANCE  
EFFECTIVE AS OF MAY 2, 2006**  
was adopted.

**AD VALOREM TAXES  
WM. WRIGLEY, JR. CO.PROJ.**

Councilman Page explained that this matter came before the Economic Development Committee last week with a recommendation for approval—that 150 jobs would be created.

**AD VALOREM TAXES**  
**(CONT'D)**

On motion of Councilman Page, seconded by Councilwoman Robinson,  
**A RESOLUTION TO MAKE CERTAIN FINDINGS RELATING TO THE WM. WRIGLEY JR. COMPANY PROJECT, TO DELEGATE CERTAIN AUTHORITY TO THE INDUSTRIAL DEVELOPMENT BOARD OF THE COUNTY OF HAMILTON, TENNESSEE, AND TO AUTHORIZE THE MAYOR TO ENTER INTO AND EXECUTE AN AGREEMENT FOR PAYMENTS IN LIEU OF AD VALOREM TAXES**  
was adopted.

**AGREEMENT**

On motion of Councilman Rico, seconded by Councilwoman Gaines,  
**A RESOLUTION APPROVING AN AGREEMENT BETWEEN ALLIED ARTS OF GREATER CHATTANOOGA AND SERANDA VESPERMANN FOR HER SPECIALLY-DESIGNED STAINED GLASS ARTWORK AS PART OF THE CITY HALL RENOVATIONS PROJECT IN AN AMOUNT NOT TO EXCEED SEVENTY THOUSAND DOLLARS (\$70,000.00), TO BE PAID IN THREE (3) EQUAL INSTALLMENTS, WITH NO MORE THAN THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00) TO BE PAID BY THE CITY AND THE REMAINING THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00) TO COME FROM THE PUBLIC ARTS FUND**  
was adopted.

Councilman Rico noted that the next two Resolutions were discussed in the Public Works Committee and come with a recommendation for approval.

**POLICEMAN APPT.**

On motion of Councilman Rico, seconded by Councilwoman Robinson,  
**A RESOLUTION AUTHORIZING THE APPOINTMENT OF  
JAMON M. BASS AS SPECIAL POLICEMAN (UNARMED) FOR  
THE CITY OF CHATTANOOGA DEPARTMENT OF PUBLIC  
WORKS, STORMWATER DIVISION, TO DO SPECIAL DUTY AS  
PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS**  
was adopted.

**DONATION—MAIL BOXES**

On motion of Councilwoman Gaines, seconded by Councilwoman  
Robinson,  
**A RESOLUTION AUTHORIZING THE PUBLIC WORKS  
DEPARTMENT TO ACCEPT A DONATION FROM R. L.  
STOWE COMPANY IN THE AMOUNT OF ONE THOUSAND  
AND NO/100 (\$1,000.00) DOLLARS, AND THE U.S. POST  
OFFICE IN THE AMOUNT OF TWO THOUSAND AND  
NO/100 (\$2,000.00) DOLLARS, FOR PURCHASE AND  
INSTALLATION OF MAIL BOXES FOR THE LUPTON CITY  
COMMUNITY**  
was adopted.

**OVERTIME**

Overtime for the week ending October 20, 2006 totaled \$10,763.64.

**PERSONNEL**

The following personnel matters were reported for the various  
departments:

**PUBLIC WORKS DEPARTMENT:**

- **JERRY W. HAYES**—Leave of Absence for Crew Worker, effective 10/12—26/06.
- **BARRY I. CHILDRESS**—One day suspension without pay for Crew Worker, effective 10/13/06.

**PERSONNEL (CONT'D)**

- **CHRISTOPHER T. DOSSETT**—Two day suspension of Equipment Operator, Sr. without pay, effective 10/17-18/06.

**CHATTANOOGA POLICE DEPT.:**

- **MICHAEL R. HARRIS**—Resignation of Police Cadet, effective 10/13/06.
- **RICK ENGLE**—Four day suspension without pay for Police Officer, effective 10/21/06.
- **DEBORAH R. WHEELER**—Ten days suspension without pay for Police Records Clerk—effective 10/23/06.
- **MAXWELL LEE**—Three days suspension without pay for Communications Officer, effective 10/31/06.

**NEIGHBORHOOD SERVICES DEPT.:**

- **AMANDA JILL MURPHY**—Hire, Planner, Pay Grade 14/3, \$33,920.00, effective 10/23/06.
- **CORA CORBIN**—Termination of Clerical Assistant, effective 10/20/06.

**CHATTANOOGA FIRE DEPARTMENT:**

- **CHAD E. CRISP**—Promotion to Senior Firefighter, Pay Grade F2/4, \$33,415.00 annually, effective 10/27/06.
- **TRACI C. DOSSETT**—Promotion to Senior Firefighter, Pay Grade F2/4, \$33,415.00 annually, effective 10/27/06.
- **CHARLES E. WADDELL**—Promotion to Senior Firefighter, Pay Grade F2/3, \$31,987.00 annually, effective 10/27/06.

**PURCHASE**

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

**WONDER WINDOW WASHER (Lowest and best bid meeting specs)**  
**Requisition R0092759/B0003502**

Sewer Backup Cleaning & Repair Services

\$250,000.00

**PURCHASE**

On motion of Councilman Rico, seconded by Councilwoman Gaines, the following purchase was approved for use by the Department of Neighborhood Services and Community Development:

**CHATTANOOGA CONVENTION CENTER**  
**Vendor Number 137322**

Conference Expenses (Facilities, Meals, Audio-Visual, etc.)

\$33,875.07

Councilman Rico commented on what a great job was done in reference to this, noting that people he had spoken to had appreciated how everything was handled.

**PURCHASE**

On motion of Councilman Page, seconded by Councilwoman Robinson, the following purchase was approved for use by the Department of Education, Arts & Culture:

**ROSE BRAND (Lowest and best bid meeting specs)**  
**REQUISITION No. R0089083/B0003565**

Stage Curtain replacement at Tivoli Theatre

\$55,700.00

**REFUND**

On motion of Councilwoman Robinson, seconded by Councilwoman Gaines, the Administrator of Finance was authorized to issue the following refund due to a Court Order reversing 2002 Back Tax Sale for Tax Year 1999:

**CARLTON DITTO -- \$1,339.93**

**PURCHASE**

On motion of Councilman Rico, seconded by Councilman Page, the following purchase was approved for use by the Mayor's Office— Information Services Division:

**COMMUNICATIONS RESOURCES, INC. (C.O. #2 to present contract):  
Requisition No. P0019861**

Nortel & Voice Network Equipment & Maintenance to cover additional equipment for the Call Center and DRC acquired over the last 12 months

\$ 15,300 change order amount

\$285,008 Contract Total

**BOARD APPOINTMENT**

Dan Johnson again presented the request for approval of the appointment of **Mary Eastman** to the **Northshore Review Committee** for a term to expire October 17, 2009.

Councilwoman Bennett had asked that this be held for one week for other information. She asked that this be deferred for another week in order to receive an E-Mail concerning the new appointee.

**BOARD APPOINTMENT**

On motion of Councilman Rico, seconded by Councilwoman Gaines, the following Board Appointment was approved:

**CHATTANOOGA HOUSING AUTHORITY BOARD**

- Appointment of **EDDIE HOLMES** to fill the unexpired term of Barbara Readnow, for a term expiring **October 4, 2010**.

**COMMITTEES**

Councilman Benson reminded Councilmembers that the **Legal and Legislative Committee would meet on Tuesday, November 7<sup>th</sup> at 3:00 p.m.**—that the City Attorney is to review the proposal presented today in regards to Historic Districts. This will be two weeks from now.

Councilman Page scheduled a meeting of the **Economic Development Committee for Tuesday, December 5<sup>th</sup> at 4:00 p.m.** He asked Ms. Crownover to please notify the Airport Director in regards to this meeting.

Councilman Rico reminded Councilmembers of the **Public Works Committee meeting scheduled for Tuesday October 31<sup>st</sup> at 4:00 p.m.**

Councilwoman Robinson expressed appreciation for the wonderful job done by the Mayor and his Staff in regards to the District 1 and 2 meeting that was held on October 19<sup>th</sup>. She noted that this was a rainy night but that did not stop almost 200 people from coming. She also thanked the Mayor and his Staff for their participation in a meeting that will be held in Lupton City to talk about mail service and 311 on **Thursday, October 26<sup>th</sup> at 5:30 p.m. at the R. L. Stowe Co. gymnasium.**

**KENNETH STRICKLAND**

**Kenneth Strickland** appeared before the Council. He thanked them for allowing him to speak, noting that he had with him a petition signed, requesting that the City Council take action to remove the residents and condemn the property located at 3417 Clio Ave. He mentioned the illegal activity going on there and the concern of the homeowners in the area and also the businesses. He stated that there was prostitution, drug selling, and preying on kids going on; that this backs up to businesses and they were all asking the Council to step up and do something for them and to condemn this property. He stated that he had the signatures of almost 50 people.

Attorney Nelson stated that Councilman Franklin was in charge of this and had a meeting scheduled to discuss problems such as this with residents. He suggested that Mr. Strickland come to this meeting.

Mr. Strickland noted that the Manager of the Subway Restaurant was here with him—that this problem had been going on for one and one-half years.

Councilman Benson also urged Mr. Strickland to be here in two weeks for the Safety Committee meeting. He also noted that Chief Cooke was in the back of the room and that Mr. Strickland could talk to him about this problem, but he also needed to come back in two weeks.

Chairman Pierce stated that normally we can't condemn property.

Mr. Strickland explained that this was not a regular house; that police officers had been out there at least 50 times and busted them for possession of narcotics and arrested them and then they were right back out there. He went on to say that they did more business than convenience stores; that this kept him awake and also his neighbors. He told of a ten year old boy that was told by one of the prostitutes "to go get your lunch money, and I'll make you happy". He stated that prostitutes came up to him and asked him if he wanted a date. He urged the Council to help them do something about this—that the windows of the house were knocked out and the roof was falling in.

**KENNETH STRICKLAND**  
**(CONT'D)**

Chairman Pierce, after conferring with Attorney Nelson, stated that we might could declare this property a nuisance, and it could be condemned this way.

Mr. Strickland added that the house did not even have running water, and they used the Subway for a bathroom.

Chairman Pierce expressed his appreciation for Mr. Strickland coming in, with Mr. Strickland adding, they are right next door to me.

Chairman Pierce related to Mr. Strickland that there are other neighborhoods who are also experiencing these same problems and urged Mr. Strickland to be at the Safety Committee meeting on November 7<sup>th</sup> at 4:00 p.m.

**ADJOURNMENT**

Chairman Pierce adjourned the meeting of the Chattanooga City Council until Tuesday, October 31, 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)**

