

**City Council Building
Chattanooga, Tennessee
June 6, 2000**

The meeting of the Chattanooga Council was called to order by Chairman Hakeem with Councilmen Crockett, Eaves, Franklin, Hurley, Pierce and Taylor present; Councilman Lively was absent due to recuperation from knee surgery; Councilmen Eaves and Rutherford were absent due to personal commitment. City Attorney Randall Nelson, Management Analyst Randy Burns, and Council Clerk Carol O'Neal, CMC, were also present.

INVOCATION

Invocation was given by City Attorney Nelson.

MINUTE APPROVAL

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

**SPECIAL PRESENTATION: "CHIP" BAKER,
FRIENDS OF FESTIVAL – PRESENTATION OF
2000 POSTER**

"Chip" Baker stated this is his second year with Riverbend and indicated the theme of the festival is a family music festival and there is something for everyone. He stated the Children's Village has been added this year and expressed his appreciation to the City and County for their cooperation. He acknowledged the grateful appreciation and assistance of the Police and Parks and Recreation Departments citing the great partnership that has prevailed. He presented this year's poster by stating that this is the first year an "actual person" was used; that the poster depicts the person throwing "Riverbend stars" into the air in front of the Aquarium signifying the liveliness of the festival and the community's involvement in the Aquarium and downtown area.

SPECIAL POLICEMAN

On motion of Councilman Taylor, seconded by Councilman Pierce,

A RESOLUTION AUTHORIZING THE APPOINTMENT OF STACEY M. COATES AS A SPECIAL POLICE OFFICER OF THE CITY OF CHATTANOOGA TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS

was adopted.

AGREEMENT: MEMORIAL HOSPITAL

On motion of Councilman Taylor, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AN AGREEMENT WITH MEMORIAL HOSPITAL, RELATIVE TO TRAFFIC SIGNAL CONTROLS LOCATED AT THE INTERSECTION OF GUNBARREL ROAD AND GOODWIN ROAD AT THE MEMORIAL ATRIUM DRIVEWAY

was adopted.

AGREEMENT: GATEWAY COMPANIES, INC.

On motion of Councilman Franklin, seconded by Councilman Taylor,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AN AGREEMENT WITH GATEWAY COMPANIES, INC., RELATIVE TO TRAFFIC SIGNAL CONTROLS LOCATED AT THE INTERSECTION OF GUNBARREL ROAD AND GOODWIN ROAD AT THE MEMORIAL ATRIUM DRIVEWAY

was adopted.

CONTRACT: TDOT

On motion of Councilman Crockett, seconded by Councilman Taylor,

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION RELATIVE TO INSTALLATION OF A CLOSED LOOP SYSTEM, SIGNALIZATION PROJECT (LP#2357) ON HIGHWAY 58 (S.R. 58) BETWEEN SOUTH ACCESS ROAD AND ELLER ROAD

was adopted.

CONTRACT: TDOT

On motion of Councilwoman Hurley, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION RELATIVE TO INSTALLATION OF A CLOSED LOOP SYSTEM, SIGNALIZATION PROJECT (LP#2358) ON GUNBARREL ROAD BETWEEN EAST BRAINERD ROAD (S.R. 320) AND SHALLOWFORD ROAD

was adopted.

EASEMENT: HAMILTON COUNTY

On motion of Councilwoman Hurley, seconded by Councilman Franklin,

A RESOLUTION GRANTING A PERMANENT CHANNEL IMPROVEMENT EASEMENT TO THE GOVERNMENT OF HAMILTON COUNTY IN ORDER TO CARRY OUT A RIVERBANK PROTECTION PROJECT FOR TRACT 100E FRONTING ON RIVERSIDE DRIVE BY HAMILTON COUNTY IN COLLABORATION WITH THE U.S. ARMY CORPS OF ENGINEERS

was adopted.

EASEMENT: HAMILTON COUNTY

On motion of Councilwoman Hurley, seconded by Councilman Franklin,

A RESOLUTION GRANTING A PERMANENT CHANNEL IMPROVEMENT EASEMENT TO THE GOVERNMENT OF HAMILTON COUNTY IN ORDER TO CARRY OUT A RIVERBANK PROTECTION PROJECT FOR TRACT 204E FRONTING ON RIVERSIDE DRIVE BY HAMILTON COUNTY IN COLLABORATION WITH THE U.S. ARMY CORPS OF ENGINEERS

was adopted.

EASEMENT: HAMILTON COUNTY

On motion of Councilman Crockett, seconded by Councilman Franklin,

A RESOLUTION GRANTING A PERMANENT CHANNEL IMPROVEMENT EASEMENT TO THE GOVERNMENT OF HAMILTON COUNTY IN ORDER TO CARRY OUT A RIVERBANK PROTECTION PROJECT FOR TRACT 302E FRONTING ON RIVERSIDE DRIVE BY HAMILTON COUNTY IN COLLABORATION WITH THE U.S. ARMY CORPS OF ENGINEERS

TEMPORARY USE: RINGGOLD TELEPHONE COMPANY

On motion of Councilman Taylor, seconded by Councilman Pierce,

A RESOLUTION AUTHORIZING RINGGOLD TELEPHONE COMPANY TO USE TEMPORARILY A PORTION OF THE CITY'S RIGHT-OF-WAY TO INSTALL AND MAINTAIN FIBER-OPTIC CABLES ALONG A ROUTE APPROXIMATELY TWO THOUSAND, EIGHT HUNDRED FEET (2,800') IN LENGTH AND EXTENDING FROM THE EAST RIDGE CITY LIMITS TO THE QWEST POP ON SLAYTON SREET, SUBJECT TO CERTAIN CONDITIONS

was adopted.

PURCHASE OF LEASEHOLD
IMPROVEMENTS: BELLSOUTH STADIUM

On motion of Councilwoman Hurley, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A PURCHASE OF CERTAIN LEASEHOLD IMPROVEMENTS AT BELLSOUTH STADIUM FOR THE AMOUNT OF ONE MILLION, FORTY-ONE THOUSAND, NINETY-THREE DOLLARS (\$1,041,093.00) TO BE PAID FROM THE ECONOMIC DEVELOPMENT FUND

was adopted.

OVERTIME

Overtime for the week ending June 2, 2000 totaled \$93,611.50.

PERSONNEL

The following personnel matters were reported for the Parks and Recreation Department:

PAUL MEYNEERS – Resignation, Crew Leader, Sr., Riverpark/Downtown, effective May 28, 2000.

WES MOORE – Not retained during probation, Golf Course Ranger, effective May 23, 2000.

PATRICK MCCLARTY – New Hire, Recreation Specialist, Pay Grade 9/Step 2, \$23,014.00 annually, effective May 26, 2000.

LARRY D. GLADDEN – Position Change, Laborer P.T., Golf Division, \$13,102.00 annually, effective May 31, 2000.

ABDUL R. SWAFFORD – New Hire, Golf Division, Crew Worker, Pay Grade 3/Step 1, \$15,230.00 annually, effective June 2, 2000.

ORLANDO LAURENCO – New Hire, Manager, Champion's Club, Pay Grade 17/Step 7, \$40,393.00 annually, effective June 2, 2000.

PURCHASE

On motion of Councilman Franklin, seconded by Councilwoman Hurley, the following purchase was approved for use by the Parks and Recreation Department:

BORDEN PATROL (Best bid)
Requisition R0046879/B00004783

Dasher Board System

\$55,034.00

PERSONNEL

The following personnel matters were reported for the Public Works Department:

BERNARD WALLACE, AARON MICHAEL DAVIS – Employment, Crew Worker, Traffic Engineering, Pay Grade 3/Step 1, \$15,230.00 annually, effective June 7, 2000.

BILLY COTTON – Retirement, Crew Worker Senior, Citywide Services, effective May 25, 2000.

TRAFFIC STUDY

Admin. Marcellis stated Sister Bey asked for a traffic signal study at the intersection of Third Street and Highland Park Avenue and personnel within the Department looked at the situation. He stated the traffic and pedestrian volumes, as well as accidents at the intersection did not warrant a traffic signal. He stated two-way stop signs will be continued and a pedestrian crosswalk has been installed to help the pedestrians that cross in the morning.

PERSONNEL

The following personnel matters were reported for the Chattanooga Police Department:

NICOLE GRAY, FRANCES HARRIS, ROGER MELZER – Hire, Police Records Clerk, Pay Grade 3/Step 1, \$15,230.00 annually, effective June 9, 2000.

DEVORA C. GRISSOM – Promotion, Police Records Analyst, Pay Grade 7/Step 1, \$19,689.00 annually, effective June 2, 2000.

PERSONNEL (Continued)

KIMBERLY OWENS – Promotion, Police Records Analyst, Pay Grade 7/Step 4, \$22,641.00 annually, effective June 2, 2000.

LULU B. GARNER – Voluntary Demotion, Office Assistant Senior, effective June 2, 2000.

KENNY R. REYNOLDS – Transfer/Volunteer Demotion, Building Maintenance Mechanic, Pay Grade 7/Step 11, \$30,518.00 annually, effective June 2, 2000

KENNETH SNELL – Resignation, Police Cadet, effective June 1, 2000.

PURCHASE

On motion of Councilwoman Hurley, seconded by Councilman Franklin the following purchase was approved for use by the Finance Department:

SCT (Single source purchase)

Upgrade of Banner Software

\$31,500.00

PURCHASE

On motion of Councilwoman Hurley, seconded by Councilman Franklin, the following purchase was approved for use by the Finance Department, Bicentennial Library Division:

A PERFECT LAWN (Lowest and best bid)

Requisition R0038775/P0014457

Grounds maintenance

\$7,200.00

PERSONNEL

The following personnel matters were reported for the Finance Department:

GAIL DUFFEY – New hire, Payroll Technician, Sr., Payroll Division, Pay Grade 10/Step 1, \$23,033.00, effective June 2, 2000.

MARK A. FOLSOM – New hire, Telecommunications Coordinator, Telecommunications Division, Pay Grade 17/Step 2, \$32,834.00 annually, effective June 16, 2000.

KENNETH KITCHEN – Promotion, Systems and Database Specialist, Sr., Information Services Division, Pay Grade 25/Step 9, \$56,844.00 annually, effective June 2, 2000.

REFUND

On motion of Councilwoman Hurley, seconded by Councilman Franklin, the Administrator of Finance was authorized to issue the following refund for 1999 property taxes:

CAROLEX LLC DBA/ECKERD CORP., Per No. 1017570, \$1,048.99

BOARD APPOINTMENTS

On motion of Councilman Pierce, seconded by Councilwoman Hurley, the following Board appointments were approved:

CHATTANOOGA METROPOLITAN AIRPORT AUTHORITY:

--Appointment of **DR. ROY KEITH** to complete the term of Carolyn Jones ending July 1, 2004.

--Appointment of **KENNETH S. HAYS**, replacing Bill Tittle, with said term ending July 1, 2007.

RESULTS OF HEARING: FREDDIE BROOKS

Councilman Franklin stated a disciplinary hearing regarding an appeal by Firefighter Freddie Brooks, who had been terminated, was held with himself and Councilmen Hakeem and Hurley serving as the panel. He stated after a long six-and-a-half hour hearing, eight-or nine witnesses and rebuttal by the attorneys, a decision was made. He stated the panel sent a strong statement of

**RESULTS OF HEARING: FREDDIE
BROOKS (Continued)**

support to administration with regard to insubordination; that after many historical factors the decision was made not to terminate Mr. Brooks. He stated the decision to reinstate also provided that Mr. Brooks would serve a year's probation and a fourteen-day suspension; however it was felt that Mr. Brooks had served the 28 days suspension prior and considered the 14 days as time served. He stated Mr. Brooks is also requested to go to Internal Affairs to complete their investigation as it relates to promotional testing prior to returning to work. He commended his colleagues for their "stick-to-it-tiveness" and demeanor on how they conducted themselves during this hearing.

COMMITTEES

Councilman Taylor stated a meeting of the **Budget and Finance Committee** was held earlier today and indicated another meeting of the Committee **will be held on Tuesday, June 20 immediately following the Public Works Committee.**

Councilman Franklin stated a meeting of the **Parks and Recreation Committee** was held today and Gene Hyde brought forth a new forestry intern from Southern University. He stated the intern is a very astute and articulate person who knows a lot about forestry and our environment; that projections were given as to the air quality in the area and the respiratory ailments that result. He stated there will be Ordinances forthcoming to deal with aquatics in the downtown area, as well as the downtown skating area relative to boundaries. A meeting of the Committee was scheduled for **Tuesday, June 20 beginning at 4 p.m.**

Councilman Crockett stated a meeting of the Legal and Legislative Committee was held earlier today wherein discussion involved the board makeup upon how we would hear personnel cases and whether to continue as we do now or an alternative way. He stated the consensus was with the time being everything will stay as it is.

**BUDGET/ECONOMIC DEVELOPMENT
FUND**

Councilman Crockett stated in the process of looking at the budget it is hoped there will be a look at the available capital from what we will have in the economic development fund and available for capital budgeting purposes, both for this year and in the "out" years as we are considering a number of things. He stated another million was authorized today from the economic development fund; that he would like to see what we "look" like not only this year but next year and thereafter.

MAGLEV PROJECT

Councilman Crockett stated the committee of the Atlanta-Chattanooga MAGLEV project met last week and finalized some details of the proposal to be submitted at the end of this month; that it is an interesting proposal. He stated there was an overview of the proposal by some consultants and the relative decision was that the proposal looked favorable at this point; that three groups will be selected in the fall from the current group and then additional work will have to be done with the final proposal selection scheduled for early next year.

Chairman Hakeem expressed appreciation to Councilman Crockett on behalf of the Council for his diligence on the MAGLEV project and keeping the Council informed; that together we might wind up at the top of the list!

ERIN DAVIS

Erin Davis addressed the Council regarding animal rights. She read from a prepared statement and indicated that this is a problem plaguing the City and stated there are two central themes that will quiet the complaints that seem to be occurring more frequently. She stated a new animal shelter, which would be owned and operated by the City government, would be the first step. She stated a new “no kill” facility is a key element in avoiding over-population as well as the containment of diseased animals; that the facility on Highland Park is the epitome of a desperate lack of funding; that a new facility would encourage animal adoption. She stated a second step should be community wide education with some type of enforcement policies; that children should be taught at an early age how to properly care for their pets. She indicated that in speaking with area veterinarian construction firms and architects regarding her ideas and the amount of money necessary; that for the same amount the City just spent on new animal catchers and equipment, a new wonderful, technologically innovated system could be built. She indicated that she is present tonight pleading for the chance to make a difference; that people are eager to help. She asked that the City take a true interest in the animals and own and operate the new facility upon completion. **(A copy of Ms. Davis’ statement is filed with minute material of this date.)**

Chairman Hakeem thanked Ms. Davis for her research and efforts and stated that it is incumbent upon the City to at least research and correspond with her to see if there is something within the realm of what the City can be involved in or want to be involved in; that her concern is worth exploring.

Ms. Davis introduced her roommate, Leslie Winters, and stated they adopted some animals from the Humane Society and that is when they learned about the major issues and problems.

SISTER BEY

Sister Bey stated that she wants a traffic light installed as previously requested; that this is a racial issue that she plans to take before the U.S. government, as people are tired of “crooked government”.

REV. JOHN H. THORNTON

Rev. John H. Thornton addressed the Council on behalf of the taxi industry and stated that there is a problem that has just about forced several taxi companies out of business since the 1992 Ordinance was signed. He stated since the Ordinance was signed their cars have had to be updated, their insurance has doubled, gas and maintenance is going up and it is hard to get good drivers; that the flat rates are “killing” them. He stated there is a \$21 rate from downtown to Hamilton Place; that regular customers want to pay \$14, and if they are caught accepting a different rate they can be fined \$5,000 dollars. He stated they are at the point of losing customers because of the meter and again stated that the flat rate is “killing” them. He stated when the 1992 Ordinance was passed they were told they would have input; that they paid lawyers and spent time with the Council and their input was forgotten when the Ordinance was signed. He stated they would like to “throw their mercy” on the Council to take another look at the Ordinance and help them; that he and others have invested their savings in their business. He stated he had invested his money for retirement and at 58 is trying to retire and has nothing to retire on, as all his money is gone. He stated that he knows the Council members are busy, but to a lot of cab owners this is very important.

Chairman Hakeem stated within the past two weeks a request for minutes and additional information was made of previous board meetings of the Taxi Board; that the information is forth coming. He stated there is a degree of frustration on the part of everyone involved in the taxi process; that the feeling among owners is that City government is trying to put them out of business. He stated if the Council wants to disband the Taxi Board and take it on themselves that is an option available; that he would think before that he would like to see what recommendations come from the Taxi Board as far as changes are concerned. He stated that the effort of the Chairman of the Taxi Board, Don Aho, and Board members has been to take one item at a time and try not to confuse too many issues at one time. He stated it is hoped it will be allowed for the Taxi Board to work through process.

Councilman Taylor stated he has received information as it relates to the minutes; that he understands there is a concern to hear the matter in committee for all to have input.

Chairman Hakeem stated the matter will be put into committee after there has been time for everyone to review the minutes.

Councilman Crockett scheduled a meeting of the **Legal and Legislative Committee for Tuesday, July 11 immediately following the Public Works Committee** to hear the matter.

EDWARD CURTIS

Edward Curtis stated he is a resident of East Lake and thanked the Council for the schools in his neighborhood. He stated he was present to ask the Council to find more money in the budget for more sidewalks, as there is a big problem on 13th Avenue. He stated he is afraid someone might be hurt or killed.

Chairman Hakeem stated money has been appropriated for sidewalks. Admin. Marcellis stated that three sidewalks have been slated for East Lake Elementary and 13th Avenue is one of them; that the School's principal has asked for an additional block from 37th Street to 36th Street, and 14th Avenue from 37th Street to 36th Street and 37th Street over to Dodds.

Mr. Curtis asked if the sidewalks could come down a little further. Admin. Marcellis stated this is the first round; that the second round will follow and they will continue looking at that and other things.

Mr. Curtis expressed his satisfaction and thanks.

ADJOURNMENT

Chairman Hakeem adjourned the meeting until Tuesday, June 20, 2000 at 6 p.m.

CHAIRMAN

CLERK OF COUNCIL

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