

**City Council Building
Chattanooga, Tennessee
February 4, 2003
6:00 p.m.**

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

MINUTE APPROVAL

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

311 CALL CENTER

Chairman Littlefield stated a report from David Eichenthal, Director of Performance Review for the City, was given in Committee earlier today, at which time it was requested that the public be brought up-to-date regarding the 311 Program.

David Eichenthal stated that the goal of 311 is to improve and increase citizen access to city government by creating a single number to handle calls of non-emergency services offered by departments other than the police and fire departments. He stated that he appeared before the Council in August regarding the matter, which proceeded with the adoption of the Motorola contract. He stated at the time it was indicated that it would be a six-month process before the Program would be "live". He stated that the system is not quite ready to go "live" and it is hoped they will be "on track" by the end of February.

311 CALL CENTER (Continued)

Mr. Eichenthal continued by stating that the staff for the Center has been hired and presented Liz Henley, the Customer Service Coordinator who would be running the Center on a day-to-day basis; Customer Service Representatives Terry Tisdale, Roshonda Griffin and Phillip Stevens; and Anita Ebersole, Lead Customer Service Representative. He stated the 311team has been going through training since the end of December, work extraordinarily well together and have received cooperation from all the departments they will be working with in providing a "gateway" for delivery of services here in Chattanooga.

Mr. Eichenthal concluded his comments by stating that the 311 Center will not function as a switchboard so much as an entry point to process citizens' service requests and get it to the appropriate department. He stated the program would be in the testing phase later this week, reiterating for the public that the program will not be "live" this week, just going through testing. He stated the Customer Service Representatives would be dealing with real calls going to the various departments. He stated it is hoped the program will be ready for an announcement to go "live" by mid-February.

Chairman Littlefield stated a number of questions were asked earlier about the program and that the beginning of the service is much anticipated. He stated that he knows from working with other communities with similar operations this service will improve the efficiency of city government and will give the public great reassurance in resolution of their calls.

Councilman Page expressed appreciation to Councilwoman Robinson for her interest in spear-hearing this from the start. He stated it is a good venture for both the Council and administration!

Mr. Eichenthal expressed appreciation for the extraordinary support that has been received from everyone on the Council, indicating that forty-five minutes were spent in Committee earlier dealing with the whole series of questions and how the system would work. He stated every question allowed for making the system better; that it is something effective for everyone in the community.

Chairman Littlefield expressed thanks to Mr. Eichenthal and the 311 staff members.

REZONING

2002-209: Timothy Duckett

Councilman Franklin stated this matter was held for third reading for an opportunity to speak with the applicant. He stated that the concern has been resolved.

On motion of Councilman Franklin, seconded by Councilman Pierce,
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A PORTION OF A TRACT OF LAND LOCATED AT 1323 GREENWOOD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS
passed third and final reading and was signed in open meeting.

FIRE AND POLICE PENSION FUND

There was no one in attendance in opposition to this Ordinance.

On motion of Councilman Lively, seconded by Councilman Page,
AN ORDINANCE TO AMEND THE FIREMEN'S AND POLICEMEN'S INSURANCE AND PENSION FUND AND TO RESTATE SAME AS THE FIRE AND POLICE PENSION FUND, CHATTANOOGA CITY CODE, PART II, CHAPTER 2, ARTICLE III, DIVISION 8
passed second reading. On motion of Councilman Hakeem, seconded by Councilman Franklin, the Ordinance passed third and final reading and was signed in open meeting.

REZONING

2002-162: James K. Glenn

On motion of Councilman Lively, 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 1918 ROSSVILLE AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE TO M-1 MANUFACTURING ZONE
passed second reading. On motion of Councilman Pierce, seconded by Councilman Franklin, the Ordinance passed third and final reading and was signed in open meeting.

AMEND CITY CODE

Councilman Benson stated this matter has been discussed in the Legal and Legislative Committee for several weeks. He stated after a great deal of discussion and cooperation with private enterprise of the horse carriage industry, approval is recommended.

City Attorney Nelson stated that he received three small changes today that have been requested to be incorporated in the Ordinance. He stated that the changes have been distributed to the Council. He stated they are not "big" changes and can be incorporated in the Ordinance after first reading.

City Attorney Nelson continued by stating that Section 35-192 has the inclusion of ***"or applicant"*** added, which would read, ***"Any certificate holder or applicant convicted of a violation of this chapter or any other local, state, or federal law concerning the treatment of animals shall be denied a certificate under this chapter, or such conviction shall form the basis for the suspension or revocation of any certificate granted under this chapter"***.

City Attorney Nelson stated the second change is the addition of ***"or outriders"*** at the end of Section 35-194, which would read, ***"Any horse-drawn vehicle used in a parade, or like event, must have at least two (2) outwalkers or outriders accompanying it through such event"***.

City Attorney Nelson stated the third and final change is in the sentence in Section 35-203(c)(14), which would be shortened to read, ***"Carriages shall not be pulled by stallions, pregnant mares, or mares that are within 180 days after foaling; . . ."***

Councilman Benson stated that it is his belief the changes are acceptable with the carriage industry; that they participated in this self-regulation from the beginning and they are pleased with it.

Persons present from the carriage industry expressed agreement with the three suggested changes.

Tony Peoples with Chattanooga Charm Horse and Carriage stated they are grateful for this Ordinance and that it has been a "long road"! He stated it is his thought the Ordinance will minimize everyone's problems and accidents and will make them more accountable. He expressed appreciation to Paul Miller and the City Attorney for their hard work.

Chairman Littlefield stated he has been in government for more than thirty years and cannot recall a situation like this; that the industry worked responsibly on regulations and all have been put in place.

AMEND CITY CODE (Continued)

Councilman Benson expressed hope that this would set a precedent for other industries to follow.

On motion of Councilman Benson, seconded by Councilman Franklin,
AN ORDINANCE TO AMEND PART II, CHATTANOOGA CITY CODE, CHAPTER 35, BY ADDING A NEW ARTICLE VI, SECTIONS 35-186 THROUGH 35-225, RELATIVE TO REGULATION OF HORSE-DRAWN CARRIAGES
passed first reading.

AMEND CITY CODE

Chairman Littlefield stated this Ordinance replaces a 1911 Ordinance that was amended in 1920 which prohibits horses on Market Street. He stated this Ordinance corrects the problem.

On motion of Councilman Lively, seconded by Councilman Page,
AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 24, ARTICLE I, SECTION 24-29, RELATIVE TO HORSE-DRAWN VEHICLES ON MARKET STREET
passed first reading.

AMEND CITY CODE

Paul Miller, Director of Animal Services stated that this Ordinance increases the daily boarding fee from five dollars (\$5.00) to seven dollars and fifty cents (\$7.50) and clarifies the escalating impound fees for second and third offenses. He stated the Ordinance also changes the holding time for strays and raises the license fee for altered and not altered animals in the City.

Chairman Littlefield indicated that this Ordinance deals with basic animal control regulations.

On motion of Councilman Page, seconded by Councilman Pierce,
AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 7, ARTICLE II, SECTION 7-21 AND 7-22, ARTICLE III, SECTION 7-33(a) AND ARTICLE VIII, SECTION 84(c), RELATIVE TO ANIMALS
passed first reading.

AGREEMENT: CONSOLIDATED TECHNOLOGIES, INC.

Councilman Hakeem stated Resolutions (a) – (e) were discussed in Public Works Committee and approval is recommended.

On motion of Councilman Hakeem, seconded by Councilman Lively,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AN ENGINEERING SERVICES AGREEMENT WITH CONSOLIDATED TECHNOLOGIES, INC., RELATIVE TO THE STORMWATER MANGEMENT DRAINAGE PROJECT, CONTRACT NO. S-02-001-100, FOR A TOTAL FEE NOT TO EXCEED ONE HUNDRED SEVEN THOUSAND TWO HUNDRED DOLLARS (\$107,200.00)

was adopted.

CHANGE ORDER

On motion of Councilman Lively, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1 (FINAL), RELATIVE TO THE 3RD STREET SEWER RELOCATION, CONTRACT NO. 55F, WITH MAYSE CONSTRUCTION COMPANY, WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY SIXTEEN THOUSAND THREE HUNDRED SEVENTEEN AND 18/100 DOLLARS (\$16,317.18), FOR A REVISED CONTRACT AMOUNT OF ONE HUNDRED FORTY-FIVE THOUSAND TWO HUNDRED THIRTY-FOUR AND 07/100 DOLLARS (\$145,234.07)

was adopted.

TEMPORARY USE: JIM MORROW CONSTRUCTION

On motion of Councilman Hakeem, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING JIM MORROW CONSTRUCTION TO USE TEMPORARILY THE CITY'S RIGHT-OF-WAY LOCATED AT 1405 WILLIAMS STREET TO CONSTRUCT BUILDING FOOTINGS, SUBJECT TO CERTAIN CONDITIONS

was adopted.

DECLARE SURPLUS

On motion of Councilman Pierce, seconded by Councilman Franklin,
A RESOLUTION DECLARING CERTAIN PROPERTY LOCATED IN THE 900 BLOCK OF PARK AVENUE AT THE INTERESECTION OF E. 10TH STREET, MORE PARTICULARLY DESCRIBED HEREIN, AS SURPLUS AND AUTHORIZING THE MAYOR OR THE CITY FINANCE OFFICER TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO FACILITATE THE SALE OF SAID REAL PROPERTY TO THE RIVERCITY COMPANY FOR A CONSIDERATION OF THIRTY-TWO THOUSAND FIVE HUNDRED DOLLARS (\$32,500.00), WITH SAID FUNDS GENERATED BY THE SALE TO BE DIRECTED TO COMMUNITY DEVELOPMENT
was adopted.

CONTRACT WORK AUTHORIZATION NO. 14

On motion of Councilman Pierce, seconded by Councilman Page,
A RESOLUTION AUTHORIZING THE EXECUTION OF WORK AUTHORIZATION NO. 14, WITH ARCADIS G&M, INC., FOR PROFESSIONAL SERVICES PERTAINING TO TRANSPORTATION ALTERNATIVE STUDY AND DESIGN SERVICES RELATIVE TO CONTRACT NO. E-02-003-100, MARTIN LUTHER KING BOULEVARD/BAILY AVENUE AND MCCALLIE AVENUE TWO-WAY CONVERSION PROJECT, FOR A TOTAL FEE NOT TO EXCEED ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00)
was adopted.

OVERTIME

Overtime for the week ending January 31, 2003 totaled \$35,144.62.

PERSONNEL

The following personnel matters were reported for the various departments:

PUBLIC WORKS DEPARTMENT:

CRAIG STEWARD – Resignation, Crew Worker, Citywide Services, effective January 23, 2003.

PERSONNEL (Continued)

BOYD P. ABRAMS – Hire, Equipment Operator, Citywide Services, Pay Grade 6/Step 1, \$19,834.00 annually, effective January 28, 2003.

DAVID L. HILL – Lateral Transfer, Crew Worker, Citywide Services, Pay Grade 3/Step 10, \$24,121.00 annually, effective February 5, 2003.

SIDNEY R. POINTER – Lateral Transfer, Crew Worker, Citywide Services, Pay Grade 3/Step 11, \$25,071.00 annually, effective February 5, 2003.

CHATTANOOGA POLICE DEPARTMENT:

HAROLD L. DIAZ – Military Leave, Police Officer, effective January 17, 2003 – January 17, 2004.

JEFFREY R. GANNAWAY – Deceased, Police Officer, effective January 30, 2003.

FINANCE AND ADMINISTRATION DEPARTMENT:

GEORGE MORGAN – Retirement, Director, Facilities & Fleet Maintenance, effective January 31, 2003.

PURCHASE

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

CHARLIE ROGERS FORD (Lowest and best bid meeting specifications)
R0066355/B0000740

Two Pick-up Trucks
\$20,350.00

BROOKER FORD, INC. (Lowest and best bid)
R0064336/B0000742

Fifteen-Passenger Van
\$19,216.01

DECLARE SURPLUS FOR DONATION

On motion of Councilman Lively, seconded by Councilman Page, the following matters were declared surplus for the Chattanooga Police Department:

SURPLUS POLICE CANINE DONATION

Donation of 10-6ear old Belgium Malinois dog to Officer Ruth Bowman, trainer and master of the dog. Canine Blue has been diagnosed with osteoarthritis and is unable to perform duties. This will be no cost to the City of Chattanooga.

SURPLUS PROPERTY

Six (6) 35mm cameras to be donated to police in Arad, Romania. The cameras are no longer suitable for the Department’s use.

PURCHASE

On motion of Councilman Hakeem, seconded by Councilman Franklin, the following purchase was approved for use by the Department of Finance, Chattanooga-Hamilton County Bicentennial Library:

TED RUSSELL FORD (Single source purchase)
R0051604/P0018734

Ford Cargo Van per Statewide Contract SWC-224, TCA 6-56-3-4.6

\$15,560.00

HEARING: EDWARD FREEMAN

City Attorney Nelson reminded Council members of the hearing scheduled for Edward Freeman on Monday, February 10 beginning at 3 p.m. with Councilmen Littlefield, Lively and Page serving as the panel hearing the request.

COMMITTEES

Councilman Benson scheduled a meeting of the **Legal and Legislative Committee for Tuesday, February 11 beginning at 3 p.m.** for a discussion regarding the wrecker ordinance. He stated adequate prior notice would be given at the time the pawn issue is to be discussed.

COMMITTEES (Continued)

Mr. Pace reminded Councilman Benson of the previously scheduled discussion regarding the historic zoning ordinance and the conflict it presents with the new housing code.

Councilman Benson indicated that the wrecker ordinance discussion would be tabled for the next several weeks so that the Legal and Legislative Committee could begin discussion of the historic zoning ordinance next week.

Councilman Hakeem scheduled a meeting of the **Public Works Committee for Tuesday, February 18 beginning at 4 p.m.**

Councilman Pierce reminded Council members of the **Committee of-the-Whole scheduled for Tuesday, February 11 immediately following the Parks and Recreation Committee** to continue discussion regarding redistricting.

Councilwoman Robinson reminded Council members of the meeting of the **Parks and Recreation Committee scheduled for Tuesday, February 11 at 4 p.m.**

VALENTINE PROGRAMS

Councilwoman Robinson commended the Parks and Recreation Department for the Valentine programs taking place in nearly every recreation center making valentines and gifts. She stated the public is invited to participate in the programs at no charge.

ZONING MATTER

Councilman Taylor stated there was a situation in which a zoning took place in Alton Park and due to a lack of knowledge regarding the process, the applicant requested the wrong zone. He requested that the matter go back to Planning for review and consideration and indicated that the representative is present and spoke with Mr. Pace.

Chairman Littlefield asked if the matter was denied previously. Councilman Taylor responded "yes".

Councilman Lively stated if the matter was denied the person would need to wait nine months.

ZONING MATTER (Continued)

Chairman Littlefield stated the matter could be referred to Planning and will come back to the Council.

At this point, **Councilman Taylor made the motion to refer the matter to Planning; Councilman Franklin seconded the motion.**

Councilman Pierce stated that he "sees" no problem with referring it to Planning and asked if the original request should be withdrawn.

City Attorney Nelson stated that the City Code requires that the petition cannot be brought back in nine months after denial; however, the other way by which a rezoning can be instituted is by the recommendation of the Council and referral to Planning. He stated it is his belief this is what Councilman Taylor is attempting to do.

Councilman Taylor responded, "correct".

City Attorney Nelson stated that the matter does not have to wait nine months as long as the Council institutes the request. He stated the Council does not have to undo what was previously done with the denial.

Mr. Pace stated that he would like for the applicant to come by the RPA office on tomorrow so that the request could be reposted. He indicated that the matter would not be before the Council until April as the deadline has passed for matters to be heard at the February meeting scheduled for Monday (February 10). He stated there would not be an application fee.

Councilman Benson expressed fear that the whole system would be "broken down"; that everyone turned down will come back, especially if it were a close vote. He asked if RPA could consider this matter without a motion from the Council.

City Attorney Nelson stated that the ordinance provides that the rezoning can be instituted by the Council, Planning or by petition of the property owner. He stated once a property is denied, no petition can be brought for another nine months; that the property owner is barred but the Council is not.

Councilman Benson stated RPA could make the recommendation; that there is no need for a motion from the Council.

City Attorney Nelson stated that Planning could not independently re-institute that action; that the Council is doing it.

ZONING MATTER (Continued)

Councilman Lively expressed concern that every time someone gets a rezoning request turned down will come back and apply for a different zone and say they did not understand and would make another application without waiting nine months.

Chairman Littlefield expressed that he was certain this request would come back consistent with the Alton Park Plan that was adopted.

Councilman Taylor responded, "That is correct". He stated he does not want to set a precedent; that in this case there was total misunderstanding all the way around; that he wants to assure everything is done in a fair manner and asked that the matter be referred back to RPA.

At this point, the vote on the motion to refer the matter to RPA was taken; the motion passed with Councilmen Lively and Benson abstaining.

PHOTOGRAPHY STUDENTS

Chairman Littlefield recognized the students from Southern Adventist University's photography class and indicated that the same class was present last year.

Sonya Reece, a student of the class, introduced fellow classmates Jackie Seely and Angela Carver.

BOBBIE BRYANT

Bobbie Bryant, a resident of the City, began her comments by reading a summary of an issue regarding court and the help she needed from City officials in this effort. Her comments referenced a federal lawsuit filed in June of 2002, regarding a conspiracy that began in 1997. She read that her father is incarcerated in a nursing home and she and her sisters are fighting for his release.

At this point, Chairman Littlefield asked that Ms. Bryant's comments be brief and should be in regard to the jurisdiction of the Council. He indicated to her that there is not much the Council could do with a federal court matter.

BOBBIE BRYANT (Continued)

Ms. Bryant stated that the matter involves Chancery Court and the Life Care Center, which needs to be investigated. She stated that she has called the State numerous times regarding the facility and that she witnessed her father's roommate being starved to death and becoming dehydrated. She stated the matter involving her father has gone to court and the TBI has been asked to investigate; that she and her sisters need people to "back them up" as pressure needs to be placed on the courts that are oppressing people in the City and Hamilton County. She stated that she and another sister were incarcerated while visiting their father and that neither of them has a criminal record. She stated that it was her thought this would be something the Council would be interested in.

Chairman Littlefield stated that the Council is interested, however there is not much the Council can do. He indicated to her that she would have three minutes to read her statement, reiterating that the Council does not have any control over Chancery Court.

City Attorney Nelson interjected that the City has no such power granted by State law or City Charter; that neither Federal or State laws gives the City any authority whatsoever over Chancery Court or any other court of general jurisdiction.

Ms. Bryant asked the Council for help in getting the investigation going; that three daughters are present and willing to take care of him (their father). At this point, Ms. Bryant read her statement outlining denial of legal representation for her father. She stated an attorney with Baker Donelson did not do her job in regard to the placement of her father in a nursing home. She stated their property, the Gibson farm, was taken and referenced the father's treatment and non-care at the nursing home. She stated Attorney Lynn Dechman was appointed as conservator and it was discovered she had many conflicts of interest with the nursing home and should never have been involved. She stated Chancery Court did not follow the Tennessee Code and she and her sisters have been "beaten up" in the courts. She stated they have been harassed by Atty. Dechman; that the courts have been set up to help and protect, however the courts in Hamilton County are used to oppress people; that jailing people is running second to tourism!

CAMILLE GIBSON

Camille Gibson, sister to Ms. Bryant, stated that she has never dealt with lawyers like this; that it is almost impossible for an average citizen to get representation. She stated they have filed a police report regarding a maintenance man at Chattanooga Life Care posing as a Chattanooga police officer. She stated the maintenance man's brother, Officer Holloway, is a policeman; that the maintenance man had a badge that was shown to her and another sister. She stated that they told him that they filed a report with the Chattanooga Police Department regarding his posing as an officer and his response was "big deal". She stated the matter is being overlooked and should be dealt with; that it is not right for this person to present himself as a policeman and intimidate people visiting relatives. She stated they have been forced from their land and it is not fair to have people come in and take land away; that it is an atrocity against America! She stated her father's civil rights are being denied; that this conservator has denied her father the right to have an attorney. She stated she and her sisters have done everything they can do and are all defeated by this. She stated they paid \$7,000 to Baker Donelson to have their land put in trust so that this could not happen, however, through the wiles of courts this atrocity has happened; that by one "judicial sweep", their land was wiped away and everyone should be concerned. She stated they are financially destitute to represent themselves; that when they stand in court to represent themselves people make fun and "roll" their eyes at them. She asked what has happened to our country and the professionalism of the legal system; that there is no justice for people.

Chairman Littlefield stated that the matter involving the police officer would be checked into with Chief Dotson.

AMANDA LOPEZ

Amanda Lopez, another sister to the previous two speakers, spoke next, stating that she lives in the City of Chattanooga.

Chairman Littlefield cautioned Ms. Lopez that her comments should center on the jurisdiction of the Council.

Ms. Lopez stated that she is a citizen and as elected officials, the Council members should be responsible for the rights of citizens of this country.

Chairman Littlefield expressed that he did not disagree.

AMANDA LOPEZ (Continued)

Ms. Lopez stated that she noticed at the opening of the meeting that the Pledge of Allegiance was given and indicated at one time she believed in the Pledge, liberty and justice. She stated it is an atrocity what goes on in courtrooms "on the hill"; that she is a Hamilton County School teacher and naively believed the courts worked like they were supposed to with truth, honesty and dignity. She stated her father is being abused and the nursing home representatives, judge and other lawyers sit and sneer at them; that she has been in tears because her father is being neglected and abused and held against his will. She made mention of Councilman Benson's prayer stating that it is time for this Council to stand up and say there will be no more abuse of the elderly and that Lynne Dechman must be stopped. She related the story of a visit she made to the nursing home and that her father was in pain and the nursing home would not do anything; that she called the police and in the end she ended up being arrested! She stated her father calls her for help sometimes during the early morning hours because the nursing staff will not respond to him. She stated she was arrested because she loves her father.

Chairman Littlefield indicated that the issue is interesting and very heart rending and recalls knowing of this situation. He reiterated that there is really nothing this panel could do.

Councilman Benson expressed his sympathy and empathy for the sisters' situation, stating that it is more appropriate to relate this matter to the Grand Jury, as they are the final authority. He asked that they speak with the City Attorney regarding the first step in going before the Grand Jury.

Chairman Littlefield stated that the Council deals with matters those in attendance witnessed tonight – purchases, zonings and city services. He stated elderly services are court issues such as has been alluded to and is way beyond the authority of the Council and the County Commission. He stated the only thing mentioned tonight that the city might have some "say-so" was the individual posing as a policeman.

FORTUNA HOFFMAN

Fortuna Hoffman stated that she never dreamed in her whole life that she would be "put through" a system like that; that she came to the country twenty-four years ago and thought of nothing but freedom in Chattanooga, which she now questions. She stated that she was naïve and thought people were very nice, yet she never dreamed she would end up in a court system in Chattanooga.

FORTUNA HOFFMAN (Continued)

Ms. Hoffman stated that a judge and lawyer took her case and her money and (she) has been harassed by the system. She stated that she feels the school system misdiagnoses children and does different things to kids. She stated that there was an attempt to take her house through auction; that she moved away for a while and is now back. She stated that she has a lawyer and went as far as Memphis to get a lawyer; that the lawyer took her money and did not finish the job. She stated that a "big" lawyer took over \$50,000 from her and wanted another \$32,000.

At this point, Chairman Littlefield emphatically stated that the Council has absolutely no control over the courts. He stated everyone speaking tonight has complained about the courts. He indicated to Ms. Hoffman that she was out-of-order and asked her to please sit down.

SHIRLEY DEAKINS

Shirley Deakins expressed agreement with those who spoke before her, stating that she has issues of her own which are all unresolved, ongoing and egregious. She stated that it seems like that is the way things are, now; that the legislative bodies are made up of lawyers. She stated that laws are created under which citizens are impaled, robbed and cheated. She stated the Council might not have jurisdiction, but they certainly have a conscience; that they should use their own influence to try to straighten out this cesspool.

THOMAS MORRELL

Thomas Morrell stated that the Constitution is supposed to be the supreme law and that all judges and the Council are bound by Article VI of the Constitution. He stated in the Pledge of Allegiance to the republic no one on the Council comprehends what the specific components of the republic are. He stated this is the best front for fraud and an organized crime syndicate; that the City Council and Hamilton County Commission as constructed now are nothing more or less than an organized crime syndicate.

Chairman Littlefield stated that the Council has listened to Mr. Morrell in Committee and are familiar with his philosophy.

THOMAS MORRELL (Continued)

Mr. Morrell posed a question to the Council as to whether the Pledge of Allegiance was to the Constitution, republic or to a corporation that has acquired our republic in bankruptcy that people do not know about. He stated crime conceals crime, fraud conceals fraud and we do not have a democracy.

(At this point, Councilman Pierce attempted to request that Mr. Morrell not continue; however Chairman Littlefield allowed the continuance for the remainder of the three-minute time limit.)

Mr. Morrell stated that he is not opposed to a corporate state as long as each and everyone are shareholders of that corporate state, run so everything we do sends ownership. He stated we do not have allegiance to the Federal Reserve Corporation; that the pledge of allegiance to the republic entitles us to property...

At this point, Chairman Littlefield made Mr. Morrell aware that this time had expired and asked that he please be seated.

ADJOURNMENT

Chairman Littlefield adjourned the meeting of the Council until Tuesday, February 11, 2003 at 6 p.m.

CHAIRMAN

CLERK OF COUNCIL

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