

**Municipal Building
Chattanooga, Tennessee
December 7, 1999**

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

INVOCATION

Invocation was given by Vice Chairman Hakeem.

MINUTE APPROVAL

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

FRANCHISE

On motion of Councilwoman Hurley, seconded by Councilman Pierce,

AN ORDINANCE GRANTING UNTO ADELPHIA BUSINESS SOLUTIONS A FRANCHISE TO INSTALL AND MAINTAIN FIBER OPTIC CABLES IN CERTAIN RIGHTS-OF-WAY IN THE CITY OF CHATTANOOGA TO PROVIDE TELECOMMUNICATION SERVICES, SUBJECT TO CERTAIN CONDITIONS

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

AMEND CONDITIONS

1999-150: L & P, LLC

The applicant was present; there was no opposition.

AMEND CONDITIONS (Continued)

Councilman Pierce stated the applicant has met with various persons over the last six months and an agreement has been reached that is satisfactory with everyone.

On motion of Councilman Pierce, seconded by Councilwoman Hurley,

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO AMEND CERTAIN CONDITIONS IMPOSED IN ORDINANCE NO. 10725 (CASE NO. 1998-120) ON A TRACT OF LAND LOCATED IN THE 2400 BLOCKS OF 6TH AVENUE AND 8TH AVENUE, AND THE 2400 AND 2500 BLOCKS OF 7TH AVENUE, BEING MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS

passed first reading.

REZONING

1999-151: L & P, LLC

The applicant was present; there was no opposition.

On motion of Councilman Pierce, seconded by Councilwoman Hurley,

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED IN THE 2400 BLOCKS OF 6TH AVENUE AND 7TH AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE TO M-1 MANUFACTURING ZONE, SUBJECT TO CERTAIN CONDITIONS

passed first reading.

REPEAL RESOLUTION NO. 20544

City Attorney Nelson stated Resolutions 7(b), (d), (e) and (f) were discussed in last week's Public Works Committee and are recommended for approval.

On motion of Councilwoman Hurley, seconded by Councilman Hakeem,

A RESOLUTION REPEALING RESOLUTION NO. 20544, ENCAPTIONED AS SET FORTH HEREIN AND ESTABLISHING NEW EXEMPTIONS UNDER THE FAIR LABOR STANDARDS ACT OF 1938, AS AMENDED PURSUANT TO SECTION 2-152(a) OF THE CHATTANOOGA CITY CODE

was adopted.

MODIFY AGREEMENT: DEPARTMENT OF THE NAVY

On motion of Councilman Pierce, seconded by Councilwoman Hurley,

A RESOLUTION AUTHORIZING MODIFICATION AGREEMENT NO. 1 TO THE LEASE AGREEMENT (N62467-88-RP-00038) WITH THE DEPARTMENT OF THE NAVY FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF AMNICOLA HIGHWAY AND C. B. ROBINSON BRIDGE (DUPONT PARKWAY), SUBJECT TO CERTAIN CONDITIONS SO AS TO EXPAND THE LEASE SITE

was adopted.

CONTRACT: BARLEW-NEUHOFF ARCHITECTS, INC.

On motion of Councilman Hakeem, seconded by Councilman Pierce,

A RESOLUTION AUTHORIZING THE DEPARTMENT OF GENERAL SERVICES ADMINISTRATOR TO ENTER INTO A CONTRACT WITH BARLEW-NEUHOFF ARCHITECTS, INC., RELATIVE TO PARTS I AND II OF THE PROPOSAL FOR RENOVATION OF THE CITY HALL BUILDING, FOR AN AMOUNT NOT TO EXCEED SIXTY-THREE THOUSAND, FOUR HUNDRED FIFTY DOLLARS (\$63,450.00)

was adopted.

CHANGE ORDER

On motion of Councilwoman Hurley, seconded by Councilman Hakeem,

A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 2, CONTRACT NO. CSO-3-98, WILLIAMS STREET CSO FACILITY, WITH BURGIN CONSTRUCTION COMPANY, INC., WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY NINETY-ONE THOUSAND, TWO HUNDRED SIXTY-FOUR AND 84/100 DOLLARS (\$91,264.84), FOR A REVISED CONTRACT TOTAL OF THREE MILLION, TWO HUNDRED THIRTY-ONE THOUSAND, EIGHT HUNDRED SIX AND 93/100 DOLLARS (\$3,231,806.93)

was adopted.

**AGREEMENT: CONSOLIDATED
TECHNOLOGIES, INC.**

On motion of Councilman Eaves, seconded by Councilman Hakeem,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE PUBLIC WORKS DEPARTMENT TO ENTER INTO AN ENGINEERING AGREEMENT WITH CONSOLIDATED TECHNOLOGIES, INC., RELATIVE TO THE AREA 2 - PHASE IV LINER AT THE CITY LANDFILL ON BIRCHWOOD PIKE, FOR AN AMOUNT NOT TO EXCEED TWO HUNDRED THIRTY-SIX THOUSAND, EIGHT HUNDRED FIFTY DOLLARS (\$236,850.00)

was adopted.

**TEMPORARY USE: CRYE-LEIKE
REALTORS**

On motion of Councilman Hakeem, seconded by Councilwoman Hurley,

A RESOLUTION AUTHORIZING CRYE-LEIKE REALTORS TO USE TEMPORARILY THE CITY'S RIGHT-OF-WAY ON COWART STREET FOR PARKING SPACE, MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS

was adopted.

**CONTRACT: HELTON CONSTRUCTION
CO.**

Councilman Eaves inquired as to whether this contract was competitively bid. Admin. Mitchell responded "yes".

On motion of Councilwoman Hurley, seconded by Councilman Pierce,

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS, RECREATION, ARTS AND CULTURE OF THE CITY OF CHATTANOOGA, TENNESSEE TO ENTER INTO A CONTRACT WITH HELTON CONSTRUCTION COMPANY, FOR THE CONSTRUCTION OF THE BROWN ACRES CLUBHOUSE, FOR AN AMOUNT NOT TO EXCEED SIX HUNDRED FIFTY-THREE THOUSAND, SEVEN HUNDRED TWENTY-SIX DOLLARS (\$653,726.00)

was adopted.

OVERTIME

Overtime for the week ending December 3, 1999 totaled \$113,626.40.

PURCHASES

On motion of Councilman Hakeem, seconded by Councilwoman Hurley, the following purchases were approved for use by the General Services Department:

TECHNICAL INDUSTRIES, INC. (Only bid; workmanship highly recommended per written communication filed with minute material of this date)

Requisition No. R0042283

Audio/Video System for new Council Offices (Building)

\$52,903.38

KLEEN-A-MATIC (Lowest and best bid)

Requisition No. R0044863

Uniforms

(Price information available and filed with minute material)

PERSONNEL

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

PAULINE MCGRAW -- Promotion, Equipment Operator, City-wide Services, Pay Grade 6/Step 1, \$18,574.00 annually, effective December 8, 1999.

CHARLES L. LEWIS, EDDIE W. MARION -- Employment, Equipment Operator, City-wide Services, Pay Grade 6/Step 1, \$18,574.00 annually, effective December 8, 1999.

SAMUEL SHIPLEY -- Promotion, Concrete Worker, City-wide Services, Pay Grade 6/Step 1, \$18,574.00 annually, effective December 8, 1999.

JAMES D. MYERS -- Promotion, Equipment Operator Senior, City-wide Services, Pay Grade 8/Step 1, \$20,803.00 annually, effective December 8, 1999.

PERSONNEL (Continued)

MICHAEL L. DAVIS -- Return from Family Medical Leave, Equipment Operator, City-wide Services, effective November 22, 1999.

JOHN D. WILBANKS -- Electrical Sign Inspector, Inspection Division, Pay Grade 10/Step 2, \$24,185.00 annually, effective December 1, 1999.

SOLID WASTE TASK FORCE LUNCHEON

Admin. Marcellis reminded Council members of the Solid Waste Task Force luncheon scheduled for Wednesday, December 8 at noon at the Trade Center.

PURCHASES

On motion of Councilwoman Hurley, seconded by Councilman Pierce, the following purchases were approved for use for the Public Works Department:

ROTATING MACHINERY TECHNOLOGY (Single Source, TCA 6-56-301)
Requisition No. R0045159

Rebuild Rotoflow Expander

\$17,199.45

TEMPLE, INC. (Single source, TCA 6-56-301)
Requisition No. R0037272

LED Pedestrian Fixtures (Left Hand); LED Pedestrian Fixtures (Right Hand)

\$11,160.00

FLASHER AND BARRICADE (Best bid)
Requisition No. R0039130

Flasher and Barricade Service

\$0.27 each/day

PERSONNEL

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

WILLIAM DAUTRICH, KELLY LYDA, EDGAR MONTGOMERY, DOUGLAS RANDOLPH -- Senior Firefighter, Pay Grade F2/Step 11, \$37,332.00 annually, effective December 3, 1999.

BRUCE ELROD -- Promotion, Senior Firefighter, Pay Grade F2/Step 3, \$33,598.80 annually, effective December 3, 1999.

JOHNNY MILSAPS - Promotion, Senior Firefighter, Pay Grade F2/Step 10, \$36,087.60 annually, effective December 3, 1999.

ARLES SIMMONS -- Promotion, Senior Firefighter, Pay Grade F2/Step 5, \$29,865.60 annually, effective December 3, 1999.

TARA WEAVER -- Promotion, Senior Firefighter, Pay Grade F2/Step 4, \$28,621.20 annually, effective December 3, 1999.

PURCHASE

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

ARCH E. TRIMBLE AGENCY, INC. (Lowest and best bid)
Requisition No. R0038758

Three Years Property Insurance Coverage

\$21,656.00

REFUNDS

On motion of Councilman Hakeem, seconded by Councilman Pierce, the Administrator of Finance was authorized to issue the following refunds:

DESMOND E. MCKNIGHT (NORTHWEST MORTGAGE) -- Map. No. 101G-B-013, \$1,657.04

MOTIVA ENTERPRISES, LLC -- Map. No. 146K-V-016, \$1,632.50

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ADJOURNMENT

Chairman Lively adjourned the meeting until Tuesday, December 14, 1999 at 6 p.m.

CHAIRMAN

CLERK OF COUNCIL

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