

**City Council Building
Chattanooga, Tennessee
August 21, 2001
6:00 p.m.**

Chairman Hakeem called the meeting of the Chattanooga Council to order with Councilmen Benson, Franklin, Littlefield, 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 Franklin gave invocation.

MINUTE APPROVAL

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

SPECIAL PRESENTATION: JUDGE WALTER WILLIAMS

Judge Walter Williams stated in recent weeks there has been an increase in cases of dogs running at large, particularly the pit bull breed. He cited a recent instance wherein a gentleman was cutting grass in his fenced back yard and a pit bull broke loose from his chain, came underneath the fence and charged the gentleman, whose only recourse was to shoot the dog. He stated there have been a number of instances where dogs are running at large, challenging citizens; that in the last two-or-three weeks 50-some odd cases of pit bull cases have been in court. He stated that he wanted the Council to be made aware of this, as he does not want citizens "packing guns" while cutting grass; that no citizen should be afraid to tend their yard. He cited another incident wherein a lady was pruning flowers and a pit bull took a stance against her; that a gentleman doing work on the property was there and tried to shoot the dog. He ended up throwing a piece of wood and the dog retreated.

SPECIAL PRESENTATION: JUDGE WALTER WILLIAMS
(Continued)

Judge Williams stated the matter should be discussed in the appropriate Council committee. He related that there is a man on Spears Avenue who has seven (7) pit bulls on a small lot. He stated that he tells people in court that when there is a choice between dogs and citizens, the citizen wins all the time. He reiterated that he wanted the Council to be aware of the situation and expressed that he would bring documentation he has kept over the last several months at the time a meeting is scheduled.

Chairman Hakeem referred the matter to the Safety Committee and informed Judge Williams that the time frame would be somewhere around four weeks before the Council could actually "get into it". He stated there are other items of interest the Council would like to have resolved before looking at this issue. He asked that Paul Miller of Animal Services make himself available to be part of the discussion. He expressed thanks to Judge Williams for coming before the Council and stated that the Council would like to look at the ramifications of implementing something of this nature.

Councilman Lively scheduled a meeting of the **Safety Committee for Tuesday, September 18 immediately following the meeting of the Parks and Recreation Committee.**

CLOSE AND ABANDON

2001-024: Charles L. Harrison

On motion of Councilman Lively, seconded by Councilman Taylor,

**AN ORDINANCE CLOSING AND ABANDONING PART OF THE OPENED
2000 BLOCK OF CENTRAL AVENUE RIGHT-OF-WAY, MORE
PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP
ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE,
SUBJECT TO CERTAIN CONDITIONS**

passed second reading. On motion of Councilman Franklin, seconded by Councilman Littlefield, the Ordinance passed third and final reading and was signed in open meeting.

AMEND CITY CODE

On motion of Councilman Littlefield, seconded by Councilman Franklin,
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
 CHAPTER 24, SECTION 24-505-SCHEDULE V, RELATIVE TO PARKING
 METER ZONES**

passed second reading. On motion of Councilman Franklin, seconded by Councilman Littlefield, the Ordinance passed third and final reading and was signed in open meeting.

CLOSE AND ABANDON

MR-2001-094: Brenda Short

On motion of Councilman Lively, seconded by Councilman Franklin,
**AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED ALLEY
 LOCATED BETWEEN PINE STREET AND WALNUT STREET, AS SHOWN ON
 THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY
 REFERENCE**

passed second reading. On motion of Councilman Taylor, seconded by Councilman Lively, the Ordinance passed third and final reading and was signed in open meeting.

REZONING

2001-098: Rick Stallard

On motion of Councilman Pierce, seconded by Councilman Taylor,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
 KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF
 LAND LOCATED AT 2403 JENKINS ROAD, MORE PARTICULARLY
 DESCRIBED HEREIN, FROM RZ-1 ZERO LOT LINE RESIDENTIAL ZONE TO
 R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE, SUBJECT TO CERTAIN
 CONDITIONS**

passed second reading. On motion of Councilman Littlefield, seconded by Councilman Franklin, the Ordinance passed third and final reading and was signed in open meeting.

REZONING

2001-099: Larry Plemons

On motion of Councilman Pierce, seconded by Councilman Franklin,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
 KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF
 LAND LOCATED AT 1419 LABREA DRIVE, MORE PARTICULARLY
 DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-3 RESIDENTIAL
 ZONE, SUBJECT TO CERTAIN CONDITIONS**

passed second reading. On motion of Councilman Franklin, seconded by Councilman Taylor, the Ordinance passed third and final reading and was signed in open meeting.

REZONING

2001-104: Make-A-Wish Foundation

On motion of Councilman Benson, seconded by Councilman Littlefield,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
 KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF
 LAND LOCATED AT 510 SOUTH WILLOW STREET, MORE PARTICULARLY
 DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE TO R-4 SPECIAL
 ZONE**

passed second reading. On motion of Councilman Franklin, seconded by Councilwoman Robinson, the Ordinance passed third and final reading and was signed in open meeting.

REZONING

2001-105: Hamilton County Government

On motion of Councilman Lively, seconded by Councilman Franklin,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
 KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF
 LAND LOCATED AT 2900 RIVERPORT ROAD, MORE PARTICULARLY
 DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-2
 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN
 CONDITIONS**

passed second reading. On motion of Councilman Lively, seconded by Councilman Franklin, the Ordinance passed third and final reading and was signed in open meeting.

REZONING

2001-106: Hamilton County Government

On motion of Councilwoman Robinson, seconded by Councilman Franklin,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
 KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF
 LAND LOCATED AT 1601 MARKET STREET, MORE PARTICULARLY
 DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3
 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS**

passed second reading. On motion of Councilman Lively, seconded by Councilwoman Robinson, the Ordinance passed third and final reading and was signed in open meeting.

CLOSE AND ABANDON

MR-2001-066: Michael Posey

Councilman Franklin stated this matter was discussed in Public Works Committee last week and the recommendation is to approve the alternate version, Resolution 7(g).

On motion of Councilman Lively, seconded by Councilman Franklin,
**AN ORDINANCE CLOSING AND ABANDONING A 40 FOOT RIGHT-OF-
 WAY, PART OF THE 1500 BLOCK OF ELM STREET, MORE PARTICULARLY
 DESCRIBED HEREIN, AS SHOWN ON THE MAP ATTACHED HERETO AND
 MADE A PART HEREOF BY REFERENCE**

was denied.

TEMPORARY USE: MICHAEL POSEY

On motion of Councilman Lively, seconded by Councilman Franklin,
**A RESOLUTION AUTHORIZING MICHAEL POSEY TO USE TEMPORARILY
 THE CITY'S RIGHT-OF-WAY ON AN UNOPENED 200 FOOT LENGTH OF A
 40 FOOT WIDE SECTION OF ELM STREET, TO PLANT, CULTIVATE AND
 MAINTAIN AN EXTENSION OF THE YARD LOCATED IN THE 1500 BLOCK
 OF ELM STREET, MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO
 CERTAIN CONDITIONS**

was adopted.

CONTRACT: RMG CONSTRUCTION CO.

On motion of Councilman Taylor, seconded by Councilman Littlefield,
A RESOLUTION AWARDED THE CONTRACT FOR CONSTRUCTION OF THE AVONDALE HEAD START/EARLY HEAD START CENTER TO RMG CONSTRUCTION COMPANY FOR THEIR LOW BID IN THE AMOUNT OF SEVEN HUNDRED THREE THOUSAND TWO HUNDRED SEVENTY-SIX AND 00/100 DOLLARS (\$703,276.00)

was adopted.

CHANGE ORDER

Councilman Franklin stated Resolutions (b), (c), (d), (e), (f) and (g) were discussed in Public Works Committee and approval is recommended.

Councilman Taylor inquired as to the total fees for the changes in this Resolution? Admin. McDonald explained that there were three other change orders with all four totaling \$751,0785. He stated the \$19 million plus contract was a design/build-type project which necessitated some changes; that equipment was integrated into the existing facility, also necessitating changes.

On motion of Councilman Franklin, seconded by Councilman Pierce,
A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 4, RELATIVE TO MOCCASIN BEND WWTP-PLANT EXPANSION AND WET WEATHER TREATMENT, CONTRACT NO. 28G, WITH 3-D ENTERPRISES CONTRACTING CORPORATION, WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY TWO HUNDRED THIRTY THOUSAND FOUR HUNDRED TWELVE AND 00/100 DOLLARS (\$230,412.00), FOR A REVISED CONTRACT PRICE OF NINETEEN MILLION TWO HUNDRED ONE THOUSAND SEVEN HUNDRED EIGHTY-FIVE AND 00/100 DOLLARS (\$19,201,785.00)

was adopted.

CHANGE ORDER

On motion of Councilman Franklin, seconded by Councilman Littlefield,
A RESOLUTION AUTHORIZING THE EXECUTION OF FINAL CHANGE ORDER NO. 1, RELATIVE TO MOCCASIN BEND WWTP INFLUENT PUMPS, CONTRACT NO. 28G (EP-1), WITH MORRIS PUMPS, WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY NINE THOUSAND FIVE HUNDRED THREE AND 42/100 (\$9,503.42), FOR A REVISED CONTRACT PRICE OF SEVEN HUNDRED EIGHTY-EIGHT THOUSAND TWO HUNDRED FIFTY THREE AND 42/100 DOLLARS (\$788,253.42)

was adopted.

CONTRACT AMENDMENT

On motion of Councilman Littlefield, seconded by Councilman Franklin,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AMENDMENT NO. 1 TO CONTRACT NO. 53B-3, RELATIVE TO THE NORTHWEST GEORGIA SEWER-PHASE II, WITH ARCADIS GERAGHTY & MILLER, INC., FOR ADDITIONAL ENGINEERING SERVICES IN THE AMOUNT OF ONE HUNDRED TWENTY-NINE THOUSAND THREE HUNDRED AND 00/100 DOLLARS (\$129,300.00), FOR A TOTAL REVISED FEE NOT TO EXCEED TWO HUNDRED FORTY-SIX THOUSAND SIX HUNDRED AND 00/100 DOLLARS (\$246,600.00)

was adopted.

CONTRACT AMENDMENT

On motion of Councilman Franklin, seconded by Councilman Littlefield,
A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AMENDMENT NO. 1 TO CONTRACT NO. SS-1-98 (DETENTION), RELATIVE TO THE 17TH STREET STORMWATER DETENTION AND BUILDING DEMOLITION, WITH CONSOLIDATED TECHNOLOGIES, INC., FOR ADDITIONAL ENGINEERING SERVICES IN THE AMOUNT OF TWENTY-SIX THOUSAND AND 00/100 DOLLARS (\$26,000.00), FOR A TOTAL REVISED FEE NOT TO EXCEED SIXTY-FOUR THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$64,500.00)

was adopted.

TEMPORARY USE: CITIZENS SAVINGS & LOAN

On motion of Councilman Littlefield, seconded by Councilman Franklin
A RESOLUTION AUTHORIZING CITIZENS SAVINGS & LOAN TO USE TEMPORARILY THE CITY'S RIGHT-OF-WAY LOCATED AT 511 BROAD STREET FOR INSTALLATION OF A BUSINESS SIGN WHICH WILL ENCROACH 8 FEET INTO THE SIDEWALK, AS SHOWN ON THE MAP ATTACHED HERETO AND MADE PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS

was adopted.

AMEND RESOLUTION 22997

City Attorney Nelson stated that this Resolution has to do with the City's ability to pay development fees from the HUD Grant; that HUD does not permit that and this Resolution takes that out. He stated the next Resolution was to have closed two weeks ago and Mr. Boney was not available to sign the final documents. He stated there is still a need for someone to sign last minute changes and this authorizes a designee to do so.

Councilman Benson stated that this came up in Committee and it was his thought that it was on condition not to move unless the grant came through. City Attorney Nelson stated the grant is coming through; that initially there was a development fee that had to be paid which could not be paid out of HUD monies. He stated HUD has relaxed that restriction and it is to the City's benefit to take that part out.

On motion of Councilman Benson, seconded by Councilwoman Robinson,
A RESOLUTION AMENDING RESOLUTION NO. 22997, ENCAPTIONED "A RESOLUTION AUTHORIZING THE MAYOR TO NEGOTIATE THE PURCHASE OF JAYCEE TOWERS II FOR ONE DOLLAR (\$1.00) FROM THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT SUBJECT TO CERTAIN CONDITIONS SET FORTH MORE FULLY HEREIN." SO AS TO DELETE SUBSECTION 1 AND SUBSTITUTE A NEW SUBSECTION 1 THEREIN
was adopted.

AMEND RESOLUTION 23093

On motion of Councilman Benson, seconded by Councilwoman Robinson,
A RESOLUTION AMENDING RESOLUTION NO. 23093, ENCAPTIONED "A RESOLUTION AUTHORIZING THE MAYOR OR THE CITY FINANCE OFFICER TO EXECUTE AND ATTEST ANY AND ALL CLOSING DOCUMENTS RELATIVE TO THE ACQUISITION OF JAYCEE TOWERS II FROM THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT." SO AS TO ADD AFTER "THE MAYOR OR THE CITY FINANCE OFFICER" WHEREVER SAID LANGUAGE APPEARS THEREIN "OR THEIR RESPECTIVE DESIGNEES."
was adopted.

ANNEXATION PUBLIC HEARING

City Attorney Nelson stated a request was received from John and Patsy Wilson to be incorporated into the City limits; that they live in the Lookout Mountain area. He stated before they can be incorporated, State law requires that a hearing be held for anyone who wants to speak for or against the request. He stated a Resolution or Ordinance regarding this would be on next week's agenda.

Chairman Hakeem declared a public hearing in process for persons wishing to speak for or against the petition of John C. Wilson and Patsy H. Wilson for annexation; being none, the hearing was duly closed.

Councilman Pierce inquired as to the sewer services regarding this request? City Attorney Nelson stated that that is one thing that will be in the Resolution next week, the adoption of a plan of services. He stated the reason the Wilsons are asking for incorporation is because effective October 1 the City will go out of the fire protection business for citizens in that area that are not residents. He stated the Wilsons wanted to get the benefits of the City's fire protection and lower their rate of fire insurance.

Councilman Pierce asked if the Wilsons would be entitled to services other citizens have if this is adopted?

City Attorney Nelson stated this is just a public hearing for persons to speak for or against the request; that the annexation ordinance is scheduled for next week's agenda.

Councilwoman Robinson asked if there are other residents in the same area that should have received an invitation to be annexed? City Attorney Nelson explained that this request came as a response to the letter former Mayor Kinsey sent out before leaving office informing them that the City would terminate services the first of October. He stated a number of petitions from the area of Wauhatchie have been received.

OVERTIME

Overtime for the week ending August 17, 2001 totaled \$18,124.17.

PERSONNEL

The following personnel matter was reported for the Public Works Department:

ROBERT L. WALKER – Transfer, Equipment Operator, Waste Resources Division, Pay Grade 6/Step 11, \$29,366.00 annually, effective August 22, 2001.

PURCHASE

On motion of Councilman Franklin, seconded by Councilman Taylor, the following purchase was approved for use by the Public Works Department:

RECYC SYSTEMS, INC. (Lower and better bid)
Requisition R0055251/P0016528

Carbide Lime Slurry

(Price information available and filed with minute material of this date)

PERSONNEL

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

ROBERT THOMAS – Family Medical Leave, Firefighter, effective August 27, 2001.

JOSEPH HITCHCOCK – Disability Retirement (15+ years of dedicated service), Lieutenant, effective August 16, 2001.

JAMES C. GAINES – Retirement (25+ years of dedicated service), Lieutenant, effective August 24, 2001.

JOHN J. WENGERT – Retirement (25+ years of dedicated service), Captain, effective August 31, 2001.

BRYANT YOUNG – Suspension (6 days without pay), Firefighter, effective September 8, 2001.

HOTEL PERMITS

On motion of Councilman Lively, seconded by Councilman Franklin, the following hotel permits were approved:

HAMPTON INN – 2420 Williams Street, Chattanooga, TN

COMFORT SUITES – 7324 Shallowford Road, Chattanooga, TN

COUNTRY INN & SUITES – 3725 Modern Industries Boulevard, Chattanooga, TN

WINGATE INN – 7312 Shallowford Road, Chattanooga, TN

ACCEPTANCE OF GIFTS

Chief Coppinger asked for a motion from the Council to accept gifts donated to various fire stations from different donors in the private sector.

City Attorney Nelson explained that there is a provision in the **City Charter** that states before a fireman or policeman in the performance of their duties can accept gifts from grateful citizens approval must come from the Council. He expressed awareness that there are a couple television sets a citizen wants to give the Fire Department.

Chief Coppinger confirmed there are two television sets that will be donated. He stated the Regis Company wants to donate hair care products to the fire station on Bonny Oaks, BASF wants to show their appreciation to the Hickory Valley Fire Station by giving a pizza party, and Southern Provision has indicated they would like to give Fire Station #1 one hundred thirty (130) pork chops.

Councilman Benson stated that it would be his preference that his matter go into committee so that it can be looked at “religiously”. He stated as part of today’s Legal and Legislative Committee the issue of ethics in government was discussed. He expressed his thinking that this might be considered a conflict of interest.

City Attorney Nelson reiterated that there is a **Charter** provision relating to this, specifying that all donations require Council approval.

Councilman Benson stated that he does not know what type of precedent this would establish and it really concerns him.

ACCEPTANCE OF GIFTS (Continued)

City Attorney Nelson stated this is not the first time this has been done; that he recalls that the last time involved several restaurants wanting to have a dinner for police officers and their families and the Council approved it; that there is no need to worry about a precedent being set.

Councilman Littlefield stated it was his thinking it would be a good idea, rather than blanket approval to reap gifts, to make requests a matter of record. He stated that he shares Councilman Benson's concern as government is more under the microscope and rightfully so. He expressed that consideration needs to be given to the current provision or improvement in our code of ethics; that this will be looked at in the future. At this point he **made the motion to accept the gifts as itemized tonight. Councilman Franklin seconded the motion.**

Chairman Hakeem stated the Council is not saying that a department can blanketly receive gifts; that if he understood correctly the matter would have to be presented to the Council each time for approval.

Councilman Littlefield stated that his intent is that every time they would bring the list of donations so the Council can hear what the donations are, even though it might involve some laughter. He stated his intent is that they hear every item to know what is being approved.

On motion of Councilman Littlefield, seconded by Councilman Franklin, approval was given for the Fire Department to accept gifts donated to the Bonny Oaks, Hickory Valley and Station #1 Fire Halls; Councilman Benson voted "no".

PERSONNEL

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

JASON TONGE, SR. – Resignation, Police Cadet, effective August 13, 2001.

KELLY MAYE – Resignation, Police Service Technician Sr., effective August 12, 2001.

PURCHASE

On motion of Councilman Lively, seconded by Councilman Taylor, the following purchase was approved for use by the Chattanooga Police Department:

TIBURON, INC. (Sole Source)
Requisition R0054041/P0016633

One-Year Contract for Extended Computer Maintenance and Software Support Services per TCA-6-56-304.2

\$35,684.00

PURCHASE

On motion of Councilman Taylor, seconded by Councilwoman Robinson, the following purchase was approved for use by the Department of Finance, Purchasing Division:

AMERICAN PAPER & TWIN, XPEDX OF CHATTANOOGA, ROLL BOND CONVERTING
(Lowest and best bids)
Requisition R0052544/P0016546, P16546-2, P16546-3

Citywide Requirements Contract for Multipurpose Printer Paper, NCR Paper and Plotter Papers

(Price information available and filed with minute material of this date)

COMMITTEES

Councilman Taylor stated that the Budget Committee received the budget presentation today by Mayor Corker. He stated **Budget Committee meetings are scheduled for Tuesday, August 28 and September 4 at 4 p.m.**, and indicated that a public hearing would be heard at the Council meeting on next Tuesday.

Councilman Page scheduled a meeting of the **Economic Development Committee for Tuesday, September 28 at 3:30 p.m.**

COMMITTEES (Continued)

Councilman Littlefield stated a meeting of the **Legal and Legislative Committee** was held this afternoon and the noise ordinance was considered. He stated the City Attorney presented the text of the noise ordinance as it exists in the **Code** at present and also suggested improvements. He stated the Committee also heard from the Regional Planning staff regarding the Highway 58 plan that is upcoming and reviewed the status of the Hamilton Place plan. He scheduled a meeting of the Committee for **Tuesday, September 4 at 3:30 p.m.** to discuss revisions in the brush and trash ordinance and polices as requested by the Mayor's Office.

Councilman Franklin reminded Council members of the meeting of the **Public Works Committee scheduled for Tuesday, August 28 immediately following the Budget Committee.**

HIGHWAY 58 CHARETTE

Councilman Page reminded everyone of the Highway 58 Land Use Charrette scheduled for Thursday, August 23 at St. John Church.

HAMILTON PLACE PLAN

Councilman Benson reminded Council members of the final presentation of the plan for the Hamilton Place area scheduled for Monday, August 27, 6:30 p.m. at Grace Baptist Church. He stated the Plan is scheduled for presentation to the Planning Commission in September and back to the Council for adoption in October.

REDISTRICTING COMMITTEE

Councilman Pierce asked Councilman Littlefield, Chairman of the Council's Redistricting Committee, if the Committee should take a look at what the County is doing and see what type of impact it will have on the City?

Councilman Littlefield stated that he has been looking on with great interest at what is going at the County; that it appears they are making substantial changes potentially in precinct boundaries. He stated if the Election Commission follows suit and makes their precinct boundary follow the County, we could have some significant problems with redistricting. He stated it appears the County is still in somewhat of a state of flux; that he asked Planning if they had copies of the new map and apparently they do not.

REDICTRICTING COMMITTEE (Continued)

Councilman Littlefield stated he would get copies and review them with other members of the Council and the Management Analyst to see what affect it might have. He stated he has taken a preliminary look at how redistricting might be done under the present boundaries and they are pretty much intact; that redistricting can be achieved without substantial changes. He stated that it is his hope the county and Election Commission will leave the City in that posture and will get information and share it with the Council in a couple days.

Councilman Pierce expressed appreciation to Councilman Littlefield and asked if there is a need to meet with the County to express our concerns about the way they may have drawn the lines so as not to have an impact on us?

Councilman Littlefield stated that he has expressed that to several members; that he would talk with Commissioner Coker, head of their Redistricting Committee, to see what his schedule is and, perhaps, members of the City Council can attend.

Councilman Pierce stated members of the Council's Redistricting Committee should attend as five Councilpersons serve on the Committee.

Chairman Hakeem explained to those in attendance that the Council members' reference to redistricting is in reference to precinct lines; that it has been difficult in the past as citizens would have to vote for persons in City races at one location and another for County and State races. He stated it is hoped there would be a plan as far as precincts are concerned that limits that difficulty some citizens have.

Councilman Littlefield stated there is an effort to limit the confusion factor. He stated when we went through redistricting the last time the precinct boundaries changed after we established our boundaries, which led to confusion for the last ten years. He stated that he is hopeful that since we do not have to go through redistricting quite so quickly we would be able to cure that problem.

SISTER BEY

Sister Bey stated in talking about redistricting, the **Charter** was "messed up" when it was first written! She stated the question is not a matter of Democrats or Republicans as it is up to the Divine Ruler.

KEN NEBLETTE

Ken Neblette of the Police Benevolent Association stated that he has been present at the Council meetings for several weeks and that he and other police officers are present to express concern regarding the proposed budget; that it was his hope to have been able to communicate with the Council during the Budget Committee meeting when the proposed budget information was presented. He made reference to the effects of the insurance cost increase and the \$500 proposed; that the family plan is \$600, thus we are behind \$100. He stated the \$500 does not offset the deductible, as that is where the "evil" is and referenced in-network costs as opposed to out-of-network (costs). He made reference to information previously distributed to the Council regarding statistics in the southeastern area as it relates to police officers, stating the cost of living has gone up three percent and Chattanooga is a percent behind. He stated the increases proposed are not equivalent to a "step" in the pay plan, a longevity based plan wherein a "step" is anywhere from 3.9 to 5 percent.

Mr. Neblette continued by stating that the proposed budget includes a 2 percent cost of living raise, no "step" and \$500 to offset insurance. He stated with that amount Chattanooga officers would be 9.4 per cent behind the average and losing \$100. He stated he found out through administration that the information distributed to the Council on July 17 was not forwarded to the Mayor and was not involved in this process. He stated he took the information to Ms. Pond on last Thursday and on Friday the budget was announced, reiterating that the information was not included or considered; that his concern came true with regard to no involvement or communication. He stated Chattanooga's tax base is more than Nashville's; that Chattanooga has a progressive police department comprised of some of the brightest people. He made reference to the MTAS report wherein departmental cuts were proposed, indicating that there is no need for outside persons to come in and "run our City". He stated he would wait until next week to address the wage increase and urged the Council not to approve this budget.

Councilman Benson expressed appreciation to Mr. Neblette for "caring" and stated every member of the Council has empathy for his situation and all concerned. He stated that the problem is that we have employers and tax payers and wish they knew like the Council knows what an excellent job the Police Department is doing and how important it is we place emphasis on the Department's service and quality of service and hopes it will continue.

KEN NEBLETTE (Continued)

Councilman Benson stated nobody is happy about this budget, reiterating that he is not happy about it; that Council members are taking a "pretty good beating" over the 48 cent tax increase. He stated that he heard that there is a two percent and then \$500, which was not the way he was told by Admin. Boney and others. He stated he was told that employees would get the \$500 first and then the two percent on top of that.

Admin. Boney responded that Councilman Benson was correct.

Mr. Neblette stated an officer in P1 makes \$26,703 in step one; that if he went to step 2, he would make \$28,037. He stated at the \$26,703 rate, adding \$500 and the two percent puts the officer at \$27,767, \$280 less that if he were to go to step 2 in the longevity plan. He stated they do not want to appear ungrateful; that they feel they are getting shortchanged. He stated the Council and City entered an agreement for the step plan to advance employees every year; that this year there is no advance as raises are being given to offset the insurance cost.

Mr. Benson asked Mr. Neblette where the money would come from; that we are in a terrible dilemma?

Mr. Neblette stated that he started coming to the Council two months ago to have an understanding so that he could take information back to the officers. He stated the PowerPoint presentation tonight is the only communication they have received; that the Council's attention is the only response he has gotten, period.

Chairman Hakeem stated everyone has not had an opportunity to read the document Mr. Neblette distributed tonight. In addressing the officers present with Mr. Neblette, he stated that he does not want anyone or any group to think they got all they wanted or felt they should get out of what has been proposed. He stated that everyone can look at this Council and the way the Council has been responsive to the needs of the police department when looking at the officer's starting salary; that the Council worked with the unions and administration to raise the beginning salary and the investment of millions in vehicles. He stated the Council is not taking the police officers for granted and expressed appreciation for what they do, clarifying that the Council has a difficult task before them. He stated he had a businessman say to him that city employees do not need a raise; that there are some people in the mindset that city employees are not worthy of an increase.

KEN NEBLETTE (Continued)

Chairman Hakeem stated the effort with the \$500 was to assist all employees across the board; that they looked at where some people receiving 4 percent across the board would receive \$4,000-\$5,000 and others would get only a few hundred dollars. He stated there were a lot of factors; that they are trying to put it all together and come up with a plan all can work with.

Councilman Pierce commended the police officers and expressed understanding for Mr. Neblette's concerns, as the Police Department is one of the larger departments in the City. He stated with regard to the step plan, it is one of the contracts officers sign when they begin employment with the City; that what he is hearing Mr. Neblette say is that the \$500 plus the two percent is not equal to what one step plan would be. He stated we continue to allude to other cities and what their pay grade is. He stated getting away from the pay grade furthers that distance between other cities and makes it more difficult to recruit and the same is true for the school system. He stated that he looks at the police and fire departments as the real "arm" of the City and he does not think they should be treated on the same level.

Councilman Taylor stated in regard to the step program, how do we catch up? He expressed concern about what happens further "down the road". He stated that he would like more information from personnel regarding this matter.

Chairman Hakeem stated that he would ask the head of Personnel to be present at next week's budget committee to address this.

At this point, Mr. Neblette asked to be placed on the Committee's agenda next week; that he has information that would shed a different view.

Councilman Taylor asked Mr. Neblette to forward the information to him.

Chairman Hakeem made reference to the public hearing that would be held at next Tuesday's Council meeting, stating that if there is an exchange of ideas or concerns that would be the venue to do it in; that the budget document is scheduled for first reading on September 4.

KEN NEBLETTE (Continued)

Councilman Page stated every department in City government has the same issues relating to more compensation. He stated it is his belief we have a professional police department and stated that they probably are not going to get what they want. He expressed disappointment that a couple Council members fought hard to get the lower paid employees more compensation with regard to the increases that are to be handed out, which is highly unusual for a city to do. He stated that he is disappointed that has not been received positively; that there was an effort to help those on the poverty level income and those being paid less. He stated they really tried to be equitable and give pay increases for the less fortunate.

Councilman Pierce inquired about an officer at the top of the pay grade and how that is dealt with?

Mr. Neblette responded that the cost of living is where those persons are adjusted; that if they were at the top they would get the percentage and the \$500, also.

Councilwoman Robinson stated that this matter could be further followed in committee. She stated that it was her understanding there was a sliding scale this year because of the huge deficit the City faces, reiterating that it is her hope the discussion continues in committee.

Mr. Neblette apologized to Mr. Page regarding his previous comments, stating that no one in the police department would argue with regard to the point made.

TIM CARROLL

Tim Carroll, of the Fraternal Order of Police stated that he has been with Mr. Neblette since the budget discussion began; that the main concern with the FOP involves the step increases. He stated when the budget was presented there was never any mention in the report that the step salary increases were "frozen", which was a disappointment for them and FOP members. He expressed appreciation to the Council for their help.

ADJOURNMENT

Chairman Hakeem adjourned the meeting of the Chattanooga Council until Tuesday, August 28, 2001 at 6 p.m.

CHAIRMAN

CLERK OF COUNCIL

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