

**City Council Building
Chattanooga, Tennessee
September 11, 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. Special Counsel Phil Noblett, Management Analyst Randy Burns and Council Clerk Carol O'Neal, CMC, were also present.

PLEDGE OF ALLEGIANCE/INVOCATION

Following the Pledge of Allegiance, Rev. Kevin Adams, Pastor of Olivet Baptist Church, gave invocation.

APPROVAL OF MINUTES

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

MAYOR CORKER: "ATTACK ON AMERICA"

Mayor Corker stated in relation to what is going on in our country, we have professionals that are operating locally who are very prepared. He stated that he has been very impressed of Chattanooga's readiness today after a meeting at the 911 Center involving the Police Chief, the Sheriff, members of NEMA, TBI and the FBI and that the City, county and this area have very professional people looking after us. He stated that the airport is closed and received notice that Hamilton Place and other areas where large groups of people gather are closing, also. He stated he has had communication from the Governor's office and the Chairman of TVA and that the control center here in Chattanooga called to assure that they are taking every precaution.

MAYOR CORKER: "ATTACK ON AMERICA"
(Continued)

Mayor Corker continued by stating that it is unlikely anything would occur in this area as all are mostly concerned about other parts of the country. He made reference to numerous calls from people who have loved ones and relatives working near or in the World Trade Center and how the situation has touched everyone. He thanked the Council for Rev. Adams' presence in setting the tone for the meeting.

ABBREVIATED SESSION

Chairman Hakeem stated all Council members have gathered for a limited meeting this evening to deal with essential and necessary items. He stated the meeting tonight would be in abbreviated form in an effort to show respect and sensitivity to what has transpired today. He stated one other reason for a limited meeting is to make it known we will not allow incidents of this nature to stop us from doing our business as we must move forward. He stated with regard to the zoning issues, some individuals who may have desired to be present to express interest and concern may not be here today and delaying rezoning matters allows an opportunity for them to attend next week. He reiterated that the meeting tonight would be abbreviated in nature to consider essential items only.

FY 2001-2002 BUDGET

Councilman Page expressed thanks to Mayor Corker and the Council for indulging his thoughts regarding the equitable tax situation and for forming the blue ribbon committee to look into the matter. He stated that he looks forward to discussing the matter further in the future. He stated it was not his intent to cut education but to build a better mechanism for funding schools uninterrupted and include all county municipalities. At this point, he expressed support for the motion to approve the budget on second and third reading.

BY 2001-2001 BUDGET (Continued)

On motion of Councilman Lively, seconded by Councilman Franklin,

AN ORDINANCE, HEREINAFTER ALSO KNOWN AS "THE FY 2001/2002 BUDGET ORDINANCE", TO PROVIDE REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 2001, AND ENDING JULY 30, 2002, AND APPROPRIATING SAME TO THE PAYMENT OF EXPENSES OF THE MUNICIPAL GOVERNMENT; FIXING THE RATE OF TAXATION ON ALL TAXABLE PROPERTY IN THE CITY, AND THE TIME TAXES AND PRIVILEGES ARE DUE, HOW THEY SHALL BE PAID, WHEN THEY SHALL BECOME DELINQUENT; PROVIDING FOR INTEREST AND PENALTY ON DELINQUENT TAXES AND PRIVILEGES; AND TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTERS 2, 3, 10, 12, 16, 18, 26, 27, 31, 32 AND 35, BY SETTING AND/OR INCREASING FEES ON VARIOUS CITY SERVICES, PERMITS, LICENSES AND OTHER ACTIVITIES

passed second reading; **Councilman Pierce voted "no"**. On motion of Councilman Lively, seconded by Councilman Franklin, the Ordinance passed third and final reading; **Councilman Pierce voted "no"**.

PRELIMINARY PUD

2001-124: Cummings Cove, LLC

On motion of Councilman Franklin, seconded by Councilman Taylor,

A RESOLUTION APPROVING A PRELIMINARY PLANNED UNIT DEVELOPMENT SPECIAL EXCEPTIONS PERMIT FOR A PROPOSED PLANNED UNIT DEVELOPMENT KNOWN AS CUMMINGS COVE GOLF CLUB PLANNED UNIT DEVELOPMENT, ON TRACTS OF LAND LOCATED IN THE 700 TO 800 BLOCK RANGE OF BLACK CREEK ROAD, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS

was tabled one week.

FINAL PUD

2001-124: Cummings Cove, LLC

On motion of Councilman Lively, seconded by Councilman Littlefield,

A RESOLUTION APPROVING A PROPOSED FINAL PLANNED UNIT DEVELOPMENT SPECIAL EXCEPTIONS PERMIT FOR A PLANNED UNIT DEVELOPMENT KNOWN AS CUMMINGS COVE GOLF CLUB PLANNED UNIT DEVELOPMENT, ON TRACTS OF LAND LOCATED IN THE 700 TO 800 BLOCK RANGE OF BLACK CREEK ROAD, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE FINAL PLANNED UNIT DEVELOPMENT PLAN ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS

was tabled one week.

CHANGE ORDER

Admin. McDonald stated that the four Resolutions relating to the CSO project have been delayed for more than two years. He stated that an agreement has been worked out with the property owner for property acquisition and a contract change order has been signed. He asked for approval of the Resolutions after a twenty-one month delay.

On motion of Councilman Littlefield, seconded by Councilman Franklin,

A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1, RELATIVE TO MARTIN LUTHER KING CSO CONTROL FACILITY, CONTRACT NO. CSO-6-99, WITH RAINES BROTHERS, INC., WHICH CHANGE ORDER INCREASES THE CONTRACT AMOUNT BY ONE HUNDRED EIGHTY-NINE THOUSAND FOUR HUNDRED SEVENTY-NINE DOLLARS (\$189,479.00), FOR A REVISED CONTRACT PRICE OF THREE MILLION FOUR HUNDRED NINETY-ONE THOUSAND FOURTEEN AND 30/100 DOLLARS (\$3,491,014.30)

was adopted.

PROPERTY ACQUISITION

On motion of Councilman Franklin, seconded by Councilman Littlefield,

A RESOLUTION AUTHORIZING THE ACQUISITION OF CERTAIN PROPERTY LOCATED OFF RIVERFRONT PARKWAY, MORE PARTICULARLY DESCRIBED HEREIN, FROM ALSTROM POWER, INC., FOR AN AMOUNT NOT TO EXCEED ONE HUNDRED TWENTY-SIX THOUSAND SIXTY-TWO DOLLARS (\$126,062.00), PLUS OTHER REASONABLE CLOSING COSTS, RELATIVE TO CONTRACT NO. CSO-6-99, MARTIN LUTHER KING CSO CONTROL FACILITY

was adopted.

PERMANENT AND TEMPORARY EASEMENT

On motion of Councilman Franklin, seconded by Councilman Littlefield,
A RESOLUTION AUTHORIZING THE PURCHASE OF A PERMANENT AND TEMPORARY EASEMENT, LOCATED AT 1119 RIVERFRONT PARKWAY, MORE PARTICULARLY DESCRIBED HEREIN, FROM ALSTROM POWER, INC., RELATIVE TO CONTRACT NO. CSO-6-99, MARTIN LUTHER KING CSO CONTROL FACILITY, FOR A TOTAL CONSIDERATION OF ONE HUNDRED TWENTY-THREE THOUSAND NINE HUNDRED THIRTY-EIGHT DOLLARS (\$123,938.00)

was adopted.

PERMANENT AND TEMPORARY EASEMENT

On motion of Councilman Franklin, seconded by Councilman Littlefield,
A RESOLUTION AUTHORIZING THE PURCHASE OF A PERMANENT AND TEMPORARY EASEMENT, LOCATED AT 900 RIVERFRONT PARKWAY, MORE PARTICULARLY DESCRIBED HEREIN, FROM ADM HOLDINGS, INC., RELATIVE TO CONTRACT NO. CSO-6-99, MARTIN LUTHER KING CSO CONTROL FACILITY, FOR A TOTAL CONSIDERATION NOT TO EXCEED FIFTY THOUSAND DOLLARS (\$50,000.00)

was adopted.

PURCHASE

Admin. McDonald indicated that this matter was discussed in last week's Public Works Committee, wherein approval was recommended.

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

ACCESS TECHNOLOGIES (Single source)

Requisition R0049143 and R0049146

Telephone Communications Equipment and Installation Services for the Development Resource Center per TCA 6-56-304.2

\$314,227.00

DEFER ADDITIONAL COUNCIL BUSINESS

Councilman Littlefield made the motion to defer additional business of the Council until Tuesday, September 18, 2001; Councilman Lively seconded the motion; the motion passed.

ADJOURNMENT

Chairman Hakeem adjourned the meeting of the Chattanooga Council until Tuesday, September 18, 2001 at 6 p.m.

CHAIRMAN

CLERK OF COUNCIL

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