

**City Council Building  
Chattanooga, Tennessee  
August 24, 2004**

Chairman Benson called the meeting of the Chattanooga City Council to order with Councilmen Franklin, Hakeem, Littlefield, Lively, Page, Pierce, Robinson and Taylor present. City Attorney Randall Nelson, Management Analyst Randy Burns, and Shirley Crownover, Assistant Clerk to the Council, were also present.

**PLEDGE OF ALLEGIANCE/  
INVOCATION**

Following the Pledge of Allegiance, Councilwoman Robinson gave the invocation.

**MINUTE APPROVAL**

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

**SPECIAL PRESENTATION:  
SAVING OF OAK TREE**

Councilwoman Robinson introduced three special guests that were present—**Jerry Roberts, Michael Godwin, and John Gwin**. She stated that these three people were before us tonight to receive our thanks and appreciation for rescuing a beautiful, massive oak tree that was scheduled to be removed; that Michael and John petitioned their neighborhood to get signatures against this and that Mr. Jerry Roberts told her that he could not put a chain saw into this tree, and he has been in the business for 21 years of driving chain saws into thick trees; that between these two young men and Mr. Roberts, they had managed to save the tree and at this point she presented Certificates of Appreciation to each person. She gave a heartfelt thanks to John Gwin for his leadership, stating that he had performed a valuable deed. She also gave a special thanks to Michael Godwin, who had referred to this tree as a Sherman Oak, stating that he had inspired us to take a new look at trees and to take an interest and pride in trees; that selected trees could be commemorated with special plaques.

**Mr. Roberts** also thanked the two young men for helping him out, stating that it only increases the value of our property when we save trees like this.

**OAK TREE (CONT'D)**

Councilman Hakeem stated that it was very heartening to see young people get involved and that it was indicative of what they would be doing in the future; that as for Mr. Roberts, he would like to tell his colleagues that he (Mr. Roberts) is in the business of cutting down trees and does a very good job of it, as he had done work for him, yet he had saved this tree.

**CAPITAL IMPROVE. BUDGET**

On motion of Councilman Littlefield, seconded by Councilman Lively,  
**AN ORDINANCE APPROPRIATING, AUTHORIZING OR  
ALLOCATING FUNDS TO THE CAPITAL IMPROVEMENTS  
BUDGET FOR THE FISCAL YEAR 2004-2005 AND TO AMEND  
ORDINANCE NO. 11316 AND TO AMEND THE FISCAL YEAR  
2004-2005 BUDGET ORDINANCE NO. 11581**

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

**Mr. Peter Drew** asked to address the Council. He stated that the Council are all elected officials and have rules and regulations that they have to go by; that there had been two years of meetings and voting on different procedures; that they had followed rules that were set out before the process began; that he would like to go on record as saying that there were a set of rules laid in place and these rules have been violated.

Councilman Taylor verified that allotments would still come before the Council for a vote.

**AMEND CITY CODE:  
ON-PREMISE SIGNS**

On motion of Councilman Littlefield, seconded by Councilman Lively,  
**AN ORDINANCE TO AMEND PART II, CHATTANOOGA CITY  
CODE, CHAPTER 3, ARTICLE IX, SECTION 3-92(d), RELATIVE  
TO PERMANENT ON-PREMISE SIGNS**

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.

**CLOSE AND ABANDON**

**MR-2004-005 (Chattanooga Housing Authority)**

On motion of Councilman Taylor, seconded by Councilman Pierce,  
**AN ORDINANCE CLOSING AND ABANDONING THE 600 BLOCK OF WEST 37<sup>TH</sup> STREET, PART OF THE 3500 AND 3700 BLOCKS OF CHANDLER AVENUE AND AN UNOPENED ALLEY LOCATED AT THE EAST LINE OF THE 3700 BLOCK OF CHANDLER AVENUE, 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 Taylor, the Ordinance passed third and final reading and was signed in open meeting.

**CLOSE AND ABANDON**

**MR-2004-091 (Ethel Daniel)**

On motion of Councilman Hakeem, seconded by Councilman Franklin,  
**AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED ALLEY LOCATED BETWEEN FIRST STREET AND STUART STREET AND A PORTION OF FIRST STREET BETWEEN THE ALLEY AND SCOTT STREET AND STUART STREET BETWEEN RIVERSIDE DRIVE AND SCOTT STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS**  
was substituted. On motion of Councilman Franklin, seconded by Councilman Littlefield, the Ordinance 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-2004-108 (Donald E. Ricketts)**

On motion of Councilman Littlefield, seconded by Councilman Lively,  
**AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED  
RIGHT-OF-WAY LOCATED ON THE EAST LINE OF THE 1700  
BLOCK OF JENKINS ROAD, MORE PARTICULARLY  
DESCRIBED HEREIN AND AS SHOWN ON THE MAP  
ATTACHED HERETO AND MADE A PART HEREOF BY  
REFERENCE**

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.

Councilman Littlefield explained that there had been some questions on the Council and some discussion last week with some of the details and Public Works had recommended denial of the abandonment and there had been quite a bit of discussion with the staff about this. He explained that this is a long unopened right-of-way that serves a lot of residents and that while we agree with the Engineering Staff in principle that we need to keep options open, they will still be served with an alley and another way in and out.

Chairman Benson added that we had met with Adm. McDonald concerning this.

Councilman Hakeem questioned if meetings were being held that all Councilpersons were not being made aware of.

Councilman Littlefield explained to Councilman Hakeem that actually Jeff Pfitzer just walked over to the Council office and that he (Councilman Littlefield) just happened to walk in.

Adm. McDonald stated that they were in agreement that we should go ahead and approve the abandonment of this.

**REZONING**

**2004-151 (Neal Bennett)**

Councilman Lively stated that before the Council votes on this, he would like to speak; that this has been delayed since the 4<sup>th</sup> of August due to opposition; that he had talked to numerous people over the last two weeks and the portion that the Council has to do with (the zoning), the people are not opposed to; that the opposition has to do with the road. He explained that there were two groups of opposition; one group is the people in Horse Creek who don't want the traffic congestion; the other group is the people on Runyan Drive who are opposed until there is improvement to this street. He asked Adm. McDonald if there were any plans to improve this street to make it safer.

Adm. McDonald responded that they planned to improve this street before construction starts; that there are plans to widen it, and the developer will fund this up front and two lanes will be serviceable, and we will improve the blind corner for better visibility.

Councilman Lively added that he knew everyone would not be completely satisfied.

Councilman Page asked about the people residing in the neighborhood; that he thought it was only a courtesy to them that we address the traffic. He stated that this was his major concern.

Councilman Lively stated that he knew of this concern; however it is the zoning portion that we are dealing with, and it is not about the traffic.

**Mr. Mike Price**, representing the applicant, spoke next. He had some updated drawings from the last meeting. He stated that they had met with the neighbors and had had two hours of discussion and no one stated opposition to the rezoning; that it came down to traffic; that people on North Runyan and a group in the subdivision are concerned about traffic; that this situation is being changed, as we are going to improve North Runyan Drive, which will make it much more palatable, even though it will not please everybody. He showed conservation easements along Mt. Creek and reiterated that no one is objecting to the rezoning. He noted that traffic would now be able to be disbursed into different directions.

**REZONING (CONT'D)**

**Mr. Stephen Schmidt of 257 Horse Creek Drive** spoke next. He stated that he was present representing the Horse Creek Farms Homeowners' Association. He stated that the association would like to thank Mr. Bennett and Mr. VanWinkle for attending their meeting last Tuesday night; that they felt like these two men addressed many of the concerns that they had. He went on to say that as a member of the homeowners' association, he would like to have some clarity as to when North Runyan Drive will be improved—will it be done before construction begins? He stated that their major concern was safety; that this is a one-lane road that will take major improvements and Mr. Bennett has agreed to go the cost and that they wanted to make sure that this includes all utility lines and that the road will be widened to city grade standards. He stated that they needed some clarification on this.

He went on to ask that the Council work with Mr. Bennett concerning a third access, noting that there is a paved road that is not on the city map and there is already a bridge over the creek, and the road appears to go almost behind the Alexian Brothers property on their side of the creek. He stated that he would like to have Mr. Bennett and the City work on this route as a possible third access.

Chairman Benson told Mr. Schmidt that he did not know if we could give specifics at this time concerning a timeline.

Adm. McDonald stated that he could answer the question of when; that it will be prior to them doing construction of the subdivision.

**Mr. Bennett**, the applicant, spoke next. He stated that he did not have the funds, nor the intention of buying additional property for a third access; that two accesses were all he could do and a third access was not reasonable.

Mr. Price added that the road will be upgraded but he did not know if it would be in terms of city standards; that it will be an 18 ft. wide road.

Councilman Hakeem stated that he would like to ask a question in regards to the road—that it was not to say that it would happen with this project but there had been projects in subdivisions where roads would be built and then would dissipate and would need repair.

Adm. McDonald explained that the developer would be responsible for maintenance of the road during the course of construction.

**REZONING (CONT'D)**

Next, Councilman Hakeem asked if the quality of the road would be up to city standards. Adm. McDonald responded that they would not upgrade to city standards in the way of curbs and gutters, but it would be up to city standards in its capability to carry traffic.

Councilman Page still showed concern for the residents in Horse Creek and asked if the new road would allow for the construction trucks to have an alternate route rather than going through the neighborhood; that we needed to protect the residents.

Adm. McDonald responded that the construction trucks would use North Runyan Rd.

An unidentified lady in the audience asked about protection on North Runyan Drive. Adm. McDonald questioned what she meant by protection—that it would be a two-lane road, but he was not sure what she meant by protection. The lady noted that Councilman Page had asked about their protection. Adm. McDonald explained that they were not offering protection but just trying to get a street for traffic to use.

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 1029 NORTH RUNYAN DRIVE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS**

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

**REZONING**

**2004-153 (Plaza Radiology, LLC)**

Councilman Page asked Mr. Pace if this was deferred because of a square off on the property and he also asked a question regarding the Bradington Ave. entrance; that this Ordinance shows an access point to Bradington Ave.

Mr. Pace responded that the developer agreed to the access point being Hamill Rd.; that the *“either & and/or Bradington Ave.”* could be scratched out in Condition No. 1. This was done and initialed by Attorney Nelson.

On motion of Councilman Page, 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 2070 HAMILL ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**

was substituted. On motion of Councilman Lively, seconded by Councilman Littlefield, the Ordinance 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.

**CONTRACT**

On motion of Councilman Hakeem, seconded by Councilman Lively,

**A RESOLUTION AUTHORIZING THE AWARD OF THE CONTRACT FOR RENOVATIONS TO THE FIRE DEPARTMENT TRAINING CENTER TO THE STRAUSS COMPANY, INC. FOR THEIR LOW BID IN THE AMOUNT OF TWO HUNDRED THIRTEEN THOUSAND FOUR HUNDRED DOLLARS (\$213,400.00) AND FURTHER AUTHORIZING, PURSUANT TO SAID CONTRACT, EXPENDING AN AMOUNT NOT TO EXCEED TWO HUNDRED, TWENTY-FIVE THOUSAND DOLLARS (\$225,000.00)**

was adopted.

Chairman Benson questioned if this was worded right. Attorney Nelson responded that this came out of committee.

Councilman Franklin noted that Resolutions (b), (c), (d), and (e) came before the Parks, Recreation, Arts & Culture committee and come with a recommendation to approve.

**PURCHASE OF E-TIX SYSTEM**

On motion of Councilman Franklin, seconded by Councilman Lively,  
**A RESOLUTION AUTHORIZING THE PURCHASE OF THE E-TIX  
AUTOMATED BOX OFFICE TICKETING SYSTEM FOR THE  
MEMORIAL AUDITORIUM AND TIVOLI THEATRE IN AN AMOUNT  
NOT TO EXCEED TWENTY-SEVEN THOUSAND FIVE HUNDRED  
FIFTY DOLLARS (\$27,550.00)**

was adopted.

**SURPLUS LIGHTS**

On motion of Councilman Littlefield, seconded by Councilman Franklin,  
**A RESOLUTION THAT THE LIGHTS AT MONTAGUE PARK BE  
DECLARED SURPLUS AND AUTHORIZING THE SALE OF SAID  
FIXTURES TO OTHER NON-PROFIT ORGANIZATIONS TO BE  
USED FOR PUBLIC RECREATIONAL PURPOSES**

was adopted.

**LEASE AGREEMENT**

On motion of Councilman Franklin, seconded by Councilman Littlefield,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE  
DEPARTMENT OF PARKS, RECREATION, ARTS AND  
CULTURE TO EXECUTE A FORTY (40) YEAR LEASE  
AGREEMENT, RELATIVE TO PROPERTY LOCATED AT 0 EAST  
MARTIN LUTHER KING BOULEVARD, MORE PARTICULARLY  
DESCRIBED HEREIN, WITH GOOD NEIGHBORS, INC.**

was adopted.

**CONSERVATION AGREEMENT**

On motion of Councilwoman Robinson, seconded by Councilman Franklin,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE  
DEPARTMENT OF PARKS, RECREATION, ARTS AND  
CULTURE TO EXECUTE A CONSERVATION AGREEMENT  
WITH THE TRUST FOR PUBLIC LAND, IN THE FORM  
ATTACHED HERETO AND MADE A PART HEREOF BY  
REFERENCE, RELATIVE TO THE CHATTANOOGA  
GREENWAYS PROGRAM, FOR A TERM OF JULY 1, 2004  
THROUGH JUNE 30, 2005**

was adopted.

Councilman Hakeem stated that Resolutions (f), (g), and (h), were discussed in the Public Works committee and come with a recommendation for approval.

**AGREEMENT**

On motion of Councilman Franklin, seconded by Councilman Lively,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AN AGREEMENT WITH DENNIS SMITH, RELATIVE TO CONSTRUCTION INSPECTION SERVICES DURING THE CONSTRUCTION OF VARIOUS PUBLIC WORKS PROJECTS, FOR AN AMOUNT NOT TO EXCEED ONE HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$125,000.00) PER YEAR, INCLUDING WAGES AND OTHER REASONABLE EXPENSES**  
was adopted.

**TEMP. ROW USE**

On motion of Councilman Hakeem, seconded by Councilman Franklin,  
**A RESOLUTION AUTHORIZING ANCHANATTU JOHN TO USE TEMPORARILY THE CITY'S RIGHT-OF-WAY OF 1924 HICKORY VALLEY ROAD, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE DRAWINGS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, TO INSTALL BRICK COLUMNS AND A GATE, SUBJECT TO CERTAIN CONDITIONS**  
was adopted.

**TEMP. ROW USE**

On motion of Councilman Littlefield, seconded by Councilman Franklin,  
**A RESOLUTION AUTHORIZING DRAGAN LAZAREVIC TO USE TEMPORARILY THE CITY'S RIGHT-OF-WAY OF 1920 HICKORY VALLEY ROAD, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE DRAWINGS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, TO INSTALL BRICK COLUMNS AND A GATE, SUBJECT TO CERTAIN CONDITIONS**  
was adopted.

Councilman Lively reported that Resolutions (i), (k), and (l) came before the Safety Committee with a recommendation for approval.

### **HAMILTON COUNTY REQUEST**

On motion of Councilman Lively, seconded by Councilman Franklin,

**A RESOLUTION REQUESTING THE HAMILTON COUNTY COMMISSION AND THE HAMILTON COUNTY BOARD OF EDUCATION TO BEGIN DISCUSSIONS ON AN ARRAY OF ISSUES REGARDING FUNDING OF THE SCHOOLS AND FURTHER REQUESTING THAT THE CITY OF CHATTANOOGA CHIEF OF POLICE AND/OR HIS DESIGNEE BE INCLUDED IN THE DISCUSSIONS OF SECURITY ISSUES**

was adopted with Councilman Pierce abstaining because he felt it was a waste of time.

### **CONTRACT**

On motion of Councilman Lively, seconded by Councilman Littlefield,

**A RESOLUTION AUTHORIZING THE CITY FINANCE OFFICER TO EXECUTE A CONTRACT WITH TWH ARCHITECTS, INC. RELATIVE TO DESIGN OF THE RENOVATION OF CITY HALL, IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00)**

was adopted.

### **AGREEMENT**

Councilman Pierce noted that we had touched on this question in committee meeting, which was the question of the selection of a broadcasting station to cater to and the reason behind the selection. He stated that he had gotten a call from another station who felt they were slighted and that this was quite a contract just for advertisement, and he stated that he could not support this at this time.

Councilman Franklin stated that maybe he could help Councilman Pierce understand this; that this particular contract was a specific contract and that he, too, got several calls from other stations; that we were looking for a target market, and this station had the demographics; that we wanted to target the minority community, and this media brings this to the table. He went on to say that he had talked to WNOO Radio Station and explained that there were other

**AGREEMENT (CONT'D)**

markets that they could appeal to with their particular expertise and once he had explained this, they understood; that they were willing to follow up with different types of contracts in areas where they had expertise.

Councilman Pierce stated that the Police Chief was comfortable in saying that we had more officers on the street than ever; there was no academy in place; and he questioned why we were trying to recruit.

Councilman Franklin explained that Brewer Broadcasting Company had different modules other than just recruitment.

Councilwoman Robinson asked if the Station would include Public Service Announcements and noted that the recruitment might not just be for police officers but other police personnel. She asked if they could include Public Service Announcements.

Councilman Franklin assured her that this was included and was another piece to this. He mentioned incidents that have occurred with a negative type of effect, and this station would allow an open forum to deal with this sort of thing; that they have four or five different modules and what they will do far exceeds the cost and just recruitment.

On motion of Councilman Franklin, seconded by Councilman Littlefield,

**A RESOLUTION AUTHORIZING THE CHIEF OF THE CHATTANOOGA POLICE DEPARTMENT TO ENTER INTO AN AGREEMENT WITH BREWER BROADCASTING COMPANY FOR BROADCASTING RECRUITMENT COMMERCIALS FOR THE CHATTANOOGA POLICE DEPARTMENT OVER A PERIOD OF ONE YEAR AT A COST NOT TO EXCEED THIRTY THOUSAND DOLLARS (\$30,000.00)**

was adopted with Councilman Pierce voting "no".

**LEASE AGREEMENT**

On motion of Councilman Lively, seconded by Councilman Littlefield,

**A RESOLUTION AUTHORIZING THE CHIEF OF THE CHATTANOOGA POLICE DEPARTMENT TO ENTER INTO A LEASE AGREEMENT WITH THE PARTNERSHIP FOR FAMILY AND CHILDREN'S SERVICES FOR CERTAIN SPACE LOCATED AT 300 EAST EIGHTH STREET TO BE USED BY THE POLICE DEPARTMENT'S DOMESTIC VIOLENCE UNIT, A COPY OF SAID LEASE BEING ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE**

was adopted.

**FEMA GRANT**

On motion of Councilman Hakeem, seconded by Councilman Franklin,

**A RESOLUTION AUTHORIZING THE CHIEF OF THE CHATTANOOGA FIRE DEPARTMENT TO APPLY FOR AND ACCEPT A GRANT FROM THE UNITED STATES FEDERAL EMERGENCY MANAGEMENT AGENCY ("FEMA"), DEPARTMENT OF HOMELAND SECURITY, FOR THE FISCAL YEAR 2005 PROGRAM CONTINUATION FUNDING FOR THE METROPOLITAN MEDICAL RESPONSE SYSTEM IN AN AMOUNT OF AT LEAST FOUR HUNDRED THOUSAND DOLLARS (\$400,000.00), WHICH, IF AWARDED, WILL REQUIRE NO LOCAL MATCHING FUNDS**

was adopted.

**OVERTIME**

Overtime for the week ending August 20, 2004, totaled \$120,735.74.

Councilman Pierce asked if we could get better control of overtime.

Mr. Eichenthal stated that we had effective control; that Department Administrators get a bi-weekly report that breaks down the trends, and we can regularly track overtime expenditures in each department and Department Administrators are asked about overtime data at monthly meetings, and it had been brought down significantly; that last year it was down 5% and the year before 7%, and we are only two months into this Fiscal Year and it is down 5% to 6%, and we are working hard to keep it under control.

**OVERTIME (CONT'D)**

Mr. Eichenthal went on to say that some of the Police Department overtime is outside of the control of the actual department; that it is a result of the operation of the Court System, and they are trying to bring it down further.

Councilman Pierce asked if the new law on overtime will affect the Police Department. Mr. Eichenthal responded that he did not think so, but this would be a better question for Donna Kelley.

Councilman Littlefield stated that he was going to ask the last question that Councilman Pierce asked.

Attorney Nelson stated that there would be a new Resolution redesigning the exempt positions; that there had been a death in the family of the lawyer who was working on this, and he would be bringing a Resolution soon to revisit this.

**PERSONNEL**

The following personnel matters were reported for the various departments:

**PUBLIC WORKS DEPARTMENT:**

- **SANDRA R. BARBEE**—Promotion to Inventory Clerk, Pay Grade 5/5, \$22,976.00 annually, effective 8/13/04.
- **HORACE YARBROUGH**—Retirement of Crew Worker, effective 8/13/04.

**CHATTANOOGA POLICE DEPARTMENT:**

- **CHAD BRADLEY**—Suspension of Police Officer, effective 8/10/04.
- **ALFRED GRAHAM**—Suspension of Communication Officer, effective 8/12/04.

**PERSONNEL (CONT'D)**

**CHATTANOOGA FIRE DEPARTMENT:**

- **MELISSA REGA**—Resignation of Firefighter, effective 8/23/04.

**NEIGHBORHOOD SERVICES:**

- **STEVEN K. HARGIS**—Promotion to Assistant Administrator, Pay Grade 28/7, \$61,023.00 annually, effective 8/20/04.

**HOTEL PERMITS**

On motion of Councilman Lively, seconded by Councilman Franklin, the following Hotel Permits were approved:

**BEST INN**—7717 Lee Highway

**COMFORT INN & SUITES**—3725 Modern Industries Parkway

**COURTYARD BY MARRIOTT**—200 Chestnut Street

**INTOWN SUITES—GUNBARREL RD.**—1914 Gunbarrel Road

**KNIGHTS INN—HAMILTON PLACE**—6914 Shallowford Road

**LAQUINTA INN #931**—7015 Shallowford Road

**PETIT HOUSE**—109 Ochs Highway

**RESIDENCE INN BY MARRIOTT**—215 Chestnut Street

### **BOARD APPOINTMENTS**

On motion of Councilman Taylor, seconded by Councilman Page, the following Board appointments were approved:

#### **SIGN APPEALS BOARD:**

- Appointment of **MATTIE SHOULDERS** for a term expiring **July 31, 2007**.

#### **AFRICAN AMERICAN CHAMBER OF COMMERCE BOARD:**

- Appointment of **JOHN P. FRANKLIN, JR.** for a term expiring **September, 2006**.

### **COMMITTEES**

Councilman Taylor stated that the Housing and Education Committee met today and discussed the Washington Hills situation; that it will meet again two weeks from now for follow-up. At this point he recognized some neighborhood residents who were present and also Mr. Finn Bille was in attendance.

Councilman Page scheduled an **Economic Development Committee meeting** to meet jointly with the Legal and Legislative Committee at **3:00 P.M. on Tuesday, September 14<sup>th</sup>**.

Councilman Littlefield announced that the **Legal and Legislative Committee** would meet at **3:00 P.M. on Tuesday, August 31<sup>st</sup>**. At this time he thanked Mr. Curry, Adm. McDonald, Chief Coppinger, and the Mayor for coming to the District 6 Meeting last night. He added that Mr. Curry led an invigorating question and answer session. He stated that there was a great turnout from the Administration side, and he again expressed thanks for this.

Councilman Hakeem scheduled a **Public Works Committee meeting for Tuesday, August 31<sup>st</sup> at 4:00 P.M.** At this point he asked if he were still Chairman of the Public Works Committee? He stated that when decisions being made about Public Works come before this body that he has a concern.

Chairman Benson noted that apparently Councilman Hakeem was addressing him and assured him that he was Chairman, and he apologized. He went on to say that the Tree Harvesting and Clear-Cutting group met at 2:00 P.M. today and would continue to meet until they could phase something in.

**CHIEF VAUGHN**

Police Chief Vaughn informed the Council that Library employees are required to pay parking of \$60.00 a month and that they were paralyzed doing city business. He noted that the Library is a joint project and there seems to be no way to find relief; that some employees had worked at branch libraries, where they parked free, and had been transferred to the downtown library and were now required to pay for parking, which amounted to a pay cut for them, and the price of parking had gone up. He asked if they could be issued a parking permit or "forgiven". He stated that he wanted to bring this to the Council's attention as these are our people, and we need to take care of them.

Chairman Benson thanked Chief Vaughn, stating that he thought this would be covered under Councilman Lively's Safety Committee. Councilman Lively informed him that this matter would come under Finance. Attorney Nelson agreed that it was not a police matter. Councilman Pierce stated that it seemed a legal issue to him, with Councilman Littlefield suggesting Public Works!!

Councilman Pierce stated he did not know if the Council should try to address this or not; that targeting certain employees would open Pandora's box.

Councilman Page stated that he thought Administration should review this policy.

Mr. Eichenthal stated that while the City and County both fund the Library, that the Library has a Board which allocates funds, and he thought it was more appropriate for the Library Board to deal with this and how they spend their budgeted funds; that the Council had increased the City's appropriation by a small amount, and the County did not increase their appropriation; that the Library is in the process of making difficult decisions, and it really is in the Board's purview to make a decision on employee benefits.

Chairman Benson asked if this meant we were to pass this off to the Library Board.

Mr. Eichenthal stated that he did not think the City should intervene into Library Board budget decisions.

**CHIEF VAUGHN (CONT'D)**

Chief Vaughn stated that he was not wanting to imply that the City should pay these parking fees; that it was just a problem that the employees did not know how to deal with and if it should be in the hands of the Board, then fine; that he just did not know if the Council was aware of this situation and that was the reason that he was telling them.

Councilman Pierce informed Chief Vaughn that usually the Library gets in touch with the Council about such matters; that they know how to come and ask, and it seemed out of the ordinary for Chief Vaughn to be coming here soliciting; that someone from the Library Board should be here; that it put Chief Vaughn in a bad position.

Chief Vaughn stated that he thought the misunderstanding had come from him using the word "forgiven"; that these employees parked in free enterprise parking garages and were paying \$60.00 a month extra. He stated that he did not think the fact that he was a police officer should keep him from bringing topics to the Council for discussion; that he was not trying to usurp authority, and he apologized for using the word "forgiven". He stated that if the Library Board needs to deal with this, that he apologized for taking up the Council's time.

Chairman Benson told him that it would have been more appropriate to come to a committee meeting with this matter; that the Legal and Legislative Committee would let him piggy-back.

Councilman Lively stated that this could be referred to Administration, and they could pass it on to the Library Board.

Chairman Benson stated that the Council had a week to think about all of this.

Chief Vaughn noted that the Library Board was not as accessible as the Council was.

Councilman Pierce stated that Chief Vaughn would make a good lobbyist.

Chairman Benson assured Chief Vaughn that he could bring any concern he had to the Council, but it could be debated better in a committee meeting.

**ADJOURNMENT**

Chairman Benson adjourned the meeting of the Chattanooga City Council until Tuesday, August 31<sup>st</sup> at 6:00 P.M.

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**CHAIRMAN**

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**CLERK OF COUNCIL**

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

