

**City Council Building  
Chattanooga, Tennessee  
February 21, 2006  
6:00 p.m.**

Chairman Robinson called the meeting of the Chattanooga City Council to order with Councilmen Bennett, Benson, Franklin, Page, Pierce and Rico present; Councilwoman Rutherford was absent due to illness. City Attorney Randall Nelson, Management Analyst Randy Burns and Council Clerk Carol O'Neal were also present.

**PLEDGE OF ALLEGIANCE/INVOCATION**

Following the Pledge of Allegiance, Councilman Benson gave invocation.

**MINUTE APPROVAL**

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

**CONFIRMATION OF WALLACE B. POWERS**

On motion of Councilman Rico, seconded by Councilman Franklin, Wallace B. Powers was approved and accepted as the interim Council person representing District 9.

**OATH OF OFFICE**

Mayor Littlefield stated there is nothing more appropriate than for a former city employee to serve on the City Council as it seems like a natural thing to him. He stated that he is glad the person he worked with for many years has been selected by the Council to serve among them for the next three months as an interim Council member.

## **OATH OF OFFICE**

At this point Mayor Littlefield asked Wallace Powers to come forth for the Oath of Office.

Following the Oath, Councilman Powers took his seat on the dais.

Councilman Pierce presented Councilman Powers with his official name plate noting that it is an honor for him to do so.

Councilman Franklin stated that his father and the Powers family have been friends for a long time and that it is a privilege to have him on the Council for the next ninety days. He stated the District 9 constituents could not have a better person representing them at this time.

Chairman Robinson expressed that the Council is glad to have Councilman Powers.

## **SPECIAL PRESENTATION: "SERVE CHATTANOOGA"**

Jonathan Atherton, Assistant Director of the Chattanooga Resource Foundation, stated that he wished to address the Council about a new initiative called "Serve Chattanooga". He distributed handouts explaining the initiative and stated that the vision is to meet specific community needs by creating a culture of community service in the Greater Chattanooga area that will impact generations to come. He stated the mission is to design and implement specific projects that would enable a growing number of people to participate in meaningful community service through a collaborate partnership between the public schools, businesses, non-profits and churches to identify needs and complete specific projects in area public schools through ninety days of service.

Mr. Atherton stated the Foundation has met with all 80 principals to let them know that this summer the plan is to do at least one project in every public school to meet the needs that are not being met by ongoing budgets of schools by creating a new website, [www.ServeChattanooga.org](http://www.ServeChattanooga.org); that the website would provide support for schools to project on the website. He stated this summer will have a tremendous impact in public schools and would be the beginning of what they will do in the long term to assist schools and other organizations.

Chairman Robinson expressed thanks for the informative printed information.

**FRANCHISE**

On motion of Councilman Pierce, seconded by Councilman Page,  
**AN ORDINANCE GRANTING UNTO FIRST CENTENARY UNITED METHODIST CHURCH A FRANCHISE TO CONSTRUCT AND MAINTAIN A PEDESTRIAN BRIDGE OVER THE 400 BLOCK OF OAK STREET IN THE CITY OF CHATTANOOGA AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS**

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

**AMEND ZONING ORDINANCE**

On motion of Councilman Franklin, seconded by Councilman Benson,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, BY AMENDING ARTICLE VIII, SECTION 107(18)(A), RELATIVE TO CERTAIN DEFINITIONS OF ADULT-ORIENTED ESTABLISHMENTS**

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

**APPROPRIATION**

On motion of Councilman Rico, seconded by Councilman Franklin,  
**AN ORDINANCE APPROPRIATING FROM THE GENERAL FUND TO THE TIVOLI AUDITORIUM PROMOTION ASSOCIATION, INC. (TAPA) THE AMOUNT OF ONE HUNDRED THOUSAND DOLLARS (\$100,000.00), RELATIVE TO PROMOTION OF THE TIVOLI AND MEMORIAL AUDITORIUMS**

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

**REZONING**

**2006-001: Jesse Curtis, Jr.**

On motion of Councilman Rico, seconded by Councilman Franklin,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE TRACTS OF LAND LOCATED AT 4106 AND 4107 HIGHLAND AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO R-1 RESIDENTIAL ZONE**

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

## REZONING

### **2006-009: DeFoor Brothers Development, LLC**

Councilman Benson stated questions came up about Ordinances (e) – (h) and asked Mr. Pace to respond to a couple of them. He stated Dr. Jill Montrey is present, as well.

Jerry Pace, Director of Development Services with the Regional Planning Agency (RPA), stated that questions from last week were in regard to access from Dr. Dzik's office on Timberlane. He stated that he met with Mr. DeFoor, Dr. Dzik and John VanWinkle and they came to an agreement that will be reflected on the plans as they are presented for construction and design for the access. He stated an agreement was reached with both parties that was acceptable and the recommendation is to move forward with approval on second reading.

Councilman Benson stated that there was another concern raised regarding the community's involvement and the recommendation from Friends of East Brainerd, a 501C(3) organization.

Dr. Jill Montrey of 3549 Valley Trail stated that she was president of Friends of East Brainerd for five years, and noted that the current president is actually Andy Holt. She referenced slides that were prepared by PowerPoint and clarified that the community supports the rezoning to the mixed use zone. She stated this area has history and most of the problems came up surrounding the Hamilton Place rezoning and the commercial success of that region; that many wanted to buy land and build upon several areas. She stated because of the zoning requests in the area there were arguments regarding extension of commercial and the City Council recommended that the Regional Planning Agency do a land study for a lasting and livable solution to zoning, transportation and quality of life problems.

Dr. Montrey stated that several public meetings were held in the East Brainerd region that included businesses and residents; that consultants were hired and the Council appropriated money for the Plan that was finally adopted in the fall of 2001. She stated many thought the plan was just to draw lines around the commercial area and free ends for no further extension; that, indeed, that was part of the resolution for strongly holding the plan. She stated also included in the plan was mixed use development and the plan identified a few pressure sites and referenced the triangle above Shallowford and Gunbarrel Roads that called for office, residential and high density residential. She stated in order to deal with this, the plan recommended this mixed use zoning category and limited commercial uses were appropriate in the context of mixed use development.

**REZONING (Continued)**

Dr. Montrey stated that the City Council passed this new mixed use zoning ordinance that RPA worked on and amended it twice. She stated the intent is to allow this mixed use development and with it get civic spaces, trees, sidewalks and some limited retail commercial supporting that. She stated it started with the success of commercial, several problems and the Council asked for a solution, hired a consultant. She stated the stakeholders came up with a plan, adopted it and created the mixed use zone plan recommended and are now changing the zoning in that triangle to allow this development to take place. She stated this is the solution the community and government came up with and suggested that the Council move forward.

Councilman Benson commended Dr. Montrey for putting the presentation together with no help from RPA; that the bottom line is that the community supports this.

Dr. Montrey stated several neighborhood associations and businesses are on board and in support of this as far as she knows; that it goes along with the plan.

On motion of Councilman Benson, seconded by Councilman Franklin,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,  
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE TRACTS OF  
LAND LOCATED IN THE 2300 BLOCK OF TIMBERLANE TRAIL, MORE  
PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-  
4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**  
passed second and final reading and was signed in open meeting.

**REZONING**

**2006-010: DeFoor Brothers Development, LLC**

On motion of Councilman Rico, seconded by Councilman Benson,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,  
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF  
LAND LOCATED AT 2339 TIMBERLANE TRAIL, MORE PARTICULARLY  
DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL  
ZONE, SUBJECT OT CERTAIN CONDITIONS**  
passed second and final reading and was signed in open meeting.

## REZONING

### **2006-011: DeFoor Brothers Development, LLC**

On motion of Councilman Rico, seconded by Councilman Franklin,

**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE TRACTS OF LAND LOCATED IN THE 2300 BLOCK OF NAPIER DRIVE, 7301 AND 7307 MCCUTCHEON ROAD, AND 7301 SHALLOWFORD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 MXU-OZ MIXED USE OVERLAY ZONE TO C-4 PLANNED COMMERCE CENTER ZONE, SUBJECT TO CERTAIN CONDITIONS**

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

## REZONING

### **2006-013: DeFoor Brothers Development, LLC**

Councilman Benson asked Mr. DeFoor speak on the three rezoning requests.

Ken DeFoor stated that the first time he met Councilman Benson was not the most congenial meeting; however, after they really talked things through it became obvious that he could be work with and was not anti-development but was just looking for better solutions. He stated this plan initially called for mostly apartments and Councilman Benson recognized the problem and looked for more flexibility in the plan. He stated after five years of putting this together, the stress came off and his mind has been "fluttering" with ideas of how to live there, walk with grandchildren and not have to worry about spending money for gas to go somewhere. He stated the amazing thing is that the city has good planners and commended Barry Bennett, Greg Haynes and Jerry Pace who spent more time with him than the law should allow! He stated they really showed ability. He thanked each of them for their gargantuan efforts as this project could not have been done without them and wanted them to know of his appreciation.

Councilman Benson stated that Mr. DeFoor is putting in a library and park.

Mr. DeFoor stated there would be a library, stage, a little lake and plans for an amphitheatre. He stated there would be a lake with ten foot sidewalks around it where persons would be able to retreat, walk over and sit down and enjoy where they live; that it will almost have an education experience!

REZONING (Continued)

On motion of Councilman Franklin, seconded by Councilwoman Bennett,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,  
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE TRACTS OF  
LAND LOCATED IN THE 2300 BLOCK OF TIMBERLANE TRAIL, MORE  
PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO MXU-  
OZ MIXED USE OVERLAY ZONE**

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

AMEND ZONING ORDINANCE

Mr. Pace stated this matter was deferred one week to assure what was just approved under zoning through the R-4 mixed use overlay zone was accurate; that they are creating a mixed use zone that would stand alone and the R-4 zones would automatically go into the MXU zone. He stated approval is recommended by both Staff and Planning.

On motion of Councilman Rico, seconded by Councilman Franklin,  
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,  
KNOWN AS THE ZONING ORDINANCE, BY AMENDING ARTICLE V,  
SECTION 406, BY DELETING SAID SECTION IN ITS ENTIRETY AND  
CREATING A NEW SECTION 406, MIXED USE ZONE (MXU), AS A  
SEPARATE ZONING DESIGNATION**

passed first reading.

CLOSE AND ABANDON

**MR-2006-203: Chris Farris**

On motion of Councilman Rico, seconded by Councilman Franklin,  
**AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED ALLEY  
LOCATED ON THE NORTH LINE OF THE 3400 BLOCK OF MARTIN STREET,  
MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE  
MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE,  
SUBJECT TO CERTAIN CONDITIONS**

passed first reading.

CLOSE AND ABANDON

**MR-2005-204: Robmer Partners (Mervin Pregulman)**

On motion of Councilman Franklin, seconded by Councilman Pierce,  
**AN ORDINANCE CLOSING AND ABANDONING THE PARTIALLY  
OPENED 1900 BLOCK OF FORT STREET, MORE PARTICULARLY  
DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO  
AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN  
CONDITIONS**  
passed first reading.

CLOSE AND ABANDON

**MR-2005-213: Paul Wirz**

On motion of Councilman Rico, seconded by Councilman Benson,  
**AN ORDINANCE CLOSING AND ABANDONING THE 2100 BLOCK OF  
PEACOCK STREET BEGINNING ON THE NORTH LINE OF THE 2300  
BLOCK OF 15<sup>TH</sup> 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 first reading.

CLOSE AND ABANDON

**MR-2005-216: Watson Properties**

On motion of Councilman Rico, seconded by Councilman Page,  
**AN ORDINANCE CLOSING AND ABANDONING THE 300 BLOCK OF  
PATTEN STREET LOCATED ON THE WEST LINE OF THE 2000 BLOCK OF  
WASHINGTON STREET, MORE PARTICULARLY DESCRIBED HEREIN AND  
AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART  
HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS**  
passed first reading.



CLOSE AND ABANDON

MR-2005-220: City of Chattanooga c/o William Payne

On motion of Councilman Rico, seconded by Councilman Page,  
**AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE  
700 BLOCK OF WALL STREET AND THE 900 BLOCK OF MAGNOLIA  
ALLEY, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON  
THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY  
REFERENCE, SUBJECT TO CERTAIN CONDITIONS**  
passed first reading.

PROMOTIONAL ASSESSMENT CENTER

Councilman Benson stated this request is recommended for approval pursuant to discussion in today's meeting of the Legal and Legislative Committee.

On motion of Councilman Benson, seconded by Councilman Rico,  
**A RESOLUTION AUTHORIZING ACCEPTANCE OF THE PROPOSAL BY THE  
SHERATON READ HOUSE HOTEL CHATTANOOGA FOR USE OF THEIR  
FACILITIES FOR A TOTAL AMOUNT NOT TO EXCEED THIRTY-SIX  
THOUSAND DOLLARS (\$36,000.00), RELATIVE TO THE 2006  
CHATTANOOGA POLICE DEPARTMENT PROMOTIONAL ASSESSMENT  
CENTER TO BE HELD IN APRIL 2006**  
was adopted.

GRANT

On motion of Councilwoman Bennett, seconded by Councilman Rico,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE  
DEPARTMENT OF PARKS AND RECREATION TO APPLY FOR A LOCAL  
PARKS AND RECREATION FUND GRANT FROM THE TENNESSEE  
DEPARTMENT OF ENVIRONMENT AND CONSERVATION, AS A JOINT  
PROJECT WITH HAMILTON COUNTY TOTALING FOUR HUNDRED  
THOUSAND DOLLARS (\$400,000.00), RELATIVE TO ENTERPRISE SOUTH  
NATURE PARK, WHICH, IF AWARDED, WILL REQUIRE MATCHING CASH  
AND IN-KIND SERVICES IN THE AMOUNT OF ONE HUNDRED  
THOUSAND DOLLARS (\$100,000.00) FROM THE CITY OF  
CHATTANOOGA**  
was adopted.

**GRANT**

On motion of Councilwoman Bennett, seconded by Councilman Rico,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PARKS AND RECREATION TO APPLY FOR AND ACCEPT A RECREATIONAL TRAILS PROGRAM GRANT FROM THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION TO INSTALL CANOE LAUNCHES IN TWO LOCATIONS ALONG THE SOUTH CHICKAMAUGA CREEK, WHICH, IF AWARDED, WILL REQUIRE MATCHING CASH AND IN-KIND SERVICES IN AN AMOUNT NOT TO EXCEED TWENTY THOUSAND DOLLARS (\$20,000.00) FROM THE CITY OF CHATTANOOGA**  
was adopted.

**RENOVATION**

On motion of Councilman Rico, seconded by Councilman Pierce,  
**A RESOLUTION AUTHORIZING FRANKLIN ASSOCIATES ARCHITECTS, INC. TO PROCEED WITH SCHEMATICS DESIGN FOR RENOVATION OF THE MEMORIAL AUDITORIUM COMMUNITY THEATRE AT A COST NOT TO EXCEED TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00)**  
was adopted.

**SPECIAL POLICEMAN**

On motion of Councilman Rico, seconded by Councilman Pierce,  
**A RESOLUTION AUTHORIZING THE APPOINTMENT OF KEITH CURTIS AS SPECIAL POLICEMAN (UNARMED) FOR THE CITY OF CHATTANOOGA DEPARTMENT OF PUBLIC WORKS TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS**  
was adopted.

**GRANT**

On motion of Councilman Rico, seconded by Councilman Franklin,  
**A RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT FROM THE TENNESSEE FILM, ENTERTAINMENT & MUSIC COMMISSION IN THE AMOUNT OF TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) TOWARD FUNDING THE ESTABLISHMENT OF THE CHATTANOOGA FILM COMMISSION**  
was adopted.

**AGREEMENT**

On motion of Councilman Rico, seconded by Councilman Pierce,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AN AGREEMENT WITH CONSOLIDATED TECHNOLOGIES, INC. TO CONDUCT AN INVESTIGATION OF GROUND WATER FOR CLOSURE/POST-CLOSURE AT SUMMITT LANDFILL IN AN AMOUNT NOT TO EXCEED THIRTY-FIVE THOUSAND ONE HUNDRED DOLLARS (\$35,100.00)**  
was adopted.

**EASEMENT**

On motion of Councilman Rico, seconded by Councilwoman Bennett,  
**A RESOLUTION AUTHORIZING THE PURCHASE OF A RIGHT-OF-WAY, SLOPE EASEMENT, AND TEMPORARY CONSTRUCTION EASEMENT FROM RAYMOND AND BETTY HAGGARD AT 7502 IGOU GAP ROAD, PARCEL NO. 159A-C-020, TRACT NO. 25A, RELATIVE TO THE IGOU GAP ROAD WIDENING PROJECT, CONTRACT NO. E-03-011, FOR AN AMOUNT NOT TO EXCEED ONE THOUSAND TWO HUNDRED NINETY DOLLARS (\$1,290.00)**  
was adopted.

**EASEMENT**

On motion of Councilman Benson, seconded by Councilman Rico,  
**A RESOLUTION AUTHORIZING THE PURCHASE OF A RIGHT-OF-WAY, SLOPE EASEMENT, AND TEMPORARY CONSTRUCTION EASEMENT FROM MARIE P. KILGORE AND MILDRED P. BAGGETT AT 7439 IGOU GAP ROAD, PARCEL NO. 159A-B-003, TRACT NO. 20A, RELATIVE TO THE IGOU GAP ROAD WIDENING PROJECT, CONTRACT NO. E-03-011, FOR AN AMOUNT NOT TO EXCEED ONE THOUSAND SIX HUNDRED DOLLARS (\$1,620.00)**  
was adopted.

**EASEMENT**

On motion of Councilman Rico, seconded by Councilman Page,  
**A RESOLUTION AUTHORIZING THE PURCHASE OF A RIGHT-OF-WAY, SLOPE EASEMENT, AND TEMPORARY CONSTRUCTION EASEMENT FROM JAMES A. AND LENNIE A. FRANKS AT 0000 CLEARVIEW DRIVE, PARCEL NO. 159A-A-016, TRACT NO. 17A, RELATIVE TO THE IGOU GAP ROAD WIDENING PROJECT, CONTRACT NO. E-03-011, FOR AN AMOUNT NOT TO EXCEED ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200.00)**  
was adopted.

**TEMPORARY USE**

On motion of Councilman Franklin, seconded by Councilman Page,  
**A RESOLUTION AUTHORIZING RAY MARLER TO USE TEMPORARILY THE CITY'S RIGHT-OF-WAY ALONG THE 1300 BLOCK OF WISDOM STREET AND 3300 BLOCK OF WOOD AVENUE TO INSTALL SEWER LINES, AS SHOWN ON THE DRAWING ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS**  
was adopted.

**ACCEPT DONATION**

On motion of Councilman Franklin, seconded by Councilman Pierce,  
**A RESOLUTION AUTHORIZING ACCEPTANCE OF A DONATION FROM THE COMMUNITY FOUNDATION OF GREATER CHATTANOOGA'S ANONYMOUS FUND IN THE AMOUNT OF ONE THOUSAND DOLLARS (\$1,000.00) TO THE DEPARTMENT OF EDUCATION, ARTS AND CULTURE, ALLIED ARTS OF GREATER CHATTANOOGA, AND THE UNITED WAY OF CHATTANOOGA FOR "CONNECTING THE DOTS - A SUMMIT ON ARTS AND SOCIAL ISSUES"**  
was adopted.

**AGREEMENT**

Councilman Benson stated Resolutions (m) and (n) were discussed in today's Legal and Legislative Committee and approval is recommended.

On motion of Councilman Benson, seconded by Councilman Franklin,  
**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH FRIENDS OF THE FESTIVAL FOR MANAGEMENT OF THE 21<sup>ST</sup> CENTURY WATERFRONT**  
was adopted.

**AGREEMENT**

On motion of Councilman Benson, seconded by Councilman Franklin,  
**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH FRIENDS OF THE FESTIVAL FOR PRODUCTION OF GOFEST 2006**  
was adopted.

## OVERTIME

Overtime for the week ending February 17, 2006 totaled \$58,919.69.

## PERSONNEL

The following personnel matters were reported for the various departments:

### PUBLIC WORKS DEPARTMENT:

- **RANDY D. BLEVINS** – Suspension (4 days without pay), Equipment Operator, Sr., City Wide Services, effective February 13-16, 2006.

### CHATTANOOGA FIRE DEPARTMENT:

- **DEANGELO NEWSON** – Family Medical Leave, Senior Firefighter, effective February 20 – May 15, 2006.

### CHATTANOOGA POLICE DEPARTMENT:

- **CALVIN Q. SMITH** – Remove from Payroll (Did not report for work), School Patrol Officer, effective February 10, 2006.
- **KENNETHA PRICE** – Return to Duty (From FMLA), Communications Officer, effective February 15, 2006.
- **RAYMOND M. REED** – Hire, Animal Services Officer, Pay Grade 9/Step 1, \$24,012.00, effective February 17, 2006.
- **JOANN DAVIS** – Family Medical Leave, Communications Officer, effective February 16 – May 10, 2006.
- **DEBBIE WHEELER** – Suspension (3 days without pay), Police Records Clerk, effective February 23 – 25, 2006.
- **ANN CHAPMAN** – Retirement, Communications Officer, effective February 16, 2006.
- **ROBERT M. TALLEY** – Resignation, Police Officer, effective February 19, 2006.

Deputy Chief Vaughn acknowledged the retirement of Ann Chapman.

**PERSONNEL (Continued)**

NEIGHBORHOOD SERVICES DEPARTMENT:

- **TIMOTHY MCGINNIS** – Hire, Code Enforcement Inspector, Pay Grade 11/Step 1, \$26,402.00 annually, effective February 13, 2006.

**PURCHASES**

On motion of Councilman Franklin, seconded by Councilman Benson, the following purchases were approved for use by the Public Works Department:

**MACKEY METERS (Lowest and best bid)**

**R0087586**

Parking Meters

\$21,675.00

**SAMSON INDUSTRIAL (Lowest and best bid)**

**R0086367/B0002748**

Safety Supplies

\$11,358.75

**EMERGENCY PURCHASE**

The emergency purchase of sanitary sewer repairs for the Public Works Department in the amount of \$23,371.91 to Morgan Construction Company was duly reported and signed in open meeting.

**PURCHASE**

On motion of Councilman Rico, seconded by Councilman Franklin, the following purchase was approved for use by the Finance and Administration Department, Fleet Maintenance Division I:

**PURCHASE (Continued)**

**WASTE EQUIPMENT PARTS (Best evaluated bid)**  
**R008651/B0002750**

Heil Parts

\$31,420.15

**REFUND**

On motion of Councilman Rico, seconded by Councilman Franklin, the Administrator of Finance was authorized to issue the following refund due to double assessment by the State of Tennessee Office of State Assessed Property for tax year 2004:

**KENCO LOGISTICS SERVICES**

\$5,988.08

**BOARD APPOINTMENT**

On motion of Councilman Benson, seconded by Councilman Pierce, the following Board appointment was approved:

**CHATTANOOGA DOWNTOWN REDEVELOPMENT BOARD:**

- Appointment of **DAVID DALTON** for a term expiring December 31, 2009.

**ANIMAL CARE TRUST ADOPTION CENTER**

Councilman Benson announced that the lead giver for the Animal Care Trust Adoption Center would be announced at a press conference at the site of the Center in front of DuPont at the bottom of Access Road on next Monday, February 27, at 10:30 a.m. He stated this event would officially kick off the community wide campaign.

**COMMITTEES**

Councilman Franklin scheduled a meeting of the **Parks and Recreation Committee for Tuesday, February 28 at 3 p.m.**

**COMMITTEES (Continued)**

Councilman Rico scheduled a meeting of the **Health, Education, Human Services and Housing Opportunities Committee** for Tuesday, February 28 beginning at 3:30 p.m.

**ADJOURNMENT**

Chairman Robinson adjourned the meeting of the Chattanooga Council until Tuesday, February 28, 2006 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)**