

**City Council Building
Chattanooga, Tennessee
May 20, 2008
6:00 p.m.**

Chairman Bennett called the meeting of the Chattanooga Council to order with Councilmen Benson, Berz, Gaines, Page, Pierce, Rico and Robinson present; Councilman Franklin was absent. 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 Page gave invocation.

MINUTE APPROVAL

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

SPECIAL PRESENTATION: COACHES ROBERT HIGH AND CAROLYN JACKSON

Councilwoman Gaines asked Coaches Robert High and Carolyn Jackson to join her at the podium. She recognized them both for their dedication as educators and as role models in the community. At this point she presented Certificates of Appreciation signed by Mayor Littlefield to both; the certificates were in recognition of the Brainerd Gymnasium being named for them.

Coach High expressed thanks to the Council as well the person who could not be present to make the presentation. He stated he and Ms. Jackson have had an opportunity to teach and coach hundreds of young men and women and have been very fortunate to do so. He stated that they talk all the time about how fortunate they have been to work with so many different kids and how very few problems they have had. He stated that they have enjoyed their venture and if they had it to do over again they would take the same route. He again expressed thanks on behalf of himself and Ms. Jackson and all the kids involved,

RECOGNITION OF KATE BERZ

Councilwoman Berz stated Coach High is responsible for two of her daughters while they were in attendance at Brainerd High School and thanked him for having a tremendous influence on them. She stated as many know, she and her husband have four children and noted that their daughter, Kate, was present. She stated Kate just graduated from medical school and would be doing her residency at Cincinnati Children's Hospital in Pediatric Sports Medicine. She expressed how proud she was of her, noting that she is a product of this city and its schools.

AMEND CITY CODE

On motion of Councilman Rico, seconded by Councilwoman Berz,
AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 32, ARTICLE VIII RELATIVE TO A STANDARD ADDRESS NUMBERING SYSTEM, FOR THE CITY OF CHATTANOOGA, AND TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 32, ARTICLE IX, RELATIVE TO STREET NAMES
passed second and final reading and was signed in open meeting.

REZONING

2008-070: Rostis Timoshchuk

On motion of Councilman Benson, seconded by Councilman Rico,
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND IN THE 8900 BLOCK OF ROSTIS LANE, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, FROM R-1 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS
passed second and final reading and was signed in open meeting.

RIGHT-OF-WAY NAME CHANGE

2008-071: City of Chattanooga c/o Bill Payne, City Engineer

On motion of Councilman Pierce, seconded by Councilman Rico,
**AN ORDINANCE TO CHANGE THE RIGHT-OF-WAY NAME OF THE 3700
BLOCK OF POLK AVENUE TO THE 3700 BLOCK OF SEMINARY STREET,
MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE
MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE**
passed second and final reading and was signed in open meeting.

REZONING

2008-072: Jeff Cannon

On motion of Councilwoman Berz, seconded by Councilman Rico,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF
LAND LOCATED AT 81 EAST MAIN STREET, MORE PARTICULARLY
DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO
AND MADE A PART HEREOF BY REFERENCE, FROM M-1
MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO
CERTAIN CONDITIONS**
passed second and final reading and was signed in open meeting.

REZONING

2008-073: William H. Wilkerson

Councilman Page congratulated Mr. Wilkerson for having confidence in this city and the Hixson area and wished him great success in expanding his building. He stated he was not present last week to speak about it; that he and others in the community are excited about it.

On motion of Councilman Rico, seconded by Councilwoman Robinson,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED,
KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF
LAND LOCATED AT 4921 BRADINGTON AVENUE, MORE PARTICULARLY
DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO
AND MADE A PART HEREOF BY REFERENCE, 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.

ZONING

2008-074: Ken Pritchard

On motion of Councilman Rico, seconded by Councilwoman Robinson,
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 400 EAST MAIN STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS
passed second and final reading and was signed in open meeting.

RIGHT-OF-WAY NAME CHANGE

2008-077: City of Chattanooga c/o Bill Payne, City Engineer

On motion of Councilman Rico, seconded by Councilwoman Gaines,
AN ORDINANCE TO CHANGE THE RIGHT-OF-WAY NAME OF THE 5200 BLOCK OF POLK AVENUE TO THE 5200 BLOCK OF LOMNICK DRIVE, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE
passed second and final reading and was signed in open meeting.

ZONING

2008-085: David C. Miller

On motion of Councilman Rico, seconded by Councilwoman Robinson,
AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 1912 SOUTH WILLOW STREET, BEING MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, FROM C-2 CONVENIENCE COMMERCIAL ZONE WITH CONDITIONS TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS
passed second and final reading and was signed in open meeting.

SIGNATURE AUTHORIZATION

On motion of Councilwoman Robinson, seconded by Councilwoman Gaines,

A RESOLUTION AUTHORIZING THE MAYOR, AS THE CERTIFYING OFFICER FOR HUD ENVIRONMENTAL REVIEW PROCEDURES, TO DESIGNATE THE ADMINISTRATOR OF THE DEPARTMENT OF NEIGHBORHOOD SERVICES AND COMMUNITY DEVELOPMENT AND, IN HIS/HER ABSENCE, THE MANAGAER OF COMMUNITY DEVELOPMENT TO SIGN DOCUMENTS RELATIVE TO THE ENVIRONMENTAL REVIEW PROCESS AS REQUIRED BY FEDERAL REGULATIONS EFFECTIVE JUNE 1, 2008

was adopted.

OVERTIME

Overtime for the week ending May 16, 2008 totaled \$9,211.01.

PERSONNEL

The following personnel matters were reported for the various departments:

PUBLIC WORKS DEPARTMENT:

- **JOHN OWENS** – Suspension (2 days without pay), Crew Worker 1, Waste, effective May 9 and 12, 2008.
- **JASON H. SHELL, JIMMY A. MARTIN** – Hire, Plant Maintenance Mechanic, Waste, Range 11, \$29,544.00 annually, effective April 25, 2008.
- **DESHAWN P. CRISP** – Termination, Concrete Worker, City Wide Services, effective April 14, 2008.
- **ROBERT L. MARTIN** – Hire, Occupational Safety Specialist, City Wide Services, Range 17, \$39,592.00 annually, effective May 9, 2008.

CHATTANOOGA POLICE DEPARTMENT:

- **STEPHEN MARTIINI** – Resignation, Communications Officer, effective May 13, 2008.
- **JENNIFER MCCOY** – Resignation, Police Officer, effective May 14, 2008.

PERSONNEL (Continued)

- **CHRISTINE BURKE** – Resignation, Communications Officer, Sr., effective May 15, 2008.
- **CHAD BRADLEY** – Suspension (1 day without pay), Police Officer, effective May 13, 2008.

PERSONNEL DEPARTMENT:

- **LINDA MANNING** – Return from Family Medical Leave, Executive Assistant, effective May 16, 2008.

CHATTANOOGA FIRE DEPARTMENT:

- **ANGELA SYMINGTON** – Transfer, Executive Assistant, Range 14, \$34,634.00 annually, effective May 19, 2008.

PURCHASE

On motion of Councilman Rico, seconded by Councilwoman Gaines, the following purchase was approved for use by the Chattanooga Human Services Department:

MUSIC ROAD HOTEL, PIGEON FORGE (Only hotel with suitable facilities to accommodate this Conference)
R0109623

Early Head Start Training Event (State Wide Training Conference)

\$39,572.00

PURCHASE

On motion of Councilman Pierce, seconded by Councilwoman Berz, the following purchase was approved for use by the Public Works Department:

CHENEY LIME & CEMENT CO. (Lowest and best bid)
R0107686/B0005033

Bulk Lime Kiln Dust

\$32.00/ton

EMERGENCY PURCHASE

The emergency purchase of Redi Rock System for the Public Works Department in the amount of \$27,999.31, R0109279, issued to Bradley Tank and Pipe was duly reported and signed in open meeting.

STREET NAME CHANGE

Councilman Benson stated that he received a complaint today from a gentleman who has been keeping up with the change of street names for safety reasons and understands the issue of duplication of names and the problems 911 and other emergency services could have. He stated that he came to town trying to find an address downtown and there were no numerals and also noticed there were very few numerals on the entrances of buildings. He stated that he had an address to go to and asked if that could be a problem for 911.

Lee Norris responded "absolutely" and stated, in fact, it is a requirement all residences prominently display numerical addresses in front of their buildings; that it is unfortunate there is a multitude of people who do not comply. He stated that they try to ensure every time a new development project comes through this discussion is held with the developer. He stated short of going to each household or going from building-to-building it is an impossible task at this point in time.

Councilman Benson expressed appreciation to Mr. Norris and stated that it is his hope it could be enforced.

Mr. Norris asked that Council members forward the address, proposed address or owner of the building to him so that action could be taken.

PURCHASES

On motion of Councilwoman Robinson, seconded by Councilwoman Gaines, the following purchase was approved for use by the Chattanooga Fire Department:

SPEC RESCUE (Best proposal) R0106719

Technical Rescue Training

\$34,700.00

CANCELLATION OF CONTRACT

On motion of Councilman Pierce, seconded by Councilwoman Robinson, the following contract was cancelled for the Chattanooga Fire Department:

MUNICIPAL EMERGENCY SERVICES/MES R013596/P0027623

Niedner Fire House & Couplings *(The contract with MES was originally approved by City Council on November 20, 2007 in the amount of \$18,655.00; the contract delivery date was 30-45 days after receipt of the purchase order, however, MES has not been able to fill the order due to the manufacturer's inability to produce the fire hose. Cancellation of the contract is requested without penalty; the specifications will be revised to allow for additional competition and will be re-advertised.)*

PURCHASES

The following purchases were approved for use by the Chattanooga Police Department:

On motion of Councilman Rico, seconded by Councilman Pierce, the following purchase was approved:

SOUTHERN PRECISION ARMORY (Best bid) R0107687/B0005127

Simrad Night Observation Scope & Accessories *(The Night Vision Store submitted a lower bid, however, the scope they bid is a weapon specific system that must be re-zeroed before being deployed. The scope offered by Southern Precision Armory can be moved from weapon-to-weapon without any modifications.)*

\$11,941.90

On motion of Councilman Rico, seconded by Councilwoman Berz, the following purchase was approved:

Gulf States Distributors (Best bid) R0108672/B0005133

Sig Sauer Handguns *(Gulf States Distributors submitted a lower bid but it did not meet specifications.)*

\$33,250.00

PURCHASES (Continued)

On motion of Councilman Rico, seconded by Councilwoman Gaines, the following purchase was approved:

LOGOS IMAGING (Only bidder)

R0107689/B0005134

Digital X-Ray System

\$29,715.00

On motion of Councilman Pierce, seconded by Councilman Rico, the following purchase was approved:

TACTICAL ELECTRICS (Best bid)

R0107679/B0005121

Wireless Video Fiberscope *(The lower bid submitted by Olympus was ruled non-responsive and disqualified since they failed to submit the required bid document.)*

\$19,600.00

On motion of Councilman Rico, seconded by Councilwoman Berz, the following purchase was approved:

PATRIOT3, INC. (Only bidder)

R0107676/B0005119

Ladder Shield

\$12,077.00

BOARD RE-APPOINTMENTS

On motion of Councilman Rico, seconded by Councilwoman Gaines, the following board re-appointments were approved:

C-7 NORTSHORE BOARD:

- Re-Appointment of ***WILL WOMACK*** for a three year term expiring May 4, 2011 representing District 1;

BOARD RE-APPOINTMENTS (Continued)

- Re-Appointment of *SID HUNTLEY* for a three year term expiring May 4, 2011 representing District 2.

PURCHASE

On motion of Councilwoman Gaines, seconded by Councilman Rico, the following purchase was approved for use by the Department of Finance and Administration, Treasurer's Office:

LOOMIS FARGO & CO. (Only bid)
R0105692/B0004791

Armored Car Service with Three Year Options and Two Annual Renewals;
Amount should not exceed \$8,000 per year

\$389.00 Year One
\$408.45 Year Two
\$428.87 Year Three
\$450.31 Year Four
\$472.83 Year Five

PURCHASE

On motion of Councilman Rico, seconded by Councilwoman Gaines, the following purchase was approved for use by the Information Services Division:

EXCALIBUR INTEGRATED SYSTEM, INC.
R0105940/P0027902

Consulting Services

\$60,000.00

HEARING: LAWRENCE GOODINE

City Attorney Nelson stated the attorney has changed for the Lawrence Goodine hearing and has asked that the date be postponed to July 28. He stated that the panel now consists of Councilmen Rico, Berz and Franklin, with Councilwoman Robinson as alternate.

HEARING: LAWRENCE GOODINE (Continued)

Councilman Benson stated this is an unusual situation as the case has already been heard by the judicial court and is now before to us to reinstate. He stated he would not want to serve on the panel unless the entire Council served; that three members on this case are somewhat of a convoluted process and he would not want to be a party to it.

City Attorney Nelson expressed that he anticipates it will be a very lengthy hearing and it is better for Council members to check their calendars twice before requiring anyone to attend.

Councilman Pierce expressed agreement with Councilman Benson and stated the entire Council or at least five members should serve; that there might be one or two alternates.

Councilwoman Berz stated that she has a conflict with the date and would be in mediation training and indicated that she does not know anything about the case but can not serve on that day.

The hearing for Lawrence Goodine was rescheduled for Monday, July 28 beginning at 9 a.m. with Councilmen Bennett, Benson, Pierce, Rico and Robinson serving on the panel.

HEARING: SHAUN STANDIFER

City Attorney Nelson stated a request for hearing has been received from Shaun Standifer regarding his termination as Senior Firefighter from the Chattanooga Fire Department.

Councilman Pierce asked if the Council could know what Mr. Standifer was charged with to cause his termination.

At this point City Attorney Nelson read the letter from Mr. Standifer: *“... I wish to appeal the decision made to terminate my employment with the Chattanooga Fire Department. The decision was based on the results of a urine drug test performed on or about April 11, 2008. The test reportedly indicated the presence of amphetamines. As I stated in the Disciplinary Hearing, I do not use illegal drugs and did not use any illegal drugs prior to taking the test. I will present witnesses and evidence at the appeal hearing to justify reinstatement as Senior Firefighter with the Chattanooga Fire Department ...”*

HEARING: SHAUN STANDIFER (Continued)

A hearing for Mr. Standifer was scheduled for Monday, July 7 beginning a 9 a.m. with Councilmen Page, Berz and Pierce serving as the panel; Councilwoman Gaines volunteered as alternate.

TEMPORARY USE

Chairman Bennett stated last week during her absence a Resolution was adopted for temporary use on Aetna Mountain Road. She stated that she has received several calls even though the matter has been approved and wants to make sure all property owners are contacted and understand exactly what the temporary use entails. She stated there is an old history with the road being blocked off and property owners not having access and wanted to be sure that does not happen in this case. She stated she would continue to make sure it is open and transparent and that the community is very involved.

COMMITTEES

Councilman Rico scheduled a meeting of the **Public Works Committee for Tuesday, May 27 beginning at 3 p.m.**

KHALID HASHMI

Khalid Hashmi of 202 West 38th Street was present and indicated that he and his organization, the Chattanooga Community Council, have been working on civil rights issues.

At this point Councilman Pierce interrupted Mr. Hashmi and asked his residential address.

Mr. Hashmi responded 244 Bookout Road, Ringgold, Georgia, 30736 is his home address. He stated the Chattanooga Community Council asked him to distribute information regarding a Civil Rights Clinic scheduled for May 27 at 7 p.m. at the Southside Recreation Center. He read from a flier that was later distributed to Council members that referenced stopping violence, crimes and drugs, restoring civil and human rights and a disparity study that was not approved. He stated if Council members have any ideas on what he can tell citizens in this regard to please tell him. (A copy of Mr. Hashmi's flier is filed with minute material of this date.)

ADJOURNMENT

Chairman Bennett adjourned the meeting of the Chattanooga Council until Tuesday, May 27, 2008 at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL

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