

City Council Building
Chattanooga, Tennessee
April 3, 2012
6:00 p.m.

Chairman Ladd called the meeting of the Chattanooga Council to order with Councilmen Benson, Berz, Gilbert, McGary, Murphy, Rico, Robinson and Scott present. City Attorney Michael McMahan, Management Analyst/Auditor Randy Burns and Council Clerk Carol O'Neal were also present.

PLEDGE OF ALLEGIANCE/INVOCATION

Following the Pledge of Allegiance, Councilwoman Berz gave the invocation for the evening.

MINUTE APPROVAL

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

SPECIAL PRESENTATION: PROCLAMATION FOR "FAIR HOUSING MONTH"

Beverly Cosley, Director of the Office of Multicultural Affairs (OMA), read a proclamation proclaiming the month of April as "Fair Housing Month", which has been spread upon the minutes:

PROCLAMATION

Whereas: April 11, 2012 marks the 44th anniversary of the passage of the U.S. Fair Housing Law, Title VIII of the Civil Rights Act of 1968, which declares a national policy of fair housing throughout the United States making it illegal to discriminate in the sale, lease or rental of housing, or making housing otherwise unavailable, because of race, color, religion, sex, disability, national origin or familial status; and

SPECIAL PRESENTATION: PROCLAMATION FOR
"FAIR HOUSING MONTH" (Continued)

Whereas: The City of Chattanooga and its Office of Multicultural Affairs, working with other local housing organizations, associations, businesses and concerned individuals, is committed to promoting the U.S. Fair Housing laws throughout our communities, as we strive to educate the public about the right to equal housing opportunities, and collaborate efforts with other organizations in assuring citizens of their right to fair housing; and

Whereas: Equal housing opportunity is a condition of life in our City of Chattanooga, Hamilton County that can and should be achieved

Now Therefore,

I, Ron Littlefield, Mayor of the City of Chattanooga,

do hereby proclaim the month of April, 2012 as

Fair Housing Month

And Furthermore, be it resolved the City of Chattanooga commence a month-long commemoration of the U.S. Fair Housing Law in Chattanooga, Tennessee and urge all Citizens to wholeheartedly recognize this celebration throughout the year.

In Witness Whereof, I have hereunto set my hand and caused the

Seal of the City of Chattanooga to be affixed this the

1st day of April, 2012

Ron Littlefield, Mayor

Mrs. Cosley stated the Department always has annual events marking Fair Housing which they will have this week in collaboration with other organizations. She acknowledged the presence of a few of the organizations present in support of Fair Housing Month and introduced Robert Knoes, Government Affairs Director; Bonnie Curry, Executive Director of the AIM Center; Bessie McCright, Executive Director of CHA; and Dr. Barbara Medley, Chair of the Board of OMA. She expressed appreciation to all the organizations and the many, many others who provide housing opportunities for people of the city.

AMEND CAPITAL BUDGET

On motion of Councilwoman Berz, seconded by Councilman Gilbert,
AN ORDINANCE TO AMEND ORDINANCE NO. 12534, ENTITLED "AN ORDINANCE APPROPRIATING, AUTHORIZING OR ALLOCATING FUNDS TO THE CAPITAL IMPROVEMENTS BUDGET FOR THE FISCAL YEAR 2011/2012" SO AS TO PROVIDE FOR CERTAIN CHANGES TO REVENUES AND APPROPRIATIONS IN SECTION 1 AND PROVIDE FUNDING FOR STREET AND OUTDOOR LIGHTING IMPROVEMENTS WITHIN THE CITY LIMITS"

passed second and final reading; Councilmen Scott and Ladd voted "no"; Councilman Benson abstained.

GRAFFITI RELEASE AUTHORIZATION

On motion of Councilman Rico, seconded by Councilman Murphy,
A RESOLUTION AUTHORIZING THE MAYOR, ANY INDIVIDUAL CITY COUNCIL MEMBER OR COORDINATOR OR ASSOCIATE COORDINATOR OF THE CITY'S GANG INITIATIVE TO SIGN A GRAFFITI RELEASE ON BEHALF OF THE CITY OF CHATTANOOGA

was adopted.

SPECIAL POLICEMAN

On motion of Councilman Rico, seconded by Councilman Murphy,
A RESOLUTION AUTHORIZING THE APPOINTMENT OF COREY SENICH AS A SPECIAL POLICE OFFICER (UNARMED) FOR THE CITY OF CHATTANOOGA PUBLIC WORKS DEPARTMENT, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS

was adopted.

SPECIAL POLICEMAN

On motion of Councilman Rico, seconded by Councilman Murphy,
A RESOLUTION AUTHORIZING THE APPOINTMENT OF TRISTAN JOHNSON AS A SPECIAL POLICE OFFICER (UNARMED) FOR THE CITY OF CHATTANOOGA PUBLIC WORKS DEPARTMENT, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS

was adopted.

BLUECROSS/BLUESHIELD INSURANCE

On motion of Councilman McGary, seconded by Councilman Gilbert,

A RESOLUTION AUTHORIZING (1) ACCEPTANCE OF BLUECROSS/BLUESHIELD OF TENNESSEE'S PROPOSAL TO PROVIDE ADMINISTRATION SERVICES FOR SELF-INSURED HEALTH AND HOSPITALIZATION BENEFITS FOR CITY EMPLOYEES AND RETIREES; (2) THE PURCHASE OF BLUEADVANTAGE FOR ELIGIBLE RETIREES; (3) THE PURCHASE OF BLUECROSS DENTAL PLAN; (4) THE PURCHASE OF BLUECRSOSS VISION PLAN; (5) THE PURCHASE OF STOP LOSS INSURANCE; AND (6) AUTHORIZING THE MAYOR TO NEGOTIATE AND EXECUTE CONTRACTS FOR SAID PRODUCTS AND SERVICES, INCLUDING RENEWAL PROVISIONS FOR TERMS NOT TO EXCEED FIVE (5) YEARS

was adopted.

AMEND RESOLUTION 27052

On motion of Councilwoman Scott, seconded by Councilman Rico,

A RESOLUTION TO AMEND RESOLUTION NO. 27052 ENTITLED, "A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR AND, IF APPROVED, ACCEPT A TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION (TDEC) GRANT FOR THE COLLECTION OF HOUSEHOLD HAZARDOUS WASTE, IN THE AMOUNT OF EIGHTY-FIVE THOUSAND DOLLARS (\$85,000.00)." BY CHANGING THE GRANT AMOUNT FROM EIGHTY-FIVE THOUSAND DOLLARS (\$85,000.00) TO ONE HUNDRED SEVENTY THOUSAND DOLLARS (\$170,000.00)

was adopted.

SPECIAL EXCEPTIONS PERMIT

2012-038: Charles Patterson

The applicant was present; opposition was in attendance.

Bryan Shults, Senior Planner with the Regional Planning Agency (RPA) briefed the Council on this and stated the request is located at 4021 Hixson Pike at the corner of Ashland Terrace and Hixson Pike and has been used as a nightclub for several years. He stated it is located in a C-2 zone and has occupancy greater than 100; that the request is for a permit for alcohol and beer sales beyond 11 p.m.

SPECIAL EXCEPTIONS PERMIT (Continued)

Councilman Benson asked if the applicant is asking for a special permit to go beyond 11 p.m. to which Mr. Shults responded "correct". He then stated without the special permit the operation would have to stop at 11 p.m., to which Mr. Shults responded "yes". He then clarified that the only thing the Council is deciding is whether they can go past 11 p.m., to which Mr. Shults responded "correct".

Mr. Shults stated this is a request for a late night entertainment/event facility and/or nightclub which is any commercial establishment with an occupancy greater than 100 people serving alcohol on the premises and is characterized by festival seating, defined seating in the establishment, video or live entertainment, a dance floor, operating hours after midnight, low lighting levels, a stage or platform and serves/allows alcohol for consumption between 11 p.m. and 3 a.m. He stated the ordinance specifies any doorway, deck, patio or any such use shall be located more than 750 feet away from the nearest boundary of any residential zone; that it specifies "boundary" not a "residential structure". He stated the ordinance states the buffer may be decreased in part or entirely by the Council and additional conditions can be imposed and referenced the previously approved/denied special exception permits that have come before the Council. He stated as part of the ordinance RPA has to send a letter to those 200 feet in proximity to the request, noting that 18 notification letters were mailed. An aerial view of the request was shown with other businesses located close by; that a site plan was submitted reflecting a distance of 160 feet to the nearest R-1; that based on his measurements there is 160 feet from the nearest R-1 and noted that the front door does not comply with the 750 distance and the land use is a commercial corridor. He stated in conjunction with the Staff, Fire Department, Fire Marshall's Office, the Regulatory Bureau of the Chattanooga Police Department, Code Enforcement and Traffic Engineering ten conditions have been recommended which were read at this time.

Councilman McGary inquired as to the hours of operation being requested. The applicant responded "12 noon to 3 a.m." He then asked the occupancy of the building. The response was "234". He then asked the hours of operation of the bar across from the location and the occupancy number. Mr. Shults responded that he did not know to both inquiries.

Charles Patterson stated he is applying for the special permit and is a 20 year military person retired with two tours to Vietnam; that he has a Purple Heart and two Bronze Stars to give an idea of the discipline and motivation he brings.

SPECIAL EXCEPTIONS PERMIT (Continued)

Mr. Patterson stated he retired after 22 years with the Postal Service and started the business because his wife passed way from COPD last May and was "going nuts" just being around the house and had to find something to do. He stated he signed the lease for this facility not aware of all the problems the place had in the past and definitely understands why the people who live around there feel as they do; that if he were in their position he would have done the same as far as closing down the previous place. He stated everyone is in business to make a profit and with his pension and retirement he does not need to "pull" profits from this; that he is providing jobs for friends and contributing to the revenue of the community. He stated he has been open since February 17 with no incidents and no complaints that he is aware of from the neighbors regarding noise. He stated he and his partner walked to the Creek to test the decibel level so as not to create a nuisance; that their goal is to be a good neighbor. He stated he does have some community support and a couple of people are present today to speak on his behalf.

Dan Payne, a pilot and small business LLC owner, stated he met Mr. Patterson six weeks ago and grew up directly behind Ms. Hiatte. He stated there was conversation earlier about opportunity and the citizens of Chattanooga and does not understand why 11 p.m. – 3 a.m. would be an issue when not one complaint has been issued since this opened with liquor and alcohol sales. He asked what is to stop someone at 11 p.m. when Rumors is down the street or the next door establishment, the North River Pub, or further down the street to Diamond's Billiards. He stated he would think someone who has served our country, was a postal worker double retired should have this opportunity stay open until to 3 a.m.

Rick Tucker of 1144 Forest Plaza Circle stated he is the eighth house from Norcross up Forest Plaza Circle and noted he and his wife live in the house he grew up in; that he has lived there 25 years and there have been problems with former tenants noting that the one before this was a major trouble maker. He stated the first day he walked into Mr. Patterson's establishment he introduced himself and told him he lived behind the place and wanted him to know he would not put up with the shenanigans of before and Mr. Patterson assured him he would do everything in his power to make sure this was a place the residents and community could come an enjoy. He stated he and his wife go there at least once a week and on weekends and they have the best hamburgers in town; that there are pool tables and karaoke and if the Council denies anything, deny the karaoke!

SPECIAL EXCEPTIONS PERMIT (Continued)

Mr. Tucker stated Mr. Patterson is an honest individual; that he and his wife are not there after 11 p.m. and they are pleased there are no problems and no sound coming up the street. He expressed hope the Council would give Mr. Patterson a chance; that he (Patterson) has told him if there are problems in his establishment he would take care of it himself and takes him at his word in the hope he can make the place a huge success. He stated the clientele is not the usual kind that goes to bars as it is middle aged people and older having a good time; people who want an outlet to have a good time and not worry about getting in trouble.

Jack Bryden, owner of the place stated the building has been in the family for over 50 years and most of the tenants have been first class tenants and occasionally he has had a "bad apples". He stated these guys are first class people and are going to do everything in the world to make sure the neighbors are not offended by anything they do and as one of the owners he is behind that. He stated it seems the sound barrier is one of the things that has been talked about and if it comes to that the owners will put up a sound barrier.

Councilman McGary asked the first two gentlemen who spoke if they lived within the community; both responded that they do. He asked if either have had conversations with others in the immediate vicinity of the neighborhood and what is their sentiment.

Mr. Payne stated a gentleman in the audience has lived behind the establishment for more than 20 years and this has been the quietest one he has ever experienced.

The person in the audience stated Mr. Payne is not speaking as the homeowner because he is the homeowner!

Councilman McGary asked if the gentlemen have spoken with others in the immediately vicinity and the response was "yes".

Councilman Benson stated Rick Tucker has volunteered at the McKamey shelter and is community minded and asked for clarification there has been absolutely no noise or anything under the present operation. Mr. Tucker responded "right" as he has been there with his wife with both go home before 11 p.m.

SPECIAL EXCEPTIONS PERMIT (Continued)

Councilman Benson stated what Mr. Patterson is asking for is to stay open until 3 a.m. and if anyone knows anything about drinking it gets worse and louder after midnight, clarifying that he has been told that! He stated he would have to judge this on staying open until 3 a.m. Mr. Tucker asked that Mr. Patterson be given a chance.

Councilman Benson stated that would be "opening the door" and asked how hard revocation is. Mr. Shults reminded the Council the ordinance indicates the permit can be revoked and has procedures and "spells out" how it can be revoked.

Mary K. Hiatte of 1132 Forest Plaza Circle spoke in opposition and distributed maps and requested the matter be denied. She stated she was present on behalf of some of the Forest Plaza residents, some of whom were present; that she has lived at the address for 26 years and has been through numerous, numerous owners of this establishment. She stated the current establishment is quiet because it is closed at 11 p.m. and if it is open until 3 a.m. it will not be as quiet and will hear the music and bands and things they are asking for. She stated the facts are simple and she contacted each member of the Council by telephone or e-mail and there is a rule and they do not meet the requirements of the rule and respectfully asked that the permit be denied as it is a residential neighborhood. She stated she heard it said that Mr. Patterson wants this to be a neighborhood tavern and noted that she does not want a neighborhood tavern as there are small children across the street from her in pre-school. She stated there was a shooting at the bar, not under Mr. Patterson but under the current owner, the noise is incredible at times; that there were people out two nights ago and she had to go out the back door with her dogs because there were people in the back in the grassy area; that she is not sure they plan to use it for parking yet it is used for parking. She distributed the maps so the Council could see her property line goes over into their property, as well, and crosses a ditch. She stated unfortunately the tornado of April 27 took out many of the buffer trees and the Electric Power Board cut a lot of the trees in the neighborhood; that she has planted trees to help. She stated the residents did not close the last bar as it was actually the Beer Board that revoked the license; that the matters are very simple and there is rule and they do not meet the requirements and asked for denial.

(At this time Chairman Ladd again requested those with cameras to please go to the media box and not in the galley area.)

SPECIAL EXCEPTIONS PERMIT (Continued)

Paul Payne of 1136 Forest Plaza Circle stated his property is directly behind the club; that in spite of the good and bad he is looking at the map. He stated the map from the RPA mentioned the buffer zone is based on the proximity to a residential zone, not a residential structure; that if the Council looks at the closest point at the triangle, according to a state survey he had done on his property in years past it states it is 50 feet into the parking lot of the club which puts that front door of the club approximately 60-70 feet, not 160 feet. He stated whoever makes the decision on this should take that into consideration.

Charles Owen stated he lives in the neighborhood and not adjacent to the property; that he is the Vice President of the Forest Plaza Neighborhood Association and they became aware of this in the last meeting; that there was large opposition to the establishment of this place due to its previous histories. He stated he can only speak personally and is not directly affected by this place; that he looked at the restrictions and is absolutely convinced should the Council vote positively there needs to be more limitations on the buffer zone; that as an Association they have not had a chance to get to know any of the people that have expressed positive comments on this, nor do they know the plan. He stated as a group they wanted to show up to say they are concerned about the property being granted a permit from 11 p.m. – 3 a.m. and would like to see more in the way of controls. He stated from the little information they had at the last meeting and the concerns of the people in attendance they are concerned with this going forward at this time which is their information position and his position as a citizen of the neighborhood.

Councilwoman Robinson stated the first thing she would like to lead off saying is that it is obvious Mr. Patterson is a really fine gentleman, first class and served his country; that he is a man of good motives and expressed concern for neighbors. She stated the second thing she wants to say from the outset is she has received a number of phone calls not only from the Forest Plaza subdivision but from the Fairfax Heights area across the street and at this point several hands were raised. She stated she is going to represent the people who live in the subdivisions by not supporting this and emphasized that Mr. Patterson has started off very responsibly running a good business and does not hear any opposition to the way he has been there now which is a nice bar with great hamburgers, cold beer and lots of fun but he is closed and not serving alcohol after 11 which is working. She stated he has also told us this is something that he has undertaken as a good neighbor, enjoying it and it is a change of pace as a new career, but not necessarily the money motive.

SPECIAL EXCEPTIONS PERMIT (Continued)

Councilwoman Robinson stated it is her thought he has a good thing going there and others are okay with it; that her opposition to supporting this is based on two things: one is what the neighbors have said as they worry about the 3 a.m. departure time for people leaving and having a good time, slamming doors and leaving at 3 .m. in the morning, backed up by the fact it is only 160 feet or perhaps 50-60 feet away from the homes that "ring" the back lot. She stated that sums up her take on this based upon the contact she has had from the Forest Plaza Neighborhood Association and the Fairfax Heights Neighborhood Association, as well.

Councilman McGary stated he listened to the conversation and the demographics and asked if this is an older, more mature crowd vs. a young one and wondered how much of that would remain and asked the Mr. Owen if there was a condition tied to this particular request they would put up a sound barrier and he would be more for it or against it period.

Mr. Owen stated as an Association it came to them recently and they had less time to even consider that; that his position is he is not directly affected so he understands the concerns of those who back up to his directly; that he understands any time there is a place with a buffer zone that has been depleted and tornadoes taking sound barriers and trees away something has to be done. He stated from a personal position he has not found enough information to have that buffer put in place and not sure he has enough information; that he has not heard anything about whether it be a neighborhood pub, older clientele and has no way of knowing.

Councilman Gilbert asked if Mr. Owen I saying if this was deferred he could have more discussion with the owner of the facility.

Mr. Owen stated from his personal standpoint and the Association they have not had a formal discussion or seen plans; that the general attitude of those present was that they did not have a formal position; that those like Ms. Hiatte would be against it due to previous history.

Councilman Gilbert asked how much time it would take to get the Association together to sit down and discuss this – a week or two weeks.

Mr. Owen stated they have monthly meetings and could bring it before the next meeting to discuss but that would not give adequate time as their meeting is two days from now.

SPECIAL EXCEPTIONS PERMIT (Continued)

Councilman Gilbert inquired as to the next meeting day. Mr. Owen stated it is Thursday, two days from now; that they moved from Tuesdays to Thursdays.

Councilman Gilbert stated if this is deferred they could sit down and discuss it. Mr. Owen stated that would be his personal feeling; that the general process was they were against this place reopening in that capacity, especially 11 p.m. – 3 a.m.; that as Councilman Benson mentioned people do get rowdy after 11 p.m.

Councilwoman Scott stated in looking over the information from before it is her understanding the parking had not been approved yet by the Traffic Engineer. Mr. Shults stated that is correct; that the site plan has 39 spaces and 53 are required.

Councilwoman Scott stated if she understands correctly she heard 234 people is what the occupancy is according to the Fire Department. Mr. Shults stated that is his understanding.

Councilwoman Scott stated in looking at this site and we do not have the number of parking spaces for the site now then it looks like they would have to wind up parking in the grassy area which would put those patrons actually even closer to where the residential homes are. She stated if there is a conflict with regard to the gentleman that spoke earlier about there being a question of where someone's property begins and another use starts, she would have some very great concerns about approving a permit under those conditions not knowing whose land is being used for what, especially if those parking spaces would have to come out of that land which may not be owned by the owners. She asked who this permit will be totally issued to, the owner of the property and the business owner, is it one individual, is it three . . .

Mr. Shults stated the applicant for beer is Mr. Bryden, the property owner.

Councilwoman Scott stated there are two persons. Mr. Shults stated Mr. Bryden is the property owner based on the record on subdivisions lots as they exist today.

Councilwoman Scott stated what we will be asked to do is to approve the permit based on not having the appropriate number of parking spaces for 234 possible potential occupants that might go into the grassy area even closer to two homes that lost the buffer between where this facility would be and the residential neighborhood.

SPECIAL EXCEPTIONS PERMIT (Continued)

Mr. Shults stated that is correct; that parking is based on the square footage of the establishment and not the occupancy capacity.

Councilwoman Scott stated she has great difficulty with this; that the fact that the owner of the property was the owner under the previous business. She stated it is her thought there were drugs, a shooting and gambling involved, all of this going on over a long period of time; that it concerns her because those things are bad enough but the distance to the residential properties is not going to change regardless of who the owner is and that is a problem in her mind.

A call for the motion was made at this time.

Councilwoman Robinson made the motion to deny the request; Councilman Benson seconded the motion.

On motion of Councilwoman Robinson, seconded by Councilman Benson,
**A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR USE
OF A LATE NIGHT ENTERTAINMENT CENTER LOCATED AT 4021 HIXSON
PIKE, AS MORE PARTICULARLY DESCRIBED IN THE ATTACHED REPORT,
MAPS, AND DRAWING, SUBJECT TO CERTAIN CONDITIONS**
was denied.

OVERTIME

Overtime for the week ending March 29, 2012 totaled \$4,512.20.

PERSONNEL

The following personnel matters were reported for the various departments:

PARKS AND RECREATION:

- **THOMAS BATTLE, JR.** – Hire, Recreation Specialist, Range 9, \$26,798.00 annually, effective March 23, 2012.
- **JAMIE CHRISTOPHER** – Hire, Park Ranger, Range 4, \$22,350.00 annually, effective March 26, 2012.

PERSONNEL (Continued)

PUBLIC WORKS:

- **KENNETH BATES** – Hire, Crew Worker 1, Range 2, \$22,350.00 annually, effective March 23, 2012.
- **GARY YOUNG** – Retirement, Chief Maintenance Mechanic, Waste Resources, effective March 29, 2012.

CHATTANOOGA FIRE DEPARTMENT:

- **RANDY STARGIN, JR.** – Suspension (2 days without pay), Firefighter Senior, effective January 14, 2012 and February 17, 2012.
- **DANNY PATTERSON, DAMIEN VINSON, RICHARD PHILLIPS** – Promotion, Fire Lieutenant, Range F3A, \$43,358.00 annually, effective March 19, 2012.
- **DAVID HULLANDER** – Termination, Firefighter Senior, effective March 16, 2012.
- **KENNETH ATKINS** – Termination, Fire Captain, effective March 16, 2012.

CHATTANOOGA POLICE DEPARTMENT:

- **DAVID YOUNG, JR.** – Return to Duty from Military Leave, Police Officer 3, effective March 26, 2012.
- **THOMAS KENNEDY** – Promotion, Deputy Police Chief, Range 30, \$94,502.00 annually, effective March 30, 2012.
- **RANDY DUNN, KIRK EIDSON** – Assistant Police chief, Range P9, \$80,000.00 annually, effective March 30, 2012.

DONATIONS

Admin. Swafford duly reported the donation of \$1,538.99 from United Way and Miss Mag Child Care Center to be used to assist clients with energy crisis and a non-monetary donation from Read 20 Program and Woman's Way Journal for books and magazines in an estimated value of \$526.00.

HOTEL PERMITS

On motion of Councilman McGary, seconded by Councilman Rico, the following hotel permits were approved:

- **HOMEWOOD SUITES-HILTON CHATTANOOGA**, 2250 Center Street, Chattanooga, TN
- **QUALITY SUITES** – 7324 Shallowford Road, Chattanooga, TN
- **RESIDENCE INN** – 2340 Center Street, Chattanooga, TN
- **SLEEP INN** – 2351 Shallowford Road, Chattanooga, TN
- **SUPER 8** – 7028 24 McCutcheon Road, Chattanooga, TN

EMERGENCY PURCHASE

The emergency repair to Replace Chiller in City Hall for the General Services Department on R53804 to Jake Marshall, LLC in the amount of \$220,000.00 was duly reported and signed in open meeting.

PURCHASES

On motion of Councilman Rico, seconded by Councilman McGary, the following purchases were approved for use by the various departments:

GENERAL SERVICES:

MOUNTAIN VIEW FORD (Overall lowest bid, Best complete bid) **R53312/301717**

Blanket Contract for Police Interceptor Vehicles

\$1,750,000.00 – Annual approximation

VILLAGE VOLKSWAGEN (Best bid) **R52577/301735**

Blanket Contract for Mid-Size Diesel Sedan Vehicles

\$250,000.00 – Annual approximation

PURCHASES (Continued)

PUBLIC WORKS:

SMITH & LOVELESS, INC. (Lower and better bid)
R55498/301745

Purchase of an Electric Motor with Pump

\$37,465.00

ELECTRIC MOTOR SALES & SUPPLY (Lower and better bid)
R55778/301778

Purchase of a 480V Bus Duct

\$41,962.00

CHATTANOOGA FIRE DEPARTMENT:

MERIDIAN MEDICAL TECHNOLOGIES (Lowest and best bid)
R54941/301716

Purchase of Thirty (30) Cyanokits

\$19,500.00

NEIGHBORHOOD SERVICES

HARRIS COMPUTER SYSTEMS (Single source)
R56624

Purchase of City View Software Maintenance per TCA 6-56-304.2

\$12,023.12

PURCHASES (Continued)

CHATTANOOGA POLICE DEPARTMENT:

MORPHOTRAK (Single source)

R55775/301805

Software Maintenance and Support per TCA 6-56-304.2

\$23,142.00

INFORMATION SERVICES:

DLT SOLUTIONS (Agreement with State of Tennessee)

R57248

Required Software Support for Oracle per State Contract Number 20961 per Contract Number 20961

\$118,699.57

RIVERBEND CONTRACT/BESSIE SMITH STRUT

Councilman McGary stated in the news recently and in conversations there has been discussion around the decision by our Mayor concerning the possibility of moving the Bessie Smith Street and being the Council person representing District 8 he has had numerous conversations about this issue and the opportunity to participate in meetings concerning this issue. He stated it goes with saying there is a lot of concern, confusion and consternation around the issue and therefore would like to make the following motion and if he could get a second from a Council person (he) would like to see this item added to the Council's agenda next week with the City Attorney's office being kind enough to draft it. He **stated in light of the hasty manner in which the decision was made to move the Bessie Smith Strut, in light of the three week time frame by which a decision was made, also in light of the fact no stakeholders from the M. L. King Merchants Association or community members were present at that meeting, also in light of the fact we as a Council have received notice there is a move by people to actually go to the M. L. King Strut on that night, also the fact Friends of the Festival would not hold an event on the night of the Strut and**

RIVERBEND CONTRACT/BESSIE SMITH STRUT
(Continued)

would actually shut down all activities for that evening, also in light of the fact in his meeting at 5 p.m. the M. L. K. Merchants Association stated they also have made a decision to send out word for the need of more volunteers to increase their security measures, he asked that next week a motion be placed that we as a Council would direct the police department, also the Beer Board and any other concerned individuals responsible for insuring that the M. L. King Strut takes place and asked this body to offer support toward the same and that would be on our agenda next week. Councilman Gilbert seconded the motion.

Councilwoman Scott stated in light of the document Councilman McGary presented earlier where essentially the City Council back in 2008 actually authorized the Mayor to make a decision regarding this if she understands correctly the document and the authorization does not run out until the end of June.

Councilman McGary stated the document does not concern the Bessie Smith Strut; that document only represents the Friends of the Festival concerning the Riverbend, not the Strut.

Councilwoman Scott stated it was her thought the entire program was under the auspices of Friends of the Festival.

Councilman McGary stated that is not his understanding; that the Bessie Smith Strut is administered by the M. L. King Merchants Association and Riverbend is facilitated by the Friends of the Festival.

Councilwoman Scott asked if there are no funds whatsoever out of the Friends of the Festival that goes toward the bands.

Councilman McGary that is not included in the contract that is referenced; that it is his understanding the initial funding for the M. L. King Strut was actually funded by a private individual and that funding is not discussed in the contract being referenced; that he would be happy to furnish both of the contracts and she would be able to see.

Councilwoman Scott stated she has not had chance to read the documents and is a little confused now; that last night she looked at the lineup and under the Friends of the Festival it listed numerous bands and of the Friends of the Festival bands listed two were part of the Strut which made her think they were being paid within the Friends of the Festival and that is her confusion.

RIVERBEND CONTRACT/BESSIE SMITH STRUT
(Continued)

Councilwoman Scott stated it is one thing to authorize someone the authority and this happened before Councilman McGary and several were on the Council; that she was not here and does not know all the details, but once someone has been authorized to negotiate a contract with an entity and it does not expire until a certain amount of time she wanted to make sure we understand – and that she understands – what we are doing. She asked did the Council say in 2008 there is the authority to act and make those decisions and now before that runs out we are going to circumvent that process and she is not clear on that and that is her question.

Councilman McGary expressed understanding for Councilwoman Scott's concern and noted that he had copies of the contract for all Council persons' review and read the caption of the Resolution: "*A resolution authorizing the administrator of the Department of Parks and Recreation to execute a five-year license agreement with Friends of the Festival to hold the annual Riverbend Festivals*". He stated the language is very specific

Councilwoman Scott asked if Councilman McGary is asking for a vote tonight.

Councilman McGary responded "no"; that he is asking for next week that there be an item on the agenda by this body expressing unanimous support for the M. L. King Merchants Association to hold the Bessie Smith Strut on M. L. King Boulevard and that they would receive all necessary support from both Police and the Beer Board to do so.

Several in attendance attempted to applaud at this time to which Chairman Ladd cautioned them not to do so as it is very disruptive to the meeting.

Councilman Benson asked for a copy of Councilman McGary's motion; that he is afraid that we are doing some of the very things he told the Mayor he (Benson) thought was wrong in this decision noting that he told him he did not think the decision is wrong but it is his thought the process was wrong. He stated this is the wrong process from what he understands this motion is right now and he does not want to try to correct something with something that is just as wrong. He stated the reason he says this is wrong is if anyone in the room and heard the information the Mayor finally gave to us that was what was wrong with process, it should have been given to everybody sooner – the Council, the citizens and the M. L. K. Merchants Association of which he has heard are only three members and would like to see the list of the paying membership because he does not know what kind of entity it is and was very viable at one time.

RIVERBEND CONTRACT/BESSIE SMITH STRUT
(Continued)

Councilman Benson expressed disagreement with the process and disagreement personally with the decision until he got the information; that when he got the information we all got today it is scary and he cannot live with himself with that being the only information and then proceed with something that would jeopardize the lives and safety of somebody. He stated a great problem he has is we are competing right now with Huntsville for another industry at the Volunteer site and two things Huntsville can use against Chattanooga is the pollen problem and the other is the weekly shootings and people getting gunned down on the streets which is nationwide but Chattanooga is getting identified specifically for that. He stated when he heard what the Police Chief said today about what they were so fearful about would happen based on the past few years of experience he cannot vote for it and can vote for replacement, not necessarily down there; could vote for reorganization but not the way it is now. He asked that Councilman McGary read his motion again.

At this time Councilman McGary restated his motion: In light of the hasty manner in which the decision was made, in light of the fact the decision was made in three weeks notice whereby no stakeholders were included in the meeting, whereby it is his understanding the Friends of the Festival do not intend to have an event on the night of the Strut, whereby it is his understanding there is a movement among the people to actually "occupy MLK" whereby they plan to attend the Strut, in light of the fact the Merchants Association of MLK have issued a call for a larger number of volunteers and are willing to increase their security measures, he is asking this Council to support a resolution to support the M. L. King Merchants Association towards all things necessary toward putting on the event for the Bessie Smith Strut.

Councilman Benson stated he cannot support the motion; that it depends upon how stakeholders are defined; that he defines all the citizens of Chattanooga as stakeholders.

Councilman Gilbert spoke at this time and stated he does not see it that way; that stakeholders are the ones putting the Strut on and anything in the city is based on who does the function and again expressed disagreement with Councilman Benson's statement. He stated Chief Dodd made a statement that he has concerns and we listened and Councilman McGary brought the concerns to the merchants at 5 p.m. today.

RIVERBEND CONTRACT/BESSIE SMITH STRUT
(Continued)

Councilman Gilbert stated the merchants listened and the concerns Chief Dodd had they probably could do because one was identifying persons inside the Strut, the pin or band to control the merchants to assure the merchants are from Atlanta and not from here, the way in-and-out and the volunteers are things they can accomplish. He stated if it is a safety issue and if that is the Mayor's concern it seems he would create more problems because people will "stretch out" our police force if they have the event at Riverbend, the police cannot police both areas at the same time; that they can do it but will it put them in jeopardy because people will show at the Strut. He referenced Facebook and the e-mails back-and-forth, so people will be there; that there is not a question if they will be there or not, they will be there! He stated if the merchants are willing to work to answer the concerns of the Chief we should allow them to do that and there should not be a question as we should allow them if they can do that and answer the questions he came up with which were legitimate questions. He stated based on what he heard at 5 p.m. they can do this and actually put together something to actually have a Strut on M. L. King Boulevard and we need to look at that and what the concern is. He stated "yes" it was an administrative decision by the Mayor who says his decision is based on safety and we are addressing the safety issue. He stated if it is a safety situation then we need to look at what they are proposing if there is a safety issue.

Councilman Murphy spoke next stating that this idea of the Mayor's to relocate the Strut is one he thinks was motivated by concerns about responsibility and safety; that it came from a good place as it came from concern about being responsible and keeping people safe. He stated we had a discussion this afternoon and it is his thought there are other options to keep people safe and be responsible; that it is his thought we could find money in our budget to fund magnetometers that are portable and installed in the entry. He stated the days of unaccompanied packs of minors should probably come to an end; that there has to be better physical control to the perimeters of the Strut – all those things! He stated he also knows our police officers have had "fits" at the Strut when it is time to close down getting people to cooperatively move which is when people decide they do not want the party to end and are angry because the party is going to end and punch someone and then a fight starts – these things do happen; that there are real problems we should have been talking about eleven months ago.

RIVERBEND CONTRACT/BESSIE SMITH STRUT
(Continued)

Councilman Murphy continued by stating last week he was not on vacation but was an economic and community development research trip with five other members in the community and happened to be the only white guy in the group. He stated he heard about this idea in a way that was hurtful to him when someone he was traveling with got called by the Mayor or someone in his office to ask if they could please come to a meeting the Mayor was holding the next day, Wednesday of last week. He stated the talked with Councilmen McGary and Gilbert and the Mayor did not reach out to any of us who represent the majority minority districts in this city before he announced his idea, noting that is very hurtful but expressed that he still believes the Mayor's decision came from a place of trying to be responsible and concerned about safety and no other place as clumsily and, in his opinion, foolishly as he handled this. He stated there are other options and would ask the Mayor to reconsider, ask our event planning people to think about all possibilities we could maintain in this community tradition, but cannot support Councilman McGary's motion for the simple reason if he tells Chief Dodd to do what he is saying to do and the Mayor says "no" where does that leave him; that it is his thought as we have seen if we wind up in a lawsuit we will lose because he (Dodd) does not work for us. He stated we have to approve his hiring and his firing, but we cannot hire or fire him on our own; that it puts Mr. Leach in an even worse place as the Mayor can fire him all on his own and does not need our "blessing". He asked that the Council be persuasive and polite and ask the Mayor to please think about the fact that he agrees with Councilman Gilbert and thinks as it is sets up a more dangerous situation, not less. He stated he would gladly support a resolution asking the Mayor to look at the other options and reconsider; that the worst case scenario is the contract expires, we will have a new Mayor and if we have continued community support we can get it right and bring it back immediately next year and would rather it not go away and the Mayor reconsider, but at the end of the day he is not prepared to set up a struggle of powers when we do not have the power and knows we do not. He stated the Council can defund something and asked if the Council takes the Chief's car away would that change his mind to which the Chief replied "again"!

In response to Councilman Murphy, Councilman McGary stated if he (Murphy) listed to every item in his motion he is trying to build a case that a decision was made hastily, that the stakeholders were not involved, that it is his understanding from Friends of the Festival they will not hold an event on the night of the Strut; that currently the police department has been instructed to police the Strut as held in Riverbend; that it is his understanding there will not be a Strut at Riverbend and will not have any events on that particular day.

RIVERBEND CONTRACT/BESSIE SMITH STRUT
(Continued)

Councilman McGary stated if that is the case and if we know citizens will begin to congregate and assemble on MLK it is his thought this is a “no brainer”, personally. He stated in light of the situation he asked Councilman Murphy as Chair of Legal and Legislative to hold a committee meeting to hear “Chip” Baker or a representative from Friends of Festival to actually say the things he has indicated on record and also give the Merchants Association a time to talk to us as a Council about their desire to call for volunteers and also to increase security measures and their desire to better police the various vendors serving the Strut. He stated in light of the conversation that takes place next Tuesday, it is his thought this body would have adequate information to know whether or not to support his motion.

Councilman Murphy stated he would be happy to do that but the Legal and Legislative Committee does not presently meet next week and will see what happens with the motion; that that is the problem as all of this public discussion should have happened and it did not happen. He stated he is not averse to having a discussion and does not know what the Committees are for next week; it was indicated that the committee schedule was full. He stated he is not afraid of “sitting in the chair” when he technically is not to speak to the issue and is happy to do it and invite those folks.

At this point Chairman Ladd called for a roll call vote on Councilmen McGary and Gilbert’s motion and second; however Councilman McGary asked for a point of order and explained that the Council’s Rules of Procedure state “... the Chair, Vice Chair or two Council persons can put items on the agenda ...” and his request is to place this on the agenda next week and not take a vote tonight and should be voted on next week, not this week.

Chairman Ladd acknowledged the correction noting “that is very good”!

Councilwoman Berz stated if we are to have the meaningful discussion next week she needs some things responded to as she spoke of earlier; that if this is held and sponsored by the merchants is it sponsored in the same way Riverbend sponsors their event, in other words, the merchants would take responsibility and liability and she does not know that answer, however would like that addressed.

RIVERBEND CONTRACT/BESSIE SMITH STRUT
(Continued)

Councilwoman Berz stated the reason for that is it is her thought things can be worked out if in fact we decide to go further, however, if the Merchants Association as mentioned earlier incorporates and asks to "rent the city street" much like Riverbend "rents" the area, the reason Parks and Recreation is included is it is held on a park downtown and MLK is not a park it is a city street. She stated if we are on those same times the other concerns will become moot; that any organization can apply to the city to "rent" an area for any event like the Walnut Street Bridge for an event, get the proper insurance which is not a lot of money and provide their own security and police and provide within a different way. She stated her concern is now that we are on record as being warned over-and-over that this is a dangerous situation it puts us in a legal liability state and that is something we need to be forewarned. She stated God forbid anything should happen; that she is not saying "no" she is saying that she would like for us to figure out what "yes" is and what needs to work.

Councilman McGary stated Councilwoman Berz' question is right in addressing the Association and we will give them the opportunity next week to respond.

Councilwoman Berz stated she would really like to have those answered as we talked about it briefly today.

Councilwoman Robinson stated as one of the founders of Riverbend she wanted to say unequivocally the Bessie Smith Strut was part of the Festival; that it was a key piece of the Riverbend Festival in spite of the fact the festival was named Riverbend and a lot of it was held down on the River, nevertheless, the Bessie Smith Strut was the cornerstone of the Festival. She stated we are thirty years later and we need new leadership and it is her hope the Merchants Association and others are going to help us sort this out, but it is her thought it would be a mistake to interpret that contract in the way that leaves the Bessie Smith Strut out of what we call Riverbend.

Councilman Benson stated one of the owners on M. L. King, Mr. Morton, would like to come forward and give answers to something he does not understand exactly what Councilwoman Berz said.

Chairman Ladd stated persons wanting to speak on this matter would be asked to do so following the remainder of the Council's business.

HEARING

Chairman Ladd reminded the Council members who committed to participate in the hearing scheduled for tomorrow morning to be present beginning at 9 a.m.

COMMITTEES

Councilwoman Scott stated the Personnel, Performance and Audit Review Committee met today to discuss an educational session on Dogwood Manor.

Councilman Rico reminded Council members of the meeting of the **Public Works Committee scheduled for Tuesday, April 10** immediately following the Agenda Session.

Councilman Murphy stated there will be a meeting of **the Legal, Legislative and Safety Committee next week, April 10.**

Councilman Gilbert scheduled a meeting of the **Parks and Recreation Committee for Tuesday, April 10** immediately following the Public Works Committee meeting for a presentation regarding the HATCH Program.

Councilwoman Berz stated the last educational session of the Budget was held today and all the information is on the website as promised where everything can be seen that is going to be in the budget. She stated the only group we still need to hear from is United Way and they have informed me they will be ready by the end of the month. She stated Council members who have further questions of the administrative departments or agencies are asked to please make sure they are answered; that the Chief of Staff has asked that the requests be made through him so he can get them scheduled so when the Mayor's budget does come we are not all of a sudden asking all the questions we should have been asking; that we are done for now.

Councilmen Benson stated Council members received in the mail from the Chamber Foundation their last quarterly report and encouraged all Council members to read it well, especially the last two pages about the status of the PILOT program and some of the unfilled conditions that three companies have not fully met and their rationale for it. He advised the Clerk of Council that Tom Edd Wilson or Rob Bradham needs to meet with the Economic Development Committee next week prior to Legal and Legislative Committee if it is okay.

COMMITTEES (Continued)

Chairman Ladd stated that she did not realize Councilman Benson needed a meeting, noting that next week's schedule is full. She asked that Councilman Benson schedule the meeting through the Clerk of Council. Councilman Benson acknowledged that he could wait another week, noting that he wanted them to read it, not lose it and bring it to the committee meeting as there will be questions that will be asked.

WILEY MORTON

Wiley Morton was present representing two entities, Good Neighbors and part of the M. L. King Merchants Association. He stated for the last three years he has been engaged in conversation and written communication with the Friends of the Festival to extend the Strut and they have agreed to do that; that last year he has been communicating with the Friends of the Festival to schedule a meeting on behalf of the Merchants Association to discuss the Strut, security and a meeting was not scheduled. He stated they published the Strut and did not engage them even though they requested a meeting. He stated he has a written document of who he discussed it with, the results and where we are today and will bring that to the next meeting to be made courtesy of everyone.

FRANK DEPINTO

Frank DePinto stated he has been in Chattanooga ten-to-twelve years noting it is a wonderful city and the Strut is an important part of the greatness of Chattanooga and taking the Strut out would like "ripping the heart out of Chattanooga". In speaking to Councilmen Benson, he noted stopping and destroying the Strut will not stop the killing in Chattanooga; that he has never been in a city where he has seen so much black-on-black killing; that the politicians and citizens have let the situation in this city deteriorate so bad that we have such a huge problem and for him (Benson) to say this will solve it by stopping the Strut is totally wrong. He stated his proposal involves three votes by the Council -- one a vote of "no confidence" in Mayor Littlefield for his non-Democratic, non-community decision; two, the City Council should ask the Mayor in another vote that he give his administration powers to give the Council the power and invest them with the power and invest the decision about the Strut with community input and hearings involving all invested sectors of the community, Strut vendors, organizers, black and white community leaders, the police, Riverbend, community and church representatives and report the

FRANK DEPINTO (Continued)

findings; and the third vote would be with community input decided individually and with the grace of the Mayor saying he is enabling and investing in the Council the power of this decision based on the findings of the hearings and that is democracy. He stated there is deep feeling in him that this has been an "easy out" for white Riverbend to "rip off" the black community.

PATRICK KELLOGG

Patrick Kellogg of 2510 Oak Street spoke next and asked for the community to pray for Chattanooga and noted the colors , beads and tattoos he has on based on the TBI meeting at Howard indicates he is a gang member; that the Tennessee RICO act that is being financed based on the Mayor's legislation at \$100,000 says an individual who looks like him, associated with someone who is a gang member receives the same time; that we are looking at Range 2 offenders two years to 20 years based on association. He stated in looking at the figures \$5 million has been allocated for the incarceration of individuals who look like him; that when it comes to programs as it relates to intervention and prevention in the Gang Task Force Model none have been implemented. He stated we always have meetings, always have study sessions but when it comes to bringing events that are actionable and act on them we do not do it as a city especially as it relates to the black community. He stated in reference to Riverbend it is his belief the decision of the community should be to boycott the Riverbend because of the hasty decision to move the Bessie Smith Strut from M. L. King to the Riverfront with the reason being crime will significantly increase because the area in which kids have the ability to roam is widened and there will be less black adults there before they feel they have been shafted on the whole M. L. King event. He stated now that there are a lot for young black people with no older parents with a wider area with no supervision he would not doubt there will be a shooting, then what happens next year vendors and visitors from out of town will not come. He stated the preventive strategy is to stay on M. L. King so the situation can be monitored; that the Tory Hardy situation in 2003 statistics does not indicate the Strut with 100,000 is as violent as Riverbend and it is his belief it is less. He stated we need to have a Tennessee open records request to verify that information and request to have the e-mail conversations with Mayor Littlefield and the Friends of Festival and/or any other individuals to verify how we got into this stupid decision! He stated it is about "us" as a people being the representative people.

LAWRENCE CURRY

Lawrence Curry of 2312 Wilson Street stated every member on this Council was voted on in August by the public and every member on this Council owes it to the people in their district to take a natural stand on Riverbend. He stated for too long a time we have put too many people in public office then after they are elected they sit down and say "you go to 'H---'" which is what is going on here now! He stated he does not think the Mayor went about this the right way because this Council is supposed to be the determining factor in this city and being so it is his thought the Council needs to tell the Mayor they are not going to do away with the Riverbend Strut. He stated this was set up by one who is dead and gone, Jack Lupton, when he built the Bessie Smith Hall on M. L. King which was to help bring on the Strut and for someone to try to take this away from the community that has been doing this for a long time, it is his thought they are crazy!

MICHAEL HUDSON

Michael Hudson of 742 West Fourth Street in the College Hill Courts on the West Side was present to present thousands of signatures on a petition. He read from a prepared statement that indicated housing for poor people and people of color is in crisis and thousands of people sit on waiting lists for public housing and in the past decade six housing communities have been demolished and now his home in College Hill Courts is being talked about as next. He stated over 4,000 people are homeless every year in Chattanooga and that is the eviction threat they face as public housing residents. He stated they cannot continue to live in this oppression and recommended three proposals for consideration: (1) for every unit of public housing torn down another must be built; (2) they would like a one-on-one replacement of all public housing units torn down in the last decade and (3) new housing developed in the city must include some low income units for public housing and low income residents as there are few places left for them to go as their homes are being under attack and they need a better plan for housing in Chattanooga and need the Council to stand up and work with them; that they need elected leaders to "have their back". He stated they have been shut out of the process and meetings have been held without their knowledge; that Purpose Built has held meetings they have not been invited to and in one meeting he attended he wanted to speak up for his people but was not allowed to. In closing he stated he would like to see results and they want their rights to housing defended for people of low income and public housing are organizing to protect their homes and have the right to fair housing and asked the Council to do the same. He expressed thanks to the Council for allowing him to voice his opinion on the matter.

KARL KENDRICK

Karl Kendrick of 1100 Gateway Avenue also read from a prepared statement and stated he lives in the Gateway Towers in a public housing development for low income seniors, citizens and disabled and serves as the Gateway Resident Council President. He stated some say the city cannot help public housing but his building was built with the support of the Chattanooga City Commission decades ago; back then public housing had financial and political support from the city because of city leaders who supported the right to housing. He stated the Chattanooga Housing Authority (CHA) was formed decades earlier when 50 residents petitioned the city government to declare the need for housing authority and they did so because the city's poor and working class lived in slums; that 80 percent of the homes of African Americans were unfit to live in. He stated the situation was not matched much better for the poor whites and the City Commission heard the voice of the people and requested the CHA which provided public housing to rescue people from the slums. He stated this could not have happened without the will of the city's elected leaders; that the housing situation is in crisis again and now is the time for the Council to act. He stated he represents the senior citizens and the disabled of his building and based on his experience the city has not placed them as a priority; that if the old City Commission acted on the voices of 50 residents decades ago what will this City Council do in response to the voices of 1,226 who have signed this petition!

GLORIA GRIFFITH

Gloria Griffith of 1115 -A Grove Street on the West Side was present and read from a prepared statement indicating that she is present with a message from the poor working people of Chattanooga; that they have the right to exist and in order to exist they must have affordable housing. She asked if the Council knows how hard it is to find affordable housing and asked can you pass a credit check, are you blessed with a car and job and whether they take the bus, whether they have to choose between medicine and their children's school supplies as many of them do and clarified they are Chattanoogaans, too! She asked if they are forced to walk miles to the grocery store while watching tourists get free shuttle service, if their children are stopped and frisked on the street just because of the color of their skin. She asked if the bus takes them to Volkswagen and whether Chattanooga happens for them, again clarifying if they are Chattanoogaans, too! She stated as hard as they struggle, some still want to take away what they have; that Mayor Littlefield seems intent on taking away not only the most beloved Festival, the Bessie Smith Strut, but invited Purpose Built Communities to take their homes away, too!

GLORIA GRIFFITH (Continued)

Mrs. Griffith stated the strut in College Hills was not his to take, that it is theirs and they are taking it back! She asked that the Council protect their right for housing; that they have been presented the petitions and proposals and asked that they be considered. She invited the Council to reason with them, attend their churches, their community meetings as they want the Council to work for them! She stated before they leave tonight she wants the Council to remember the faces of those present with her who are the faces of the working poor; that they are oppressed and marginalized and they are Chattanoogaans, too!

HEZEKIAH ALEXANDER MCDONALD

Eight year old **Hezekiah Alexander McDonald** addressed the Council and stated people who have things to stand up! He stated this is supposed to be the United States; that people need houses, a place to live and a roof to cover their heads, medicine, money and need to get paid more! He stated some things he does not forget and stated he was reading his Chemistry book one day and while he was reading quietly he heard one person say they knew his great grandmother who was shot with two bullets in the head and stated he does not get this one bit! He stated maybe the Council should think how that; that some of this stuff is ridiculous!

KARL EPPERSON

Karl Epperson of 1201 Boynton Drive stated he will be 66 years old on April 17 and has seen a lot of politicians. He "congratulated" Councilman Murphy on his status of being able to stand with one foot on one side of the fence and another foot on the other! He expressed hope at being given the same latitude to comment on the Bessie Smith Strut noting he tries to understand city government as much as he can. He stated it is his understanding if the Mayor does something, there are nine members on the Council and if all nine disagree with him they do not have the power to override what he says and from what he understands the Council does not but maybe before we get the next Mayor they should try and get that power. He stated to take this Strut away from the people, he has never seen this many people at a meeting and is proud of Chattanooga for turning out like this. He stated the paper today indicated the City Council does not have any control over the Strut or Riverbend and then he heard the argument maybe it does. He urged the Council to help citizens like him and others present who want to have representation and voice their concerns when they go to town hall meetings, instead of telling them what they cannot do and handle, tell what they can and maybe they would be able to work together.

ADJOURNMENT

Chairman Ladd adjourned the meeting of the Chattanooga Council until Tuesday, April 20, 2012 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**