

**CITY COUNCIL BUILDING  
CHATTANOOGA, TENNESSEE  
JANUARY 22, 2013**

Vice Chairman Murphy called the meeting of the Chattanooga City Council to order with Councilmen Benson, Berz, Gilbert, McGary, Ladd, Rico and Robinson present. Councilwoman Scott was absent. City Attorney Phil Noblett; Management Analyst Randy Burns; and Shirley Crownover, Assistant Clerk to the Council, were also present.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Councilwoman Robinson. She then asked the audience to join her in applauding a democracy where we all have a voice and alluded to the great happenings that had taken place in Washington D.C. yesterday. She thanked everyone for coming.

**MINUTE APPROVAL**

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

**REZONING**

**Scenic Land Co. & Jack and Carolyn Lonas (2012-157)**

The applicant was present, as well as considerable opposition in attendance.

John Bridger, Executive Director of RPA, opened remarks by stating that Greg Haynes, Director of Development, would present an outline and overview of the case and that the City Attorney would give guidance as to the crafting of the conditions.

Mr. Haynes stated that since the last Council meeting, there had been two meetings attended by the Developer, the applicant and other representatives on January 11<sup>th</sup> from 1:00 p.m. to 3:00 p.m. and that details had been covered item by item—13 people attended. The second meeting was held on January 17<sup>th</sup> from 10:00 a.m. until noon—conditions were gone over and 14 people attended. He noted that there had been discussion on every item—25 conditions and that there were areas where the applicant agreed and the opposition also agreed; however there were areas of disagreement, as well. He stated that there were still some questions as to what was enforceable and what was legal. He went on to say that RPA and the City Attorney had met and gone over the conditions and had taken what the applicant submitted; that they had

## REZONING (CONT'D)

instructed the applicant to supply RPA with a complete list of the conditions and that this had been done; that some tweaking was needed as to what is enforceable and what is legal.

Councilman McGary noted that an e-mail had been submitted to the Council and wanted to know if hard copies were available? Vice Chairman Murphy explained that the Council had not had the opportunity to receive the e-mail, since they were in committees this afternoon.

Attorney Noblett presented the hand-outs to the Council. He explained that the Staff Report recognized the site conditions for all zones applicable which could be enforced; that there were 17 general proposed conditions—five in R-3; five in R-4; and 6 in C-2. He noted that these were provisions of all zones originally included in the Staff Report by RPA—that these provisions had been reviewed by both parties and attorneys for the applicant and attorneys for the opposition and other interested parties; reference was made to plans which have been reviewed since submitted; that January 18<sup>th</sup> was the latest submission and there were a number of references to buffers, trail crossings, etc. and all of these references were included in the Staff Report and in the version of the Ordinance, should these provisions be adopted, that the Staff presented. He noted that all 17 were looked at to see if they were enforceable and could be applied to other applicants; that some of the provisions are duplicated in R-2, R-3, and C-2 zones and duplications have been taken out; that several of the conditions were not recommended by the Staff as they felt they should be part of a Private Restrictive Covenant—provisions about map references included or open space plans—that they recommended to applicants in all zones that these be taken out. He stated that he believed that these provisions recommended could be enforced by the City and also used in other zones.

Mr. Bridger added that we can't regulate income brackets with Attorney Noblett addressing Class A Apartment Homes, noting that there is no provision that defines this and is not something we can get into in zoning requests.

Councilwoman Berz wanted to know if the proponents and opposition were aware of the substance of this? Attorney Noblett responded that he had sent a copy to the attorneys (25 copies were made in all).

Councilman McGary thanked the RPA Staff and wanted to be clear if RPA felt this should be approved or denied? Mr. Bridger responded that it should be approved with these conditions as listed. Councilman McGary wanted to know

## REZONING (CONT'D)

if the Ordinance the Council would be voting on needed to be amended. Mr. Bridger explained it has already been amended and can be adopted.

**Mr. Duane Horton**, President of Scenic Land Co., 820 Broad Street, addressed the Council. He thanked the Council and stated that he wanted to clarify some of the issues concerning Chattanooga Village. He presented the facts that they had supplied all of the information requested pertaining to the zoning application; that they had addressed the concerns of RPA; that there had been community input with 18 meetings; that plans had been changed at the request of the community—38 conditions; would it cost the taxpayers anything—no; would it create jobs—yes; would it bring in more tax revenue—yes; no public dollars will be used for the infrastructure is in place; the highest point will not change in elevation; there is an Open Space Plan for green spaces, with undisturbed buffers, additional buffers, and recreational open space. He went over insurance protection—an insurance policy to protect any potential damage to a third party as opposed to a bond. He noted that the capping size has been modified—to the condition that will limit the maximum single building size in the C-2 zone to 125,000 sq. ft. He went over buffer and edge conditions—also soil conditions—Tri-State has performed soil borings on the site in 2005 and determined the subsurface soil on the site primarily consists of chert. He went over the Phasing schedule—first phase being 2014-2015, when the apartments would be ready; the second Phase of the project will include 70,000 sq. ft. of retail and traffic light at south entrance; Phase 3A 2016-2017, the Retail Village; and Phase 3B 2018, the corporate offices. He explained that additional community conditions had been met with meetings hosted by RPA—that conditions had been recommended and that they had agreed.

**Mr. Rick Hill** of Bardstown, Kentucky, acknowledged that a Market Research Study had been done in early November; that he had performed 143 studies of shopping centers and that his clients included New York Life and Wells Fargo.; that he had been engaged in every type of shopping center and went over the five steps that he followed, including the primary trade area, which showed an average income of \$70,000; potential retail sales; and inflow sales. He noted that there was a clear market for urbanism; that this would reduce shopping trips and attract new, dynamic retailers to the market.

**Ms. Ellie Wallis of 441 Titanium Drive** spoke in opposition. She stated that for a year and a half, Hixson had fought for definitive answers and an open dialog with the developer of Chattanooga Village and had not received this from Duane Horten—that he made grandiose promises but would not make these

## REZONING (CONT'D)

promises binding. The few points they agreed on were largely cosmetic; that major issues like stormwater, increased buffer zones, and cost of traffic improvements had all been left unanswered. She stated that the existing infrastructure around the project is already failing and that roads in the area already flood regularly; that the Storm Water Management Plan, which he would not outline, is only in place for the commercial and office sections of this development and not the entire site, leaving the residential portion, which is perched closest to the North Chickamauga Creek, without a stormwater plan. The developer did not know how much road improvements would cost and has already set a limit as to what he will spend and is asking a "blank check" for the remaining cost of this roadwork. She questioned how the City Council could be comfortable approving this—something that might turn out to be a "boondoggle" that taxpayers would have to pay for. She noted that there was tremendous community opposition to this project—that this had brought the community together, and they were united in opposition and 2800 people had signed a petition against this rezoning.

Councilwoman Berz asked if it were true that they asked for a residential stormwater plan and that he refused? Mr. Bridger responded that they asked for a 1" standard for the whole site, and the applicant agreed to 1" for the commercial area, as opposed to the whole site. She wanted to know if this met the new conditions? She noted that 1" applied to the commercial area, confirming that 1" is not in full force yet and will not be effective until next year—that 1" is standard in a commercial site(R-4 and C-2) but not in R-3. She wanted to know if RPA was recommending that they approve 1" for the whole thing? Mr. Bridger acknowledged that they talked about this applying to the R-4 and C-2 Zone. She asked if they were still recommending that we approve the whole area, even though it is not required. Mr. Bridger explained that 1" is standard for R-4 and C-2 and for R-3 it would be  $\frac{3}{4}$ "; that it would be more appropriate for the whole site, but it could be approved with  $\frac{3}{4}$ " for residential. She asked if they were recommending that the Council approve something if it meets all requirements and our current standards? She noted that someone had just said that RPA asked for a certain standard, and the developer went ahead with what they wanted. Mr. Bridger responded that they relied on Public Works to understand what was appropriate for this site.

Bill Payne, City Engineer, came forward from the back and Vice Chairman Murphy explained to the audience that he was listening to what was going on and had heard the discussion.

Councilwoman Berz addressed Mr. Payne and told him that there was some question—that the opposition said that RPA had requested a stormwater plan but that Mr. Horton had refused. Mr. Payne responded that he did not know what Mr. Horton had refused. Councilwoman Berz wanted to know if it had to be approved for the entire site to meet requirements? Mr. Payne asked her to repeat her question, and she responded that they were the experts—that they made recommendations for approval of any proponent that came to them regarding safety, water, etc.—that everything goes into the recommendation for approval. He stated that was correct. She questioned if RPA asked for a residential stormwater plan but the proponent refused? She wanted to know if we should approve this anyway.

Mr. Bridger explained that they process the information as they got it; that they met this afternoon, and the developer responded, and they attempted to see what made sense—that the commercial standard is 1" and the residential meets the current standard of ¾".

Councilwoman Berz asked when they recommended approval of a matter if they addressed all the necessary requirements. Mr. Bridger responded "to the best of our knowledge, yes".

Councilman Benson asked Mr. Bridger if in their recommendation for approval, did they believe this developer will not increase the stormwater problems? Mr. Bridger acknowledged that by the standards derived, the water flow on site would not increase. Councilman Benson asked what would happen if it did increase? Attorney Noblett read from Item 10 concerning meeting the standards of water runoff, noting that anyone would be asked to do this. Councilman Benson asked if they would lose their certificate of occupancy if they did not meet the standards and was told "yes".

The standard of 1.6" had been mentioned for South Chickamauga Creek and 1" for North Chickamauga Creek Water Shed. Vice Chairman Murphy confirmed that this was characterized by science and was not arbitrary. Mr. Payne agreed, stating that there were different parameters.

Councilman Rico stated that we can't predict the rain and questioned how we could design something and know for certain that the water won't get worse—how you can guarantee and say if it doesn't work, you will be shut down.

**Attorney Joe Conner and Gregory Vickery of the North Chickamauga Conservancy** spoke in opposition. Attorney Conner went over major

conditions that are still missing. A Master Association needs to be formed—residents only given “advisory” status and not voting members; no provision for substitution of new developer; no basis for claims of 2,000 jobs and \$2 million in new taxes; rejection of RPA building size parameters; tying conditions of Certificate of Occupancy too late. There is also a fire safety concern—a second more accessible entrance not provided in plan. Attorney Conner mentioned a Market Feasibility Study that has not been produced and considered this to be speculative development. He mentioned no financing commitments; no support from the Chattanooga Chamber; no commercial/retail commitments; no signed leases, purchase agreements or letters of intent for apartments; and no performance bonds for storm water, traffic or utility infrastructure. He noted that the property was within the North Chickamauga Creek watershed and flood plain. He stated that the proposed insurance policy is not 10 years and terms are uncertain. He noted that there was not the 1” standard on R-3 and R-4 for rainfall retention; no grading plan; no soil, erosion or hydrology testing; and no willingness to confirm compliance with State Wildlife Action Plan. He stated that they had rejected the phased zoning and that a blanket zoning gives the developer a free hand. He mentioned that there was no conservation easement on Open Space Acreage and that the 100’ undisturbed buffer was rejected. He stated that just saying stormwater will be no worse is not good enough. Attorney Conner thanked the Council for their attention, stating that this was a great process; that he felt the Council had reason to deny this, and it was within their discretion.

Councilman McGary stated that he had a quick question for Attorney Conner concerning the statement about an over-stated case and saying if the Council approved this tonight that the developer can do what they want, how they want, and when they want. He inquired about non-negotiables, niceties, and must-haves. He wanted to know if it were Attorney Conner’s understanding that Mr. Horton had not agreed to any of the most important and non-negotiable conditions? Attorney Conner responded that that was a good question—that the issues he had listed stated where Mr. Horton did not agree. Councilman McGary wanted to know if every single condition in the project failed if Mr. Horton did not agree? Attorney Conner responded that he could not pick and choose—that that was not fair to him—that these people he represented lived here and these listed conditions are important to the community and have not been adequately addressed. Councilman McGary clarified that those items presented to the Council were non-negotiable and were remaining issues not agreed to—that he had agreed to some. He asked if the project could not go forward if he did not agree to all conditions?

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### **REZONING (CONT’D)**

Councilman Benson stated that he was a little confused concerning the segmenting and phase-in—that he thought the opposition was willing to phase

in with the apartments right now. Attorney Conner agreed that this was one of the issues they would request. Councilman Benson questioned zoning the whole acreage R-3. Attorney Conner stated that they did not get to explore this with the developer. Councilman Benson felt that we might could zone the whole area R-3 and in 8-9 months he could come back and request the other zoning. Attorney Conner suggested another way to do this might be to make the zoning contingent upon maintaining a road to go in to reach the R-3 zone. However, he stated that the developer refused to do this—that it was their responsibility to prove their case, but the developer was not interested in this.

Councilman Gilbert stated that most people who develop, invest money and look at the site plan; that making it R-3 and coming back would not work because most people would not invest unless they can make sure they will be able to do it.

Mr. Horton was given a chance for rebuttal. He had with him Attorney Sam Elliott of 320 McCallie Ave. Mr. Horton wanted to point out that the 1" standard is higher than the current city standard. **Attorney Elliott** spoke. He stated the purpose of being here today is to apply consensus and experience to hard information that we are getting. The question was could the Council depend on the information they were getting, and his answer was "yes"; that they did not agree with everything that the community was interested in—that they tried but some of the things would make this property not workable from a financial standpoint. He noted that he represented the owner, Mr. Lonas, and urged the Council to act reasonably and to approve this.

**Councilman McGary made the motion to approve this. It was seconded by Councilman Gilbert.**

**Councilman Rico made the motion to deny this. It was seconded by Councilman Benson.**

Councilwoman Robinson stated that her question was to Mr. Horton, with regards to the area designated conservation—the 68 acres. She wanted to know if there was a Conservation Easement? Mr. Horton responded "not at the moment"—that the City has discretion. Councilwoman Robinson noted that the Conservation Easement goes with the land and is held in perpetuity. Mr. Horton stated that they did plan on making a Conservation Easement but did not have one now.

Councilwoman Ladd stated that she appreciated all the effort by the developer and the residents and the opposition that had gotten involved in this process; that both sides had hired attorneys and PR firms and a lot of money had been spent; that there had been lots of meetings. She thanked everyone for their

input. She stated that the Council was here to represent the people; that she was elected four years ago and took this responsibility very seriously—that she wanted to make sure the process can operate—that there may be flaws; that we had vetted this out to see where we are in working this out between the developer and the citizens. She stated that she was aware of the fact that the citizens do not want this to go forward, and she would vote “no” on this—that as their representative, she would vote “no”; that she respected their ownership of property and lifestyle.

Councilwoman Berz directed her question to the City Attorney concerning the thing that bothered her—in her mind, the competition; that the neighborhood has a right to protection, but there were compelling points on both sides. She noted that the business of the Council is legislative—that there is only so much interference that the Council can do with private property rights; that she wondered if some of the Council’s considerations were outside the realm of what they should be considering? She mentioned the interest in infrastructure and water run-off and stated that if this were in her neighborhood, she would be doing what Councilwoman Ladd is doing in backing her area; however the Council has to look at the total picture and she questioned where the line stopped with interference with private use? Attorney Noblett responded that the most recent was the open-space plan that shows the area of recreational open space and buffer areas—all the requirements that the Council should be looking at to protect the neighborhood—that buffer areas and open space had been provided to protect the property owners, and it was enforceable—that this was what the Council should be looking at; that this complied with all city ordinances that are in effect and could be equally applied to all areas. Councilwoman Berz confirmed that everything necessary had been complied with.

Councilman Rico stated that he believed in property rights and standing by what the property is zoned for—that he would support what it is zoned for, but if rezoning affects other people, he had to think about this.

Councilman McGary noted that he had gone to Washington for the inauguration and driving back had had a lot of time for thought and prayer about this. That he had questioned the job of the Council and what we should be looking at; that a lot had been thrown at the Council, and we had had to sift through the information to see what is necessary to make a decision—stormwater was not

**REZONING (CONT'D)**

necessary; a feasibility study was not necessary, and a master plan was not necessary. He then voiced “what is required?” The answer was Land Development requirements, which he proceeded to go over. He noted that these requirements have to be considered in order to grant or deny a zoning change, and we have to do for one what we would do for all and that we must

be fair. He went on to say that he had asked for this to be deferred for two weeks, and he appreciated what had been said—that the considered changes had been “brushed” off. He had asked for one other attempt to meet and actually there had been two meetings. “Is the developer coming in good faith? Is the community coming in good faith?” Councilman McGary felt that the answer to both was “yes”; had the community experienced concerns, and the answer was again “yes”. However, going forward, the developer had done all that was asked of him per city requirements—“Were there some things that were not wise to do?” Councilman McGary felt that the answer was “yes”.

On motion of Councilman McGary, seconded by Councilman Gilbert,  
**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED IN THE 100 BLOCK OF DODSON ROAD AND THE 6400 BLOCK OF HIGHWAY 153, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE, R-4 SPECIAL ZONE, AND C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS**

was considered on Roll Call vote as follows:

|                              |            |
|------------------------------|------------|
| <b>COUNCILMAN BENSON</b>     | <b>NO</b>  |
| <b>COUNCILMAN GILBERT</b>    | <b>YES</b> |
| <b>COUNCILWOMAN BERZ</b>     | <b>YES</b> |
| <b>COUNCILMAN RICO</b>       | <b>NO</b>  |
| <b>COUNCILMAN MCGARY</b>     | <b>YES</b> |
| <b>COUNCILWOMAN LADD</b>     | <b>NO</b>  |
| <b>COUNCILWOMAN ROBINSON</b> | <b>NO</b>  |
| <b>VICE CHAIRMAN MURPHY</b>  | <b>NO</b>  |

The motion failed.

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### **CONTRACT**

On motion of Councilman Rico, seconded by Councilwoman Ladd,  
**A RESOLUTION AUTHORIZING THE CHIEF OF THE CHATTANOOGA FIRE DEPARTMENT TO ENTER INTO A CONTRACT WITH RIVER STREET ARCHITECTURE, LLC FOR THE**

DESIGN OF FIRE STATION NO. 11, FOR THE ARCHITECT'S BASIC SERVICE FEE IN THE AMOUNT OF ONE HUNDRED SEVEN THOUSAND SIX HUNDRED NINETY-NINE AND 29/100 DOLLARS (\$107,699.29), PLUS A CONTINGENCY OF TEN (10%) PERCENT IN THE AMOUNT OF TEN THOUSAND SEVEN HUNDRED SEVENTY DOLLARS (\$10,770.00), FOR REIMBURSABLE EXPENSES IN THE AMOUNT OF ONE HUNDRED EIGHTEEN THOUSAND FOUR HUNDRED SIXTY-NINE AND 29/100 DOLLARS (\$118,469.29)

was adopted.

#### FIRING RANGE AGREEMENT

On motion of Councilwoman Robinson, seconded by Councilman McGary,  
**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT WITH HAMILTON COUNTY FOR CONSTRUCTION AND OPERATION OF A FIRING RANGE**

was adopted.

#### AGREEMENT

On motion of Councilman Rico, seconded by Councilwoman Robinson,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH CAMPBELL AND ASSOCIATES, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR DESIGN AND CONSTRUCTION SERVICES OF LABORATORY RENOVATIONS FOR MOCCASIN BEND WASTEWATER TREATMENT PLANT, FOR AN AMOUNT NOT TO EXCEED FIFTY THOUSAND DOLLARS (\$50,000.00)**

was adopted.

#### AGREEMENT

On motion of Councilwoman Robinson, seconded by Councilman Gilbert,  
**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH THOMPSON ENGINEERING, PROJECT NO. W-12-020, FOR PROFESSIONAL SERVICES FOR STRUCTURAL ANALYSIS, DESIGN, AND CONSTRUCTION OF REPAIRS FOR WASTE RESOURCES DIVISION SITES, FOR AN AMOUNT NOT TO**

**EXCEED ONE HUNDRED EIGHTEEN THOUSAND FOUR HUNDRED DOLLARS (\$118,400.00)**

was adopted.

**CONTRACT CHANGE ORDER**

On motion of Councilman Rico, seconded by Councilwoman Robinson,  
**A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 (FINAL) FOR SERVICE ELECTRIC COMPANY, INC., CONTRACT NO. W-11-001-201, MOCCASIN BEND WASTEWATER TREATMENT PLANT 46-Kv POWER CIRCUIT BREAKER REPLACEMENT SUBSTATION CONSTRUCTION, FOR AN INCREASED AMOUNT OF THIRTEEN THOUSAND TWO HUNDRED DOLLARS (\$13,200.00), TO RELEASE THE REMAINING CONTINGENCY OF ONE THOUSAND EIGHT HUNDRED DOLLARS (\$1,800.00), FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED ONE HUNDRED SIXTY-THREE THOUSAND ONE HUNDRED SEVENTY-SIX DOLLARS (\$163,176.00)**

was adopted.

**CONTRACT CHANGE ORDER**

On motion of Councilman Rico, seconded by Councilwoman Ladd,  
**A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 (FINAL) FOR GARNEY COMPANIES, INC., CONTRACT NO. W-09-006-201, SOUTH CHICKAMAUGA CREEK PUMP STATION UPGRADE, FOR AN INCREASED AMOUNT OF FIFTY-FOUR THOUSAND FIVE HUNDRED SEVENTY-SIX AND 49/100 DOLLARS (\$54,576.49) TO RELEASE THE REMAINING CONTINGENCY OF ELEVEN THOUSAND FOUR HUNDRED TWENTY-THREE AND 51/100 DOLLARS (\$11,423.51), FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED SIX HUNDRED NINETY-EIGHT THOUSAND FIVE HUNDRED SEVENTY-SIX AND 49/100 DOLLARS (\$698,576.49)**

was adopted.

**CONTRACT CHANGE ORDER**

On motion of Councilman Rico, seconded by Councilwoman Ladd,  
**A RESOLUTION AUTHORIZING CHANGE ORDER FOR PETTUS MECHANICAL SERVICES FOR COIL REPLACEMENT OF THE HVAC SYSTEM IN THE LABORATORY AT MOCCASIN BEND WASTEWATER TREATMENT PLANT, FOR AN INCREASED AMOUNT OF TEN THOUSAND THREE HUNDRED NINETY-TWO AND 22/100 DOLLARS (\$10,392.22), FOR A REVISED CONTRACT**

**AMOUNT NOT TO EXCEED TWO HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED NINETY-TWO AND 22/100 DOLLARS (\$222,792.22)**

was adopted.

**SPECIAL POLICE APPOINT.**

On motion of Councilman Benson, seconded by Councilwoman Berz,  
**A RESOLUTION AUTHORIZING THE APPOINTMENT OF RICHARD PERRIN 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.

**MOCCASIN BEND AUTHOR.**

On motion of Councilwoman Berz, seconded by Councilwoman Robinson,  
**A RESOLUTION AUTHORIZING THE CREATION OF THE MOCCASIN BEND CLEAN WATER AUTHORITY**

was adopted, with Councilwoman Ladd voting "no".

**AGREEMENT**

On motion of Councilwoman Ladd, seconded by Councilman Rico,  
**A RESOLUTION AUTHORIZING THE DIRECTOR OF GENERAL SERVICES TO ENTER INTO AN AGREEMENT WITH FRANKLIN ASSOCIATES ARCHITECTS TO DESIGN AND OVERSEE CONSTRUCTION ADMINISTRATION FOR THE CHATTANOOGA-HAMILTON COUNTY LAW ENFORCEMENT FIREARMS TRAINING FACILITY, IN THE AMOUNT OF THREE HUNDRED TEN THOUSAND DOLLARS (\$310,000.00)**

was adopted.

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**OVERTIME**

Overtime for the week ending January 10, 2013, totaled \$44,087.40.

**PERSONNEL**

The following personnel matters were reported for the various departments:

## **EDUCATION, ARTS & CULTURE:**

- **MARK STONE**—Promotion to Director of Civic Facilities, Range 22, \$60,000 annually, effective 1/11/13.

## **COMMUNITY DEVELOPMENT:**

- **CHABRELLE HAIGLER**—FMLA for Adm. Support Ass't., effective 1/11/13.

## **HEAD START:**

- **ELISA CRANMORE-REEVES**—Resignation of Center Clerk, effective 1/17/13.

## **PUBLIC WORKS DEPARTMENT:**

- **TIM BROOKS**—Transfer to Equipment Operator 5, Range 12, \$32,910.00 annually, effective 1/11/13.
- **RANDOLPH HARRIS**—Resignation of Equipment Operator 4, effective 1/11/13.
- **JOHN CENA**—Rehire as Plant Operator 2, Range 11, \$29,544.00 annually, effective 1/11/13.
- **PERRY MAYO**—3 Days Suspension without pay for Plans Review Specialist 3, effective 1/17—18,22/13.

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## **PERSONNEL (CONT'D):**

- **FRANKIE SMITH**—Termination of Equipment Operator 4, effective 1/14/13.
- **STACY WILEY**—One Day Suspension without pay for Crew Worker 1, effective 1/17/13.

## CHATTANOOGA POLICE DEPARTMENT:

- **RICKY BALLARD, COLBY BARNES, CHARLES BAYLESS, JONATHAN BRADLEY, JOSHUA BRANAM, ROBERT BROUDRICK, JEFFREY BUCKNER, SEAN BULOW, BRIAN COTTELL, DALE DESMITH, WILLIE GREER, JASON GUNN, CHAD HIGHFILL, JEREMY KENNEDY, DEREK KURTZ, DANIEL MITCHUM II, CHRISTIAN MULLINIX, AYRIEL NOVAK, BENJAMIN PIAZZA, REGINAL PILINKO II, SETH ROMEO, JOESPH SABBA, JOSEPH SILVA, SPENCER GREEN**—Hire as Police Cadets, Range P1, \$34,118.00 annually, effective 1/11/13.
- **RENE HERNANDEZ**—28 Days Suspension without pay for Police Officer 1, effective 1/10—2/7/13.
- **CARLOS WOODRUFF**—Demotion of Police Officer, effective 1/10/13.
- **CARLOS WOODRUFF**—28 Days Suspension without pay for Police Officer 1, effective 1/10—2/7/13.
- **CHARLES BAYLESS**—Resignation of Police Cadet, effective 1/16/13.

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### DONATIONS

Adm. Swafford reported the following donations for the Chattanooga Human Services Department:

**\$500.00** from **Orchard Knob Missionary Baptist Church** for Early Head Start.

**\$8,200.00** in Goods & Services from **DRC/City, Hixson UMC, Renaissance Presbyterian, Pathway Polymers, Greater Second**

**Missionary & United Way**—Christmas Gifts for Child Care.

**\$1,932.93** in Goods & Services from **Bill McKerley, Good Deeds 360, Volunteer Sites & Community and Tresa Newton**—for the Foster Grandparent Program.

**\$750.00** in Goods & Services from **Staff & Volunteers and Community Members**—for Social Services.

### PURCHASES

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

#### **DEPARTMENT OF GENERAL SERVICES:**

**CANON SOLUTIONS, AMERICA, INC. (Name Change from Oce'North America)**  
**Purchase Order 510094**

City Wide Blanket Contract for Copiers

#### **PUBLIC WORKS DEPARTMENT:**

**REJECTION OF BIDS**  
**Requisition #65638/302248**

For Sodium Hypochlorite Storage Tanks

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### PURCHASES (CONT'D)

**AMTEC SURVEYING, INC. (Lowest Bid Meeting Specs.)**  
**Requisition 69476/302366**

Blanket Contract for CCTV & Sonar Sewer Inspection Services

\$350,000.00 estimated annually

**CHATTANOOGA FIRE DEPT.:**

**FIRST LINE TECHNOLOGY (Lowest and Best Bid Meeting Specs.)**  
**Requisition R70329/302396**

AmbuBus Bus Stretcher Conversion Kit

\$46,379.00

**SAFE INDUSTRIES (Lowest and Best Bid Meeting Specs.)**  
**Requisition R70442/302398**

MSA Fire Suppression Equipment

\$20,176.00

**CHATTANOOGA POLICE DEPARTMENT:**

**GULF STATES DISTRIBUTORS (Only Bidder)**  
**Requisition R69241/302377**

35 Taser X26 & Accessories

\$42,120.00

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**APPOINTMENTS**

On motion of Councilwoman Ladd, seconded by Councilman Rico, the following appointment and re-appointments were approved:

**HUMAN SERVICES DEPARTMENT BOARD:**

- Appointment of **EDDIE GRANT** for a three-year term expiring **JANUARY 31, 2016**.

- Re-Appointment of **STEPHEN GILES, DEBORAH HALE, JOHNNY HORNE, STEVE JOHNSON, FLOYD BOONE** and **CARLA SEWELL** for three-year terms expiring **January 31, 2016**.

### COMMITTEES

Councilman Rico reminded everyone of the **Public Works Committee** scheduled for **Tuesday, January 29, 2013** to immediately follow the Agenda Session.

### NEXT WEEK'S AGENDA: January 29, 2013

Vice Chairman Murphy referred to next week's agenda and inquired as to whether there were questions. There were no questions.

### ADJOURNMENT

Vice Chairman Murphy adjourned the meeting of the Chattanooga City Council until Tuesday, January 29, 2013 at 6:00 p.m.

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**CHAIRMAN**

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**CLERK OF COUNCIL**

(A full digital audio of the Council meeting of this date is filed in the Clerk of Council's Office)