



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
July 17, 2018
6:00 PM

CALL TO ORDER

Council Chairman Ken Smith called the meeting to order with Vice-Chairman Erskine Oglesby and Councilpersons Carol Berz, Anthony Byrd, Demetrus Coonrod, Russell Gilbert, Darrin Ledford and Jerry Mitchell. Wade Hinton, City Attorney, and Nicole Gwyn, Council Clerk, were also present. Councilman Chip Henderson was not present this meeting.

PLEDGE OF ALLEGIANCE

Councilman Mitchell led the Assembly in the Pledge of Allegiance. He encouraged everyone to observe the "Golden Rule" during today's proceedings.

APPROVAL OF LAST MINUTES

On motion of Councilman Gilbert and seconded by Councilman Ledford, the minutes of the last meeting (July 10, 2018) were approved as published.

ORDINANCES – FINAL READING:

2018-106
ASA Engineering
Planning Version
District No. 1

On motion of Councilman Mitchell and seconded by Councilman Ledford,

ORDINANCE #13337

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 109 GUILD STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.

Prior to the vote, Chairman Smith confirmed with John Bridger, Executive Director of Regional Planning, that there had been no further changes to any of tonight's planning and zoning items on final reading. After which, the motion carried.

ACTION: APPROVED

2018-107
Zachery S. Darnell
Planning Version
District No. 5

On motion of Councilman Gilbert and seconded by Councilman Ledford,

ORDINANCE #13338

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 4510 OLD MISSION ROAD AND 140 SEQUOIA DRIVE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-3MD MODERATE DENSITY ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

2018-101
Russell Bigham
Planning Version
District No. 5

On motion of Councilman Gilbert and seconded by Councilwoman Coonrod,

ORDINANCE #13339

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 3204 HARRISON PIKE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE.

ACTION: APPROVED

2018-095
John Wise
Planning Version
District No. 7

On motion of Vice-Chairman Oglesby and seconded by Councilwoman Coonrod,

ORDINANCE #13340

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 1791 AND 1795 REGGIE WHITE BOULEVARD, MORE PARTICULARLY DESCRIBED HEREIN, FROM U-CIV-6 URBAN CIVIC ZONE 6 STORIES MAXIMUM HEIGHT TO U-CX-4 URBAN COMMERCIAL MIXED USE ZONE 4 STORIES MAXIMUM HEIGHT, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

2018-100
J. Stephen Rich
Planning Version
District No. 7

On motion of Vice-Chairman Oglesby and seconded by Councilman Byrd,

ORDINANCE #13341

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 3900 CALHOUN AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

2018-065
Chattanooga Neighborhood Enterprise
c/o Bob McNutt
Planning Version
District No. 9

On motion of Councilwoman Coonrod and seconded by Councilman Byrd,

ORDINANCE #13342

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1715 UNION AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

MR-2018-086
McCallie School % Thomas Hayes
Transportation and Planning Version
District No. 9

On motion of Councilwoman Coonrod and seconded by Councilman Byrd,

ORDINANCE #13343

AN ORDINANCE CLOSING AND ABANDONING THE 1100 BLOCK OF KYLE STREET, 1000 AND 1100 BLOCKS OF LEWIS STREET, 1000 AND 1100 BLOCKS OF WOODWARD AVENUE, 800 BLOCK OF KYLE STREET, 2600-2900 BLOCKS OF ANDERSON AVENUE, 2600-2900 BLOCKS OF BENNETT AVENUE, AND UNOPENED ALLEY RIGHTS-OF-WAY LOCATED BETWEEN BENNETT AVENUE AND EAST 12TH STREET AND LEWIS STREET, AND THE CURRENTLY CLOSED ALLEY (CLOSED BY CASE NO. MR-2013-007), AS DETAILED ON THE ATTACHED MAP TO ALLOW FOR FUTURE GROWTH OF MCCALLIE SCHOOL, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

ORDINANCES – FIRST READING: (NONE)

RESOLUTIONS:

On motion of Councilman Gilbert and seconded by Councilwoman Berz,

RESOLUTION #29539

A RESOLUTION DECLARING SURPLUS OF PROPERTY LOCATED AT 105 CEDAR LANE, IDENTIFIED AS TAX MAP NO. 148P-A-040.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilwoman Berz,

RESOLUTION #29540

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A DONATION AGREEMENT, IN SUBSTANTIALLY THE FORM ATTACHED, WITH THE CHATTANOOGA METROPOLITAN AIRPORT AUTHORITY, A REGISTERED NON-PROFIT, AND TO EXECUTE ANY RELATED DOCUMENTS BETWEEN THE CITY OF CHATTANOOGA AND THE CHATTANOOGA METROPOLITAN AIRPORT AUTHORITY FOR THE CONVEYANCE OF PROPERTY LOCATED AT 105 CEDAR LANE, IDENTIFIED AS TAX MAP NO. 148P-A-040.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

RESOLUTION #29541

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A THIRD AMENDMENT TO LEASE WITH EAST NOOGA, LLC, IN SUBSTANTIALLY THE FORM ATTACHED, FOR APPROXIMATELY 11,405 SQUARE FEET OF SENIOR ACTIVITY MEETING SPACE IN A PORTION OF EASTGATE TOWN CENTER AT 5600 BRAINERD ROAD FOR AN ADDITIONAL TERM OF ONE (1) YEAR FOR THE AMOUNT OF \$6,158.70 PER MONTH, FOR A TOTAL AMOUNT OF \$73,904.40 PER YEAR.

ACTION: ADOPTED

On motion of Vice-Chairman Oglesby and seconded by Councilman Byrd,

RESOLUTION #29542

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE FIRST AGREEMENT TO EXERCISE OPTION TO RENEW WITH THE HOUSE OF RUTH, INC., IN SUBSTANTIALLY THE FORM ATTACHED, FOR PARCELS LOCATED AT TAX MAP NO. 167C-B-015, 167C-B-016, AND 167C-B-017, WITH ASSIGNED ADDRESSES OF 4327 OAKLAND AVENUE, 4333 OAKLAND AVENUE, AND 511 W. 45TH STREET, AT THE RATE OF \$1.00 PER YEAR, FOR AN ADDITIONAL TERM OF ONE (1) YEAR, WITH THE PARKING TO BE USED BY THE MEMBERS OF THE GREATER ST. JOHN MISSIONARY BAPTIST CHURCH AND FOR CHARITABLE PURPOSES AS AUTHORIZED BY THE LESSEE'S BOARD OF DIRECTORS.

ACTION: ADOPTED

On motion of Councilman Byrd and seconded by Councilwoman Coonrod,

RESOLUTION #29543

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A FIRST AMENDMENT TO LEASE AGREEMENT, IN SUBSTANTIALLY THE FORM ATTACHED, WITH THE CINCINNATI, NEW ORLEANS AND TEXAS PACIFIC RAILWAY COMPANY FOR THE CONTINUED OPERATION OF A 0.77 ACRE PARK, IDENTIFIED AS RIVERSIDE PARK LOCATED AT 1004 CRUTCHFIELD STREET, TAX PARCEL NO. 136C-G-001, FOR AN AMOUNT OF \$600.00 PER YEAR SUBJECT TO AN ANNUAL INCREASE BASED UPON THE CONSUMER PRICE INDEX.

ACTION: ADOPTED

On motion of Vice-Chairman Oglesby and seconded by Councilman Byrd,

RESOLUTION #29544

A RESOLUTION AUTHORIZING THE CHIEF INFORMATION OFFICER (CIO) TO EXECUTE A BLANKET CONTRACT WITH KCI TECHNOLOGIES TO BE A PROVIDER OF SOFTWARE, LICENSING, TECHNOLOGY SUPPORT, AND PROFESSIONAL SERVICES ASSOCIATED WITH CITY WORKS MANAGED HOSTED SOLUTION CITY-WIDE, FOR THE PERIOD OF ONE (1) YEAR, WITH THE OPTION TO RENEW FOR TWO ADDITIONAL YEARS, BEGINNING JULY 18, 2018 THROUGH JULY 17, 2019, IN THE AMOUNT OF \$130,732.19 AND FOR AN AMOUNT NOT TO EXCEED \$235,000.00 THE FIRST YEAR.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilwoman Berz,

RESOLUTION #29545

A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO GRIFFIN AND STRONG PC TO CONDUCT A LEGAL ANALYSIS AND DISPARITY STUDY, AND AUTHORIZING THE CITY ATTORNEY TO EXECUTE SAID CONTRACT, FOR AN AMOUNT NOT TO EXCEED \$175,000.00.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilwoman Coonrod,

RESOLUTION #29546

A RESOLUTION AUTHORIZING THE OFFICE OF THE CITY ATTORNEY TO ENGAGE THE VARIOUS LAW FIRMS LISTED BELOW FOR LEGAL SERVICES IN GENERAL LITIGATION MATTERS; CORPORATE, TRANSACTIONAL, INTELLECTUAL PROPERTY & ADMINISTRATIVE MATTERS; LABOR & EMPLOYMENT MATTERS; AND GOVERNMENT RELATIONS MATTERS FOR THE PERIOD OF JULY 1, 2018 THROUGH JUNE 30, 2019.

ACTION: ADOPTED

On motion of Councilman Mitchell and seconded by Councilman Ledford,

RESOLUTION #29547

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO YEAR TWO (2) OF A POSSIBLE FIVE (5) YEAR AGREEMENT WITH MATERIAL MATTERS, INC. FOR PROFESSIONAL SERVICES RELATED TO THE BIOSOLIDS DATA MANAGEMENT SYSTEM AND ALL SERVICES LISTED THEREIN, FOR AN AMOUNT NOT TO EXCEED \$44,925.00 ANNUALLY.

ACTION: ADOPTED

On motion of Councilman Mitchell and seconded by Councilman Ledford,

RESOLUTION #29548

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO AN AGREEMENT WITH SHIFT TRANSIT TO CONTINUE MANAGEMENT OF THE BIKE AMBASSADORS AND OVERSEE BIKE CHATTANOOGA SYSTEM EXPANSION WITH THE REMAINING \$57,700.00 IN GRANTS FROM THE LYNDHURST FOUNDATION AND FRIENDS OF OUTDOOR CHATTANOOGA.

ACTION: ADOPTED

On motion of Councilwoman Coonrod and seconded by Councilman Byrd,

RESOLUTION #29549

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT TO CONTRACT WITH THE LISTED CHILD CARE PROGRAMS TO PROVIDE HEAD START AND EARLY HEAD START SERVICES FOR 200 CHILDREN, FOR AN AMOUNT NOT TO EXCEED \$967,733.00.

ACTION: ADOPTED

On motion of Councilwoman Coonrod and seconded by Councilman Byrd,

RESOLUTION #29550

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT TO CONTRACT WITH THE LISTED CHILD CARE PROGRAMS TO PROVIDE HEAD START/CHILD CARE PARTNERSHIP SERVICES FOR 150 CHILDREN, FOR AN AMOUNT NOT TO EXCEED \$1,506,644.00.

ACTION: ADOPTED

On motion of Councilwoman Coonrod and seconded by Councilman Byrd,

RESOLUTION #29551

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT TO ACCEPT UP TO \$130,000.00 FROM THE SMART CITIES VENTURE FUND OF WHICH \$30,000.00 WILL LEVERAGE A PREVIOUSLY RECEIVED GRANT FROM NATIONAL LEAGUE OF CITIES AND \$100,000.00 WILL LEVERAGE THE PRITZKER FELLOWSHIP GRANT.

ACTION: ADOPTED

On motion of Councilwoman Coonrod and seconded by Councilman Byrd,

RESOLUTION #29552

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT TO ACCEPT A TWO (2) YEAR \$150,000.00 AWARD FROM THE PRITZKER CHILDREN'S INITIATIVE TO BE EXPENDED IN SERVICES TO A PRITZKER PRENATAL TO THREE FELLOW.

ACTION: ADOPTED

PURCHASES:

Bonnie Woodward, Purchasing Director, briefed the Council on the following proposed purchases:

R171941 - Public Works Estimated \$50,000. Annually
New Blanket Contract for Sewer Treating Chemicals,
Waste Resource Division, Public Works Department
Lowest/Best Bidder: CHEMSEARCH
2727 Chemsearch Blvd.
Irving, TX 75062

R172151 - Public Works Estimated \$1,000,000 Annually
New Blanket Contract for Bulk Fuel, Top and/or
Side Loading Tankers, Fleet Management Division,
Public Works Department
Lowest/Best Bidder: JAT Oil Inc
600 West Main Street
Chattanooga, TN 37402

PO 534083 & PO 534084 - Public Works Estimated \$80,000. Annually
Blanket Contract Renewal for VFD. DCD & Electronic
Board Service, Waste Resource Division, Public Works Department
Lowest/Best Bidders:
1. Tekwell Services LLC 1301 Galway Street Knoxville, TN 37917
2. Rome Electric Motor Works, Inc. 36 Westside Industrial Blvd Rome, GA 30165

PO 538811 - Public Works Estimated \$60,000. Annually
Blanket Contract Renewal for Traffic Control Services,
Waste Resource Division, Public Works Department
Lowest/Best Bidder: T.R. Moore & Associates, Inc.
830 McCallie Avenue
Chattanooga, TN 37403

PO 539036 - Public Works Estimated \$2,000,000. Annually
Blanket Contract Renewal for Sedans, SUVs, Vans
& Light Trucks - Fleet Management Division, Public Works Department
Lowest/Best Bidder: Ford of Dalton
925 Shugart Road
Dalton, GA 30722

PO 539206 - Public Works Estimated \$31,000. Annually
Blanket Contract Renewal for Swimming Pool
Chemicals, Facilities Management, Public Works Department
Lowest/Best Bidder: Pro Chemical Products
702 East 13th Street
Chattanooga, TN 37408

PO 544335 - Public Works Estimated \$100,000. Annually
Blanket Contract Renewal for Manhole Components,
City Wide Services, Public Works Department
Lowest/Best Bidder: Acheson Foundry & Machine Works Co.
511 West 38th Street
Chattanooga, TN 37409

PO 544344 - Public Works

Estimated \$100,000. Annually

Blanket Contract Renewal for Traffic Barricades,
City Wide Services, Public Works Department
Lowest/Best Bidder: A-1 Barricades, Inc.
624 Snow Street
Chattanooga, TN 37405

R167767 - Public Works

No Charge

New Blanket Contract for HVAC Service, Repairs,
Equipment & Installation, Facilities Management Division,
Public Works Department
Lowest/Best Bidder: W.J. O'Neil Company
500 W. 26th Street
Chattanooga, TN 37408

R173030 - Office of the Mayor

\$71,588.10

Purchase R173030 of Socrata Data Platform; Software,
Support & Maintenance - Office of the Mayor
Lowest/Best Bidder: Socrata Inc.
705 5th Avenue S, Suite 600
Seattle, WA 98104

PO 544554 - Police Department

Estimated \$25,000. Annually

Blanket Contract Renewal for Sig Sauer Pistols,
Chattanooga Police Department
Lowest/Best Bidder: Accurate Law Enforcement
8562 Summer Avenue
Memphis, TN 38122

Ms. Woodward responded to Councilman Gilbert's questions on what happens to the old vehicle inventory when new vehicles are purchases, and the ways in which inventory is auctioned. **Vice-Chairman Oglesby moved** to approve, seconded by Councilwoman Berz. The motion carried.

ACTION: ALL PURCHASES APPROVED

OTHER BUSINESS:

Board Appointment

Vice-Chairman Oglesby moved to approve Stephenie Sinkfield to the Health, Education & Housing Facility Board. He was seconded by Councilwoman Berz. The motion carried.

District 5 Event

Councilman Gilbert reminded everyone about the annual "Rock The Block Back-to-School Bash," on Saturday, August 4, 2018, at the Brainerd Recreation Center. They estimate giving supplies and book bags to 1,000 children this year; therefore, donations are greatly appreciated.

COMMITTEE REPORTS:

Budget and Finance Committee

Councilwoman Berz

(No report)

Economic and Community Development Committee

Councilman Byrd

(No report)

Human Resources Committee (HR)

Councilman Gilbert

(No report)

Planning and Zoning Committee

Councilman Ledford

(No report)

Public Safety Committee

(No report - Councilman Henderson not present)

Public Works and Transportation Committee

Councilman Mitchell

- The committee will meet next week (July 24) after the 3:00 p.m. Agenda Session.

Youth and Family Development Committee

Councilwoman Coonrod

(No report)

RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL (Non-Agenda Items)

Attorney Hinton read the rules of procedure for persons wishing to address the Council on non-agenda items. After which, Chairman Smith recognized the following persons:

- **Basil Marceaux (Chattanooga)** – He noted that he is a candidate for governor. He opposes changes to City Court. He believes such changes would make the whole city “civil only.” He referenced Thomas Jefferson and signing of the Republic. He discussed judges listening to the higher court.
- **Christopher Dahl (Chattanooga)** – He spoke on organized crime and corruption and believes that is taking place in government and referenced “back-door meetings” as an example. He discussed various contradictions in government, such as overflowing sewers in the city while sewer fees are being increased. He implored the Council to make sure that laws are being followed.
- **Maria Mott (Chattanooga)** – She spoke regarding the Chattanooga Times Free Press article on a Chattanooga police officer being accused of rape while on duty. She spoke on the role of the Council, especially the African American members, to be role models in the community and to ensure that if she is pulled over by a cop, that she does not have to fear assault. She asked the Council for two things: (1) a

community oversight board for CPD and (2) a public forum on recent police incidents.

- **Monty Bell (Chattanooga)** – He spoke on years of being harassed by specific individuals. He blamed Councilwoman Berz and Attorney Hinton for attacks on his reputation and career. He spoke on his book idea being stolen.
 - Chairman Smith interrupted Mr. Bell and asked him to adhere to the rules by not making disparaging remarks against his individual colleagues. Mr. Bell refused to adhere to the rule.
 - During the exchange between Chairman Smith and Mr. Bell, Councilman Gilbert called a *point of order* and asked Chairman Smith if there were other members of the public who wished to speak. Chairman Smith ruled that there was another member of the public wishing to speak; therefore, he offered to restore Mr. Bell's last two minutes to the clock, but Mr. Bell did not accept the offer to continue speaking from the podium.
- **Gary Ball (Chattanooga)** – He came on behalf of his company, Tower Construction. He has problems with CNE competing with companies like his in the area of development. He believes that CNE has access to properties and prices that his company does not have access. Due to the recent passage of a CNE zoning matter in District 9, he asked Councilwoman Coonrod to do more research on CNE in development. He also spoke on the City Attorney Office's recent opinion regarding liens on surplus properties sold by the County. He believes the CAO's change in opinion will open a "hornet's nest."
- **Jeff Meldov (Chattanooga)** – He spoke on the recent Chattanooga Times Free Press article regarding the Chattanooga police officer accused of raping women while on duty. He recommends "meaningful" civilian oversight of CPD. He has concerns about claims against the police that only come to light when multiple complains are made.
- **Sandra Jenkins (Chattanooga)** – She lives in the Westgate Apartments on Delashmitt Road. She is concerned with safety driving in/out of her apartment complex. She asks that the City install a mirror outside of the complex entryway to help drivers. She stated that she had a petition from residents requesting the mirror.

ADJOURNMENT

On motion of Councilman Byrd, Chairman Smith adjourned the meeting of the Chattanooga City Council until Tuesday, July 24, 2018, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL