



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
for
April 23, 2013
6:00 PM

CALL TO ORDER

Chairman Yusuf Hakeem called the meeting to order with Vice Chairman Henderson, Councilwoman Berz and Councilmen Anderson, Freeman, Gilbert, Grohn, Mitchell and Smith all present.

Also present: Management Analyst, Randy Burns, *Interim* Council Clerk, Sandy Freeman, and Council Support Assistant, Cindy Patrick.

PLEDGE OF ALLEGIANCE/INVOCATION

Councilman Ken Smith led the full attendance in the Pledge of Allegiance. Following the Pledge, Councilman Smith provided the invocation with a moment of reflection for the men and women who serve all over this nation in our police and fire departments. He noted that with the events in Boston and Texas it is important to know that these men and women should not be taken for granted and should be admired for their readiness and willingness always to protect and to serve.

MEETING MINUTES APPROVAL – APRIL 16, 2013

On the Motion of Vice Chairman Chip Henderson and seconded by Councilman Chris Anderson, the minutes of the previous meeting (*April 16, 2013*) were approved as published.

RECOGNITION OF MAYOR'S OFFICE

Chairman Hakeem noted Mayor Andy Berke in attendance and asked for him to come forward with his comments regarding the restructuring of City Government Departments.

Mayor Berke addressed the Council and attendance with what he detailed as “three quick points” on the reorganization. Those three points as outlined by Mayor Berke were as follows:

- 1. The vital importance of the public needs being the priority of the elected officials in Chattanooga. He stressed the need to have these priorities firmly aligned with those clearly stated by the citizens of Chattanooga. These priorities are defined as Economic Development, Community Development and Youth Development.*
- 2. The necessity to unleash the power of the City Government employees to their fullest realized potential. This will help to provide better results for all issues and concerns of the citizens of Chattanooga.*
- 3. The ability of the leadership of Chattanooga to work together to achieve these results for the betterment of the community and the citizens of Chattanooga.*

Mayor Berke thanked the Council members for their assistance and support during this restructuring. He indicated that during these meetings each Councilmember approached with excellent questions, concerns, and issues and always maintained that the people of Chattanooga came first in all regards.

MOVEMENT OF AGENDA ITEMS

Vice Chairman Chip Henderson made the motion to move to the front of the agenda the discussion of Resolutions 27487, 27488, 27489 and 27490 (as noted in the agenda) and was seconded by Councilman Chris Anderson.

RESOLUTIONS

On motion of Councilman Moses Freeman, seconded by Councilman Ken Smith,

RESOLUTION NO. 27487

A RESOLUTION DISCONTINUING THE DEPARTMENT OF EDUCATION, ARTS AND CULTURE AS A SEPARATE DEPARTMENT IN THE CITY.

ACTION: ADOPTED

On motion of Councilman Moses Freeman, seconded by Councilman Ken Smith,

RESOLUTION NO. 27488

A RESOLUTION APPROVING THE CREATION OF THE DEPARTMENT OF TRANSPORTATION.

ACTION: ADOPTED

On motion of Councilman Moses Freeman, seconded by Councilman Ken Smith,

RESOLUTION NO. 27489

A RESOLUTION CONSOLIDATING AND RENAMING BOTH THE DEPARTMENT OF PARKS AND RECREATION AND THE DEPARTMENT OF HUMAN SERVICES AS THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT.

ACTION: ADOPTED

On motion of Councilman Moses Freeman, seconded by Councilman Ken Smith,

RESOLUTION NO. 27490

A RESOLUTION RENAMING THE DEPARTMENT OF NEIGHBORHOOD SERVICES AND COMMUNITY DEVELOPMENT AS THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT.

ACTION: ADOPTED

Chairman Hakeem stated that the Agenda would now proceed in chronological order, as written.

ORDINANCES – FINAL READING

AMEND CITY CODE/ZONING ORDINANCE - REGARDING CONSECRATION OF PET REMAINS

On motion of Councilwoman Carol Berz, seconded by Councilman Russell Gilbert,

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, TO INCLUDE FUNERAL, CEMETERY, AND CREMATION REGULATIONS FOR COMPANION ANIMALS.

ACTION: PASSED ON FINAL READING

2013-006 CITY OF CHATTANOOGA/RPA:

AMEND CITY CODE/ZONING ORDINANCE – ASSIGNMENT OF TEMPORARY ZONES TO PERMAMENT ZONES

On motion of Councilman Larry Grohn, seconded by Councilman Chris Anderson,

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED ON AMBERLEY TRAIL, COLONIAL PARKWAY, ELLINGTON WAY, FENCHCROFT LANCE, HAVEN CREST DRIVE, IGOU GAP ROAD, KING COURT LANE, MORRIS GLEN COURT, MORRIS HILL ROAD, PEBBLE CREEK ROAD, PINE NEEDLES TRAIL, RAY JO CIRCLE AND ANNEXATION AREA 11 A FROM TEMPORARY ZONES TO PERMANENT ZONES, AS SET FORTH MORE FULL HEREIN.

ACTION: PASSED ON FINAL READING

2013-037 ROHDIE GROUP, LLC/WILLIE MAE SWEENEY:

AMEND CITY CODE/ZONING ORDINANCE – CHANGE OF ZONE FROM R-1 TO R-3

On motion of Councilwoman Carol Berz, seconded by Councilman Russell Gilbert,

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 6839 MCCUTCHEON ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FINAL READING

ORDINANCES – FIRST READING

MR-2011-127 GOODWIN SOUTHERN PROPERTIES (ABANDONMENT):

AMEND CITY CODE/ZONING ORDINANCE –CLOSING AND ABANDONMENT

On motion of Councilman Moses Freeman, seconded by Councilman Russell Gilbert,

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE 1400 BLOCK OF JEFFERSON STREET TO INCLUDE THE UTILITY EASEMENT AND CONSTRUCTION OF CUL-DE-SAC CONDITIONS STATED ON THE ATTACHED MEMORANDUM.

SPECIFIED CONDITIONS FOR APPROVAL:

- 1. THE PORTION OF THE SUBJECT 1400 BLOCK OF JEFFERSON STREET IS 40' ± WIDTH AND 125' ± IN LENGTH FOR A COMBINED AREA OF 5,000 SQ. FEET.**
- 2. THE CHATTANOOGA GAS COMPANY HAS INFRASTRUCTURE IN THE SUBJECT PORTION OF JEFFERSON STREET.**
- 3. THE PLANNING COMMISSION HAS RECOMMENDED APPROVAL.**
- 4. NOTED OBJECTIONS FROM THE UTILITY OWNER (CHATTANOOGA GAS) HAVE BEEN ADDRESSED – UTILITY EASEMENT MOVED.**

ACTION: PASSED ON FIRST READING

RESOLUTIONS

On motion of Councilman Moses Freeman, seconded by Councilman Ken Smith,

RESOLUTION NO. 27481

A RESOLUTION AUTHORIZING PAYMENT TO DAVID AND JACQUELYN ROGERS, FOR A RIGHT-OF-WAY EASEMENT, RELATIVE TO CONTRACT NO. E-11-017, NORTH SEMINOLE DRIVE IMPROVEMENTS FOR TRACT NO. 1, PROPERTY LOCATED AT 409 N. SEMINOLE DRIVE, CHATTANOOGA, TN 37411, TAX ID NO. 146L-L-027, FOR AN AMOUNT NOT TO EXCEED TWO THOUSAND THREE HUNDRED FORTY-FOUR DOLLARS (\$2,344.00).

Mr. Lee Norris from the Public Works Department indicated that this resolution had been discussed in depth at the Public Works Committee meeting (April 23, 2013). All questions and concerns had been addressed at that time.

ACTION: ADOPTED

On motion of Councilman Chris Anderson, seconded by Councilwoman Carol Berz,

RESOLUTION NO. 27482

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF NEIGHBORHOOD SERVICES AND COMMUNITY DEVELOPMENT TO ENTER INTO AN AGREEMENT WITH CHATTANOOGA CHURCH MINISTRIES, INC. D/B/A THE CHATTANOOGA COMMUNITY KITCHEN, INC., TO COVER ALL ON-GOING CITY AND FEDERAL COMPLIANCE REQUIREMENTS ASSOCIATED WITH THE ASSUMPTION OF THE PROPERTY FROM ROSEWOOD SUPPORTIVE SERVICES, INC. LOCATED AT 2513 MCCRAE STREET, WHICH WAS DEVELOPED USING HOME INVESTMENT PARTNERSHIP ACT FUNDS.

Chairman Hakeem indicated that this resolution and a second resolution (follows) were discussed in depth at the Agenda Session meeting (April 23, 2013). All questions and concerns had been addressed at this time. Councilman Grohn noted that all agencies were in agreement for the transfer of property as well as the dissolution of Rosewood Supportive Services, Inc.

ACTION: ADOPTED

On motion of Councilman Russell Gilbert, seconded by Councilman Larry Grohn,

RESOLUTION NO. 27482

A RESOLUTION AUTHORIZING THE DEPUTY ADMINISTRATOR OF THE DEPARTMENT OF NEIGHBORHOOD SERVICES AND COMMUNITY DEVELOPMENT TO ENTER INTO AN AGREEMENT WITH CHATTANOOGA CHURCH MINISTRIES, INC. D/B/A THE CHATTANOOGA COMMUNITY KITCHEN, INC., TO COVER ALL ON-GOING CITY AND FEDERAL COMPLIANCE REQUIREMENTS ASSOCIATED WITH THE ASSUMPTION OF THE PROPERTY FROM ROSEWOOD SUPPORTIVE SERVICES, INC. LOCATED AT 2513 MCCRAE STREET, WHICH WAS DEVELOPED USING HOME INVESTMENT PARTNERSHIP ACT FUNDS.

As previously noted, this was discussed during the Agenda Session Meeting (April 23, 2013).

ACTION: ADOPTED

On motion of Councilman Larry Grohn, seconded by Councilman Jerry Mitchell,

RESOLUTION NO. 27484

A RESOLUTION TO APPROVE CHANGING THE NAME OF THE 1000-1099 SEGMENT OF ENGEL AVENUE TO STANLEY AVENUE 1000-1099 DUE TO 911 EMERGENCY RESPONSE ISSUES RESULTING FROM DUPLICATE STREET NAMES AND DUPLICATE BLOCK RANGES IN DIFFERENT GEOGRAPHIC SECTIONS OF THE CITY.

ACTION: ADOPTED

On motion of Councilman Larry Grohn, seconded by Vice Chairman Chip Henderson,

RESOLUTION NO. 27485

A RESOLUTION TO APPROVE CHANGING THE NAME OF THE 900-999 BLOCK OF ENGEL AVENUE TO JOE ENGEL DRIVE 900-999 DUE TO 911 EMERGENCY RESPONSE ISSUES RESULTING FROM DUPLICATE STREET NAMES AND DUPLICATE BLOCK RANGES IN DIFFERENT GEOGRAPHIC SECTIONS OF THE CITY.

ACTION: ADOPTED

On motion of Councilman Chris Anderson, seconded by Vice Chairman Chip Henderson,

RESOLUTION NO. 27486

A RESOLUTION AUTHORIZING THE WAIVER OF EVENT FEES FOR THE MARK MAKING FOUNDATION, THE UTC INSTITUTE OF ARCHEOLOGY, THE PARKS FOUNDATION, AND THE HUNTER MUSEUM OF AMERICAN ART FOR USE OF THE WALNUT STREET BRIDGE FOR A PARADE ON SUNDAY, MAY 5, 2013, FROM 2:00 P.M. TO 3:00 P.M.

Mr. Anderson provided a brief history of the Walnut Street Bridge and the revitalization of the bridge through the works of the applicant's (Mark Making Foundation, UTC Institute of Archeology, the Parks Foundation and the Hunter Museum of Art) with specific attention to the Parks Foundation and Mr. Garnet Chapin.

Vice Chairman Henderson asked if there was a precedent for waiving fees of this nature and Mr. Anderson noted the importance of this bridge to the vibrancy of the City and therefore a precedent perhaps should be in place for public events of this nature. Mr. Grohn enthusiastically seconded all of Mr. Anderson's comments and said that the City should also encourage the citizens of Chattanooga to purchase the new memorial plaques on the bridge. Mr. Freeman asked that Mr. Garnet Chapin come forward as the representative of this organization.

Mr. Chapin also recognized Mr. Nic Honerkamp, Ms. Frances McDonald and Jason Havern as in attendance and representing this event. Mr. Chapin detailed about the new plaques and the history of the revitalization. He also noted that with the parade/festival date of May 5, the Hispanic community was being encouraged strongly to participate by Greta Hays as part of their community's Cinco de Mayo festivities.

Chairman Hakeem thanked Mr. Chapin for his contributions to the City with this project, as well as others, associated with the revitalization of the bridge area including the Bluff Furnace display and other areas surrounding the Hunter Art Museum.

Ms. Berz spoke of what a wonderful event this was and felt that going forward there should be a discussion of precedence for public events of this nature and the waiving of fees in order to maintain fairness with all organizations in the City.

Mr. Chapin reminded the audience of the date of the event as Sunday, May 5, 2013 from 2:00-3:00 p.m.

ACTION: ADOPTED

OVERTIME REPORT

Overtime for the week ending April 16, 2013, totaled \$32,340.92.

DEPARTMENTAL REPORTS

Personnel:

Chattanooga Police Department:

TROY CANNON – Return to Duty – Police Officer 1, effective 4/16/2013

LEROY WRIGHT – Return to Duty – Police Officer 1, effective 4/22/2013

Fire Department

A. LLOYD HARRIS – FMLA – Firefighter Senior, effective 4-3 thru 6/26/2013

PW Administration

DEBORAH SHEPHERD – Promotion of Fiscal Analyst, effective 3/22/2013

IS

ANIA EBERSOLE – Transfer to Director, Citizen Services, effective 4/12/2013

Benefits

CAROL SILVEY – Promotion to Safety program Coordinator, effective 4/19/2013

Community Development

CHABRELLE HAIGLER – Promotion to Community Development Specialist, effective 4/19/2013

PURCHASES

There were no purchases to discuss.

REFUNDS

On motion of Councilwoman Carol Berz, seconded by Councilman Russell Gilbert,

REQUEST FOR REFUNDS:

Refunds for Water Quality fees and/or Property taxes as per listing:

<u>Assessed Owner</u>	<u>MAP Number</u>	<u>Refund Due</u>
Stratford Company	158H-G-021	\$2,566.15
Rosewood Supportive Svcs.	137I-B-023 and 157B-K-021.01	\$5,885.73

ACTION: MOTION PASSED

OTHER BUSINESS

There was no other business to discuss.

COMMITTEE REPORTS

Councilwoman Carol Berz noted that the Budget and Finance Committee had been presented with the final results from the United Way on their assessment of submittals and dispersals. Ms. Berz indicated that until Mayor Berke's budget has been presented, the Budget and Finance Committee will not meet.

No other committees meet during the previous week (April 16- April 23).

NEXT AGENDA: MEETING – April 30, 2013, 6:00 p.m.

Chairman Hakeem referred to next week’s agenda (April 30, 2013) and indicated that an agenda session would be held on **Tuesday, April 30, 2013, at 3:00 p.m.**

**RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL
(NON- AGENDA ITEMS)**

PATRICK KELLOGG

Mr. Patrick Kellogg of 539 North Hawthorne Street, Chattanooga, addressed the Council. He took the opportunity to thank the Council for the chance to sit in on the Budget and Finance Committee to hear the final results on how tax dollars had been spent and if they were being spent correctly. He indicated that he had some issues with how fund requests from HOPE and other Community Block grants were being handled and that at times it appeared they were “double dipping” for funding. He wanted to be assured that these funds were being dispersed evenly and was here at the Council meeting to represent on behalf of others in the inner city that were being served by some of these programs not currently receiving these funds.

He mentioned specifically the Bethlehem Center, Hope for the Inner City and Olivet Baptist Church as those possibly needing help with their ongoing programs to help at risk youth.

Mr. Kellogg also inquired about the procedure of adopting all resolutions in block without discussion on each point. Chairman Hakeem assured him that each had been discussed extensively during the Agenda Session on April 23, 2013, and encouraged Mr. Kellogg to attend the Agenda Session meetings in the future. Mr. Hakeem also noted that the Council was looking into having all meetings (Committee, Agenda Session and Council) available for streaming and should be available in the near future.

JACQUELYN CASEY

Ms. Jacquelyn Casey of 814 Mt. Vernon Circle, Chattanooga, addressed the Council. She spoke of a letter she had recently received from the GIS Department of the City and was concerned about the proposed name change for her street. She noted that Mt. Vernon Circle had been so named for 50 years and to change the name for the 10 residents on her street would create many more problems than it would solve.

Ms. Casey indicated that there had been no issues with safety (specifically ambulance and fire) and cited two cases where both departments had been called to the area with no problems. She also noted that she had inquired with several delivery and service businesses outside of her area and was assured that finding her address presented no problems or issues.

Ms. Casey wanted to go on record as strongly protesting this change and that others were in attendance at this meeting to note their dissent as well.

Mr. Anderson asked for a show of hands from the attendance as to how many were residents of Mt. Vernon Circle. He further inquired from those recognized if there had been service interruptions of any kind in their area. All residents noted "NO". Ms. Casey also noted none to her knowledge.

Chairman Hakeem assured Ms. Casey that this would be fully discussed in Public Works Committee at a future date and that all residents would be made aware of this discussion date.

Chairman Hakeem inquired as to any others in the attendance that wished to speak and acknowledged that Commissioner Tim Boyd and his wife were attending and thanked him for coming and his support of the Council.

ADJOURNMENT

Chairman Hakeem adjourned the meeting of the Chattanooga City Council until **Tuesday, April 30, 2013, at 6:00 p.m.**

CHAIRMAN

INTERIM CLERK OF COUNCIL

**(A full digital audio of this Council meeting, April 23, 2013,
has been filed in the Clerk of the Council's office)**

**(A FULL AND COMPLETE LISTING OF NAMES OF PERSONS IN ATTENDANCE IS FILED WITH THE MINUTE
MATERIALS OF THIS DATE, APRIL 23, 2013)**