



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
August 20, 2013
6:00 PM

CALL TO ORDER

Chairman Yusuf Hakeem called the meeting to order with Vice Chairman Henderson and Councilpersons Carol Berz, Chris Anderson, Moses Freeman, Russell Gilbert, Larry Grohn, Jerry Mitchell and Ken Smith all present. City Attorney Wade Hinton, Management Analyst Randy Burns and Deputy Clerk Nicole Gwyn were also present.

PLEDGE OF ALLEGIANCE

Councilman Mitchell led the assembly in the Pledge of Allegiance. He invited Pastor Gary Purdy of North Shore Fellowship to lead the invocation for the family of the late Debbie Johnson, Department of Economic and Community Development employee who died over the weekend. Councilman Gilbert read a memorial tribute in honor of Ms. Johnson, written by her colleague Karen Clay.

APPROVAL OF LAST MINUTES

On motion of Councilwoman Berz and seconded by Councilman Gilbert, the minutes of the last meeting (July 16, 2013) were approved as published.

ORDINANCES – FINAL READING:

On motion of Councilman Anderson and seconded by Councilwoman Berz,

ORDINANCE #12752

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 24, SECTION 502, RELATIVE TO SCHEDULE II, SPEED ON THROUGH STREETS.

ACTION: APPROVED

On motion of Vice Chairman Henderson and seconded by Councilman Smith,

ORDINANCE #12749

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE V, DIVISION 25, PLANNED UNIT DEVELOPMENT-RESIDENTIAL.

ACTION: APPROVED

On motion of Vice Chairman Henderson and seconded by Councilman Mitchell

ORDINANCE #12750

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE V, DIVISION 26, PLANNED UNIT DEVELOPMENT-INSTITUTIONAL.

ACTION: APPROVED

2013-073 JOHN R. ANDERSON/
DALLAS AND BEVERLY BUNTON
DISTRICT NO. 6
PLANNING VERSION

On motion of Councilwoman Berz and seconded by Councilman Anderson,

ORDINANCE #12751

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 2910 SILVERDALE ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO O-1 OFFICE ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

2013-091 BRITT GOODSON/
STATE OF TENNESSEE
DISTRICT NO. 3
PLANNING/APPLICANT VERSION

On motion of Councilman Smith and seconded by Councilman Mitchell,

ORDINANCE #12754

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 5528 AND 5530 HIGHWAY 153, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE.

ACTION: APPROVED

2013-096 JODY SHEA/
SHEA PROPERTIES
DISTRICT NO. 8
PLANNING VERSION

On motion of Councilman Freeman and seconded by Councilwoman Berz,

ORDINANCE #12753

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1800 E. 25TH STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO M-2 LIGHT INDUSTRIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

2013-097 DAVID JONES/
HAMILTON AVENUE PROPERTIES
DISTRICT NO. 1
PLANNING VERSION

On motion of Councilman Mitchell and seconded by Councilman Smith,

ORDINANCE #12755

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 677 HAMILTON AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM RT-1 RESIDENTIAL TOWNHOUSE ZONE TO C-7 NORTHSHORE COMMERCIAL MIXED USE ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

ORDINANCES – FIRST READING:

ORDINANCE #12757

AN ORDINANCE, HEREINAFTER ALSO KNOWN AS "THE FISCAL YEAR 2013-2014 BUDGET ORDINANCE", TO PROVIDE REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 2013, AND ENDING JUNE 30, 2014; APPROPRIATING SAME TO THE PAYMENT OF EXPENSES OF THE MUNICIPAL GOVERNMENT; FIXING THE RATE OF TAXATION ON ALL TAXABLE PROPERTY IN THE CITY, AND THE TIME TAXES AND PRIVILEGES ARE DUE, HOW THEY SHALL BE PAID, WHEN THEY SHALL BECOME DELINQUENT; PROVIDING FOR INTEREST AND PENALTY ON DELINQUENT TAXES AND PRIVILEGES; AND TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 2, SECTION 2-267, RELATIVE TO PAID LEAVE FOR ACTIVE-DUTY TRAINING AND TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 31, SECTIONS 31-36, 31-37, 31-41, AND 31-43.

After the ordinance was read, Mayor Berke made a brief speech on budgeting for outcomes and why a vote for this budget is important. Councilwoman Berz moved for approval of the ordinance. It was seconded by Councilman Freeman. A discussion ensued.

Councilman Mitchell moved to amend and substitute the budget to reflect an increase in total paving from all sources up to \$2,571,633.00. Councilman Anderson seconded the motion. Vice Chairman Henderson and Councilman Grohn also seconded. After further discussion, Councilwoman Berz called the Question.

Chairman Hakeem called for a Roll Call vote to amend and substitute the budget:

Anderson	YES	Henderson	YES
Berz	YES	Mitchell	YES
Freeman	YES	Smith	YES
Gilbert	YES	Hakeem	YES
Grohn	YES		

The motion carried. Chairman Hakeem called for a Roll Call vote to approve the budget as amended:

Smith	YES	Freeman	YES
Mitchell	YES	Berz	YES
Henderson	YES	Anderson	YES
Grohn	YES	Hakeem	YES
Gilbert	YES		

The motion carried to approve the budget as amended.

ACTION: PASSED ON FIRST READING

MR-2010-137
JOSEPH PARKS

On motion of Vice Chairman Henderson and seconded by Councilman Smith,

ORDINANCE #12758

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE 700
BLOCK OF RIVER GORGE DRIVE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

MR-2013-011
J. HARVEY CAMERON
SEQUATCHIE CONCRETE SERVICES, INC.

On motion of Councilman Anderson and seconded by Councilwoman Berz,

ORDINANCE #12759

AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED PORTION
OF THE 3900 BLOCK OF DIVINE AVENUE, 3800 AND 3900 BLOCKS OF
BARKSDALE AVENUE, 3700 AND 3900 BLOCKS OF WALTHALL AVENUE,
1200 BLOCK OF EAST 38TH STREET, AND SIX UNOPENED ALLEYS,
SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

2013-089
JACOB BECKER/
PTC PROPERTIES
DISTRICT NO. 1
ALTERNATE VERSION

On motion of Councilman Mitchell and seconded by Vice Chairman Henderson,

ORDINANCE #12756

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,
CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY
LOCATED AT 503 HAMILTON AVENUE AND 502 NORTH MARKET
STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL
ZONE TO C-7 NORTHSORE COMMERCIAL MIXED USE ZONE, SUBJECT
TO CERTAIN CONDITIONS.

A discussion ensued about the alternate version of the ordinance package. Greg Haynes from Planning gave a brief recap of the ordinance since it had been deferred from the

previous week's agenda. He explained that the alternate version, which was read, included a height recommendation of 36- to 42-feet, subject to the C-7 design review committee.

Chairman Hakeem opened the floor to Pryor Bacon, who spoke on behalf of the Applicant. Although no opposition was present, Councilman Mitchell voiced the community's concerns about the height of the structure impeding the view of nearby residents. Mr. Haynes briefed the Council on the C-7 guidelines for maximum building height.

After further discussion, Councilman Freeman called the Question. Chairman Hakeem ended the discussion. The motion carried to approve the alternate version of the ordinance.

ACTION: PASSED ON FIRST READING

MR-2013-092
ADAM DRIVER
HAMILTON COUNTY BOARD OF EDUCATION

On motion of Councilman Grohn and seconded by Vice Chairman Henderson,

ORDINANCE #12760

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF A
SANITARY SEWER EASEMENT AT 7553 IGOU GAP ROAD, SUBJECT TO
CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

On motion of Councilman Smith and seconded by Councilman Anderson,

RESOLUTION #27621

A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1
FOR JARRETT BUILDERS RELATIVE TO CONTRACT NO. E-12-025-201,
INFRARED REPAIRS REQUIREMENTS CONTRACT, FOR AN INCREASED
AMOUNT OF \$100,000.00, FOR A REVISED CONTRACT AMOUNT NOT TO
EXCEED \$350,000.00.

ACTION: ADOPTED

On motion of Councilman Grohn and seconded by Councilman Smith,

RESOLUTION #27622

A RESOLUTION AUTHORIZING PAYMENT TO SOUTHEAST US RETAIL FUND, LP FOR A SANITARY SEWER EASEMENT RELATIVE TO CONTRACT NO. W-10-011, EAST BRAINERD ROAD SANITARY SEWER RELOCATION PROJECT, TRACT NO. 10, PROPERTY LOCATED AT 8644 EAST BRAINERD ROAD, TAX MAP NO. 171B-C-014, FOR AN AMOUNT NOT TO EXCEED \$63,836.00.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilman Freeman,

RESOLUTION #27623

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT, TO APPLY FOR AND, IF GRANTED, ACCEPT A GRANT FROM CHACO AND ROCK CREEK FOR THERAPEUTIC RECREATION SERVICES (TRS) TO CONTINUE AND EXPAND ITS CURRENT ADAPTIVE KAYAKING PROGRAM, IN THE AMOUNT OF \$3,000.00.

ACTION: ADOPTED

On motion of Councilman Freeman and seconded by Councilwoman Berz,

RESOLUTION #27624

A RESOLUTION AUTHORIZING THE CHIEF OF THE CHATTANOOGA FIRE DEPARTMENT TO APPLY FOR AND, IF AWARDED, ACCEPT THE 2013 STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT ISSUED BY THE U.S. DEPARTMENT OF HOMELAND SECURITY UNDER THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), IN THE AMOUNT OF \$1,935,180.00, WHICH, IF APPROVED, WILL BE USED TO FUND TWENTY-NINE (29) FIREFIGHTERS.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Employee Recognition

Fire Chief Lamar Flint recognized James Mack Moore, who is retiring after 26 years of service in several different capacities with the department, including firefighter, fire captain, tactical services chief and training chief.

Purchases

Brent Goldberg, Deputy Chief Operating Officer, presented the following purchases:

R80710 - Youth & Family Development Liability Insurance Lowest/Best Bidder: Tennessee Municipal League	\$37,770.00
R7692 1 - General Services Blanket Contract for Police Interceptor Sedans & SUV's Lowest/Best Bidder: Brooker Ford, Inc.	Est. \$3,638,390.00 Annually
PO504873 - Youth & Family Development Blanket Contract Renewal for White Ball Field Sand Lowest/Best Bidder: Dunlap Stone, Inc.	Est. \$15,000.00 Annually
PO504298 - General Services Blanket Contract Renewal for Online Ticketing & Box Office Management Lowest/Best Bidder: Intelli-Mark Technologies, Inc.	Est. \$250,000.00 Annually
R80154 - Public Works Annual Support for Sewer Modeling License Agreement & Annual Maintenance Lowest/Best Bidder: Innovyze	\$14,345.00
R80589 - Police Department Blanket Contract for Annual Software Subscription & Support Lowest/Best Bidder: LeadsOnline	\$13,788.00

On motion of Councilman Anderson, the above-listed purchases were approved.

ACTION: APPROVED

OTHER BUSINESS:

Employee Transactions

(Employee Transaction Report received by Council)

COMMITTEE REPORTS:

Economic and Community Development Committee
Councilman Anderson

- No report at this time. However, a meeting will take place within the next 2-3 weeks.

Budget and Finance Committee

Councilwoman Berz

- Next week there will be a brief quarterly report from the Fire and Police Pension Fund.
- The operational budget passed on first reading tonight. The 2013-2014 Capital Budget will be presented at next week's Council meeting.

Public Safety Committee

Councilman Freeman

(No report at this time)

- The committee will meet next week immediately after Public Works and Transportation Committee meeting.

Youth and Family Development Committee

Councilman Gilbert

(No report at this time)

Audit Committee

Councilman Grohn

(No report at this time)

RPA (Planning Committee)

Vice Chairman Henderson

(No report)

HR Committee (Human Resources)

Councilman Mitchell

(No report)

Public Works and Transportation Committee

Councilman Smith

- The committee will meet next week immediately after the Agenda Session.

RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL

(Non-Agenda Items)

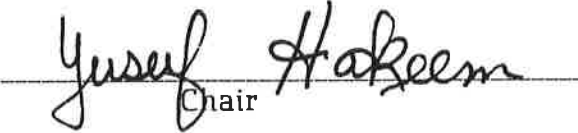
Attorney Hinton read the guidelines for persons wishing to address the Council on non-agenda items. After which, Chairman Hakeem recognized the following persons:

- **Karl Epperson (Boynton Terrace)** - He voiced concerns about the Mayor's proposed Affordable Housing Pilot Program. He implored the Mayor to consider making the program affordable enough for individuals who earn minimum wages and may not make the minimum \$30,000 required for the program.


- **Cynthia Stanley-Cash** (North Brainerd Neighborhood Association/Districts 5 & 9) - She brought a list of streets that need paving in her neighborhood. She wonders why her neighborhood doesn't qualify for a new school. She feels her neighborhood is being neglected because it is categorized as "low income" and "high poverty." She asked the Mayor to tour her neighborhood.
 - Chairman Hakeem suggested that she discuss her list of streets to Lee Norris, Public Works Administrator, who was present. Chairman Hakeem also noted that the Mayor is scheduled to tour the West side of the tunnel in Ms. Stanley-Cash's district.
 - Councilman Gilbert indicated that he would follow-up with Ms. Stanley-Cash after the meeting.
- **Gwendolyn Blackmon** (Event Hall owner on Wilcox Blvd.) - She wanted to make the Council aware of a successful event that took place at her event hall, where 648 young adults from all walks of life attended a party and had a wonderful, safe time. She said there were no incidents because she had procedures in place for crowd control and adhered to the regulations regarding occupancy.

ADJOURNMENT

On motion of Councilman Anderson, the meeting of the Chattanooga City Council was adjourned until Tuesday, August 27, 2013, at 6:00 p.m.



 Chair



 CLERK OF COUNCIL

(A full digital audio of this Council meeting, August 20, 2013,
Has been filed in the Clerk of the Council's office)