



City Council Building  
Chattanooga, Tennessee  
**COUNCIL MEETING MINUTES**  
September 10, 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 Gilbert led the assembly in the Pledge of Allegiance and invited his brother, Pastor Ron Gilbert, to lead the invocation.

**APPROVAL OF LAST MINUTES**

On motion of Vice Chairman Henderson and seconded by Councilman Gilbert, the minutes of the last meeting (September 3, 2013) were approved as published.

**ORDINANCES – FINAL READING:**

Councilman Smith moved to approve, seconded by Councilman Anderson,

**ORDINANCE #12763**

**AN ORDINANCE TO AMEND PART II, CHATTANOOGA CITY CODE, CHAPTER 24, ARTICLE XIV, SECTION 24-504, SCHEDULE IV, ONE-WAY STREETS.**

**ACTION: APPROVED**

Councilman Anderson moved to approve, seconded by Councilman Freeman,

**ORDINANCE #12764**

**AN ORDINANCE TO AMEND ORDINANCE NO. 12618, CHATTANOOGA CITY CODE, CHAPTER 17, ARTICLE I, SECTION 17-1, RELATIVE TO THE ADOPTION OF THE 2006 NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 101 LIFE SAFETY CODE, AS AMENDED, FOR CERTAIN SPECIFIED OCCUPANCIES, INCLUDING EXISTING BUILDINGS.**

The motion carried 8-to-1, with Councilwoman Berz voting "No."

**ACTION: APPROVED**

**ORDINANCES – FIRST READING:**

Councilman Grohn moved to approve, seconded by Councilman Gilbert,

**ORDINANCE #12765**

**AN ORDINANCE TO AMEND PART II, CHATTANOOGA CITY CODE, CHAPTER 35, ARTICLE VII, DIVISION 2, SECTION 35-247, RELATIVE TO REQUIREMENT EQUIPMENT OF PEDAL CARRIAGE OR PEDICABS AND SECTION 35-252 RELATIVE TO THE RESTRICTIONS ON THE OPERATION OF PEDAL CARRIAGE OR PEDICABS.**

Councilman Smith noted that a presentation on this amendment had been made during the Public Works and Transportation Committee meeting today. Upon no further questions, the motion carried.

**ACTION: PASSED ON FIRST READING**

Councilwoman Berz moved to approve, seconded by Councilman Mitchell,

**ORDINANCE #12766**

**AN ORDINANCE TO AMEND PART II, CHATTANOOGA CITY CODE, CHAPTER 2, ARTICLE III, DIVISION 7, SECTION 2-174(T), DISCIPLINE, DISMISSAL, SUSPENSION OR DEMOTION – AUTHORITY OF THE MAYOR AND DEPARTMENT HEADS; APPEALS.**

**ACTION: PASSED ON FIRST READING**

2013-101  
Towson and Dede Engsberg  
District No. 7  
Planning Version

Councilman Anderson moved to approve, seconded by Vice Chairman Henderson,

**ORDINANCE #12767**

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 501 EAST 16<sup>TH</sup> STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

2013-105  
Henrietta Morris/Johnella Morris  
District 8  
Planning Version

Councilman Freeman moved to approve, seconded by Councilwoman Berz,

**ORDINANCE #12768**

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 515 SPRUCE STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

2013-107  
Alan Haniszewski  
District No. 7  
Planning Version

Councilman Anderson moved to approve, seconded by Vice Chairman Henderson,

**ORDINANCE #12769**

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 630 EAST 19<sup>TH</sup> STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

2013-102  
Tim McClure/J. R. Barker  
District No. 2  
Applicant Version

Councilman Mitchell moved to deny, seconded by Councilman Smith,

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 4815 HIXSON PIKE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE.**

Opposition was present; however, the Applicant was not. **The motion carried.**

**ACTION: DENIED**

2013-083  
Joseph Ingram  
Glen Meadows/Brett Sexton  
District No. 4  
Planning Version

Councilman Grohn moved to approve, seconded by Vice Chairman Henderson,

**ORDINANCE #12770**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 8599, 8601, 8603, 8605, AND 8607 PETTY ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-5 RESIDENTIAL ZONE TO R-3MD MODERATE DENSITY ZONE.**

The Applicant and Opposition were present. Greg Haynes (Planning) gave presentations on this rezoning ordinance (agenda item 6G) and a related resolution (Agenda Item 7A).

Glen Meadows, speaking on behalf of the Applicant, gave a presentation and responded to questions. The Applicant, Joseph Ingram, later joined the discussion.

Joe Perry (resident at corner of Morris Hill & Petty Road) spoke on behalf of the Opposition and presented the Council with 60 signatures from those opposing the rezoning. Mr. Meadows and his colleague, Sherman Smith, gave a rebuttal.

Blythe Bailey (Transportation Administrator) and John Bridger (Planning Administrator) also contributed to the discussion.

After further discussion, Councilman Anderson called the Question. Chairman Hakeem proceeded to a Roll Call vote. **The motion carried** upon Roll Call Vote as follows:

Smith	YES	Freeman	NO
Mitchell	NO	Berz	YES
Henderson	YES	Anderson	NO
Grohn	YES	Hakeem	YES
Gilbert	YES		

YES: Six (6); NO: Three (3)

**ACTION: PASSED ON FIRST READING**

**RESOLUTIONS:**

2013-082  
Joseph Ingram/Glen Meadows  
Brett Sexton  
District No. 4

Councilman Grohn moved to approve, seconded by Vice Chairman Henderson,

**A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT ON PROPERTIES LOCATED IN THE 8600 BLOCK OF PETTY ROAD.**

A discussion ensued with Mr. Meadows. Blythe Bailey, Administrator for the Transportation Department, also contributed to the discussion.

**The motion failed** on Roll Call Vote as follows:

Anderson	NO	Henderson	YES
Berz	NO	Mitchell	NO
Freeman	NO	Smith	YES
Gilbert	NO	Hakeem	YES
Grohn	YES		

YES: Four (4); NO: Five (5)

After the vote, Chairman Hakeem recommended that Mr. Meadows meet with Attorney Hinton to discuss how to proceed on this matter.

**ACTION: DENIED**

Councilman Smith moved to approve, seconded by Vice Chairman Henderson,

**RESOLUTION #27640**

**A RESOLUTION AUTHORIZING THE CITY OF CHATTANOOGA TO ACCEPT TRAVEL ACCOMMODATIONS FROM GREEN FOR ALL, A NON-PROFIT PRIVATE ORGANIZATION, FOR THE DIRECTOR OF WASTE RESOURCES TO ATTEND THE NATIONAL UTILITIES CONVENTION IN WASHINGTON, DC, FOR AN AMOUNT OF APPROXIMATELY \$820.00.**

**ACTION: ADOPTED**

Councilman Smith moved to approve, seconded by Councilman Mitchell,

**RESOLUTION #27641**

**A RESOLUTION AUTHORIZING THE AMENDMENT OF RESOLUTION NO. 27630 TO REPLACE DOUG WILSON WITH JAMES W. ADAMS TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 306 CHEROKEE BOULEVARD TO INSTALL PLANTERS IN FRONT OF THE BUILDING WITH METAL FRAME CANVAS AWNINGS, AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: ADOPTED**

Councilman Mitchell moved to approve, seconded by Vice Chairman Henderson,

**RESOLUTION #27642**

**A RESOLUTION AUTHORIZING THE DEPUTY INFORMATION SYSTEMS OFFICER TO BEGIN A BLANKET CONTRACT WITH CDW-G (COMPUTER DATA WAREHOUSE-GOVERNMENT), RENEWABLE ANNUALLY FOR A PERIOD OF UP TO FIVE (5) YEARS, FOR THE PROVISIONING OF BROCADE SWITCHES AND ROUTERS RELATED TO MAINTENANCE AND SUPPORT SERVICES AND ALSO WITH MIKE COLLINS AND ASSOCIATES OF CHATTANOOGA (MCA) FOR THE PROVISIONING OF RELATED SUPPORT SERVICES, FOR APPROXIMATELY \$300,000.00 PER YEAR OR FOR A TOTAL AMOUNT OF APPROXIMATELY \$1.5 MILLION.**

A discussion ensued with Doug Eckert of Information Services. Upon no further questions or comments, the motion carried.

**ACTION: ADOPTED**

Councilman Mitchell moved to approve, seconded by Vice Chairman Henderson,

**RESOLUTION #27643**

**A RESOLUTION AUTHORIZING HEWITT COLEMAN TO PAY AN ON-THE-JOB INJURY SETTLEMENT TO CITY EMPLOYEE, TAWANNA CLARK (EN61479), IN THE AMOUNT OF \$17,594.00 BASED UPON HER ESTABLISHED PERMANENT PARTIAL IMPAIRMENT RATING, SUBJECT TO HER EXECUTION OF A RELEASE OF ALL CLAIMS, AND IN ACCORDANCE WITH ORDINANCE NO. 12573.**

**ACTION: ADOPTED**

Councilman Mitchell moved to approve, seconded by Councilman Freeman,

**RESOLUTION #27644**

**A RESOLUTION AUTHORIZING HEWITT COLEMAN TO PAY AN ON-THE-JOB INJURY SETTLEMENT TO CITY EMPLOYEE, RON RUBACK (EN63052), IN THE AMOUNT OF \$33,040.80 BASED UPON HIS ESTABLISHED PERMANENT PARTIAL IMPAIRMENT RATING, SUBJECT TO HIS EXECUTION OF A RELEASE OF ALL CLAIMS, AND IN ACCORDANCE WITH ORDINANCE NO. 12573.**

**ACTION: ADOPTED**

Councilman Freeman moved to approve, seconded by Councilman Gilbert,

**RESOLUTION #27639**

**A RESOLUTION TO MAKE CERTAIN FINDINGS RELATING TO THE WNA AMERICAN PLASTIC INDUSTRIES, INC. PROJECT, TO DELEGATE CERTAIN AUTHORITY TO THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF CHATTANOOGA, AND TO AUTHORIZE THE MAYOR TO ENTER INTO AND EXECUTE AN AGREEMENT FOR PAYMENTS IN LIEU OF AD VALOREM TAXES.**

**The motion carried 8-to-1, with Councilman Smith voting "No."**

**ACTION: ADOPTED**

**DEPARTMENTAL REPORTS:**

**Purchases**

Brent Goldberg, Deputy Chief Operating Officer, briefed the Council on the following purchase:

**R63345 - Transportation Department**

Estimated \$30,000.00 Annually

Blanket Contract Renewal for LED Traffic Signal Inserts

Lowest/Best Bidder: Southern Lighting & Traffic Systems, LLC

**R60205 - Public Works**  
Blanket Contract Renewal for Cement  
Lowest/Best Bidder: ReadyMix USA

Estimated \$160,000.00 Annually

**R81513 - Transportation Department**  
Payment of Invoices for Drivers Education Services  
Lowest/Best Bidder: Haman's New Drivers

\$23,100.00

**R81966 - Information Services**  
Oracle RDB Software Support Renewal  
Lowest/Best Bidder: DLT Solutions

\$13,438.89

**PO506426 - General Services**  
Blanket Contract Renewal for  
Newspaper Advertising  
Lowest/Best Bidder: Chattanooga Times Free Press

Estimated \$75,000.00 Annually

**On motion of Councilwoman Berz, the above-listed purchases were approved.**

**ACTION: APPROVED**

**OTHER BUSINESS:** (None)

**COMMITTEE REPORTS:**

*Economic and Community Development Committee*

Councilman Anderson  
(No report at this time)

*Budget and Finance Committee*

Councilwoman Berz  
(No report at this time)

*Public Safety Committee*

Councilman Freeman  
(No report at this time)

*Youth and Family Development Committee*

Councilman Gilbert

- He attended a program regarding jobs for disabled youth. There were great ideas that came from that program. He looks forward to working with James McKissic (Administrator, Office of Multicultural Affairs) on the city's efforts in disability employment.



*Audit Committee*  
Councilman Grohn  
(No report at this time)

*RPA (Planning Committee)*  
Vice Chairman Henderson  
(No report at this time)

*HR Committee (Human Resources)*  
Councilman Mitchell  
(No report at this time)

*Public Works and Transportation Committee*  
Councilman Smith

- The committee met earlier today to discuss items on the agenda; no further 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 Hakeem recognized the following persons:

- **Gloria Griffith** (Golden Gateway Apts. - Grove Street) - She brought a petition from the Westside Community Association regarding affordable housing that had been previously submitted to the Council and voiced concerns about affordable housing for those with lower incomes.
- **Edward Brennar** (North Chattanooga) - He inquired about taking his pedicab across the bridge. He asked the Council to change city code related to pedicabs so that he can operate across the bridge.
  - Attorney Hinton requested a meeting with Mr. Brennar the matter.
- **Johnny McCallie** (District 6) - He voiced opposition to same-sex partner benefits and recommended allowing citizens to vote on the matter.
  - Chairman Hakeem noted that exploration and research are going into this matter.
- **Michael Gilliland** (Ivy Street) - He voiced his support of same-sex partner benefits. He also asked the Council to be pro-active in the issue of affordable housing.
- **Edwin Edginton** (District 4) - He voiced opposition to same-sex partner benefits and read the following Bible verses: Joshua 1:8, Proverbs 14:34, Isaiah 5:20 and I-Timothy 2:1-3.

**ADJOURNMENT**

On motion of Councilman Freeman, the meeting of the Chattanooga City Council was adjourned until Tuesday, September 17, 2013, at 6:00 p.m.

  
CLERK OF COUNCIL

  
CHAIRMAN

(A full digital audio of this Council meeting, September 10, 2013,  
has been filed in the Clerk of the Council's office)