



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
January 13, 2015
6:00 PM

CALL TO ORDER

Chairman Chip Henderson called the meeting to order with Vice Chair Dr. Carol Berz and Councilpersons Chris Anderson, Moses Freeman, Russell Gilbert, Larry Grohn, Yusuf Hakeem, Jerry Mitchell and Ken Smith all present. Also present were City Attorney Wade Hinton, Council Clerk, Nicole Gwyn, CMC.

PLEDGE OF ALLEGIANCE

Vice Chair Dr. Berz led the assembly in the Pledge of Allegiance.

APPROVAL OF LAST MINUTES

On motion of Councilman Anderson and seconded by Councilman Smith, the minutes of the last meeting (January 6, 2015) were approved as published.

SPECIAL PRESENTATIONS (2)

Presentation #1

Proclamation Celebrating "Fillauer Companies, Inc.'s 100th Anniversary"
By Nick Wilkinson, Deputy Administrator of
Economic and Community Development

On behalf of Mayor Berke and the City of Chattanooga, Mr. Wilkinson made the following proclamation:

- Whereas:** The City of Chattanooga takes great pleasure in paying recognition to Chattanooga-based companies that have a long history in the city and are making progressive strides in their industry; and
- Whereas:** In 1914, George Fillauer Sr. founded the Red Star Pharmacy at 930 E. Third St. in Chattanooga; and
- Whereas:** His company continued to grow over the past 100 years and is now recognized as Fillauer Companies, Inc.; and

Whereas: Fillauer Companies, Inc. is a worldwide manufacturer of orthopedic and prosthetic devices; and

Whereas: This company is worthy of support and cooperation as Fillauer celebrates its accomplishments that have started and grown in the Chattanooga area for the past 100 years.

Now Therefore,

I, Andy Berke, Mayor of the City of Chattanooga,
do hereby proclaim recognition of the

100th Anniversary of Fillauer Companies, Inc.

In Witness Whereof, I have hereunto set my hand and caused the Seal of the City of Chattanooga to be affixed this the 13th day of January 2015.

Andy Berke, Mayor

Fillauer expressed thanks on behalf of his family and the company for this proclamation.

Presentation #2

***Special Recognition of Master Police Officer Ric Engle
By Councilman Jerry Mitchell***

Councilman Mitchell discussed a shooting incident that took place in his district recently that had been defused by the actions of CPD Officer Ric Engle. Police Chief Fred Fletcher presented Officer Engle with the "Chief's Coin," in honor of his high values and quality of service.

ORDINANCES – FINAL READING:

On motion of Councilman Hakeem and seconded by Councilman Anderson,

ORDINANCE # 12892

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, TO AMEND ARTICLE IV, BY ADDING A NEW SECTION 38-35, VESTED PROPERTY RIGHTS WITHIN APPROVED DEVELOPMENT PLANS.

ACTION: APPROVED

ORDINANCES – FIRST READING:

2014-136
GreenSpaces NextGen, LLC/
Jim Wilson and Hamilton Avenue Partners
District No. 2
Planning Version

On motion of Councilman Mitchell and seconded by Councilman Smith,

ORDINANCE #12893

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 677 AND 703 HAMILTON AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM C-7 NORTHSHORE COMMERCIAL MIXED USE ZONE AND R-2 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE.

ACTION: PASSED ON FIRST READING

2014-130
Thomas Johnson
District No. 7
Planning Version

On motion of Councilman Anderson and seconded by Councilman Grohn,

ORDINANCE #12894

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 1437 AND 1439 MARKET STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

2014-134
Aaron White/MC Holdings, LLC
District No. 7
Planning Version

On motion of Councilman Anderson and seconded by Councilman Gilbert,

ORDINANCE #12895

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 751 RIVERFRONT PARKWAY, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

2014-127
Charles Campbell Construction/
Rajesh Chaudhari
District No. 9
Applicant Version

On motion of Councilman Hakeem and seconded by Councilman Grohn,

ORDINANCE #12896

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 630 SHALLOWFORD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM C-5 NEIGHBORHOOD COMMERCIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE.

Greg Haynes, Director of Development at Regional Planning, briefed Council on this agenda item. The Applicant, Rajesh Chaudhari, was afforded the opportunity to address Council. He shared some of his speaking time with Jess Burgess of Charles Campbell Construction. During discussion, Councilman Hakeem called for a Point of Clarity, inquiring as to whether the Applicant would have to apply for beer sales if this rezoning is approved. Mr. Haynes indicated that if the rezoning is approved, the Applicant would have to apply for a beer license from the proper authorities.

Opposition was present. Therefore, Chairman Henderson recognized the following speakers on behalf of the Opposition:

- Pastor Steve Cottell, Greater Second Missionary Baptist Church
- Demetrius Coonrad, President, Eastdale Neighborhood Association

The Applicant was given the opportunity to offer a rebuttal. After which, Council posed questions to the Applicant and Opposition. After further discussion, the **motion failed** upon roll call vote as follows:

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

YES – One (1); NO – Eight (8); Abstain – Zero (0).

ACTION: FAILED

On motion of Councilman Gilbert and seconded by Councilman Mitchell,

ORDINANCE #12897

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE V, DIVISION 1, SECTION 38-43 RELATING TO SPECIAL EXCEPTIONS PERMIT FOR A TWO-FAMILY DWELLING IN THE R-1 RESIDENTIAL ZONE AND ARTICLE VI, DIVISION 2, SECTION 38-524 RELATING TO SPECIAL PERMIT FOR A TWO-FAMILY DWELLING IN THE R-1 RESIDENTIAL ZONE.

ACTION: PASSED ON FIRST READING

On motion of Vice Chair Dr. Berz and seconded by Councilman Grohn,

ORDINANCE #12898

AN ORDINANCE ADOPTING A PLAN OF SERVICES AND EXTENDING THE CORPORATE LIMITS OF THE CITY OF CHATTANOOGA, TENNESSEE, BY ANNEXING CERTAIN TERRITORY CONTIGUOUS TO THE PRESENT CORPORATE LIMITS OF SAID CITY, BEING TAX MAP NOS. 132A-A-001.04 AND 132A-A-001.08 TO THIS ORDINANCE LOCATED IN HAMILTON COUNTY, TENNESSEE, OWNED BY JOHNSTON SOUTHERN COMPANY, LLC BEING MORE FULLY DESCRIBED HEREIN.

The Applicant was present. Attorney Hinton read the Plan of Service into the record (attached). There was no Opposition present. Attorney Hinton indicated that Sunshine Law requirements had been met regarding this item. Councilman Freeman called the *Question*. With no objection, Chairman Henderson ended the discussion. The motion carried.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

On motion of Councilman Anderson and seconded by Vice Chair Dr. Berz,

RESOLUTION #28110

A RESOLUTION RATIFYING THE RECENT GRANT APPLICATION BY THE CITY OF CHATTANOOGA TO PARTNER WITH BRIGHTBRIDGE FOR SUBMISSION OF A BROWNSFIELD ASSESSMENT GRANT, IN THE AMOUNT OF \$400,000.00.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Vice Chair Dr. Berz,

RESOLUTION #28111

A RESOLUTION RATIFYING THE RECENT GRANT APPLICATION BY THE CITY OF CHATTANOOGA TO PARTNER WITH BRIGHTBRIDGE FOR SUBMISSION OF A BROWNSFIELD CLEANUP GRANT TO LEVERAGE THE CLEANUP OF THE FORMER GLOVER TRACT, IN THE AMOUNT OF \$200,000.00, WITH THE CITY'S PORTION IN THE AMOUNT OF \$40,000.00.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilman Mitchell,

RESOLUTION #28112

A RESOLUTION AUTHORIZING THE DIRECTOR OF THE OFFICE OF MULTICULTURAL AFFAIRS TO ENTER INTO A CONTRACT WITH CHATTANOOGA STATE COMMUNITY COLLEGE FOR THE EXECUTION OF A PROGRAM ENTITLED, "BRIDGES TO SUCCESS" FOR THE TERM OF ONE YEAR BEGINNING JULY 1, 2014, IN THE AMOUNT OF \$42,672.00.

ACTION: ADOPTED

On motion of Vice Chair Dr. Berz and seconded by Councilman Anderson,

RESOLUTION #28113

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT TO AMEND THE LEASE AGREEMENT WITH EASTGATE TOWN CENTER, LLC FOR THE USE OF CERTAIN FACILITIES LOCATED AT 5600 BRAINERD ROAD, CHATTANOOGA, TN 37411, FOR A TOTAL AMOUNT OF \$50,400.00.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Purchases

David Carmody, Deputy Chief Operating Officer, briefed the Council on the following purchases:

R104622 - General Services

\$77,233.00

The Purchase of One (1) Service Truck with Crane
Lowest/Best Bidder: Brooker Ford Inc.

R53954 - General Services

Estimated \$100,000 Annually

Renewal of Blanket Contract No. 513661
for Tire Recapping
Lowest/Best Bidder: Best One Tire

R106929 - Public Works

\$55,575.00

The Purchase of One (1) Compact Track Loader
Lowest/Best Bidder: Cumberland Tractor and Equipment

R87372 - Public Works

Estimated \$75,000 Annually

Renewal of Blanket Contract No. 525451
for Remote Monitoring Services
Lowest/Best Bidder: AirSep Process and Control LLC

Councilman Mitchell moved to approve, seconded by Councilman Anderson. The motion carried.

ACTION: APPROVED

OTHER BUSINESS: (NONE)

COMMITTEE REPORTS:

Audit & I.T. Committee

Councilman Grohn
(No report)

Budget and Finance Committee

Councilman Mitchell

- The committee will meet on February 3 to discuss the Capital Budget.

Economic and Community Development Committee

Councilman Anderson

- The committee met regarding charity donation bins regulations and two grants to help clean Brownsfield in Alton Park. There was also a presentation on Climate Chattanooga.

HR Committee (Human Resources)

Vice Chair Dr. Berz
(No report)

Planning & Zoning

Councilman Hakeem
(No report)

Public Safety Committee

Councilman Freeman

- The committee met today for a report on the development and implementation of the Family Justice Center. There is an agenda item coming soon regarding the physical location of the center.

Public Works and Transportation Committee

Councilman Smith

- The committee met today to discuss agenda items and will meet again in two (2) weeks (January 27).

Youth and Family Development Committee
Councilman Gilbert
(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 Henderson recognized the following individual:

- **Joanne Holiday-Johnson** (Chattanooga) – She had a complaint about a police officer in Alton Park. She stated that she went to the police headquarters on Amnicola Highway, but did not receive the assistance she was seeking. She wants to know how to receive help from CPD.
 - Chairman Henderson asked Ms. Holiday-Johnson to speak with Molly Cooper of the Mayor’s Office after the meeting.

ADJOURNMENT

On motion of Councilman Freeman, the meeting of the Chattanooga City Council was adjourned until Tuesday, January 20, 2015, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL