



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
May 12, 2015
6:00 PM

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Councilman Gilbert led the Assembly in the Pledge of Allegiance. Administrator Lurone Jennings led the Assembly in the invocation.

APPROVAL OF LAST MINUTES

On motion of Councilman Anderson and seconded by Councilman Gilbert, the minutes of the last meeting (May 5, 2015) were approved as published.

ORDINANCES – FINAL READING:

MR-2015-037
The Palms on Concord, LLC
c/o Emerson Russell
District No. 4

On motion of Councilman Grohn and seconded by Councilman Henderson

ORDINANCE #12942

AN ORDINANCE CLOSING AND ABANDONING A SANITARY SEWER EASEMENT LOCATED AT 6757 PALMS COURT, SUBJECT TO RELOCATION OF THE SANITARY SEWER.

ACTION: APPROVED

ORDINANCES – FIRST READING:

2015-046

Amelia Roberts and Billie Lyles

District No. 6

Planning Version

On motion of Councilman Henderson and seconded by Councilman Anderson,

ORDINANCE #12952

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 4115 NORTH TERRACE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO O-1 OFFICE ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

2015-057

Becky Lockwood and Diantha Swift

District No. 6

Alternate Version

On motion of Councilman Gilbert and seconded by Vice Chair Freeman,

ORDINANCE #12943

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 2211 AND 2217 HICKORY VALLEY ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO O-1 OFFICE ZONE, SUBJECT TO CERTAIN CONDITIONS.

John Bridger, Executive Director of Regional Planning, stated that five (5) conditions had been added to this ordinance since last week and read them into the record:

1. *Retention of existing buildings on the site;*
2. *No dumpsters permitted;*
3. *Signs incident to the permitted uses, except that only one monument-type sign shall be permitted for each structure, which sign shall be set back 10-feet from any property line; the sign shall not exceed 48-square feet in area and shall not be more than 4-feet in height; if illuminated, the sign shall be indirectly lit in such a way that the light source cannot be seen from any public way or adjoining property; the lighting intensity shall not exceed 25-foot candles at the face of the sign; no flashing or intermitted lights shall be permitted; no internally-illuminated signs shall be permitted.*
4. *No surface parking between the structure and primary street, paving of the area between the structure, and the primary street shall be limited only to approved access drives.*

5. *All exterior lighting shall be of a residential type and style; no commercial fixtures shall be allowed. If residential-style fixtures are mounted on single posts, then no post shall be more than 6-feet in height.*

The Applicant was present and indicated their agreement with the stated conditions. No Opposition was present. The motion carried.

ACTION: PASSED ON FIRST READING

2015-058
Elemi Architecture and Jim Lee
District No. 7
Planning Version

On motion of Councilman Anderson and seconded by Councilman Grohn,

ORDINANCE #12944

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1705 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

2015-055
ASA Engineering
c/o Allen Jones and Marshall Berry
District No. 7
Staff Version

ORDINANCE #12945

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1400 CHESTNUT STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.

Councilman Anderson informed the Council that the Applicant had agreed to comply with Staff recommendations regarding the *80-percent leasable space*. Therefore, **Councilman Anderson moved** approval of the Staff version, seconded by Vice Chair Freeman. The motion carried.

ACTION: PASSED ON FIRST READING

2015-049
John Straussberger/
Southside Centre, LLC
District No. 7
Planning Version

On motion of Councilman Anderson and seconded by Councilman Mitchell,

ORDINANCE #12946

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1700 BROAD 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

2015-047
Highland Park, LLC
(Chattanooga Neighborhood Enterprise)
District 9
Planning Version

On motion of Councilman Hakeem and seconded by Councilman Henderson,

ORDINANCE #12947

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 1704, 1706, AND 1714 KIRBY AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

2015-052
Chattanooga Neighborhood Enterprise/
Bob McNutt and Tennessee Temple
District No. 9
Planning Version

On motion of Councilman Hakeem and seconded by Vice Chair Freeman,

ORDINANCE #12948

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 1706, 1708, 1710, 1712, 1714, AND 1716 BAILEY AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

2015-054
Tower Construction Company/
Calvin Ball
District No. 9
Planning Version

On motion of Councilman Hakeem and seconded by Vice Chair Freeman,

ORDINANCE #12949

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 2408, 2410, AND 2412 CHAMBERLAIN AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

On motion of Councilman Gilbert and seconded by Councilman Hakeem,

ORDINANCE #12950

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE XIII, CHANGES AND AMENDMENTS, SECTION 38-672, METHOD OF PROCEDURE, RELATIVE TO POSTING NOTICES; ARTICLE VIII, BOARD OF APPEALS FOR VARIANCES AND SPECIAL PERMITS, SECTION 38-365, NOTICES, RELATIVE TO POSTING NOTICES; AND SECTION 38-566, HEARINGS.

Mr. Bridger noted that amendments had been made since discussing this ordinance in committee last week:

- Changed to *300-foot distance* for Board of Zoning Appeals as far as notifications
- Added consequences for failure to move a sign after end of the case once that it has been heard by the Council.

Attorney Hinton stated that the agenda notation should have read: *Sponsored by Councilman Gilbert.*

ACTION: PASSED ON FIRST READING

On motion of Councilman Smith and seconded by Councilman Grohn,

ORDINANCE #12951

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 24, SECTION 24-507 RELATIVE TO RESTRICTED ON-STREET PARKING AREAS.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

On motion of Councilman Mitchell and seconded by Councilman Smith,

RESOLUTION #28234

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH CDM SMITH, INC. FOR PROFESSIONAL SERVICES RELATIVE TO CONTRACT NO. W-12-026-102, DUPONT PUMP STATION AND BASIN IMPROVEMENTS-PHASE 2, FOR AN AMOUNT NOT TO EXCEED \$1,595,600.00.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilman Mitchell,

RESOLUTION #28235

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO RENEW CONTRACT NO. E-12-025-201 WITH JARRETT BUILDERS FOR THE THIRD YEAR, FOR INFRARED REPAIRS, FOR AN AMOUNT NOT TO EXCEED \$250,000.00.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Vice Chair Freeman,

RESOLUTION #28236

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO AN AGREEMENT WITH CAMBRIDGE SYSTEMATICS, INC. RELATIVE TO CONTRACT NO. T-14-022 FOR THE DEVELOPMENT OF THE COMMUTER RAIL TRANSIT STUDY AND IMPLEMENTATION PLAN, WITH THE CITY'S PORTION IN THE AMOUNT OF \$290,000.00, FOR A TOTAL AMOUNT OF \$690,000.00.

A discussion ensued with Blythe Bailey, Transportation Administrator, to how this resolution authorizes a feasibility study only. Upon no further questions, the motion carried.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

(Introduction by Brent Goldberg, Chief Operating Officer)

Transportation

Mr. Bailey updated the Council on the Veteran’s Bridge Flag Initiative and announced the third flag raising, which will take place on May 15 at 2:00 p.m. on the Veteran’s Bridge.

PURCHASES

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

R48146 - General Services Estimated \$36,000 Annually
Increase of Authorized Expenditure Towing Services
Lowest/Best Bidder: Mosteller Towing

R97187 - General Services Estimated \$100,000 Annually
Renewal of Blanket Contract for Fire, Garbage
& Other Big Truck Maintenance & Service
Lowest/Best Bidder: Chattanooga Truck Center, LLC

R43008 - Public Works Estimated \$60,000 Annually
Renewal of Blanket Contract for Wet Weather Polymer
Lowest/Best Bidder: Polydyne, Inc.

R92618 - Public Works Estimated \$70,000 Annually
Extension of Blanket Contract for Playground Mulch
Lowest/Best Bidder: Bliss Products

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

ACTION: APPROVED

OTHER BUSINESS:

District 5 Accolades

Councilman Gilbert announced that the song, “Need You Now,” by his son, international recording artist T-Ran Gilbert, was featured in an original television movie, *For The Love of Ruth*, that premiered this weekend on the TV One network.

COMMITTEE REPORTS:

Audit & I.T. Committee
Councilman Grohn
(No report)

Budget and Finance Committee

Councilman Mitchell

- The committee will meet next week (May 19) after Agenda Session. Brent Goldberg will present the budget to the Council.

Economic and Community Development Committee

Councilman Anderson

- The committee will meet next week after Agenda Session for a presentation by Sandra Gober (ECD) on HOME Funds;
- The public information session on housing that was planned for this month will be moved to early June due to one of the principal panelists being out of town for two weeks.

HR Committee (Human Resources)

Vice Chair Freeman

(No report)

Planning & Zoning

Councilman Hakeem

(No report)

Public Safety Committee

Councilman Henderson

(No report)

Public Works and Transportation Committee

Councilman Smith

- The committee will next week (May 19) after the Agenda Session.
- He reminded the Council that next week is National Public Works Week. The Council is invited to attend the Public Works Employee Luncheon, taking place on next Friday (May 15) at the First Tennessee Pavilion at 11:30 a.m.

Youth and Family Development Committee

Councilman Gilbert

(No report)

NEXT WEEK'S AGENDA SESSION: (No comments or questions from the Council)

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

Chairwoman Berz asked if there were persons in the Assembly wishing to address the Council on non-agenda matters. Seeing none, this portion of the agenda was closed.

ADJOURNMENT

On motion of Councilman Anderson, the meeting of the Chattanooga City Council was adjourned until Tuesday, May 19, 2015, at 6:00 p.m.

CHAIRWOMAN

CLERK OF COUNCIL