



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
May 24, 2016
6:00 PM

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Councilman Grohn led the Assembly in the Pledge of Allegiance. He also read scripture from Galatians 5 of the Bible before giving the invocation.

APPROVAL OF LAST MINUTES

On motion of Councilman Anderson and seconded by Councilwoman Berz, the minutes of the last meeting (May 17, 2016) were approved as published.

ORDINANCES – FINAL READING: (NONE)

ORDINANCES – FIRST READING: (NONE)

RESOLUTIONS:

On motion of Councilman Hakeem and seconded by Councilman Anderson,

RESOLUTION #28626

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AND EXECUTE AN “OFFER TO PURCHASE” RELATIVE TO TRACT 4 OF THE ENTERPRISE SOUTH INDUSTRIAL PARK AND AUTHORIZING THE MAYOR TO EXECUTE A DEED AND OTHER NECESSARY CLOSING DOCUMENTS CONVEYING SAID PROPERTY TO THE PURCHASER LISTED HEREIN-BELOW UPON PAYMENT OF THE SALE PRICE BY THE PURCHASER.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilwoman Berz,

RESOLUTION #28627

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO APPLY FOR THE HEALTHIEST CITIES AND COUNTIES CHALLENGE GRANT FUNDS FROM THE AETNA FOUNDATION, IN THE AMOUNT NOT TO EXCEED \$250,000.00.

ACTION: ADOPTED

On motion of Councilman Hakeem and seconded by Councilman Anderson,

RESOLUTION #28628

A RESOLUTION AUTHORIZING THE APPOINTMENT OF FELICIA CARTER AS A SPECIAL POLICE OFFICER (UNARMED) FOR THE MCKAMEY ANIMAL CENTER TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilman Grohn,

RESOLUTION #28629

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH BARGE, WAGGONER, SUMNER & CANNON, INC. FOR PROFESSIONAL SERVICES RELATIVE TO CONTRACT NO. R-14-010-101, "THE BELL SITE", FOR AN AMOUNT NOT TO EXCEED \$112,990.00.

Councilman Anderson stated that he had been waiting on this agreement for years regarding the Bell site in District 7. He thanked Tony Haire, President of the Southside Leadership Advisory Council, was present. He stated that the advisory council was instrumental in this project.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilman Smith,

RESOLUTION #28630

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO AMEND AN AGREEMENT WITH RAGAN-SMITH ASSOCIATES, INC. RELATIVE TO CITY CONTRACT NO. T-14-038-403 FOR PROFESSIONAL SERVICES TO PERFORM CONSTRUCTION ENGINEERING AND INSPECTION (CEI) SERVICES TO HIGHWAY 58 AND ROSSVILLE BOULEVARD (HIGHWAY 27) PARK, STORMWATER, AND CONNECTIVITY INFRASTRUCTURE, FOR AN INCREASED AMOUNT OF \$65,857.53, FOR A REVISED CONTRACT AMOUNT OF \$459,050.57.

Councilman Hakeem requested that the agenda notation for this item be corrected to reflect Districts 5 & 7, instead of Districts 3 & 7. Attorney Reisman agreed.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilman Grohn,

RESOLUTION #28631

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO A PARTNERSHIP AGREEMENT, PROJECT NO. T-16-007-802 WITH E. 10TH STREET RSD, LLC FOR DOUGLAS HEIGHTS STUDENT HOUSING LOCATED AT 930 DOUGLAS STREET AND TO ACCEPT A CONTRIBUTION TOWARDS THE COST OF FOURTEEN (14) PEDESTRIAN POLES AND LUMINAIRES, IN THE AMOUNT OF \$21,042.00.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilwoman Berz,

RESOLUTION #28632

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT TO ENTER INTO SCHOOL BUS CONTRACT AGREEMENTS WITH THE ATTACHED LISTED SCHOOL BUS DRIVERS TO DRIVE PARTICIPANTS OF VARIOUS YOUTH AND FAMILY DEVELOPMENT CENTERS ON 2016 SUMMER FIELD TRIPS, FOR A TOTAL AMOUNT OF \$64,765.00.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilwoman Berz,

RESOLUTION #28633

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT TO RENEW THE AGREEMENT WITH CHATTANOOGA BASKETBALL TO MANAGE AND OPERATE THE EDUCATIONAL AND LEADERSHIP ENRICHMENT AAU BASKETBALL PROGRAM, IN THE AMOUNT OF \$100,000.00.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Police Department Report

Chief Fred Fletcher reminded the Council that his 2-year anniversary with the City of Chattanooga is in three weeks. He told the story of a community member that questioned him about the shootings that have happened recently in the city and informed the Council of the work that his employees are doing.

Recent Statistics

- Property crime at the end of April 2016 down 14.63 percent
- Violent crime at the end of April down 4.96 percent
- Surge in violent crime in early April 2016; new protocol developed as a result
- Two (2) days of focused enforcement in April 2016: 157 arrests (18 of which were federal); cleared 332 warrants; put 30 gang members in jail; took 7 guns off streets in two days.
- Violent crime at end of April 2016: 108 violent crimes, down from 133 in 2015, 148 in 2014 and 126 in 2013
- Property crime at end of April: 715 incidents, down from 840 in 2015, 924 in 2014 and 797 in 2013

Victim Services

- CPD hired first-ever Victim Services Coordinator
- Established victim services committee
- Added steering committee and
- Implementing focus groups
- Formed technical support and peer support partnerships
- Created SOPs and policies
- Finalizing victim services policy
- Rapport developed between counselors/social workers and patrols
- Educational and training protocols
- Routine, professional counseling support
- In process hiring two additional counselors/social workers
- New counselors will support the Westside and Alton Park areas
- Partnering in an expansion of a program to provide services to the LGBT community
- Pursuing an additional 3-year ELERV Grant

Acquisition of NIBIN System

Mission: Real-Time Intelligence Center

New Bureau

Chief Fletcher announced the creation of a new bureau that would consolidate victim services. He announced that Assistant Chief Tracy Arnold will head the new bureau. He also announced that Edwin McPherson would be promoted to Assistant Chief over investigations.

Purchases

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

R133863 Information Technology Department Estimated \$500,000 Annually
Two (2) Blanket Contracts for Structured Cabling
Services-Citywide Use

Lowest/Best Bidder(s):

1. Integrated Networking Technologies, 6111 Heritage Park Dr., Chattanooga, TN 37416
2. Tri-State Electrical Contractors 4701 Wilson Road Chattanooga, TN 37410

PO535195/120745 Human Resources Department \$300,000 added to current contract
Increase for Temporary Employment Services for Estimated \$1,300,000 Annually
Blanket Contract Human Resources Department
Organization E00101
Lowest/Best Bidder: Outsource Staffing
701 Cherokee Blvd
Chattanooga, TN 37405

R135574 Public Works \$85,929.53
Purchase of one (1) Caterpillar D3K2 Dozer
Public Works Department
Lowest/Best Bidder: Stowers Machinery Corp.
P.O. Box 14802
Knoxville, TN 37914-1802

R94159 Public Works Estimated \$150,000 Annually
Blanket Contract Extension for Security Guard
Services Public Works Department
Lowest/Best Bidder: SEI, Inc.
5811 Lee Highway, Suite 403
Chattanooga, TN 37421

R126487 Public Works Estimated \$800,000 Annually
Blanket Contract for Underground Utility
Locating Services Public Works Department
Lowest/Best Bidder: USIC Locating Services
9045 North River Rd, Suite 300
Indianapolis, IN 46240

R135540 & R135529 Public Works \$782,310
Purchase of Motorola Radio Equipment
for Waste Resources Division
Lowest/Best Bidder: Motorola Solutions, Inc.
P.O. Box 12210
Knoxville, TN 37912

R133771 Public Works

Estimated \$60,000 Annually

Wet Weather Polymer Waste Resources Division

Lowest/Best Bidder: Polydyne, Inc.
One Chemical Plant Rd.
Riceboro, GA 31323

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

ACTION: APPROVED

OTHER BUSINESS:

**a) Special Exceptions Permit for Late Night Entertainment Facility
6925 Shallowford Road, Suite 220, Chattanooga, TN (District 6)**

Mr. Bridger gave an overview on this special exceptions permit request to serve alcohol after 10:00 p.m., which would qualify it as a “late night entertainment facility.” The facility is next to a property in the R-2 zone, which requires such facilities to be 750 feet away from a residential property. This facility is 117 feet away from the R-2 zone. Mr. Bridger informed the Council of concerns from the Police Department and the Fire Marshall regarding the facility. A hearing ensued in which Chairman Freeman recognized the following individuals:

On behalf of the Applicant:

- **Attorney Matt Fitz Harris** (Representing Epic Sports Bar) – He noted that the Applicant was requesting a special permit to serve alcohol after 10:00 p.m.

On behalf of the Opposition:

- **Jennifer Eaves McDougall** (Trustee for Adjacent Properties) –She asked the Council to vote against the permit because of its negative impact on her business, such as increases in vagrancy and trash. She also thought it would be a burden on the Police Department. She noted that the late night facility is closer to her property than what the statute allows.

Councilwoman Berz moved to deny, seconded by Vice Chair Mitchell.

**ACTION: SPECIAL EXCEPTIONS
PERMIT DENIED**

COMMITTEE REPORTS:

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

Budget and Finance Committee

Councilwoman Berz

- First budget session from 10am – 2:00 p.m. The next session will take place next Tuesday (May 31) from 10:00 a.m. – 2:00 p.m. in the Council conference room.

Economic and Community Development Committee

Councilman Anderson

(No report)

- He thanked the Council for their patience of his questions during the report on Form-Based Code during today's Planning and Zoning Committee meeting.

HR Committee (Human Resources)

Vice Chair Mitchell

(No report)

Planning & Zoning

Councilman Hakeem

- The committee was briefed by Regional Planning staff on the position of the Planning Commission and staff on the proposed Form-Based Code.
- On June 2, Regional Planning will hold a 2-hour "Parking and Transportation Forum" to hear from persons affected by Form-Based Code. It will take place at the downtown public library from 5:30 to 7:30 p.m.
- On June 7, the Council will have a public hearing at 3:00 p.m. in the Council Assembly Room regarding Form-Based Code as a whole.
- On June 13 at 1:00 pm, the Planning Commission will hear about eight (8) properties requesting to be removed from the Form-Based Code zone.
- On June 14, Form-Based Code will come before the Council for first reading.

Public Safety Committee

Councilman Henderson

(No report)

Public Works and Transportation Committee

Councilman Smith

- The committee met today. The next meeting will be in two (2) weeks following the 3:00 p.m. Agenda Session.

Youth and Family Development Committee

Councilman Gilbert

(No report)

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

Attorney Reisman read the rules of procedure for persons wishing to address the Council on non-agenda items. After which, Chairman Freeman recognized the following speakers:

- **Charles Atchison (Summit - District 4)** – Mr. Atchison represented the Summit Neighborhood Association. He distributed a map to the Council and requested sewers in Summit. He also discussed dangers and hazards in the area due to increased traffic. He asked the Council for several safety-related items: sewers in Summit; a light at Apison Pike; sidewalks for Patten town Road; bike lanes throughout the community. He noted that Councilman Gilbert had grown up in the Summit area and had been instrumental in FedEx negotiations with the community, and with naming a road and monument after the Summit community. He asked the Council to include Summit in future discussions to know what's coming to their community.
 - Chairman Freeman referred Mr. Atchison to Blythe Bailey, Transportation Administrator.
 - Councilman Grohn noted that he has met with Mr. Atchison and Mr. Atchison's father, Bobby. He is arranging a community meeting on July 16 for the Summit residents. He will speak with Hamilton County Commissioners Smedley and Beck to invite them to the meeting. He also voice certain economic development that is affecting this area.
- **Freddy Brooks (Summit - District 4)** – He is retired after 28 years from the Chattanooga Fire Department and echoed the concerns about the safety in Summit. He stated that the city needs to be on the front end in being proactive regarding safety. He said that safety is the biggest concern with the future growth of this community.
- **Theodore McGee (Summit - District 4)** –He also voiced concerns about safety in the area, especially when construction comes to Apison and Patten town Road. He noted that some residents of Summit do not know that they are a part of the City of Chattanooga.
- **Christopher Dahl (Highland Park – District 9)** – Mr. Dahl wanted to inform the Council of the historical significance of Lincoln Park and what will be lost if the park is lost. He read a historical timeline of the park that included information about the 1911 study showing the need for parks in Chattanooga, the 1918 construction of Lincoln Park and the baseball leagues that played at the park during the 1940's - 1960's. He also discussed how the park fell into disrepair and how that disrepair led to the expansion of Erlanger Hospital.
 - Chairman Freeman was very familiar with Lincoln Park, which is in his district, and expressed his appreciation to Mr. Dahl for highlighting the park's historical significance. He also made comments about the baseball league's that played at the park.
- **Phillissia Hambricht (District 8)** – She reminded the Council of the People's State of the City address presented by Bro. Kevin Muhammad last month. She reminded the Council of the two initiatives that Bro. Muhammad presented in the address. She reminded the Council that Pastor Timothy Careathers had asked the Council to respond to the People's State of the City address by today's date. She stated that since then, a formal response has not happened. She said that the Council's silence on the People's State of the City

address is “deafening.” She stated that this is a city in need of change and that change can only be done by working together. She stated that each councilperson was elected by their district because their districts feel they can be the conduit for change. She asked the Council to not just listen, but to dialogue with the people. She stated that the people want to know that the Council hears them and are concerned. She stated that the people want to help shape the city. She asked the Council to acknowledge the people and respond to the address.

- Councilman Smith noted that he gave his personal response the day of Bro. Muhammad’s address to the Council. He stated his personal view again that city officials should not shut out the voice of the people. He said t Bro. Muhammad’s presentation addressed a number of problems affecting the disadvantaged in the community. He said that he did make a response at that time and how much he appreciates hearing proposed solutions to problems. He commented that the People’s State of the City was a community bringing solutions, not just problems. He stated that can only response for himself and thanked the community for giving solutions. He has kept in mind what Bro. Muhammad brought forth. He is looking at jobs during the summer time, and how companies might expand those job opportunities. He noted that if the community needs to speak with him on these matters, he is available to meet and is open to serve citizens.
- Councilman Hakeem stated that his appreciation of the address by Bro. Muhammad and the fact that it represents a voice that the Council has not heard. He said that some people have addressed the Council in an aggressive manner that sends a message that they will bully the Council into responding. He said that the way you go about a subject will affect how to get a response. He stated that the Council is not static about what’s happening in the community. He, too, comes from the community. He said that the Council has a set of priorities and that job development is part of their priorities. During today’s budget discussion with Chief Fletcher regarding cameras in communities, he found out that the chief plans to go into certain communities to discuss the cameras and other efforts being done to deter crime. He said that some housing projects are shovel-ready in bringing about better housing. Regarding a grocery store in East Chattanooga, he had a discussion with the Mayor’s Chief of Staff. Administration is willing to work with the Council on incentives that companies have utilized in the past. He said that what Bro. Muhammad recommended was presented in a broad sense as what’s needed throughout the city, but not everybody has the same sense of what’s a priority in their community. He said we must agree that residents of one community cannot tell another community what their priorities and needs are. He said that the items he has just mentioned could probably be addressed by the next election.
- Councilman Anderson thanked Ms. Hambright for her thoughtful approach to the Council and willingness to dialogue with the Council. He noted that it is frustrating for groups in the same area have varying views on how to solve a problem in within their own communities. He said no one person can speak on behalf of the whole Council. He said that the Council can do a better job communicating with the community. He noted that always waits after Council meetings are adjourned each week in order to speak with District 7 residents. He said he will continue to do so for those in his district.
- Chairman Freeman’s responded that he fully understands that some people find themselves in situations that are out of their control: some problems are

systemic, some are personal and some are due to other conditions, such as racism. He said that the Council agonizes over what to do in order to solve problems. He said the Council meets, speaks, dialogues, encourages and advocates every organization in town that works within the community. The Council is often invited to come and share their thought and ideas to give their money to causes in the community. The Council would like to get rid of all the conditions that cause people to be disadvantaged and poor. He wants their children to grow up in an environment where they can learn and see the world in a positive light. He thinks that is the best approach to solving some problems we have now: give people hope and the means to have happiness and contribute. He said that giving speeches in the chambers does not solve problems; sitting around the tables and attending events in the communities is what gets things done. The Council is part of a government that has offered all citizens and organizations the chance to present ideas to officials and the opportunity to give of themselves and their organizations to contribute. The council must organize our thoughts on how to be accountable to the citizens. The budget process is there for that purpose. Because the Council operates on city taxes, we are limited as to what we can do. He said the Council always struggling with how best to spend taxpayer money to get things done to help people. He can understand the frustrations of people when things don't happen the way they see fit. He stated that we all think our own ideas and opinions are best. He asked the people to know the difference between a friend of the friend and the friend of an enemy. Based upon that thought, he stated that Ms. Hambright, Bro. Muhammad and this Council are friends. He said the Council is doing their part to the best of their abilities.

- **Landon Howard (District 2)** – He said that it's good that the Council wants to remove the systemic barriers. Just do it, he said; do it through the budget. If the Council is about He said let's see it in the budget. He said from last year's budget that the police has a 4.5-percent increase in the police department's budget. He said arresting people does nothing. He said that the budget increase to the police department didn't work. He said it is insanity to keep doing something the same way and expecting the same results. He said to fund a solution that is actually coming from the community.
- **Franklin McCallie (Reed Avenue)** – He wanted to share some good news with the Council. He, Helen Burns Sharpe and others have been asking the Council to stop the PILOT program. Developer John Wise called Ms. Sharpe and asked to meet with the group of citizens concerned with the PILOT program. They had a long meeting with Mr. Wise about the policies of PILOTs. He was pleased that a developer had contacted them and heard their concerns. He said the HEB has now invited Mr. Wise to present to them.
- **Greg Luther (District 7)** – He has lived in St. Elmo for 20 years. He understands that with 20 miles of Riverwalk and even more walking space planned, he understands that the City of Chattanooga encourages bicyclists in the city. The problem is that city streets in regular neighborhoods are being used for Iron Man and other bicycle competitions. He stated that cycling events should utilize the bike paths already established rather than shut down neighborhood streets. He noted that Virginia Avenue was converted to a bike path and is not being utilized to its full potential. He asked the Council why make the city bike-friendly when the bike lanes are not being used, which is an inconvenience for residents. He asked the Council to consider the convenience and better use of taxes when granting special permits for these special bike lanes.

- Councilman Anderson stated that the actual courses are not a function of the City Council; they are an administrative function from the executive branch. He stated that he does not know why Virginia Avenue was not utilized in lieu of other options. However, he said that he would report back to Mr. Luther at the St. Elmo Neighborhood Association next month about Virginia Avenue.
- **Nathan King (Orchard View Avenue)** – He says that the Council provided some light “non-answers.” He said that the Council’s response to the People’s State of the City Address is too late. He asks the Council if they will listen to the people or rubber-stamp the Mayor’s budget. He asked for responses to the People’s State of the City Address from the councilpersons who did not speak about it today.
 - Councilman Hakeem commented on the way in which Mr. King was speaking to the Council members who had not given responses earlier.
 - Councilman Grohn stated that he had a scheduled meeting last Wednesday night with someone who represents the community. He believes there must have been some miscommunication. It was his understanding that he would be called and given the location to meet. He never received a phone call though. He will meet with the individual and find out with what happened, and apologized for
 - Councilman Anderson reiterated that he will be available after today’s meeting, as always, to address the needs of District 7 residents.
- **Ashlee Henderson (Concerned Citizens for Justice)** – She informed the Council that CCJ delivered 2,000 pounds of free produce to the Westside community today. They will do it in Eastdale and the Southside also. She voiced concerns about citizens not being able to take off from their jobs to attend the budget sessions. She also voiced concerns about the lack of democracy in the process of public hearings, referencing one neighborhood association president who was not allowed to speak tonight because she had spoken twice within the past 30 days. She believes Council meetings are not very participatory and or democratic. She said the People’s State of the City was an invitation for the Council to work with the people. She said that the matrixes of connecting social services to community actually work. She suggested that the Council fund programs like YFD that we already pay taxes to support. She stated that we already know that the 1990’s policing policies being encouraged in Chattanooga do not work. She spoke to people in Austin today who told her about horrible problems with the policing models in Austin. She has talked to people in Atlanta, Los Angeles, New York, Chicago and Oakland, as well as people in cities of comparable sizes and demographics to Chattanooga, about the co-optation of community policing that is being perpetuated in Chattanooga. She supports community-led solutions and community-led development.

ADJOURNMENT

On motion of Councilman Anderson, Chairman Freeman adjourned the meeting of the Chattanooga City Council until Tuesday, May 31, 2016, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL