



City Council Building  
Chattanooga, Tennessee  
**COUNCIL MEETING MINUTES**  
September 6, 2016  
6:00 PM

## **CALL TO ORDER**

Council Chairman Moses Freeman called the meeting to order. A quorum was present, including Vice Chair Jerry Mitchell and Council members Chris Anderson, Carol Berz, Russell Gilbert, Yusuf Hakeem, Chip Henderson and Ken Smith all present. Councilman Chris Anderson arrived after the call to order. City Attorney Wade Hinton and Council Clerk Nicole Gwyn, CMC, were also present. Councilman Larry Grohn was not present.

## **PLEDGE OF ALLEGIANCE**

Councilman Henderson led the Assembly in the Pledge of Allegiance. He also read Jeremiah 29:11 before giving the invocation.

## **APPROVAL OF LAST MINUTES**

**On motion of Vice Chair Mitchell** and seconded by Councilman Gilbert, the minutes of the last meeting (August 30, 2016) were approved as published.

## **SPECIAL PRESENTATION**

***“Suicide Prevention Awareness Month”***  
***Councilman Ken Smith and Helen Ross McNabb Center***

Councilman Smith introduced representatives from the Helen Ross McNabb Center to inform the Assembly about “Suicide Prevention Awareness Month.” Robin Graves, Director of Development and Government Relations, gave an overview of the Helen Ross McNabb Center. Gayle Lodato, Senior Director of Hamilton County Services, spoke about the center’s programs supported by the City, the funding they received for improving housing at Rosewood and the upcoming suicide prevention event at Five restaurant. She also gave five (5) steps to preventing suicide. Lastly, Ms. Graves invited everyone to visit the center.

## **ORDINANCES – FINAL READING: (NONE)**

**ORDINANCES – FIRST READING:**

AGENDA ITEM VI(a):

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 21, BY CREATING A NEW CHAPTER ENTITLED, “ADMINISTRATIVE HEARING OFFICER” TO CREATE AN ADMINISTRATIVE HEARING OFFICER POSITION IN ACCORDANCE WITH TENNESSEE CODE ANNOTATED SECTION 6-54-1001 ET SEQ.**

**Councilman Anderson moved** to approve, seconded by Councilwoman Berz. A discussion ensued with Councilman Henderson questioning Donna Williams, Economic and Community Development Administrator, and Attorney Hinton about the following:

- Triggers for an administrative hearing/escalation process (Councilman Henderson);
- Possibility of adding a 6-month look-back policy to the ordinance (Councilman Henderson);
- Targeting the ordinance to problematic or repeat offenders (Councilwoman Berz);
- Adding information to 90-day report regarding repeat offenders (Councilwoman Berz);
- Programs for low income and senior residents to get them back into compliance (Councilman Smith);
- Policies that will back up the procedures and process (Chairman Freeman).

Ms. Williams also discussed the process for citizens who are cited for violations, but correct those violations. **Councilman Henderson moved** to amend by adding the following language: *There will a 6-month look-back to review the impact and effectiveness of the position.* Councilman Hakeem seconded. The motion carried. **Councilman Henderson moved** to approve as amended, seconded by Councilman Hakeem. The motion carried.

**ACTION: PASSED ON FIRST READING  
AS AMENDED**

On motion of Councilman Smith and seconded by Councilman Henderson,

**ORDINANCE #13104**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 31, ARTICLE III, DIVISION 4, SECTION 57, SUBSECTIONS (A), (B), AND (D) RELATING TO THE WASTEWATER REGULATIONS AND APPEALS BOARD.**

**ACTION: PASSED ON FIRST READING**

MR-2016-100 Johnston  
Southern Company, LLC  
District 8

On motion of Councilman Anderson and seconded by Councilman Gilbert,

**ORDINANCE #13105**

**AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED ALLEY OFF THE 1400 BLOCK OF ADAMS STREET, DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.**

Attorney Hinton confirmed for Councilman Hakeem that all questions from last week had been satisfied with this item. The motion carried.

**ACTION: PASSED ON FIRST READING**

**RESOLUTIONS:**

On motion of Councilman Anderson and seconded by Councilman Hakeem,

**RESOLUTION #28764**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO ACCEPT AND EXPEND GRANT FUNDS FROM THE LYNDHURST FOUNDATION, THE BENWOOD FOUNDATION, AND THE FOOTPRINT FOUNDATION, IN THE AMOUNT OF \$60,000.00 FOR *THE BLUE TREES PROJECT*, A TEMPORARY SOCIAL/ENVIRONMENTAL ART INSTALLATION.**

Ms. Williams confirmed for Councilman Anderson that no city funds would be utilized on this project. The motion carried.

**ACTION: ADOPTED**

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

**RESOLUTION #28765**

**A RESOLUTION TO CONFIRM THE MAYOR'S RE-APPOINTMENTS OF TRAVIS LYTLER AND MICHAEL MALLEN TO THE METROPOLITAN AIRPORT AUTHORITY BOARD.**

**ACTION: ADOPTED**

On motion of Councilman Hakeem and seconded by Councilman Anderson,

**RESOLUTION #28766**

**A RESOLUTION TO CONFIRM THE MAYOR'S APPOINTMENTS OF MELISSA MORTIMER, DOUG ECKERT, AND RICARDO MORRIS TO THE HISTORIC ZONING COMMISSION.**

**ACTION: ADOPTED**

On motion of Councilman Henderson and seconded by Councilwoman Berz,

**RESOLUTION #28767**

**A RESOLUTION TO CONFIRM THE MAYOR'S RE-APPOINTMENTS OF DOUG DAILEY, JOHN A. SMITH, MICHAEL S. WEBB, MARK STOLPMANN, PAUL T. MCGINNIS, SUSAN M. DAILEY, AND MARION QUARLES TO THE BOARD OF PLUMBING EXAMINERS.**

**ACTION: ADOPTED**

On motion of Councilwoman Berz and seconded by Councilman Anderson,

**RESOLUTION #28768**

**A RESOLUTION TO CONFIRM THE MAYOR'S APPOINTMENTS OF BRUCE BLOHM AND B. J. ABSHER TO THE TREE COMMISSION.**

**ACTION: ADOPTED**

On motion of Councilman Henderson and seconded by Councilman Gilbert,

**RESOLUTION #28769**

**A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 (FINAL) TO NABCO ELECTRIC COMPANY, INC. OF CHATTANOOGA, TN, RELATIVE TO CONTRACT NO. W-11-009-202, MOCCASIN BEND WASTEWATER TREATMENT PLANT ADMIN BUILDING PERMANENT GENERATOR AND GENERATOR CONNECTIONS AT PRIORITY ISS SITES PROJECT, A CONSENT DECREE PROJECT, FOR AN INCREASED AMOUNT OF \$1,959.00, FOR A REVISED CONTRACT AMOUNT OF \$434,318.00 AND TO RELEASE THE REMAINING CONTINGENCY AMOUNT OF \$38,041.00.**

**ACTION: ADOPTED**

On motion of Councilwoman Berz and seconded by Councilman Hakeem,

**RESOLUTION #28770**

**A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 FOR CTI ENGINEERING, INC. (WITH SCS ENGINEERS AS SUB) RELATIVE TO CONTRACT NO. C-13-001-101, PROFESSIONAL SERVICES FOR LANDFILL DEFICIENCY RECOMMENDATIONS AND REPAIRS, FOR AN INCREASED AMOUNT OF \$24,000.00, FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED \$374,000.00.**

**ACTION: ADOPTED**

On motion of Councilman Anderson and seconded by Councilman Hakeem,

**RESOLUTION #28771**

**A RESOLUTION AUTHORIZING PUCKETT EMS % SHANE GARRISON, PROPERTY OWNER, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 3014 ROSSVILLE BOULEVARD FOR THE PURPOSE OF INSTALLING A CHAIN-LINK FENCE, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: ADOPTED**

**DEPARTMENTAL REPORTS:**

**Police Department**

Chief Fletcher read comments about the violence that occurred on Labor Day and discussed the work of the search for one person added to the fugitive list, and the help of the victim services and witness and victim team. He gave updates on the following:

- Violent crimes down 13% versus 2015; down 17% versus 2014
- Aggravated assault down 20%
- Property crime down 11% versus 2015; 21% versus 2014
- Burglary Down 17%
- Plan in place for auto theft increases
- Most Violent Weeks Interventions (Surge Operations)
- Reduction in reciprocatory violence
- Data showing less shootings in June, July, August
- DOJ Smart on Crime Initiative
- Traffic Division outputs and outcomes
- NIBIN/IBIS installation & training
- Watson Field Based Quality Control system
- Technical Suite for real-time intelligence center
- Policy being drafted for body-worn cameras
- I.T. work on in-car connectivity
- Recruiting & Diversity: Minority Internship program, Reserve Officer program, Cadet Academy
- Oct. 4 – National Night Out
- Ballistics panels
- Seeking vendor for security upgrade at service center
- Coffee with Cop program
- Front porch lineups
- Chaplains program

Councilman Hakeem gave some reflections on problems that will not be solved overnight, young people on the margins who are affected by violence and minority outreach. He also commented on trust being built between the community and CPD. Councilman Henderson commended Chief Fletcher and asked about the individuals being sought for the Reserve Officer Academy. Councilman Anderson commended the Chief and asked him to send information to the Council on how to apply for the Reserve Officer Academy.

### **Purchases**

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

**PO535878 - Public Works** Estimated \$120,000 Annually

Renewal of Blanket Contract for Sanitary Sewer  
Manhole Inspection Services - Waste Resources Division  
Lowest/Best Bidder: Sani-Tech Jet Vac Services, LLC  
P.O. Box 40348  
Nashville, TN 37204-0348

**Invoice 5010636 - Transportation** \$13,561.00

Payment of Invoice for Traffic Signal Parts –  
Transportation Department  
Lowest/Best Bidder: Transportation Control Systems  
1030 South 86th Street  
Tampa, FL 33619

**R135387 - Transportation** Estimated \$180,000 Annually

New Blanket Contract for Streetlight Luminaires –  
Transportation Department  
Lowest/Best Bidder: Gexpro  
2800 Amnicola Highway  
Chattanooga, TN 37406

**Councilman Anderson moved** to approve, seconded by Councilwoman Berz. The motion carried.

**ACTION: APPROVED**

### **OTHER BUSINESS:**

#### **Wine in Grocery Stores**

Daisy Madison, Chief Finance Officer, presented the following:

- 1) Aldi #91, 5706 Lee Highway, Chattanooga, TN 37421
- 2) Aldi #92, 5510 Highway 153, Suite 1, Hixson, TN 37343

The certifications for both stores were signed in open meeting by five (5) councilpersons each certification.

## City Attorney's Report

Attorney Hinton reported on a resolution regarding a lawsuit that had been settled between the City and Gloria and Paul Haden in the amount of \$33,000.00. He asked the Council to approve moving forward with the settlement agreement.

On motion of Councilman Anderson and seconded by Councilwoman Berz,

### RESOLUTION #28772

**A RESOLUTION AUTHORIZING THE CITY OF CHATTANOOGA TO SETTLE A LAWSUIT CONCERNING A CLAIM BY GLORIA AND PAUL HADEN, THROUGH THEIR ATTORNEY, HERBERT THORNBURY, SUBJECT TO THE EXECUTION OF A GENERAL RELEASE OF ALL CLAIMS AND A DISMISSAL WITH PREJUDICE, IN THE AMOUNT OF THIRTY-THREE THOUSAND DOLLARS (\$33,000.00).**

**ACTION: ADOPTED**

## COMMITTEE REPORTS:

### *Audit & I.T. Committee*

(Councilman Grohn not present)

### *Budget and Finance Committee*

Councilwoman Berz

(No report)

### *Economic and Community Development Committee*

Councilman Anderson

- Due to actions made by the Council today in their 3:00 p.m. meeting to delay the discussion on the proposed new PILOT standards and procedures, the ECD committee will meet in two weeks (September 20) for that item.

### *HR Committee (Human Resources)*

Vice Chair Mitchell

(No report)

### *Planning & Zoning*

Councilman Hakeem

- The committee met today to discuss zoning items on next week's agenda and to hear some presentations from Mr. Bridger. Hearings will take place next week (September 13) with those for/against the zoning matters.

### *Public Safety Committee*

Councilman Henderson

(No report)

*Public Works and Transportation Committee*  
Councilman Smith

- The committee will meet next week (September 13) 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 Hinton read the rules of procedure for persons wishing to address the Council on non-agenda items. After which, Chairman Freeman recognized the following persons:

- **Chester Heathington (Hickory Manor Circle)** - His son owns property on Moss Street. He has not been able to reach the councilperson representing that district. As a landlord, he feels that he has no assistance when he is cited to court by code enforcement for damages done by tenants. He would like to know what recourse landlords have regarding codes and tenant damages.
- **Emerson Birch (Chamberlain Avenue)** – The community has been discussing changes to Bailey Avenue for the past year to improve navigation. There is an interest in looking at roads as a way to connect people. He requested to grow ideas around design and transportation.
- **Christopher Dahl (Highland Park)** – He has been trying to contact someone to propose an idea of a traffic offset study in the area where the City would like to add bike lanes. He would also like to see bike paths in his neighborhood that would utilize the older streets in the area.
  - Chairman Freeman pointed out Transportation Administrator Blythe Bailey and told Mr. Dahl to see Mr. Bailey after today's meeting.
- **John Kerns (Duncan Avenue)** – He brought petitions and letters of support that were also delivered to the Mayor and the Transportation Department. He supports the proposed road right-sizing plan for the Bailey and MLK corridor. The city should plan for increases in the number of residents living downtown. He emphasizes the ability to connect downtown Chattanooga to the neighborhoods that lie immediately around it.
- **Matt Busby (The Camp House/Mission Chattanooga/M.L. King Merchants Association)** – He distributed petitions in support of the road diet and proposed bike lanes for M.L. King Blvd. He would like to see M.L. King decreased to three (3) lanes with two bike lanes. He noted that one of the chief concerns of M.L. King merchants is slowing down traffic to make it safer.
- **Merry Mai Williamson (13<sup>th</sup> Street)** – She discussed safety for residents and students renting in the M.L. King area. She asked the City to support improvements to M.L. King



Boulevard, which would include repaired sidewalks and protected bike lanes. She asked supporters of the revitalization efforts on M.L. King Boulevard to stand.

- Councilman Hakeem reflected on the history of M.L. King and Bailey Avenue being converted to one way streets in the 1950's and converted back to two-way during the Corker administration. He commended residents of Highland Park and M.L. King for making their desires known to the Council tonight.
- **Franklin McCallie (Reed Avenue/Accountability for Taxpayer Money)** – A.T.M. is concerned with transparency in government, especially the newly proposed PILOT program. He thanked the Council for delaying the vote that had been scheduled regarding the new PILOT program. He stated that A.T.M. will contact councilpersons to discuss the program. He supports enriching the city with residential development that will allow people of all socioeconomics to enjoy living space in this city.
- **Helen Burns Sharp (Walnut Street/A.T.M.)** – She requested 15 minutes for A.T.M. to make a presentation at the September 20 ECD Committee meeting regarding suggested changes for the PILOT program. She also stated that A.T.M. would welcome to the opportunity to set up one-on-one meetings with councilpersons.
  - Councilman Anderson stated that he is available to meet with Ms. Sharp and other members of A.T.M. and asked her see him after the meeting to set a date.
- **Garnet Chapin (Chambliss Street)** – He has not been able to find the newly proposed PILOT program on the city's website. He is concerned with access to such information and appreciates the opportunity for public dialogue.
  - Councilman Henderson confirmed with Attorney Hinton that the two (2) weeks' worth of agendas are posted on the city's website. Attorney Hinton also noted that as agendas are revised, they are re-posted on the website.

## ADJOURNMENT

**On motion of Councilman Anderson**, Chairman Freeman adjourned the meeting of the Chattanooga City Council until Tuesday, September 13, 2016, at 6:00 p.m.

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**CHAIRMAN**

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**CLERK OF COUNCIL**