



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
March 14, 2017
6:00 PM

CALL TO ORDER

Council Chairman Moses Freeman called the meeting to order with Vice Chair Jerry Mitchell and Council members Carol Berz, Russell Gilbert, Larry Grohn, Yusuf Hakeem, Chip Henderson and Ken Smith all present. City Attorney Wade Hinton and Council Support Specialist Keren Campbell were also present. Councilman Chris Anderson was not present.

PLEDGE OF ALLEGIANCE

Council Chairman Moses Freeman led the Assembly in the Pledge of Allegiance.

APPROVAL OF LAST MINUTES

On motion of Councilman Smith and seconded by Councilman Gilbert, the minutes of the last meeting (March 7, 2017) were approved as published.

SPECIAL PRESENTATION

“Certified Financial Manager Month”

Daisy Madison, Chief Finance Officer, introduced the accounting staff and recognized Paul Boylan, named the President of the local chapter of the National Association of Governments Accounts. Councilwoman Berz presented Mr. Boylan with the following proclamation:

Whereas: The Chattanooga Chapter of the Association of Government Accountants (AGA) is a professional organization. It is part of the Association of Government Accountants which has a network of 15,000 plus members in 90 chapters in the United States and around the world and approximately 84 active members representing state, federal, municipal and private sector accountants, auditors, and financial managers in Chattanooga, Tennessee; and

Whereas: AGA Chattanooga Chapter members have responded to AGA’s mission of Advancing Government Accountability, as it continues its broad educational efforts, with emphasis on high standards of conduct, honor, and character in its Code of Ethics, and are making significant advances both in professional ability and in

service to the citizens of Chattanooga, Tennessee by mastering increasingly technical and complex requirements; and

Whereas: The Certified Government Financial Manager (CGFM) program of AGA provides a means of demonstrating professionalism and competency by requiring CGFM candidates to have appropriate educational and employment history, to abide by AGA's Code of Ethics and to pass three examinations requiring expertise in Governmental Environment, Governmental Financial Management and Control, and Governmental Accounting, Financial Reporting and Budgeting, and requires each CGFM holder to maintain certification by completing at least 80 hours of continuing professional education in government financial management topics or related technical subjects every two years.

Now Therefore,

I, Andy Berke, Mayor of the City of Chattanooga,
do hereby proclaim the month of March 2017 as

Certified Government Financial Manager Month

and in witness whereof, I have hereunto set my hand
and caused the Seal of the City of Chattanooga
to be affixed this the 10th day of March, 2017.

Andy Berke, Mayor

ORDINANCES – FINAL READING:

On motion of Councilman Smith and seconded by Councilman Henderson,

ORDINANCE #13165

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, BY AMENDING ARTICLE V, DIVISION 1, R-1 RESIDENTIAL ZONE, SECTION 38-44(3), RELATIVE TO SIDE BUILDING SETBACKS.

ACTION: APPROVED

2017-020
McCallie Commons LLC
(Abandonment)
District No. 8

On motion of Councilwoman Berz and seconded by Councilman Hakeem,

ORDINANCE #13163

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE UNOPENED ALLEY OFF OF THE 600 BLOCK OF O'NEAL STREET TO ALLOW FOR CONSTRUCTION OF A STUDENT HOUSING DEVELOPMENT, AS DETAILED ON THE ATTACHED MAP, AND SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

On motion of Councilman Hakeem and seconded by Councilwoman Berz,

ORDINANCE #13164

AN ORDINANCE TO AMEND ORDINANCE NUMBER 10098 CLOSING AND ABANDONING VINE STREET LOCATED BETWEEN THE SOUTHEASTERN LINE OF DOUGLAS STREET AND THE NORTHWESTERN LINE OF PALMETTO STREET BETWEEN MCCALLIE AVENUE AND EAST 5TH STREET FOR THE UNIVERSITY OF TENNESSEE AT CHATTANOOGA.

ACTION: APPROVED

ORDINANCES - FIRST READING

2016-022
Ed Waldorf and Green & Lofty, LLC
Planning Version
District No. 4

Agenda Item VI(a):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED at 224 BAKER STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

The Applicant and Opposition were present. Mr. Bridger gave a presentation on the case. A hearing ensued, in which Chairman Freeman recognized the following:

Applicant:

- Mr. & Mrs. Waldorf – They were requesting rezoning for a short term rental in their neighborhood and were searching for things to be done appropriately.

Opposition:

- Farran Kilbrun – She stated that the surrounding properties are zones for R-2 and feel rezoning the property is not the answer for addressing the short term rental issue. Also did add that the Applicant needed a permit for parking which they do not have.

Rebuttal:

- Mr. Waldorf noted that no permit requirement is required for parking permit. Mrs. Waldorf spoke about rental homes as limited license corporations.

Upon no further discussion, **Councilman Mitchell moved** to defer until May 2, 2017. Councilman Henderson seconded. The motion carried.

**ACTION: DEFERRED SIXTY (60) DAYS
UNTIL MAY 2, 2017**

2017-028

Joseph Ingram and Larry & Kristina Wood

Planning Version

District No. 2

On motion of Councilman Mitchell and seconded by Councilman Grohn,

ORDINANCE #13166

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 508 TUCKER STREET, MORE PARTICULARLY DESCRIBED HEREIN, AT THE ZERO LOT LINE RESIDENTIAL ZONE.

Mr. Bridger made a presentation on this item. The Applicant was present, but no Opposition was present. The Applicant showed a revised plan of the site. Councilwoman Berz asked where the entry way started and Councilman Mitchell asked if this would still have to go through Variances. Upon no further questions, the motion carried.

ACTION: PASSED ON FIRST READING

2017-025

James Pratt for Callio Properties, LLC

Wanda Kay Kennedy

Planning Version

District No. 4

On motion of Councilman Grohn and seconded by Councilman Smith,

ORDINANCE #13167

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 8611 PETTY ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-5 RESIDENTIAL ZONE TO R-3MD MODERATE DENSITY ZONE.

ACTION: PASSED ON FIRST READING

2017-033
Evan Holladay, LDG Multifamily, LLC
Planning Version
District No. 7

On motion of Councilman Mitchell and seconded by Councilman Hakeem,

Agenda Item VI(D):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 4821 AND 4905 CENTRAL AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO R-3 RESIDENTIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: DEFERRED SEVEN (7) DAYS

2017-026
Mark Siedlecki
Planning Version
District No. 8

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

ORDINANCE #13168

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 1903 AND 1907 MCCALLIE AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM C-2 CONVENIENCE COMMERCIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

2017-024
Highland Park, LLC (CNE)c/o Bob McNutt
Planning Version
District No. 9

On motion of Councilman Hakeem and seconded by Councilman Mitchell,

ORDINANCE #13169

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 2100 THROUGH 2106 AND 2116 UNION AVENUE; AND 2100, 2105, 2107, 2109, AND 2111 BAILEY AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE AND R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

MR-2017-023
Allen Headrick Construction
Planning Version
District No. 4

On motion of Councilman Grohn and seconded by Councilman Smith,

ORDINANCE #13170

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE 1100 BLOCK OF KINSEY DRIVE, AS DETAILED ON THE ATTACHED MAP, AND SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

On motion of Councilman Mitchell and seconded by Councilman Hakeem,

RESOLUTION #28957

A RESOLUTION AUTHORIZING COLLINS AND COMPANY TO PAY AN ON-THE-JOB INJURY SETTLEMENT TO AN EX-CITY EMPLOYEE, ROBERT DEAN BATES, IN THE AMOUNT OF \$31,100.12 FOR A PERMANENT PARTIAL IMPAIRMENT RATING IN ACCORDANCE WITH THE CITY'S INJURY ON DUTY POLICY.

ACTION: ADOPTED

On motion of Councilman Smith and seconded by Councilwoman Berz,

RESOLUTION #28958

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 5565 CASSANDRA SMITH ROAD, SUBJECT TO CERTAIN CONDITIONS.

Approved with Amendments:

- 1. No townhomes to be built anywhere within parcel of rezone*
- 2. 9/9 acres on parcel to remain open space*

The motion carried as amended.

ACTION: ADOPTED

On motion of Councilman Henderson and Councilman Grohn,

RESOLUTION #28959

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO AWARD CONTRACT NO. W-15-001-201 TO W.O. CONSTRUCTION COMPANY, INC. OF LIVINGSTON, TN, MBWWTP DETRITORS REHABILITATION, A NON-CONSENT DECREE PROJECT, IN THE AMOUNT OF \$2,662,876.00, WITH A CONTINGENCY AMOUNT OF \$135,000.00, FOR AN AMOUNT NOT TO EXCEED \$2,796,876.00.

ACTION: ADOPTED

On motion of Councilman Grohn and seconded by Councilman Smith,

RESOLUTION #28960

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO AWARD CONTRACT NO. C-13-001-202 TO ADVANCE ONE DEVELOPMENT, LLC OF CHARLOTTE, NC, SUMMIT LANDFILL GAS EXTRACTION SYSTEM ADDITIONS, IN THE AMOUNT OF \$266,375.00, WITH A CONTINGENCY AMOUNT OF \$26,600.00, FOR AN AMOUNT NOT TO EXCEED \$292,975.00.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilwoman Berz,

RESOLUTION #28961

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO AWARD CONTRACT NO. W-12-021-201 TO LAYNE INLINER, LLC OF TUCKER, GEORGIA, SANITARY SEWER REHABILITATION OF SOUTH CHICKAMAUGA CREEK 5 SUB-BASIN, IN THE AMOUNT OF \$2,626,985.00, WITH A CONTINGENCY AMOUNT OF \$250,000.00, FOR AN AMOUNT NOT TO EXCEED \$2,876,985.00, SUBJECT TO SRF LOAN APPROVAL.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilwoman Berz,

RESOLUTION #28962

A RESOLUTION AUTHORIZING NORTSHORE DEVELOPMENT LLC % RANDALL ADDISON, PROPERTY OWNER, TO USE TEMPORARILY THE RIGHT-OF-WAY AT LOTS 28 AND 29 PINE RIDGE ROAD FOR THE PURPOSE OF IMPROVING THE RIGHT-OF-WAY FOR PUBLIC ACCESS, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilman Hakeem,

RESOLUTION #28963

A RESOLUTION AUTHORIZING NONAME, LLC % WILLIAM B. RAINES, PROPERTY OWNER, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 235, 237, AND 239 MARTIN LUTHER KING BOULEVARD FOR THE PURPOSE OF PLACING A RAILING, TABLES, AND CHAIRS FOR PATIO SEATING, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Hakeem,

RESOLUTION #28964

A RESOLUTION AUTHORIZING ROBERT FRANKLIN ON BEHALF OF PROPERTY OWNER, JAMES K. WHITE, III, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 1100 MARKET STREET (EDNEY BUILDING) FOR THE PURPOSE OF INSTALLING A CANOPY AND GREASE TRAP, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Fire Department

Captain Travis Williams gave a report on the Safety Department for Firefighters that included his roles and responsibilities, health and safety. Councilman Gilbert expressed his appreciation for a job well done on speaking on behalf of Firefighters.

- Councilman Henderson also expressed his appreciation for the job being done and then inquired about coverage pertaining to cancer. Councilman Smith echoed his appreciation and inquired about Captain Williams's backup. He also expressed concerns about others being able to help when he is not on duty, and inquired about the level of impairment for a firefighter to be medically retired.
- Councilman Hakeem asked about the injuries that happened in 2016 and if there was satisfaction in the training being given to recruits.
- Councilwoman Berz inquired about the cost of the gear that is needed and the studies being done to make the best decision budget wise regarding purchasing needs. She commented on the need to keep firefighters safe as well as be cost efficient.
- Councilman Grohn expressed his support for the need of this gear as well as his appreciation for what the Fire Department does as a whole.

Purchases

Ms. Woodward, Purchasing Director, briefed the Council on the following proposed purchases:

R151014 – Information Technology Estimated \$200,000 Annually

New blanket Contract for Relocations of Overhead Fiber
Lowest/Best Bidder: Electric Power Board (EPB) Of Chattanooga
10 West ML King Blvd
Chattanooga, TN 37402

R147391 – Police Department \$39,761.32

Purchase of SWAT Equipment
Lowest/Best Bidder: ADS, Inc.
621 Lynnhaven Pky, Ste. 400
Virginia Beach, VA 23452

R149445 – Police Department \$30,200.00

Purchase of Training Ammunition – 0.223 Caliber
Lowest/Best Bidder: Gulf States Distributors
6000 E. Shirley Lane
Montgomery, AL 36117

R144728 – Public Works Estimated \$68,482.00 Annually

New Blanket Contract for Water Analysis Testing
Water Quality Department
Lowest/Best Bidder: TestAmerica Laboratories, Inc
2960 Foster Creighton Drive
Nashville, TN 37204

R149068 – Public Works \$65,364.00

Purchase of Twelve (12)
MSA Gas Monitors & Supporting Equipment
Waste Resources Division
Lowest/Best Bidder: Daly Instrumentation & Controls, Inc
P.O. Box 50994
Knoxville, TN 37950-0994

R149463 – Public Works Estimated \$100,000 Annually

New blanket Contract for Security Camera Equipment &
Service - Waste Resources Division
Lowest/Best Bidder: Integrated Networking Technologies, LLC (Intec)
6111 Heritage Park, Dr Ste A-100
Chattanooga, TN 37146

R148443 – General Services Estimated \$100,000 Annually

Two (2) New Blanket Contracts
For Chemicals for City Gold Courses
Lowest/Best Bidders: Harrell's
9920 Spanntown Road, Arlington, TN 37014
and
Regal Chemical Company
600 Branch Drive, Alpharetta, GA 30004

PO537483 – General Services

Estimated \$35,000 Annually

Blanket Contract Renewal for Peterbilt OEM
Parts & Service - Fleet Management
Lowest/Best Bidder: The Peterbilt Store
21 Candy Lane
Ringgold, GA 30736

PO520051 – General Services

Estimated \$30,000 Annually

Blanket Contract for Renewal for
Pest Control Service-City Wide
Lowest/Best Bidder: Kirkland’s Pest Control LLC
2720 Huntsville Highway
Fayetteville, TN 37334

PO537403 & PO537404 – General Services

Estimated \$150,000 Annually

Blanket Contract Renewals for
Janitorial & Cleaning Supplies
Lowest/Best Bidders: American Paper & Twine
2134 Amnicola Highway, Chattanooga, TN 37406
and
Jacobs Wholesale Paper Co.
1300 Chestnut Street, Chattanooga, TN 37402

PO527768 – Mayor’s Office

Estimated \$200,000 Annually

Blanket Contract Renewal for Uniform & Textile Rental –
City Wide
Lowest/Best Bidder: Cintas Corporation No. 2
2131 Polymer Drive
Chattanooga, TN 37421

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

ACTION: ALL PURCHASES APPROVED

OTHER BUSINESS:

City Attorney Report

City Attorney Wade Hinton updated the Council on the \$6 Million settlement agreement with General Electric and Alstom. He gave Council a breakdown of the settlement and spoke to the agreement and requirements in order to come to this settlement.

- Councilman Hakeem spoke to his appreciation to the work that had been done and expressed his support.
- Councilman Grohn expressed concerns of the amount spent on this settlement as he struggles with the PILOT.
- Councilman Henderson inquired about the tax breaks and the equipment that was returned once the PILOT was terminated. He also questioned the amount of the settlement.
- Councilwoman Berz stated that she was very proud of the work that had been done and expressed support of the settlement.

- Councilman Gilbert expressed concerns on the route taken for the settlement and asked the City Attorney to explain the process for settling for this option.

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

COMMITTEE REPORTS:

Audit & I.T. Committee

Councilman Grohn
(No report)

Budget and Finance Committee

Councilwoman Berz
(No report)

Economic and Community Development Committee

(Councilman Anderson not present)

Human Resources Committee (HR)

Vice Chair Mitchell
(No report)

Planning & Zoning

Councilman Hakeem
(No report)

Public Safety Committee

Councilman Henderson
(No report)

Public Works and Transportation Committee

Councilman Smith

- The committee met today in open meeting to review items on this week's and next week's agenda.

Youth and Family Development Committee

Councilman Gilbert
(No report)

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

Chairman Freeman 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 Henderson, Chairman Freeman adjourned the meeting of the Chattanooga City Council until Tuesday, March 21, 2017, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL