



City Council Building  
Chattanooga, Tennessee  
**COUNCIL MEETING MINUTES**  
July 25, 2017  
6:00 PM

### **CALL TO ORDER**

Council Chairman Jerry Mitchell called the meeting to order with Vice-Chairman Ken Smith and Councilpersons Carol Berz, Anthony Byrd, Demetrus Coonrod, Russell Gilbert, Chip Henderson, Darrin Ledford and Erskine Oglesby. Wade Hinton, City Attorney, and Nicole Gwyn, Council Clerk, were also present.

### **PLEDGE OF ALLEGIANCE**

Councilman Oglesby led the Assembly in the Pledge of Allegiance and gave the invocation.

### **APPROVAL OF LAST MINUTES**

**On motion of Councilman Gilbert and seconded by Councilman Henderson**, the minutes of the last meeting (July 18, 2017) were approved as published.

### **SPECIAL PRESENTATION**

#### ***Participatory Budgeting Presentation By Concerned Citizens for Justice (CCJ)***

Chairman Mitchell informed the Assembly of the presentation by CCJ on Participatory Budgeting. He also confirmed the timeline for the presentation: 20 minutes for the presenters and 10 minutes for questions from the Council. He then opened the floor to Aysja Pryor, who introduced other members of the CCJ team who would be presenting today: Ayana Clemmons, Jared Story and Landon Howard.

Ms. Pryor gave introductory remarks on the history of CCJ and founding member, Maxine Cousin, who started the organization in 1984 after her father, Wadie Suttles, died while incarcerated in the old city jail in 1983. She asked for a brief moment of silence in memory of Mr. Suttles' death. After the silence, Ms. Pryor discussed the Mission of CCJ and its reactivation in 2012. Ms. Clemmons made brief remarks on Participatory Budgeting in 19 other cities and introduced the video, "Real Money. Real Power. Participatory Budgeting." (<https://vimeo.com/107121298>) Ms. Pryor also distributed informational packets to the Council regarding participatory budgeting.

Mr. Howard discussed the following:

- Reasons for participatory budgeting;
- The need for citizens to have power in their daily lives in-between election cycles;
- The rights of representation;
- The root problems affecting Chattanooga;
- A bottom-up approach to addressing problems;
- Participatory Budgeting projects worldwide and processes across the U.S.;
- Example: Participatory Budgeting in Greensboro, NC;

Mr. Story discussed the following:

- Expanding Democracy;
- Areas where funds can be allocated;
- Pre-requisites for Participatory Budgeting (partnerships, staffing, etc.);
- Incarceration & Criminal Justice dollars;
- Largest Budget Line (CPD) & other options for such dollar amounts;
- Institutional Needs for Participatory Budgeting.

Ms. Pryor summed up the presentation by asking the Assembly: "Would you be interested in having a say-so, input and ideas in the budget you invest in?" She asked that everyone who answered "yes" to that question to stand. After which, she informed the Council that CCJ would like to meet individually with councilpersons to discuss further. She also asked that the Council to consider the following:

- Would the Council work with CCJ and community organizations in FY19?
- Would the Council agree to revisit Participatory Budgeting in the fall with an answer?

Vice-Chairman Smith asked for a clarification on where CCJ wished to present to the Council individually, then bring feedback to the Council as a whole. Mr. Story agreed, with Ms. Pryor informing the Council that CCJ would present a resolution before the whole Council.

Ms. Pryor and Mr. Story responded to comments from Councilwoman Coonrod, Councilman Byrd, Councilwoman Berz and Councilman Gilbert. Ms. Pryor summed up by describing Participatory Budgeting as a formal, more organized way of having everyone's voices heard.

## **ORDINANCES – FINAL READING:**

## **ORDINANCES – FIRST READING:**

**MR-2017-057**  
**Lima Tango Properties**

### **Agenda Item VI(a):**

**AN ORDINANCE CLOSING AND ABANDONING A SEWER EASEMENT  
LOCATED AT 5440 MOUNTAIN CREEK ROAD, AS DETAILED ON THE  
ATTACHED MAP, AND SUBJECT TO CERTAIN CONDITIONS.**

Councilman Henderson informed the Council that neighbors of this property had been calling with their concerns about this item. Therefore, **Councilman Henderson moved** to defer one (1) week until August 1, 2017. He was seconded by Vice-Chairman Smith. The motion carried.

**ACTION: DEFERRED ONE (1) WEEK  
UNTIL AUGUST 1, 2017**

MR-2017-061  
Chattanooga Metropolitan  
Airport Authority/John Naylor

On motion of Councilman Gilbert and seconded by Councilwoman Berz,

**ORDINANCE #13206**

**AN ORDINANCE CLOSING AND ABANDONING SEWER EASEMENTS LOCATED AT 1001 AIRPORT ROAD, 5905, 5908, AND 5909 PINEHURST AVENUE, AS DETAILED ON THE ATTACHED MAP, AND SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: PASSED ON FIRST READING**

MR-2017-093  
Noon Development, LLC  
and Newton Chevrolet

On motion of Councilman Oglesby and seconded by Councilman Ledford,

**ORDINANCE #13207**

**AN ORDINANCE CLOSING AND ABANDONING A COMBINED SEWER AND STORM DRAINAGE EASEMENT LOCATED AT 901 RIVERFRONT PARKWAY, AS DETAILED ON THE ATTACHED MAP, AND SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: PASSED ON FIRST READING**

**RESOLUTIONS:**

On motion of Councilwoman Berz and seconded by Councilwoman Coonrod,

**RESOLUTION #29113**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE LEASE AGREEMENT WITH BRIAN COTTER FOR THE HOUSE LOCATED AT 324 BASS ROAD, KNOWN AS THE BROWN ACRES RENTAL HOUSE, TO EXTEND THE HOLDOVER PERIOD FROM A TERM OF ONE (1) YEAR TO A PERIOD OF FIFTEEN (15) MONTHS, WITH THE FAIR MARKET RENT OF \$800.00 PER MONTH, FOR A TOTAL RENTAL FEE OF \$2,400.00 FOR THE ADDITIONAL THREE (3) MONTH HOLDOVER PERIOD.**

**ACTION: ADOPTED**

**RESOLUTION #29114**

**A RESOLUTION EXPRESSING CITY COUNCIL’S DESIRE FOR THE TENNESSEE DEPARTMENT OF EDUCATION TO CONDUCT ADDITIONAL DISCUSSIONS WITH THE COMMUNITY ON THE NEXT STEPS REGARDING SCHOOLS DESIGNATED IN THE INNOVATION ZONE (“IZONE”).**

**Councilman Gilbert** moved to approve, seconded by Councilwoman Coonrod. The motion carried.

**Councilman Gilbert** moved to substitute language, seconded by Councilman Ledford. Attorney Hinton read the amended language to be substituted in the last paragraph of the resolution: *BE IT FURTHER RESOLVED that the City of Chattanooga City Council encourages the Tennessee Department of Education to allow the new superintendent of the Hamilton County Department of Education additional time to engage the community and based on those discussions, present a new plan for success for the iZone schools and by doing so, create a path forward that is in the best interest of our children and our community.*

The motion carried upon roll call vote as follows:

<b>Berz</b>	<b>YES</b>	<b>Ledford</b>	<b>YES</b>
<b>Byrd</b>	<b>YES</b>	<b>Oglesby</b>	<b>YES</b>
<b>Coonrod</b>	<b>YES</b>	<b>Smith</b>	<b>ABSTAIN</b>
<b>Gilbert</b>	<b>YES</b>	<b>Mitchell</b>	<b>ABSTAIN</b>
<b>Henderson</b>	<b>ABSTAIN</b>		

**YES – Six (6); NO – Zero (0); ABSTAIN – Three (3)**

**Councilman Gilbert** moved to approve the amended, seconded by Councilwoman Coonrod. **The motion carried, with three abstaining:** Chairman Mitchell, Vice-Chairman Smith and Councilman Henderson. After which, Chairman Mitchell and Councilman Ledford both expressed their support of the new superintendent of Hamilton County Schools, Dr. Bryan Johnson.

**ACTION: ADOPTED AS AMENDED**

On motion of Vice-Chairman Smith and seconded by Councilman Ledford,

**RESOLUTION #29115**

**A RESOLUTION AUTHORIZING THE CHIEF INFORMATION OFFICER IS HEREBY AUTHORIZED TO EXECUTE A BLANKET CONTRACT RENEWAL WITH TYLER TECHNOLOGIES AS THE PROVIDER OF HARDWARE, SOFTWARE, IMPLEMENTATION SERVICES AND RELATED EXPENSES FOR ELECTRONIC CITATION SYSTEM FOR THE PERIOD OF ONE (1) YEAR BEGINNING JULY 21, 2017 THROUGH JULY 20, 2018 (WITH THE OPTION TO EXTEND FOR AN ADDITIONAL YEAR), FOR AN AMOUNT NOT TO EXCEED \$1.5 MILLION PER CONTRACT YEAR.**

**ACTION: ADOPTED**

On motion of Councilman Oglesby and seconded by Councilman Ledford,

**RESOLUTION #29116**

**A RESOLUTION AUTHORIZING AN AMENDMENT TO THE EXISTING BLANKET CONTRACT (#537879) WITH ZYCRON, INC. TO REFLECT THE NAME CHANGE OF THE CORPORATION TO BG STAFFING PER ACQUISITION OF ZYCRON, INC. BY BG STAFFING DATED APRIL 3, 2017.**

**ACTION: ADOPTED**

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

**RESOLUTION #29117**

**A RESOLUTION TO AMEND RESOLUTION NO. 28517 AS ADOPTED ON FEBRUARY 2, 2016, RELATIVE TO THE AGREEMENT FOR THE CLOSURE/POST CLOSURE PLAN FOR THE CITY LANDFILL WITH THE STATE OF TENNESSEE, DIVISION OF SOLID WASTE MANAGEMENT, BY DELETING "AN AMOUNT NOT TO EXCEED \$1,746,120.00" AND SUBSTITUTING IN LIEU THEREOF "AN AMOUNT NOT TO EXCEED \$1,657,448.95".**

**ACTION: ADOPTED**

On motion of Councilwoman Berz and seconded by Vice-Chairman Smith,

**RESOLUTION #29118**

**A RESOLUTION TO AMEND RESOLUTION NO. 28518 AS ADOPTED ON FEBRUARY 2, 2016, RELATIVE TO THE AGREEMENT FOR THE CLOSURE/POST CLOSURE PLAN FOR THE CITY LANDFILL, LATERAL EXPANSION AREA 3, WITH THE STATE OF TENNESSEE, DIVISION OF SOLID WASTE MANAGEMENT, BY DELETING "AN AMOUNT NOT TO EXCEED \$7,386,797.00" AND SUBSTITUTING IN LIEU THEREOF "AN AMOUNT NOT TO EXCEED \$7,572,618.31".**

**ACTION: ADOPTED**

On motion of Councilwoman Berz and seconded by Councilman Byrd,

**RESOLUTION #29119**

**A RESOLUTION TO AMEND RESOLUTION NO. 28519 AS ADOPTED ON FEBRUARY 2, 2016, RELATIVE TO THE AGREEMENT FOR THE CLOSURE/POST CLOSURE PLAN FOR THE SUMMIT SANITARY LANDFILL, WITH THE STATE OF TENNESSEE, DIVISION OF SOLID WASTE MANAGEMENT, BY DELETING "AN AMOUNT NOT TO EXCEED \$2,130,619.00" AND SUBSTITUTING IN LIEU THEREOF "AN AMOUNT NOT TO EXCEED \$1,848,183.34".**

**ACTION: ADOPTED**

On motion of Councilwoman Berz and seconded by Vice-Chairman Smith,

**RESOLUTION #29120**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN INGRESS AND EGRESS EASEMENT AGREEMENT WITH BIRCHWOOD II, LLC FOR ACCESS TO THE CITY OF CHATTANOOGA LANDFILL ON BIRCHWOOD PIKE.**

**ACTION: ADOPTED**

On motion of Councilman Henderson and seconded by Vice-Chairman Smith,

**RESOLUTION #29121**

**A RESOLUTION AUTHORIZING ANTIDOTE, P.C. % TYLER SMITH, TO USE TEMPORARILY THE RIGHT-OF-WAY NORTH OF 643 HAMILTON AVENUE FOR THE PURPOSE OF CONSTRUCTION ACCESS TO THE PROPERTY, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: ADOPTED**

On motion of Vice-Chairman Smith and seconded by Councilman Ledford,

**RESOLUTION #29122**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO EXECUTE A DEDICATION AGREEMENT AND DEED TO CONVEY THE ROAD SECTION OF NORTHPOINTE BOULEVARD FOR PUBLIC USE AND CANCELS THAT CERTAIN ROAD CONTRIBUTION AGREEMENT.**

Vice-Chairman Smith expressed thanks to Administration, Mayor Berke and the City Attorney's Office. He also expressed a special thanks to Eddie Tate at CDOT for his work on this project and Andrew Pulliam at Regions Bank for working with property owners on the terms. Upon no further comments, the motion carried.

**ACTION: ADOPTED**

**Temp Use No. 1434**  
**James Stinnett**

On motion of Councilman Oglesby and seconded by Councilman Ledford,

**RESOLUTION #29123**

**A RESOLUTION TO RESCIND RESOLUTION NO. 26012 TO REVOKE THE TEMPORARY USE PERMIT FOR THE RIGHT-OF-WAY LOCATED IN THE 3800 BLOCK OF CHURCH STREET.**

**ACTION: ADOPTED**

On motion of Councilwoman Berz and seconded by Vice-Chairman Smith,

**RESOLUTION #29124**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT TO ENTER INTO AN AGREEMENT FOR EARLY HEAD START AND HEAD START SERVICES FOR INFANTS, TODDLERS, AND PRESCHOOL CHILDREN DURING THE SCHOOL YEAR TERM 2017-2018 WITH CHAMBLISS CENTER FOR CHILDREN; CHILDREN'S ACADEMY FOR EDUCATION AND LEARNING; VOLUNTEER COMMUNITY SCHOOL; AND CHILD CARE NETWORKS OF BONNY OAKS, EAST RIDGE, MIDDLE VALLEY ROAD, AND SIGNAL CENTER, FOR A TOTAL AMOUNT OF \$1,100,893.00, AS SET FORTH MORE FULLY HEREIN, WHEREIN ALL AGREEMENTS SHALL BE FUNDED BY GRANT FUNDS FOR EARLY HEAD START AND HEAD START SERVICES FROM THE UNITED STATES GOVERNMENT.**

**ACTION: ADOPTED**

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

**RESOLUTION #29125**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT TO RENEW A ONE (1) YEAR GRANT CONTRACT WITH THE SOUTHEAST TENNESSEE AREA AGENCY ON AGING AND DISABILITY FOR PROGRAMMING AT THE EASTGATE SENIOR ACTIVITY CENTER, IN THE AMOUNT OF \$32,000.00.**

**ACTION: ADOPTED**

**PURCHASES:**

**Emergency Purchase**

Bonnie Woodward, Purchasing Director, informed the Council of an emergency purchase on behalf of Public Works. Justin Holland, Public Works Administrator, signed the purchasing letter in open meeting for the following emergency purchases:

<b>R156738 - Public Works</b>	<b>\$50,577.00</b>
Emergency Rental of One (1) Automated Garbage Truck for Six (6) Months	
Lowest/Best Bidder: Big Truck Rental LLC 1039 S 50th St Tampa, FL 33619	

## **Proposed Purchases**

Ms. Woodward also briefed the Council on the following proposed purchases:

**R156633 - Finance & Administration** Estimated \$70,000 Annually  
Annual Renewal of INCODE Maintenance and Support –  
City Court  
Lowest/Best Bidder: Tyler Technologies Inc  
5519 53rd St  
Lubbock, TX 79414

**PO522278 - Public Works** Estimated \$80,000 Annually  
Blanket Contract Renewal for Mowing Services  
Lowest/Best Bidder: Lovin Contracting Company Inc  
PO Box 758  
Robbinsville, NC 28771

**PO532251 & 532283 - Public Works** New Total Estimated \$287,500 Annually  
Increase of Authorized Expenditure on Blanket  
Contracts for GIS Application Support  
Lowest/Best Bidders:  
1. KCI Technologies 7003 Chadwick Drive Ste 343 Brentwood, TN 37027  
2. NuOrigin Systems Inc 841 Cranberry Lane Nolensville, TN 37135

**R152771 - Economic & Community Development** \$27,140.35  
Purchase of Demolition Services for 25 North Crest Road, 37404  
Lowest/Best Bidder: Havron Contracting  
901 Pineville Rd  
Chattanooga, TN 37405

**Councilman Henderson moved** to approve, seconded by Councilwoman Coonrod. The motion carried.

**ACTION: ALL PURCHASES APPROVED**

## **OTHER BUSINESS:**

### **Board Appointments**

Councilman Gilbert appointed Ezra Harris to the Community Development *Citizens Advisory Board* for District 5.

Councilwoman Coonrod made the following appointments for District 9 seats:

- Rosalyn Skelton – *Board of Sign Appeals*
- Harry Knox – *Sports Authority Board*
- Sara (Jackie) Thomas – *Board of Zoning Appeals*
- Dennis Clark – *Community Development Citizens Advisory Board*



### **IDB Election/Appointment:**

On behalf of Districts 7, 8 & 9, **Councilwoman Coonrod moved** to nominate Althea Jones to the Industrial Development Board. Councilman Gilbert seconded. The motion carried.

### **District 5 Back-To-School Bash**

Councilman Gilbert informed the Assembly about the “Rock the Block” Back-to-School Bash, taking place on Saturday, August 5, 2017 at the Brainerd YFD Center from 11:00 a.m. – 2:00 p.m. There will be a backpack and uniform giveaways as well as educational activities.

### **District 9 Community Expo**

Councilman Byrd reminded the Assembly about the “New Chattanooga Community Expo” on this Saturday, July 29, 2017 at the Avondale YFD Center. The event will include a community parade down Wilcox Boulevard. The route will be

### **Senior Tax Freeze Roundtable**

Vice-Chairman Smith informed the Assembly of a roundtable discussion that he and Mayor Berke are hosting regarding a Seniors Tax Freeze. The roundtable discussion will take place on tomorrow (August 26) at the North River Civic Center at 10:30 a.m.

## **COMMITTEE REPORTS:**

### *Budget and Finance Committee*

Councilman Henderson

- Finance will present the FY18 budget to the Council next Tuesday (August 1) during the 6:00 p.m. Council meeting.
- The Council will hold budget work session for four weeks, starting with the first work session on Tuesday, August 8, from 10:00 a.m. – 2:00 p.m. in the Council’s conference room.
- Councilman Henderson also made a request: If the Council is ready, he would like the sound ordinance added to the agenda in two weeks (August 8). The Council agreed by consensus that it would be added to the agenda in two weeks.

### *Economic and Community Development Committee*

Councilman Oglesby

- The committee will meet next week (August 1).

### *HR Committee (Human Resources)*

Councilman Gilbert

(No report)

### *Planning and Zoning Committee*

Councilman Ledford

- The committee will meet next week (August 1) following the 3:00 p.m. Agenda Session.

*Public Safety Committee*

Councilman Byrd reported:

- The committee met today to hear about the sound ordinance regarding off-road vehicles.

*Public Works and Transportation Committee*

Councilwoman Berz reported:

- The committee will meet next week (August 1) following the 3:00 p.m. Agenda Session to discuss related items on the next two agendas.

*Youth and Family Development Committee*

Councilwoman Coonrod

- There was a workshop held on this past Saturday called “Forward Focus” that centered on helping convicted felons get back into the community, rebuild lives, restore families, strengthening communities, and reducing recidivism. There were guest presenters from Charlotte, NC in attendance. Also, Lucretia Ewing was a presenter. Some city employees also attended. There will be future workshops in District 9 focused on empowering families on all levels.
- On Saturday, August 12, the “Save the Youth Back-to-School Bash” taking place in the Menlo Park community from 11:00 a.m. – 1:00 p.m. at 400 Tunnel Boulevard.
- District 9 is partnering with Troy Rogers of the Mayor’s Office to saturate the streets of District 9, to reach people where they are and to hear what their concerns are for the community. They are also taking the district’s needs and concerns to the Police Department. The next meeting will take place on this Friday (July 28) at 6:00 p.m. at the Dollar General store, 3210 Wilcox Blvd.

*Innovation Technology Committee*

Vice-Chairman Smith

(No report)

**NEXT WEEK’S AGENDA:**

**August 1, 2017**

Councilwoman Coonrod had questions about the pending Public Works item 7(e) on the August 1 agenda. Chairman Mitchell confirmed with Councilwoman Berz confirmed that this item would be discussed at the Public Works and Transportation Committee meeting next week.

**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 Mitchell recognized the following persons:

- **Drake Boscaino (Memphis Dr./District 2)** – He lives three houses away from the 75 Million gallon sewage holding tank being building in his neighborhood. He indicated that had he known this was coming, he wouldn’t have bought the house. He feels that full disclosure was not taken by the City in putting this tank in his neighborhood, and requested that the tank be moved behind McKamey Animal Center to keep down mosquitos and odor in his neighborhood.

- **Ricky Robinson (Bucky St.)** – He informed the Council that his daughter’s car was shot by a police officer, so he has interest in the police chief finalists. He hopes the City will hire someone who can stop crime, hold themselves accountable and “clean house.”
  - During Mr. Robinson’s remarks, Councilman Ledford called for a *point of order* due to what he felt were disparaging remarks. Chairman Mitchell ruled to allow Mr. Robinson the opportunity to continue addressing the Council.
  - Councilwoman Coonrod informed the Council that Mr. Robinson was a resident of District 9 and Ridgedale, and discussed the fears that are real in “impoverished communities.” She also made comments on the following: the current police chief finalists; interest in Assistant Chief Dana Vaughn; faith in the police; holding ourselves accountable; and citizens taking a stand to express concerns.
- **Jared Story (CCJ)** – He informed the Council that CCJ wrote an article on the police chief finalists. He recommended establishing an independent civilian oversight board and giving community control for holding police accountable.
- **Steve West (Willoughby Dr.)** – He voiced concerns about the wood recycle on Hawthorne: why this work has been contracted out, and why another wood chipper hasn’t been bought to take care of these services. He asked employees at the wood recycle center to stand for recognition and discussed problems with employees being moved from one site to another. He also addressed the following: various city departments contracting out what that employees can perform; being able to make \$10,000 more in Nashville doing the same work he is now paid; paying employees enough to keep them in this city.
  - Councilman Gilbert made comments about paying the fare price for employees, and gave an example of a problem at Morris Hill Road.
- **Breon Thomas (Chattanooga)** – This was his first time attending a City Council meeting. He saw information about the meeting on Facebook and recommended it for getting information to people. He expressed that he had a great time at today’s meeting.
- **Michael Davis (Public Works Employee)** – He said that people do not know the downside of working for Public Works, and expressed concerns about having to work 50-55 hours a week to feed his family. He also voiced concerns about doing other people’s work, but not receiving raises. He stated that if Public Works wants employees to do more, they should pay more.

## **ADJOURNMENT**

**On motion of Councilman Oglesby**, Chairman Mitchell adjourned the meeting of the Chattanooga City Council until Tuesday, August 1, 2017, at 6:00 p.m.

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**CHAIRMAN**

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**CLERK OF COUNCIL**