



Electronic-Conducted (Virtual) Meeting
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
June 23, 2020
6:00 PM

CALL TO ORDER

Council Chairman Chip Henderson called the meeting to order by electronic means. A quorum was present via electronic means that included Vice-Chairman Ken Smith and Councilpersons Carol Berz, Anthony Byrd, Demetrus Coonrod, Russell Gilbert, Darrin Ledford, Jerry Mitchell and Erskine Oglesby, Jr. The following panelists were also present at the call to order: Phil Noblett, City Attorney; Lydia Christoph, Administrative Support; and Nicole Gwyn, Council Clerk. Video of the full meeting is available for viewing [here](#).

PLEDGE OF ALLEGIANCE

Councilman Oglesby led the Assembly in the Pledge of Allegiance. He then invited Pastor James Rushing of Temple Baptist Church to give the invocation.

APPROVAL OF MINUTES

Councilman Ledford moved to approve, seconded by Councilman Oglesby. The motion carried unanimously (9-0) upon roll call vote.

SPECIAL PRESENTATION (NONE)

PROCEDURAL DISCUSSION: PUBLIC COMMENTS

Vice-Chairman informed the Council that 33 people had registered to address the Council tonight during the public comments section. Chairman Henderson asked for suggestions on how to proceed with the public comments section in light of the number of speakers tonight and the change in rules last week. **Vice-Chairman Smith moved** to limit speakers to two minutes per person. He was seconded by Councilman Ledford. The motion carried unanimously (9-0) upon roll call vote.

ORDINANCES – FINAL READING:

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

ORDINANCE #13558

AN ORDINANCE, HERINAFTER ALSO KNOWN AS "THE FISCAL YEAR 2020-2021 OPERATIONS BUDGET", PROVIDING REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 2020, AND ENDING JUNE 30, 2021; APPROPRIATING SAME TO THE PAYMENT OF EXPENSES OF THE MUNICIPAL GOVERNMENT; FIXING THE RATE OF TAXATION ON ALL TAXABLE PROPERTY IN THE CITY, AND THE TIME TAXES AND PRIVILEGES ARE DUE, HOW THEY SHALL BE PAID, WHEN THEY SHALL BECOME DELINQUENT; PROVIDING FOR INTEREST AND PENALTY ON DELINQUENT TAXES AND PRIVILEGES; AMENDING CHATTANOOGA CITY CODE, PART II, CHAPTER 2, SECTION 2-267, RELATIVE TO PAID LEAVE FOR ACTIVE-DUTY TRAINING AND TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 31, SECTIONS 31-36, 31-37, 31-41, AND 31-43, SECTIONS 31-322 AND 31-354.

The motion carried (8-1) upon roll call vote as follows:

Berz	YES	Mitchell	YES
Byrd	NO	Oglesby	YES
Coonrod	YES	Smith	YES
Gilbert	YES	Henderson	YES
Ledford	YES		

YES – Eight (8); NO – One (1)

ACTION: APPROVED

On motion of Councilwoman Berz and seconded by Councilman Oglesby,

ORDINANCE #13559

AN ORDINANCE APPROPRIATING, AUTHORIZING OR ALLOCATING FUNDS TO THE CAPITAL IMPROVEMENTS BUDGET FOR THE FISCAL YEAR 2020-2021.

The motion carried (8-1) upon roll call vote as follows:

Oglesby	YES	Byrd	NO
Mitchell	YES	Berz	YES
Ledford	YES	Smith	YES
Gilbert	YES	Henderson	YES
Coonrod	YES		

YES – Eight (8); NO – One (1)

ACTION: APPROVED

2020-0063
The Reserve at Mountain Pass, LP
Alternate Version
District No. 7

On motion of Councilman Oglesby and seconded by Councilman Ledford,

ORDINANCE #13574

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO AMEND CONDITIONS #2, 3, AND 5 OF ORDINANCE NO. 13187, FOR PROPERTY LOCATED AT 4905 CENTRAL AVENUE, MORE PARTICULARLY DESCRIBED HEREIN.

The motion carried (9-0) upon roll call vote.

ACTION: APPROVED

ORDINANCES – FIRST READING:

PROCEDURAL NOTE: Due to technical difficulties experienced by Chairman Henderson, Vice-Chairman Smith assumed the chair for this meeting from Chairman Henderson.

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

ORDINANCE #13575

AN ORDINANCE TO AMEND ORDINANCE NO. 13473, HEREINAFTER ALSO KNOWN AS "THE FISCAL YEAR 2019-2020 OPERATIONS BUDGET", PROVIDING REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, AND ENDING JUNE 30, 2020; APPROPRIATING SAME TO THE PAYMENT OF EXPENSES OF THE MUNICIPAL GOVERNMENT; FIXING THE RATE OF TAXATION ON ALL TAXABLE PROPERTY IN THE CITY, AND THE TIME TAXES AND PRIVILEGES ARE DUE, HOW THEY SHALL BE PAID, WHEN THEY SHALL BECOME DELINQUENT; PROVIDING FOR INTEREST AND PENALTY ON DELINQUENT TAXES AND PRIVILEGES; AMENDING CHATTANOOGA CITY CODE, PART II, CHAPTER 2, SECTION 2-267, RELATIVE TO PAID LEAVE FOR ACTIVE-DUTY TRAINING AND TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 31, SECTIONS 31-36, 31-37, 31-41, AND 31-43, SECTIONS 31-322 AND 31-354.

Councilwoman Berz informed the Council that Daisy Madison, Chief Finance Officer, was recommending the addition of certain clarifying language to this ordinance and read the statements into the record of the meeting.

WHEREAS, pursuant to T.C.A. § 6-56-205, a governing body shall not make any appropriations in excess of estimated available funds, except to provide for an actual emergency threatening the health, property or lives of the inhabitants of the municipality; and

WHEREAS, President Donald Trump declared COVID-19 a public health emergency under the Public Health Service Act on January 31, 2020, issued two national emergency declarations under both the Stafford Act and the National Emergencies Act on March 13, 2020, and invoked emergency powers via an Executive Order under the Defense Production Act on March 18, 2020; and

WHEREAS, on March 12, 2020, Governor Bill Lee issued an Executive Order declaring a state of emergency to facilitate the treatment and containment of COVID 19; and

WHEREAS, on March 19, 2020, Mayor Andy Berke declared a state of emergency to the City of Chattanooga in response to the COVID-19 pandemic; and

WHEREAS, on April 12-13, 2020, an extensive storm involving multiple tornados, flash flooding, and high water damages resulted in death and injury to persons and destruction of property in large areas of the City of Chattanooga.

Ms. Madison explained the necessity of this ordinance amendment. **Councilwoman Berz moved** to amend. Vice-Chairman Smith seconded. The motion carried unanimously (9-0) upon roll call vote. **Councilwoman Berz moved** to approve as amended. Councilman Ledford seconded. The motion carried unanimously (9-0) upon roll call vote.

ACTION: PASSED AS AMENDED ON FIRST READING

RESOLUTIONS:

On motion of Councilwoman Coonrod and seconded by Councilman Byrd,

RESOLUTION #30397

A RESOLUTION RECOGNIZING THE CITY OF CHATTANOOGA AS BEING ESSENTIAL AND IN SUPPORT OF FAIR AND DIRECT FEDERAL EMERGENCY SUPPORT TO REOPEN AND REBUILD LOCAL AMERICAN ECONOMIES.

The motion carried unanimously (9-0) upon roll call vote.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilwoman Coonrod,

RESOLUTION #30401

A RESOLUTION ADOPTING A FIVE-YEAR CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2021-2025, SUBJECT TO FUTURE REVISION; A COPY OF WHICH IS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.

The motion carried unanimously (9-0) upon roll call vote.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Oglesby,

RESOLUTION #30402

A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF CHATTANOOGA TO ISSUE BONDS IN THE AGGREGATE AMOUNT NOT TO EXCEED ELEVEN MILLION DOLLARS (\$11,000,000) OF THE CITY OF CHATTANOOGA, TENNESSEE FOR THE PURPOSE OF PAYING ALL OR A PORTION OF THE COSTS OF THE FOLLOWING: 3RD / 4TH STREET, ALTON PARK CONNECTOR, FIELD LIGHTING, GREENWAY FARM CONFERENCE CENTER REPLACEMENT, LAKE RESORT DRIVE, LAW ENFORCEMENT TRAINING CENTER, LIBRARY CHILDREN'S AREA ROOF REPLACEMENT, MIDTOWN PATHWAY, POWER TO PROTECT: A RESILIENT PUBLIC SAFETY MICROGRID PROJECT, IN PARTNERSHIP WITH EPB, SIDEWALKS, STATION 15 REPLACEMENT, YFD CENTER IMPROVEMENTS AND YFD EAST LAKE RENOVATION.

The motion carried unanimously (9-0) upon roll call vote.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

RESOLUTION #30398

A RESOLUTION AUTHORIZING THE INTERIM TREASURER TO EXECUTE A CONTRACT, IN SUBSTANTIALLY THE FORM ATTACHED, WITH FIDELITY INFORMATION SERVICES (FIS) LLC, TO PROVIDE MERCHANT CARD SERVICES FOR THE CITY OF CHATTANOOGA FOR ONE (1) YEAR BEGINNING JULY 1, 2020, PLUS FOUR (4) ONE YEAR EXTENSIONS, FOR AN AMOUNT NOT TO EXCEED \$50,000.00.

The motion carried unanimously (9-0) upon roll call vote.

ACTION: ADOPTED

On motion of Councilman Oglesby and seconded by Councilman Ledford,

RESOLUTION #30399

A RESOLUTION AUTHORIZING THE CHIEF INFORMATION OFFICER FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY TO EXTEND THE EXISTING BLANKET AGREEMENT (PO# 554187) WITH BG STAFFING, INC. RELATED TO CONTRACTED LABOR FOR TWELVE (12) ADDITIONAL MONTHS, BEGINNING MAY 29, 2020 AND ENDING MAY 28, 2021, THE FIRST (1ST) RENEWAL OF TWO (2) OPTIONAL RENEWALS, FOR AN AMOUNT NOT TO EXCEED \$1.1 MILLION EACH.

The motion carried unanimously (9-0) upon roll call vote.

ACTION: ADOPTED

On motion of Councilman Mitchell and seconded by Councilman Oglesby,

RESOLUTION #30400

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE A CONTRACT WITH ORANGE GROVE CENTER, INC. FOR THE AGREEMENT TO MANAGE AND OPERATE THE RECYCLING COLLECTION CENTERS AND REFUSE COLLECTION CENTERS FOR FISCAL YEARS 2021 THROUGH 2025, FOR AN AMOUNT NOT TO EXCEED \$3,626,316.18.

The motion carried unanimously (9-0) upon roll call vote.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Proposed Purchases

Anthony Sammons, Deputy Chief Operating Officer, briefed the Council on the following proposed purchases:

555208 Waste Resources Division, Public Works \$200,000.00

MSA Safety Parts

Lowest/Best Bidder: Gexpro
2800 Amnicola Hwy.
Chattanooga, TN 37406

R198552 Waste Resources Division, Public Works \$360,000.00

Lime Kiln Dust

Lowest/Best Bidder: Mintek Resources, Inc.
2440 Dayton-Xenia Rd. Ste. D
Beavercreek, OH 45434

R198823 Waste Resources Division, Public Works \$59,800.00

Sewer Wall Mount Grinder

Lowest/Best Bidder: Bar Environmental
51 Century Blvd. Suite 307
Nashville, TN 37214

R199668 & R199690 Waste Resources Division, Public Works \$57,702.28

One Tractor & Two Utility Vehicles

Lowest/Best Bidder: Kubota of Chattanooga
2628 Rossville Blvd.
Chattanooga, TN 37404

R197964 Stop Loss Human Resources \$508,080.00

Stop Loss Insurance

Lowest/Best Bidder: BlueCross BlueShield of Tennessee
1 Cameron Hill Circle
Chattanooga, TN 37402

R198052 Youth and Family Development -

\$30,500.00

Office of Family Empowerment

Strategic Planning Services

Lowest/Best Bidder: Jeannie Chaffin, LLC
6002 Harnsberger Barn Court
Manassas, VA 20112

Councilman Oglesby moved to approve, seconded by Councilman Byrd. The motion carried unanimously (9-0) upon roll call vote.

ACTION: ALL PURCHASES APPROVED

OTHER BUSINESS:

Settlement Agreement

Attorney Noblett informed the Council of a Consent Decree contract settlement for W140006-201 to 3D Enterprises for \$85,003.41, which would resolve any claims for extra work done in connection with a large clarifier upgrade at Moccasin Bend. He informed the Council that this settlement was his recommendation as well as the management at Public Works, and that it was a budgetary amount already within the Public Works budget.

Office of Community Resilience

Councilman Byrd expressed his thanks to his colleagues for their work on this year's budget and thanked Administration for funding invested into the Office of Community Resilience. He asked the Mayor's staff to include the following organizations to work with the new office: Christmas in District 8 – Malarie Marsh; PPCH - Allen Green; Reach One Teach One – Reggie Yearby; Fatherly Figure - Tee Johnson and Brandon Woodruff; I Am Foundation – DeAngelo Davis; and the Urban Policy Institute – Dennis Clark and Deborah Johnston.

Councilwoman Coonrod also expressed her thanks to her colleague on the Council and administration for adjusting the budget. She will email Administration a list of organizations that are doing great work in the community and that she would like to see the Office of Community Resilience. She noted that these organizations are not seeking funding. She would also like to see a change in the budget process and public engagement and recommended having multiple budget sessions in all districts in the new fiscal year.

Hamilton County Sheriff's Info

Councilwoman Coonrod mentioned a video from May 23 showing Hamilton County deputies beating a black man. She referred all concerns about this to video to the Hamilton County government and read the phone numbers for the Hamilton County Commission at (423) 209-7200, County Mayor Jim Copping at (423) 200-6105, and the Hamilton County Sheriff's Department at (423) 209-7200.

COMMITTEE REPORTS:

Budget and Finance Committee

Councilwoman Berz reported:

- The Council has completed preliminary work on the budget with tonight's ordinances. The hard work now begins. She thanked her colleagues for their work and support through this process.

Economic and Community Development Committee
Councilman Oglesby
(No report)

Human Resources Committee
Councilman Gilbert
(No report)

Planning and Zoning Committee
Councilman Ledford reported:

- The special Planning and Zoning Committee meeting did not take place today. The topic that had been planned, the vegetative component of steep slopes/floodplains, will be discussed at the July 7 Planning and Zoning Committee meeting. There will be a packet coming to the Council ahead of that meeting.

Public Safety Committee
Councilman Byrd reported:

- The committee will meet online on June 30 to discuss changes proposed for the Police Advisory and Review Committee ordinance.

Public Works and Transportation Committee
Councilman Mitchell reported:

- The committee met online today in open meeting and will meet online again in two weeks (June 23) after the 3:30

Youth and Family Development Committee
Councilwoman Coonrod reported:

- We heard from Lurone Jennings, YFD Administrator, about what the work that Office of Family Empowerment is doing now to provide a path of upward mobility for all. She encouraged everyone in need of resources to call or email the Office of Family Empowerment.

Legislative Committee
Vice-Chairman Smith
(No report)

PROCEDURAL NOTE: Vice-Chairman Smith yielded the chair of the meeting back to Chairman Henderson at this time.

RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL
(Listen to all public comments by clicking [here.](#))

Attorney Noblett read the rules of procedure for persons wishing to address the Council during this portion of the agenda. After which, Chairman Henderson recognized the following persons who had registered to speak:

	Name	District	Primary Topics:
1.	Jacoby Edwards	8	Peaceful protests/video of police brutality
2.	Ben Campbell	2	Bad seeds in the Chattanooga Police Department

3.	Hannah Mask	9	YFD centers/Glass Farm update on grocery store
4.	Landon Howard	9	Participatory budgeting/Democratic budgeting process
5.	Christopher Dooley	1	Expressing thanks for not divesting police
6.	Julie Harris	6	Meeting accessibility/CPD response to hit-n-run
7.	Christopher Miller	9	Creativity in police reform/Social workers scenario
8.	Martina Alford	6	YFD Funds/Assurances that citizens are heard
9.	Kate Caldwell	7	Letter from the Chattanooga Friends Meeting - Quakers
10.	Casey Crook	3	Examining approaches to law enforcement
11.	Kaitti Johnson	2	Divest from police/invest in black and brown communities
12.	Cheryl Greer	2	Against defunding police/supports police role in city
13.	Brandy Pursley	2	Asks engagement and reflection from the Council
14.	Pamela Gleiger	5	Divesting and reframing police
15.	Julia Casey		Recommendations of Concerned Citizens for Justice
16.	Bree Grosshandler	7	Divestment recommendations for CPD
17.	Steve McDonald	2	Divestment recommendations of the Chattanooga Democratic Socialists of America

ADJOURNMENT

On motion of Vice-Chairman Smith, Chairman Henderson adjourned the meeting of the Chattanooga City Council until Tuesday, June 30, 2020, at 6:00 p.m. [Editor's Note: Any person may join the electronic-conducted meetings of the Chattanooga City Council at their scheduled times by visiting online at council.chattanooga.gov.]

CHAIRMAN

CLERK OF COUNCIL