



City Council Building  
Chattanooga, Tennessee  
**COUNCIL MEETING MINUTES**  
January 22, 2019  
6:00 PM

## **CALL TO ORDER**

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

## **PLEDGE OF ALLEGIANCE**

Councilwoman Coonrod led the Assembly in the Pledge of Allegiance and requested a moment of silence in memory of community leader Cora Lanier. She then invited the Rev. Ann Pierre to give an invocation.

## **APPROVAL OF LAST MINUTES**

**On motion of Councilman Gilbert and seconded by Councilman Ledford**, the minutes of the last meeting (January 15, 2019) were approved as published.

## **ORDINANCES – FINAL READING:**

2018-222  
MAP Engineers, LLC  
Planning Alternate Version #2  
District No. 2

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

*(Will be numbered after second and final reading)*

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO AMEND AND LIFT CONDITIONS ON PROPERTY LOCATED AT 706, 710, AND 716 ASHLAND TERRACE, MORE PARTICULARLY DESCRIBED HEREIN.**

Councilman Mitchell informed the Council of information that has come to his attention since the first reading regarding tractors parked at the night and a wood chipper on location. Therefore, **Councilman Mitchell moved** to defer to February 5, 2019, so that another location for the tractor could be found. He was seconded by Councilman Ledford. The motion carried.

**ACTION: DEFERRED TO FEBRUARY 5, 2019**

2018-223  
MAP Engineers, LLC  
Planning Version  
District No. 4

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

**ORDINANCE #13420**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 7721 STANDIFER GAP ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE AND R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

2018-226  
Chazen Engineering % Justin Tirsun  
Planning Version  
District No. 8

On motion of Councilman Byrd and seconded by Councilman Mitchell,

**ORDINANCE #13421**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE AN UNADDRESSED PROPERTY LOCATED IN THE 1200 BLOCK OF EAST MAIN STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

2018-229  
City of Chattanooga Real Property Office % Gail Hart  
Applicant Version #2  
District No. 8

On motion of Councilman Byrd and seconded by Councilwoman Berz,

**ORDINANCE #13422**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE SEVERAL UNADDRESSED PROPERTIES LOCATED IN THE WEST LINE OF THE 1900 BLOCK OF ROANOKE AVENUE AND FORMERLY KNOWN AS HARRIET TUBMAN HOMES, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE AND R-4 SPECIAL ZONE TO M-1 MANUFACTURING ZONE, WITH CONDITIONS, NO POULTRY PROCESSING PLANTS, WITH CLARIFICATIONS NOTED, SUBJECT TO CERTAIN CONDITIONS.**

The motion carried, with Councilman Gilbert voting “Nay.”

**ACTION: APPROVED**

2018-228  
Chazen Engineering % Justin Tirsun  
Planning Version  
District No. 8

On motion of Councilman Byrd and seconded by Councilman Henderson,

**ORDINANCE #13423**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1038 EAST MAIN STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE.**

**ACTION: APPROVED**

MR-2018-174  
BKY Enterprises, GP  
% Bryan Youngblood, Agent for Owner,  
Beason View Land Company  
District No. 1

On motion of Councilman Henderson and seconded by Councilman Byrd,

**ORDINANCE #13424**

**AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED ALLEY IN THE 1000 BLOCK OF BEASON DRIVE TO ALLOW FOR PRIVATE DEVELOPMENT, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

MR-2018-175  
BKY Enterprises, GP %  
Bryan Youngblood, Agent for Owner,  
Beason View Land Company % John Ozbeck  
District No. 1

On motion of Councilman Henderson and seconded by Councilman Ledford,

**ORDINANCE #13425**

**AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE UNOPENED 1000 BLOCK OF JAMES AVENUE, AS DETAILED ON THE ATTACHED MAP.**

Councilman Henderson reminded the Council that CDOT had reversed their denial of this item. Therefore, **Councilman Henderson moved** to approve, seconded by Councilman Ledford. The motion carried.

**ACTION: APPROVED**

On motion of Councilman Byrd and seconded by Councilwoman Berz,

**ORDINANCE #13419**  
*(Ordinance renumbered since first reading)*

**AN ORDINANCE CLOSING AND ABANDONING MULTIPLE RIGHTS-OF-WAY IN THE 1900 BLOCK OF ROANOKE AVENUE, FORMERLY KNOWN AS HARRIET TUBMAN HOMES, TO FACILITATE FUTURE DEVELOPMENT, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.**

The motion carried, with Councilman Gilbert voting “Nay.”

**ACTION: APPROVED**

**ORDINANCES – FIRST READING: (NONE)**

**RESOLUTIONS:**

On motion of Vice-Chairman Oglesby and seconded by Councilman Byrd,

**RESOLUTION #29771**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXTEND AN AGREEMENT WITH GAIL M. GOLDMAN ASSOCIATES FOR PUBLIC ART CONSULTANT SERVICES AND THE CREATION OF A PUBLIC ART MASTER PLAN FOR A SIX (6) MONTH TERM.**

**ACTION: ADOPTED**

On motion of Councilwoman Berz and seconded by Councilman Henderson,

**RESOLUTION #29772**

**A RESOLUTION AUTHORIZING THE CITY TREASURER TO RENEW BLANKET PURCHASE ORDER NO. 542380 WITH ENCO UTILITY SERVICES FOR A ONE (1) YEAR RENEWAL PERIOD, WITH TWO (2) OPTIONAL ONE (1) YEAR RENEWAL PERIODS REMAINING, FOR THE PURPOSE OF UTILITY BILLING DATA QUALITY CONTROL, AND OTHER SUPPORT, IN THE AMOUNT OF \$120,000.00.**

**ACTION: ADOPTED**

On motion of Councilman Gilbert and seconded by Councilwoman Coonrod,

**RESOLUTION #29773**

**A RESOLUTION AUTHORIZING THE APPOINTMENT OF ZACHARY PHILLIPS, 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 Gilbert and seconded by Councilwoman Coonrod,

**RESOLUTION #29774**

**A RESOLUTION AUTHORIZING THE CHIEF HUMAN RESOURCES OFFICER TO ENTER INTO A CONTRACT AGREEMENT WITH RACE FORWARD-GOVERNMENT ALLIANCE ON RACE AND EQUITY (GARE) FOR CONSULTATIVE SERVICES, TRAINING, AND A RACIAL EQUITY ACTION PLAN FOR CHATTANOOGA CITY GOVERNMENT, FOR A CONTRACT TERM FOR ONE (1) YEAR, IN THE AMOUNT OF \$88,000.00.**

**ACTION: ADOPTED**

On motion of Councilwoman Berz and seconded by Councilman Byrd,

**RESOLUTION #29775**

**A RESOLUTION APPROVING PAYMENT TO ARTHUR J. GALLAGHER RISK MANAGEMENT SERVICE, LLC FOR RENEWAL OF PROPERTY INSURANCE, DIFFERENCE IN CONDITIONS (DIC) FLOOD AND QUAKE INSURANCE, FINE ARTS FLOATER INSURANCE, AND TERRORISM INSURANCE FOR 2019, FOR AN ANNUAL PREMIUM AMOUNT OF \$396,567.10.**

**ACTION: ADOPTED**

**Agenda Item VII(f):**

**A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. W-17-004-201 TO REEVES YOUNG, LLC OF SUGAR HILL, GA, FOR CHATTANOOGA WET WEATHER COMBINED SEWER STORAGE – PHASE 1, A CONSENT DECREE PROJECT, IN THE AMOUNT OF \$46,569,100.00, WITH A CONTINGENCY AMOUNT OF \$2 MILLION, FOR AN AMOUNT NOT TO EXCEED \$48,569,100.00, SUBJECT TO SRF LOAN APPROVAL.**

**Councilman Henderson moved** to defer to February 5, 2019. He was seconded by Councilman Mitchell. The motion carried.

**ACTION: DEFERRED TO FEBRUARY 5, 2019**

On motion of Councilman Ledford and seconded by Councilman Byrd,

**RESOLUTION #29776**

**A RESOLUTION AUTHORIZING THE PURCHASING AGENT FOR THE CITY OF CHATTANOOGA TO ENTER INTO AN AGREEMENT TO JOIN THE NATIONAL COOPERATIVE PURCHASING ALLIANCE (“NCPA”) NATIONAL GOVERNMENTAL PURCHASING COOPERATIVE, WHICH WILL ALLOW THE CITY OF CHATTANOOGA TO UTILIZE CONTRACTS THAT HAVE BEEN NEGOTIATED THROUGH THE COOPERATIVE.**

Bonnie Woodward, Purchasing Director, confirmed for Councilman Ledford that this cooperative would not create an obstacle for local companies doing business with the City.

**ACTION: ADOPTED**

**PURCHASES:**

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

**R179468 Department of Youth & Family Development** Estimated \$170,000.00 Annually

New Blanket Contract - Milk & Dairy Products –  
Department of Youth and Family Development  
Lowest/Best Bidder: Mayfield Dairy Farms, LLC  
P.O. Box 310  
Athens, TN 37371

**R179459 Department of Youth & Family Development** Estimated \$114,000.00 Annually

New Blanket Contract - Bread & Bakery Products –  
Department of Youth and Family Development  
Lowest/Best Bidder: Bimbo Bakeries USA  
244 Clayton Forest Road  
Kernersville, NC 27284

**PO542166 Public Works Department** Estimated \$118,000.00 Annually

Blanket Contract Renewal - Tire Recapping & Retread  
Repairs - Fleet Management Division - Public Works Department  
Lowest/Best Bidder: Best One Tire  
2348 Rossville Blvd.  
Chattanooga, TN 37408

**PO541661 Public Works Department** Estimated 4,500,000.00 Annually

Blanket Contract Renewal - Liquid Sodium Hypochlorite –  
Waste Resource Division - Public Works Department  
Lowest/Best Bidder: Olin Corporation  
490 Stuart Road  
Cleveland, TN 37312

**R179590 Public Works Department**

Total Purchase \$36,125.33

Purchase - OSHA 10 & 30 Hour General Industry  
and Construction Training - Public Works Department

Lowest/Best Bidder: University of Tennessee Center for Industrial Services  
193C Polk Avenue  
Nashville, TN 37210

Regarding PO541661, Donald Stone, Deputy Administrator for Public Works, described the purpose of the liquid sodium hypochlorite for Councilman Ledford. Upon no further questions or comments, **Councilwoman Berz moved** to approve, seconded by Vice-Chairman Oglesby. The motion carried.

**ACTION: ALL PURCHASES APPROVED**

**OTHER BUSINESS:**

**Public Safety: CPD**

Councilman Gilbert made remarks on the police incident recently released on video. He discussed his issues with what he saw on the video, and asked that the District Attorney do an independent investigation into this case, including looking into the Internal Affairs files on this case. He also requested information on the following:

- When the Council gave all power to the police chief regarding CPD and how the Council can balance that out;
- What policy gives a police officer the authority to hold power over a person;
- Establishing a Community oversight board.
- Policies regarding other non-violent means of arresting and detaining citizens.
- A timeline for getting the information to the District Attorney.

Chairman Smith confirmed Councilman Gilbert' request and that it would be based upon the information that the City currently has. Chairman Smith confirmed that the Council was in consensus to ask the D.A. to investigate this particular case. The Council voted in unanimous favor.

Chairman Smith asked for the current makeup of the CPD's Administrative Review Committee currently in place. Assistant Chief Jason Irvin indicated that the CPD would provide that information. Councilwoman Coonrod made remarks on wanting a full prosecution in this particular case. Councilman Byrd made remarks in agreement with his colleagues and asked that the public reach out to their Council representative with questions for the police chief so that they can forward those questions to the Public Safety Chair.

Councilman Henderson announced a Public Safety briefing in the Council's 1:30 p.m. Strategic Planning meeting next week (Jan. 29). He will lead the discussion on police and public safety.

**Special Recognitions (2)**

Councilwoman Coonrod recognized Tommie Brown in the Assembly today; she represented District 28 for 20 years.

Vice-Chairman Oglesby recognized reporter Judy Walton of the *Chattanooga Times Free Press* and informed the Council that she will be retiring.

## COMMITTEE REPORTS:

### *Budget and Finance Committee*

Councilwoman Berz

(No report)

### *Economic and Community Development Committee*

Councilman Byrd

(No report)

### *Human Resources Committee (HR)*

Councilman Gilbert

(No report)

### *Planning and Zoning Committee*

Councilman Ledford

(No report)

### *Public Safety Committee*

Councilman Henderson

- He will hold an educational session next week during the 1:30 p.m. Strategic Planning meeting. Police Chief David Roddy will be there to discuss the following: Overview of the Administrative Review Committee; procedures for detainment; hiring practices; and sensitivity training.

### *Public Works and Transportation Committee*

Councilman Mitchell

(No report)

### *Youth and Family Development Committee*

Councilwoman Coonrod

(No report)

### *Legislative Committee*

Vice-Chairman Oglesby

(No report)

## RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL

### (Non-Agenda Items)

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

- **Marie Mott (Chattanooga)** – She questioned all the other cases brought to the Council's attention over the past year about citizens who were violated. She asked what would be done for the others. She asked what would be done about the culture at the police department. She asked what happens for those victims who are too afraid to report violations. She asked the Council about areas that are being gentrified. She believes in leveling the playing field with economic justice. She believes there must be a change in



the economic culture. She does not believe the Chief of Police can manage his people. She wants to bring the Mayor and the Sheriff into the public safety conversation. She believes justice will take place in the streets if not through government channels. She emphasized an independent community oversight board for the police department.

- **Tiffany Rankin (Lincoln Park)** – She agreed with the need for a community oversight committee for the police. She believes the committee should be community-based with total autonomy. She asked the Council to consider Affordable Housing for Seniors and the ways in which blacks are being displaced in certain communities.
- **Sherman Matthews (NAACP)** – He thanked the Council for helping with the MLK Day parade and program. He asked the Council to consider how the RICO statute can be applied to groups of police officers causing violence in the city. He asked the Council to not look at just one person, but look at everyone involved to effect change in the police culture.
- **Ron Wray (Lookout Valley)** – He questioned whether the City funded the Women's Rally on Sunday. He wanted to know who provided the rally.
- **Dwight Smith (NAACP)** – He asked the Council not to leave all power in the hands of the police chief. He does not recommend leaving police issue “in-house.” He hastened the Council to take the power away from the police and give it to the governing body. He recommended dismissing the officers involved in this recent video. He recommends not paying them during the investigation. He believes that something of this magnitude is a matter of urgency, so he asked that the officers involved terminate the officers in this case and investigate the entire police department.
- **James Mathis (NAACP)** – He is Secretary for the NAACP and agrees with Councilman Gilbert's statements. He informed the Council of being beaten by the police years ago himself. He also wanted to inform the Council of a People's March Against Police Brutality on tomorrow, January 23, at 11:00 a.m., starting at 106 Walnut Street.

## ADJOURNMENT

**On motion of Councilman Ledford**, Chairman Smith adjourned the meeting of the Chattanooga City Council until Tuesday, January 29, 2019 at 6:00 p.m.

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**CHAIRMAN**

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**CLERK OF COUNCIL**