



City Council Building  
Chattanooga, Tennessee  
**COUNCIL MEETING MINUTES**  
April 2, 2019  
6:00 PM

### **CALL TO ORDER**

Council Chairman Ken Smith called the meeting to order with a quorum present, including Council members Carol Berz, Anthony Byrd, Demetrus Coonrod, Russell Gilbert, Chip Henderson, Darrin Ledford and Jerry Mitchell all present. Also present was Phil Noblett, City Attorney, and Nicole Gwyn, Council Clerk. Vice-Chairman Erskine Oglesby was not present this meeting.

### **PLEDGE OF ALLEGIANCE**

Councilman Henderson introduced his grandchildren, Katelyn and Carson Rowell, to lead the Assembly in the Pledge of Allegiance. He then followed by giving the invocation.

### **APPROVAL OF LAST MINUTES**

**On motion of Councilman Ledford and seconded by Councilman Mitchell**, the minutes of the last meeting (March 26, 2019) were approved as published.

### **SPECIAL PRESENTATION**

#### ***Bayberry Apartments Proclamation By Councilman Anthony Byrd***

Councilman invited a group of seven individuals who work with and provide services for Bayberry Apartments to join him at the podium. He then made the following proclamation:

**Whereas**, Bayberry Apartments employees and residents have taken steps to become a resilient and sustainable community, and now serves as a shining example of what happens when a community participates in advancing the quality of life for its residents;

**Whereas**, under Alco Management, Bayberry Apartments provide educational and employment opportunities for its residents. Bayberry also has worked with the Chattanooga Police Department to keep check on the safety and welfare of all its residents;

**Whereas**, needs are being met at Bayberry and the surrounding area through various community outreach programs, such as on-site GED programs, summer reading programs and job fairs. Their annual back-to-school bash provides school supplies and uniforms to hundreds of children throughout the district;

**Whereas**, Bayberry Apartments has started a community garden in partnership with United Way and Southern Adventist University that will help its residents live active and healthy lives; and

**Whereas**, Bayberry Apartments has demonstrated the commitment and dedication needed to foster a thriving community within the City of Chattanooga;

**Now Therefore,**

Be it proclaimed that I, Anthony Byrd,  
Chattanooga City Councilman for District 8,  
do recognize and commend the achievements of

**The Bayberry Apartments Community**

on this 2<sup>nd</sup> day of April 2019.

\_\_\_\_\_  
**Anthony Byrd, Councilman**

Bonita Broadnax of Bayberry Apartments accepted the proclamation and thanked Councilman Byrd and the Chattanooga Police Department. She also thanked Councilman Ledford the donation of signage for their community development room. She informed the Council about the individuals and organizations working to increase the quality of life and safety of residents. Chairman Smith and Councilman Ledford followed with congratulatory remarks.

---

**ORDINANCES – FINAL READING:**

On motion of Councilman Mitchell and seconded by Councilwoman Coonrod,

**ORDINANCE #13450**

**AN ORDINANCE AMENDING CHATTANOOGA CITY CODE, CHAPTER 2, ARTICLE II, DIVISION 2, SECTION 2-49, RELATING TO LEGAL LIABILITY CLAIMS.**

**ACTION: APPROVED**

**ORDINANCES – FIRST READING:**

2018-112  
Crown Interiors/Shannon Kelly  
Planning Version  
District No. 6

**ORDINANCE #13451**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED IN THE 6200 BLOCK OF VANCE ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO M-2 MANUFACTURING ZONE, SUBJECT TO CERTAIN CONDITIONS.**

Chairman Smith confirmed that there was no Opposition present for this rezoning case. John Bridger, Executive Director of Regional Planning, confirmed for Councilwoman Berz that the

corrected map had been given to the City Attorney. He also gave a copy of the corrected map to the Council Clerk during this open meeting. **Councilwoman Berz moved** to approve, seconded by Councilman Gilbert. The motion carried.

**ACTION: PASSED ON FIRST READING**

**RESOLUTIONS:**

JRD Properties, LLC/BHEE, LLC  
d/b/a Island Point Wine & Spirits  
District No. 6

**RESOLUTION #29859**

**A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR AN EXISTING LIQUOR STORE, CHANGE IN OWNERSHIP, LOCATED AT 5987 BRAINERD ROAD.**

Attorney Noblett confirmed for Councilwoman Berz that this permit was needed for a change in ownership and that the owner had met all requirements. **Councilwoman Berz moved** to approve, seconded by Councilman Gilbert. **The motion carried, with Councilman Henderson abstaining.**

**ACTION: ADOPTED**

On motion of Councilman Gilbert and seconded by Councilwoman Coonrod,

**RESOLUTION #29860**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO ENTER INTO AN AGREEMENT WITH JUDGE WALTER WILLIAMS TO SERVE AS A PUBLIC OFFICER AND TO CONDUCT DEMOLITION HEARINGS FOR A TWELVE (12) MONTH PERIOD, WITH THE OPTION TO EXTEND THE AGREEMENT AN ADDITIONAL THREE (3) TERMS OF TWELVE (12) MONTHS IN LENGTH, FOR A TOTAL PERIOD NOT TO EXCEED FORTY-EIGHT (48) MONTHS.**

**ACTION: ADOPTED**

On motion of Councilman Henderson and seconded by Councilman Byrd,

**RESOLUTION #29861**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A FIRST AMENDMENT AND RENEWAL OF LICENSE AGREEMENT, IN SUBSTANTIALLY THE FORM ATTACHED, WITH RIVER CITY DUCKS, LLC FOR THE NON-EXCLUSIVE USE OF THE ROSS' LANDING RAMP.**

**ACTION: ADOPTED**

On motion of Councilman Henderson and seconded by Councilman Gilbert,

**RESOLUTION #29862**

**A RESOLUTION TO TEMPORARILY SUSPEND THE APPLICATION AND ENFORCEMENT OF THE INTERNATIONAL ENERGY CONSERVATION CODE, 2012 EDITION, AS IT APPLIES TO ONE AND TWO FAMILY DWELLINGS AND TOWNHOUSES AND TO INSTEAD APPLY AND ENFORCE THE 2009 EDITION OF SAID CODE.**

**ACTION: ADOPTED**

**Alternate Version**

**RESOLUTION #29863**

**A RESOLUTION TO AMEND RESOLUTION NO. 29833 ADOPTED ON MARCH 12, 2019, ADOPTING NEW RULES OF OPERATION FOR THE CHATTANOOGA CITY COUNCIL.**

Councilwoman Berz asked Attorney Noblett to read the changes in the Alternate Version. After which, **Councilwoman Berz moved** to approve the Alternate Version. She was seconded by Councilwoman Coonrod. The motion carried.

**ACTION: ADOPTED**

On motion of Councilwoman Coonrod and seconded by Councilman Gilbert,

**RESOLUTION #29864**

**A RESOLUTION AUTHORIZING THE CHIEF INFORMATION OFFICER (CIO) AND THE CITY FINANCE OFFICE (CFO) TO ENTER INTO A LETTER OF INTENT WITH APPLICATIONS SOFTWARE TECHNOLOGY, LLC (AST) FOR ORACLE CLOUD ERP IMPLEMENTATION TO INCLUDE A TERMINATION FOR NON-APPROPRIATION OF FUNDS DURING FISCAL YEAR 2019-2020, SUBJECT TO TERMS AND CONDITIONS, FOR A TOTAL COST FOR SOFTWARE ANNUALLY IN THE AMOUNT OF \$575,000.00, FOR A TOTAL PROJECT COST OF \$4,796,584.00.**

**ACTION: ADOPTED**

On motion of Councilman Henderson and seconded by Councilwoman Berz,

**RESOLUTION #29865**

**A RESOLUTION AUTHORIZING THE CHIEF OF THE CHATTANOOGA POLICE DEPARTMENT TO EXECUTE A ONE YEAR CONTRACT WITH FORENSIC LOGIC, FOR THE PURPOSE OF MAINTAINING THE COPLINK SOFTWARE PLATFORM, AS WELL AS COMPLEMENTARY DATA INTEGRATION SERVICES, TO BE ACTIVE FROM JANUARY 1, 2019 THROUGH DECEMBER 31, 2019, FOR A TOTAL COST OF MAINTENANCE AND SERVICES NOT TO EXCEED \$39,307.00.**

**ACTION: ADOPTED**

On motion of Councilman Mitchell and seconded by Councilman Ledford,

**RESOLUTION #29866**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO APPLY FOR, AND ACCEPT, IF AWARDED, AND EXECUTE ALL NECESSARY DOCUMENTS UNDER THE U.S. DEPARTMENT OF AGRICULTURE, NATURAL RESOURCE CONSERVATION SERVICE (NRCS) EMERGENCY WATERSHED PROTECTION PROGRAM RELATIVE TO STORM DAMAGE FROM THE FEBRUARY 6, 2019, STORMS AT OR NEAR ARBOR CREEK WAY AND AUTHORIZING THE CITY'S TWENTY-FIVE (25%) PERCENT SHARE, FOR AN ESTIMATED AMOUNT OF \$300,000.00.**

**ACTION: ADOPTED**

**RESOLUTION #29867**

**A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO DEVELOP AN INTERLOCAL AGREEMENT WITH HAMILTON COUNTY AND WWTA SO THAT THE CITY AND COUNTY CAN CONDUCT A BENEFIT ANALYSIS STUDY CONCERNING CONSOLIDATED SERVICES BETWEEN THE MOCCASIN BEND WASTEWATER TREATMENT PLANT AND WWTA.**

**Councilman Henderson moved** to approve, seconded by Councilman Ledford. Councilman Henderson and Councilman Ledford both made comments on their votes for this resolution. Councilwoman Berz offered a friendly amendment to include the words "and WWTA" after the words "Hamilton County" in the resolution. **Councilman Henderson moved** to accept the friendly amendment, seconded by Councilman Ledford. **The motion carried, with Councilman Gilbert and Councilwoman Coonrod voting "No," and Chairman Smith abstaining.** Councilwoman Coonrod also made comments regarding her decision not to vote for the amendment.

**Councilman Henderson moved** to approve as amended, seconded by Councilman Ledford. **The motion carried, with Chairman Smith, Councilman Gilbert and Councilwoman Coonrod voting "No."**

**ACTION: ADOPTED AS AMENDED**

On motion of Councilman Mitchell and seconded by Councilman Ledford,

**RESOLUTION #29868**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO APPLY FOR AND, IF AWARDED, ACCEPT A GRANT FROM THE RIVERVIEW FOUNDATION FOR EXPANSION OF THE BIKE CHATTANOOGA ELECTRIC BICYCLE FLEET, IN THE AMOUNT OF \$80,000.00.**

**ACTION: ADOPTED**

## DEPARTMENTAL REPORTS:

### Proposed Purchases

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

**R182027 - Chattanooga Police Department** Estimated \$300,000.00 Annually  
New Blanket Contract - Sig Sauer P320 Pistols  
& Accessories - Chattanooga Police Department  
Lowest/Best Bidder: Accurate Law Enforcement  
3562 Summer Avenue  
Memphis, TN 38122

**PO543003 - Public Works Department** Estimated \$75,000.00 Annually  
Blanket Contract Renewal - Titleist & FootJoy Golf Equipment –  
City Golf Courses - Parks Division - Public Works Department  
Lowest/Best Bidder: Acushnet Company  
P.O. Box 532402  
Charlotte, NC 28290

**PO548120 - Public Works Department** Estimated \$750,000.00 Annually  
Blanket Contract Renewal - Washed & Crushed Stone –  
City Wide Services - Public Works Department  
Lowest/Best Bidder: Vulcan Materials Company  
6142 Shallowford Road, Suite 101  
Chattanooga, TN 37421

**PO542820 & PO542821 - Public Works Department** Total Estimated \$90,000.00 Annually  
Blanket Contract Renewals - Paint & Paint Supplies –  
Facilities Management Division - Public Works Department  
Lowest/Best Bidders:  
1. Sherwin Williams Company - 1315 East 23rd Street Chattanooga, TN 37404  
2. PPG Architectural Finishes, Inc. - 2409 South Broad Street Chattanooga, TN 37408

**PO548430 & PO548432 - Public Works Department** Total Estimated \$283,000.00 Annually  
Blanket Contract Renewals - Grounds Maintenance  
for City Parks - Parks Division - Public Works Department  
1. CityGreen Services - P.O. Box 4250 Chattanooga, TN 37405  
2. ERMCO III Property Management Co., LLC - 2226 Encompass Drive, Suite 116,  
Chattanooga, TN 37421

**PO543209 - Public Works Department** Estimated \$200,000.00 Annually  
Blanket Contract Renewal - Paving & Concrete Repair –  
Waste Resource Division - Public Works Department  
Lowest/Best Bidder: TNT Concrete, LLC  
996 County Road 20  
Calhoun, TN 37309

**PO548162 - Public Works Department**

Estimated \$100,000.00 Annually

Blanket Contract Renewal - Overhead Crane Maintenance  
& Repair Services - Waste Resource Division –  
Public Works Department

Lowest/Best Bidder: Konecranes  
638 Resource Drive, Suite 100  
Chattanooga, TN 37416

**R180017 - Public Works Department**

Total Estimated \$170,000.00 Annually

Three (3) New Blanket Contracts - Ground Maintenance  
for City Parks - Parks Division - Public Works Department

Lowest/Best Bidders:

1. Alicity CMS - P.O. Box 80243 Chattanooga, TN 37414
2. Precision Property Management - 225 Brady Miller Lane Dayton, TN 37321
3. CityGreen Services - 206 Merriman Avenue Chattanooga, TN 37415

**R179490 - Public Works Department**

Total Purchase \$29,458.00

Purchase - 40" Single-Deck Vibroscreen Separators –  
Waste Resource Division - Public Works Department

Lowest/Best Bidder: Kason Corporation  
67-71 East Willow Street  
Milburn, NJ 07041

**PO544721 - Public Works Department**

Increase \$25,000.00 ~~~~~

Estimated \$50,000.00 Annually

Increase to Authorized Expenditure –  
Portable Toilet Services – City Wide Services –  
Public Works Department

Lowest/Best Bidder: American Rooter & Portables, LLC  
2002 Lois Street  
Cleveland, TN 37311

Councilman Mitchell wanted an update on the funding that had been approved for studying the golf course operations. Justin Holland, Public Works Administrator, informed the Council about they have met with the Consultant on several occasions, and that the Consultant will be back in Chattanooga to re-engage with staff. He will have an update for the Council after that.

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

**ACTION: ALL PURCHASES APPROVED**

**OTHER BUSINESS:**

**Board Appointment**

Councilman Byrd appointed Malarie Marsh to the Board of Sign Appeals for District 8. He asked Ms. Marsh to stand for recognition.

## **Census 2020 Workshop**

Councilwoman Coonrod invited the Assembly to the Census 2020 Workshop and passed out flyers about the workshop. It will take place on April 4 at 5:30 p.m. at the public library. She asked people to pass along the information. She encouraged people to attend the workshop to ensure that everyone is counted.

## **Black Fridays @ Miller Park**

Councilwoman Coonrod informed the Assembly of the “Black Fridays” concerts at Miller Park starting on April 5, 2019 at 7:30 p.m. She also gave some statistics about how money circulates in various ethnic communities.

## **Dental Work for Veterans**

Councilman Ledford attended the Aspen Dental mobile truck that provided free dental work for veterans. He commended the Southeast Veterans Coalition for the services they provide and being able to expand their services.

## **Certificate of Compliance**

Attorney Noblett presented the following for certification of compliance: **BHEE, LLC D/B/A ISLAND POINT WINE & SPIRITS - CERTIFICATE OF COMPLIANCE (DISTRICT 6)**. The certificate was signed in this open meeting by five councilpersons.

## **Department Notification**

Maura Sullivan, Chief Operating Officer, made the following notification in this open meeting:

- **NOTIFICATION THAT THE DEPARTMENT OF INFORMATION TECHNOLOGY MAY ACCEPT, ON BEHALF OF BRENT MESSER AND BRIAN SILVENIS COMPED REGISTRATIONS FOR THE GOOGLE CLOUD NEXT CONFERENCE 2019 TO BE HELD APRIL 9, 2019 THROUGH APRIL 11, 2019, IN THE AMOUNT OF \$1,967.00.**

Ms. Sullivan explained that no money would be exchanged. This was a notification of a benefit over \$50.00 for Mr. Messer and Mr. Silvenis to attend the conference.

## **Police Investigation**

Councilwoman Coonrod informed the Assembly that she contacted TBI about the investigation of Officer Piazza and found that the case was still ongoing. She noted that it will be up to Neal Pinkston, District Attorney, to bring charges from what TBI finds. She encouraged citizens to contact Mr. Pinkston’s office to voice their opinions.

## **COMMITTEE REPORTS:**

*Budget and Finance Committee*  
Councilwoman Berz  
(No report)



*Economic and Community Development Committee*  
Councilman Byrd  
(No report)

*HR Committee (Human Resources)*  
Councilman Gilbert  
(No report)

*Planning & Zoning*

Councilman Ledford reported:

- The committee met today in open meeting to cover all related agenda items, steep slopes and three area plans.

*Public Safety Committee*  
Councilman Henderson  
(No report)

*Public Works and Transportation Committee*  
Councilman Mitchell reported:

- The committee met today in open meeting and will meet again in two weeks (April 16) after the 3:00 p.m. Agenda Session.

*Youth and Family Development Committee*  
Councilwoman Coonrod  
(No report)

*Legislative Committee*  
(Vice-Chairman Oglesby not present)

## **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:

- **Carla Leslie (United Steelworkers)** - He asked the Council to vote "No" on the noxious odor ordinance. She would like for developers in the area to work with Pilgrim's Pride. She has been working at Pilgrim's for 29 years. She noted that this plant has been in this area for 60 years. She introduced other workers coming on behalf of the union.
- **Connie Poindexter (United Steelworkers)** - She has worked at Pilgrim's Pride for 25 years and asked the Council to vote "No" on the noxious odor ordinance.
- **Thelma Moore (United Steelworkers)** - She has worked at Pilgrim's Pride for 26 years and asked the Council to vote "No" on the noxious odor ordinance.
- **Charity Watson (United Steelworkers)** - She has worked at Pilgrim's Pride for 13 years and asked the Council to vote "No" on the noxious odor ordinance.
- **Tammy Murphy (United Steelworkers)** - She has worked at Pilgrim's Pride for 24 years and asked the Council to vote "No" on the noxious odor ordinance.
- **LaChanda Odom (United Steelworkers)** - She has worked at Pilgrim's Pride for 13 years and asked the Council to vote "No" on the noxious odor ordinance.

- Councilwoman Berz later informed the Assembly that some of the first women on the Mayor’s Council for Women were female steelworkers. She noted that Vice-Chairman Oglesby wants to have conversations with the plants in his district. She also noted that it is not the Council’s goals to put anyone out of work.
- **Mark Jackson (Chattanooga)** - He is the caretaker of Venue 99, which is behind the post office on Amnicola. He has an understanding with officers to provide a safe haven to them in his establishment. He is open only 20-percent each month because he respects his neighbors. He believes most police officers are great. However, he was recently confronted by officers that did not treat him and his customers right. He feels that his customer’s party was invaded by the police. He believes there is a right way for officers to work with business owners. He noted that there were six officers at the scene and four of them stood back and watched how he and his customer were verbally mistreated as if they were “boys.” He ended up getting a citation but argued that a permit is not needed for a small party. He is looking at his next steps. He passed along photos for the Council to view. He discussed cleaning up his property for six years.
  - Councilman Byrd noted that this venue was in his district. He commended how Mr. Jackson runs his business. He discussed how Mr. Jackson’s situation reminded him of the negativity that he experienced as a business owner.
  - Councilwoman Coonrod apologized for the negative behavior that Mr. Jackson experienced and believes that such incidents undermine Police Chief David Roddy’s authority. She encouraged citizens to hold those in uniform as accountable.
  - Councilman Gilbert agreed with his colleagues, and voiced concerns about officers posting on Facebook.
- **Thom Slaten (City employee)** - He voiced concerns about the noxious odor ordinance and hopes the plants will correct the odors. He believes the plants were in the area before the development downtown. He believes the plants should stay. He also voiced concerns about CARTA being reportedly “in the red” in certain areas, especially with the revenue from parking enforcement.
  - Councilman Byrd asked Ms. Leslie to comment on how the plant workers perceive their jobs at risk in relation to the ordinance. After she explained from the workers’ perspective, he asked to speak with the plant workers after tonight’s meeting.

## ADJOURNMENT

**On motion of Councilman Mitchell,** Chairman Smith adjourned the meeting of the Chattanooga City Council until Tuesday, April 9, 2019, at 6:00 p.m.

---

**CHAIRMAN**

---

**CLERK OF COUNCIL**