



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
April 9, 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 and Darrin Ledford. Phil Noblett, City Attorney, and Nicole Gwyn, Council Clerk, were also present. Councilman Jerry Mitchell was not present this meeting.

PLEDGE OF ALLEGIANCE

Chairman Smith led the Assembly in the Pledge of Allegiance.

APPROVAL OF LAST MINUTES

On motion of Councilman Ledford and seconded by Councilman Gilbert, the minutes of the last meeting (April 2, 2019) were approved as published.

COUNCIL ELECTION OF OFFICERS

Council Chairman

Councilman Ledford moved the nomination of Councilman Oglesby for Chairman. He was seconded by Councilwoman Berz. The motion carried. Chairman Oglesby accepted the position and expressed his thanks to Councilman Smith for his past leadership.

Chairman Oglesby then took over the remainder of the meeting.

Council Vice-Chairman

Councilwoman Berz moved the nomination of Councilman Henderson for Vice-Chairman. He was seconded by Councilman Ledford. The motion carried.

Councilpersons Ledford, Berz and Henderson all expressed their thanks to Councilman Smith for serving as chairperson.

ORDINANCES – FINAL READING:

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

On motion of Councilwoman Berz and seconded by Councilman Byrd,

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.

There was no Opposition present today. Councilwoman Berz confirmed the map with John Bridger, Executive Director of Regional Planning. Upon no further questions, the motion carried.

ACTION: APPROVED

ORDINANCES – FIRST READING:

2019-024
John Smotherman
District No. 6

Agenda Item VII(a):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 7315 TYNER ROAD AND 7445 LEE HIGHWAY, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

Both the Applicant and Opposition were present. Therefore, a hearing ensued, beginning with Mr. Bridger giving the case report on this rezoning for a pizza parlor. He noted that Opposition was present at the Planning Commission for this case. He informed the Council about the site characteristics, zoning history, site plan, land use area plan, Staff recommendations and Planning Commission recommendations. During which, he discussed the original five conditions recommended and informed the Council that the Alternate Version of the ordinance had been added to a sixth condition: *No outdoor amplified speakers*. Chairman Oglesby recognized members of the Opposition first, per the request of the Applicant.

Opposition:

- **Henrietta Hill** – She lives next door to this property and is concerned with the late hours and privacy fencing for the proposed use. She does not want to hear dumpsters at the business at night. She argued that traffic is already horrible in this area, especially with the number of businesses and a church in the area. She has grandchildren who visit and is

concerned with their safety. She has already dealt with homeless people at this property and does worries about what will happen if this pizza business fails, or if the current owners sale the property. She has started a petition against this rezoning and has 60 signatures already. She does not believe all the adjoining residents were notified of this rezoning. From what she understands, she is the only neighbor who received a letter of notification about the rezoning.

- o Councilwoman Berz returned Ms. Hill's phone call, but got no call back from her. She asked what Ms. Hill would like to see happening at the lot. She also asked if it would be helpful to sit down and talk with the Applicant about her concerns.
- o Ms. Hill agreed to meet with the Applicant. Councilwoman Berz asked to stay after tonight's meeting to set a time with the Applicant.

Councilwoman Berz moved to defer two weeks to April 23, 2019. She was seconded by Councilman Gilbert. The motion carried.

ACTION: DEFERRED TO APRIL 23, 2019

On motion of Councilman Smith and seconded by Councilwoman Berz,

ORDINANCE #13452

The Clerk read Alternate Version #5 for this ordinance. Councilman Smith informed the Assembly that this ordinance had been in the works for a while and was deferred two weeks ago to ensure and its alternate versions had been discussed at the Council's 1:30 p.m. and 3:00 p.m. meetings. He noted that there have been parties on both sides of this discussion present during those open meetings. Therefore, **Councilman Smith moved** to approve, seconded by Councilman Henderson. The motion carried on roll call vote as follows:

Berz	Yes	Henderson	Yes
Byrd	Yes	Ledford	Yes
Coonrod	No	Smith	Yes
Gilbert	No	Oglesby	Yes

Yes – Six (6); No – Two (2)

ACTION: PASSED ON FIRST READING

[Councilman Gilbert exited the meeting at this point.]

MR-2019-0031
John (Jake) Greear, agent for the owner
of the adjacent property, David Adams
District No. 7

On motion of Councilman Ledford and seconded by Councilman Henderson,

ORDINANCE #13453

AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED UNIT BLOCK OF WEST 50TH STREET, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

Councilman Ledford noted that MR-2019-0031 was legislation in Chairman Oglesby's district.

ACTION: PASSED ON FIRST READING

MR-2019-0029

George Wright Construction % Wade Wright,

agent for the owner of the adjacent property, Jody Shea

District No. 8

On motion of Councilman Smith and seconded by Councilwoman Berz,

ORDINANCE #13454

AN ORDINANCE CLOSING AND ABANDONING THE 2500 BLOCK OF TOM STREET AND A PORTION OF THE 1500 BLOCK OF EAST 26TH STREET, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

On motion of Councilman Smith and seconded by Councilwoman Berz,

ORDINANCE #13455

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 24, ARTICLE XIV, SECTION 24-504, RELATING TO ONE-WAY STREETS.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

On motion of Councilman Ledford and seconded by Councilman Byrd,

RESOLUTION #29869

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH VDZ + A CONSULTING, INC., FOR A SKATEPARK FEASIBILITY STUDY, FOR AN AMOUNT NOT TO EXCEED \$73,789.00.

The motion carried with Councilwoman Conrod voting "No."

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Ledford,

RESOLUTION #29870

A RESOLUTION AUTHORIZING THE CITY TREASURER TO RENEW PURCHASE ORDER NO. 526211 TO HARRIS COMPUTER SYSTEMS FOR A ONE (1) YEAR RENEWAL PERIOD FOR THE PURPOSE OF BILLING AND COLLECTIONS OF PROPERTY TAX, IN THE AMOUNT OF \$116,500.65.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Henderson,

RESOLUTION #29871

A RESOLUTION AMENDING RESOLUTION NO. 29546 TO REFLECT THE NAME CHANGE OF TIDWELL, IZELL & RICHARDSON TO TIDWELL & ASSOCIATES, AND HEREBY AUTHORIZES THE OFFICE OF THE CITY ATTORNEY TO CONTINUE TO ENGAGE SAID FIRM FOR LEGAL SERVICES IN GENERAL LITIGATION MATTERS.

ACTION: ADOPTED

On motion of Councilman Ledford and seconded by Councilwoman Coonrod,

RESOLUTION #29872

A RESOLUTION AUTHORIZING THE DIRECTOR OF THE OFFICE OF MULTICULTURAL AFFAIRS TO RELEASE THE SECOND PAYMENT OF THE APPROVED CONTRACT FUNDS TO COLAB FOR KIVA FOR FISCAL YEAR 2019, IN THE AMOUNT OF \$43,000.00.

ACTION: ADOPTED

On motion of Councilman Ledford and seconded by Councilman Smith,

RESOLUTION #29873

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. Y-18-002-201 TO JDH COMPANY, INC. OF CHATTANOOGA, TN, REPLACEMENT ROOFING SYSTEM FOR HERITAGE HOUSE COMMUNITY CENTER, IN THE AMOUNT OF \$167,216.20, WITH A CONTINGENCY AMOUNT OF \$20,000.00, FOR AN AMOUNT NOT TO EXCEED \$187,216.20.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilman Ledford,

RESOLUTION #29874

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE A “PAVING FOR PIZZA” AGREEMENT AND TO ACCEPT A MONETARY DONATION SPONSORED BY DOMINO’S PIZZA TO FILL POTHOLES WITHIN THE CITY, SUBJECT TO CERTAIN CONDITIONS, FOR A TOTAL AMOUNT NOT TO EXCEED \$5,000.00.

ACTION: ADOPTED

On motion of Councilman Ledford and seconded by Councilman Henderson,

RESOLUTION #29875

A RESOLUTION TO AUTHORIZE YEAR THREE (3) OF A FOUR (4) YEAR TERM FOR THE ON-CALL BLANKET CONTRACT(S) FOR GEO-ENVIRONMENTAL CONSULTING AND CONSTRUCTION MATERIALS TESTING SERVICES, CONTRACT NO. E-16-007-301, WITH THE FOLLOWING FIRMS: (1) GEOSERVICES, LLC; (2) K.S. WARE AND ASSOCIATES, LLC; (3) S&ME, INC.; (4) STANTEC CONSULTING SERVICES, INC.; (5) TERRACON CONSULTANTS, INC.; AND (6) THOMPSON ENGINEERING, INC.; BASED ON THE THREE (3) SERVICES CATEGORIES OF GEOTECHNICAL, CONSTRUCTION MATERIALS TESTING, AND ENVIRONMENTAL SERVICES THAT EACH CONSULTANT QUALIFIED FOR, THE RENEWAL OF THE SIX (6), ONE (1) YEAR BLANKET CONTRACTS FOR PROFESSIONAL SERVICES ESTIMATED AT \$400,000.00 TOTAL ANNUALLY FOR ALL SIX (6) PROFESSIONAL FIRMS FOR USE BY ALL DEPARTMENTS.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Proposed Purchases

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

R183425 - Information Technology Department	Total \$30,336.19
Cumulative Open Market Purchase - CDW G –	
Purchase of Software Not Included in Blanket Contract –	
Information Technology Department	
Lowest/Best Bidder: CDW-G	
200 N. Milwaukee Avenue	
Vernon Hills, IL 60061	

P.O.549351 - Public Works Department

Increase to Authorized Expenditure - Stump Grinding & Removal - City Wide Services – Public Works Department

Lowest/Best Bidder: L.H. Lewis Tree Service
8307 Dayton Pike
Soddy Daisy, TN 37379

Increase \$11,000.00 ~~~~~
Revised Total Estimated \$32,000.00

R182651 - Public Works Department

New Blanket Contract - Centrifuge Parts, Repair & Recondition Services - Waste Resource Division – Public Works Department

Lowest/Best Bidder: Flottweg Separation Technology
10700 Toebben Drive
Independence, KY 41051

Estimated \$250,000.00 Annually

R182751 - Public Works Department

Three New Blanket Contracts - Electrical Services at MBWWTP - Waste Resource Division – Public Works Department

Lowest/Best Bidders:

1. Tri-State Electrical Contractors, LLC 2101 Fort Street Chattanooga, TN 37408
2. Adman Electric Company, Inc. 2311 East 28th Street Chattanooga, TN 37407
3. NABCO Electric Company, Inc, 2800 2nd Avenue Chattanooga, TN 37407

Estimated \$12,000,000.00 Annually

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

ACTION: ALL PURCHASES APPROVED

OTHER BUSINESS:

Re-Signing Liquor License

Attorney Noblett informed the Council that the Certificate of Compliance signed in the January 2019 Council meeting had been lost for the following store: CHA Bottle Shop d/b/a Rossville Bottle Shop – Ishwarlal T. Patel. He distributed the certificate again to the Council. Councilwoman Coonrod confirmed with Attorney Noblett that this had been previously approved by the Council. After confirmation, the Certificate of Compliance was signed in this open meeting by five Council members.

Department Notification

Notification that five (5) employees, Jeff Rose, Eric Brooks, Jimmy Spence, Marty Knight, and one TBD employee, of the Department of Public Works, may accept gratuities in the amount of \$4,000.00 each being split by two (2) competing equipment manufacturers, CAMBI and Veolia, for travel and training expenses during a trip to Europe to review Innovative Solid Technologies for

biosolids treatment, for a total amount of \$20,000.00. **Councilwoman Berz moved** to approve, seconded by Councilman Ledford. The motion carried.

Mayor's Council Against Hate

Councilman Byrd informed the Assembly that he was wearing a pin in support of the Mayor's Council Against Hate. The launch of the Council Against Hate would take place on this Thursday, April 11, 2019, at The Camphouse at 5:30 p.m.

District 7 Event

Chairman Oglesby invited everyone to attend the Groundbreaking Ceremony for renovations at East Lake Park on Saturday, April 13, at 3:30 p.m.

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 not present)

Planning and Zoning

Councilman Ledford

(No report)

Public Safety Committee

Councilman Henderson reported:

- The committee will meet on April 30, 2019, after the 3:00 p.m. Agenda Session to discuss the proposed Police Advisory and Review Committee legislation. He had also confirmed that Police Chair David Roddy would be in attendance.

Public Works and Transportation Committee

(Councilman Mitchell not present)

Youth and Family Development Committee

Councilwoman Coonrod reported:

- The committee met today in open meeting for a report on the Teen Empowerment program. She commended "Uncle Joe" for doing an amazing job with the program.

Legislative Committee

(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 Oglesby recognized the following persons:

- **Marie Mott (Chattanooga)** – She came to Council about the murder of Colby Jordan at the 9 Brothers store in South Chattanooga. The man’s mother has not been given answers by the police about the murder. The mother lives in District 8, but the murder took place in District 7; the District 7 councilperson has not spoken to the mother. She indicated that Mr. Jordan’s death was deemed as a “justifiable murder.” She is concerned with the police camera across the street not recording anything that happened at the location. She is concerned with taxpayer dollars going into funding for cameras that are not doing the job of capturing such incidents. She commented on the concerns over giving employees a minimum \$15 per hour. She commented on the Council needing to do the good work of “God’s work.”
- **Sean Nix (Lee Avenue/District 7)** – He informed the Council that he was just elected to be the Chair of the LGBTQ Task Force. The Mayor will be the guest speaker at their next meeting on Monday, April 15 at 6:00 p.m. He invited the Council and community to attend. He also informed the Council that the Hamilton County Democratic Party elected him as District 4 representative.

ADJOURNMENT

On motion of Councilman Ledford, Chairman Oglesby adjourned the meeting of the Chattanooga City Council until Tuesday, April 16, 2019, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL