



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
April 23, 2019
6:00 PM

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Councilman Ledford led the pledge of allegiance and invited District 4 resident, Ms. Centel Alvarado, to give the invocation. While introducing Ms. Alvarado, he discussed meeting her at a forum at Chattanooga State and learning about her work in the city since moving here from Texas.

APPROVAL OF LAST MINUTES

On motion of Councilman Ledford and seconded by Councilman Gilbert, the minutes of the last meeting (April 16, 2019) were approved as published.

SPECIAL RECOGNITION

Councilman Ledford recognized Stan Settles, the new Student Government President at the University of Tennessee at Chattanooga.

SPECIAL PRESENTATIONS (2):

**Proclamation - "Healthier Tennessee Communities Week"
By Councilwoman Demetrus Coonrod**

Councilwoman Coonrod presented a proclamation to Russell Cliche, Regional Director of The Governor's Foundation for Health and Wellness. *(See proclamation wording attached.)*

**Proclamation - "Child Abuse Prevention Month: Five Days of Action"
By Chairman Erskine Oglesby, Jr.**

Chairman Oglesby presented a proclamation to representatives of the YMCA of Chattanooga, the organization sponsoring the "Five Days of Action" during National Child Abuse Prevention month. *(See proclamation wording attached.)*

ORDINANCES – FINAL READING: (None)

ORDINANCES – FIRST READING:

2019-024
John Smotherman
Alternate Version
District No. 6

On motion of Councilwoman Berz and seconded by Councilman Smith,

ORDINANCE #13456

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.

Councilwoman Berz asked John Bridger, Executive Director of Regional Planning, to read the six (6) conditions accepted by the Applicant.

- 1) *Vehicular access to the subject property from Tyner Road only;*
- 2) *A sight obscuring fence, in addition to a Type B landscaping buffer, shall be required along the west and north property lines abutting residential uses;*
- 3) *Hours of operation limited to between 7:00 a.m. and 10:00 p.m.;*
- 4) *Dumpsters allowed on property with trash pick-up between 8:00 a.m. and 5:00 p.m.;*
- 5) *Shall be for restaurant and office use only; and*
- 6) *No outdoor amplified speakers.*

The Applicant also confirmed in this open meeting that he agreed with the conditions. The motion carried.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

On motion of Councilman Byrd and seconded by Councilman Ledford,

RESOLUTION #29895

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING, IN SUBSTANTIALLY THE FORM ATTACHED, WITH RIVER CITY COMPANY FOR NON-EXCLUSIVE RIGHTS TO SPONSOR EVENTS AT MILLER PARK UP TO \$50,000.00 PER YEAR FOR A PERIOD OF FORTY (40) YEARS IN EXCHANGE FOR RAISING FUNDS FOR THE RENOVATION OF MILLER PARK.

ACTION: ADOPTED

On motion of Councilman Byrd and seconded by Councilwoman Coonrod,

RESOLUTION #29898

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO APPLY FOR, AND IF AWARDED, ACCEPT AN EXPERIENCE MATTERS GRANT FROM CITIES OF SERVICE, FOR AN AMOUNT NOT TO EXCEED \$25,000.00.

ACTION: ADOPTED

2019-16
Jeffrey & Katelyn Rau
District No. 2

Agenda Item VII(c):

A RESOLUTION APPROVING SHORT TERM VACATION RENTAL APPLICATION NO. 19-STVR-00014 FOR PROPERTY LOCATED AT 514 CREWDSON STREET.

Chairman Oglesby confirmed that the Applicant was not present this meeting. Caleb Fisher of Codes Enforcement confirmed for Councilman Mitchell that inspections had not yet been completed and noted that the Applicant was hesitant to complete actions for the inspections prior to results of tonight's hearing. **Councilman Mitchell moved** to deny, seconded by Vice-Chairman Henderson. The motion carried.

ACTION: DENIED

2019-18
Margaret Sibley/Niloofar Fallah
District No. 8

Agenda Item VII(d):

A RESOLUTION APPROVING SHORT TERM VACATION RENTAL APPLICATION NO. 19-STVR-00011 FOR PROPERTY LOCATED AT 1601 E. 13TH STREET.

Councilman Byrd informed the Council that since this deferring this item from last week, he has had conversations with the neighborhood and got some issues that came back to him. **Councilman Byrd moved** to deny, seconded by Councilman Gilbert. The motion carried.

ACTION: DENIED

On motion of Councilwoman Berz and seconded by Councilman Byrd,

RESOLUTION #29899

A RESOLUTION AUTHORIZING THE CITY FINANCE DEPARTMENT TO RENEW THE CONTRACT WITH NATIONWIDE RECOVERY SERVICE FOR ONE (1) YEAR TO PROVIDE COLLECTION AGENCY SERVICES FOR THE CITY OF CHATTANOOGA.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilwoman Coonrod,

RESOLUTION #29896

A RESOLUTION AUTHORIZING THE CHIEF HUMAN RESOURCES OFFICER, BEVERLY MOULTRIE, TO ENTER INTO AN AGREEMENT WITH INDUSTRIAL/ORGANIZATIONAL SOLUTIONS (I/O SOLUTIONS) FOR THE PURPOSE OF ADMINISTRATION OF POLICE SERGEANT, POLICE LIEUTENANT, AND POLICE CAPTAIN PROMOTIONAL TESTING, FOR AN AMOUNT NOT TO EXCEED \$100,120.00.

ACTION: ADOPTED

District Nos. 4 & 6

On motion of Councilman Ledford and seconded by Councilwoman Berz,

RESOLUTION #29894

A RESOLUTION ADOPTING THE WHITE OAK MOUNTAIN AREA PLAN (AREA 12).

Councilman Ledford asked Mr. Bridger to give a brief summary of the plan. Mr. Bridger informed the Council that most of the plan is in Hamilton County and discussed the small portions of District 4 and District 6 that would be in the plan. Councilman Ledford confirmed that he and Councilwoman Berz had reviewed the plan. The motion carried.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

RESOLUTION #29897

A RESOLUTION AUTHORIZING APPROVAL TO TALLEY CONSTRUCTION RELATING TO CONTRACT NO. W-13-001-201, PURCHASE ORDER NO. 520532, FOR FINAL PAY ESTIMATE 6, FOR AN INCREASED AMOUNT OF \$35,399.40.

ACTION: ADOPTED

On motion of Councilman Mitchell and seconded by Councilman Ledford,

RESOLUTION #29900

A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 2 FOR JACOBS ENGINEERING GROUP RELATIVE TO CONTRACT NO. W-17-006-101, PROGRAM MANAGEMENT FOR CONSENT DECREE IMPLEMENTATION, A CONSENT DECREE PROJECT, FOR THE RENEWAL OF YEAR THREE (3) OF THE FIVE (5) YEAR PROGRAM, IN THE AMOUNT OF \$2,396,272.62, FOR A REVISED CONTRACT AMOUNT OF \$6,462,785.62.

ACTION: ADOPTED

On motion of Councilman Mitchell and seconded by Councilman Ledford,

RESOLUTION #29901

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH HAMILTON COUNTY RELATIVE TO THE COURTS COMMUNITY SERVICE PROGRAM FOR FISCAL YEAR 2019-2020 BETWEEN THE CITY OF CHATTANOOGA AND HAMILTON COUNTY, FOR AN AMOUNT NOT TO EXCEED \$60,000.00.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Proposed Purchases

Bonnie Woodward, Purchasing Director, briefed the Council on 11 proposed purchases. Of the 11 purchases, **Councilman Gilbert moved** to separate PO548415 (Public Works) for consideration apart from the other purchases. He was seconded by Councilman Mitchell. The motion carried. *(See page 7 herein for details on PO548415)*

P.O.539171 Finance Department Estimated \$230,000.00 Annually
Extension of Blanket Contract - Collection Services –
Finance Department
Lowest/Best Bidder: Nationwide Recovery Service
5655 Peachtree Pkwy 211
Norcross, GA 30092

P.O. 544333 Department of Youth & Family Development Estimated \$226,000.00 Annually
Extension of Blanket Contract - Summer Meal Program –
Department of Youth and Family Development
Lowest/Best Bidder: YMCA of Metropolitan Chattanooga
301 West 6th Street
Chattanooga, TN 37402

P.O.545249 P.O.545251 P.O.545253 Public Works Department Increase \$400,000.00 ~~~
Increase to Authorized Expenditures – Revised Total Estimated \$750,000.00
Services Repairs on All Medium &
Heavy Duty Vehicles - Fleet Management Division –
Public Works Department
1. Chattanooga Truck Center, Inc. 1716 Church Road Chattanooga, TN 37421
2. MHC Kenworth dba Tennessee Kenworth, Inc. 7831 Lee Highway, Chattanooga, TN 37421
3. Lee-Smith, Inc. 2600 8th Avenue Chattanooga, TN 37407

R183845 Public Works Department Estimated Total \$92,460.00
Support for Cityworks System - Waste Resource Division –
Public Works Department
Lowest/Best Bidder: KCI Technologies
7003 Chadwick Dr. Suite 343
Brentwood, TN 37027

R182771 Public Works Department Estimated \$45,000.00 Annually
New Blanket Contract - Grounds Maintenance for
Group 1 WRD Plant - Waste Resource Division –
Public Works Department
Lowest/Best Bidder: Precision Property Maintenance
225 Brady Miller Lane
Dayton, TN 37321

R182653 Public Works Department Estimated \$3,500,000.00 Annually
Two New Blanket Contracts - Mechanical Equipment Services –
Waste Resource Division - Public Works Department
Lowest/Best Bidders:
1. H&H Brown, Inc. 1803 Polk Street PO Box 3571 Chattanooga, TN 37408
2. Acme Industrial Piping, Inc. Rossville, Blvd. Chattanooga, TN 37407

P.O.542779 Public Works Department Estimated \$25,000.00 Annually
Blanket Contract Renewal - Galvanized Steel Fitting –
Waste Resource Division - Public Works Department
Lowest/Best Bidder: Piping Supply Company
3008 Hickory Street
Chattanooga, TN 37406

P.O.548408 Public Works Department Estimated \$300,000.00 Annually
Blanket Contract Renewal - Uniforms & Textile
Rental/Laundry Service - City Wide –
Facilities Management Division - Public Works Department
Lowest/Best Bidder: UniFirst Coporation
103 West Lake Avenue
Rossville, GA 30741

P.O.543526 Public Works Department Estimated \$400,000.00 Annually
Blanket Contract Renewal - Lime Kiln Dust –
Waste Resource Division - Public Works Department
Lowest/Best Bidder: Mintek Resources, Inc.
2440 Dayton-Xenia Road, Suite D
Beavercreek, OH 45434

P.O.543185 Public Works Department Estimated \$120,000.00 Annually
Blanket Contract Renewal - Card Access 3000
Support Services and Hardware – Facilities Management Division –
Public Works Department
Lowest/Best Bidder: Gallaher & Associates, Inc.
155 Hunt Drive
Rossville, GA 30741

Discussion ensued on the following:

Regarding PO539171, Councilwoman Berz noted that this item on the purchasing list included the price of \$230,000 for the Nationwide contract. Since this was related to the Nationwide item previously adopted in today's meeting [Resolution 29899], Councilwoman Berz asked Ms. Woodward to read the Nationwide item from the purchasing list to enter the contract amount in the record of the meeting.

Regarding PO544333, Councilwoman Coonrod asked Lurone “Coach” Jennings, YFD Administrator, to clarify the food service contract for Head Start. He clarified that Head Start does not use the YMCA for its services and clarified that this purchase was only for the summer program.

On motion of Councilman Mitchell and seconded by Councilwoman Berz, all 10 purchases (excluding PO548415) were approved.

Separate Consideration:

P.O.548415 Public Works Department Estimated \$45,000.00 Annually
Blanket Contract Renewal of Blanket - Pest Control Services –
City Wide - Facilities Management - Public Works Department
Lowest/Best Bidder: Kirkland's Pest Control
2720 Huntsville Hwy
Fayetteville, TN 37334

Councilman Gilbert moved to deny, seconded by Councilman Mitchell. Discussion ensued with Ms. Woodward about ongoing pest control complaints received by Councilman Gilbert at the Washington Hills and Brainerd YFD centers. Maura Sullivan, Chief Operating Officer, joined the discussion to inform the Council of a lapse in service if this renewal is not approved. Justin Holland, Public Works Administrator, joined the discussion to recommend approving the contract with Kirkland's to prevent a discontinuation of services. He and Ms. Woodward both recommended a performance evaluation could be done once the contract was renewed. Further discussion ensued on the following:

- Complaints from external entities at the Brainerd center (Councilman Gilbert)
- Rodent Control contract (Vice-Chairman Henderson)
- Shortening the renewal period for PO548415 (Councilwoman Berz)
- Who would perform performance appraisals (Councilman Mitchell)

Vice-Chairman Henderson also inquired about the city's contract for rodent control. The motion to deny PO548415 carried.

ACTION: PO548415 DENIED; ALL OTHER PURCHASES APPROVED

OTHER BUSINESS:

Black Fridays Event

Councilwoman Coonrod thanked the city for its support and participation at the recent “Black Fridays” at Miller Park event. Councilman Gilbert commented that it had been a good event.

Upcoming Chess Event

Councilwoman Coonrod announced the “Connect with Chess” event happening on May 11, 2019, from 10:00 a.m. – 3:00 p.m. at Jazzanooga, 401 M.L. King Boulevard.

Spring Job Fair

Councilwoman Coonrod announced a Spring Job Fair on April 25, 2019 from 11:00 a.m. to 2:00 p.m. at The Kingdom Center.

COMMITTEE REPORTS:

Budget and Finance Committee

Councilwoman Berz reported:

- The FY20 budget will be presented to the Council on May 14, 2019, which is the same time the public will have access to the proposed budget. There will be a public hearing announced at the end of the budget process.
- The Council will have an educational session on May 7, 2019 at 12:00 p.m. to look at the community priorities used as a basis for the FY20 budget.

Economic and Community Development Committee

Councilman Byrd reported:

- The Council heard a presentation today in open meeting by CNE on affordable housing.
- Next week (April 30, 2019), CNE and the Mayor's Council for Women will address the Council at 1:30 p.m. regarding predatory lending.

Chairman Oglesby reported that the Council heard a presentation today in open meeting on the proposed paddleboard ordinance by Open Spaces.

HR Committee (Human Resources)

Councilman Gilbert

(No report)

Planning and Zoning

Councilman Ledford reported:

- The special committee meeting did not meet today, as previously scheduled. The Council will hear about changes to the Short-Term Vacation Rental next week [April 30 at the 1:30 p.m. Strategic Planning meeting].

Public Safety Committee

Councilman Smith reported:

- The committee will meet next week (April 30) after the 3:00 p.m. Agenda Session for a discussion on the proposed Police Advisory and Review Committee legislation.

Public Works and Transportation Committee

Councilman Mitchell reported:

- The committee will meet next week after the 3:00 p.m. Agenda Session.

Youth and Family Development Committee

Councilwoman Coonrod

(No report)

Legislative Committee

Vice-Chairman Henderson

(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:

- **Mary Alice Claypool (District 5)** – She had come before the Council last week about wanting to apply for a Short-Term Vacation Rental for her property, even though her district is not included in the STVR overlay.
- **Michael Gilliland (District 8)** – He came on behalf of the Orchard Knob Neighborhood Association about the pending STVR legislation. He was happy that the legislation had been removed from tonight’s agenda for future dialogue and community input. He asked the Council to give more time for deliberations. He intends to speak with Councilman Byrd about his neighborhood’s concerns with STVR.
- **Lisa Graham (Chattanooga)** – She owns two approved STVR and believes the STVR process has been transparent thus far. She is aware of the proposed changes and encourages the Council to have an open dialogue with the STVR community. She believes STVR owners take their business seriously. She believes that long-term renters cause more problems in neighborhoods than short-term ones.
- **Bob Hansen (Chattanooga)** – He owns a STVR on Long Street. He wanted to give a different perspective on why STVRs are beneficial to the city. He told the story of learning about the city of Chattanooga in 2003 by staying at numerous STVRs. He got to know the various neighborhoods through STVRs. His condo brings people to town who also want to learn about the city. He has never had an issue with his STVR. He understands the need for rentals. He is planning to apply for an STVR for his condo on Cowart Street soon. He advises the Council not to hamstring people by making the legislation too restrictive.
- **Jeff Malvo (District 7)** – He asked the Council to put off a vote on any changes to the STVR ordinance so that there may be further dialogue with the community to find out what the majority of constituents want. He is most concerned with the density of STVRs. He noted that New Orleans has whole blocks of nothing but STVRs. He is concerned with not having checks on density.
- **Katherine Nolte (Chattanooga)** – She asks the Council for more community dialogue on STVRs. She asked the Council how the state legislation will affect Chattanooga’s STVRs. She believes the current STVR is pitting residents against one another in competition.
- **Stan Settles (UTC)** – He is UTC’s Student Government President. He wanted to give his support of electric scooters in Chattanooga. From what he has seen, he believes scooters will benefit those living in food deserts. He believes scooters will open the city for tourists and connect residents. He noted some of the ways in which scooters may be regulated to benefit a city. He gave examples of cities already allowing scooters under certain regulations.
- **Peggy Petry (Main Street)** – Her BRBO is on Mitchell Avenue. She is happy that the Council has streamlined the STVR process. She would like the dialogue. She believes the Council is trying to limit outside entities buying up lots. She noted page 2, section A of the proposed legislation being confusing. She did not agree with not having an appeal process, as indicated on page 7 of the proposed legislation.

- **John Petry (Main Street)** – He is married to Ms. Petry, who had just finished speaking. He is a sculpter, but grew up with family members in the construction business. He noted that many cities add impact fees that are earmarked for infrastructure.

ADJOURNMENT

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

CHAIRMAN

CLERK OF COUNCIL

Attachments:
Wording from Proclamation #1
Wording from Proclamation #2