



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
May 10, 2016
6:00 PM

CALL TO ORDER

Council Chairman Moses Freeman called the meeting to order with Vice Chair Jerry Mitchell and Council members Chris Anderson, Carol Berz, Russell Gilbert, Larry Grohn, Yusuf Hakeem, Chip Henderson and Ken Smith all present. Keith Reisman, Assistant City Attorney, and Nicole Gwyn, CMC, Council Clerk, were also present.

PLEDGE OF ALLEGIANCE

Vice Chair Mitchell led the Assembly in the Pledge of Allegiance.

APPROVAL OF LAST MINUTES

On motion of Councilman Anderson and seconded by Councilman Gilbert, the minutes of the last meeting (May 3, 2016) were approved as published.

ORDINANCES – FINAL READING:

On motion of Vice Chair Mitchell and seconded by Councilman Hakeem,

ORDINANCE #13048

AN ORDINANCE TO AMEND ORDINANCE NO. 13007 TO CHANGE SECTION 5 ONLY TO REFLECT THE GENERAL STATE ELECTION DATE AS NOVEMBER 8, 2016.

ACTION: APPROVED

MR-2016-021
Bobby Fairbanks

On motion of Councilman Grohn and seconded by Councilwoman Berz,

ORDINANCE #13049

**AN ORDINANCE CLOSING AND ABANDONING A SEWER EASEMENT
LOCATED AT 7373 AND 7385 APPLGATE LANE, SUBJECT TO CERTAIN
CONDITIONS.**

ACTION: APPROVED

MR-2016-022
Ashford Square Retirement Community

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

ORDINANCE #13050

**AN ORDINANCE CLOSING AND ABANDONING A SEWER EASEMENT
LOCATED AT 7683 SHALLOWFORD ROAD, SUBJECT TO CERTAIN
CONDITIONS.**

ACTION: APPROVED

MR-2016-047
MAP Engineers
c/o Mike Price and Peter Cory

On motion of Councilman Grohn and seconded by Councilman Smith,

ORDINANCE #13051

**AN ORDINANCE CLOSING AND ABANDONING A SEWER EASEMENT
LOCATED AT 1813 MORRIS HILL ROAD, SUBJECT TO CERTAIN
CONDITIONS.**

ACTION: APPROVED

MR-2016-029
M&M Industries, Inc.

On motion of Councilman Gilbert and seconded by Councilman Grohn,

ORDINANCE #13052

**AN ORDINANCE CLOSING AND ABANDONING A SEWER EASEMENT
LOCATED AT 6162 ENTERPRISE PARK DRIVE.**

ACTION: APPROVED

ORDINANCES – FIRST READING:

2016-052
David J. Kluttz
District No. 3
Planning Version

On motion of Councilman Smith and seconded by Councilman Henderson,

ORDINANCE #13053

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 5277 WILBANKS ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM C-5 NEIGHBORHOOD COMMERCIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

2016-053
Adamson Developers, LLC
c/o Bobby Joe Adamson
District No. 4
Planning Version

On motion of Councilman Grohn and seconded by Councilman Smith,

ORDINANCE #13054

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PARTS OF PROPERTIES LOCATED AT 8062 AND 8074 OLD LEE HIGHWAY, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE.

ACTION: PASSED ON FIRST READING

2016-054
Chambliss Center for Children
District No. 5
Planning Version

On motion of Councilman Gilbert and seconded by Vice Chair Mitchell,

ORDINANCE #13055

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 402 AND 406 GILLESPIE ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-2 RESIDENTIAL ZONE.

ACTION: PASSED ON FIRST READING

2016-062
Global Southern Realty Holdings, LLC
District No. 6

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

ORDINANCE #13056

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO LIFT CONDITION NO. 4 FROM ORDINANCE NO. 12867 FOR PREVIOUS CASE NO. 2014-094, ON PROPERTY LOCATED AT 7408 BONNY OAKS DRIVE, BEING MORE PARTICULARLY DESCRIBED HEREIN.

ACTION: PASSED ON FIRST READING

2016-048
Sunnyside Properties, LLC
District No. 7
Planning Version

ORDINANCE #13057

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PART OF PROPERTY LOCATED AT 4820 OAKLAND AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO R-1 RESIDENTIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

Chairman Freeman asked if any Opposition was present and wished to speak. Seeing none, he inquired if there were others wishing to speak on the matter. Cal Boroughs, longtime resident of

St. Elmo and member of the Community Association of Historic St. Elmo, came forward. Mr. Boroughs read the following statement on behalf of the community association:

"This is a far different statement we would have thought we'd make a few weeks ago. On April 11, we were very disappointed to hear a decision of the planning commission to ignore the 2001 St. Elmo neighborhood plan, which stated that Hawkins ridge would not be developed, but preserved as a greenway, a plan adopted by the city council. this so concerns us that the planning commission would ignore the work of the neigh and the city council and grant approval to a zoning change that, in its own finding, would set a precedence for the future of Hawkins Ridge. Thankfully, we are in happier times now. We are grateful that Sunnyside Development has entered into a conservation easement with the Atlantic Coast Conservancy so that the desired Neighborhood for Preservation of Hawkins Ridge is now realized. We applaud them for this forward-looking solution. We are also thankful for the determined efforts of Councilman Chris Anderson and his commitment to helping our neighborhood. His behind-the-scenes work was indispensable. So you now have before you the request for a zoning change of a .99 acre property abutting the conversation area."

We acknowledge that you will likely approve this request with the added stipulations offered by Councilman Anderson. it is our desire that Sunnyside Development and Green Tech homes, while treating their properties with the utmost respect to both the legal requirements of the City Of Chattanooga, and the aspiration of the residents of St. Elmo residents, builds on this wise decision concerning Hawkins ridge and becomes a real partner with the St. Elmo neighborhood as they--the largest landowner in St. Elmo--pursue further development.

Councilman Anderson verified with Attorney Reisman that the two conditions he had requested were added in the final draft of the ordinance before the Council. Attorney Reisman confirmed and read the conditions added to Section 2 of the ordinance:

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be approved subject to limiting use to one single family residential dwelling and no more than fifty (50%) percent of the site can be disturbed.

Upon no further comments or questions, **Councilman Anderson moved to approve**, seconded by Vice Chair Mitchell. The motion carried.

ACTION: PASSED ON FIRST READING

2016-049
Sonja Y. Benning
District No. 7
Planning Version

On motion of Councilman Anderson and seconded by Councilwoman Berz,

ORDINANCE #13058

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 109 WORKMAN ROAD, MORE PARTICULARLY DESCRIBED HEREIN FROM M-1 MANUFACTURING ZONE TO R-1 RESIDENTIAL ZONE.

ACTION: PASSED ON FIRST READING

2016-051
Duane Carleo and Mark Neal
District No. 8
Planning Version

On motion of Councilman Smith and seconded by Councilman Gilbert,

ORDINANCE #13059

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 24 EAST 14TH STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

2016-024
Belle Investment Company/Third Street Partners
Jimmy & Molly Seal
District No. 8
Planning Version

A discussion ensued regarding the following:

ORDINANCE #13060

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 1028 AND 1042 EAST 3RD STREET AND 1039, 1043, AND 1047 EAST 4TH STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO C-3 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

Chairman Freeman confirmed that there was no Opposition present today. Ken Defoor, on behalf of the Applicant, asked the Council to consider amending the six (6) story height restriction in Section 3(b) to *eight (8) stories*. A discussion ensued with Mr. Defoor, who stated that neither Erlanger nor UTC (neighboring the proposed properties) had voiced opposition to the height increase. Mr. Bridger also confirmed that this property was not under the Form-Based Code zone.

Councilman Hakeem moved to change the maximum height to *eight (8) stories*. He was seconded by Councilman Grohn. Chairman Freeman confirmed that he had made contact with the neighborhood association regarding their concerns. Mr. Defoor stated that he had been unable to reach someone from representing the neighborhood, but confirmed that letters had been mailed to residents of Fortwood and Lincoln Park regarding the rezoning request.

Councilman Smith moved to approve the ordinance as amended. Councilman Anderson seconded. The motion carried.

**ACTION: PASSED ON FIRST READING WITH
HEIGHT REQUIREMENT AMENDED**

On motion of Councilman Hakeem and seconded by Councilman Anderson,

ORDINANCE #13061

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SECTIONS 38-2; 38-184; 38-204; 38-302; AND 38-568; DEFINING, REGARDING, AND REFERENCING FACILITIES SUCH AS BOARDING, GROOMING, TRAINING, AND SIMILAR USES FOR SMALL ANIMALS IN ARTICLE II, DEFINITIONS; ARTICLE V, ZONING REGULATIONS; ARTICLE VIII, BOARD OF APPEALS FOR VARIANCES AND SPECIAL PERMITS.

Councilwoman Berz noted that the City Attorney will consider adding a definition for the term, "outdoor use" in this ordinance. Upon no further comments, the motion carried.

ACTION: PASSED ON FIRST READING

On motion of Councilman Gilbert and seconded by Councilman Grohn,

ORDINANCE #13062

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE V, ZONING REGULATIONS, DIVISION 24, FLOOD HAZARD ZONE REGULATIONS TO THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL MEMBERS.

ACTION: PASSED ON FIRST READING

MR-2016-038
Pryor Bacon/TTG Partnership
District No. 2

On motion of Vice Chair Mitchell and seconded by Councilman Henderson,

ORDINANCE #13063

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE RIGHT-OF-WAY ALONG BUSH STREET FROM NORTH MARKET STREET TO HAMILTON AVENUE, DETAILED ON THE ATTACHED MAP, TO ALLEVIATE ENCROACHMENT OF EXISTING BUILDING INTO RIGHT-OF-WAY, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

MR-2016-045
David Daveney and Ridgedale Baptist Church
District No. 6

On motion of Councilwoman Berz and seconded by Councilman Smith,

ORDINANCE #13064

AN ORDINANCE CLOSING AND ABANDONING AN UNNAMED ALLEY AT THE REAR OF THE PROPERTY LOCATED AT 6400 LEE HIGHWAY, DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

MR-2016-011
Claudia Pullen of SEB 2 LLC

On motion of Councilman Anderson and seconded by Councilman Grohn,

ORDINANCE #13065

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE RIGHT-OF-WAY LOCATED IN THE 3800 BLOCK OF ST. ELMO AVENUE, DETAILED ON THE ATTACHED MAP, ON WHICH THE EXISTING BUILDING IS LOCATED, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

MR-2016-034
Steward Advanced Materials, LLC

On motion of Councilman Anderson and seconded by Councilman Grohn,

ORDINANCE #13066

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE RIGHT-OF-WAY LOCATED ALONG THE 3500 AND 3600 BLOCKS OF JEROME AVENUE, DETAILED ON THE ATTACHED MAP, TO ALLEVIATE ENCROACHMENT OF THE EXISTING BUILDING INTO THE RIGHT-OF-WAY, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

MR-2016-046
W.C. Helton

On motion of Councilman Anderson and seconded by Councilwoman Berz,

ORDINANCE #13067

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE RIGHT-OF-WAY LOCATED IN THE 300 BLOCK OF EAST 36TH STREET AND TWO (2) UNNAMED ALLEYS, DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

On motion of Councilwoman Berz and seconded by Councilman Hakeem,

RESOLUTION #28600

A RESOLUTION AUTHORIZING THE CITY OF CHATTANOOGA TO SETTLE A LAWSUIT CONCERNING A CLAIM ON AUGUST 15, 2014, WITH SUE A. WILSON AND GORDON WILSON AND THEIR ATTORNEYS, WOODEN LAW FIRM, P.C., SUBJECT TO THE EXECUTION OF A GENERAL RELEASE OF ALL CLAIMS AND A DISMISSAL WITH PREJUDICE, IN THE AMOUNT OF \$110,000.00.

ACTION: ADOPTED

On motion of Councilman Hakeem and seconded by Councilwoman Berz,

RESOLUTION #28601

A RESOLUTION APPROVING THE ACCEPTANCE AND DISTRIBUTION OF FISCAL YEAR 2016-2017 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIP ACT FUNDS (HOME), AND EMERGENCY SOLUTIONS GRANT (ESG) FUNDS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) PROGRAM INCOME, ALL TOTALING APPROXIMATELY \$2,783,145.00.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilwoman Berz,

RESOLUTION #28602

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE, IN COOPERATION WITH THE AGAWELA DRIVE STREAM RESTORATION PROJECT, A DECLARATION OF RESTRICTIVE COVENANT, IN SUBSTANTIALLY THE FORM ATTACHED, FOR CITY-OWNED PROPERTY LOCATED ON AGAWELA DRIVE, FURTHER IDENTIFIED AS TAX PARCEL NO. 147C-E-001.03.

ACTION: ADOPTED

On motion of Councilman Hakeem and seconded by Councilman Henderson,

RESOLUTION #28603

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A PROPERTY EXCHANGE AGREEMENT, IN SUBSTANTIALLY THE FORM ATTACHED, WITH HIGHLAND PARK COMMONS, INC., INVOLVING 809 S. WILLOW, IDENTIFIED AS TAX MAP NO. 146O-V-006, AND THREE (3) VANCE AVENUE PARCELS, IDENTIFIED AS TAX MAP NOS. 146O-V-004.01, 146O-V-007, AND 146O-V-008.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilwoman Berz,

RESOLUTION #28604

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUITCLAIM DEEDS, WITH AN EFFECTIVE DATE OF MAY 4, 2016, CONVEYING ONE HUNDRED (100) CERTAIN OR CERTAIN COMBINATION OF PARCELS TO THE APPROVED HIGHEST BIDDERS ON JOINTLY OWNED PROPERTIES OF THE CITY OF CHATTANOOGA AND HAMILTON COUNTY AS ACQUIRED THROUGH PREVIOUS DELINQUENT TAX SALES.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Hakeem,

RESOLUTION #28605

A RESOLUTION TO CONFIRM THE MAYOR'S RE-APPOINTMENTS OF LORA DAWSON AND GRADY RHODEN TO THE HAMILTON COUNTY BOARD OF EQUALIZATION.

The motion carried, with Councilman Anderson voting "Nay."

ACTION: ADOPTED

On motion of Councilman Hakeem and seconded by Councilman Anderson,

RESOLUTION #28606

A RESOLUTION TO CONFIRM THE MAYOR'S RE-APPOINTMENTS OF MARTY BOURQUIN AND DAVID ASHBURN TO THE WASTEWATER REGULATIONS AND APPEALS BOARD.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Vice Chair Mitchell,

RESOLUTION #28607

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO A CONTRACT (S-15-016) WITH CDM SMITH FOR AN EAST LAKE CONCEPT IN DISTRICT 7 FOR "WATER QUALITY DESIGN AND PLANNING FOR LAKE RESTORATION AND GREEN STORMWATER INFRASTRUCTURE, IN THE AMOUNT OF \$100,000.00.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilman Hakeem,

RESOLUTION #28609

A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 FOR HDR ENGINEERS, INC. RELATIVE TO CONTRACT NO. W-12-028-101, FOCUSED SSES AND REHABILITATION OF DOBBS BRANCH 3 SUB-BASIN PROJECT, FOR AN INCREASED AMOUNT OF \$78,565.20, FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED \$580,105.20.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilman Smith,

RESOLUTION #28610

A RESOLUTION AUTHORIZING FIAMMA PIZZA, LLC C/O JIM RICHARDS, TENANT OF THE PROPERTY OWNER, M STREET CHATT, LLC, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ON NORTH MARKET STREET ADJACENT TO 405 NORTH MARKET STREET TO INSTALL AWNINGS, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilman Smith,

RESOLUTION #28611

A RESOLUTION AUTHORIZING THE PERFECT FIT, LLC C/O TONJA PERKINS, TENANT OF THE PROPERTY OWNER, JAMES KEEF, JR., TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ON CHEROKEE BOULEVARD ADJACENT TO 440 CHEROKEE BOULEVARD TO INSTALL SIGNAGE AND EXTERIOR LIGHTS, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Vice Chair Mitchell,

RESOLUTION #28612

A RESOLUTION AUTHORIZING ROBERT ROBERTS, LLC C/O ROBERT ROBERTS, AGENT FOR THE PROPERTY OWNER, CADAS C/O JAMES SHAW, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ON MINOR STREET AND MANNING STREET ADJACENT TO 216 MINOR STREET TO INSTALL BUILDING OVERHANGS, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Vice Chair Mitchell and seconded by Councilman Henderson,

RESOLUTION #28613

A RESOLUTION AUTHORIZING HGH CONSTRUCTION C/O LISA WILLIAMS, AGENT FOR THE PROPERTY OWNER, JOHN COFFETT, TO USE TEMPORARILY AN UNOPENED PORTION OF THE RIGHT-OF-WAY LOCATED ON GLENROY AVENUE TO ACCESS THE PROPERTY, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilwoman Berz,

RESOLUTION #28614

A RESOLUTION AUTHORIZING OFFICE COORDINATORS C/O TRIPP GOODMAN TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ON EAST MAIN STREET ADJACENT TO 326 EAST MAIN STREET TO INSTALL A SIGN AND DISPLAY AREA, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilwoman Berz,

RESOLUTION #28615

A RESOLUTION AUTHORIZING COLLIER CONSTRUCTION C/O GABE THOMAS, AGENT FOR THE FUTURE HOMEOWNER'S ASSOCIATION FOR THE 100 @ S. BROAD SUBDIVISION, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ADJACENT TO 3100 ST. ELMO AVENUE TO INSTALL FREIGHT CONTAINERS TO BE USED AS STORAGE UNITS AND BUFFERS TO THE ADJACENT RAILROAD, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilwoman Berz,

RESOLUTION #28616

A RESOLUTION AUTHORIZING BP CONSTRUCTION C/O JEFFREY GARNER, AGENT FOR THE PROPERTY OWNER, CITIPARK INVESTORS, LLC C/O BLAKE DEFOOR, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ALONG CHESTNUT STREET AND 8TH STREET ADJACENT TO 803 CHESTNUT STREET TO INSTALL PLANTERS AND MAINTAIN BUILDING OVERHANGS, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilwoman Berz,

RESOLUTION #28617

A RESOLUTION AUTHORIZING BENTON C. TORRENCE, PROPERTY OWNER, TO USE TEMPORARILY THE RIGHT-OF-WAY OF THE UNOPENED PORTION LOCATED ON BELMONT AVENUE FOR SECONDARY ACCESS TO 1619 WEST 54TH STREET, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilman Hakeem and seconded by Councilman Anderson,

RESOLUTION #28618

A RESOLUTION AUTHORIZING FRANKLIN ARCHITECTS C/O BOB FRANKLIN, AGENT FOR THE PROPERTY OWNER, DEW EDNEY, LLC, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ON MARKET STREET AND EAST 11TH STREET ADJACENT TO 1100 MARKET STREET TO INSTALL AWNINGS, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Vice Chair Mitchell and seconded by Councilman Henderson,

RESOLUTION #28619

A RESOLUTION AUTHORIZING RIVER STREET ARCHITECTURE C/O TERRY BARKER, AGENT FOR THE PROPERTY OWNER, GARY IVEY, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ON HILLCREST ROAD ADJACENT TO 1692 RIVERVIEW ROAD DURING THE PENDING ABANDONMENT PROCESS, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Economic and Community Development

Donna Williams, Administrator, introduced Tyler Yount, the Mayor's Office Civic Engagement Coordinator, to make a presentation on "Homeless Veteran Donation Day." Mr. Yount discussed Mayor Berke's Homeless Veterans Initiative that began in 2014, which included a "Donation Day," where household goods and other donations are received for homeless veterans who are transitioning into permanent housing. He said that Donation Day helps the veterans focus on the path to stability and helps to turn a roof over their heads into a "home." Mr. Yount discussed the Donation Day that took place recently and gave a visual presentation that included information on the following:

- Why Donation Day
- Past Donation Day Results
- Last Weekend's Results
- Thanks to All Partners

[A copy of Mr. Yount's presentation is attached.]

Purchases

David Carmody, Deputy Chief Operating Officer, briefed the Council on the following purchases:

R134710 - General Services

Estimated \$250,000 Annually

New Blanket Contract for Knoll Open Office
Landscape Furniture, City Wide
Knoll, Inc.
1235 Water Street
East Greenville, PA 18041

R134714 - General Services

Estimated \$250,000 Annually

New Blanket Contract for Haworth Open Office
Landscape Furniture, City Wide
Nashville Stationary Co, Inc., d/b/a Nashville Office Interiors
PO Box 330399
Nashville, TN 37203-0399

A discussion ensued, with Mr. Carmody responding to questions from Councilman Hakeem regarding the type of office furniture being purchased, and why these purchases were single-sourced and exempt from the usual advertising and bidding requirements. After Mr. Carmody's explanations and no further discussion, **Councilman Anderson moved** to approve, seconded by Councilman Henderson. The motion carried.

ACTION: APPROVED

OTHER BUSINESS:

Certificates of Compliance

Attorney Reisman presented certifications of approval for the following grocery stores wishing to sell wine:

1. **Sam's Club #8112, 6101 Lee Highway (District 6)**
2. **Walmart #5251, 490 Greenway View Drive (District 6)**
3. **Walmart #5143, 8101 East Brainerd Road (District 4)**
4. **Walmart #4671, 4110 Shallowford Road (District 5)**
5. **Walmart #3660, 3550 Cummings Highway (District 1)**
6. **Walmart #3659, 501 Signal Mountain Road (District 1)**
7. **Walmart #3619, 3901 Hixson Pike (District 2)**
8. **Walmart #1606, 5764 Highway 153 (District 3)**
9. **Walmart #1469, 2020 Gunbarrel Road (District 4)**

Attorney Reisman presented certificates for nine local stores to sale wine in grocery stores. He confirmed that the City Attorney had checked that stores had met zoning requirements and undergone background checks. He explained that after the certification, the stores must apply to the Tennessee Alcoholic Beverage Commission for a preliminary license that will allow them to stock wine. After July 1, 2016, they will receive their permanent license to begin selling wine in grocery stores. Councilman Anderson clarified again that, while the Council is issuing certificates today, off-premise consumption would not be allowed until July 1. Attorney Reisman confirmed that citizens may see the wine stocked, but the stores would not sale wine in grocery stores until July 1. Certificates for each of the above-listed stores were signed in the open meeting by five councilpersons.

COMMITTEE REPORTS:

Audit & I.T.

Councilman Grohn

(No report)

- Councilman Grohn took the opportunity to give his personal thanks to Councilman Hakeem for arranging the disparity study meeting today.

Budget and Finance

Councilwoman Berz

- As incoming chair of the committee, she announced that the budget process will begin next week.
- The budget will be distributed at the 3:00 p.m. Agenda Session with introductory remarks from the Mayor. The Council will begin its deliberation of the budget in the following week.

Economic and Community Development (ECD)

Councilman Anderson

- At the request of the City attorney, the committee meeting original set for today was rescheduled for next week (May 17). At that meeting next week, the committee will hear findings related to Boarding Houses and the legislation coming forward.
- He expressed his pleasure in seeing Councilwoman Berz resuming work on the Budget and Finance Committee again.

Human Resources (HR)

Council Vice Chair Mitchell

(No report)

Planning & Zoning

Councilman Hakeem

- There was an educational session today regarding a disparity study. Presenters from Atlanta informed the Council about disparity studies. He thanked the Council for allowing the presenters to come. He also thanked the public their presence, stating that it was “standing room only” and well-received by the public. He noted that the Council will take two (2) weeks to consider their options regarding a disparity study, including what it would take to put out a bid on a study.
- Two (2) weeks from tonight (May 24), the Planning and Zoning Committee will meet after the Agenda Session. At that meeting, Regional Planning staff will give a presentation on what, in general, was accepted by the Planning Commission regarding Form-Based Code.
- Also, he is considering a separate meeting regarding the issue of parking in the Form-Based Code zone. That meeting may be scheduled in three (3) weeks (May 31). He will let the public know soon if that meeting will take place.

Public Safety

Councilman Henderson

(No report)

Public Works and Transportation

Councilman Smith

- The committee met today to discuss items voted on tonight and items on next week's agenda.
- The committee will meet again in two (2) weeks (May 24).

Youth and Family Development

Councilman Gilbert

(No report)

RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL (Non-Agenda Items)

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

- **Nathan King (Orchard View)** – He found it interesting that the Council had comments and questions about the Homeless Veterans report today, but the Council did not have comments or questions after Bro. Muhammad's address last week. He asked the Council not to congratulate "quietness" over initiative. He asked if the Council would comment on the People's State of the City Address. He voiced concerns about the public not being allowed to speak at the Council's 3:00 p.m. meetings, and not being able to speak on agenda items at the 6:00 p.m. meetings. He stated that there is a non-democratic process serving the ruling classes in government.
- **Pastor Timothy Careathers (Westside Baptist Church)** – He was thankful that the Council heard from people last week who are living on the margins. He informed the Council that he left the meeting last week feeling enlightened, but not encouraged. In spite of questions and comments made from the public, he felt the Council chairman was more concerned with moving on in haste last week. He stated that we, the people, want a formal response to the People's State of the City Address, and asked for that response in the next two (2) weeks—by May 24. He said that the people will see what the Council thinks about the people from their response. He said the Council has "got our votes" and needs to "be our voice." He asked the Council to consider the suggested initiatives suggested last week by Bro. Muhammad that called for reallocating the \$1 Million proposed for street cameras to the People's Youth Initiative and the People's Formerly Incarcerated Rehabilitation Board. He also noted that the People's State of the City that was distributed to them last week, but Bro. Muhammad will leave copies for any councilperson needing it.
- **Donna Christian Lowe (Co-managing partner, Main Street Innovations)** – She thanked the Council for their process and their diligence in what they do. She reminded them of the needs of the Glass Street Area and commented on some of the marketplace activities taking place at the Glass Street Collective, such as marketing classes for children. She informed the Council of the "Frankly Speaking" podcast launched by entrepreneur Michelle Peterson, which will air tomorrow at 4:30 p.m. She informed the Council of a doughnut shop that will be launched in 30-60 days on Glass Street. She said a contest was held where children designed the logo and name for doughnut shop. She invited the Council their event on tomorrow for the unveiling of the doughnut shop name.

- **Monty Bell (Chattanooga)** – He has been homeless for the past 17 years. After years of being a professional broadcaster, he returned to Chattanooga to teach “the King’s language” (e.g., annunciation and diction). Upon returning, his character was under attack and the character assassination, he said, continues. He is disappointed in one Council member who has known him since high school and has not helped him in finding out the former employee who blacklisted him at the City. He repeated the motto: Stop the Silence/Stop the Violence. He said the Council remains in their comfort zone, protected in several ways, but, he said, there is nothing stopping a bullet from destroying him. He wants his name out of the criminal justice system. He wants his company back: Monty Bell Public Exposure Company. He asked that the Council get him off the streets.

ADJOURNMENT

On motion of Councilman Henderson, Chairman Freeman adjourned the meeting of the Chattanooga City Council until Tuesday, May 17, 2016, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL

ATTACHMENT:

“Homeless Veterans Donation Day” Presentation

Homeless Veteran Donation Day

Saturday May 7

Why Donation Day?



Key #'s

167 veterans housed in our community since 2015

30 veterans housed so far in 2016

44 veterans left to house

- Idea came from a Veteran Homelessness Task Force Working Group
- When veterans move from the street into housing they often move into an empty house
- When we can give them the items they need to start their new home
 - Helps keep them in housing by making their house a great place to be
 - Eliminates one more worry to allow veterans to be able to focus on their own path towards stability

Past Donation Day Results

- First Donation Day was September 2015
- 6 truckloads of donations – over 400 items donated
- Over 20 volunteers
- January MLK Day Service Project – sorting and taking inventory of donations



Last Weekend's Results

- 20 volunteers
- More than 15 people donated
- 3 truckloads of donations – over 200 items donated
- Moved to a new donated storage facility – Thanks to Sherry Campbell at Welcome Home of Chattanooga



Thanks to All Our Partners!



Welcome Home
of Chattanooga



- Hurricane and Signal Mountain Sea Cadets
- Welcome Home of Chattanooga
- Family Promise of Chattanooga
- Chickamauga Daughters of the Revolution
- Southeast Tennessee Veterans Coalition
- UTC
- City Employees