



Electronic Conducted (Virtual) Meeting
Chattanooga, Tennessee

COUNCIL MEETING MINUTES

June 2, 2020

6:00 PM

CALL TO ORDER

Council Chairman Chip Henderson called the meeting to order by electronic means. A quorum was present via electronic means that included Vice-Chairman Ken Smith and Councilpersons Carol Berz, Anthony Byrd, Demetrus Coonrod, Russell Gilbert, Darrin Ledford, Jerry Mitchell and Erskine Oglesby, Jr. Also in attendance were Phil Noblett, City Attorney, and Nicole Gwyn, Council Clerk, both via electronic means. Video of the meeting is available for viewing [here](#).

PLEDGE OF ALLEGIANCE

Councilman Ledford led the Assembly in the Pledge of Allegiance. After which, he called upon the thoughts and prayers of the city for Councilwoman Coonrod and her family. He then invited Dr. David Banks, Director of Leadership and Professional Development, to give the invocation.

APPROVAL OF LAST MINUTES

On motion of Councilman Gilbert and seconded by Councilwoman Berz, the minutes of the last meeting (May 26, 2020) were approved as published. The motion carried unanimously (9-0) upon roll call vote.

ORDINANCES – FINAL READING:

On motion of Councilwoman Berz and seconded by Vice-Chairman Smith,

ORDINANCE #13557

AN ORDINANCE AMENDING ORDINANCE NO. 13473, KNOWN AS “THE FISCAL YEAR 2019-2020 OPERATIONS BUDGET ORDINANCE” SO AS TO APPROPRIATE \$70,000.00 TO THE CHATTANOOGA ZOO FOR OPERATING EXPENSES DUE TO CLOSURE AS A RESULT OF EXECUTIVE ORDER NO. 2020-06 TO CLOSE AS PRECAUTION DUE TO THE COVID-19 VIRUS PANDEMIC WHEREIN FUNDS ARE REALLOCATED FROM THE DEPARTMENT OF PUBLIC WORKS.

The motion carried unanimously (9-0) upon roll call vote.

ACTION: APPROVED

ORDINANCES – FIRST READING: (NONE)

RESOLUTIONS:

PROCEDURAL NOTE: With no objection from the Council, Chairman Henderson instructed the Clerk to read the next two resolutions for one roll call vote.

RESOLUTION #30373

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO ENTER INTO AN ARTWORK CREATION AGREEMENT WITH ERIC FINLEY FOR AVONDALE YFD CENTER MURALS, FOR AN AMOUNT NOT TO EXCEED \$24,500.00.

RESOLUTION #30374

A RESOLUTION AUTHORIZING THE WAIVER OF PARK RENTAL FEES FOR FRIENDS OF THE FESTIVAL IN SUPPORT OF RIVERFRONT NIGHTS FOR THE DATES OF JULY 11, JULY 18, JULY 25, AUGUST 1, AUGUST 8, AND AUGUST 15, IN THE AMOUNT OF \$24,000.00.

Vice-Chairman Smith moved to approve, seconded by Councilman Byrd. The motion carried unanimously (9-0) upon roll call vote.

ACTION: RESOLUTIONS 30373 AND 30374 ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Ledford,

RESOLUTION #30375

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND TENNESSEE EMERGENCY MANAGEMENT AGENCY (TEMA) FUNDS ADMINISTERED BY THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, MAJOR DISASTER DECLARATION, TENNESSEE SEVERE STORMS, TORNADOES, STRAIGHT-LINE WINDS, AND FLOODING (DR-4541), INCIDENT PERIOD APRIL 12, 2020 TO APRIL 13, 2020, DECLARED ON APRIL 24, 2020, TO REPAIR DAMAGE FROM RECENT TORNADO.

The motion carried unanimously (9-0) upon roll call vote.

ACTION: ADOPTED

On motion of Councilman Ledford and seconded by Councilman Oglesby,

RESOLUTION #30376

A RESOLUTION AUTHORIZING THE CHIEF OF THE CHATTANOOGA POLICE DEPARTMENT TO RENEW A ONE (1) YEAR BLANKET AGREEMENT WITH LEICA GEOSYSTEMS, INC. TO PROVIDE SERVICE REPAIRS, UPDATES, AND WARRANTY SERVICE FOR POLICE SCANSTATION EQUIPMENT, BEGINNING MAY 25, 2020 THROUGH MAY 24, 2021, WITH ONE (1) OPTIONAL ANNUAL RENEWAL AND AN ANNUAL SPEND LIMIT NOT TO EXCEED \$40,000.00.

The motion carried unanimously (9-0) upon roll call vote.

ACTION: ADOPTED

PROCEDURAL NOTE: With no objection from the Council, Chairman Henderson instructed the Clerk to read the next two resolutions for one roll call vote.

RESOLUTION #30377

A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 FOR CTI ENGINEERS, INC. RELATIVE TO CONTRACT NO. W-16-021-101, MBWWTP RECYCLE PUMP STATIONS AND DRAIN SYSTEM UPGRADE, A NON-CONSENT DECREE PROJECT, FOR AN INCREASED AMOUNT OF \$65,278.69, FOR A REVISED CONTRACT AMOUNT OF \$543,278.69.

RESOLUTION #30378

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO APPLY FOR AND, IF AWARDED, ACCEPT A TENNESSEE AGRICULTURAL ENHANCEMENT PROGRAM (TAEP) GRANT, IN THE AMOUNT OF \$20,000.00, WITH A 50/50 MATCH SPONSORED BY THE WATER QUALITY PROGRAM, UP TO THE GRANT AMOUNT NOT TO EXCEED \$20,000.00, FOR A TOTAL AMOUNT OF \$40,000.00.

Councilman Ledford moved to approve, seconded by Councilwoman Berz. The motion carried unanimously (9-0) upon roll call vote.

ACTION: RESOLUTIONS 30377 AND 30378 ADOPTED

PROCEDURAL NOTE: With no objection from the Council, Chairman Henderson instructed the Clerk to read the next three resolutions for one roll call vote.

RESOLUTION #30379

A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 2 (FINAL) FOR TRI-STATE ROOFING CONTRACTOR, LLC OF CHATTANOOGA, TN, RELATIVE TO CONTRACT NO. Y-18-004-201, REPLACEMENT ROOFING SYSTEM FOR BRAINERD YFD CENTER BUILDING, FOR AN INCREASED AMOUNT OF \$5,121.00, TO RELEASE THE REMAINING CONTINGENCY AMOUNT OF \$1,379.00, FOR A REVISED CONTRACT AMOUNT OF \$92,060.00.

RESOLUTION #30380

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO AWARD CONTRACT NO. Y-20-009-201 TO PORTER ROOFING CONTRACTORS, INC. OF MORRISON, TN, REPLACEMENT ROOFING SYSTEM FOR CEDAR HILL HEAD START, IN THE AMOUNT OF \$155,291.00, PLUS A CONTINGENCY AMOUNT OF \$15,500.00, FOR AN AMOUNT NOT TO EXCEED \$170,791.00.

RESOLUTION #30381

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO AWARD CONTRACT NO. Y-20-010-201 TO WILLOUGHBY ROOFING AND SHEET METAL, INC. OF CULLMAN, AL, REPLACEMENT ROOFING SYSTEM FOR AVONDALE HEAD START, IN THE AMOUNT OF \$68,529.00, PLUS A CONTINGENCY AMOUNT OF \$6,850.00, FOR AN AMOUNT NOT TO EXCEED \$75,379.00.

Councilman Gilbert moved to approve, seconded by Councilwoman Berz. The motion carried unanimously (9-0) upon roll call vote.

ACTION: RESOLUTIONS 30379 – 30381 ADOPTED

On motion of Councilman Byrd and seconded by Councilman Ledford,

RESOLUTION #30382

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO RENEW CONTRACT NO. W-19-002-201 WITH TALLEY CONSTRUCTION COMPANY, INC. FOR TWELVE (12) MONTHS WITH ONE (1) RENEWAL REMAINING FOR THE PURPOSES OF SANITARY SEWER INSTALLATION AND REPAIR AT ISS AND RELATED FACILITIES BLANKET CONTRACT, IN THE AMOUNT OF \$1,650,000.00.

The motion carried unanimously (9-0) upon roll call vote.

ACTION: ADOPTED

PROCEDURAL NOTE: With no objection from the Council, Chairman Henderson instructed the Clerk to read the next two resolutions for one roll call vote.

RESOLUTION #30383

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH STANTEC, INC. FOR CONSULTING SERVICES RELATED TO THE REGIONAL RESILIENCE PLANNING PROJECT, FOR AN AMOUNT NOT TO EXCEED \$200,000.00.

RESOLUTION #30384

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO APPLY FOR, AND IF AWARDED, ACCEPT A GRANT TO SUPPORT THE REGIONAL RESILIENCE PLANNING PROJECT FROM EPB, FOR A TOTAL AMOUNT OF \$100,000.00.

Councilman Ledford moved to approve, seconded by Councilwoman Berz. The motion carried unanimously (9-0) upon roll call vote.

ACTION: RESOLUTIONS 30383 AND 30384 ADOPTED

DEPARTMENTAL REPORTS:

Proposed Purchases

Anthony Sammons, Deputy Chief Operating Officer, briefed the Council via electronic means on the following proposed purchases:

R196267 - R196267 - R196267 City Wide Services Division, Public Works

Outdoor Power Equipment Engine Maintenance & Repair

Three (3) contracts:

1. Chattanooga Tractor & Equipment - 21134 Polymer Drive East Chattanooga, TN 37421

\$20,000.00

2. Sale Creek Outdoor Power Equipment & Service, LLC - 14711 Dayton Pike Sale Creek, TN

37373 \$20,000.00

3. Southern Pride Service & Repairs, LLC - 9515 Lee Hwy, Suite Q Ooltewah, TN 37363

20,000.00

R197802 Fleet Management Division, Public Works

\$200,000.00

Vehicle Rental Services

Lowest/Best Bidder: Enterprise Holdings, Inc

209 Seaboard Lane

Franklin, TN 37607

R197555 Public Works, Engineering

\$30,000.00

Propane Service at Landfill

Lowest/Best Bidder: Suburban Propane

1147 Congress Pkwy N.

Athens, TN 37303

Councilman Oglesby moved to approve, seconded by Councilwoman Berz. The motion carried unanimously (9-0) upon roll call vote.

ACTION: ALL PURCHASES APPROVED

Emergency Purchases

Mr. Sammons informed the Council of the following emergency purchases made under the Mayor's emergency declaration:

Date	Dept	Description	Supplier	Explanation	Event Type
5/19/20	Mayor's Office	Security services	SEI Inc	24/7 security services for the managed care reported last week. PO# 557744 \$24,344.00	COVID
5/19/20	Mayor's Office	Cleaning services	Jan-Pro of East Tennessee	Daily cleaning and final deep cleaning for the managed care reported last week. PO# 557745 \$46,371.00	COVID
5/19/20	Public Works	Emergency Disaster Recovery Management Services	Jacobs Engineering Group Inc	1) Assistance to gather data and capture the cost accurately for the FEMA process related to tornado damage; and (2) Focus on reimbursements for emergency protective measures and eligible expense related to the COVID emergency. PO# 557816 \$275,000.00	TORNADO & COVID
5/21/20	Library	Personal Protective Equipment	DGS Retail	24 Acrylic Freestanding Sneeze Guard Desk & Counters. This purchase was made as an over the limit purchase card transaction; the vendor does not accept purchase orders. \$1,329.38	COVID
5/26/20	Mayor's Office	Emergency supplies	Chattanooga Cares Inc	Emergency supplies and materials for Cempa Community Center and community partners for free COVID-19 community testing. PO# 557865 \$6,000.00	COVID
5/26/20	Finance	Personal Protective Equipment	Custom Counter & Display	Counter Safety Barriers for the City Court Clerk's Office which is already open to the public. PO# 557866 \$14,609.00	COVID

Regarding PO557744, Chairman Henderson inquired about the need for the security contract, to which Mr. Sammons responded. Regarding PO557745, Councilwoman Coonrod informed the Council that she is a franchise owner with Jan-Pro and, therefore, would recuse herself from any consideration on that emergency purchase. Attorney Noblett affirmed her recusing herself from consideration on that one purchase.

Additional Emergency Purchase: Tennessee Waste Haulers

Mr. Sammons also informed the Council of an emergency purchase for refuse and recycling services for 30 days with an existing contractor, Tennessee Waste Haulers, that will fill a gap between the time that a new contract is potentially installed, while continuing the services at the refuse collection centers and recycle collection centers. Chairman Henderson asked Attorney Noblett about the usual process of signing letters in the open meeting for emergency purchases. Attorney Noblett informed the Council that, per the Governor's Executive Order during the COVID-19 emergency, electronic signatures were acceptable on the letters. He also noted that a report of the circumstances has been filed with the purchasing agent and entered into the minutes of this meeting.

Reconsidering Purchase R197304

Regarding a purchase that was tabled last week, **Councilman Ledford moved** to take R197304 (Public Works) off the table. He was seconded by Councilman Mitchell. Justin Holland, Public Works Administrator, was brought into the panel to discuss the need for this purchase order. After which, the motion carried unanimously (9-0) upon roll call vote.

Councilman Ledford moved to approve R197304. He was seconded by Councilman Byrd. The motion carried 8-1 upon roll call vote as follows:

Berz	YES	Mitchell	YES
Byrd	YES	Oglesby	YES
Coonrod	YES	Smith	YES
Gilbert	NO	Henderson	YES
Ledford	YES		

YES – Eight (8); NO – One (1)

ACTION: PURCHASE R197304 APPROVED

OTHER BUSINESS:

Protests in Chattanooga

Councilpersons Coonrod, Byrd, Gilbert, Oglesby and Henderson all made comments regarding the protests taking place in Chattanooga. Attorney Noblett also spoke words of encouragement to the Council. Their comments may be heard on the meeting video [here](#).

Injury-on-Duty Settlements

Attorney Noblett presented the following HR settlement offers for two injury-on-duty cases.

RESOLUTION #30385

A RESOLUTION AUTHORIZING COLLINS AND COMPANY TO PAY AN ON-THE-JOB INJURY SETTLEMENT TO CITY EMPLOYEE, GREGORY NEAL, FOR A PERMANENT PARTIAL IMPAIRMENT RATING IN ACCORDANCE WITH THE CITY’S INJURY-ON-DUTY POLICY, IN THE AMOUNT OF THIRTY THOUSAND NINE HUNDRED SEVENTY-FOUR AND 35/100 DOLLARS (\$30,974.35).

RESOLUTION #30386

A RESOLUTION AUTHORIZING COLLINS AND COMPANY TO PAY AN ON-THE-JOB INJURY SETTLEMENT TO CITY EMPLOYEE, LIBERTY SUITS, FOR A PERMANENT PARTIAL IMPAIRMENT RATING IN ACCORDANCE WITH THE CITY’S INJURY-ON-DUTY POLICY, IN THE AMOUNT OF SIXTY THOUSAND TWENTY-SEVEN AND 98/100 DOLLARS (\$60,027.98).

These offers exceeded the \$25,000 threshold, so Attorney Noblett requested approval from the Council. **Councilman Ledford moved** to approve, seconded by Councilwoman Berz. The motion carried unanimously (9-0) upon roll call vote.

ACTION: BOTH SETTLEMENTS APPROVED

Mediation Settlement

Attorney Noblett also informed the Council on one mediation settlement in the case regarding *Jane Doe*. This settlement was resolved within his authority.

COMMITTEE REPORTS:

Budget and Finance Committee

Councilwoman Berz reported:

- The second budget education session took place today, where the committee discussed Capital Projects and Paving.
- Next week's (June 9) budget education session at 1:00 p.m. include looking at agency allocations.
- There will be a public hearing on the FY21 proposed budget on June 9 during the 6:00 p.m. Council meeting. Speakers are asked to register on the Council's webpage by providing their name, address, and district.

Economic and Community Development Committee

Councilman Oglesby reported:

- The committee will meet on June 16 regarding Lincoln Park.

Human Resources Committee

Councilman Gilbert reported:

- The committee will meet on June 16 following the 3:30 Agenda Session for a presentation on the findings of the Disparity Study.

Planning and Zoning Committee

Councilman Ledford reported:

- The committee met today to review planning and zoning items on next week's agenda.
- There will be a special Planning and Zoning Committee meeting on June 23 for a presentation on vegetation in relation to Steep Slopes and Floodplains.

Public Safety Committee

Councilman Byrd reported:

- The committee will meet on June 30 to discuss changes proposed for the Police Advisory and Review Committee ordinance.

Public Works and Transportation Committee

Councilman Mitchell reported:

- The committee will meet next week following the 3:30 p.m. Agenda Session.

Youth and Family Development Committee

Councilwoman Coonrod

(No report)

Legislative Committee

Vice-Chairman Smith reported:

- The committee will meet next week following the 3:30 p.m. Agenda Session to legislation on Essential Cities.

RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL
(Listen to the public comments by clicking [here.](#))

Attorney Noblett read the rules of procedure for persons wishing to address the Council. After which, Chairman Henderson recognized the following persons:

Name (Street, City, District):	Primary Topic:
• Aysja Pryor (Tunnel Blvd./District 9)	Accountability for Sheriff’s Department, officers and communities
• Tiffany Rankins (District 8/Lincoln Pk. Assoc.)	Historic preservation/systemic issues affecting African American communities

Discussion with Chief Roddy

Chairman Henderson invited Chief of Police David Roddy to join the meeting and respond to questions from the Council about the police department and ongoing protests in the city. He responded to several questions from Councilpersons Byrd, Coonrod, and Ledford. The discussion with Chief Roddy may be viewed [here.](#)

ADJOURNMENT

On motion of Councilman Oglesby, Chairman Henderson adjourned the meeting of the Chattanooga City Council until Tuesday, June 9, 2020, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL

[Editor’s Note: Any person may join the electronic-conducted meetings of the Chattanooga City Council at the scheduled time by visiting online at council.chattanooga.gov.]