



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
June 13, 2017
6:00 PM

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Chairman Mitchell led the Assembly in the Pledge of Allegiance.

APPROVAL OF LAST MINUTES

On motion of Councilman Gilbert and seconded by Councilman Ledford, the minutes of the last meeting (June 6, 2017) were approved as published.

ORDINANCES – FINAL READING:

2017-033
Evan Holladay, LDG Multifamily, LLC
District No. 7

On motion of Councilman Oglesby and seconded by Councilman Gilbert,

ORDINANCE #13187

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 4821 AND 4905 CENTRAL AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO R-3 RESIDENTIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

2017-065
South Broad, LLC
District No. 7

On motion of Councilman Oglesby and seconded by Councilman Ledford,

ORDINANCE #13188

AN ORDINANCE CLOSING AND ABANDONING AN APPROXIMATE ONE HUNDRED TWENTY-FIVE FEET PORTION OF THE RIGHT-OF-WAY OF THE 200 BLOCK OF WEST 27TH STREET, AS DETAILED ON THE ATTACHED MAP, AND SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

ORDINANCES – FIRST READING:

2017-062
Pat Neuhoff of Neuhoff Taylor Architects
and Lester & Southard Partners
Planning Version
District No. 2

AGENDA ITEM VI(a):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 4122 NORTH ACCESS ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM C-2 CONVENIENCE COMMERCIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.

On behalf of Chairman Mitchell, **Councilman Ledford moved** to defer to July 11, 2017. He was seconded by Councilman Henderson.

ACTION: DEFERRED TO JULY 11, 2017

2017-066
Coachworks at the Club, LLC
Applicant Version
District No. 3

AGENDA ITEM VI(b)

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 4817 ADAMS ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-2 LIGHT INDUSTRIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE.

Vice-Chairman Smith informed the Council that he had heard from representatives of the Applicant, who were requesting to change C-2 to M-1. He asked the City Attorney to make the change.

Therefore, **Vice-Chairman Smith moved** to defer to June 27, 2017. He was seconded by Councilman Ledford. The motion carried.

ACTION: DEFERRED TO JUNE 27, 2017

2017-064
Bassam Issa and
Steven and Marsha Yessick
Applicant Version
District No. 4

On motion of Councilman Ledford and seconded by Councilwoman Berz,

ORDINANCE #13189

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO LIFT ALL CONDITIONS FROM ORDINANCE NO. 9017 OF PREVIOUS CASE NO. 1988-249 ON PROPERTIES LOCATED AT 1926 AND 1930 GUNBARREL ROAD, MORE PARTICULARLY DESCRIBED HEREIN.

John Bridger, Executive Director of the Regional Planning Agency, gave an overview on this item and noted that there was no Opposition at the Planning Commission against this. Chairman Mitchell confirmed that the Applicant was present in the Assembly today, but no Opposition was present. Upon no further discussion, the motion carried.

ACTION: PASSED ON FIRST READING

2017-029
Humane Educational Society-
Bob Citrullo and Peggy Holder
District No. 5

ORDINANCE #13190

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 4155 RANDOLPH CIRCLE, MORE PARTICULARLY DESCRIBED HEREIN, FROM A-1 URBAN AGRICULTURAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE FOR A PORTION OF THE SITE EXTENDING FROM SOUTH ACCESS ROAD SIX HUNDRED THIRTY (630') FEET TO THE WEST, AND FROM A-1 URBAN AGRICULTURAL ZONE TO R-1 RESIDENTIAL ZONE FOR THE REMAINDER OF THE SITE, SUBJECT TO CERTAIN CONDITIONS.

John Bridger read the C-2 conditions at the request of Councilman Gilbert.

- 1) *The C-2 Convenience Commercial Zone portion shall only allow office uses and single-family detached residential uses by right, and companion animal hospitals, veterinary offices, pet funeral homes, kennels, animal day care facilities, animal grooming services, and similar uses for small domestic animals by a special exemption permit of the Board of Zoning Appeals;*
- 2) *No access to South Access Road;*
- 3) *Dumpsters must be at least one hundred (100') feet from all exterior property lines;*

- 4) *No smoke stack; and*
- 5) *No outside kennel overnight.*

Councilman Gilbert moved to amend to include the words “indoor only” in condition #5 regarding kennels. He was seconded by Councilman Ledford. The motion carried. **Councilman Gilbert moved** to approve as amended. He was seconded by Councilman Ledford. There was no Opposition. The motion carried. Chairman Mitchell thanked the Human Educational Society (Applicant) for their service to the community.

**ACTION: PASSES AS AMENDED ON
FIRST READING**

AGENDA ITEM VI(e):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, AND CHAPTER 11, BUSINESSES, TRADES, AND OCCUPATIONS, RELATING TO SHORT-TERM VACATION RENTALS WITHIN ANY ZONES ALLOWING RESIDENTIAL USE AND PROVIDING TERMS AND CONDITIONS FOR THE ISSUANCE OF SHORT-TERM VACATION RENTAL CERTIFICATES.

Councilman Henderson informed the Assembly that some educational leaders had come before the Council at the 3:00 p.m. open meeting today to discuss adding a buffer around schools in the ordinance. He noted that other constituents were also at that same meeting and addressed the Council regarding changes in some language. Therefore, Councilman Henderson requested that the Regional Planning Agency (RPA) facilitate a meeting between educational leaders and constituents to hash out last minute details in the ordinance. Mr. Bridger confirmed that two weeks would be enough time to coordinate a meeting as long as he got the contact information of people to invite to the meeting. Mr. Bridger requested that a representative from the Land Development Office be present at the meeting to get some consensus around changes being discussed, and to help ensure that requested changes were feasible. He also requested the school contacts to make it happen. Councilman Henderson invited anyone who wanted to be contacted for the meeting to stop by the Clerk’s desk today to give their contact information.

Councilman Henderson moved for a two-week deferral to June 27, 2017. He was seconded by Vice-Chairman Smith. The motion carried.

ACTION: DEFERRED UNTIL JUNE 27, 2017

RESOLUTIONS:

Rivermont Wine & Spirits
Special Exceptions Permit
District No. 2

On motion of Vice-Chairman Smith and seconded by Councilman Ledford,

RESOLUTION #29063

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR AN EXISTING LIQUOR STORE, CHANGE IN OWNERSHIP, LOCATED AT 3600 HIXSON PIKE.

The motion carried, with Councilman Henderson voting “No.”

ACTION: ADOPTED

Eagle Liquor & Wine
Special Exceptions Permit
District No. 3

On motion of Vice-Chairman Smith and seconded by Councilman Ledford,

RESOLUTION #29064

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A NEW LIQUOR STORE LOCATED AT 6852 MIDDLE VALLEY ROAD.

The motion carried, with Councilman Henderson voting “No.”

ACTION: ADOPTED

2017-068
Mary Grant and Earl Smith
Special Exceptions Permit
District No. 4

On motion of Councilman Ledford and seconded by Vice-Chairman Smith,

RESOLUTION #29065

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL HOME FOR THE HANDICAPPED AND/OR AGED PERSONS IN R-1 ZONE OPERATED ON A COMMERCIAL BASIS FOR PROPERTY LOCATED AT 7112 JARNIGAN ROAD, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilman Oglesby,

RESOLUTION #29066

A RESOLUTION AUTHORIZING THE CHATTANOOGA-HAMILTON COUNTY REGIONAL PLANNING AGENCY TO AMEND A CONTRACT WITH AMEC FOSTER WHEELER ENVIRONMENT AND INFRASTRUCTURE, INC. FOR PROFESSIONAL SERVICES FOR THE INTEGRATED ZONING SOLUTION DIGITAL PLATFORM, FOR AN INCREASED AMOUNT OF \$52,580.00, FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED \$180,044.00.

ACTION: ADOPTED

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

RESOLUTION #29067

A RESOLUTION AUTHORIZING THE CHIEF OF THE CHATTANOOGA POLICE DEPARTMENT TO ENTER INTO AN AGREEMENT WITH TRITECH SOFTWARE SYSTEMS FOR ANNUAL SUPPORT AND MAINTENANCE OF THE RMS SYSTEM FOR THE PERIOD OF JULY 1, 2017 THROUGH JUNE 30, 2018, FOR AN AMOUNT NOT TO EXCEED \$235,040.98.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilman Ledford,

RESOLUTION #29068

A RESOLUTION AUTHORIZING CLAY MASELLE, PROPERTY OWNER, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED BEHIND 312 PINE RIDGE ROAD FOR THE PURPOSE OF IMPROVING THE RIGHT-OF-WAY FOR PUBLIC ACCESS, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Byrd,

RESOLUTION #29069

A RESOLUTION AUTHORIZING THE APPOINTMENTS OF ANGELYN THOMAS AND TREWHITT COX AS SPECIAL POLICE OFFICERS (UNARMED) FOR THE CHATTANOOGA AREA REGIONAL TRANSPORTATION AUTHORITY (CARTA), TO DO SPECIAL DUTIES AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

RESOLUTION #29070

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO RENEW THE SERVICES AGREEMENT BETWEEN THE CITY OF CHATTANOOGA AND SENSYS AMERICA, INC. FOR THE TRAFFIC INFRACTION DETECTION AND ENFORCEMENT PROGRAM, FOR AN AMOUNT DESCRIBED IN THE LETTER AGREEMENT INCLUDED HEREIN.

ACTION: ADOPTED

PURCHASES:

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

R150971 - Transportation Estimated \$40,470 Annually
New Blanket Contract for Bicycle Pedestrian Counters
Lowest/Best Bidder: Eco-Counter, Inc
604-3981 Saint Laurent Blvd
Montreal, QC-H2W 1Y5-Canada

R153484 - Transportation Estimated \$30,779.55 Annually
New Blanket Contract for Aluminum Sign Blanks
Lowest/Best Bidder: Vulcan Inc, Vulcan Aluminum
PO Box 1850
Foley, AL 36536

PO533766 - Transportation Estimated \$50,000 Annually
Blanket Contract Renewal for Highway Guardrail Components
Lowest/Best Bidder: Trinity Highway Products, LLC
PO Box 951716
Dallas, TX 75395

R153554 - Public Works Estimated \$350,000 Annually
New Blanket Contract for Line & Tank Cleaning
Services - Waste Resources Division
Lowest/Best Bidder: Universal Service, Inc
506 Gibson Pond Rd
Chattanooga, TN 37421

R153555 - Public Works Estimated \$200,000 Annually
New Blanket Contract for Painting Services –
Waste Resources Division
Lowest/Best Bidder: Fimco Services
945 Manufacturers Rd
Dayton, TN 37321

R154219 - Public Works

\$36,750 Plus Freight

Purchase of One Hundred (100) Screw Conveyor
Liners Waste Resources Division
Lowest/Best Bidder: SPIRAC
75 Jackson St, Ste 300
Newnan, GA 30263

PO534177 - Public Works

Estimated \$75,000 Annually

Blanket Contract Renewal for Sewer Chemical Root
Control Services Waste Resources Division
Lowest/Best Bidder: Duke's Root Control, Inc
1020 Hiawatha Blvd, W - Stop 1
Syracuse NY 13204-1118

PO534483 - Public Works

Estimated \$50,000 Annually

Blanket Contract Renewal for Repair, Reconditioning,
and Replacement of Electrical Motors and Pumps –
Waste Resources Division
Lowest/Best Bidder: Chattanooga Industrial Motors, Inc
P.O. Box 264
Wildwood, GA 30757

PO538733 - Public Works

Estimated \$50,000 Annually

Blanket Contract Renewal for Vibration Analysis &
Thermography Services - Waste Resources Division
Lowest/Best Bidder: Current Technologies Inc
5499 Murfreesboro Rd, Ste. G
La Vergne, TN 37086

R153614 - Public Works

\$91,005.76

Purchase of One (1) Pump Rotating Assembly
with Impellar Waste Resources Division
Lowest/Best Bidder: Carter Verplanck
1053 Ridglea Dr.
Burns, TN 37029

PO532843 - Public Works

Estimated \$1,101,572 Annually

Blanket Contract Renewal for Garbage (Sanitation) Trucks
Lowest/Best Bidder: Stringfellow, Inc
2710 Locust Street
Nashville, TN 37207

PO532968 & 532969 - Public Works

Total Estimated \$1,200,000 Annually

Blanket Contract Renewals for HVAC Service, Repairs,
Equipment & Installation City Wide
Lowest/Best Bidders:

1. Mountain City Service Inc - 2408 Taft Highway, Signal Mountain, TN 37377
2. W.J. O'Neil Company - 500 W 26th Street, Chattanooga, TN

Vice-Chairman Smith moved to pull R150971 (Transportation) to vote on it separately. He was seconded by Councilman Ledford. A discussed ensued with Blythe Bailey, Transportation Administrator, who explained how the specifications in the initial purchase order were wrong and

resulted in the need for a new contract. Vice-Chairman Smith moved to deny, seconded by Councilman Ledford. Upon roll call vote, **the motion to deny R150971 carried.**

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

YES – Five (5); NO – Four (4)

Vice-Chairman Smith moved to approve the remaining purchases, seconded by Councilman Oglesby. The motion carried.

**ACTION: R150971 (TRANSPORTATION) DENIED;
ALL OTHER PURCHASES APPROVED**

OTHER BUSINESS:

Theresa Lee, City Treasurer, presented the following certificates of compliance:

- a) **TABC Certificate of Compliance for Ankurkumar Patel and Dharmeshku Patel d/b/a Rivermont Wine & Spirits.**
- b) **TABC Certificate of Compliance for Varahi Group, Inc. d/b/a Eagle Liquor & Wine.**

Each certificate was signed in this open meeting by five councilpersons.

Father's Day

Councilwoman Coonrod wished everyone a "Happy Father's Day."

Juneteenth Celebration

Councilwoman Coonrod announced that a Juneteenth Celebration would take place in Chattanooga on June 19, 2017. According to Wikipedia, Juneteenth "commemorates the June 19, 1865 announcement of the abolition of slavery in Texas, and more generally the emancipation of African-American slaves throughout the Confederate South."

Today's Music Selection

In honor of African-American Music Appreciation Month, Councilwoman Coonrod chose the song, "Atomic Dog," by funk music legend George Clinton as today's musical selection.

COMMITTEE REPORTS:

Budget and Finance Committee

Councilman Henderson

(No report)

- He informed the Council that he had asked the RPA to update the Lookout Valley Plan and would bring forth a resolution affecting the area between I-24 and Cummings Highway.

Economic and Community Development Committee

Councilman Oglesby

(No report)

Human Resources Committee (HR)

Councilman Gilbert

(No report)

Planning and Zoning Committee

Councilman Ledford

(No report)

Public Safety Committee

Councilman Byrd reported:

- The committee met today in open meeting to hear about turn-out ear and updates proposed for the fire code. He expressed his thanks to the Fire Department for their report to the Council.

Public Works and Transportation Committee

Councilwoman Berz reported:

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

Youth and Family Development Committee

Councilwoman Coonrod

(No report)

Innovation & Technology Committee

Vice-Chairman Smith

(No report)

RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL

(Non-Agenda Items)

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

- **Kiah Sheble (Bea Lane)** – He voiced concerns about issues with his residential bill for water from Hixson Utility. He had problems with the cost getting higher each month.
 - Ms. Lee explained to the Council how city sewers are being used by Hixson Utility for Mr. Sheble's water service.

- Chairman Mitchell asked Mr. Sheble to meet with Attorney Hinton after this meeting to discuss his billing concerns. Mr. Sheble agreed.
- **Mark Mullins (Fairfax Heights/Lupton City/Bagwell City)** – He is dissatisfied with the city’s sewage tank to be built 20 yard lines away from his neighbor’s yard. He displayed a photo that had been shown to the community that, he feels, does not accurately show the tank’s proximity to residential properties. He agrees with the solution, but not the location.
- **Danny Grimmet (Bagwell City)** – He has lived in Bagwell City for over 30 years and read statements he had drafted about the city’s sewage tank near his yard. He asked that the City give “due diligence” to this construction project because of the odor, raw sewage and mosquito related to the tank. He would like to see the field logs to see why this location was chosen so close their homes. He informed the Council of raw sewage and other environmental hazards. He informed the Council of 122 signatures of residents in the community who do not want to live next to the tank.
 - Mr. Grimmet gave a copy of his written statement to Chairman Mitchell.
- **Rick Carpenter (E. Brainerd)** – He voiced concerns about untreated waste getting into water for public consumption via a pipe coming from Soddy Daisy to Chattanooga. He told the Council that this pipe was under the Hamilton County Water and Wastewater Treatment Authority (WWTA) and questioned why the WWTA is not in the city’s jurisdiction.

ADJOURNMENT

Chairman Mitchell adjourned this meeting of the Chattanooga City Council until Tuesday, June 20, 2017, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL