



City Council Building  
Chattanooga, Tennessee  
**COUNCIL MEETING MINUTES**  
June 27, 2017  
6:00 PM

## **CALL TO ORDER**

Vice-Chairman Ken Smith called the meeting to order with a quorum present, including Council members 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. Council Chairman Jerry Mitchell was not present.

## **PLEDGE OF ALLEGIANCE**

Councilman Ledford led the Assembly in the Pledge of Allegiance and read a prayer for the invocation.

## **APPROVAL OF LAST MINUTES**

**On motion of Councilman Gilbert and seconded by Councilman Henderson**, the minutes of the last meeting (June 20, 2017) were approved as published.

## **SPECIAL PRESENTATIONS (2):**

**CIO Excellence Awards Presented to:**  
**“Steve Porter (Public Works)” and “Lt. Johnathan Chambers (Police)”**  
Presented by Brent Messer, CIO

Mr. Messer presented the CIO Excellence Award to Lt. Chambers (Coin No. 4) of the Police Department for his work with DIT staff at the Real-Time Intelligence Center (RTIC). He also presented the CIO Excellence Award to Steve Porter (Coin No. 14) of Public Works for his work in thwarting a major power outage on May 3, 2017 at the city’s data center.

**CPD Equipment Recognition Presentation**  
*Presented by Deputy Chief David Roddy*

Vice-Chairman Smith invited Deputy Chief Roddy to give a presentation on the Ballistic Helmets and Ballistic Plates acquired by CPD after Council approval. Fire Chief James (Chris) Adams was also present with him during the presentation and, at the request of Councilman Henderson, discussed the bullet proof vests acquired for firefighters as well.

**ORDINANCES – FINAL READING:**

On motion of Councilman Henderson and seconded by Councilwoman Berz,

**ORDINANCE #13191**

**AN ORDINANCE TO AMEND ORDINANCE NO. 12618, CHATTANOOGA CITY CODE, CHAPTER 17, ARTICLE I, SECTION 17-1, RELATIVE TO THE ADOPTION OF THE INTERNATIONAL FIRE CODE, 2012 EDITION AND 2012 NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 101 LIFE SAFETY CODE, AS AMENDED, FOR CERTAIN SPECIFIED OCCUPANCIES, INCLUDING EXISTING BUILDINGS.**

**ACTION: APPROVED**

**ORDINANCES – FIRST READING:**

On motion of Councilman Byrd and seconded by Councilman Ledford,

**ORDINANCE #13192**

**AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF CHATTANOOGA, AND ALL ACTS, ORDINANCES, AND OTHER CHARTER PROVISIONS AMENDATORY HEREOF, PURSUANT TO THE PROVISIONS OF ARTICLE XI, SECTION 9, OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT) SO AS TO CHANGE THE CITY CHARTER BY AMENDING THE FIRST SENTENCE RELATED TO SECTION 3.1 TO REPEAL THE FIRST SENTENCE OF SECTION 3.1 OF THE CHARTER AS WRITTEN.**

**ACTION: PASSED ON FIRST READING**

**2017-066**

**Coachworks at the Club, LLC**

**Alternate Version**

**District No. 3**

On motion of Councilman Ledford and seconded by Councilman Henderson,

**ORDINANCE #13193**

**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 M-1 MANUFACTURING ZONE.**

Vice-Chairman Smith instructed the Clerk to read the Alternate Version of this item. The Applicant was present, but no Opposition present in the Assembly. **Councilman Ledford moved** to approve, seconded by Councilman Henderson. John Bridger, Executive

Director of the Regional Planning Agency, recommended amending to add a condition. **Councilman Ledford moved to reconsider, seconded by Councilman Henderson. Councilman Henderson moved** to amend to “*limit the use to recreational vehicles sales only.*” He was seconded by Councilman Ledford. The motion carried. **Councilwoman Berz moved** to approve as amended, seconded by Councilman Ledford. The motion carried.

**ACTION: PASSED ON FIRST READING;  
AS AMENDED**

A hearing ensued on the following:

**ORDINANCE #13194**

**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.**

Mr. Bridger discussed the draft in which the Council would be considering and confirmed for Councilwoman Berz that this was the draft from two weeks ago that included the original urban overlay and Lookout Valley. He also confirmed for Councilman Gilbert that the present draft excluded all of District 5.

Vice-Chairman Smith informed the Assembly that the Council held a public hearing earlier today at 3:00 p.m. to hear from constituents for and against this ordinance. This meeting, he allotted nine minutes total for individuals for and against the ordinance to address the Council. After Attorney Hinton read the rules for addressing the Council, Vice-Chairman Smith made a point of clarification and stated his intent to allow 9 minutes for those in favor of the ordinance and 9 minutes for those in opposition to the ordinance. He also ruled to allow individuals who spoke at the public hearing earlier today to speak once all other new speakers had addressed the Council on this specific agenda item.

Speakers In Favor of the Ordinance:

- **Bill Lockheart (District 7)** – He favors regulation of STVR and believes the STVR boundary is fair. He and his wife have hosted several guests who have relocated to Chattanooga after their stay.
- **Blake Bozarth (District 9)** – He encourages passage of the ordinance because he and his wife are Airbnb hosts in Highland Park. He believes that STVR properties are better maintained than most other rental units and are a good way to promote a community. He believes there is unfounded fear about STVR, but says those fears are not unique to Airbnb.
- **Lexi Bozarth (District 9)** – As an Airbnb host, she has hosted over 200 guests in her previous home. She shared how impactful being a host is for economic security. She loves showing off her community and noted that several of her guests have relocated to Chattanooga.

- **Farren Gilbert (District 2)** – She is an Airbnb host and the president of her neighborhood association. She operates an owner-occupied STVR near GPS. She discussed the communication and comradery between hosts throughout the community and discussed holding other hosts responsible for their actions.

Speakers in Opposition to the Ordinance:

- **David Tullis (Chattanooga)** – He opposes the STVR overlay because, he feels, the boundaries are “arbitrary and capricious.” He feels that the STVR overlay is unfair because it limits a free market with its boundaries.
- **Mark Fowler (Chattanooga)** – He attended the STVR forum two weeks ago and wanted the Council to consider the rules related to proximity to schools for certain businesses. He asks that notes from the forum be added to the ordinance.
- **Phillip Lane (District 4)** – He opposes the current legislation because it does not include large acreages. He asked the Council for a large lot exception. He feels that he and other other large lot owners are being ignored and excluded from the overlay.
- **Billy Reynolds (District 9)** – He does not want Glenwood excluded from the STVR boundaries. He argued that only a few Glenwood residents opposed this ordinance. He asked the Council to amend the ordinance by putting Glenwood in the STVR boundaries.

**Councilman Henderson moved** to approve the original draft from June 13, 2017. He was seconded by Councilwoman Berz. Councilman Gilbert confirmed that District 5 is out of the overlay. Mr. Bridger confirmed that District 5 is not in the overlay.

**Councilman Ledford moved** to amend Section 11-472 to state the following: *“Short-term vacation rentals shall only be located within the Short-Term Vacation Rental District, except for lots with an area that is equal to or greater than 10 acres.”* He was seconded by Councilwoman Coonrod. Councilman Ledford explained how this amendment is an answer to some of the questions regarding proximity. Upon no further questions, **the motion failed upon roll call vote as follows:**

<b>BERZ</b>	<b>No</b>	<b>HENDERSON</b>	<b>No</b>
<b>BYRD</b>	<b>No</b>	<b>LEDFORD</b>	<b>Yes</b>
<b>COONROD</b>	<b>Yes</b>	<b>OGLESBY</b>	<b>No</b>
<b>GILBERT</b>	<b>No</b>	<b>SMITH</b>	<b>Yes</b>

<b>YES – Three (3); NO – Five (5)</b>
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**Councilwoman Coonrod moved** to amend to add Glenwood into the overlay. She was seconded by Councilman Ledford. Vice-Chairman Smith clarified that she was wanting to include the entire area of Glenwood into the map. Councilwoman Coonrod confirmed that. Councilwoman Berz asked for clarification that Councilwoman Coonrod wanted to now include the one tract in Glenwood that originally excluded from the overlay. Councilwoman Coonrod confirmed that.

Upon no further discussion, **the motion failed upon roll call vote as follows:**

<b>BERZ</b>	<b>No</b>	<b>HENDERSON</b>	<b>No</b>
<b>BYRD</b>	<b>No</b>	<b>LEDFORD</b>	<b>Yes</b>
<b>COONROD</b>	<b>Yes</b>	<b>OGLESBY</b>	<b>No</b>
<b>GILBERT</b>	<b>No</b>	<b>SMITH</b>	<b>Yes</b>

**YES – Three (3); NO – Five (5)**

Councilman Henderson called the *question*. Vice-Chairman Smith called for a roll call vote on the original motion by Councilman Henderson. **The motion carried upon roll call vote as follows:**

<b>OGLESBY</b>	<b>Yes</b>	<b>COONROD</b>	<b>No</b>
<b>LEDFORD</b>	<b>Yes</b>	<b>BYRD</b>	<b>Yes</b>
<b>HENDERSON</b>	<b>Yes</b>	<b>BERZ</b>	<b>Yes</b>
<b>GILBERT</b>	<b>Yes</b>	<b>SMITH</b>	<b>Yes</b>

**YES – Seven (7); NO – One (1)**

**ACTION: PASSED ON FIRST READING**

#### **RESOLUTIONS:**

On motion of Councilman Henderson and seconded by Councilman Ledford,

##### **RESOLUTION #29080**

**A RESOLUTION AUTHORIZING THE CHATTANOOGA FIRE DEPARTMENT TO ACCEPT A REIMBURSEMENT FROM THE CITY OF PIGEON FORGE FOR LABOR AND EQUIPMENT USED DURING THE PIGEON FORGE TEMA FIRES IN NOVEMBER AND DECEMBER OF 2016, IN THE AMOUNT OF \$28,872.10.**

**ACTION: ADOPTED**

On motion of Councilman Gilbert and seconded by Councilwoman Berz,

##### **RESOLUTION #29081**

**A RESOLUTION AUTHORIZING THE DIRECTOR OF HUMAN RESOURCES TO RENEW THE EXISTING AGREEMENT WITH VOYA (RELIASTAR) TO PROVIDE LONG-TERM DISABILITY INSURANCE, GROUP LIFE INSURANCE AND ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE, FMLA LEAVE MANAGEMENT SYSTEM, VOLUNTARY SUPPLEMENTAL LIFE AND VOLUNTARY SHORT-TERM DISABILITY INSURANCE FOR THE FINAL YEAR OF A FIVE (5) YEAR CONTRACT TO COVER THE COST OF THE EMPLOYEE PREMIUMS FOR SUPPLEMENTAL LIFE AND SHORT-TERM DISABILITY, AS WELL AS THE GENERAL PENSION BOARD PREMIUMS FOR LONG-TERM DISABILITY, AND TO INCREASE PURCHASE ORDER NO. 522050 TO \$1,350,000.00.**

**ACTION: ADOPTED**

On motion of Councilwoman Berz and seconded by Councilman Ledford,

**RESOLUTION #29082**

**A RESOLUTION ADOPTING A PUBLIC RECORDS POLICY PURSUANT TO TENN. CODE ANN. SECTION 10-7-503(G), EVERY GOVERNMENTAL ENTITY SUBJECT TO THE TENNESSEE PUBLIC RECORDS ACT (“TPRA”) MUST ESTABLISH A WRITTEN PUBLIC RECORDS POLICY PROPERLY ADOPTED BY THE APPROPRIATE GOVERNING AUTHORITY BY JULY 1, 2017.**

**ACTION: ADOPTED**

On motion of Councilman Gilbert and seconded by Councilman Henderson,

**RESOLUTION #29083**

**A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. W-12-022-201 TO INSITUFORM TECHNOLOGIES, LLC OF LAVERGNE, TN, CONSENT DECREE CONTRACT, SEWER REHABILITATION FOR SOUTH CHICKAMAUGA CREEK SUB-BASIN 1, IN THE AMOUNT OF \$1,828,305.25, WITH A CONTINGENCY AMOUNT OF \$100,000.00, FOR AN AMOUNT NOT TO EXCEED \$1,928,305.25, SUBJECT TO SRF LOAN APPROVAL.**

**ACTION: ADOPTED**

On motion of Councilman Byrd and seconded by Councilman Coonrod,

**RESOLUTION #29084**

**A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 FOR BURNS AND MCDONNELL ENGINEERING COMPANY, INC. FOR PROFESSIONAL SERVICES RELATIVE TO CONTRACT NO. W-16-013-101, CITICO PUMP STATION RELIABILITY IMPROVEMENTS, A CONSENT DECREE SUPPORTED PROJECT, FOR AN INCREASED AMOUNT OF \$97,000.00, FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED \$1,124,850.00.**

**ACTION: ADOPTED**

On motion of Councilman Byrd and seconded by Councilwoman Berz,

**RESOLUTION #29085**

**A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 2 (FINAL) FOR RAINES BROTHERS, INC. OF CHATTANOOGA, TN, RELATIVE TO CONTRACT NO. P-16-002-201, REAL TIME INVESTIGATION CENTER (RTIC) RENOVATION PROJECTS, FOR A DECREASED AMOUNT OF \$4,602.57, FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED \$149,794.70.**

**ACTION: ADOPTED**

On motion of Councilwoman Berz and seconded by Councilman Oglesby,

**RESOLUTION #29086**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) WITH ERLANGER HEALTH SYSTEMS FOR THE REPAIR AND MAINTENANCE OF ERLANGER VEHICLES, AT THE STANDARD GARAGE RATE OF \$72.00 PER LABOR HOUR AND 25% MARKUP ON PARTS.**

**ACTION: ADOPTED**

**RESOLUTION #29087**

**A RESOLUTION TO RESCIND RESOLUTION NO. 28030 TO REVOKE TEMPORARY USE PERMIT NO. 136403 FOR AN ALLEYWAY ADJACENT TO THE PROPERTY LOCATED AT 538 CHEROKEE BOULEVARD.**

Councilman Byrd wished to move to amend, but Attorney Hinton advised that a main motion must be made first. **Councilman Ledford moved** to approve, seconded by Councilman Oglesby. The motion carried. **Councilman Byrd moved** to amend to vacate to September 1, 2017. Councilman Ledford seconded.

A discussion ensued, with Councilman Henderson indicating that he has did not hear arguments to amend during the Council's 3:00 p.m. committee meeting. Councilman Henderson asked Blythe Bailey, Transportation Administrator, if there would be any problem with Transportation if it was amended until September. Mr. Bailey explained the usual amount of time is 30 days, but did not foresee a problem with an extension. Councilman Byrd explained his amendment due to the property owner being ready to move to a new building by September 1. Councilman Smith requested to hear from the owner.

- **John McClellan (538 Cherokee Blvd.)** – He confirmed needing enough time to finish their project across the street. He also confirmed for Councilman Henderson that he would take down the deck before vacating the premises.

Councilman Byrd's motion carried. The original motion passed as amended.

**ACTION: ADOPTED AS AMENDED**

**PURCHASES:**

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

**PO539227 - Fire Department**

Estimated \$60,000 Annually

Blanket Contract Renewal for Firefighter's Station  
and Dress Uniforms

Lowest/Best Bidder: Summit Uniforms Solutions Inc  
2901 East Magnolia Ave.  
Knoxville, TN 37914

**PO535195 - Human Resources**

Estimated \$470,000 for Renewal Period

Blanket Contract Renewal for Temporary  
Employment Services

Lowest/Best Bidder: Outsource Staffing LLC  
701 Cherokee Blvd, Ste. 101  
Chattanooga, TN 37405

**R154282 - Human Resources**

Estimated \$400,000 Annually

New Blanket Contract for Stop Loss Insurance

Lowest/Best Bidder: Blue Cross-Blue Shield of Tennessee Inc  
1 Cameron Hill Circle  
Chattanooga, TN 37421

**PO533267 & 533268 - Mayor's Office**

Total Estimated \$250,000 Annually

Blanket Contract Renewal for Natural Gas Service-  
City Wide

Lowest/Best Bidder:

1. Chattanooga Gas, an AGL Resources Company – P.O. Box 5408, Carol Stream, IL 60197
2. SouthStar Energy Services LLC - PO Box 945785, Atlanta, GA 30394

**R154288 - Public Works**

Estimated \$90,000 Annually

New Blanket Contract for Manhole Components

Lowest/Best Bidder: Acheson Foundry  
511 West 38th Street  
Chattanooga, TN 37409

**PO528163 - Public Works**

New Total Estimated \$4,250,000 Annually

Increase of Authorized Expenditure on Blanket  
Contract for Liquid Calcium Nitrate - Waste Resources Division

Lowest/Best Bidder: Evoqua Water Technologies LLC  
2650 Tallevast Rd.  
Sarasota, FL 34243

**PO527058 - Public Works**

(No Foreseeable Estimated Spend  
Increase is Requested)

Extension of Blanket Contract for  
Security Guard Services

Lowest/Best Bidder: SEI Inc  
5811 Lee Highway, Ste. 403  
Chattanooga, TN 37421

**PO531454 - Public Works**

New Total Estimated \$600,000 Annually

Increase of Authorized Expenditure on Blanket  
Contract for Programmable Logic Controller  
Services - Waste Resources Division

Lowest/Best Bidder: Adman Electric Company  
2311 E 23rd St.  
Chattanooga, TN 37407



**PO534176 - Public Works**

Estimated \$800,000 Annually

Blanket Contract Renewal for Emulsion Polymer –

Waste Resources Division

Lowest/Best Bidder: BASF Corporation

100 Park Ave.

Florham Park, NJ 07932

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

**ACTION: ALL PURCHASES APPROVED**

**OTHER BUSINESS:**

**Foxwood Plaza Update**

Councilman Gilbert informed the Council that he met last week with a young man who will provide an opportunity for Districts 5 and 9 to revitalize the Foxwood Plaza. They are planning a daycare and other businesses for the plaza.

**City Attorney’s Report**

Attorney Hinton asked the Council to approve a resolution authorizing the City to settle a claim for \$60,047.68 to Brandon Zienowicz, Cecelia Cameron and Dana Powell regarding sewage backup that damaged their property.

On motion of Councilman Henderson and seconded by Councilman Ledford,

**RESOLUTION #29088**

**A RESOLUTION AUTHORIZING THE CITY OF CHATTANOOGA TO SETTLE A CLAIM BY BRANDON ZIENOWICZ, CECELIA CAMERON, AND DANA POWELL, SUBJECT TO THE EXECUTION OF A GENERAL RELEASE OF ALL CLAIMS AND DISMISSAL, WITH PREJUDICE, FOR SEWAGE BACKUP LOCATED AT 3302 PINWOOD AVENUE, IN THE AMOUNT OF SIXTY THOUSAND FORTY-SEVEN AND 68/100 DOLLARS (\$60,047.68).**

**ACTION: ADOPTED**

**COMMITTEE REPORTS:**

*Budget and Finance Committee*

Councilman Henderson

(No report)

*Economic and Community Development Committee*

Councilman Oglesby

(No report)

*HR Committee (Human Resources)*  
Councilman Gilbert  
(No report)

*Planning and Zoning Committee*  
Councilman Ledford

- The committee met today to discuss zoning items.

*Public Safety Committee*  
Councilman Byrd reported:

- There will be a committee on July 18, 2017. Councilman Henderson explained that he will bring forth an amendment to the sound ordinance and asked for it to be placed in Public Safety Committee for review.

*Public Works and Transportation Committee*  
Councilwoman Berz  
(No report)

*Youth and Family Development Committee*  
Councilwoman Coonrod  
(No report)

*Information Technology Committee*  
Vice-Chairman Smith reported:

- The committee met today for an introduction to the small cell ordinance. The ordinance will come before the Council for first reading on July 11.

## **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, Vice-Chairman Smith recognized the following persons:

- **Monty Bell (Chattanooga)** – He asked the Council to consider his open letter from April submitted to the Council that, in part, referred to the need for a suitable police chief. He recommended Assistant Chief McPherson as a person of great character for the city's police chief. He also asked Councilwoman Coonrod to locate a student named Rashayma Williams. He asked her assistance in locating Ms. Williams and helping to secure an automobile for Ms. Williams prior to going to college.
- **Dennis Clark (Chattanooga)** – He informed the Council that his brother was murdered in Avondale at a night club, and that today would have been his 29<sup>th</sup> birthday. His brother was the 21<sup>st</sup> homicide in the city in 2016. He asked the Council to increase funding for violence prevention programs. He also requested a 30-second moment of silence to remember victims and their families.
  - Councilwoman Coonrod thanked Mr. Clark for sharing his story about his brother and spoke on losing her fiancée to violence at a gas station. She called for an end to violence “by any means necessary” in District 9.
  - Mr. Clark discussed how violence in the community is a public health issue. He challenged the Council to reassess funding to see how it impacts the community.

- **Cynthia Stanley-Cash (President, North Brainerd Neighborhood Association)** –She asked the City Attorney to clarify the 30-day limit for non-agenda speakers. She also thanked Councilman Gilbert for his standing up for District 5 and making it clear how the district stood on short-term vacation rentals.
- **James Gilliam (Chattanooga)** – He informed the Council of going to the Eastdale YFD Center and finding children without adult supervision. He asked the city to hire more adults for the center. He also asked the Council to help him with cleaning up neighborhoods. He encouraged the Council to consider Assistant Chief McPherson for police chief because he understands crime and is respected in the community.
  - Councilwoman Coonrod asked Mr. Gilliam to clarify about his cleanup services. She also asked YFD Administrator, Lurone Jennings, about how many staff they have at Eastdale. Mr. Jennings informed the Council of the ratio of students to staff persons, but offered to check on the incident that Mr. Gilliam presented.

## **ADJOURNMENT**

**On motion of Councilman Henderson,** Vice-Chairman Smith adjourned the meeting of the Chattanooga City Council until Tuesday, July 11, 2017, at 6:00 p.m. *[Editing Note: There will be no meeting on Tuesday, July 4, 2017 due to the holiday observance.]*

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**VICE-CHAIRMAN**

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**CLERK OF COUNCIL**