



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
June 28, 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. City Attorney Wade Hinton and Council Clerk Nicole Gwyn, CMC, were also present.

PLEDGE OF ALLEGIANCE

Councilman Hakeem led the Assembly in the Pledge of Allegiance. He read Hebrews 10:24-25 before giving the invocation.

APPROVAL OF LAST MINUTES

On motion of Councilman Anderson and seconded by Councilman Gilbert, the minutes of the last meeting (June 21, 2016) were approved as published.

ORDINANCES – FINAL READING:

On motion of Councilwoman Berz and seconded by Councilman Anderson,

ORDINANCE #13072

AN ORDINANCE HEREINAFTER ALSO KNOWN AS “THE FISCAL YEAR 2016-2017 OPERATIONS BUDGET ORDINANCE”, TO PROVIDE REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 2016, AND ENDING JUNE 30, 2017; APPROPRIATING SAME TO THE PAYMENT OF EXPENSES OF THE MUNICIPAL GOVERNMENT; FIXING THE RATE OF TAXATION ON ALL TAXABLE PROPERTY IN THE CITY, AND THE TIME TAXES AND PRIVILEGES ARE DUE, HOW THEY SHALL BE PAID, WHEN THEY SHALL BECOME DELINQUENT; PROVIDING FOR INTEREST AND PENALTY ON DELINQUENT TAXES AND PRIVILEGES; AND TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 2, SECTION 2-267, RELATIVE TO PAID LEAVE FOR ACTIVE-DUTY TRAINING AND TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 31, SECTIONS 31-36, 31-37, 31-41, AND 31-43.

ACTION: APPROVED

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

ORDINANCE #13073

AN ORDINANCE TO AMEND THE CHATTANOOGA CITY CODE, PART II, CHAPTER 38 ZONING, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE SPECIFIC PROPERTIES WITHIN THE DOWNTOWN CHATTANOOGA FORM-BASED CODE BOUNDARY, MORE PARTICULARLY DESCRIBED HEREIN AND IN THE DOWNTOWN ZONING STUDY ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE FROM C-7 NORTH SHORE COMMERCIAL/MIXED USE ZONE TO E-SH-4 SHOPFRONT MIXED USE ZONE WITH CONDITIONS.

ACTION: APPROVED

On motion of Councilman Anderson and seconded by Councilwoman Berz,

ORDINANCE #13074

AN ORDINANCE AMENDING ORDINANCE NO. 13067 TO REFLECT THE CLOSING AND ABANDONING A PART OF THE RIGHT-OF-WAY LOCATED IN THE 300 BLOCK OF EAST 37TH STREET AND TWO (2) UNOPENED ALLEYS, DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

Greg Haynes, Regional Planning's Director of Development Services, gave an overview of this case that included a slide presentation. A discussion ensued about the seven (7) conditions. Councilman Grohn also discussed his visits to the site with the city's arborist, Mike Price (on behalf of the developer) and Mr. Price's landscape designer. He noted that he was satisfied with the discussions that took place at the site visits during the deferral period on this item. Mr. Price also confirmed for Councilwoman Berz that the developer will be responsible for widening the road. After all discussion, the motion carried.

ACTION: APPROVED

ORDINANCES – FIRST READING:

On motion of Councilman Anderson and seconded by Councilman Hakeem,

ORDINANCE #13075

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 5, SECTIONS 5-75 AND 5-108, RELATIVE TO ALCOHOLIC BEVERAGES AND THE FORM-BASED CODE.

ACTION: PASSED ON FIRST READING

On motion of Councilman Anderson and seconded by Councilwoman Berz,

ORDINANCE #13076

AN ORDINANCE APPROPRIATING, AUTHORIZING OR ALLOCATING FUNDS TO THE CAPITAL IMPROVEMENTS BUDGET FOR FISCAL YEARS 2016-2017 AND TO AMEND THE FISCAL YEAR 2016-2017 OPERATIONS BUDGET ORDINANCE NO. 13072.

ACTION: PASSED ON FIRST READING

2016-070
Southeast Medical Properties, II, LLC
District No. 4
Planning Version #3

On motion of Councilman Grohn and seconded by Councilman Smith,

ORDINANCE #13077

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 7127 IGOU GAP ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

On motion of Councilman Gilbert and seconded by Councilman Hakeem,

RESOLUTION #28659

A RESOLUTION AMENDING RESOLUTION NO. 28649 DECLARING SURPLUS AND AUTHORIZING THE MAYOR TO EXECUTE A QUITCLAIM DEED TO DONATE TO THE TENNESSEE VALLEY RAILROAD MUSEUM THE INTEREST OF THE CITY OF CHATTANOOGA IN BACK TAX PARCELS 136E-F-011, 137B-A-008, 137H-E-003, AND 136L-S-005.01, AND TO ADD PARCEL NUMBER 137B-B-025 AS JOINTLY-OWNED BY THE CITY OF CHATTANOOGA AND HAMILTON COUNTY, WITH ALL FIVE (5) AMENDED PROPERTIES HAVING A TOTAL ASSESSED VALUE OF \$19,800.00.

ACTION: ADOPTED

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

RESOLUTION #28660

A RESOLUTION AUTHORIZING THE DIRECTOR OF HUMAN RESOURCES TO RENEW THE EXISTING AGREEMENT WITH BLUECROSS/BLUESHIELD OF TENNESSEE FOR ADMINISTRATIVE SERVICES AT THE RATE OF \$24.94 PER MEMBER PER MONTH, IN THE AMOUNT OF \$875,000.00.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilman Hakeem,

RESOLUTION #28661

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE LAW ENFORCEMENT OFFICER'S MEMORIAL FUND TO THE POLICE PROGRAMS FUND, IN THE AMOUNT OF \$13,000.00.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilman Hakeem,

RESOLUTION #28662

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR, AND ACCEPT, A 2016 JUSTICE ASSISTANCE GRANT FOR THE PURCHASE OF A FUMING CHAMBER, A PHOTO LAB PRINTER, AND CAMERA EQUIPMENT FOR THE CRIME SCENE UNIT AND ALSO TO PURCHASE EMERGENCY RESPONSE KITS FOR PATROL OFFICERS OF THE CHATTANOOGA POLICE DEPARTMENT, IN THE AMOUNT OF \$138,816.00, WITH \$44,023.00 OF THIS GRANT GOING TO THE HAMILTON COUNTY SHERIFF'S OFFICE.

ACTION: ADOPTED

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

RESOLUTION #28663

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS IS HEREBY AUTHORIZED TO AWARD CONTRACT NO. R-16-005-201, TO TOWER CONSTRUCTION COMPANY, INC. OF CHATTANOOGA, TN, UTILITY SHED CONVERSION PROJECT, IN THE AMOUNT OF \$116,511.00, WITH A CONTINGENCY AMOUNT OF \$12,000.00, FOR AN AMOUNT NOT TO EXCEED \$128,511.00.

ACTION: ADOPTED

On motion of Councilman Smith and seconded by Councilman Gilbert,

RESOLUTION #28664

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AN ACCREDITATION AGREEMENT WITH THE AMERICAN PUBLIC WORKS ASSOCIATION (APWA) FOR FISCAL YEAR 2017 BUDGET, IN THE AMOUNT OF \$15,000.00.

Councilman Anderson noted that this item should not be listed as District 3. Justin Holland, Public Works Administrator confirmed that the district notation was a typographical error.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilwoman Berz,

RESOLUTION #28665

A RESOLUTION AUTHORIZING THE PURCHASE OF DEVELOPMENT RIGHTS FOR A CONSERVATION EASEMENT, IN THE AMOUNT OF \$76,400.00 AND A TEMPORARY CONSTRUCTION EASEMENT, IN THE AMOUNT OF \$5,620.00 FROM YERBEY CONCRETE CONSTRUCTION, INC., RELATED TO THE AGAWELA DRIVE STREAM RESTORATION PROJECT, AND CLOSING FEES, IN THE AMOUNT OF \$669.00, FOR A TOTAL DISBURSEMENT OF \$82,689.00 TO JONES RAULSTON TITLE INSURANCE AGENCY, INC. AND WITH THE AUTHORIZATION FOR THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO THE TRANSACTION.

ACTION: ADOPTED

On motion of Councilman Smith and seconded by Councilman Henderson,

RESOLUTION #28666

A RESOLUTION TO ACCEPT THE QUALIFICATIONS FOR THE ON-CALL BLANKET CONTRACT(S) FOR RESIDENT PROJECT REPRESENTATIVE (RPR) SERVICES, CONTRACT NO. E-16-001-401 FOR (1) AMEC FOSTER WHEELER ENVIRONMENT AND INFRASTRUCTURE, INC.; (2) ARCADIS, US, INC.; (3) ASA ENGINEER AND CONSULTANTS, INC.; (4) BARGE, WAGGONER, SUMNER & CANNON, INC.; (5) CD TECHNICAL SERVICES; (6) CTI ENGINEERS, INC.; (7) MCGILL ASSOCIATES, P.A.; (8) S&ME, INC.; (9) THOMPSON ENGINEERING; (10) VAUGHN & MELTON CONSULTING ENGINEERS, INC.; AND (11) VOLKERT, INC. BASED ON THE FIVE (5) CATEGORIES OF MAJOR CONSTRUCTION DESIGNATION THAT EACH CONSULTANT QUALIFIED FOR, TO ENTER INTO ELEVEN (11), ONE (1) YEAR BLANKET CONTRACTS WITH THESE PROFESSIONAL FIRMS FOR THREE (3) ONE (1) YEAR RENEWABLE OPTIONS FOR PROFESSIONAL SERVICES ESTIMATED AT \$1 MILLION TOTAL ANNUALLY FOR ALL ELEVEN (11) PROFESSIONAL FIRMS FOR USE BY ALL DEPARTMENTS.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilman Smith,

RESOLUTION #28667

A RESOLUTION AUTHORIZING MAIN STREET APARTMENTS, LLC C/O JOHN WISE TO USE TEMPORARILY THE RIGHT-OF-WAY ALONG EAST MAIN STREET AND MARKET STREET ADJACENT TO 26 EAST MAIN STREET TO INSTALL RAILINGS, AWNINGS, AND SIGNAGE, 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 Councilwoman Berz,

RESOLUTION #28668

A RESOLUTION AUTHORIZING ARTECH DESIGN GROUP C/O DAVID HUDSON, AGENT FOR THE PROPERTY OWNER, ROSS HOTEL PARTNERS C/O TIFFANIE ROBINSON, TO USE TEMPORARILY THE RIGHT-OF-WAY ALONG GEORGIA AVENUE AND PATTEN PARKWAY ADJACENT TO 818 GEORGIA AVENUE TO INSTALL GREASE TRAPS, CANOPIES, AND BALCONIES, 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 #28669

A RESOLUTION AUTHORIZING COGENT STUDIO, LLC C/O AARON COLE, AGENT FOR THE PROPERTY OWNER, SOHOTEL, LLC C/O SEIJA OJANPERA, TO USE TEMPORARILY THE RIGHT-OF-WAY ALONG EAST 10TH STREET AND CUSTOM STREET ADJACENT TO 210 EAST 10TH STREET TO INSTALL RAMP AND UPDATE EXISTING CANOPIES AND OUTDOOR DINING 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 Hakeem and seconded by Councilman Anderson,

RESOLUTION #28670

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO APPLY FOR A CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT (CMAQ) GRANT FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION TO DESIGN AND CONSTRUCT THE 33RD RAIL-TO-TRAIL SHARED USE PATH, WITH THE CITY'S PORTION FOR AN AMOUNT NOT TO EXCEED \$440,000.00, FOR A TOTAL AMOUNT NOT TO EXCEED \$2,200,000.00.

Councilman Henderson asked about the number of residents served by the Alton Park Connector. Bertran Kuyrkendall, City Transportation Engineer, responded with the number of bikers and walkers served by the connector. Further discussion ensued about the CMAQ modeling and the usage rate of the residential count.

The motion carried upon roll call vote as follows:

ANDERSON	Yes	HENDERSON	No
BERZ	Yes	MITCHELL	Yes
GILBERT	Yes	SMITH	No
GROHN	No	FREEMAN	Yes
HAKEEM	Yes		

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilman Smith,

RESOLUTION #28671

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION, ON BEHALF OF THE CHATTANOOGA AREA REGIONAL TRANSPORTATION AUTHORITY (CARTA), TO APPLY FOR A MOBILITY ON DEMAND (MOD) SANDBOX PROGRAM GRANT FROM THE FEDERAL TRANSIT ADMINISTRATION TO IMPLEMENT A MICROTRANSIT AND MOBILE FARE PAYMENT PROJECT, WITH THE CITY'S PORTION FOR AN AMOUNT NOT TO EXCEED \$75,000.00, FOR A TOTAL AMOUNT NOT TO EXCEED \$750,000.00.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Chattanooga Fire Dept.

Fire Chief Chris Adams introduced Chief Phil Hyman, who gave a presentation on the CFD's Training Division. He discussed the following:

- Training Instructors/fire Service Experience
- What does the Fire Training Division do for Firefighters?
- Mandated Responsibilities of the Fire Training Division
- What are the Cost Savings?
- State Fire Training is Expensive
- What is the Benefit of a Fire Training Center?

After the presentation, Chiefs Adams and Hyman responded to the following questions:

- Have we filled the gaps in training?
- Is the station school development college-level?
- Is CFD Sending officer for additional specialized training?
- Is Officer Braun back on duty?

Chief Adams also spoke on the additional training opportunities outside of CFD. He also plugged the Blood Assurance and discussed his video cameo.

Purchases

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

PO 516248 - Public Works Estimated \$50,000 Annually

Blanket Contract Extension for Concrete Manhole
Components Public Works Department
Lowest/Best Bidder: Forterra Building Products
511 East John Carpenter Fwy., 6th Floor
Irving, TX 75062

PO 517043 - Public Works Estimated \$75,000 Annually

Blanket Contract Extension for Household Hazardous
Waste Disposal Public Works Department
Lowest/Best Bidder: Environmental Enterprises, Inc.
4650 Spring Grove Ave.
Cincinnati, OH 45232

PO 522278 - Public Works Estimated \$80,000 Annually

Blanket Contract Extension for Mowing at Landfills
Public Works Department
Lowest/Best Bidder: Lovin Contracting
P.O. Box 758
Robbinsville, NC 28771

R137261 - Public Works \$36,844 plus Freight

Purchase of Flottweg Centrifuge Parts
Waste Resources Division
Lowest/Best Bidder: Flottweg Separation Technology
10700 Toebben Dr.
Independence, KY 41051

PO 528172 - Public Works

Estimated \$80,000 Annually

Blanket Contract Renewal for Safety Shoes
Waste Resources Division
Lowest/Best Bidder: Sears Shoe Store
2778 Lafayette Rd.
Ft. Oglethorpe, GA 30742

PO 534084 - Public Works

Estimated \$40,000 Annually

Blanket Contract Renewal for Repair, Reconditioning
& Replacement of Variable Frequency Drives,
Direct Current Drives and Electronic Circuit Boards
Waste Resources Division
Lowest/Best Bidder: Rome Electrical Motor Works
36 Westside Industrial Blvd.
Rome, GA 30165

PO 534483 - Public Works

Estimated \$100,000 Annually

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

PO 534895 - Public Works

Estimated \$100,000 Annually

Blanket Contract Renewal for Roof Inspection
& Repair Services Waste Resources Division
Lowest/Best Bidder: JDH Company, Inc.
1133 Main St.
Chattanooga, TN 37408

Councilman Anderson moved to approve, seconded by Councilman Hakeem. The motion carried.

ACTION: APPROVED

OTHER BUSINESS:

Board Appointment

Councilman Mitchell appointed Heather DeGaetano to the Board of Zoning Appeals to represent District 2.

Birthday Wishes

Councilman Gilbert expressed birthday wishes to Councilman Henderson.

COMMITTEE REPORTS:

Audit & I.T. Committee

Councilman Grohn
(No report)

Budget and Finance Committee

Councilwoman Berz

- The final budget work session took place today and was chaired by Councilman Anderson. She also thanked her colleagues for their efforts.

Economic and Community Development Committee

Councilman Anderson
(No report)

HR Committee (Human Resources)

Vice Chair Mitchell
(No report)

Planning & Zoning

Councilman Hakeem

- The committee will meet next Tuesday (July 5) following the 3:00 p.m. Agenda Session.

Public Safety Committee

Councilman Henderson
(No report)

Public Works and Transportation Committee

Councilman Smith

- The committee will meet next Tuesday following the Agenda Session.

Youth and Family Development Committee

Councilman Gilbert
(No report)

Strategic Planning

Chairman Moses Freeman

- He announced that the Strategic Planning session would take place next Tuesday at 1:30 p.m. in the Council's conference room. He asked the Council to notify him of any agenda items that needed to be added for discussion at that meeting.

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 Freeman recognized the following persons:

- **Aja Pryor (UTC)** – She was upset that the Council has had several opportunities to amend the budget to include programs suggested by the People's State of the City.

[Councilman Anderson called a *point of order* because the budget was an agenda item that could not be discussed at this time in the agenda.] She said that the people are outraged and disappointed in the Council. She said that people are hopeless to the point of not showing up to today's meeting.

- **Nathan King (Orchard View)** – He said that people are still dissatisfied with the Council's silence. [Upon speaking about the budget, Chairman Freeman asked Mr. King to respect the Council's rules.] He voiced opposition to the Central Avenue extension and reminded the Council of several factors, such as the Creek people's burial mound in that vicinity.
- **Isabella Longman (Chattanooga)** – She gave a praise report about an elderly man who had wandered from a nursing home and was found by the Chattanooga police at the cemetery. She also informed the Council of shots that had been fired in a street adjacent to the National Cemetery. She commended the police because the matter was resolved without fatalities or injuries.

ADJOURNMENT

On motion of Councilman Anderson, Chairman Freeman adjourned the meeting of the Chattanooga City Council until Tuesday, July 5, 2016, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL