



Electronic-Conducted (Virtual) Minutes
Chattanooga, Tennessee

COUNCIL MEETING MINUTES

July 28, 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. Other panelists present via electronic means: Phil Noblett, City Attorney; Lydia Christoph, Administrative Support; and Nicole Gwyn, Clerk. Video of this open meeting is available [here](#).

PLEDGE OF ALLEGIANCE

Vice-Chairman Smith led the Assembly in the Pledge of Allegiance.

APPROVAL OF LAST MINUTES

On motion of Councilman Oglesby and seconded by Councilman Ledford, the minutes of the last meeting (July 21, 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 Councilman Gilbert,

ORDINANCE #13585

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 26, ARTICLE IV, SECTION 26-91, FEE SCHEDULE – MUNICIPAL GOLF COURSES AND CHAPTER 26, ARTICLE 1, SECTION 26-17, OTHER ACTS PROHIBITED.

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

ACTION: APPROVED

ORDINANCES – FIRST READING: (NONE)

RESOLUTIONS:

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

RESOLUTION #30426

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A FIFTH AMENDMENT TO LEASE AGREEMENT WITH EAST NOOGA, LLC, IN SUBSTANTIALLY THE FORM ATTACHED, FOR A SENIOR ACTIVITY MEETING SPACE IN THE PORTION OF EASTGATE TOWN CENTER AT 5600 BRAINERD ROAD, FOR AN ADDITIONAL TERM OF ONE (1) YEAR, FOR THE AMOUNT OF \$7,048.29 PER MONTH, FOR A TOTAL AMOUNT OF \$84,579.48.

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

ACTION: ADOPTED

PROCEDURAL NOTE: With no objection from the Clerk, Chairman Henderson instructed the Clerk to group and read the next five resolutions [VII(b)-VII(f) on the agenda] for one Council vote.

RESOLUTION #30427

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A FIRST AGREEMENT TO EXERCISE OPTION TO RENEW WITH HELEN ROSS MCNABB CENTER, IN SUBSTANTIALLY THE FORM ATTACHED, FOR 120 SQ. FT. OF OFFICE SPACE IN A PORTION OF THE FAMILY JUSTICE CENTER LOCATED AT 5705 UPTAIN ROAD, IDENTIFIED AS TAX MAP NO. 157M-A-012, FOR AN ADDITIONAL TERM OF TWO (2) YEARS, IN THE AMOUNT OF \$2,640.00.

RESOLUTION #30431

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A FIRST AGREEMENT TO EXERCISE OPTION TO RENEW WITH LEGAL AID OF EAST TENNESSEE, INC., IN SUBSTANTIALLY THE FORM ATTACHED, FOR 454 SQ. FT. OF OFFICE SPACE IN A PORTION OF THE FAMILY JUSTICE CENTER LOCATED AT 5705 UPTAIN ROAD, IDENTIFIED AS TAX MAP NO. 157M-A-012, FOR AN ADDITIONAL TERM OF TWO (2) YEARS, IN THE AMOUNT OF \$9,988.00.

RESOLUTION #30428

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A FIRST AGREEMENT TO EXERCISE OPTION TO RENEW WITH PARTNERSHIP FOR FAMILIES, CHILDREN, AND ADULTS, INC., IN SUBSTANTIALLY THE FORM ATTACHED, FOR 107 SQ. FT. OF OFFICE SPACE IN A PORTION OF THE FAMILY JUSTICE CENTER LOCATED AT 5705 UPTAIN ROAD, IDENTIFIED AS TAX MAP NO. 157M-A-012, FOR AN ADDITIONAL TERM OF TWO (2) YEARS, IN THE AMOUNT OF \$2,354.00.

RESOLUTION #30429

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A FIRST AGREEMENT TO EXERCISE OPTION TO RENEW WITH PREVENT CHILD ABUSE TENNESSEE, IN SUBSTANTIALLY THE FORM ATTACHED, FOR 311 SQ. FT. OF OFFICE SPACE IN A PORTION OF THE FAMILY JUSTICE CENTER LOCATED AT 5705 UPTAIN ROAD, IDENTIFIED AS TAX MAP NO. 157M-A-012, FOR AN ADDITIONAL TERM OF TWO (2) YEARS, IN THE AMOUNT OF \$6,842.00.

RESOLUTION #30430

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A FIRST AGREEMENT TO EXERCISE OPTION TO RENEW WITH SOUTHERN ADVENTIST UNIVERSITY, IN SUBSTANTIALLY THE FORM ATTACHED, FOR 785 SQ. FT. OF OFFICE SPACE IN A PORTION OF THE FAMILY JUSTICE CENTER LOCATED AT 5705 UPTAIN ROAD, IDENTIFIED AS TAX MAP NO. 157M-A-012, FOR AN ADDITIONAL TERM OF TWO (2) YEARS, IN THE AMOUNT OF \$17,270.00.

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

ACTION: RESOLUTIONS 30427 – 30431 ADOPTED

Agenda item VII(g):

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH ERWIN MARINE RIVERFRONT, LLC, IN SUBSTANTIALLY THE FORM ATTACHED, FOR THE LEASE AND MANAGEMENT OF THE ROSS'S LANDING MARINA PROPERTIES, AS DEFINED IN THE LEASE AGREEMENT, FOR A TERM OF TEN (10) YEARS WITH THE OPTION TO RENEW FOR TWO (2) ADDITIONAL TERMS OF FIVE (5) YEARS EACH, WITH RENT AT A SUM EQUAL TO A PERCENTAGE OF THE ANNUAL GROSS REVENUE OF TENANT MADE FROM OR UPON THE PREMISES AT A RENT FACTOR OF THREE AND A HALF (3.5%) PERCENT OF GROSS REVENUE DERIVED FROM THE PREMISES.

Councilman Oglesby moved to approve, seconded by Vice-Chairman Smith. Discussion ensued. Maura Sullivan, Chief Operating Officer, and Richard Beeland, ECD Deputy Administrator, joined the panel to respond to questions on the terms of the current and past lease. They responded to questions on the 20-year length and the termination clause. Once all discussion was complete, **the motion failed (2-7) upon roll call vote as follows:**

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

YES – Two (2); NO – Seven (7)

ACTION: DENIED

PROCEDURAL NOTE: With no objection from the Clerk, Chairman Henderson instructed the Clerk to group and read the next two resolutions [VII(h)-VII(i) on the agenda] for one Council vote.

RESOLUTION #30433

A RESOLUTION AUTHORIZING THE OFFICE OF THE CITY ATTORNEY TO ENGAGE THE VARIOUS LAW FIRMS LISTED BELOW FOR LEGAL SERVICES IN GENERAL LITIGATION MATTERS; CORPORATE, TRANSACTIONAL, INTELLECTUAL PROPERTY & ADMINISTRATIVE MATTERS; LABOR & EMPLOYMENT MATTERS; PLANNING & ZONING MATTERS; AND GOVERNMENT RELATIONS MATTERS FOR THE PERIOD OF JULY 1, 2020 THROUGH JUNE 30, 2021.

RESOLUTION #30434

A RESOLUTION TO CONFIRM THE MAYOR'S REAPPOINTMENT OF TOM SNOW TO THE CHATTANOOGA METROPOLITAN AIRPORT AUTHORITY BOARD.

Councilwoman Berz moved to approve both resolutions. Vice-Chairman Smith seconded. The motion carried unanimously (9-0) upon roll call vote.

ACTION: RESOLUTION 30433 & 30434 ADOPTED

STAFF VERSION

RESOLUTION #30435

A RESOLUTION ADOPTING THE HISTORIC RIVER TO RIDGE AREA PLAN (AREA 3) WITH MODIFICATIONS TO THE FOLLOWING SECTIONS DESCRIBED HEREIN.

Councilman Byrd moved to approve the Staff Version. Vice-Chairman Smith seconded. **Councilman Byrd moved to amend** the Staff Version by adding a clarification. Chairman Henderson allowed Councilwoman Coonrod to read the clarification amendment, as she specified, to the last paragraph of page 119 of the Planning Commission document.

“Place types will only be used by Staff to define a zone. Staff-recommended conditions will be limited to addressing a public safety or nuisance created by the rezoning request as defined by state law T.C.A 13-7-201.”

Councilwoman Coonrod seconded the amendment. The motion carried unanimously (9-0) upon roll call vote.

ACTION: STAFF VERSION ADOPTED AS AMENDED

PROCEDURAL NOTE: With no objection from the Clerk, Chairman Henderson instructed the Clerk to group and read the next three resolutions [VII(k)-VII(m) on the agenda] for one Council vote.

RESOLUTION #30436

A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 5 FOR CH2M HILL ENGINEERS, INC. RELATIVE TO CONTRACT NO. W-15-002-101, FRIARS BRANCH SOUTH CHICKAMAUGA CREEK 5 INTERCEPTOR REHABILITATION, FOR ADDITIONAL PROFESSIONAL SERVICES IN THE AMOUNT OF \$85,316.00, FOR A REVISED CONTRACT AMOUNT OF \$1,229,306.00.

RESOLUTION #30437

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT TO ALLOW FUNDS PREVIOUSLY DONATED TO THE OFFICE OF FAMILY EMPOWERMENT BY CHATTANOOGA GAS TO BE TRANSFERRED TO GREENSPACES TO ADMINISTER THE GRANT PROGRAM TO FAMILIES IMPACTED BY COVID-19 AND TORNADO RECOVERY ON BEHALF OF THE CITY OF CHATTANOOGA'S YOUTH AND FAMILY DEVELOPMENT DEPARTMENT AND CHATTANOOGA GAS, IN THE AMOUNT OF \$60,000.00.

RESOLUTION #30432

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT TO PROVIDE SERVICES TO 200 CHILDREN THROUGH COLLABORATION BETWEEN HEAD START/EARLY HEAD START GRANT AND CHAMBLISS CENTER OF CHILDREN, PRO RE BONA DAY NURSERY, MAURICE KIRBY DAY CARE CENTER, CHILDREN'S ACADEMY FOR EDUCATION AND LEARNING, VOLUNTEER COMMUNITY SCHOOL, CHILDCARE NETWORK (REDLANDS ROAD AND HAMILL ROAD) AND SIGNAL CENTER, FOR A TOTAL AMOUNT OF \$981,349.00.

Councilman Gilbert moved to approve all three resolutions. Councilwoman Coonrod seconded. The motion carried unanimously (9-0) upon roll call vote.

ACTION: RESOLUTIONS 30432, 30436 & 30437 ADOPTED

DEPARTMENTAL REPORTS:

Proposed Purchases

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

- R197207 - Chattanooga Police Department** \$500,000.00
Police Officer Uniforms
Lowest/Best Bidders:
1. Gall's, Inc - 1340 Russell Cave Road, Lexington, KY 40505
2. Summit Uniforms - 2901 East Magnolia Avenue, Knoxville, TN 37914

R199065 - Fleet Management Division, Public Works

\$58,000.00

Fasteners (Nuts, Bolts, Washers)

Lowest/Best Bidders:

1. Hayward Bolt & Specialty Company, Inc. - 2805 S. Orchard Knob Avenue, Chattanooga, TN 37407
2. Southern Fasteners & Supply P.O. Box 26105, Winston-Salem, NC 27114

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

ACTION: ALL PURCHASES APPROVED

OTHER BUSINESS:

Area 3 Plan Thanks

Councilman Byrd thanked everyone for working with his district community members in developing the Area 3 Plan.

Addressing Criticism

Councilwoman Coonrod addressed derogatory social media comments about her actions on the Council. She spoke on ways she has chosen to help empower black people and advised others to read the novel, *Uncle Tom's Cabin*, to learn the story behind the title character.

COMMITTEE REPORTS:

Budget and Finance Committee

Councilwoman Berz

(No report)

Economic and Community Development Committee

Councilman Oglesby

(No report)

Human Resources Committee

Councilman Gilbert

(No report)

Planning and Zoning Committee

Councilman Ledford reported:

- The Planning and Zoning Committee will meet next Tuesday (August 4) after the 3:30 p.m. Agenda Session.

Public Safety Committee

Councilman Byrd reported:

- The committee will meet on August 11, 2020 to hear from Fire Chief Hyman and Police Chief Roddy at that meeting.

Public Works and Transportation Committee

Councilman Mitchell reported:

- The committee will meet next week immediately after the Planning and Zoning Committee.

Youth and Family Development Committee

Councilwoman Coonrod

(No report)

Legislative Committee

Vice-Chairman Smith

- The committee met today [in open meeting via zoom] to discuss the “8 Can’t Wait” resolution. This legislation will be added to the agenda in two weeks (August 11).

RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL

(Listen 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): | District | Primary Topics: |
|---------------------------------------|----------|---|
| • Dr. Everlena Holmes | 9 | Needs of the East Chattanooga community |
| • Marie Mott | 9 | “8 Can’t Wait” / City funds misappropriation |
| • Geraldine Hendley | 8 | Wheeler Ave.-Avondale community needs |
| • Casey Crook | 3 | “8 Can’t Wait” / renters assistance |
| • Marco Samaritoni | 1 | Divesting police uniforms for social services |

ADJOURNMENT

On motion of Vice-Chairman Smith, Chairman Henderson adjourned the meeting of the Chattanooga City Council until Tuesday, August 4, 2020, at 6:00 p.m. [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.]

CHAIRMAN

CLERK OF COUNCIL