



Electronic-Conducted (Virtual) Minutes
Chattanooga, Tennessee

COUNCIL MEETING MINUTES

August 11, 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, and Erskine Oglesby. Others on the panel via electronic means: Phil Noblett, City Attorney; Lydia Christoph, Administrative Support; and Nicole Gwyn, Council Clerk. Councilman Jerry Mitchell was not present at this meeting. Video of the meeting is available on YouTube [here](#).

PLEDGE OF ALLEGIANCE

Councilman Gilbert led the Assembly in the Pledge of Allegiance. He then invited Minister Alexis Gilbert of Live And Not Die Church to give the invocation.

APPROVAL OF LAST MINUTES

On motion of Councilman Gilbert and seconded by Councilman Ledford, the minutes of the last meeting (August 4, 2020) were approved as published. The motion carried unanimously (8-0) upon roll call vote.

ORDINANCES – FINAL READING: (NONE)

ORDINANCES – FIRST READING:

2020-0043
MAP Engineers
Planning Version
District No. 6

On motion of Councilwoman Berz and seconded by Councilman Ledford,

ORDINANCE #13586

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 6402 SHALLOWFORD ROAD, FROM RT-1 RESIDENTIAL TOWNHOUSE ZONE TO R-3 RESIDENTIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

The motion carried unanimously (8-0) upon roll call vote.

ACTION: PASSED ON FIRST READING

2020-0073
3331 St. Elmo GP/Kevin Boehm
Planning Version
District No. 7

On motion of Councilman Oglesby and seconded by Councilman Byrd,

ORDINANCE #13587

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 3331 ST. ELMO AVENUE, FROM M-1 MANUFACTURING ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE.

The motion carried unanimously (8-0) upon roll call vote.

ACTION: PASSED ON FIRST READING

2020-0045
Christine Williams
Planning Version
District No. 8

Agenda Item VI(c):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1515 EAST 14TH STREET, FROM R-1 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.

There were technical difficulties which prevented Regional Planning staff to join the panel to discuss this item. Attorney Noblett discussed the Planning Version condition requiring “*single family detached only.*” **Councilman Byrd moved** to defer one week to August 18, 2020. Vice-Chairman Smith seconded. The motion carried unanimously (8-0) upon roll call vote.

ACTION: DEFERRED TO AUGUST 18, 2020

2020-0079
Douglas Street, LLC c/o Jason Geraci
Planning Version
District No. 8

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

ORDINANCE #13588

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO AMEND CONDITION NO. 4 FROM ORDINANCE NO. 11363 OF PREVIOUS CASE NO. 2002-0132 FOR THE PROPERTY LOCATED AT 811 DOUGLAS STREET, MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.

Councilman Byrd asked Attorney Noblett to read the condition #4 that had been previously added. Attorney Noblett read condition #4 regarding Placement of Equipment:

(a) "All dumpsters and mechanical equipment will be screened from all public rights of way in accordance with at least a maximum of six feet in height and at least 12 inches taller than the equipment;

(b) All four sides of the dumpster shall be screened; and

(c) Screening should consist of opaque solid structure screen fence or wall. No chain link shall be permitted."

After which, the motion carried unanimously (8-0) upon roll call vote.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

On motion of Councilwoman Coonrod and seconded by Councilman Byrd,

RESOLUTION #30443

A RESOLUTION ACKNOWLEDGING THE ACCOMPLISHMENTS OF THE CHATTANOOGA POLICE DEPARTMENT IN CONDUCTING A COMPARISON OF ITS ADOPTED POLICIES WITH #8CANTWAIT PRINCIPLES AND THE RECENT AMENDMENTS BY THE CHIEF OF POLICE CONCERNING OFFICER DUTY TO INTERVENE, STOP AND REPORT OTHER MEMBERS OF THE DEPARTMENT IF THEY ARE OBSERVED TO COMMIT AN UNLAWFUL OR IMPROPER ACT IN THE COURSE OF THEIR DUTIES AS POLICE OFFICERS.

The motion carried unanimously (8-0) upon roll call vote.

ACTION: ADOPTED

Alternate Version #2

On motion of Councilman Oglesby and seconded by Councilman Ledford,

RESOLUTION #30444

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.

Discussion ensued with Attorney Noblett about the changes made to the lease agreement over the past few hours. He discussed the 10-year term and the convenience release at Year 5 that includes a 90-day notice to Council. He also discussed the Audit requirement that has been a part of the agreement from the beginning. Upon no further discussion, the motion carried unanimously (8-0) upon roll call vote.

ACTION: ADOPTED

PROCEDURAL NOTE: With no objection from the Council, Chairman Henderson instructed the Clerk to group and read the next two Information Technology agenda items for one Council vote.

RESOLUTION #30445

A RESOLUTION AUTHORIZING THE CHIEF INFORMATION OFFICER TO INCREASE THE YEARLY SPEND BUDGET ON EXISTING BLANKET CONTRACT #556677 WITH CENTRAL SQUARE TECHNOLOGIES AS PROVIDER OF SOFTWARE, LICENSING, SUPPORT, AND PROFESSIONAL SERVICES ASSOCIATED WITH THE CHATTANOOGA POLICE DEPARTMENT AND FIRE DEPARTMENT BY \$100,000.00, FOR A TOTAL ANNUAL SPEND LIMIT NOT TO EXCEED \$350,000.00.

RESOLUTION #30446

A RESOLUTION AUTHORIZING THE CHIEF INFORMATION OFFICER TO EXERCISE AND RENEW THE EXISTING BLANKET CONTRACT WITH KCI TECHNOLOGIES TO BE PROVIDERS OF SOFTWARE, LICENSING, TECHNOLOGY SUPPORT, AND PROFESSIONAL SERVICES ASSOCIATED WITH CITY WORKS MANAGED/HOSTED SOLUTION, CITYWIDE FROM JULY 18, 2020 THROUGH JULY 17, 2021, FOR AN AMOUNT NOT TO EXCEED \$45,000.00.

Vice-Chairman Smith moved to approve the two resolutions. Councilman Oglesby seconded. The motion carried unanimously (8-0) upon roll call vote.

ACTION: RESOLUTIONS 30445 & 30446 ADOPTED

PROCEDURAL NOTE: Chairman Henderson yielded the chair of this meeting to Vice-Chairman Smith prior to the reading of case number 2020-0080.

2020-0080
Kristina Mallo
District No. 1

Agenda Item VII(e):

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR THE PROPERTY LOCATED AT 811 O'GRADY DRIVE, SUBJECT TO CERTAIN CONDITIONS.

Bryan Shults, RPA's Director of Development Services, joined the panel to brief the Council on this Lookout Valley PUD with 41 housing units and low density residential of five units per acre. There was no Opposition at the Planning Commission. Mr. Shults discussed the number of lots currently allowed in R-1, the setbacks and frontage, and the land use. Chairman Henderson then recognized the Applicant to address the Council.

Applicant:

- **Terry Reynolds** - He informed the Council that the intent of this development is to continue single-family detached housing instead of a duplex, town home, or apartment development. He understands that a PUD would allow for the flexibility to concentrate the cluster of homes and use some of the additional property as amenity space.

Chairman Henderson confirmed that there was no opposition among the attendees who wished to address the Council during this meeting. He informed the Council that he heard from many people in District 1 who were opposed to this PUD, but that attending the electronic-conducted meeting to address the Council was a hindrance for them. He informed the Council that his constituents did not feel this fit the development form of the community surrounding this project. Therefore, **Chairman Henderson** moved to deny. Councilman Ledford seconded. The motion carried unanimously (8-0) upon roll call vote.

ACTION: DENIED

PROCEDURAL NOTES:

- Vice-Chairman Smith yielded the chair of this meeting to Chairman Henderson at this time.
- With no objection from the Council, Chairman Henderson instructed the Clerk to group and read the next three Public Works agenda items for one Council vote.

RESOLUTION #30447

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO ENTER INTO A CONTRACT WITH THE CINCINNATI, NEW ORLEANS, AND TEXAS PACIFIC RAILWAY COMPANY, INCLUDING A ONE-TIME PAYMENT OF \$50,000.00 REQUIRED TO COVER THE RISK FINANCING FEE FOR THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF A WASTEWATER PIPELINE UNDER AND ACROSS THE RAILWAY AND TO ABANDON THE EXISTING WASTEWATER PIPELINE BY A METHOD APPROVED BY THE RAILWAY FOR DUPONT PARKWAY PUMP STATION/COLLECTION SYSTEM (W-12-026) GRAVITY SEWER.

RESOLUTION #30448

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO A ONE (1) YEAR AGREEMENT WITH ADS, LLC FOR FLOW MONITORING AND RAIN GAUGE SERVICES AS PER THE SIGNED CONTRACT DATED SEPTEMBER 29, 2017, WITH TWO (2) ONE (1) YEAR RENEWAL OPTIONS REMAINING, FOR AN AMOUNT NOT TO EXCEED \$1,260,000.00.

RESOLUTION #30449

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE THE CONSENT TO ASSIGNMENT OF ALL PURCHASE ORDERS FOR VENDER NO. 866306, ENCO UTILITY SERVICES TO ENCO TENNESSEE, LLC, RELATIVE TO THE FOLLOWING PURCHASE ORDERS: (1) PO #553122 SEWER BILLING SERVICES; AND (2) PO #556369 CUSTOMER REFUNDS IN CONJUNCTION WITH THE SEWER BILLING SERVICE.

Vice-Chairman Smith moved to approve the three resolutions. Councilman Byrd seconded. The motion carried unanimously (8-0) upon roll call vote.

ACTION: RESOLUTIONS 30447 – 30449 ADOPTED

DEPARTMENTAL REPORTS:

Proposed Purchases

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

R200400 Chattanooga Fire Department \$60,000.00
RAE Systems Equipment Parts & Service
Lowest/Best Bidder: All Safe Industries
11360 Bluegrass Pkwy
Louisville, KY 40299

R199793 City Wide Services Division, Public Works \$400,000.00
Concrete
Lowest/Best Bidder:
1. Ready Mix USA 604 Hudson Road Chattanooga, TN 37405
2. TNT Concrete 996 County Road 20 Calhoun, TN 37309

R199842 Fleet Management Division, Public Works \$50,000.00
Vehicle Preventative Maintenance
Lowest/Best Bidder: Fast Lube
3208 Ringgold Road
East Ridge, TN 37412

Councilman Ledford moved to approve, seconded by Councilman Byrd. The motion carried unanimously (8-0) upon roll call vote.

ACTION: ALL PURCHASES APPROVED

OTHER BUSINESS:

New Early Learning Director

Councilman Ledford informed the Council that today was the last day for Ariel Ford as Director of YFD's Office of Early Learning Director and that had accepted a job in Division of Child Development and Early Education for the State of North Carolina. He wished her well and thanked her for her service. Ms. Ford joined the panel to comment on her time with the City. She informed the Council about Angela Hayes, the new Director of the Early Learning office. Councilwoman Coonrod expressed her thanks for Ms. Ford's service with the City. Lurone Jennings, Administrator for YFD, also joined the panel to publically thank Ms. Ford for her work and to present the new Early Learning Director, Angela Hayes.

911 Employee Policies

Councilman Byrd discussed the misconceptions about the Council's jurisdiction and impact upon county entities. He then informed the Council of an issue where a 911 employee who was reprimanded for their hair color. He asked to hear from the Mayor's executive staff (either Kerry Hayes or Maura Sullivan, as he mentioned) to speak with him offline about 911 policies. Councilman Gilbert echoed Councilman Byrd's sentiments on the fear of retaliation in the workplace and questioned if Hamilton County's HR Department has been involved with this particular matter.

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
(No report)

Public Safety Committee

Councilman Byrd reported:

- The committee met today in open meeting and heard from Fire Chief Hyman on the parking issues and getting emergency vehicles through some of the communities. The Fire Department, along with the Transportation Department and the Police Department will come up with a plan to address those issues. The committee also had an update from Police Chief Roddy on the rising crime in the city, including homicides.

Public Works and Transportation Committee

(Councilman Mitchell not present)

Youth and Family Development Committee

Councilwoman Coonrod
(No report)

Legislative Committee

Vice-Chairman Smith
(No report)

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:

Speaker Name	District	Primary Topics
• Dr. G. Keilan Rickard	7	City essential employees during the pandemic
• Casey Crook	3	Citizen engagement and public discourse
• Dr. Christopher Corley	2	Improving conditions of working class people

ADJOURNMENT

On motion of Councilman Byrd, Chairman Henderson adjourned the meeting of the Chattanooga City Council until Tuesday, August 18, 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