



City Council Building  
Chattanooga, Tennessee  
**COUNCIL MEETING MINUTES**  
August 15, 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. Phil Noblett, Deputy City Attorney, and Nicole Gwyn, Council Clerk, CMC, were also present.

## **PLEDGE OF ALLEGIANCE**

Councilman Henderson led the Assembly in the Pledge of Allegiance. He also read Isaiah 26:3 of the Bible before giving the invocation.

## **APPROVAL OF LAST MINUTES**

**On motion of Councilman Ledford and seconded by Councilman Oglesby**, the minutes of the last meeting (August 8, 2017) were approved as published.

## **ORDINANCES – FINAL READING:**

2017-082  
Andre Shved  
Planning Version  
District No. 2

On motion of Councilman Henderson and seconded by Councilman Gilbert,

### **ORDINANCE #13209**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 308 AND 316 OLIVER STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE AND RT-1 RESIDENTIAL TOWNHOUSE ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

2017-089  
John Coffelt of BC Holdings  
Planning Version  
District No. 7

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

**ORDINANCE #13210**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 5330 TENNESSEE AVENUE AND 525 MCGRATH STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

**ORDINANCE #13211**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 25, ARTICLE III, SECTION 25-67, TO RENUMBER PRESENT SECTION 25-73, AND TO ADD A NEW SECTION 25-73 RELATIVE TO UNLAWFUL NOISES FROM OFF-ROAD VEHICLES.**

Vice-Chairman Smith moved to amend to add language to this effect, *"70 dB(A) for a sustained period not to exceed 30 seconds."* He was seconded by Councilman Ledford. As a rider, Councilman Henderson moved to amend by adding language to this effect: *"The Chattanooga Police Department to monitor the impact for one (1) year and to come back to the Council to give a report."* Councilman Henderson asked Attorney Noblett to prepare the proper language for these amendments. Attorney Noblett read the following amended language:

*"No person shall operate or allow anyone else to operate an off-road vehicle that generates a sound level in excess of 70 dB(A) for a sustained period of thirty (30) seconds which is up to five (5) times during a period of five (5) minutes measured to the boundary line of any adjoining residentially zoned property. The Police Department is directed to monitor the impact of this ordinance on the quiet enjoyment of its residents located within the City. The Police Department will report to the City Council on the impact of this ordinance in approximately one (1) year after this ordinance goes into effect."*

Attorney Noblett confirmed for the Council that the amendments would send the ordinance back to first reading. The motion (to amend) carried. **Councilman Henderson moved** to approve as amended, seconded by Vice-Chairman Smith. The motion carried.

**ACTION: AMENDED AND PASSED  
ON FIRST READING**

**ORDINANCES – FIRST READING:**

On motion of Councilwoman Berz and seconded by Councilwoman Coonrod,

**ORDINANCE #13212**

**AN ORDINANCE AMENDING CHATTANOOGA CITY CODE, CHAPTER 2, ARTICLE II, DIVISION 2, BY ADDING A NEW SECTION 2-49, RELATING TO LEGAL LIABILITY CLAIMS.**

**ACTION: PASSED ON FIRST READING**

**RESOLUTIONS:**

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

**RESOLUTION #29143**

**A RESOLUTION TO AMEND RESOLUTION NO. 26464 BY CHANGING THE LESSOR NAME TO VERTICAL BRIDGE TOWERS, LLC DUE TO THE ACQUISITION OF MID AMERICA TOWERS, INC. AND TO PAY LEASE SUM TO VERTICAL BRIDGE TOWERS, LLC, IN THE AMOUNT OF \$20,293.00 ANNUALLY, FOR A TRANSMITTER SITE LOCATED IN CENTERVILLE, PLUS A THREE (3%) PERCENT INCREASE ANNUALLY, FOR A PERIOD ENDING JULY 1, 2030, FOR A TOTAL AMOUNT OF \$346,750.00.**

**ACTION: ADOPTED**

On motion of Councilman Henderson and seconded by Councilwoman Coonrod,

**RESOLUTION #29144**

**A RESOLUTION TO AMEND RESOLUTION NO. 26120 BY CHANGING THE LESSOR NAME TO COAL CREEK VENTURES, INC. DUE TO THE ACQUISITION OF TENNESSEE VALLEY REGIONAL COMMUNICATIONS SYSTEM AND TO PAY LEASE SUM TO COAL CREEK VENTURES, INC., IN THE AMOUNT OF \$35,000.00 ANNUALLY, FOR TWO (2) TRANSMITTER SITES (WINDROCK AND CROSS MOUNTAIN), FOR THE REMAINING PERIOD OF THREE (3) YEARS, FOR A TERM ENDING JUNE 30, 2020, FOR A TOTAL AMOUNT OF \$105,000.00.**

**ACTION: ADOPTED**

On motion of Councilman Gilbert and seconded by Councilwoman Coonrod,

**RESOLUTION #29145**

**A RESOLUTION AUTHORIZING THE APPOINTMENT OF MATTHEW COOPER, AS A SPECIAL POLICE OFFICER (UNARMED) FOR THE LAND DEVELOPMENT OFFICE, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: ADOPTED**

On motion of Councilman Ledford and seconded by Councilman Oglesby,

**RESOLUTION #29146**

**A RESOLUTION AUTHORIZING THE RENEWAL OF THE CURRENT AGREEMENT WITH CTI ENGINEERS, INC. RELATIVE TO CONTRACT NO. C-16-001-101, PROFESSIONAL SERVICES FOR LANDFILL GROUNDWATER SAMPLING, MONITORING, AND REPORTONG, FOR YEAR ONE (1) OF THE FOUR (4) OPTIONAL YEARS, IN THE AMOUNT OF \$96,100.00, FOR AN AMOUNT NOT TO EXCEED \$212,500.00.**

**ACTION: ADOPTED**

On motion of Councilwoman Berz and seconded by Councilman Ledford,

**RESOLUTION #29147**

**A RESOLUTION AUTHORIZING THE WAIVER OF RENTAL FEES FOR THE USE OF THE WARNER PARK POOL ON SATURDAY, SEPTEMBER 9, 2017, FOR THE MCKAMEY ANIMAL SHELTER ANNUAL DOGGIE POOL PARTY, IN THE AMOUNT OF \$1,332.00.**

**ACTION: ADOPTED**

**PURCHASES:**

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

- |  |                                       |
|--|---------------------------------------|
| <b>R157541 - Information Technology</b>                  | Estimated \$50,000 Annually           |
| New Blanket Contract for Lenovo Certified Repair Service |                                       |
| Lowest/Best Bidder: StayMobile                           |                                       |
| 501 Signal Mountain Road                                 |                                       |
| Chattanooga, TN 37405                                    |                                       |
| <b>PO528172 - Public Works</b>                           | Estimated \$25,000 for Renewal Period |
| Blanket Contract Extension for Safety Shoes –            |                                       |
| Waste Resources Division                                 |                                       |
| Lowest/Best Bidder: Sears Shoe Store                     |                                       |
| 2778 Lafayette Road                                      |                                       |
| Ft Oglethorpe, GA 30742                                  |                                       |

**R153533 - Public Works**

Total Estimated \$100,000 Annually

Two (2) New Blanket Contracts for Generator Maintenance & Repair Services

Lowest/Best Bidders:

- 1. Energy Systems Southeast LLC - 2490 Weaver Way, Atlanta, GA 30340
- 2. Stowers Machinery - 4086 South Access Road, Chattanooga, TN 37406

**R151821 - Public Works**

Total Estimated \$100,000 Annually

Three (3) New Blanket Contracts for Service Repairs & Outside Parts on all Medium and Heavy Duty Vehicles

Lowest/Best Bidders:

- 1. Chattanooga Truck Center Inc - 1716 Church Road, Chattanooga, TN 37421
- 2. Lee-Smith Inc - 2600 8th Avenue, Chattanooga, TN 37107
- 3. MHC Kenworth - 7831 Lee Hwy, Chattanooga, TN 37421

**PO522359 - Public Works**

Estimated \$2,000,000 Annually

Blanket Contract Renewal for Police Interceptor Vehicles Fleet Management

Lowest/Best Bidder: Brooker Ford Inc  
925 Shugart Road  
Dalton, GA 30722

**PO534257 - Public Works**

Estimated \$3,000,000 Annually

Blanket Contract Renewal for Automotive Parts – Fleet Management

Lowest/Best Bidder: Lee-Smith Inc  
2600 8th Avenue  
Chattanooga, TN 37407

**PO522149, 523042, 529916 & 531254 - Public Works**

Estimated \$60,000 Annually

Blanket Contract Renewals for Annual Safety Inspection of Aerial Lifts/Manlifts, Fire Apparatus, Overhead Cranes & Truck Mounted Cranes Fleet Management

Lowest/Best Bidder: American Test Center  
2773 Prairie Drive  
River Falls, WI 54002

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

**ACTION: ALL PURCHASES APPROVED**

**OTHER BUSINESS:**

**Administrative Hearing Officer (AHO)**

Per the request of Councilman Oglesby, Maura Sullivan, Chief Operating Officer, informed the Council of an item on the August 22, 2017 agenda regarding the appointment of an Administrative Hearing Officer. She informed the Council that Judge Walter Williams had been considered for the position; yet, due to Judge Williams' outstanding activities and schedule, Administration could not move forward with appointing him at this time. They were going to appoint someone to get started with the program, which is the name on next week's agenda. However, Judge Williams will

be able to join them in another month or so. The appointment on next week's agenda does not preclude Judge Williams' work. His appointment will come forward again.

Councilwoman Berz requested the budget for the two AHO appointments. Ms. Sullivan agreed to provide it for the Council. Councilman Byrd informed Ms. Sullivan that some attorneys and some sitting judges have reached out to him about the job and wanted to know if it was closed at this point. Ms. Sullivan believes that it is now closed, but agreed to check on that.

### **District 7 Announcement**

Councilman Oglesby announced an upcoming event by the Oak Hill Neighborhood Association and the community of South Chattanooga: "The South Chattanooga Barbecue Contest," taking place on Saturday, September 2, from 12:00 p.m. to 7:00 p.m. at the new Southside Community Park, 38 Central Avenue. There will be live music, great food and entertainment for the kids. The community invites everyone to come out and help kick off the Labor Day weekend at the event.

### **COMMITTEE REPORTS:**

#### *Budget and Finance Committee*

Councilman Henderson reported:

- The Council's budget work session #2 took place today.
- Budget Work Session #3 will take place next Tuesday (August 22) at 9:30 a.m. in the Council conference room.

#### *Economic and Community Development Committee*

Councilman Oglesby

(No report)

#### *HR Committee (Human Resources)*

Councilman Gilbert

(No report)

#### *Planning & Zoning Committee*

Councilman Ledford

(No report)

#### *Public Safety Committee*

Councilman Byrd reported:

- The committee met today for a Q&A session with the Mayor's appointee for Police Chief, David Roddy. Constituents are encouraged to submit any additional questions for Chief Roddy to their Council representative before next week's vote on the appointment.

#### *Public Works and Transportation Committee*

Councilwoman Berz reported:

- The committee met today in open meeting to review one item on today's agenda and others on next week's agenda.

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

- **Angie Williams (Chattanooga)** – She came in support of Walter Williams for the Administrative Hearing Officer position. She is glad that the AHO opportunity is still open to him. She reminded the Council of Judge Williams’ qualifications and his impact upon youth, such as ordering over 800 youth to get their GED. She reminded the Council of his work and community involvement since retiring.
- **Patrick Kellogg (Chattanooga)** – He questioned the need for an Administrative Hearing Officer because, with the ability to charge over \$50 in fines, he believes the position will be detrimental to poor people. He asked the Council to invest in a trade school to educate youth and a food to feed hungry children before/after school. He informed the Council of excess wood being thrown away by TVA and the fact that he could bring people from the community who could make better use of the wood. He thanked Daisy Madison and Maura Sullivan for the \$300 credit to the account of a senior whose water bill was delinquent. He commended Chattanooga for forward progress in race relations.
- **Richard Robinson (Chattanooga)** – He wanted to inform the Council of his knowledge of Police Chief appointee David Roddy, and how their relationship as youth changed when he began dating a girl of a different race. He spoke on the Police Chief having an impact on crime and arrests. He informed the Council of police complaints that did not have results. He emphasized fair and equal justice for all Chattanoogaans.
  - Councilwoman Coonrod gave an example of being remembered for her past and not being given a chance by others, even when she ran for Council. She made the analogy to ask Mr. Robinson to give Chief Roddy a chance. She recommended a face-to-face conversation with Chief Roddy to discuss what happened in the past so that they can move forward. Chairman Mitchell recommended that Councilwoman Coonrod continue the conversation with Mr. Robinson after the meeting.
- **Cora Lanier (District 9)** – She informed the Council of how proud she is of her representative, Demetrus Coonrod, and invited citizens to attend the budget work sessions taking place each week. She commended the women on the Council: Councilwoman Coonrod and Berz. She wanted to recognize her neighborhood, Boyce Station, which borders District 8 & District 9. She also introduced one of her neighbors, Barbara Pride, who had community issues to discuss with the Council.
- **Barbara Pride (Curtis Street/District 9)** – She had complaints about Councilman Byrd and informed the Council of calling him six weeks ago, but never getting a return phone call. She has been having a problem with people parking in front of her house and

blocking her driveway. She has not been able to get relief when calling the police since it's a public street. She also informed the Council of pot holes on her street that need repairs.

- Councilman Byrd promised to meet at Ms. Pride's house tonight to talk to her and her neighbors. He expressed a desire for her missed call not to hinder their working relationship.
- **Annie Rice (Curtis Street/District 9)** – She informed the Council about issues in her community on Orton Street. She noted that Orton Street is too narrow and that people are dumping bulk and household waste in the ditch there. She wanted to ensure that Councilman Byrd knew about the ditch needing to be fixed along with her driveway. She has been cleaning the ditch and notes that when it is filled with debris, rats are attracted in the area.
- **Danny Grimmit (District 2)** – He thanked the Council for the recent decision to relocate the sewage holding tank previously planned for Memphis Drive in his neighborhood. He also thanked Mike Patrick [Director, Waste Resources], Justin Holland [Public Works Administrator], Councilman Henderson and Mayor Berke for the decision.
- **James McKamey, Jr. (District 5)** – He has been trying to reach Councilman Gilbert to give him information on a 12-month mentoring program coming to Washington Alternative Learning Center. The program was sponsored by T-Mobile and the Washington Hills Neighborhood Association. He informed Councilman Gilbert of the kick-off for the program ("Washington Hills Jubilee") on September 23. He also discussed the different activities planned for the jubilee and two special awards to be presented. He invited Councilman Gilbert to speak at the Jubilee and get involved with the program.
  - Councilman Gilbert asked to speak with Mr. McKamey after the meeting to get information on the event, but could not commit his name and support until he had information on the program and kick-off event.
- **Cynthia Stanley-Cash (President, North Brainerd Neighborhood Association)** – She informed the Council that her neighborhood borders both Districts 5 & 9. She asked the Council to include her community with Boyce Station in the need for ditch cleanup. She reported sewage and drainage ditches on Tally Road, Wilcox Boulevard and Tunnel Boulevard that need maintenance work. She expressed concerns about lack of services in less-served areas of the city and called conditions "horrible" on the outer edges of certain subdivisions. She also commented on her expectations of this Council when it was sworn in: that bucket trucks would roll into communities since everyone campaigned on cleaning up neighborhoods. However, she feels that has not been the case.
  - Councilwoman Coonrod thanked Ms. Stanley-Cash and informed the Assembly that problems in her district have already been reported.
  - Councilman Gilbert informed Ms. Stanley-Cash that Council staff had emailed her to ask for addresses where services were needed, but they did not receive the list of addresses her. Ms. Stanley-Cash attempted to respond at the podium, but Chairman Mitchell would not allow her to speak a second time in the meeting. Ms. Stanley-Cash informed the Chairman that she would not be lectured without giving a response. Chairman Mitchell ruled that she and Councilman Gilbert should continue their discussion after the meeting.
- **Steven West (Chattanooga)** – He is a Public Works supervisor and informed the Assembly that if citizens call 311, work crews will definitely get to the area for cleanup. He even offered to talk to his boss about getting services done if brought to his attention. In addition, he wanted to discuss the wood chipper contract coming up on next week's (August 22) agenda. He informed the Council that grants be done to fund a wood chipper



rather than contracting out the services. He asked the Council not to allow it to be contracted out and asked the Council to question the following: how much would it take for Benchmark to pay their bill to the city. He informed the Council that city employees do not mind the extra work created when services are not outsourced.

## **ADJOURNMENT**

**On motion of Councilman Oglesby**, Chairman Mitchell adjourned the meeting of the Chattanooga City Council until Tuesday, August 22, 2017, at 6:00 p.m.

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**CHAIRMAN**

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**CLERK OF COUNCIL**