



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
for
May 7, 2013
6:00 PM

CALL TO ORDER

Chairman Yusuf Hakeem called the meeting to order with Vice Chairman Henderson, Councilwoman Berz and Councilmen Anderson, Freeman, Gilbert, Grohn, Mitchell and Smith all present.

Also present: Management Analyst, Randy Burns; Council Clerk, Sandy Freeman; Deputy Clerk, Nicole Gwyn and Council Support Specialist, Cindy Patrick.

PROCEDURAL ADVISEMENT

Chairman Hakeem asked that all cell phones, pagers and electronic devices be placed on vibrate so as not to disturb the meeting. He advised that the exterior exit would be locked at 6:00 p.m. allowing you to exit the Assembly Room but not re-enter.

PLEDGE OF ALLEGIANCE/INVOCATION

Councilman Russell Gilbert led the full attendance in the Pledge of Allegiance. Following the Pledge, Councilman Gilbert offered a prayer for the attendance.

MEETING MINUTES APPROVAL – APRIL 30, 2013

On motion of Councilman Moses Freeman and seconded by Councilman Larry Grohn, the minutes of the previous meeting (*April 30, 2013*) were approved as published.

SPECIAL PRESENTATION – PROCLAMATION FOR “PUBLIC WORKS WEEK”

Whereas: Public works services provided in our community are an integral part of our citizens’ everyday lives; and

Whereas: The support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as sewers, streets and highways, water quality, public buildings, and solid waste collection; and

Whereas: The health, safety and comfort of this community greatly depends on these facilities and services; and

Whereas: The quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skill of public works officials; and

Whereas: The efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform,

Now Therefore,

I, Andy Berke, Mayor of the City of Chattanooga, do hereby
proclaim the week of May 19th - 25th as

National Public Works Week:

Because of Public Works

in The City of Chattanooga, Tennessee, and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.

In Witness Whereof, I have hereunto set my hand and caused the

Seal of the City of Chattanooga to be affixed this the 7th Day of May, 2013

Andy Berke, Mayor

Chairman Hakeem asked for comments from Mr. Lee Norris with Public Works. Mr. Norris invited all Council members to view the recent video made in celebration of Public Works week. He provided that this video was sent as an email attachment to each Council member. He also extended an invitation to the luncheon on Friday, May 24, 2013 at 11:30 a.m. honoring Public Works employees.

ORDINANCES – FIRST READING

On motion of Councilman Russell Gilbert to defer to July 2, 2013, seconded by Councilman Larry Grohn, regarding

ORDINANCE NO. 12721

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 7-145, RELATIVE TO URBAN CHICKENS.

Chairman Hakeem asked the attendance if there were any questions or concerns regarding this ordinance.

Ms. Karen Walsh, Executive Director, McKamey Animal Center came forward and offered comments from the discussion of this ordinance during Agenda Session (May 7, 2013). She noted that the next Animal Control Board meeting which will be held Monday, May 13, 2013 at 12:00 p.m. in the Council Conference Room, which the public is invited to attend.

Councilman Chris Anderson read a brief statement regarding the history behind this ordinance.

Mr. Mike Mallen, Chairman, Animal Control Board noted that after a detailed discussion during Agenda Session (May 7, 2013), he recommended deferral of action on this ordinance until a complete discussion and presentation can be made by the ACB.

Councilman Russell Gilbert made the motion to defer action on this until July 2, 2013 and was seconded by Councilman Larry Grohn.

Chairman Hakeem requested an alphabetical roll call vote on the motion:

Chris Anderson	NO	Chip Henderson	YES
Carol Berz	YES	Jerry Mitchell	NO
Moses Freeman	YES	Ken Smith	NO
Russell Gilbert	YES	Yusuf Hakeem	YES
Larry Grohn	YES		

YES's: SIX (6)

NO's: THREE (3)

ACTION: MOTION PASSED TO DEFER

ORDINANCES – FINAL READING

There were no ordinances for final reading.

RESOLUTIONS

On motion of Councilman Jerry Mitchell, seconded by Councilman Moses Freeman,

RESOLUTION NO. 27499

A RESOLUTION AUTHORIZING THE APPOINTMENT OF DAVID RIDGE AS A SPECIAL POLICE OFFICER (UNARMED) FOR THE CITY OF CHATTANOOGA DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.

Chairman Hakeem asked the attendance if there were any questions or concerns regarding this resolution.

Mr. Lee Norris noted that all three resolutions regarding appointments for the special police officers had been discussed during Agenda Session (May 7, 2013).

There were no questions or concerns on this resolution.

ACTION: ADOPTED

On motion of Russell Gilbert, seconded by Councilwoman Carol Berz,

RESOLUTION NO. 27500

A RESOLUTION AUTHORIZING THE APPOINTMENT OF JASON YAKIMOWICH AS A SPECIAL POLICE OFFICER (UNARMED) FOR THE CITY OF CHATTANOOGA DEPARTMENT OF TRANSPORTATION, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.

Chairman Hakeem asked the attendance if there were any questions or concerns regarding this resolution.

There were no additional questions or concerns on this resolution.

ACTION: ADOPTED

On motion of Councilman Chris Anderson, seconded by Councilwoman Carol Berz,

RESOLUTION NO. 27501

A RESOLUTION AUTHORIZING THE APPOINTMENT OF BEN TAYLOR AS A SPECIAL POLICE OFFICER (UNARMED) FOR THE CITY OF CHATTANOOGA DEPARTMENT OF TRANSPORTATION, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.

Chairman Hakeem asked the attendance if there were any questions or concerns regarding this resolution.

There were no additional questions or concerns on this resolution.

ACTION: ADOPTED

On motion of Councilwoman Carol Berz, seconded by Councilman Chris Anderson,

RESOLUTION NO. 27501

A RESOLUTION AUTHORIZING RIVER CITY COMPANY C/O TOM DUGAN (CARTA) TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 215 BROAD STREET FOR THE INSTALLATION OF CANOPIES AND SIGNAGE, AS SHOWN ON THE MAP AND DRAWING ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS

Chairman Hakeem asked the attendance if there were any questions or concerns regarding this resolution.

There were no additional questions or concerns on this resolution.

ACTION: ADOPTED

On motion of Councilman Larry Grohn, seconded by Councilwoman Carol Berz,

RESOLUTION NO. 27503

A RESOLUTION AUTHORIZING PAYMENT TO CHARLES L. GRIFFIN, JR. FOR AN INGRESS/EGRESS EASEMENT RELATIVE TO CONTRACT NO. W-10-004, EAST BRAINERD SANITARY SEWER REHABILITATION PROJECT, ON PROPERTY LOCATED AT 15 FRAWLEY ROAD, EAST RIDGE, TN 37412, TAX MAP NO. 1580-A-003.00, FOR AN AMOUNT NOT TO EXCEED TWO THOUSAND THREE HUNDRED FIFTY-ONE DOLLARS (\$2,351.00).

Chairman Hakeem asked the attendance if there were any questions or concerns regarding this resolution.

There were no additional questions or concerns on this resolution.

ACTION: ADOPTED

On motion of Councilwoman Carol Berz, seconded by Councilman Russell Gilbert,

RESOLUTION NO. 27504

A RESOLUTION ACCEPTING THE HIGHEST AND BEST OFFERS FOR CERTAIN PARCELS OF PROPERTY ACQUIRED BY THE CITY OF CHATTANOOGA AND HAMILTON COUNTY THROUGH PREVIOUS DELINQUENT TAX SALES AND AUTHORIZING THE DEPUTY FINANCE OFFICER TO EXECUTE DEEDS CONVEYING SAID PARCELS TO INDIVIDUALS AND HAVE ATTESTED BY THE REAL PROPERTY COORDINATOR AS SHOWN ON THE LIST ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.

Chairman Hakeem asked the attendance if there were any questions or concerns regarding this resolution.

Assistant City Attorney Phil Noblett detailed the provisions of this resolution due to a backlog of tax properties.

There were no questions or concerns on this resolution.

ACTION: ADOPTED

On motion of Councilman Moses Freeman, seconded by Councilman Chris Anderson,

RESOLUTION NO. 27505

A RESOLUTION AUTHORIZING THE EMPLOYMENT OF SANDRA FREEMAN AS CLERK OF THE CHATTANOOGA CITY COUNCIL AND AUTHORIZING THE

EMPLOYMENT OF NICOLE GWYN AS DEPUTY CLERK OF THE CHATTANOOGA CITY COUNCIL PURSUANT TO SECTION 8.13 OF THE CITY CHARTER.

Chairman Hakeem asked the attendance if there were any questions or concerns regarding this resolution.

There were no additional questions or concerns on this resolution.

ACTION: ADOPTED

On motion of Councilman Ken Smith, seconded by Councilman Russell Gilbert,

RESOLUTION NO. 27506

A RESOLUTION TO CONFIRM THE MAYOR'S APPOINTMENT OF LEE NORRIS AS ADMINISTRATOR OF PUBLIC WORKS.

Chairman Hakeem asked the attendance if there were any questions or concerns regarding this resolution.

There were no questions or concerns on this resolution.

ACTION: ADOPTED

On motion of Councilman Chris Anderson, seconded by Councilwoman Carol Berz,

RESOLUTION NO. 27507

A RESOLUTION TO CONFIRM THE MAYOR'S APPOINTMENT OF RON SWAFFORD AS CITY COURT CLERK PURSUANT TO SECTION 4.38 OF THE CITY CHARTER.

Chairman Hakeem asked the attendance if there were any questions or concerns regarding this resolution.

There were no questions or concerns on this resolution.

ACTION: ADOPTED

DEPARTMENTAL REPORTS

Information Services:

Mr. Doug Eckert provided a brief overview of the recent upgrade for Oracle system-wide. He provided a personal thank you to the many involved and noted it was moving smoothly and successfully.

Personnel:

IS (Information Services)

MARK KIEL– Chief Information Officer – Retirement, effective 4/30/2013

CHARISE HUGHEY – IT Technician – Hire, effective 5/3/2013

CHRISTOPHER SMITH – IT Technician – Hire, effective 5/3/2013

NICOLE FRYAR – Programmer I – Hire, effective 5/3/2013

Parks and Recreation

TRAVIS COLLINS – Crew Worker 2 – Deceased, effective 4/29/2013

Fire

TRACY WILLIAMS – Firefighter Senior – Termination, effective 4/30/2013

PURCHASES

There were no purchases to report.

REFUNDS

There were no refunds to report

OTHER BUSINESS

On motion of Councilman Chris Anderson, seconded by Councilman Moses Freeman,

Due to the recent departure of Lacie Stone, a position was vacated on the Animal Control Board. Councilman Anderson presented Lori Quillen as his appointment to the Board.

Chairman Hakeem asked the attendance if there were any questions or concerns regarding this appointment and subsequent motion.

There were no additional questions or concerns on this motion.

ACTION: APPROVED

COMMITTEE REPORTS

Chairman Hakeem noted the following times for upcoming Committee meetings:

Economic and Community Development Committee – May 14, 2013
(immediately following Agenda Session at 3:00 p.m.)

Public Works and Transportation Committee – May 21, 2013
(immediately following Agenda Session at 3:00 p.m.)

Budget and Finance Committee – May 21, 2013
(immediately following Agenda Session at 3:00 p.m.)

NEXT AGENDA: MEETING – May 14, 2013, 6:00 p.m.

Chairman Hakeem referred to next week's agenda (May 14, 2013) and indicated that an agenda session would be held on **Tuesday, May 14, 2013, at 3:00 p.m.**

**RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL
(NON- AGENDA ITEMS)**

DR. EVELINA HOLMES

Dr. Evelina Holmes of the Glenwood Neighborhood, Chattanooga addressed the Council. Dr. Holmes asked for clarification on the boundaries between North Crest Road and Glenwood involved in an upcoming agenda item.

Chairman Hakeem referred Dr. Holmes to Mr. Lee Norris, Public Works, for additional information on her request.

PATRICK KELLOGG

Mr. Patrick Kellogg of 539 North Hawthorne Street, Chattanooga, addressed the Council. He noted that the current structure for dispersal of CDBG (Community Development Block Grant) funds was not helping the people in Chattanooga that truly needed the help. He provided the example of the Villages at Alton Park and stated that he was not in favor of the continuance of using CDBG funds for this project.

DR. EVELYN WOODS

Dr. Evelyn Woods of the Alton Park Community, Chattanooga, addressed the Council. She voiced her concerns over the current dispersal of CDBG Funds in the Alton Park Community. She noted that she felt this was not a good use of the funds for the building of additional structures at the Villages of Alton Park and made several recommendations on how the funds could better serve her community. She inquired as to whether a full investigation could take place into the use of HOPE 6 funds for this project.

MR. GREG WALTON

Mr. Greg Walton of the Eastdale Community, addressed the Council. He yielded his time to address to Dr. Woods.

Chairman Hakeem noted that this did not follow procedure for addressing the Council and would enforce the three minute rule of speaking going forward.

PASTOR KENNETH LOVE

Pastor Kenneth Love of St. Paul A.M.E. Church, Chattanooga addressed the Council. Pastor Love also voiced concerns over the dispersal of CDBG Funds with regard to the Villages at Alton Park. He noted many children's programs within the community that were in need of funding that would better serve all of Alton Park.

MILTON JACKSON

Mr. Milton Jackson of 3806 Highland Avenue, Chattanooga addressed the Council. He noted that the areas currently being developed for the Villages at Alton Park could be contaminated due to previous developments on the site as well as the location of the flood plan in that area. He inquired as to whether the City should be thoroughly investigating the presence of toxic substances before continuing the development.

JOE ROWE

Mr. Joe Rowe of 1204 Talley Road, Chattanooga addressed the Council. He noted that he was speaking on behalf of the local chapter of the NAACP. He voiced his concerns about the viability of the Villages at Alton Park project. He noted that the provisions of HOPE 6 had not been completed as outlined in the original project plans. He made the suggestion of restructuring the development into single family homes which would better serve the community.

Chairman Hakeem thanks Mr. Rowe and all the citizens from the Alton Park and Piney Woods communities for coming forward to speak on this issue. He recommended going forward that it would better serve their community if they came together as one voice and presented their concerns to the Council united as one group.

RACHEL COLLINS

Ms. Rachel Collins of the Highland Park Community, Chattanooga addressed the Council. She inquired as to the current plans for a park located off 23rd Street in her community. She noted that she had asked on several occasions with no clear answers. Chairman Hakeem directed her to speak with Mr. Andrew Kean, Mayor's Office, for a detailed answer to her inquiry.

ADJOURNMENT

Chairman Hakeem adjourned the meeting of the Chattanooga City Council until **Tuesday, May 14, 2013, at 6:00 p.m.**

CHAIRMAN

CLERK OF COUNCIL

**(A full digital audio of this Council meeting, May 7, 2013,
has been filed in the Clerk of the Council's office)**

**(A FULL AND COMPLETE LISTING OF NAMES OF PERSONS IN ATTENDANCE IS FILED WITH THE MINUTE
MATERIALS OF THIS DATE, MAY 7, 2013)**