



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
July 30, 2013
6:00 PM

CALL TO ORDER

Chairman Yusuf Hakeem called the meeting to order with Vice Chairman Chip Henderson and Councilpersons Carol Berz, Chris Anderson, Moses Freeman, Russell Gilbert, Larry Grohn, Jerry Mitchell and Ken Smith all present.

Others present: Phil Noblett, Assistant City Attorney; Travis McDonough, Chief of Staff; Andrew Kean, Chief Operating Officer; Daisy Madison, Chief Financial Officer; Lee Norris, Public Works Administrator; Randy Burns, Management Analyst; and Nicole Gwyn, Deputy Clerk.

PLEDGE OF ALLEGIANCE

Councilman Freeman led the Pledge of Allegiance and invited his brother, Pastor Robert Freeman of Mt. Calvary Baptist Church, to lead the invocation.

APPROVAL OF LAST MINUTES

On motion of Councilman Anderson and seconded by Councilman Gilbert, the minutes of the last meeting (July 23, 2013) were approved as published.

ORDINANCES – FINAL READING: (None This Week)

ORDINANCES – FIRST READING:

MR-2010-119
Page Family Properties

On motion of Councilman Anderson and seconded by Councilman Freeman,

ORDINANCE #12745

AN ORDINANCE CLOSING AND ABANDONING THE 5100 BLOCK OF CALHOUN AVENUE BEGINNING AT ITS INTERSECTION SOUTH OF 51ST STREET.

ACTION: PASSED ON FIRST READING

MR-2012-045
McCallie School
c/o Bill Kropff

On motion of Councilman Grohn and seconded by Councilman Mitchell,

ORDINANCE #12746

AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED ALLEY BETWEEN THE 2700 BLOCK OF BENNETT AVENUE AND THE 2700 BLOCK OF ANDERSON AVENUE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

On motion of Councilman Grohn and seconded by Councilman Gilbert,

RESOLUTION#27587

A RESOLUTION AUTHORIZING JEANNE P. ELLIS TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 1807 TERRY LYNN DRIVE TO INSTALL A DRIVEWAY TO GAIN ACCESS TO RESIDENTIAL PROPERTY, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilman Mitchell,

RESOLUTION#27588

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH CANNON AND CANNON, INC., FOR PROFESSIONAL SERVICES, RELATIVE TO CONTRACT NO. E-12-022-101, ROUNDABOUT DESIGN AT THE INTERSECTION OF JERSEY PIKE/HANCOCK ROAD, FOR AN AMOUNT NOT TO EXCEED \$82,000.00.

A discussion ensued. Upon no further questions or comment, **the motion carried, with a "NO" vote by Vice Chairman Henderson.**

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Anderson,

RESOLUTION#27589

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO A FACILITY ENCROACHMENT AGREEMENT WITH CSX TRANSPORTATION, INC., AGREEMENT NO. CSX732432 AT VALUATION STATION 6483+44, MILEPOST 0WA-122.80, RELATIVE TO THE EAST BRAINERD SEWER BASIN COLLECTION SYSTEM REHABILITATION PROJECT, CONTRACT NO. W-10-004-801, IN THE AMOUNT OF \$4,750.00.

A discussion ensued. Upon no further comments or questions, **the motion carried.**

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Grohn,

RESOLUTION#27590

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO A FACILITY ENCROACHMENT AGREEMENT WITH CSX TRANSPORTATION, INC., AGREEMENT NO. LN062435, AT VALUATION STATION 6549+40, MILEPOST 0WA-124.04, RELATIVE TO THE EAST BRAINERD SEWER BASIN COLLECTION SYSTEM REHABILITATION PROJECT, CONTRACT NO. W-10-004-802, IN THE AMOUNT OF \$750.00.

ACTION: ADOPTED

On motion of Councilman Grohn and seconded by Councilwoman Berz,

RESOLUTION#27591

A RESOLUTION AUTHORIZING PAYMENT TO TIMBERBROOK, LLC FOR A TEMPORARY CONSTRUCTION EASEMENT RELATIVE TO CONTRACT NO. E-03-027, GOODWIN ROAD EXTENSION – GUNBARREL ROAD TO JENKINS ROAD, FOR TRACT NO. 1, PROPERTY LOCATED AT 7440 GOODWIN ROAD, CHATTANOOGA, TN 37421, TAX MAP NO. 159A-B-020, FOR AN AMOUNT NOT TO EXCEED \$2,414.00.

ACTION: ADOPTED

On motion of Councilman Grohn and seconded by Vice Chairman Henderson,

RESOLUTION#27592

A RESOLUTION AUTHORIZING PAYMENT TO DR. OZ, LLC FOR A TEMPORARY CONSTRUCTION EASEMENT RELATIVE TO CONTRACT NO. E-03-027, GOODWIN ROAD EXTENSION – GUNBARREL ROAD TO JENKINS ROAD, FOR TRACT NO. 3, PROPERTY LOCATED AT 7530 GOODWIN ROAD, CHATTANOOGA, TN 37421, TAX MAP NO. 159A-B-020.01, FOR AN AMOUNT NOT TO EXCEED \$822.80.

ACTION: ADOPTED

On motion of Councilman Grohn and seconded by Smith,

RESOLUTION#27593

A RESOLUTION AUTHORIZING PAYMENT TO KATHY E. HENSON FOR A TEMPORARY CONSTRUCTION EASEMENT RELATIVE TO CONTRACT NO. E-03-027, GOODWIN ROAD EXTENSION – GUNBARREL ROAD TO JENKINS ROAD, FOR TRACT NO. 2, PROPERTY LOCATED AT 7480 GOODWIN ROAD, CHATTANOOGA, TN 37421, TAX MAP NO. 159A-B-020.03, FOR AN AMOUNT NOT TO EXCEED \$631.20.

ACTION: ADOPTED

On motion of Councilman Grohn and seconded by Councilman Mitchell,

RESOLUTION#27594

A RESOLUTION AUTHORIZING PAYMENT TO RAM MINISTRIES, LLC FOR A PERMANENT DRAINAGE EASEMENT RELATIVE TO CONTRACT NO. E-03-027, GOODWIN ROAD EXTENSION – GUNBARREL ROAD TO JENKINS ROAD, FOR TRACT NO. 4, PROPERTY LOCATED AT 7550 GOODWIN ROAD, CHATTANOOGA, TN 37421, TAX MAP NO. 159A-B-020.02, FOR AN AMOUNT NOT TO EXCEED \$3,100.00.

ACTION: ADOPTED

On motion of Councilman Grohn and seconded by Councilman Anderson,

RESOLUTION#27595

A RESOLUTION AUTHORIZING PAYMENT TO J. F. BUTCHER FOR A RIGHT-OF-WAY EASEMENT RELATIVE TO CONTRACT NO. E-03-027, GOODWIN ROAD EXTENSION – GUNBARREL ROAD TO JENKINS ROAD, FOR TRACT NO. 18, TAX MAP NO. 159B-C-002.01, FOR AN AMOUNT NOT TO EXCEED \$1,604.25.

ACTION: ADOPTED

On motion of Councilman Grohn and seconded by Vice Chairman Henderson,

RESOLUTION#27596

A RESOLUTION AUTHORIZING PAYMENT TO JOHN ROBERT SUMMITT AND CAROLYN DAVIS SUMMITT FOR A RIGHT-OF-WAY EASEMENT RELATIVE TO CONTRACT NO. E-03-027, INTERSECTION IMPROVEMENT IGOU GAP ROAD AT JENKINS ROAD, FOR TRACT NO. 25, PROPERTY LOCATED AT 1846 JENKINS ROAD, CHATTANOOGA, TN 37421, TAX MAP NO. 159G-E-003, FOR AN AMOUNT NOT TO EXCEED \$50.00.

ACTION: ADOPTED

On motion of Councilman Grohn and seconded by Councilman Smith,

RESOLUTION#27597

A RESOLUTION AUTHORIZING PAYMENT TO KENNETH CORNELL CASTLEBERRY AND MARY FRANCIS CASTLEBERRY FOR A TEMPORARY CONSTRUCTION EASEMENT RELATIVE TO CONTRACT NO. E-03-027, GOODWIN ROAD EXTENSION – GUNBARREL ROAD TO JENKINS ROAD, FOR TRACT NO. 20, PROPERTY LOCATED AT 2002 JENKINS ROAD, CHATTANOOGA, TN 37421, TAX MAP NO. 159B-D-020, FOR AN AMOUNT NOT TO EXCEED \$528.31.

ACTION: ADOPTED

On motion of Councilman Grohn and seconded by Councilman Mitchell,

RESOLUTION#27598

A RESOLUTION AUTHORIZING PAYMENT TO RICHARD A. BOCIAN FOR A RIGHT-OF-WAY EASEMENT RELATIVE TO CONTRACT NO. E-03-027, INTERSECTION IMPROVEMENT IGOU GAP ROAD AT JENKINS ROAD, FOR TRACT NO. 21, PROPERTY LOCATED AT 1956 JENKINS ROAD, CHATTANOOGA, TN 37421, TAX MAP NO. 159B-D-013, FOR AN AMOUNT NOT TO EXCEED \$1,725.75.

ACTION: ADOPTED

On motion of Councilman Freeman and seconded by Councilman Anderson,

RESOLUTION#27599

A RESOLUTION AUTHORIZING PAYMENT TO CECIL BATEMAN AND INEZ O. BATEMAN FOR A RIGHT-OF-WAY EASEMENT RELATIVE TO CONTRACT NO. E-03-027, INTERSECTION IMPROVEMENT IGOU GAP ROAD AT JENKINS ROAD, FOR TRACT NO. 22, PROPERTY LOCATED AT 1905 JENKINS ROAD, CHATTANOOGA, TN 37421, TAX MAP NO. 159G-A-001.01, FOR AN AMOUNT NOT TO EXCEED \$6,000.00.

ACTION: ADOPTED

On motion by Councilman Freeman, seconded by Councilman Gilbert,

RESOLUTION#27600

A RESOLUTION AUTHORIZING PAYMENT TO D&M PROPERTIES, LLP FOR A RIGHT-OF-WAY EASEMENT RELATIVE TO CONTRACT NO. E-03-027, GOODWIN ROAD EXTENSION – GUNBARREL ROAD TO JENKINS ROAD, FOR TRACT NO. 6, TAX MAP NO. 159A-B-021.01, FOR AN AMOUNT NOT TO EXCEED \$62,940.78.

Councilman Grohn recommended deferring this agenda item for one week. A discussion ensued, with Mr. Kean, Mr. McDonough and Mr. Norris contributing to the discussion. Councilman Anderson called "the Question" to close the discussion. Properly moved, Chairman Hakeem ended the discussion and put the motion to vote. **The motion carried, with a "NO" vote by Councilman Grohn.**

ACTION: ADOPTED

On motion of Councilman Freeman and seconded by Councilman Mitchell,

RESOLUTION#27601

A RESOLUTION AUTHORIZING PAYMENT TO DAVID J. ERWIN FOR A PERMANENT DRAINAGE EASEMENT RELATIVE TO CONTRACT NO. E-03-027, INTERSECTION IMPROVEMENT IGOU GAP ROAD AT JENKINS ROAD, FOR TRACT NO. 23, PROPERTY LOCATED AT 1849 JENKINS ROAD, CHATTANOOGA, TN 37421, TAX MAP NO. 159G-A-001.05, FOR AN AMOUNT NOT TO EXCEED \$303.24.

ACTION: ADOPTED

On motion of Councilman Grohn and seconded by Councilman Smith,

RESOLUTION#27602

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE SALE AND PURCHASE OF 7901 IGOU GAP ROAD, TAX MAP NO. 159B-E-036, WITH SHEILA KECK FOR THE PROPERTY TO BE USED FOR IMPROVEMENT OF THE INTERSECTION AT IGOU GAP AT JENKINS ROAD BY IMPLEMENTING A NEW ROUNDABOUT WITH THE PURCHASE PRICE OF THE PROPERTY BEING \$130,000.00.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilman Anderson,

RESOLUTION#27603

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT TO ENTER INTO AGREEMENTS WITH CHAMBLISS CENTER FOR CHILDREN; CHILDREN'S ACADEMY FOR EDUCATION AND LEARNING; VOLUNTEER COMMUNITY SCHOOL; AND CHILD CARE NETWORKS OF HAMILL ROAD, BONNY OAKS, EAST RIDGE, THIRD STREET, MIDDLE VALLEY ROAD, AND CENTER FOR YOUTH AND FAMILY DEVELOPMENT FOR EARLY HEAD START AND HEAD START SERVICES FOR 295 INFANTS, TODDLERS, AND PRESCHOOL CHILDREN DURING THE SCHOOL YEAR TERM OF 2013-2014, FOR A TOTAL AMOUNT OF \$1,231,501.00, AS SET FORTH MORE FULLY HEREIN, WHEREIN ALL THESE AGREEMENTS SHALL BE FUNDED BY GRANT FUNDS FOR EARLY HEAD START AND HEAD START SERVICES FROM THE UNITED STATES GOVERNMENT.

ACTION: ADOPTED

On motion of Councilman Mitchell and seconded by Councilman Anderson,

RESOLUTION#27604

A RESOLUTION AUTHORIZING HEWITT COLEMAN TO PAY AN ON-THE-JOB INJURY SETTLEMENT TO FORMER CITY EMPLOYEE, EUGENE SPURLOCK (EN61057), IN THE AMOUNT OF \$12,003.60 BASED UPON HIS ESTABLISHED PERMANENT PARTIAL IMPAIRMENT RATING, SUBJECT TO HIS EXECUTION OF A RELEASE OF ALL CLAIMS, AND IN ACCORDANCE WITH ORDINANCE NO. 12573.

ACTION: ADOPTED

On motion of Councilman Mitchell and seconded by Councilman Anderson,

RESOLUTION#27605

A RESOLUTION AUTHORIZING HEWITT COLEMAN TO PAY AN ON-THE-JOB INJURY SETTLEMENT TO FORMER CITY EMPLOYEE, KENNETH HARDEN (EN60790), IN THE AMOUNT OF \$30,270.24 BASED UPON HIS ESTABLISHED PERMANENT PARTIAL IMPAIRMENT RATING, SUBJECT TO HIS EXECUTION OF A RELEASE OF ALL CLAIMS, AND IN ACCORDANCE WITH ORDINANCE NO. 12573.

ACTION: ADOPTED

2013-PW-05

CITY OF CHATTANOOGA

C/O BILL PAYNE, CITY ENGINEER

On motion of Councilman Freeman and seconded by Councilman Grohn,

RESOLUTION#27606

A RESOLUTION TO APPROVE THE RIGHT-OF-WAY NAME CHANGE REQUEST FOR THE 3200 TO 3299 BLOCK OF DELL TRAIL TO THE 300 TO 399 BLOCK OF ELDERBERRY LANE, DUE TO DELL TRAIL BEING A BROKEN STREET SEGMENT.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilman Gilbert,

RESOLUTION#27607

A RESOLUTION AUTHORIZING THE CHIEF OF THE CHATTANOOGA FIRE DEPARTMENT TO ENTER INTO A REVISED CONTRACT WITH B&W CONTRACTORS D/B/A CHEROKEE CONSTRUCTION COMPANY TO CONSTRUCT FIRE STATION NO. 9 IN EAST LAKE, FOR A REVISED CONTRACT AMOUNT OF \$1,500,971.00.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Refunds

Mr. Kean presented the following refund:

- BlueCross Blue Shield of Tennessee - Map #PER-1032619 \$12,233.86

Councilwoman Berz moved to approve. The motion carried.

ACTION: APPROVED

Purchases

Mr. Kean presented the following purchases:

R79981 - General Services

Purchase of Aviat Maintenance Service
Lowest/Best Bidder: Aviat US Inc.

\$16,100.00

R76286 - Public Works

Purchase of a Fork Lift
Lowest/Best Bidder: Doosan Industrial Vehicle America Corp.

\$25,900.00

PO034117 - Public Works

Blanket Contract Renewal for Centrifuge Parts
& Technical Service
Lowest/Best Bidder: Flottweg Separation Technology, Inc.

(N/A)

PO516569 - Public Works

Blanket Contract Renewal for Elastomeric Inline Check Valves
Lowest/Best Bidder: Red Valve Company

(N/A)

Councilman Anderson moved to approve. A discussion ensued with contributions from Attorney Noblett, Ms. Madison and Mr. Norris. Upon no further questions or comments, **the motion carried.**

ACTION: APPROVED

OTHER BUSINESS:

Next Week's Agenda (August 6, 2013)

Councilman Gilbert requested that Resolution 7A be removed from next week's agenda. Upon discussion, the Council came to a consensus that the resolution should be removed.

Appointments

Vice Chairman Henderson appointed **Ray Adkins** as District 1 representative on the *Zoning Board*.

Councilman Freeman appointed **Walter D. Parks** as District 8 representative on the *Board of Sign Appeal*.

Employee Transactions

(Employee Transaction Report received by Council)

COMMITTEE REPORTS:

Economic and Community Development Committee

Councilman Anderson

(No report at this time)

- Councilman Anderson thanked the Council for attending the Presidential visit at Amazon earlier today.

Budget and Finance Committee

Councilwoman Berz

- Administration will present its proposed FY14 budget tomorrow at 2:00 p.m. in the Council Assembly Room.
- Mr. McDonough noted that Mayor Berke would address the Council at tomorrow's budget presentation.

Public Safety Committee

Councilman Freeman

(No report at this time)

- Councilman Freeman requested a Public Safety meeting to discuss local event halls. Chairman Hakeem granted the requested meeting on next week's agenda, immediately after the Public Works and Transportation Committee.

Youth and Family Development Committee

Councilman Gilbert

(No report at this time)

Audit Committee
Councilman Grohn
(No report at this time)

RPA (Planning Committee)
Vice Chairman Henderson
(No further report)

HR Committee (Human Resources)
Councilman Mitchell
(No further report)

Public Works and Transportation Committee
Councilman Smith


- Due to the President's visit to Chattanooga, the committee meeting originally scheduled for today was rescheduled to next week, immediately after Agenda Session.

RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL (Non-Agenda Items)


Attorney Noblett read the guidelines for persons wishing to address the Council on non-agenda items. Upon which, Chairman Hakeem opened the floor to the public. With no one from the public wishing to speak, this item was closed.

ADJOURNMENT

On motion of Councilman Anderson, the meeting of the Chattanooga City Council was adjourned until Tuesday, August 6, 2013, at 6:00 p.m.



CHAIRMAN



CLERK OF COUNCIL

(A full digital audio of this Council meeting, July 30, 2013,
has been filed in the Clerk of the Council's office)