



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
August 27, 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. Also present: City Attorney Wade Hinton, Management Analyst Randy Burns and Deputy Clerk Nicole Gwyn

PLEDGE OF ALLEGIANCE

Councilman Smith led the assembly in the Pledge of Allegiance.

APPROVAL OF LAST MINUTES

On motion of Councilwoman Berz, the minutes of the last meeting (August 20, 2013) were approved as published.

SPECIAL PRESENTATION

"PROCLAMATION: GAYLE KEOWN, CITY TREASURER"

Andrew Kean, Chief Operating Officer, honored retiring City Treasurer Gayle Keown for 47 years of service to the city and made the following proclamation on behalf of Mayor Berke:

Whereas: Gayle Keown has served the City of Chattanooga since 1965 during the administrations of Ralph Kelley, A.L. "Chunk" Bender, S Dean Peterson, Robert Kirk Walker, Pat Rose, Gene Roberts, Jon Kinsey, Bob Corker, Ron Littlefield and now, Mayor Andy Berke; and

Whereas: When she started work at the City, property taxes were posted on keypunch cards; the average home in Chattanooga cost \$21,700; the average annual income was \$4800 and gas was 31 cents a gallon; and

Whereas: Gayle and her husband Bruce raised 2 wonderful sons during her tenure and Gayle will now be able to spend more time with her first grandson, Liam, and build special memories with him and more frequent Florida vacations with her friends; and

Whereas: Gayle has always been professional in her dealings with the public and her staff and she has gained the support and admiration of her staff, fellow City employees and the public that have had the pleasure of dealing with her through the years; and

Whereas: Her 47 years of knowledge and her smile are going to be missed greatly.,

Now Therefore,

I, Andy Berke, Mayor of the City of Chattanooga, do hereby
proclaim August 27th as

Gayle Keown Day

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

Seal of the City of Chattanooga to be affixed this the

27th Day of August, 2013

Andy Berke, Mayor

ORDINANCES – FINAL READING:

On motion of Councilwoman Berz and seconded by Vice Chairman Henderson,

ORDINANCE #12757

AN ORDINANCE, HEREINAFTER ALSO KNOWN AS “THE FISCAL YEAR 2013-2014 BUDGET ORDINANCE”, TO PROVIDE REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 2013, AND ENDING JUNE 30, 2014; APPROPRIATING SAME TO THE PAYMENT OF EXPENSES OF THE MUNICIPAL GOVERNMENT; FIXING THE RATE OF TAXATION ON ALL TAXABLE PROPERTY IN THE CITY, AND THE TIME TAXES AND PRIVILEGES ARE DUE, HOW THEY SHALL BE PAID, WHEN THEY SHALL BECOME DELINQUENT; PROVIDING FOR INTEREST AND PENALTY ON DELINQUENT TAXES AND PRIVILEGES; AND TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 2, SECTION 2-267, RELATIVE TO PAID LEAVE FOR ACTIVE-DUTY TRAINING AND TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 31, SECTIONS 31-36, 31-37, 31-41, AND 31-43.

The motion carried on Roll Call Vote:

Anderson	YES	Henderson	YES
Berz	YES	Mitchell	YES
Freeman	YES	Smith	YES
Gilbert	YES	Hakeem	YES
Grohn	YES		

ACTION: APPROVED

MR-2010-137
Joseph Parks

On motion of Vice Chairman Henderson and seconded by Councilwoman Berz,

ORDINANCE #12758

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE 700 BLOCK OF RIVER GORGE DRIVE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

MR-2013-011
J. Harvey Cameron
Sequatchie Concrete Services, Inc.

On motion of Councilman Anderson and seconded by Councilman Smith,

ORDINANCE #12759

AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED PORTION OF THE 3900 BLOCK OF DIVINE AVENUE, 3800 AND 3900 BLOCKS OF BARKSDALE AVENUE, 3700 AND 3900 BLOCKS OF WALTHALL AVENUE, 1200 BLOCK OF EAST 38TH STREET, AND SIX UNOPENED ALLEYS, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

2013-089
Jacob Becker/PTC Properties
District No. 1
Alternate Version

On motion of Councilman Mitchell and seconded by Councilman Gilbert,

ORDINANCE #12756

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 503 HAMILTON AVENUE AND 502 NORTH MARKET STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO C-7 NORTHSHORE COMMERCIAL MIXED USE ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

MR-2013-092
Adam Driver
Hamilton County Board of Education

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

ORDINANCE #12760

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF A SANITARY SEWER EASEMENT AT 7553 IGOU GAP ROAD, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

ORDINANCES – FIRST READING:

On motion of Councilwoman Berz and seconded by Vice Chairman Henderson,

ORDINANCE #12761

AN ORDINANCE APPROPRIATING, AUTHORIZING OR ALLOCATING FUNDS TO THE CAPITAL IMPROVEMENTS BUDGET FOR THE FISCAL YEAR 2013/2014 AND TO AMEND THE FISCAL YEAR 2013/2014 BUDGET ORDINANCE NO. 12757.

The motion carried on Roll Call Vote as follows:

Freeman	YES	Smith	YES
Gilbert	YES	Anderson	YES
Grohn	YES	Berz	YES
Henderson	YES	Hakeem	YES
Mitchell	YES		

ACTION: PASSED ON FIRST READING

On motion of Councilman Freeman and seconded by Councilman Gilbert,

ORDINANCE #12762

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 25, ARTICLE II, SPECIAL GATHERING PERMIT.

Chairman Hakeem noted that this ordinance was thoroughly discussed during the Agenda Session, with Travis McDonough, Chief of Staff, briefing the Council and making a presentation on this agenda item.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

On motion of Councilwoman Berz and seconded by Councilman Anderson,

RESOLUTION #27625

A RESOLUTION ADOPTING A FIVE-YEAR CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2014-2018, SUBJECT TO FUTURE REVISION, A COPY OF WHICH IS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.

The motion carried on Roll Call Vote as follows:

Gilbert	YES	Anderson	YES
Grohn	YES	Berz	YES
Henderson	YES	Freeman	YES
Mitchell	YES	Hakeem	YES
Smith	YES		

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Freeman,

RESOLUTION #27626

A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF CHATTANOOGA TO ISSUE BONDS IN THE AGGREGATE AMOUNT NOT TO EXCEED \$11 MILLION OF THE CITY OF CHATTANOOGA, TENNESSEE, FOR THE PURPOSE OF PAYING ALL OR A PORTION OF THE COSTS OF THE FOLLOWING: ACCOUNTING SYSTEMS; ROAD IMPROVEMENTS; BUILDING IMPROVEMENTS; AND ECONOMIC AND COMMUNITY DEVELOPMENT.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilman Anderson,

RESOLUTION #27627

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT TO ENTER INTO CONTRACTS WITH THE BELOW-LISTED SCHOOL BUS DRIVERS TO DRIVE PARTICIPANTS TO VARIOUS RECREATION CENTERS ON FIELD TRIPS, FOR A TOTAL AMOUNT OF \$17,575.00.

ACTION: ADOPTED

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

RESOLUTION #

A RESOLUTION AUTHORIZING JOHN WISE, III TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 125 CHEROKEE BOULEVARD FOR THE INSTALLATION OF A CANOPY AT THE ENTRANCE THAT WILL EXTEND APPROXIMATELY FIVE (5) FEET BEYOND THE PROPERTY LINE, AS SHOWN ON THE DRAWINGS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

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

RESOLUTION #27629

A RESOLUTION AUTHORIZING JENNIFER A. RIZZO C/O HABITAT FOR HUMANITY GREATER CHATTANOOGA AREA, ATTENTION DENNIS NEAL, TO USE TEMPORARILY AN UNOPENED RIGHT-OF-WAY ON THE UNIT BLOCK OF WEST MORGAN LANE TO HAVE A DRIVEWAY ACCESS TO ACCOMMODATE A NEW HOUSE BEING BUILT ON THE CORNER, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

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

RESOLUTION #27630

A RESOLUTION AUTHORIZING DOUG WILSON TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 306 CHEROKEE BOULEVARD TO INSTALL PLANTERS IN FRONT OF THE BUILDING WITH METAL FRAME CANVAS AWNINGS, AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

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

RESOLUTION #27631

A RESOLUTION AUTHORIZING THE COUNTY MAYOR AND THE MAYOR OF THE CITY OF CHATTANOOGA TO EXECUTE A WARRANTY DONATION DEED TO TRANSFER A PORTION OF PROPERTY (13.75 ACRES, MORE OR LESS) OWNED JOINTLY BY HAMILTON COUNTY AND THE CITY OF CHATTANOOGA, LOCATED ON MOCCASIN BEND, FORMERLY KNOWN AS THE MODEL AIRPLANE CLUB PROPERTY, TO THE UNITED STATES OF AMERICA FOR USE BY THE NATIONAL PARK SERVICE AND INCLUSION INTO THE MOCCASIN BEND NATIONAL ARCHAEOLOGICAL DISTRICT, BEING A UNIT OF THE CHICKAMAUGA AND CHATTANOOGA NATIONAL MILITARY PARK.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Fire Department

Chief Flint reported on a food drive by the Fire Department during 8/12-8/13:

- Collected 2,811 pounds of food and \$265 in cash
- Collections will provide 3,402 meals
- The Fire Department will collaborate with Youth and Family Development next year to include food drive pickups at local community centers.

Refunds

Brent Goldberg, Deputy Chief Operating Officer, presented the following refund:

Map #146E-D-001.02	\$9,204.08
CNL Retirement Prop/Chatt Surgery	
C/O Dasco Co. Rodney Reichert	

On motion of Councilman Grohn, the above-listed refund was approved.

ACTION: APPROVED

Purchases

Mr. Goldberg briefed the Council on the following purchases:

R81252 - Public Works	\$12,590.00
Emergency Purchase for Roof Repair	
Lowest/Best Bidder: TBM Roofing	

PO511325 - Public Works	Estimated \$40,000.00 Annually
Blanket Contract Renewal for Air Compressor	
Annual Maintenance & Repair Service	
Lowest/Best Bidder: Ingersoll-Rand Co.	

R81202 & R81284 - Police Department	\$12,927.60
Purchase of Forty (40) Microsoft Software License	
Lowest/Best Bidder: Dell Marketing	

R81509 - Fire Department	\$10,200.00
Annual Software Maintenance & Support	
Lowest/Best Bidder: Environmental Systems Research Institute (ESRI)	

On motion of Councilman Anderson, all purchases were approved.

ACTION: APPROVED

OTHER BUSINESS:

Employee Transactions

(Employee Transaction Report received by Council)

COMMITTEE REPORTS:

Economic and Community Development Committee
Councilman Anderson

- The committee will meet next immediately following the Agenda Session in the Council Assembly. During that meeting, the committee will focus on two agenda items: (1) A pilot program at American Plastics and (2) the Sprinkler Ordinance.

Budget and Finance Committee
Councilwoman Berz
(No further report)

Public Safety Committee
Councilman Freeman
(No further report)

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 report at this time)

HR Committee (Human Resources)
Councilman Mitchell
(No report at this time)

Public Works and Transportation Committee
Councilman Smith
(No further report)

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

Attorney Hinton read the guidelines for persons wishing to address the Council on non-agenda matters. After which, Chairman Hakeem recognized the following:

- **Raymond Hunter, Jr. - Owner of property at 2510 E. Main Street** - He opposes the Special Gathering Permit ordinance.


After hearing from Mr. Hunter, Vice Chairman Henderson called **Point of Order** because the matter of the Special Gathering Permit Ordinance was an agenda item and not open for discussion for speakers on non-agenda items. Chairman Hakeem ruled in agreement with Vice Chairman Henderson and asked Attorney Hinton if Mr. Hunter has had any options at this point. Attorney Hinton agreed that this topic should have been discussed earlier during Agenda Session; however, he offered to discuss the content of the ordinance with Mr. Hunter after this meeting. Councilman Freeman also recommended that Mr. Hunter should consult his own attorney as to how this ordinance would apply to his business.

ADJOURNMENT

On motion of Councilman Mitchell, the meeting of the Chattanooga City Council was adjourned until Tuesday, September 3, 2013, at 6:00 p.m.



CHAIRMAN



CLERK OF COUNCIL

(A full digital audio of this Council meeting, August 27, 2013,
has been filed in the Clerk of the Council's office)