



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
February 18, 2014
6:00 PM

CALL TO ORDER

Chairman Yusuf Hakeem called the meeting to order with Vice Chairman Henderson and Councilpersons Carol Berz, Chris Anderson, Moses Freeman, Russell Gilbert, Larry Grohn, Jerry Mitchell and Ken Smith all present. Deputy City Attorney Phil Noblett, Management Analyst Randy Burns and Deputy Clerk Nicole Gwyn were also present.

PLEDGE OF ALLEGIANCE

Councilwoman Berz led the assembly in the Pledge of Allegiance.

APPROVAL OF LAST MINUTES

On motion of Councilman Freeman and seconded by Councilman Anderson, the minutes of the last meeting (February 11, 2014) were approved as published.

SPECIAL PRESENTATION:

ORDINANCES – FINAL READING:

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

ORDINANCE #12802

AN ORDINANCE AMENDING CHATTANOOGA CITY CODE, PART II, CHAPTER 2, ARTICLE III, DIVISION 16, SECTIONS 2-271 THROUGH 2-289, ENTITLED "OCCUPATIONAL SAFETY AND HEALTH PROGRAM", TO ESTABLISH AN UPDATED OCCUPATIONAL SAFETY AND HEALTH PROGRAM PLAN, DEVISE RULES AND REGULATIONS, AND TO PROVIDE FOR A SAFETY DIRECTOR AND THE IMPLEMENTATION OF SUCH PROGRAM PLAN.

ACTION: APPROVED

On motion of Councilman Smith and seconded by Councilwoman Berz,

ORDINANCE #12803

AN ORDINANCE ADOPTING A PLAN OF SERVICES AND EXTENDING THE CORPORATE LIMITS OF THE CITY OF CHATTANOOGA, TENNESSEE, BY ANNEXING CERTAIN TERRITORY CONTIGUOUS TO THE PRESENT CORPORATE LIMITS OF SAID CITY, OWNED BY THE IRREVOCABLE FAMILY TRUST DATED AUGUST 4, 2004, UNDER WILL OF FRANCES C. CANNON AND THE ESTATE OF ALVIN F. CANNON, BEING MORE FULLY DESCRIBED HEREIN.

ACTION: APPROVED

2014-002

City of Chattanooga/

Regional Planning Agency

District No. 3

Planning Version

On motion of Councilman Smith and seconded by Councilwoman Berz,

ORDINANCE #12805

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES GENERALLY LOCATED IN THE 6400 BLOCK OF FAIRVIEW ROAD AND THE 6700 BLOCK OF BIG RIDGE ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM TEMPORARY R-1 RESIDENTIAL ZONE TO ZONING PLAN FOR PERMANENT R-1 RESIDENTIAL ZONE FOR ANNEXED "AREA 4C" IN ORDINANCE NOS. 12293 AND 12597.

ACTION: APPROVED

2014-003
City of Chattanooga/
Regional Planning Agency
Planning Version

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

ORDINANCE #12806

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES GENERALLY LOCATED ON THIRTY-NINE (39) STREETS BETWEEN THE 6600 TO 7000 BLOCKS OF MIDDLE VALLEY ROAD AND THE 6500 TO 7000 BLOCKS OF HIXSON PIKE, MORE PARTICULARLY DESCRIBED HEREIN, FROM TEMPORARY R-1 RESIDENTIAL ZONE, RT-1 RESIDENTIAL TOWNHOUSE ZONE, R-2 RESIDENTIAL ZONE, R-5 RESIDENTIAL ZONE AND C-2 CONVENIENCE COMMERCIAL ZONE TO ZONING PLAN FOR PERMANENT ZONES R-1 RESIDENTIAL ZONE, RT-1 RESIDENTIAL TOWNHOUSE ZONE, R-2 RESIDENTIAL ZONE, R-5 RESIDENTIAL ZONE AND C-2 CONVENIENCE COMMERCIAL ZONE FOR ANNEXED "AREA 4A" IN ORDINANCE NOS. 12292 AND 12596.

ACTION: APPROVED

2014-006
Alan Haniszewski/
RTB Holdings
District No. 7
Planning Version

On motion of Councilman Anderson and seconded by Councilwoman Berz,

ORDINANCE #12807

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1814 MADISON STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

2014-007
Alan Haniszewski/
ALC Holdings
District No. 7
Planning Version

On motion of Councilman Anderson and seconded by Councilwoman Berz,

ORDINANCE #12808

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED IN THE 2000 BLOCK OF ROSSVILLE AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

2014-008
Scenic Land Company, LLC/
Jack Lonas
District No. 1
Planning Version

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

ORDINANCE #12809

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED IN THE 6300 BLOCK OF HIGHWAY 153 AND THE 100 BLOCK OF DODSON ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE, R-4 SPECIAL ZONE AND C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

2014-009
Andrew Stone
District No. 7
Planning Version

On motion of Councilman Anderson and seconded by Councilman Mitchell,

ORDINANCE #12810

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 2701 SOUTH BROAD STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE.

ACTION: APPROVED

On motion of Councilman Mitchell and seconded by Councilwoman Berz,

ORDINANCE #12804

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 2, ARTICLE XIII, BY DELETING SECTIONS 2-750 THROUGH 2-774 IN THEIR ENTIRETY AND SUBSTITUTING NEW SECTIONS IN LIEU THEREOF TO THE CODE OF ETHICS ORDINANCE FOR CITY OF CHATTANOOGA PERSONNEL.

ACTION: APPROVED

ORDINANCES – FIRST READING:

A discussion ensued about the following ordinance:

AN ORDINANCE GRANTING UNTO PUBLIX TENNESSEE, LLC, A FRANCHISE TO INSTALL RETAINING WALL TIEBACKS FOR THE AREA LOCATED WITHIN THE 400 BLOCK OF HAMILTON AVENUE, THE 300 AND 400 BLOCKS OF WOODLAND AVENUE, AND THE UNIT BLOCK OF EAST KENT STREET BORDERING ON THE EAST SIDE OF, AND PART OF THE SOUTH SIDE OF TAX MAP NO. 135D-C-014, AS SHOWN ON THE PHOTO AND DRAWING ATTACHED HERETO AND MADE A PART HEREOF REFERENCED IN MR-2013-160, SUBJECT TO CERTAIN CONDITIONS.

Councilman Mitchell moved to defer one (1) week because the owner had called and requested some changes. It was seconded by Vice Chairman Henderson.

ACTION: DEFERRED ONE (1) WEEK

2013-153
The Broadway Group, LLC,
John Haddock & Pamela Price
District No. 6
Planning Version

On motion of Councilwoman Berz and seconded by Councilman Freeman,

ORDINANCE #12811

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 7345 LEE HIGHWAY, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

On motion of Councilman Gilbert and seconded by Councilwoman Berz,

RESOLUTION #27793

A RESOLUTION AUTHORIZING THE DIRECTOR OF GENERAL SERVICES TO EXECUTE A CONTRACT FOR ONE HUNDRED (100) NEW LEASE-PURCHASE GOLF CARTS AND SEVENTY-FIVE (75) SEASONAL CARTS PER COURSE FOR THE BRAINERD AND BROWN ACRES GOLF COURSES, FOR AN ESTIMATED ANNUAL EXPENDITURE IN THE AMOUNT OF \$125,000.00, FOR A CONTRACT TERM OF FIVE (5) YEARS.

The motion carried 7-to-2, with Vice Chairman Henderson and Councilman Mitchell voting "NAY."

ACTION: ADOPTED

On motion of Councilman Mitchell and seconded by Councilman Smith,

RESOLUTION #27794

A RESOLUTION AUTHORIZING PAYMENT TO HAMILTON COUNTY FOR THE 2014 GIS AERIAL IMAGERY UPDATE, IN THE AMOUNT OF \$50,000.00.

ACTION: ADOPTED

On motion of Councilman Smith and seconded by Councilman Mitchell,

RESOLUTION #27795

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH AIRSEP PROCESS AND CONTROL, LLC, FOR REMOTE MONITORING SERVICES FOR CRYOGENIC OXYGEN GENERATION SYSTEM AT MOCCASIN BEND WASTEWATER TREATMENT PLANT, FOR AN AMOUNT NOT TO EXCEED \$75,000.00.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Freeman,

RESOLUTION #27796

A RESOLUTION AUTHORIZING DONNY GARNER TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 401 SOUTH SAINT MARKS AVENUE FOR TWO PARKING SPACES, AS SHOWN ON THE MAP AND DRAWING 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 #27797

A RESOLUTION TO EXTEND THE EXPIRATION DATE RELATED TO TEMPORARY USE CASE NUMBER 118789, JOHN W. WILCOX, III, FOR AN ADDITIONAL SIXTY (60) DAYS, FOR A TOTAL TIME OF ONE HUNDRED EIGHTY (180) DAYS.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Purchases

Brent Goldberg, Deputy Chief Operating Officer, briefed the Council on the following purchases:

R80483 - Public Works

Estimated \$170,000.00 Annually

Blanket Contract for Grounds Maintenance

Lowest/Best Bidder: Lawn Pro's of Chattanooga,
Grass Busters Lawn Maintenance,
Phifer Lawn Service, and US Lawns

502838 - Public Works

Estimated \$1,700,000.00 Annually

Blanket Contract Renewal for Land Application
and Beneficial Use of Biosolids

Lowest/Best Bidder: Synagro South LLC

520890 - Public Works Blanket Contract Renewal for Lime Kiln Dust Pozzolan Contracting & Supply Co.	Estimated \$300,000.00 Annually
R89924 - Public Works Purchase of Patterson Pump Parts Lowest/Best Bidder: Southern Sales Company	\$46,347 plus freight
R38224 - Public Works Blanket Contract Renewal for Roll-out Waste Containers Lowest/Best Bidder: Otto Environmental Systems	Estimated \$150,000.00 Annually
R71570 - Transportation Blanket Contract Renewal for Asphaltic Concrete Lowest/Best Bidder: Southeastern Materials	Estimated \$330,000.00 Annually
R42485 - Transportation Blanket Contract Renewal for Sign Sheeting Lowest/Best Bidder: 3M Company and Traffic and Parking Control Co.	Estimated \$35,000.00 Annually
R56484 - Transportation Blanket Contract Renewal for Street Marker Posts Lowest/Best Bidder: Vulcan Signs	Estimated \$35,000.00 Annually
519897 - General Services Blanket Contract Renewal for Police Interceptor Additional Lighting Lowest/Best Bidder: Mountain View Ford	Estimated \$35,000.00 Annually
R88860 - Police Department Blanket Contract for Police & School Patrol Uniforms Lowest/Best Bidder: Apparel Sewn Right	Estimated \$50,000.00 Annually

On motion of Councilwoman Berz, the above-listed purchases were approved.

ACTION: APPROVED

OTHER BUSINESS: (NONE)

COMMITTEE REPORTS:

Economic and Community Development Committee
Councilman Anderson

- The committee will meet next week (Feb. 25) immediately following Public Works and Transportation Committee.

Budget and Finance Committee
Councilwoman Berz
(No report)

Public Safety Committee
Councilman Freeman
(No report)

Youth and Family Development Committee
Councilman Gilbert
(No report)

Audit Committee
Councilman Grohn
(No report)

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

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

Public Works and Transportation Committee
Councilman Smith

- The committee will meet next week immediately after the Agenda Session.

Chairman Hakeem announced the following PUBLIC HEARING:

- **Public hearing** - Next week from 4:00 - 5:00 p.m. regarding the Fire & Police Pension Ordinance.


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 Hakeem recognized the following persons:


- **Karl Epperson (Dist. 7)** - He spoke in support of Councilman Anderson as representative for District 7.

ADJOURNMENT

On motion of Councilman Grohn, the meeting of the Chattanooga City Council was adjourned until Tuesday, February 25, 2014, at 6:00 p.m.



CHAIRMAN



CLERK OF COUNCIL

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