



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
August 26, 2014
6:00 PM

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Vice Chair Dr. Berz led the Pledge of Allegiance.

APPROVAL OF LAST MINUTES

On motion of Councilman Mitchell and seconded by Councilman Gilbert, the minutes of the last meeting (August 19, 2014) were approved as published.

ORDINANCES – FINAL READING:

On motion of Councilman Hakeem and seconded by Councilman Mitchell,

ORDINANCE #12850

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 25, ARTICLE III, SECTIONS 25-67, 25-69, 25-73, 25-75, 25-76, AND 25-77 RELATIVE TO UNLAWFUL NOISES SO AS TO CREATE DOWNTOWN AMPLIFIED MUSIC DISTRICT.

A discussion ensued about Section 25-73 and 25-69. Councilman Grohn voiced concerns about Section 25-69, where it references *“the measuring at the property line of the business producing the sound averaged over one (1) minute.”* He wanted to add language regarding a *maximum* time. Councilman Anderson called a *Point of Order*, seeking clarification on whether the City Attorney was being asked to make a policy amendment to the bill. Chairman Henderson clarified by restating the amendment that Councilman Grohn was proposing. Further discussion ensued, wherein Councilman Grohn withdrew his proposal for an amendment.

A discussion took place with Chief Operating Officer Brent Goldberg, who responded to the material costs associated with enforcement of the ordinance. Vice Chair Dr. Berz recommended reviewing the ordinance in six (6) months rather than a year. Attorney Hinton clarified that any member of Council could introduce an amendment to this ordinance at any time.

ACTION: APPROVED

On motion of Councilman Anderson and seconded by Councilman Smith,

ORDINANCE #12852

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 2, ARTICLE III, DIVISION 17, TO MAKE CERTAIN CHANGES TO THE GENERAL PENSION PLAN RELATIVE TO RETIRED PARTICIPANTS.

The motion carried on roll call vote as follows:

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

ACTION: APPROVED

On motion of Councilman Freeman and seconded by Councilman Hakeem,

ORDINANCE #12849

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE V, DIVISION 25, RESIDENTIAL PLANNED UNIT DEVELOPMENT, SECTION 38-393, PERMITTED USES, TO ALLOW ALL USES PERMITTED IN THE UNDERLYING ZONE(S) AND SECTION 38-398. PERMITTED DENSITY.

ACTION: APPROVED

2014-054
Hixson Investors, LLC/
Wells Fargo Bank and
Raymond L. Hassler
District No. 3
Planning Version

On motion of Councilman Smith and seconded by Councilman Mitchell,

ORDINANCE #12839

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 6308, 6338, 6348, AND 6352 GRUBB ROAD AND 5851 HIGHWAY 153, MORE PARTICULARLY DESCRIBED HEREIN, FROM C-2 CONVENIENCE COMMERCIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

2014-055
Hixson Investors, LLC/
Wells Fargo Bank and
Raymond L. Hassler
District No. 3

On motion of Councilman Smith and seconded by Vice Chair Dr. Berz,

ORDINANCE #12840

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO LIFT CONDITIONS FROM ORDINANCE NO. 11827 OF PREVIOUS CASE NO. 2006-028 AND TO LIFT CONDITIONS FROM ORDINANCE NO. 11946 OF PREVIOUS CASE NO. 2007-022, OFF PROPERTIES LOCATED AT 6308 GRUBB ROAD AND 5851, 5861, AND 5857 HIGHWAY 153, BEING MORE PARTICULARLY DESCRIBED HEREIN.

ACTION: APPROVED

ORDINANCES – FIRST READING: (NONE THIS MEETING)

RESOLUTIONS:

On motion of Vice Chair Dr. Berz and seconded by Councilman Gilbert,

RESOLUTION #27989

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A QUITCLAIM DEED FROM HAMILTON COUNTY CONVEYING THEIR INTEREST IN TAX MAP PARCEL NOS. 148B-B-012 AND 148B-B-014 AND TO DECLARE AS SURPLUS THE SAME PARCELS 148B-B-012 AND 148B-B-014.

ACTION: ADOPTED

On motion of Councilman Freeman and seconded by Councilman Hakeem,

RESOLUTION #27990

A RESOLUTION TO CONFIRM THE MAYOR'S APPOINTMENT OF LINDA HARRIS TO THE STORM WATER BOARD.

The motion carried **6-to-3** on roll call vote as follows:

Smith	NO	Freeman	YES
Mitchell	YES	Berz	YES
Hakeem	YES	Anderson	YES
Grohn	NO	Henderson	NO
Gilbert	YES		

ACTION: ADOPTED

On motion of Vice Chair Dr. Berz and seconded by Councilman Gilbert,

RESOLUTION #27991

A RESOLUTION TO CONFIRM THE MAYOR'S RE-APPOINTMENT OF TOM SNOW TO THE AIRPORT AUTHORITY.

The motion carried 8-to-1, with Councilman Grohn voting "NO."

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Vice Chair Dr. Berz,

RESOLUTION #27992

A RESOLUTION TO CONFIRM THE MAYOR'S RE-APPOINTMENTS OF KEVIN OSTEN AND MICHAEL PRATER TO THE HISTORIC ZONING BOARD.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Vice Chair Dr. Berz,

RESOLUTION #27993

A RESOLUTION TO CONFIRM THE MAYOR'S APPOINTMENTS OF MARIAH PRESCOTT, ELIZABETH TALLMAN, AND CRAIG WALKER TO THE TREE COMMISSION.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilman Gilbert,

RESOLUTION #27994

A RESOLUTION TO CONFIRM THE MAYOR'S APPOINTMENT OF JUSTIN STRICKLAND TO THE TRANSPORTATION BOARD.

ACTION: ADOPTED

On motion of Councilman Hakeem and seconded by Councilman Freeman,

RESOLUTION #27995

A RESOLUTION TO ACCEPT A DONATION CHECK FROM CATHOLIC HEALTH INITIATIVES (D/B/A MEMORIAL HOSPITAL) FOR THE VIOLENCE REDUCTION INITIATIVE, IN THE AMOUNT OF \$10,000.00.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilman Smith,

RESOLUTION #27996

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF TRANSPORTATION TO ACCEPT A CONTRIBUTION OF \$4,430.28 FROM URBAN RENAISSANCE GROUP, LLC (MIKE MOON) TOWARDS THE COST OF THREE (3) PEDESTRIAN LIGHT POLES, LIGHT FIXTURES AT 105 AND 121 W. 3RD STREET AT WALNUT HILL TOWNHOMES PHASE ONE ESTABLISHED BY CONTRACT NO. T-14-009.

ACTION: ADOPTED

On motion of Councilman Freeman and seconded by Councilman Smith,

RESOLUTION #27997

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF TRANSPORTATION TO ACCEPT A CONTRIBUTION OF \$4,250.28 FROM WALK2CAMPUS PROPERTIES TOWARDS THE COST OF THREE (3) PEDESTRIAN LIGHT POLES, LIGHT FIXTURES AT 863 MCCALLIE AVENUE (ED MARTIN, HOWERTON APARTMENTS) ESTABLISHED BY CONTRACT NO. T-14-010.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilman Smith,

RESOLUTION #27998

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AMENDED AGREEMENT WITH HAMILTON COUNTY AND THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR AN ADDITIONAL \$1,160,000.00 TRANSPORTATION ENHANCEMENT GRANT AND \$290,000.00 REQUIRED MATCH FROM PRIVATE FUNDS FOR TOTAL ADDITIONAL FUNDS OF \$1,450,000.00 FOR CONSTRUCTION OF THE NEXT PHASE OF THE DOWNTOWN RIVERWALK.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Purchases

Mr. Goldberg briefed the Council on the following purchases:

BR99051 - General Services

Estimated \$200,000 Annually

Blanket Contract Renewal for Digital Copier

Rental for Oce "IR" Models

Lowest/Best Bidder: Canon Solutions America

R47353 - Public Works

Estimated \$50,000 Annually

Blanket Contract Renewal: Motorola Supervisory
Control and Data Acquisition Services-
Waste Resource Division
Lowest/Best Bidder: Diversified Integration Inc.

Councilman Anderson moved to approve the purchases, seconded by Councilman Smith.
The motion carried.

ACTION: APPROVED

OTHER BUSINESS: (NONE)

COMMITTEE REPORTS:

Audit & I.T. Committee

Councilman Grohn

- The Planning Commission approved the Waterside development at Shallowford & Gunbarrel. The zoning request will come before Council on September 9. The public is invited to an informational meeting tomorrow (August 27) at 6:30 p.m. at the Embassy Suites in District 4.

Budget and Finance Committee

Councilman Mitchell

- The committee will meet on September 9 to discuss the city's Chatta Data.

Economic and Community Development Committee

Councilman Anderson

- He commented on the new Transit App introduced earlier today in Public Works and Transportation committee.

HR Committee (Human Resources)

Vice Chair Dr. Berz

(No report)

Planning & Zoning

Councilman Hakeem

- The committee will meet next week (September 2) immediately after Agenda Session.

Public Safety Committee

Councilman Freeman

- The committee will meet on September 9 regarding the Animal Control Ordinance.

Public Works and Transportation Committee

Councilman Smith

- The committee met today to discuss items from September 2 and September 9 agendas. The next meeting date is September 9 immediately after Agenda Session.
- The committee also heard a presentation by Jenny Park regarding a new transit app.

Youth and Family Development Committee

Councilman Gilbert

(No report)

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

Chairman Henderson asked for a show of hands from persons wishing to address the Council on non-agenda items. Seeing none, this portion of the agenda was closed.

ADJOURNMENT

On motion of Councilman Anderson, the meeting of the Chattanooga City Council was adjourned until Tuesday, September 2, 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)**