



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
March 10, 2015
6:00 PM

CALL TO ORDER

Council Chairman Chip Henderson called the meeting to order with Vice Chair Dr. Carol Berz and Councilpersons Moses Freeman, Russell Gilbert, Larry Grohn, Yusuf Hakeem, Jerry Mitchell and Ken Smith all present. Also present were City Attorney Wade Hinton and Council Clerk Nicole Gwyn, CMC. Councilman Chris Anderson was not present.

PLEDGE OF ALLEGIANCE

Councilman Gilbert led the Assembly in the Pledge of Allegiance. He invited his pastor, Tavner Smith, to bring the invocation.

APPROVAL OF LAST MINUTES

On motion of Councilman Smith and seconded by Councilman Mitchell, the minutes of the last meeting (March 3, 2015) were approved as published.

ORDINANCES – FINAL READING:

On motion of Councilman Freeman and seconded by Councilman Gilbert,

ORDINANCE #12918

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 10, SECTIONS 10-3(J), RELATIVE TO 109.2.4 OTHER FEES TO INCLUDE FEES FOR FIRE & LIFE SAFETY INSPECTION AND PLANS REVIEW PAYABLE AT THE LAND DEVELOPMENT OFFICE AND TO AMEND CHATTANOOGA CITY CODE, PART II, SECTION 16-29, REGARDING FEES FOR SERVICES RENDERED BY THE FIRE DEPARTMENT PAYABLE AT THE FIRE MARSHAL'S OFFICE.

ACTION: APPROVED

ORDINANCES – FIRST READING:

2015-026

John Parrish/Carlson Consulting Engineers/

Suntrust Bank/Alvin Cannon/

William Voiles/Cornerstone Auto Broker

District No. 3

Planning Version

On motion of Councilman Gilbert and seconded by Councilman Smith,

ORDINANCE #12919

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 8607, 8613, AND 8619 NORTH HICKORY VALLEY ROAD AND 5317, 5321, 5323, 5325, 5327, 5329, AND 5331 HIGHWAY 58, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE AND C-2 CONVENIENCE COMMERCIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

Greg Haynes, Regional Planning's Director of Development, briefed the Council on this agenda item, which, he indicated, had a traffic study condition. Councilman Freeman called the *question*. With no objection, the motion passed.

ACTION: PASSED ON FIRST READING

2015-019

Hometown Folks, LLC

c/o MAP Engineers/

Walter and Sharon Willis

District No. 6

Planning Version

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

ORDINANCE #12920

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 13 SOUTH MOORE ROAD AND 4850 BRAINERD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

Mr. Haynes briefed the Council on this agenda item. The Applicant was present, but there was no Opposition. Mr. Haynes clarified that the Planning Version was the version that Council was considering. The motion carried.

ACTION: PASSED ON FIRST READING

2015-022
Mike Doucoumes
District No. 6
Planning Version

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

ORDINANCE #12921

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1428 CRAWFORD STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE.

Mr. Haynes briefed the Council on this agenda item. The Applicant was present, but there was no Opposition. The motion carried.

ACTION: PASSED ON FIRST READING

2015-016
Wesley Johnson, Jr./
Dawghouse Holdings, LLC
District No. 8
Planning Version

On motion of Councilman Freeman and seconded by Councilman Grohn,

ORDINANCE #12922

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 2847 CALHOUN AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO M-1 MANUFACTURING ZONE.

Mr. Haynes briefed the Council on this agenda item. The Applicant was present, but there was no Opposition. The motion carried.

ACTION: PASSED ON FIRST READING

2015-018
Wes Bradley of University Housing Group/
Westview Drive, LP
District No. 8
Planning Version

On motion of Councilman Freeman and seconded by Councilman Hakeem,

ORDINANCE #12923

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1428 RIVERSIDE DRIVE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.

Mr. Haynes briefed the Council on this agenda item. Chairman Henderson opened the floor to the Applicant, Mike Price of MAP Engineers, who informed Council that he had agreed to a change in the condition regarding the number of trees in the parking area: the number had been changed from 1 to 10.

Mr. Price also voiced concerns about the condition regarding the number of parking spaces. He asked Council to consider amending the condition to "a minimum of .8 parking spaces." Discussion ensued regarding Mr. Price's request. Blythe Bailey, Transportation Administrator, also joined the discussion.

After which, both Councilman Freeman and Councilman Grohn offered to amend the language of the parking space condition, but Chairman Henderson objected because he wanted to hear from the Opposition, if any, before hearing a motion. Seeing that no Opposition was present, Chairman Henderson allowed a motion. Therefore, Councilman Freeman moved to amend the condition to insert a 0.8 minimum requirement of parking spaces be provided for each rentable bed. Councilman Grohn seconded. The motion carried.

**ACTION: PASSED ON FIRST
READING AS AMENDED**

2015-020
Thomas Palmer/Dan Rose
District No. 8
Planning Version

On motion of Councilman Freeman and seconded by Councilman Grohn,

ORDINANCE #12924

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 1472 AND 1474 MARKET STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.

Mr. Haynes briefed the Council on this agenda item. Neither the Applicant nor Opposition were present. The motion carried.

ACTION: PASSED ON FIRST READING

On motion of Councilman Mitchell and seconded by Councilman Grohn,

ORDINANCE #12925

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE IV, GENERAL REGULATIONS SECTION 38-32 LOT SIZE, LOT FRONTAGE, AND SETBACK NOT TO BE REDUCED; EXCEPTIONS TO PROVIDE CLARIFICATION AS TO WHEN A VARIANCE WILL BE REQUIRED FOR EXISTING STRUCTURE SETBACKS.

Mr. Haynes briefed the Council on this agenda item. Neither the Applicant nor Opposition was present. The motion carried.

ACTION: PASSED ON FIRST READING

On motion of Councilman Freeman and seconded by Councilman Hakeem,

ORDINANCE #12926

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE V, DIVISION 7, R-3MD MODERATE DENSITY ZONE, SECTION 38-104, TO CLARIFY THAT ONLY ONE STRUCTURE IS PERMITTED PER LOT.

Mr. Haynes briefed the Council on this agenda item. The motion carried.

ACTION: PASSED ON FIRST READING

On motion of Councilman Hakeem and seconded by Councilman Freeman,

ORDINANCE #12927

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE IV, GENERAL REGULATIONS, SECTION 38-23, LOT SIZE NOT TO BE REDUCED EXCEPTION; AND ARTICLE VI, DIVISION 1, HEIGHT AND AREA EXCEPTIONS, SECTION 38-502 THROUGH 38-512, TO CLARIFY AND COMBINE ALL LOT OF RECORD REGULATIONS AND STANDARDS INTO ONE SECTION.

Mr. Haynes briefed the Council on this agenda item. The motion carried.

ACTION: PASSED ON FIRST READING

On motion of Councilman Mitchell and seconded by Councilman Smith,

ORDINANCE #12928

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE VIII, BOARD OF APPEALS FOR VARIANCES AND SPECIAL PERMITS, SECTION 38-568, POWERS, ETC., OF BOARD; HEARINGS, SUBSECTION (23) SPECIAL PERMIT FOR TWO-FAMILY OR MULTI-FAMILY DWELLINGS ON LOTS OF RECORD.

Mr. Haynes indicated that this was a “housekeeping item” to amend a reference number in the code. John Bridger, Regional Planning’s Executive Director, added to the discussion by stating that his staff finds areas where the code must be clarified and brings those areas to the Council. The motion carried.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

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

RESOLUTION #28164

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT FOR THE CITY OF CHATTANOOGA TO SERVE AS A GOVERNMENT SPONSOR AND PASS-THROUGH ENTITY FOR A GRANT FROM THE AMERICAN BATTLEFIELD PROTECTION PROGRAM, A PART OF THE NATIONAL PARK SERVICE, TO BE PASSED THROUGH TO THE CIVIL WAR TRUST, WHICH WILL PURCHASE AND PRESERVE AN 11.6+/- ACRE OF LAND IDENTIFIED AS THE VEAL TRACT (THE “PROJECT”), FOR AN AMOUNT NOT TO EXCEED \$258,250.00.

ACTION: ADOPTED

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

RESOLUTION #28165

A RESOLUTION TO MAKE CERTAIN FINDINGS RELATING TO THE CHOO CHOO PARTNERS, LP PROJECT, TO DELEGATE CERTAIN AUTHORITY TO THE HEALTH, EDUCATIONAL, AND HOUSING FACILITY BOARD, AND TO AUTHORIZE THE MAYOR TO ENTER INTO AND EXECUTE AN AGREEMENT FOR PAYMENTS IN LIEU OF AD VALOREM TAXES.

Councilman Freeman called the *question*. The motion carried.

ACTION: ADOPTED

On motion of Councilman Grohn and seconded by Councilman Freeman,

RESOLUTION #28166

A RESOLUTION AUTHORIZING THE CHIEF INFORMATION TECHNOLOGY OFFICER TO RENEW THE BLANKET CONTRACT WITH EPHEISOFT SOFTWARE LICENSE AND SUPPORT WITH ZIA CONSULTING FOR TECHNICAL SERVICES AND MAINTENANCE FOR ELECTRONIC CONTENT MANAGEMENT (ECM) FOR A CONTRACT TERM OF ONE YEAR, FOR A TOTAL AMOUNT NOT TO EXCEED \$85,000.00.

ACTION: ADOPTED

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

RESOLUTION #28167

A RESOLUTION AUTHORIZING THE CHIEF INFORMATION TECHNOLOGY OFFICER TO RENEW THE BLANKET CONTRACT WITH ALFRESCO SOFTWARE LICENSE AND SUPPORT WITH ZIA CONSULTING FOR TECHNICAL SERVICES AND MAINTENANCE FOR ELECTRONIC CONTENT MANAGEMENT (ECM) FOR A CONTRACT TERM OF ONE YEAR, FOR A TOTAL AMOUNT NOT TO EXCEED \$58,410.00.

ACTION: ADOPTED

On motion of Councilman Freeman and seconded by Gilbert,

RESOLUTION #28168

A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 (FINAL) FOR GAMETIME, A PLAYCORE COMPANY, RELATIVE TO THE CONTRACT, INSTALLATION OF A POWERSCAPE PLAY SYSTEM AT THE EAST LAKE YOUTH AND FAMILY DEVELOPMENT CENTER, FOR AN INCREASED AMOUNT OF \$9,500.00, FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED \$94,344.32.

ACTION: ADOPTED

On motion of Councilman Freeman and seconded by Councilman Smith,

RESOLUTION #28169

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO A BLANKET CONTRACT WITH DENALI WATER SOLUTIONS, LLC FOR BENEFICIAL USE OF BIOSOLIDS FOR AN ESTIMATED COST OF \$1.8 MILLION, FOR THE FIRST YEAR WITH THE TERM OF THE CONTRACT TO BE THREE (3) YEARS WITH THE OPTION TO RENEW FOR TWO (2) ADDITIONAL ONE (1) YEAR TERMS.

ACTION: ADOPTED

On motion of Councilman Grohn and seconded by Councilman Gilbert,

RESOLUTION #28170

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO A PARTNERSHIP AGREEMENT, CONTRACT NO. R-15-023-201, WITH CHATTANOOGA FLYING DISC CLUB, A 501(C)(3), FOR THE USE AND OPERATIONS OF ALL PRESENT AND FUTURE, DISC GOLF COURSES AT CITY PUBLIC PARKS FOR DAILY USE AND TOURNAMENT PLAY AS DESCRIBED IN THE AGREEMENT, AN ESTIMATED VALUE OF \$47,700.00 OF SERVICES AND EQUIPMENT TO BE DONATED BY THE REFERENCED ORGANIZATION.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilman Grohn,

RESOLUTION #28171

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT, TO APPLY FOR AND, IF GRANTED, ACCEPT A GRANT FROM THE NATIONAL RECREATION AND PARK ASSOCIATION (NRPA) AND WALMART FOUNDATION TO SUPPORT CHILDREN'S HEALTH AND PROVIDE MEAL PROGRAMS TO CHILDREN FROM LOW INCOME COMMUNITIES DURING OUT-OF-SCHOOL TIMES, FOR AN AMOUNT UP TO \$25,000.00 AND ADDITIONAL RECEIVED IN-KIND NUTRITION LITERACY MATERIALS VALUED UP TO \$7,000.00.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Purchases

David Carmody, Deputy Chief Operating Officer, briefed the Council on the following purchases:

R56544 - Finance & Administration	\$44,505.22
Renewal of Service Agreement for Custom Programming and Software Maintenance Service	
Lowest/Best Bidder: Tyler Technologies	
R110892 - Information Technology	\$176,245.60
The Purchase of Forty (40) Panasonic Toughbook's	
Lowest/Best Bidder: Insight Public Sector	
R110309 - Public Works	\$27,101.00
Purchase of Software Licenses	
Lowest/Best Bidder: Environmental Systems Research Institute (ESRI)	

R108372 - Public Works

New Blanket Contract for Air/ Vacuum Relief Valve Services
Lowest/Best Bidder: H & H Brown, Inc.

Estimated \$200,000 Annually

R107901 - Public Works

New Blanket Contract for The Supply & Delivery of Flow
Meters plus related Maintenance & Support Services
Lowest/Best Bidder: Southern Sales Company

Estimated \$250,000 Annually

R71570 - Public Works

Blanket Contract Extension for Asphaltic Concrete
Lowest/Best Bidder: Southeastern Materials

Estimated \$390,000 Annually

Vice Chair Dr. Berz moved to approve, seconded by Councilman Grohn. The motion carried.

ACTION: APPROVED

OTHER BUSINESS: (NONE)

COMMITTEE REPORTS:

Audit & I.T. Committee

Councilman Grohn
(No report)

Budget and Finance Committee

Councilman Mitchell
(No report)

Economic and Community Development Committee

(Councilman Anderson was not present)

HR Committee (Human Resources)

Vice Chair Dr. Berz
(No report)

Planning & Zoning

Councilman Hakeem
(No report)

Public Safety Committee

Councilman Freeman

- The committee will meet next Tuesday immediately following the Agenda Session.

Public Works and Transportation Committee

Councilman Smith

- The committee will meet in two (2) weeks on March 24th.

Youth and Family Development Committee

Councilman Gilbert

- The committee met today for a departmental update by YFD Administrator Lurone Jennings and division heads.
- He hopes to invite youth from YFD programs to address Council and demonstrate their oratory skills.

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

Chairman Henderson asked if there were persons in the Assembly who wished to address the Council on non-agenda items. Seeing none, this portion of the agenda was closed.

ADJOURNMENT

On motion of Councilman Freeman, the meeting of the Chattanooga City Council was adjourned until Tuesday, March 17, 2015, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL