



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
April 7, 2015
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. Also present were Attorney Wade Hinton and Council Clerk Nicole Gwyn, CMC.

PLEDGE OF ALLEGIANCE

Councilman Hakeem led the assembly in the Pledge of Allegiance and invocation.

APPROVAL OF LAST MINUTES

On motion of Councilman Anderson and seconded by Councilman Gilbert, the minutes of the last meeting (March 31, 2015) were approved as published.

ORDINANCES – FINAL READING:

MR-2015-040

City of Chattanooga c/o Bill Payne

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

ORDINANCE #12931

AN ORDINANCE CLOSING AND ABANDONING A SEWER AND DRAINAGE EASEMENT LOCATED WITHIN 8001 VOLKSWAGEN DRIVE.

ACTION: APPROVED

On motion of Councilman Smith and seconded by Councilman Anderson,

ORDINANCE #12932

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 18, ARTICLE III, SECTION 18-52, PERTAINING TO RECYCLABLES.

ACTION: APPROVED

On motion of Councilman Freeman and seconded by Councilman Smith,

ORDINANCE #12933

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 31, ARTICLE VIII, DIVISION 7, SECTION 31-356.1, RELATING TO ADJUSTMENTS TO WATER QUALITY FEE.

ACTION: APPROVED

ORDINANCES – FIRST READING: (NONE)

RESOLUTIONS:

On motion of Councilman Mitchell and seconded by Councilman Smith,

RESOLUTION #28199

A RESOLUTION AUTHORIZING BRIGHT SCHOOL C/O ORTHA JAMES MORGAN TO USE TEMPORARILY THE RIGHT-OF-WAY OF THE ISLAND LOCATED AT HIXSON PIKE AND MCDADE LANE FOR THE INSTALLATION OF THE BRIGHT SCHOOL SIGN, PUBLIC ART DISPLAY, AND LANDSCAPING, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilman Freeman,

RESOLUTION #28200

A RESOLUTION AUTHORIZING COGENT STUDIO LLC C/O THOMAS PALMER AGENT FOR PROPERTY OWNERS BYD BROAD AND KEVIN BOEHM TO USE TEMPORARILY THE RIGHT-OF-WAY OF THE UNOPENED ALLEY IN THE REAR OF THE BUILDING LOCATED AT 1616 BROAD STREET TO PAVE THE ALLEY WITH CONCRETE AND PROVIDE A CHAIN LINK FENCE WITH A GATE FOR INGRESS AND EGRESS TO FACILITATE HAND TRUCK DELIVERIES FROM 17TH STREET, 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 Vice Chair Dr. Berz,

RESOLUTION #28201

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE CHATTANOOGA HOUSING AUTHORITY AND THE CITY OF CHATTANOOGA DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT FOR THE USE OF THE GYMNASIUM LOCATED AT THE CROMWELL CENTER AT 3940 CAMELLIA DRIVE ON THE GROUNDS OF THE CROMWELL HILLS APARTMENTS FOR A TERM OF THREE (3) YEARS, WITH THE OPTION TO RENEW FOR TWO (2) ADDITIONAL ONE (1) YEAR TERMS AT ZERO COST TO THE CITY OF CHATTANOOGA.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Purchases

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

- R91847 - General Services** Estimated \$500,000 Annually
Blanket Contract Renewal for Tires
Lowest/Best Bidder: Best One Tire
- R112035 - Public Works** \$25,806 plus shipping
The Purchase of Teledyne Isco Wastewater Samplers
Lowest/Best Bidder: Teledyne Isco c/o Kazmier & Associates
- R109872 - Public Works** Estimated \$50,000 Annually
New Blanket Contract for Overhead Crane
Maintenance & Repair Services
Lowest/Best Bidder: Konecranes, Inc
- R73655 - Transportation** Estimated \$60,000 Annually
Extension of Blanket Contract for Speed Cushions
Lowest/Best Bidder: Traffic Logix Corp.

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

ACTION: APPROVED

OTHER BUSINESS:

Senate Bill 0123

Councilman Anderson updated the Council on Senate Bill 0123, which would have prohibited local governments from entering into collective bargaining agreements with labor unions or employee associations. He informed the Council that the bill was now dead in the Tennessee General Assembly, having been defeated in a 9-0 vote.

City Attorney's Report

Attorney Hinton yielded to Tom Greenholtz, an attorney with Chambliss, Bahner and Stophel. Attorney Greenholtz informed the Council of a mediation that took place last week, resulting in an agreed upon settlement against the City for \$75,000 and Hamilton County for \$75,000. He asked the Council for a resolution, subject to City and County approval, with a release of all claims against both government bodies and with both government bodies handling their own costs.

Councilman Anderson moved approval, seconded by Councilman Mitchell. Attorney Hinton objected and asked the Council to “*authorize the City Attorney to execute the settlement agreement.*” **Councilman Anderson moved**, seconded by Councilman Mitchell. The motion carried.

COMMITTEE REPORTS:

Chairman Henderson led a discussion to commit the stormwater ordinance to the Public Works Committee for revisions to the tree clear-cutting language within that ordinance. There will be a meeting of the Public Works Committee next week following Agenda regarding the tree clear-cutting language in the stormwater ordinance.

Audit & I.T. Committee

Councilman Grohn

(No report)

Budget and Finance Committee

Councilman Mitchell

(No report)

Economic and Community Development Committee

Councilman Anderson

- The committee met today for a panel discussion on housing affordability and options in Chattanooga. He thanked the panel participants: Donna Williams, Heidi Hefferlin, Ethan Collier, Michael Gilliland, Melissa Taylor and Roger Tudor.
- He looked forward to having another discussion with an expanded panel in the next couple of months.

HR Committee (Human Resources)

Vice Chair Dr. Berz

(No report)

Planning & Zoning
Councilman Hakeem

- The committee met today to discuss items to cover items that would appear on first reading next week (April 14).
- The committee had an educational session last week regarding the Board of Zoning Appeal (“Variance Board”) and that everything was satisfactory with it at this time.

Public Safety Committee
Councilman Freeman
(No report)

Public Works and Transportation Committee
Councilman Smith

- The committee will have a special meeting next week after Agenda Session to discuss the tree canopy requirement in the current stormwater ordinance.

Youth and Family Development Committee
Councilman Gilbert
(No report)

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

Chairman Henderson stated that there was a group in the Assembly that wished to address the Council on the proposed River Oaks subdivision. Councilman Mitchell asked to suspend the 3-minute limit for Dr. Joe Cofer, who would speak on behalf of various neighborhood associations on a planning case in his district. **Councilman Mitchell moved** to suspend the rules of procedure to allow Dr. Joe Cofer to speak beyond 3 minutes. Councilman Freeman seconded. There were no objections.

Therefore, Chairman Henderson authorized suspending the rules of procedure regarding the 3-minute limit for Dr. Cofer’s presentation only. Chairman Henderson then instructed Attorney Hinton to read the rules of procedure for those persons wishing to address the Council on non-agenda items. After which, Chairman Henderson recognized Dr. Cofer, who addressed the Council with the aid of a visual presentation.

Dr. Cofer stated that he represented three (3) neighborhood groups: River Knoll Property Owners Association, Stuart Heights Neighborhood Association and Old Towne Homeowners Association. He stated that the group opposed the proposed new River Summit Drive from a public safety standpoint and detailed their concerns. Chairman Henderson noted that the developer of the subdivision was not present during Dr. Cofer’s presentation.

A discussion ensued with John Bridger of Regional Planning about an independent study by the City of Chattanooga regarding this area. Mr. Bridger stated that he would coordinate communications with the community on the study.

Chairman Henderson also recognized the following individual wishing to address the Council on non-agenda matters:

- **Lorraine Piercy (Braley Place)** – She reiterated Dr. Cofer’s concerns about safety at the intersection created by the proposed new River Summit Drive.
 - Further discussion ensued with Mr. Bridger about the process for the upcoming study. Blythe Bailey, Transportation Administrator, also joined the discussion.
 - Councilman Mitchell asked Mr. Bridger for an addition to the scope of work in the study’s Request for Proposal: that the leadership of the community groups meet with the Consultant chosen for the RFP. Mr. Bridger said that could be added, but the Applicant would also need to have “equal face time” with the consultant for the sake of parity.

ADJOURNMENT

On motion of Councilman Anderson, the meeting of the Chattanooga City Council was adjourned until Tuesday, April 14, 2015, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL