



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES

June 16, 2015
6:00 PM

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Councilman Henderson led the Assembly in the Pledge of Allegiance. He read Lamentations 3:22 of the Bible before leading the invocation.

APPROVAL OF LAST MINUTES

On motion of Councilman Anderson and seconded by Councilman Gilbert, the minutes of the last meeting (June 9, 2015) were approved as published.

ORDINANCES – FINAL READING:

On motion of Councilman Mitchell and seconded by Councilman Anderson,

ORDINANCE #12953

AN ORDINANCE HEREINAFTER ALSO KNOWN AS “THE FISCAL YEAR 2015-2016 OPERATIONS BUDGET ORDINANCE”, TO PROVIDE REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 2015, AND ENDING JUNE 30, 2016; 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 upon roll call vote as follows:

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

ACTION: APPROVED

2015-070
ASA Engineering c/o Allen Jones,
Ronald Speicher, and Ben O'Daniel
District No. 3
Planning Version

On motion of Councilman Henderson and seconded by Councilman Grohn,

ORDINANCE #12964

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE SO AS TO REZONE A PORTION OF PROPERTIES LOCATED AT 137 AND 200 OYLER LANE AND 5510 MOODY SAWYER ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE.

Chairwoman Berz inquired if there was any opposition present; none was present. Upon no further questions, the motion carried.

ACTION: APPROVED

2015-063
Donald Runyan and Smart Living Trust
District No. 5
Planning Version

On motion of Councilman Gilbert and seconded by Councilman Grohn,

ORDINANCE #12954

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE SO AS TO REZONE PROPERTY LOCATED AT 4200 WILLARD DRIVE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO R-3 MODERATE DENSITY ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

2015-06
James Scott and Holy Temple Church of God
District No. 8
Planning Version

On motion of Vice Chair Freeman and seconded by Councilman Anderson,

ORDINANCE #12956

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE SO AS TO REZONE PROPERTY LOCATED AT 2311 BLISS AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

On motion of Councilman Mitchell and seconded by Councilman Henderson,

ORDINANCE #12957

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE III, ZONES AND BOUNDARIES, DIVISION 3, SECTION 38-11(2), URBAN OVERLAY ZONE, BY MOVING THE URBAN OVERLAY ZONE BOUNDARY ON SHADY CIRCLE, SUNSET ROAD, AND FALMOUTH ROAD.

ACTION: APPROVED

On motion of Councilman Gilbert and seconded by Councilman Grohn,

ORDINANCE #12958

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE V, DIVISION 15, C-3 CENTRAL BUSINESS ZONE, BY ADDING A SPECIAL EXCEPTIONS PERMIT REQUIREMENT FOR ASSISTED LIVING FACILITIES OPERATED FOR-PROFIT.

ACTION: APPROVED

On motion of Councilman Henderson and seconded by Vice Chair Freeman,

ORDINANCE #12959

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, BEING TAX MAP NOS. 120E-A-001 AND 120E-A-005, TO THIS ORDINANCE LOCATED IN HAMILTON COUNTY, TENNESSEE, OWNED BY CORNERSTONE AUTO BROKERS, LLC; BARBARA MOSS BEVILLE; RAY E. MOSS, III; AND JAMES WOODRUFF, BEING MORE FULLY DESCRIBED HEREIN.

ACTION: APPROVED

MR-2015-056
Mike Price/MAP Engineers
District No. 4

On motion of Councilman Grohn and seconded by Councilman Henderson,

ORDINANCE #12960

AN ORDINANCE CLOSING AND ABANDONING A SANITARY SEWER EASEMENT LOCATED AT 7518 STANDIFER GAP ROAD, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

MR-2015-045
Passpointe Engineering c/o Jan Pass
District No. 5

On motion of Vice Chair Freeman and seconded by Councilman Gilbert,

ORDINANCE #12961

AN ORDINANCE CLOSING AND ABANDONING A SANITARY SEWER EASEMENT LOCATED AT 6188 ADAMSON CIRCLE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

On motion of Councilman Henderson and seconded by Vice Chair Freeman,

ORDINANCE #12962

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 31, ARTICLE III, DIVISION 1, SECTION 31-51.01 RELATIVE TO THE FATS, OILS, AND GREASE (FOG) MANAGEMENT PROGRAM.

ACTION: APPROVED

On motion of Councilman Anderson and seconded by Councilman Grohn,

ORDINANCE #12963

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 10, SECTION 10-3, AMENDMENTS TO CODE ADOPTED, 2012 INTERNATIONAL RESIDENTIAL CODE, SECTION M, TO DELETE SECTION R313 IN ITS ENTIRETY ENTITLED, "AUTOMATIC FIRE SPRINKLER SYSTEMS FOR TOWNHOUSES," PURSUANT TO RECENT CHANGES TO TENNESSEE CODE ANNOTATED 68-120-101(A)(8).

ACTION: APPROVED

ORDINANCES – FIRST READING: (NONE)

RESOLUTIONS:

On motion of Councilman Gilbert and seconded by Councilman Anderson,

RESOLUTION #28270

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO ENTER INTO A CONTRACT AGREEMENT WITH PATES HAULING AND DEMOLITION FOR DEMOLITION SERVICES, FOR AN AMOUNT NOT TO EXCEED \$250,000.00.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Vice Chair Freeman,

RESOLUTION #28271

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF FUNDS FROM RIVER CITY COMPANY FOR THE DESIGN FEE ASSOCIATED WITH PLANNING AND DESIGN OF MILLER PLAZA AS PART OF THE MILLER PARK DISTRICT PROJECT, IN THE AMOUNT OF \$27,700.00.

ACTION: ADOPTED

On motion of Vice Chair Freeman and seconded by Councilman Anderson,

RESOLUTION #28272

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO ACCEPT A GRANT FROM THE BENWOOD FOUNDATION FOR PLANNING AND DESIGN OF PATTEN PARKWAY AND MILLER PARK THROUGH CONSTRUCTION DRAWINGS, IN THE AMOUNT OF \$200,000.00.

ACTION: ADOPTED

On motion of Vice Chair Freeman and seconded by Councilman Anderson,

RESOLUTION #28273

A RESOLUTION AUTHORIZING THE DIRECTOR OF HUMAN RESOURCES TO ENTER INTO AN AGREEMENT WITH BLUECROSS BLUESHIELD OF TENNESSEE AND ASSURANT EMPLOYEE BENEFITS TO PROVIDE VOLUNTARY DENTAL INSURANCE TO CITY EMPLOYEES AT THE MONTHLY RATES LISTED BELOW.

ACTION: ADOPTED

On motion of Vice Chair Freeman and seconded by Councilman Anderson,

RESOLUTION #28274

A RESOLUTION AUTHORIZING THE APPOINTMENT OF SHAUN MILLSAPS AS SPECIAL POLICE OFFICER (UNARMED) FOR THE CITY OF CHATTANOOGA DEPARTMENT OF PUBLIC WORKS, WASTE WATER DIVISION, TO DO SPECIAL DUTIES AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Vice Chair Freeman and seconded by Councilman Anderson,

RESOLUTION #28275

A RESOLUTION AUTHORIZING THE APPOINTMENT OF CHRISTOPHER MILLS AS SPECIAL POLICE OFFICER (UNARMED) FOR THE CITY OF CHATTANOOGA DEPARTMENT OF PUBLIC WORKS, WASTE WATER DIVISION, TO DO SPECIAL DUTIES AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilman Mitchell,

RESOLUTION #28276

A RESOLUTION AUTHORIZING THE CHIEF OF THE CHATTANOOGA POLICE DEPARTMENT TO ENTER INTO AN AGREEMENT WITH THE U.S. NUCLEAR REGULATORY COMMISSION (“NRC”) TO USE THE CHATTANOOGA POLICE DEPARTMENT FACILITIES TO PROVIDE TRAINING COURSES FOR THE NRC PERSONNEL AND CONTRACTORS, FOR A ONE (1) YEAR PERIOD AND FOUR (4) TWELVE (12) MONTH OPTION PERIODS, FOR THE LIFE OF THE CONTRACT (FIVE (5) YEARS), FOR AN AMOUNT PAYABLE ANNUALLY TO THE CITY OF CHATTANOOGA FOR \$50,000.00, FOR A TOTAL ESTIMATED AMOUNT OF \$250,000.00.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilman Grohn,

RESOLUTION #28277

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH CONSOLIDATED TECHNOLOGIES, INC. D/B/A CTI ENGINEERS, INC., FOR PROFESSIONAL SERVICES, RELATIVE TO CONTRACT NO. W-15-001-101, MBWWTP DETRITORS REHABILITATION, FOR AN AMOUNT NOT TO EXCEED \$290,000.00.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Vice Chair Freeman,

RESOLUTION #28278

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH CH2M HILL ENGINEERS, INC., FOR PROFESSIONAL SERVICES, RELATIVE TO CONTRACT NO. W-15-002-101, FRIARS BRANCH-SOUTH CHICK CREEK 5 INTERCEPTOR REHAB, FOR AN AMOUNT NOT TO EXCEED \$820,950.00.

ACTION: ADOPTED

On motion of Councilman Mitchell and seconded by Councilman Gilbert,

RESOLUTION #28279

A RESOLUTION AUTHORIZING THE APPROVAL OF ADDITIONAL FUNDS IN THE AMOUNT OF \$7,565.44 TO BE DEPOSITED INTO THE LOCAL GOVERNMENT INVESTMENT POOL RELATIVE TO STATE INDUSTRIAL ACCESS ROAD SERVING VOLKSWAGEN GROUP OF AMERICA, CONTRACT NO. E-09-015-801, TDOT PIN NO. 114048.00, FOR A REVISED AMOUNT OF \$307,408.44, WITH HAMILTON COUNTY CONTRIBUTING \$153,704.22, PURSUANT TO THE ESIP MASTER INTERLOCAL AGREEMENT.

ACTION: ADOPTED

On motion of Vice Chair Freeman and seconded by Councilman Anderson,

RESOLUTION #28280

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH SPACKMAN MOSSOP MICHAELS (SMM) AND ESKEW+DUMEZ+RIPPLE (EDR), FOR PROFESSIONAL SERVICES RELATIVE TO CONTRACT NO. R-14-011-101, MILLER PARK DISTRICT AND CONNECTIVITY IMPROVEMENTS, FOR AN AMOUNT NOT TO EXCEED \$693,700.00.

ACTION: ADOPTED

On motion of Councilman Hakeem and seconded by Councilman Gilbert,

RESOLUTION #28281

A RESOLUTION AUTHORIZING A PAYMENT TO ADAM YOUNG AND TAYLOR HARVEY FOR A CLAIM FOR PERSONAL DAMAGES FROM A SEWER OVERFLOW AT THE RESIDENCE LOCATED AT 3434 ALTA VISTA DRIVE, CHATTANOOGA, TN, ON APRIL 16, 2015, AS REPAYMENT FOR ALL DAMAGES AND TO RELEASE AND HOLD HARMLESS THE CITY OF CHATTANOOGA FOR ANY FUTURE MONIES RELATED TO THE INCIDENT, IN THE AMOUNT OF \$39,357.91.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Vice Chair Freeman,

RESOLUTION #28282

A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 4 FOR GRIGGS & MALONEY, INC. TO PROVIDE CONTINUATION OF ENGINEERING SERVICES FOR GROUNDWATER SAMPLING, MONITORING, AND REPORTING SERVICES AT THE SUMMIT LANDFILL, CITY LANDFILL ON BIRCHWOOD PIKE, AND THE FORMER J.H. HOLDING SITE, IN THE AMOUNT OF \$91,297.50, FOR A REVISED AMOUNT NOT TO EXCEED \$446,537.50.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilman Anderson,

RESOLUTION #28283

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT TO AMEND THE LEASE AGREEMENT DATED APRIL 2, 2012, BETWEEN THE CITY OF CHATTANOOGA AND THE EASTGATE TOWN CENTER, LLC, FOR THE USE OF CERTAIN FACILITIES LOCATED AT 5600 BRAINERD ROAD, CHATTANOOGA, TN 37411 AND THE SECOND AMENDMENT TO THE LEASE IS MADE BY AND BETWEEN EAST NOOGA, LLC AND THE CITY OF CHATTANOOGA DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT SENIOR CENTER, THE TERM OF THE LEASE IS EXTENDED THREE (3) YEARS EFFECTIVE AUGUST 1, 2015, AND CONTINUES THROUGH JULY 21, 2018, WITH AGREED UPON MONTHLY OPERATING EXPENSES OUTLINED AS FOLLOWS, FOR A TOTAL AMOUNT OF \$180,000.00.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Purchases

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

R114343 - General Services Estimated \$700,000 Annually

New Blanket Contract for HVAC Service, Repairs,
Equipment and Installation

Lowest/Best Bidder: Mountain City Service, Inc. and W.J. O'Neil Company

R74988 - Information Technology Estimated \$500,000 Annually

Blanket Contract Renewal for Verizon Wireless
High Speed and Cell Voice and Data Services

Lowest/Best Bidder: Verizon Wireless

R42745 - Public Works Estimated \$360,000 Annually

Blanket Contract Renewal for Equipment Maintenance
and Repair Services

Lowest/Best Bidder: Stowers Machinery Corporation

R42936 - Public Works

Estimated \$35,000 Annually

Blanket Contract Renewal for Vibration Analysis and Thermography Services
Lowest/Best Bidder: Current Technologies, Inc.

R96265 - Public Works

Estimated \$30,000 Annually

Blanket Contract Renewal for Painting Services
Lowest/Best Bidder: Fimco Services, LLC

R94000 - Public Works

Estimated \$1,300,000 Annually

Extension of Blanket Contract for Waste and Recycling Carts
Lowest/Best Bidder: Cascade Engineering

Councilman Hakeem moved to approve, seconded by Councilman Henderson. The motion carried.

ACTION: APPROVED

OTHER BUSINESS:

Land Bank Authority Board

Attorney Hinton informed the Council of the appointments to the new Land Bank Authority Board:

- Jeffrey Wilson (Mayoral appointee)
- Jeff Fitzner (Mayoral appointee)
- Paul Parker (Hamilton County appointee)
- Jim Saddler (CHA appointee)

He asked the Council to announce their nominee. **Councilman Hakeem moved** to nominate Ann Pierre, seconded by Councilman Gilbert. **Councilman Anderson moved** to close the nominations and move for acclimation, seconded by Vice Chair Freeman. The motion carried.

Congratulatory Remarks

Councilman Anderson led the Council in congratulating Councilman Hakeem and his wife, Baseemah, in celebration of their 50th anniversary.

COMMITTEE REPORTS:

Audit & I.T. Committee

Councilman Grohn
(No report)

Budget and Finance Committee

Councilman Mitchell

- The committee held its final Budget Work Session today. The capital budget ordinance will be on the agenda for first reading next week.

Economic and Community Development Committee

Councilman Anderson

- The committee met today for a presentation on Tax Increment Financing, setting the framework going forward should a TIF come before the Council again.
- The committee will meet again next week on economic expansion coming to the city with an existing employee, with the potential of a PILOT coming later.

HR Committee (Human Resources)

Vice Chair Freeman

- The committee will meet on July 7 at 1:30 p.m. (during Strategic Planning meeting) for a presentation of the new Employee Handbook by the HR Administrator.

Planning & Zoning

Councilman Hakeem

(No report)

Public Safety Committee

Councilman Henderson

(No report)

- He reminded the Council that he would be out of town next week.

Public Works and Transportation Committee

Chairwoman Berz reported on behalf of Councilman Smith:

- The committee will meet next week following the Agenda Session.

Youth and Family Development Committee

Councilman Gilbert

(No report)

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

Attorney Hinton read the rules of procedure for persons wishing to address the Council on non-agenda items. After which, Chairwoman Berz recognized the following persons:

- **Sharron Pryor (YFD employee)** – She thanked the Council for the raises that employees will receive. She asked the Council to consider opening more raises and increased positions in departments.
- **Steven West (Public Works employee)** – He commended Administration and the Council for listening to employees. He stated that there were “egregious” issues that needed to be addressed regarding the new Employee Handbook.

ADJOURNMENT

Chairwoman Berz adjourned the meeting of the Chattanooga City Council until Tuesday, July 23, 2015, at 6:00 p.m.

CHAIRWOMAN

CLERK OF COUNCIL