



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
July 14, 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, Chip Henderson, Jerry Mitchell and Ken Smith all present. City Attorney Wade Hinton and Council Clerk Nicole Gwyn, CMC, were also present. Councilman Yusuf Hakeem was not present.

PLEDGE OF ALLEGIANCE

Councilman Gilbert led the Assembly in the Pledge of Allegiance and invited Administrator Lurone Jennings to lead the invocation.

APPROVAL OF LAST MINUTES

On motion of Councilman Anderson and seconded by Vice Chair Freeman, the minutes of the last meeting (July 7, 2015) were approved as published.

ORDINANCES – FINAL READING: (NONE)

ORDINANCES – FIRST READING:

ORDINANCE #12967

AN ORDINANCE AMENDING CHATTANOOGA CITY CODE, ARTICLE III, DIVISION 1, CHAPTER 2, SECTION 2-137; AND ARTICLE III, DIVISION 10, CHAPTER 2, SECTION 2-183, ANTI-HARASSMENT POLICY.

Councilman Anderson moved to approve, seconded by Vice Chair Freeman. A discussion ensued. During which, **Councilman Henderson moved** to amend, seconded by Councilman Smith, by adding the following language:

“This policy does not in any way prohibit an employee from expressing and exercising his or her religious belief. City employees cannot be denied jobs, lose their employ or be demoted for stating or exercising their religious beliefs as guaranteed under the United States Constitution and state law. The City of Chattanooga hereby recognizes that the first amendment of the United States Constitution prohibits the making of laws that prohibit the free exercise of religion.”

Councilman Mitchell moved to substitute the words “*expressing and exercising*” with the word “*identifying*,” and the word “*stating and exercising*” with the word “*identifying*.” He also asked to strike the last sentence of Chairman Henderson’s amendment and to move the amendment to the end of the ordinance. To clarify, Councilman Mitchell repeated the full paragraph with his substitutions:

“This policy does not in any way prohibit an employee from identifying his or her religious belief. City employees cannot be denied jobs, lose their employment or be demoted for identifying their religious beliefs as guaranteed under the United States Constitution and state law.”

He also asked to strike the next paragraph after this amended language. Councilmen Henderson and Smith agreed to accept Councilman Mitchell’s amendment. After further discussion, Vice Chair Freeman called the *question* on the amendment.

The motion to amend carried upon roll call vote as follows:

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

YES – Seven (7); NO – One (1)

Councilman Anderson moved to approve the motion as amended, seconded by Vice Chair Freeman. Upon roll call vote, the motion carried as follows:

Smith	YES	Gilbert	YES
Mitchell	YES	Freeman	YES
Henderson	YES	Anderson	YES
Grohn	YES		

ACTION: PASSED AS AMENDED ON FIRST READING

2015-073
Joshua Good of Land Titans Investments, LLC/
Robert Petross
District No. 2
Planning Version

On motion of Councilman Mitchell and seconded by Councilman Smith,

ORDINANCE #12968

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 507 ASHLAND TERRACE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO O-1 OFFICE ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING
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2015-082
Frank Kinser/
East Brainerd Land Company
District No. 5
Planning Version

On motion of Councilman Gilbert and seconded by Councilman Grohn,

ORDINANCE #12969

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE A PORTION OF THE PROPERTY LOCATED AT 6001 LEE HIGHWAY, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO M-1 MANUFACTURING ZONE.

ACTION: PASSED ON FIRST READING

2015-075
Michael Tawzer
District No. 6

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

ORDINANCE #12970

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO LIFT CONDITION NO. 1 FROM ORDINANCE NO. 12703 OF PREVIOUS CASE NUMBER 2013-004 ON PROPERTY LOCATED AT 5223 HUNTER ROAD, BEING MORE PARTICULARLY DESCRIBED HEREIN.

ACTION: PASSED ON FIRST READING

2015-062
Duane Carleo
District No. 7
Planning Version

On motion of Councilman Anderson and seconded by Councilman Grohn,

ORDINANCE #12971

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE SO AS TO REZONE PROPERTY LOCATED AT 1518 MARKET STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

2015-077
Passpointe Engineering
c/o Jan Pass and
Tennessee Valley Railroad Museum
c/o Tim Andrews
District No. 9
Planning Version

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

ORDINANCE #12972

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 2202 NORTH CHAMBERLAIN AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO M-1 MANUFACTURING ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

MR-2015-079
Passpointe Engineering, PLLC/Jan Pass
District No. 7

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

ORDINANCE #12973

AN ORDINANCE CLOSING AND ABANDONING A SANITARY SEWER EASEMENT LOCATED AT 102 WALNUT STREET, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

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

RESOLUTION #28324

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO APPLY FOR AND, IF AWARDED, ACCEPT GRANTS FROM THE BENWOOD FOUNDATION, IN THE AMOUNT OF \$150,000.00 FOR THE ART IN THE NEIGHBORHOOD PROJECT; \$280,000.00 FOR THE RIVERWALK AT BLUE GOOSE HOLLOW PROJECT; AND TO EXECUTE THE GRANT AGREEMENTS.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilman Mitchell,

RESOLUTION #28325

A RESOLUTION AUTHORIZING A FIFTH SUPPLEMENT AND AMENDMENT TO RESOLUTION NO. 22629 PROVIDING FOR THE ISSUANCE OF CITY OF CHATTANOOGA ELECTRIC SYSTEM REFUNDING REVENUE BONDS, SERIES 2015A AND SERIES 2015B (TAXABLE), IN AMOUNTS UP TO \$250,000,000 (SERIES 2015A) AND \$16,000,000 (SERIES 2015B).

ACTION: ADOPTED

On motion of Councilman Mitchell and seconded by Councilman Smith,

RESOLUTION #28326

A RESOLUTION AUTHORIZING A SIXTH SUPPLEMENT TO RESOLUTION NO. 22629 PROVIDING FOR THE ISSUANCE OF CITY OF CHATTANOOGA ELECTRIC SYSTEM REVENUE BONDS, SERIES 2015C, IN AN AMOUNT UP TO \$30,000,000.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilman Anderson,

RESOLUTION #28328

A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF CHATTANOOGA TO ISSUE BONDS IN THE AGGREGATE AMOUNT NOT TO EXCEED \$30,000,000 OF THE CITY OF CHATTANOOGA, TENNESSEE, ELECTRIC POWER BOARD OF CHATTANOOGA FOR THE PURPOSE OF (1) FINANCE IMPROVEMENTS AND ENHANCEMENTS TO THE FIBER OPTIC BROADBAND NETWORK INCLUDING SMART GRID INFRASTRUCTURE FOR THE BENEFIT OF THE ELECTRIC SYSTEM; (2) VARIOUS CAPITAL IMPROVEMENTS TO THE DISTRIBUTION SYSTEM OF THE ELECTRIC SYSTEM INCLUDING, BUT NOT LIMITED TO, ACQUISITION OF NEW TRANSFORMERS AND THE CONSTRUCTION OF FACILITIES TO SERVE NEW CUSTOMERS; AND (3) PAY THE COSTS OF ISSUING THE BONDS.

ACTION: ADOPTED

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

RESOLUTION #28327

A RESOLUTION AUTHORIZING THE APPOINTMENT OF LADARIUS HUNTER AS A SPECIAL POLICE OFFICER (UNARMED) FOR THE MCKAMEY ANIMAL CENTER TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilman Mitchell,

RESOLUTION #28329

A RESOLUTION TO CONFIRM THE MAYOR'S APPOINTMENT OF BONNIE WOODWARD AS DIRECTOR OF PURCHASING.

Brent Goldberg, Chief Operating Officer, introduced Ms. Woodward to the Council. Upon no questions, the motion carried.

ACTION: ADOPTED

2015-050

Joseph Ingram/

Salient Investments/Bill Hullander

On motion of Councilman Anderson and seconded by Councilman Gilbert,

RESOLUTION #28330

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR PROPERTIES LOCATED AT 6801 CONNER LANE AND 2115 NORTH CONCORD ROAD.

ACTION: ADOPTED

On motion of Councilman Smith and seconded by Councilman Grohn,

RESOLUTION #28331

A RESOLUTION TO AUTHORIZE THE EXECUTIVE DIRECTOR OF THE CHATTANOOGA-HAMILTON COUNTY REGIONAL PLANNING AGENCY TO ENTER INTO A CONTRACT WITH AMEC WHEELER FOSTER FOR AN INTEGRATED ZONING SOLUTION DIGITAL PLATFORM TO MODERNIZE THE RPA'S SYSTEM FOR MAINTAINING OFFICIAL ZONING INFORMATION, INCLUDING DEVELOPMENT AND ONE YEAR SUPPORT, FOR AN AMOUNT NOT TO EXCEED \$100,000.00.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilman Smith,

RESOLUTION #28332

A RESOLUTION AUTHORIZING KEITH PANKEY OF SIGN CO., INC., AS AGENT FOR THE BUSINESS, CASUAL PINT, TENANT OF PROPERTY OWNER, JOHN WISE, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ON THE NORTH SIDE OF CHEROKEE BOULEVARD IN FRONT OF 103 CHEROKEE BOULEVARD TO INSTALL SIGNAGE, AS SHOWN ON THE MAPS AND DRAWINGS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

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

RESOLUTION #28333

A RESOLUTION AUTHORIZING LAUREN DUNN OF ELEMI ARCHITECTS, LLC, AGENT FOR THE PROPERTY OWNER, ARTSBUILD, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ON THE NORTH SIDE OF EAST 11TH STREET IN FRONT OF 301 EAST 11TH STREET TO INSTALL SIGNAGE, AS SHOWN ON THE MAPS AND DRAWINGS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilman Mitchell and seconded by Councilman Gilbert,

RESOLUTION #28334

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT TO PROVIDE SERVICES TO 150 CHILDREN AND WORK ON NECESSARY REMODELING THROUGH COLLABORATIONS BETWEEN EARLY HEAD START/CHILD CARE PARTNERSHIP AND KID'S KORNER LEARNING AND DEVELOPMENT CENTER; NEWTON CHILD DEVELOPMENT CENTER; MAURICE KIRBY DAY CARE CENTER; CHAMBLISS CENTER FOR CHILDREN; FIRST STEP CHRISTIAN DAYCARE, INC.; CHILDCARE NETWORK-REDLANDS; AND SIGNAL CENTERS, INC., FOR A TOTAL AMOUNT OF \$380,000.00.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Purchases

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

R90925 - Public Works	Estimated \$150,000 Annually
Blanket Contract Extension for Manhole Components	
Lowest/Best Bidder: Acheson Foundry	

Councilman Anderson moved to approve, seconded by Councilman Mitchell.

ACTION: APPROVED

OTHER BUSINESS:

Liquor License Certification

City Treasurer Barry Teague reported a liquor license for Steven Dillard, Kevin Bowham, Joshua Carter and David Yawn of Imbibe Liquor Store, located at 1616 Broad Street. A Certificate of Compliance was signed by five in open meeting.

Pitch, Hit & Run Winner

Councilman Gilbert announced that Madison Hayes, daughter of city employee Greta Hayes, has won the RBI's Pitch, Hit & Run Nationals for the second consecutive year.

City Attorney's Report

Attorney Hinton informed the Assembly that the Tax Increment Financing (TIF) resolution has been moved to next week's agenda so that the City Attorney's Office may incorporate some of the recommendations made by the citizen group, Accountability for Taxpayer Money (ATM).

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

- The committee met today for a discussion and presentation on the potential YF PILOT.
- The committee scheduled for next week will be cancelled. The affordable housing educational session will be rescheduled when all panelists are available.

HR Committee (Human Resources)

Vice Chair Freeman

- The committee met today for a work session to review the Employee Information Guide (EIG).
- The committee will meet again on July 28 from 10:00 a.m. – 2:00 p.m. to continue reviewing the EIG.

Planning & Zoning Committee

(Councilman Hakeem not present)

Public Safety Committee

Councilman Henderson

(No report)

Public Works and Transportation Committee

Councilman Smith

- The committee met today to discuss agenda items on tonight's and next week's agendas.

- The committee will meet again in two weeks (July 28).

Youth and Family Development Committee
Councilman Gilbert
(No report)

NEXT WEEK'S AGENDA: (No comments or questions)

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

Chairwoman Berz asked if anyone in the Assembly wished to address the Council on non-agenda matters. Seeing none, this portion of the agenda was closed.

ADJOURNMENT

Chairwoman Berz adjourned the meeting of the Chattanooga City Council until Tuesday, July 21, 2015, at 6:00 p.m.

CHAIRWOMAN

CLERK OF COUNCIL