



City Council Building  
Chattanooga, Tennessee  
**COUNCIL MEETING MINUTES**  
December 15, 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, Jerry Mitchell and Ken Smith all present. Deputy City Attorney Phil Noblett and Council Clerk Nicole Gwyn, CMC, were also present.

**PLEDGE OF ALLEGIANCE**

Councilman Henderson led the Assembly in the Pledge of Allegiance and gave the invocation.

**APPROVAL OF LAST MINUTES**

**On motion of Councilman Anderson and seconded by Councilman Henderson**, the minutes of the last meeting (December 8, 2015) were approved as published.

**ORDINANCES – FINAL READING:**

On motion of Councilman Hakeem and seconded by Councilman Anderson,

**ORDINANCE #13007**

**AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF CHATTANOOGA, AND ALL ACTS, ORDINANCES, AND OTHER CHARTER PROVISIONS AMENDATORY THEREOF, PURSUANT TO THE PROVISIONS OF ARTICLE XI, SECTION 9, OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT) SO AS TO CHANGE THE CITY CHARTER BY AMENDING THE VOTER ELIGIBILITY PROVISION.**

Attorney Noblett informed the Council that the word “*fund*” had been replaced in this ordinance with the word “*government*.” He stated that, because of this word change, the ordinance would not include EPB, CARTA, CHA or other organizations not under the general government of the City of Chattanooga.

**ACTION: APPROVED**

**2015-145**  
**Bristol Development Group and**  
**Scott Black**  
**District No. 1**  
**Planning Version**

On motion of Councilman Henderson and seconded by Councilman Mitchell,

**ORDINANCE #13008**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 328 CHEROKEE BOULEVARD, 401, 403, 407, 409, 411, AND 413 SOMERVILLE AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE AND C-2 CONVENIENCE COMMERCIAL ZONE TO C-7 NORTHSORE COMMERCIAL MIXED USE ZONE, SUBJECT TO CERTAIN CONDITIONS.**

Mike Price of MAP Engineers updated the Council on his meeting with the city's Department of Transportation about including on-street parking as a condition. He stated that he "believes" it can be done on Stringer Street, but was not 100-percent sure.

Chairwoman Berz recognized the following members of the Opposition:

- Charles Slover (Stringer Street)

John Bridger, Executive Director of Regional Planning, responded to questions about the new condition being considered. Attorney Noblett confirmed the one condition in the current ordinance. Bert Kuyrkendall, Transportation Engineer, discussed CDOT's preliminary approval.

The Applicant, Scott Black, responded to a question about preliminary sketches and voiced concerns about this condition on the development plans.

**ACTION: APPROVED**

**2015-138**  
**Peter C. Cory and Miles D. Raborn**  
**District No. 7**  
**Planning Version**

On motion of Councilman Grohn and seconded by Councilman Smith,

**ORDINANCE #13009**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 8407 AND 8575 PETTY ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-5 RESIDENTIAL ZONE TO R-1 RESIDENTIAL ZONE.**

**ACTION: APPROVED**

**2015-136**  
**James Hixson**  
**District No. 6**  
**Planning Version**

On motion of Councilman Anderson and seconded by Councilman Hakeem,

**ORDINANCE #13010**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 2700 AND 2708 WALKER ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE.**

**ACTION: APPROVED**

**2015-149**  
**City of Chattanooga/RPA**  
**District No. 7**  
**Planning Version**

On motion of Councilman Anderson and seconded by Councilman Grohn,

**ORDINANCE #13011**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 3000 BROAD STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO M-2 LIGHT INDUSTRIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

**2015-141**  
**Wise Properties, LLC**  
**District No. 7**  
**Planning Version**

On motion of Councilman Anderson and seconded by Councilman Smith,

**ORDINANCE #13012**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 1920 CHESTNUT STREET, 1817 BROAD STREET, AND 423 WEST 20<sup>TH</sup> STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

**2015-144**  
**Nick Adams and Christy Clark/**  
**Adams Masonry**  
**District No. 8**  
**Planning Version**

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

**ORDINANCE #13013**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PART OF 2833 CALHOUN AVENUE AND ALL OF 2902 MORGAN AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO M-1 MANUFACTURING ZONE.**

**ACTION: APPROVED**

**2015-140**  
**Owen Trepanier and Richard Puente**  
**District No. 9**  
**Planning Version**

On motion of Councilman Hakeem and seconded by Councilman Grohn,

**ORDINANCE #13014**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 3120 DODSON AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO R-3 RESIDENTIAL ZONE, SUBJECT TO PROPOSED USE ONLY.**

**ACTION: APPROVED**

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

**ORDINANCE #13015**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE II, SECTION 38-2, DEFINITIONS, RELATING TO "ALTERNATIVE FINANCIAL SERVICES".**

**ACTION: APPROVED**

On motion of Councilman Hakeem and seconded by Councilman Henderson,

**ORDINANCE #13016**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE VIII, SECTION 38-563(B), JURISDICTION OF THE BOARD.**

**ACTION: APPROVED**

**MR-2015-114**  
**Vision Chattanooga Northshore, LLC/**  
**Passpointe Engineering, PLLC/Jan Pas**  
**District No. 1**

On motion of Councilman Henderson and seconded by Councilman Smith,

**ORDINANCE #13017**

**AN ORDINANCE CLOSING AND ABANDONING A SEWER EASEMENT  
LOCATED AT 10 CHEROKEE BOULEVARD, SUBJECT TO CERTAIN  
CONDITIONS.**

**ACTION: APPROVED**

**MR-2015-102**  
**Gabe Thomas, Collier Construction**  
**District No. 7**

On motion of Councilman Anderson and seconded by Councilman Henderson,

**ORDINANCE #13018**

**AN ORDINANCE CLOSING AND ABANDONING EXISTING SEWER  
EASEMENTS AND LINES LOCATED AT 3100 ST. ELMO AVENUE, SUBJECT  
TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

**MR-2015-110**  
**District of Cameron Harbor LLC/**  
**Aaron White**  
**District No. 7**

On motion of Councilman Anderson and seconded by Councilman Smith,

**ORDINANCE #13019**

**AN ORDINANCE CLOSING AND ABANDONING A SEWER EASEMENT  
LOCATED AT 751 RIVERFRONT PARKWAY, SUBJECT TO CERTAIN  
CONDITIONS.**

**ACTION: APPROVED**

**ORDINANCES – FIRST READING: (NONE)**

**RESOLUTIONS:**

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

**RESOLUTION #28482**

**A RESOLUTION TO AUTHORIZE THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO ENTER INTO A MASTER SERVICES AGREEMENT WITH OPENCOUNTER ENTERPRISES, INC. FOR ACCESS TO CERTAIN SOFTWARE-BASED SERVICES VIA THE INTERNET FOR A PERIOD OF FOUR (4) YEARS, FOR A CONTRACT TOTAL NOT TO EXCEED \$142,500.00, WITH THE FIRST YEAR'S EXPENSE NOT TO EXCEED \$67,000.00.**

**ACTION: ADOPTED**

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

**RESOLUTION #28483**

**A RESOLUTION AUTHORIZING THE CITY OF CHATTANOOGA TO PARTNER WITH BRIGHTBRIDGE FOR SUBMISSION OF A BROWNSFIELDS CLEANUP GRANT TO LEVERAGE THE CLEANUP OF THE FORMER GLOVER TRACT, IN THE AMOUNT OF \$200,000.00, WITH THE CITY'S PORTION IN THE AMOUNT OF \$40,000.00.**

**ACTION: ADOPTED**

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

**RESOLUTION #28484**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT WITH SIGNAL CENTERS, INC. FOR THE PROPERTY LOCATED AT 1714 DUNCAN AVENUE, TAX MAP NO. 146J-Q-032, IN SUBSTANTIALLY THE FORM ATTACHED, FOR THE FACILITIES TO BE USED FOR THE PURPOSE OF PROVIDING EDUCATIONAL OUTREACH TO YOUNG FAMILIES THROUGH A BABY UNIVERSITY, WHICH WILL AID PARENTS OR CAREGIVERS WITH THE INFORMATION AND SUPPORT NECESSARY TO PREPARE CHILDREN FOR LIFE-LONG SUCCESS.**

**ACTION: ADOPTED**

2015-123  
Dreamtech Homes, LLC/  
Sherman Smith and First Bank/  
Jim McKenzie  
District No. 4

A discussion ensued about the following item:

**AGENDA ITEM VII(d):**

**A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 1091 MACKEY AVENUE, SUBJECT TO CERTAIN CONDITIONS.**

A discussion ensued about this ordinance. Chairwoman Berz recognized the following individuals from this particular neighborhood:

- Michael Robinson (Charlotte Avenue)
- Rob Oaks (Charlotte Avenue)
- Nellie Frost (Chattanooga)

Attorney Noblett and Mr. Bridger contributed to the discussion. **Councilman Grohn moved to defer until January 5, 2016, seconded by Councilman Gilbert. The motion carried.**

**ACTION: DEFERRED UNTIL  
JANUARY 5, 2016**

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

**RESOLUTION #28485**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO APPLY FOR AND, IF AWARDED, ACCEPT A GRANT FROM THE LYNDHURST FOUNDATION FOR EAST LAKE PARK PHASE ONE – LAKE RESTORATION AND WATER QUALITY IMPROVEMENT PLAN AND TO EXECUTE A GRANT AGREEMENT IN THE AMOUNT OF \$200,000.00 IN TWO PARTS, WITH THE CITY’S PORTION IN AMOUNT OF \$600,000.00.**

Councilman Anderson recognized members of the East Lake Neighborhood Association, who were in the Assembly in support of this resolution.

**ACTION: ADOPTED**

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

**RESOLUTION #28486**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO APPLY FOR AND, IF AWARDED, ACCEPT A MULTIMODAL ACCESS GRANT FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) TO CONSTRUCT THE MIDTOWN PATHWAY, A SHARED USE PATHWAY ALONG BRAINERD ROAD FROM SPRING CREEK ROAD TO GREENWAY VIEW DRIVE, WITH THE CITY'S PORTION IN THE AMOUNT OF \$237,500.00, FOR AN AMOUNT NOT TO EXCEED \$1,187,500.00.**

The motion carried, with Councilman Grohn voting "NO."

**ACTION: ADOPTED**

On motion of Councilman Anderson and seconded by Councilman Grohn,

**RESOLUTION #28487**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO AMEND AN AGREEMENT WITH ALLEN & HOSHALL, INC. RELATIVE TO CONTRACT NO. E-09-019-101, ORIGINALLY ESTABLISHED UNDER RESOLUTION NO. 26561, FOR PROFESSIONAL SERVICES FOR SR-27 (ROSSVILLE BOULEVARD) PEDESTRIAN AND BICYCLE FACILITIES, FOR A DECREASED AMOUNT OF \$15,518.48, FOR A REVISED CONTRACT AMOUNT OF \$53,881.52.**

**ACTION: ADOPTED**

On motion of Councilman Anderson and seconded by Councilman Gilbert,

**RESOLUTION #28488**

**A RESOLUTION AUTHORIZING THE ACQUISITION OF FIVE HUNDRED THIRTY-FOUR SQUARE FEET (534'), MORE OR LESS, RELATIVE TO CONTRACT NO. T-14-041, VIRGINIA AVENUE NEIGHBORHOOD GREENWAY PROJECT, BEING A PORTION OF TRACT 2, 4001 ST. ELMO AVENUE, TAX MAP NO. 1550-F-018, MR-2015-126, WITH TRANSACTION COMPLETION CONTINGENT UPON THE PAYMENT OF ALL DELINQUENT PROPERTY TAXES, CURRENT PROPERTY TAXES, AND BOTH DELINQUENT AND CURRENT STORM WATER FEES BY THE PROPERTY OWNERS WITH SUBSEQUENT PAYMENT OF \$3,850.00 TO THE PROPERTY OWNERS, LEBRON ANTHONY DAVIS AND LISA H. DAVIS.**

**ACTION: ADOPTED**



On motion of Councilman Anderson and seconded by Councilman Grohn,

**RESOLUTION #28489**

**A RESOLUTION AUTHORIZING PAYMENT TO PORNPIMORN VONGSUNSUNEE AND KANOKPORN DILOKHATAKARN FOR A PERMANENT RIGHT-OF-WAY CONVEYANCE BY DEED RELATIVE TO CONTRACT NO. T-14-041, VIRGINIA AVENUE NEIGHBORHOOD GREENWAY PROJECT, FOR TWO THOUSAND FIVE HUNDRED SQUARE FEET (2,500'), MORE OR LESS, FOR A PORTION OF TRACT ONE, PROPERTY LOCATED AT 4008 ST. ELMO AVENUE, TAX MAP NO. 1550-L-020, MR-2015-125, CONTINGENT UPON THE EXECUTION OF AFFIDAVIT OF LEASE STATUS, FOR AN AMOUNT NOT TO EXCEED \$31,250.00.**

**ACTION: ADOPTED**

On motion of Councilman Anderson and seconded by Councilman Gilbert,

**RESOLUTION #28490**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO APPLY FOR AND, IF AWARDED, ACCEPT A GRANT FROM CHATTANOOGA NEIGHBORHOOD ENTERPRISE, INC. FOR PROPERTY ACQUISITION REQUIRED FOR COMPLETION OF THE VIRGINIA AVENUE NEIGHBORHOOD GREENWAY PEDESTRIAN IMPROVEMENTS, IN THE AMOUNT OF \$35,100.00.**

**ACTION: ADOPTED**

**DEPARTMENTAL REPORTS:**

**Economic and Community Development**

Anthony Sammons, Deputy Administrator of Neighborhood Services, reported on the City of Chattanooga's "Decode Day: A Code Enforcement Amnesty Day." Decode Day was the culmination of a four-week community engagement program on Windsor Street in the Avondale area that included 23 properties that were out of compliance with city codes. Mr. Sammon noted in his presentation that "all but nine properties came back into compliance without city intervention." (*PowerPoint presentation on file with Council Clerk.*)

**Purchases**

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

<b>R126061 - General Services</b>	<b>\$42,538.00</b>
Purchase order for Fleet Software Package and Cloud Upgrade	
Lowest/Best Bidder: Ron Turley Associates, Inc.	

**R126061 - General Services** Estimated \$1,500,000 Annually  
Increase in Authorized Expenditure for Electrical Services  
Lowest/Best Bidder: Triad

**R125760 - General Services** Estimated \$40,000 Annually  
Two New Blanket Contracts for Air Filters  
Lowest/Best Bidder: Air Filtration Services and  
Baker Distributing, Inc.

**R125375 - Public Works** \$289,631.00  
Purchase of an Articulating Wheel Loader  
Lowest/Best Bidder: Stowers Machinery

**R53819 - Public Works** Estimated \$38,000 Annually  
Increase in Authorized Expenditure for High Visibility  
Work Clothing  
Lowest/Best Bidder: Reflective Apparel Factory

**R117876 - Public Works** \$29,898.66  
Purchase of Confined Space Entry/ Rescue Equipment  
Lowest/Best Bidder: Emergency Vehicle Specialist

**R123645 - Public Works** Estimated \$60,000 Annually  
New Blanket Contract for Air Compressor Annual  
Maintenance and Repair Services  
Lowest/Best Bidder: Blake and Pendleton

**R126648 - Public Works**  
Purchase of Seven Golf Carts      Chattanooga Golf Carts      \$63,140

**Councilman Anderson moved** to approve, seconded by Vice Chair Freeman. A discussion ensued about the contract increase for R126061.

*(Councilman Henderson left momentarily, but returned during this discussion.)*

Discussion continued on whether to amend the original motion to vote separately on R126061. Councilman Anderson did not wish to amend his original motion to approve. Councilman Mitchell called the *question*. The motion carried.

**ACTION: APPROVED**

**OTHER BUSINESS:**

**Council Recess**

Chairwoman Berz informed the Assembly that the Council would not meet again until Tuesday, January 5, 2016. *(Meetings on December 22, 2015 and December 29, 2015 had been cancelled.)*

## 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  
(No report)

### *HR Committee (Human Resources)*

Vice Chair Freeman  
(No report)

### *Planning & Zoning*

Councilman Hakeem

- The committee will meet again on January 5, 2016 immediately after the Agenda Session.

### *Public Safety Committee*

Councilman Henderson  
(No report)

### *Public Works and Transportation Committee*

Councilman Smith

- The committee met today to discuss items on this week and the January 5 agenda.
- The committee will meet again on January 5 immediately after the Agenda Session. One topic of discussion will be the stormwater ordinance.

### *Youth and Family Development Committee*

Councilman Gilbert

- The committee met today for a report on the city's Baby University.

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

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

- **Lisa Davis (15<sup>th</sup> Avenue)** – She thanked the Council for their support this year and recognized Councilman Anderson and Lee Norris, Public Works Administrator, for all of their work with the community.

## **ADJOURNMENT**

**On motion of Councilman Anderson,** Chairwoman Berz adjourned the meeting of the Chattanooga City Council until Tuesday, January 5, 2016, at 6:00 p.m.

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**CHAIRWOMAN**

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**CLERK OF COUNCIL**