



City Council Building  
Chattanooga, Tennessee  
**COUNCIL MEETING MINUTES**  
February 9, 2016  
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 Anderson led the Assembly in the Pledge of Allegiance. He then invited Senior Pastor Timothy Careathers of Westside Baptist Church to give the invocation.

### **APPROVAL OF LAST MINUTES**

**On motion of Councilman Smith and seconded by Councilman Anderson**, the minutes of the last meeting (February 2, 2016) were approved as published.

### **SPECIAL PRESENTATION**

#### ***Mayor's Council for Women – Justice Committee***

Chairwoman Berz introduced Lillie Wills, Chair of the Justice Committee. Ms. Wills stated that there were 23 members of the committee. She asked those in the committee to introduce themselves and the organizations they represent: Brenda Freeman, Kay Baker, Emily O'Donnell, The Rev. Ann Weeks, Donna Killian, Evelyn Harris and Cindy Hall.

Ms. O'Donnell discussed the committee's work to "address legal barriers that prevent women from living their best lives, reaching economic self-security." She invited Ms. O'Donnell to discuss legislation drafted on behalf of the committee to amend the state's landlord/tenant law. According to the city's website, the legislation is intended to "address the eviction of a victim of domestic violence when the violence is the underlying cause of the eviction." Ms. O'Donnell discussed the purpose of the legislation and discussed the committee's white paper on housing and women. Ms. Wills and Ms. O'Donnell also responded to questions from Councilmen Hakeem, Mitchell and Freeman. In addition, Councilman Gilbert commended the work of the Council. Ms. O'Donnell agreed to send the legislations' bill number to the Council so that those wishing to help the committee could contact with legislators about the bill. Councilman Anderson offered to work with Ms. O'Donnell to draft a resolution from the Council as a show of support of their bill.

Chairwoman Berz also recognized and welcomed students from U.T. Chattanooga's School of Photojournalism and Southern Adventist University who were in attendance.

**ORDINANCES - FINAL READING: (NONE)**

**ORDINANCES - FIRST READING:**

On motion of Councilman Anderson and seconded by Councilman Hakeem,

**ORDINANCE #13025**

**AN ORDINANCE AMENDING CHATTANOOGA CITY CODE, PART II, CHAPTER 11, BY THE ADDITION OF A NEW ARTICLE XVII ENTITLED "SMALL BUSINESS CONSTRUCTION MITIGATION GRANT PROGRAM" AND TO AMEND ORDINANCE NO. 12953, KNOWN AS "THE FISCAL YEAR 2015-2016 BUDGET ORDINANCE", SECTION 5(A) SO AS TO REAPPROPRIATE \$25,000.00 FROM THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT FOR USE IN THE SMALL BUSINESS CONSTRUCTION MITIGATION GRANT PROGRAM TO THE INDUSTRIAL DEVELOPMENT BOARD.**

**ACTION: PASSED ON FIRST READING**

**2015-150**  
**MD Hospitality Group/**  
**Dhaval Patel**  
**District No. 6**  
**Planning Version**

On motion of Councilman Grohn and seconded by Councilman Hakeem,

**ORDINANCE #13026**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 6705 SHALLOWFORD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO O-1 OFFICE ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: PASSED ON FIRST READING**

2016-001  
Young Life  
c/o David Haskins/  
Russell Wilson and Hsin Yin Wilson  
District No. 8  
Applicant Version

Move to deny by Vice Chair Freeman, seconded by Councilman Anderson,

**AGENDA ITEM VI(c):**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 912 EAST MARTIN LUTHER KING BOULEVARD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE.**

**ACTION: DENIED**

**RESOLUTIONS:**

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

**RESOLUTION #28521**

**A RESOLUTION AUTHORIZING THE DIRECTOR OF HUMAN RESOURCES TO ENTER INTO AN AGREEMENT WITH I/O SOLUTIONS FOR THE DEVELOPMENT AND ADMINISTRATION OF EXAMS FOR PROMOTIONAL TESTING FOR THE POSITIONS OF POLICE SERGEANT, POLICE LIEUTENANT, AND POLICE CAPTAIN, WITH ENCUMBRANCES TO THE HUMAN RESOURCES AND POLICE DEPARTMENTS, FOR AN AMOUNT NOT TO EXCEED \$99,000.00.**

**ACTION: ADOPTED**

On motion of Councilman Henderson and seconded by Councilman Grohn,

**RESOLUTION #28522**

**A RESOLUTION AUTHORIZING THE CHIEF OF THE POLICE DEPARTMENT TO ENTER INTO AN ANNUAL RENEWAL LICENSE AND SUPPORT FOR IBM I2 COPLINK FROM JANUARY 1, 2016 TO DECEMBER 31, 2016, IN THE AMOUNT OF \$32,562.08.**

**ACTION: ADOPTED**

On motion of Councilman Henderson and seconded by Councilman Smith,

**RESOLUTION #28523**

**A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 (FINAL) FOR TALLEY CONSTRUCTION COMPANY, INC. RELATIVE TO CONTRACT NO. W-15-004-201, MBWWTP DRIVEWAY ENTRANCE PROJECT, FOR AN INCREASED AMOUNT OF \$4,983.68, FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED \$225,994.16, AND TO RELEASE THE REMAINING CONTINGENCY OF \$20,016.32.**

**ACTION: ADOPTED**

On motion of Councilman Gilbert and seconded by Councilman Hakeem,

**RESOLUTION #28524**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO A PARTNERSHIP AGREEMENT, PROJECT NO. T-15-025-809, WITH RALPH WHITE ELECTRIC FOR PROPOSED ANCHOR NO. 4671, WAL-MART EXPRESS AT SHALLOWFORD AND NORTH MOORE ROAD AND TO ACCEPT A CONTRIBUTION OF \$12,750.84 TOWARDS THE COST OF NINE (9) OCTAGONAL BASE PEDESTRIAN POLES AND LUMINAIRES.**

**ACTION: ADOPTED**

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

**RESOLUTION #28525**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO A PARTNERSHIP AGREEMENT, PROJECT NO. S-15-012, WITH CHOO CHOO PARTNERS, LP FOR THE EAST 14<sup>TH</sup> STREET IMPROVEMENTS PROJECT, AND TO ACCEPT A CONTRIBUTION FROM CHOO CHOO PARTNERS, LP, IN THE AMOUNT OF \$65,000.00; AND TO ACCEPT A GRANT FROM THE BENWOOD FOUNDATION, IN THE AMOUNT OF \$190,000.00, FOR STREET LIGHTING AND OTHER STREET IMPROVEMENT COSTS, FOR A TOTAL AMOUNT OF \$255,000.00.**

**ACTION: ADOPTED**

**Temp Usage #150217**

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

**RESOLUTION #28526**

**A RESOLUTION AUTHORIZING ARTECH DESIGN GROUP C/O RICK THOMPSON, AGENT FOR THE PROPERTY OWNER, CHOO CHOO PARTNERS C/O ADAM KINSEY, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT EAST 14<sup>TH</sup> STREET ADJACENT TO 1400 MARKET STREET TO INSTALL OUTDOOR PATIO AREAS, FIVE (5) GREASE TRAPS, TWO (2) EGRESS STAIRS, ONE (1) ADA CHAIR LIFT, AND AN EXISTING SECONDARY FIRE ESCAPE TO COORDINATE WITH FORTHCOMING STREET ENHANCEMENTS TO EAST 14<sup>TH</sup> STREET, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: ADOPTED**

**DEPARTMENTAL REPORTS:**

**Purchases**

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

**R123625 - General Services** Estimated \$500,000 Annually  
Two New Blanket Contracts for Electrical Supplies  
Lowest/Best Bidder: Gexpro & Mayer Electric Supply

**R128615 - Information Technology** \$1,320,000  
The Purchase of Fiber Optics Services  
for Electric Power Board  
Lowest/Best Bidder: Electric Power Board of Chattanooga

**R107901 - Public Works** Estimated \$300,000 Annually  
Blanket Contract Renewal for Flow Meters Plus  
Maintenance and Support Services  
Lowest/Best Bidder: American Control Services, LLC

**R109600 - Public Works** Estimated \$250,000 Annually  
Blanket Contract Renewal for Valve Actuator Services  
Lowest/Best Bidder: Industrial Valve Sales & Service Inc.

**R128858 - Public Works** Estimated \$150,000 Annually  
A New Blanket Contract for Supply  
and Delivery of Seepex Pump Parts  
Lowest/Best Bidder: Southern Sales Company

Councilman Hakeem asked for further details on the services provided with purchase R128615. Councilman Anderson expounded upon Councilman Hakeem's question on the same item. At the request of Councilman Smith, Mr. Carmody agreed to provide a breakdown of the services provided

with R128615. Upon no further questions, Vice Chair Freeman called the *question*. **Councilman Hakeem moved** to approve, seconded by Councilman Anderson. The motion carried.

**ACTION: APPROVED**

## **OTHER BUSINESS:**

### **Board Appointments**

Councilman Grohn appointed **Attorney John G. Jackson** to represent District 4 on *Youth and Family Development's Human Services Advisory Board*.

Councilman Anderson appointed **Attorney William Joiner** to represent District 7 on the *Board of Zoning Appeals*.

## **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 will meet next week (Feb. 16) to hear a presentation by Nick Wilkinson of Economic and Community Development, on a new jobs creation program at the Innovation District.
- A committee meeting has already been announced for March 1 for a presentation on the Land Bank Authority.

### *HR Committee (Human Resources)*

Vice Chair Freeman

(No report)

### *Planning & Zoning*

Councilman Hakeem

- There will be a presentation on short-term vacation rentals next week during the Council's Strategic Planning Session at 1:30 p.m. in the Council's conference room. The public is welcome to attend.
- The committee will have its regularly-scheduled meeting next week following the Agenda Session.

### *Public Safety Committee*

Councilman Henderson

(No report)

*Public Works and Transportation Committee*  
Councilman Smith

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

*Youth and Family Development Committee*  
Councilman Gilbert  
(No report)

Strategic Planning  
Chairwoman Berz

- The Council held its second strategic planning work session today regarding its Strategic Plan of Work 2016.

## **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 persons:

- **Tamra Woodard (Woodard Family Pl.)** – She asked the Council to instruct the CPD to release the names of the officers who shot Javario Eagle and asked the Council to fire them. She asked the Council to take the forefront on police violence.
- **Torrence Collins (Kirby Ave.)** – He asked for justice for Javario Eagle. He stated that he met Mr. Eagle five years ago when Javario at St. Jude from treatments. He described an incident where he was held at gunpoint by the CPD.
- **Madeline Dougherty (Tally Rd.)** – She is a member of Concerned Citizens for Justice (CCJ) and stated that she wants the CPD held accountable for the death of Javario Eagle. She asked the Council and Administration to look into the laws regarding officer shootings.
- **Nathan King (Orchard View Ave.)** – As a member of CCJ, he voiced concerns about the amount of the city budget allocated to the police department's recruiting, training and ammunitions. He would rather see increased funding going to recreation centers and workforce development. He would like to know the names of the officers who killed Javario Eagle.
- **Monty Bell (Chattanooga)** – He inquired about the January 15 letter that he had sent to the City Attorney and Chairwoman Berz regarding his driving privileges. He voiced concerns about conversations about African-Americans that don't involve African-Americans themselves. He voiced concerns about the starting his communications business again.

## **ADJOURNMENT**

**On motion of Vice Chair Freeman**, Chairwoman Berz adjourned the meeting of the Chattanooga City Council until Tuesday, February 16, 2016, at 6:00 p.m.

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**CHAIRWOMAN**

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**CLERK OF COUNCIL**