



City Council Building  
Chattanooga, Tennessee  
**COUNCIL MEETING MINUTES**  
April 26, 2016  
6:00 PM

## **CALL TO ORDER**

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

## **PLEDGE OF ALLEGIANCE**

Councilman Hakeem led the Assembly in the Pledge of Allegiance. He invited Lurone Jennings, Youth and Family Development Administrator, to give the invocation.

## **APPROVAL OF LAST MINUTES**

**On motion of Councilman Henderson** and seconded by Councilman Gilbert, the minutes of the last meeting (April 19, 2016) were approved as published.

## **SPECIAL PRESENTATION**

### **Latin Festival 2016 By Gladys Pineda-Loher and James McKissic**

Ms. Pineda-Loher discussed this year's Latin Festival, which is taking place on Saturday, April 30, from 11:00 a.m. to 3:00 p.m. at Highland Commons in the Highland Park neighborhood. She discussed the Parade of Nations featuring both the city and county mayors and the Latin-America soccer tournament that will take place that same day. Mr. McKissic spoke on his department's partnership in the festival.

### **Chairman's Presentation By Chairman Moses Freeman**

Chairman Freeman presented the Chair's gavel to Councilwoman Berz, commending her service as Chair of the City Council for 2015-2016.

**ORDINANCES – FINAL READING:**

MR-2016-032  
Scenic Land Company, LLC/  
Jack Lonas & Trusts  
District No. 1

On motion of Councilman Henderson and seconded by Councilman Smith,

**ORDINANCE #13046**

**AN ORDINANCE CLOSING AND ABANDONING THE 100 BLOCK OF DODSON ROAD AND ALL UNOPENED AND UNNAMED RIGHTS-OF-WAY WITHIN THE RECORDED, BUT UNDEVELOPED, GRUBBS SUBDIVISION, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

**ORDINANCES – FIRST READING:**

On motion of Councilman Smith and seconded by Councilman Henderson,

**ORDINANCE #13047**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 11, ADDING ARTICLE XVII, TO INCLUDE REGULATIONS FOR THE PROPER DISPOSAL OF TIRES AND REGISTRATION OF CERTAIN TIRE BUSINESSES AND TIRE HAULERS WITHIN THE CITY OF CHATTANOOGA.**

Attorney Noblett confirmed for Councilman Henderson that language had been revised in the ordinance regarding the storage of tires for stores the resale tires. Attorney Noblett read Section 11.463(a)(b) regarding the revised language in the ordinance:

- A. Store all tires displayed for resale in such a manner so as to prevent potential nuisances of litter, insect breeding, fire hazards, standing water, and other health risks;*
- B. Store tires not for resale in covered or enclosed areas, or under an impermeable cover, in accordance with applicable health and safety laws, including but not limited to the City's fire prevention code, to prevent the accumulation of water.*

Upon no further questions, the motion carried.

**ACTION: PASSED ON FIRST READING**

**RESOLUTIONS:**

On motion of Councilman Anderson and seconded by Councilwoman Berz,

**RESOLUTION #28585**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO APPLY FOR AND ACCEPT, IF AWARDED, THE LEAD BASED PAINT HAZARD CONTROL (LBPHC) GRANT, WITH A MINIMUM TEN (10%) PERCENT MATCHING FUND SATISFIED BY THE THDA PROGRAM INCOME, IN THE AMOUNT OF \$100,000.00, FOR A TOTAL GRANT IN THE AMOUNT OF \$1 MILLION.**

**ACTION: ADOPTED**

On motion of Councilman Hakeem and seconded by Councilman Henderson,

**RESOLUTION #28586**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO APPLY FOR AND ACCEPT, IF AWARDED, A LAND WATER CONSERVATION FUND OUTDOOR RECREATION LEGACY PARTNERSHIP PROGRAM GRANT FROM THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION (TDEC), TO INCREASE RECREATIONAL ACCESS IN EAST CHATTANOOGA TO THE SOUTH CHICKAMAUGA CREEK GREENWAY AND THE CONSERVED PROPERTIES OF SHERMAN RESERVATION AND BILLYGOAT HILL, FOR AN AMOUNT NOT TO EXCEED \$750,000.00.**

**ACTION: ADOPTED**

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

**RESOLUTION #28587**

**A RESOLUTION AUTHORIZING THE DIRECTOR OF HUMAN RESOURCES TO ENTER INTO AN AGREEMENT WITH MARATHON HEALTH TO AMEND THE HEALTH SERVICES AGREEMENT WHICH CHANGES THE SECOND RENEWAL PERIOD FROM TWELVE (12) MONTHS TO SIXTEEN (16) MONTHS, IN THE AMOUNT OF \$994,500.00.**

**ACTION: ADOPTED**

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

**RESOLUTION #28588**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO AWARD CONTRACT NO. S-15-012-201 TO THOMAS BROTHERS CONSTRUCTION COMPANY, INC. OF HIXSON, TENNESSEE, EAST 14<sup>TH</sup> STREET IMPROVEMENTS AND STREETScape, IN THE AMOUNT OF \$286,393.10, WITH A CONTINGENCY AMOUNT OF \$30,000.00, FOR AN AMOUNT NOT TO EXCEED \$316,393.10.**

**ACTION: ADOPTED**

On motion of Councilman Hakeem and seconded by Councilman Anderson,

**RESOLUTION #28589**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH ELECTRICAL & ELECTRONIC CONTROLS, INC. FOR PROFESSIONAL SERVICES RELATIVE TO CONTRACT NO. W-15-016-101, SHORT CIRCUIT STUDY & ARC FLASH HAZARD ANALYSIS FOR PUMP STATIONS AND COMBINED SEWER OVERFLOW (CSO) TREATMENT FACILITIES, FOR AN AMOUNT NOT TO EXCEED \$245,886.00.**

**ACTION: ADOPTED**

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

**RESOLUTION #28590**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AN AGREEMENT TO EXERCISE OPTION TO RENEW FOR THE PARTNERSHIP AGREEMENT WITH CHATTANOOGA FLYING DISC CLUB, FOR THE RENEWAL TERM OF ONE (1) YEAR, FOR THE CONTINUED USE AND OPERATIONS OF ALL PRESENT AND FUTURE DISC GOLF COURSES AT CITY PUBLIC PARKS FOR DAILY USE AND TOURNAMENT PLAY.**

**ACTION: ADOPTED**

On motion of Councilman Hakeem and seconded by Councilman Gilbert,

**RESOLUTION #28591**

**A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR AND, IF AWARDED, ACCEPT A TRANSPORTATION INVESTMENT GENERATING ECONOMIC RECOVERY (TIGER) DISCRETIONARY GRANT FROM THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FOR AN AMOUNT TO BE DETERMINED TO IMPROVE THE EXISTING WILCOX TUNNEL AND CREATE A NEW TUNNEL.**

**ACTION: ADOPTED**

On motion of Councilman Gilbert and seconded by Councilwoman Berz,

**RESOLUTION #28592**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A RIGHT-OF-ENTRY PERMIT AND LICENSE AGREEMENT WITH EXERCISE EQUIPMENT INSTALLATION WITH THE TRUST FOR PUBLIC LAND AND TO ACCEPT A DONATION FROM THE TRUST FOR PUBLIC LAND FOR THREE (3) FITNESS ZONES LOCATED AT BRAINERD, EAST CHATTANOOGA, AND EASTDALE YOUTH AND FAMILY DEVELOPMENT CENTERS, FOR A VALUE OF \$209,847.18.**

**ACTION: ADOPTED**

**DEPARTMENTAL REPORTS:**

**Purchases**

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

**R95148 - PO527856 - Public Works**

Estimated \$325,000 Annually

Blanket Contract Renewal for Special Line  
and Tank Cleaning Services

Lowest/Best Bidder: Universal Service, Inc.  
506 Gibson Pond Road  
Chattanooga, TN 37421

**R55752 - PO514934 - Public Works**

Estimated \$60,000 Annually

Blanket Contract Renewal for Biosolids  
Data Management System Support Services

Lowest/Best Bidder: Material Matters, Inc.  
P.O. Box 224  
Elizabethtown, PA 17022

**R132696 - Public Works**

\$37,830.00

Purchase of eleven (11) Combination Air-Vacuum Relief Valves

Lowest/Best Bidder: Consolidated Pipe & Supply Co.  
1332 Stuart Street  
Chattanooga, TN 37406

**R130018 - General Services**

Estimated \$200,000 Annually

Two New Blanket Contracts for Emergency Vehicle Lighting & Equipment

Lowest/Best Bidders:

1. On-Duty Depot, Inc. 10741 Lexington Drive, Knoxville, TN 37932
2. Lee-Smith, Inc. 2600 8th Avenue, Chattanooga, TN 37407

**R129593 - General Services**

Estimated \$250,000 Annually

New Blanket Contract for Panasonic Arbitrator Cameras

Lowest/Best Bidder: Insight Public Sector, Inc.  
6820 South Harl Avenue  
Tempe, AZ 85283

**R96475 - Economic and Community Development**

\$94,210.57

Purchase of Accela Annual Maintenance and Support Renewal Fees

Sole Source: Accela, Inc.  
2633 Camino Ramon, Suite 500  
San Ramon CA 94583

**Councilman Anderson moved** to approve, seconded by Councilwoman Berz. The motion carried.

**ACTION: APPROVED**

**DEPARTMENT REPORT: PUBLIC WORKS**

Justin Holland introduced Bill Lubbering and Bill Payne from the Water Quality Division for the "Chattanooga WPA Ditch Program: Phase 1 Report." He also introduced Brad Heilwagen of AMEC Foster Wheeler, the company contracted to work on the WPA systems. Their visual presentation included information on the following:

- Current WPA Ditch System
- System-wide issues
- Project Goal
- Phase 1 Completion
- Three Rounds of Data Collection
- Mobile Data Collection Application
- Pole Camera
- Crawler
- Data Collection Survey
- Potential Sanitary Sewer Leakage
- Ditch Blockage

- Potential Sanitary Sewer Leakage
- Flood Modeling
- Data Quality Review
- Debris/Blockage Reported to Yards
- Flood Scoring
- Deteriority Scoring
- Example: Low Scoring
- Example: High Score/E
- Ecological Survey – SCORE
- Example Low Score
- Example High Score
- Example – No Maintenance
- Example – Annual Light Cleaning
- Example – Minor Repairs
- Example – Resurfacing
- Example – Major Repairs
- Rehabilitation Plan Summary
- Project Area Selection

After the presentation, Mr. Payne responded to questions from Chairman Freeman about where the funds would come for the six major repairs that were identified in the presentation.

## **OTHER BUSINESS:**

### **Liquor License (District 9)**

Vickie Haley, Interim City Treasurer, reported a liquor license for the following:

Rajeskumar P. Chaudhari and  
 Jayendra Chaudhari  
 RJV Liquor  
 3404 Brainerd Road, Suite B  
 Chattanooga, TN 37411

The letter of compliance was signed by five Council members in this open meeting.

## **COMMITTEE REPORTS:**

*Audit & I.T. Committee*  
 (Councilman Grohn was not present)

*Budget and Finance Committee*  
 Councilwoman Berz  
 (No report)

- She thanked Chairman Freeman for appointing her to chair this committee.

*Economic and Community Development Committee*

Councilman Anderson

- The committee will meet in two weeks (May 10) to discuss boarding houses and residential occupancy.

*HR Committee (Human Resources)*

Council Vice Chair Mitchell

(No report)

*Planning & Zoning*

Councilman Hakeem

- The committee will meet next week (May 3) immediately after the Agenda Session.

*Public Safety Committee*

Councilman Henderson

(No report)

*Public Works and Transportation Committee*

Councilman Smith

- The committee met today to review items that the Council vote on tonight, as well as items on next week's agenda.
- The committee will meet again in two weeks.

*Youth and Family Development Committee*

Councilman Gilbert

(No report)

**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, Chairman Freeman recognized the following persons:

- **William Muhammad** (Chattanooga; Nation of Islam) – He would like to meet with the Council on the problems in the city. He stated how Islam helped his life by giving him knowledge of his culture, God and their true religion. He later made comments on the police presence in the community and discussed why individuals may not turn to the police for assistance.



- **Bro. Kevin Muhammad** (Chattanooga; Nation of Islam) – He represents several community groups and attended the Mayor’s State of the City address. He asked the Council for time on next week’s Council agenda to make a 15-20 minute presentation on what he called “the other Chattanooga.”
  - Chairman Freeman denied his request initially. A discussion ensued later in the meeting, in which the Council reconsidered Bro. Muhammad’s request. Upon further consideration and further comments from the public, Chairman Freeman granted Bro. Muhammad 20 minutes on next week’s (May 3) agenda during the “Other Business” section to address the Council with a community presentation.
- **Richard Bennett** (Chattanooga; A Better Tomorrow, Inc.) – He asked the City to look at organizations already building relationships in the community. He stated that young men at risk are “redeemable” and asked the Council to look to organizations like A Better Tomorrow to reach out to them.
- **Cynthia Stanley-Cash** (President, North Brainerd Neighborhood Association) – She has been active in the community many years and voiced disappointment that Bro. Muhammad’s request for a presentation had been denied. She voiced concerns that, prior to this administration, when the gang task force was originally created, it was designed specifically to round up black males, and now that the task force name has been changed to VRI, she said, the mission is still the same: to round up black male gang members.
  - Councilman Gilbert requested that Ms. Stanley-Cash be allowed to return to the podium to address the council on a separate matter (below). Chairman Freeman opened the floor to her.

Ms. Stanley-Cash also asked the Council if a nude sculpture downtown at Ross’s Landing could be relocated.

- Chairman Freeman instructed Ms. Stanley-Cash to speak with Mr. McKissic, who could put her in touch with the Public Arts coordinator at the city.
- **Ashlee Woodard Henderson** (Chattanooga; Concerned Citizens for Justice) – She asked the Council to reconsider hearing from Bro. Muhammad. She stated that the people are not in alignment with the Mayor’s State of the City. She also commented on Councilwoman Berz’s questions about meetings with the CPD.

## **ADJOURNMENT**

Chairman Freeman adjourned the meeting of the Chattanooga City Council until Tuesday, May 3, 2016 at 6:00 p.m.

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**CHAIRMAN**

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**CLERK OF COUNCIL**