



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
June 7, 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, Larry Grohn, Yusuf Hakeem, Chip Henderson and Ken Smith all present. City Attorney Wade Hinton and Council Clerk Nicole Gwyn, CMC, were also present.

PLEDGE OF ALLEGIANCE

Councilwoman Berz led the Assembly in the Pledge of Allegiance.

APPROVAL OF LAST MINUTES

On motion of Councilman Anderson and seconded by Councilman Gilbert, the minutes of the last meeting (May 31, 2016) were approved as published.

ORDINANCES – FINAL READING: (NONE)

ORDINANCES – FIRST READING: (NONE)

RESOLUTIONS:

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

RESOLUTION #28639

A RESOLUTION AUTHORIZING THE APPOINTMENTS OF JEREMY DURHAM, CYNTHIA IRVIN, ANDREW PIERSON, AND KEVIN MOSES AS SPECIAL POLICE OFFICERS (UNARMED) FOR THE HAMILTON COUNTY PARKS AND RECREATION TO DO SPECIAL DUTIES AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilman Grohn,

RESOLUTION #28640

A RESOLUTION AUTHORIZING THE CHIEF OF THE CHATTANOOGA POLICE DEPARTMENT TO ENTER INTO AN AGREEMENT WITH TRITECH SOFTWARE SYSTEMS FOR ANNUAL SUPPORT AND MAINTENANCE OF THE RMS SYSTEM FOR THE PERIOD OF JULY 1, 2016 THROUGH JUNE 30, 2017, FOR AN AMOUNT NOT TO EXCEED \$255,940.28.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilman Hakeem,

RESOLUTION #28641

A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING FOR ACCESS TO THE CHATTANOOGA AREA COPLINK NODE BETWEEN CHATTANOOGA POLICE DEPARTMENT (486 USERS); HAMILTON COUNTY SHERIFF'S OFFICE (165 USERS); CLEVELAND POLICE DEPARTMENT (91 USERS); BRADLEY COUNTY SHERIFF'S OFFICE (104 USERS); SIGNAL MOUNTAIN POLICE DEPARTMENT (16 USERS); EAST RIDGE POLICE DEPARTMENT (38 USERS); AND RED BANK POLICE DEPARTMENT (22 USERS) DESIGNED TO ESTABLISH A COST SHARING AGREEMENT BETWEEN ALL AGENCIES, WITH THE CITY'S PORTION IN THE AMOUNT OF \$17,584.02, FOR A TOTAL AMOUNT OF \$32,563.00.

ACTION: ADOPTED

On motion of Councilman Smith and seconded by Councilman Grohn,

RESOLUTION #28642

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO YEAR FIVE (5) OF THE FIVE (5) YEAR CONTRACT WITH JACOBS ENGINEERING GROUP FOR CONTINUATION OF PROGRAM MANAGEMENT SERVICES ASSOCIATED WITH THE CONSENT DECREE, CONTRACT NO. W-12-008-101, IN THE AMOUNT OF \$2,298,894.00.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilman Hakeem,

RESOLUTION #28643

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO AWARD CONTRACT NO. W-16-005-201 TO JDH COMPANY, INC. OF CHATTANOOGA, TN, FILTER PRESS BUILDING RE-ROOFING PROJECT, NON-CONSENT DECREE, IN THE AMOUNT OF \$235,098.61, WITH A CONTINGENCY AMOUNT OF \$23,500.00, FOR AN AMOUNT NOT TO EXCEED \$258,598.61.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilman Smith,

RESOLUTION #28644

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO AWARD CONTRACT NO. P-15-001-201 TO MOSTELLER'S OF CHATTANOOGA, TN, HCSO-CPD TRAINING TRAILER RELOCATION, IN THE AMOUNT OF \$76,818.00.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Anderson,

RESOLUTION #28645

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO A PARTNERSHIP AGREEMENT WITH GESTAMP NORTH AMERICA DIVISION FOR SIGNAL UPGRADE FOR HICKORY VALLEY ROAD AT DISCOVERY DRIVE AND TO ACCEPT A CONTRIBUTION OF \$70,303.00 TOWARDS THE COST OF TRAFFIC SIGNAL IMPROVEMENT.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilwoman Berz,

RESOLUTION #28646

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO AMEND AN AGREEMENT WITH THOMAS BROTHERS CONSTRUCTION RELATIVE TO CONTRACT NO. T-14-041-201, ASSOCIATED WITH CONSTRUCTION SERVICES FOR VIRGINIA AVENUE NEIGHBORHOOD GREENWAY, TO RELEASE THE CONTINGENCY AND INCREASE THE CONTRACT AMOUNT BY \$119,747.25, FOR A REVISED CONTRACT AMOUNT OF \$371,311.75.

ACTION: ADOPTED

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

RESOLUTION #28647

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO ACCEPT THE QUALIFICATIONS FOR CRACK SEAL AND BITUMINOUS SURFACE TREATMENT FROM REMAC, INC., JARRETT BUILDERS, INC., AND HUDSON CONSTRUCTION, INC. AND TO ENTER INTO THREE (3) ONE (1) YEAR BLANKET CONTRACTS WITH THESE PROFESSIONAL FIRMS SUBJECT TO TWO (2) RENEWAL OPTIONS FOR CRACK SEAL SERVICES ESTIMATED AT \$150,000.00 TOTAL ANNUALLY FOR ALL THREE (3) PROFESSIONAL FIRMS.

ACTION: ADOPTED

RESOLUTION #28648

A RESOLUTION REQUESTING THE PURCHASING DEPARTMENT TO PREPARE AN RFP TO COMPLETE A GOVERNMENT CONTRACTS AND PROCUREMENT DISPARITY STUDY.

Councilman Hakeem informed the Council that he had met with Stacy Richardson, Chief of Staff, to discuss a disparity study. He informed the Council that Administration will work the city's Purchasing Department on a disparity study RFP. Therefore, **Councilman Hakeem moved** to remove this item from the agenda. He was seconded by Councilman Gilbert. The motion carried.

ACTION: (Removed from agenda)

DEPARTMENTAL REPORTS:

Public Works

Justin Holland, Public Works Administrator, introduced Mike Marino from Jacobs Engineering for a presentation on the Consent Decree (CD). His presentation was divided under four (4) headings: program summary, program status, results and legacy. He gave information on the following:

- Consent Decree Overview
- CD Phase I Summary
- Program Status: Phase 1 Compliance
- Program Status: Projects by Phase
- Program Status: Phase 1 Schedule Analysis
- CD Program Results: WWTP Upgrades
- CD Program Results: Pump Station Upgrades
- CD Program Results: Focused SSES and Rehabilitation
- CD Program Results: Rehabilitated Pipeline
- Upcoming Projects
- What's in it for us?

After the presentation, Mr. Marino responded to Councilman Hakeem's question about having enough funds to provide the services.

Purchases:

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

PO532968 & PO532969 - General Services Estimated \$1,200,000 Annually

Two (2) Blanket Contract Renewals for HVAC Services,
Repairs, Equipment & Installation

Lowest/Best Bidders:

1. Mountain City Service, Inc. 2408 Taft Highway Signal Mountain, TN 37377
2. W.J. O'Neil Company 500 W. 26th Street Chattanooga, TN 37408

R132665 - Police Department \$56,756.20

Purchase of Sixty (60) Tasers and Accessories

Lowest/Best Bidder: Taser International, Inc.
17800 North 85th St.
Scottsdale, AZ 85255

R92618 Public Works Estimated \$70,000 Annually

Blanket Contract Renewal for Playground Mulch

Lowest/Best Bidder: Bliss Products
131 Riverwood Drive
Franklin, TN 37069

Councilman Anderson moved to approve, seconded by Councilman Grohn. The motion carried.

ACTION: APPROVED

OTHER BUSINESS: (NONE)

COMMITTEE REPORTS:

Audit & I.T. Committee

Councilman Grohn
(No report)

Budget and Finance Committee

Councilwoman Berz

- The second budget work session was held today. The next one will take place next week at 10:00 a.m. in the Council's conference room. We will examine the budget for Youth and Family Development next week.

Economic and Community Development Committee

Councilman Anderson
(No report)

HR Committee (Human Resources)

Vice Chair Mitchell
(No report)

Planning & Zoning

Councilman Hakeem

- The committee held the Form-Based Code hearing today. Form-Based Code will appear for first reading on next week's agenda.
- The committee also met today to review planning and zoning items on next week's agenda.

Public Safety Committee

Councilman Henderson

(No report)

Public Works and Transportation Committee

Councilman Smith

- The committee met today to review agenda items voted on tonight and items on next week's agenda. The committee will meet again in two (2) weeks.

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, Chairman Freeman recognized the following persons:

- **Theresa Brown (Juandale Trail/District 5)** – She came before the Council again regarding the flooding that took place at her property last year. She met today with the Mayor and two of his staff members. She says the creek behind her home is not causing the flooding. She said the golf course on Shallowford Road is connected with the creek and that when control pumps release water from the city's property is flooding her property. She said it has already been decided to not take responsibility of the flooding. She brought pictures of the property damage. She wanted everyone to know that right is right and wrong is wrong, and God doesn't like ugliness.
 - Molly Cooper of the Mayor's Office said they have spoken several occasions with Ms. Brown. She has told Ms. Brown that if the City had any part in the flooding, it would have taken care of the damage. She said that they have spoken to everyone who controls water flow in the city, including TVA, and found that the City of Chattanooga is in no way responsible. She stated that the city engineer, Bill Payne, today told Ms. Brown that the water rising out of the creek is flooding the property.
 - Mr. Holland informed the Council that Ms. Brown has filed a complaint with the City Engineer. He has consulted with the Army Corp of Engineers, engineers from the Waste Treatment facility and the City Attorney's Office because of the complaint, and feels that the City has done due diligence and fully understand what's happening. He stated that the creek behind her home is in a flood zone and that the City cannot control all water. He stated that the creek is a waterway, so once it

rises to a certain level, it will flood in a flood zone area. He stated that the City does not control this.

Chairman Freeman allowed Ms. Brown to make a rebuttal:

- o She stated that representatives from TVA and Moccasin Bend came to her property when it flooded in 2009. She stated that the individual from Moccasin Bend told her that they have no choice but to flood her property to keep from flooding Brainerd. She stated that the flooding this year did not come from the side where the creek is located. After that flooding incident, she made an appointment with the individual from Moccasin Bend to come see the direction of the flooding, but he failed to show. Councilman Gilbert came to see it. She believes that the City does have control of the pumps.

ADJOURNMENT

On motion of Councilman Anderson, Chairman Freeman adjourned the meeting of the Chattanooga City Council until Tuesday, June 14, 2016, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL