



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
July 19, 2016
6:00 PM

CALL TO ORDER

Council Vice Chair Jerry Mitchell called the meeting to order in the absence of Council Chairman Moses Freeman. A quorum was present, including Council members Chris Anderson, Carol Berz, Russell Gilbert, Larry Grohn, and Ken Smith all present. Deputy City Attorney Wade Hinton and Council Clerk Nicole Gwyn, CMC, were also present. Council members Yusuf Hakeem and Chip Henderson were also absent.

PLEDGE OF ALLEGIANCE

Councilman Smith 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 (July 12, 2016) were approved as published.

ORDINANCES – FINAL READING:

2016-097
City of Chattanooga/Regional Planning Agency
Planning Version
Districts 1, 2, 7 & 8

On motion of Councilman Anderson and seconded by Councilwoman Berz,

ORDINANCE #13079

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 425, 427 WEST BELL AVENUE; 610, 611 W. MANNING STREET; 700 BLOCK OF NORTH MARKET STREET; 600 RIVER STREET; 200 MARKET STREET; 418, 422, 424 GEORGIA AVENUE; 1440 ADAMS STREET; AND 1511 JEFFERSON STREET, MORE PARTICULARLY DESCRIBED HEREIN.

ACTION: APPROVED

2016-090
John Floyd and David Downer
Planning Version
District 3

On motion of Councilman Smith and seconded by Councilman Gilbert,

ORDINANCE #13080

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 5461 HIXSON PIKE, MORE PARTICULARLY DESCRIBED HEREIN, FROM O-1 OFFICE ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

2016-094
Asa Engineering
c/o Allen Jones/Brian Sullivan
Planning Version
District 4

On motion of Councilman Grohn and seconded by Councilman Smith,

ORDINANCE #13081

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO AMEND CONDITION REQUEST OF ORDINANCE NO. 12885 OF PREVIOUS CASE NO. 2014-0121 ON PROPERTY LOCATED AT 7407 IGOU GAP ROAD, MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

2016-084
South Broad, LLC and DEW, LLC
Planning Version
District 7

On motion of Councilman Anderson and seconded by Councilman Grohn,

ORDINANCE #13082

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED IN THE 2600 BLOCKS OF LONG STREET, BROAD STREET, COWART STREET, AND WILLIAMS STREET AND THE 200 BLOCKS OF WEST 27TH STREET AND 131 WEST 27TH STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE, C-2 CONVENIENCE COMMERCIAL ZONE AND UGC URBAN GENERAL COMMERCIAL ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

2016-095
Aaron White and Grant Law
Planning Version
District 7

On motion of Councilman Anderson and seconded by Councilman Gilbert,

ORDINANCE #13083

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 804 AND 901 RIVERFRONT PARKWAY, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

On motion of Councilman Anderson and seconded by Councilwoman Berz,

ORDINANCE #13084

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ARTICLE V, ZONING REGULATIONS, DIVISION 25, PLANNED UNIT DEVELOPMENT: RESIDENTIAL, SECTION 38-402(B), APPLICATION PROCEDURE FOR PLANNED UNIT DEVELOPMENT SO AS TO CLARIFY PUD DEVELOPMENT PLAN REQUIREMENTS.

ACTION: APPROVED

On motion of Councilman Anderson and seconded by Councilwoman Berz,

ORDINANCE #13085

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ARTICLE V, ZONING REGULATIONS, DIVISION 26, PLANNED UNIT DEVELOPMENT: INSTITUTIONAL, SECTION 38-414, AREA, LAND COVERAGE, AND DENSITY OF DEVELOPMENT, SO AS TO REMOVE THE TEXT "AND SITE AREA."

ACTION: APPROVED

On motion of Councilman Anderson and seconded by Councilman Gilbert,

ORDINANCE #13086

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ARTICLE VIII, TO ADD A NEW SUBSECTION TO SECTION 38-568 RELATIVE TO THE POWERS OF THE BOARD OF APPEALS FOR VARIANCES AND SPECIAL PERMITS PERTAINING TO SMALL ANIMALS ON A LEASH.

ACTION: APPROVED

ORDINANCES – FIRST READING:

MR-2016-072
Jim Richards
District 1

On motion of Councilman Smith and seconded by Councilman Gilbert,

ORDINANCE #13087

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE RIGHT-OF-WAY LOCATED ALONG NORTH MARKET STREET AT 405 NORTH MARKET STREET, DETAILED ON THE ATTACHED MAP, TO ALLEVIATE ENCROACHMENT OF EXISTING BUILDING INTO THE RIGHT-OF-WAY, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

MR-2016-068
Paula Grant Shuford
Planning Version
District 2

On motion of Councilman Gilbert and seconded by Councilman Anderson,

ORDINANCE #13088

AN ORDINANCE CLOSING AND ABANDONING TWO PORTIONS OF THE RIGHT-OF-WAY LOCATED ALONG THE 1600 BLOCK OF HILLCREST ROAD AT 1698 RIVERVIEW ROAD, DETAILED ON THE ATTACHED MAP, TO ALLEVIATE ENCROACHMENT OF EXISTING BUILDING AND TO ENABLE NEW CONSTRUCTION, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

MR-2016-075
C. Keith McCallie
District 2

On motion of Councilman Anderson and seconded by Councilman Gilbert,

ORDINANCE #13089

AN ORDINANCE CLOSING AND ABANDONING AN UNNUMBERED, UNOPENED BLOCK OF FOREST AVENUE AND AN ADJACENT, UNOPENED ALLEY, DETAILED ON THE ATTACHED MAP, TO FACILITATE CONSTRUCTION OF RETAINING WALLS AND DRIVEWAY ACCESS FOR 344 SYLVAN STREET, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

MR-2016-088
River Street Architecture/
Gary E. and Virginia Marie Ivey
District 2

On motion of Councilman Gilbert and seconded by Councilman Anderson,

ORDINANCE #13090

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE 1600 BLOCK OF HILLCREST ROAD AT 1692 RIVERVIEW ROAD, DETAILED ON THE ATTACHED MAP, TO ALLOW FOR ALIGNMENT WITH ADJACENT PROPERTY SETBACK AND TO CONSTRUCT A RETAINING WALL, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

MR-2016-074
Branch Acquisition Company, LLC
c/o Jack Haylett and Gunbarrel Partners
District 4

On motion of Councilman Grohn and seconded by Councilman Gilbert,

ORDINANCE #13091

AN ORDINANCE CLOSING AND ABANDONING THE RIGHT-OF-WAY LOCATED IN THE 2400 BLOCK OF ELAM LANE AND THE 2500 BLOCK OF LIFE STYLE WAY, DETAILED ON THE ATTACHED MAP, FOR MIXED USE DEVELOPMENT AND ASSOCIATED INFRASTRUCTURES, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

On motion of Councilman Smith and seconded by Councilman Gilbert,

RESOLUTION #28695

A RESOLUTION AUTHORIZING THE CHIEF OF THE CHATTANOOGA FIRE DEPARTMENT TO APPLY FOR AND, IF AWARDED, ACCEPT A FEDERAL GRANT ON COUNTERING VIOLENT EXTREMISM FROM THE DEPARTMENT OF HOMELAND SECURITY, IN THE AMOUNT OF \$133,000.00.

ACTION: ADOPTED

On motion of Councilman Grohn and seconded by Councilman Smith,

RESOLUTION #28696

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AMENDED AND RESTATED LAND LEASE AGREEMENT WITH SBA STRUCTURES, LLC, IN SUBSTANTIALLY THE FORM ATTACHED, FOR A CELLULAR TOWER AT 8429 SANDERS ROAD, IDENTIFIED AS A PORTION OF TAX MAP NO. 140-141, FOR A TERM OF FIVE (5) YEARS COMMENCING ON FEBRUARY 1, 2018, WITH THE OPTION TO RENEW FOR THREE (3) ADDITIONAL AND SUCCESSIVE FIVE (5) YEAR RENEWAL TERMS WITH THE LAST ADDITIONAL RENEWAL TERM EXPIRING ON JANUARY 31, 2038, WITH LEASE EXECUTION SUBJECT TO NEGOTIATED ACCESS AGREEMENT.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

RESOLUTION #28697

A RESOLUTION AUTHORIZING THE DIRECTOR OF GENERAL SERVICES TO EXECUTE A CONTRACT WITH OFFICE FURNITURE WAREHOUSE, LLC (OFW, LLC) TO PROVIDE TABLE FURNITURE FOR THE FAMILY JUSTICE CENTER, FOR A CONTRACT AMOUNT OF \$46,963.60.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

RESOLUTION #28698

A RESOLUTION AUTHORIZING THE DIRECTOR OF GENERAL SERVICES TO EXECUTE A CONTRACT WITH CARITHERS WALLACE COURTENAY, LLC (C-W-C, LLC) TO PROVIDE SEATING FURNITURE FOR THE FAMILY JUSTICE CENTER, FOR A CONTRACT AMOUNT OF \$202,295.01.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

RESOLUTION #28699

A RESOLUTION AUTHORIZING THE DIRECTOR OF GENERAL SERVICES TO EXECUTE A CONTRACT WITH COS BUSINESS PRODUCTS AND INTERIORS TO PROVIDE SYSTEMS FURNITURE FOR THE FAMILY JUSTICE CENTER, FOR A CONTRACT AMOUNT OF \$76,244.66.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

RESOLUTION #28700

A RESOLUTION AUTHORIZING THE DIRECTOR OF GENERAL SERVICES TO EXECUTE A CONTRACT WITH CONTRACT FURNITURE ALLIANCE, INC. (CFA, INC.) TO PROVIDE CASEGOODS AND STORAGE FURNITURE FOR THE FAMILY JUSTICE CENTER, FOR A TOTAL CONTRACT AMOUNT OF \$100,527.15.

ACTION: ADOPTED

On motion of Councilman Smith and seconded by Councilwoman Berz,

RESOLUTION #28701

A RESOLUTION AMENDING RESOLUTION NO. 28642 SO AS TO AUTHORIZE 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, FOR A REVISED AMOUNT OF \$2,295,924.00.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilman Smith,

RESOLUTION #28702

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH CD TECHNICAL SERVICES FOR PROFESSIONAL SERVICES RELATIVE TO CONTRACT NO. R-15-021-101, VARIOUS PARKS ADA COMPLIANCE ANALYSIS, FOR AN AMOUNT NOT TO EXCEED \$157,000.00.

ACTION: ADOPTED

On motion of Councilman Grohn and seconded by Councilman Smith,

RESOLUTION #28703

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO AMEND AN AGREEMENT WITH VOLKERT, INC., PREVIOUSLY ESTABLISHED UNDER RESOLUTION NOS. 27458 AND 28102, RELATIVE TO CONTRACT NO. E-12-008-101, FOR PROFESSIONAL SERVICES ASSOCIATED WITH THE DESIGN OF GUNBARREL ROAD WIDENING, FOR AN INCREASED AMOUNT OF \$44,500.00, FOR A REVISED CONTRACT AMOUNT OF \$306,700.00.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilman Smith,

RESOLUTION #28704

A RESOLUTION AUTHORIZING ADVANCED SIGNS C/O TIM POPE, FOR THE PROPERTY OWNER, CHESTNUT CENTER PARTNERS, LLC TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ALONG WEST 8TH STREET ADJACENT TO 189 WEST 8TH STREET TO INSTALL SIGNAGE, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilman Gilbert,

RESOLUTION #28705

A RESOLUTION AUTHORIZING GREEN TECH HOMES, LLC C/O AUTUMN FRANCIS, FOR PROPERTY OWNER, JAMES STOREY, TO USE TEMPORARILY THE ALLEY BEHIND 1612 WEST 52ND STREET TO ACCESS THE REAR OF THE PROPERTY, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilman Gilbert,

RESOLUTION #28706

A RESOLUTION AUTHORIZING SOUTHERN ADVERTISING AND SIGN SERVICE, LLC C/O AARON BROWN, FOR PROPERTY OWNER, CHESTNUT CENTER PARTNERS, LLC C/O VYOMESH DESAI, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ALONG CHESTNUT STREET ADJACENT TO 730 CHESTNUT STREET TO INSTALL SIGNAGE, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilwoman Berz,

RESOLUTION #28707

A RESOLUTION AUTHORIZING SOUTHERN ADVERTISING AND SIGN SERVICE, LLC C/O AARON BROWN, FOR PROPERTY OWNER, R. STEVE HUNT, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ALONG BROAD STREET, WEST 7TH STREET, AND CHESTNUT STREET ADJACENT TO 631 BROAD STREET AND 633 CHESTNUT STREET TO INSTALL SIGNAGE, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilwoman Berz,

RESOLUTION #28708

A RESOLUTION AUTHORIZING PROPERTY OWNER, WILLIAM B. RAINES, JR., TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ALONG EAST MARTIN LUTHER KING BOULEVARD ADJACENT TO 237 EAST MARTIN LUTHER KING BOULEVARD TO INSTALL A GREASE TRAP, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Transportation Department

Administrator Blythe Bailey gave a visual presentation on the status of the sidewalk projects. He noted that 7 of 8 sidewalk projects were included on the maps displayed. His presentation included information on the following:

- PPI Map indicating where sidewalks needed
- Key Results from first RTP Questionnaire
- Chattanooga Downtown Innovation District

Mr. Bailey also invited the Council to the Riverwalk Grand Opening on August 12 to celebrate the newest section of the Riverwalk. It will be a 2-day event, with the ribbon cutting on August 12 at 10:30 a.m. Councilwoman Berz also requested sidewalks to connect the midTown to Brainerd Road. Councilman Gilbert echoed the same for the District 5 side of Brainerd Road.

Purchases

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

PO 511935 General Services Estimated \$335,000 Annually
Increase to the Authorized Annual Expenditure
for Fueling Station Repair Services - Fleet Management
Lowest/Best Bidder: Southern Pump & Tank Co.
2710 John Deere Dr. Suite 207
Knoxville, TN 37917

PO 535195 Human Resources Estimated \$1,750,000 Annually
Increase to the Authorized Limit for Temporary
Employment Services Human Resources Department
Lowest/Best Bidder: OutSource Staffing LLC
701 Cherokee Blvd
Chattanooga, TN 37405

PO 516074 Information Technology

Estimated \$30,000 Annually

Blanket Contract Renewal for Oracle Financial Reporting Tool Information Technology Department
Lowest/Best Bidder: EIS Technologies, Inc.
3067 Peachtree Industrial Blvd.
Duluth, GA 30097

R 136816 Public Works

\$33,272.00

Purchase of Dezurik Plug Valve and Pipe Parts – Waste Resources Division
Lowest/Best Bidder: Consolidated Pipe & Supply Co.
1332 Stuart St.
Chattanooga, TN 37406

R 138955 Public Works

\$125,000.00

Purchase of Waste & Recycle Containers- Public Works Department
Lowest/Best Bidder: Wastequip
841 Meacham Road
Statesville, NC 28677

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

ACTION: PURCHASES APPROVED

OTHER BUSINESS:

PILOT Program Update

Stacy Richardson, Chief of Staff, informed the Council that there had been some misinformation in the media that she wished to clear up after the Mayor’s press release this morning regarding PILOT (payment in lieu of taxes) program. She discussed the history of the 80/20 PILOT program in Chattanooga that resulted in five (5) projects completed and the changes in the real estate market causing Administration to make changes to the program. She confirmed that Administration would recommend denying any future 80/20 PILOT projects. Instead, she stated that Administration would move forward with projects that have a higher level of affordability.

COMMITTEE REPORTS:

Audit & I.T. Committee
Councilman Grohn
(No report)

Budget and Finance Committee
Councilwoman Berz
(No report)

Economic and Community Development Committee
Councilman Anderson
(No report)

HR Committee (Human Resources)
Vice Chair Mitchell
(No report)

Planning & Zoning
(Councilman Hakeem not present)

Public Safety Committee
(Councilman Henderson not present)

Public Works and Transportation Committee
Councilman Smith

- The committee met today to review items on this week's and 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 Noblett read the rules of procedure for persons wishing to address the Council on non-agenda items. After which, Vice Chair Mitchell recognized the following persons:

- **Franklin McCallie (Read Ave.)** – His wife, Tresa, distributed his statement to the Council regarding a PILOT proposal that was submitted last week to River City. (See attached statement.) He stated that the proposal would go before the Housing Bond Board, then come before the Council. He asked the Council to review John Wise's PILOT program for 1920 Chestnut Street.

ADJOURNMENT

On motion of Councilman Anderson, Vice Chair Mitchell adjourned the meeting of the Chattanooga City Council until Tuesday, July 26, 2016, at 6:00 p.m.

VICE CHAIR

CLERK OF COUNCIL

ATTACHMENT

Franklin McCallie. 1615 Read Ave.

At previous meetings of the City Council, I--and many others--have been hoping to find a developer who would lead the effort to use the Payment in Lieu of Taxes program, known as PILOT, for all the purposes intended. First, to fulfill a need in housing which was not possible for the developer to meet WITHOUT an extra economic incentive. Second, to offer a percentage of the total living spaces at an AFFORDABLE rate to low and moderate income residents. Third, NEVER to withhold tax dollars from our children in public schools.

It is with our gratitude and a renewed confidence in the best ideals of this city that we applaud one such developer who has stepped forward. This Chattanooga developer is John Wise. Mr. Wise has invested months of time and effort to meet those high standards.

John Wise reached out to Helen Burns Sharp, the president of ATM--Accountability for Taxpayers Money -- to request a series of face-to-face meetings to write a new PILOT proposal for his project at 1920 Chestnut Street. His proposal lays out policies that EXCEED the minimum required of former PILOT programs and spell out those policies and procedures as never before.


Mr. Wise and one of his staff members, along with Ms. Sharp, Tresa McCallie, and I have met over the last three months to hammer out the details of a PILOT proposal which was submitted LAST WEEK to River City, on its way to the Housing Bond Board, and thence to you for your approval.

I now understand that Mayor Berke has today announced a "retooling" of the PILOT program. I speak for Helen Burns Sharp and other members and supporters of ATM when I applaud news of positive movement.

However, the work already completed by John Wise may well result in lower rents (\$751 per month, including water, sewer, & basic internet) than what the new retooling will call for. We submit that the proposal already presented by Mr. Wise should proceed as is, because he submitted his proposal before this new retooling was announced. Further, we suggest that his model may well be the GOLD STANDARD for the policies to be built into the Mayor's retooling effort.

We ask that you review and then approve John Wise's PILOT proposal for 1920 Chestnut Street, after it is recommended to you by the Housing Bond Board next week.

Thank you.


19 July 2016