



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
October 25, 2016
6:00 PM

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Chairman Freeman led the Assembly in the Pledge of Allegiance.

APPROVAL OF LAST MINUTES

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

SPECIAL PRESENTATION

"Mayor's Proclamation for Domestic Violence Awareness Month"
Councilwoman Carol Berz and the Family Justice Center

Councilwoman Berz presented the Mayor's proclamation for Domestic Violence Awareness Month to Dr. Valerie Radu, Executive Director of the Family Justice Center. Dr. Radu accepted the proclamation, along with the following individuals: Cederic Adams, FJC Navigator; Heather Ann Flowers, FJC Navigator/Court Advocate; Wendy Jenkins, FJC Clinical Coordinator; CPD Assistant Chief Tracy Arnold and Assistant Chief Eric Tucker; Molly Cooper of the Mayor's Office. Dr. Radu also informed the Assembly of the opening of the center on tomorrow, October 26, 2016. Councilman Gilbert expressed thanks for the assistance provided by the center.

Proclamation

Whereas: The family is the foundation of a safe and healthy community and it is a goal of this mayoral administration for our communities to be safe. Everyone has the right to live without harm and without the fear of harm; and

- Whereas:** Domestic violence impacts women, men, and children of every age, background, and belief. Nearly 1 in 4 women and 1 in 7 men in the United States have suffered severe physical violence by an intimate partner. Victims are deprived of their autonomy, liberty, and security, and face tremendous threats to their health and safety; and
- Whereas:** While physical marks may often be the most obvious signs of the harm caused by domestic violence, the true extent of the pain goes much deeper. Victims not only face abuse, but often find themselves left with significant financial insecurity. And children who witness domestic violence often experience lifelong trauma. These heinous acts go against all we know to be humane and decent, and they insult our most fundamental ideals. We all have a responsibility to try to end this grave problem; and
- Whereas:** The Hamilton County Chattanooga Family Justice Center and their onsite partner organizations seek opportunities to educate the public on the seriousness of interpersonal violence and the prevalence of this epidemic in our lives; and
- Whereas:** Ending domestic violence requires a collaborative effort involving every part of our society and requires our law enforcement and justice system to work together to hold offenders accountable for their crimes and protect victims and their children; and
- Whereas:** During National Domestic Violence Awareness Month, we reaffirm our dedication to forging a community where no one suffers the hurt and hardship that domestic violence causes – and we recommit to doing everything in our power to uphold the basic human right to be free from violence and abuse.

Now Therefore,

I, Andy Berke, Mayor of the City of Chattanooga, do hereby proclaim the month of October as

Domestic Violence Awareness Month

In Witness Whereof, I have hereunto set my hand and caused the Seal of the City of Chattanooga to be affixed this the 19th Day of October, 2016

ORDINANCES – FINAL READING:

ORDINANCE #13118

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 5, ARTICLE III, TO AMEND SECTIONS 5-47, 5-48, AND 5-78 RELATIVE TO BEER IN MOTION PICTURE THEATERS.

Councilman Grohn moved to defer three (3) weeks until November 15, 2016. He was seconded by Councilman Smith. The motion carried, with Councilman Henderson abstaining.

ACTION: DEFERRED THREE (3) WEEKS

MR-2016-120
James Havron
District 1

On motion of Councilman Henderson and seconded by Councilman Smith,

ORDINANCE #13136

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE RIGHT-OF-WAY LOCATED AT THE 300 BLOCK OF MIXSON STREET AND THE 300 BLOCK OF PEAK STREET, DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

MR-2016-133
Susan L. Fogo
District 7

On motion of Councilman Grohn and seconded by Councilman Henderson,

ORDINANCE #13137

AN ORDINANCE CLOSING AND ABANDONING AN ALLEY OFF OF THE 500 BLOCK OF WEST 21ST STREET, DETAILED ON THE ATTACHED MAP, TO FACILITATE FUTURE DEVELOPMENT, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

ORDINANCES – FIRST READING:

ORDINANCE #13121

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, AND CHAPTER 11, BUSINESSES, TRADES, AND OCCUPATIONS, RELATING TO SHORT-TERM VACATION RENTALS WITHIN ANY ZONES ALLOWING RESIDENTIAL USE AND PROVIDING TERMS AND CONDITIONS FOR THE ISSUANCE OF SHORT-TERM VACATION RENTAL CERTIFICATES.

Councilman Gilbert moved to deny, seconded by Councilman Smith. The motion carried upon roll call vote as follows:

Berz	Yes	Hakeem	Yes	Smith	Yes
Gilbert	Yes	Henderson	No	Freeman	Yes
Grohn	Yes	Mitchell	No		

YES – Six (6); NO – Two (2)

ACTION: DENIED

Councilman Smith requested immediate enforcement in R-1 against those homeowners that have had complaints lodged against them. Attorney Hinton confirmed that no action was needed from the Council for enforcement.

RESOLUTIONS:

Agenda Item VII(a):

A RESOLUTION TO MAKE CERTAIN FINDINGS RELATING TO THE RIVERVIEW HOUSING ASSOCIATES, LP PROJECT, TO DELEGATE CERTAIN AUTHORITY TO THE CHATTANOOGA HOUSING AUTHORITY AND TO AUTHORIZE THE MAYOR TO ENTER INTO AND EXECUTE AN AGREEMENT FOR PAYMENTS IN LIEU OF AD VALOREM TAXES FOR THE ACQUISITION AND RENOVATION OF THE JAYCEE TOWER LOCATED AT 500 WEST M.L. KING BOULEVARD FOR USE AS A MULTI-FAMILY HOUSING FACILITY FOR LOW INCOME ELDERLY TENANTS PURSUANT TO TENNESSEE CODE ANNOTATED SECTION 13-20-104.

Councilman Henderson moved to defer two (2) weeks, seconded by Councilman Smith. The motion carried.

ACTION: DEFERRED TWO (2) WEEKS

2016-159
Libby Stamey/JHR Northgate, LLC/
Flashbacks Bar and Grill, LLC
District 3

On motion of Councilman Smith and seconded by Councilman Gilbert,

RESOLUTION #28825

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR USE OF A LATE NIGHT ENTERTAINMENT FACILITY LOCATED AT 1966 NORTHPOINT BOULEVARD, SUITE 126, HIXSON, TN 37343, MORE PARTICULARLY DESCRIBED IN THE ATTACHED DOCUMENTS.

Councilman Smith reminded the Council that this item had been deferred to give more time for public notice prior to the grand opening the facility. Upon no further discussion at that time, the motion carried. Later in the meeting, Councilman Smith recognized John Bridger of Regional Planning and Gary Robkin of Land Development Office for their involvement with this matter.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Grohn,

RESOLUTION #28826

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO AMEND AN AGREEMENT PREVIOUSLY ESTABLISHED UNDER RESOLUTION NO. 28354 WITH CDM RELATIVE TO CONTRACT NO. T-14-039, FOR PROFESSIONAL SERVICES ASSOCIATED WITH EVALUATION OF AND DESIGN SERVICES FOR THE REHABILITATION OR REPLACEMENT OF THE STANDIFER GAP ROAD BRIDGE, FOR AN INCREASED AMOUNT OF \$80,000.00, FOR A REVISED CONTRACT AMOUNT OF \$353,195.00.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Human Resources (HR):

Todd Dockery, HR Administrator, introduced Tyna Hector, HR's Training & Development Coordinator, who gave an update on "Employee Training & Development Initiatives." Her presentation included information on the following:

- Onboarding program
- Coaching modules
- Managers Capstone
- Overall Training Modules
- Career Development

Ms. Hector gave a success report about General Services employee Elita Palmer, who has been on a career development track that recently resulted in a 3-month assignment in the Mayor's Office and is still leading to other career opportunities within city government. She and Mr. Dockery responded to the following questions:

- What types of training are available for managers? (Gilbert)
- How many managers have received training at the center? (Gilbert)
- Is the training for managers mandatory? (Gilbert)
- What is the timeline for tracking metrics? (Gilbert)
- Are employees encouraged by management to pursue career development? (Hakeem)

Councilmen Gilbert and Hakeem recommended mandatory training for managers. Mr. Dockery also made closing remarks.

Purchases

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

R 144517 - Public Works

Not to Exceed \$76,724

Effluent Monitoring Instrument Demonstration
& Purchase Waste Resources Division

Lowest/Best Bidder: ZAPS Technologies
P.O. Box 2332
Corvallis, OR 97339-2332

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

ACTION: APPROVED

OTHER BUSINESS:

IDB Appointments

Councilwoman Berz put for the following resolution:

RESOLUTION #28827

A RESOLUTION TO CONFIRM THE MAYOR'S APPOINTMENT OF JELENA BUTLER TO THE INDUSTRIAL DEVELOPMENT BOARD WITH AN EXPIRED TERM OF OCTOBER 7, 2020 AND THE REAPPOINTMENT OF HENRY "SKIP" IRELAND TO THE INDUSTRIAL DEVELOPMENT BOARD WITH AN EXPIRED TERM OF JUNE 15, 2022.

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

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 not present)

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

Planning & Zoning Committee
Councilman Hakeem

- The committee will meet next week (November 1) after the Economic and Community Development Committee.

Public Safety Committee
Councilman Henderson
(No report)

Public Works and Transportation Committee
Councilman Smith

- The committee will meet 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:

- **Ed Weekly (Chattanooga)** – He is opening a restaurant at 3202 Brainerd Road and was instructed by a city representative to purchase a 40-pound grease trap. He was stated that he was not informed that he would need a grease interceptor.
 - Maura Sullivan, Chief Operating Officer, offered to meet outside with Mr. Weekly and Justin Holland, Public Works Administrator, to discuss the matter.
- **Dan Berry (Etowah, TN)** – His company, Haren Construction, bid on the Citico CSO, but did not win the bid. He is protesting the city's bid process and voiced his concerns with the pre-bid process. He stated that he has no plans of taking the matter to litigation.
 - Councilmen Henderson, Smith and Gilbert recommending having an educational session on the purchasing process during a 1:30 Strategic Planning meeting.
 - Chairman Freeman instructed the Council Clerk to notify Mr. Berry of when the Council will discuss the purchasing process.
- **Tresa McCallie (Reed Avenue)** – She thanked the Council for their discussion today regarding the Jaycee Tower PILOT. She recommended an outside, independent financial review of complicated PILOTs for the public benefit.

ADJOURNMENT

On motion of Vice Chair Mitchell, Chairman Freeman adjourned the meeting of the Chattanooga City Council until Tuesday, November 1, 2016, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL