



City Council Building  
Chattanooga, Tennessee  
**COUNCIL MEETING MINUTES**

June 6, 2017  
6:00 PM

**CALL TO ORDER**

Council Chairman Jerry Mitchell called the meeting to order with Vice-Chairman Ken Smith and Councilpersons Carol Berz, Anthony Byrd, Demetrus Coonrod, Russell Gilbert, Chip Henderson, Darrin Ledford and Erskine Oglesby. Wade Hinton, City Attorney, and Nicole Gwyn, Council Clerk, CMC, were also present.

**PLEDGE OF ALLEGIANCE**

Councilman Henderson led the Assembly in the Pledge of Allegiance. He also read Proverbs 4:5 of the Bible before giving an invocation.

**APPROVAL OF LAST MINUTES**

On motion of Councilman Gilbert and seconded by Councilman Ledford, the minutes of the last meeting (May 30, 2017) were approved as published.

**ORDINANCES – FINAL READING:**

On motion of Councilman Gilbert and seconded by Councilman Ledford,

**ORDINANCE #13185**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 21, ARTICLE VIII, SECTION 21-151, MUNICIPAL ADMINISTRATIVE HEARING OFFICER.**

**ACTION: APPROVED**

On motion of Councilwoman Berz and seconded by Vice-Chairman Smith,

**ORDINANCE #13186**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 31, RELATIVE TO CHARGES FOR DISPOSAL OF SEWAGE AND CONNECTION TO INTERCEPTOR SEWER SYSTEM.**

**ACTION: APPROVED**

## ORDINANCES – FIRST READING:

2017-033

Evan Holladay, LDG Multifamily, LLC

Planning Version

District No. 7

On motion of Councilman Oglesby and seconded by Councilman Henderson,

### ORDINANCE #13187

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 4821 AND 4905 CENTRAL AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO R-3 RESIDENTIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

Both the Applicant and members of the Opposition were present. Therefore, a hearing ensued, with John Bridger, Executive Director of Regional Planning, giving a visual presentation on this item. Chairman Mitchell then recognized the Applicant and the Opposition.

On behalf of the Applicant:

**Mike Mallen, Attorney**, introduced the Applicant, **Evan Holladay of LDG Development**. After being allotted time to speak, Mr. Mallen requested that the Council hear separately from the conservation expert, Troy Keith, since Mr. Keith was not an advocate for the Applicant. Chairman Mitchell agreed to hear from Mr. Keith separate from the time allotted to the Applicant.

Mr. Holladay informed the Council of the following:

- LDG current properties and holdings
- 264 affordable residential units on this proposed site
- Rental rates from \$690.00 - \$790.00 per month
- Gated community with pool, clubhouse and dog park
- \$40 Million development
- Between 7 – 8 employees
- Five community meetings held on this proposal.

Mr. Holladay responded to questions on the following:

- LDG property in Nashville (Councilman Byrd)
- Section 8 Housing Choice Voucher applicants (Councilwoman Coonrod)
- Location of this proposed site in relation to the former Vesicol property (Councilwoman Coonrod).

On behalf of the Opposition:

- **Gil Shropshire (Alton Park/Piney Woods Neighborhood Association)** – He opposes the development because he does not believe the residents in Alton Park had been contacted in time for the development, and because he does not believe the residents who attended the community meetings were actual residents of Alton Park and Piney Wood. He would rather see homes built instead of apartments.

- **Marjorie Nevel (w. 51<sup>st</sup> St./District 7)** - She opposes the development because it will be too many apartments for her liking. She also opposes because she believes visibility will be decreased for cars coming down the hill to the corner of W. 51<sup>st</sup> Street and Central Avenue.
- **Gwen Buck (District 7)** – She did not receive a notice about this rezoning and feels that residents received adequate notice about the zoning. She questions which community attended the meetings that the Applicant discussed. She also opposes due to concerns about crime.
- **Carlotta Favors (District 7)** – She opposes due to concerns about current levels of violence in the community. She informed the Council that her son was murdered in Alton Park. She does not believe the Applicant spoke with the residents of Alton Park and Piney Woods about this development.
- **Sherry Jackson (W. 51<sup>st</sup> Street/District 7)** – She has been on W. 51<sup>st</sup> Street over 30 years and opposes this development due to traffic problems that already exist on W. 51<sup>st</sup> Street. She also informed the Council about the Trotter School was closed decades ago on this property because of environmental issues.
- **Catherine Shropshire (District 7)** – She opposes the rezoning because she has not received a full report on the safety of the land. She voiced concerns about tapping into polluted land once a swimming pool is installed in this particular development.

Rebuttal by Applicant:

Mr. Mallen addressed each of the concerns from the Opposition, including addressing the issue of density, traffic and the environmental concerns. He commented on the following:

- Regional Planning vetting of this rezoning as relates to traffic and density
- No environmental issues reported for this land
- Five community meetings with over 100 attendees
- No housing developers coming forward to build in this area.

Mr. Keith commented about the following:

- His knowledge of brownfields and environmental issues in this community;
- Testing required after rezoning for ground water and organics;
- Development being done safely;
- No expectation of ground water from the Vesicol property across the street affecting this property.

Councilman Oglesby commented about the following:

- He was one of the 100 people or more who have been in attendance at the community meetings.
- He noted how an increase in the people at this development will benefit Alton Park.
- He noted that if this is deemed safe for building, then this will bring more economic development to the area.
- He later noted that this is not a singular process: rezoning is just the first step. He noted that more would be done to ensure the land.

Upon no further questions, the hearing was closed and the motion carried.

**ACTION: PASSED ON FIRST READING**

2017-065  
South Broad, LLC  
District No. 7

On motion of Councilwoman Berz and seconded by Councilman Ledford,

**ORDINANCE #13188**

**AN ORDINANCE CLOSING AND ABANDONING AN APPROXIMATE ONE HUNDRED TWENTY-FIVE FEET PORTION OF THE RIGHT-OF-WAY OF THE 200 BLOCK OF WEST 27TH STREET, AS DETAILED ON THE ATTACHED MAP, AND SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: PASSED ON FIRST READING**

**RESOLUTIONS:**

On motion of Councilman Oglesby and seconded by Councilman Ledford,

**RESOLUTION #29053**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO APPLY FOR, AND IF AWARDED, ACCEPT PUBLIC ART GRANTS FROM THE BENWOOD FOUNDATION AND THE LYNDHURST FOUNDATION, EACH FOR THE RIVERWALK-WHEELAND FOUNDRY TRAILHEAD PROJECT, AND TO AUTHORIZE THE EXECUTION OF THE GRANT AGREEMENTS, IN THE AMOUNT OF \$212,500.00.**

**ACTION: ADOPTED**

On motion of Councilman Oglesby and seconded by Councilwoman Berz,

**RESOLUTION #29054**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO APPLY FOR, AND IF AWARDED, ACCEPT PUBLIC ART GRANTS FROM THE BENWOOD FOUNDATION AND THE LYNDHURST FOUNDATION, EACH FOR THE RIVERWALK I-24 UNDERPASS PROJECT, AND TO AUTHORIZE THE EXECUTION OF THE GRANT AGREEMENTS, IN THE AMOUNT OF \$125,000.00.**

**ACTION: ADOPTED**

On motion of Councilman Byrd and seconded by Councilwoman Berz,

**RESOLUTION #29055**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO ACCEPT FUNDS FROM THE BENWOOD FOUNDATION FOR CONSTRUCTION OF THE MILLER PARK DISTRICT, FOR A GRANT AMOUNT OF \$1.5 MILLION.**

**ACTION: ADOPTED**

On motion of Councilman Byrd and seconded by Councilman Gilbert,

**RESOLUTION #29056**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO ENTER INTO A DONATION AGREEMENT WITH RIVERCITY COMPANY FOR A PERIOD OF TWO (2) YEARS, AND FOR THE PURPOSE OF ACCEPTING DONATIONS UP TO \$7.5 MILLION FOR THE MILLER PARK DISTRICT.**

**ACTION: ADOPTED**

On motion of Councilman Henderson and seconded by Councilman Ledford,

**RESOLUTION #29057**

**A RESOLUTION AUTHORIZING THE CITY FINANCE OFFICER TO PROCESS AN ARBITRAGE REBATE INSTALLMENT PAYMENT TO THE U.S. TREASURY, INTERNAL REVENUE SERVICE, FOR THE TENTH YEAR REBATE COMPUTATION PERIOD OF APRIL 17, 2007 THROUGH APRIL 17, 2017, IN ACCORDANCE WITH A REVIEW AND CALCULATIONS BY ARBITRAGE COMPLIANCE SPECIALIST, INC. RELATING TO THE CHATTANOOGA LEASE RENTAL REVENUE REFUNDING BONDS, SERIES 2007, TO BE PAID ON OR BEFORE JUNE 16, 2017, IN THE AMOUNT OF \$269,555.57.**

**ACTION: ADOPTED**

On motion of Councilman Ledford and seconded by Councilman Gilbert,

**RESOLUTION #29058**

**A RESOLUTION AUTHORIZING THE APPOINTMENT OF TY ARMOUR, AS A SPECIAL POLICE OFFICER (UNARMED) FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: ADOPTED**

On motion of Councilwoman Berz and seconded by Councilman Ledford,

**RESOLUTION #29059**

**A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 2 FOR JACOBS ENGINEERING GROUP, INC. RELATIVE TO CONTRACT NO. W-10-004-101, EAST BRAINERD PUMP STATION UPGRADE AND COLLECTION SYSTEM REHAB, A CONSENT DECREE PROJECT, FOR AN INCREASED AMOUNT OF \$84,534.00, FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED \$2,544,361.17.**

**ACTION: ADOPTED**

On motion of Councilman Oglesby and seconded by Vice-Chairman Smith,

**RESOLUTION #29060**

**A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. R-14-011-201, MILLER PARK & DISTRICT CONNECTIVITY IMPROVEMENTS - PHASE 1, TO THOMAS BROTHERS CONSTRUCTION COMPANY OF HIXSON, TN, IN THE AMOUNT OF \$7,637,413.33, WITH A CONTINGENCY AMOUNT OF \$763,740.00, FOR AN AMOUNT NOT TO EXCEED \$8,401,153.33.**

**ACTION: ADOPTED**

On motion of Councilman Byrd and seconded by Councilwoman Berz,

**RESOLUTION #29061**

**A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1, SPACKMAN MOSSOP MICHAELS (SMM) AND ESKEW+DUMEZ+RIPPLE (EDR), FOR PROFESSIONAL SERVICES RELATIVE TO CONTRACT NO. R-14-011-101, MILLER PARK DISTRICT AND CONNECTIVITY IMPROVEMENTS, FOR AN INCREASED AMOUNT OF \$178,321.00, FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED \$872,021.00.**

**ACTION: ADOPTED**

On motion of Councilwoman Berz and seconded by Vice-Chairman Smith,

**RESOLUTION #29062**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO IMPLEMENT A PRODUCT REPURPOSING AND REUSE PROGRAM TO REDUCE DISPOSAL COST OF MATERIALS RECEIVED AT THE HOUSEHOLD HAZARDOUS WASTE FACILITY, RESIDENTIAL REFUSE COLLECTION CENTERS, AND RECYCLING CONVENIENCE CENTERS.**

**ACTION: ADOPTED**

**PURCHASES:**

Bonnie Woodward, Purchasing Director, briefed the Council on the following proposed purchases:

**R152719 - Public Works** \$76,258.00  
Purchase of Fourteen (14) MSA Gas Monitors  
& Supporting Equipment - Waste Resources Division  
Lowest/Best Bidder: Daly Instrumentation & Controls, Inc  
P.O. Box 50994  
Knoxville, TN 37950-0994

**R153063 - Public Works** \$29,985.00  
Purchase of One (1) Hayward Gordon Pump –  
Waste Resources Division  
Lowest/Best Bidder: Southern Sales Company  
2937 Kraft Drive  
Nashville, TN 37204

**R153202 - Public Works** \$161,284.00  
Purchase of One (1) Aerial Lift Forestry Division  
Lowest/Best Bidder: Altec Industries  
33 Inverness Center Parkway  
Birmingham, AL 35242

**R154357 - Public Works** \$191,184.00  
Purchase of One (1) Fairbanks Morse Rotating Assembly  
& Impellar Wear Ring Waste Resources Division  
Lowest/Best Bidder: Guthrie Sales & Service  
7003 Chadwick Dr., Ste. 300  
Brentwood, TN 37027

**R154277 - Youth & Family Development** \$87,765.00  
New Blanket Contract for Bus Transportation  
for Summer Programs  
Lowest/Best Bidder: Sneed Transportation  
1817 East Crabtree Road  
Hixson, TN 37343

**R142772 - Youth & Family Development** Estimated \$226,800 Annually  
New Blanket Contract for Commercial Food Service Vendor  
Lowest/Best Bidder: YMCA  
301 West 6th Street  
Chattanooga, TN 37402

**Councilwoman Berz moved** to approve, seconded by Vice-Chairman Smith. The motion carried.

**ACTION: ALL PURCHASES APPROVED**

## **OTHER BUSINESS:**

### **NCBW Fashion Show**

Councilman Gilbert informed the Council that Councilman Byrd took part as a model in the NCBW fashion show this past Saturday. The show was sponsored by the National Coalition of 100 Black Women - Chattanooga chapter.

### **District 9 Community Walk**

Councilwoman Coonrod thanked the city for supporting the "Thrive in 9 Walk" that took place on Saturday afternoon in District 9. She thanked Mayor Berke for being there and quoted YFD employee, Gary Rudolph, in saying that it had been an eye-opening experience talking to the community in such a manner.

### **District 4 Joint Community Meeting**

Councilman Ledford informed the Council of the Joint community meeting in District 4 with Hamilton County Commissioner Sabrina Smedley. He announced that there were over 120 people in attendance. He noted two topics in the meeting: Davidson road issues and the Snack Pack program. He encouraged YFD to look into the program. He also encouraged citizens to attend meetings with school board and county commissioners.

### **Educational Session on Predatory Lending**

Councilwoman Berz discussed the educational session last night on predatory lending. The Mayor and staff led community discussions on topics such as alternatives to these lenders as well as the correlation between a 720 credit score and problems in communities. She indicated that solutions from the will be compiled and printed soon.

### **Youth Recognition: Armand**

Councilman Byrd wanted to acknowledge a young man named Armand who was watching the Council meeting tonight via livestreaming. He has told Councilman Byrd that he is proud of this Council and looks forward to great things coming from the Council. Councilwoman Berz suggested that everyone wave "hi" to Armand, to which the Council complied.

### **African-American Music Appreciation Month**

In honor of African-American Music Appreciation Month, Councilwoman Coonrod played a snippet of one of her favorite African-American violists: Ken Ford. The song she played was entitled, "State of Mind."

## **COMMITTEE REPORTS:**

*Budget and Finance Committee*  
Councilman Henderson  
(No report)



*Economic and Community Development Committee*  
Councilman Oglesby  
(No report)

*HR Committee (Human Resources)*  
Councilman Gilbert  
(No report)

*Planning & Zoning Committee*  
Councilman Ledford reported:

- The committee met today in open meeting, where they discussed the Short-Term Vacation Rental ordinance and other agenda items.
  - Councilman Henderson informed the Assembly that the City Attorney's Office was revising the Short-Term Vacation Rental ordinance with two new additions.

*Public Safety Committee*  
Councilman Byrd reported:

- The committee will meet next week after the 3:00 p.m. Agenda Session to hear about the second set of turnout gear and the new policies to be adopted for them.

*Public Works and Transportation Committee*  
Councilwoman Berz reported:

- The committee met today in open meeting. Thanks to Administrator Justin Holland for his input today.

*Youth and Family Development (YFD) Committee*  
Councilwoman Coonrod reported:

- She commended Lurone "Coach" Jennings, YFD Administrator, for having the vision to create the "Empowering Families" program, in which one of the targets was improving credit scores. Glad she and Councilwoman Berz share a common interest.
  - Councilwoman Berz informed Councilwoman Coonrod and Coach Jennings that there are people who are looking to help with such programs.
  - Councilwoman Berz then announced an event being planned for July 20, 2017 (7/20) to celebrate getting a 720 credit score.

*Innovation & Technology Committee*  
Vice-Chairman Smith  
(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 Mitchell recognized the following persons:

- **Juanita "Dr. J" Clay (Chattanooga)** – She requested that the Council formally recognize the late Booker T. Scruggs for his legacy and impact in the city.
  - Councilwoman Coonrod commented on Mr. Scruggs' impact on her as a student.

- **Tom Slatten (Soddy Daisy)** – He wanted to commend the Council for doing a good job, and thinks of Councilwoman Coonrod as the “voice of the Council.”
  - Councilwoman Coonrod thanked Mr. Slatten and asked him to bring more city employees with him to Council meetings.
- **Samantha Cooper (Chattanooga/TN Valley Pride)** – She informed the Council of the LGBT Community Forum in Chattanooga recently. She described the LGBT community being recognized as a protected class, and indicated that they have a proposal for a non-discrimination policy for the Council to consider. She also invited the Council to the Equality March on June 11.
- **Bro. Bush (Chattanooga)** - He requested that the City Council draft a resolution regarding an “abeyance hold” for the five schools at risk of being taken over by the State. He asks that the Council request a 3-6 month extension on the takeover since the school system has not chosen a superintendent yet. He asked the Assembly to call their state representatives to ask for the extension, and to contact Candice McQueen, the Tennessee’s Education Commissioner, about it.
  - Councilman Gilbert agreed with Bro. Bush about sponsoring the legislation. He informed the Council of having attended the two meetings already held with school board members about the State takeover.
  - Councilwoman Coonrod agreed with Councilman Gilbert and informed the Council that she is working with school board member Karitsa Mosley to bring Ms. McQueen to town. She also wanted to make the community aware of Unified Ed, an organization working for a great public school system.

## ADJOURNMENT

**On motion of Councilman Oglesby**, Chairman Mitchell adjourned the meeting of the Chattanooga City Council until the next meeting date: Tuesday, June 13, 2017, at 6:00 p.m.

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**CHAIRMAN**

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**CLERK OF COUNCIL**