



City Council Building  
Chattanooga, Tennessee  
**COUNCIL MEETING MINUTES**  
November 27, 2018  
6:00 PM

## **CALL TO ORDER**

Council Chairman Ken Smith called the meeting to order with Vice-Chairman Erskine Oglesby and Councilpersons Anthony Byrd, Demetrus Coonrod, Russell Gilbert, Chip Henderson, Darrin Ledford and Jerry Mitchell. Phil Noblett, City Attorney, and Nicole Gwyn, Council Clerk, were also present. Councilwoman Carol Berz was not present this meeting.

## **PLEDGE OF ALLEGIANCE**

Chairman Smith led the Assembly in the Pledge of Allegiance.

## **APPROVAL OF LAST MINUTES**

**On motion of Councilman Henderson and seconded by Councilman Mitchell**, the minutes of the last meeting (November 20, 2018) were approved as published.

## **ORDINANCES – FINAL READING:**

**2018-160**  
**Somerset Partners of TN % Jimmy Allen**  
**Planning Version #2**  
**District No. 1**

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

### **ORDINANCE #13402**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 584 BOY SCOUT ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

2018-167  
Bill Sanders/Trotters Place, Inc.  
Planning Version #2  
District No. 6

On motion of Councilman Ledford and seconded by Councilman Henderson,

**ORDINANCE #13403**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PART OF PROPERTY LOCATED AT 6750 SHALLOWFORD ROAD, MORE PARTICULARLY DESCRIBED HEREIN FROM R-4 SPECIAL ZONE TO C-5 NEIGHBORHOOD COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

**ORDINANCES – FIRST READING: (NONE)**

**RESOLUTIONS:**

On motion of Councilman Henderson and seconded by Councilman Byrd,

**RESOLUTION #29717**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A DECLARATION OF RESTRICTIVE COVENANTS, IN SUBSTANTIALLY THE FORM ATTACHED, FOR SEVEN (7) CITY-OWNED PARCELS LOCATED IN THE FLOODWAY AND IDENTIFIED AS TAX PARCEL NUMBER 117C-A-009 AT 1134 MOUNTAIN CREEK ROAD; TAX PARCEL NUMBER 117P-C-006 AT NORMAN LANE; TAX PARCEL NUMBER 117P-C-027 AT 108 SIGNAL HILLS DRIVE; TAX PARCEL NUMBER 117P-C-028 AT SIGNAL HILLS DRIVE; TAX PARCEL NUMBER 117P-C-030 AT SIGNAL HILLS DRIVE; TAX PARCEL NUMBER 117P-C-032 AT NORMAN LANE; AND TAX PARCEL NUMBER 117O-A-011.03 AT 832 MOUNTAIN CREEK ROAD.**

Councilman Henderson informed the Council that this item places floodplains and floodways in conservation easements. Therefore, he moved approval. The motion carried.

**ACTION: ADOPTED**

On motion of Councilman Ledford and seconded by Councilwoman Coonrod,

**RESOLUTION #29718**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT, IN SUBSTANTIALLY THE FORM ATTACHED, WITH CHATTANOOGA RADIO CONTROL CLUB, AT 4246 WOODLAND DRIVE, ON A PORTION OF TAX PARCEL NUMBER 140-133, FOR THE LEASE OF APPROXIMATELY SIX (6) ACRES AND A DEFINED FLY ZONE FOR THE FLYING OF MODEL AIRPLANES, CLUB MEETINGS, AND OTHER CONNECTED ACTIVITIES, FOR A TERM OF THREE (3) YEARS, WITH THE OPTION TO RENEW FOR AN ADDITIONAL TERM OF ONE (1) YEAR, FOR THE ANNUAL RENT IN THE AMOUNT OF \$200.00 PER YEAR.**

**ACTION: ADOPTED**

On motion of Councilwoman Coonrod and seconded by Councilman Byrd,

**RESOLUTION #29719**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO ENTER INTO AN AGREEMENT WITH SOUTHEAST TENNESSEE DEVELOPMENT DISTRICT (SETDD) FOR A THREE (3) YEAR PERIOD BEGINNING ON DECEMBER 1, 2018 AND ENDING ON NOVEMBER 30, 2021, TO, ON BEHALF OF THE CITY OF CHATTANOOGA, APPLY FOR ENVIRONMENTAL PROTECTION AGENCY (EPA) BROWNFIELD ASSESSMENT AND CLEAN-UP GRANTS.**

**The motion carried, with Vice-Chairman Oglesby abstaining.**

**ACTION: ADOPTED**

On motion of Councilman Henderson and seconded by Councilman Ledford,

**RESOLUTION #29720**

**A RESOLUTION AUTHORIZING BRIGHTBRIDGE INC. (SUBRECIPIENT), ON BEHALF OF THE CITY OF CHATTANOOGA, TO ASSIGN, AS PER SECTION XIII(4)(A), "ASSIGNABILITY," OF THE CURRENT SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF CHATTANOOGA AND BRIGHTBRIDGE, INC., THE AGREEMENT TO SOUTHEAST TENNESSEE DEVELOPMENT DISTRICT (SETDD) (SUBRECIPIENT) AND FURTHERMORE, AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO ENTER INTO A NEW AGREEMENT WITH SETDD, IN SUBSTANTIALLY THE FORM ATTACHED, FOR A THREE (3) YEAR PERIOD BEGINNING ON DECEMBER 1, 2018 AND ENDING ON NOVEMBER 30, 2021, TO, ON BEHALF OF THE CITY OF CHATTANOOGA, ADMINISTER THE HOUSING AND URBAN DEVELOPMENT (HUD) SECTION 108 GUARANTEE LOAN FUND PROGRAM.**

**The motion carried, with Vice-Chairman Oglesby abstaining.**

**ACTION: ADOPTED**

On motion of Councilman Ledford and seconded by Councilman Henderson,

**RESOLUTION #29721**

**A RESOLUTION AUTHORIZING THE DEPUTY CITY FINANCE OFFICER TO SIGN VOUCHERS, REQUISITIONS AND OTHER NECESSARY DOCUMENTS FOR AND ON BEHALF OF THE FINANCE DEPARTMENT EFFECTIVE AS OF OCTOBER 1, 2018.**

**ACTION: ADOPTED**

On motion of Councilman Gilbert and seconded by Councilwoman Coonrod,

**RESOLUTION #29722**

**A RESOLUTION AMENDING RESOLUTION NO. 28367 ENTITLED "A RESOLUTION ADOPTING THE CITY OF CHATTANOOGA EMPLOYEE INFORMATION GUIDE AND ALLOWING CHANGES TO ANY AND ALL INFORMATION PRESENTED TO CITY COUNCIL FOR APPROVAL WITHIN SIX (6) MONTHS OF THE RESOLUTION EFFECTIVE DATE OF SEPTEMBER 8, 2015, ONE (1) YEAR FROM THE EFFECTIVE DATE, AND ANNUALLY THEREAFTER" TO REFLECT CHANGES EFFECTIVE JANUARY 8, 2019.**

**ACTION: ADOPTED**

On motion of Councilman Gilbert and seconded by Councilman Byrd,

**RESOLUTION #29723**

**A RESOLUTION AUTHORIZING THE APPOINTMENT OF ZLATKO KOZLICA, 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 Councilman Gilbert and seconded by Councilman Byrd,

**RESOLUTION #29724**

**A RESOLUTION AUTHORIZING THE DIRECTOR OF HUMAN RESOURCES TO EXECUTE A TWO (2) YEAR AGREEMENT WITH THREE (3) ONE (1) YEAR RENEWAL OPTIONS WITH ONSITE RX, INC. FOR ON-SITE PHARMACY SERVICES, AS OUTLINED BELOW, FOR AN ESTIMATED TOTAL AMOUNT NOT TO EXCEED \$8 MILLION PER YEAR.**

**ACTION: ADOPTED**

On motion of Councilman Mitchell and seconded by Councilman Gilbert,

**RESOLUTION #29725**

**A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 (FINAL) FOR TRI-STATE ROOFING CONTRACTORS OF CHATTANOOGA, TN, RELATIVE TO CONTRACT NO. Y-17-019-201, REPLACEMENT ROOFING FOR SHEPHERD YFD CENTER BUILDING, FOR AN INCREASED AMOUNT OF \$18,546.00, FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED \$173,615.00.**

**ACTION: ADOPTED**

On motion of Councilman Byrd and seconded by Councilwoman Coonrod,

**RESOLUTION #29726**

**A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 FOR HEFFERLIN+KRONENBERG ARCHITECTS, PLLC, RELATIVE TO CONTRACT NO. Y-15-008-101, THE AVONDALE YOUTH AND FAMILY DEVELOPMENT CENTER, FOR AN INCREASED AMOUNT OF \$164,798.00, FOR A REVISED CONTRACT AMOUNT OF \$505,298.00.**

**ACTION: ADOPTED**

On motion of Councilman Byrd and seconded by Councilwoman Coonrod,

**RESOLUTION #29727**

**A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 FOR J & J CONTRACTORS, INC., RELATIVE TO CONTRACT NO. Y-15-008-201, THE NEW AVONDALE YOUTH AND FAMILY DEVELOPMENT CENTER, FOR AN INCREASED AMOUNT OF \$166,539.00, FOR A REVISED CONTRACT AMOUNT OF \$4,952,539.00, AND TO RE-ESTABLISH A CONTINGENCY AMOUNT OF \$183,461.00.**

**ACTION: ADOPTED**

On motion of Councilman Mitchell and seconded by Councilman Byrd,

**RESOLUTION #29728**

**A RESOLUTION AUTHORIZING THE CITY FINANCE OFFICER TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY RELATED TO A LOAN AGREEMENT WITH THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION (CW7 2019-428) FOR FINANCING OF CAPITAL CONSTRUCTION PROJECTS REQUIRED BY THE CONSENT DECREE FOR THE INTERCEPTOR SEWER SYSTEM (ISS), FOR A TOTAL PROJECT COST IN THE AMOUNT OF \$3 MILLION.**

**ACTION: ADOPTED**

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

**RESOLUTION #29729**

**A RESOLUTION AUTHORIZING THE CITY FINANCE OFFICER TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY RELATED TO A LOAN AGREEMENT WITH THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION (SRF 2019-429) FOR FINANCING OF CAPITAL CONSTRUCTION PROJECTS REQUIRED BY THE CONSENT DECREE FOR THE INTERCEPTOR SEWER SYSTEM (ISS), FOR A TOTAL PROJECT COST IN THE AMOUNT OF \$21 MILLION.**

**ACTION: ADOPTED**

**PURCHASES: (NONE)**

**OTHER BUSINESS:**

**District 4 Event**

Councilman Ledford announced a change in date for the Friends of East Brainerd's Annual Tree Lighting Ceremony. It will be moved from December 1 to December 8, 2018, at Jack Benson Heritage Park.

**COMMITTEE REPORTS:**

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

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

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

*Planning and Zoning Committee*  
Councilman Ledford reported:

- The committee will met next week (December 4). One of the topics will be a continuing discussion on steep slopes and floodplains.

*Public Safety Committee*  
Councilman Henderson  
(No report)

*Public Works and Transportation Committee*

Councilman Mitchell reported:

- The committee met today in open meeting and will meet again in two (2) weeks (December 11).

*Youth and Family Development Committee*

Councilwoman Coonrod

(No report)

Legislative Committee

Vice-Chairman Oglesby

(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 Smith recognized the following persons:

- **Amir Ashmabay** (Chattanooga) – He informed the Council that he has been going through many things like others in the community. He is tired about being falsely accused. He believes his arrests have been falsified. He believes there has been official oppression against him. He has spoken to Council members and some of them are aware of what he’s been going through, as well as what he’s been doing to help the community. His mother is in a nursing home and he has not seen her in four years because of the cases against him. He wanted to end on a positive note by telling about the millions that have been invested in him.
- **Marie Mott** (Oak Grove) – She watched the stormwater fee presentation online and heard that the County and UTC owe money to the City of Chattanooga. She heard one councilperson call that money “illusory debt.” She cannot understand why entities and corporations do not pay back money owed to the City, yet, the City will put people out of their homes for back taxes. She believes that if the County and UTC debts are paid back to the City, then that would ensure the fairness of checks-n-balances. She does not believe it is an expectation of taxpayers for these entities not to pay their debts. She asked the Council to pursue getting these funds from these entities.
- **Tiffany Rankin** (Lincoln Park) – She attended a November 8<sup>th</sup> neighborhood meeting that her representative, Councilman Byrd, also attended with his family. There was a discussion at that meeting about \$2 Million for the greenspace. The meeting became heated, to the point where she felt that Councilman Byrd disrespected one citizen. She also was approached after the meeting by someone in Councilman Byrd’s family who was upset with her. She was upset that Councilman Byrd is people to their neighborhood meetings who do not live in the district.
  - During her comments, Chairman Smith reminded Ms. Rankin to address her comments during this portion of the agenda to the full Council. Ms. Rankin complied and continued discussing the neighborhood meeting in general.

**ADJOURNMENT**

**On motion of Vice-Chairman Oglesby**, Chairman Smith adjourned the meeting of the Chattanooga City Council until Tuesday, December 4, 2018, at 6:00 p.m.

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**CHAIRMAN**

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**CLERK OF COUNCIL**