

Last saved on 07/05/2016 1:00 PM

TUESDAY, JULY 5, 2016
CITY COUNCIL REVISED AGENDA
6:00 PM

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Henderson).
- III. Minute Approval.
- IV. Special Presentation.

Signing of Port Angeles Banner
By Councilman Chip Henderson and James Howard

- V. Ordinances – Final Reading:

CITY ATTORNEY'S OFFICE

- a. [An ordinance to amend Chattanooga City Code, Part II, Chapter 5, Sections 5-75 and 5-108, relative to alcoholic beverages and the Form-Based Code.](#)

FINANCE

- b. [An ordinance appropriating, authorizing or allocating funds to the Capital Improvements Budget for Fiscal Years 2016-2017 and to amend the Fiscal Year 2016-2017 Operations Budget Ordinance No. 13072.](#)

PLANNING

- c. [2016-070 Southeast Medical Properties, II, LLC \(R-1 Residential Zone to R-4 Special Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 7127 Igou Gap Road, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **\(District 4\) \(Recommended for approval by Planning and recommended for denial by Staff\) \(Revised\)**](#)

[2016-070 Southeast Medical Properties, II, LLC \(R-1 Residential Zone to R-4 Special Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 7127 Igou Gap Road, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **\(Alternate Version on First Reading Recommended by Councilman Larry Grohn\)**](#)

VI. Ordinances – First Reading:

ECONOMIC AND COMMUNITY DEVELOPMENT

- a. An ordinance granting a franchise to Zayo Group, LLC for the purpose of allowing it to construct, install, and operate certain telecommunications wires and cabling within the public rights-of-way in order to provide telecommunications services within the City; setting forth conditions accompanying the grant of the franchise; providing for regulation and use of the system and the public rights-of-way in conjunction with the City's right-of-way ordinance; and prescribing penalties for the violations of the provisions herein.

VII. Resolutions:

ECONOMIC AND COMMUNITY DEVELOPMENT

- a. A resolution authorizing the Mayor as the certifying officer for HUD Environmental Review Procedures to designate the Administrator for the Department of Economic and Community Development or designee to execute documents relative to the Environmental Review Process as required by federal regulations effective June 28, 2016.
- b. A resolution authorizing the Administrator for the Department of Economic and Community Development to enter into a renewal contract agreement with Pates Hauling and Demolition Services, for an amount not to exceed \$350,000.00.

FINANCE

- c. A resolution adopting a Five-Year Capital Improvement Plan for Fiscal Years 2017-2021, subject to future revisions; a copy of which is attached hereto and made a part hereof by reference.
- d. A resolution authorizing the renewal of the existing banking services contract with SunTrust Bank through June 30, 2018.

GENERAL SERVICES

- e. A resolution authorizing the acceptance of \$378,722.11 from Hamilton County as the City's portion from the 2016 Real Property Back Tax Sale with \$371,302.50 being applied as the City's portion, \$5,741.20 being applied to City Attorney's fees, and \$1,678.41 being applied to City Treasurer costs. (Added by permission of Chairman Freeman)

HUMAN RESOURCES

- f. [A resolution amending Resolution No. 28639 authorizing the appointments of Jeremy Durham, Cynthia Irvin, Andrew Pierson, and Kevin Moses as special police officers \(armed\) for the Hamilton County Parks and Recreation to do special duties as prescribed herein, subject to certain conditions.](#)

- g. [A resolution authorizing the Director of Human Resources to renew the existing agreement with BlueCross/BlueShield of Tennessee and Assurant Employee Benefits to provide voluntary dental insurance to City employees at the monthly rate of \\$23.92 for employee, \\$45.04 for employee/child, \\$55.08 for employee/spouse, \\$76.32 for family for the BlueCross/BlueShield of Tennessee Plan, and \\$12.24 for employee, \\$19.80 for employee/child or employee/spouse, and \\$30.28 for family for the Assurant Benefit Plan, and all premiums are paid by the employees.](#)

MAYOR'S OFFICE

- h. [A resolution to confirm the Mayor's appointment of Pam Shelly to the Erlanger Financial Review Committee.](#)

PUBLIC WORKS AND TRANSPORTATION

Public Works

- i. [A resolution authorizing the Administrator for the Department of Public Works to award Contract No. Y-16-002-201 to Competition Athletic Surfaces, Inc. of Chattanooga, TN, for resurfacing and repairs at various tennis courts, for a contract amount of \\$153,650.00, with a contingency amount of \\$51,350.00, for an amount not to exceed \\$205,000.00. \(Districts 2, 5, 7, 8 & 9\) \(Revised\)](#)

- j. [A resolution authorizing the Mayor to enter into an Interlocal Agreement with the City of Collegedale pertaining to the ownership, operation, and maintenance of the Collegedale Wastewater Pumping Station which will include the purchase of a Dri-Prime Backup System \(DBS\) pump and appurtenant equipment by the City of Collegedale, which will be paid in sixty \(60\) monthly installments of \\$4,064.27, for the total amount of \\$243,855.97.](#)

- k. [A resolution authorizing the Administrator for the Department of Public Works to enter into a contract with Orange Grove Center, Inc. to share revenues for managing and marketing recyclable materials, and to operate refuse and recycling convenience centers for Fiscal Years 2017 through 2020 effective July 8, 2016, for a total amount not to exceed \\$2,664,661.83. \(Revised\)](#)

Transportation

- l. A resolution authorizing RiverCity Company c/o Jim Williamson, agent for the property owner, Hutton & Smith Brewing Company c/o Thomas Brooks to use temporarily the right-of-way of one on-street parallel parking space in front of 431 East Martin Luther King Boulevard at parking meter No. 548 to install a parklet patio for additional and outdoor seating, as shown on the maps attached hereto and made a part hereof by reference, subject to certain conditions. **(District 8)**
- m. A resolution authorizing the Administrator for the Department of Transportation to enter into an agreement with Motivate (formerly Alta Bike Share) to manage bike ambassadors and oversee Bike Chattanooga System Station Expansion, as funded by two grants from the Lyndhurst Foundation and Friends of Outdoor Chattanooga, in the amount of \$370,358.00.
- n. A resolution authorizing the acceptance of a donation for the value of work to repair Chestnut Street in the approximate amount of \$850,000.00 from Defoor Brothers Development, LLC, subject to the City and Defoor Brothers Development, LLC executing an agreement for said repairs. **(Revised)**

VIII. Departmental Reports:

- a) Police.
- b) Fire.
- c) **Economic and Community Development.**
- d) Youth and Family Development.
- e) Transportation.
- f) Public Works.
- g) Finance.
- h) IT.
- i) Human Resources.
- j) General Services.

IX. Purchases.

X. Other Business.

XI. Committee Reports.

XII. Agenda Session for Tuesday, July 12, 2016.

XIII. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.

XIV. Adjournment.

TUESDAY, JULY 12, 2016
CITY COUNCIL AGENDA
6:00 PM

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Mitchell).
3. Minute Approval.
4. Special Presentation.
5. Ordinances – Final Reading:

ECONOMIC AND COMMUNITY DEVELOPMENT

- a. [An ordinance granting a franchise to Zayo Group, LLC for the purpose of allowing it to construct, install, and operate certain telecommunications wires and cabling within the public rights-of-way in order to provide telecommunications services within the City; setting forth conditions accompanying the grant of the franchise; providing for regulation and use of the system and the public rights-of-way in conjunction with the City's right-of-way ordinance; and prescribing penalties for the violations of the provisions herein.](#)
6. Ordinances – First Reading:

PLANNING

- a. [2016-097 City of Chattanooga/Regional Planning Agency \(Rezoning various properties\). 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. \(Recommended for approval by Planning and Staff\) \(Districts 1, 2, 7 & 8\)](#)
- b. [2016-089 Thomas Austin \(R-1 Residential Zone, R-4 Special Zone, and M-1 Manufacturing Zone to R-4 Special Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located in the 3900 block of Kelly's Ferry Road, more particularly described herein, from R-1 Residential Zone, R-4 Special Zone, and M-1 Manufacturing Zone to R-4 Special Zone, subject to certain conditions. \(Recommended for approval by Planning\) \(District 1\)](#)

- 2016-089 Thomas Austin (R-1 Residential Zone, R-4 Special Zone, and M-1 Manufacturing Zone to R-4 Special Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located in the 3900 block of Kelly's Ferry Road, more particularly described herein, from R-1 Residential Zone, R-4 Special Zone, and M-1 Manufacturing Zone to R-4 Special Zone, subject to certain conditions. **(Staff Version)**
- 2016-089 Thomas Austin (R-1 Residential Zone, R-4 Special Zone, and M-1 Manufacturing Zone to R-4 Special Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located in the 3900 block of Kelly's Ferry Road, more particularly described herein, from R-1 Residential Zone, R-4 Special Zone, and M-1 Manufacturing Zone to R-4 Special Zone. **(Applicant Version)**
- c. 2016-090 John Floyd and David Downer (O-1 Office Zone to C-2 Convenience Commercial Zone). 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. **(Recommended for approval by Planning and Staff) (District 3)**
- 2016-090 John Floyd and David Downer (O-1 Office Zone to C-2 Convenience Commercial Zone). 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. **(Applicant Version)**
- d. 2016-094 Asa Engineering c/o Allen Jones/Brian Sullivan (Amend Condition). 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. **(Recommended for approval by Planning and recommended for denial by Staff) (District 4)**
- e. 2016-060 Jack Haylett Branch Acquisition Company, LLC/Defoor Brothers, LLC/Tommy Thompson/Winona Sims/Steven Dobbs Family Trust (MXU Mixed Use Zone and R-1 Residential Zone to C-4 Planned Commerce Center Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located in the 2300 to 2500 blocks of Gunbarrel Road, 7325 through 7342 blocks of McCutcheon Road, 2500 block of Lifestyle Way, and 2300 through 2400 blocks of Elam Lane, more particularly described herein, from MXU Mixed Use Zone to R-1 Residential Zone to C-4 Planned Commerce Center Zone, subject to certain conditions. **(Recommended for approval by Planning) (District 4)**

2016-060 Jack Haylett Branch Acquisition Company, LLC/Defoor Brothers, LLC/Tommy Thompson/Winona Sims/Steven Dobbs Family Trust (MXU Mixed Use Zone and R-1 Residential Zone to C-4 Planned Commerce Center Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located in the 2300 to 2500 blocks of Gunbarrel Road, 7325 through 7342 blocks of McCutcheon Road, 2500 block of Lifestyle Way, and 2300 through 2400 blocks of Elam Lane, more particularly described herein, from MXU Mixed Use Zone to R-1 Residential Zone to C-4 Planned Commerce Center Zone, subject to certain conditions. **(Staff Version)**

2016-060 Jack Haylett Branch Acquisition Company, LLC/Defoor Brothers, LLC/Tommy Thompson/Winona Sims/Steven Dobbs Family Trust (MXU Mixed Use Zone and R-1 Residential Zone to C-4 Planned Commerce Center Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located in the 2300 to 2500 blocks of Gunbarrel Road, 7325 through 7342 blocks of McCutcheon Road, 2500 block of Lifestyle Way, and 2300 through 2400 blocks of Elam Lane, more particularly described herein, from MXU Mixed Use Zone to R-1 Residential Zone to C-4 Planned Commerce Center Zone. **(Applicant Version)**

f. 2016-084 South Broad, LLC and DEW, LLC (R-3 Residential Zone, C-2 Convenience Commercial Zone and UGC Urban General Commercial Zone to C-3 Central Business Zone). 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. **(Recommended for approval by Planning and Staff) (District 7)**

2016-084 South Broad, LLC and DEW, LLC (R-3 Residential Zone, C-2 Convenience Commercial Zone and UGC Urban General Commercial Zone to C-3 Central Business Zone). 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. **(Applicant Version)**

- g. [2016-095 Aaron White and Grant Law \(M-1 Manufacturing Zone to C-3 Central Business Zone\). 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. \(Recommended for approval by Planning and Staff\) \(District 7\)](#)

[2016-095 Aaron White and Grant Law \(M-1 Manufacturing Zone to C-3 Central Business Zone\). 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. \(Applicant Version\)](#)

- h. [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.](#)
- i. [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."](#)
- j. [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.](#)

7. Resolutions:

ECONOMIC AND COMMUNITY DEVELOPMENT

- a. [A resolution authorizing the Administrator for the Department of Economic and Community Development to award HOME Program funds for the purpose of creating affordable housing units, for a total amount not to exceed \\$863,350.00, to the organizations listed in the resolution. \(Revised\)](#)

FINANCE

- b. [A resolution expressing the intent of the City of Chattanooga to issue bonds in the aggregate amount not to exceed \\$12 million of the City of Chattanooga, Tennessee for the purpose of paying all or a portion of the costs of the following: fire apparatus, CARTA capital match, Library HVAC remediation and lighting, Family Justice Center, Real Time Intelligence Center, roadway failure repair, sidewalks, South Chickamauga Creek Greenway-Caine Land, and Avondale Recreation Center.](#)

GENERAL SERVICES

- c. A resolution authorizing the Director of General Services to execute a Capital Equipment Lease Purchase Agreement and Communications System Agreement, in substantially the form attached and any related documents, with Motorola Solutions, Inc., for replacement of radio subscriber units for the purpose of public safety and general government operations, in the amount of \$5,977,734.76.

HUMAN RESOURCES

- d. A resolution authorizing the Director of Human Resources to enter into an agreement with BlueCross/BlueShield of Tennessee (BlueRe) to provide the City of Chattanooga with a stop loss policy on large health insurance claims for a period of one (1) year beginning July 1, 2016, with the option to renew for two (additional) years, for an amount of \$7.79 per employee per month, for an estimated annual premium of \$275,000.00.

IT

- e. A resolution authorizing the Chief Information Technology Officer to amend the existing contract with the Electric Power Board for the purchase of fiber optics services and support, for an increase of \$550,000.00, from the original amount of \$1,320,000.00, for an amount not to exceed \$1,870,000.00.

PUBLIC WORKS AND TRANSPORTATION

Public Works

- f. A resolution authorizing Administrator for the Department of Public Works to award Contract No. E-13-002-201 to Bell and Associates Construction L.P. of Brentwood, TN, Walnut Street Pedestrian Bridge Repair and Construction – Phase 1, in the amount of \$2,487,990.00, with a contingency amount of \$250,000.00, for an amount not to exceed \$2,737,990.00. **(Districts 2 & 7)**

Transportation

- g. A resolution authorizing James Fleming to use temporarily the right-of-way of the alley adjacent to 912 Endicott Street to install fencing, landscaping, and proposed driveway modifications, as shown on the maps attached hereto and made a part hereof by reference, subject to certain conditions. **(District 2)**
- h. A resolution authorizing the Administrator for the Department of Transportation to enter into an agreement with Talley Construction Company, Inc. relative to Contract No. T-16-001-201, for construction services associated with resurfacing of designated roadways within the City of Chattanooga, in the amount of \$2,261,695.70.

YOUTH AND FAMILY DEVELOPMENT

- i. [A resolution authorizing the Administrator of the Department of Youth and Family Development to provide services to 169 preschoolers and 114 infants and toddlers through collaborations between Head Start/Early Head Start and Signal Center, Inc., Chambliss Center for Children, and Child Care Networks, in the amount of \\$1,214,244.00.](#)
8. Departmental Reports:
 - a) **Police.**
 - b) Fire.
 - c) Economic and Community Development.
 - d) Youth and Family Development.
 - e) Transportation.
 - f) Public Works.
 - g) Finance.
 - h) IT.
 - i) Human Resources.
 - j) General Services.
 9. Purchases.
 10. Other Business – **REPORT ON DEBT OBLIGATION.**
 11. Committee Reports.
 12. Agenda Session for Tuesday, July 19, 2016.
 13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
 14. Adjournment.

Proposed City Council Purchases 07-05-16

DEPARTMENT REQUISITION NO.	ITEM DESCRIPTION	BIDS REQUESTED	BIDS RETURNED	LOWEST/BEST BIDDER	COST	FUND NAME	NOTES
PO 531099 Information Technology	Blanket Contract Renewal for Oracle Software & Support Information Technology Department	-	-	Mythics, Inc. 1439 N. Great Nech Rd Ste 201 Virginia Beach, VA 23454	Estimated \$300,000 Annually	General Fund	Blanket Contract Renewal of PO 531099 for Oracle Software & Support. This renewal will utilize the third (3rd) renewal option per the original contract under State of Tennessee Contract # SWC3027. TCA 6-56-304.2 allows for this single source purchase from Mythics, Inc, exempted from usual advertising and bidding requirements.
PO 535492 Information Technology	Blanket Contract Renewal for Atlassian Licenses and Monthly Maintenance Information Technology Department	-	-	Atlassian Pty Ltd 32151 Collections Center Drive Chicago, IL 60693	Estimated \$110,000 Annually	General Fund	Blanket Contract Renewal of PO 535492 for Atlassian Licenses and Monthly Maintenance. This renewal will utilize the first (1st) renewal option per the original contract. Atlassian products and services are proprietary with no third-party vendors authorized to provide these services. TCA 6-56-304.2 allows for this single source purchase from Atlassian, exempted from usual advertising and bidding requirements.
R 132487 General Services	Blanket Contract for Sedans, SUV's, Vans & Light Trucks Fleet Management Division	47	2	Brooker Ford Inc. 925 Shugart Road Dalton, GA 30720	Estimated \$3,000,000 Annually	General Fund	New Blanket Contract for Sedans, SUV's, Vans & Light Trucks. There were 47 direct bid solicitations and we received 2 responses in the publically advertised bid proceedings. Brooker Ford Lincoln was the best bid meeting specifications.
PO 527727 General Services	Blanket Contract Renewal for Generator Maintenance & Repair Services City Wide	10	6	Energy Systems Southeast LLC 3235 Veterans Circle Birmingham, AL 35235	Estimated \$100,000 Annually	General Fund	Blanket Contract Renewal of PO 527727 Generator & Maintenance Repair Services. This renewal will utilize the second (2nd) and final renewal option per the original contract. There were 10 direct bid solicitations and we received 6 responses in the original publically advertised bid proceedings. Energy Systems Southeast LLC was the best bid meeting specifications.

PO 527716 & PO 527717 Purchasing Department	Blanket Contract Renewal for Printing Services City Wide	12	5	Diversified Companies LLC P.O. Box 21961 Chattanooga, TN 37424 and Envelopes & Printed Products 135 Fairview Avenue Prospect Park, NJ 07508	Estimated \$400,000 Annually	General Fund	Blanket Contract Renewal of PO 527716 & PO 527717 for Printing Services. This renewal will utilize the second (2nd) and final renewal option per the original contract. There were 12 direct bid solicitations and we received 5 responses in the original publically advertised bid proceedings. Diversified Companies LLC and Envelopes & Printed Products were the best bids meeting specifications.
R137983 Public Works	Purchase of Mini- Excavator Public Works Department	-	-	Stowers Machinery Corporation 4066 South Access Road Chattanooga, TN 37406	\$124,420.21	General Fund	Purchase of Mini-Excavator. This contract will utilize State of Tennessee Contract #220-00048446, with Stowers Machinery Corporation. TCA 6-56-304.2 allows for this single source purchase, exempted from usual advertising and bidding requirements.
PO 528163 Public Works	Blanket Contract Renewal for Liquid Calcium Nitrate Waste Resources Division	8	3	Evoqua Water Technologies LLC 2650 Tallevast Road Sarasota, FL 34243	Estimated \$1,300,000 Annually	Interceptor Sewer Operations	Blanket Contract Renewal of PO 528163 for Liquid Calcium Nitrate. There were 8 direct bid solicitations and we received 3 responses in the original publically advertised bid proceedings. Evoqua Water Technologies LLC was the best bid that met requirements.
PO 534176 Public Works	Blanket Contract Renewal for Emulsion Polymer Waste Resources Division	5	4	BASF Corporation 100 Park Avenue Florham Park, NJ 07932	Estimated \$1,000,000 Annually	Interceptor Sewer Operations	Blanket Contract Renewal of PO 534176 for Emulsion Polymer. This renewal will utilize the first (1st) renewal option per the original contract. There were 5 direct bid solicitations and we received 4 responses in the original publically advertised bid proceedings in which BASF Corporation provided the best value bid that met requirements.