



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
for
May 28, 2013
6:00 PM

CALL TO ORDER

Chairman Yusuf Hakeem called the meeting to order with Vice Chairman Chip Henderson, Councilwoman Carol Berz and Councilmen Chris Anderson, Moses Freeman, Russell Gilbert, Larry Grohn, Jerry Mitchell and Ken Smith all present.

Also present: Management Analyst Randy Burns, Deputy Clerk Nicole Gwyn and Council Support Specialist Cindy Patrick.

PLEDGE OF ALLEGIANCE

Councilman Freeman led the assembly in the Pledge of Allegiance and offered a prayer in honor of Memorial Day and on behalf of Councilman Gilbert due to the passing of his father.

APPROVAL OF MINUTES

On motion of Vice Chairman Henderson and seconded by Councilman Gilbert, the minutes of the previous meeting (May 21, 2013) were approved as published.

ORDINANCES – FINAL READING

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

ORDINANCE # 12725

AN ORDINANCE PROVIDING FOR AN INTERIM BUDGET AND APPROPRIATING FUNDS FOR THE USUAL AND ORDINARY EXPENSES OF THE CITY GOVERNMENT FOR THE MONTHS OF JULY, AUGUST, AND SEPTEMBER, 2013, PENDING THE ADOPTION OF THE 2013-2014 ANNUAL BUDGET.

ACTION: APPROVED

MR-2012-116
MAP Engineering/Mike Price

On motion of Councilman Smith and seconded by Councilman Anderson,

ORDINANCE # 12726

AN ORDINANCE CLOSING AND ABANDONING A SEWER EASEMENT LOCATED ON 1047 GIVENS ROAD AND 1016 GRAYS DRIVE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

ORDINANCES – FIRST READING

On motion of Councilman Smith and seconded by Vice Chairman Henderson,

ORDINANCE # 12727

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 18, ARTICLE VI, SECTIONS 18-101, 18-102, 18-103, 18-104 AND 18-105, AND ARTICLE VII, RELATIVE TO GARBAGE AND REFUSE.

ACTION: PASSED ON FIRST READING

RESOLUTIONS

On motion of Councilman Freeman and seconded by Councilman Smith,

RESOLUTION NO. 27516

A RESOLUTION AUTHORIZING THE APPOINTMENT OF LANCE McCrory AS A SPECIAL POLICE OFFICER (UNARMED) FOR THE CITY OF CHATTANOOGA DEPARTMENT OF PUBLIC WORKS, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilman Mitchell,

RESOLUTION NO. 27517

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT, TO APPLY FOR AND, IF GRANTED, ACCEPT A GRANT FROM THE LEBOVITZ FAMILY CHARITABLE TRUST (OR THE COMMUNITY FOUNDATION OF GREATER CHATTANOOGA), IN THE AMOUNT OF TWENTY-THREE THOUSAND EIGHT HUNDRED FORTY DOLLARS (\$23,840.00).

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

RESOLUTION NO. 27518

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A WETLANDS CONSERVATION EASEMENT ASSOCIATED WITH THE STATE INDUSTRIAL ACCESS ROAD SERVING VOLKSWAGEN.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilman Freeman,

RESOLUTION NO. 27519

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR AND, IF APPROVED, ACCEPT A TIGER 5 DISCRETIONARY GRANT RELATIVE TO THE WILCOX TUNNEL PROJECT, FOR AN AMOUNT UP TO TWENTY-FIVE MILLION DOLLARS (\$25,000,000.00), WITH THE CITY MATCHING FUNDS OF TWENTY-TWO MILLION DOLLARS (\$22,000,000.00) THROUGH LOCAL AND/OR OTHER GRANT FUNDS.

ACTION: ADOPTED

Chairman Hakeem recognized Mr. Travis McDonough with the Mayor's Office.

Mr. McDonough requested that Agenda Item 7E be deferred for further investigation and discussion.

A RESOLUTION AUTHORIZING THE DEPARTMENT OF GENERAL SERVICES TO ENTER INTO AN AGREEMENT WITH JDH COMPANY, INC. FOR THE REMOVAL AND REPLACEMENT OF THE FRONT PORCH, TWO MAIN HALL ROOFS, AND TWO REAR STAIRWELL ROOFS AT THE SOLDIERS AND SAILORS MEMORIAL AUDITORIUM, IN THE AMOUNT OF THREE HUNDRED FIFTY-TWO THOUSAND NINE HUNDRED NINETY-TWO DOLLARS (\$352,992.00), WITH A CONTINGENCY AMOUNT OF SEVENTEEN THOUSAND SIX HUNDRED FORTY-SEVEN DOLLARS (\$17,647.00), FOR A TOTAL AMOUNT NOT TO EXCEED THREE HUNDRED SEVENTY THOUSAND FIVE HUNDRED SIXTY-NINE DOLLARS (\$370,569.00).

On motion of Councilman Mitchell and seconded by Councilman Anderson, Item 7A was deferred.

ACTION: DEFERRED TO FUTURE DATE

On motion of Councilman Mitchell and seconded by Councilman Gilbert,

RESOLUTION NO. 27521

A RESOLUTION AUTHORIZING THE DEPARTMENT OF GENERAL SERVICES TO ENTER INTO AN AGREEMENT WITH THE INTERNATIONAL ALLIANCE OF THEATRICAL STAGE

EMPLOYEES LOCAL 140 FOR STAGE, TECHNICAL, AND CREW SERVICES DURING SCHEDULED EVENTS AT THE SOLDIERS AND SAILORS MEMORIAL AUDITORIUM, TIVOLI THEATRE, AND THE ROBERT KIRK WALKER COMMUNITY THEATRE, WITH SERVICE FEES BILLABLE TO CIVIL FACILITIES LICENSEES IN FULFILLMENT OF LICENSE AGREEMENTS.

ACTION: ADOPTED

On motion of Councilman Freeman and seconded by Councilman Gilbert,

RESOLUTION NO. 27522

A RESOLUTION AUTHORIZING THE DEPARTMENT OF GENERAL SERVICES TO ENTER INTO AN AGREEMENT WITH AXIS SECURITY, INC. FOR FRONT OF HOUSE STAFFING SERVICES DURING SCHEDULED EVENTS AT THE SOLDIERS AND SAILORS MEMORIAL AUDITORIUM, TIVOLI THEATRE, AND THE ROBERT KIRK WALKER COMMUNITY THEATRE, WITH SERVICE FEES BILLABLE TO CIVIL FACILITIES LICENSEES IN FULFILLMENT OF LICENSE AGREEMENTS.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Mitchell,

RESOLUTION NO. 27523

A RESOLUTION AUTHORIZING THE DEPARTMENT OF GENERAL SERVICES TO ACCEPT THE QUALIFICATIONS FOR APPRAISAL SERVICES FROM (1) BRIAN R. EADES OF THE BENCHMARK TRUST CORPORATION; (2) THOMAS R. CARTER OF CARTER APPRAISAL SERVICES; (3) WILLIAM C. HAISTEN, III OF THE HAISTEN GROUP, INC.; (4) LLOYD (CHIP) MURPHY OF L. T. MURPHY & ASSOCIATES; AND (5) WAYNE A. RAINS OF RAINS APPRAISAL SERVICES, AND TO ENTER INTO FIVE (5), ONE (1) YEAR BLANKET CONTRACTS WITH THESE PROFESSIONALS WITH AN OPTION FOR FOUR (4) EXTENSIONS FOR ONE (1) YEAR PER EXTENSION FOR PROFESSIONAL APPRAISAL SERVICES ESTIMATED AT SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00) ANNUALLY FOR ALL FIVE (5) PROFESSIONALS FOR USE BY ALL DEPARTMENTS.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilman Smith,

RESOLUTION NO. 27524

A RESOLUTION TO CONFIRM THE MAYOR'S APPOINTMENT OF DONNA WILLIAMS AS THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT.

ACTION: ADOPTED

On motion of Councilman Freeman and seconded by Councilman Anderson,

RESOLUTION NO. 27525

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) AND THE STATE OF TENNESSEE RELATIVE TO THE MAINTENANCE OF STATE HIGHWAYS.

ACTION: ADOPTED

On motion of Councilman Grohn and seconded by Councilwoman Berz,

RESOLUTION NO. 27526

A RESOLUTION TO CONFIRM THE MAYOR’S APPOINTMENT OF BOBBY DODD AS CHIEF OF POLICE PURSUANT TO SECTION 8.33 OF THE CHARTER.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilwoman Berz,

RESOLUTION NO. 27527

A RESOLUTION TO CONFIRM THE MAYOR’S APPOINTMENT OF DAISY MADISON AS CHIEF FINANCE OFFICER PURSUANT TO SECTION 8.33 OF THE CHARTER.

ACTION: ADOPTED

On motion of Councilman Mitchell and seconded by Councilman Gilbert,

RESOLUTION NO. 27520

A RESOLUTION TO JOINTLY APPOINT WADE HINTON AS CITY ATTORNEY BY THE MAYOR AND CITY COUNCIL PURSUANT TO SECTION 3.62 OF THE CHARTER.

Vice Chairman Henderson voiced his concerns regarding the qualifications of Mr. Hinton. He noted his concern with the Mayor’s office offering the selection rather than as a JOINT selection process between Council and the Mayor.

Chairman Hakeem requested an alphabetical roll call vote on the motion:

Councilman Anderson	YES	Vice Chairman Henderson	NO
Councilwoman Berz	YES	Councilman Mitchell	YES
Councilman Freeman	YES	Councilman Smith	YES
Councilman Gilbert	YES	Chairman Hakeem	YES
Councilman Grohn	YES		

ACTION: ADOPTED WITH VOTE 8-1

DEPARTMENTAL REPORTS:

Personnel

- J. Trevor Slayton - Regional Planning Agency – Hire – Effective 5/17/2013
- Bryon Boller - Police - FMLA – Effective 4/30-7/16/13
- Michelle Meeks – PW Administration – Appointment - 5/3/2013

Refunds

On motion of Councilwoman Berz and seconded by Councilman Anderson, the following refunds were approved:

- | | |
|---|-------------|
| • Map #139G-D-004
Gurudev Investment Inc. | \$1,252.40 |
| • Map #135E-E-012 C200
Corner Properties | \$1,157.27 |
| • Map #127N-B-001
Fillauer Partners, LP | \$1,540.38 |
| • Map #117-004
Signal Mountain Cement Co | \$13,761.51 |
| • Map #129K-B-034
A&B Brockers, Inc. | \$2,045.51 |
| • Map #138P-B-012.01
Wadd – II (TN) LP | \$1,963.95 |
| • Map #138P-B-013.03
Wadd – II (TN) LP | \$1,091.70 |
| • Map #145M-F-006
Sunbest Properties II | \$2,825.90 |
| • Map #131-103
Shiloh Hedgcoxe General Partnership | \$181.03 |
| • Map #131-107
Shiloh Hedgcoxe General Partnership | \$763.82 |
| • Map #132-003.06
Shiloh Hedgcoxe General Partnership | \$804.46 |

ACTION: APPROVED

Purchases

Chairman Hakeem advised Mr. Andrew Kean with the Mayor's office that future purchase information should be included online as part of the weekly agenda package.

On motion of Councilwoman Berz and seconded by Councilman Gilbert, the following purchases were approved:

- **R59027 Youth & Family Development**
Blanket Contract Name Change for Meat & Frozen Foods
(For breakfast and lunch for HeadStart programs) NAME CHANGE for Contract
- **R73344 Personnel Department**
Blanket Contract for Employee Service Awards
(Recognizing time served w/ city) Estimated \$22,500.00 Annually
- **R75371 Fire Department**
Purchase of Eight (8) Masimo Rad 57 Handhelds
(Oximeters comes standard w/ Oxygen saturation,
pulse rate, and perfusion index) \$36,840.00
- **R76492 Public Works**

Blanket Contract for Lumber
(Used for primary form work in concrete jobs) Estimated \$11K Annually
- **R76648 Public Works**

Purchase of Two (2) Mini Excavators Purchase Price Correction
(Cab and ergonomic controls allow for
fast and effective digging) \$115,542.00
- **R76707 Public Works**
Blanket Contract for Sludge Rakes Estimated \$15K Annually
- **R77015 Chattanooga-Hamilton County Air Pollution**

Blanket Contract for Filter Analysis Estimated \$21,737.50 Annually
- **R77017 Youth and Family Development**
Purchase of Carpet Tile and Installation
(Replacing 20+ yr old carpet) \$17,262.00
- **R76809 Information Services**
Oracle Software Update Renewal
(To support add'l server processors being used as
part of the Oracle upgrade) \$114,696.57

ACTION: APPROVED

COMMITTEE REPORTS

- *Economic and Community Development Committee*
Councilman Anderson
(No report at this time)
- *Budget and Finance Committee*
Councilwoman Berz
(No report at this time)
- *Public Safety*
Councilman Freeman
(No report at this time)
- *RPA (Planning Commission)*
Councilman Henderson: Detailed information on the extension of Central Avenue and the discussion to defer this resolution.

Mr. Blythe Bailey came forward to offer details on the community discussion that will be taking place before additional action is taken on this resolution.
- *Youth and Family Development*
Councilman Gilbert
(No report at this time)
- *Audit Committee*
Councilman Grohn
(No report at this time)
- *Personnel Committee*
Councilman Mitchell
(No report at this time)
- *Public Works and Transportation Committee*
Councilman Smith
(No report at this time)

Upon the conclusion of committee reports, Chairman Hakeem announced there would be no committee meetings next week.

RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL (Non-Agenda Items)

Chairman Hakeem advised of the procedural rules for addressing the Council and recognized the following persons wishing to address the Council:

- Tiffany Rankins of Lincoln Park Neighborhood Association (Secretary) – Voiced concerns on behalf of the Neighborhood Association regarding the extension of Central Avenue.
- Minnie Darden of 2100 E. 46th Street and Lincoln Park Neighborhood Association - Voiced concern over the current condition of Lincoln Park and the desire to preserve the park for future generations.

- Vannice Hughley of 44 Maude Street and Lincoln Park Neighborhood Association (President) – Voiced concerns on behalf of the Neighborhood Association regarding the extension of Central Avenue as well as the desire of the group to continue with efforts to preserve the Park.
- Perrin Lance of 816 Mississippi Avenue and Chattanooga Organized for Action – Voiced concerns over the current condition of Lincoln Park as well as the possible extension of Central Avenue.
- Patrick Kellogg of 539 Hawthorne Street – Voiced concerns over the Sunshine Laws and how many items appear to be discussed out of public record. Chairman Hakeem assured Mr. Kellogg that all meetings were being conducted in an open and forthright manner in complete regard of the Sunshine Laws.
- Monty Bell of Chattanooga – Discussed a program he had initiated for inner city kids to become more involved and familiar with broadcasting. He voiced concerns over how recent monies were being allocated to other programs for kids in the inner city.
Chairman Hakeem directed Mr. Bell to Mr. Lurone Jennings for further discussion and follow-up on this program he mentioned.

ADJOURNMENT

On motion of Councilman Anderson and seconded by Councilman Freeman, the meeting of the Chattanooga City Council was adjourned until Tuesday, June 4, 2013, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL

**(A full digital audio of this Council meeting, May 28, 2013,
has been filed in the Clerk of the Council's office)**