



City Council Building  
Chattanooga, Tennessee  
**COUNCIL MEETING MINUTES**  
April 8, 2014  
6:00 PM

**CALL TO ORDER**

Chairman Yusuf Hakeem called the meeting to order with Vice Chairman Henderson and Councilpersons Carol Berz, Chris Anderson, Moses Freeman, Russell Gilbert, Larry Grohn, Jerry Mitchell and Ken Smith all present. City Attorney Wade Hinton, Management Analyst Randy Burns and Deputy Clerk Nicole Gwyn were also present.

**PLEDGE OF ALLEGIANCE**

Councilman Grohn led the assembly in the Pledge of Allegiance.

**APPROVAL OF LAST MINUTES**

On motion of Vice Chairman Henderson and seconded by Councilman Anderson, the minutes of the last meeting (April 1, 2014) were approved as published.

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

**ORDINANCES – FIRST READING:**

2014-021  
Claudio Costa  
District No. 3  
Applicant Version

Councilman Smith moved to strike from the agenda:

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 4823 WINDING LANE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-3 MD MODERATE DENSITY ZONE.**

The motion was seconded by Councilman Anderson. A discussion ensued on the Applicant's request to withdraw the ordinance from consideration.

**ACTION: WITHDRAWN FROM AGENDA**

**MR-2014-08**  
**Noel Durant**  
**The Trust for Public Land**

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

**ORDINANCE #12827**

**AN ORDINANCE CLOSING AND ABANDONING THE UNOPENED 100 THROUGH 200 BLOCKS OF EAST MATLOCK STREET, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: PASSED ON FIRST READING**

On motion of Councilman Mitchell and seconded by Councilman Gilbert,

**ORDINANCE #12828**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, ARTICLE I, SECTION 16-2, WHICH ESTABLISHES OTHER QUALIFICATIONS AND TRANSFER QUALIFICATIONS FOR CHATTANOOGA POLICE OFFICERS AND FIREFIGHTERS.**

A discussion ensued Attorney Hinton about the age 40 restriction in the ordinance. and Travis McDonough, Chief of Staff, later joined the discussion. After much debate,

Councilman Freeman moved to instruct the City Attorney to bring forth an ordinance modifying the age 40 restriction. Councilman Anderson moved the previous question. Chairman Hakeem assigned this matter to the Public Safety Committee.

**ACTION: PASSED ON FIRST READING**

**ORDINANCE #12826**

**AN ORDINANCE TO AMEND PART II, CHATTANOOGA CITY CODE, CHAPTER 5, ARTICLE III, DIVISION 2, SECTION 5-87, RELATIVE TO ALCOHOLIC BEVERAGES; AND CHAPTER 35, ARTICLE VII, DIVISION 2, SECTION 35-252, RELATIVE TO PEDAL CARRIAGE OR PEDICABS.**

Councilman Anderson, seconded by Councilman Smith, moved to amend the ordinance by deleting three lines: Sections 252-H1, 252-7 (2<sup>nd</sup> sentence) and 252-8(b). A series of friendly amendments took place respectively:

- Amendment that the \$25 fee shall apply to each vehicle in operation by a pedal carriage or pedicab company. (Accepted by Councilman Anderson and his seconder)
- Amendment that the permit of the pedal carriage or pedicab operator must be visible while the vehicle is in operation. (Accepted by Councilman Anderson and his seconder)

- Amendment to add Sub-section 12, stating that the pedal carriage or pedicab shall only operate within the "center city" as defined by the Regional Planning Agency. (Accepted by Councilman Anderson and his seconder)
- Amendment to Sub-section D that would require the pedal carriage or pedicab registration numbers to be displayed on vehicles. (Accepted by Councilman Anderson and his seconder)

After much debate, Councilman Freeman moved the question. **Councilman Anderson's motion to amend carried, with Chairman Hakeem and Councilman Gilbert voting "NO," and Vice Chairman abstaining.**

**Councilman Anderson moved to approve the ordinance as amended, seconded by Councilman Smith. The motion carried 6-to-3, with Chairman Hakeem, Vice Chairman Henderson and Councilman Gilbert voting "NO."**

**ACTION: PASSED ON FIRST READING  
AS AMENDED**

**RESOLUTIONS:**

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

**RESOLUTION #27826**

**A RESOLUTION AUTHORIZING THE APPOINTMENT OF CARY NEWMAN 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 Freeman and seconded by Councilman Mitchell,

**RESOLUTION #27827**

**A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO APPLY FOR LOCAL, STATE, AND FEDERAL GRANTS RELATED TO THE DEMOLITION AND SITE PREPARATION OF THE HARRIET TUBMAN SITE, WITH ALL SUCH GRANT REQUESTS TO BE PROVIDED TO THE CITY COUNCIL IN DEPARTMENT REPORTS ON A MONTHLY BASIS.**

A discussion ensued with Mr. McDonough. Upon no further questions, the motion carried.

**ACTION: ADOPTED**

**2013-149**  
**James Pratt**  
**District No. 3**

On motion of Councilman Smith and seconded by Councilman Freeman,

**RESOLUTION #27828**

**A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 5650 CASSANDRA SMITH ROAD.**

**ACTION: ADOPTED**

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

**RESOLUTION #27829**

**A RESOLUTION CONFIRMING AND APPROVING THE APPOINTMENT OF WARREN E. LOGAN, JR. AS A MEMBER OF THE ELECTRIC POWER BOARD OF CHATTANOOGA FROM THE EFFECTIVE DATE HEREOF UNTIL APRIL 15, 2019, AND THEREAFTER UNTIL HIS SUCCESSOR IS APPOINTED AND QUALIFIED.**

**ACTION: ADOPTED**

**DEPARTMENTAL REPORTS:**

**Finance**

Daisy Madison, Chief Financial Officer, reported that the city has been recognized nationally by Moody's Investor Service and The Bond Buyer for its pension reforms. The underwriting community also emailed a positive comment on the city's pension reforms.

**Economic & Community Development**

Donna Williams, ECD Administrator, reported on \$43,000 in HUD funding that has been re-allocated and announced the two (2) public HUD meetings to discuss the action plan for 2014-2015: April 24 from 10am-12pm and April 24 from 5:30pm-

**Purchases**

Brent Goldberg, Deputy Chief Operating Officer, briefed the Council on the following purchases:

**R90696 - Public Works**

Estimated \$400,000 Annually

Blanket Contract for Filter Press

Membrane Plates

Lowest/Best Bidder: Andritz, Inc.

<b>R89921 - Public Works</b> Blanket Contract for Liquid Oxygen Lowest/Best Bidder: Airgas USA, LLC	Estimated \$200,000 Annually
<b>509894 - Public Works</b> Blanket Contract Renewal For Equipment Maintenance And Repair Services - Caterpillar Lowest/Best Bidder: Stowers Machinery Corporation	Estimated \$360,000 Annually
<b>R89239 - Public Works</b> Blanket Contract for Pot Hole Patcher Trucks Lowest/Best Bidder: Lee-Smith, Inc.	Estimated \$180,877.00 Annually
<b>R89225 - Public Works</b> Purchase of Street Sweeper Lowest/Best Bidder: Lee-Smith, Inc.	\$236,913.00
<b>R89565 - Public Works</b> Blanket Contract for Hand Tools Lowest/Best Bidder: Ram Tool and Supply Company	Estimated \$36,000 Annually
<b>R84300 - Police</b> Blanket Contract Limit Increase for Ballistic Body Armor Lowest/Best Bidder: GT Distributors	Estimated \$150,000 Annually
<b>R90928 - General Services</b> Blanket Contract for 2014 Ford Interceptor Sedan Basic Equipment Components Lowest/Best Bidder: Mountain View Ford-Lincoln	Estimated \$67,000 Annually
<b>520894 - General Services</b> Blanket Contract Renewal for Bulk Fuel - Top Loading Lowest/Best Bidder: JAT Oil & Supply, Inc.	Estimated \$1,300,000 Annually
<b>R89219 - General Services</b> Blanket Contract for Plumbing Service Lowest/Best Bidder: Chase Services, LLC & Keefe Plumbing & Heating Company, Inc.	Estimated \$300,000 Annually

**On motion of Vice Chairman Henderson, the above-listed purchases were approved.**

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A discussion ensued with Mr. Goldberg about the following proposed purchases:

**R91842 - General Services** Estimated \$40,000 Annually  
Blanket Contract for Titleist Golf Equipment  
Lowest/Best Bidder: The Achushnet Company

**R91857 - General Services** Estimated \$25,000 Annually  
Blanket Contract for Foot Joy Golf Equipment  
Lowest/Best Bidder: The Acushnet Company

**Councilman Mitchell moved to deny R91842 and R91857. It was seconded by Vice Chairman Henderson. The motion failed on roll call vote as follows:**

Smith	NO	Freeman	NO
Mitchell	YES	Berz	NO
Henderson	YES	Anderson	YES
Grohn	NO	Hakeem	YES
Gilbert	NO		

**Councilman Freeman moved to approve, seconded by Councilman Gilbert. The motion carried on roll call vote as follows:**

Anderson	NO	Mitchell	NO
Berz	YES	Smith	YES
Freeman	YES	Hakeem	NO
Gilbert	YES		
Grohn	YES		
Henderson	NO		

**ACTION: ALL PURCHASES  
APPROVED**

## **OTHER BUSINESS:**

### **Board Appointment**

Councilwoman Berz appointed Hugh Reece to the *Office of Multicultural Affairs Advisory Board*.

### **Historical Note**

Councilman Freeman commented on this day in history (April 8) in 1974: baseball player Hank Aaron broke Babe Ruth's long-held record of 715 homeruns.

## **COMMITTEE REPORTS:**

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

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

*Public Safety Committee*  
Councilman Freeman  
(No report)

*Youth and Family Development Committee*  
Councilman Gilbert  
(No report)

*Audit Committee*  
Councilman Grohn  
(No report)

*RPA (Planning Committee)*  
Vice Chairman Henderson

- The Planning Commission will meet on Monday, April 14. Councilpersons should submit their district concerns to Vice Chairman Henderson by Monday.

*HR Committee (Human Resources)*  
Councilman Mitchell

- The Committee met earlier today.

*Public Works and Transportation Committee*  
Councilman 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 Hakeem recognized the following persons:

- **Jeff Perlacky (Aetna Mountain Road)** - A Chattanooga Police officer denied him access to the property he owns in the Black Creek Mountain subdivision.
  - Chairman Hakeem asked him to speak with Interim Police Chief Stan Maffett after the meeting.
- **Gwendolyn Blackmon (owner, River City Mart)** - There was a fight at her event hall involving four (4) individuals. Although her facility has passed inspection, she is being cited by the Chattanooga Police Department because that fight on her premises.
  - Chairman Hakeem asked her to speak with Attorney Hinton after the meeting.
- **Patrick Kellogg (Chattanooga)** - He emailed a video to Randy Burns for the Council regarding a rash of break-ins at the Harriet Tubman site.

## ADJOURNMENT

On motion of Councilman Mitchell, the meeting of the Chattanooga City Council was adjourned until Tuesday, April 15, 2014, at 6:00 p.m.

  
\_\_\_\_\_  
CHAIRMAN

  
\_\_\_\_\_  
CLERK OF COUNCIL

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