



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
July 29, 2014
6:00 PM

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Councilman Mitchell led the assembly in the Pledge of Allegiance.

APPROVAL OF LAST MINUTES

On motion of Councilman Anderson and seconded by Councilman Smith, the minutes of the last meeting (July 22, 2014) were approved as published.

ORDINANCES – FINAL READING:

**2014-054 Hixson Investors, LLC/
Wells Fargo Bank and Raymond L. Hassler
District No. 3
Planning Version**

ORDINANCE #12839

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 6308, 6338, 6348, AND 6352 GRUBB ROAD AND 5851 HIGHWAY 153, MORE PARTICULARLY DESCRIBED HEREIN, FROM C-2 CONVENIENCE COMMERCIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

The Applicant, Donna Shepherd of A.D. Engineering, requested to defer Ordinance #12839 and Ordinance #12840 until August 26, 2014, due to title issues with the bank. **Councilman Smith moved to defer until August 26.** Councilman Anderson seconded. The motion carried. There was no Opposition present.

ACTION: DEFERRED UNTIL AUGUST 26.

2014-055
Hixson Investors, LLC/
Wells Fargo Bank and
Raymond L. Hassler
District No. 3

Councilman Smith moved to defer until August 26,
seconded by Councilman Anderson:

ORDINANCE #12840

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO LIFT CONDITIONS FROM ORDINANCE NO. 11827 OF PREVIOUS CASE NO. 2006-028 AND TO LIFT CONDITIONS FROM ORDINANCE NO. 11946 OF PREVIOUS CASE NO. 2007-022, OFF PROPERTIES LOCATED AT 6308 GRUBB ROAD AND 5851, 5861, AND 5857 HIGHWAY 153, BEING MORE PARTICULARLY DESCRIBED HEREIN.

ACTION: DEFERRED UNTIL AUGUST 26.

ORDINANCES – FIRST READING:

On motion of Councilman Mitchell and seconded by Councilman Freeman,

ORDINANCE #12846

AN ORDINANCE TO AMEND THE OPERATIONS AND CAPITAL IMPROVEMENTS BUDGET ORDINANCE NOS. 12835 AND 12838 FOR THE FISCAL YEAR ENDING JUNE 30, 2015.

The motion carried on roll call vote:

Anderson	YES	Hakeem	YES
Berz	YES	Mitchell	YES
Freeman	YES	Smith	YES
Gilbert	YES	Henderson	YES
Grohn	YES		

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

On motion of Councilman Anderson and seconded by Vice Chair Dr. Berz,

RESOLUTION #27960

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE, ON BEHALF OF THE CITY OF CHATTANOOGA, A MEMORANDUM OF UNDERSTANDING AND OTHER AGREEMENTS WITH THE CITY OF CHATTANOOGA, HAMILTON COUNTY, TENNESSEE, THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF CHATTANOOGA, THE CHATTANOOGA AREA CHAMBER OF COMMERCE, VOLKSWAGEN GROUP OF AMERICA CHATTANOOGA OPERATIONS, LLC, AND/OR AGENCIES OF ANY OF THE FOREGOING RELATIVE TO THE VOLKSWAGEN GROUP OF AMERICA CHATTANOOGA OPERATIONS, LLC CROSSBLUE PROJECT.

ACTION: ADOPTED

On motion of Councilman Mitchell and seconded by Councilman Hakeem,

RESOLUTION #27962

A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF CHATTANOOGA TO ISSUE BONDS IN THE AGGREGATE AMOUNT NOT TO EXCEED \$20 MILLION OF THE CITY OF CHATTANOOGA, TENNESSEE FOR THE PURPOSE OF PAYING ALL OR A PORTION OF THE COSTS OF THE FOLLOWING: ELECTRONIC CONTENT MANAGEMENT PROJECT, TELECOM/NETWORK UPGRADE, TECHNOLOGY REPLACEMENT, 311 CSR SYSTEM UPGRADE, MILLER PARK & MLK STREETScape, BELL SCHOOL PARK, RECREATION & COMMUNITY CENTERS-HVAC, SELF-CONTAINED BREATHING APPARATUS, HIGHLAND PARK-HIXSON FIRE STATIONS, PLAYGROUND IMPROVEMENTS, GREENWAY FARMS, ADA REPAIRS-PARKS, PARKS ASPHALT MANAGEMENT, PARKS RESTROOMS, KNUCKLEBOOM, CURBSIDE RECYCLING TRUCKS, TRAFFIC SIGNAL RETROREFLECTIVITY, SUSTAINABLE INFRASTRUCTURE, PAVING, BROAD STREET PROTECTED BIKE LANES, VIRGINIA AVENUE GREENWAY/TRAFFIC CALMING, BRIDGE REPAIR, 3RD/4TH STREET IMPROVEMENT/GATEWAY PROJECT, BRIDGE REPAIRS (CITY-OWNED), CENTRAL AVENUE EXTENSION, SHALLOWFORD ROAD-AIRPORT ROAD TO JERSEY PIKE, GUNBARREL ROAD – SHALLOWFORD TO HAMILTON RUN, SHEPHERD RD. AND W. SHEPHERD RD. IMPROVEMENTS, YFD BUILDING RENOVATIONS AND EQUIPMENT, WASHINGTON HILLS YFD CENTER, JOHN A. PATTEN PARKING LOT, BRAINERD MISSION COMMUNITY, TENNIS COURT REHAB, AND 3500 BLOCK OF BROAD STREET (A/K/A ST. ELMO STORM SEWER).

ACTION: ADOPTED

On motion of Councilman Mitchell and seconded by Councilman Hakeem,

RESOLUTION #27963

A RESOLUTION TO AMEND RESOLUTION 27943 AND SO AS TO REVISE THE ADOPTED FIVE-YEAR CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2015-2019.

ACTION: ADOPTED

On motion of Councilman Freeman and seconded by Vice Chair Dr. Berz,

RESOLUTION #27964

A RESOLUTION AUTHORIZING THE DIRECTOR OF GENERAL SERVICES TO EXTEND FOR ONE (1) ADDITIONAL YEAR THE BLANKET CONTRACTS FOR PROFESSIONAL APPRAISAL SERVICES WITH BRIAN R. EADES OF BENCHMARK TRUST CORPORATION; THOMAS R. CARTER OF CARTER APPRAISAL SERVICES; WILLIAM C. HAISTEN, III OF THE HAISTEN GROUP, INC.; LLOYD (CHIP) MURPHY OF L.T. MURPHY & ASSOCIATES; AND WAYNE A. RAINS OF RAINS APPRAISAL SERVICES WITH A COMBINED ANNUAL ESTIMATED AMOUNT OF \$75,000.00.

ACTION: ADOPTED

On motion of Councilman Smith and seconded by Councilman Anderson,

RESOLUTION #27965

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A DONATION OF TEMPORARY AND PERMANENT CHANNEL IMPROVEMENT EASEMENTS FROM THE CHATTANOOGA GOLF AND COUNTRY CLUB IN EXCHANGE FOR REPAIRS TO PRIOR RIVERBANK STABILIZATION PROJECT AT RIVER MILE 466.

ACTION: ADOPTED

On motion of Councilman Freeman and seconded by Councilman Smith,

RESOLUTION #27966

A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 (FINAL) FOR MOORE CONSTRUCTION COMPANY RELATIVE TO CONTRACT NO. W-09-014-201, CITICO CREEK INTERCEPTOR REHABILITATION PROJECT, FOR A DECREASED AMOUNT OF \$55,536.00, FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED \$1,617,754.00, AND TO RELEASE THE CONTINGENCY OF \$165,000.00.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilman Hakeem,

RESOLUTION #27967

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT TO PROVIDE SERVICES TO 159 PRESCHOOLERS AND 114 INFANTS AND TODDLERS THROUGH COLLABORATIONS BETWEEN HEAD START/EARLY HEAD START AND SIGNAL CENTER, INC.; CHAMBLIS SHELTER FOR CHILDREN; AND CHILD CARE NETWORKS, IN THE AMOUNT OF \$1,215,842.00.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilman Anderson,

RESOLUTION #27961

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT, TO APPLY FOR AND, IF GRANTED, ACCEPT A GRANT FROM THE OUTDOOR FOUNDATION THROUGH THEIR OUTDOOR BALL PROJECT FUND TO HELP SUPPORT THE THERAPEUTIC RECREATION SERVICES (TRS) ADAPTIVE KAYAKING PROGRAM FOR THE CITY OF CHATTANOOGA AND SURROUNDING AREAS, IN THE AMOUNT OF \$1,000.00.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Purchases

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

R86869 - General Services Estimated \$100,000 Annually
Generator Maintenance & Repair Services
Lowest/Best Bidder: Energy Systems Southeast, LLC

R82560 - General Services Estimated \$40,000 Annually
Tractor & Mower Part & Service for Fleet Management
Lowest/Best Bidder: Chattanooga Tractor & Mower Parts & Service

R98554 - General Services Estimated \$40,000 Annually
Uniform Rentals & Textiles- City Wide
Lowest/Best Bidder: Cintas Corporation

R98228 - Information Services Estimated \$35,896.27 Annually
Oracle Software Update License & Support Renewals
Lowest/Best Bidder: DTL Solutions

A discussion ensued on requisitions R82560, R98554 and R98228. **Vice Chair Dr. Berz moved to approve**, seconded by Councilman Hakeem.

ACTION: APPROVED

OTHER BUSINESS:

Ethics Complaint

Attorney Hinton informed the Council of an ethics complaint filed against Councilman Grohn for an alleged violation of city code regarding political activity: posting a political sign in a city-owned building. A discussion ensued. **Councilman Anderson moved** to empower the City Attorney to move forward with the investigation and to make recommendations accordingly. Councilman Freeman seconded. **The motion failed** on roll call vote as follows:

Anderson	YES	Hakeem	NO
Berz	YES	Mitchell	YES
Freeman	YES	Smith	NO
Gilbert	NO	Henderson	NO
Grohn	(RECUSED)		

YES - Four (4); NO - Four (4); RECUSE - One (1)

RBI Southeast Regional Tournament

Councilman Gilbert reported on the RBI Southeast Regional tournament last week and commended the student athletes, Recreation Director Greta Hayes and the Department of Youth and Family Development for their efforts last week. Further discussion ensued.

COMMITTEE REPORTS:

Audit & I.T. Committee
Councilman Grohn
(No report)

Budget and Finance Committee
Councilman Mitchell
(No report)

Economic and Community Development Committee
Councilman Anderson

- The committee met today for a public hearing on the Controlled Sound Ordinance; the ordinance will be added to the agenda for first reading in two weeks (August 12).

HR Committee (Human Resources)
Vice Chair Dr. Berz

- The committee met today for an update on the Human Resources Department and to learn about the “first steps towards an equitable pay plan.”

Planning & Zoning
Councilman Hakeem

- The committee will meet next Tuesday (August 5) immediately following Agenda Session.

Public Safety Committee
Councilman Freeman
(No report)

Public Works and Transportation Committee
Councilman Smith

- The committee met today to discuss agenda items and to learn about the road closure process from Transportation Administrator Blythe Bailey.

Youth and Family Development Committee
Councilman Gilbert
(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 Henderson recognized the following persons:


- **Allison Morris** - Voiced concerns about the Controlled Sound Ordinance and the businesses that were included within the Controlled Sound zone.
- **Jefferson Hodge (Lindsay Street)** - Voiced concerns about discrepancies in the definition of “low income” in regards to the residential housing PILOT resolution; concerned with “democratic accessibility” and affordable housing.
- **Helen Burn Sharpe** - Voiced concerns about the residential housing PILOT; asks Council to make it public if they will appeal the judge’s ruling on the Black Creek Mountain TIF.
 - Chairman Henderson called a Point of Clarity and asked Attorney if the City would be a party if the Industrial Development Board filed an appeal were filed in this case. A discussion ensued, with Attorney Hinton clarifying that the Council would not need to vote regarding an appeal in this matter.
- **Noel Curry** - She is a sound specialist and wanted to inform the businesses included in the Controlled Sound Zone about how the ordinance might negatively affect them.

ADJOURNMENT

On motion of Councilman Anderson, the meeting of the Chattanooga City Council was adjourned until Tuesday, August 5, 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)