



City Council Building  
Chattanooga, Tennessee  
**COUNCIL MEETING MINUTES**  
May 19, 2015  
6:00 PM

## **CALL TO ORDER**

Council Chairwoman Carol Berz called the meeting to order with Vice Chair Moses Freeman and Council members Chris Anderson, Russell Gilbert, Yusuf Hakeem, Chip Henderson, Jerry Mitchell and Ken Smith all present. City Attorney Wade Hinton and Council Clerk Nicole Gwyn, CMC, were also present. Councilman Grohn was not present.

## **PLEDGE OF ALLEGIANCE**

Chairwoman Berz led the Assembly in the Pledge of Allegiance.

## **APPROVAL OF LAST MINUTES**

**On motion of Councilman Anderson** and seconded by Councilman Gilbert, the minutes of the last meeting (May 12, 2015) were approved as published.

## **SPECIAL PRESENTATION**

***“Public Works Employee of the Year”  
Presented by Councilman Ken Smith***

Councilman Smith read the following proclamation:

## **PROCLAMATION**

Whereas, public works services provided in our community are an integral part of our citizens' everyday lives; and

Whereas, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water quality, sewers, streets and highways, public buildings, and solid waste collection; and

Whereas, the health, safety and comfort of this community greatly depends on these facilities and services; and

Whereas, the quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skill of public works officials; and

Whereas, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform,

Now Therefore,  
I, Andy Berke, Mayor of the City of Chattanooga,  
do hereby proclaim the week of May 17<sup>th</sup> – May 23<sup>th</sup> as

# “Community Begins Here”

in **The City of Chattanooga, Tennessee**, and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.

*In Witness Whereof, I have hereunto set my hand and caused the Seal of the City of Chattanooga to be affixed this the 17<sup>th</sup> Day of May 2015*

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*Andy Berke, Mayor*

Administrator Lee Norris informed the Council of all the highlights from Public Works Week 2015. He also named **Buck Saunders** the “Public Works Employee of the Year” for his 50 years of service. Mr. Saunders also expressed his thanks to his supervisor, Mr. Norris and all those who made this award possible.

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## ORDINANCES – FINAL READING:

2015-046  
Amelia Roberts and Billie Lyles  
District No. 6  
Planning Version

On motion of Councilman Anderson and seconded by Councilman Smith,

### ORDINANCE #12952

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 4115 NORTH TERRACE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO O-1 OFFICE ZONE, SUBJECT TO CERTAIN CONDITIONS.**

ACTION: APPROVED
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**2015-057**  
**Becky Lockwood and Diantha Swift**  
**District No. 6**  
**Alternate Version**

On motion of Councilman Anderson and seconded by Councilman Smith,

**ORDINANCE #12943**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 2211 AND 2217 HICKORY VALLEY ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO O-1 OFFICE ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

**2015-058**  
**Elemi Architecture and Jim Lee**  
**District No. 7**  
**Planning Version**

On motion of Councilman Anderson and seconded by Councilman Smith,

**ORDINANCE #12944**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1705 MARKET STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

**2015-055**  
**ASA Engineering**  
**c/o Allen Jones and Marshall Berry**  
**District No. 7**  
**Staff Version**

On motion of Councilman Anderson and seconded by Councilman Gilbert,

**ORDINANCE #12945**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1400 CHESTNUT STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

**2015-049**  
**John Strausberger/Southside Centre, LLC**  
**District No. 7**  
**Planning Version**

On motion of Councilman Anderson and seconded by Councilman Henderson,

**ORDINANCE #12946**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1700 BROAD STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

**2015-047**  
**Highland Park, LLC (Chattanooga Neighborhood Enterprise)**  
**District No. 9**  
**Planning Version**

On motion of Councilman Hakeem and seconded by Councilman Anderson,

**ORDINANCE #12947**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 1704, 1706, AND 1714 KIRBY AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

**2015-052**  
**Chattanooga Neighborhood Enterprise/**  
**Bob McNutt and Tennessee Temple**  
**District No. 9**  
**Planning Version**

On motion of Councilman Hakeem and seconded by Councilman Anderson,

**ORDINANCE #12948**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 1706, 1708, 1710, 1712, 1714, AND 1716 BAILEY AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

2015-054  
Tower Construction Company/  
Calvin Ball  
District No. 9  
Planning Version

On motion of Councilman Hakeem and seconded by Councilman Smith,

**ORDINANCE #12949**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 2408, 2410, AND 2412 CHAMBERLAIN AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

On motion of Councilman Gilbert and seconded by Councilman Anderson,

**ORDINANCE #12950**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE XIII, CHANGES AND AMENDMENTS, SECTION 38-672, METHOD OF PROCEDURE, RELATIVE TO POSTING NOTICES; ARTICLE VIII, BOARD OF APPEALS FOR VARIANCES AND SPECIAL PERMITS, SECTION 38-365, NOTICES, RELATIVE TO POSTING NOTICES; AND SECTION 38-566, HEARINGS.**

**ACTION: APPROVED**

On motion of Councilman Smith and seconded by Vice Chair Freeman,

**ORDINANCE #12951**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 24, SECTION 24-507 RELATIVE TO RESTRICTED ON-STREET PARKING AREAS.**

**ACTION: APPROVED**

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

**RESOLUTIONS:**

On motion of Councilman Gilbert and seconded by Councilman Hakeem,

**RESOLUTION #28237**

**A RESOLUTION AUTHORIZING AN INCREASE IN PURCHASE ORDER NUMBER 522050 TO VOYA (RELIASTAR) TO PAY THE REMAINING INVOICES THROUGH FISCAL YEAR 2015 TO COVER INSURANCE PREMIUMS FOR GROUP LIFE, LONG TERM DISABILITY (LTD), AND FMLA LEAVE MANAGEMENT SERVICES, TO INCLUDE EMPLOYEE PREMIUMS FOR SHORT TERM DISABILITY (STD) AND SUPPLEMENTAL LIFE INSURANCE, AS WELL AS THE GENERAL PENSION BOARD PREMIUM FOR LTD INSURANCE, IN THE AMOUNT OF \$1,209,000.00.**

**ACTION: ADOPTED**

On motion of Councilman Smith and seconded by Councilman Henderson,

**RESOLUTION #28238**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO AWARD CONTRACT NO. F-14-001-201 TO B&W CONTRACTORS, INC. D/B/A CHEROKEE CONSTRUCTION COMPANY, FIRE STATION NO. 11 (HIXSON), IN THE AMOUNT OF \$1,868,105.00, WITH A CONTINGENCY AMOUNT OF \$186,800.00, FOR AN AMOUNT NOT TO EXCEED \$2,054,905.00.**

**ACTION: ADOPTED**

On motion of Councilman Anderson and seconded by Councilman Smith,

**RESOLUTION #28239**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO AWARD CONTRACT NO. W-12-023-201 TO SAK CONSTRUCTION, LLC, CHATTANOOGA CREEK INTERCEPTOR REHABILITATION PROJECT, IN THE AMOUNT OF \$4,171,070.00, WITH A CONTINGENCY AMOUNT OF \$417,000.00, FOR AN AMOUNT NOT TO EXCEED \$4,588,070.00, SUBJECT TO SRF LOAN APPROVAL.**

**ACTION: ADOPTED**

On motion of Councilman Henderson and seconded by Councilman Smith,

**RESOLUTION #28240**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS OR HIS DESIGNEE TO ANNUALLY SOLICIT AND ACCEPT DONATIONS FROM BUSINESSES AND OTHER ORGANIZATIONS IN SUPPORT OF THE PUBLIC WORKS WEEK CELEBRATION FOR WHICH THE CITY HAS NO OBLIGATION TO ENTER INTO A CONTRACT/AGREEMENT OR PERFORM SERVICES FOR SAID DONATIONS.**

Chairwoman Berz reminded the Assembly that Public Works Week is taking place now and free to community.

**ACTION: ADOPTED**

On motion of Councilman Anderson and seconded by Councilman Smith,

**RESOLUTION #28241**

**A RESOLUTION AUTHORIZING THE WAIVER OF THE PARK RESERVATION FEE FOR THE PURPOSE OF MOVIE NIGHT TO BE HELD ON MAY 30, 2015, AT THE EAST LAKE PARK DUCK POND.**

**ACTION: ADOPTED**

On motion of Councilman Smith and seconded by Councilman Anderson,

**RESOLUTION #28242**

**A RESOLUTION AUTHORIZING AN AGREEMENT OF THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT AND UNITED WAY TO PURCHASE A SOFTWARE PACKAGE FROM LEXIA LEARNING SYSTEMS, INC., TO BE USED FOR THE YOUTH AND FAMILY DEVELOPMENT CENTERS TO IMPROVE THE READING SKILLS OF CHATTANOOGA YOUTH, WITH UNITED WAY'S CONTRIBUTION IN THE AMOUNT OF \$122,373.00, WITH THE CITY'S CONTRIBUTION IN THE AMOUNT OF \$27,899.80, FOR THE TOTAL AMOUNT OF \$150,272.80.**

**ACTION: ADOPTED**

## DEPARTMENTAL REPORTS:

### Purchases

David Carmody, Deputy Chief Operating Officer, briefed the Council on the following purchases:

#### **R113444 - Public Works**

\$29,334.11

Payment of Invoice for 8 Replacement Glass Panels  
on the Ruth Holmberg Bridge  
Lowest/Best Bidder: Ross Glass and Aluminum

#### **R89921 - Public Works**

Estimated \$100,000 Annually

Blanket Contract Renewal for Liquid Oxygen  
Lowest/Best Bidder: Airgas USA, LLC

**Councilman Anderson moved** to approve, seconded by Councilman Smith. The motion carried.

**ACTION: APPROVED**

## OTHER BUSINESS:

### Board Appointment

Councilman Anderson appointed **Heather Jones** to represent District 7 on the *Youth and Family Development Board*.

## COMMITTEE REPORTS:

### *Audit & I.T. Committee*

(Councilman Grohn not present)

### *Budget and Finance Committee*

Councilman Mitchell

- The committee met today in open meeting for a presentation by Administration on the FY16 budget.
- The committee will hold a budget work session next Tuesday from 10:00 a.m. – 2:30 p.m.
  - Chairwoman Berz informed the public that the Council's budget work session is an open meeting and the public is welcome to attend.

### *Economic and Community Development Committee*

Councilman Anderson

- The committee met today in open meeting for the Chattanooga Zoo's annual report and for a HOME Funds presentation by the Department of Economic and Community Development.
- The committee will meet in two weeks (June 2).

### *HR Committee (Human Resources)*

Vice Chair Freeman

(No report)



*Planning & Zoning*  
Councilman Hakeem

- The Chattanooga Fire Department has worked with numerous neighborhood associations to sponsor an information session at Redemption Point Church on this Saturday, May 23, at noon.

*Public Safety Committee*  
Councilman Henderson  
(No report)

*Public Works and Transportation Committee*  
Councilman Smith

- The committee met today in open meeting to discuss agenda items on this week's and next week's (May 26) agendas.
- The Public Works Employee Luncheon will take place this Friday, May 22, at the First Tennessee Pavilion.

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

**NEXT WEEK'S AGENDA SESSION:** (No questions or comments)

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

Chairwoman Berz asked if there were persons in the Assembly wishing to address the Council on non-agenda matters. Seeing none, this portion of the Agenda was closed.

**ADJOURNMENT**

**On motion of Councilman Anderson,** the meeting of the Chattanooga City Council was adjourned until Tuesday, May 26, 2015, at 6:00 p.m.

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**CHAIRWOMAN**

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**CLERK OF COUNCIL**