



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
August 11, 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, Larry Grohn, Chip Henderson, Jerry Mitchell and Ken Smith all present. City Attorney Wade Hinton and Council Clerk Nicole Gwyn, CMC, were also present. Councilman Hakeem was not present.

PLEDGE OF ALLEGIANCE

Councilman Henderson led the Assembly in the Pledge of Allegiance. He also read Lamentations 3:40 of the Bible before leading the Assembly in the invocation.

APPROVAL OF LAST MINUTES

On motion of Councilman Anderson and seconded by Councilman Gilbert, the minutes of the last meeting (August 4, 2015) were approved as published.

ORDINANCES – FINAL READING: (NONE)

ORDINANCES – FIRST READING:

On motion of Councilman Anderson and seconded by Councilman Smith,

ORDINANCE #12974

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 3, ARTICLE X, SECTION 3-102, RELATIVE TO JURISDICTION OF THE BOARD.

ACTION: PASSED ON FIRST READING

2015-085
Valor
District No. 4
Planning Version

On motion of Councilman Grohn and seconded by Councilman Mitchell,

ORDINANCE #12975

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 7627, 7641, 7671, 7683, AND 7691 SHALLOWFORD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM O-1 OFFICE ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

Councilman Grohn indicated that the developer had met with the neighborhood association and there was no opposition. Vice Chair Freeman called the *question*.

The Applicant, Ken Defoor, was recognized to address the Council. He stated that the neighborhood had asked for one more condition that he was in agreement with: *A black aluminum fence surrounding the existing properties in a manner consistent with the other properties.* **Councilman Grohn moved** to add the condition, seconded by Councilman Mitchell. The motion carried.

**ACTION: PASSED ON FIRST READING
WITH ADDED CONDITION**

2015-088
Craig Kronenberg, JB Holdings
and Mark Jarvis
District No. 7
Planning Version

On motion of Councilman Anderson and seconded by Councilman Grohn,

ORDINANCE #12976

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 801 RIVERFRONT PARKWAY, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

2015-089
John Murphy, Gary Fillers and
Jeffery and Nancy Fillers
District No. 7
Planning Version

On motion of Councilman Anderson and seconded by Councilman Smith,

ORDINANCE #12977

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1701 BROAD STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

2015-048
Pat Neuhoff of Neuhoff Taylor Architects and
The Salvation Army
District No. 8
Planning Version #3

On motion of Councilman Freeman and seconded by Councilman Anderson,

ORDINANCE #12978

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 902, 904, 910, 914, AND 918 EAST 8TH STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

John Bridger, Regional Planning's Executive Director, made a presentation on this item. The Applicant and Opposition were present. Chairwoman Berz recognized the following member of the Opposition who wished to address the Council:

The Opposition: Mary Mai Williamson (E. 10th St.)

Discussion ensued with the applicant about adding the following wording: "*entertainment events related to fraternal or sororities.*" The Applicant was in agreement.

**ACTION: PASSED ON FIRST READING
WITH ADDED CONDITION**

2015-084
Dan Rose and Charles W. Hand, Jr.
District No. 8
Planning Version

On motion of Councilman Freeman and seconded by Councilman Anderson,

ORDINANCE #12979

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 20 EAST 14TH STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

On motion of Councilman Gilbert and seconded by Councilman Grohn,

ORDINANCE #12980

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE V, DIVISION 20, M-2 LIGHT INDUSTRIAL ZONE AND ARTICLE VI, HEIGHT AND AREA EXCEPTIONS AND OTHER SPECIAL EXCEPTIONS.

ACTION: PASSED ON FIRST READING

On motion of Councilman Anderson and seconded by Councilman Grohn,

ORDINANCE #12981

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE IV, GENERAL REGULATIONS, SECTION 38-25, BY ADDING A PROVISION FOR A "HORIZONTAL PROPERTY REGIME".

ACTION: PASSED ON FIRST READING

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

ORDINANCE #12982

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE VIII, BOARD OF APPEALS FOR VARIANCES AND SPECIAL PERMITS, SECTION 38-563, TO CLARIFY THE BOARD'S POWER TO GRANT VARIANCES.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

On motion of Councilman Freeman and seconded by Councilman Anderson,

RESOLUTION #28356

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO APPLY FOR AND, IF AWARDED, ACCEPT GRANT FUNDS FROM THE BENWOOD FOUNDATION IN THE AMOUNT OF \$43,000.00 FOR AN OUTDOOR ART EXHIBITION ON THE LAWN OF THE BESSIE SMITH CULTURAL CENTER AND TO EXECUTE A GRANT AGREEMENT.

ACTION: ADOPTED

On motion of Councilman Freeman and seconded by Councilman Anderson,

RESOLUTION #28357

A RESOLUTION AUTHORIZING THE DIRECTOR OF GENERAL SERVICES TO EXTEND THE ORIGINAL LEASE AGREEMENT BETWEEN THE CITY OF CHATTANOOGA AND FRIENDS OF THE ZOO, INC., WITH ANNUAL RENT OF ONE DOLLAR (\$1.00), FOR AN ADDITIONAL THREE (3) YEAR TERM WITH AN OPTION REMAINING TO RENEW FOR ONE (1) ADDITIONAL THREE (3) YEAR TERM.

ACTION: ADOPTED

On motion of Councilman Mitchell and seconded by Councilman Anderson,

RESOLUTION #28358

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AN AMENDED LEASE AND OPERATIONS AGREEMENT, SUBJECT TO A MANDATORY REFERRAL, WITH THE TIVOLI THEATRE FOUNDATION, INC. IN SUBSTANTIALLY THE FORM ATTACHED HERETO LEASING THE TIVOLI THEATRE, THE SOLDIERS AND SAILORS MEMORIAL AUDITORIUM, AND THE COMMUNITY THEATRE (“VENUES”) TO FOUNDATION.

ACTION: ADOPTED

On motion of Councilman Freeman and seconded by Councilman Anderson,

RESOLUTION #28359

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 MEDICARE ELIGIBLE RETIREES WITH TWO (2) MEDICARE ADVANTAGE HEALTH PLAN OPTIONS AT THE RATES OF \$238.00 PER MEMBER PER MONTH FOR THE CURRENTLY AVAILABLE MEDICARE BLUEADVANTAGE PLAN AND \$295.00 PER MEMBER PER MONTH FOR THE NEWLY CREATED BLUEADVANTAGE HIGH OPTION HEALTH PLAN, WITH AN EFFECTIVE DATE OF THE POLICY OF JANUARY 1, 2016, AND WILL BE IN EFFECT FOR ONE (1) YEAR WITH THE OPTION TO RENEW FOR FOUR (4) ONE (1) YEAR TERMS.

ACTION: ADOPTED

On motion of Councilman Grohn and seconded by Councilman Smith,

RESOLUTION #28360

A RESOLUTION AUTHORIZING THE CHIEF INFORMATION OFFICER TO EXECUTE A BLANKET RENEWAL CONTRACT NO. 522855 WITH CDW-G FOR NETWORK SWITCHING, ROUTING, SUPPORT SERVICES, TECHNICAL SERVICES, AND MAINTENANCE FOR A CONTRACT TERM OF ONE (1) YEAR, FOR A TOTAL AMOUNT NOT TO EXCEED \$1.5 MILLION.

ACTION: ADOPTED

On motion of Councilman Grohn and seconded by Councilman Smith,

RESOLUTION #28361

A RESOLUTION AUTHORIZING THE CHIEF INFORMATION OFFICER TO EXECUTE A BLANKET RENEWAL CONTRACT NO. 522871 WITH MIKE COLLINS AND ASSOCIATES (MCA) FOR THE PROVISIONING OF SUPPORT SERVICES RELATED TO BROCADE SWITCHES AND ROUTERS, FOR A TOTAL AMOUNT NOT TO EXCEED \$300,000.00.

ACTION: ADOPTED

2015-087
Collier Construction
and C. Richard Posey
District No. 4

On motion of Councilman Grohn and seconded by Councilman Anderson,

RESOLUTION #28362

A resolution approving a Special Exceptions Permit for a Residential Planned Unit Development for property located at 8118 Hitchcock Road.

Mr. Bridger made a presentation on this item and discussed the Opposition's concerns about traffic and quality of life. Since the Applicant and Opposition were present, Chairwoman Berz afforded an opportunity for both the Applicant and Opposition to address the Council.

The Applicant: Ethan Collier (E. Main St.)
The Opposition: Bob Paik (Aces Ferry Crossing)

Further discussion ensued. After which, the motion carried.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Administration

Stacy Richardson, Senior Advisor to the Mayor, announced a memorial service to honor the fallen soldiers of the July 16 tragedy. The service would take place August 15 at 2:00 p.m. McKenzie Arena. She asked the Council to forward information about the memorial service to their districts. She also asked citizens to show their support by visiting www.chattanooga.gov/strong and by texting "STRONG" to 83224.

Purchases

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

R117893 Public Works	Estimated \$110,000 Annually Combined
Two New Blanket Contracts for Repair, Recondition, and Replacement Services for VFDs, DCDs and Electronic Boards	
Lowest/Best Bidder: Tekwell Services and Rome Electric Motor Works	

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

ACTION: APPROVED

OTHER BUSINESS:

City Attorney's Report

Attorney Hinton informed the Council that a review of the city's PILOT with Alstom found that the jobs requirement had not been met. He stated that a joint letter of agreement from the city and county mayors had been sent to Alstom regarding their shortfall in meeting the jobs requirement. He presented a copy of the joint letter of agreement dated July 8 and stated that since the Industrial Development Board was a party to the PILOT, the Council would need to authorize the IDB to amend the PILOT and incorporate the terms specified in the letter of agreement.

On motion of Councilman Anderson and seconded by Councilman Freeman,

RESOLUTION #28363

A RESOLUTION AUTHORIZING THE INDUSTRIAL DEVELOPMENT BOARD FOR THE CITY OF CHATTANOOGA, TENNESSEE, TO AMEND THE PILOT AGREEMENT WITH ALSTOM POWER, INC. TO REFLECT THE TERMS OF THE LETTER AGREEMENT DATED JULY 8, 2015, ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.

ACTION: ADOPTED

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 will meet on August 25 following the 3:00 p.m. Agenda Session to receive an update on the Enterprise Center.

HR Committee (Human Resources)
Vice Chair Freeman

- The committee met today in open meeting to hear from SEIU and employees on the Employee Information Guide resolution on next week's agenda. He also expressed thanks to the Council, Administration and SEIU for their work on the EIG.

Planning & Zoning
(Councilman Hakeem was not present)

Public Safety Committee
Councilman Henderson
(No report)

Public Works and Transportation Committee
Councilman Smith

- The committee met today in open meeting to cover two items on the August 18 agenda.
- The committee will meet again in two weeks (August 25) following the 3:00 p.m. Agenda Session.

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, Chairwoman Berz recognized the following persons:

- **Nehemiah Johnson (District 8)** – He has concerns about Juvenile Court. He believes parents and children need mediation, not litigation, and asked the Council how to bring about some resolve.
 - Chairwoman Berz thanked Mr. Johnson for his comments, but informed him that the City Council has no control over Juvenile Court. She recommended that he speak with Administrator Lurone Jennings of Youth and Family Development to see if he had any recommendations for families.

ADJOURNMENT

Chairwoman Berz adjourned the meeting of the Chattanooga City Council until Tuesday, August 18, 2015, at 6:00 p.m.

CHAIRWOMAN

CLERK OF COUNCIL