



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
August 18, 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. Deputy City Attorney Phil Noblett and Council Clerk Nicole Gwyn, CMC, were also present. Councilman Hakeem was not 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 Gilbert, the minutes of the last meeting (August 11, 2015) were approved as published.

ORDINANCES – FINAL 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: APPROVED

2015-085
Valor
District No. 4
Planning Version #2

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

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 stated that the developer requested more time to finalize the language in the conditions. The motion carried.

ACTION: DEFERRED ONE (1) WEEK

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

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

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: APPROVED

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

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

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: APPROVED

2015-048
Pat Neuhoff of Neuhoff Taylor Architects
and The Salvation Army
District No. 8
Planning Version #4

On motion of Vice Chair 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.

ACTION: APPROVED

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

On motion of Vice Chair 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: APPROVED

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

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: APPROVED

On motion of Councilman Anderson and seconded by Councilman Smith,

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: APPROVED

On motion of Councilman Anderson and seconded by Councilman Smith,

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: APPROVED

ORDINANCES – FIRST READING:

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

ORDINANCE #12983

AN ORDINANCE TO AMEND PART II, CHATTANOOGA CITY CODE, CHAPTER 2, ARTICLE III, ENTITLED "PERSONNEL ORDINANCE".

Councilman Smith inquired as to whether corrections had been made to the division numbers in this bill. Attorney Noblett reviewed the numbers for deletion and the numbers being served, and found that the reserve numbers should be corrected to read "207 through 300" and "430 through 500." Vice Chair Freeman called the question. The motion carried.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

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

RESOLUTION #28364

A RESOLUTION AUTHORIZING THE CITY FINANCE OFFICER TO EXECUTE DOCUMENTS TO AMEND THE MASS MUTUAL 401(A) RETIREMENT PLAN DOCUMENT, FORMERLY HARTFORD INSURANCE COMPANY, TO COMPLY WITH RECENT REGULATORY GUIDANCE FROM THE IRS PURSUANT TO REVENUE RULING 2013-17 AND NOTICE 2014-19.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilman Anderson,

RESOLUTION #28365

A RESOLUTION AUTHORIZING THE ADMINISTRATORS AND DIRECTORS OF THE CITY OF CHATTANOOGA TO ACCEPT DONATIONS UNDER \$25,000.00 ONLY IF THEY DO NOT PLACE OPERATIONAL OBLIGATIONS ON THE CITY, AND THOSE DONATIONS ACCEPTED WILL BE REPORTED TO THE CITY COUNCIL NOT LESS THAN ON A QUARTERLY BASIS.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilman Mitchell,

RESOLUTION #28366

A RESOLUTION AUTHORIZING THE APPROVAL OF A CHANGE ORDER TO DERTHICK, HENLEY, AND WILKERSON ARCHITECTS FOR ARCHITECTURAL INTERIOR DESIGN SERVICES IN CONNECTION WITH THE DESIGN AND CONSTRUCTION OF THE FAMILY JUSTICE CENTER BUILDING AT 911 EASTGATE LOOP, FOR AN AMOUNT OF \$50,000.00, FOR A NEW TOTAL ESTIMATED AMOUNT NOT TO EXCEED \$407,746.00.

ACTION: ADOPTED

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

RESOLUTION #28367

A RESOLUTION ADOPTING THE CITY OF CHATTANOOGA EMPLOYEE INFORMATION GUIDE AND ALLOWING CHANGES TO ANY AND ALL INFORMATION PRESENTED TO CITY COUNCIL FOR APPROVAL WITHIN SIX (6) MONTHS OF THE RESOLUTION EFFECTIVE DATE OF SEPTEMBER 8, 2015, ONE (1) YEAR FROM THE EFFECTIVE DATE, AND ANNUALLY THEREAFTER.

Councilman Henderson moved to substitute Section 4A "EEO" with the EEOC language as codified by federal law. Councilman Smith seconded. A discussion ensued. During which, Councilman Anderson called the *question* on the amendment. The amendment motion failed.

ACTION: ADOPTED

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

RESOLUTION #28368

A RESOLUTION AUTHORIZING THE CHIEF OF THE CHATTANOOGA POLICE DEPARTMENT TO ENTER INTO AN AGREEMENT WITH TRITECH SOFTWARE SYSTEMS FOR ANNUAL SUPPORT AND MAINTENANCE OF THE RMS SYSTEM FOR THE PERIOD OF JULY 1, 2015 THROUGH JUNE 30, 2016, FOR AN AMOUNT NOT TO EXCEED \$250,397.45.

ACTION: ADOPTED

Chairwoman Berz noted that agenda item VII(f) was redundant due to the adoption of Resolution #28365:

AGENDA ITEM VII(F):

A RESOLUTION AUTHORIZING THE CHATTANOOGA POLICE DEPARTMENT TO ACCEPT A DONATION FROM THE FBI OF A GRASSHOPPER LAWN MOWER MODEL 325D TO BE USED AT THE POLICE FIRING RANGE, WITH A VALUE OF \$10,500.00.

(NO COUNCIL ACTION)

On motion of Councilman Anderson and seconded by Councilman Smith,

RESOLUTION #28370

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO AWARD CONTRACT NO. S-12-009-202 TO CHASE PLUMBING AND MECHANICAL, INC., CARTER STREET STORM DRAINAGE PIPE REPAIR PROJECT, IN THE AMOUNT OF \$975,357.00, WITH A CONTINGENCY AMOUNT OF \$20,000.00, FOR AN AMOUNT NOT TO EXCEED \$995,357.00.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilman Smith,

RESOLUTION #28371

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH ARCADIS U.S., INC. FOR PROFESSIONAL SERVICES OF CONSTRUCTION PHASE SERVICES RELATIVE TO CONTRACT NO. S-12-009-103, CARTER STREET STORM DRAINAGE PIPE REPAIR PROJECT, FOR AN AMOUNT NOT TO EXCEED \$68,000.00.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilman Anderson,

RESOLUTION #28372

A RESOLUTION TO RATIFY THE GRANT APPLICATION MADE BY THE DIRECTOR OF SUSTAINABILITY TO APPLY FOR, AND ACCEPT GRANT FUNDS FROM FUNDER'S NETWORK FOR THE EMPOWER CHATTANOOGA PROGRAM IN PARTNERSHIP WITH GREEN/SPACES, INC., IN THE AMOUNT OF \$75,000.00 AND ACCEPT LOCAL MATCH FUNDS OF \$30,000.00 FROM THE BENWOOD FOUNDATION AND \$45,000.00 FROM THE LYNDHURST FOUNDATION, FOR A TOTAL AMOUNT OF \$150,000.00; \$123,000.00 WILL BE ALLOCATED TO GREEN/SPACES AND \$27,000.00 WILL BE ALLOCATED TO THE CHATTANOOGA DEPARTMENT OF TRANSPORTATION.

ACTION: ADOPTED

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

RESOLUTION #28369

A RESOLUTION AUTHORIZING THE WAIVER OF RENTAL AND STAFFING FEES FOR THE USE OF THE WARNER PARK POOL ON SATURDAY, SEPTEMBER 12, 2015 FOR THE MCKAMEY ANIMAL SHELTER ANNUAL DOGGIE POOL PARTY, IN THE AMOUNT OF \$1,035.00.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Purchases

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

R111001 - Public Works	Estimated \$75,000 Annually
New Blanket Contract for Sewer Chemical Root Control Services	
Lowest/Best Bidder: Duke's Root Control	

R48686 - Public Works

Estimated \$100,000 Annually

New Blanket Contract for Chlorination Systems Parts
Lowest/Best Bidder: Specialized Operations Services, Inc.

R117088 - Public Works

Estimated \$1,000,000 Annually

New Blanket Contract for Emulsion
Lowest/Best Bidder: Polymer BASF Corporation

R117876 - Public Works

\$69,143.60

The Purchase of Confined Space Hoist System Parts
Lowest/Best Bidder: Ram Tool and Supply Co.

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

ACTION: APPROVED

OTHER BUSINESS:

Safe Routes to Schools

Councilman Gilbert announced that Woodmore Elementary would receive Safe Routes to Schools funding for 2015.

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 next week (Aug. 25) following the Agenda Session to hear from Ken Hayes and others on the Enterprise Center.

HR Committee (Human Resources)

Vice Chair Freeman

- The committee will meet next week following the Agenda Session regarding Marathon Health.

Planning & Zoning

(Councilman Hakeem was not present)

Public Safety Committee

Councilman Henderson
(No report)

Public Works and Transportation Committee
Councilman Smith

- The committee will meet next week following the Agenda Session.

Youth and Family Development Committee
Councilman Gilbert
(No report)

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

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

ADJOURNMENT

Chairwoman Berz adjourned the meeting of the Chattanooga City Council until Tuesday, August 25, 2015, at 6:00 p.m.

CHAIRWOMAN

CLERK OF COUNCIL