



City Council Building  
Chattanooga, Tennessee  
**COUNCIL MEETING MINUTES**  
September 29, 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, Jerry Mitchell and Ken Smith all present. City Attorney Wade Hinton and Council Clerk Nicole Gwyn, CMC, were also present. Councilmen Larry Grohn and Chip Henderson were not present.

**PLEDGE OF ALLEGIANCE**

Vice Chair Freeman led the Assembly in the Pledge of Allegiance and invited Dr. Ernest Reid, Senior Pastor of Greater Second Missionary Baptist Church, to lead the invocation.

**APPROVAL OF LAST MINUTES**

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

**SPECIAL PRESENTATION**

**Austrian Red Cross and Slovakian Red Cross**  
**By Julia Wright**

Julia Wright, Executive Director of the Chattanooga Red Cross, introduced a delegation of four (4) who were visiting Chattanooga from Red Cross centers abroad:

Austrian Red Cross Burgenland: Mario Promintzer  
Austrian Red Cross Burgenland: Sandra Nestlinger  
National Emergency Center of Slovakia: Michal Derzak  
National Emergency Center of Slovakia: Miriam Hyllova

**ORDINANCES – FINAL READING:**

On motion of Councilman Anderson and seconded by Councilman Smith,

**ORDINANCE #12990**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 5, SECTION 5-47, RELATIVE TO BEER AND ALCOHOLIC BEVERAGES.**

**ACTION: APPROVED**

**ORDINANCES – FIRST READING:**

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

**ORDINANCE #12991**

**AN ORDINANCE TO AMEND ORDINANCE NO. 12953 KNOWN AS “THE FISCAL YEAR 2015-2016 BUDGET ORDINANCE” SO AS TO APPROPRIATE \$11,530.17 FROM THE GENERAL FUND CONTINGENCY TO THE 28<sup>TH</sup> COMMUNITY DEVELOPMENT CORPORATION TO ASSIST THEM IN PAYING CITY PROPERTY TAXES AND APPLICABLE FEES AND PENALTIES ON PARCEL NOS. 136N-M-006, 137A-F-007, AND 137A-F-008 THROUGH OCTOBER, 2015.**

**ACTION: PASSED ON FIRST READING**

On motion of Councilman Mitchell and seconded by Councilman Gilbert,

**ORDINANCE #12992**

**AN ORDINANCE TO AMEND ORDINANCE NO. 12953 KNOWN AS THE OPERATIONS BUDGET ORDINANCE AND ORDINANCE NO. 12965 KNOWN AS THE CAPITAL IMPROVEMENTS BUDGET ORDINANCE FOR THE FISCAL YEAR 2015-2016 TO AMEND SECTIONS 9(B) AND SECTION 5(A) RESPECTIVELY.**

**ACTION: PASSED ON FIRST READING**

**RESOLUTIONS:**

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

**RESOLUTION #28399**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO APPROVE THE TRANSFER OF PROPERTY FROM THE 28<sup>TH</sup> COMMUNITY DEVELOPMENT CORPORATION LOCATED AT 2611 LOCKWOOD STREET, 2613 LOCKWOOD STREET, AND 2002 PORTLAND STREET, DEVELOPED WITH HOME INVESTMENT PARTNERSHIP PROGRAM AND NEIGHBORHOOD STABILIZATION PROGRAM FUNDS TO BUFFALO VALLEY, INC. AND TO ENTER INTO CONTRACTUAL AGREEMENTS FOR THE USE AND OPERATION OF THE PROPERTIES.**

**ACTION: ADOPTED**

On motion of Councilman Anderson and seconded by Councilman Hakeem,

**RESOLUTION #28400**

**A RESOLUTION AUTHORIZING THE OFFICE OF THE CITY ATTORNEY TO ENGAGE THE VARIOUS LAW FIRMS LISTED BELOW FOR LEGAL SERVICES IN GENERAL LITIGATION MATTERS; CORPORATE, TRANSACTIONAL & INTELLECTUAL PROPERTY MATTERS; AND LABOR & EMPLOYMENT MATTERS FOR THE PERIOD OF JULY 1, 2015 THROUGH JUNE 30, 2016.**

**ACTION: ADOPTED**

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

**RESOLUTION #28401**

**A RESOLUTION TO CONFIRM THE MAYOR'S APPOINTMENT OF SAUNYA GOSS TO THE LIBRARY BOARD.**

**ACTION: ADOPTED**

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

**RESOLUTION #28402**

**A RESOLUTION AUTHORIZING THE CHIEF OF THE CHATTANOOGA POLICE DEPARTMENT TO ENTER INTO A CONTRACT FOR A PERIOD OF ONE (1) YEAR WITH HOPE FOR THE INNER CITY FOR CASE MANAGEMENT AND SUPPORT SERVICES RELATED TO THE CHATTANOOGA VIOLENCE REDUCTION INITIATIVE, FOR AN AMOUNT NOT TO EXCEED \$290,000.00.**

The motion carried, with Councilman Smith abstaining.

**ACTION: ADOPTED**

On motion of Councilman Anderson and seconded by Councilman Smith,

**RESOLUTION #28403**

**A RESOLUTION AUTHORIZING PAYMENT TO LONDON CENTER, LLC FOR A RIGHT-OF-WAY DEED AND PERMANENT STORM DRAINAGE EASEMENT RELATIVE TO CONTRACT NO. S-12-003-503, MCCUTCHEON ROAD DRAINAGE IMPROVEMENT PROJECT, FOR TRACT NO. 3, PROPERTY LOCATED AT TAX MAP NO. 148D-E-001.03, FOR AN AMOUNT NOT TO EXCEED \$27,405.00.**

**ACTION: ADOPTED**

On motion of Councilman Anderson and seconded by Councilman Smith,

**RESOLUTION #28404**

**A RESOLUTION AUTHORIZING PAYMENT TO ROBERT BACHMAN FOR A PERMANENT STORM DRAINAGE EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT RELATIVE TO CONTRACT NO. S-09-008-508, NORTH ST. ELMO DRAINAGE IMPROVEMENT PROJECT, FOR TRACT NO. 8, PROPERTY LOCATED AT TAX MAP NO. 155J-F-003.01, FOR AN AMOUNT NOT TO EXCEED \$65,002.89, OR TO AUTHORIZE THE OFFICE OF THE CITY ATTORNEY TO BEGIN EMINENT DOMAIN PROCEEDINGS.**

**ACTION: ADOPTED**

On motion of Councilman Anderson and seconded by Councilman Gilbert,

**RESOLUTION #28405**

**A RESOLUTION AUTHORIZING PAYMENT TO SELOX, INC. FOR A PERMANENT STORM DRAINAGE EASEMENT RELATIVE TO CONTRACT NO. S-09-008-502, NORTH ST. ELMO DRAINAGE IMPROVEMENT PROJECT, FOR TRACT NO. 2, PROPERTY LOCATED AT TAX MAP NO. 155G-A-013, FOR AN AMOUNT NOT TO EXCEED \$48,344.11, OR TO AUTHORIZE THE OFFICE OF THE CITY ATTORNEY TO BEGIN EMINENT DOMAIN PROCEEDINGS.**

**ACTION: ADOPTED**

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

**RESOLUTION #28406**

**A RESOLUTION AUTHORIZING PAYMENT TO MOUNT VERNON PROPERTIES, LLC FOR A RIGHT-OF-WAY EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT RELATIVE TO CONTRACT NO. S-09-008-506, NORTH ST. ELMO DRAINAGE IMPROVEMENT PROJECT, FOR TRACT NO. 6, PROPERTY LOCATED AT TAX MAP NO. 155J-E-003, FOR AN AMOUNT NOT TO EXCEED \$81,503.10, OR TO AUTHORIZE THE OFFICE OF THE CITY ATTORNEY TO BEGIN EMINENT DOMAIN PROCEEDINGS.**

**ACTION: ADOPTED**

On motion of Councilman Anderson and seconded by Councilman Smith,

**RESOLUTION #28407**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO FINALIZE AN AGREEMENT WITH NORFOLK SOUTHERN RAILWAY COMPANY RELATIVE TO CONTRACT NO. S-09-008, NORTH ST. ELMO STORM DRAINAGE IMPROVEMENT PROJECT, FOR A STANDARD PIPE LICENSE AGREEMENT, ACTIVITY NO. 1200922, TO COVER THE INSURANCE FEE OF \$1,000.00 AND THE ONE-TIME LICENSE FEE OF \$35,000.00, FOR A TOTAL AMOUNT OF \$36,000.00.**

**ACTION: ADOPTED**

On motion of Councilman Smith and seconded by Councilman Gilbert,

**RESOLUTION #28408**

**A RESOLUTION AUTHORIZING THE WAIVER OF LANDFILL DISPOSAL FEES ASSOCIATED WITH THE TENNESSEE RIVER RESCUE CLEAN-UP ON OCTOBER 3, 2015.**

**ACTION: ADOPTED**

On motion of Councilman Smith and seconded by Councilman Mitchell,

**RESOLUTION #28409**

**A RESOLUTION AUTHORIZING ORTWEIN SIGN C/O BONNIE BROCK, AGENT FOR PUCKETT'S, TENANT OF THE PROPERTY OWNER, KINSEY PROBASCO HAYS C/O ADAM KINSEY TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ON THE WEST SIDE OF MARKET STREET IN FRONT OF THE PROPERTY LOCATED AT 2 AQUARIUM WAY TO INSTALL SIGNAGE, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: ADOPTED**

On motion of Councilman Anderson and seconded by Councilman Smith,

**RESOLUTION #28410**

**A RESOLUTION AUTHORIZING CHATTANOOGA ENGINEERING GROUP C/O ROCKY CHAMBERS, AGENT FOR THE PROPERTY OWNER, CHATTEM CHEMICALS, INC., TO USE TEMPORARILY THE RIGHT-OF-WAY OF THE WEST SIDE OF ST. ELMO AVENUE ALONG THE PROPERTY LINE OF 1705 WEST 38<sup>TH</sup> STREET TO REPAIR AND MAINTAIN A RETAINING WALL, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: ADOPTED**

On motion of Councilman Anderson and seconded by Councilman Smith,

**RESOLUTION #28411**

**A RESOLUTION AUTHORIZING TYLER GRAY, PROPERTY OWNER, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ON THE EAST SIDE OF TENNESSEE AVENUE IN FRONT OF THE PROPERTY LOCATED AT 3924 TENNESSEE AVENUE TO INSTALL OUTDOOR DINING, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: ADOPTED**

On motion of Councilman Anderson and seconded by Councilman Smith,

**RESOLUTION #28412**

**A RESOLUTION AUTHORIZING ORTWEIN SIGN C/O BONNIE BROCK, AGENT FOR PUCKETT'S, TENANT OF THE PROPERTY OWNER, KINSEY PROBASCO HAYS C/O ADAM KINSEY TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ON THE WEST SIDE OF NORTH MARKET STREET IN FRONT OF THE PROPERTY LOCATED AT 2 AQUARIUM WAY TO INSTALL SIGNAGE, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: ADOPTED**

On motion of Councilman Anderson and seconded by Councilman Smith,

**RESOLUTION #28413**

**A RESOLUTION AUTHORIZING PASSPOINTE ENGINEERING C/O JAN PASS, AGENT FOR THE PROPERTY OWNER, VISION WALNUT STREET, LLC TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ALONG WALNUT STREET, AQUARIUM WAY, AND RIVERFRONT PARKWAY IN FRONT OF 102 WALNUT STREET FOR CONSTRUCTION OF CONCRETE BUILDING FOOTINGS BELOW STREET LEVEL, OUTDOOR DINING AREA, VEGETATIVE SCREENS, AND CANOPIES, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: ADOPTED**

On motion of Councilman Anderson and seconded by Councilman Smith,

**RESOLUTION #28414**

**A RESOLUTION AUTHORIZING PATRICIA SHAW, PROPERTY OWNER, TO USE TEMPORARILY THE RIGHT-OF-WAY OF THE UNOPENED ALLEY LONG THE NORTH AND EAST SIDES OF THE PROPERTY LOCATED AT 1705 EAST 49<sup>TH</sup> STREET TO INSTALL FENCING, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: ADOPTED**

**Agenda Item VII(g) as read:**

**A resolution authorizing John Sillery, property owner, to use temporarily the right-of-way of the unopened alley along the east side of an unaddressed property located on West 57<sup>th</sup> Street, detailed herein, to install fencing, as shown on the maps attached hereto and made a part hereof by reference, subject to certain conditions.**

Discussion ensued with Blythe Bailey, Transportation Administrator, who explained the term “unaddressed property.” **Councilman Anderson moved** to amend to include the tax parcel number read by Attorney Hinton: 167P-D-0-13. Councilman Smith seconded. The motion carried.

On motion of Councilman Anderson and seconded by Councilman Smith,

**RESOLUTION #28415**

**A RESOLUTION AUTHORIZING JOHN SILLERY, PROPERTY OWNER, TO USE TEMPORARILY THE RIGHT-OF-WAY OF THE UNOPENED ALLEY ALONG THE EAST SIDE OF AN UNADDRESSED PROPERTY LOCATED ON WEST 57<sup>TH</sup> STREET, TAX MAP NO. 167P-D-013, TO INSTALL FENCING, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: ADOPTED**

On motion of Councilman Anderson and seconded by Councilman Smith,

**RESOLUTION #28416**

**A RESOLUTION AUTHORIZING TERESA WOOD, PROPERTY OWNER, TO USE TEMPORARILY THE RIGHT-OF-WAY OF THE UNOPENED ALLEY ALONG THE EAST SIDE OF THE PROPERTY LOCATED AT 1708 WEST 56<sup>TH</sup> STREET TO INSTALL FENCING AND A TEMPORARY STRUCTURE, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: ADOPTED**

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

**RESOLUTION #28417**

**A RESOLUTION AUTHORIZING ORTWEIN SIGN C/O BONNIE BROCK, AGENT FOR COTTON & TWINE, TENANT OF PROPERTY OWNER, SOHO, LLC TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ON THE NORTH SIDE OF EAST MAIN STREET IN FRONT OF THE PROPERTY LOCATED AT 45 EAST MAIN STREET TO INSTALL SIGNAGE, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: ADOPTED**

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

**RESOLUTION #28418**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE CHATTANOOGA HOUSING AUTHORITY AND THE CITY OF CHATTANOOGA DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT FOR THE USE OF THE SHEILA JENNINGS WELLNESS CENTER LOCATED AT 1201 POPLAR STREET ON THE GROUNDS OF THE POPLAR STREET APARTMENTS, FOR A TERM ENDING MARCH 30, 2018, WITH LEASE TERM RENEWAL OPTIONS.**

**ACTION: ADOPTED**

On motion of Councilman Gilbert and seconded by Councilman Smith,

**RESOLUTION #28419**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT, TO APPLY FOR AND, IF GRANTED, ACCEPT A GRANT FROM THE 2016 CHILDHOOD OBESITY PREVENTION PROGRAM, IN THE AMOUNT OF \$120,000.00.**

**ACTION: ADOPTED**

**DEPARTMENTAL REPORTS:**

**YFD Report**

Lurone Jennings, Youth and Family Development Administrator, gave a brief update on his department that included information about the following:

- A film documentary about renowned ballet dancer Frederick Davis, who grew up in Chattanooga.
- Chattanooga Ambassadors Program (CAP) Graduation on October 17
- Hosting 12 tournaments
- Temp for Teens Workshop and Seminar
- Opportunity For All Program
- Social Services - 669 families assisted

Brent Goldberg, Chief Operating Officer, also gave an update on YFD's capital plan. Councilman Gilbert and Chairwoman Berz also expressed their thanks to Mr. Goldberg for his dedicated service to the City, as he prepares to embark on a new career path.

**Purchases**

Bonnie Woodward, Purchasing Director, briefed the Council on the following purchases:

**R82552 -General Services**

Estimated \$125,000 Annually

Blanket Contract Renewal for Equipment Parts and Service

Lowest/Best Bidder: CMI Equipment Sales, Inc.



**R122600 - Public Works**

Estimated \$150,000 Annually

New Blanket Contract for Machining, Fabrication,  
and related Equipment Repair Services  
Lowest/Best Bidder: Valley Mechanical, Inc.

**R83143 -Public Works**

Estimated \$80,000 Annually

Blanket Contract Renewal for Odor Control  
Filter Media  
Lowest/Best Bidder: Prominent Systems Inc.

**R66652 - Public Works**

Estimated \$225,000 Annually

Blanket Contract Renewal for Equipment Maintenance  
and Repair Services (Komatsu/Dresser)  
Lowest/Best Bidder: Power Equipment Company

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

**ACTION: APPROVED**

**OTHER BUSINESS:**

**October 6 Council Meeting**

Chairwoman Berz announced that the October 6 Council meeting would begin 4:30 p.m. instead of 6:00 p.m. so that Council members may attend National Night Out events taking place throughout the city that same evening.

**COMMITTEE REPORTS:**

*Audit & I.T. Committee*  
(Councilman Grohn not present)

*Budget and Finance Committee*  
Councilman Mitchell  
(No report)

*Economic and Community Development Committee*  
Councilman Anderson

- An Affordable Housing Panel Discussion is tentatively set for October 27.
- He also thanked Mr. Goldberg for the ways in which he has impacted the city.

*HR Committee (Human Resources)*  
Vice Chair Freeman  
(No report)

*Planning & Zoning*  
Councilman Hakeem

- The committee will meet next week (October 6) immediately following Public Works and Transportation Committee.

*Public Safety Committee*  
(Councilman Henderson not present)

*Public Works and Transportation Committee*  
Councilman Smith

- The committee will meet next week immediately following 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 was anyone in the Assembly who wished to address the Council on non-agenda matters. Seeing none, Councilman Anderson moved to adjourn.

**ADJOURNMENT**

Chairwoman Berz adjourned the meeting of the Chattanooga City Council until Tuesday, October 6, 2015, at 4:30 p.m.

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**CHAIRWOMAN**

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**CLERK OF COUNCIL**