



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
November 10, 2015
6:00 PM

CALL TO ORDER

Council Chairwoman Carol Berz called the meeting to order with Russell Gilbert, Larry Grohn, Chip Henderson, Jerry Mitchell and Ken Smith all present. Immediately after the call to order, Vice Chair Moses Freeman and Council members Chris Anderson and Yusuf Hakeem joined the meeting. Assistant City Attorney Valerie Maleug and Council Clerk Nicole Gwyn, CMC, were also present.

PLEDGE OF ALLEGIANCE

Councilman Gilbert led the Assembly in the Pledge of Allegiance. He invited Pastor Tavner Smith of Venue Church to give the invocation.

APPROVAL OF LAST MINUTES

On motion of Councilman Anderson and seconded by Councilman Grohn, the minutes of the last meeting (November 3, 2015) were approved as published.

ORDINANCES – FINAL READING:

On motion of Councilman Smith and seconded by Councilman Mitchell,

ORDINANCE #13000

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 32, SECTIONS 32-166 THROUGH 32-178, BE AMENDED BY REPLACING ALL REFERENCES TO “CDOT” WITH “CITY ENGINEER”.

ACTION: APPROVED

ORDINANCES – FIRST READING:

2015-132
CBG Properties, LLC/John Strawn
John Strawn
District No. 6
Planning Version

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

ORDINANCE #13001

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 2831 SILVERDALE ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 MD MODERATE DENSITY ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

2015-120
Joseph M. Fuller
District No. 7
Planning Version

On motion of Councilman Anderson and seconded by Councilman Mitchell,

ORDINANCE #13002

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1627 ROSSVILLE AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

2015-124
Belle Investment Company and
BYD Cowart, GP
District No. 7
Planning Version

On motion of Councilman Anderson and seconded by Councilman Grohn,

ORDINANCE #13003

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO LIFT CONDITION 2C #4, "48 FEET MAXIMUM HEIGHT" FROM ORDINANCE NO. 12059 OF PREVIOUS CASE NO. 2007-190 OFF PROPERTY LOCATED IN THE 1200 BLOCK OF COWART STREET, BEING MORE PARTICULARLY DESCRIBED HEREIN.

John Bridger of Regional Planning made a presentation on this item. **Councilman Anderson moved** to approve an alternate version with the final reading on December 1, 2015 due to an agreement with the property owner and affected neighbors. Councilman Grohn seconded. Chairwoman Berz recognized Jack Simmons of Tennessee Valley Public Power Association, who informed the Council that his company was one of the affected neighbors, but that they were no longer in opposition due to talks with the property owner.

Chairwoman Berz also recognized the Opposition to address the Council:

- Thomas Johnson – Downtown developer/property owner

Councilman Hakeem called the *question*. Chairwoman Berz asked Mr. Bridger to make a presentation. After which, Chairwoman Berz recognized the Applicant to address the Council:

- Mike Price (MAP Engineers)

Upon no further discussion, Councilman Anderson's motion carried.

**ACTION: PASSED ON FIRST READING;
FINAL READING ON DECEMBER 1, 2015**

2015-115
Patrick Donaldson
District No. 9
Applicant Version

AGENDA ITEM VI(d):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 2301 WILSON STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-2 RESIDENTIAL ZONE.

Vice Chair Freeman moved to approve, seconded by Councilman Anderson. Prior to the vote, Vice Chair Freeman asked to reconsider his motion, stating that he wished to yield his vote on this matter to the councilperson representing that district. With his seconder in agreement, Chairwoman Berz allowed the reconsideration. Mr. Bridger was asked to make a presentation on this item.

Councilman Hakeem spoke on behalf of the community, which opposed this rezoning. Chairwoman Berz recognized the Applicant to address the Council:

- Patrick Donaldson (Upshaw Drive)

Councilman Hakeem moved to deny, seconded by Vice Chair Freeman. Councilman Gilbert abstained. The motion carried upon roll call vote as follows:

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

ACTION: DENIED

RESOLUTIONS:

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

RESOLUTION #28450

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO SUBMIT AN APPLICATION IN RESPONSE TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S (HUD'S) NOTICE OF FUND AVAILABILITY (NOFU) FOR 2015 CONTINUUM OF CARE PROGRAM COMPETITION'S PERMANENT HOUSING BONUS, FOR AN AMOUNT NO LESS THAN \$75,000.00, AND IF AWARDED, TO ACCEPT AND MANAGE THE GRANT.

ACTION: ADOPTED

2015-129

Joseph Ingram and Marcus Jones

District No. 2

On motion of Councilman Henderson and seconded by Councilman Anderson,

RESOLUTION #28451

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR PROPERTIES LOCATED AT 1308 MERONEY STREET AND 605 SAMOYED TRAIL.

ACTION: ADOPTED

On motion of Councilman Smith and seconded by Councilman Anderson,

RESOLUTION #28447

A RESOLUTION AUTHORIZING A LICENSE RENEWAL AND UPGRADE FOR THE EXISTING JDSU E6474A CELLULAR ANALYSIS PRODUCT, IN THE AMOUNT OF \$129,604.82.

ACTION: ADOPTED

On motion of Councilman Smith and seconded by Councilman Anderson,

RESOLUTION #28448

A RESOLUTION AUTHORIZING THE CHIEF OF THE CHATTANOOGA POLICE DEPARTMENT (CPD) TO ACCEPT A GRANT FROM THE OFFICE OF VICTIMS OF CRIME (OVC), U.S. DEPARTMENT OF JUSTICE TO ENHANCE LAW ENFORCEMENT RESPONSE TO VICTIMS (ELERV), WHEREIN THE OVC WILL REIMBURSE THE CPD UP TO \$100,000.00 EACH YEAR, FOR THE NEXT THREE (3) YEARS, FOR AN AMOUNT UP TO \$300,000.00.

ACTION: ADOPTED

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

RESOLUTION #28449

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH CDM SMITH, INC., FOR PROFESSIONAL SERVICES, RELATIVE TO CONTRACT NO. W-15-009-101, MBWWTP CONTROL ROOM UPGRADES, FOR AN AMOUNT NOT TO EXCEED \$309,900.00.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Purchases

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

R69039 - Information Technology	Estimated \$35,000 Annually
Blanket Contract Renewal for Legacy Phone System Maintenance	
Lowest/Best Bidder: Meridian IT	

Councilman Anderson moved to approve, seconded by Vice Chair Freeman. The motion carried.

ACTION: APPROVED

OTHER BUSINESS: (NONE)

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 soon regarding the Tech Comes Home program.
- He also recognized Hamilton County Commissioner Joe Graham, who was in the Assembly, and thanked him for his work on the Cowart Street rezoning.

HR Committee (Human Resources)

Vice Chair Freeman

(No report)

Planning & Zoning

Councilman Hakeem

- The committee will meet next week (November 17) to hear about a contract related to Form Based Code.

Public Safety Committee

Councilman Henderson

- The committee will meet next week for a 1-year report on pedal carriages and revisions to the beer ordinance.

Public Works and Transportation Committee

Councilman Smith

- The committee will meet next week to discuss agenda items.

Youth and Family Development Committee

Councilman Gilbert

- The committee will meet next week to discuss an agenda item.

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

Chairwoman Berz asked if there were any 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, Chairwoman Berz adjourned the meeting of the Chattanooga City Council until Tuesday, November 17, 2015, at 6:00 p.m.

CHAIRWOMAN

CLERK OF COUNCIL