



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
December 8, 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, Yusuf Hakeem, Chip Henderson, Jerry Mitchell and Ken Smith all present. City Attorney Wade Hinton and Council Clerk Nicole Gwyn, CMC, were also present.

PLEDGE OF ALLEGIANCE

Councilman Hakeem led the Assembly in the Pledge of Allegiance. He ask Lurone Jennings, Administrator for Youth and Family Development, to give the invocation.

APPROVAL OF LAST MINUTES

On motion of Councilman Anderson and seconded by Councilman Gilbert, the minutes of the last meeting (December 1, 2015) were approved as published.

ORDER OF THE AGENDA:

Vice Chair Freeman made a motion to change the order of tonight's agenda as follows:

- City Attorney's Report on (1) Ethics Complaint and (2) Horse Trails.
- Agenda Item 7(a)—Bessie Smith Cultural Center

Councilman Mitchell seconded. The motion carried. Chairwoman Berz ordered the change in the agenda.

CITY ATTORNEY REPORT (2 items):

Ethics Complaint

Attorney Hinton informed the Council that an ethics complaint had been filed on December 3, 2015 by citizen Helen Burns Sharp. The complaint alleged that Councilman Anderson violated the city's Code of Ethics by not disclosing information that the engineer involved with the Cowart Street rezoning currently before the Council had worked on a committee that hosted a campaign fundraiser for Councilman Anderson.

Based upon preliminary findings, Attorney Hinton found that Councilman Anderson had not violated the city's Code of Ethics, had no personal interest in the zoning matter before the Council and, therefore, was not required to disclose the political contribution. Attorney Hinton

recommended that Councilman Anderson could confirm that he had received the political contribution and that he could state in open meeting that he is impartial in his voting on the zoning matter.

At the advise of the Attorney, Councilman Anderson stated that he had received political campaign contributions from persons who were in support of the Cowart Street zoning as well as those who were in opposition to the zoning, including the complainant. Councilman Anderson then requested a unanimous vote to direct the City Attorney to hire outside counsel to move forward with an independent review of the complaint. A discussion ensued. During which, Attorney Hinton responded to a question about the language of the Code of Ethics, Sec. 2-753 regarding the legal disclosure for those running for office.

Councilman Smith moved to ask the City Attorney to hire outside counsel for review of this matter. He was seconded by Councilman Henderson. During discussion, there were comments made by Councilman Smith, Henderson, Hakeem, Freeman, Grohn and Anderson. The motion carried, with Councilman Anderson abstaining.

(Councilman Mitchell exited the meeting immediately afterwards at 6:29 p.m. and did not return.)

Horse Trails

Attorney Hinton had been asked by the Council to look into the City's obligations to the horse trails at Enterprise South. After reviewing the agreements and other documents, Attorney Hinton found that the City would have certain legal risks if it failed to follow through with its agreement regarding the horse trails.

ORDINANCES – FINAL READING:

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

Move to approve by Vice Chair Freeman, seconded by Councilman Hakeem,

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.

A hearing ensued. During which, Councilman Grohn asking everyone in the Assembly who opposed this zoning to raise their hands. Councilmen Hakeem and Henderson made comments about their considerations in this matter. Chairwoman Berz allowed

representatives for the Applicant and the Opposition to address the Council for up to 9 minutes each side of the debate.

Applicant: Travis Fuller (Knoxville, TN) – The developer
Mike Price (Chattanooga) – The engineer

On behalf of the Opposition: Eric Meyers (Forest Avenue)
Cynthia Stroud (Market Street)
Franklin McCallie (Reed Avenue)

Mr. Price and Mr. Fuller were allowed to make a rebuttal to Opposition’s claims. During the hearing, John Bridger, Executive Director of Regional Planning, responded to questions from Councilman Hakeem and Attorney Hinton on which documents or maps show “no height” restriction for this zoning case. Mr. Bridger clarified between the ordinance-related documents and policy documents used by Staff in this zoning matter.

ACTION: APPROVED

MR-2015-131
Paul Fuchar, Executive Director,
Council for Alcohol and Drug Abuse Services
District No. 1

Move to approve by Councilman Henderson, seconded by Councilman Smith,

ORDINANCE #13004

AN ORDINANCE CLOSING AND ABANDONING APPROXIMATELY ONE HUNDRED THIRTY (130’) SQUARE FEET OF RIGHT-OF-WAY AT THE SOUTHEAST CORNER OF THE INTERSECTION OF WEST MANNING AND MINOR STREETS TO ACCOMMODATE CONSTRUCTION OF A NEW BUILDING TO THIS CORNER, SUBJECT TO CERTAIN CONDITIONS.

(Vice Chair Freeman and Councilmen Grohn left the meeting momentarily.) The motion carried.

ACTION: APPROVED

MR-2015-103
Smyrna Ready Mix Concrete/
Jag Realty, LLC/
RDP Properties
District No. 8

Move to approve by Councilman Anderson, seconded by Councilman Hakeem,

ORDINANCE #13005

AN ORDINANCE CLOSING AND ABANDONING TWO ALLEY RIGHTS-OF-WAY OFF OF 2510, 2560, 2614, AND 2700 ASBURY PARK TO DEVELOP THE PROPERTY FOR A CONCRETE PLANT, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

Move to approve by Councilman Anderson, seconded by Councilman Smith,

ORDINANCE #13006

AN ORDINANCE TO AMEND PART II, CHATTANOOGA CITY CODE, CHAPTER 35, ARTICLE VII, DIVISION 2, SECTION 35-252, RELATIVE TO PEDAL CARRIAGE OR PEDICABS.

The motion carried upon roll call vote as follows:

Anderson	YES	Hakeem	NO
Freeman	YES	Henderson	NO
Gilbert	YES	Smith	YES
Grohn	YES	Berz	YES

YES – Six (6); NO – Two (2); ABSTAIN – Zero (0)

ACTION: APPROVED

ORDINANCES – FIRST READING:

Move to approve by Vice Chair Freeman, seconded by Councilman Anderson,

ORDINANCE #13007

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF CHATTANOOGA, AND ALL ACTS, ORDINANCES, AND OTHER CHARTER PROVISIONS AMENDATORY THEREOF, PURSUANT TO THE PROVISIONS OF ARTICLE XI, SECTION 9, OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT) SO AS TO CHANGE THE CITY CHARTER BY AMENDING THE VOTER ELIGIBILITY PROVISION.

ACTION: PASSED ON FIRST READING

2015-145
Bristol Development Group
and Scott Black
District No. 1
Planning Version

Move to approve by Councilman Henderson, seconded by Councilman Smith,

ORDINANCE #13008

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 328 CHEROKEE BOULEVARD, 401, 403, 407, 409, 411, AND 413 SOMERVILLE AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE AND C-2 CONVENIENCE COMMERCIAL ZONE TO C-7 NORTHSORE COMMERCIAL MIXED USE ZONE, SUBJECT TO CERTAIN CONDITIONS.

A hearing ensued, with Chairwoman Berz allowing representatives for the Applicant and the Opposition to address the Council for up to 9 minutes each side of the debate.

Applicant: Scott Black – The developer
Mike Price – The engineer

On behalf of the Opposition: Charles Slover (Chattanooga)

Mr. Price distributed aerial shots to the Council. Mr. Slover presented a slideshow and distributed photos of Stringer Street. Councilmen Henderson questioned Mr. Slover regarding on-street parking. He also questioned Blythe Bailey, Transportation Administrator, about a compromise regarding on-street parking in urban environments. Councilman Hakeem asked about the site plan to accommodate streetscaping. Mr. Price offered to work with Regional Planning on the on-street parking and the use of Manning Street for a driveway. The motion carried.

ACTION: PASSED ON FIRST READING

2015-138
Peter C. Cory and Miles D. Raborn
District No. 4
Planning Version

Move to approve by Councilman Grohn, seconded by Councilman Smith,

ORDINANCE #13009

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 8407 AND 8575 PETTY ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-5 RESIDENTIAL ZONE TO R-1 RESIDENTIAL ZONE.

ACTION: PASSED ON FIRST READING

2015-135
Jason McGlohon/SBI Engineers
District No. 6
Planning Version

Move to deny by Vice Chair Freeman, seconded by Councilman Anderson,

ORDINANCE #13010

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 6501 SHALLOWFORD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE.

A hearing ensued, with Chairwoman Berz allowing representatives for the Applicant and the Opposition to address the Council for up to 9 minutes each side of the debate.

Applicant: Dr. James Newby – Property owner

On behalf of the Opposition: Samantha Holloway (Mahala Lane)
Mark Moses (Mahala Lane)
Ann Collier (Mahala Acres)

Dr. Newby initially asked to withdraw his case; yet, he decided to argue for the property upon hearing the motion to deny the zoning.

Donna Williams, Administrator for Economic and Community Development, responded to a question from Councilman Henderson about codes on exteriors (paint). She offered to get back on the Council about that once she had spoken to her codes inspector.

Dr. Newby was afforded the opportunity to make a rebuttal to the Opposition. After all speakers had addressed the Council, Vice Chair Freeman called the *question*. The motion carried.

ACTION: DENIED

2015-136
James Hixson
District No. 6
Planning Version

Move to approve by Councilman Anderson, seconded by Councilman Grohn,

ORDINANCE #13011

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 2700 AND 2708 WALKER ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE.

ACTION: PASSED ON FIRST READING

2015-149
City of Chattanooga/RPA
District No. 7
Planning Version

Move to approve by Councilman Anderson, seconded by Councilman Grohn,

ORDINANCE #13012

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 3000 BROAD STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO M-2 LIGHT INDUSTRIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

2015-141
Wise Properties, LLC
District No. 7
Planning Version

Move to approve by Councilman Anderson, seconded by Councilman Grohn,

ORDINANCE #13013

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 1920 CHESTNUT STREET, 1817 BROAD STREET, AND 423 WEST 20TH 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

2015-119
Matthew W. Thacker and Jean M. Thacker
District No. 8
Planning Version

Move to deny by Vice Chair Freeman, seconded by Councilman Hakeem,

ORDINANCE #13015

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1402 CEMETERY AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

A hearing ensued, with Chairwoman Berz allowing representatives for the Applicant and the Opposition to address the Council for up to 9 minutes each side of the debate.

Applicant: Matt Thacker

On behalf of the Opposition: Gary Rudolph (E. 14th Street)

Councilman Hakeem and Vice Chair Freeman voiced opposition to the rezoning. Mr. Bridger commented on the recommendation to approve. Mr. Thacker responded to questions regarding the buffer on the property and his employees using his property on 14th Street. After all speakers had addressed the Council, Vice Chair Freeman called the *question*. The motion carried.

ACTION: DENIED

2015-144
Nick Adams and Christy Clark/
Adams Masonry
District No. 8
Planning Version

Move to approve by Vice Chair Freeman, seconded by Councilman Anderson,

ORDINANCE #13016

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PART OF 2833 CALHOUN AVENUE AND ALL OF 2902 MORGAN AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO M-1 MANUFACTURING ZONE.

ACTION: PASSED ON FIRST READING

2015-140
Owen Trepanier and Richard Puente
District No. 9
Planning Version

Move to approve by Councilman Hakeem, seconded by Councilman Grohn,

ORDINANCE #13017

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 3120 DODSON AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO R-3 RESIDENTIAL ZONE, SUBJECT TO PROPOSED USE ONLY.

ACTION: PASSED ON FIRST READING

Move to approve by Councilman Grohn, seconded by Councilman Hakeem,

ORDINANCE #13018

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE II, SECTION 38-2, DEFINITIONS, RELATING TO "ALTERNATIVE FINANCIAL SERVICES".

ACTION: PASSED ON FIRST READING

Move to approve by Councilman Anderson, seconded by Councilman Grohn,

ORDINANCE #13019

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE VIII, SECTION 38-563(B), JURISDICTION OF THE BOARD.

Attorney Hinton briefed the Council on this ordinance. Upon no questions, the motion carried.

ACTION: PASSED ON FIRST READING

MR-2015-114
Vision Chattanooga Northshore, LLC/
Passpointe Engineering, PLLC/Jan Pas
District No. 1

Move to approve by Councilman Henderson, seconded by Councilman Smith,

ORDINANCE #13020

AN ORDINANCE CLOSING AND ABANDONING A SEWER EASEMENT LOCATED AT 10 CHEROKEE BOULEVARD, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

MR-2015-102
Gabe Thomas, Collier Construction
District No. 7

Move to approve by Councilman Anderson, seconded by Councilman Smith,

ORDINANCE #13021

AN ORDINANCE CLOSING AND ABANDONING EXISTING SEWER EASEMENTS AND LINES LOCATED AT 3100 ST. ELMO AVENUE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

MR-2015-110
District of Cameron Harbor LLC/
Aaron White
District No. 7

Move to approve by Councilman Anderson, seconded by Councilman Smith,

ORDINANCE #13022

AN ORDINANCE CLOSING AND ABANDONING A SEWER EASEMENT LOCATED AT 751 RIVERFRONT PARKWAY, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

Move to approve by Councilman Hakeem, seconded by Councilman Gilbert,

RESOLUTION #28476

A RESOLUTION SUPPORTING THE PASSAGE OF LEGISLATION BY THE TENNESSEE LEGISLATURE TO MAKE THE BESSIE SMITH CULTURAL CENTER ELIGIBLE TO POSSESS A LIQUOR LICENSE.

ACTION: ADOPTED

2015-123

**Dreamtech Homes, LLC/
Sherman Smith and First Bank/
Jim McKenzie
District No. 4**

Move to defer one (1) week by Councilman Grohn
and seconded by Councilman Smith,

AGENDA ITEM VII(B):

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 1091 MACKEY AVENUE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: DEFERRED ONE (1) WEEK

2015-139

**Peter C. Cory and Miles D. Raborn
District No. 4
Planning Version**

Move to approve by Councilman Grohn, seconded by Councilman Smith,

RESOLUTION #28478

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 1813 MORRIS HILL ROAD AND 8407 AND 8575 PETTY ROAD, SUBJECT TO CERTAIN CONDITIONS.

Mike Price (MAP Engineers) confirmed with Councilman Grohn that this rezoning included a single access point. Councilman Anderson called the *question*. The motion carried.

ACTION: ADOPTED

Move to approve by Councilman Grohn, seconded by Councilman Hakeem,

RESOLUTION #28479

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO AN AGREEMENT WITH TALLEY CONSTRUCTION COMPANY RELATIVE TO CONTRACT NO. E-12-008-201 FOR CONSTRUCTION SERVICES ASSOCIATED WITH THE GUNBARREL ROAD IMPROVEMENTS FROM SHALLOWFORD ROAD TO ELAM ROAD, IN THE AMOUNT OF \$967,299.00, WITH A CONTINGENCY AMOUNT OF \$96,730.00, FOR A TOTAL AMOUNT OF \$1,064,029.00.

Councilman Grohn made a statement for the record that, contrary to an article in the newspaper, the residents affected by these improvements were heard and taken seriously. Vice Chair Freeman called the *question*. The motion carried.

ACTION: ADOPTED

Move to approve by Councilman Anderson, seconded by Vice Chair Freeman,

RESOLUTION #28480

A RESOLUTION AUTHORIZING THE TIRE CENTERS, INC. C/O MICHAEL ANDREW TO USE TEMPORARILY THE RIGHT-OF-WAY OF THE ALLEY ADJACENT TO THE SOUTH SIDE OF THE PROPERTY LOCATED AT 1148 EAST 23RD STREET TO INSTALL FENCING AND ACCESS THE ALLEYWAY, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

Move to approve by Councilman Hakeem, seconded by Councilman Anderson,

RESOLUTION #28481

A RESOLUTION AUTHORIZING THE NATIONAL MEDAL OF HONOR MUSEUM OF MILITARY HISTORY C/O JIM WADE, EXECUTIVE DIRECTOR, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ON THE SOUTHERN CORNER OF THE INTERSECTION TO SOUTH CREST ROAD AND SOUTH CREST PLACE TO INSTALL THREE (3) MEDAL OF HONOR MARKERS ADJACENT TO THE EXISTING MARKER, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

Move to approve by Councilman Hakeem, seconded by Councilman Gilbert,

RESOLUTION #28477

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO AMEND AN AGREEMENT WITH HALCROW, INC. RELATIVE TO CONTRACT NO. E-03-007-101, FOR PROFESSIONAL SERVICES ASSOCIATED WITH THE WILCOX TUNNEL REHABILITATION, FOR A DECREASED AMOUNT OF \$757,284.12, FOR A REVISED CONTRACT AMOUNT OF \$1,291,361.88.

Councilman Hakeem commented on a recent news piece on the Wilcox Boulevard Tunnel. Councilman Grohn called the *question*. The motion carried.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

(Councilman Hakeem left the meeting momentarily.)

Purchases

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

R122730 - Fire Department	\$1,068,511.00
The Purchase of One (1) One-Hundred (100) Foot Aerial Platform Apparatus Lowest/Best Bidder: Atlantic Coast Fire Trucks	
R53954 - General Services	Estimated \$100,000 Annually
Blanket Contract Renewal for Tire Capping Lowest/Best Bidder: Best One Tire	
R102743 - Information Technology	Estimated \$2,400,000 Annually
Renewal of Blanket Contract for Computer Technology, Equipment and Supplies Lowest/Best Bidder: CDW-G	
R127748 – Mayor’s Office	\$249,997.00
The Purchase of Annual Socrata Open Data Portal and GovStat Annual Support and Maintenance Services Lowest/Best Bidder: Socrata	

Councilman Smith asked Mr. Carmody for the location of the 100-foot aerial platform apparatus (R122730). Upon no further questions, **Councilman Anderson moved** to approve, seconded by Councilman Smith. The motion carried.

ACTION: APPROVED

(Councilman Hakeem returned to the meeting at this point.)

OTHER BUSINESS:

Finance Report - Debt Obligation

Daisy Madison, Chief Finance Officer, reported, as required by the State of Tennessee, on the city's debt obligation on a bond sale that closed in November. Each Council member had received a copy of the debt obligation. She gave the Clerk a copy of the debt obligation report that had been fully executed by the Mayor of Chattanooga. Chairwoman Berz stated that the report would be added to the minutes of this meeting for public viewing. (To view the reports, please see the attached.)

COMMITTEE REPORTS:

Audit & I.T. Committee

Councilman Grohn

- There will be a Celebration of the Lighting of the Tree on December 11 at Heritage Park from 6:00 – 8:00 p.m.

Budget and Finance Committee

(Councilman Mitchell not present)

Economic and Community Development Committee

Councilman Anderson

(No report)

HR Committee (Human Resources)

Vice Chair Freeman

(No report)

Planning & Zoning

Councilman Hakeem

(No report)

Public Safety Committee

Councilman Henderson

(No report)

Public Works and Transportation Committee

Councilman Smith

- The committee will meet next week (December 15) immediately following the Agenda Session.

Youth and Family Development Committee

Councilman Gilbert

- The committee will meet next week immediately following the Agenda Session for an update on the Baby University.

**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:

- **Mark Fallow (Mentone Road)** – He is concerned about private vs. residential needs related to zoning. He would like to take part in the discussions on safety issues in neighborhoods.

ADJOURNMENT

On motion of Councilman Anderson, Chairwoman Berz adjourned the meeting of the Chattanooga City Council until Tuesday, December 15, 2015, at 6:00 p.m.

CHAIRWOMAN

CLERK OF COUNCIL

(DEBT OBLIGATION REPORTS ARE ATTACHED)

REPORT ON DEBT OBLIGATION

(Pursuant to Tennessee Code Annotated Section 9-21-151)

1. Public Entity:	
Name:	<u>City of Chattanooga, TN</u>
Address	<u>101 E. 11th Street, Suite 101</u>
	<u>Chattanooga, TN 37402</u>
Debt Issue Name:	<u>General Obligation Bonds, Series 2015A</u>
If disclosing initially for a program, attach the form specified for updates, indicating the frequency required.	
2. Face Amount: \$ <u>36,345,000.00</u>	
Premium/Discount:	\$ <u>6,517,428.10</u>
3. Interest Cost: <u>2.2872</u> %	
<input checked="" type="checkbox"/> Tax-exempt <input type="checkbox"/> Taxable	
<input checked="" type="checkbox"/> TIC <input type="checkbox"/> NIC	
<input type="checkbox"/> Variable: Index _____ plus _____ basis points; or	
<input type="checkbox"/> Variable: Remarketing Agent _____	
<input type="checkbox"/> Other: _____	
4. Debt Obligation:	
<input type="checkbox"/> TRAN <input type="checkbox"/> RAN <input type="checkbox"/> CON	
<input type="checkbox"/> BAN <input type="checkbox"/> CRAN <input type="checkbox"/> GAN	
<input checked="" type="checkbox"/> Bond <input type="checkbox"/> Loan Agreement <input type="checkbox"/> Capital Lease	
If any of the notes listed above are issued pursuant to Title 9, Chapter 21, enclose a copy of the executed note with the filing with the Office of State and Local Finance ("OSLF").	
5. Ratings:	
<input type="checkbox"/> Unrated	
Moody's _____	Standard & Poor's <u>AAA</u>
	Fitch <u>AA+</u>
6. Purpose:	
<input checked="" type="checkbox"/> General Government <u>77.70</u> %	BRIEF DESCRIPTION
<input type="checkbox"/> Education _____ %	<u>financing certain public improvement projects and pay</u>
<input checked="" type="checkbox"/> Utilities <u>22.30</u> %	<u>costs associated with the issuance of the Bonds</u>
<input type="checkbox"/> Other _____ %	<u>Water Quality Improvement Fund</u>
<input type="checkbox"/> Refunding/Renewal _____ %	_____
<input type="checkbox"/> Refunding/Renewal _____ %	_____
7. Security:	
<input checked="" type="checkbox"/> General Obligation	<input type="checkbox"/> General Obligation + Revenue/Tax
<input type="checkbox"/> Revenue	<input type="checkbox"/> Tax Increment Financing (TIF)
<input type="checkbox"/> Annual Appropriation (Capital Lease Only)	<input type="checkbox"/> Other (Describe): _____
8. Type of Sale:	
<input checked="" type="checkbox"/> Competitive Public Sale	<input type="checkbox"/> Interfund Loan _____
<input type="checkbox"/> Negotiated Sale	<input type="checkbox"/> Loan Program _____
<input type="checkbox"/> Informal Bid	_____
9. Date:	
Dated Date: <u>11/10/2015</u>	Issue/Closing Date: <u>11/10/2015</u>

REPORT ON DEBT OBLIGATION

(Pursuant to Tennessee Code Annotated Section 9-21-151)

10. Maturity Dates, Amounts and Interest Rates *:

Year	Amount	Interest Rate	Year	Amount	Interest Rate
2016	\$ 2,425,000.00	5.0000 %	2027	\$ 2,420,000.00	5.0000 %
2017	\$ 2,425,000.00	5.0000 %	2028	\$ 2,420,000.00	5.0000 %
2018	\$ 2,425,000.00	5.0000 %	2029	\$ 2,420,000.00	5.0000 %
2019	\$ 2,425,000.00	5.0000 %	2030	\$ 2,420,000.00	5.0000 %
2020	\$ 2,425,000.00	5.0000 %		\$	%
2021	\$ 2,425,000.00	2.0000 %		\$	%
2022	\$ 2,425,000.00	5.0000 %		\$	%
2023	\$ 2,425,000.00	5.0000 %		\$	%
2024	\$ 2,425,000.00	5.0000 %		\$	%
2025	\$ 2,420,000.00	5.0000 %		\$	%
2026	\$ 2,420,000.00	5.0000 %		\$	%

If more space is needed, attach an additional sheet.

If (1) the debt has a final maturity of 31 or more years from the date of issuance, (2) principal repayment is delayed for two or more years, or (3) debt service payments are not level throughout the retirement period, then a cumulative repayment schedule (grouped in 5 year increments out to 30 years) including this and all other entity debt secured by the same source **MUST BE PREPARED AND ATTACHED**. For purposes of this form, debt secured by an ad valorem tax pledge and debt secured by a dual ad valorem tax and revenue pledge are secured by the same source. Also, debt secured by the same revenue stream, no matter what lien level, is considered secured by the same source.

* This section is not applicable to the Initial Report for a Borrowing Program.

11. Cost of Issuance and Professionals:

No costs or professionals

	AMOUNT (Round to nearest \$)	FIRM NAME
Financial Advisor Fees	\$ 52,579	Public Financial Management, Inc.
Legal Fees	\$ 0	
Bond Counsel	\$ 52,579	Katten Muchin Rosenman LLP
Issuer's Counsel	\$ 0	
Trustee's Counsel	\$ 0	
Bank Counsel	\$ 0	
Disclosure Counsel	\$ 0	
	\$ 0	
Paying Agent Fees	\$ 394	U.S. Bank National Association (paying agent)
Registrar Fees	\$ 0	
Trustee Fees	\$ 0	
Remarketing Agent Fees	\$ 0	
Liquidity Fees	\$ 0	
Rating Agency Fees	\$ 53,893	Fitch and Standard & Poor's
Credit Enhancement Fees	\$ 0	
Bank Closing Costs	\$ 0	
Underwriter's Discount _____ %		
Take Down	\$ 73,410	Piper Jaffray
Management Fee	\$ 0	
Risk Premium	\$ 0	
Underwriter's Counsel	\$ 0	
Other expenses	\$ 0	
Printing and Advertising Fees	\$ 329	Wold Printing
Issuer/Administrator Program Fees	\$ 0	
Real Estate Fees	\$ 0	
Sponsorship/Referral Fee	\$ 0	
Other Costs _____	\$	
TOTAL COSTS	\$ 233,183	

REPORT ON DEBT OBLIGATION
(Pursuant to Tennessee Code Annotated Section 9-21-151)

12. Recurring Costs:																	
<input type="checkbox"/> No Recurring Costs																	
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13. Disclosure Document / Official Statement:																	
<input type="checkbox"/> None Prepared																	
<input checked="" type="checkbox"/> EMMA link	http://emma.msrb.org/SecurityView/SecurityDetails.aspx?cusip=A1C3 or																
<input type="checkbox"/> Copy attached																	
14. Continuing Disclosure Obligations:																	
Is there an existing continuing disclosure obligation related to the security for this debt?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No																
Is there a continuing disclosure obligation agreement related to this debt?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																
If yes to either question, date that disclosure is due <u>March 30 (of each year, starting 3/30/16)</u>																	
Name and title of person responsible for compliance <u>Daisy W. Madison, City Finance Officer</u>																	
15. Written Debt Management Policy:																	
Governing Body's approval date of the current version of the written debt management policy	<u>12/06/2011</u>																
Is the debt obligation in compliance with and clearly authorized under the policy?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No																
16. Written Derivative Management Policy:																	
<input checked="" type="checkbox"/> No derivative																	
Governing Body's approval date of the current version of the written derivative management policy	_____																
Date of Letter of Compliance for derivative	_____																
Is the derivative in compliance with and clearly authorized under the policy?	<input type="checkbox"/> Yes <input type="checkbox"/> No																
17. Submission of Report:																	
To the Governing Body:	on <u>12/01/2015</u> and presented at public meeting held on <u>12/08/2015</u>																
Copy to Director to OSLF:	on <u>12/09/2015</u> either by:																
<input type="checkbox"/> Mail to:	OR <input checked="" type="checkbox"/> Email to:																
505 Deaderick Street, Suite 1600	<u>StateAndLocalFinance.PublicDebtForm@cot.tn.gov</u>																
James K. Polk State Office Building																	
Nashville, TN 37243-1402																	
18. Signatures:																	
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AUTHORIZED REPRESENTATIVE	PREPARER																
Name	_____																
Title	_____																
Firm	<u>Public Financial Management, Inc.</u>																
Email	_____																
Date	_____																
Name	<u>[Signature]</u>																
Title	<u>Mayor</u>																
Firm	_____																
Email	<u>aberke@chattanooga.gov</u>																
Date	_____																

REPORT ON DEBT OBLIGATION
(Pursuant to Tennessee Code Annotated Section 9-21-151)

1. Public Entity:
 Name: City of Chattanooga, TN
 Address: 101 E. 11th Street, Suite 101
Chattanooga, TN 37402
 Debt Issue Name: General Obligation Refunding Bonds, Series 2015B
 If disclosing initially for a program, attach the form specified for updates, indicating the frequency required.

2. Face Amount: \$ 18,955,000.00
 Premium/Discount: \$ 2,619,444.80

3. Interest Cost: 2.1497 % Tax-exempt Taxable
 TIC NIC
 Variable: Index _____ plus _____ basis points; or
 Variable: Remarketing Agent _____
 Other: _____

4. Debt Obligation:
 TRAN RAN CON
 BAN CRAN GAN
 Bond Loan Agreement Capital Lease
 If any of the notes listed above are issued pursuant to Title 9, Chapter 21, enclose a copy of the executed note with the filing with the Office of State and Local Finance ("OSLF").

5. Ratings:
 Unrated
 Moody's _____ Standard & Poor's AAA Fitch AA+

6. Purpose:

		BRIEF DESCRIPTION
<input type="checkbox"/> General Government	_____ %	<u>advance refunding of Series 2009 and Series 2010A Bonds</u>
<input type="checkbox"/> Education	_____ %	_____
<input type="checkbox"/> Utilities	_____ %	_____
<input type="checkbox"/> Other	_____ %	_____
<input checked="" type="checkbox"/> Refunding/Renewal	<u>100.00</u> %	_____

7. Security:
 General Obligation General Obligation + Revenue/Tax
 Revenue Tax Increment Financing (TIF)
 Annual Appropriation (Capital Lease Only) Other (Describe): _____

8. Type of Sale:
 Competitive Public Sale Interfund Loan _____
 Negotiated Sale Loan Program _____
 Informal Bid _____

9. Date:
 Dated Date: 11/10/2015 Issue/Closing Date: 11/10/2015

REPORT ON DEBT OBLIGATION
(Pursuant to Tennessee Code Annotated Section 9-21-151)

10. Maturity Dates, Amounts and Interest Rates *:

Year	Amount	Interest Rate	Year	Amount	Interest Rate
2021	\$ 2,580,000.00	3.0000 %		\$	%
2022	\$ 2,550,000.00	3.0000 %		\$	%
2023	\$ 2,520,000.00	3.0000 %		\$	%
2024	\$ 2,515,000.00	5.0000 %		\$	%
2025	\$ 2,205,000.00	5.0000 %		\$	%
2026	\$ 2,215,000.00	5.0000 %		\$	%
2027	\$ 2,205,000.00	3.0000 %		\$	%
2028	\$ 2,165,000.00	3.0000 %		\$	%
	\$	%		\$	%
	\$	%		\$	%
	\$	%		\$	%

If more space is needed, attach an additional sheet.

If (1) the debt has a final maturity of 31 or more years from the date of issuance, (2) principal repayment is delayed for two or more years, or (3) debt service payments are not level throughout the retirement period, then a cumulative repayment schedule (grouped in 5 year increments out to 30 years) including this and all other entity debt secured by the same source **MUST BE PREPARED AND ATTACHED**. For purposes of this form, debt secured by an ad valorem tax pledge and debt secured by a dual ad valorem tax and revenue pledge are secured by the same source. Also, debt secured by the same revenue stream, no matter what lien level, is considered secured by the same source.

* This section is not applicable to the Initial Report for a Borrowing Program.

11. Cost of Issuance and Professionals:

No costs or professionals

	AMOUNT <small>(Round to nearest \$)</small>	FIRM NAME
Financial Advisor Fees	\$ 27,421	Public Financial Management, Inc.
Legal Fees	\$ 0	
Bond Counsel	\$ 27,421	Katten Muchin Rosenman LLP
Issuer's Counsel	\$ 0	
Trustee's Counsel	\$ 0	
Bank Counsel	\$ 0	
Disclosure Counsel	\$ 0	
Paying Agent Fees	\$ 806	U.S. Bank National Association (paying agent and escrow agent)
Registrar Fees	\$ 0	
Trustee Fees	\$ 0	
Remarketing Agent Fees	\$ 0	
Liquidity Fees	\$ 0	
Rating Agency Fees	\$ 28,107	Fitch and Standard & Poor's
Credit Enhancement Fees	\$ 0	
Bank Closing Costs	\$ 0	
Underwriter's Discount _____%		
Take Down	\$ 38,285	Piper Jaffray
Management Fee	\$ 0	
Risk Premium	\$ 0	
Underwriter's Counsel	\$ 0	
Other expenses	\$ 0	
Printing and Advertising Fees	\$ 171	Wold Printing
Issuer/Administrator Program Fees	\$ 0	
Real Estate Fees	\$ 0	
Sponsorship/Referral Fee	\$ 0	
Other Costs <u>Verification Agent</u>	\$ 1,850	Robert Thomas CPA
TOTAL COSTS	\$ 124,062	

REPORT ON DEBT OBLIGATION
(Pursuant to Tennessee Code Annotated Section 9-21-151)

12. Recurring Costs:

No Recurring Costs

	AMOUNT (Basis points/\$)	FIRM NAME (If different from #11)
Remarketing Agent		
Paying Agent / Registrar	\$300	US Bank National Association
Trustee		
Liquidity / Credit Enhancement		
Escrow Agent	\$600	US Bank National Association
Sponsorship / Program / Admin		
Other		

13. Disclosure Document / Official Statement:

None Prepared

EMMA link <http://emma.msrb.org/SecurityView/SecurityDetails.aspx?cusip=A1C3> or

Copy attached

14. Continuing Disclosure Obligations:

Is there an existing continuing disclosure obligation related to the security for this debt? Yes No

Is there a continuing disclosure obligation agreement related to this debt? Yes No

If yes to either question, date that disclosure is due March 30 (of each year, starting 3/30/16)

Name and title of person responsible for compliance Daisy W. Madison, City Finance Officer

15. Written Debt Management Policy:

Governing Body's approval date of the current version of the written debt management policy 12/06/2011

Is the debt obligation in compliance with and clearly authorized under the policy? Yes No

16. Written Derivative Management Policy:

No derivative

Governing Body's approval date of the current version of the written derivative management policy _____

Date of Letter of Compliance for derivative _____

Is the derivative in compliance with and clearly authorized under the policy? Yes No

17. Submission of Report:

To the Governing Body: on 12/01/2015 and presented at public meeting held on 12/08/2015

Copy to Director to OSLF: on 12/09/2015 either by:

Mail to: 505 Deaderick Street, Suite 1600
James K. Polk State Office Building
Nashville, TN 37243-1402

OR Email to: StateAndLocalFinance.PublicDebtForm@cot.tn.gov

18. Signatures:

	AUTHORIZED REPRESENTATIVE	PREPARER
Name	<u>[Signature]</u>	
Title	<u>Mayor</u>	
Firm		<u>Public Financial Management, Inc.</u>
Email	<u>aberke@chattanooga.gov</u>	
Date		