



City Council Building  
Chattanooga, Tennessee  
**COUNCIL MEETING MINUTES**  
March 15, 2016  
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 Smith led the Assembly in the Pledge of Allegiance. He then invited Lurone Jennings, Youth and Family Development Administrator, to give the invocation.

### **APPROVAL OF LAST MINUTES**

**On motion of Councilman Anderson and seconded by Councilman Gilbert**, the minutes of the last meeting (March 8, 2016) were approved as published.

### **SPECIAL PRESENTATION**

#### ***Mayor's Council on Women – Leadership Committee***

Chairwoman Berz introduced the Leadership Committee's chair, Robin Derryberry to discuss the committee's three areas of work. She read the names of all committee members. Those in attendance introduced themselves to the Council:

- Laura Hessler (The HR Shop)
- Jenni Berz (Private Dispute Resolution Services)
- Elizabeth Hammitt (EPB)
- Assistant Police Chief Dana Vaughn (Chattanooga Police Dept.)

A discussion ensued with Ms. Derryberry, with Vice Chair Freeman asking about the number of women on the city's board and commissions. When Councilman Hakeem asked about the wages of women in comparison to the wages of men, Ms. Derryberry informed the Council that another committee on the Mayor's Council for Women was studying wages. Councilman Henderson requested a list of women that he could consider for a board appointment. Chairwoman Berz confirmed that she had received the resumes of committee members expressing interest in board and commission membership. She also referred other interested citizens to the boards and commissions page on the city's website.

**ORDINANCES – FINAL READING:**

**2016-025**

**Roger Radpoir and Kaihan Strain**

**District No. 3**

**Planning Version**

On motion of Councilman Smith and seconded by Councilman Henderson,

**ORDINANCE #13028**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 6708 HIXSON PIKE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE.**

**ACTION: APPROVED**

**2016-018**

**Joseph Parks and James Rogers**

**District No. 4**

**Planning Version**

On motion of Councilman Grohn and seconded by Councilman Smith,

**ORDINANCE #13029**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 7504 OLD LEE HIGHWAY, MORE PARTICULARLY DESCRIBED HEREIN, FROM C-2 CONVENIENCE COMMERCIAL ZONE TO R-4 SPECIAL ZONE.**

**ACTION: APPROVED**

**2016-013**

**Chestnut Holdings, LLC/**

**Matt Hullander, Jonathan Frost, and John Clark**

**District No. 7**

**Planning Version**

On motion of Councilman Anderson and seconded by Councilman Grohn,

**ORDINANCE #13030**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1413 CHESTNUT STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

**2016-015**  
**Asa Engineering c/o Allen Jones**  
**and John Pregulman/Rober Partners**  
**District No. 7**  
**Planning Version**

On motion of Councilman Anderson and seconded by Councilman Grohn,

**ORDINANCE #13031**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 551 WEST 21<sup>ST</sup> STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

**2016-026**  
**Ben Peppers of Peppers Construction Company/**  
**Nancy Miller**  
**District No. 7**  
**Planning Version**

On motion of Councilman Anderson and seconded by Councilman Smith,

**ORDINANCE #13032**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1813 MARKET STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

**2016-012**  
**Richard Zavala**  
**District No. 8**  
**Planning Version**

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

**ORDINANCE #13033**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 1446 CENTRAL AVENUE AND 901, 911, AND 915 EAST MAIN STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

On motion of Councilman Mitchell and seconded by Councilman Henderson,

**ORDINANCE #13034**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE V, DIVISION 25, SECTION 38-402, APPLICATION PROCEDURE FOR PLANNED UNIT DEVELOPMENT TO DELETE THE REFERENCE TO A SIXTY (60) MONTH PERIOD AND FOR CORRECTION OF WORDING WITHIN SUBSECTIONS (2)(B), (5)(A), (6), AND (6)(C).**

**ACTION: APPROVED**

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

**ORDINANCE #13035**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE V, DIVISION 30, URBAN INFILL LOT COMPATIBILITY OPTION, SECTION 38-482, PROCESS.**

**ACTION: APPROVED**

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

**ORDINANCE #13036**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE V, DIVISION 26, SECTIONS 38-411 THROUGH 38-419, PLANNED UNIT DEVELOPMENT: INSTITUTIONAL.**

**ACTION: APPROVED**

**ORDINANCES – FIRST READING: (NONE)**

**RESOLUTIONS:**

On motion of Councilman Hakeem and seconded by Councilman Smith,

**RESOLUTION #28551**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT, IN SUBSTANTIALLY THE FORM ATTACHED, WITH THE CHATTANOOGA HISTORY CENTER TO LEASE APPROXIMATELY THREE THOUSAND NINE HUNDRED (3,900) SQUARE FEET, IN A PORTION OF 1170 SOUTH WATKINS STREET, TAX MAP NO. 156C-C-012, FOR AN AMOUNT OF ONE DOLLAR (\$1.00) PER YEAR, CONTINGENT UPON APPROVAL BY THE REGIONAL PLANNING AGENCY ON MARCH 14, 2016.**

Councilman Smith asked the City Attorney about the city's liability in relation to the housing of the artifacts. Attorney Hinton responded about the liability clause in the agreement.

**ACTION: ADOPTED**

On motion of Councilman Grohn and seconded by Councilman Smith,

**RESOLUTION #28552**

**A RESOLUTION AUTHORIZING THE CHIEF INFORMATION TECHNOLOGY OFFICER TO EXECUTE A CONTRACT WITH AST CORPORATION AS THE PROVIDER OF HOSTING AND PROFESSIONAL SERVICES FOR ORACLE E-BUSINESS SUITE SLA, AND OTHER TECHNICAL SERVICES TO THE DEPARTMENT OF INFORMATION TECHNOLOGY FOR THE PERIOD OF ONE (1) YEAR BEGINNING MARCH 1, 2016 THROUGH MARCH 1, 2017 (WITH THE OPTION TO EXTEND FOR TWO (2) ADDITIONAL YEARS), FOR AN AMOUNT NOT TO EXCEED \$1 MILLION PER CONTRACT YEAR.**

**ACTION: ADOPTED**

On motion of Councilman Smith and seconded by Councilman Mitchell,

**RESOLUTION #28553**

**A RESOLUTION TO AWARD CONSENT DECREE CONTRACT NO. W-12-026-201 TO CHASE PLUMBING & MECHANICAL, INC., CHATTANOOGA, TN, DUPONT PUMP STATION AND BASIN IMPROVEMENTS – PHASE I, IN THE AMOUNT OF \$5,448,802.00, WITH A CONTINGENCY AMOUNT OF \$272,440.00, FOR AN AMOUNT NOT TO EXCEED \$5,721,242.00, SUBJECT TO SRF LOAN APPROVAL.**

Councilman Smith voiced concerns about the timeline of the construction and wanted to find out if it would take place during the school year. Dennis Malone responded on behalf of Public Works that this was the best time to start this process. He indicated that the length of time during the award process would push the construction work to begin in the summer.

**ACTION: ADOPTED**

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

**RESOLUTION #28554**

**A RESOLUTION AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO A JOINT FUNDING AGREEMENT (JFA) BETWEEN THE U.S. GEOLOGICAL SURVEY (USGS) AND THE CITY OF CHATTANOOGA TO OPERATE THREE (3) CONTINUOUS, REAL-TIME, STREAM GAUGES LOCATED ON NORTH CHICKAMAUGA CREEK, SOUTH CHICKAMAUGA CREEK, AND CHATTANOOGA CREEK, FOR THE PERIOD BEGINNING APRIL 1, 2016 THROUGH MARCH 31, 2017, WITH A CONTRIBUTION OF \$10,875.00 FROM THE USGS AND \$32,625.00 FROM THE CITY OF CHATTANOOGA, FOR A TOTAL COST OF \$43,500.00.**

**ACTION: ADOPTED**

On motion of Councilman Gilbert and seconded by Councilman Smith,

**RESOLUTION #28555**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO AMEND AN AGREEMENT WITH TALLEY CONSTRUCTION, INC. RELATIVE TO CONTRACT NO. T-14-017-201 FOR CONSTRUCTION SERVICES ASSOCIATED WITH THE WEST SHEPHERD ROAD IMPROVEMENTS, ORIGINALLY ESTABLISHED UNDER RESOLUTION NO. 28213, FOR A DECREASED AMOUNT OF \$88,606.40, FOR A REVISED CONTRACT AMOUNT OF \$679,100.00.**

**ACTION: ADOPTED**

**Temp Usage No. 2016-008**

On motion of Councilman Anderson and seconded by Councilman Smith,

**RESOLUTION #28556**

**A RESOLUTION AUTHORIZING LEWIN BROS, LLC, PROPERTY OWNER, TO USE TEMPORARILY THE RIGHT-OF-WAY OF THE ALLEY ADJACENT TO 4905 AND 4907 FLORIDA AVENUE TO INSTALL A DRIVEWAY, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: ADOPTED**

**DEPARTMENTAL REPORTS:**

**Economic and Community Development**

Administrator Donna Williams made a visual presentation on the department's Rental Renovation Program. Her presentation included information on the following:

- Introduction to the Program
- Guidelines
- What does a landlord need to do?
- Selection Criteria
- Population Served
- Production
- Property on Peachtree Street
- Property on Willow Street
- Property on S. Hawthorne St.
- Property on Kirby Avenue
- Property on Meadowbrook Lane

Ms. Williams responded to questions on the following:

- The duration of the rehab
- Condemned structures
- Restrictions for property owners who wish to sale
- Citizens not wanting certain structures in their community
- Other programs available to property owners

**Purchases**

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

**R91072 - Public Works** Estimated \$30,000 Annually  
Blanket Contract Renewal for Workforce  
Safety Equipment  
Lowest/Best Bidder: Roll-Aid Industrial Supply  
P.O. Box 2346  
Chattanooga, TN 37409

**R53819 - Public Works** Estimated \$35,000 Annually  
Blanket Contract Renewal for High-Visibility  
Work Clothing  
Lowest/Best Bidder: Reflective Apparel Factory  
1649 Sands Place, Suite J, Marietta, GA 30067

**R89565 - Public Works** Estimated \$36,000 Annually  
Blanket Contract Renewal for purchase of Hand Tools  
Lowest/Best Bidder: Ram Tool and Supply Company  
2011 Curtain Pole Rd., Chattanooga, TN 37406

**R130384 - Public Works** \$206,260.00  
The Purchase of two Replacement Electrical  
Switchgears  
Lowest/Best Bidder: Lawson Electric Company  
409 Spring St., Chattanooga, TN 37405

**R126157 General Services** Estimated \$100,000 Total, Annually  
Two New Blanket Contracts for Janitorial  
and Cleaning Supplies  
Lowest/Best Bidders:

1. American Paper & Twine Company  
2134 Amnicola Hwy., Chattanooga, TN 37406
2. Jacobs Whole Paper Company  
1300 Chestnut St., Chattanooga, TN 37402

**R130359; R130360; R130361; R130362**  
**Police Department** Estimated \$100,000 Total, Annually  
Four New Blanket Contracts for Police  
Department Uniforms  
Lowest/Best Bidder: Summit Uniforms  
2901 E. Magnolia Avenue, Knoxville, TN 37914

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

**ACTION: APPROVED**

## **OTHER BUSINESS:**

### **City Attorney's Report**

Attorney Hinton informed the Council that a case involving an accident in August 2015 had gone through mediation. As a result of that mediation, the plaintiff, Marissa Madden, had agreed to a \$45,000 settlement. He then asked the Council to accept the settlement. **Councilman Grohn moved** to accept the settlement, seconded by Councilman Anderson.

### **Board Appointment**

Vice Chair Freeman appointed **Reginald Favors** as District 8 representative on Youth and Family Development's Human Services Advisory Board.

## **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 March 29. He will announce the meeting topic soon.

### *HR Committee (Human Resources)*

Vice Chair Freeman  
(No report)

### *Planning & Zoning*

Councilman Hakeem  
(No report)

### *Public Safety Committee*

Councilman Henderson

- The committee will hold a panel discussion on crime and safety on March 22.

### *Public Works and Transportation Committee*

Councilman Smith

- The committee met today to review items on this week's and next week's agendas.
- The committee will meet again on March 29 to review agenda items and to hear a presentation by CARTA.

### *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 individual:

- **Monty Bell (Chattanooga)** – He informed the Council of his return to Chattanooga in 1992, his show in Philadelphia and the program for youth that he created in Chattanooga. Before his allotted time ran out, he told about the lack of adequate funding for the youth program and past litigation against a school principal.

**ADJOURNMENT**

**On motion of Councilman Anderson**, Chairwoman Berz adjourned the meeting of the Chattanooga City Council until Tuesday, March 22, 2016, at 6:00 p.m.

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**CHAIRWOMAN**

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**CLERK OF COUNCIL**