



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
March 29, 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. Deputy City Attorney Phil Noblett and Council Clerk Nicole Gwyn, CMC, were also present.

PLEDGE OF ALLEGIANCE

Vice Chair Freeman led the Assembly in the Pledge of Allegiance. He invited Anthony Cothorn, a Police chaplain, 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 22, 2016) were approved as published.

SPECIAL PRESENTATION

Proclamation Honoring Veronica Herrera
Positive Image Award Winner 2016
By Councilman Yusuf Hakeem

Councilman Hakeem invited Veronica Herrera, along with her daughter, to the podium and made the following proclamation:

Whereas: Veronica is a culture philanthropist and community activist in America and abroad. She is a cultural ambassador of Latino culture whose selfless service resonates throughout the community.

Whereas: Veronica's country of origin is Venezuela. She works as a Language and Research Skills Teacher and public speaking coach at McCallie School, where she is preparing many of tomorrow's leaders.

Whereas: In 2015, she was the recipient of Chattanooga's Choice Award at La Paz's annual Latino Leadership Awards.

Whereas: She has served as a leader for the International Professional Women’s Network, an international training organization designed to empower women by assisting individuals in starting or expanding a consulting, coaching or seminar business.

Whereas: She has been a member of the board for Chattanooga Autism Center, Chattanooga Children’s International Summer Village, and Habitat for Humanity. She was a planning member in the Neighborhood Rehabilitation Program for the Ridgedale Community Association.

Whereas: In 2016, Hispanicize, the nation’s premier gathering of Latino digital content creators, marketers, and tech entrepreneurs, announced Veronica as a recipient of the Positive Impact Awards, a national program sponsored by Prudential Financial, Inc.

Now Therefore,

The City of Chattanooga Honors and Recognizes

Veronica Herrera

2016 Recipient of the Hispanicize Positive Image Award

Presented by:

Councilman Yusuf Hakeem
Chattanooga City Council, District 9

After receiving the proclamation, Ms. Herrera informed the Council of some of her community service work as a “culture philanthropist.” She further informed the Council of how receiving Hispanicize’s Positive Image Award has now placed her in the running for Hispanicize’s “Person of the Year” award. She explained how winning the Person of the Year Award to Chattanooga would impact the city of Chattanooga. She asked the Assembly to support her by voting at <http://www.hispzpia.com/index.php/2016-winners/veronica-herrera.html>.

She also informed the Council that her daughter wants to attend the University of Tennessee at Chattanooga and wants to develop in her chosen profession here in Chattanooga.

ORDINANCES – FINAL READING: (NONE)

ORDINANCES – FIRST READING:

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

ORDINANCE #13037

AN ORDINANCE GRANTING UNTO E. 10TH STREET RSD, LLC, A FRANCHISE TO MAINTAIN INSTALLED CONCRETE FOOTINGS EXTENDING ONE (1') FOOT INTO THE RIGHT-OF-WAY ALONG UNIVERSITY STREET, DOUGLAS STREET, AND AN UNNAMED TEN (10') FOOT ALLEYWAY, AND TO MAINTAIN A STORMWATER STRUCTURE AND WATER QUALITY UNIT WITHIN THE CITY RIGHT-OF-WAY ON EAST 10TH STREET, AS SHOWN ON THE MAPS AND DIAGRAMS ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

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

RESOLUTION #28567

A RESOLUTION TO CONFIRM THE MAYOR'S APPOINTMENT OF VICKIE HALEY AS INTERIM CITY TREASURER.

Daisy Madison, Chief Finance Officer, recognized Ms. Haley for taking on the role of Interim City Treasurer in addition to her current role as Finance's Deputy Administrator.

ACTION: ADOPTED

On motion of Councilman Smith and seconded by Councilman Mitchell,

RESOLUTION #28568

A RESOLUTION TO CONFIRM THE MAYOR'S APPOINTMENT OF JUSTIN HOLLAND AS THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS.

Councilman Hakeem recognized and commended Mr. Holland for his years of service to the City.

ACTION: ADOPTED

City of Chattanooga
c/o Bill Payne, Engineer

On motion of Councilman Henderson and seconded by Councilman Smith,

RESOLUTION #28569

A RESOLUTION TO RENAME THE 100 TO 199 BLOCK OF OLD SIGNAL MOUNTAIN ROAD TO 100 TO 199 BLOCK OF RAIDER LANE, CASE NO. 2016-PW-01.

ACTION: ADOPTED

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

RESOLUTION #28570

A RESOLUTION AUTHORIZING THE ACQUISITION OF 0.147 ACRES, MORE OR LESS, FROM PROPERTY OWNERS, TOMMY AND KELLIE THOMPSON, RELATIVE TO CONTRACT NO. E-12-008, GUNBARREL ROAD WIDENING, BEING A PORTION OF TRACT 12, 2411 GUNBARREL ROAD, TAX MAP NO. 149A-B-015, IN THE AMOUNT OF \$127,450.00.

ACTION: ADOPTED

On motion of Councilman Grohn and seconded by Councilman Smith,

RESOLUTION #28571

A RESOLUTION AUTHORIZING THE ACQUISITION OF 0.028 ACRES, MORE OR LESS, FROM PROPERTY OWNER, MCOMIE ENTERPRISES, LLC, RELATIVE TO CONTRACT NO. E-12-008, GUNBARREL ROAD WIDENING, BEING A PORTION OF TRACT 1, 7333 SHALLOWFORD ROAD, TAX MAP NO. 149H-G-020, IN THE AMOUNT OF \$37,300.00.

ACTION: ADOPTED

On motion of Councilman Grohn and seconded by Councilman Smith,

RESOLUTION #28572

A RESOLUTION AUTHORIZING THE ACQUISITION OF 0.004 ACRES, MORE OR LESS, BY DONATION FROM PROPERTY OWNER, BYRON DEFOOR, RELATIVE TO CONTRACT NO. E-12-008, GUNBARREL ROAD WIDENING, BEING A PORTION OF TRACT 9, 2346 ELAM LANE, TAX MAP NO. 149H-G-011.

ACTION: ADOPTED

On motion of Councilman Grohn and seconded by Councilman Smith,

RESOLUTION #28573

A RESOLUTION AUTHORIZING THE ACQUISITION OF 0.246 ACRES, MORE OR LESS, BY DONATION FROM PROPERTY OWNER, NAPIER ASSOCIATES, RELATIVE TO CONTRACT NO. E-12-008, GUNBARREL ROAD WIDENING, REGARDING THE PORTIONS OUTLINED BELOW.

ACTION: ADOPTED

On motion of Councilman Grohn and seconded by Councilman Smith,

RESOLUTION #28574

A RESOLUTION AUTHORIZING THE ACQUISITION OF 0.377 ACRES, MORE OR LESS, BY DONATION FROM PROPERTY OWNER, GUNBARREL PARTNERS, RELATIVE TO CONTRACT NO. E-12-008, GUNBARREL ROAD WIDENING, REGARDING THE PORTIONS OUTLINED BELOW.

Councilman Grohn highlighted the point that this acquisitions from Byron Defoor and Napier Associates equates to \$540,000 in current property value.

ACTION: ADOPTED

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

RESOLUTION #28575

A RESOLUTION AUTHORIZING VICTORY SIGN, INC. C/O DEBBIE HOLSOMBACK, AGENT FOR THE PROPERTY OWNER, E. 10TH STREET RSD, LLC C/O CHRIS CURTIS, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ON EAST 10TH STREET AND DOUGLAS STREET ADJACENT TO 415 EAST 10TH STREET TO INSTALL SIGNAGE, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Purchases

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

R131374 - Public Works

Estimated \$60,000 Annually

Two New Blanket Contracts for Waste and Recycling Receptacles

Lowest/Best Bidder:

1. Recycle Away, LLC
45 Flat Street, Brattleboro, VT 05301
2. Graber Manufacturing, Inc.
1080 Uniek Drive, Waunakee, WI 53597

R130167 - Public Works

Estimated \$100,000 Annually

New Blanket Contract for Centrifuge Parts, Repair and Reconditioning Services

Lowest/Best Bidder: CENCO

1325 SW Ordnance, Ankeny, IA 50023

R72908 (520461) - Public Works

Estimated \$50,000 Annually

Blanket Contract Renewal for Filter Press Filter Cloths

Lowest/Best Bidder: Clear Edge Filtration

4563 Jordan Road, Skaneatelea, NY 13153

R131129 - Public Works

\$33,486.00

The Purchase of One (1) Fairbanks Morse Pump Rotating Assembly and One (1) Impeller

Lowest/Best Bidder: Guthrie Sales & Service,

7003 Chadwick Drive, Suite 300, Brentwood, TN 37027

R114343 - General Services

Estimated Total \$1,000,000 Annually

Blanket Contracts Limit Increase for HVAC Services

1. Mountain City Service, Inc.
2408 Taft Highway, Signal Mountain, TN 37377
2. W J O'Neil Company
500-A 26th Street, Chattanooga, TN 37408

R89219 (525881) (525883) - General Services

Estimated Total \$500,000 Annually

Two Blanket Contract Renewal for Plumbing Services

Lowest/Best Bidder:

1. Chase Services, LLC
6119 Airways Boulevard, Chattanooga, TN 37421
2. Keefe Plumbing & Heating Co, Inc.
1820 E 23rd Street, Chattanooga, TN 37404

R74988 - IT Department

Estimated \$500,000 Annually

Blanket Contract Renewal for Verizon Wireless
High Speed & Cell Voice and Data Services

Lowest/Best Bidder: Verizon Wireless Services, LLC
5959 Shallowford Road, #109, Chattanooga, TN 37421

R58993 - IT Department

Estimated \$30,000 Annually

Blanket Contract Renewal for NetMotion Premium
Technical Support and Maintenance

Lowest/Best Bidder: Insight Public Sector
6820 South Harl Avenue, Tempe AZ 85283

Mr. Carmody responded to questions from Vice Chair Freeman on R89219 (525881) (525883) - General Services. He also responded to questions from Councilman Henderson on the limit increase for R114343-General Services. Upon no further questions, **Councilman Anderson moved** to approve, seconded by Councilman Grohn. The motion carried.

ACTION: APPROVED

OTHER BUSINESS:

PUBLIC HEARING – HIDDEN ACRES APARTMENTS

**A RESOLUTION REGARDING HIDDEN ACRES APARTMENTS
AND PUBLIC FINANCE AUTHORITY MULTIFAMILY HOUSING
REVENUE BONDS (DOGWOOD HOUSING, INC. SOUTHEAST
PORTFOLIO PROJECT) SERIES 2016.**

Attorney Noblett gave an introduction to the proposed resolution. He informed the Council that the city had been contacted on February 5, 2016, by an attorney representing a developer that was rehabilitating nine complexes in four states. He indicated that one of the properties to be rehabilitated was the Hidden Acres Apartments, a low-income housing unit, in Hixson. He explained that the IRS required a TEFRA (Tax Equity and Fiscal Responsibility Act) hearing before a body of elected officials so that members of the public could express their views on the project. He informed the Council that public notice was required 14 days prior to the hearing, and that such notice had been published in the local newspaper on March 12, 2016. He confirmed in open meeting that the Council Clerk had not received objections from the public regarding today's hearing.

In response to questions from Councilman Henderson, Attorney Noblett explained that no costs would be incurred by the City of Chattanooga in this matter, and that the purpose of the resolution is to affirm that a public hearing had taken place as required.

Chairwoman Berz opened the floor to attorney Thomas Francis, of Balch & Bingham LLP, who represented the developer in the rehab project. Mr. Francis further explained the purpose of the resolution, the "charitable purpose" that would be fulfilled by the project and the benefits of rehabilitating an existing property.

A discussion ensued with Mr. Francis, who responded to the following questions from the Council:

- What is the City being asked to do? (Attorney Noblett responded.)
- Is the Council being asked to approve the funds related to the project?
- Will this be a debt of the city?
- Will current residents be displaced?
- Will there be language changes made to the body of the bill if opposition is on record?
- What is the budget for the project?
- Can you explain the building rehab?
- Is there a stipulation for relocating residents?
- Who pays the fees for relocating residents?
- Who incurs the fees to meet ADA standards?
- Will ADA compliance be adhered to?
- Would changes in the language affect the bond? (Attorney Noblett responded)
- Will residents be displaced? (Both attorneys responded)
- What is the cost of rehabilitation?
- Will the cost of rehabilitation affect the rental rate?
- Will rent be at market rate?
- What are the rules in place regarding the lease rates for exiting tenants?
- With an average of \$6,000 in renovations per unit, what will be the quality of the work?
- Is the \$6,000 per unit covering just paint and carpeting?
- Why should the Council approve it?
- How significant would a delay be to the project?

Mr. Francis agreed to email the Council with answers to any questions that he was unable to answer during the hearing. He promised to send responded on tomorrow.

Councilman Anderson recommended that Mr. Francis view the video from tonight's Council meeting, which will be posted tomorrow on the city's website, to ensure that he has all the questions that were left unanswered.

Chairwoman Berz asked if there were any members of the public who wished to be heard during this public hearing. She recognized the following persons:

- **Helen Burns Sharpe (Chattanooga)** – She was not in opposition to the project, but wanted to commend the Council for conducting this public hearing and recommended that the Council continue to hear such tax equity and abatement matters.
- **Gary Ball (Tower Construction)** – He worked with a company renovating 150 units and wanted to explain to the Council how it would be possible to renovate the Hidden Acres property without relocating residents off-site. He also noted that \$6,000 - \$8,000
- **Edward Greene, Jr. (Chattanooga)** – He wanted to know if the Council's questions to Mr. Francis will delay the project. He asked the Council to do what it can today on this matter.
- **Jefferson Hodge (Chattanooga)** – Since affordable housing had been mentioned in the public hearing, he wanted to speak on what affordable housing means based upon federal guidelines regarding median income.

Councilman Hakeem moved to defer one (1) week, seconded by Councilman Henderson. Upon roll call vote, the motion carried as follows:

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

ACTION: DEFERRED ONE (1) WEEK

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 met today for a presentation on illegal tire dumping by Elizabeth Roderick of the City Attorney's Office and Gary Hilbert of Land Development. The illegal tire dumping ordinance will appear on the Council's agenda in two weeks.

HR Committee (Human Resources)

Vice Chair Freeman
(No report)

Planning & Zoning

Councilman Hakeem

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

Public Safety Committee

Councilman Henderson

- The committee meeting originally scheduled for today for the appearance of District Attorney General Neal Pinkston had been cancelled. He informed the Assembly that the Council had withdrawn the enforcement of its subpoena for Mr. Pinkston to appear.

Public Works and Transportation Committee

Councilman Smith

- The committee met today to discuss items on that the Council voted on tonight and will vote on next week. The Council also heard a presentation by CARTA on their Multimodal Transportation Center Study.
- The next committee meeting will take place in two weeks.

Youth and Family Development Committee
Councilman Gilbert

- The committee will meet next week for an update by the Department of Youth & Family Development.

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

Attorney Noblett read the rules of procedure for persons wishing to address the Council on non-agenda items. After which, Chairwoman Berz recognized the following persons:

- **Joanne Holiday-Johnson (W. 40th Street)** – She was arrested, but two of her personal belongings were not returned when she was released. She wanted to know how to file a lawsuit against the city, county and Silverdale Correctional Facility.
 - Chairwoman Berz informed Ms. Holiday-Johnson that she could seek pro bono assistance from the Chattanooga Bar Association.
- **Edward Greene, Jr. (Chattanooga)** – Regarding the subpoena served on Mr. Pinkston, he wanted know what gave the City Council “judicial” powers.
 - Chairwoman Berz informed Mr. Greene that the subpoena was not enforced and clarified that the City Council has legislative, not judicial, powers.
 - Chairwoman Berz also advised Mr. Greene to meet with either Councilman Anderson or Attorney Noblett after tonight’s meeting.
- **Art Williams (Bagwell Avenue)** – He came regarding issues that would “help make Chattanooga the role model of the world.” He made comments about the city’s Violence Reduction Initiative, ISIS, Islam, Israel, the Pope and the flag.
- **Gary Ball (E. 14th Street/Tower Construction)** – He thanked Councilman Hakeem for the proclamation to Ms. Herrera, who lives in his neighborhood, and thanked Vice Chair Freeman and Councilman Hakeem for pursuing the community development on the Standard Coosa Thatcher site. He also distributed a document regarding the maintenance of vegetation in alleys, and asked the City to consider it when evaluating its use of alleys.

ADJOURNMENT

On motion of Councilman Anderson, Chairwoman Berz adjourned the meeting of the Chattanooga City Council until Tuesday, April 5, 2016 at 6:00 p.m.

CHAIRWOMAN

CLERK OF COUNCIL