



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES

June 21, 2016
6:00 PM

CALL TO ORDER

Council Chairman Moses Freeman called the meeting to order with Vice Chair Jerry Mitchell and Council members Chris Anderson, Carol Berz, Russell Gilbert, Larry Grohn, Yusuf Hakeem, Chip Henderson and Ken Smith all present. Deputy City Attorney Phil Noblett and Council Clerk Nicole Gwyn, CMC, were also present.

PLEDGE OF ALLEGIANCE

Chairman Freeman led the Assembly in the Pledge of Allegiance.

APPROVAL OF LAST MINUTES

On motion of Councilman Anderson and seconded by Councilman Gilbert, the minutes of the last meeting (June 14, 2016) were approved as published.

ORDER OF AGENDA

Councilwoman Berz moved to suspend the rules so that the people could speak on agenda item VI(a)—the Budget Ordinance—at the appropriate time. She was seconded by Councilman Grohn. The motion carried.

ORDINANCES – FINAL READING:

On motion of Councilman Anderson and seconded by Councilwoman Berz,

ORDINANCE #13068

AN ORDINANCE TO AMEND ORDINANCE NOS. 12965 AND 12534 APPROPRIATING, AUTHORIZING, OR ALLOCATING FUNDS TO THE CAPITAL IMPROVEMENTS BUDGETS FOR FISCAL YEAR ENDING JUNE 30, 2016 AND 2012 TO REAPPROPRIATE \$400,680.00 FROM THE DATA CENTER MOVE CAPITAL PROJECT AND \$14,320.00 FROM THE WAREHOUSE ON MAIN STREET CAPITAL PROJECT TO THE TIVOLI HVAC.

ACTION: APPROVED

2016-066 David Hudson for McCallie Commons/
Tatiana Zadora/S.S. Moharrerri, A.M. Moharrerri,
and Mack Wiggins for WW Group

On motion of Councilman Hakeem and seconded by Councilman Gilbert,

ORDINANCE #13069

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 1006, 1008, 1010 OAK STREET AND 657 O'NEAL STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

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

ORDINANCE #13070

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, TO ADD A NEW ARTICLE XVI, DOWNTOWN FORM-BASED CODE; PROVIDE FOR SUNSETTING OF ARTICLE V, DIVISION 18, C-7 NORTH SHORE COMMERCIAL/MIXED USE ZONE AND ALL PROVISIONS REFERENCING SUCH ZONE WITHIN CHAPTER 38 AFTER SIX (6) MONTHS; AND TO ADD NEW SECTIONS 38-530 AND 38-568(24).

ACTION: APPROVED

On motion of Councilman Anderson and seconded by Councilman Henderson,

ORDINANCE #13071

AN ORDINANCE TO AMEND THE CHATTANOOGA CITY CODE, PART II, CHAPTER 38 ZONING, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE SPECIFIC PROPERTIES WITHIN THE DOWNTOWN CHATTANOOGA FORM-BASED CODE AREA BOUNDARY, MORE PARTICULARLY DESCRIBED HEREIN AND IN THE DOWNTOWN ZONING STUDY ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE FROM M-1 MANUFACTURING ZONE, C-3 CENTRAL BUSINESS ZONE, C-7 NORTH SHORE COMMERCIAL/MIXED USE ZONE, R-3 RESIDENTIAL ZONE, C-2 CONVENIENCE COMMERCIAL ZONE, R-4 SPECIAL ZONE, R-1 RESIDENTIAL ZONE, R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE, RT-1 RESIDENTIAL TOWNHOUSE ZONE, UGC URBAN GENERAL COMMERCIAL ZONE, O-1 OFFICE ZONE, AND M-2 LIGHT INDUSTRIAL ZONE TO THE FOLLOWING ZONES WITHIN THE DOWNTOWN CHATTANOOGA FORM-BASED CODE: D-RM RESIDENTIAL MULTI-UNIT ZONE, D-CX COMMERCIAL MIXED USE ZONE, D-SH SHOPFRONT MIXED USE ZONE, D-CIV CIVIC ZONE, D-PK PARKS AND OPEN SPACE ZONE, R-

RF RIVERFRONT ZONE, R-RV RIVER VIEW ZONE, R-CIV CIVIC ZONE, R-PK PARKS AND OPEN SPACE ZONE, U-RD RESIDENTIAL DETACHED ZONE, U-RA RESIDENTIAL ATTACHED ZONE, U-RM RESIDENTIAL MULTI-UNIT ZONE, U-CX COMMERCIAL MIXED USE ZONE, U-SH SHOPFRONT MIXED USE ZONE, U-IX INDUSTRIAL MIXED USE ZONE, U-CC COMMERCIAL CORRIDOR, U-IN INDUSTRIAL ZONE, U-CIV CIVIC ZONE, U-PK PARKS AND OPEN SPACE ZONE, E-RD RESIDENTIAL DETACHED ZONE, E-RA RESIDENTIAL ATTACHED ZONE, E-RM RESIDENTIAL MULTI-UNIT ZONE, E-CX COMMERCIAL MIXED USE, E-SH SHOPFRONT MIXED USE ZONE, E-IX INDUSTRIAL MIXED USE ZONE, E-IN INDUSTRIAL ZONE, E-CIV CIVIC ZONE, AND E-PK PARKS AND OPEN SPACE ZONE.

ACTION: APPROVED

ORDINANCES – FIRST READING:

On motion of Councilwoman Berz and seconded by Councilman Anderson,

ORDINANCE #13072

AN ORDINANCE HEREINAFTER ALSO KNOWN AS “THE FISCAL YEAR 2016-2017 OPERATIONS BUDGET ORDINANCE”, TO PROVIDE REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 2016, AND ENDING JUNE 30, 2017; APPROPRIATING SAME TO THE PAYMENT OF EXPENSES OF THE MUNICIPAL GOVERNMENT; FIXING THE RATE OF TAXATION ON ALL TAXABLE PROPERTY IN THE CITY, AND THE TIME TAXES AND PRIVILEGES ARE DUE, HOW THEY SHALL BE PAID, WHEN THEY SHALL BECOME DELINQUENT; PROVIDING FOR INTEREST AND PENALTY ON DELINQUENT TAXES AND PRIVILEGES; AND TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 2, SECTION 2-267, RELATIVE TO PAID LEAVE FOR ACTIVE-DUTY TRAINING AND TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 31, SECTIONS 31-36, 31-37, 31-41, AND 31-43.

After Attorney Noblett read the rules of procedure, Chairman Freeman opened the floor for public comments on this ordinance and recognized the following speakers:

- **Landon Howard (Chestnut Lane)** – He wanted to reiterate the request to reallocate the \$1 Million for police cameras to the two programs recommended during the People’s State of the City Address. He believes voting on this budget is keeping on the same trajectory that, he feels, has failed to curb violence. He stated that funds allocated to last year were not the solution.
- **Madeleine Dougherty (Tally Road)** – She is a member of Concerned Citizens for Justice and wanted to remind the Council of their Strategic Plan of Work for 2016. She made several statements and points showing a contradiction in the plan of work and the budget passed. She believes passing the budget is against the Council’s own strategic plan.

- **Kristy Wilkinson (Highland Park)** – She stated that the Department of Youth and Family Development do not have enough money to touch all the people’s lives they touch. She informed the Council that child poverty has increased in Tennessee according to an article in the newspaper. She said that it was crucial for the Council to listen to the voices that have been speaking.

Seeing no more speakers, Councilman Anderson called the *question*. Chairman Freeman allowed the Council to also make comments on the budget.

- Vice Chair Mitchell – He stated that he feels unfilled in this last budget of the Council’s current term. However, he asked for assurance from Administration about their commitment to social services programming that will address the needs of the people. He reminded the Council that later on, amendments may be made to the budget in support of programs.
 - Stacy Richardson, Chief of Staff, assured the Council of Administration’s commitment to supporting programs that address the needs of the people.
- Councilman Hakeem – He spoke to the youth today about their commitment moving forward. He stated that there are several items that he approves of in the budget.
- Councilman Grohn – He agrees with Councilman Hakeem in that he approves of several items in the budget, but he disagrees with some line items. He noted that one good program asked for \$200,000 from the city, but received \$20,000, which he believes will cause the program to struggle.
- Councilman Gilbert – He believes in trade education because he’s a product of it. There are programs like Impact1 that are working in this area.

Councilman Henderson called the *question*.

ACTION: PASSED ON FIRST READING

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

ORDINANCE #13073

AN ORDINANCE TO AMEND THE CHATTANOOGA CITY CODE, PART II, CHAPTER 38 ZONING, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE SPECIFIC PROPERTIES WITHIN THE DOWNTOWN CHATTANOOGA FORM-BASED CODE BOUNDARY, MORE PARTICULARLY DESCRIBED HEREIN AND IN THE DOWNTOWN ZONING STUDY ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE FROM C-7 NORTH SHORE COMMERCIAL/MIXED USE ZONE TO E-SH-4 SHOPFRONT MIXED USE ZONE WITH CONDITIONS.

ACTION: PASSED ON FIRST READING

On motion of Councilman Anderson and seconded by Councilwoman Berz,

ORDINANCE #13074

AN ORDINANCE AMENDING ORDINANCE NO. 13067 TO REFLECT THE CLOSING AND ABANDONING A PART OF THE RIGHT-OF-WAY LOCATED IN THE 300 BLOCK OF EAST 37TH STREET AND TWO (2) UNOPENED ALLEYS, DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

RESOLUTION #28655

A RESOLUTION AUTHORIZING THE CITY OF CHATTANOOGA TO ENTER INTO NEGOTIATIONS AND FOR THE CITY MAYOR TO EXECUTE A LEASE AGREEMENT BETWEEN HAMILTON COUNTY, THE CITY OF CHATTANOOGA, AND THE CHARLES H. COOLIDGE MEDAL OF HONOR HERITAGE CENTER FOR A PORTION OF COUNTY AND CITY-OWNED PROPERTY, IDENTIFIED AS TAX MAP NO. 135E-N-024.02, IN COOLIDGE PARK TO LOCATE A MEDAL OF HONOR HERITAGE CENTER IN COOLIDGE PARK TO FURTHER HONOR CHARLES H. COOLIDGE AS A MEDAL OF HONOR RECIPIENT AND TO ACT AS A MEMORIAL BY REFLECTING THE HERITAGE OF THE MEDAL OF HONOR.

Vice Chair Mitchell indicated that he had heard several concerns from his district about this item and **moved to amend** the resolution to allow the Mayor to enter into negotiations, but before anything is signed, it must come back to the Council for final approval. He was seconded by Councilman Henderson. Councilman Grohn noted that he had heard concerns from his constituents and that people should have been better informed about this matter. Chairman Freeman noted two concerns from constituents in his district. The motion carried on the amendment.

Councilman Grohn moved to approve the amended resolution, seconded by Vice Chair Mitchell. The motion carried.

ACTION: ADOPTED AS AMENDED

Councilman Hakeem inquired about the six (6) properties that were reviewed by the Planning Commission last week. John Bridger, Executive Director of Regional Planning, informed him that these items would come before the City Council next month.

On motion of Councilman Hakeem and seconded by Councilman Gilbert,

RESOLUTION #28656

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL CLOSING DOCUMENTS RELATED TO THE PROPERTY EXCHANGE AGREEMENT AS APPROVED BY RESOLUTION NO. 28603 WITH HIGHLAND PARK COMMONS INVOLVING 809 S. WILLOW IDENTIFIED AS TAX MAP NO. 1460-V-006, AND THREE (3) VANCE AVENUE PARCELS, IDENTIFIED AS TAX MAP NOS. 1460-V-004.01, 1460-V-007, AND 1460-V-008, WITH THE CLOSING FEES, FOR AN AMOUNT NOT TO EXCEED \$3,000.00.

ACTION: ADOPTED

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

RESOLUTION #28657

A RESOLUTION AUTHORIZING COLLINS AND COMPANY TO PAY AN ON-THE-JOB INJURY SETTLEMENT TO CITY EMPLOYEE, JOSEPH MCKEEL, IN THE AMOUNT OF \$39,445.59 FOR A PERMANENT PARTIAL IMPAIRMENT RATING IN ACCORDANCE WITH THE CITY'S INJURY ON DUTY POLICY.

ACTION: ADOPTED

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

RESOLUTION #28658

A RESOLUTION AUTHORIZING THE DIRECTOR OF HUMAN RESOURCES TO RENEW THE EXISTING AGREEMENT WITH VOYA (RELIASTAR) TO INCREASE THE RATE FOR LONG TERM DISABILITY TO \$0.55 PER \$100.00 OF COVERED SALARY AND TO RENEW THE EXISTING AGREEMENT FOR GROUP LIFE AND ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE, FMLA LEAVE MANAGEMENT SYSTEM, VOLUNTARY SUPPLEMENTAL LIFE AND VOLUNTARY SHORT TERM DISABILITY INSURANCE FOR THE FOURTH YEAR OF A FIVE (5) YEAR CONTRACT AND TO INCREASE PURCHASE ORDER #522050 TO COVER THE COST OF THE EMPLOYEE PREMIUMS FOR SUPPLEMENTAL LIFE AND SHORT TERM DISABILITY, AS WELL AS THE GENERAL PENSION BOARD PREMIUMS FOR LONG TERM DISABILITY, IN THE AMOUNT OF \$1,220,000.00.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Department Report: I.T.

Brent Messer, Chief Information Technology Officer, gave an update on the department's Strategy Development. His visual presentation included information on the following:

- What we do and What is Important
- Desired Outcomes
- Strategy Map
- Core Strategic Initiatives
- Recent Accolades

Mr. Messer responded to Chairman Freeman's question about the Oracle application, and informed the Council that I.T. is moving Oracle to the Cloud. Chairman Freeman and Councilman Anderson expressed thanks to the department for their responsiveness and future training opportunities.

Purchases

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

R137183 - Public Works

\$29,870.88

Purchase of Recycle Containers Public Works Dept.
Lowest/Best Bidder: Wastequip
841 Meacham Road
Statesville, NC 28677

PO 527100 - Public Works

Estimated \$120,000 Annually

Blanket Contract Renewal for Lumber Products
Public Works Department
Lowest/Best Bidder: Evans Lumber Company
2700 8th Avenue
Chattanooga, TN 37407

R134658 - Public Works

Estimated \$400,000 Annually

Blanket Contract for Equipment Maintenance
& Repair Services Waste Resources Division
Lowest/Best Bidder: Stowers Machinery Corporation
4066 South Access Road
Chattanooga, TN 37406

R134675 - Public Works

Estimated \$30,000 Annually

Blanket Contract for Environmental Services
Waste Resources Division
Lowest/Best Bidder: Safety-Kleen Systems, Inc.
4130 South Creek Road
Chattanooga, TN 37419

R134712 - Public Works

Estimated \$30,000 Annually

Blanket Contract for Traffic Control Services
Waste Resources Division
Lowest/Best Bidder: T.R. Moore & Associates, Inc.
830 McCallie Avenue
Chattanooga, TN 37403

R135175 - Public Works

Estimated \$150,000 Annually

Blanket Contract for Moyno Pump Parts
Waste Resources Division
Lowest/Best Bidder: Carl Eric Johnson Inc.
1725 McLeod Drive
Lawrenceville, GA 30043

R135488 - Public Works

\$38,924.00

Purchase of two (2) Ebara Submersible Pumps
Waste Resources Division
Lowest/Best Bidder: Walter A. Wood Supply Co.
P.O. Box 100
Rossville, GA 30741

PO 534083 - Public Works

Estimated \$150,000 Annually

Blanket Contract Renewal for Repair, Reconditioning
and Replacement of Variable Frequency Drives,
Direct Current Drives and Electronic Circuit Boards
Waste Resources Division
Lowest/Best Bidder: Tekwell Services LLC
1301 Galway Street NE
Knoxville, TN 37917

PO 534177 - Public Works

Estimated \$100,000 Annually

Blanket Contract Renewal for Sewer Chemical
Root Control Services Waste Resources Division
Lowest/Best Bidder: Duke's Root Control, Inc.
1020 Hiawatha Boulevard
East Syracuse, NY 13204

PO 534480 - Public Works

Estimated \$500,000 Annually

Blanket Contract Renewal for Repair, Reconditioning
and Replacement of Electric Motors & Pumps Waste
Resources Division
Lowest/Best Bidder: Tekwell Services LLC 1301
Galway Street NE
Knoxville, TN 37917

Councilman Anderson moved to approve, seconded by Councilwoman Berz. The motion carried.

ACTION: APPROVED

OTHER BUSINESS: (NONE)

COMMITTEE REPORTS:

Audit & I.T. Committee
Councilman Grohn
(No report)

Budget and Finance Committee
Councilwoman Berz

- The committee will hold the last budget work session next week (June 28) at 10:00 a.m. to catch up on follow-up questions and to review the capital budget.

Economic and Community Development Committee
Councilman Anderson
(No report)

HR Committee (Human Resources)
Vice Chair Mitchell
(No report)

Planning & Zoning
Councilman Hakeem
(No report)

Public Safety Committee
Councilman Henderson
(No report)

Public Works and Transportation Committee
Councilman Smith

- The committee met today to review items voted on tonight and items on next week's agenda. Public Works Administrator Justin Holland also made a presentation to employee Tony Boyd, who was retiring after 3 years of service.

Youth and Family Development Committee
Councilman Gilbert
(No report)

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

Chairman Freeman asked if there were persons in the Assembly who wished to address the Council on non-agenda matters. Seeing none, this portion of the agenda was closed.

ADJOURNMENT

On motion of Councilman Anderson, Chairman Freeman adjourned the meeting of the Chattanooga City Council until Tuesday, June 28, 2016, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL