



City Council Building  
Chattanooga, Tennessee  
**COUNCIL MEETING MINUTES**  
December 20, 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. City Attorney Wade Hinton and Council Clerk Nicole Gwyn, CMC, were also present.

**PLEDGE OF ALLEGIANCE**

Councilwoman Berz 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 (December 13, 2016) were approved as published.

**ORDINANCES – FINAL READING:**

**Alternate Version**  
**as a result of mediation**

On motion of Councilman Anderson and seconded by Councilman Hakeem,

**ORDINANCE #13078**

**AN ORDINANCE GRANTING A FRANCHISE TO ZAYO GROUP, LLC FOR THE PURPOSE OF ALLOWING IT TO CONSTRUCT, INSTALL, AND OPERATE CERTAIN TELECOMMUNICATIONS WIRES AND CABLING WITHIN THE PUBLIC RIGHTS-OF-WAY IN ORDER TO PROVIDE TELECOMMUNICATIONS SERVICES WITHIN THE CITY; SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF THE FRANCHISE; PROVIDING FOR REGULATION AND USE OF THE SYSTEM AND THE PUBLIC RIGHTS-OF-WAY IN CONJUNCTION WITH THE CITY'S RIGHT-OF-WAY ORDINANCE; AND PRESCRIBING PENALTIES FOR THE VIOLATIONS OF THE PROVISIONS HEREIN.**

**ACTION: APPROVED**

**2016-177**  
**David Kelly and Estate of**  
**George Edwards Rogers and**  
**Valleybrook Presbyterian Church, Inc.**  
**Alternate Version**  
**District No. 3**

On motion of Councilman Smith and seconded by Councilman Grohn,

**ORDINANCE #13128**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 5933 HIXSON PIKE AND A PORTION OF 6001 HIXSON PIKE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

**2016-163**  
**Legends Holding, LLC**  
**% Clint Wofford and**  
**Hamilton County Department of Education**  
**Planning Version**  
**District No. 4**

On motion of Councilman Grohn and seconded by Councilman Mitchell,

**ORDINANCE #13129**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 7453 EAST BRAINERD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL AND C-2 CONVENIENCE COMMERCIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

**2016-176**  
**Craig Kronenberg and Bobby Joe Adamson**  
**Planning Version**  
**District No. 4**

On motion of Councilman Hakeem and seconded by Councilman Grohn,

**ORDINANCE #13130**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 4975 PATSY PLACE AND 8210 APISON PIKE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE.**

**ACTION: APPROVED**

**2016-164**  
**Charles Penn and**  
**Mayse Properties, LLC**  
**Planning Version**  
**District No. 5**

On motion of Councilman Gilbert and seconded by Councilwoman Berz,

**ORDINANCE #13131**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 4132 AND 4136 CAINE LANE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO M-2 LIGHT INDUSTRIAL ZONE.**

**ACTION: APPROVED**

**2016-165**  
**Attorney Mark A. Ramsey,**  
**Denise Furland, and Executrix of**  
**Estate of Barbara Newton**  
**Planning Version**  
**District No. 6.**

On motion of Councilwoman Berz and seconded by Councilman Mitchell,

**ORDINANCE #13132**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 6684 EAST BRAINERD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE AND C-2 CONVENIENCE COMMERCIAL ZONE TO R-4 SPECIAL ZONE.**

**ACTION: APPROVED**

**2016-175 ASA Engineering**  
**% Allen Jones and**  
**6401 Shallowford Road Partners, GP**  
**Alternate Version**  
**District No. 6**

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

**ORDINANCE #13133**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 6401 AND 6421 SHALLOWFORD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE, R-2 RESIDENTIAL ZONE, AND R-4 SPECIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

Councilwoman Berz confirmed that all conditions had been read last week. The motion carried.

**ACTION: APPROVED**

**2016-171**  
**Donavan McLeon**  
**Planning Version**  
**District No. 7**

On motion of Councilman Anderson and seconded by Councilwoman Berz,

**ORDINANCE #13134**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 300 WEST 41ST STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO R-3 RESIDENTIAL ZONE.**

**ACTION: APPROVED**

**2016-172**  
**Renew and Randy Johnston/**  
**Mr. T's Tire, Inc.**  
**Planning Version**  
**District No. 8**

On motion of Councilman Hakeem and seconded by Councilman Anderson,

**ORDINANCE #13135**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1155 EAST MAIN STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE.**

**ACTION: APPROVED**

MR-2016-137  
Taylor Vickers  
District No. 2

On motion of Councilman Mitchell and seconded by Councilman Gilbert,

**ORDINANCE #13138**

**AN ORDINANCE CLOSING AND ABANDONING AN ALLEY OFF OF THE 300 AND 400 BLOCKS OF BECK AVENUE, AS DETAILED ON THE ATTACHED MAP.**

The motion carried, with Councilman Henderson voting “No.”

**ACTION: APPROVED**

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

**RESOLUTIONS:**

On motion of Councilman Anderson and seconded by Councilman Smith,

**RESOLUTION #28871**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO ENTER INTO AN AGREEMENT WITH AND ACCEPT GRANT FUNDS FROM THE LYNDHURST FOUNDATION TO SUPPORT THE RENOVATION OF MILLER PARK, IN THE AMOUNT OF \$500,000.00.**

**ACTION: ADOPTED**

On motion of Councilwoman Berz and seconded by Councilman Hakeem,

**RESOLUTION #28872**

**A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF AN AMOUNT NOT TO EXCEED \$12 MILLION PRINCIPAL AMOUNT OF THE CITY OF CHATTANOOGA, TENNESSEE GENERAL OBLIGATION BONDS, SERIES 2017A.**

**ACTION: ADOPTED**

On motion of Councilwoman Berz and seconded by Councilman Hakeem,

**RESOLUTION #28873**

**A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF AN AMOUNT NOT TO EXCEED \$19 MILLION PRINCIPAL AMOUNT OF THE CITY OF CHATTANOOGA, TENNESSEE GENERAL OBLIGATION REFUNDING BONDS, SERIES 2017B.**

**ACTION: ADOPTED**

On motion of Councilman Mitchell and seconded by Councilwoman Berz,

**RESOLUTION #28874**

**A RESOLUTION TO ADJUST THE MAYOR'S APPOINTMENT TERMS OF JAMES SATTLER TO JUNE 2, 2013 TO JUNE 1, 2018; WILBERT ROBERTS TO JUNE 1, 2014 TO MAY 31, 2019; EDNA VARNER TO JUNE 2, 2014 TO JUNE 1, 2019; EDDIE HOLMES TO JUNE 1, 2016 TO MAY 31, 2021; TO REAPPOINT JAMES LEVINE WITH TERM DATES OF JUNE 2, 2016 TO JUNE 1, 2021; AND TO APPOINT CARL HENDERSON WITH A TERM END DATE OF OCTOBER 10, 2020, WITH ALL TO THE CHATTANOOGA HOUSING AUTHORITY BOARD.**

The motion carried. Chairman Freeman then asked Betsy McCright, CHA Executive Director, and appointee Carl Henderson to stand for recognition.

**ACTION: ADOPTED**

On motion of Councilman Smith and seconded by Councilman Anderson,

**RESOLUTION #28875**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH CHATTANOOGA GOODWILL, INC. FOR THE COLLECTION AND DISPOSAL OF ACCEPTABLE ELECTRONIC WASTE.**

**ACTION: ADOPTED**

**DEPARTMENTAL REPORTS:**

**Purchases**

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

<b>R 146280 - Public Works</b>	<b>\$125,074.56</b>
Purchase of Recycle and Waste Containers Public Works	
Lowest/Best Bidder: Wastequip	
841 Meacham Rd.	
Statesville, NC 28677	

**PO 536788 - Public Works**

Estimated \$1,000,000 Annually

Blanket Contract Renewal for Sanitary Sewer  
Installation & Repair Services Waste Resources Division  
Lowest/Best Bidder: Talley Construction Co Inc.  
1751 McFarland Ave.  
Rossville, GA 30741

**PO 536799 - Public Works**

Estimated \$40,000 Annually

Blanket Contract Renewal for Overhead Door  
Maintenance & Repair Services Waste Resources Division  
Lowest/Best Bidder: King Door Co.  
1802 Abutment Road  
Dalton, GA 30721

**R142772 - Youth & Family Development**

Estimated \$307,500 Annually

New Blanket Contract for Commercial Food Service  
Vendor Youth & Family Development  
Lowest/Best Bidder: YMCA  
301 West 6th Street  
Chattanooga, TN 37402

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

**ACTION: APPROVED**

**OTHER BUSINESS:**

**Early Voting Locations**

Attorney Hinton reported the following:

- Councilman Anderson has presented a letter to the Council proposed the addition of six early voting sites for the March 2017 election.
- The cost to the City for early voting sites is \$15,000 per site.
- The Council had selected three (3) sites previously.
- The six additional sites would cost the City \$60,000.
- Four of the six sites on Councilman Anderson’s letter are already used for voting. Heritage House and the Downtown Public Library are the only two sites on the list not already used for voting.
- The Election Commission would incur expenses for equipping 2 or more additional sites.
- The Election Commission has provided the City with a breakdown of their expenses.
- The City Attorney’s Office is still drilling down the voter turnout, as requested by the Council, on the sites previously proposed.
- If the six sites are added by the Council, then a motion would be required to add the resolution to the Council agenda. A letter to the Election Commission would also be prepared. The resolution would be placed on the January 3, 2017 Council agenda.

A discussion ensued, with Councilman Henderson noting that the additional early voting expenses had not been discussed during the Council's budget hearings. Therefore, **Councilman Henderson moved** to leave the sites as they are. **The motion failed to garner a second.**

Councilman Smith noted that the Council had requested the Election Commission and three additional sites: Northgate, Brainerd and South Chattanooga. **Councilman Smith moved** to identify the three additional early voting locations: Brainerd, Northgate and South Chattanooga. He was seconded by Councilman Grohn. Discussion continued.

Councilman Hakeem recommended a minimum of two additional sites and requested that Glenwood YFD Center be added. Councilman Smith stated that he would accept that as a friendly amendment to his motion. Therefore, **Councilman Hakeem moved** to add Glenwood to the list of sites. He was seconded by Councilman Grohn. The motion carried on the friendly amendment, with Councilman Henderson voting "No."

Councilman Anderson commented on the six additional sites not being used as a political power play. He also clarified that the Administrator of Elections ensures the study on the site choices and the Election Commission approves them.

Councilman Grohn informed the Council that he had spoken with the Election Administrator, who is ready to act on whatever the Council decides. He recommended adding no more than two sites to the current list and moved the *question*. Chairman Freeman ruled to continue the discussion.

Per the request of Councilwoman Berz, Mr. Hinton clarified that if the Council exceeds five (5) early voting sites, then the Election Commission will incur expenses for adding equipment to those additional sites. Councilwoman Berz also confirmed with Daisy Madison, Chief Finance Officer, that funding for election expenses do not come from the Council's budget. Ms. Madison also confirmed that the contingency line item in the Council's budget will cover the \$60,000 anticipated from adding six early voting sites.

Councilman Henderson confirmed with Ms. Madison that contingency funds already budgeted for the fiscal year would cover the cost of the additional early voting sites. She also briefly discussed the use of contingency funds for emergency matters, etc.

Chairman Freeman reaffirmed that the Council is moving to add two additional sites: South Chattanooga and Glenwood to the list that already included the Election Commission, Brainerd and Northgate. After which, **Councilman Smith moved** to approve adding two additional sites [*South Chattanooga and Glenwood*], seconded by Councilman Grohn. Further discussion ensued, with Attorney Hinton confirming the motion with Councilman Smith. **After which, the motion carried, with Councilman Henderson voting "No."**

## **COMMITTEE REPORTS:**

### *Audit & I.T. Committee*

Councilman Grohn

(No report)

### *Budget and Finance Committee*

Councilwoman Berz

(No report)



*Economic and Community Development Committee*  
Councilman Anderson  
(No report)

*HR Committee (Human Resources)*  
Vice Chair Mitchell

- A sub-committee met today in open meeting to discuss the vacant position in the Council office. The committee will make recommendations to the Council regarding the position at the Council's 1:30 p.m. Strategic Planning meeting on January 3, 2017.

*Planning & Zoning*  
Councilman Hakeem

- The committee will meet on January 3, 2017 following the Agenda Session.
- There will be a meeting on January 17, 2017 following the Agenda Session for an update on Form-Based Code.

*Public Safety Committee*  
Councilman Henderson

- The committee will meet on January 3, 2017 for a discussion with the Chattanooga Police Department on license plate readers.

*Public Works and Transportation Committee*  
Councilman Smith

- The committee met today in open meeting to discuss items voted on tonight. They also had a presentation by Justin Holland, Public Works Administrator, who recognized city employee Britt Elmore for being awarded the Ed Archer Young Member Award for his outstanding work as a civil engineer.
- The next meeting will take place in two weeks (January 3, 2017).

*Youth and Family Development Committee*  
Councilman Gilbert

- During today's Agenda Session, the committee heard a presentation by United Way on the Early Learning Scholarship program.

## **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, Chairman Freeman recognized the following persons:

- **William Cotton (District 7)** – He voiced concerns that the public was not aware of the early voting site discussion that took place during the "Other Business" section of the Agenda. He emphasized that money should not be an issue when discussing voting sites and elections. He supports early voting at the South Chattanooga and Avondale YFD centers. He also wanted to emphasize that a new YFD center is needed South Chattanooga.

- **Tiffany Rankins (District 8)** – She is the Secretary of the Lincoln Park Neighborhood Association. She stated that the Central Avenue Extension matter needs to be concluded. She hopes the process will move quickly. She asked if someone could speak with Erlanger about Lincoln Park being roped off from public access. She indicated that there were unfulfilled promises for Lincoln Park and looks forward to a resolution.
- **Carlos Davis (District 5)** – He informed the Council of a bump in the road on the Westbound side of the bridge between Jersey Pike and Cromwell. The bump has become a road hazard, especially since cars are veering into the opposite lane to avoid the damaging bump. He asked the City to fix the bump. He stated that he called 311 a month ago about the road hazard and, when following up, was told that the report was still being reviewed.
  - Mr. Holland stated that Public Works will look at the bump tomorrow. If it more than simple roadwork, he indicated that the Chattanooga Department of Transportation would need to be brought in for the repairs.
  - Councilman Gilbert informed Mr. Davis that repairs are coming to the whole corridor.

## **ADJOURNMENT**

**On motion of Councilman Anderson**, Chairman Freeman adjourned the meeting of the Chattanooga City Council until Tuesday, January 3, 2017 at 6:00 p.m.

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**CHAIRMAN**

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**CLERK OF COUNCIL**