



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
May 16, 2017
6:00 PM

CALL TO ORDER

Council Chairman Jerry Mitchell called the meeting to order with Vice-Chairman Ken Smith and Councilpersons Carol Berz, Anthony Byrd, Demetrus Coonrod, Russell Gilbert, Chip Henderson, Darrin Ledford and Erskine Oglesby. Wade Hinton, City Attorney, and Nicole Gwyn, Council Clerk, CMC, were also present.

PLEDGE OF ALLEGIANCE

Councilman Oglesby led the Assembly in the Pledge of Allegiance and gave the invocation.

APPROVAL OF LAST MINUTES

On motion of Vice-Chairman Smith and seconded by Councilwoman Berz, the minutes of the last meeting (May 9, 2017) were approved as published.

ORDINANCES – FINAL READING:

2017-054
Jay Floyd of Jay Bird Partners
Planning Version
District No. 3

On motion of Vice-Chairman Smith and seconded by Councilman Ledford,

ORDINANCE #13180

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO LIFT CONDITION OF ORDINANCE NO. 13080 OF PREVIOUS CASE NO. 2016-090 LOCATED AT 5461 HIXSON PIKE, MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

2017-055
Berry Engineers, LLC,
Ben Berry, and Sanatan Park, LLC
Planning Version
District No. 4

On motion of Councilman Ledford and seconded by Vice-Chairman Smith,

ORDINANCE #13181

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 1518 AND 1528 HICKORY VALLEY ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE.

ACTION: APPROVED

2017-051
Christian Thoreson
Planning Version
District No. 7

On motion of Councilman Oglesby and seconded by Councilman Ledford,

ORDINANCE #13182

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1615 WEST 40TH STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

ORDINANCES – FIRST READING: (NONE)

RESOLUTIONS:

On motion of Vice-Chairman Smith and seconded by Councilman Ledford,

RESOLUTION #29034

A RESOLUTION TO RENAME THE NORTH RIVER SOCCER COMPLEX TO THE DUPONT PARK, CLEVELAND T. GRIMES SOCCER COMPLEX, THE SINKS, IN HONOR OF CLEVELAND T. GRIMES AND HIS SERVICE TO THE COMMUNITY AND DEDICATION TO SOCCER WHICH RESULTED IN THE DEVELOPMENT AND USE OF THIS RECREATIONAL FACILITY FOR OUR CITIZENS.

Vice-Chairman Smith expressed his pleasure in sponsoring this resolution as a father of three children who have played on this field. He invited John Strausberger and Mary Grimes, wife of

Cleveland T. Grimes, to address the Council. Mr. Strausberger discuss Mr. Grimes' impact on youth. Ms. Grimes described her husband as the "Soccer King" and described over 34 years serving the community and kids at this facility. After which, she received a standing ovation.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

RESOLUTION #29035

A RESOLUTION TO MAKE CERTAIN FINDINGS RELATING TO THE HOMESERVE USA PROJECT, TO DELEGATE CERTAIN AUTHORITY TO THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF CHATTANOOGA, AND TO AUTHORIZE THE MAYOR TO ENTER INTO AND EXECUTE AN AGREEMENT FOR PAYMENTS IN LIEU OF AD VALOREM TAXES.

Councilwoman Berz informed the Assembly that there were many amendments to the draft agreement. Councilman Henderson confirmed that his suggestion for recruiting from neighborhoods that are underemployed had been taken into consideration for incorporation into the agreement. A discussion ensued that included the following:

- Attorney Hinton agreed to work with the Chamber and HomeServe USA on how the recruitment language in the agreement.
- Councilwoman Coonrod recommended partnering with Chattanooga 2.0 to ensure job readiness for certain communities.
- Councilpersons Coonrod and Oglesby thanked Accountability for Taxpayer Money (ATM) for researching this PILOT and bringing forth their policies and procedure document.
- Vice-Chairman Smith expressed thanks to HomeServe for the living wage jobs and commended the city for moving in the right direction with this PILOT.
- Attorney Hinton reviewed the compliance component of the PILOT for Councilman Oglesby.
- Councilwoman Berz informed the Council of a program with Gestamp, a previous PILOT recipient, working with schools to equip co-op students.
- Councilman Byrd encouraged people to spread the word in their communities about the coming employment opportunities.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Vice-Chairman Smith,

RESOLUTION #29036

A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 (FINAL) FOR WRIGHT BROTHERS CONSTRUCTION COMPANY, INC. OF CHARLESTON, TN, RELATIVE TO CONTRACT NO. W-16-015-201, REPLACEMENT ROOFING SYSTEMS FOR OPERATION AND CONTROL BUILDING MBWWTP, A NON-CONSENT DECREE PROJECT, FOR AN INCREASED AMOUNT OF \$803.95, FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED \$90,724.95, AND TO RELEASE THE REMAINING CONTINGENCY OF \$8,196.05.

ACTION: ADOPTED

On motion of Councilman Ledford and seconded by Vice-Chairman Smith,

RESOLUTION #29037

A RESOLUTION TO RENAME THE 8600 TO 8800 BLOCK OF WINTERBERRY ROAD TO 8600 TO 8800 BLOCK OF WINTERBERRY LANE, AS REFERENCED IN CASE NUMBER 2017-PW-03.

ACTION: ADOPTED

On motion of Councilman Oglesby and seconded by Councilman Gilbert,

RESOLUTION #29038

A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 (FINAL) FOR SAK CONSTRUCTION, LLC OF O'FALLON, MO, RELATIVE TO CONTRACT NO. W-09-015-201, CARTER STREET CSOTF SEWER REHABILITATION, A CONSENT DECREE PROJECT, FOR A DECREASED AMOUNT OF \$18,750.68, AND TO RELEASE THE CONTINGENCY OF \$35,000.00, FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED \$327,829.32.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Vice-Chairman Smith,

RESOLUTION #29039

A RESOLUTION TO AUTHORIZE YEAR TWO (2) OF A FOUR (4) YEAR TERM FOR THE ON-CALL BLANKET CONTRACT(S) FOR RESIDENT PROJECT REPRESENTATIVE (RPR) SERVICES, CONTRACT NO. E-16-001-401 FOR (1) AMEC FOSTER WHEELER ENVIRONMENT AND INFRASTRUCTURE, INC.; (2) ARCADIS, US, INC.; (3) ASA ENGINEER AND CONSULTANTS, INC.; (4) BARGE, WAGGONER, SUMNER & CANNON, INC.; (5) CD TECHNICAL SERVICES; (6) CTI ENGINEERS, INC.; (7) MCGILL ASSOCIATES, P.A.; (8) S&ME, INC.; (9) THOMPSON ENGINEERING; (10) VAUGHN & MELTON CONSULTING ENGINEERS, INC.; AND (11) VOLKERT, INC. BASED ON THE FIVE (5) CATEGORIES OF MAJOR CONSTRUCTION DESIGNATION THAT EACH CONSULTANT QUALIFIED FOR TO PERFORM, FOR RENEWAL OF THE ELEVEN (11), ONE (1) YEAR BLANKET CONTRACTS FOR THESE PROFESSIONAL SERVICES ESTIMATED AT \$1,250,000.00 TOTAL ANNUALLY FOR ALL ELEVEN (11) PROFESSIONAL FIRMS FOR USE BY ALL DEPARTMENTS.

ACTION: ADOPTED

On motion of Councilman Oglesby and seconded by Councilman Byrd,

RESOLUTION #29040

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO AN AGREEMENT WITH BARGE WAGGONER SUMNER & CANNON, INC. RELATIVE TO CONTRACT NO. T-15-013-101 FOR PROFESSIONAL SERVICES ASSOCIATED WITH DOWNTOWN ONE-WAY TO TWO-WAY CONVERSION, IN THE AMOUNT OF \$69,500.00.

The motion carried, with Councilman Ledford and Chairman Jerry Mitchell voting “No.”

YES – Seven (7); NO – Two (2)

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Public Works

- Report given at 3:00 p.m. Agenda Session

Purchases

Bonnie Woodward, Purchasing Director, briefed the Council on the following proposed purchases:

R150307 - Public Works

Estimated \$28,250 Annually

New Blanket Contract for Street Tree Mulching
Lowest/Best Bidder: Fresh Start Lawn Care
PO Box 2352
Ooltewah, TN 37363

R151235 - Public Works

Estimated \$41,880.68 Annually

New Blanket Contract for Hand Tools
Lowest/Best Bidder: Roll-Aid Industrial
PO Box 2346
Chattanooga, TN 37409

R152560 - Public Works

Estimated \$125,000 Annually

New Blanket Contract for Comet Vehicle Tracking System - Fleet Management
Lowest/Best Bidder: Actsoft, Inc
10006 N. Dale Mabry Hwy., Ste. 100
Tampa, FL 33618

PO515345 - Public Works

New Total Estimated \$220,000 Annually

Increase of Authorized Expenditure on
Blanket Contract for Concrete Pipe
Lowest/Best Bidder: Forterra Building Products
(formerly Sherman Dixie Concrete)
200 42nd Ave. N
Nashville, TN 37209

PO532251 & 532283 - Public Works

Total Estimated \$95,000 Annually

Blanket Contract Renewal for GIS Application Support
Lowest/Best Bidders:
1. NuOrigin Systems, Inc - 841 Cranberry Lane, Nolensville, TN 37135
2. KCI Technologies - 7003 Chadwick Dr., Ste. 343 Brentwood, TN 37027

R151931 - Youth & Family Development

Estimated \$150,000 Annually

New Blanket Contract for Milk Products for Head Start Centers
Lowest/Best Bidder: Borden Dairy Company of Kentucky, LLC
221 West Highway 80
London, KY 40741

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

ACTION: ALL PURCHASES APPROVED

OTHER BUSINESS:

Meeting Attendance

Councilwoman Coonrod recognized and thanked former councilperson Yusuf Hakeem for his presence in the Assembly today. She commended the Assembly for such a large turnout today and encouraged citizens to continue attending Council meetings.

Other Special Recognition

Councilman Gilbert noted that former councilperson John “Duke” Franklin, Jr. and Pastor Paul A. McDaniel were in the Assembly today.

Changing Council Rules

Chairman Mitchell instructed the City Attorney to add a resolution to next week’s agenda that would change the Council’s rules of procedure so that speakers on non-agenda items could have 6 minutes instead of 3 minutes to address the Council. Attorney Hinton agreed.

COMMITTEE REPORTS:

Budget and Finance Committee

Councilman Henderson reported:

- The committee met today in open meeting to discuss the reappraisal of the tax assessor that is resulting in an interim budget for FY18. Chief Finance Officer Daisy Madison gave a report on the reappraisal and interim budget.

- The committee also held a discussion on the Short-Term Vacation Rental district. He informed the Assembly that the first reading will take place on the June 13, 2017 agenda. Attorney Hinton will put the boundaries of the district in writing with the ordinance.

Economic and Community Development Committee

Councilman Oglesby
(No report)

HR Committee (Human Resources)

Councilman Gilbert
(No report)

Planning & Zoning Committee

Councilman Ledford
(No report)

Public Safety Committee

Councilman Byrd

- He thanked the new Police Academy cadets who were graduating today.

Public Works and Transportation Committee

Councilwoman Berz reported:

- The committee met today in open meeting for a report from the Department of Public Works. It included an educational session on the Consent Decree. She thanked the department for coming.

Youth and Family Development Committee

Councilwoman Coonrod

- She reminded everyone of the milk products contract that had just been approved for the Department of Youth and Family Development.

Information Technology Committee

Vice-Chairman Smith
(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, Chairman Mitchell recognized the following persons:

- **Janet Burn (Highland Drive)** – She is a member of St. Peter & Paul on E. 8th Street. She is opposed to the conversion of downtown streets from 1-way to 2-way due to the negative impact on her church. She believes the 2-way conversion will cause problems for church attendees parking on the street.
- **Ezra Robinson (Timber Knoll Drive)** – He informed the Council that people are burdened by construction in his East Brainerd community. He noted that a sidewalk had been left unfinished in one area, and that speeding cars are a problem. He requested 10-15 minutes to address the Council on his concerns.

- At the end of the Council meeting, Councilwoman Coonrod inquired about Mr. Robinson's request to address the Council. Mr. Robinson indicated that he and his board of directors could not meet until for another two weeks at least. Chairman Mitchell informed Mr. Robinson that he would speak with the Council on his request and that Mr. Robinson could contact the Council to follow-up.
- **Dr. Elenora Woods (President, local chapter – NAACP)** – She addressed the Council with several NAACP Officers with her: George Calhoun, Gail Mathis, James Mathis, and Yusuf Hakeem. She read a letter to Mayor Berke from the NAACP, requesting that the NAACP be involved with the Police Chief Selection process.
 - Councilman Gilbert discussed a letter from Pastor Kevin Adams about the next police chief, and voiced his support of Assistant Chief Edwin MacPhearson for the next Police Chief, based upon his years of service on the force and his in-depth knowledge of the community.
 - Councilwoman Coonrod voiced her support of Assistant Chief MacPhearson and questioned why some of the selection committee do not reside in the City. She also voiced concerns in the African-American community about the police.
 - Stacy Richards, Chief of Staff, addressed the questions about committee members who reside outside of the city limits. She also informed the Council that the Mayor's staff is working on a meeting on how to incorporate the NAACP into the selection process.
 - Vice-Chairman Smith voiced his support and expectation of the NAACP being at the table during the selection process, and hopes to expand the committee.
 - Councilman Byrd voiced his support of Assistant Chief MacPhearson for Chief and encouraged people to reach out to the Mayor about expanding the selection committee.
 - Councilwoman Coonrod also reminded the Council that the Fire Chief may retire soon and suggested looking at Captain David Brooks.
- **Pastor J.R. Bridgeman (Thompkin Chapel AME Zion Church)** – He is the President of the Clergy Koinonia of Chattanooga. He informed the Council that the Koinonia shares the thoughts of Pastor Kevin Adams on selecting the new chief. He asked that Assistant Chief MacPhearson be made the next Police Chief and discussed having personally dealt with him in the past within the community.
- **Monty Bell (Chattanooga)** – Mr. Bell made comments on several items:
 - The image of black people
 - Crime in the media
 - His brother's car accident
 - News anchor Mort Lloyd apologizing for error in news story
 - His interest in news and media
 - An affidavit of complaint against his name
- **Ali Stafford (Ashmore Avenue)** – She thanked the Council for considering a change to 6 minutes for non-agenda speakers. She asked the Council to reconsider the "disproportionate" funding of the Chattanooga Police Department and consider investing in alternatives to CPD increases. She asked the Council to examine participatory budgeting.

- **Helen Burns Sharp (Walnut Street)** - On behalf of the group, Accountability for Taxpayer Money (ATM), she thanked the Council for allowing them to distribute their recommended policies and procedures for jobs PILOTs. She informed the Council of a meeting set with Charles Wood soon. She also asked ATM members to stand and display their new t-shirts with messages about jobs PILOTs.
- **Peggy Petree (Main Street)** - Ms. Petree is a member of ATM. She has a Short-Term Vacation Rental property and invited the Council to tour and discuss STVRs with her.

ADJOURNMENT

On motion of Councilman Henderson, Chairman Mitchell adjourned the meeting of the Chattanooga City Council until Tuesday, May 23, 2017, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL