



City Council Building  
Chattanooga, Tennessee  
**COUNCIL MEETING MINUTES**  
June 20, 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**

Vice-Chairman Smith led the Assembly in the Pledge of Allegiance and gave the invocation.

**APPROVAL OF LAST MINUTES**

On motion of Councilman Henderson and seconded by Councilman Ledford, the minutes of the last meeting (June 13, 2017) were approved as published.

**SPECIAL PRESENTATION**

**"World Refugee Day Proclamation"**  
***By Councilman Anthony Byrd***

Councilman Byrd presented the following proclamation to Marina Peshterianu of Bridge Refugee Services:

**Whereas**, there are more than 65 million displaced persons in the world today--the highest in recorded history. More than 21 million of these people are refugees.

**Whereas**, in 2001, the United Nations designated June 20 as "World Refugee Day," a day of recognition each year to recognize the bravery and resilience of refugees, and their contributions to their new communities;

**Whereas**, Bridge Refugee Services has been resettling refugees in the Chattanooga area for 30 years. They have assisted more than 1,000 refugees to date and work tirelessly to support refugees in their efforts towards economic and social self-sufficiency;

**Whereas**, communities near and far, along with supporters and friends, will observe World Refugee Day with cultural celebrations and outreach activities for the entire community.

**Now Therefore,**

I, Anthony Byrd, Councilman for the City Council District 8,  
do hereby proclaim **Tuesday, June 20, 2017**  
as a day of recognition for

**WORLD REFUGEE DAY**  
in the city of Chattanooga, Tennessee.

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Ms. Pesterianu expressed thanks on behalf of Bridge Refugee Services and described the work that Bridge Refugee Services provides to refugees in the city.

**ORDINANCES – FINAL READING:**

2017-064  
Bassam Issa and  
Steven and Marsha Yessick  
Applicant Version  
District No. 4

On motion of Councilman Ledford and seconded by Councilman Oglesby,

**ORDINANCE #13189**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO LIFT ALL CONDITIONS FROM ORDINANCE NO. 9017 OF PREVIOUS CASE NO. 1988-249 ON PROPERTIES LOCATED AT 1926 AND 1930 GUNBARREL ROAD, MORE PARTICULARLY DESCRIBED HEREIN.**

**ACTION: APPROVED**

2017-029  
Humane Educational Society-  
Bob Citrullo and Peggy Holder  
Planning Version  
District No. 5

On motion of Councilman Gilbert and seconded by Councilwoman Berz,

**ORDINANCE #13190**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 4155 RANDOLPH CIRCLE, MORE PARTICULARLY DESCRIBED HEREIN, FROM A-1 URBAN AGRICULTURAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE FOR A PORTION OF THE SITE EXTENDING FROM SOUTH ACCESS ROAD SIX HUNDRED THIRTY (630') FEET TO THE WEST, AND FROM A-1 URBAN AGRICULTURAL ZONE TO R-1 RESIDENTIAL ZONE FOR THE REMAINDER OF THE SITE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

**ORDINANCES – FIRST READING:**

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

**ORDINANCE #13191**

**AN ORDINANCE TO AMEND ORDINANCE NO. 12618, CHATTANOOGA CITY CODE, CHAPTER 17, ARTICLE I, SECTION 17-1, RELATIVE TO THE ADOPTION OF THE INTERNATIONAL FIRE CODE, 2012 EDITION AND 2012 NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 101 LIFE SAFETY CODE, AS AMENDED, FOR CERTAIN SPECIFIED OCCUPANCIES, INCLUDING EXISTING BUILDINGS.**

**ACTION: PASSED ON FIRST READING**

**RESOLUTIONS:**

On motion of Councilwoman Berz and seconded by Councilman Ledford,

**RESOLUTION #29071**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO EXTEND THE BLANKET CONTRACTS FOR PROFESSIONAL APPRAISAL SERVICES WITH (1) BRIAN R. EADES OF BENCHMARK TRUST CORPORATION; (2) THOMAS CARTER OF CARTER APPRAISAL SERVICES; (3) WILLIAM C. HAISTEN, III OF THE HAISTEN GROUP, INC.; AND (4) LLOYD (CHIP) MURPHY OF L. T. MURPHY & ASSOCIATES FOR AN ADDITIONAL ONE (1) YEAR, FOR A COMBINED ESTIMATED ANNUAL AMOUNT OF \$75,000.00.**

**ACTION: ADOPTED**

On motion of Councilman Oglesby and seconded by Councilman Ledford,

**RESOLUTION #29072**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO ALLOCATE AND ENTER INTO AN AGREEMENT WITH THE CHATTANOOGA COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CCHDO) FOR \$104,794.00 IN HOME INVESTMENT PARTNERSHIP FUNDS, RESERVED FOR COMMUNITY DEVELOPMENT HOUSING ORGANIZATIONS, TO DEVELOP AFFORDABLE HOUSING.**

**ACTION: ADOPTED**

**RESOLUTION #29073**

**A RESOLUTION AUTHORIZING A RENEWAL OF THE 2002 INTERLOCAL AGREEMENT BETWEEN THE CITY OF CHATTANOOGA AND HAMILTON COUNTY PROVIDING FOR THE COLLECTION AND ADMINISTRATION OF HOTEL/MOTEL TAXES BY THE COUNTY ON BEHALF OF THE CITY FOR A TERM OF FIVE (5) YEARS, AND AMENDING SECTION 7 OF SAID INTERLOCAL AGREEMENT FOR THE COUNTY'S COMPENSATION FOR THESE SERVICES UNDER THE AGREEMENT SHALL BE ONE (1%) PERCENT OF THE TOTAL TAXES COLLECTED PER ANNUM AND SHALL BE SUBJECT TO ANNUAL NEGOTIATION FOLLOWING THE INITIAL FIVE (5) YEAR TERM.**

Councilman Henderson acknowledged that Bill Hullander, Hamilton County Trustee, was present in the Assembly to respond to any questions from the Council. Councilman Henderson also described for the Assembly that the old agreement had expired. He also informed the Assembly about the City anticipating Short-Term Vacation Rental proprietors in Chattanooga being added to the hotel/motel tax collection.

Councilman Henderson noted that a 2-percent (2%) discount to hotelier is being charged with this tax. Daisy Madison, Chief Finance Officer, if she would look into reducing that discount to 1% discount, which would help pay for what is being incurred today. Ms. Madison agreed to look into that with the State and noted that she had already called the State to determine if 2% is required by law. Councilman Henderson noted that he would like to see a legislation reducing that to a 1% discount.

Councilman Ledford asked to hear from Trustee Hullander, who informed the Council of how this agreement is a "win-win" situation for such services, and how audits of the 135 motels in Chattanooga resulted in a \$37,000 collection for the City.

Upon no further questions, **Councilman Henderson moved** to approve, seconded by Councilman Ledford. The motion carried.

**ACTION: ADOPTED**

On motion of Councilman Henderson and seconded by Councilwoman Berz,

**RESOLUTION #29074**

**A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 (FINAL) FOR HAREN CONSTRUCTION COMPANY, INC. OF ETOWAH, TN, RELATIVE TO CONTRACT NO. W-11-012-201, MBWWTP SCREEN IMPROVEMENTS, AND CONTRACT NO. W-12-017-201, MBWWTP HYDRAULIC AND PUMP IMPROVEMENTS, A CONSENT DECREE PROJECT, FOR AN INCREASED AMOUNT OF \$391,850.69, FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED \$13,058,850.69, AND TO RELEASE THE REMAINING CONTINGENCY OF \$278,149.31.**

**ACTION: ADOPTED**

On motion of Councilman Oglesby and seconded by Councilwoman Berz,

**RESOLUTION #29075**

**A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 FOR CDM SMITH FOR PROFESSIONAL SERVICES RELATED TO PHASE TWO OF CONTRACT NO. S-16-016, EAST LAKE WATER QUALITY RESTORATION, FOR AN INCREASED AMOUNT OF \$135,000.00 FOR DESIGN SERVICES AND \$113,400.00 FOR OPTIONAL SUPPLEMENTAL SERVICES, FOR THE TOTAL REVISED CONTRACT AMOUNT NOT TO EXCEED \$348,400.00.**

**ACTION: ADOPTED**

On motion of Councilwoman Berz and seconded by Councilman Oglesby,

**RESOLUTION #29076**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN INTERLOCAL AGREEMENT MEMORANDUM OF UNDERSTANDING WITH HAMILTON COUNTY GEOGRAPHIC INFORMATION SYSTEMS DEPARTMENT FOR THE 2017 AERIAL PHOTOGRAPHY UPDATE OF THE PLANIMETRIC DATA SET TO INCLUDE BUILDING FOOTPRINTS, IMPERVIOUS SURFACES, AND OTHER BASE MAPPING DATA, FOR A COST NOT TO EXCEED \$58,000.00.**

**ACTION: ADOPTED**

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

**RESOLUTION #29077**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO A CONTRACT WITH SOUTHEAST TENNESSEE DEVELOPMENT DISTRICT (SETDD) FOR EDA GRANT ADMINISTRATION SERVICES FOR THE ESIP PUMP STATION AND FORCE MAIN PROJECT, FOR AN AMOUNT NOT TO EXCEED \$30,000.00.**

**ACTION: ADOPTED**

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

**RESOLUTION #29078**

**A RESOLUTION REQUESTING THE CHATTANOOGA-HAMILTON COUNTY REGIONAL PLANNING AGENCY TO REVIEW AND UPDATE THE LAND USE POLICY FOR PROPERTIES FRONTING BROWN'S FERRY ROAD BETWEEN INTERSTATE 24 AND CUMMINGS HIGHWAY.**

Councilman Henderson asked John Bridger, Executive Director of the Regional Planning Agency, to examine how commercial development would fit into this corridor. Mr. Bridger agreed. The motion carried.

**ACTION: ADOPTED**

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

**RESOLUTION #29079**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT TO ENTER INTO A CONTRACT AGREEMENT WITH FAMILY CONCESSIONS, LLC TO PROVIDE FOOD/BEVERAGE SERVICES DURING EVENTS AT CONCESSION STANDS AT FROST STADIUM, WARNER PARK AQUATIC CENTER AND BALL FIELDS, AND SUMMIT SOFTBALL COMPLEX, RECREATION CENTERS AND SPECIAL EVENTS, FOR A CONTRACT TERM OF THREE (3) YEARS FROM THE EFFECTIVE DATE WITH AN OPTION FOR TWO (2) ADDITIONAL TWELVE (12) MONTH RENEWALS UPON WRITTEN AGREEMENT, FOR AN AMOUNT OF \$20,000.00 TO BE PAID BY THE CONTRACTOR TO THE CITY AT THE BEGINNING OF EACH YEAR.**

Attorney Hinton said that the caption does not capture all of the compensation that the city would receive. He asked that the following wording be added at the end of the resolution: *and at the end of each year, 12-percent (12%) of the net sales after taxes.* He indicated that no amendment was needed. Maura Sullivan, Chief Operating Officer, apologized for not including this wording in previous open discussions. Upon no questions from the Council, the motion carried.

**ACTION: ADOPTED**

**PURCHASES:**

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

**R154297 - Public Works** \$82,900.00  
Purchase of Two (2) KSB Submersible Pumps –  
Waste Resources Division  
Lowest/Best Bidder: Water & Waste Equipment Inc  
2335 Shady Lane  
Cleveland, TN 37312

**PO534083 - Public Works** Estimated \$80,000 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 St.  
Knoxville, TN 37917

**PO534480 - Public Works** Estimated \$400,000 Annually  
Blanket Contract Renewal for Repair,  
Reconditioning and Replacement of Electric  
Motors and Pumps - Waste Resources Division  
Lowest/Best Bidder: Tekwell Services LLC  
1301 Galway St.  
Knoxville, TN 37917

**PO539246 - Public Works**

Estimated \$50,000 Annually

Blanket Contract Renewal for Custodial Services  
For Riverwalk Extension

Lowest/Best Bidder: SKB Facilities & Maintenance Inc  
200 W MLK, 10th Fl - Ste 1000  
Chattanooga, TN 37402

**R152701 - Transportation**

Estimated \$81,000 Annually

New Blanket Contract for Radar Speed Display  
Signs, Upgrade, Maintenance, and Support

Lowest/Best Bidder: Traffic Logix Corporation  
3 Harriett Lane  
Spring Valley, NY 10977

**PO540239 - Information Technology**

New Total Estimated \$1,500,000 Annually

Increase of Authorized Expenditure on Blanket  
Contract for Technology Products, Services,  
and Related Products & Services

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

**PO539036 - Public Works**

New Total Estimated \$2,000,000 Annually

Blanket Contract Renewal for Sedans, SUVs,  
Vans & Light Trucks - Fleet Management

Lowest/Best Bidder: Brooker Ford Inc  
925 Shugart Road  
P.O. Box 519  
Dalton, Ga 30722

*[Councilwoman Berz left the meeting at this time.]*

Regarding **R154297**, Councilman Ledford asked Ms. Woodward to explain about an out-of-state franchise violation that took place with a bidder. Ms. Woodward explained the original lowest bidder was only authorized in the State of Georgia, so KSB was the next lowest bidder, now being awarded the contract. Upon no further questions or comments, **Councilman Oglesby moved** to approve, seconded by Councilman Henderson. The motion carried.

**ACTION: ALL PURCHASES APPROVED**

**OTHER BUSINESS:**

**Resolution Regarding Tennessee DOE**

Councilman Gilbert informed the Council that he is sponsoring a resolution regarding the school system that was discussed two weeks ago: a resolution encouraging the State to slow down the takeover. He indicated that the resolution draft would come to the Council by tomorrow morning.

**African-American Music Appreciation Month**

Councilwoman Coonrod aired the music video, "Don't Stop 'Til You Get Enough" by Michael Jackson, as today's music selection for African-American Music Appreciation Month.

## **Short-Term Vacation Rental Forum**

Councilman Henderson confirmed with Mr. Bridger that the previously-announced public forum on Short Term Vacation Rental Overlay would take place on tomorrow, June 21, at 5:00 p.m. here in the Council Building. Mr. Bridger will facilitate that public forum.

## **Meeting Regarding Revolving Loan Fund**

Councilman Oglesby announced a meeting regarding the Chattanooga Brownfield Revolving Loan Fund, taking place on Friday, June 23, at 5:00 p.m. in the Development Resource Center, 1<sup>st</sup> Floor [Room 1-A], 1250 Market Street. He read that copies of the draft cleanup information are available to review and comment until July 10, 2017 at Brightbridge Inc., 535 Chestnut St., Ste. 161.

## **COMMITTEE REPORTS:**

### *Budget and Finance Committee*

Councilman Henderson  
(No report)

### *Economic and Community Development Committee*

Councilman Oglesby  
(No report)

### *Human Resources Committee (HR)*

Councilman Gilbert  
(No report)

### *Planning & Zoning Committee*

Councilman Ledford reported:

- Due to meeting cancellations on July 4, the committee has rescheduled its July 4 meeting to next week, June 27, following the 3:00 p.m. Agenda Session.

### *Public Safety Committee*

Councilman Byrd  
(No report)

### *Public Works and Transportation Committee*

(Councilwoman Berz was not present)

- Chairman Mitchell reported that the committee met earlier today in open meeting. He thanked administrators Justin Holland (Public Works) and Blythe Bailey (transportation) on behalf of Councilwoman Coonrod.

### *Youth and Family Development Committee*

Councilwoman Coonrod  
(No report)

### *Innovation Technology Committee*

Vice-Chairman Smith reported:

- The committee will meet next week (June 27) following the 3:00 p.m. Agenda Session for a discussion the small cell ordinance. The ordinance will be added to the July 11 agenda for first reading.



## **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:

- **Regina Kirk (District 5)** – She is a former UTC Mocs basketball player and SoCon Hall of Famer who now runs her own foundation, The Regina Kirk Foundation. She wanted to inform the Council of her foundation’s annual golf tournament and requested resources and support from the Council in her efforts. She also discussed the work of her foundation and her goal of starting an inner-city basketball league.
  - Councilman Byrd thanked her for her work with youth and confirmed the name of her organization. Ms. Kirk also informed the Council of her S.A.F.E. (Serving Athletes for Excellence) Camp.
  - Councilwoman Coonrod read the flyer about the golf tournament, which will take place on [September 7, 2017] at Moccasin Bend Golf Course, and asked the Council if that is something it would be able to support. Chairman Mitchell offered to discuss that at a later time.
- **Gary Ball (Community Police Interaction Committee)** – He has been working with Baker South and Baker North. He wanted to remind the Council of various housing codes in Section 21 of City Code that could be utilized by the City and the Administrative Hearing Officer in dealing with condemned and blighted properties in his community. He asked for the Council to discuss what can be done for one property in particular that is vacant and becoming a nuisance.
- **Dianna Mancini (East Lake/District 7)** – She heads up the Neighborhood Watch and asked the Council what could be done about the boarded up and condemned houses in her neighborhood. She also informed the Council of cars being parked too close to corners and intersections, which has caused problems for fire trucks.
  - Councilman Oglesby asked to speak with Ms. Mancini after the meeting. She agreed to stay.
- **Cicely Roman (Foust St./District 7)** – She informed the Council that she has been writing down addresses of vacant and blighted properties in her community. She discussed properties on 7<sup>th</sup> Avenue, East 38<sup>th</sup> Street, Clio Avenue that are condemned, blighted and/or unsafe. She plans to bring videos and pictures of these properties back to the Council.

**ADJOURNMENT**

**On motion of Councilman Oglesby**, Chairman Mitchell adjourned the meeting of the Chattanooga City Council until Tuesday, June 27, 2017, at 6:00 p.m.

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**CHAIRMAN**

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**CLERK OF COUNCIL**