



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
August 22, 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, were also present.

PLEDGE OF ALLEGIANCE

Councilman Mitchell 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 Councilman Ledford, the minutes of the last meeting (August 15, 2017) were approved as published.

SPECIAL RECOGNITION

Councilman Oglesby recognized retired police detective, Napoleon “Doughnut” Williams, who was present in the Assembly today.

ORDINANCES – FINAL READING:

On motion of Councilman Henderson and seconded by Councilwoman Berz,

ORDINANCE #13211

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 25, ARTICLE III, SECTION 25-67, TO RENUMBER PRESENT SECTION 25-73, AND TO ADD A NEW SECTION 25-73 RELATIVE TO UNLAWFUL NOISES FROM OFF-ROAD VEHICLES.

ACTION: APPROVED

On motion of Councilwoman Berz and seconded by Councilman Ledford,

ORDINANCE #13212

AN ORDINANCE AMENDING CHATTANOOGA CITY CODE, CHAPTER 2, ARTICLE II, DIVISION 2, BY ADDING A NEW SECTION 2-49, RELATING TO LEGAL LIABILITY CLAIMS.

ACTION: APPROVED

ORDINANCES – FIRST READING: (NONE)

RESOLUTIONS:

On motion of Councilwoman Coonrod and seconded by Councilman Oglesby,

RESOLUTION #29148

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO ENTER INTO A PRIMARY CONTRACT WITH P&D CONSTRUCTION AND A SECONDARY CONTRACT WITH TOWER CONSTRUCTION, IN SUBSTANTIALLY THE FORM ATTACHED, FOR DEMOLITION SERVICES, FOR AN AMOUNT NOT TO EXCEED \$410,000.00.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilwoman Coonrod,

RESOLUTION #29149

A RESOLUTION AUTHORIZING THE APPOINTMENT OF KYLE HEDRICK AS ADMINISTRATIVE HEARING OFFICER.

Councilman Gilbert asked Donna Williams, Administrator for the Department of Economic and Community Development, to repeat information regarding the Administrative Hearing Officer previously discussed about the position. She discussed the change in the resolution to allow for more than one AHO and confirmed that Judge Walter Williams would be considered at a later time. After which, the motion carried.

ACTION: ADOPTED

On motion of Councilman Oglesby and seconded by Councilwoman Coonrod,

RESOLUTION #29150

A RESOLUTION AUTHORIZING THE WAIVER OF RENTAL USE AND DAMAGE FEES AT THE SOUTHSIDE COMMUNITY PARK FOR THE SOUTH CHATTANOOGA BARBECUE CONTEST TO BE HELD ON SATURDAY, SEPTEMBER 2, 2017, FROM 8:00 A.M. TO 7:00 P.M., IN THE AMOUNT OF \$925.00.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Henderson,

RESOLUTION #29151

A RESOLUTION CONFIRMING THE MAYOR’S APPOINTMENT OF DAVID RODDY AS THE POLICE CHIEF.

Chairman Mitchell afforded an opportunity for Councilwoman Coonrod to make a statement prior to voicing her vote. She discussed her reasons for supporting Chief Roddy’s appointment and her readiness to put “boots to the ground” in working with Chief Roddy & Assistant Chief Edwin McPherson to improve the city. **The motion carried** upon roll call vote as follows:

Berz	Yes	Ledford	Yes
Byrd	Yes	Oglesby	Yes
Coonrod	Yes	Smith	Yes
Gilbert	No	Mitchell	Yes
Henderson	Yes		

Yes – Eight (8); No – One (1)

Chief Roddy expressed thanks to the Council for engaging the community during the selection process, being conduits for the members of their districts and allowing the process of discussing the needs of the position. He also expressed appreciation for the energy put forth by citizens during the process. Councilman Byrd expressed thanks to Chief Roddy for taking the time to meet with him and responding to questions. He also expressed words of thanks and support for Assistant Chief McPherson. Chairman Mitchell encouraged Chief Roddy with the quote, “Luck is the residue of a good design,” and encouraged the chief to have a good design.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilwoman Coonrod,

RESOLUTION #29152

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO RENEW THE CONTRACT WITH LEXISNEXIS MATTHEW BENDER RELATING TO ONLINE LEGAL RESEARCH AND LEGAL PUBLICATION UPDATES THROUGH JUNE 30, 2018, BASED UPON THE CONTRACT TERMS DATED MAY 26, 2015, FOR AN AMOUNT NOT TO EXCEED \$29,750.00.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

RESOLUTION #29153

A RESOLUTION AUTHORIZING THE OFFICE OF THE CITY ATTORNEY TO ENGAGE THE VARIOUS LAW FIRMS LISTED BELOW FOR LEGAL SERVICES IN GENERAL LITIGATION MATTERS; CORPORATION, TRANSACTIONAL, INTELLECTUAL PROPERTY, AND ADMINISTRATIVE MATTERS; LABOR & EMPLOYMENT MATTERS; AND GOVERNMENT RELATIONS MATTERS FOR THE PERIOD OF JULY 1, 2017 THROUGH JUNE 30, 2018.

ACTION: ADOPTED

On motion of Councilman Byrd and seconded by Councilwoman Coonrod,

RESOLUTION #29154

A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 FOR LAYNE INLINER LLC OF ORLEANS, IN, RELATIVE TO CONTRACT NO. W-12-030-201, HIGHLAND PARK REHABILITATION PROJECT, A CONSENT DECREE PROJECT, FOR AN INCREASED AMOUNT OF \$429,678.38, TO REDUCE THE CONTINGENCY TO \$50,000.00, FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED \$2,411,525.88.

ACTION: ADOPTED

On motion of Councilwoman Coonrod and seconded by Councilman Byrd,

RESOLUTION #29155

A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 FOR VOLKERT, INC. RELATIVE TO CONTRACT NO. W-12-030-101, HIGHLAND PARK REHABILITATION PROJECT, A CONSENT DECREE PROJECT, FOR AN INCREASED AMOUNT OF \$78,398.00, FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED \$616,142.00.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilwoman Coonrod,

RESOLUTION #29156

A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 2 FOR VOLKERT, INC. RELATIVE TO CONTRACT NO. W-10-012-101B, TELEMETRY AND SCADA UPGRADES AT MBWWTP AND REMOTE FACILITIES, A CONSENT DECREE PROJECT, FOR AN INCREASED AMOUNT OF \$57,967.12, FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED \$619,022.12.

ACTION: ADOPTED

PURCHASES:

Emergency Purchase

Bonnie Woodward, Purchasing Director, informed the Council of an emergency purchase by the Department of Economic and Community Development.

PO545178 - Economic and Community Development \$30,633.00
Demolition of Structure Located at 2700 Taylor Street
Supplier: Tower Construction Company, 2520 E 14th Street, Chattanooga, TN 37404

Upon no questions from the Council, the purchasing letter was signed in this open meeting by Donna Williams, ECD Administrator.

Proposed Purchases

Ms. Woodward also briefed the Council on the following proposed purchases:

R158074 - Information Technology Estimated \$30,000 Annually
New Blanket Contract for Oracle Reporting Modules
Lowest/Best Bidder: EiS Technologies Inc
3067 Peachtree Industrial Blvd
Duluth, GA 30097

R155104 - Public Works \$106,620.00
Purchase of Twenty (20) MSA Gas Monitors
& Supporting Equipment - Waste Resources Division
Lowest/Best Bidder: Daly Instrumentation & Controls Inc
PO Box 50994
Knoxville, TN 37950-0994

R155305 - Public Works \$94,398.86
Purchase of Valves & Accessories - Waste Resources Division
Lowest/Best Bidder: Piping Supply Company
3008 N Hickory St
Chattanooga, TN 37406

R158627 - Public Works \$60,927.36
Purchase of Waste Containers
Lowest/Best Bidder: Wastequip LLC
841 Meacham Road
Statesville, NC 28677

R158766 - Public Works \$262,968.10
Purchase of One (1) ByPass Pump - Waste Resources Division
Lowest/Best Bidder: Xylem Inc
402 Old Mill Road
Cartersville, GA 30120

Councilwoman Coonrod moved to approve, seconded by Councilman Byrd. The motion carried.

ACTION: ALL PURCHASES APPROVED

OTHER BUSINESS:

Confederate Cemetery Request

Councilman Henderson informed the Council that he learned that Mayor Berke had asked the City Attorney to file paperwork to remove the City of Chattanooga as a trustee for the confederate cemetery. After hearing this, he called the attorney to find out what was happening. He learned that the Sons of the Confederacy had been wanting to be named trustee, but there was the issue of the City being the trustee. He felt there may be opportunity for the Sons of the Confederacy to become trustees and allow the City to “get out of the way” in this matter. He asked the City Attorney to report to the Council on (1) the conversations that have taken place over the past year about the City getting out of the way, (2) a brief history of how the city became a trustee and (3) the legal process and ramifications of removing the City as a trustee. Attorney Hinton agreed to report back to the Council with the requested information.

District 9 Announcement

Councilwoman Coonrod discussed how mailboxes are places where information is received and given, then she what is being called the “District 9 Mailbox Gathering,” taking place on Saturday, September 9, 2017 from 10:00 a.m. – Noon at the Orange Grove Center on Derby Street. She noted that it will include breakout sessions with city departments. Community members will also work together on different solutions to improve the district.

Valor Luncheon

Councilman Ledford wanted to discuss one of the messages that he had from attending today’s Valor Luncheon. He told about hearing a story by Colonel Blackman about a young African-American man and a 62-year-old Caucasian man who came together for an adventure. At the end of the story, the two men said “I love you.” The story touched his heart so much that Councilman Ledford turned to Councilman Byrd during the luncheon and said “I love you.” Councilman Byrd gave his response: “I love you, too, brother.” Councilman Ledford indicated that this is what the current Council is about and stands for in the city.

COMMITTEE REPORTS:

Budget and Finance Committee

Councilman Henderson reported:

- The committee met today, starting at 9:30 a.m. and ending around 3:15 this afternoon. They did have a break for attending the Valor Luncheon today. The committee’s third budget work session, where they heard presentations on Safer Streets and Smarter Students, Stronger Families and Safer Streets.
- The next budget work session will take place next week (August 29) at 10:00 a.m. in the Council conference room. The public is invited to attend.

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 reported:

- The committee met last week for a Q&A session with then-Interim Police Chief David Roddy. He reported that it went very well because we now have a new Chief.

Public Works and Transportation Committee
Councilwoman Berz reported:

- The committee will meet next week (August 29) following the 3:00 p.m. Agenda Session.

Youth and Family Development Committee
Councilwoman Coonrod
(No report)

- She wanted to express appreciation for everyone coming out to today's Council meeting. She referenced a Swahili phrase from the Lion King movie: Hakuna Matata, which means "No Worries." She encouraged citizens not to worry about the battles of the past, but strive to tackle the battles of today. She noted systemic problems such as mass incarceration and recidivism as some of the battles affecting citizens today. She encouraged everyone to not just be the "mouthpiece," but to also be the action in bringing forth needed changes.

Innovation 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:

- **Ricky Robinson (Chattanooga)** – He commented on the changes in the city and wanted to give his full support to Chief Roddy. He asked that the public give Chief Roddy a chance to make a difference.
 - Councilwoman Coonrod thanked Mr. Robinson for his words of support and was happy to have taken part in the reconciliation between him and Chief Roddy.
- **Napoleon Williams (Chattanooga)** – Mr. Williams was the city's first African-American detective. He wanted to invite the Council to a Pray Vigil for Chattanooga, taking place on tomorrow (August 23) at 8:00 p.m. at the Historic Engel Stadium. The vigil would focus on stopping the violence in the city. He noted the "black-on-black" violence in the city.
- **Brenda Shelton (Airport Rd./District 5)** – She came a couple of weeks ago to report a business across from her house that ran a noisy compressor late into the

night. She reported that the same business is now having its roof repaired, so she is now hearing hammering late at night. She also noted that there is a band practicing late at night in her neighborhood at a car wash parking lot. She has not been able to receive relief from the noise and promises to come back to the Council as long as the noise continues.

- Councilman Gilbert informed Ms. Shelton that he and Attorney Hinton have been discussing options for dealing with these disturbances, and asked her to speak with him and the attorney after this meeting. Ms. Shelton agreed.
- **Cecily Roman (Foust St./District 7)** – She informed the Council of a house in her East Lake neighborhood that has been condemned, but people are hosting a flea market there on weekends. She also informed the Council of the house next door that is blighted, but not boarded up yet. She asked that code inspectors work on weekends so that they can witness the illegal flea market. She is also concerned that kids are hanging out at the blighted property.
 - Councilman Byrd informed Ms. Roman that discussions took place today on blighted properties and that the budget will reflect the Council's efforts with this problem.

ADJOURNMENT

On motion of Councilman Henderson, Chairman Mitchell adjourned the meeting of the Chattanooga City Council until Tuesday, August 29, 2017, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL