



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
October 3, 2017
4:00 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. Phil Noblett, Deputy City Attorney, and Nicole Gwyn, Council Clerk, were also present.

PLEDGE OF ALLEGIANCE

Councilman Byrd led the Assembly in the Pledge of Allegiance and invited Armand Wine, Youth Minister for Avondale Church of Christ, to give the invocation.

SPECIAL PRESENTATION

There had been an error on the agenda regarding a special presentation. In lieu of an presentation, Councilwoman Berz took the opportunity to remind everyone about the National Night Out events happening within districts tonight and stated that she will be attending the event tonight with her constituents in the Shepherd community.

APPROVAL OF LAST MINUTES

On motion of Councilman Gilbert and seconded by Councilman Oglesby, the minutes of the last meeting (September 26, 2017) were approved as published.

ORDINANCES – FINAL READING:

On motion of Councilman Henderson and seconded by Councilwoman Coonrod,

ORDINANCE #13225

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 12 TO ADOPT ELECTRONIC CITATION REGULATIONS AND FEES.

ACTION: APPROVED

2017-101
Hawkins Commercial Properties, LLC
c/o Mark Hawkins
Planning Version
District No. 4

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

ORDINANCE #13222

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 3401 JENKINS ROAD, 7703 AND 7721 STANDIFER GAP ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE AND M-2 LIGHT INDUSTRIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

On motion of Councilman Oglesby and seconded by Councilman Gilbert,

ORDINANCE #13226

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 5, SECTION 5-110, RELATING TO DISTILLERIES.

ACTION: APPROVED

MR-2017-111
CCW of Chattanooga/B & B Construction
Alternate Version
District No. 8

ORDINANCE #13228

AN ORDINANCE CLOSING AND ABANDONING THE 2600 BLOCK OF OHIO STREET, AS DETAILED ON THE ATTACHED MAP.

Councilman Byrd introduced an Alternate Version of this ordinance. Attorney Noblett read the new condition of the abandonment: *"The new plat will also include a new right of way dedicated to the city which will be contiguous with the existing 15 foot right of way on the east side of the property that currently exists. In addition, the platt will dedicate a walkway easement on the east side of the creek for the city or other designated entity to construct a walkway as desired."* **Councilman Byrd moved** to add the Alternate Version, seconded by Councilwoman Coonrod. The motion carried. Chairman Mitchell noted that this action would put the version on first reading. **Councilman Byrd moved** to approve the amended [Alternate] Version, seconded by Councilman Gilbert. The motion carried.

ACTION: ALTERNATE VERSION PASSED ON FIRST READING

ORDINANCES – FIRST READING:

2017-106

Henry Apartment, LLC

Planning Version (revised)

District No. 1

ORDINANCE #13229

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 341 STRINGER STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE AND C-2 CONVENIENCE COMMERCIAL ZONE TO E-CX-3 URBAN EDGE COMMERCIAL MIXED USE ZONE WITH A CAP OF THREE (3) STORIES OR FORTY (40') FEET, SUBJECT TO CERTAIN CONDITIONS.

John Bridger, Executive Director of Regional Planning, made a presentation on the key findings and recommendations from the Planning Commission and staff. He also read the three (3) conditions currently listed in the ordinance. The Applicant and the Opposition were present. Therefore, a hearing ensued.

On behalf of the Applicant:

- **John Wise (Developer)** - He commented on meeting with the neighbors and Councilman Henderson, and making some adjustments. He also confirmed for Councilman Henderson that the number of parking spaces had been increased to one space less than the total number of units and that the increased parking was not on the drawing currently displayed for the Assembly. Chairman Mitchell confirmed that Mr. Wise was satisfied with the current conditions.

On behalf of the Opposition:

- **Shawn Trivette (Stringer Street)** - He indicated that he was no longer opposed to the project. He is satisfied with the current conditions and appreciates the additional parking and no longer opposes the project.
- **Karen Reed (Stringer Street)** – She wanted to ensure that the neighborhood was protected and not interrupted by this development.

Councilman Henderson moved to approve the revised version subject to the three conditions mentioned earlier. He was seconded by Vice-Chairman Smith. The motion carried.

ACTION: PASSED ON FIRST READING

On motion of Councilman Henderson and seconded by Councilman Oglesby,

ORDINANCE #13230

AN ORDINANCE TO AMEND ORDINANCE NO. 13071 TO INCORPORATE CERTAIN PROPERTIES, MORE PARTICULARLY DESCRIBED BELOW, INTO THE DOWNTOWN FORM BASED CODE AREA BOUNDARY.

ACTION: PASSED ON FIRST READING

On motion of Councilman Henderson and seconded by Councilman Oglesby,

ORDINANCE #13231

AN ORDINANCE TO AMEND THE DOWNTOWN CONTEXT MAP WITHIN THE CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE XVI, DOWNTOWN FORM BASED CODE, SECTION 38-693(2), TO ADD CERTAIN PROPERTIES, MORE PARTICULARLY DESCRIBED BELOW, INTO THE URBAN EDGE CONTEXT AREA.

ACTION: PASSED ON FIRST READING

Alternate Version #3

ORDINANCE #13227

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE V, ZONING REGULATIONS, DIVISION 28, A-1 URBAN AGRICULTURAL ZONE TO REDUCE THE REQUIRED MINIMUM LOT SIZE AND TO ESTABLISH SITE PLAN REQUIREMENTS.

Councilman Henderson informed the Council that some changes relating to existing barns and future barns had been added to the Alternate Version #3, which makes it clear that *new barns would be located 150 feet from existing residential areas and that existing barns would be grandfathered in, whether for any kind of livestock or fowl.* Therefore, **Chairman Henderson moved** to substitute Alternate Version #3 and take the ordinance to first reading. He was seconded by Councilman Ledford. Councilman Ledford noted that any confusion over the language in the “Whereas” clause on the 150-foot setback had been corrected. Upon no further comments, **the motion carried upon roll call vote as follows:**

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

YES – Seven (7); NO – Two (2)

ACTION: ALTERNATE VERSION #3 PASSED ON FIRST READING

ORDINANCE #13232

AN ORDINANCE CLOSING AND ABANDONING AN UNNAMED FORTY (40') FOOT RIGHT-OF-WAY OFF THE 2100 BLOCK OF JENKINS ROAD, AS DETAILED ON THE ATTACHED MAP.

Councilman Ledford asked Blythe Bailey, Transportation Administrator, to give an overview on the Regional Planning Agency staff recommendation and the Planning Commission approval. Chairman Mitchell opened the floor for the Applicant to speak.

On behalf of the Applicant:

- **Ben Berry (Berry Engineers)** - He distributed a copy of the layout of the subdivision to the Council and discussed the following: the purchase of excess land from the ball fields to create a primary access off Batters Place; the use of the proceeds from the sale to be used for ball fields upgrades; and the concerns about the Mackey Branch Crossing and the environmental and flood plain impacts. He did not agree with CDOT's recommendation for a secondary access. Instead, he recommends use of the roundabouts. He discussed no longer needing Fred Lane due to this public right-of-way.

Chairman Mitchell confirmed that there was no Opposition present today regarding Transportation's opinion or the developer's opinion. He also confirmed with Mr. Berry that there was no one present from the East Brainerd Youth Association today. **Councilman Ledford moved** to approve, seconded by Councilman Henderson. The motion carried.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

RESOLUTION #29196

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN ASSIGNMENT AND ASSUMPTION AGREEMENT WITH THE UNIVERSITY OF CHATTANOOGA FOUNDATION, INC. AND THE UNIVERSITY OF TENNESSEE, ON BEHALF OF ITS CHATTANOOGA CAMPUS, IN SUBSTANTIALLY THE FORM ATTACHED, AS ACKNOWLEDGEMENT AND APPROVAL WITH REGARD TO THE GROUND LEASE AGREEMENT DATED APRIL 9, 2009, BETWEEN THE CITY OF CHATTANOOGA AND THE FIRST TEE OF CHATTANOOGA, INC. AS IT RELATES TO THE GOLF PRACTICE FACILITY LOCATED AT 2453 HICKORY VALLEY ROAD.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

RESOLUTION #29197

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A TERMINATION AGREEMENT WITH THE UNIVERSITY OF CHATTANOOGA FOUNDATION, INC. AND THE UNIVERSITY OF TENNESSEE, ON BEHALF OF ITS CHATTANOOGA CAMPUS, IN SUBSTANTIALLY THE FORM ATTACHED, FOR THE CANCELLATION AND TERMINATION OF THE SHARED USE AGREEMENT DATED APRIL 9, 2009, FOR THE USE OF THE GOLF PRACTICE FACILITY LOCATED AT 2453 HICKORY VALLEY ROAD.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

RESOLUTION #29198

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AMENDED AND RESTATED GROUND LEASE WITH THE UNIVERSITY OF TENNESSEE, ON BEHALF OF ITS CHATTANOOGA CAMPUS, IN SUBSTANTIALLY THE FORM ATTACHED, FOR A TERM OF TWENTY-FIVE (25) YEARS TO ACCOMMODATE THE CONTINUED OPERATION OF THE GOLF PRACTICE FACILITY LOCATED AT 2453 HICKORY VALLEY ROAD.

ACTION: ADOPTED

On motion of Councilwoman Coonrod and seconded by Councilman Oglesby,

RESOLUTION #29199

A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF CHATTANOOGA TO ISSUE BONDS IN THE AGGREGATE AMOUNT NOT TO EXCEED \$12 MILLION OF THE CITY OF CHATTANOOGA, TENNESSEE FOR THE PURPOSE OF PAYING ALL OR A PORTION OF THE COSTS OF THE FOLLOWING: LIBRARY ELECTRICAL UPGRADE, LIBRARY MAIN BRANCH HVAC, FIRE APPARATUS, PEDESTRIAN INFRASTRUCTURE, FACILITIES MAJOR REPAIRS, BUILDING ENERGY EFFICIENCY UPGRADES, EAST LAKE YFD CENTER EXPANSION, 3500 ST. ELMO, DAVIDSON ROAD, EAST LAKE WQ RESTORATION.

ACTION: ADOPTED

Agenda Item VII(j):

A RESOLUTION AUTHORIZING THE APPOINTMENTS OF KEITH MARTIN, MICHAEL GLENN, MATTHEW SCOTT, ELIZABETH SPAULDING, LEBRON DURHAM, KENNETH FAIRCHILD, AUSTIN HOLLAND, DALLAS LONGWITH, AND EDWARD ROBINSON AS SPECIAL POLICE OFFICERS (ARMED) FOR THE HAMILTON COUNTY PARKS AND RECREATION TO DO SPECIAL DUTIES AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.

Councilman Gilbert moved to approve, seconded by Councilwoman Coonrod. Councilman Henderson inquired about the reason for Councilman Gilbert requesting a deferral. Attorney Noblett informed the Council that more time was needed to prepare the interlocal agreement with Hamilton County explaining what they would be responsible for since these were Hamilton County employees. Upon no further questions, the motion carried.

ACTION: DEFERRED TWO (2) WEEKS TO OCTOBER 17, 2017

On motion of Councilman Henderson and seconded by Councilman Ledford,

RESOLUTION #29200

A RESOLUTION AUTHORIZING THE DIRECTOR OF HUMAN RESOURCES TO ENTER INTO AN AGREEMENT WITH MARATHON HEALTH, INC. TO PROVIDE ONSITE MEDICAL AND WELLNESS SERVICES TO CITY EMPLOYEES, RETIREES, AND DEPENDENTS FOR A ONE (1) YEAR TERM WITH TWO (2) ADDITIONAL ONE (1) YEAR RENEWAL OPTIONS, UPON MUTUAL AGREEMENT, WHEREIN THE FIRST YEAR COST WILL BE \$2,303,248.00, WITH AN ANNUAL RENEWAL INCREASE OF THREE (3%) PERCENT.

ACTION: ADOPTED

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

RESOLUTION #29201

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH HAZEN AND SAWYER FOR PROFESSIONAL SERVICES RELATIVE TO CONTRACT NO. W-17-004-101, WET WEATHER COMBINED SEWER STORAGE – PHASE 1, A CONSENT DECREE SUPPORTED PROJECT, FOR AN AMOUNT NOT TO EXCEED \$1,583,000.00.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Byrd,

RESOLUTION #29202

A RESOLUTION AUTHORIZING THE PURCHASE OF AN INDUCTIVELY-COUPLED PLASMA/OPTICAL-EMISSION SPECTROMETER (ICP-OES) FROM PERKIN-ELMER HEALTH SCIENCES, INC. FOR USE BY THE WASTE RESOURCES DIVISION LABORATORY TO CONDUCT STATE-REQUIRED TESTING OF WASTEWATER IN ORDER TO ACHIEVE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION STANDARDS, FOR AN AMOUNT NOT TO EXCEED \$75,478.74.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilwoman Coonrod,

RESOLUTION #29203

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT TO ACCEPT A DONATION FOR THE MIRACLE FIELD, MULTIPURPOSE FIELD, AND PLAYGROUND AT WARNER PARK FROM THE MIRACLE FIELD FOUNDATION, FOR THE ESTIMATED TOTAL AMOUNT OF \$2.5 MILLION.

Councilman Henderson commented on the Miracle Field project. Upon no further comments, the motion carried.

ACTION: ADOPTED

PURCHASES:

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

PO540596 - Public Works Estimated \$250,000 Annually
Blanket Contract Renewal for Fueling Station Repair Services
& Upgrades, Fleet Management Division
Lowest/Best Bidder: Spatco
2710 John Deere Dr Ste 207
Knoxville, TN 37917

R160282 - Public Works \$45,000
Purchase of Two Salt Spreaders for Public Works City Wide Services
Lowest/Best Bidder: CMI Equipment Sales, Inc
2405 Dickson Rd
Nashville, TN 37207

PO523044 - Public Works

Estimated \$30,000 Annually

Blanket Contract Renewal for Tractor & Mower OEM Parts and Service for Fleet Management Division - General Services Department
Lowest/Best Bidder: Chattanooga Tractor & Equipment Inc.
2034 Polymer Drive
Chattanooga, TN 37421

R159392 - Public Works

Estimated \$40,000 Annually

New Blanket Contract for Wrecker/Towing & Recovery Service - City Wide Fleet Management Division
Lowest/Best Bidder: Mosteller's Towing & Recovery
2417 E. Main Street
Chattanooga, TN 37404

PO540477 - Public Works

Estimated \$800,000 Annually

Blanket Contract Renewal for Locating and Marking Services for Underground Utilities
Lowest/Best Bidder: USIC Locating Services LLC
9045 N River Road Ste 300
Indianapolis, IN 46240

PO523746 - Police Department

Estimated \$130,000 Annually

Blanket Contract Extension for Body Armor as needed by the Police Department
Lowest/Best Bidder: G T Distributors
PO Box 458
Rossville, GA 30741

Councilman Oglesby moved to approve, seconded by Councilwoman Coonrod. Councilman Gilbert inquired about whether the body armor in PO523746 is sufficient protection for officers. Assistant Chief Dana Vaughn confirmed that the body armor has been tested and the department is satisfied with the protection. She also thanked the Council for the additional plates and helmets used to protect officers. The motion carried.

ACTION: ALL PURCHASES APPROVED

OTHER BUSINESS:

Additional Resolutions Next Week

Item #1:

Councilman Henderson moved to authorize the City Attorney to add a resolution to next week's agenda to Amend Resolution 29191 to include Msi Workforce. He was seconded by Councilman Ledford. Vice-Chairman Henderson confirmed with Attorney Noblett that the Council rules only require the request of two Council members to add an item to the Council's agenda. Chairman Mitchell agreed and ruled that no vote was needed to add the item to next week's agenda.

Item #2:

Councilwoman Coonrod moved to authorize the City Attorney to draft a resolution in support of UTC and Chattanooga State not outsourcing maintenance jobs. She was seconded by Councilman Ledford. The resolution will be added to next week's agenda.

Lincoln Park Update

Councilman Byrd informed the Council that he had a meeting yesterday with Mr. Bailey and Maura Sullivan, Chief Operating Officer.

COMMITTEE REPORTS:

Budget and Finance Committee

Councilman Henderson

(No report)

Economic and Community Development Committee

Councilman Oglesby

- The committee will meet on October 24 regarding an annexation petition. Attorney Noblett noted that the annexation request was from the Lookout Mountain Conservancy.

Human Resources Committee (HR)

Councilman Gilbert

(No report)

- He had no report, but asked everyone to continue praying for those who lost loved ones in the recent Las Vegas shooting.

Planning and Zoning Committee

Councilman Ledford

- The committee met earlier today to discuss items on first reading and items on next week's agenda.

Public Safety Committee

Councilman Byrd

(No report)

Public Works and Transportation Committee

Councilwoman Berz

- The committee will meet next week (October 10) following the 3:00 p.m. Agenda Session.

Youth and Family Development Committee

Councilwoman Coonrod

(No report)

Innovation Technology Committee

Vice-Chairman Smith

(No report)

Agenda Session

- Chairman Mitchell asked that the Attorney remove the “Agenda Session” section from future agendas. Attorney Noblett agreed.

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

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

ADJOURNMENT

On motion of Councilman Oglesby, Chairman Mitchell adjourned the meeting of the Chattanooga City Council until Tuesday, October 10, 2017, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL