



City Council Building  
Chattanooga, Tennessee  
**COUNCIL MEETING MINUTES**  
October 17, 2017  
6:00 PM

## **CALL TO ORDER**

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

## **PLEDGE OF ALLEGIANCE**

Councilman Henderson led the Assembly in the Pledge of Allegiance. After which, he read Isaiah 53:4-5 of the Bible and gave the invocation.

## **APPROVAL OF LAST MINUTES**

**On motion of Vice-Chairman Smith and seconded by Councilman Oglesby**, the minutes of the last meeting (October 10, 2017) were approved as published.

## **SPECIAL PRESENTATION**

**"Honoring YFD Retiree Kenneth Simpson"**  
**By Lurone Jennings, Administrator**  
**Department of Youth & Family Development**

Mr. Jennings honored Pastor Kenneth "Super T" Simpson for his 30 years of service as a city employee. The Assembly honored Pastor Simpson with a standing ovation as he and his family joined Mr. Jennings. They were joined by former mayor Ron Littlefield. Mr. Jennings presented Pastor Simpson with a certificate from Mayor Andy Berke in recognition of his 30 years of service. Mr. Jennings, with assistance from Jason McKinney, Deputy Administrator, presented Pastor Simpson with a Leadership Plaque from the department. Mr. Jennings also informed the Council that Pastor Simpson is taking on the new role of President and CEO of Front Porch Alliance.

Pastor Simpson expressed his thanks and recognized all the volunteers who work with him. He discussed his beginnings at the City in 1985 and his rise in management. He thanked Mr. Littlefield for his friendship over the years. He also expressed thanks to the late Al Chapman, his predecessor at Front Porch Alliance, and his former director, Chairman Jerry Mitchell.

Vice-Chairman Smith spoke about Pastor Simpson's passion for youth and his influence on so many in the city. He acknowledged and thanked Pastor Simpson for his role in bringing RBI to Chattanooga and supporting youth sports. Councilman Byrd acknowledged Pastor Simpson's impact on his life and thanked Pastor Simpson for being there for him through the years. Councilwoman Coonrod called Pastor Simpson "the Mayor of the Southside" and thanked him for

teaching her how to bring people together. She also thanked him for his encouragement through the years, his service in feeding communities, and his help in getting her daughter prepared for college. Councilman Gilbert discussed going “way back” with Pastor Simpson and spoke about Pastor Simpson’s passion for youth and his sacrifice for the Chattanooga Cowboys football team. Chairman Mitchell expressed how much he loved working with Pastor Simpson for over six years and asked him to think of this Council as a partner.

**ORDINANCES – FINAL READING:**

**2017-117**  
**Cornerstone Construction of Chattanooga, LLC**  
**Planning Version**  
**District No. 1**

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

**ORDINANCE #13233**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 206 ASTER AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-5 RESIDENTIAL ZONE TO R-2 RESIDENTIAL ZONE.**

**ACTION: APPROVED**

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

**ORDINANCE #13234**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLES II, III, V, AND VI, RELATING TO HEIGHT AND AREA EXCEPTIONS AND OTHER SPECIAL EXCEPTIONS TO PROVIDE FOR THE USE OF SMALL SCALE ALTERNATIVE ENERGY SYSTEMS.**

**ACTION: APPROVED**

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

**ORDINANCE #13235**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE XVI, DIVISION 7, URBAN EDGE, SECTION 38-727, E-RD, RESIDENTIAL DETACHED ZONE TO ADD A DESIGNATION OF RD-3 TO THE LIST OF E-RD ZONES AND AMEND HEIGHT AND MASS REGULATION.**

**ACTION: APPROVED**

**ORDINANCES – FIRST READING:**

2017-086  
Tony Hill  
District No. 2

On motion of Councilman Henderson and seconded by Councilman Ledford,

**ORDINANCE #13236**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO LIFT CONDITION NOS. #2 AND #4 AND AMEND CONDITION NOS. #1 AND #3 OF ORDINANCE NO. 9582 ON PROPERTY LOCATED AT 4527 HIXSON PIKE, MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.**

Chairman Mitchell confirmed that the Applicant, Tony Hill, was present, but there was no Opposition present. John Bridger, Executive Director of the Regional Planning Agency, was asked to give a briefing on this case. During which, Mr. Bridger noted that there was no Opposition before the Planning Commission about this case. Upon no questions, the motion carried.

**ACTION: PASSED ON FIRST READING**

**RESOLUTIONS:**

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

**RESOLUTION #29213**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH BRIAN M. COTTER, IN SUBSTANTIALLY THE FORM ATTACHED, FOR A HOUSE LOCATED AT 324 BASS ROAD, KNOWN AS THE BROWN ACRES RENTAL HOUSE, IN CONSIDERATION OF \$800.00 PER MONTH AND THE PROVIDING OF SECURITY SERVICES AT BROWN ACRES AND BRAINERD GOLF COURSES, FOR A TERM OF TWO (2) YEARS, WITH AN OPTION TO RENEW FOR TWO (2) ADDITIONAL ONE (1) YEAR TERMS.**

**ACTION: ADOPTED**

On motion of Councilwoman Coonrod and seconded by Councilman Gilbert,

**RESOLUTION #29214**

**A RESOLUTION URGING PUBLIC HIGHER EDUCATION INSTITUTIONS IN THE CHATTANOOGA AREA TO OPT-OUT OF THE STATE FACILITIES MANAGEMENT CONTRACT.**

**ACTION: ADOPTED**

On motion of Councilman Byrd and seconded by Councilman Gilbert,

**RESOLUTION #29215**

**A RESOLUTION TO MAKE CERTAIN FINDINGS RELATING TO THE BAYBERRY APARTMENTS DEVELOPMENT (ALCO WOODLAWN PARTNERS, LP), TO DELEGATE CERTAIN AUTHORITY TO THE HEALTH, EDUCATIONAL, AND HOUSING FACILITY BOARD, AND TO AUTHORIZE THE MAYOR TO ENTER INTO AND EXECUTE AN AGREEMENT FOR PAYMENTS IN LIEU OF AD VALOREM TAXES.**

Councilman Byrd expressed his thanks to Mr. Berkeley of ALCO for bringing this project to the city. **Councilman Byrd moved** to approve, seconded by Councilman Gilbert. **The motion carried, with Chairman Mitchell and Vice-Chairman Smith voting “No.”**

**ACTION: ADOPTED**

On motion of Councilman Oglesby and seconded by Councilwoman Coonrod,

**RESOLUTION #29216**

**A RESOLUTION AUTHORIZING THE WAIVER OF FEES FOR THE EAST LAKE NEIGHBORHOOD ASSOCIATION GREEN SPACES EVENT AT EAST LAKE PARK ON SATURDAY, OCTOBER 21, 2017, IN THE AMOUNT OF \$227.50.**

**ACTION: ADOPTED**

**Agenda Item VII(e):**

**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 defer two (2) weeks until October 31, 2017. He was seconded by Councilwoman Coonrod. The motion carried.

**ACTION: DEFERRED TWO (2) WEEKS  
UNTIL OCTOBER 31, 2017**

**Agenda Item VII(f):**

**A RESOLUTION TO AMEND RESOLUTION NO. 29191 TO AUTHORIZE THE DIRECTOR OF HUMAN RESOURCES TO ENTER INTO A BLANKET CONTRACT WITH OUTSOURCE STAFFING, LLC AND MSI WORKFORCE FOR TEMPORARY EMPLOYMENT SERVICES FOR A CONTRACT TERM OF TWELVE (12) MONTHS WITH THE OPTION TO RENEW FOR TWO (2) ADDITIONAL TWELVE (12) MONTH PERIODS, FOR AN ANNUAL EXPENDITURE IN THE AMOUNT OF \$1.8 MILLION.**

*[continue to next page for Council action]*

**Councilman Henderson moved** to approve, noting his motion was for discussion purposes only. There was no second to the motion. Chairman Mitchell called for a second, but there was none. Chairman Mitchell announced that there was no second. The motion failed due to a lack of a second.

**ACTION: MOTION FAILED**

On motion of Councilwoman Berz and seconded by Councilwoman Coonrod,

**RESOLUTION #29217**

**A RESOLUTION AMENDING RESOLUTION NO. 29153 TO ADD THE LAW FIRMS OF BASS, BERRY & SIMS, BILL KILLIAN, ESQ., AND POLSINELLI PC AND AUTHORIZING THE OFFICE OF THE CITY ATTORNEY TO ENGAGE SAID LAW FIRMS FOR LEGAL SERVICES IN GENERAL LITIGATION MATTERS AND CORPORATE, TRANSACTIONAL, INTELLECTUAL PROPERTY AND ADMINISTRATIVE MATTERS FOR THE PERIOD OF JULY 1, 2017 THROUGH JUNE 30, 2018.**

**ACTION: ADOPTED**

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

**RESOLUTION #29218**

**A RESOLUTION TO CONFIRM THE MAYOR'S APPOINTMENTS OF CHARLENE SIMMONS AND D. BAKARI WELLS AND THE RE-APPOINTMENTS OF E. STEPHEN JETT, JOHN BILDERBACK, JILL HINDMAN, BILL ALLEN, REV. MICHAEL FEELY, ERNEST HEDGE CORTH, AND JOHN LIVELY TO THE CHATTANOOGA AREA REGIONAL TRANSPORTATION BOARD.**

**ACTION: ADOPTED**

On motion of Councilman Ledford and seconded by Councilwoman Coonrod,

**RESOLUTION #29219**

**A RESOLUTION AUTHORIZING THE ACCEPTANCE OF FUNDS FROM OTHER CITIES/MUNICIPALITIES, LOCAL NON-PROFIT AGENCIES, AND INDIVIDUALS TO PARTICIPATE IN THE REGISTRATION FOR THE CITY OF CHATTANOOGA'S PEAK ACADEMY TRAINING PROGRAM.**

**ACTION: ADOPTED**

On motion of Councilman Oglesby and seconded by Councilwoman Coonrod,

**RESOLUTION #29220**

**A RESOLUTION TO AMEND RESOLUTION NO. 28446 FOR NORFOLK SOUTHERN RAILWAY COMPANY RELATIVE TO CONTRACT NO. S-09-008-802 FOR ENGINEERING AND FLAGGING SERVICES PER THE AGREEMENT, ACTIVITY NO. 1200923, FOR AN INCREASED AMOUNT OF \$58,660.58, FOR AN AMOUNT NOT TO EXCEED \$94,660.58.**

**ACTION: ADOPTED**

On motion of Councilman Oglesby and seconded by Councilman Ledford,

**RESOLUTION #29221**

**A RESOLUTION TO AMEND RESOLUTION NO. 28407 FOR NORFOLK SOUTHERN RAILWAY COMPANY RELATIVE TO CONTRACT NO. S-09-008 FOR ENGINEERING AND FLAGGING SERVICES PER THE AGREEMENT, ACTIVITY NO. 1200922, FOR AN INCREASED AMOUNT OF \$60,000.00, FOR AN AMOUNT NOT TO EXCEED \$96,000.00.**

**ACTION: ADOPTED**

On motion of Councilman Oglesby and seconded by Councilman Byrd,

**RESOLUTION #29222**

**A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 2 (FINAL) FOR BARGE, WAGGONER, SUMNER & CANNON, INC. FOR PROFESSIONAL SERVICES RELATIVE TO CONTRACT NO. R-14-010-101, "THE BELL SITE", FOR AN INCREASED AMOUNT OF \$6,000.00, FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED \$138,652.00.**

**ACTION: ADOPTED**

On motion of Councilman Gilbert and seconded by Councilman Byrd,

**RESOLUTION #29223**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO AN AGREEMENT WITH SHIFT TRANSIT FOR OPERATION OF THE BIKE CHATTANOOGA SYSTEM ON BEHALF OF THE CITY OF CHATTANOOGA FOR A THREE (3) YEAR CONTRACT, WITH THE OPTION TO RENEW FOR TWO (2) ONE (1) YEAR PERIODS, AT NO COST TO THE CITY.**

**ACTION: ADOPTED**

**PURCHASES:**

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

**PO535886 - Public Works**

Estimated \$100,000 Annually

Blanket Contract Renewal for Joy Compressor Parts,  
Repair, Recondition and Replacement Services -  
Waste Resources Division  
Lowest/Best Bidder: Centrifugal Technologies Inc.  
330 Centech Dr.  
Hickory, KY 42051

**R160915 - Public Works**

\$32,697.60

Purchase of Recycle Containers - Public Works  
City Wide Services  
Lowest/Best Bidder: Wastequip LLC  
841 Meacham Rd.  
Statesville, NC 28677

**PO541995 - Public Works**

New Total Estimated \$30,162.50 Annually

Increase of Authorized Expenditure on  
Blanket Contract for Uniforms-Public Works City Wide Services  
Lowest/Best Bidder: Cintas Corporation  
2131 Polymer Dr.  
Chattanooga, TN 37421

**R160073 - Public Works**

Estimated \$300,000 Annually

New Blanket Contract for Supply and Delivery of Liquid  
Ferric Chloride-Waste Resources Division  
Lowest/Best Bidder: PVS Technologies, Inc.  
10900 Harper Ave.  
Detroit, Michigan 48213

**R159624 - Economic and Community Development**

\$155,195.29

Renewal of Subscription to Accela-Citizen Access  
Lowest/Best Bidder: Accela, Inc.  
4375 Solutions Center  
Chicago, IL 60677

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

**ACTION: ALL PURCHASES APPROVED**

**OTHER BUSINESS:**

**Change in Oct. 31 Meeting Schedule**

Councilman Ledford requested that the Council amend its schedule on October 31 so that he and other councilpersons could participate in community activities in the districts for Halloween. Upon consensus from the Council, Chairman Mitchell set the October 31 Agenda Session for 2:00 p.m. and the October 31 Council meeting for 4:00 p.m.

**Stormwater Ordinance Hearing**

Chairman Mitchell also set the following schedule regarding the proposed changes to the Stormwater Ordinance:

October 31 – Immediately following the 2:00 p.m. Agenda session

- Educational Session for Council: Public Works staff presentation

November 7 – Immediately following the 3:00 p.m. Agenda Session

- Public hearing: Council will hear from public on the proposed ordinance changes

## **District 8 Events**

Councilman Byrd announced the “Coffee with Councilman Byrd” event taking place on Saturday, October 21, from 12:00 p.m. – 2:00 p.m. at Gethsemane Missionary Baptist Church. Constituents are invited to bring their District 8 concerns and ideas to this event.

## **District 9 Events**

Councilwoman Coonrod announced her partnership with YFD to bring the “Reading with Councilwoman Coonrod” series to District 9.

Councilwoman Coonrod also announced a public safety event taking place at the East Chattanooga YFD Center on November 6 from 6:00 p.m. – 8:00 p.m.

## **COMMITTEE REPORTS:**

### *Budget and Finance Committee*

Councilman Henderson  
(No report)

### *Economic and Community Development Committee*

Councilman Oglesby reported:

- The committee will meet next week (October 24) following the 3:00 p.m. Agenda Session regarding the annexation petition for the Lookout Mountain Conservancy and the de-annexation petition for the Wildwood Institute of Health & Healing.
- The Council will hold public hearings during the 6:00 p.m. Council meeting on October 24 regarding the same annexation and de-annexation petitions.

### *Human Resources Committee (HR)*

Councilman Gilbert  
(No report)

### *Planning and Zoning Committee*

Councilman Ledford  
(No report)

### *Public Safety Committee*

Councilman Byrd  
(No report)

### *Public Works and Transportation Committee*

Councilwoman Berz reported:

- The committee will meet next week (October 24) following the 3:00 p.m. Agenda Session.
- The committee will meet in two weeks (October 31) following the 2:00 p.m. Agenda Session for a presentation on proposed changes to the Stormwater Ordinance. Staff will give discuss the two proposed versions of the ordinance.
- The committee will hold a public hearing on the Stormwater Ordinance on November 7, 2017, after the 3:00 p.m. Agenda Session. The Stormwater Ordinance will be set for first reading on November 14, 2017.



*Youth and Family Development Committee*

Councilwoman Coonrod reported:

- The committee met today in open meeting for a presentation on the new Avondale center design. She commented on great things happening in this community.

*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:

- **Joanne Holiday-Johnson (District 7)** – She wanted a sit-down with the police about being kidnapped once and put in a choke-hold during an arrest. She asked Councilman Oglesby to help women and kids from being harassed. She asked Councilman Oglesby to help children in Alton Park.
- **Ronnie Ray (District 4)** – He spoke on behalf of Tina Ray and Merrell Wooden about the recent ordinance regarding A-1 urban agricultural zone. He read emails voicing concerns about his family’s property and other nearby properties on Davidson Road: 7610, 7612 and 7608. He read an email about an incident when Ms. Ray found a bull and a chicken in her yard.
- **Art Williams (Chattanooga)** – He came before the Council 18 months ago to offer his assistance in resolving crime and violence in the city. He guaranteed having the solution to crime and violence. He offered ideas on the separation of church and state, and America’s relationship with God. He requested a talk with an officer about how to solve crime and violence in the city.

**ADJOURNMENT**

**On motion of Councilman Oglesby**, Chairman Mitchell adjourned the meeting of the Chattanooga City Council until Tuesday, October 24, 2017, at 6:00 p.m.

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**CHAIRMAN**

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**CLERK OF COUNCIL**