



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
March 20, 2018
6:00 PM

CALL TO ORDER

Council Vice-Chairman Ken Smith called the meeting to order with 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. Council Chairman Jerry Mitchell was not present this meeting.

PLEDGE OF ALLEGIANCE

Vice-Chairman Smith led the Assembly in the Pledge of Allegiance and invited Keyshawn Eberheart, a sixth grader at Orchard Knob Middle School, to give the invocation.

APPROVAL OF LAST MINUTES

On motion of Councilman Gilbert and seconded by Councilman Ledford, the minutes of the last meeting (March 13, 2018) were approved as published.

ORDINANCES – FINAL READING:

2018-023
Kenneth Spann
Planning Version
District No. 4

On motion of Councilman Ledford and seconded by Councilman Henderson,

ORDINANCE #13287

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 7331 SHALLOWFORD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE.

ACTION: APPROVED

2018-031
ASA Engineering
Planning Version
District No. 8

On motion of Councilman Byrd and seconded by Councilwoman Coonrod,

ORDINANCE #13288

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 917 EAST 16TH STREET AND 1604 CENTRAL AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE.

ACTION: APPROVED

Districts 5 & 6

On motion of Councilman Gilbert and seconded by Councilwoman Berz,

ORDINANCE #13289

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE III, ZONE AND BOUNDARIES, TO ADD A NEW DIVISION 6, LOVELL FIELD GATEWAY OVERLAY ZONE.

ACTION: APPROVED

Districts 5 & 6

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

ORDINANCE #13290

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE III, ZONE AND BOUNDARIES, DIVISION 4, BRAINERD OVERLAY ZONE.

ACTION: APPROVED

ORDINANCES – FIRST READING:

MR-2018-019
International Board of Jewish Missions, Inc.
c/o Edward Frampton
District No. 3

On motion of Councilwoman Berz and seconded by Councilman Henderson,

ORDINANCE #13291

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE 5100 BLOCK OF GENESIS LANE TO ALLOW FOR CREATION OF GREEN SPACE AND PARKING, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

Councilwoman Berz noted that this was in the Vice-Chairman Smith's district and confirmed that he was in support of this legislation.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

On motion of Councilwoman Coonrod and seconded by Councilman Byrd,

RESOLUTION #29373

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT WITH THE CHARLES H. COOLIDGE MEDAL OF HONOR HERITAGE CENTER, INC., IN SUBSTANTIALLY THE FORM ATTACHED, FOR A TERM OF ONE (1) YEAR, AT THE RATE OF \$1.00 PER YEAR, WITH THE OPTION TO RENEW FOR ONE (1) ADDITIONAL YEAR, FOR APPROXIMATELY 600 SQ. FT. OF A BUILDING AT 1170 S. WATKINS STREET, A PORTION OF TAX MAP NO. 156C-C-012, FOR THE STORAGE DISPLAY CASES OBTAINED FROM THE CHATTANOOGA HISTORY CENTER.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilman Byrd,

RESOLUTION #29365

A RESOLUTION AUTHORIZING THE DIRECTOR OF HUMAN RESOURCES TO ENTER INTO THE FIRST AMENDMENT TO THE CONTRACT BY AND BETWEEN THE CITY AND THE CHATTANOOGA METROPOLITAN AIRPORT AUTHORITY, IN SUBSTANTIALLY THE FORM ATTACHED, TO MANAGE THE AUTHORITY'S PENSION AND CERTAIN EMPLOYEE BENEFITS AND AS MORE PARTICULARLY SPECIFIED IN THE FIRST AMENDMENT.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilman Ledford,

RESOLUTION #29366

A RESOLUTION AUTHORIZING THE DIRECTOR OF HUMAN RESOURCES TO ENTER INTO GROUP INSURANCE AGREEMENTS, IN SUBSTANTIALLY THE FORMS ATTACHED, WITH (1) THE CHATTANOOGA-HAMILTON COUNTY AIR POLLUTION CONTROL BUREAU; (2) THE ENTERPRISE CENTER, INC.; (3) THE CARTER STREET CORPORATION D/B/A CHATTANOOGA HAMILTON COUNTY CONVENTION AND TRADE CENTER; AND (4) THE CHATTANOOGA BOARD OF DIRECTORS OF THE FIRE AND POLICE PENSION FUND TO OFFER COVERAGE FOR CERTAIN EMPLOYEE BENEFITS AS SPECIFIED IN THE AGREEMENTS.

ACTION: ADOPTED

RESOLUTION #29367

A RESOLUTION TO RENAME THE 1100 BLOCK OF CLEVELAND AVENUE TO THE 1100 BLOCK OF LINCOLN PARK WAY, AS REFERENCED IN CASE NUMBER 2018-PW-01.

Councilman Byrd moved to approve, seconded by Councilman Henderson. The motion carried. **Councilman Byrd moved** to amend by changing "Lincoln Park Way" to "Lincoln Park Lane." He was seconded by Councilman Gilbert. The motion carried. **Councilman Byrd** moved to approve as amended, seconded by Councilman Henderson. The motion carried.

ACTION: ADOPTED AS AMENDED

On motion of Councilman Berz and seconded by Councilman Ledford,

RESOLUTION #29368

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE AN AGREEMENT WITH HAMILTON COUNTY FOR THE 2018 BI-ANNUAL GIS IMAGERY (ORTHO PHOTOGRAPHY) UPDATE, FOR AN AMOUNT NOT TO EXCEED \$60,000.00.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Ledford,

RESOLUTION #29369

A RESOLUTION AUTHORIZING YEAR 2 OF 3 FOR ON-CALL MODELING AND FLOODPLAIN ANALYSIS SERVICES FROM (1) LDA ENGINEERING; (2) CDM SMITH; (3) STANTEC; (4) AECOM; (5) AMEC FOSTER WHEELER; (6) BWSC; (7) FULGHUM MACINDOE; AND (8) HDR, TO ENTER INTO EIGHT (8) ONE (1) YEAR BLANKET CONTRACTS WITH THESE PROFESSIONAL FIRMS SUBJECT TO ONE (1) REMAINING ANNUAL RENEWAL OPTION FOR PROFESSIONAL SERVICES ESTIMATED AT \$650,000.00 TOTAL ANNUALLY FOR ALL EIGHT (8) PROFESSIONAL FIRMS FOR USE BY ALL DEPARTMENTS.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Ledford,

RESOLUTION #29370

A RESOLUTION AUTHORIZING YEAR TWO (2) OF A FOUR (4) YEAR TERM FOR THE ON-CALL BLANKET CONTRACT(S) FOR GEO-ENVIRONMENTAL CONSULTING AND CONSTRUCTION MATERIALS TESTING SERVICES, CONTRACT NO. E-16-007-301, WITH THE FOLLOWING FIRMS: (1) GEOSERVICES, LLC; (2) K.S. WARE AND ASSOCIATES, LLC; (3) S&ME, INC.; (4) STANTEC CONSULTING SERVICES, INC.; (5) TERRACON CONSULTANTS, INC.; AND (6) THOMPSON ENGINEERING, INC.; BASED ON THE THREE (3) SERVICES CATEGORIES OF GEOTECHNICAL, CONSTRUCTION MATERIALS TESTING, AND ENVIRONMENTAL SERVICES THAT EACH CONSULTANT QUALIFIED FOR, THE RENEWAL OF THE SIX (6), ONE (1) YEAR BLANKET CONTRACTS FOR PROFESSIONAL SERVICES ESTIMATED AT \$400,000.00 TOTAL ANNUALLY FOR ALL SIX (6) PROFESSIONAL FIRMS FOR USE BY ALL DEPARTMENTS.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilman Ledford,

RESOLUTION #29371

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO A PARTNERSHIP AGREEMENT, PROJECT NO. T-18-001-801, WITH MBSC BLACK CREEK, LLC FOR UPPER RIVER GORGE BLACK CREEK PHASE 8 AND TO ACCEPT THE COSTS AND FEES ASSOCIATED WITH THE PROCUREMENT AND SERVICES OF A LICENSED GEOTECHNICAL ENGINEER TO INSPECT AND APPROVE DESIGNS FOR A NEW CITY STREET.

ACTION: ADOPTED

On motion of Councilman Ledford and seconded by Councilman Gilbert,

RESOLUTION #29372

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO A PARTNERSHIP AGREEMENT, PROJECT NO. T-18-001-807, WITH T. GENE EDWARDS, INC. FOR THE HOMESERVE OFFICE PROJECT AND TO ACCEPT A CONTRIBUTION IN THE AMOUNT OF \$30,806.00 TOWARDS THE COST OF SIDEWALK AND CURB-AND-GUTTER IMPLEMENTATION.

ACTION: ADOPTED

PURCHASES:

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

R165489 - Public Works Estimated \$80,000 Annually

New Blanket Contract for Boiler and Heat Exchanger
Services-Waste Resources Division
Lowest/Best Bidder: Industrial Boiler & Mechanical Co.
3325 N. Hawthorne Street
Chattanooga, TN 37406

R167034 - Public Works \$285,001.60

Purchase of one (1) Backup Pump-Waste Resources Division
Lowest/Best Bidder: Xylem, Inc.
402 Old Mill Road
Cartersville, GA 30120

R166352 - Public Works Estimated \$431,000 Annually

New Blanket Contract for Washed & Crushed Stone -
City Wide Services
Lowest/Best Bidder: Vulcan Materials Company
6142 Shallowford Road Suite 101
Chattanooga, TN 37421

R166240 Public Works Estimated \$490,000 Annually

New Blanket Contract for Asphaltic Concrete -
City Wide Services
Lowest/Best Bidder: Southeastern Materials Co., Inc.
175 McFarland Avenue
Rossville, GA 30741

R164751 - Public Works Estimated \$85,000 Annually

New Blanket Contract for Front End Loader Service -
City Wide Services
Lowest/Best Bidder: Waste Services of Tennessee, LLC
1387 Wisdom Street
Chattanooga, TN 37406

R164881 - Public Works

Estimated \$100,000 Annually

New Blanket Contract for Elevator, Escalator, and Lift Maintenance- City Wide - Facilities Management Division
Lowest/Best Bidder: United Elevator Services, LLC
4835 Airport Hwy
Knoxville, TN 37902

PO537483 - Public Works

Estimated \$35,000 Annually

Blanket Contract Renewal for Peterbilt OEM Parts & Service - Fleet Management Division
Lowest/Best Bidder: The Peterbilt Store
21 Candy Lane
Ringgold, GA 30736

PO542820 & PO542821 - Public Works

Total Estimated \$80,000 Annually

Blanket Contract Renewal for Paint & Paint Supplies - Facilities Management Division
Lowest/Best Bidders:
1. Sherwin Williams Company 1315 East 23rd Street Chattanooga, TN 37404
2. PPG Architectural Coatings, Inc. 2409 South Broad Street Chattanooga, TN 37408

PO537581 - Purchasing

Estimated \$55,000 Annually

Blanket Contract Renewal for Multi-Purpose Printing Paper (Recycled)-City Wide
Lowest/Best Bidder: American Paper & Twine Company
2134 Amnicola Hwy
Chattanooga, TN 37406

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

ACTION: ALL PURCHASES APPROVED

OTHER BUSINESS:

City Attorney's Report

Attorney Hinton asked the Council to authorize a settlement in the case of *River Street Architecture vs. City of Chattanooga*, a contract issue regarding a fire hall, for \$28,708.17.

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

RESOLUTION #29374

A RESOLUTION AUTHORIZING A FULL AND FINAL SETTLEMENT OF ALL CLAIMS, DAMAGES, AND CAUSES OF ACTION OF ANY TYPE OR NATURE WHICH WERE OR COULD HAVE BEEN ASSERTED BY RIVER STREET ARCHITECTURE, SUBJECT TO THE EXECUTION OF A SETTLEMENT AGREEMENT AND GENERAL RELEASE OF ALL CLAIMS RELATED TO THE DISPUTE OVER SERVICES FOR FIRE STATION #11, IN THE AMOUNT OF TWENTY-EIGHT THOUSAND SEVEN HUNDRED EIGHT AND 17/100 DOLLARS (\$28,708.17).

Maura Sullivan, Chief Operating Officer, confirmed that this would enable Lead Certification.

ACTION: ADOPTED

AmpPlus App

Councilman Gilbert informed the Council of the new AmpPlus App announced today by the City of Chattanooga, Hamilton County, Parkridge Medical and CHI Memorial, which will help bring faster service to heart patients.

VW Job Opportunity

Councilwoman Coonrod informed the Council of a 5-seat SUV being built at the Chattanooga plant. This will create more job opportunity. She noted that the company doing the hiring for VW, Aerotek Staffing, hires convicted felons, so she encouraged anyone needing a job to apply.

COMMITTEE REPORTS:

Budget and Finance Committee

Councilman Henderson
(No report)

Economic and Community Development Committee

Councilman Oglesby

- The committee met today in open meeting regarding a proposed ordinance on food trucks.

Human Resources Committee (HR)

Councilman Gilbert
(No report)

Planning and Zoning Committee

Councilman Ledford

- The committee met today in open meeting to hear the 1-year review on Form-Based Code and to review items on the agenda for final reading.
- The committee will meet again on April 3 and will an item regarding slopes and floodplains item on the agenda.

Public Safety Committee

Councilman Byrd
(No report)

Public Works and Transportation Committee

Councilwoman Berz

- The committee met today in open meeting to review items on tonight's and next week's agenda.

Youth and Family Development Committee

Councilwoman Coonrod
(No report)

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:

- **Jessica Christy (Chattanooga)** - She has been homeless for over two years due to a domestic violence situation. She had to panhandle for her medicine last week. She does not believe homeless people can pay a \$50.00 fine for panhandling. She believes there is a way of ending panhandling without jailing people. She recommended provided services for people to be self-sufficient.
- **Christopher Dahl (Highland Park)** - He informed the Council of a cesspool at Alton Park and 33rd streets at an EPB sub-station. He has seen EPB employees dumping wood chips in the cesspool.
- **David Tullis (92.7 Personality)** - He gave a report of the General Assembly regarding transportation that distinguishes between travel and transportation. He asked the Council to consider reforming laws to stop wrongful arrests. He considers every traffic stop as an arrest. He believes that drivers should be Mirandized. He believes police should be taught to ask a driver if they are transporting commercial goods. He believes this city should be a sanctuary city and should work for reform for poor people.
- **Andie Sellars (MLK Area)** - She informed the Council that panhandlers are harassing her customers at her shop on M.L. King Boulevard. She believes that homeless people are not the ones bothering her customers. She stands with other MLK owners present today who support the panhandling ordinance.
- **Landon Howard (Chattanooga)** - He believes the city is reactionary when it comes to homeless people. He believes homeless people are being criminalized when asked to move from business properties. He recommends in the city providing social workers and social services. He recommends that the city invest in affordable housing and livable wages. He encourages the Council to take a different stance on developers.
- **Joel Willis (Chattanooga)** - He is concerned with the crisis that our city has created. He does not feel comfortable telling people to move to Chattanooga because of a lack of affordable housing. He recommends giving people the social services they need and giving grants to non-profits providing those services. He believes that the current law criminalizing non-aggressive panhandling does not work. He believes when panhandlers are fined and jailed, they will end up back on the streets.
- **Emma Wagner (Chattanooga/District 7)** - She questioned the amount of funding going to social services in the city. She is concerned with the jail expansion already approved by Hamilton County. She is concerned with the rate of recidivism in the city. She believes that Chattanooga can do better than the panhandling law.
- **William Green (Chattanooga)** - He is owner of G's Detroit Sausages on M.L. King Boulevard and gives to homeless people whenever asked. He would rather panhandlers come to him to ask for help instead of asking his customers, which has the potential to drive away the customers. He asks the Council to come up with a way of putting people to work in the city. He questions what people can do to earn money.

- **Carol Chamberlain (Chattanooga)** - She is from Burlington, Vermont and said that Burlington began with a \$50.00 fine as well for panhandling, but it failed. She recommends that the Council call the Mayor of Burlington to find out what that city did regarding panhandling.
- **Sean Roberts (Chattanooga)** - He doesn't have an answer for panhandling, but feels that enacting the proposed panhandling legislation will cause a class war. He asked the Council to use their heart when making this decision. He talks to homeless people who live under the bridge and asks the Council not to further fine these people.
- **Ginger Moss (Chattanooga/District 2)** - She attended a meeting earlier today and learned about the intent of the proposed panhandling legislation is to stop aggressive panhandling. However, she does not believe that police should be given the decision on panhandling. She is a business owner and believes owners should not engage with aggressive panhandlers. She believes there are already laws in place that deal with panhandling. She believes this panhandling law will fail because it does not deal with behaviors that lead to panhandling. She does not believe a punitive system can help people who have suffer from addictions and a lack of connection.

ADJOURNMENT

On motion of Councilman Oglesby, Vice-Chairman Smith adjourned the meeting of the Chattanooga City Council until Tuesday, March 27, 2018, at 6:00 p.m.

VICE-CHAIRMAN

CLERK OF COUNCIL