



City Council Building  
Chattanooga, Tennessee  
**COUNCIL MEETING MINUTES**  
November 6, 2018  
6:00 PM

**CALL TO ORDER**

Council Chairman Ken Smith called the meeting to order with Vice-Chairman Erskine Oglesby and Councilpersons Carol Berz, Anthony Byrd, Russell Gilbert, Chip Henderson, Darrin Ledford and Jerry Mitchell. Phil Noblett, City Attorney, and Nicole Gwyn, Council Clerk, were also present. Councilwoman Demetrus Coonrod was not present this meeting.

**PLEDGE OF ALLEGIANCE**

Councilman Byrd led the Assembly in the Pledge of Allegiance.

**APPROVAL OF LAST MINUTES**

On motion of Councilman Gilbert and seconded by Councilman Ledford, the minutes of the last meeting (October 30, 2018) were approved as published.

**ORDINANCES – FINAL READING:**

On motion of Councilman Henderson and seconded by Councilman Byrd,

**ORDINANCE #13392**

**AN ORDINANCE AMENDING CHATTANOOGA CITY CODE, PART II, CHAPTER 24, TO ADD A NEW SECTION 24-50, ENTITLED PROHIBITED USE OF HAND-HELD MOBILE TELEPHONE IN MARKED SCHOOL ZONE.**

**ACTION: APPROVED**

On motion of Councilman Henderson and seconded by Councilman Ledford,

**ORDINANCE #13393**

**AN ORDINANCE AMENDING CHATTANOOGA CITY CODE, PART II, CHAPTER 24, TO ADD A NEW SECTION 24-51, ENTITLED PROHIBITED USE OF MOBILE TELEPHONE WITH HANDS-FREE DEVICE BY PERSONS UNDER 18.**

The motion carried, with Councilman Gilbert voting “No.”

**ACTION: APPROVED**

MR-2018-151  
Ken Garner Enterprises and  
Kenneth B. Garner, Trustee  
District No. 8

On motion of Councilman Byrd and seconded by Councilwoman Berz,

**ORDINANCE #13391**

**AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE 1200 BLOCK OF EAST 28TH STREET TO ALLOW FOR SITE MODIFICATIONS TO IMPROVE PUBLIC SAFETY, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

**ORDINANCES – FIRST READING: (NONE)**

**RESOLUTIONS:**

2018-17  
Pat Hangstefer  
District No. 7

**RESOLUTION #29684**

**A RESOLUTION APPROVING SHORT TERM VACATION RENTAL APPLICATION NO. 18-STVR-00005 FOR PROPERTY LOCATED AT 4618 TENNESSEE AVENUE.**

Chairman Smith confirmed that there was Opposition present. Therefore, a hearing ensued in which Chairman Smith recognized the Applicant and members of the Opposition.

Applicant:

- **Pat Hangstefer** – She has a license from the city and county. Her property meets all codes. She has had inspections done and rewiring. Her daughter-in-law will manage the guest check-ins. They are listed as a 5-star Super Host on Airbnb. She and her husband do not live there, but are doing the rentals in preparation for their future retirement. They employ people in the neighborhood for work at the property. They care more about their property than making money from rentals. They have spent lots of money to take care of their place.

Opposition:

- **Sarah McIntyre** - She is a resident in St. Elmo and is more concerned with discussing impact of STVRs in their neighborhood. She would like the Council to only allow owner-occupied permits. She likes knowing her neighbors. She's also concerned with businesses buying up homes in their neighborhood just to make a profit and not build the community. She wants the Council to look at density of STVRs in their neighborhood. She believes the city is losing middle-income housing in Chattanooga.

- **Jeff Melvo (St. Elmo)** – He asked the Council to look at multiple applications being submitted by one applicant, which would indicate that they applicant is a developer. He would rather having neighbors rather than developers using houses only on occasion.

Rebuttal: Ms. Hangstefer informed the Council that she is not a developer. She drives pass their STVR 5-6 times a week. Her daughter-in-law can be there in 10 minutes or less if something occurs. She can be there from 15-30 minutes. They are booked at least 80-percent of the time, so their home is occupied a lot.

Attorney Noblett also responded to Councilman Ledford's question about having a rental agenda for the property. Ms. Hangstefer also responded to questions from Councilman Ledford about providing her best contact information to the Land Development Office in case of emergencies. Vice-Chairman Oglesby commented on hearing these concerns and maintaining integrity of the neighborhood. After his statements, **Vice-Chairman Oglesby moved** to approve, seconded by Councilman Henderson. The motion carried.

**ACTION: ADOPTED**

2018-18  
John & Sarah Murphy  
District No. 7

**RESOLUTION #29685**

**A RESOLUTION APPROVING SHORT TERM VACATION RENTAL APPLICATION NO. 18-STVR-00072 FOR PROPERTY LOCATED AT 801 S. SCENIC HIGHWAY.**

Chairman Smith confirmed that there was Opposition present. Therefore, a hearing ensued in which Chairman Smith recognized the Applicant and members of the Opposition.

Applicant:

- **John Murphy** – He co-owns the property with his wife, Sarah. Their goal is to live in Chattanooga when he graduates. He has worked with the Land Development Office during the permit process. He has addressed concerns with neighbors. They limit their rentals to four (4) individuals maximum. They are listed for families, not large parties. They are not developers. They are raising two daughters.

Opposition:

- **John Cameron** – He acknowledged that Mr. Murphy has offered to meet with the Applicant, but due to scheduling conflicts, they have not met yet. Initially, there was no communication from the Applicant to the neighbors. This is a 2-story rental property that is renting at the low rate of \$90 an hour, which is similar to a Super 8 rate. They are concerned that the low rental rate opens the door for the wrong type of clientele. The STVR is in very close proximity to their house. There are also issues with car traffic coming and going in the neighborhood and the driveway.
- **Kera Cameron** – They share an easement with the Applicant. One of their Applicant's renters was under their carport. They found out that the Applicant's cleaning person did not know where to place trash for pickup. They also had safety concerns, citing a police incident a gun was stolen and a renter's car was burglarized. They believe one of their guests tried to enter their property.

Rebuttal: Mr. Murphy informed the Council that the rental rate quoted by Mr. Cameron was just the base rate. He noted that guests also paid cleaning fees with the base rate, making the rental a lot more expensive than indicated by the Opposition. He had no one tell them about these problems. These incidents are not related to their property.

Mr. Murphy responded to questions from Councilman Ledford about the shared easement, common driveway, parking spaces and cleaning crew activities. Vice-Chairman Oglesby questioned Ms. Cameron about not living in their property full-time and operating their property in the past as a STVR. Upon no further questions or comments, **Vice-Chairman Oglesby moved** to approve, seconded by Councilman Ledford. The motion carried.

**ACTION: ADOPTED**

2018-19  
Rush & Hannah Feldhacker  
District No. 7

**RESOLUTION #29686**

**A RESOLUTION APPROVING SHORT TERM VACATION RENTAL APPLICATION NO. 18-STVR-00087 FOR PROPERTY LOCATED AT 128 W. 17TH STREET.**

Applicants:

- **Rush and Hannah Feldhacker** – They rent out their property during large events coming to town. They rent at a higher rate of \$350 per night to ensure that they do not have high volumes of guests. He described their house as “immaculate.” They were curious to hear from the Opposition and respond to their neighbors’ concerns.

Opposition: There was one individual present, who asked to withdraw her objection after hearing that this property is owner-occupied. No other members of the Opposition were present.

**Vice-Chairman Oglesby moved** to approve, seconded by Councilman Byrd. The motion carried.

**ACTION: ADOPTED**

2018-20  
Matthew W. Raulston  
District No. 2

**Agenda Item VII(d):**

**A RESOLUTION APPROVING SHORT TERM VACATION RENTAL APPLICATION NO. 18-STVR-00103 FOR PROPERTY LOCATED AT 501 TUCKER STREET.**

Councilman Mitchell informed the Council that he had a conversation with the Applicant and would like for the Applicant and members of the Opposition to talk prior to Council action. Therefore, **Councilman Mitchell moved** to defer two (2) weeks until November 20, 2018. He was seconded by Councilman Henderson. The motion carried.

**ACTION: DEFERRED TWO (2) WEEKS TO NOVEMBER 20, 2018**

On motion of Councilman Henderson and seconded by Councilman Byrd,

**RESOLUTION #29687**

**A RESOLUTION TO CONFIRM THE MAYOR'S REAPPOINTMENT OF AMY JENKINS AND THE APPOINTMENTS OF JOYCE JACKSON AND SILVIA RAMOS TO THE CHATTANOOGA DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT BOARD.**

**ACTION: ADOPTED**

On motion of Councilman Henderson and seconded by Councilman Ledford,

**RESOLUTION #29688**

**A RESOLUTION TO CONFIRM THE MAYOR'S APPOINTMENT OF JENNY SIMPKINS AND HOLLY RICHESON TO THE WASTEWATER REGULATIONS AND APPEALS BOARD.**

**ACTION: ADOPTED**

On motion of Councilman Henderson and seconded by Councilman Ledford,

**RESOLUTION #29689**

**A RESOLUTION TO CONFIRM THE MAYOR'S REAPPOINTMENT OF CHRISTOPHER P. KEENE TO THE BEER AND WRECKER BOARD.**

**ACTION: ADOPTED**

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

**RESOLUTION #29690**

**A RESOLUTION TO CONFIRM THE MAYOR'S REAPPOINTMENT OF ANNE WILKINS TO THE CARTER STREET CORPORATION.**

**ACTION: ADOPTED**

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

**RESOLUTION #29691**

**A RESOLUTION AUTHORIZING THE APPOINTMENTS OF REBECCA BAECKER, MICHAEL DUPRE, AND DAMON BUXTON AS SPECIAL POLICE OFFICERS (UNARMED) FOR THE CHATTANOOGA AREA REGIONAL TRANSPORTATION AUTHORITY (CARTA), TO DO SPECIAL DUTIES AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: ADOPTED**

**PURCHASES:**

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

**PO546737 - Public Works Department** Estimated \$360,000.00 Annually  
Blanket Contract Renewal - Grinding of Wood/Brush/  
Leaf Material Services, City Wide Services,  
Public Works Department  
Lowest/Best Bidder: Ooltewah Cleaning & Grinding  
5200 Bell Ridge Road  
Apison, TN 37302

**PO546870 - Public Works Department** Estimated \$40,000.00 Annually  
Blanket Contract Renewal, High Visibility Work Clothing,  
City Wide Services, Public Works Department  
Lowest/Best Bidder: Cintas Corporation 2131  
2131 Polymer Drive Chattanooga, TN 37421

**PO548120 - Public Works Department** Revised Total Estimated \$650,000.00 Annually  
Increase to Blanket PO for Washed & Crushed  
Stone, City Wide Services, Public Works Department  
Lowest/Best Bidder: Vulcan Material Company  
6142 Shallowford Road, Suite 101  
Chattanooga, TN 37421

**PO538199 - Public Works Department** Estimated \$250,000.00 Annually  
Blanket Contract Renewal for Knoll Open Office  
Landscape Furniture, City Wide, Facilities Management Division,  
Public Works Department  
Lowest/Best Bidder: CBI  
701 Cherry Street, Suite 100  
Chattanooga, TN 37402

**PO541346 - Public Works Department** Estimated \$75,000.00 Annually  
Blanket Contract Renewal for Truck/Trailer  
Accessories & Trailer Maintenance, Fleet Management  
Division, Public Works Department  
Lowest/Best Bidder: Truck 'n Trailers USA  
4591 North Access Road  
Chattanooga, TN 37415

**R177111 - Public Works Department** Estimated \$100,000.00 Annually  
New Blanket Contract - Setina Police Vehicle Equipment,  
Fleet Management Division, Public Works Department  
Lowest/Best Bidder: Lee-Smith, Inc  
2600 8th Avenue  
Chattanooga, TN 37407

**R177423 - Public Works Department** \$54,096.08  
Purchase of Bobcat S650 Skid Steer Loader,  
City Wide Services, Public Works Department  
Lowest/Best Bidder: Bobcat of Chattanooga  
4288 Bonny Oaks Drive, Chattanooga, TN 37406

**PO541995 - Public Works Department**

Revised Total \$50,000 Estimated Annually

Increase to Blanket Contract for CWS Uniform,  
City Wide Services, Public Works Department  
Lowest/Best Bidder: Cintas Corporation

2131 Polymer Drive, Chattanooga, TN 37421

**PO540974 and PO540975 - Public Works Department**

Total Estimated \$50,000.00 Annually

Blanket Contract Renewal of PO Nos. 540974 & 540975,  
Fasteners (Nuts & Bolts), City Wide, Fleet Management Division,  
Public Works Department

Lowest/Best Bidders:

1. Atlas Bolt & Supply Company 3217 Rossville Blvd. Chattanooga, TN 37408
2. Hayward Bolt Specialty Company, Inc 2805 S. Orchard Knob Avenue Chattanooga, TN 37407

**PO541048 - Police Department**

Estimated \$35,000.00 Annually

Blanket Contract Renewal for Police Leather Gear,  
Chattanooga Police Department

Lowest/Best Bidder: GT Distributors

P.O. Box 458, Rossville, GA 30741

**R176241 - Fire Department**

\$32,931.00

Purchase of Flashlights and Chargers,  
Chattanooga Fire Department

Lowest/Best Bidder: Dana Safety Supply

3810 W. Osborne Avenue, Tampa, FL 33614

**R177481 - Department of Human Resources**

\$88,000.00

Purchase - Race Forward Program "Government Alliance  
on Race Equity (GARE)", Department of Human Resources

Lowest/Best Bidder: Race Forward

32 Broadway, Suite 1801, New York, NY 10004

**PO535197 - Mayor's Office**

Estimated \$150,000.00 Annually

Blanket Contract Renewal - Newspaper & Online  
Advertising, City Wide, Purchasing Division, Mayors' Office

Lowest/Best Bidder: Chattanooga Times Free Press

400 East 11th Street, Chattanooga, TN 37403

Councilman Gilbert moved to separate PO546737 from the other purchases. He was seconded by Councilman Byrd. The motion carried. Therefore, Chairman Smith separated that item for a separate consideration and vote. **Councilman Henderson moved** to approve P0546737. The motion failed due a lack of a second.

Regarding R177111 (Public Works), Public Works Administrator Justin Holland responded to Councilman Ledford about whether the police vehicle equipment was for police vehicles or other city vehicles. Mr. Holland indicated that this contract was for prisoner partitions in police cars, to the contract falls under Public Works' Fleet Maintenance division. He also noted the five (5) bidders.

**Councilman Henderson moved** to approve all remaining purchases, seconded by Vice-Chairman Oglesby. The motion carried. Councilwoman Berz inquired about what happens next with the contract now that this renewal request did not pass. Ms. Woodward informed the Council that these services are an ongoing need to her knowledge. Chairman Smith assigned Councilman Gilbert to get with purchasing on this matter.

**ACTION: P0546737 NOT APPROVED;  
ALL REMAINING PURCHASES APPROVED**

## **OTHER BUSINESS:**

## **COMMITTEE REPORTS:**

### *Budget and Finance Committee*

Councilwoman Berz reported:

- The City has begun its annual BFO process for FY20. There will be public input sessions on November 14, 15 and 19.
- Maura Sullivan, Chief Operating Officer, announced the following dates and locations for the BFO Public Input Sessions:

Wednesday November 14th - Districts 7,8,9  
5:30 - 7:00 PM  
First Centenary United Methodist Church - Oak Street Center  
418 Oak Street

Thursday November 15th - Districts 1,2,3  
5:30 - 7:00 PM  
Hixson YFD Center  
5400 School Drive

Monday November 19th - Districts 4,5,6  
5:30 - 7:00 PM  
Family Justice Center  
5705 Uptain Rd

- Councilwoman Berz also informed the Assembly that the first deadline for the BFO is December 10, 2018.

### *Economic and Community Development Committee*

Councilman Byrd

(No report)

### *Human Resources Committee (HR)*

Councilman Gilbert

(No report)



*Planning and Zoning Committee*

Councilman Ledford

- The committee met today in open meeting to review planning and zoning items on next week's agenda.
- The committee will meet again next week (Nov. 13) for an update and discussion on flood plains and steep slopes.

*Public Safety Committee*

Councilman Henderson

(No report)

*Public Works and Transportation Committee*

Councilman Mitchell

- The committee will meet next week (Nov. 13) after the 3:00 p.m. Agenda Session.

*Youth and Family Development Committee*

Councilwoman Coonrod

(No report)

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

Attorney Noblett read the rules of procedure for persons wishing to address the Council on non-agenda items. After which, Chairman Smith recognized the following persons:

- **Dr. Belinda Moore** - She informed the Council of an issue that started a year ago regarding ultrasonic noise. She has spoken to Attorney Noblett about her matter before. She believes developers have targeted her home in the 1800 block of Orchard Knob with the message "Urgent, we want your home." The noise is electricity. She has spent thousands of dollars to investigate the noise. She has had four inner-ear infections. The noise happens between 11:00 p.m. and 7:00 a.m. and crescendos during the hours when she is sleeping. She has spoken to OSHA, EPA and the Energy Dept. regarding the hazardous noise level. She believes transformers in her neighborhood are emitting radiation. She has been in her home 20 years and it is gorgeous. She is concerned with the ramifications of the health problems from the EMF magnetic forces that are making her house inhabitable. She has had jaw problems recently and believes her health is at risk, which is why she came to the Council today. She believes the EMF is killing people.
  - Chairman Smith asked Dr. Moore to discuss this matter with her Council representative. She agreed to do so.
- **Marie Mott** (Chattanooga) - She gave a list of people murdered in Chattanooga: Andy Blout 1893, Charles Williams 1895, Charles Brown 1898 and Edward Johnson 1906. She said a councilperson took her statement to the Chief of Police out of context recently during a private conversation. She informed the Council of her grandfather helping to integrate the police department. She was raised with decency and respect for law enforcement. She will not watch brothers and sisters be brutalized by police. She brought the abuse of power to the attention of this body. She gave the last words of Edward Johnson before he was murdered by a lynch mob on the bridge. She cannot watch innocent people be brutalized. She covered the Make America Great rally as a journalist and saw CPD wearing "Blue Lives Matter" hats while on duty. She questioned Assistant Chief Scruggs as to why they were making such partisan statements while on duty. She

understands that making the statement she made to a white man in a position of physical and legal power might have seemed threatening because that man is not used to hearing people stand up to them. She informed the Council that she is conscious, clear and intentional in standing up for people in her neighborhood and the city. She believes that we will have to serve the people or continue to serve the status quo. She chooses the people every time. She told the Council to get their head out of the sand before another individual is raped, beaten or shot in the back.

- **Jeff Melvo** (Och Highway) - He spoke on the absence of community due to the STVR in the city. (Chairman Smith instructed him not to speak directly to the previous agenda item that was now closed.) He believes there is a free-for-all in the STVR market. He knows that citizens have concerns now that the city has seen STVR. Many in his neighborhood have concerns. His neighborhood does not want to lose the potential for long-term neighbors.
- **Sarah McIntyre** (St. Elmo) - They are coming from a place of concern where they believe STVR can coincide with neighborhoods, as long as there are checks and balances in place. The ratio of non-owner versus owner-occupied is a primary concern. She asked the Council to look at Nashville, Atlanta and Ashville to see the traumatic consequences of not having looked at the STVR issues before.

## **ADJOURNMENT**

**On motion of Vice-Chairman Oglesby**, Chairman Smith adjourned the meeting of the Chattanooga City Council until Tuesday, November 13, 2018, at 6:00 p.m.

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**CHAIRMAN**

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**CLERK OF COUNCIL**