



City Council Building  
Chattanooga, Tennessee  
**COUNCIL MEETING MINUTES**  
January 8, 2019  
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, Demetrus Coonrod, Russell Gilbert, Chip Henderson, Darrin Ledford and Jerry Mitchell. Phil Noblett, City Attorney, and Nicole Gwyn, Council Clerk, were also present.

## **PLEDGE OF ALLEGIANCE**

Vice-Chairman Oglesby led the Assembly in the Pledge of Allegiance and invited Pastor Chris Eaves of Resurrected Reformed Baptist Church to give the invocation.

## **APPROVAL OF LAST MINUTES**

**On motion of Councilman Gilbert and seconded by Councilman Ledford**, the minutes of the last meeting (December 18, 2018) were approved as published. [Editor's Note: There were no meetings held on December 25, 2018 and January 1, 2019.]

## **ORDINANCES – FINAL READING:**

On motion of Councilman Henderson and seconded by Councilman Byrd,

### **ORDINANCE #13414**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II,  
CHAPTER 2, RELATIVE TO THE FIRE AND POLICE PENSION FUND.**

**ACTION: APPROVED**

MR-2018-204  
Chattanooga Metropolitan Airport Authority % John Naylor  
District No. 5

On motion of Councilman Gilbert and seconded by Councilman Byrd,

**ORDINANCE #13415**

**AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE 5900 BLOCK OF HANCOCK ROAD TO ALLOW FOR CONTINUED DEVELOPMENT OF THE CHATTANOOGA METROPOLITAN AIRPORT, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

**ORDINANCES – FIRST READING:**

MR-2018-203  
John Naylor  
District No. 5

On motion of Councilman Gilbert and seconded by Councilwoman Coonrod,

**ORDINANCE #13416**

**AN ORDINANCE CLOSING AND ABANDONING A SEWER EASEMENT LOCATED AT ROSEDALE DRIVE AND IN THE 5900 BLOCK OF HANCOCK ROAD, AS DETAILED ON THE ATTACHED MAP.**

**ACTION: PASSED ON FIRST READING**

MR-2018-219  
Dillard Construction % Ryan Dillard

On motion of Councilman Oglesby and seconded by Councilman Henderson,

**ORDINANCE #13417**

**AN ORDINANCE CLOSING AND ABANDONING A SEWER EASEMENT LOCATED IN THE 1500 BLOCK OF LONG STREET, AS DETAILED ON THE ATTACHED MAP.**

**ACTION: PASSED ON FIRST READING**

MR-2018-218  
Micah McKee and Susan Webber  
District No. 2

On motion of Councilman Mitchell and seconded by Councilman Ledford,

**ORDINANCE #13418**

**AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE 100 BLOCK OF NOLL STREET, DETAILED ON THE ATTACHED MAP, TO RESOLVE A LEGACY ENCROACHMENT, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: PASSED ON FIRST READING**

**RESOLUTIONS:**

On motion of Councilman Gilbert and seconded by Councilwoman Berz,

**RESOLUTION #29758**

**A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE, TO REFINANCE APPROXIMATELY \$1,526,000.00 IN U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) SECTION 108 GUARANTEE LOAN PROGRAM FUNDS.**

**ACTION: ADOPTED**

On motion of Councilman Gilbert and seconded by Councilman Byrd,

**RESOLUTION #29759**

**A RESOLUTION AUTHORIZING THE CHIEF HUMAN RESOURCES OFFICER TO ENTER INTO A SERVICE AND LICENSING AGREEMENT WITH GOVERNMENTJOBS.COM D/B/A NEOGOV TO PROVIDE HR SOFTWARE SERVICES FOR ONBOARD AND PERFORMANCE MANAGEMENT SYSTEMS IN ADDITION TO THE CURRENT RECRUITMENT AND APPLICANT TRACKING SERVICES, FOR AN INITIAL TERM OF TWELVE (12) MONTHS, WITH TWO (2) OPTIONS FOR ANNUAL RENEWAL THEREAFTER, FOR AN ANNUAL COST OF \$78,213.45.**

**ACTION: ADOPTED**

John Scott MacLennan/  
Kaviya ABC Liquor Store

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

**RESOLUTION #29760**

**A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR AN EXISTING LIQUOR STORE, CHANGE IN OWNERSHIP, LOCATED AT 3948 BRAINERD ROAD.**

Councilwoman Berz confirmed with Attorney Noblett that the current owners have had no complaints, and that the address has not had complaints. Upon no further questions or comments, **the motion carried. Councilman Henderson voted "No."**

**ACTION: ADOPTED**

**Agenda Item VII(d):**

**A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. W-17-004-201 TO REEVES YOUNG, LLC OF SUGAR HILL, GA, FOR CHATTANOOGA WET WEATHER COMBINED SEWER STORAGE – PHASE 1, A CONSENT DECREE PROJECT, IN THE AMOUNT OF \$46,569,100.00, WITH A CONTINGENCY AMOUNT OF \$2 MILLION, FOR AN AMOUNT NOT TO EXCEED \$48,569,100.00, SUBJECT TO SRF LOAN APPROVAL.**

Councilman Henderson informed the Assembly that it was discussed in committee meeting today that not everything is in order yet for this resolution. Therefore, **Councilman Henderson moved** to defer to January 22, 2019. He was seconded by Councilman Mitchell. The motion carried.

**ACTION: DEFERRED TO JANUARY 22, 2019**

On motion of Councilman Oglesby and seconded by Councilman Ledford,

**RESOLUTION #29761**

**A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 2 (FINAL) FOR CDM SMITH, INC. RELATIVE TO CONTRACT NO. W-12-024-101, SEWER REHABILITATION FOR CHATTANOOGA CREEK 4 SUB-BASIN, A CONSENT DECREE PROJECT, FOR AN INCREASED AMOUNT OF \$11,663.59, FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED \$702,904.59.**

**ACTION: ADOPTED**

On motion of Councilman Oglesby and seconded by Councilman Byrd,

**RESOLUTION #29762**

**A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NOS. R-16-015-201 AND R-17-002-201 TO KLEENCO OF CHATTANOOGA, TN, PAVING AT ERWIN RIVERFRONT MARINA PARKING LOT AND PARKS MAINTENANCE BUILDING, IN THE AMOUNT OF \$182,199.30, WITH A CONTINGENCY AMOUNT OF \$8,000.00, FOR AN AMOUNT NOT TO EXCEED \$190,199.30.**

**ACTION: ADOPTED**

On motion of Councilman Byrd seconded by Councilwoman Coonrod,

**RESOLUTION #29763**

**A RESOLUTION TO APPROVE THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ACCEPT A DONATION FROM THE PARK CENTRAL NEIGHBORHOOD ASSOCIATION OF ABOUT FORTY-FOUR (44) TREES WITH AN APPROXIMATE VALUE OF \$4,500.00 TO BE PLANTED ALONG THE CITY'S RIGHT-OF-WAY IN THE 900, 1000, AND 1100 BLOCKS OF MAIN STREET FROM CENTRAL AVENUE TO SOUTH HOLTZCLAW.**

Councilwoman Coonrod informed the Assembly that the City of Chattanooga is not providing the trees. She commended the people who worked together to get this done.

**ACTION: ADOPTED**

On motion of Councilwoman Coonrod and seconded by Councilman Byrd,

**RESOLUTION #29764**

**A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 (FINAL) FOR JDH COMPANY, INC. OF CHATTANOOGA, TN, RELATIVE TO CONTRACT NO. Y-17-016-201, REPLACEMENT ROOFING SYSTEM FOR EASTDALE YFD CENTER BUILDING, FOR A DECREASED AMOUNT OF \$5,300.00, TO RELEASE THE CONTINGENCY AMOUNT OF \$14,000.00, FOR A REVISED CONTRACT AMOUNT OF \$133,925.00.**

**ACTION: ADOPTED**

On motion of Councilman Gilbert and seconded by Councilman Byrd,

**RESOLUTION #29765**

**A RESOLUTION AUTHORIZING A TWO (2) OF A FOUR (4) YEAR TERM FOR ON-CALL BLANKET CONTRACTS FOR PROFESSIONAL SURVEYING SERVICES, CONTRACT NO. E-17-002-901 WITH THE FOLLOWING FIRMS: (1) ARCADIS US, INC.; (2) ASA ENGINEERS AND CONSULTANTS, INC.; (3) CIVIC ENGINEERING AND INFORMATION TECHNOLOGIES, INC.; (4) EARTHWORX, LLC; (5) THE RLS GROUP, INC.; (6) S&ME, INC.; AND (7) VAUGHN AND MELTON CONSULTING ENGINEERS, INC., IN THE AMOUNT OF \$300,000.00.**

**ACTION: ADOPTED**

On motion of Councilman Oglesby and seconded by Councilman Byrd,

**RESOLUTION #29766**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO AN AGREEMENT WITH NABCO ELECTRIC COMPANY, INC. RELATIVE TO CONTRACT NO. T-15-027-201 FOR CONSTRUCTION SERVICES ASSOCIATED WITH CHATTANOOGA REGIONAL ITS PHASE 1A: CCTV CAMERAS IN THE CBD, IN THE AMOUNT OF \$921,486.00, WITH A CONTINGENCY AMOUNT OF \$92,148.60, FOR A TOTAL AMOUNT OF \$1,013,634.60.**

**ACTION: ADOPTED**

**PURCHASES:**

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

**R179802 -Public Works Department** \$36,785.00  
Purchase of Flygt Xylem Pump Repair Parts –  
Waste Resource Division - Public Works Department  
Lowest/Best Bidder: Nedrow & Associates, Inc.  
2233 Southpark Drive  
Murfreesboro, TN 37128

**PO547282 - Public Works Department** Estimated \$600,000.00 Annually  
Blanket Contract Renewal - Sewer Video & Sonar  
Inspection Services - Waste Resource Division –  
Public Works Department  
Lowest/Best Bidder: Amtec Surveying, Inc.  
3355 Lenox Road, Suite 750  
Atlanta, GA 30326

**PO547283 - Public Works Department**

Estimated \$150,000.00 Annually

Blanket Contract Renewal, Mixer Gear Reducer  
Repair Services, Waste Resource Division,  
Public Works Department.

Lowest/Best Bidder: SPX Flow US, LLC  
P.O. Box 8266  
Chattanooga, TN 37414

**PO546908 - Public Works Department**

Estimated \$600,000.00 Annually

Blanket Contract Renewal - Membrane Plates –  
Waste Resource Division - Public Works Department.

Lowest/Best Bidder: ANDRITZ, Inc  
336 West Penn Street,  
Muncey, PA 17756

**R175571 - Public Works Department**

Estimated \$250,000.00 Annually

New Blanket Contract - Air Compressor Maintenance  
& Repair & Services - Waste Resource Division –  
Public Works Department.

Lowest/Best Bidder: Blake and Pendleton  
5959 Shallowford Road, Suite 301  
Chattanooga, TN 37421

**R177250 - Chattanooga Police Department**

Estimated \$30,000.00 Annually

New Blanket Contract - Crime Scene Supplies –  
Chattanooga Police Department

Lowest/Best Bidder: Tri-Tech Forensics, Inc.  
8770 Trade Street NE  
Leland, NC 28451

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

**ACTION: ALL PURCHASES APPROVED**

**OTHER BUSINESS:**

**Threats and Invasions**

Councilwoman Coonrod informed the Council that she and one of her colleagues have endured threats and invasions of their personal space in 2018. She asked Attorney Noblett to look into laws against making threats to elected officials. Attorney Noblett informed the Council of T.C.A. 37-17-308 & 309 regarding harassing communications. He also discussed civil rights protections that under certain protected classes that apply to both elected official or non-elected persons. She indicated that such threats and invasions would not be tolerated in 2019. Councilman Byrd wanted to echo what Councilwoman Coonrod said and cited a quote from Dr. Martin Luther King, Jr. He urged the Assembly to come and talk to their councilpersons.

## **Certificates of Compliance**

- a. Kaviya III, Inc. d/b/a Kaviya ABC Liquor - Certificate of Compliance (District 6)
- b. Approval of certification for a new grocery store wishing to sell wine: MAC's Convenience Stores LLC d/b/a Circle K #2803651, 4026 Shallowford Road (District 5)

Attorney Noblett did not have the necessary paperwork during this meeting.

## **COMMITTEE REPORTS:**

### *Budget and Finance Committee*

Councilwoman Berz

(No report)

### *Economic and Community Development Committee*

Councilman Byrd

(No report)

### *Human Resources Committee (HR)*

Councilman Gilbert

(No report)

### *Planning and Zoning Committee*

Councilman Ledford reported:

- The committee met today to review next week's agenda items, including a short report on ADUs (Accessory Dwelling Units).
- The committee will meet again next week after the 3:00 p.m. Agenda Session for an update by John Bridger on Steep Slopes and Floodplains.

### *Public Safety Committee*

Councilman Henderson

(No report)

### *Public Works and Transportation Committee*

Councilman Mitchell reported:

- The committee met today to review agenda items.
- The committee will meet again in two weeks (Jan. 22) after the 3:00 p.m. Agenda Session.

### *Youth and Family Development Committee*

Councilwoman Coonrod reported:

- The committee met today to hear from about the Winter Camp that took place for eight (8) days for youth of all backgrounds. She encouraged the Assembly to get involved with YFD activities.



## 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:

- **Monty Bell (Chattanooga)** – He expressed empathy to Councilwoman Coonrod about the experiences she had discussed earlier. He wrote a 128-page book entitled “For Whom The Bell Tolls” on his strife since 1992. On December 12, he attempted to help a young woman, but his requests for assistance were not received. He asked a radio broadcaster for help, but did not know if assistance had been given. He asked another media professional to retrieve certain documents from a particular facility and that media professional would not do it. He asked the State to get certain judges out of his life. He believes the City of Chattanooga owes him 9.11 Billion in punitive damages due to what been done with UTC. He believes crimes have been committed under a particular administration. He indicated certain men who have not been supporting him.
- **Marie Mott (Chattanooga)** – She didn’t have a chance to address Mr. Bell’s concerns about the young woman. She had good news because she has been helping the woman, who is wheelchair-bound. She wanted to address Councilwoman Coonrod’s assertion about threats and invasions of privacy and reminded Councilwoman Coonrod of certain statements that she deemed “slanderous” that were made against members of the public by the councilwoman. She indicated that she has forgiven Councilwoman Coonrod, but other members of the public may not be so forgiving, then gave a quote from her mom as a reminder. She questioned why the City is moving so quickly with the Tubman site. She indicated that residents in East Chattanooga want mixed use, housing and entrepreneurial opportunities at this site. She encouraged councilpersons to fight against anything being forced upon them regarding the Tubman site and new Avondale center.
- **James Moreland (Chattanooga)** – He has been championing East Chattanooga for 30 years since retiring from DuPont. The association’s president, Ken Smith, was on assignment tonight and could not be here. He is disappointed with the Tubman site. He encourages people to join them and make decisions. Only one person has
- **Sylvester Harris (Chattanooga)** – He expressed support for Councilwoman Coonrod and commented on people not having to live in fear. He drives through East Chattanooga and does not see anything happening. He encourages people to seek learning and to fight for their own communities. He complained about hearing about developments too late. He encourages trade school education because many youth are struggling. He believes that once the Tubman site is developed, people in the community will be shut out of it. He encouraged urban residents to do for their own communities. He informed the Council that he has witnessed people who do not live in East Chattanooga throwing trash in that community.
  - Councilwoman Coonrod thanked Charita Adams and Jermaine Freeman for their work on the Tubman site project and commended them for always keeping the urban economic gap in discussions.
  - Councilman Byrd believes that “buy-in” is needed in communities. He is working on how to develop the community. He thanked J.T. McDaniel, who was present today, for investing in the community.

**ADJOURNMENT**

**On motion of Councilman Oglesby**, Chairman Smith adjourned the meeting of the Chattanooga City Council until Tuesday, January 15, 2019, at 6:00 p.m.

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**CHAIRMAN**

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**CLERK OF COUNCIL**