



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
January 29, 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. Valerie Malueg, Assistant City Attorney, and Nicole Gwyn, Council Clerk, were also present.

PLEDGE OF ALLEGIANCE

Councilman Henderson led the Assembly in the Pledge of Allegiance. He then read passages from Mark 23 of the Bible prior to giving the invocation.

APPROVAL OF LAST MINUTES

On motion of Councilman Gilbert and seconded by Vice-Chairman Oglesby, the minutes of the last meeting (October 23, 2018) were approved as published.

ORDINANCES – FINAL READING: (NONE)

ORDINANCES – FIRST READING: (NONE)

RESOLUTIONS:

On motion of Councilman Henderson and seconded by Councilwoman Coonrod,

RESOLUTION #29777

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SECOND AGREEMENT TO EXERCISE OPTION TO RENEW WITH BALLET TENNESSEE, IN SUBSTANTIALLY THE FORM ATTACHED, FOR A TERM OF ONE (1) YEAR, FOR THE LEASE OF A GROUND LEVEL WING OF THE JOHN A. PATTEN ARTS CENTER, AT THE RATE OF \$1,400.00 PER MONTH AND OTHER CONSIDERATIONS.

ACTION: ADOPTED

2019-01
Kyle Morris
District No. 7

Agenda Item VII(b):

A RESOLUTION APPROVING SHORT TERM VACATION RENTAL APPLICATION NO. 18-STVR-00147 FOR PROPERTY LOCATED AT 5519 GLENN FALLS.

Opposition was present at today's meeting regarding this STVR application; however, the Applicant was not. Therefore, **Vice-Chairman Oglesby moved** to deny, seconded by Councilman Gilbert. The motion carried.

ACTION: DENIED

2019-02
Nathan Carlson
District No. 7

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

RESOLUTION #29778

A RESOLUTION APPROVING SHORT TERM VACATION RENTAL APPLICATION NO. 18-STVR-00161 FOR PROPERTY LOCATED AT 206 W. 17TH STREET.

Chairman Smith confirmed that the Applicant was present, but no Opposition was present.

ACTION: ADOPTED

2019-03
Jennifer Dixon
District No. 7

Agenda Item VII(d):

A RESOLUTION APPROVING SHORT TERM VACATION RENTAL APPLICATION NO. 18-STVR-00162 FOR PROPERTY LOCATED AT 4204 SENECA AVENUE.

Caleb Fisher, Code Enforcement Inspector, informed the Council that he had been in contact with the Applicant, who had a mix-up about the date of the hearing and, therefore, the Applicant had planned to be out of town on today. The Applicant requested a deferral to February 19, 2019. **Vice-Chairman Oglesby moved** to defer to February 19, 2019. He was seconded by Councilman Mitchell. The motion carried.

ACTION: DEFERRED TO FEBRUARY 19, 2019

2019-04
Carmen Patty
District No. 8

On motion of Councilman Byrd and seconded by Councilman Gilbert,

RESOLUTION #29779

A RESOLUTION APPROVING SHORT TERM VACATION RENTAL APPLICATION NO. 18-STVR-00170 FOR PROPERTY LOCATED AT 1789 E. 12TH STREET.

Chairman Smith confirmed that the Applicant was present, but no Opposition was present.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilman Ledford,

RESOLUTION #29780

A RESOLUTION AUTHORIZING THE DIRECTOR OF WIRELESS COMMUNICATIONS TO EXECUTE A LEASE AGREEMENT FOR THE TENNESSEE VALLEY REGIONAL COMMUNICATIONS SYSTEM (TVRCS) WITH COAL CREEK VENTURES FOR A TOWER SITE LOCATED ON WINDROCK MOUNTAIN IN ANDERSON COUNTY FOR A TERM OF THREE (3) YEARS AND WITH A MONTHLY RENTAL AMOUNT OF \$1,600.00 FOR YEARS ONE (1) THROUGH THREE (3), WITH AN ESCALATING CLAUSE FOR YEARS FOUR (4) THROUGH NINE (9), AS DESCRIBED HEREIN, FOR A TOTAL AMOUNT OF \$57,600.00.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilman Byrd,

RESOLUTION #29781

A RESOLUTION AUTHORIZING THE DIRECTOR OF WIRELESS COMMUNICATIONS TO EXECUTE A LEASE AGREEMENT FOR THE TENNESSEE VALLEY REGIONAL COMMUNICATIONS SYSTEM (TVRCS) WITH COAL CREEK VENTURES FOR A TOWER SITE LOCATED ON CROSS MOUNTAIN IN CAMPBELL COUNTY FOR A TERM OF THREE (3) YEARS AND WITH A MONTHLY RENTAL AMOUNT OF \$1,600.00 FOR YEARS ONE (1) THROUGH THREE (3), WITH AN ESCALATING CLAUSE FOR YEARS FOUR (4) THROUGH NINE (9), AS DESCRIBED HEREIN, FOR A TOTAL AMOUNT OF \$57,600.00.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilman Byrd,

RESOLUTION #29782

A RESOLUTION AUTHORIZING THE CHIEF HUMAN RESOURCES OFFICER TO EXTEND AN AGREEMENT WITH CORNERSTONE ONDEMAND FOR THE LEARNING MANAGEMENT SYSTEM, WITH AN OPTION TO RENEW FOR ONE (1) ADDITIONAL YEAR, FOR AN ANNUAL AMOUNT OF \$35,900.00.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilwoman Coonrod,

RESOLUTION #29783

A RESOLUTION TO CONFIRM THE MAYOR'S APPOINTMENT OF SARA E. MCMANUS, J.D., LL.M. TO THE LIBRARY BOARD EFFECTIVE FEBRUARY 2019 FOR A TERM OF THREE (3) YEARS.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilman Byrd,

RESOLUTION #29784

A RESOLUTION AUTHORIZING THE CHATTANOOGA POLICE DEPARTMENT TO EXTEND FOR A FOURTH AND FINAL YEAR OF FUNDING AN ENHANCING LAW ENFORCEMENT RESPONSES TO VICTIMS (ELERV) GRANT WITH THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE (IACP), IN THE AMOUNT OF \$60,000.00.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilman Gilbert,

RESOLUTION #29785

A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 2 (FINAL) FOR CTI ENGINEERS, INC. RELATIVE TO CONTRACT NO. W-15-001-101, MBWWTP DETRITORS REHABILITATION, A CONSENT DECREE SUPPORTED PROJECT, FOR A DECREASED AMOUNT OF \$3,271.64, FOR A REVISED CONTRACT AMOUNT OF \$424,728.36.

ACTION: ADOPTED

On motion of Councilman Mitchell and seconded by Councilman Ledford,

RESOLUTION #29786

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. E-16-006-201 TO WRIGHT BROTHERS CONSTRUCTION COMPANY, INC. OF CHARLESTON, TN, LUPTON MILL SITE REMEDIATION, IN THE AMOUNT OF \$1,676,744.00, WITH A CONTINGENCY AMOUNT OF \$150,000.00, FOR AN AMOUNT NOT TO EXCEED \$1,826,744.00.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

RESOLUTION #29787

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS, DIVISION FOR MOCCASIN BEND WASTEWATER PLANT TO PAY A CITY CLAIM FOR PROPERTY DAMAGE WHICH OCCURRED ON JANUARY 11, 2019, AT OR NEAR 2415 BRIDGE CIRCLE, CHATTANOOGA, TN, TO DISASTER MASTERS, IN THE AMOUNT OF \$53,439.32, AND AR BUILDING COMPANY D/B/A BRIDGEWAY APARTMENT HOMES, IN THE AMOUNT OF \$40,753.23, FOR A TOTAL AMOUNT OF \$94,192.55.

ACTION: ADOPTED

On motion of Councilman Byrd and seconded by Councilwoman Coonrod,

RESOLUTION #29788

A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 FOR JDH COMPANY, INC. OF CHATTANOOGA, TN, RELATIVE TO CONTRACT NO. Y-17-015-201, REPLACEMENT ROOFING SYSTEM FOR EAST CHATTANOOGA YFD CENTER BUILDING, FOR AN INCREASED AMOUNT OF \$67,555.00, WITH A CONTINGENCY AMOUNT OF \$17,500.00, FOR A REVISED CONTRACT AMOUNT OF \$242,907.00, FOR AN AMOUNT NOT TO EXCEED \$260,407.00.

ACTION: ADOPTED

Agenda Item VII(O):

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH ENCO UTILITY SERVICES FOR SEWER BILLING SERVICES FOR A ONE (1) YEAR TERM WITH TWO (2) OPTIONAL ONE (1) YEAR RENEWALS FOR A COST OF \$1.20 PER BILL PER MONTH PLUS SET-UP, LICENSING, AND INCIDENTALS (SHUT OFF NOTICE PRINTING, CALL CENTER SERVICES, ETC.), FOR A TOTAL AMOUNT NOT TO EXCEED \$1.2 MILLION.

Councilman Mitchell informed the Council that further work is needed on this item. Therefore, **Councilman Mitchell moved** to defer to three (3) weeks to February 19, 2019. He was seconded by Councilman Byrd. The motion carried.

ACTION: DEFERRED TO FEBRUARY 19, 2019

On motion of Vice-Chairman Oglesby and seconded by Councilwoman Berz,

RESOLUTION #29789

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO A PARTNERSHIP AGREEMENT WITH MURPHY BSSL, LLC, PROJECT NO. T-19-004-804, FOR THE BROAD AND 17TH STREET LOFTS LOCATED AT 1701 BROAD STREET AND TO ACCEPT A CONTRIBUTION TOWARDS THE COST OF NINE (9) PEDESTRIAN LIGHT POLES, LUMINAIRES, CONDUITS, AND INSTALLATION, IN THE AMOUNT OF \$22,767.57.

ACTION: ADOPTED

On motion of Councilwoman Coonrod and seconded by Councilman Byrd,

RESOLUTION #29790

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT TO EXTEND THE BLANKET CONTRACT WITH WILLOW TREE CONSULTING GROUP FOR SUPPORT OF A MULTI-PART HEAD START ASSESSMENT PROCESS, FOR A TWELVE (12) MONTH NO COST EXTENSION, FOR AN AMOUNT NOT TO EXCEED \$60,000.00.

ACTION: ADOPTED

PURCHASES:

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

PO542182 - Public Works Department Estimated \$25,000.00 Annually

Blanket Contract Renewal - Automotive Electrical
Supplies - Fleet Management Division –
Public Works Department

Lowest/Best Bidder: Ram Products LTD.
7420 Whitehall Street
Richland Hills, TX 76118

R178549 - Public Works Department Estimated \$85,000.00 Annually

New Blanket Contract - Fire Extinguishers/Fire Suppression
Systems and Service - Facilities Management –
Public Works Department

Lowest/Best Bidder: Chattanooga Fire Protection, Inc.
1818 Broad Street
Chattanooga, TN 37408

R181085 - Public Works Department Estimated \$200,000.00 Annually

New Blanket Contract - Vehicle Rental –
Fleet Management - Public Works Department

Lowest/Best Bidder: Enterprise Holdings Inc.
2424 Appling Road
Memphis, TN 38133

R179171 - Public Works Department Estimated \$1,000,000.00 Annually
New Blanket Contract - Hydraulic Cylinder Equipment
Service - Waste Resource Division - Public Works Department
Lowest/Best Bidder: Tri-State Hydraulics, Inc.
P.O. Box 5067
Chattanooga, TN 37406

R179178 - Public Works Department Estimated \$1,000,000.00 Annually
New Blanket Contract - MSA Safety Parts –
Waste Resource Division - Public Works Department
Lowest/Best Bidder: Airgas USA, LLC
700 Manufacturers Road
Chattanooga, TN 37405

R179419 - Department of Youth and Family Development Estimated 263,000.00 Annually
New Blanket Contract - Fresh Produce –
Department of Youth and Family Development
Lowest/Best Bidder: T & T Produce Co.
P.O. Box 5756
Ft. Oglethorpe, GA 30742

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

ACTION: ALL PURCHASES APPROVED

OTHER BUSINESS:

District 8 Event

Councilman Byrd informed the Assembly about the “Big 9 Podcast Listening Party,” sponsored by the city’s Office of Multicultural Affairs and the Urban League, will take place on tomorrow, January 30, at 5:30 p.m. at the Bessie Smith Cultural Center. The podcast will focus on the M.L. King Blvd.

Councilman Byrd also informed the Assembly about Mayor Berke bringing the “Burgers with Berke” event to District 8 on Thursday, January 31, 2019, at Armando’s on E. Main Street at 12:00 p.m.

Special Recognition

Councilwoman Coonrod recognized Dr. Brooks in the Assembly today.

Free Children’s Dental Day

Councilwoman Coonrod informed the Assembly about free dental services for kids being provided on February 18, 2019, at Chattanooga State’s Dental Hygiene Clinic. Reservations should be made by calling (423) 697-4488.

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

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

Public Safety Committee

Councilman Henderson

- The committee met today for a public educational session where Police Chief David Roddy responded to questions submitted from the Council regarding a recent-publicized police incident, and about police policy.

Public Works and Transportation Committee

Councilman Mitchell

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

Youth and Family Development Committee

Councilwoman Coonrod

(No report)

Legislative Committee

Vice-Chairman Oglesby

(No report)

RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL

(Non-Agenda Items)

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

- **Tom Slatten (Soddy Daisy)** – Mr. Slatten is an employee of the City of Chattanooga's Public Works Department. He informed the Council of working recently at the Fleet Maintenance and being denied the ability to use the restroom while at the facility. He spoke to the manager, who did not give a reason as to why he, a city employee on business at the facility, could not use the restroom. He was told at one point that there was a female employee who used the restroom. However, Mr. Slatten questioned why one of the restrooms there could not be unisex.

- Councilman Mitchell, Chair of the Public Works and Transportation Committee, asked Donald Stone, Deputy Administrator for Public Works, to look into this situation.
- **David Tullis (Chattanooga)** – He is an announcer for 92.7 Radio. He reminded his notice to the Council about Title 55 on Transportation. He thinks that the Frederico Wolfe case from March 10, 2018, is an example of why police stops are dangerous for both citizens and officers. He noted one resource indicating that police stops are more dangerous than domestic violence. He believes the City cannot enforce the Transportation statute. He believes the city is acting in bad faith and without a care. He would like for Chattanooga to be a sanctuary city against abuse of Transportation law. He asked for a stop in the abuse of people this law. He noted one resource indicating that blacks are sixty-percent more likely to be stopped for traffic violations. He would like a free market on the use of the roads.

ADJOURNMENT

On motion of Councilman Ledford, Chairman Smith adjourned the meeting of the Chattanooga City Council until Tuesday, February 5, 2019 at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL