



John P. Franklin, Sr. City Council Building
Chattanooga, Tennessee

COUNCIL MEETING MINUTES

October 15, 2019

6:00 PM

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Councilman Mitchell 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 8, 2019) were approved as published.

ORDINANCES – FINAL READING:

2019-0126
Pat Neuhoff
Planning Version
District No. 4

On motion of Councilman Ledford and seconded by Councilman Smith,

ORDINANCE #13504

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1909 GUNBARREL ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM O-1 OFFICE ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE.

ACTION: APPROVED

On motion of Councilman Ledford and seconded by Councilwoman Coonrod,

ORDINANCE #13505

AN ORDINANCE AMENDING CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE XVI, DOWNTOWN FORM BASED CODE, DIVISION 1, INTRODUCTORY PROVISIONS, SECTION 38-692, LEGAL REQUIREMENTS (10)(C) EXPANSION OF THE FORM BASED CODE BOUNDARY.

Councilman Ledford noted this item was in Chairman Oglesby's district.

ACTION: APPROVED

ORDINANCES – FIRST READING:

On motion of Councilman Mitchell and seconded by Councilman Ledford,

ORDINANCE #13506

AN ORDINANCE AMENDING CHATTANOOGA CITY CODE, PART II, CHAPTER 19, SECTION 19-86(B)(1), RELATING TO QUALIFICATIONS OF JOURNEYMAN GAS FITTERS.

ACTION: PASSED ON FIRST READING

On motion of Councilwoman Berz and seconded by Councilman Byrd,

ORDINANCE #13507

AN ORDINANCE AMENDING CHATTANOOGA CITY CODE, PART II, CHAPTER 27, SECTION 27-57(B), RELATING TO MASTER PLUMBER'S CERTIFICATES OF COMPETENCY.

ACTION: PASSED ON FIRST READING

2019-0133
Southern Spear
Alternate Version #2
Districts Nos. 8 & 9

On motion of Councilwoman Coonrod and seconded by Councilman Byrd,

Agenda Item VI(c):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED A 901 SOUTH HOLTZCLAW AVENUE, 903, 9105, AND 1001 SOUTH GREENWOOD AVENUE, TWO UNADDRESSED PARCELS IN THE 1300 BLOCKS OF BENNETT AND ANDERSON AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE, M-2 LIGHT INDUSTRIAL ZONE, AND R-1 RESIDENTIAL ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

The motion to approve carried. After which, **Councilwoman Coonrod moved** to defer the second reading until January 21, 2020, per request of the Applicant. She was seconded by Councilman Byrd. The motion carried to defer the second reading to January 21, 2020.

ACTION: PASSED ON FIRST READING;
SECOND READING DEFERRED TO JANUARY 21, 2020

RESOLUTIONS:

On motion of Councilwoman Berz and seconded by Councilwoman Coonrod,

RESOLUTION #30101

A RESOLUTION AUTHORIZING SOUTHEAST TENNESSEE DEVELOPMENT DISTRICT TO, ON BEHALF OF THE CITY OF CHATTANOOGA AND HAMILTON COUNTY, APPLY FOR AND, IF AWARDED, ACCEPT A SITE DEVELOPMENT GRANT FROM THE U.S. ECONOMIC DEVELOPMENT ADMINISTRATION (EDA).

ACTION: ADOPTED

On motion of Councilman Byrd and Councilwoman Coonrod,

RESOLUTION #30102

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A DONATION AGREEMENT, IN SUBSTANTIALLY THE FORM ATTACHED, AND ANY RELATED DOCUMENTS BETWEEN THE CITY OF CHATTANOOGA AND NIPPON PAINT AUTOMOTIVE AMERICAS, INC. FOR THE PROPERTY IDENTIFIED AS LOT ONE (1) OF HARRIET TUBMAN SUBDIVISION AND KNOWN AS TAX PARCEL NUMBER 136E-A-005.

Councilman Byrd moved to approve with the intent to amend. He was seconded by Vice-Chairman Henderson. The motion carried. **Councilman Byrd moved** to amend the Workforce Development Paragraph 9 of the agreement with the following language:

“In hiring new employees for the Facility, Donee will give due consideration to applicants who are residents of the City of Chattanooga, in particular residents of the neighborhoods surrounding the Facility, in accordance with its standard hiring policies and procedures.”

He was seconded by Councilwoman Coonrod. The motion to amend carried. **Councilman Byrd moved** to approve as amended, seconded by Councilwoman Coonrod. The motion carried.

ACTION: ADOPTED AS AMENDED

On motion of Councilman Byrd and seconded by Councilwoman Coonrod,

RESOLUTION #30103

A RESOLUTION AUTHORIZING THE INTENT THAT (I) THE PROPOSED CITY OF CHATTANOOGA EAST CHATTANOOGA TAX INCREMENT FINANCING REDEVELOPMENT PROJECT AKA THE EAST CHATTANOOGA RISING TAX INCREMENT FINANCING PROJECT (“PROJECT”) WILL PROVIDE NECESSARY IMPROVEMENTS TO PUBLIC INFRASTRUCTURE THAT THE CITY OF CHATTANOOGA (THE “CITY”) WANTS TO OCCUR WITHIN THE PROPOSED TIME FOR THE PROJECT, BUT DOES NOT CURRENTLY PLAN TO EFFECT IN THE SHORT TERM UNDER ITS EXISTING CAPITAL IMPROVEMENT PLANS, AND (II) THE CITY COUNCIL WILL CONSIDER AN ECONOMIC IMPACT PLAN PREPARED AND SUBMITTED BY THE CITY OF CHATTANOOGA INDUSTRIAL DEVELOPMENT BOARD, WITH AID FROM THE CITY OF CHATTANOOGA’S DEPARTMENT OF ECONOMIC & COMMUNITY DEVELOPMENT, WITH RESPECT TO THE PROJECT IN ACCORDANCE WITH THE CITY’S TAX INCREMENT FINANCING POLICY AND PROCEDURES.

ACTION: ADOPTED

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

RESOLUTION #30104

A RESOLUTION AUTHORIZING THE CHIEF INFORMATION OFFICER TO RENEW THE CITY’S EXISTING AGREEMENT WITH DATA DRIVEN, LLC FOR ONE (1) YEAR, PROVIDING WATSON PRODUCTS IN SUPPORT OF CHATTANOOGA POLICE DEPARTMENT OPERATIONS BEGINNING JULY 1, 2019 AND ENDING JUNE 30, 2020, WITH AN ANNUAL SPEND LIMIT NOT TO EXCEED \$90,000.00.

ACTION: ADOPTED

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

RESOLUTION #30105

A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 FOR SOUTHEAST TENNESSEE DEVELOPMENT DISTRICT, RELATIVE TO GRANT ADMINISTRATION SERVICES, TECHNICAL AND PROFESSIONAL ADMINISTRATIVE SERVICES, FOR AN INCREASED AMOUNT OF \$22,500.00, FOR A REVISED CONTRACT AMOUNT OF \$64,000.00, FOR INCREASED FEES FOR CONSTRUCTION COST FOR PHASE 2 AND PHASE 3 OF THE WET WEATHER STORAGE PROJECT.

ACTION: ADOPTED

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

RESOLUTION #30106

A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 (FINAL) FOR HAREN CONSTRUCTION COMPANY, INC. OF ETOWAH, TN, RELATIVE TO CONTRACT NO. W-16-024-201, MBWWTP DIGESTER NO. 1 CLEANING AND REHABILITATION, A NON-CONSENT DECREE PROJECT, FOR THE DECREASED AMOUNT OF \$56,730.41, TO RELEASE THE CONTINGENCY AMOUNT OF \$100,000.00, FOR A REVISED CONTRACT AMOUNT OF \$991,269.59.

ACTION: ADOPTED

On motion of Councilman Byrd and seconded by Councilwoman Coonrod,

RESOLUTION #30107

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. D-18-002 TO WRIGHT BROTHERS CONSTRUCTION COMPANY OF CHARLESTON, TN, GRAVITY SEWER RELOCATION – FORMER HARRIET TUBMAN HOMES SITE, IN THE AMOUNT OF \$1,170,359.00, PLUS A CONTINGENCY AMOUNT OF \$120,000.00, FOR A TOTAL AMOUNT OF \$1,290,359.00.

ACTION: ADOPTED

On motion of Councilman Mitchell and seconded by Councilman Smith,

RESOLUTION #30108

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO APPLY FOR AND, IF AWARDED, ACCEPT A CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT (CMAQ) GRANT FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE CHATTANOOGA TRAFFIC SIGNALS AND COMMUNICATIONS UPGRADE PHASE II, WITH THE CITY'S CONTRIBUTION NOT TO EXCEED \$200,000.00, FOR AN AMOUNT NOT TO EXCEED \$1 MILLION.

ACTION: ADOPTED

On motion of Councilman Mitchell and seconded by Councilman Byrd,

RESOLUTION #30109

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO AN AGREEMENT WITH SUPERIOR TRAFFIC CONTROL, LLC RELATIVE TO CONTRACT NO. T-14-002 FOR CONSTRUCTION SERVICES ASSOCIATED WITH RETRO-REFLECTIVITY SIGN PROJECT FOR VARIOUS CITY STREETS IN CHATTANOOGA, IN THE AMOUNT OF \$334,006.25, WITH A CONTINGENCY AMOUNT OF \$33,400.63, FOR A TOTAL AMOUNT OF \$367,406.88.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Proposed Purchases

Anthony Sammons, Deputy Chief Operating Officer, briefed the Council on the following proposed purchases:

R191172 Public Works Department Total Cost \$613,966.00

Purchase - Purchase of Two (2) 2020 Autocar ACX 64
Chassis with a Heil 33 Cubic Yard DuraPack Python Side
Loading Body-Fleet Management Division-Public Works Department
Lowest/Best Bidder: Stringfellow Inc
2710 Locust Street
Nashville, TN 37207

R191248 Public Works Department Total Cost \$102,539.25.00

Purchase - One (1) Rover X Sewer Inspection System
and One (1) KWMI Easement Cleaning Machine-
Waste Resources Division-Public Works Department
Lowest/Best Bidder: Sansom Equipment Co
2800 Powell Ave
Birmingham, AL 35233

PO551959 Public Works Department Estimated \$450,000.00 Annually

Blanket Contract Renewal - Odor Control Filter Media Service-
Waste Resources Division-Public Works Department
Lowest/Best Bidder: Prominent Systems Inc
8910 Lawndale Street Unit E
Houston, TX 77012

On motion of Councilwoman Berz and seconded by Councilman Mitchell, all purchases were approved.

ACTION: ALL PURCHASES APPROVED

OTHER BUSINESS:

Post-Humous Recognition

Councilman Gilbert honored 25-year-old Clayton Mason III, a Chattanooga native and educator who was lost to gun violence on October 2, 2019 in Chattanooga, Tennessee. He urged the Chattanooga Police Department to find his murderer. Councilman Byrd added his thoughts about Mr. Mason.

Coyote Jack Resolution Request

Councilwoman Coonrod requested a resolution to applaud the efforts of the City to abate what she called the “public nuisance” that is existing at Coyote Jacks. Chairman Oglesby asked Attorney Noblett to work on this request.

COMMITTEE REPORTS:

Budget and Finance Committee
Councilwoman Berz
(No report)

Economic and Community Development Committee
Councilman Byrd
(No report)

Human Resources Committee
Councilman Gilbert
(No report)

Planning and Zoning Committee
Councilman Ledford
(No report)

Public Safety Committee
Councilman Smith
(No report)

Public Works and Transportation Committee
Councilman Mitchell reported:

- The committee met today in open meeting and will meet again in two weeks (October 29) following the 3:00 p.m. Agenda Session.

Youth and Family Development Committee
Councilwoman Coonrod
(No report)

Legislative Committee

Vice-Chairman Henderson reported:

- He chaired the STVR Ad Hoc Committee meeting today and discussed several items for the amendment. There will be a follow-up meeting on October 29, 2019 at 4:00 p.m. to finalize all the recommendations.

RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL (Non-Agenda Items) - URL: <https://youtu.be/HLyPflAHZeQ?t=1377>

Attorney Noblett read the rules of procedure for persons wishing to address the Council on non-agenda items. He also read T.C.A. 39-17-306 regarding disrupting of the meeting or proceeding. After which, Chairman Oglesby recognized the following persons:

Name (Street, District or City):	Primary Topic:
• Brenda & Marva (Chattanooga)	Habakkuk Community project and park
• Michelle Lawrence (Watergenusa.com)	Watergen solutions and services to cities
• Nia Robinson (Chattanooga)	Avondale center and property on Wilcox & Roanoke
• Marie Mott (Chattanooga)	Honored Clayton Mason III and influencing change
• Evelina Kertay (Chattanooga)	Echoed Ms. Mott's sentiments on Clayton Mason III

ADJOURNMENT

On motion of Councilman Ledford, Chairman Oglesby adjourned the meeting of the Chattanooga City Council until Tuesday, October 22, 2019 at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL