



Electronic-Conducted (Virtual) Minutes  
Chattanooga, Tennessee

**COUNCIL MEETING MINUTES**

May 12, 2020  
6:00 PM

**CALL TO ORDER**

Council Chairman Chip Henderson called the meeting to order by electronic means. A quorum was present that included Vice-Chairman Ken Smith and Councilpersons Carol Berz, Anthony Byrd, Demetrus Coonrod, Russell Gilbert, Darrin Ledford, and Erskine Oglesby, Jr. Phil Noblett, City Attorney, and Nicole Gwyn, Council Clerk, were also present via electronic means. Councilman Jerry Mitchell was not present at this meeting. The video of this meeting is available [here](#).

**PLEDGE OF ALLEGIANCE**

Chairman Henderson led the Assembly in the Pledge of Allegiance and read scriptures from Matthew 6 of the Bible for the invocation.

**APPROVAL OF LAST MINUTES**

**On motion of Councilman Gilbert** and seconded by Councilwoman Berz, the minutes of the last meeting (May 5, 2020) were approved as published. The motion carried unanimously (8-0) upon roll call vote.

**MOTIONS BRINGING A QUESTION AGAIN BEFORE THE ASSEMBLY (2 items)**

**(1) Rescinding Appointment Confirmation**

Vice-Chairman Smith spoke on recent information that came to the Council’s attention about their appointment confirmation of the city treasurer. He noted that the information had not been disclosed to the Council as part of their decision on the appointment confirmation. Therefore, due to a lack of disclosure of this information, **Vice-Chairman Smith moved** to rescind the appointment confirmation previously adopted. He was seconded by Councilman Ledford. The motion carried (7-1) upon roll call vote as follows:

<b>Smith</b>	<b>YES</b>	<b>Coonrod</b>	<b>YES</b>
<b>Oglesby</b>	<b>YES</b>	<b>Byrd</b>	<b>YES</b>
<b>Ledford</b>	<b>YES</b>	<b>Berz</b>	<b>YES</b>
<b>Gilbert</b>	<b>YES</b>	<b>Henderson</b>	<b>NO</b>

**YES – Seven (7); NO – One (1)**

Attorney Noblett affirmed a two-thirds vote of the Council had been met to rescind.

**RESOLUTION #30337**

**A RESOLUTION TO RESCIND RESOLUTION NO. 30332 RELATING TO THE MAYOR'S APPOINTMENT OF KATE FARMER AS CITY TREASURER.**

**ACTION: ADOPTED**

**(2) Reconsidering ECD Resolution**

Chairman Henderson asked the Council to reconsider a resolution that the Council took no action on last week. He instructed the Clerk to read the legislation from last week.

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO ENTER INTO AN INDEPENDENT CONTRACTOR SERVICES STANDARD FORM AGREEMENT, IN SUBSTANTIALLY THE FORM ATTACHED, WITH CBRE, INC., FOR SPECIFIED REAL ESTATE SERVICES, FOR A TERM OF ONE (1) YEAR, WITH THE OPTION TO RENEW FOR TWO (2) ADDITIONAL TERMS OF ONE (1) YEAR EACH.**

**Vice-Chairman Smith moved** to reconsider on the May 19 agenda. Councilman Ledford seconded. Councilpersons Berz and Coonrod questioned Donna Williams, ECD Administrator, about the need of an external contract and the urgency for this contract. Upon no further questions or comments, the motion carried unanimously (8-0) upon roll call vote.

**ACTION: RESOLUTION ADDED TO THE MAY 19, 2020 AGENDA**

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

**ORDINANCES – FIRST READING:**

**2020-0038**  
**ASA Engineering**  
**Planning Version**  
**District No. 4**

**Agenda Item VI(a):**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 7301 SHALLOWFORD ROAD, FROM R-1 RESIDENTIAL ZONE TO C-4 PLANNED COMMERCE CENTER ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**Councilman Ledford moved** to defer to June 9, 2020, seconded by Councilman Byrd. The motion carried unanimously (8-0) upon roll call vote.

**ACTION: DEFERRED TO JUNE 9, 2020**

**Agenda Item VI(b):**

**AN ORDINANCE DEANNEXING A CERTAIN PARCEL ADJACENT TO THE CURRENT CITY LIMITS WHICH IS LOCATED AT 2815 MILITARY ROAD, WITHIN THE CITY OF CHATTANOOGA, IN HAMILTON COUNTY, TENNESSEE.**

Councilman Oglesby informed the Council that the Applicant submitted an email today to himself and the City Attorney, asking to withdraw this de-annexation request. Therefore, **Councilman Oglesby moved** to withdraw, seconded by Councilman Gilbert. The motion carried unanimously (8-0) upon roll call vote.

**ACTION: WITHDRAWN**

On motion of Councilman Gilbert and seconded by Councilwoman Coonrod,

**ORDINANCE #13555**

**AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF CHATTANOOGA, AND ALL ACTS, ORDINANCES, AND OTHER CHARTER PROVISIONS AMENDATORY THEREOF, PURSUANT TO THE PROVISIONS OF ARTICLE XI, SECTION 9, OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT) SO AS TO CHANGE THE CITY CHARTER BY ADDING A NEW SECTION 13.17, RELATED TO THE ESTABLISHMENT OF A POLICE ADVISORY AND REVIEW COMMITTEE TO TITLE 13 OF THE CITY CHARTER.**

The motion carried unanimously (8-0) upon roll call vote.

**ACTION: PASSED ON FIRST READING**

**RESOLUTIONS:**

2020-05  
Bryson Moore  
District No. 8

**RESOLUTION #30338**

**A RESOLUTION APPROVING SHORT TERM VACATION RENTAL APPLICATION NO. 19-STVR-00184 FOR PROPERTY LOCATED AT 1420 MADISON STREET.**

Councilman Byrd indicated that no presentation was needed on this case. He informed the Council that the Applicant and community had met and come to an agreement about this case. Therefore, **Councilman Byrd moved** to approve, seconded by Vice-Chairman Smith. The motion carried unanimously (8-0) upon roll call vote.

**ACTION: ADOPTED**

PROCEDURAL NOTE: With no objection from the Council, Chairman Henderson instructed the Clerk to read the next four resolutions for one Council vote.

**RESOLUTION #30339**

**A RESOLUTION AUTHORIZING THE CITY FINANCE OFFICER TO SUBMIT A REQUEST FOR CHANGE IN PLAN OPERATIONS (RCPO) FOR MASS MUTUAL 457(B) DEFERRED COMPENSATION PLAN AS PROVIDED IN THE CORONAVIRUS AID, RELIEF, AND ECONOMIC DEVELOPMENT SECURITY ACT (“CARES” ACT) TO ALLOW THE FOLLOWING OPTIONAL PROVISIONS EFFECTIVE MARCH 27, 2020.**

**RESOLUTION #30340**

**A RESOLUTION AUTHORIZING THE CITY FINANCE OFFICER TO ELECT OPTIONAL ICMA-RC 457(B) DEFERRED COMPENSATION PLAN PROVISIONS TO PROVIDE CORONAVIRUS-RELATED RELIEF AS ALLOWED BY THE CARES ACT.**

**RESOLUTION #30341**

**A RESOLUTION AUTHORIZING THE CITY FINANCE OFFICER TO ELECT NATIONWIDE RETIREMENT SOLUTIONS 457(B) DEFERRED COMPENSATION PLAN PROVISIONS RELATED TO CORONAVIRUS-RELATED DISTRIBUTIONS INCLUDED IN THE CARES ACT.**

**RESOLUTION #30342**

**A RESOLUTION AUTHORIZING THE CITY FINANCE OFFICER TO ELECT OPTIONAL PROVISIONS THAT ALLOW CORONAVIRUS-RELATED DISTRIBUTIONS FROM VOYA FINANCIAL 457(B) DEFERRED COMPENSATION PLAN AS ALLOWED BY THE CARES ACT.**

**Councilwoman Berz moved** to approve, seconded by Councilman Gilbert. The motion carried unanimously (8-0) upon roll call vote.

**ACTION: RESOLUTIONS 30339 - 30342 ADOPTED**

On motion of Vice-Chairman Smith and seconded by Councilman Gilbert,

**RESOLUTION #30343**

**A RESOLUTION AUTHORIZING THE CHATTANOOGA FIRE DEPARTMENT TO APPLY FOR AND, IF AWARDED, ACCEPT A FEMA ASSISTANCE TO FIREFIGHTERS GRANT-SUPPLEMENTAL (AFG-S) OPPORTUNITY, WHICH IS A SPECIAL OPPORTUNITY FOR FIRE DEPARTMENTS TO QUICKLY RECOVER COSTS DIRECTLY ASSOCIATED WITH EXPENSES RELATED TO COVID-19, WITH THE CITY’S TEN (10%) PERCENT MATCH IN THE AMOUNT OF \$8,000.00, FOR A TOTAL AMOUNT OF \$80,000.00.**

The motion carried unanimously (8-0) upon roll call vote.

**ACTION: ADOPTED**

On motion of Councilman Gilbert and seconded by Councilwoman Berz,

**RESOLUTION #30344**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO AWARD CONTRACT NO. W-20-004-201 TO NABCO ELECTRIC COMPANY, INC. OF CHATTANOOGA, TN, STORM STATION 1 REPLACEMENT OF MOTOR CONTROL CENTER (MCC), FOR A CONTRACT AMOUNT OF \$536,410.00, PLUS A CONTINGENCY AMOUNT OF \$53,650.00, FOR AN AMOUNT NOT TO EXCEED \$590,060.00.**

The motion carried unanimously (8-0) upon roll call vote.

**ACTION: ADOPTED**

PROCEDURAL NOTE: With no objection from the Council, Chairman Henderson instructed the Clerk to read the next three resolutions for one Council vote.

**RESOLUTION #30345**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH CHATTANOOGA CHRISTIAN SCHOOL FOR THE AWARD OF THE CITY'S GREEN GRANTS PROGRAM, FOR A TOTAL PROJECT COST OF \$110,000.00.**

**RESOLUTION #30346**

**A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 (FINAL) FOR COMPLETE DEMOLITION SERVICES, LLC OF CARROLLTON, GA, RELATIVE TO CONTRACT NO. Y-15-008-202, AVONDALE YOUTH AND FAMILY DEVELOPMENT CENTER BUILDING ABATEMENT AND DEMOLITION, FOR AN INCREASED AMOUNT OF \$52.45, TO RELEASE THE REMAINING CONTINGENCY AMOUNT OF \$9,947.55, FOR A REVISED CONTRACT AMOUNT OF \$103,300.00.**

**RESOLUTION #30347**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO YEAR FOUR (4) OF A POSSIBLE FIVE (5) YEAR AGREEMENT WITH MATERIAL MATTERS, INC. FOR PROFESSIONAL SERVICES RELATED TO THE BIOSOLIDS DATA MANAGEMENT SYSTEM AND ALL SERVICES LISTED THEREIN, FOR AN AMOUNT NOT TO EXCEED \$67,750.00.**

**Councilman Oglesby moved** to approve, seconded by Councilman Byrd. The motion carried unanimously (8-0) upon roll call vote.

**ACTION: RESOLUTIONS 30345 – 30347 ADOPTED**

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

**RESOLUTION #30348**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH THE STATE OF TENNESSEE, HAMILTON COUNTY, AND TENNESSEE INTERSTATE CONSERVANCY TO MAINTAIN LANDSCAPING IMPROVEMENTS TO THE DOWNTOWN INTERCHANGES OF THE ROADWAY KNOWN AS HWY. 127 BETWEEN THE INTERSECTION OF INTERSTATE 24 AND OLGATI BRIDGE AS A PILOT FOR THE BEAUTIFICATION OF THE INTERSTATE HIGHWAY SYSTEM BY THE STATE OF TENNESSEE, WITH THE CITY’S ANNUAL CONTRIBUTION AMOUNT NOT TO EXCEED \$62,500.00 FOR EACH FISCAL YEAR.**

The motion carried unanimously (8-0) upon roll call vote.

**ACTION: ADOPTED**

On motion of Councilman Byrd and seconded by Councilwoman Coonrod,

**RESOLUTION #30349**

**A RESOLUTION AUTHORIZING THE CHATTANOOGA DEPARTMENT OF TRANSPORTATION TO ERECT COMMEMORATIVE SECONDARY STREET NAME SIGNS ON N. ORCHARD KNOB AVENUE FROM CITICO AVENUE TO MILNE STREET DESIGNATING SAID PORTIONS OF N. ORCHARD KNOB AVENUE AS “H. H. WRIGHT MEMORIAL PARKWAY”.**

The motion carried unanimously (8-0) upon roll call vote.

**ACTION: ADOPTED**

**DEPARTMENTAL REPORTS:**

**Proposed Purchases**

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

- |   |                           |
|---|---------------------------|
| <b>R196144 - Waste Resources Division, Public Works</b>     | <b>\$61,000.00</b>        |
| Overhead Door Annual Maintenance & Repair Services          |                           |
| Lowest/Best Bidder: Certified Door & Dock Services, LLC     |                           |
| 4900 Hickory Hollow Lane                                    |                           |
| Chattanooga, TN 37421                                       |                           |
| <br><b>R195342 - Waste Resources Division, Public Works</b> | <br><b>\$2,300,000.00</b> |
| Land Application of Biosolids                               |                           |
| Lowest/Best Bidder: Denali Water Solutions, LLC             |                           |
| 3308 Bernice Ave.   |                           |
| Russellville, AR 72802                                      |                           |

**R198278 - Waste Resources Division, Public Works** \$34,982.88  
 Kohler Generator Model 25CCL  
 Lowest/Best Bidder: Nixon Power Services  
 5038 Thoroughbred Lane  
 Brentwood, TN 37027

**R198217 - Waste Resources Division, Public Works** \$38,925.16  
 Bulk Quicklime  
 Lowest/Best Bidder: Mississippi Lime Co.  
 PO Box 840033  
 Kansas City, MO 64184-0033

**R197131 - Traffic Operations Division, CDOT** \$28,500.00  
 Glass Beads For Traffic Paint  
 Lowest/Best Bidder: Swarco Industries, LLC  
 P.O. Box 89  
 Columbia, TN 38402

**Councilman Oglesby moved** to approve, seconded by Councilman Ledford. The motion carried unanimously (8-0) upon roll call vote.

**ACTION: ALL PURCHASES APPROVED**

Mr. Sammons also informed the Council of the following emergency purchases:

<u>Date</u>	<u>Department</u>	<u>Description</u>	<u>Supplier</u>	<u>Explanation</u>	<u>Event Type</u>
5/4/20	HR/WellAdvantage	Emergency supplies	Roll-Aid Industrial Supply Inc	2 cases 99% alcohol to clean electronics; 50 plastic trigger 32 oz. spray bottles for disinfectant. PO# 557710 \$647.50	COVID
5/5/20	HR/WellAdvantage	PPE supplies	CEW Advertising	2,100 reusable cotton breathable safety face masks, 100% cotton double layer washable reusable cloth with stretch adjustable ear loops for close fit. PO# 557713 \$3,360.00	COVID

## **OTHER BUSINESS:**

### **COVID-19 Testing Sites**

Councilman Oglesby read the following list of testing sites:

- May 13 – Bethlehem Center – 10:00 a.m. – 2:00 p.m.
- May 15 – Boynton Terrace (For seniors at Boynton, Gateway, and Dogwood) – 10:00 a.m. – 2:00 p.m.
- May 18 – Mary Walker Tower – 10:00 a.m. – 2:00 p.m.

Councilman Byrd informed everyone of free COVID-19 testing scheduled for May 20, 2020, from 10:00 a.m. – 3:00 p.m. in the parking lot of Avondale YFD Center. He added that anyone needing a ride to the testing site could call Tri-City Transportation at (423) 544-1008. He also expressed his thanks for the councilpersons and entities that have been working to get people tested.

### **Reflections on Ahmaud Arbery**

Councilwoman Coonrod reflected on the death of Ahmaud Arbery in Brunswick, Ga, who was killed while out jogging. She spoke on incidents like this sparking distrust in African American communities. She commented on how this incident affected the military trying to administer COVID-testing here in Chattanooga.

## **COMMITTEE REPORTS:**

### *Budget and Finance Committee*

Councilwoman Berz reported:

- The budget process starts next week, with a presentation of the budget being given to the Council, followed by a release of the budget and a presentation of budget notebooks to the Council.

### *Economic and Community Development Committee*

Councilman Oglesby reported:

- The committee met today (via electronic means) for a presentation by ECD on the 5-year CDBG plan.
- The committee will meet next week after the 3:30 p.m. Agenda Session for a review of STVR and an update on the skate park.

### *Human Resources Committee*

Councilman Gilbert

(No report)

### *Planning and Zoning Committee*

Councilman Ledford

(No report)



*Public Safety Committee*

Councilman Byrd reported:

- There is a new trend of paintball fights in the streets. He informed the Council of a trend that has grown within the city: paintball fights in the streets. He noted that, although players are having fun with paintballs or paintball smoke bombs, people and property are being hit. He asked players to be cautious with their aim and advised the community to be aware of young people playing with paintballs.

*Public Works and Transportation Committee*

(Councilman Mitchell not present)

*Youth and Family Development Committee*

Councilwoman Coonrod reported:

- Although YFD centers are closed to the public due to the pandemic, the “Y” (YMCA), a City of Chattanooga partner, is still providing sack lunches from 3:00 – 5:00 p.m. in the parking lots of the following centers: Carver, Cromwell, East Chattanooga, John A. Patten, Washington Hills, and the Westside.

*Legislative Committee*

Vice-Chairman Smith

(No report)

**RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL**

(This section of meeting may be viewed [here](#).)

Attorney Noblett read the rules of procedure for persons wishing to address the Council. After which, Chairman Henderson recognized the following:

Name (Street, City, District):	Primary Topic:
• Marie Mott (Chattanooga)	Asked for removal of police cameras at the turnabout in the Westside

**ADJOURNMENT**

**On motion of Councilman Oglesby**, Chairman Henderson adjourned this electronic-conducted meeting until next week, Tuesday, May 19, 2020, at 6:00 p.m. at council.chattanooga.gov.

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**CHAIRMAN**

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**CLERK OF COUNCIL**