



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
January 9, 2018
6:00 PM

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Chairman Mitchell led the Assembly in the Pledge of Allegiance.

APPROVAL OF LAST MINUTES

On motion of Councilman Gilbert and seconded by Councilman Oglesby, the minutes of the last meeting (December 19, 2017) were approved as published. [Editor's Note: There was no meeting on December 26, 2017 and January 2, 2018.]

ORDINANCES – FINAL READING:

Ordinance #13267

AN ORDINANCE TO AMEND THE CHATTANOOGA CITY CODE, PART II, CHAPTER 2, SECTIONS 2-65 THROUGH 2-66; CHAPTER 32, ARTICLE I, DEFINITIONS, SECTION 32-16; ARTICLE III, EXCAVATIONS AND RESTORATION OF PAVING, SECTIONS 32-62 THROUGH 32-68; AND ARTICLE XI, TELECOMMUNICATIONS SERVICES; FRANCHISES FOR TELECOMMUNICATIONS SERVICES, SECTIONS 32-224, AND 32-231 THROUGH 32-270.

Vice-Chairman Smith moved to defer one (1) week, seconded by Councilman Ledford. The motion carried.

ACTION: DEFERRED ONE (1) WEEK TO JAN. 16, 2018

ORDINANCES – FIRST READING:

2017-158
Stephen Holmes
Alt. Version #2
District No. 1

ORDINANCE #13268

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED IN THE 400 BLOCK OF DOGWOOD LANE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

Councilman Henderson requested that John Bridger, Executive Director of Regional Planning, read the alternate wording in Alternate Version #2: “...limiting the permitted uses to those allowed in the R-2 zone and multiple family dwellings only until the Moccasin Bend shooting range is relocated subject to written confirmation by the Police Chief of such relocation which is filed with the Land Development Office.”

A discussion ensued with Mr. Bridger about tourists being aware of the firing range near the property and ensuring that the firing range was not active. Councilman Henderson discussed whether adding the term “multiple family dwelling” would allow for short-term vacation rentals and other tourism draws. Mr. Bridger discussed the potential for increased police calls when residency and tourism increases at the vicinity of this property.

The Applicant, Stephen Holmes, responded to questions from Councilman Henderson on whether Mr. Holmes would accept “multiple family dwelling” language in the R-2. Mr. Holmes discussed wanting multiple family dwellings in R-3. Mr. Holmes accepted the offer of a written confirmation from the Chief of Police that CPD is no longer going to use the firing range. Mr. Bridger responded to Councilman Henderson about short-term vacation rentals or bed-n-breakfast facilities in R-3 and the question of adding “multiple family dwelling.”

Vice-Chairman Smith asked for clarification on which version of the ordinance Councilman Henderson wanted the Council to act upon. Councilman Henderson clarified that his motion was for the Alternate Version #2.

Councilman Henderson moved to defer for one (1) week the Alternate Version #2. He was seconded by Vice-Chairman Smith. The motion carried.

**ACTION: ALT. VERSION #2 DEFERRED
ONE (1) WEEK to JAN. 16, 2018**

2017-184
Fickling & Company, Inc.
Alternate Version
District No. 3

ORDINANCE #13269

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 6038 HIXSON PIKE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

Vice-Chairman Smith asked Mr. Bridger to read the condition added to the Alternate Version of the ordinance: *“A minimum of four hundred (400’) feet to the west of the eastern R-3 zoning boundary shall be reserved for greenspace area that is left undisturbed with no clearing or grading, except for pedestrian trails, and removal of dead or diseased trees or invasive overgrowth.”*

After which, **Vice-Chairman Smith moved** to approve the Alternate Version, seconded by Councilman Ledford. The motion carried.

ACTION: ALTERNATE VERSION PASSED ON FIRST READING

2017-185
Philip and Jennifer Clay
Planning Version
District No. 4

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

ORDINANCE #13270

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PART OF PROPERTY LOCATED AT 7628 DAVIDSON ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

Councilman Ledford asked Mr. Bridger to read the conditions of this ordinance. Mr. Bridger read the following from Section 2 of the ordinance: *(1) No new construction for offices or multi-family structures and (2) Bed and breakfast use only.* Councilman Ledford confirmed that the Applicant, who was present in the Assembly, agreed with those conditions. After which, the motion carried.

ACTION: PASSED ON FIRST READING

2017-180
Philip and Jennifer Clay
Planning Version
District No. 4

On motion of Councilman Ledford and seconded by Councilman Gilbert,

ORDINANCE #13271

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 7628 DAVIDSON ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO A-1 URBAN AGRICULTURAL ZONE.

ACTION: PASSED ON FIRST READING

On motion of Councilman Henderson and seconded by Councilman Ledford,

ORDINANCE #13272

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE II, SECTION 38-2, DEFINITIONS AND ARTICLE IV, SECTION 38-32, GENERAL REGULATIONS, LOT FRONTAGE, SETBACK NOT TO BE REDUCED EXCEPTION TO ADD A DEFINITION FOR SEWER AVAILABILITY STRIP AND TO EXCLUDE SEWER AVAILABILITY STRIPS FROM MINIMUM LOT FRONTAGE REQUIREMENTS.

ACTION: PASSED ON FIRST READING

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

ORDINANCE #13273

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE V, DIVISION 10, SECTION 38-137, ENVIRONMENTAL REQUIREMENTS TO DELETE AND ADD A CROSS-REFERENCE TO CITY CODE CHAPTER 31, ARTICLE VIII, STORMWATER MANAGEMENT.

ACTION: PASSED ON FIRST READING

MR-2017-156
Wilhelmenia L. Richardson
District No. 9

On motion of Councilwoman Coonrod and seconded by Councilman Gilbert,

ORDINANCE #13274

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF AN UNOPENED ALLEY OFF THE 500 BLOCK OF TUNNEL BOULEVARD, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

On motion of Councilman Oglesby and seconded by Councilman Ledford,

RESOLUTION #29285

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A FIRST AMENDMENT TO EXTEND STADIUM AND PARKING COMPLEX LEASE WITH THE STADIUM CORPORATION, IN SUBSTANTIALLY THE FORM ATTACHED, FOR THE MANAGEMENT OF THE FINLEY STADIUM AND PARKING COMPLEX FOR AN ADDITIONAL TERM OF TWENTY (20) YEARS COMMENCING OCTOBER 1, 2017, AND TERMINATING ON SEPTEMBER 30, 2037.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilman Ledford,

RESOLUTION #29286

A RESOLUTION AUTHORIZING THE APPOINTMENT OF TREVIS SWILLEY, AS A SPECIAL POLICE OFFICER (UNARMED) FOR THE LAND DEVELOPMENT OFFICE, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilman Oglesby,

RESOLUTION #29287

A RESOLUTION AUTHORIZING THE APPOINTMENT OF JAMES PIERCY, AS A SPECIAL POLICE OFFICER (UNARMED) FOR THE HUMAN RESOURCES DEPARTMENT, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilman Gilbert,

RESOLUTION #29288

A RESOLUTION AUTHORIZING THE DIRECTOR OF THE OFFICE OF MULTICULTURAL AFFAIRS TO ENTER INTO A CONTRACT WITH COLAB TO ESTABLISH A LOCAL KIVA CHATTANOOGA PROGRAM, WITH THE CITY'S PORTION IN THE AMOUNT OF \$43,000.00, FOR A TOTAL AMOUNT OF \$213,000.00.

Councilman Byrd asked for an overview on the KIVA program. Marcus Shaw, Executive Director at Co-Lab, addressed the Council about the creation of a KIVA City in Chattanooga and Co-Lab's role in KIVA. Councilman Henderson requested that a reporting mechanism be added to the resolution regarding loan activities and specifically requested that Co-Lab make quarterly reports to the Council. Attorney Noblett confirmed that the language could be added to the body of the resolution.

Councilman Henderson moved to amend to include quarterly reporting to the Council. He was seconded by Councilman Oglesby. The motion carried. **Councilman Henderson moved** to approve the resolution as amended. He was seconded by Councilman Gilbert. The motion carried.

ACTION: ADOPTED AS AMENDED

Hixson Liquor, Inc.
Michael A. Wolff, Sr., M.D.
District No. 3

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

RESOLUTION #29289

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR AN EXISTING LIQUOR STORE, CHANGE IN OWNERSHIP, LOCATED AT 6401 HIXSON PIKE, SUITE A.

The motion carried, with Councilman Henderson voting "No."

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilman Ledford,

RESOLUTION #29290

A RESOLUTION ADOPTING THE UPDATED LAND USE POLICY FOR THE LOOKOUT VALLEY AREA PLAN FOR THOSE PROPERTIES FRONTING BROWN'S FERRY ROAD BETWEEN INTERSTATE 24 AND CUMMINGS HIGHWAY.

Councilman Henderson thanked Mr. Bridger for his work on the area plan. The motion carried.

ACTION: ADOPTED

On motion of Councilman Oglesby and seconded by Councilman Henderson,

RESOLUTION #29291

A RESOLUTION AUTHORIZING BILLINGSLEY ARCHITECTURE C/O KELLEY H. HUTCHINGS, ON BEHALF OF PROPERTY OWNER, R. STEVE HUNT OR REPUBLIC CENTRE, LLC, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 615 CHESTNUT STREET FOR THE PURPOSE OF INSTALLING CANOPIES ATTACHED TO THE BUILDING, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

Agenda Item VII(h):

A RESOLUTION AUTHORIZING LEWIN HOMES C/O JUSTIN WHITE, ON BEHALF OF PROPERTY OWNER, W. STEPHEN LEWIN, TO USE TEMPORARILY THE UNOPENED RIGHT-OF-WAY LOCATED BEHIND 5010 TENNESSEE AVENUE FOR THE PURPOSE OF CONSTRUCTION ACCESS TO THE REAR OF THE PROPERTY, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

Councilman Oglesby moved to defer one (1) week to January 16, 2018. He was seconded by Councilman Gilbert. The motion carried.

ACTION: DEFERRED ONE (1) WEEK TO JAN. 16, 2018

On motion of Councilman Byrd and seconded by Councilman Henderson,

RESOLUTION #29292

A RESOLUTION AUTHORIZING JEFF CANNON, AGENT, ON BEHALF OF PROPERTY OWNER, ERIK ZILEN, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ALONG THE SOUTH SIDE OF JOHNSON STREET NEAR THE INTERSECTION OF PASSENGER STREET FOR THE PURPOSE OF CONSTRUCTING A DUMPSTER ENCLOSURE WITH ROLL-OUT DUMPSTER FOR USE BY MULTIPLE AREA BUSINESSES, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

PURCHASES:

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

PO542101 - Public Works Estimated \$150,000 Annually
Blanket Contract Renewal for Standard Valves -
Waste Resources Division
Lowest/Best Bidder: Consolidated Pipe & Supply Co., Inc.
1332 Stuart Street
Chattanooga, TN 37406

PO542002 - Public Works Estimated \$300,000 Annually
Blanket Contract Renewal for Pebble Quicklime
-Waste Resources Division
Lowest/Best Bidder: Unimin Lime, LLC dba Southern Lime Co.
P.O. Box 128
Calera, AL 35040

R160326 - Public Works Estimated \$40,000 Annually
New Blanket Contract for CCTV Parts
and Repair Services-Waste Resources Division
Lowest/Best Bidder: Cues, Inc
3600 Rio Vista Ave.
Orlando, FL 32805

R161241 - Public Works \$46,899.00
Purchase of Smith & Loveless Pump Rotating
Assembly and Impeller-Waste Resources Division
Lowest/Best Bidder: Smith & Loveless, Inc.
14040 Santa Fe Trail Drive
Lenexa, KS 66215

R164078 - Public Works \$160,180
Purchase of one (1) Dump Truck -
Waste Resources Division
Lowest/Best Bidder: Worldwide Equipment, Inc.
6614 Wilbanks Road
Knoxville, TN 37918

R163242 - Public Works \$47,345
Purchase of Outdoor Park Furnishings
Lowest/Best Bidder: Landscape Forms, Inc.
7800 E. Michigan Ave.
Kalamazoo, MI 49048

PO531715 - Public Works New Total Estimated \$105,000 Annually
Increase of Authorized Expenditure on Blanket
Contract for Overhead Crane Maintenance and
Repair Services-Waste Resources Division
Lowest/Best Bidder: Konecranes, Inc.
4638 Resource Drive Suite 100
Chattanooga, TN 37416

PO543737 - Public Works

New Total Estimated \$30,000 Annually

Increase of Authorized Expenditure on Blanket
Contract for Weigh Scale Services -
Waste Resources Division

Lowest/Best Bidder: Wingfield Scale Company, Inc.
2205 South Holtzclaw Ave.
Chattanooga, TN 37404

PO544489 - Public Works

New Total Estimated \$150,000 Annually

Increase of Authorized Expenditure on Blanket
Contract for Sewer Pipe-Waste Resources Division

Lowest/Best Bidder: Consolidated Pipe & Supply Co., Inc.
1332 Stuart Street
Chattanooga, TN 37406

PO544344 - Public Works

New Total Estimated \$100,000 Annually

Increase of Authorized Expenditure for Barricades -
City Wide Services

Lowest/Best Bidder: A-1 Barricades, Inc
PO Box 4782
Chattanooga, TN 37405

R161334 - Public Works

\$32,075.01

Payment of Invoices for Cityworks
Software Updates & Support - GIS Division

Lowest/Best Bidder: Hamilton County GIS
1250 Market Street, Suite 1010
Chattanooga, TN 37402

R161263 - Public Works

Estimated \$75,441.60 Annually

New Blanket Contract for Golf Carts,
City Golf Courses-Parks Division

Lowest/Best Bidder: Textron Specialized Vehicles (E-Z-GO)
704 Wadestone Trail
Franklin, TN 37064

PO541048 - Police Department

Estimated \$40,000 Annually

Blanket Contract Renewal for Police Leather Gear

Lowest/Best Bidder: G T Distributors
P.O. Box 458
Rossville, GA 30741

R162639 - Fire Department

Estimated \$255,500 Annually

New Blanket Contract for Firefighters
Protective Clothing

Lowest/Best Bidder: North America Fire Equipment Co., Inc.
1515 West Moulton Street
Decatur, AL 35601

PO541577 - Youth & Family Development

Estimated \$307,500 Annually

Blanket Contract Renewal for Commercial Food Service Vendor

Lowest/Best Bidder: Young Men's Christian Association (YMCA)
301 West 6th Street
Chattanooga, TN 37402

A discussion ensued on three purchases:

- Regarding **PO543737** (Weight Scale Services), Ms. Woodward responded to questions from Councilman Gilbert on the purchase applying to all scales.
- Regarding **R161263** (Golf Carts), Councilman Ledford had questions on whether this purchase would replace the fleet. Donald Stone, Deputy Administrator of Public Works, discussed the benefit of the replacement fleet, the savings to the City and credits that will apply.
- Regarding increases in various contracts, Councilwoman Berz questioned Ms. Woodward on overages. Ms. Woodward discussed how overages can occur, bids assessed by other departments and the impact of budgeting on contracts.
- Regarding **R162639** (Fire Dept. Protective Clothing), Chief Phil Hyman responded to Councilman Henderson's questions on the number of sets of turnout gear. Councilman Ledford also commented on the two fires last week in District 4 and the need for such protective gear.

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

ACTION: ALL 15 PURCHASES APPROVED

OTHER BUSINESS:

Liquor License

Theresa Lee, City Treasurer, presented two certificates of compliance for Hixson Liquor, Inc. - Michael A. Wolff, Sr., M.D. The certificates were signed in this open meeting by five (5) councilpersons.

MLK Week Events

Councilman Gilbert announced the following MLK Week of events:

- Annual Prayer Breakfast - Saturday, January 13 at 9:00 a.m. - Second Missionary Baptist Church
- MLK Fellowship Gathering - Monday, January 15 at 1:00 p.m. - Olivet Baptist Church
- Annual MLK March - Monday, January 15 at 3:00 p.m. - Starts at Olivet Baptist Church

COMMITTEE REPORTS:

Budget and Finance Committee

Councilman Henderson

(No report)

Economic and Community Development Committee

Councilman Oglesby reported:

- The committee will meet next week after the 3:00 p.m. Agenda Session to hear about from representatives in Public Arts regarding a public arts commission.

Human Resources Committee (HR)

Councilman Gilbert

(No report)

Planning and Zoning Committee

Councilman Ledford reported:

- The committee met today to review this week's planning and zoning items.

Public Safety Committee

Councilman Byrd reported:

- The committee will meet next after Agenda Session for an update on the VRI.

Public Works and Transportation Committee

Councilwoman Berz reported:

- The committee met today to review items on this week's and next week's agendas.

Youth and Family Development Committee

Councilwoman Coonrod

(No report)

Innovation Technology Committee

Vice-Chairman Smith

(No report)

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

Chairman Mitchell inquired if there were persons in the Assembly wishing to address the Council on non-agenda matters. Seeing none, this portion of the meeting was closed.

ADJOURNMENT

On motion of Councilman Oglesby, Chairman Mitchell adjourned the meeting of the Chattanooga City Council until Tuesday, January 16, 2018, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL