



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
March 13, 2018
6:00 PM

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Councilman Henderson led the Assembly in the Pledge of Allegiance and read Proverbs 3:5-6 of the Bible. He also offered the invocation.

APPROVAL OF LAST MINUTES

On motion of Vice-Chairman Smith and seconded by Councilman Ledford, the minutes of the last meeting (March 20, 2018) were approved as published.

ORDINANCES – FINAL READING: (NONE)

ORDINANCES – FIRST READING:

2018-026
Brandi Thompson
Planning Version
District No. 1

Agenda Item VI(a):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 434 WHITEHALL ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO RZ-1 ZERO LOT LINE RESIDENTIAL ZONE.

Chairman Mitchell confirmed that the Applicant and Opposition were present today. John Bridger, Executive Director of Regional Planning, informed the Council that the Applicant had requested to withdraw this rezoning request. **Councilman Henderson moved** to withdraw this application, seconded by Vice-Chairman Smith. The motion carried.

ACTION: WITHDRAWN

2018-028
SE First Holding, LLC
Planning Version
District No. 2

Agenda Item VI(b):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 713 HAMILTON AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM E-RM-3 URBAN EDGE RESIDENTIAL MULTI-UNIT 3 STORIES MAXIMUM HEIGHT TO E-CX-3 URBAN EDGE COMMERCIAL MIXED USE 3 STORIES MAXIMUM HEIGHT.

Vice-Chairman Smith noted that this was in Chairman Mitchell's district and that there was a need to defer this item. Therefore, **Vice-Chairman Smith moved** to defer two (2) weeks until March 27, 2018. He was seconded by Councilwoman Coonrod. The motion carried.

ACTION: DEFERRED TWO (2) WEEKS TO MARCH 27, 2018

2018-023
Kenneth Spann
Planning Version
District No. 4

On motion of Councilman Ledford and seconded by Councilman Byrd,

ORDINANCE #13287

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 7331 SHALLOWFORD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE.

ACTION: PASSED ON FIRST READING

2018-031
ASA Engineering
Planning Version
District No. 8

On motion of Councilman Byrd and seconded by Councilwoman Coonrod,

ORDINANCE #13288

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 917 EAST 16TH STREET AND 1604 CENTRAL AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE.

ACTION: PASSED ON FIRST READING

2018-032
Matthew McClanahan and John Sweet
Planning Version
District No. 9

Agenda item VI(e):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1700 DODDS AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

Councilwoman Coonrod moved to defer two (2) weeks until March 27, 2018. She was seconded by Councilman Byrd. The motion carried.

ACTION: DEFERRED TWO (2) WEEKS TO MARCH 27, 2018

Districts 5 and 6

On motion of Councilman Gilbert and seconded by Councilwoman Berz,

ORDINANCE #13289

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE III, ZONE AND BOUNDARIES, TO ADD A NEW DIVISION 6, LOVELL FIELD GATEWAY OVERLAY ZONE.

Chairman Mitchell confirmed that there was Opposition present about this item. Therefore, Mr. Bridger gave a briefing about the changes being added, the stakeholder meeting and the process by which residents it went before the Planning Commission.

Opposition:

- **Russ Elliott (Pointe Commercial Real Estate)** - His company is located at Lee Highway and Province, abutting the Airport, and falls between the Lovell and Brainerd overlays. He believes it will be too costly to add the requirements of the overlay to an M-1 zone. He would like to incentives from the City for businesses like his. He believes the restrictions make development of the property expensive. He attended the stakeholders meeting and feels that there should be an exception for M-1 properties. He argued that users will go to another street that does not have an overlay zone. He believes that there should be an exception based upon different kinds of uses.

Councilman Gilbert noted there were several businesses that attended this meeting and all of them gave positive feedback. He did not hear from Mr. Elliott during that meeting though. Upon no further questions or comments, the motion carried.

ACTION: PASSED ON FIRST READING

Districts 5 and 6

On motion of Councilman Gilbert and seconded by Councilwoman Berz,

ORDINANCE #13290

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE III, ZONE AND BOUNDARIES, DIVISION 4, BRAINERD OVERLAY ZONE.

ACTION: PASSED ON FIRST READING

MR-2018-019

International Board of Jewish Missions, Inc.

c/o Edward Frampton

District No. 3

Agenda Item VI(h):

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE 5100 BLOCK OF GENESIS LANE TO ALLOW FOR CREATION OF GREEN SPACE AND PARKING, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

Vice-Chairman Smith noted that a number of items that need to be worked out on this item. Therefore, **Vice-Chairman Smith moved** to defer one (1) week to March 20, 2018. He was seconded by Councilman Byrd. The motion carried.

ACTION: DEFERRED ONE (1) WEEK TO MARCH 20, 2018

RESOLUTIONS:

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

RESOLUTION #29350

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO ALLOCATE AND ENTER INTO AN AGREEMENT WITH CHATTANOOGA COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CCHDO) FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS TO PROVIDE ASSISTANCE TO ELIGIBLE, LOW-TO-MODERATE INCOME HOMEOWNERS THROUGH ITS ROOFING PROGRAM, IN THE AMOUNT OF \$80,000.00.

ACTION: ADOPTED

On motion of Councilman Byrd and seconded by Councilwoman Coonrod,

RESOLUTION #29351

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT TO EXERCISE OPTION TO RENEW WITH THE ENTERPRISE CENTER, INC., IN SUBSTANTIALLY THE FORM ATTACHED, FOR A RENEWAL TERM OF ONE (1) YEAR, FOR A PORTION OF THE GROUND FLOOR SPACE OF 1001 LINDSAY STREET, FURTHER IDENTIFIED AS TAX MAP NO. 145D-X-005, FOR THE OPERATION OF AN ACCELERATED LEARNING CODE SCHOOL.

ACTION: ADOPTED

On motion of Councilwoman Coonrod and seconded by Councilman Byrd,

RESOLUTION #29352

A RESOLUTION TO AMEND RESOLUTION NO. 27253, AS AMENDED BY RESOLUTION NO. 28341, TO EXTEND THE CONTRACT TWO (2) ADDITIONAL TERMS OF ONE (1) YEAR EACH, JULY 1, 2016 THROUGH JUNE 30, 2017, AND FOR JULY 1, 2017 THROUGH JUNE 30, 2018, WITH FRIENDS OF THE FESTIVAL, INC. FOR MANAGEMENT OF THE 21ST CENTURY WATERFRONT, AND FOR THE MAYOR TO EXECUTE THE AMENDMENT TO THE WATERFRONT EVENT MANAGEMENT AGREEMENT, FOR AN AMOUNT NOT TO EXCEED \$55,000.00 PER TERM, FOR A TOTAL AMOUNT NOT TO EXCEED \$110,000.00.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilman Byrd,

RESOLUTION #29353

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A ONE (1) YEAR LICENSE AGREEMENT, IN SUBSTANTIALLY THE FORM ATTACHED, WITH FRIENDS OF THE FESTIVAL, INC. TO HOLD THE ANNUAL RIVERBEND FESTIVAL.

ACTION: ADOPTED

On motion of Councilwoman Coonrod and seconded by Councilman Oglesby,

RESOLUTION #29354

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH MOMENT FACTORY, IN SUBSTANTIALLY THE FORM ATTACHED, FOR PUBLIC ART DESIGN SERVICES FOR THE WALNUT STREET BRIDGE RENOVATION PROJECT TO INCLUDE CONCEPTUAL DESIGN AND SPECIALTY LIGHTING CONSULTANT SERVICES, IN THE AMOUNT OF \$38,000.00.

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

ACTION: ADOPTED

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

RESOLUTION #29355

A RESOLUTION AUTHORIZING THE RENEWAL OF THE CONTRACT WITH HENDERSON, HUTCHERSON & MCCULLOUGH FOR EXTERNAL AUDIT SERVICES FOR YEAR THREE (3), IN THE AMOUNT OF \$135,330.00; YEAR FOUR (4), IN THE AMOUNT OF \$139,160.00; AND YEAR FIVE (5), IN THE AMOUNT OF \$143,100.00.

ACTION: ADOPTED

On motion of Councilwoman Coonrod and seconded by Councilman Ledford,

RESOLUTION #29356

A RESOLUTION TO REPEAL RESOLUTION NO. 26612 AND TO ADOPT NEW ADMINISTRATIVE REGULATIONS FOR CONDUCTING EMPLOYEE DISCIPLINARY HEARINGS.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilman Ledford,

RESOLUTION #29357

A RESOLUTION AUTHORIZING THE APPOINTMENT OF MATTHEW FREUDENBURG, AS A SPECIAL POLICE OFFICER (UNARMED) FOR THE MCKAMEY ANIMAL CENTER, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

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

RESOLUTION #29358

A RESOLUTION AUTHORIZING THE DIRECTOR OF HUMAN RESOURCES TO ENTER INTO AN AGREEMENT WITH COMPSYCH CORPORATION TO PROVIDE EMPLOYEE ASSISTANCE PROGRAM (EAP) SERVICES TO ELIGIBLE CITY EMPLOYEES AT THE RATE OF \$1.15 PER EMPLOYEE PER MONTH FOR CIVILIAN EMPLOYEES AND \$1.28 PER EMPLOYEE PER MONTH FOR SWORN EMPLOYEES FOR ONE (1) YEAR TERM BEGINNING APRIL 1, 2018, WITH TWO (2) ADDITIONAL ONE (1) YEAR TERM RENEWAL OPTIONS, FOR AN APPROXIMATE ANNUAL COST OF \$33,775.00.

ACTION: ADOPTED

On motion of Councilwoman Coonrod and seconded by Councilman Gilbert,

RESOLUTION #29359

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR, AND IF AWARDED, ACCEPT THE 2018/2019 STATE OF TENNESSEE JUSTICE ASSISTANCE GRANT FOR THE CONTINUATION OF THE BEYOND THE WALLS PROGRAM FOR A THREE (3) YEAR PERIOD WITH THE CITY OF CHATTANOOGA AS THE SUB-RECIPIENT AND BIG BROTHERS BIG SISTERS OF GREATER CHATTANOOGA AS THE SUBCONTRACTOR, FOR AN AMOUNT UP TO \$100,000.00.

ACTION: ADOPTED

RESOLUTION #29360

2018-022 BWSC (SPECIAL EXCEPTIONS PERMIT). A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR PROPERTIES LOCATED AT 1835, 1837, AND 1919 OLD WAUHATCHIE PIKE, SUBJECT TO CERTAIN CONDITIONS.

Councilman Oglesby moved to approve, seconded by Councilman Byrd. The motion carried. **Councilman Oglesby moved** to amend by adding wording: *“An open space shown on the attached PUD plan shall be left undisturbed with no clearing or grading except for pedestrian trails and the removal of dead or diseased trees and evasive plants.”* He was seconded by Councilman Henderson. The motion to amend carried. **Councilman Oglesby moved** to approve as amended. He was seconded by Councilman Ledford. The motion carried.

ACTION: ADOPTED AS AMENDED

On motion of Councilman Oglesby and seconded by Councilman Gilbert,

RESOLUTION #29361

A RESOLUTION TO AMEND RESOLUTION NO. 29220 FOR NORFOLK SOUTHERN RAILWAY COMPANY RELATIVE TO CONTRACT NO. S-09-008-802 FOR ENGINEERING AND FLAGGING SERVICES PER AGREEMENT AND ACTIVITY NO. 1200923, FOR AN INCREASED AMOUNT OF \$47,472.10, FOR AN AMOUNT NOT TO EXCEED \$142,132.68.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Byrd,

RESOLUTION #29362

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE A SOLE SOURCE SOFTWARE MAINTENANCE AND LICENSING AGREEMENT WITH ESRI, INC. FOR THE PERIOD OF MARCH 19, 2018 TO MARCH 18, 2019, IN THE AMOUNT OF \$33,956.66.

ACTION: ADOPTED

On motion of Councilman Byrd and seconded by Councilwoman Berz,

RESOLUTION #29363

A RESOLUTION AUTHORIZING RIVERSIDE DEVELOPMENT, LLC C/O CHRIS CURTIS, PROPERTY OWNER, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED OVER A PORTION OF THE 400 BLOCK OF EAST M.L. KING BOULEVARD FOR THE PURPOSE OF INSTALLING FESTOON LIGHTING OVER THE ROADWAY, 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:

R165404 Public Works Estimated \$400,000 Annually
New Blanket Contract for Valve Actuator Services -
Waste Resources Division
Lowest/Best Bidder: Industrial Valve Sales & Service
510 Industrial Drive
Cleveland, TN 37311

R165391 Public Works Estimated \$500,000 Annually
New Blanket Contract for Programmable Logic Controller
Services-Waste Resources Division
Lowest/Best Bidder: Adman Electric Company
2311 East 28th Street
Chattanooga, TN 37407

R165407 - Public Works Estimated \$150,000 Annually
New Blanket Contract for Air/Vacuum Relief Valve
Maintenance and Support - Waste Resources Division
Lowest/Best Bidder: H and H Brown, Inc.
1803 Polk Street
Chattanooga, TN 37408

PO542771 - Public Works Estimated \$275,000 Annually
Blanket Contract Renewal for Building Automation Systems
Installation & Service- Facilities Management Division
Lowest/Best Bidder: Electronic Controls, Inc.
4129 South Creek Road
Chattanooga, TN 37406

PO537403 & PO537404 - Public Works Total Estimated \$150,000 Annually
Blanket Contract Renewal for Janitorial & Cleaning
Supplies-City Wide-Facilities Management Division
Lowest/Best Bidder:
1. American Paper & Twine Company, 2134 Amnicola Highway, Chattanooga, TN 37406
2. Jacobs Paper Supply Company, 1300 Chestnut Street, Chattanooga, TN 37402

R166768 - Youth & Family Development
Purchase of Mowing Equipment for Athletic Fields
Lowest/Best Bidder: Smith Turf & Irrigation
P.O. Box 669388
Charlotte, NC 28226

\$65,392.62

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

ACTION: ALL PURCHASES APPROVED

OTHER BUSINESS:

City Attorney's Office

Attorney Hinton informed the Council about a settlement agreement in the amount of \$775,000.00 in the case of *Headden v. City of Chattanooga*. He informed the Council that the settlement had the following conditions:

- *Subject to the execution of a Release of All Claims*
- *Dismissal absolving all the parties involved, with prejudice at the trial level,*
- *The City of Chattanooga will dismiss its appeal in the Tennessee Court of Appeals*
- *Upon satisfaction of the conditions, the City of Chattanooga will settle all claims in the amount of \$775,000.00.*

He asked the Council to authorize the settlement with the stated conditions.

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

RESOLUTION #29364

A RESOLUTION AUTHORIZING A SETTLEMENT OF ALL CLAIMS BY JAMES PHILLIP HEADDEN, ET AL (PARTIES REFERENCED BELOW), SUBJECT TO THE EXECUTION OF A RELEASE OF ALL CLAIMS AND DISMISSAL ABSOLVING ALL THE PARTIES INVOLVED, WITH PREJUDICE AT THE TRIAL LEVEL, WITH THE CITY OF CHATTANOOGA AND DISMISSING THE APPEAL IN THE TENNESSEE COURT OF APPEALS, UPON SATISFACTION OF THE CONDITIONS, WHEREIN THE CITY OF CHATTANOOGA WILL SETTLE ALL CLAIMS OF THE LISTED NAMED TWENTY-FIVE (25) POLICE OFFICERS, IN THE AMOUNT OF SEVEN HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$775,000.00).

ACTION: ADOPTED

COMMITTEE REPORTS:

Budget and Finance Committee
Councilman Henderson
(No report)

Economic and Community Development Committee

Councilman Oglesby reported:

- The committee meeting originally scheduled for today has been moved to next week (March 20) after the 3:00 p.m Agenda session to discuss the ordinance on food trucks.

Human Resources Committee (HR)

Councilman Gilbert reported:

- The committee met today in open meeting for a presentation on the disciplinary appeals process for employees.

Planning and Zoning Committee

Councilman Ledford reported:

- The committee will meet next week after the Agenda Session.

Public Safety Committee

Councilman Byrd

(No report)

Public Works and Transportation Committee

Councilwoman Berz reported:

- The committee will meet next week after the Agenda Session.

Youth and Family Development Committee

Councilwoman Coonrod reported:

- The Council heard the YFD Department Report today in open meeting and received updates on the different programs of the department.

Innovation Technology Committee

Vice-Chairman Smith

(No report)

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

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

- **Regina Ledford (South Holly Street/District 8)** - She informed the Council that she has resorted to panhandling, even in cold weather days, to take care of herself and her animals. She does not have a way to pay all of her bills, food and medication. She asked the Council not to put people in jail or fine them for panhandling. She asked the Council to see things from God's eyes.
- **Rev. Alaina Cobb (Mercy Junction Peace and Justice Center)** - She wanted to deliver a sermon on how we treat the poor, but opted to discuss what she called a "comedic evil" for putting the panhandling law in place. She believes this ordinance is keep the poorest among us in their place. She read Ezekiel 16:49 of the Bible regarding the sins of the city Sodom, which did not aid the poor and needy. She suggested that if the city proceeds with this ordinance, then we should rename the city "Sodom and Gomorrah." She described herself as "disgusted" for being here about this ordinance, but stated that it is her job.

- **Jeff Nowell (St. Elmo)** - He believes the panhandling ordinance is immoral and wanted to protest against it with others in the Assembly. He believes this is a barbaric proposal and is ready to oppose it. He asked those in opposition to the ordinance to please stand with him and those who have already spoken against it.
- **Jeannie Hacker-Cerulean (Chattanooga)** - She is a UTC professor and discussed other cities that have criminalized homeless since 2016 with the idea that public servants, such as police officers, would be able to identify who does or does not look homeless. She said this would be putting the judgement and comfort of the city in the hands of the police. This is a sensitivity issue. This is a creative city and that we train knowledge workers. Those creative people look for a sensitive city with lots of culture. She does not believe that public servants will be trained and graded on their level of compliance with the public good; therefore, she does not believe the law should be passed. She correlates panhandling with passing the plate in church on Sunday mornings.
- **Jean-Marie Lawrence (Chattanooga/District 7)** - She disagrees with criminalizing panhandling. She has a disability and struggles making ends meet with a full-time job. She must fundraise to afford a wheelchair-accessible minivan. She has a roof over her head, but worries about having insurance and food in her stomach. She cannot imagine those who live on the streets and struggle to find money to put food in their families' stomachs. She believes the thought of someone who cannot afford a \$2.00 burger paying an ordinance fine is ridiculous. She believes this creative city can find a better way to help people rather than punish them for circumstances sometimes out of their control.
- **Juanita "Dr. J" Loundmonclay (Chattanooga)** - She agrees with the previous speakers about the panhandling ordinance and looks at it from the mental health specialist. She recommends finding solutions for the issues that cause people to panhandle. She believes there are other ways of dealing with panhandling. She thanked Councilwoman Coonrod and the Council for approving her appointment to the YFD Board. She has attended two board meetings and a training. She stated that she commended the staff at YFD for all the work they do in the city, and recognized Ariel Ford, Deputy Administrator of Early Learning, has been doing a "damn good job." She asked people to give their respect and applause to the staff at YFD. She thanked the Council for their support of the department. She discussed her involvement in various cities in Head Start and other programs for children. She hopes to discuss those programs one day with the Council. She recommended that the Council visit the YFD centers.
- **Joel Willis (Chattanooga)** - He opposes the panhandling ordinance and had reservations about Chief Roddy, but more so now. He disagrees with such ordinances as a tool for dealing with poverty. He read poverty statistics and showed how such statistics are not always the best method for starting a public discourse. He stated that criminalizing addiction does not work and that the City must figure out how to get resources to people in need. He recommends tackling problems at the root with community support, mental health treatment and reasons to get better, which is what got him going in the right direction. The family he had did not give up on him, but some people do not have that family support. He believes that we, as citizens, must be that family to people in need. He does not believe people with a loss for the future need to be penalized. Cops cannot provide the resources for panhandlers. There are more options than policing and direct aid, such as the UnifiEd program. He believes this city can find an innovative approach to ending the problem.
- **R.D. Flowers (East Chattanooga/District 8)** - He is a retired computer programming analyst living in the Churchville community. He talked about how Chattanooga is perceived as a progressive city with lots to offer young tech people. He discussed the interest of young, active entrepreneurs in Chattanooga. He often tells people who are weary of

moving to the South to give Chattanooga a chance. He believes Chief Roddy blew his chance by supporting this ordinance. He believes Chattanooga had its chance and blew it.

- **Mattie Boyd Nix (Mercy Junction Peace and Justice Center)** - She asked the Council not to pass the panhandling ordinance. She is an Elder at the Mercy Junction Peace and Justice Center. Their Council of Elders urge the city not to pass the panhandling law. They are angered and saddened by this law, which will criminalize the disadvantaged. She believes that Chief Roddy's statements about panhandling were inflammatory and further marginalize those who are denied basic human rights and beg in the streets for basic needs. She does not believe a \$50.00 fine would work with someone who is living on the streets. There has not been a study on panhandling in Chattanooga. She believes the panhandling ordinance is a way to feed the poor "into the machine of mass incarceration." She read Proverbs 28:27 and Proverbs 14:31 of the Bible, instructing people to care for the poor and, thus, honor God. She also believes the ordinance is a way of hiding poor people from public view. She discussed finding a study on panhandling that showed that 94-percent of funds received were used on food. She believes this law denies basic human rights and dignity.
- **Ginger Moss (District 2)** - She has been a businesswoman in Chattanooga and has had to deal with aggressive panhandlers on occasion. For her, it was simply a matter of telling the panhandler to leave her place of business. She does not believe panhandling should be criminalized. She does not support a law that forces people into mental healthcare. She discussed a city like Nashville that has worked on panhandling. She does not believe additional laws are needed for panhandling. She stated that not all panhandlers are homeless, but asked the Council to understand the real statistics and seek how to help homeless people.
- **Charles Reece (13th Avenue/District 9)** - He has never been threatened by an aggressive panhandler, but has been approached by a few. He just says no if he doesn't have the money to give. He feels that what they do with the money is on them, not him. He believes that true Christians would not vote for the panhandling ordinance. He does not believe you can fine a person who already has nothing to give. He recommends that the City look into utilizing foreclosed homes throughout the city to house homeless people.
- **Mark Gilliland (Chestnut Lane/District 2)** - He has lived in the Chattanooga all his life. Just last week, he bought a car, but has always walked and rode bikes prior to that. He believes this ordinance is a huge step backwards in addressing poverty. He believes this ordinance will be backsliding on progress already made in the City. He believes there is an anti-poor ideology in this city. He believes that discernment is needed by the Council when considering economic development.
- **Madeleine Dougherty (District 5)** - She is an eighth grade English teacher who also teaches Social Studies. She believes that her students have a better understanding of poverty than this Council. Her 13-year-old students know that jail does not solve a person's problems. She has been approached by panhandlers downtown. On one occasion, a panhandler even gave her child a flower. She has found panhandlers to be kind and gentle. She believes they deserve kindness.
- **Emma Wagner (District 7)** - She is currently a 4.0 GPA student at Chattanooga State. However, she is also a victim of domestic violence has had to resort to panhandling to get money for her seizure medication. She asked the Council to consider who would have raised her daughter if she had been put in jail for panhandling.
- **Jared Story (Derby Circle/District 9)** - He reminded the Council of the late Wadie Suttles, who died in custody in the Chattanooga City jail cell, which was located in the same building where the Council now sits. He also informed the Council that civil rights

activist Maxine Cousins, Mr. Suttle's daughter, passed away recently. He reminded the Council that she was instrumental in the restructuring of Chattanooga city government, which changed the legislative body from a commission to current council form.

- **Ares Davis (Chattanooga)** - He has stayed in homeless shelters and asks the Council to consider the impact of homelessness on children. He thinks a city is defined by how it handles those who are economically disadvantaged. He described Chief Roddy's remarks on panhandlers as "ignorant." He has family members in law enforcement and understands their side of things, but recommends examining the relationship society has with law enforcement.
- **Dr. Matt McClanahan (District 7)** - He wanted to give an opinion on panhandling from a physician's perspective. He asked the Council to consider the impact of childhood trauma on societal problems. He discussed the ACE study and described the test subjects, who people who lost their sense of identity when they lost weight and, therefore, returned to gaining weight. He discussed the role of nerve interception on internal sensory in the body. He discussed how homelessness vastly starts with childhood traumas. He recommended focusing energies on impacts to the nervous system. He encouraged people to look into programs such as Chattanooga 2.0 and others locally that recognize the impact of trauma.

ADJOURNMENT

On motion of Councilman Oglesby, Chairman Mitchell adjourned the meeting of the Chattanooga City Council until Tuesday, March 20, 2018, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL