



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
September 4, 2018
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, Chip Henderson, Darrin Ledford and Jerry Mitchell. Phil Noblett, City Attorney, and Nicole Gwyn, Council Clerk, were also present. Councilman Russell Gilbert was not present this meeting.

PLEDGE OF ALLEGIANCE

Councilman Byrd led the Assembly in the Pledge of Allegiance.

APPROVAL OF LAST MINUTES

On motion of Councilman Henderson and seconded by Councilman Mitchell, the minutes of the last meeting (August 28, 2018) were approved as published.

ORDINANCES – FINAL READING:

2018-119
Patrick Moore
Alternate Version
District No. 5

On motion of Councilwoman Berz and seconded by Councilman Byrd,

ORDINANCE #13362

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 4393 BENTON DRIVE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO C-5 NEIGHBORHOOD COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

ORDINANCES – FIRST READING:

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

ORDINANCE #13363

AN ORDINANCE AMENDING CHATTANOOGA CITY CODE, CHAPTER 26, ARTICLE III, SECTIONS 26-56, 26-57, AND 26-58, RELATING TO MILLER PARK.

ACTION: PASSED ON FIRST READING

MR-2017-110
D.L. Enterprises
District No. 3

On motion of Councilman Henderson and seconded by Councilman Mitchell,

ORDINANCE #13364

AN ORDINANCE CLOSING AND ABANDONING A SEWER EASEMENT LOCATED AT 5565 CASSANDRA SMITH, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

MR-2018-109
Ben Mies/Pratt & Associates, LLC
District No. 3

On motion of Councilman Mitchell and seconded by Councilman Henderson,

ORDINANCE #13365

AN ORDINANCE CLOSING AND ABANDONING A SEWER EASEMENT LOCATED AT 5424 CASSANDRA SMITH, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

Chairman Smith confirmed with Councilwoman Berz that the first six (6) resolutions for consideration were all in her district and related to leases with the Family Justice Center and could be considered read collectively with one motion. Chairman Smith then instructed the Clerk to read the six resolutions prior to the motion.

On motion of Councilwoman Berz and seconded by Councilman Byrd,

RESOLUTION #29607

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH THE HELEN ROSS MCNABB CENTER, IN SUBSTANTIALLY THE FORM ATTACHED, FOR 120 SQ. FT. OF OFFICE SPACE IN A PORTION OF THE FAMILY JUSTICE CENTER AT 5705 UPTAIN ROAD, IDENTIFIED AS TAX PARCEL NO. 157M-A-012, FOR A TERM OF TWO (2) YEARS, WITH THE OPTION TO RENEW FOR AN ADDITIONAL TERM OF TWO (2) YEARS, IN THE AMOUNT OF \$2,640.00 PER TERM.

RESOLUTION #29608

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH LEGAL AID OF EAST TENNESSEE, IN SUBSTANTIALLY THE FORM ATTACHED, FOR 454 SQ. FT. OF OFFICE SPACE IN A PORTION OF THE FAMILY JUSTICE CENTER AT 5705 UPTAIN ROAD, IDENTIFIED AS TAX PARCEL NO. 157M-A-012, FOR A TERM OF TWO (2) YEARS, WITH THE OPTION TO RENEW FOR AN ADDITIONAL TERM OF TWO (2) YEARS, IN THE AMOUNT OF \$9,988.00 PER TERM.

RESOLUTION #29609

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH PARTNERSHIP FOR FAMILIES, CHILDREN, AND ADULTS, INC., IN SUBSTANTIALLY THE FORM ATTACHED, FOR 107 SQ. FT. OF OFFICE SPACE IN A PORTION OF THE FAMILY JUSTICE CENTER AT 5705 UPTAIN ROAD, IDENTIFIED AS TAX PARCEL NO. 157M-A-012, FOR A TERM OF TWO (2) YEARS, WITH THE OPTION TO RENEW FOR AN ADDITIONAL TERM OF TWO (2) YEARS, IN THE AMOUNT OF \$2,354.00 PER TERM.

RESOLUTION #29610

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH PREVENT CHILD ABUSE TENNESSEE, IN SUBSTANTIALLY THE FORM ATTACHED, FOR 311 SQ. FT. OF OFFICE SPACE IN A PORTION OF THE FAMILY JUSTICE CENTER AT 5705 UPTAIN ROAD, IDENTIFIED AS TAX PARCEL NO. 157M-A-012, FOR A TERM OF TWO (2) YEARS, WITH THE OPTION TO RENEW FOR AN ADDITIONAL TERM OF TWO (2) YEARS, IN THE AMOUNT OF \$6,842.00 PER TERM.

RESOLUTION #29611

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH SECOND LIFE OF CHATTANOOGA, INC., IN SUBSTANTIALLY THE FORM ATTACHED, FOR 108 SQ. FT. OF OFFICE SPACE IN A PORTION OF THE FAMILY JUSTICE CENTER AT 5705 UPTAIN ROAD, IDENTIFIED AS TAX PARCEL NO. 157M-A-012, FOR A TERM OF TWO (2) YEARS, WITH THE OPTION TO RENEW FOR AN ADDITIONAL TERM OF TWO (2) YEARS, IN THE AMOUNT OF \$2,376.00 PER TERM.

RESOLUTION #29612

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH SOUTHERN ADVENTIST UNIVERSITY, IN SUBSTANTIALLY THE FORM ATTACHED, FOR 785 SQ. FT. OF OFFICE SPACE IN A PORTION OF THE FAMILY JUSTICE CENTER AT 5705 UPTAIN ROAD, IDENTIFIED AS TAX PARCEL NO. 157M-A-012, FOR A TERM OF TWO (2) YEARS, WITH THE OPTION TO RENEW FOR AN ADDITIONAL TERM OF TWO (2) YEARS, IN THE AMOUNT OF \$17,270.00 PER TERM.

ACTION: RESOLUTIONS 29607 - 29612 ADOPTED

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

RESOLUTION #29613

A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 FOR PROGRESSIVE MARITIME SERVICES, LLC OF HIXSON, TN, CONTRACT NO. R-16-008-201, ROSS'S LANDING WATER CANNON PUMP RE-INSTALLATION, FOR AN INCREASE IN THE AMOUNT OF \$30,000.00, FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED \$50,500.00.

ACTION: ADOPTED

On motion of Councilman Mitchell and seconded by Councilman Byrd,

RESOLUTION #29614

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT FOR GRANT ADMINISTRATION SERVICES WITH SOUTHEAST TENNESSEE DEVELOPMENT DISTRICT FOR TECHNICAL AND PROFESSIONAL ADMINISTRATIVE SERVICES FOR FIVE (5) CITY PROJECTS FINANCED THROUGH CLEAN WATER STATE REVOLVING LOAN FUND, FOR A TOTAL PROJECT COST NOT TO EXCEED \$41,500.00.

The motion carried, with Vice-Chairman Oglesby abstaining.

ACTION: ADOPTED

On motion of Councilman Ledford and seconded by Councilman Mitchell,

RESOLUTION #29615

A RESOLUTION AUTHORIZING THE CHATTANOOGA AREA REGIONAL TRANSPORTATION AUTHORITY (CARTA) TO APPLY FOR A CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT (CMAQ) GRANT FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR EXPANSION OF CARTA'S ELECTRIC BUS FLEET, WITH THE CITY'S PORTION NOT TO EXCEED \$650,000.00, FOR AN AMOUNT NOT TO EXCEED \$3,250,000.00.

ACTION: ADOPTED

PURCHASES:

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

PO534480 PO534483 - Public Works Department Estimated \$400,000.00 Annually
Blanket Contract Renewals for Electric Motor &
Pump Service, Waste Resources Division, Public Works Department
Lowest/Best Bidders:
1. Tekwell Services LLC - 1301 Galway Street NE Knoxville, TN 37917
2. Chattanooga Industrial Motors, Inc. - 6483 Slygo Road, Wildwood, GA 30757

PO544980 - Public Works Department Estimated \$100,000.00 Annually
Blanket Contract Renewal for Roof Inspection &
Repair Services, Waste Resource Division,
Public Works Department
Lowest/Best Bidder: JDH Company, Inc
1133 Main Street
Chattanooga, TN 37408

PO540477 - Public Works Department Estimated \$800,000.00 Annually
Blanket Contract Renewal for Locating & Marking
Services for Underground Utilities, Waste Resource Division,
Public Works Department
Lowest/Best Bidder: USIC Locating Services, LLC
9045 North River Road, Suite 300
Indianapolis, IN 46240

PO545300 PO545303 - Public Works Department Estimated \$160,000.00 Annually
Blanket Contract Renewals for Generator Maintenance
& Repair Services, Facilities Management Division,
Public Works Department
Lowest/Best Bidders:
1. Energy Systems Southeast LLC 3235 Veterans Circle Birmingham, AL 35235
2. Stowers Machinery Corporation 4066 South Access Road Chattanooga, TN 37406

PO534176 - Public Works Department

Estimated \$1,000,000.00 Annually

Blanket Contract Renewal for Emulsion Polymer,
Waste Resource Division, Public Works Department
Lowest/Best Bidder: BASF Corporation
100 Park Avenue
Florham Park, FL 07932

PO538198 - Public Works Department

Estimated \$250,000. Annually

Blanket Contract Renewal for Haworth Open Office Landscape Furniture, City Wide, Facilities
Management Division, Public Works Department
Lowest/Best Bidder: NOI Chattanooga
4167 South Creek Road
Chattanooga, TN 37406

PO545299 - Information Technology Department

Estimated \$75,000.00 Annually

Blanket Contract Renewal for Staymobile Venture, LLC,
Lenovo Certified Repair Service, Information Technology Department
Lowest/Best Bidder: Staymobile Venture, LLC
1850 Parkway PL SE Ste 720
Marietta, GA 30067

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

ACTION: ALL PURCHASES APPROVED

OTHER BUSINESS: (NONE)

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 reported:

- The committee met today and heard a presentation on Accessory Dwelling Units (ADUs). The committee also reviewed all agenda items for next week.

Public Safety Committee
Councilman Henderson
(No report)

Public Works and Transportation Committee

Councilman Mitchell reported:

- The committee met today to review items on this and next week's agendas.
- The committee will meet again in two weeks (September 18) after the 3:00 p.m. Agenda Session.

Youth and Family Development Committee

Councilwoman Coonrod

(No report)

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

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

- **Mary Mai Williamson** (MLK Neighborhood) – She has been on her neighborhood's Board of Directors for over a decade. Ms. Williamson spoke on the special exceptions permit requested by the Transition House at corner of Central Avenue and MLK Boulevard that will come before the Board of Zoning Appeals (BOZA) tomorrow. She informed the Council that Transition House wishes to expand services to include housing for 50 individuals that would come through contracts with the Bureau of Prisons, Erlanger, mental health facilities and homeless service providers. This permit would enable sex offenders, violent offenders, drug offenders and others back into their community after they've worked so hard to rid the neighborhood of such things. She believes that tomorrow's vote at BOZA could revert everything they've worked for to revitalize the MLK Neighborhood. Her association opposes the permit. She asked that their district rep on the BOZA vote to deny the permit when it comes before the board tomorrow.
- **Marie Mott** (Oak Grove Neighborhood) – She voiced concerns about the \$26 Million collected from PILOTs. She also is concerned about two more women who stepped forward in the rape allegations against a Chattanooga police officer. She has no assurance that the city is working towards the safety of the people. She referenced a death that was initially identified as a suicide, but then an officer later admitted to shooting the individual who presumably committed suicide. She read biblical scriptures Roman 12 and II-Corinthians 4. She has not gotten answers to her questions or her request for records. She believes the Council asks citizens to do more than those who were elected officials. She asks what peace is there with this Council. She questioned if this is a democracy or a constitutional republic? She reminded the Council that some will be up for re-election and some may run for Office of Mayor, but noted that God is keeping a record of their works.
- **Jessie Parker** (Miller Dr.) – He informed the Council of being woke by his grandson because the police were seizing his house. He indicated that there were 12 or more officers in his yard. They held guns on him and didn't immediately say why. He was shown the picture of a man and asked if that man was on the premises. He denied knowing the man and told them they had the wrong house. He is a school teacher and pastor, and tries to teach his students about respect for the police. He now doesn't know what to tell his students now. His house was wrongfully identified. He noted that police apologized, but that was after they'd pointed a gun at him and his grandchildren. He wanted people to be aware of his situation.

- Councilwoman Berz noted that this street is in her district, but she had not known about this incident. She expressed concern for the children and the long-term effects on them. She will ask for an explanation from CPD on this matter.
- Councilman Byrd questioned Mr. Parker about the crime that was alleged when the police came into his yard. He mentioned that a similar situation had happened when police surrounded his house, looking for someone who wasn't there. He indicated that they were looking for the son of someone who used to live in his rental unit. He asked that CPD look into ways of tracking people once they've moved from rental properties.
- Mr. Parker indicated that this has happened before when he lived on Bass Road. He told how police opened every cabinet in his home. He reiterated his respect for police.
- **Rick Carpenter** (Concord Rd.) – He has been waiting on information about the fish kills and testing that happened in the water on Memphis Street. He believes it was a chemical kill. He indicate that TDEC has never presented the test results. He questioned where the water is coming from in the river. He emphasized the need for clean drinking water and told how unsafe water will drive people away from this city. He informed the Council that the Tennessee American Water Company has 12 steps in its local treatment process. He indicated that it has been almost a year since the fish kill and believes water will kill in this city at some point.

ADJOURNMENT

On motion of Vice-Chairman Oglesby, Chairman Smith adjourned the meeting of the Chattanooga City Council until Tuesday, September 11, 2018, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL