



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

## **COUNCIL MEETING MINUTES**

September 10, 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**

Councilwoman Berz led the Assembly in the Pledge of Allegiance.

### **APPROVAL OF LAST MINUTES**

**On motion of Councilman Gilbert and seconded by Councilman Smith**, the minutes of the last meeting (September 3, 2019) were approved as published.

### **ORDINANCES – FINAL READING:**

On motion of Councilwoman Coonrod and seconded by Councilman Byrd,

#### **ORDINANCE #13497**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 11, ARTICLE XX, SHORT TERM VACATION RENTAL CERTIFICATE, SECTION 11-510, BY AMENDING THE DEFINITION OF “SHORT TERM VACATION RENTAL DISTRICT” TO ADOPT A NEW SHORT TERM VACATION RENTAL OVERLAY DISTRICT MAP FOR ALL OF DISTRICT 9.**

**ACTION: APPROVED**

#### **ORDINANCE #13498**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, DOWNTOWN CENTRAL BUSINESS IMPROVEMENT DISTRICT (DOWNTOWN CBID), SECTION 11-531(I) TO PROVIDE FOR COLLECTION OF SPECIAL ASSESSMENTS BY THE CITY TREASURER.**

Attorney Noblett confirmed for Vice-Chairman Henderson that the amendments from last week had been added to the ordinance before the Council now. Councilwoman Berz asked Attorney Noblett to read the ordinance as amended last week. He proceeded to read Section 11-531(I):

I. Notice of the special assessment for the District shall be issued simultaneously with tax notices for regular Hamilton County and City of Chattanooga real property taxes, and revenues from the special assessment shall be collected by the City Treasurer to the extent the Treasurer is empowered by this ordinance to collect this assessment. All collections of assessments by any government official other than the City Treasurer shall be reviewed and approved by subsequent amendments to this Ordinance. The authority of the City Treasurer to collect the assessment will be reviewed in one (1) year for continuance. Additionally, the City will collect no less than a two (2%) percent fee for collections. Also, the City will take zero (0%) percent enforcement actions against non-fee payers.

**Vice-Chairman Henderson moved to approve, seconded by Councilman Mitchell. The motion carried upon roll call vote as follows:**

<b>Smith</b>	<b>No</b>	<b>Coonrod</b>	<b>No</b>
<b>Mitchell</b>	<b>Yes</b>	<b>Byrd</b>	<b>Yes</b>
<b>Ledford</b>	<b>No</b>	<b>Berz</b>	<b>Yes</b>
<b>Henderson</b>	<b>Yes</b>	<b>Oglesby</b>	<b>Yes</b>
<b>Gilbert</b>	<b>No</b>		

<b>YES – Five (5); NO – Four (4)</b>
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<b>ACTION: APPROVED</b>
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**ORDINANCES – FIRST READING:**

2019-0111  
Joseph Ingram  
Planning Version  
District No. 6

On motion of Councilwoman Berz and seconded by Councilman Ledford,

**ORDINANCE #13499**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 6819 MCCUTCHEON ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE.**

<b>ACTION: PASSED ON FIRST READING</b>
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2019-0095  
Chazen Engineering % Justin Tirsun  
District No. 6

On motion of Councilwoman Berz and seconded by Councilman Ledford,

**ORDINANCE #13500**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO LIFT CONDITIONS FROM ORDINANCE NO. 13133, PREVIOUS CASE NO. 2016-0175 ON PROPERTY LOCATED AT 6421 SHALLOWFORD ROAD TO AMEND CONDITION NOS. 1 AND 2, AND LIFTING CONDITION NOS. 3 AND 5, MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: PASSED ON FIRST READING**

2019-0094  
Darren Hambrick  
District No. 6

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

**ORDINANCE #13501**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO LIFT CONDITIONS FROM ORDINANCE NO. 13133, PREVIOUS CASE NO. 2016-0175 ON PROPERTY LOCATED AT 6401 SHALLOWFORD ROAD TO AMEND CONDITION NOS. 1 AND 2, AND LIFTING CONDITION NOS. 3 AND 5, MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: PASSED ON FIRST READING**

2019-0112  
Joseph Ingram  
Planning Version  
District No. 9

On motion of Councilwoman Coonrod and seconded by Councilman Byrd,

**ORDINANCE #13502**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE SEVERAL UNADDRESSED PROPERTIES LOCATED IN THE 2600 BLOCK OF EAST 19TH AND EAST 20TH STREETS, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: PASSED ON FIRST READING**

**RESOLUTIONS:**

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

**RESOLUTION #30066**

**A RESOLUTION TO AMEND RESOLUTION NO. 29489 FOR BANKING SERVICES WITH SUNTRUST BANK TO REMOVE AUTHORIZED AMOUNT.**

**ACTION: ADOPTED**

On motion of Councilman Gilbert and Councilwoman Coonrod,

**RESOLUTION #30067**

**A RESOLUTION AUTHORIZING THE CHIEF HUMAN RESOURCES OFFICER TO EXERCISE OPTION TO RENEW AN ANNUAL AGREEMENT WITH BLUECROSS/BLUESHIELD OF TENNESSEE TO PROVIDE MEDICARE RETIREES WITH TWO (2) HEALTH PLAN OPTIONS: (1) MEDICARE ADVANTAGE (BLUE ADVANTAGE) OPTION 1 FOR \$311.00 PER MEMBER PER MONTH; AND (2) MEDICARE ADVANTAGE (BLUE ADVANTAGE) OPTION 2 FOR \$386.00 PER MEMBER PER MONTH.**

**ACTION: ADOPTED**

On motion of Councilman Gilbert and seconded by Councilman Ledford,

**RESOLUTION #30068**

**A RESOLUTION AUTHORIZING THE CHIEF HUMAN RESOURCES OFFICER TO EXERCISE THE OPTION TO RENEW AN ANNUAL AGREEMENT WITH MARATHON HEALTH, LLC TO PROVIDE MEDICAL AND WELLNESS SERVICES TO CITY EMPLOYEES, RETIREES, AND THEIR DEPENDENTS, FOR THE PERIOD OF NOVEMBER 1, 2019 THROUGH OCTOBER 31, 2020, FOR AN AMOUNT OF \$2,443,516.00.**

**ACTION: ADOPTED**

**DEPARTMENTAL REPORTS:**

**Proposed Purchases**

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

**PO551292 Chattanooga Fire Department**

Estimated \$103,500.00 Annually

Blanket Contract Renewal - Firefighter's Helmets –  
Fire Department

Lowest/Best Bidders: Safe Industries

131 Weakly Lanie, Suite 160  
Smyrna, TN 37167

**PO545729 Finance Department** Estimated \$85,000.00 Annually  
Blanket Contract Renewal - Tax Bill Printing and Mailing –  
Finance Department  
Lowest/Best Bidder: Allison Payment Systems, LLC  
2200 Production Drive  
Indianapolis, IN 46241

**R186805 Public Works Department** Total Amount \$29,588.30  
Purchase - Library/Reading Room Furniture –  
Public Works Department  
Lowest/Best Bidder: NOI-Chattanooga  
4167 S. Creek Rd.  
Chattanooga, TN 37406

**R189600 Public Works Department** Total Amount \$87,012.00  
Purchase - Four (4) Henderson Stainless Steel Salt Spreader  
- City Wide Services Division - Public Works Department  
Lowest/Best Bidder: CMI Equipment Sales, Inc,  
P.O. Box 1528  
Goodlettsville, TN 37070

**PO551289 PO551290 PO551291**  
**Public Works Department** Total Estimate \$165,000.00 Annually  
Three (3) Blanket Contract Renewals - Trees -  
City Wide Services - Forestry Division - Public Works Department  
Lowest/Best Bidders:  
1. River Rock Nursery 469 Carl Hitchcock Road Rock Island, TN 38581  
2. Select Trees Enterprises, Inc. 225 William Pope Road Crawford, GA 30630  
3. Hidden Valley Nursery, LLC 4456 TN-108 Morrison, TN 37357

**PO546133 Public Works Department** Estimated \$350,000.00 Annually  
Blanket Contract Renewal - Liquid Ferric Chloride –  
Waste Resources Division - Public Works Department  
Lowest/Best Bidder: PVS Technologies Inc.  
10900 Harper Ave.  
Detroit, MI 48213

**PO545857 Public Works Department** Estimated \$35,000.00 Annually  
Blanket Contract Renewal - Redi-Rock Concrete Blocks –  
City Wide Services - Public Works Department  
Lowest/Best Bidder: Bradley Tank & Pipe, LLC  
P.O. Box 3146  
Cleveland, TN 37320

**PO555146 Public Works Department** Estimated \$1,400,000.00 Annually  
Blanket Contract Renewal - Sanitary Sewer Cured-In-Place  
Pipe Lining - Waste Resources Division – Public Works Department  
Lowest/Best Bidder: Granite Inliner, LLC.  
4520 North State Road 37  
Orleans, IN 47452

**PO551536 Public Works Department** Estimated \$1,200,000.00 Annually  
Blanket Contract Renewal - Programmable Logic  
Controller (PLC) Services - Waste Resource Division –  
Public Works Department  
Lowest/Best Bidder: Adman Electric Co., Inc.  
P.O. Box 3069  
Chattanooga, TN 37404

**R184643 Public Works Department** Estimated \$100,000.00 Annually  
Two (2) New Blanket Contracts - Environmental Services –  
Waste Resources Division - Public Works Department  
Lowest/Best Bidders:  
1. Safety-Kleen - 4130 South Creek Road Chattanooga, TN 37406  
2. Tri-State Government Services, LLC - 4762 Highway 58, Suite 110, Chattanooga, TN 37416

**On motion of Councilwoman Coonrod** and seconded by Councilman Gilbert, PO552002 (as detailed below) was removed from the floor for consideration tonight. **The motion carried, with Councilman Mitchell voting “Nay.”**

**PO552002 Department of Youth & Family Development**  
Estimated \$33,000.00 Annually  
Blanket Contract Renewal - Floor Care Services –  
Department of Youth & Family Development/Head Start Centers  
Lowest/Best Bidder: Alternative Source  
P.O. Box 514  
Ooltewah, TN 37363

**On motion of Vice-Chairman Henderson** and seconded by Councilwoman Berz, all other purchases [excluding PO552002] were approved. The motion carried.

**ACTION: PO552002 REMOVED FROM CONSIDERATION TONIGHT;  
ALL OTHER PURCHASES APPROVED**

**OTHER BUSINESS:**

**Board Appointments (2)**

Councilman Smith appointed Lori Hairrell to represent District 3 on the *YFD Board*.

Councilman Mitchell appointed Carl Greene to represent District 2 on the *Office of Multicultural Affairs Advisory Board*.

## **9-11 Remembrance**

Councilman Ledford reminded the Assembly that tomorrow, September 11, will be the 18<sup>th</sup> anniversary of the attack upon America. He reminded everyone of the 3,000 victims who fell on American soil. He recounted the number of New York Fire, Police and Port Authority members who perished, as well as civilians in the World Trade Centers, the Pentagon and Shanksville, Pennsylvania.

## **COMMITTEE REPORTS:**

*Budget and Finance Committee*  
Councilwoman Berz  
(No report)

*Economic and Community Development Committee*  
Councilman Byrd reported:

- The committee met today in open meeting for a presentation by ECD on STVR. There will be further discussions in two weeks.

*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 will meet next week after the 3:00 p.m. Agenda Session.

*Youth and Family Development Committee*  
Councilwoman Coonrod reported:

- The committee met today in open meeting to hear YFD's report on the Barber School Books program, which will help African American boys see black images like them and see a male presence in life.
- All residents are encouraged to share their thoughts on the city's STVR by emailing [STVR@chattanooga.gov](mailto:STVR@chattanooga.gov) or calling (423) 787-4357.

*Legislative Committee*  
Vice-Chairman Henderson  
(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 Oglesby recognized the following persons:

- **Marie Mott** (Chattanooga) – She read a quote from Toussaint L'Ouverture, a leader of the Haitian liberation, about duty preventing him from harming those who defame his character. She wished to address the case of Desmond Logan, the Chattanooga police officer who admitting to raping three women and hazing a fourth woman. She came before the Council last year on July 17<sup>th</sup> on behalf of what she called “53-percent of our city’s population who are women,” asking the Council to call out and hold Desmond Logan responsible for his actions. She has felt slander and cold shoulders at times when coming before the Council for those seeking justice. As the daughter of a pastor, she grew up in the church believing that even when no man is watching you, you should do what is right. As a young person, she has looked to her elders for wisdom and good decisions, but has not seen or received it. Women should not have to ask to be believed and to be protected. For women who should not have to ask to be believed and protected, she felt it was wrong to take a year to get justice. She noted that when the Council makes a or does something wrong, it should acknowledge the mistake, apologize for it and then repent. She quoted Bible scripture regarding the repentance of sins and God hearing people’s pleas once there is repentance. She asked this on behalf of the 53-percent of residents who are women and do not feel believed or protected. She asked women in municipal government to stand up in the next election cycle and be women of integrity for our government.
- **Cynthia Stanley Cash** (Chattanooga) – She is the President of the North Brainerd Neighborhood Association. Her neighborhood shares the two councilpersons for Districts 5 and 9. She discussed the beauty of her subdivision, but indicated that you sometimes have to “drive through Beirut” to get to their beautiful homes. She informed the Council that she looks to Proverbs 31:8 of the Bible as a leader and, therefore, speaks on behalf of those who cannot speak for themselves and fights for the rights of the destitute. She thanked Councilman Gilbert for understanding his neighborhood’s position and thanked Councilwoman Coonrod for being open to discussion today. She looks forward to discussing Eastdale with Councilwoman Coonrod since their community borders one another. There are several seniors who are homeowners, voters and constituents. She attended the meeting hosted by RPA regarding Short-Term Vacation Rentals (STVR) and was not impressed with the opposition meeting that she attended. She was disappointed that there has been no follow-up with communities, yet, it has now made it to the Council’s agenda. She asked the Council to delay consideration of STVR changes since RPA has not summed up their position being against STVR. She found out that there were only six employees working with STVR. She is concerned with enforcement cases taking 30 days or more to go court and thinks the department needs more employees working STVR. She requested a full community meeting regarding STVR.
- **Taff Witcher** (Chattanooga) – He is coming before the Council after Drake Forest received an email from the City back in August. He informed the Council that there are 144 homes in the Drake Forest community with well over 300 constituents, voters and tax-paying citizens. He indicated that there are 21 homes alone in Drake Forest that paid \$71,000.00 in tax revenue alone. He also indicated that the community as a whole paid well over \$500,000.00 in taxes. Yet, they are being told that all streets are in need of repairs. He challenged the Council to drive through Drake Forest subdivision to see the condition of

the roads, where there are sinkholes, potholes, sections of pavement collapsed and grass growing in the middle of the street. He has lived there for nine years. He remembers when former mayor Littlefield came and took pictures of the road conditions, but that was 8-9 years ago and nothing has been done. He indicated that the roads in this neighborhood have been neglected for 40-plus years and that it might take another 30 years before anything will be done. There have been construction barrels in the neighborhood for six months where the city will cut out a section of curb, but no project has been completed. He informed the Council of the road conditions in Drake Forest that are causing safety issues, particularly when trying to walk his dog. He does not believe it is safe to walk on the sidewalks without a flashlight at night. He further discussed not being able to walk down the street without stepping off the curb. He asked the City to consider for road work.

## **ADJOURNMENT**

**On motion of Councilman Ledford**, Chairman Oglesby adjourned the meeting of the Chattanooga City Council until Tuesday, September 17, 2019, at 6:00 p.m.

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**CHAIRMAN**

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**CLERK OF COUNCIL**