



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
August 5, 2014
6:00 PM

CALL TO ORDER

Council Chairman Chip Henderson called the meeting to order with Vice Chair Dr. Carol Berz and Councilpersons Chris Anderson, Moses Freeman, Russell Gilbert, Larry Grohn, Yusuf Hakeem, Jerry Mitchell and Ken Smith all present. Also present were Deputy City Attorney Phil Noblett, Management Analyst Randy Burns and Deputy Clerk Nicole Gwyn, CMC.

PLEDGE OF ALLEGIANCE

Councilman Smith led the assembly in the Pledge of Allegiance.

APPROVAL OF LAST MINUTES

On motion of Councilman Freeman and seconded by Councilman Anderson, the minutes of the last meeting (July 29, 2014) were approved as published.

SPECIAL PRESENTATION

LIFE TOUCH AWARD
by Lee Norris

Public Works Administrator Lee Norris, along with staff members Alice Canella (Waste Resources Director) and Rick Tate (Pretreatment Supervisor), awarded Life Touch Studios with its annual "Pretreatment Award." Mr. Norris commended Lifetouch Portrait Studios for exemplary service and operation in compliance with the pretreatment program.

ORDINANCES – FINAL READING:

On motion of Councilman Mitchell and seconded by Vice Chair Dr. Berz,

ORDINANCE #12846

AN ORDINANCE TO AMEND THE OPERATIONS AND CAPITAL IMPROVEMENTS BUDGET ORDINANCE NOS. 12835 AND 12838 FOR THE FISCAL YEAR ENDING JUNE 30, 2015.

The motion carried on roll call vote as follows:

Smith	YES	Freeman	YES
Mitchell	YES	Berz	YES
Hakeem	YES	Anderson	YES
Grohn	YES	Henderson	YES
Gilbert	YES		

ACTION: APPROVED

ORDINANCES – FIRST READING:

MR-2014-011
Erin Simpson
Keller Williams Realty
Planning Version

On motion of Councilman Mitchell and seconded by Councilman Smith,

ORDINANCE #12847

AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED UNIT BLOCK OF CHAMBLISS STREET.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

On motion of Councilman Freeman and seconded by Councilman Anderson

RESOLUTION #27968

A RESOLUTION TO MAKE CERTAIN FINDINGS RELATING TO THE GRANTING OF INCENTIVES TO DEVELOP HOUSING IN DOWNTOWN CHATTANOOGA; TO DELEGATE CERTAIN AUTHORITY TO THE HEALTH, EDUCATIONAL HOUSING FACILITY BOARD OF THE CITY OF CHATTANOOGA, TENNESSEE, AND THE HEALTH, EDUCATIONAL HOUSING FACILITY BOARD (THE “HEB”); TO RENEW A PROGRAM FOR DOWNTOWN HOUSING DEVELOPMENT AS ADOPTED IN RESOLUTION NO. 23253; TO AUTHORIZE THE MAYOR OF THE CITY OF CHATTANOOGA TO ENTER INTO AGREEMENTS FOR PAYMENTS IN LIEU OF AD VALOREM TAXES MEETING THE CRITERIA OF SAID PROGRAM AND TO PROVIDE FOR A TERMINATION OF THIS INCENTIVE PROGRAM IN TEN (10) YEARS.

ACTION: ADOPTED

On motion of Vice Chair Dr. Berz and seconded by Councilman Mitchell,

RESOLUTION #27969

A RESOLUTION REPEALING RESOLUTION NOS. 18697, 18710, 19757, 20026, 20480, 24117, AND 24977 AND ESTABLISHING NEW RULES OF PROCEDURE FOR THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE.

ACTION: ADOPTED

On motion of Councilman Grohn and seconded by Vice Chair Dr. Berz,

RESOLUTION #27970

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF \$14,500.00 FOR CONSIDERATION FROM THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION AS COMPENSATION FOR THE REPLACEMENT OF THE SIGN AT THE ENTRANCE TO THE SUMMIT OF SOFTBALL AS RELATED TO THE STATE PROJECT 33070-2230-14 AND FOR THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS RELATED TO THE TRANSACTION.

ACTION: ADOPTED

On motion of Councilman Freeman and seconded by Vice Chair Dr. Berz,

RESOLUTION #27971

A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 FOR LITTLEJOHN ENGINEERING ASSOCIATES, INC. RELATIVE TO CONTRACT NO. W-10-006-101, PINEVILLE ROAD SEWER BASIN, FOR AN INCREASED AMOUNT OF \$15,200.00, FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED \$254,907.00.

ACTION: ADOPTED

On motion of Councilman Smith and seconded by Councilman Mitchell,

RESOLUTION #27972

A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER FOR CONSTRUCTION CONSULTANTS RELATED TO THE HIXSON COMMUNITY CENTER RENOVATION PROJECT, IN THE AMOUNT OF \$118,644.00, FOR A NEW CONTRACT AMOUNT OF \$1,215,644.00 AND A NEW CONTINGENCY OF \$60,000.00, FOR A TOTAL AMOUNT NOT TO EXCEED \$1,275,644.00.

ACTION: ADOPTED

On motion of Vice Chair Dr. Berz and seconded by Councilman Gilbert,

RESOLUTION #27973

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO AWARD CONTRACT NO. E-11-003-201 TO THOMAS BROTHERS CONSTRUCTION, 4000 BLOCK OF SUNBEAM AVENUE DRAINAGE IMPROVEMENTS, IN THE AMOUNT OF \$517,426.00, WITH A CONTINGENCY AMOUNT OF \$51,742.60, FOR AN AMOUNT NOT TO EXCEED \$569,168.60.

ACTION: ADOPTED

On motion of Councilman Freeman and seconded by Councilman Hakeem,

RESOLUTION #27974

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO AWARD CONTRACT NO. R-13-005-201 TO INNOVATIVE CONSTRUCTION AND REMODELING, LLC/JONES CONSTRUCTION, ROOF REPLACEMENT FOR THE WARNER PARK POOL HOUSE, IN THE AMOUNT OF \$62,872.00, WITH A CONTINGENCY AMOUNT OF \$6,300.00, FOR AN AMOUNT NOT TO EXCEED \$69,127.00.

ACTION: ADOPTED

On motion of Councilman Freeman and seconded by Councilman Hakeem,

RESOLUTION #27975

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF PUBLIC WORKS TO AWARD CONTRACT NO. D-14-001-201 TO ENVIRONMENTAL ABATEMENT, INC., HARRIET TUBMAN DEMOLITION PROJECT, FOR A CONTRACT AMOUNT OF \$4,297,880.75, WITH A CONTINGENCY AMOUNT OF \$400,000.00, FOR AN AMOUNT NOT TO EXCEED \$4,697,880.75.

A discussion ensued with Chief of Staff Travis McDonough on this agenda item.

ACTION: ADOPTED

On motion of Vice Chair Dr. Berz and seconded by Councilman Smith,

RESOLUTION #27976

A RESOLUTION AUTHORIZING THE WAIVER OF LANDFILL DISPOSAL FEES ASSOCIATED WITH THE TENNESSEE RIVER RESCUE CLEAN-UP ON OCTOBER 4, 2014, FOR AN AMOUNT NOT TO EXCEED \$750.00.

ACTION: ADOPTED

On motion of Councilman Freeman and seconded by Councilman Smith,

RESOLUTION #27977

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE MAINTENANCE OF STATE HIGHWAYS WITHIN THE CITY LIMITS OF CHATTANOOGA FOR REIMBURSEMENT TO THE CITY, FOR AN AMOUNT NOT TO EXCEED \$378,909.00.

ACTION: ADOPTED

On motion of Councilman Anderson and seconded by Councilman Hakeem,

RESOLUTION #27978

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO AN AGREEMENT WITH ALTA PLANNING AND DESIGN TO PERFORM PROFESSIONAL ENGINEERING SERVICES FOR PROTECTED BIKE LANE AND NEIGHBORHOOD GREENWAY DESIGN, IN THE AMOUNT OF \$294,960.00.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilman Freeman,

RESOLUTION #27979

A RESOLUTION AUTHORIZING S. REGINALD RUFF, III AND VICTOR R. WILLIAMS, SR. TO USE TEMPORARILY THE AIR SPACE ABOVE THE SIDEWALK LOCATED AT 428 EAST M.L. KING BOULEVARD, AS SHOWN ON THE PHOTO AND DRAWINGS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilman Hakeem,

RESOLUTION #27980

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH FINANCIAL LIFE CONNECTION LLC TO CONDUCT A YOUTH E-VENTURES TECHNOLOGY BUSINESS DEVELOPMENT CAMP FOR TEENS, DAILY FROM 10:00 A.M. TO 6:00 P.M., MONDAY THROUGH FRIDAY, FOR ONE (1) WEEK, AND ONE (1) FULL YEAR OF BUSINESS COACHING FOR EACH STUDENT FOR A TOTAL OF 25 PARTICIPANTS, FOR AN AMOUNT NOT TO EXCEED \$25,000.00.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilman Hakeem,

RESOLUTION #27981

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT TO ENTER INTO A DONATION AGREEMENT WITH MIRACLE LEAGUE OF CHATTANOOGA, INC. FOR CONSTRUCTION OF A RECREATIONAL FACILITY FOR CITIZENS OF ALL ABILITIES KNOWN AS "MIRACLE FIELD" WITHIN A CERTAIN PORTION OF WARNER PARK.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Purchases

Brent Goldberg, Chief Operating Officer, briefed the Council on the following purchases:

R99381 - Finance Department	Estimated \$148,734 Annually
Open Data Portal and GovStat Annual Support and Maintenance	
Lowest/Best Bidder: Socrata	
R0026704 - General Services	Estimated \$150,000 Annually
Blanket Contract Digital Copier Rental for Oce IM: Models	
Lowest/Best Bidder: Canon Solutions	
R76488 - Public Works	Estimated \$41,000 Annually
Blanket Contract Renewal for the purchase of Metal pipe	
Lowest/Best Bidder: Piping Supply Company	

Councilman Anderson moved to approve, seconded by Councilman Smith. The motion carried.

ACTION: APPROVED

OTHER BUSINESS:

Other Recognition

Councilman Hakeem recognized some uniformed students observing today's Council meeting: Boy Scout Troop 172, based at St. Jude. Scout Daniel Casagrande addressed the Council and introduced the other Scouts in attendance: Garrett Behland, Peter Lohmaier, and Justin O'Neill.

COMMITTEE REPORTS:

Audit & I.T. Committee

Councilman Grohn
(No report)

Budget and Finance Committee

Councilman Mitchell
(No report)

Economic and Community Development Committee

Councilman Anderson
(No report)

HR Committee (Human Resources)

Vice Chair Dr. Berz
(No report)

Planning & Zoning

Councilman Hakeem

- The committee met earlier today on agenda items and received an update on Regional Planning's "Pop-Up" Survey of 500 residents; there was also a presentation on short-term vacation rentals.

Public Safety Committee

Councilman Freeman
(No report)

Public Works and Transportation Committee

Councilman Smith

- The committee will meet next Tuesday (August 12) immediately following Agenda Session.

Youth and Family Development Committee

Councilman Gilbert
(No report)

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

Attorney Noblett read the seven (7) newly-adopted rules of procedure for persons wishing to address the Council on non-agenda items. After which, Chairman Henderson recognized the following persons:

- **Patrick Kellogg (Sherman St.)** - Voiced concerns regarding the bid procurement process and revised contracts; questioned if environmental issues were accounted for in the process;
- **Peggy Petree (E. Main St.)** - Concerned that Controlled Sound Ordinance will interfere with public safety; suggests that Council receive a demonstration of the various sound levels included in the ordinance.
- **Atty. John Konvalinka (Chestnut St.)** - Asks Council to reconsider its decision not to act regarding the recent ruling of Chancellor Brown on the Black Creek Mountain TIF; asks Council to reconsider its decision regarding TIFS (Tax Increment Financing).
- **John Petree (E. Main St.)** - Concerned about the buffer boundaries addressed in the Controlled Sound Ordinance; hopes Council will administrator a sound test.

ADJOURNMENT

On motion of Councilman Gilbert, the meeting of the Chattanooga City Council was adjourned until Tuesday, August 12, 2014, at 6:00 p.m.


CLERK OF COUNCIL


CHAIRMAN

(A full digital audio of this Council meeting has been
filed in the Clerk of the Council's office)