



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
December 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, Russell Gilbert, Chip Henderson, Darrin Ledford and Jerry Mitchell. Phil Noblett, City Attorney, and Nicole Gwyn, Council Clerk, were also present.

PLEDGE OF ALLEGIANCE

Councilman Ledford led the Assembly in the Pledge of Allegiance.

APPROVAL OF LAST MINUTES

On motion of Councilman Gilbert and seconded by Councilman Mitchell, the minutes of the last meeting (November 27, 2018) were approved as published.

ORDINANCES – FINAL READING: (NONE)

ORDINANCES – FIRST READING: (NONE)

RESOLUTIONS:

Charles Young, Assistant Director of Development Services, informed the Council that all the upcoming Short-Term Vacation Rental (STVR) cases being heard tonight are non-owner occupied within the overlay. He then introduced Caleb Fisher, Code Enforcement Inspector, to make the Staff presentations on tonight's STVR cases.

2018-21
Virginia Johnson
District No. 2

A hearing ensued on the following:

Agenda Item VII(a):

A RESOLUTION APPROVING SHORT TERM VACATION RENTAL APPLICATION NO. 18-STVR-00106 FOR PROPERTY LOCATED AT 711 OXFORD ROAD.

Mr. Fisher made a staff presentation about the current property/structure under consideration, the surrounding STVR applications, and the inspection history of the property.

Applicant:

- **Virginia Johnson** - She informed the Council that the opposition letters were received after the inspection. They want to improve the neighborhood and love North Chattanooga. She is a flight attendant who is away from the house a lot. She wants to be part of the neighborhood. They have a "Superhost" rating. Most of their renters have been families. They are making improvements to increase the value of the house and plan to make repairs after the STVR process.
 - An unidentified gentleman with Ms. Johnson also commented on the opposition letter that he read and the belief that the neighborhood

Opposition:

- (*Unidentified neighborhood rep*) - He came on behalf of the neighborhood and displayed slides on the neighborhood. They had three major concerns: (1) Trend in Increasing Property Values - Property values are rising due to renovations of existing homes and new homes being built, so they are concerned with the impact on property values; (2) Safety - Noise and stress; and (3) Alley issues - There will be increased traffic in the alley causing parking, traffic and turn-around problems. They are also concerned with City access and emergency access. 17 neighbors expressed written opposition.

Councilman Mitchell questioned whether the STVR homes shown on the map presented by Mr. Fisher was owner-occupied or not. Mr. Young informed the Council of the two homes that he was aware of on the map that were owner-occupied. After all questions or comments, **Councilman Mitchell moved** to deny, seconded by Councilman Henderson. The motion carried.

ACTION: DENIED

2018-25
Melissa Manwaring
District No. 9

A hearing ensued on the following:

Agenda Item VII(b):

A RESOLUTION APPROVING SHORT TERM VACATION RENTAL APPLICATION NO. 18-STVR-00101 FOR PROPERTY LOCATED AT 1724 KIRBY AVENUE.

Mr. Fisher made the staff presentation regarding the current property/structure under consideration, the surrounding STVR applications and the inspection history of the property.

Applicant:

- **Melissa Manwaring** - She and her husband, Scott, visited Chattanooga in 2015 and fell in love with the city after living in Atlanta. They bought a house in Audobon Acres in 2017 and love being here. They want their daughter to grow up here. They found that AirBnB was the perfect solution for them until they purchased a home. They stayed in several areas of Chattanooga through AirBnB properties. She discussed how AirBnB opened the city up to them. They bought the Kirby Avenue property to give others the same experience they had in STVRs. The opposition letter that they saw did not give a specific reason for their opposition. They are licensed and have a proven history of successful stays. They are proud of owning a home in Highland Park and proud to be part of the community.

Ms. Manwaring confirmed for Councilwoman Coonrod that she has not had a chance to speak with the neighborhood association.

Councilwoman Coonrod informed Ms. Manwaring about a meeting she attended in August where STVRs were discussed and that all in attendance voted against non-owner occupied STVR in Highland Park. She also informed Ms. Manwaring that there is concern about this property being purchased from CNE when the community needs sustainable housing. Therefore, **Councilwoman Coonrod moved** to deny, seconded by Councilman Byrd. The motion carried.

ACTION: DENIED

2018-26
Kurtis Morris/Scenic City Investments, LLC
District No. 7

A hearing ensued on the following:

RESOLUTION #

A RESOLUTION APPROVING SHORT TERM VACATION RENTAL APPLICATION NO. 18-STVR-00116 FOR PROPERTY LOCATED AT 5410 ALABAMA AVENUE.

Mr. Fisher made the staff presentation regarding the current property/structure under consideration, the surrounding STVR applications and the inspection history.

Applicant:

- **Justin Tirsun** - He was representing the applicant, Kurtis Morris, who was able to be here today. Mr. Morris lives in the area and can respond quickly to any concerns. There were no previous violations at this property.
- **Lynbert Telletti** - Concerned with the shortage of affordable housing. She's concerned with affordable homes being turned into STVRs. She understands that Mr. Morris is putting his own home up as a STVR, so he will no longer be living in the area.
- **Reed Caldwell** - He represents a group of St. Elmo residents. They are concerned with non-owner occupied rentals and feel it degrades the fabric of neighborhoods, especially when those are corporations buying the homes.
- *(Unidentified Resident)* - He lives in the community. On his road, they do not recognize the cars coming and going to STVR properties, which is a safety concern. He is also concerned with housing availability, which affects rental rates in the community.

Vice-Chairman acknowledged the "overwhelming" neighborhood concern and indicated that they are looking at modifications to address the concerns that many neighborhoods have. Therefore, **Vice-Chairman Oglesby moved** to deny, seconded by Councilman Byrd. The motion carried.

ACTION: DENIED

2018-27
Jeffrey and Katelyn Rau
District No. 2

A hearing ensued on the following:

RESOLUTION #

A RESOLUTION APPROVING SHORT TERM VACATION RENTAL APPLICATION NO. 18-STVR-00130 FOR PROPERTY LOCATED AT 514 CREWDSON STREET.

Mr. Fisher made the staff presentation regarding the current property/structure under consideration, the surrounding STVR applications and the inspection history.

Councilman Henderson requested that future presentations distinguish the surrounding STVR applications are owner-occupied or non-owner occupied. Mr. Fisher agreed to do so.

Applicant:

- **Katelyn Rau** - They had to move away a year ago due to a job opportunity. They take great pride in the house and are close to their neighbors. She understands concerns of the Opposition, but they live a street away from them. They wanted to rent to give opportunity to family and friends coming to town. They value their home and neighbors. They will only rent to those with high ratings. Any issues with noise or disturbances would be closely monitored. She hates that they cannot live here because it is such a great city. Their neighbor will manage the property and ensure that all concerns are addressed quickly.

There was no Opposition to this case. Councilman Mitchell received five phone calls and three emails from the neighborhood in opposition to this STVR. He is concerned with the inspection fails. Mr. Young confirmed the ways in which inspections are emphasized in writing during the application process. **Councilman Mitchell moved** to deny, seconded by Councilman Ledford. The motion carried.

ACTION: DENIED

2018-28
Christie Burns/Vision Partners, LLC
District No. 7

A hearing ensued on the following:

RESOLUTION #29730

A RESOLUTION APPROVING SHORT TERM VACATION RENTAL APPLICATION NOS. 18-STVR-00134 AND 00135 FOR PROPERTY LOCATED AT 1603 WILLIAMS STREET (UNITS B & H).

Mr. Fisher made the staff presentation regarding the current property/structure under consideration, the surrounding STVR applications and the inspection history. He informed the Council that Unit B had passed inspection just today.

Applicant:

- **Doug Hightshue** – He is part of the entity that owns the property. This building and one other was purchased from CNE. They assumed a THDH financing and allowed the residents to remain under the THDH requirements. They did not go up on the rent for those individuals. There are eight units in this participants. Six tenants are theirs in this building. Unit B passed inspection today. For Unit H, the only thing remaining for inspection is an adjustment to a window. From what he understands, a bulk of the opposition to this STVR is parking concerns. He explained the parking that is available for this property.

Opposition: (A representative for the Opposition choose not to speak due to having already expressed the association's concerns about STVRs in the community.)

Vice-Chairman Oglesby moved to approve, seconded by Councilman Byrd. The motion carried. After which, Chairman Smith thanked Mr. Fisher and commended the information in his presentations today. Mr. Fisher asked the Council to contact him on further information they would like to see in future presentations.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Byrd,

RESOLUTION #29731

A RESOLUTION TO CONFIRM THE MAYOR'S APPOINTMENT OF TIM MADDOX AS CITY TREASURER.

Chairman Smith later recognized Mr. Maddox after passage of the resolution. Mr. Maddox stood and received applause from the Assembly.

ACTION: ADOPTED

On motion of Councilman Mitchell and seconded by Councilman Ledford,

Agenda Item VII(g):

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH HDR ENGINEERING, INC. TO INCREASE THE SCOPE AND AMOUNT OF EXISTING CONTRACT FOR PROFESSIONAL SERVICES RELATIVE TO THE WATER QUALITY PROGRAM RATE STUDY, FOR A TOTAL AMOUNT NOT TO EXCEED \$469,984.00.

Councilman Mitchell has been working with Public Works on this issue and indicated that the department needed more time before moving forward with this. Therefore, **Councilman Mitchell moved** to table this item. He was seconded by Councilman Ledford. The motion carried.

ACTION: TABLED

PURCHASES:

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

PO536149 & PO536150 Public Works Department Total Estimated \$50,000.00 Annually
Blanket Contract Renewals for Air Filters,
Facilities Management, Public Works Department
1. Air Filtration Service - 2811 Dodson Avenue Chattanooga, TN 37406
2. Baker Distributing Inc - 910 Creekside Road, Suite A Chattanooga, TN 37406

PO546382 Public Works Department Estimated \$550,000.00 Annually
Blanket Contract Renewal for Painting Services,
Waste Resource Division, Public Works Department
Lowest/Best Bidder: DACA Specialty Services
6550 McDonough Drive
Norcross, GA 30093

R177286 - Public Works Department Total Estimated \$150,000.00 Annually
New Blanket Contracts for Bulk Mulch, Parks Division,
Public Works Department
Lowest/Best Bidder:
1. Shepard's Mulch, Inc - 110 Round Knob Road Rocky Face, GA 30740
2. Extreme Green Landscaping - 9424 Edenshire Drive Knoxville, TN 37922

PO546393 - Department of Youth & Family Development Estimated \$30,000.00 Annually
Blanket Contract Renewal for Kitchen Equipment
Repair Services, Department of Youth & Family Development
Lowest/Best Bidder: Mountain City Services, Inc.
P.O. Box 300
Signal Mountain, TN 37377

PO533267 & PO533268 - Mayor's Office Total Estimated \$200,000.00 Annually
Blanket Contract Term Renewal for Natural Gas Service
- City Wide
Lowest/Best Bidder:
1. Chattanooga Gas, an AGL Resources Company - PO Box 5408 Carol Stream, IL 60197
2. SouthernStar Energy Services, LLC - PO Box 945785 Atlanta, GA 30394

Regarding PO546393, Councilman Gilbert inquired about what happens to the funding if no repairs are needed for the kitchen areas. Ms. Woodward responded about this contract being used on an "as needed" basis. Upon no further questions or comments, **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 in open meeting and also heard an update on the steep slopes.

Public Safety Committee

Councilman Henderson

(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

(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. Chairman Smith noted that one individual, Marie Mott, was recorded on a list of those persons who have spoken twice within the past thirty (30) days. Ms. Mott did not agree with that record. Therefore, Chairman Smith asked Attorney Noblett to confirm that Ms. Mott had spoken more than twice in a 30-day period. Attorney Noblett also enlisted the Clerk to assist in this records confirmation. During this time, Chairman Smith recognized the following persons:

- **Christopher Dahl** (E. 12th St.) - Resolution 29142 regarding the rules of operation for the Council. He read principles from the 2030 plan regarding regional planning. He mentioned issues in the Police department and stated that there is a sense of no justice and no transparency, which gives the impression of a cover-up.

Chairman Smith confirmed that Ms. Mott has spoken on November 6, 2018 and November 27, 2018. Ms. Mott did not comply with Chairman Smith's request to allow the next citizen the opportunity to address the Council. A disruption ensued, followed by adjournment.

ADJOURNMENT

On motion of **Councilman Henderson**, Chairman Smith adjourned the meeting of the Chattanooga City Council until Tuesday, December 11, 2018, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL