



Electronic-Conducted (Virtual) Minutes
Chattanooga, Tennessee

COUNCIL MEETING MINUTES

October 20, 2020
6:00 PM

CALL TO ORDER

Council Chairman Chip Henderson called the meeting to order by electronic means. A quorum of eight was present via electronic means that included Vice-Chairman Ken Smith and Councilpersons Carol Berz, Demetrus Coonrod, Russell Gilbert, Darrin Ledford, Jerry Mitchell and Erskine Oglesby, Jr. Councilman Anthony Byrd arrived later in the meeting. Other panelists present via electronic means: Phil Noblett, City Attorney; Lydia Christoph, Administrative Support; and Nicole Gwyn, Council Clerk. Video of the meeting is available on YouTube [here](#).

PLEDGE OF ALLEGIANCE

Councilwoman Berz led the Assembly in the Pledge of Allegiance.

APPROVAL OF LAST MINUTES

Councilman Ledford moved to approve. Councilman Oglesby seconded. The motion carried unanimously (8-0) upon roll call vote. The minutes of the last meeting, October 13, 2020, were approved as published.

ORDINANCES – FINAL READING:

2020-0098
Elizabeth Walker
Planning Version
District No. 3

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

ORDINANCE #13607

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED IN THE 6300 BLOCK OF MIDDLE VALLEY ROAD, FROM R-1 RESIDENTIAL ZONE TO RT-1 RESIDENTIAL TOWNHOUSE ZONE, SUBJECT TO CERTAIN CONDITIONS.

The motion carried unanimously (8-0) upon roll call vote.

ACTION: APPROVED

2020-0108
319 January, LLC
Planning Version
District No. 3

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

ORDINANCE #13608

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 1738, 1742, AND 1744 EAST BOY SCOUT ROAD, FROM R-1 RESIDENTIAL ZONE AND R-5 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.

The motion carried unanimously (8-0) upon roll call vote.

ACTION: APPROVED

2020-0082
Cedar Hill Development Company, LLC
Planning Version
District No. 7

On motion of Councilman Oglesby and seconded by Councilman Ledford,

ORDINANCE #13609

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 4605 AND 4607 14TH AVENUE AND 4606 AND 4700 13TH AVENUE, FROM R-1 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

The motion carried unanimously (8-0) upon roll call vote.

ACTION: APPROVED

2020-0103
ASA Engineering c/o Allen Jones
Planning Version
District No. 7

On motion of Councilman Oglesby and seconded by Councilman Ledford,

ORDINANCE #13610

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PART OF A PROPERTY LOCATED AT 2600 EAST 40TH STREET, FROM M-1 MANUFACTURING ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE.

The motion carried unanimously (8-0) upon roll call vote.

ACTION: APPROVED

2020-0104
ASA Engineering c/o Allen Jones
Planning Version
District No. 7

On motion of Councilman Oglesby and seconded by Councilman Ledford,

ORDINANCE #13611

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 3715 AND 3803 CLIO AVENUE TOGETHER WITH 3714, 3718, AND 3800 ROSSVILLE BOULEVARD, FROM M-1 MANUFACTURING ZONE, C-2 CONVENIENCE COMMERCIAL ZONE AND R-1 RESIDENTIAL ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

The motion carried unanimously (8-0) upon roll call vote.

ACTION: APPROVED

2020-0100
Clifton A. McCormick
Planning Version
District No. 8

On motion of Councilman Coonrod and seconded by Councilman Ledford,

ORDINANCE #13612

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO LIFT CONDITIONS FROM ORDINANCE NO. 10566 OF PREVIOUS CASE NO. 1999-0139 AND FROM ORDINANCE NO. 12134 OF PREVIOUS CASE NO. 2008-0085 FOR THE PROPERTY LOCATED AT 1912 SOUTH WILLOW STREET, MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.

[Councilman Byrd joined the meeting during the roll call vote. The quorum was now nine.]

With no objection from Councilman Byrd, the motion carried upon roll call vote as follows:

Oglesby	YES	Byrd	(ABSTAINED)
Mitchell	YES	Berz	YES
Ledford	YES	Smith	YES
Gilbert	YES	Henderson	YES
Coonrod	YES		

YES - Eight (8); NO - Zero (0); ABSTAIN - One (1)

ACTION: APPROVED

ORDINANCES – FIRST READING:

On motion of Councilwoman Coonrod and seconded by Councilman Ledford,

ORDINANCE #13613

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE V. ZONING REGULATIONS, DIVISION 5. R-T/Z RESIDENTIAL TOWNHOUSE ZERO LOT LINE ZONE TO DELETE THE MAXIMUM DENSITY REQUIREMENTS AND TO ESTABLISH MINIMUM LOT SIZE REQUIREMENTS FOR SINGLE-FAMILY DETACHED AND TOWNHOUSE DWELLINGS, AND TO PERMIT A MAXIMUM OF FOUR DWELLINGS ON ONE LOT WITHIN THE URBAN OVERLAY ZONE.

The motion carried unanimously (9-0) upon roll call vote.

ACTION: PASSED ON FIRST READING

MR-2020-0097
Judy Toney
Alternate Version

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

ORDINANCE #13614

AN ORDINANCE CLOSING AND ABANDONING THE EASTERN RIGHT-OF-WAY IN THE 1700 BLOCK OF GREEN HILLS DRIVE, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

The motion carried unanimously (9-0) upon roll call vote.

ACTION: ALTERNATE VERSION PASSED ON FIRST READING

MR-2020-0095
Tim and Monique Lea
District No. 7

On motion of Councilman Oglesby and seconded by Councilman Ledford,

ORDINANCE #13615

AN ORDINANCE CLOSING AND ABANDONING THE UNOPENED 5400 AND 5500 BLOCKS OF KENTUCKY AVENUE AND THE UNOPENED 5500 BLOCK OF IOWA AVENUE, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

The motion carried unanimously (9-0) upon roll call vote.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

2020-109

Karen & Joonho Lee, Owner, and
PMI Scenic City c/o Ian Pfeiffer – Agent
District No. 7

Agenda Item VII(a):

A RESOLUTION CONSIDERING SHORT TERM VACATION RENTAL APPLICATION NO. 20-STVR-00109 FOR PROPERTY LOCATED AT 64 EAST 17TH STREET.

A hearing ensued. Caleb Fisher, Code Enforcement Inspector, gave the staff presentation that included information on the following:

- Surrounding STVR Applications
- Aerial and street view pictures
- Application History

Applicant:

- **Ian Pfeiffer** - He gave a presentation that included information about his company, PMI Scenic City, and the three main reasons of opposition. He discussed the difference between a hotel and STVR, the number of layouts on Underwood, and closing information about his company and the property owners.

On behalf of the Opposition:

- **Ken Hays** - He represents six property owners around this property. He discussed the percentage of STVRs in this neighborhood and the impact on density with four STVRs already there. He commented on the need for density requirements and neighbors needing to come on a case-by-case basis.

Councilman Oglesby moved to deny. Councilwoman Coonrod seconded. Councilman Mitchell asked when STVR would be revisited by the Council. Chairman Henderson will get in touch with Attorney Noblett to begin moving the conversation forward. The motion carried unanimously (9-0) upon roll call vote.

ACTION: DENIED

PROCEDURAL NOTE: With no objection from the Council, Chairman Henderson instructed the Clerk to read the next three resolutions for one Council vote.

RESOLUTION #30527

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A LEASE AGREEMENT BETWEEN THE CITY OF CHATTANOOGA AND THE TIVOLI FOUNDATION, INC., IN SUBSTANTIALLY THE FORM ATTACHED, FOR THE TIVOLI THEATRE AND THE SOLDIERS & SAILORS MEMORIAL AUDITORIUM, INCLUDING THE ROBERT KIRK WALKER COMMUNITY THEATRE, FOR A TERM OF FIFTY (50) YEARS, AT THE ANNUAL RENT OF ONE DOLLAR (\$1.00).

RESOLUTION #30528

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO ENTER INTO AN AMENDED AGREEMENT WITH CHATTANOOGA NEIGHBORHOOD ENTERPRISE (CNE) FOR ONE (1) YEAR FOR LOAN PORTFOLIO MANAGEMENT SERVICES.

RESOLUTION #30529

A RESOLUTION AUTHORIZING THE CITY MAYOR, ON BEHALF OF THE CITY OF CHATTANOOGA, TO EXECUTE A DEED CONVEYING THE CITY OF CHATTANOOGA'S INTEREST TO THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF CHATTANOOGA, TENNESSEE IN CERTAIN PROPERTY IDENTIFIED AS (PART OF) STATE TAX MAP NO. 130-001.08 (LOT ONE) IN THE AMOUNT OF 3.23 ACRES, MORE OR LESS, WITHIN THE ENTERPRISE SOUTH INDUSTRIAL PARK FOR THE PURPOSE OF GRANTING VOLKSWAGEN ACCESS TO THEIR NEW BATTERY TESTING FACILITY AT OR AROUND 4016 HICKORY VALLEY ROAD.

Vice-Chairman Smith moved to approve the three resolutions. Councilman Oglesby seconded. Councilpersons Berz and Ledford commented on the Tivoli Foundation resolution. The motion carried unanimously (9-0) upon roll call vote.

ACTION: RESOLUTIONS 30527 - 30529 ADOPTED

On motion of Councilman Byrd and seconded by Councilman Ledford,

RESOLUTION #30530

A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF BRITTANY JOHNSON AS CITY TREASURER.

The motion carried unanimously (9-0) upon roll call vote.

ACTION: ADOPTED

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

RESOLUTION #30531

A RESOLUTION RECOGNIZING THE SETTLEMENT OF ALL CLAIMS BETWEEN THE CITY OF CHATTANOOGA, DON LEPARD, AND GLOBAL GREEN LIGHTING ("GGL"), AS SET FORTH IN THE SETTLEMENT AGREEMENT SIGNED BY FORMER CITY ATTORNEY WADE HINTON ("FORMER CITY ATTORNEY") ON JUNE 6, 2018, WHICH PROVIDED FOR THE COMPLETE RESOLUTION OF ANY AND ALL CLAIMS OF GGL AND/OR MR. LEPARD AGAINST THE CITY AND BY THE CITY AGAINST GGL AND/OR MR. LEPARD.

The motion carried unanimously (9-0) upon roll call vote.

ACTION: ADOPTED

PROCEDURAL NOTE: With no objection from the Council, Chairman Henderson instructed the Clerk to read the next six resolutions for one Council vote.

RESOLUTION #30532

A RESOLUTION RECOGNIZING AND SUPPORTING A UNIFIED APPROACH TO IMPROVING LAND MANAGEMENT PRACTICES ON CITY-OWNED LAND, HELPING MEET GOALS, AND PRIORITIES OF ACHIEVING EXCELLENCE IN ENVIRONMENTAL STEWARDSHIP.

RESOLUTION #30533

A RESOLUTION AUTHORIZING PAYMENT TO HAMILTON COUNTY FOR THE ANNUAL CITY WORKS SOFTWARE MAINTENANCE SUPPORT FOR THE PERIOD OF NOVEMBER 11, 2020 THROUGH NOVEMBER 10, 2021, IN THE AMOUNT OF \$36,075.00.

RESOLUTION #30534

A RESOLUTION TO ACCEPT THE QUALIFICATIONS FOR THE ON-CALL BLANKET CONTRACT(S) FOR LANDSCAPE ARCHITECT DESIGN SERVICES, CONTRACT NO. W-16-011-101 FOR (1) ASA ENGINEERING & CONSULTING, INC.; (2) BARGE DESIGN SOLUTIONS; (3) ALFRED BENESCH AND COMPANY; (4) CDM SMITH, INC.; (5) CROY ENGINEERING; (6) HDLA; (7) RAGAN SMITH ASSOCIATES, INC.; (8) ROSS/FOWLER, P.C.; (9) STANTEC CONSULTING SERVICES, INC.; AND (10) WMWA LANDSCAPE ARCHITECTS, FOR ONE (1) YEAR BLANKET CONTRACTS WITH THESE PROFESSIONAL FIRMS, WITH FOUR (4) ADDITIONAL ONE (1) YEAR RENEWABLE OPTIONS FOR PROFESSIONAL SERVICES ESTIMATED AT \$1,250,000.00 TOTAL ANNUALLY FOR ALL TEN (10) PROFESSIONAL FIRMS FOR USE BY ALL DEPARTMENTS.

RESOLUTION #30535

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO AWARD CONTRACT NO. W-20-010-201 TO PRI OF EAST TENNESSEE, INC. OF KNOXVILLE, TN AND TNT CONCRETE, LLC OF CALHOUN, TN, PAVING AND CONCRETE REPAIR OR REPLACEMENT BLANKET CONTRACT FOR WRD/ISS, FOR AN ANNUAL CONTRACT AMOUNT NOT TO EXCEED \$1.5 MILLION.

RESOLUTION #30536

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO AWARD CONTRACT NO. W-20-018-201 TO AM-LINER EAST, INC. OF BERRYVILLE, VA, SANITARY SEWER CURED IN PLACE PIPE (CIPP) LINING BLANKET CONTRACT FOR WRD, FOR AN ANNUAL CONTRACT AMOUNT NOT TO EXCEED \$2 MILLION.

RESOLUTION #30537

A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 FOR P&C CONSTRUCTION, INC. RELATIVE TO CONTRACT NO. D-17-019-101, PATTEN PARKWAY PEDESTRIAN PLAZA, FOR AN INCREASED AMOUNT OF \$348,000.00, FOR A REVISED CONTRACT AMOUNT OF \$4,653,057.24, WITH A CONTINGENCY OF \$93,000.00, FOR A TOTAL AMOUNT OF \$4,746,057.24.

Councilman Gilbert moved to approve. Councilman Byrd seconded. The motion carried unanimously (9-0) upon roll call vote.

ACTION: RESOLUTIONS 30532 - 30537 ADOPTED

DEPARTMENTAL REPORTS:

Proposed Purchases

Anthony Sammons, Deputy Chief Operating Officer, briefed the Council on the following proposed purchases:

R200666 Waste Resources Division, Public Works	\$250,000.00
Emulsion Polymer	
Lowest/Best Bidder: Polydyne, Inc.	
1 Chemical Plant Rd.	
Riceboro, GA 31323	

Councilman Ledford moved to approve, seconded by Councilwoman Berz. The motion carried unanimously (9-0) upon roll call vote.

ACTION: PURCHASE APPROVED

COMMITTEE REPORTS:

Budget and Finance Committee

Councilwoman Berz reported:

- The Council received a list of dates planned for budget sessions. She will send more dates as the budget process moves forward. All meetings will be on zoom at this point.
- The Council will have an educational session on the role of the City Auditor at the 2:00 p.m. Strategic Planning meeting on November 17.

Economic and Community Development Committee

Councilman Oglesby reported:

- The committee met today in open meeting to hear about a \$1.4 Million grant the city has received from the CARES program to develop housing about a grant for housing the homeless.
- The committee will meet again next week (Oct. 27) after the 3:30 p.m. Agenda Session for a presentation from the Trust for Public Land.

Human Resources Committee

Councilman Gilbert

- The committee met today in open meeting for presentations on BCBST, Marathon, and On-Site RX.

Planning and Zoning Committee

Councilman Ledford

(No report)

Public Safety Committee

Councilman Byrd reported:

- The committee will meet next week to discuss the Police Advisory and Review Committee.
[Editor's Note: This meeting was subsequently changed to 2:00 p.m. on November 17.]

Public Works and Transportation Committee

Councilman Mitchell reported:

- The committee will meet next week following the 3:30 p.m. Agenda Session.

Youth and Family Development Committee

Councilwoman Coonrod

(No report)

Legislative Committee

Vice-Chairman Smith

(No report)

RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL

There were no speakers registered to speak at this meeting. Therefore, this portion of the agenda was closed.

ADJOURNMENT

On motion of Councilman Oglesby, Chairman Henderson adjourned the meeting of the Chattanooga City Council until Tuesday, October 27, 2020, at 6:00 p.m.

[Editor's Note: Any person may join the electronic-conducted meetings of the Chattanooga City Council at the scheduled time by visiting online at council.chattanooga.gov.]

CHAIRMAN

CLERK OF COUNCIL