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TUESDAY, JANUARY 3, 2017
CITY COUNCIL AGENDA
6:00 PM

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Anderson).
- III. Minute Approval.
- IV. Special Presentation.
- V. **Ordinances – Final Reading: (None)**
- VI. **Ordinances – First Reading:**

PLANNING

- a. [An ordinance to amend Chattanooga City Code, Part II, Chapter 38, by amending Article V, Division 1, R-1 Residential Zone, Section 38-44\(3\), relative to side building setbacks. \(Deferred from 12/13/2016\)](#)

[An ordinance to amend Chattanooga City Code, Part II, Chapter 38, by amending Article V, Division 1, R-1 Residential Zone, Section 38-44\(3\), relative to side building setbacks. \(Alternate Version\)](#)

PUBLIC WORKS AND TRANSPORTATION

Transportation

- b. [MR-2016-168 RTB Holdings, LLC \(Abandonment\). An ordinance closing and abandoning a portion of the right-of-way of the 300 block of Sylvan Street adjacent to 336 and 338 Sylvan Street to incorporate retaining walls built within the right-of-way in the adjacent private properties, as detailed on the attached map, and subject to certain conditions. \(District 2\) \(Recommended for approval by Transportation\)](#)
- c. [MR-2016-166 Highland Park Commons/Cullon Hooks \(Abandonment\). An ordinance closing and abandoning an alley off of the 2000 block of Kirby Avenue to allow for construction of a new soccer field, as detailed on the attached map, and subject to certain conditions. \(District 9\) \(Recommended for approval by Transportation\)](#)

YOUTH AND FAMILY DEVELOPMENT

- d. [An ordinance amending Ordinance No. 13072, known as “the Fiscal Year 2016-2017 Budget Ordinance”, so as to appropriate \\$100,000.00 from the Department of Youth and Family Development Fiscal Year 2016/2017 Annual Budget to the United Way.](#)

VII. **Resolutions:**

CITY ATTORNEY’S OFFICE

- a. [A resolution to amend Resolution No. 28750 to authorize the Office of the City Attorney to engage the law firms listed on said resolution for legal services of any type as deemed necessary by the Office of the City Attorney and by adding Frost Brown Todd LLC and Bradley Arant Boult Cummings LLP and authorizing the Office of the City Attorney to engage these law firms for legal services for the period of July 1, 2016 through June 30, 2017.](#)

MAYOR’S OFFICE

- b. [A resolution to confirm the Mayor’s re-appointment of John Tucker to the Air Pollution Control Board.](#)

PLANNING

- c. [153 Business Park 135 LLC/Natural Infusions, LLC \(Special Exceptions Permit\). A resolution authorizing Natural Infusions, LLC to operate a spirit manufacturing plant and approving a Special Exceptions Permit for an alcohol distillery, small at 4295 Cromwell Road, Suite 517. \(District 5\)](#)
- d. [Frogel Properties, Inc./Trusha Corporation \(Special Exceptions Permit\). A resolution approving a Special Exceptions Permit for a liquor store at 2700 Broad Street, Suite 124. \(District 7\)](#)

POLICE

- e. [A resolution authorizing the Chief of the Chattanooga Police Department to enter into a contract for a period of one \(1\) year with Insight Public Sector sled for the Arbitrator Camera System used by the Patrol Division, for an amount not to exceed \\$37,557.90.](#)

PUBLIC WORKS AND TRANSPORTATION

Public Works

- f. [A resolution authorizing the Administrator for the Department of Public Works to award Contract No. Y-16-012-201 to Thomas Brothers Construction Company, Inc. of Hixson, TN, Tyner YFD Center playground pad, for a contract amount of \\$32,922.50, with a contingency of \\$3,300.00, for an amount not to exceed \\$36,222.50. \(District 6\)](#)

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- g. [A resolution authorizing the approval of Change Order No. 1 \(Final\) for Talley Construction Company, Inc. of Rossville, GA, relative to Contract No. W-15-015-201, 818 Georgia Avenue \(19 Patten Parkway\) Sewer Relocation, a non-consent decree project, for a decreased amount of \\$169,163.18, to release the remaining contingency of \\$20,000.00, for a revised contract amount not to exceed \\$56,395.31. \(District 8\)](#)
- h. [A resolution authorizing the approval of Change Order No. 1 \(Final\) for Adams Contracting, LLC of Lexington, KY, relative to Contract No. W-15-013-201, Citico Creek Handrail Project, for an increased amount of zero dollars, to release the remaining contingency of \\$6,000.00, for a final contract amount not to exceed \\$60,600.00. \(District 8\)](#)
- i. [A resolution to accept the qualifications for the on-call blanket contract\(s\) for landscape architect design services, Contract No. S-16-011 for \(1\) ASA Engineering & Consulting, Inc.; \(2\) Barge, Waggoner, Sumner & Cannon, Inc.; \(3\) Craig Design Group; \(4\) Stantec; and \(5\) W.M. Whitaker & Associates, to enter into five \(5\), one \(1\) year blanket contracts with these professional firms estimated at \\$300,000.00 total annually, for all five \(5\) professional firms for use by all departments.](#)
- j. [A resolution authorizing the acceptance of the renewal for on-call modeling and floodplain analysis services from \(1\) LDA Engineering; \(2\) CDM Smith; \(3\) Stantec; \(4\) AECOM; \(5\) AMEC Foster Wheeler; \(6\) BSWSC; \(7\) Fulghum MacIndoe, and \(8\) HDR, to enter into eight \(8\), one \(1\) year blanket contracts with these professional firms subject to three \(3\) year renewal options for professional services estimated at \\$650,000.00 total annually for all eight \(8\) professional firms for use by all departments.](#)
- k. [A resolution authorizing the approval of Change Order No. 1 for Volkert, Inc. relative to Contract No. W-10-012-101b, Telemetry and SCADA Upgrades at MBWWTP and Remote Facilities, a Consent Decree Project, for an increased amount of \\$125,055.00, for a revised contract amount not to exceed \\$561,055.00.](#)

Transportation

- l. [A resolution authorizing property owner, Robert Vannoy, to use temporarily the right-of-way located at 55 E. Main Street for the purpose of installing planters on Suites 102 and 104, as well as for the existing balcony for Suite 204, as shown on the maps attached hereto and made a part hereof by reference, subject to certain conditions. \(District 8\)](#)

VIII. Departmental Reports:

- a) Police.
- b) Fire.
- c) Economic and Community Development.
- d) Youth and Family Development.

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- e) Transportation.
 - f) Public Works.
 - g) Finance.
 - h) IT.
 - i) Human Resources.
 - j) General Services.
- IX. Purchases.
- X. Other Business.
- a) **Certification to Tennessee Alcoholic Beverage Commission regarding Trusha Corporation**
 - b) **City Attorney Report**
- XI. Committee Reports.
- XII. Agenda Session for Tuesday, January 10, 2017.
- XIII. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
- XIV. Adjournment.

TUESDAY, JANUARY 10, 2017
SPECIAL SESSION
1:00 PM

[A resolution authorizing the issuance and sale of an amount not to exceed \\$12 Million Dollars principal amount of the City of Chattanooga, Tennessee General Obligation Refunding Bonds, Series 2017A, and authorizing certain actions related thereto.](#)

[A resolution authorizing the issuance and sale of an amount not to exceed \\$19 Million Dollars principal amount of the City of Chattanooga, Tennessee General Obligation Refunding Bonds, Series 2017B, and authorizing certain actions related thereto.](#)

TUESDAY, JANUARY 10, 2017
CITY COUNCIL AGENDA
6:00 PM

1. Call to Order.
2. Pledge of Allegiance/Invocation (Chairman Freeman).
3. Minute Approval.
4. Special Presentation.
5. **Ordinances – Final Reading:**

PLANNING

- a. [An ordinance to amend Chattanooga City Code, Part II, Chapter 38, by amending Article V, Division 1, R-1 Residential Zone, Section 38-44\(3\), relative to side building setbacks.](#)

PUBLIC WORKS AND TRANSPORTATION

Transportation

- b. [MR-2016-168 RTB Holdings, LLC \(Abandonment\). An ordinance closing and abandoning a portion of the right-of-way of the 300 block of Sylvan Street adjacent to 336 and 338 Sylvan Street to incorporate retaining walls built within the right-of-way in the adjacent private properties, as detailed on the attached map, and subject to certain conditions. \(District 2\) \(Recommended for approval by Transportation\)](#)

- c. [MR-2016-166 Highland Park Commons/Cullon Hooks \(Abandonment\). An ordinance closing and abandoning an alley off of the 2000 block of Kirby Avenue to allow for construction of a new soccer field, as detailed on the attached map, and subject to certain conditions. \(District 9\) \(Recommended for approval by Transportation\)](#)

YOUTH AND FAMILY DEVELOPMENT

- d. [An ordinance amending Ordinance No. 13072, known as “the Fiscal Year 2016-2017 Budget Ordinance”, so as to appropriate \\$100,000.00 from the Department of Youth and Family Development Fiscal Year 2016/2017 Annual Budget to the United Way.](#)

6. Ordinances – First Reading:

PLANNING

- a. [2016-193 Field, LLC c/o Gabe Thomas/John and Jennifer Langworthy \(UGC Urban General Commercial Zone to E-RA-3 Residential Attached Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 721 North Market Street; 14, 16, 18, and 20 Peak Street; and 718 Spears Avenue, more particularly described herein, from UGC Urban General Commercial Zone to E-RA-3 Residential Attached Zone. \(District 1\) \(Recommended for approval by Planning and Applicant\)](#)

[2016-193 Field, LLC c/o Gabe Thomas/John and Jennifer Langworthy \(UGC Urban General Commercial Zone to E-RA-3 Residential Attached Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 721 North Market Street; 14, 16, 18, and 20 Peak Street; and 718 Spears Avenue, more particularly described herein, from UGC Urban General Commercial Zone to R-T/Z Residential Townhouse Zero Lot Line Zone and E-RA-3 Urban Edge-Residential Attached. \(Staff Version\)](#)

- b. [2016-173 Frank Goodwin and Headrick Construction \(R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 1400 and 1420 Hamilton Avenue, more particularly described herein, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. \(District 2\) \(Recommended for approval by Planning\)](#)

[2016-173 Frank Goodwin and Headrick Construction \(R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 1400 and 1420 Hamilton Avenue, more particularly described herein, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. \(Staff Version\)](#)

2016-173 Frank Goodwin and Headrick Construction (R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 1400 and 1420 Hamilton Avenue, more particularly described herein, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone. (Applicant Version)

- c. 2016-183 Mike and Cindy Cound (R-1 Residential Zone to R-3 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 404 Colville Street and 628 Forest Avenue, more particularly described herein, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions. (District 2) (Recommended for approval by Planning)

2016-183 Mike and Cindy Cound (R-1 Residential Zone to R-3 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 404 Colville Street and 628 Forest Avenue, more particularly described herein, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions. (Staff Version)

2016-183 Mike and Cindy Cound (R-1 Residential Zone to R-3 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 404 Colville Street and 628 Forest Avenue, more particularly described herein, from R-1 Residential Zone to R-3 Residential Zone. (Applicant Version)

- d. 2016-184 Claudio Costa (R-1 Residential Zone to R-3 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 4823 Winding Lane, more particularly described herein, from R-1 Residential Zone to R-3 Residential Zone. (District 3) (Recommended for denial by Planning and Staff)
- e. 2016-189 James E. Pratt, Jr. and Jon Jeffery Coppinger and Carol Anne B. Coppinger (R-5 Residential Zone to R-1 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 5424 Cassandra Smith Road, more particularly described herein, from R-5 Residential Zone to R-1 Residential Zone. (District 3) (Recommended for approval by Planning and Staff)
- f. 2016-182 Tim Dwyer with Leesman Engineering and Associates/Concord Creek, LLC (R-4 Special Zone to C-2 Convenience Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1503 Gunbarrel Road, more particularly described herein, from R-4 Special Zone to C-2 Convenience Commercial Zone, subject to certain conditions. (District 4) (Recommended for approval by Planning and recommended for denial by Staff) (Revised)

2016-182 Tim Dwyer with Leesman Engineering and Associates/Concord Creek, LLC (R-4 Special Zone to C-2 Convenience Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1503 Gunbarrel Road, more particularly described herein, from R-4 Special Zone to C-2 Convenience Commercial Zone. (Applicant Version)

- g. 2016-195 Kristen and Kevin Harvey/Margie Joe Howard (R-4 Special Zone to C-2 Convenience Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 2700 and 2708 Walker Road, more particularly described herein, from R-4 Special Zone to C-2 Convenience Commercial Zone, subject to certain conditions. (District 6) (Recommended for approval by Planning and Staff)

2016-195 Kristen and Kevin Harvey/Margie Joe Howard (R-4 Special Zone to C-2 Convenience Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 2700 and 2708 Walker Road, more particularly described herein, from R-4 Special Zone to C-2 Convenience Commercial Zone. (Applicant Version)

- h. 2016-200 William Wise (D-RM-4 Zone to R-RV-4 Zone – Form Based Code Area). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 120 North Market Street, more particularly described herein, from D-RM-4 Zone to R-RV-4 Zone – Form Based Code Area, subject to certain conditions. (District 7) (Recommended for approval by Planning)

2016-200 William Wise (D-RM-4 Zone to R-RV-4 Zone – Form Based Code Area). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 120 North Market Street, more particularly described herein, from D-RM-4 Zone to R-RV-4 Zone – Form Based Code Area, subject to certain conditions. (Applicant Version)

- i. 2016-191 Alan Haniszewski and Scenic City Investments, LLC (R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1500 Anderson Avenue, more particularly described herein, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. (District 8) (Recommended for approval by Planning)

2016-191 Alan Haniszewski and Scenic City Investments, LLC (R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1500 Anderson Avenue, more particularly described herein, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. (Staff Version)

- [2016-191 Alan Haniszewski and Scenic City Investments, LLC \(R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1500 Anderson Avenue, more particularly described herein, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone. \(Applicant Version\)](#)
- j. [2016-192 Alan Haniszewski and Scenic City Investments, LLC \(R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 1805, 1807, 1809, and 1811 East 13th Street, more particularly described herein, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. \(District 8\) \(Recommended for approval by Planning\)](#)
- [2016-192 Alan Haniszewski and Scenic City Investments, LLC \(R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 1805, 1807, 1809, and 1811 East 13th Street, more particularly described herein, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. \(Staff Version\)](#)
- [2016-192 Alan Haniszewski and Scenic City Investments, LLC \(R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 1805, 1807, 1809, and 1811 East 13th Street, more particularly described herein, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone. \(Applicant Version\)](#)
- k. [An ordinance to amend Chattanooga City Code, Part II, Chapter 38, by amending Article XVI Sections 38-728 and 38-729 to reduce lot area and width requirements in the RA \(Residential Attached\) Zone.](#)

PUBLIC WORKS AND TRANSPORTATION

Transportation

- l. [MR-2016-185 Branch Waterside Associates, LP % Jack Haylett, agent for the owner of the adjacent property, Sunland Corporate Center, LLC, Byron P. Defoor \(Abandonment\). An ordinance closing and abandoning a portion of the 2300 block of Napier Drive to allow for construction of a mixed use development, as detailed on the attached map, and subject to certain conditions. \(District 4\) \(Recommended for approval by Transportation\)](#)

7. **Resolutions:**

GENERAL SERVICES

- a. A resolution authorizing the Mayor to execute a Premises Use Agreement with Hixson Youth Athletic Association, Inc., in substantially the form attached, for the use of the athletic fields and associated buildings located at Tax Map Numbers 100J-A-006, 100J-A-007.01, 100J-A-002.01, and 100J-A-005, for a term of four (4) years. (District 3)
- b. A resolution approving payment to Arthur J. Gallagher Risk Management Services, Inc. for renewal of property, equipment, fleet, mobile communications and fine arts insurance for 2017 for an annual premium of \$335,746.74. (Added by permission of Vice-Chairman Mitchell)

HUMAN RESOURCES

- c. A resolution authorizing the Director of Human Resources to extend an existing agreement with LifeServices EAP, to provide Employee Assistance Program (EAP) services at the rate of \$1.20 per employee per month (PEPM) for the fourth renewal of a five (5) year contract, in the amount of \$40,000.00.

MAYOR'S OFFICE

- d. A resolution renaming Heritage Park to "Jack Benson Heritage Park".

PLANNING

- e. 2016-190 James E. Pratt, Jr. and Jon Jeffery and Carol Ann Coppinger (Special Exceptions Permit). A resolution approving a Special Exceptions Permit for a Residential Planned Unit Development for property located at 5424 Cassandra Smith Road, subject to certain conditions. (District 3) (Recommended for approval by Planning)

2016-190 James E. Pratt, Jr. and Jon Jeffery and Carol Ann Coppinger (Special Exceptions Permit). A resolution approving a Special Exceptions Permit for a Residential Planned Unit Development for property located at 5424 Cassandra Smith Road, subject to certain conditions. (Staff Version)

2016-190 James E. Pratt, Jr. and Jon Jeffery and Carol Ann Coppinger (Special Exceptions Permit). A resolution approving a Special Exceptions Permit for a Residential Planned Unit Development for property located at 5424 Cassandra Smith Road. (Applicant Version)

PUBLIC WORKS AND TRANSPORTATION

Public Works

- f. A resolution authorizing the approval of Change Order No. 1 (Final) for Durango Enterprises, LLC of Chattanooga, TN, relative to Contract No. R-14-013-201, Stringer's Ridge Restroom Facility, for an increased amount of \$4,242.85, for a revised contract amount not to exceed \$96,842.90, and to release the remaining contingency amount of \$5,057.15. (District 1)
 - g. A resolution authorizing the Administrator for the Department of Public Works to award Contract No. F-14-002-201 to Construction Consultants, Inc. of Chattanooga, TN, Chattanooga Fire Station No. 5, Highland Park, in the amount of \$1,536,880.00, with a contingency amount of \$150,000.00, for a total amount not to exceed \$1,686,880.00. (District 8 & 9)
 - h. A resolution to accept the qualifications for the on-call blanket contract(s) for Geo-Environmental Consulting and Construction Materials Testing Services, Contract No. E-16-007-301, with the following firms: (1) Geoservices, LLC; (2) K.S. Ware and Associates, LLC; (3) S&ME, Inc.; (4) Stantec Consulting Services, Inc.; (5) Terracon Consultants, Inc.; and (6) Thompson Engineering, Inc.; based on the three (3) services categories of geotechnical, construction materials testing, and environmental services that each consultant qualified for, to enter into six (6), one (1) year blanket contracts with these professional firms up to three (3) year renewal options for professional services estimated at \$400,000.00 total annually for all six (6) professional firms for use by all departments.
 - i. A resolution authorizing payment to the State of Tennessee for utilizing the "Tennessee One-Call System" for annual billing, in the amount of \$30,208.60.
8. Departmental Reports:
- a) Police.
 - b) Fire.
 - c) Economic and Community Development.
 - d) Youth and Family Development.
 - e) Transportation.
 - f) **Public Works.**
 - g) Finance.
 - h) IT.
 - i) Human Resources.
 - j) General Services.
9. Purchases.
10. Other Business.

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11. Committee Reports.
12. Agenda Session for Tuesday, January 17, 2017.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.