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TUESDAY, JULY 9, 2024
CITY COUNCIL AGENDA
3:30 PM

- I. Call to Order by Chairman Henderson.
- II. Pledge of Allegiance/Invocation (Councilman Ledford).
- III. Special Presentations.

Proclamation - “ADA Celebration and Awareness Month”

- IV. Minute Approval.
- V. Discussion of Agenda.
 - Next Week’s Proposed Agenda Items
 - Purchasing Questions
 - Future Considerations (3 Week Look Ahead)
- VI. Committee or Department Reports:
 - [Parks & Public Works Committee](#)
 - [Planning & Zoning Committee](#)

RECESS

Order of Business for City Council

VII. **Ordinances – Final Reading:**

PUBLIC WORKS

- a. [MR-2024-0077 Chambliss, Bahner & Stophel P.C. \(Abandonment\). An ordinance closing and abandoning an unopened right-of-way in the 1800 block of Allin Street and an unopened right-of-way in the 3300 block of North Hawthorne, as detailed on the attached maps, subject to certain conditions. \(District 8\) \(Recommended for approval by Planning Commission and Public Works\)](#)

VIII. **Ordinances – First Reading:**

PARKS & PUBLIC WORKS

Public Works

- a. MR-2024-0079 Campbell Lewis (Abandonment). An ordinance closing and abandoning the unopened right-of-way in the unopened 300 block of E. Manning Street, as detailed on the attached maps, subject to certain conditions. (District 1) (Recommended for approval by Planning Commission and Public Works)
- b. MR-2024-0089 Michael R. and Sue Van Pelt (Abandonment). An ordinance closing and abandoning the unopened right-of-way in the 1000 block of Mackey Avenue, as detailed on the attached maps, subject to certain conditions. (District 4) (Recommended for approval by Planning Commission and Public Works)
- c. MR-2024-0070 Chattanooga Christian School/MAP Engineers/Mike Price and/or Brett Tabor (Abandonment). An ordinance closing and abandoning the unopened right-of-way in the 3300 to 3600 blocks of Cowart Street, as detailed on the attached maps, subject to certain conditions. (District 7) (Recommended for approval by Planning Commission and Public Works)

PLANNING

- d. 2024-0102 Scenic City Development (R-2 Residential Zone to R-3 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone parts of properties located at 5848 Highway 153 and 6109 Wilder Road, from R-2 Residential Zone to R-3 Residential Zone, subject to certain conditions. (District 1) (Recommended for approval by Planning Commission)

2024-0102 Scenic City Development (R-2 Residential Zone to R-3 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone parts of properties located at 5848 Highway 153 and 6109 Wilder Road, from R-2 Residential Zone to R-3 Residential Zone, subject to certain conditions. (Staff Version)

2024-0102 Scenic City Development (R-2 Residential Zone to C-2 Convenience Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone parts of properties located at 5848 Highway 153 and 6109 Wilder Road, from R-2 Residential Zone to C-2 Convenience Commercial Zone. (Applicant Version) (Recommended for denial by Planning Commission and Staff)

- e. 2024-0094 Hixson Apartments, LLC (Lift and Amend Conditions). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to lift Condition Nos. 2 thru 4 and to amend Condition No. 1 from Ordinance No. 9135 of previous Case No. 1989-0046 for property located at 5431 Hixson Pike, subject to certain conditions. **(District 3) (Recommended for approval by Planning Commission and Staff)**
- f. 2024-0095 Hixson Apartments, LLC (R-2 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 5126, 5132, 5138, 5144, 5150, and 5157 Strickland Circle, from R-2 Residential Zone to R-3 Residential Zone. **(District 3) (Recommended for approval by Planning Commission and Staff)**
- g. 2024-0091 Ben Van Gaasbeek (Lift and Amend Conditions). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to amend Condition #4 by adding a new condition and lifting original Condition #1 for Ordinance No. 13132 of previous Case No. 2016-0165 for property located at 6684 East Brainerd Road, subject to certain conditions. **(District 6) (Recommended for approval by Planning Commission and Staff)**

2024-0091 Ben Van Gaasbeek (Lift and Amend Conditions). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to lift Condition #5 for Ordinance No. 13132 of previous Case No. 2016-0165 for property located at 6684 East Brainerd Road. **(Applicant Version) (Recommended for denial by Planning Commission and Staff)**

- h. 2024-0088 Stone Creek Consulting, LLC c/o Allen Jones (R-1 Residential Zone to C-2 Convenience Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone an unaddressed property in the 4100 block of 12th Avenue, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(District 7) (Recommended for approval by Planning Commission and denial by Staff)**

2024-0088 Stone Creek Consulting, LLC c/o Allen Jones (R-1 Residential Zone to C-2 Convenience Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone an unaddressed property in the 4100 block of 12th Avenue, from R-1 Residential Zone to C-2 Convenience Commercial Zone. **(Applicant Version)**

- i. [2024-0098 420 E. 16th LLC \(U-RM-3 Urban Multi-Unit Residential Zone to U-CX-4 Urban Commercial Mixed-Use Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 420 and 422 East 16th Street, from U-RM-3 Urban Multi-Unit Residential Zone to U-CX-4 Urban Commercial Mixed-Use Zone, subject to certain conditions. \(District 7\) \(Recommended for approval by Planning Commission and denial by Staff\)](#)

[2024-0098 420 E. 16th LLC \(U-RM-3 Urban Multi-Unit Residential Zone to U-CX-4 Urban Commercial Mixed-Use Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 420 and 422 East 16th Street, from U-RM-3 Urban Multi-Unit Residential Zone to U-CX-4 Urban Commercial Mixed-Use Zone. \(Applicant Version\)](#)

- j. [2024-0100 Stone Creek Consulting LLC c/o Allen Jones \(R-3 Residential Zone to UGC Urban General Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 2700, 2704, and 2706 Long Street, from R-3 Residential Zone to UGC Urban General Commercial Zone, subject to certain conditions. \(District 7\) \(Recommended for approval by Planning Commission and Staff\)](#)

[2024-0100 Stone Creek Consulting LLC c/o Allen Jones \(R-3 Residential Zone to UGC Urban General Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 2700, 2704, and 2706 Long Street, from R-3 Residential Zone to UGC Urban General Commercial Zone. \(Applicant Version\)](#)

- k. [2023-0179 Philip Rossillo \(R-3 Residential Zone to UGC Urban General Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 608, 614, and four \(4\) unaddressed properties in the 600 block of Central Avenue, from R-3 Residential Zone to UGC Urban General Commercial Zone, subject to certain conditions. \(District 8\) \(Recommended for approval by Planning Commission and Staff\) \(Deferred from 12-12-2023, 01-23-2024, 02-20-2024, 05-07-2024 & 05-21-2024\)](#)

[2023-0179 Philip Rossillo \(R-3 Residential Zone to UGC Urban General Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 608, 614, and four \(4\) unaddressed properties in the 600 block of Central Avenue, from R-3 Residential Zone to UGC Urban General Commercial Zone. \(Applicant Version\)](#)

- l. [2024-0097 Stone Creek Consulting LLC c/o Allen Jones \(R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 2602, 2604, 2668, and 2682 Dodds Avenue, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone. \(District 9\) \(Recommended for approval by Planning Commission and Staff\)](#)

- m. [2024-0103 Maple Leaf Holdings LLC \(R-1 Residential Zone to UGC Urban General Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 905 Glenwood Drive and an unaddressed property in the 900 block of Glenwood Drive, from R-1 Residential Zone to UGC Urban General Commercial Zone, subject to certain conditions. \(District 9\) \(Recommended for approval by Planning Commission\)](#)

[2024-0103 Maple Leaf Holdings LLC \(R-1 Residential Zone to UGC Urban General Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 905 Glenwood Drive and an unaddressed property in the 900 block of Glenwood Drive, from R-1 Residential Zone to UGC Urban General Commercial Zone, subject to certain conditions. \(Staff Version\)](#)

[2024-0103 Maple Leaf Holdings LLC \(R-1 Residential Zone to UGC Urban General Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 905 Glenwood Drive and an unaddressed property in the 900 block of Glenwood Drive, from R-1 Residential Zone to UGC Urban General Commercial Zone. \(Applicant Version\)](#)

OFFICE OF THE CITY ATTORNEY

- n. [An ordinance amending Chattanooga City Code, Part II, Chapter 10, Section 10-3\(f\) relating to amendments to the 2018 International Residential Code regarding mandatory sprinkler requirements.](#)

IX. **Resolutions.**

ECONOMIC DEVELOPMENT

- a. [A resolution authorizing the acceptance of \\$150,027.22 from Hamilton County as the City's portion from the June 2024 Hamilton County surplus property sale, with \\$147,996.83 applied as the City's portion; \\$413.59 applied to the City Attorney fees; \\$1,616.80 applied to City Treasurer costs; and authorizing the transfer of all net proceeds to the Chattanooga Land Bank Authority.](#)

MAYOR'S OFFICE

- b. [A resolution confirming Mayor Kelly's appointment of Jerele Neeld as the Chief Information Officer.](#)
- c. [A resolution confirming Mayor Kelly's appointment of Harry Sommers as Interim Police Chief for the City of Chattanooga. \(Added with permission of Chairman Henderson\)](#)

OFFICE OF THE CITY ATTORNEY

- d. [A resolution authorizing the Office of the City Attorney to engage the following firms for legal and lobbying services: \(1\) Baker Donelson; \(2\) Bass, Berry & Sims, PLC; \(3\) Butler Snow LLP; \(4\) Chambliss, Bahner & Stophel, P.C.; \(5\) Gearhiser, Peters, Elliott & Cannon, P.C.; \(6\) Adam Sowatzka with McGuireWoods; \(7\) Miller & Martin, PLLC.; \(8\) Tidwell & Associates, P.C.; \(9\) Janie Varnell with Davis & Hoss, P.C.; \(10\) Evans, Harrison & Hackett, PLLC; \(11\) Brian Kopet of The Title Guaranty and Trust Company of Chattanooga; \(12\) Reifers, Holmes & Peters, LLC \(formerly Boyle Brasher LLC\); \(13\) Tune, Entekin & White, P.C.; \(14\) Jones Title Insurance Agency, Inc.; \(15\) Robinson, Smith & Wells; and \(16\) William C. Killian for the period of July 1, 2024, through June 30, 2025.](#)

PARKS & PUBLIC WORKS

Parks & Outdoors

- e. [A resolution authorizing the Mayor or his designee to enter into a Conservation Services Agreement for 2024-2025 with the Trust for Public Land, in substantially the form attached, for a term of one \(1\) year, from July 1, 2024, through June 30, 2025, for an amount not to exceed \\$150,000.00 to be paid in four \(4\) quarterly installments of \\$37,500.00.](#)

Public Works

- f. [A resolution authorizing the Administrator for the Department of Public Works to award Contract No. R-22-006-201, Heritage Park Improvements, to Global Infrastructure, Inc., of Hixson, TN, in the amount of \\$1,541,600.55, with a contingency in the amount of \\$128,278.85, for a total amount of \\$1,669,879.40. \(District 4\)](#)

- g. A resolution authorizing the Administrator for the Department of Public Works to award Contract No. Y-24-002-201, Washington Hills Roof Replacement, to Foam-Crete, Inc., of Chattanooga, TN, in the amount of \$55,923.00, with a contingency in the amount of \$5,592.00, for a total amount of \$61,515.00. (District 5)
- h. A resolution authorizing the Administrator for the Department of Public Works to renew the On-Call Blanket Contract No. E-19-011-202, for year four (4) of four (4) for the roof inspections, repairs, and maintenance, with the following two (2) vendors: (1) Porter Roofing Contractors, Inc., of Morrison, TN; and (2) Tri-State Roofing Contractors, LLC, of Chattanooga, TN, for the total annual amount of \$500,000.00 used by all departments.
- i. A resolution authorizing the appointment of Nicholas Parks as a special commissioned police officer (unarmed) for the City of Chattanooga, Department of Public Works, Land Development Office, Codes Division, to perform duties expressly limited to the performance of the duties in the position of Code Enforcement Inspector 1.
- j. A resolution authorizing the appointment of Allison Tate as a special commissioned police officer (unarmed) for the City of Chattanooga, Department of Public Works, Land Development Office, Codes Division, to perform duties expressly limited to the performance of the duties in the position of Demolition Abatement Specialist.

PLANNING

- k. 2024-0104 Legacy South LLC (Special Exceptions Permit). A resolution approving a Special Exceptions Permit for a Residential Planned Unit Development for properties located at 1277, 1283, and 1291 North Moore Road, subject to certain conditions. (District 5) (Recommended for approval by Planning Commission and Staff)
2024-0104 Legacy South LLC (Special Exceptions Permit). A resolution approving a Special Exceptions Permit for a Residential Planned Unit Development for properties located at 1277, 1283, and 1291 North Moore Road. (Applicant Version)
- l. A resolution to amend Resolution No. 31981 to apply for, and if awarded, accept an Energy Efficiency and Conservation Block Grant (EECBG) Program funding from the Department of Energy for the direct reimbursement of no more than four (4) electric vehicles and charging equipment, for a total amount not to exceed \$234,200.00.

POLICE

- m. [A resolution authorizing the appointment of Kayla Brooks of McKamey Animal Services as a special commissioned police officer \(unarmed\) for the McKamey Animal Center, to perform duties expressly limited to the performance of the duties in the position of Animal Protection Officer.](#)

- X. Purchases.

- XI. Committee Reports.

- XII. Other Business. (Items Listed Below):
 - (a) [Certificate of Compliance - Brijesh D. Patel d/b/a 423 Liquor and Wine, 3973 Hixson Pike, Chattanooga, TN 37415 \(District 2\).](#)

 - (b) [Certificate of Compliance - Weigel Stores, Inc. d/b/a Weigel's #109, 1421 N. Concord Road, Chattanooga, TN 37421 \(District 4\).](#)

- XIII. Recognition of Persons Wishing to Address the Council.

- XIV. Adjournment.