



Chattanooga City Council
Chattanooga, Tennessee
John P. Franklin, Sr. City Council Building

COUNCIL MEETING MINUTES

January 11, 2022
6:00 PM

CALL TO ORDER

Council Chairman Chip Henderson called the meeting to order. A quorum was present that included Vice-Chairman Ken Smith and Councilpersons Anthony Byrd, Demetrus Coonrod, Raquetta Dotley, Isiah Hester, Jenny Hill, and Darrin Ledford. Others present were Emily O'Donnell, City Attorney, and Nicole Gwyn, Council Clerk. Councilwoman Carol Berz was not present at this meeting. Video of the meeting is available on YouTube [here](#).

PLEDGE OF ALLEGIANCE

Councilwoman Hill led the Assembly in the Pledge of Allegiance.

APPROVAL OF LAST MINUTES

On motion of Councilman Smith and seconded by Councilman Ledford, the minutes of the last meeting (January 4, 2022) were approved as published. The motion carried unanimously (8-0) upon roll call vote.

ORDINANCES – FINAL READING:

PROCEDURAL NOTE: With no objection from the Council, Chairman Henderson instructed the Clerk to group and read the next two ordinances for one Council vote.

MR-2021-0155
ASA Engineering c/o Allen Jones c
for 26 Partners, LLC c/o Eric Cummings
District No. 7

ORDINANCE #13768

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF A RIGHT-OF-WAY LOCATED AT THE CORNER OF W. 26TH STREET AT COWART STREET, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

MR-2021-0197
Collier Construction c/o Stacey Gilbreath
District No. 9

ORDINANCE #13769

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE 2500 BLOCK OF E. 16TH STREET AND AN UNOPENED ALLEY, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

Councilwoman Coonrod moved to approve. Vice Chairman Smith seconded. The motion carried unanimously (8-0) upon roll call vote.

ACTION: ORDINANCES 13768 & 13769 APPROVED

ORDINANCES – FIRST READING:

2021-0234
Robert Polensek
District No. 1

ORDINANCE #13770

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 5848 HIGHWAY 153, FROM R-2 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO A PORTION OF THE SITE AS SHOWN ON THE ATTACHED MAP.

With no objection from Chairman Henderson on this District 1 item, **Councilman Ledford moved** to approve. Vice Chairman Smith seconded. The motion carried unanimously (8-0) upon roll call vote.

ACTION: PASSED ON FIRST READING

2021-0229
Ian Blackmore
District No. 3

On motion of Councilman Smith and seconded by Councilman Ledford,

ORDINANCE #13771

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO AMEND CONDITIONS OF ORDINANCE NO. 12397 FOR THE PROPERTIES LOCATED AT 1563, 1585, 1605, 1625, 1637, 1650, 1657, 1674, 1681, 1690, 1697, AND 1698 DESTINY DRIVE AND 6401, 6409, 6412, 6417, 6437, 6442, 6461, AND 6468 SERENADE LANE.

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

ACTION: PASSED ON FIRST READING

2021-0220
Karl Limmer
District No. 4

On motion of Councilman Ledford and seconded by Councilman Smith,

ORDINANCE #13772

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 6923 GREENWAY DRIVE, FROM R-2 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

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

ACTION: PASSED ON FIRST READING

2021-0230
Tuba Warden
District No. 4

Agenda Item VI(d):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 1030, 1031, AND 1037 WILCOX DRIVE AND 8247 PATTERSON ROAD, FROM R-1 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.

Councilman Ledford moved to table due to access issues for fire, police, and other emergency agencies. Vice Chairman Smith seconded. The motion carried unanimously (8-0) upon roll call vote.

ACTION: TABLED

2021-0222
Chattanooga Metropolitan Airport Authority
District No. 5

On motion of Councilman Hester and seconded by Councilman Ledford,

ORDINANCE #13773

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PARTS OF A PROPERTY LOCATED AT 1001 AIRPORT ROAD AND AN UNADDRESSED PROPERTY LOCATED IN THE 5900 BLOCK OF HANCOCK ROAD, FROM R-1 RESIDENTIAL ZONE, R-2 RESIDENTIAL ZONE, C-2 CONVENIENCE COMMERCIAL ZONE, M-2 LIGHT INDUSTRIAL ZONE, AND M-3 WAREHOUSE AND WHOLESALE ZONE TO M-1 MANUFACTURING ZONE.

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

ACTION: PASSED ON FIRST READING

2021-0217
Maribel Castillo
District No. 7

On motion of Councilwoman Dotley and seconded by Councilman Ledford,

ORDINANCE #13774

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 3106 10TH AVENUE, FROM M-1 MANUFACTURING ZONE TO R-1 RESIDENTIAL ZONE.

Karen Rennich, Interim Director of the Regional Planning Agency, made a presentation on this request. She noted that there was no Opposition at the Planning Commission meeting. Councilman Ledford questioned her about the types of industrial uses in the M-1 zone. Chairman Henderson opened the floor to hear from members of the Applicant and the Opposition.

Applicant:

- **Maribel Castillo** – Ms. Castillo spoke with the assistance of a Spanish interpreter. She informed the Council of her purpose of the rezoning request.

There was no Opposition present tonight. The motion carried unanimously (8-0) upon roll call vote.

ACTION: PASSED ON FIRST READING

2021-0232
Aaron Bryant
District No. 7

On motion of Councilwoman Dotley and seconded by Councilman Byrd,

ORDINANCE #13775

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PART OF A PROPERTY LOCATED AT 5209 WILSON ROAD, FROM R-1 RESIDENTIAL ZONE TO M-1 MANUFACTURING ZONE.

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

ACTION: PASSED ON FIRST READING

2021-0236
Juan Elias Chavez Chile
District No. 7

On motion of Councilwoman Dotley and seconded by Councilman Byrd,

ORDINANCE #13776

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 3202 DODDS AVENUE, FROM M-2 LIGHT INDUSTRIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

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

ACTION: PASSED ON FIRST READING

2021-0224
Phoenix Rising Properties, LLC
District No. 9

Agenda Item VI(i):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 2700 OAK STREET, FROM R-1 RESIDENTIAL ZONE TO O-1 OFFICE ZONE, SUBJECT TO CERTAIN CONDITIONS.

Ms. Rennich gave an overview of the rezoning request, including Staff's concerns about the uses and the R-4 requested by the Applicant. She also discussed the Planning Commission's recommendation for O-1 instead of the R-4. After which, Chairman Henderson opened the floor to hear from members of the Applicant and the Opposition.

Applicant:

- **Harry Cash** - He is an attorney at Grant Konvalinka representing the Applicant, Phoenix Rising. He discussed the Applicants' love of their home, which they use for a telehealth business. They have employees who park next door at the First Lutheran Church parking lot. He named some of the types of businesses that have operated in this same house. They met with the residents, but have not been able to work out an agreement. They thought this matter would be deferred, but they would be amenable to the O-1 rezoning.
 - Mr. Cash responded to questions from the Council.

Opposition:

- **Billy Reynolds** – He is the secretary of the Glenwood Neighborhood Association and emailed 40 of the most active members to inform them of this case and tally their feedback. He received nine votes in opposition and three in support of it. He noted that the neighborhood's concerns about affordable housing and preserving R-1 properties. He also noted that telemedicine businesses are not a priority in Glenwood. He worries about the face of the street changing due to business signage.

- **Jackie Thomas** – Having lived in Glenwood for 27 years, she reminded the Council of a previous rezoning that was denied. They are trying to preserve homes and prevent illegal businesses from operating in the neighborhood. She does not want to set a precedence for medical businesses coming into their neighborhood.
- **Marvene Noel** – She worked on the River-to-Ridge plan and noted that part of the plan was to keep their R-1 dwellings. She believes the Applicants are illegally running a business at the property.
- **Donald Sanderfur** – He is President of the Glenwood Neighborhood Association and informed the Council that no one has been authorized to speak on behalf of the association tonight. He was not in opposition to this rezoning. He agreed that home businesses are already operating in their neighborhood.

Rebuttal: Mr. spoke on the rezoning request and the River-to-Ridge plan. He also noted the Applicant would agree to the height restriction.

Chairman Henderson opened the floor for questions from the Council. **Councilwoman Coonrod moved** to defer to February 15, 2022 for the parties to have more time for discussion. Councilman Byrd seconded. The motion carried unanimously (8-0) upon roll call vote.

ACTION: DEFERRED TO FEBRUARY 15, 2022

2021-0226
Tuba Warden
District No. 9

On motion of Councilwoman Coonrod and seconded by Councilman Byrd,

ORDINANCE #13777

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 2217 BAILEY AVENUE, FROM R-2 RESIDENTIAL ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

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

ACTION: PASSED ON FIRST READING

Alternate Version

On motion of Councilman Ledford and seconded by Councilman Smith,

ORDINANCE #13778

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 AMEND THE SETBACK REQUIREMENTS FOR SINGLE-FAMILY, TOWNHOUSE, AND MULTI-UNIT DWELLINGS AND REMOVE THE SITE PLAN REQUIREMENTS.

Ms. Rennich read the changes since the Planning Commission meeting. She noted the requirement for a site plan in R-T/Z. The motion carried unanimously (8-0) upon roll call vote.

ACTION: ORDINANCE 13778 PASSED ON FIRST READING

On motion of Councilman Smith and seconded by Councilman Ledford,

Agenda Item VI(L):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 18, ARTICLE III, SECTION 18-52, PERTAINING TO RECYCLABLES.

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

ACTION: TABLED

RESOLUTIONS:

On motion of Councilman Hester and seconded by Councilman Ledford,

RESOLUTION #31011

A RESOLUTION CONFIRMING MAYOR KELLY'S APPOINTMENT OF SCOTT MARTIN AS THE ADMINISTRATOR FOR THE DEPARTMENT OF PARKS & OUTDOORS.

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

ACTION: ADOPTED

On motion of Councilman Ledford and seconded by Councilman Smith,

RESOLUTION #31012

A RESOLUTION CONFIRMING MAYOR KELLY'S APPOINTMENT OF DAN REUTER AS THE ADMINISTRATOR FOR THE DEPARTMENT OF CITY PLANNING.

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

ACTION: ADOPTED

Agenda Item VI(c):

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A NEW LIQUOR STORE LOCATED AT 7703 LEE HIGHWAY.

On behalf of Councilwoman Berz, **Councilman Ledford moved** to defer to January 18, 2022 so that unresolved issues could be addressed in District 6. Councilman Smith seconded. The motion carried unanimously (8-0) upon roll call vote.

ACTION: DEFERRED TO JANUARY 18, 2022

[Councilman Ledford exited the meeting at this time, leaving a quorum of seven.]

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

RESOLUTION #31013

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO EXECUTE A SECOND AMENDMENT TO THE ENVIRONMENTAL AND ECONOMIC INFRASTRUCTURE IMPROVEMENTS PLAN (E2I2), AN INTERLOCAL AGREEMENT FOR COST SHARING BETWEEN THE CITY OF CHATTANOOGA AND THE HAMILTON COUNTY WATER AND WASTEWATER TREATMENT AUTHORITY, AS PART OF THE CITY OF CHATTANOOGA'S CONSENT DECREE AND SAID AMENDMENT TO EXTEND THE DEADLINE TO COMPLETE THE PROJECT.

RESOLUTION #31014

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO APPROVE CHANGE ORDER NO. 1 (FINAL) FOR COMPLETE DEMOLITION SERVICES, LLC, OF CARROLLTON, GA, RELATIVE TO CONTRACT NO. Y-17-005-202, EAST LAKE YFD ABATEMENT AND DEMOLITION PROJECT, FOR AN INCREASED AMOUNT OF \$2,562.50, TO RELEASE THE REMAINING CONTINGENCY AMOUNT OF \$4,437.50, FOR A REVISED CONTRACT AMOUNT OF \$73,562.50.

RESOLUTION #31015

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO APPROVE CHANGE ORDER NO. 1 FOR BURNS & MCDONNELL ENGINEERING CO., FOR CONTRACT NO. W-17-020-201, DOBBS BRANCH BASIN IMPROVEMENTS – PHASE 2, A CONSENT DECREE PROJECT, FOR AN INCREASED AMOUNT OF \$287,601.75, FOR A REVISED CONTRACT AMOUNT OF \$1,027,351.75.

Councilwoman Coonrod moved to approve. Councilman Byrd seconded. The motion carried unanimously (7-0) upon roll call vote.

ACTION: RESOLUTIONS 31013 – 31015 ADOPTED

DEPARTMENTAL REPORTS:

Proposed Purchases

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

Purchasing Department, Mayor's Office \$25,000.00
Bottled Water Coolers & Accessories
Lowest/Best Bidder: DS Services of America, Inc
dba Crystal Springs Water Company
5660 New Northside Drive Suite 500
Atlanta, GA 30328

200069,2 Waste Resources Division, Public Works \$300,000.00
Painting Services (City Wide)
Lowest/Best Bidder: Quality Mechanical Group, Inc.
431 Graham Road
Lakesite, TN 37379

REQ105959 IT for CPD \$30,967.00
Trailer Mounted Mobile Surveillance Cameras
Lowest/Best Bidder: Blue Line Solutions LLC
3903 Volunteer Drive, Ste. 400
Chattanooga TN 37416

Councilwoman Dotley moved to approve. Councilman Byrd seconded. The motion carried unanimously (7-0) upon roll call vote.

ACTION: ABOVE-LISTED PURCHASES APPROVED

On motion of Councilwoman Coonrod and seconded by Councilman Byrd, the following purchase was withdrawn:

PUR105633 HR \$60,000.00
Appeals of Salary Determinations
Lowest/Best Bidder: Gallagher Benefit Services, Inc.
901 Marquette Ave S, Ste 1900
Minneapolis, MN 55402

The motion carried unanimously (7-0) upon roll call vote.

ACTION: PUR105633 WITHDRAWN

OTHER BUSINESS:

Certificate of Compliance

(None presented by Attorney O'Donnell due to pre-requisite Item VII(c) being deferred.)

Board Appointment

Chairman Henderson appointed Chuck Omary to represent District 1 on the Passenger Vehicle for Hire Board.

COMMITTEE REPORTS:

Budget and Finance Committee
(Councilwoman Berz – Not present)

Economic Development Committee
Councilwoman Coonrod
(No report)

Education and Innovation Committee
Councilwoman Hill
(No report)

Equity and Community Development Committee
Councilwoman Dotley
(No report)

Legislative Committee
Vice-Chairman Smith
(No report)

Planning and Zoning Committee
(Councilman Ledford – Not present)

Parks and Public Works
Councilman Hester

- The committee met today in open meeting and will meet again in two weeks (January 25).

Public Safety Committee
Councilman Byrd

- The committee will meet next week (January 18).

RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL (Listen and view on YouTube [here](#))

Attorney O'Donnell read the rules of procedure for persons wishing to address the Council. After which, Chairman Henderson recognized the following persons:

Speaker Name	District	Primary Topics:
• Joshua Kapellausch	(N/A)	Tiny homes initiative / homelessness and sheltering
• Jimmy Urciuoli	(N/A)	Plastic recycling / County collection changes for plastics

ADJOURNMENT

On motion of Councilman Byrd, Chairman Henderson adjourned the meeting of the Chattanooga City Council until Tuesday, January 18, 2022, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL