



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

COUNCIL MEETING MINUTES

December 13, 2022
6:00 PM

CALL TO ORDER

Council Chairman Darrin Ledford called the meeting to order. A quorum was present that also included Vice Chair Raquetta Dotley and Councilpersons Carol Berz, Demetrus Coonrod, Chip Henderson, Isiah Hester, Jenny Hill, Marvene Noel, and Ken Smith. Other participants present were Phil Noblett, Interim City Attorney, and Nicole Gwyn, Council Clerk. Video of the meeting is available on YouTube by clicking [here](#).

PLEDGE OF ALLEGIANCE

Chairman Ledford led the Assembly in the Pledge of Allegiance.

APPROVAL OF LAST MINUTES

On motion of Councilman Smith and seconded by Councilwoman Noel, the minutes of the last meeting (December 6, 2022) were approved as published.

ORDINANCES – FINAL READING: (NONE)

ORDINANCES – FIRST READING:

On motion of Councilwoman Berz and seconded by Councilman Henderson,

ORDINANCE #13927

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 14, SECTION 14-15 AND CHAPTER 19, SECTION 19-36 AND CHAPTER 22.5, SECTION 22.5-3 AND CHAPTER 27, SECTION 27-3, REGARDING PERMIT FEES FOR ELECTRICAL, GAS, MECHANICAL, AND PLUMBING.

The motion carried.

ACTION: PASSED ON FIRST READING

On motion of Councilwoman Berz and seconded by Councilman Smith,

ORDINANCE #13928

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 26, SECTIONS 26-23, 26-24, 26-25, 26-26, 26-27, 26-28, 26-29, 26-30, 26-31, 26-32, 26-33, 26-34, 26-58, AND 26-91, ESTABLISHING FEES FOR EVENTS, RENTALS, AND USAGE OF CHATTANOOGA PARKS, COMMUNITY CENTERS, AND RECREATIONAL FACILITIES.

The motion carried, with Councilman Henderson voting “No.”

ACTION: PASSED ON FIRST READING

On motion of Councilwoman Berz and seconded by Vice Chair Dotley,

ORDINANCE #13929

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 10, SECTION 10-3(J), SECTIONS 109.2, 109.2.1, 109.2.2, 109.2.3, AND 109.2.4 REGARDING FEE SCHEDULES FOR NON-REFUNDABLE PERMITS, MOVING, DEMOLITION, AND OTHER FEES AND SECTION 10-32 REGARDING THE FEE SCHEDULE FOR ENGINEERING PLANS REVIEW.

The motion carried.

ACTION: PASSED ON FIRST READING

On motion of Vice Chair Dotley and seconded by Councilman Henderson,

ORDINANCE #13930

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 17, SO AS TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL FIRE CODE AND CERTAIN APPENDICES AS REVISED AND AMENDED AS THE OFFICIAL FIRE CODE OF THE CITY OF CHATTANOOGA AND TO ADOPT THE 2018 EDITION OF THE NFPA 101 LIFE SAFETY CODE FOR CERTAIN SPECIFIED OCCUPANCIES.

The motion carried.

ACTION: PASSED ON FIRST READING

On motion of Councilwoman Hill and seconded by Councilwoman Berz,

ORDINANCE #13931

AN ORDINANCE AMENDING CHATTANOOGA CITY CODE, PART II, CHAPTER 11, ARTICLE XX, SECTION 11-519, ENTITLED, "EXTENDING MORATORIUM ON THE ACCEPTANCE OF SHORT TERM VACATION RENTAL APPLICATIONS FOR NON-OWNER, OCCUPIED RENTAL PROPERTIES," WHICH ARE NOT THE PRIMARY RESIDENCE OF THE APPLICANT, FOR A PERIOD WHICH BEGAN ON APRIL 5, 2022, UP TO AND INCLUDING, JULY 10, 2023.

The motion carried.

ACTION: PASSED ON FIRST READING

2022-0228
Beacon Acquisitions, LLC
Planning Commission Version
District No. 1

Agenda Item VI(f)

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 706 AND 710 MANUFACTURERS ROAD, FROM M-1 MANUFACTURING ZONE TO R-RF-6 RIVERFRONT ZONE AND R-RV-6 RIVER VIEW ZONE, SUBJECT TO CERTAIN CONDITIONS.

Councilman Henderson informed the Council about receiving an email from the Applicant, asking to withdraw this item. Chairman Ledford affirmed receipt of the email. Therefore, Councilman Henderson moved to withdraw. Councilman Smith seconded. The motion carried.

ACTION: WITHDRAWN

2022-0210
Dan Reynolds
Planning Commission Version
District No. 1

A hearing ensued upon **Agenda Item VI(g):**

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 806 SPEARS AVENUE, FROM R-1 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.

Karen Rennich, Deputy Director of Regional Planning, gave a presentation on this rezoning matter that included information on the following:

- Zoning Map/Proposed Use
- Recommendations
- Opposition Letter from Hill City Neighborhood Association

Applicant:

- **Jeremiah Reynolds** (Kirby Avenue) – He is looking to build a single-family home and re-establish what was previously there. He noted that the map shows 802 and 806 Spears Avenue, but there is 804, which is a single-family home that was burned down and bulldozed, so it has been incorporated into the current lots there. There a pattern of homes on that part of the block that have smaller lots or smaller road frontage. He would like to add one more housing unit. He has spoken to the Hill City Neighborhood Association and several neighbors are in favor of his plan. He has spoken to the Opposition and feels a misunderstanding may have occurred. He has RPA approval and asks the Council's approval to re-establish what was there before.

Councilman Henderson informed the Council that he attended the Hill City Neighborhood Association meeting where there was a unanimous vote against this rezoning. He noted that the association has no problem with the Applicant's proposed use, but want to keep the zoning consistent in the area. Therefore, **Councilman Henderson moved** to deny. Vice Chair Dotley seconded. The motion carried.

ACTION: DENIED

2022-0244
Stone Creek Consulting c/o Allen Jones
Planning Commission Version
District No. 1

On motion of Councilman Henderson and seconded by Vice Chair Dotley,

ORDINANCE #13932

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 6559 SANDSWITCH ROAD, FROM R-1 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.

The motion carried.

ACTION: PASSED ON FIRST READING

2022-0238
Michael King
Planning Commission Version
District No. 2

On motion of Councilwoman Hill and seconded by Councilman Smith,

ORDINANCE #13933

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 671 TREMONT PLACE, FROM R-2 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS. Hill City Neighborhood Association

The motion carried.

ACTION: PASSED ON FIRST READING

2022-0216
Jenkins Crossing, LLC
Planning Commission Version
District No. 4

On motion of Councilman Smith and seconded by Councilman Henderson,

ORDINANCE #13934

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 7777 EAST BRAINERD ROAD, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE WITH NO CONDITIONS FOR THE FRONT PART OF THE PROPERTY AND FOR UGC URBAN GENERAL COMMERCIAL ZONE FOR THE BACK OF THE PROPERTY, SUBJECT TO CERTAIN CONDITIONS.

There were no objections from Chairman Ledford on this District 4 item. The motion carried.

ACTION: PASSED ON FIRST READING

2022-0233
FSC Properties, LLC
Planning Commission Version
District No. 4

On motion of Councilman Smith and seconded by Vice Chair Dotley,

ORDINANCE #13935

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 4905 AND 4907 PATTENTOWN ROAD, FROM R-1 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

There were no objections from Chairman Ledford on this District 4 item. The motion carried.

ACTION: PASSED ON FIRST READING

2022-0209
Diana Galas
Planning Commission Version
District No. 5

Agenda Item VI(I):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 3917 LIGHTFOOT MILL ROAD, FROM R-1 RESIDENTIAL ZONE TO R-2 RESIDENTIAL ZONE.

Councilman Hester informed the Council that he has gotten calls from the community on this rezoning. Therefore, **Councilman Hester moved** to defer to January 10, 2023. Vice Chair Dotley seconded. The motion carried.

ACTION: DEFERRED TO JANUARY 10, 2023

2022-0229
Chattanooga Metropolitan Airport Authority
Planning Commission Version
District No. 5

On motion of Councilman Hester and seconded by Councilman Smith,

ORDINANCE #13936

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE TWO UNADDRESSED PROPERTIES LOCATED IN THE 1000 BLOCK OF JUBILEE DRIVE AND THE 5900 BLOCK OF HANCOCK ROAD TOGETHER WITH 5709 LEE HIGHWAY, FROM R-1 RESIDENTIAL ZONE AND C-2 CONVENIENCE COMMERCIAL ZONE TO M-1 MANUFACTURING ZONE, SUBJECT TO CERTAIN CONDITIONS.

The motion carried.

ACTION: PASSED ON FIRST READING

2022-0236
Joseph Scott Turk
Planning Commission Version
District No. 8

A hearing ensued on the **Agenda Item VI(n)**:

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1109 FAIRVIEW AVENUE, FROM U-IX-4 URBAN INDUSTRIAL MIXED USE ZONE TO U-RM-3 URBAN RESIDENTIAL MULTI-UNIT ZONE.

Councilwoman Noel requested a presentation on this item. Ms. Rennich presented information on the following:

- Zoning Map/Proposed Use
- Recommendations

Applicant:

- **Joseph Turk** (E. MLK Blvd.) – He bought this building about a year and a half ago. It was originally built in 1917 and was uninhabited when he bought it. Starting around 1920, it was used as a live-work type space where the family that owned it lived upstairs and operated a grocery store downstairs. He is trying to rehab the building and get it back in good shape so as not to lose another nice, old building downtown. He advised that is not good for commercial industrial uses because parking on the site and the street is so limited. He also advised that there are single-family residential homes about a block away, so he doesn't believe it is too far away from other single-family residential units.

There was no Opposition present in the Assembly to address the Council tonight. Thus, Councilwoman Noel asked the Applicant as to why she hadn't heard from them about this case. Mr. Turk informed her that he had tried reaching her when he applied for this rezoning, about a month before the RPA meeting. Councilwoman Noel informed him that she was not aware of his attempt to make contact with her. **Councilwoman Noel moved** to defer to December 20, 2022 so that she could connect with the Applicant and view the property. Vice Chair Dotley seconded. The motion carried.

ACTION: DEFERRED TO DECEMBER 20, 2022

MR-2019-0179
William C. Payne
District No. 8

On motion of Councilwoman Hill and seconded by Councilwoman Coonrod,

ORDINANCE #13937

AN ORDINANCE CLOSING AND ABANDONING TWO WASTEWATER EASEMENTS IN THE 1800-1900 BLOCKS OF SOUTHERN STREET AND THE 1900-2200 BLOCKS OF ROANOKE AVENUE WITHIN TAX MAP NOS. 136E-A-005, 005.01, AND 005.02 FOR ECONOMIC DEVELOPMENT OF THE FORMER HARRIET TUBMAN HOMES SITE, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

The motion carried.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

Alternate Version

RESOLUTION #31405

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AN INTERLOCAL AGREEMENT WITH HAMILTON COUNTY, TENNESSEE, IN SUBSTANTIALLY THE FORM ATTACHED, TO PROVIDE THAT THE CITY CAN CONTRIBUTE FUNDS UP TO THE AMOUNT OF \$50,000.00 FROM THE CONTINGENCY FUND PROVIDED IN ORDINANCE NO. 13840 TO THE HOMELESS COALITION IN AN EFFORT TO PROVIDE EXTENDED TEMPORARY ACCOMMODATIONS THROUGH THE HOLIDAYS AND UNTIL PERMANENT HOUSING CAN BE LOCATED.

Councilman Henderson moved to approve the Alternate Version. Councilwoman Hill seconded. The motion carried.

ACTION: ALTERNATE VERSION ADOPTED

Air Pollution Control Bureau	Insurance Broker Services for Insurance Package Policy. The Air Pollution Control Bureau is seeking to update their Insurance Policies. There is more than one (1) solution to a purchasing issue and the competitive sealed proposals will help us in determining a program that is of best value for the Air Pollution Control Bureau.	RFP Determination for Insurance Package Policy for APCB
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Councilwoman Berz moved to approve issuance of both RFPs. Councilwoman Noel seconded. The motion carried.

COMMITTEE REPORTS:

Budget and Finance Committee
Councilwoman Berz (No report)

Economic Development Committee
Councilwoman Coonrod (No report)

Education and Innovation Committee
Councilwoman Noel (No report)

Equity and Community Development Committee
Vice Chair Dotley (No report)

Legislative Committee
Councilman Smith (No report)

Planning and Zoning Committee
Councilwoman Hill (No report)

Parks and Public Works
Councilman Hester reported:

- The committee met today in open meeting and will meet again on January 10, 2023.

Public Safety Committee
Councilman Henderson (No report)

Mayor's Veto Notice: Wrecker Ordinance

Vice Chair Dotley acknowledged receipt of the Mayor's Veto Notice regarding the Wrecker Ordinance 13920. She instructed Attorney Noblett to draft a resolution to address the veto and add it to the 12/20 agenda. Attorney Noblett acknowledged the instruction and agreed to draft the resolution based upon the Council's right under the Charter Chapter 11.6.

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

Attorney Noblett read the rules of procedure for persons wishing to address the Council. After which, Chairman Ledford recognized the following persons:

Speaker Name	District	Primary Topics:
• Joshua Kapellusch	(N/A)	Inclusion for the homeless/showing love to homeless
• Jon Jon	(N/A)	Creating dense urban infills for housing
• Donna Morgan	1	Measuring what is done during STVR moratorium extension
• Nathan Waldorf	2	GCAR representative reading a statement from the organization on /Offering assistance in STVR
• Derek Shaw	7	AIM Center member inviting the Council to tour their center
• Beth Palmer	(N/A)	Owns three STVRs/Believes the moratorium penalizes legal STVR owners/Moratorium has been extreme
• Mike Smith	(N/A)	Expressing thanks on behalf of the Chattanooga Homeless Coalition for tonight's resolution
• Mark Shackelford	(N/A)	Asks the Council to overturn the Mayor's veto of the towing ordinance
• Janice Gooden	8	Read a statement from the Unity Group recognizing December 10 as "Internal Human Rights Day"/Right to adequate housing

ADJOURNMENT

On motion of Vice Chair Dotley, Chairman Ledford adjourned the meeting of the Chattanooga City Council until Tuesday, December 20, 2022, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL