

Chattanooga City Council City of Chattanooga, Tennessee John P. Franklin, Sr. City Council Building **COUNCIL MEETING MINUTES** May 14, 2024 3:30 PM

CALL TO ORDER

Council Chair Chip Henderson called the business meeting to order at 3:30 p.m. A quorum of eight was present that also included Councilpersons Ken Smith, Darrin Ledford, Isiah Hester, Carol Berz, Raquetta Dotley, Marvene Noel, and Vice Chair Jenny Hill. Councilwoman Demetrus Coonrod absent from this meeting.

[Editor's Note: This meeting was live streamed in two separate videos on YouTube. Part 1 video is available <u>here</u>.]

OTHER PARTICIPANTS

<u>Office of City Attorney</u>: Phil Noblett, City Attorney <u>Regional Planning</u>: Karen Rennich, Deputy Director <u>Parks & Outdoors</u>: Scott Martin, PO Administration <u>Budget & Finance</u>: Vickie Haley, Deputy Administrator Finance <u>Council Office</u>: Kristal Becker, Admin Support Assistant, and Nicole Gwyn, Clerk to Council <u>UTC</u>: Dr. Marcus D. Mauldin, Associate Professor, Dept. of Political Science and Public Service

PLEDGE OF ALLEGIANCE

Councilwoman Dotley led the Assembly in the Pledge of Allegiance.

APPROVAL OF LAST MINUTES

On motion of Councilman Ledford seconded by Councilman Smith the minutes of the last meeting (May 7, 2024) were approved as published.

Discussion Agenda

ORDINANCES - FINAL READING: (None)

ORDINANCES – FIRST READING:

Agenda Items VIII(b - i) – PLANNING:

VIII(b) - Case no. 2024-0041

There were no comments or questions on this item; therefore, the issue was closed.

VIII(c) - Case no. 2024-0053

Chairman Henderson advised that the Alternate Version of this item would be read during the Order of Business. He noted his support of the rezoning with the Alternate Version conditions.

VIII(d) - Case no. 2024-0054

There were no discussions needed for this item; therefore, the issue was closed.

VIII(e) - Case no. 2024-0048

There were no discussions needed for this item; therefore, the issue was closed.

VIII(f) - Case no. 2024-0050

Councilmen Hester asked for this item to be deferred one week to May 21, 2024, to give him an adequate amount of time to talk to the Applicants about the zoning changes. Upon no further discussion, this item was closed.

VIII(g) - Case no. 2024-0052

There were no discussions needed for this item; therefore, the issue was closed.

VIII(h) - Case no. 2024-0051

Councilwoman Dotley asked for the Alternate Version of this item to be read during the Order of Business. Chairman Henderson concurred. Upon no further discussion, this item was closed.

VIII(i) - Case no. 2024-0058

Councilwoman Noel addressed the Council about the set conditions for this item and asked Ms. Rennich to read the conditions: *"Single-unit detached dwellings only. Townhouses, multi-unit up to four units and zero lot line residential uses are prohibited."* Ms. Rennich also discussed the two proposed units on each of the street frontages. Upon no further discussion, this item was closed.

RESOLUTIONS:

Agenda Item IX(a) – ECONOMIC DEVELOPMENT

There were no discussions needed for these items; therefore, the issues were closed.

Agenda Item IX(b-c) – INFORMATION TECHNOLOGY

There were no discussions needed for these items; therefore, the issues were closed.

PARKS & PUBLIC WORKS COMMITTEE

PROCEDURAL NOTE: Chairman Henderson yielded control of the meeting to Councilman Hester for the Parks & Public Works Committee.

<u>CALL TO ORDER</u>: Councilman Hester, Committee Chair, called the Parks & Public Works Committee to order at 3:37 p.m. with a quorum of eight councilpersons present. Councilwoman Coonrod was the only councilperson not present. [View the full committee meeting <u>here</u>.]

<u>MINUTES APPROVAL</u>: On motion of Councilman Smith and seconded by Councilman Ledford, the minutes of the last meeting (May 7, 2024) were approved as published.

Agenda Item IX(d) – PARKS & OUTDOORS

Councilman Ledford asked Mr. Martin to speak about District 4 being the most dense and fastest growing area of the city. Mr. Martin briefed the council on the number of parks and recreation

centers in the area. Councilman Ledford read Resolution No. 22374 in relation to an adopted POPS Program that supports land acquisition for District 4, in partnership with Trust for Public Land. Discussion ensued. Upon no further questions or comments, the issue was closed.

Agenda Item IX(e-f) – PUBLIC WORKS

There were no discussions needed for these two items; therefore, the issues were closed.

BUDGET & FINANCE COMMITTEE

PROCEDURAL NOTE: Councilman Hester yielded control of the meeting to Councilwoman Berz for the Budget & Finance Committee.

<u>CALL TO ORDER</u>: Councilwoman Berz, Committee Chair, called the Budget & Finance Committee to order at 3:45 p.m. with a quorum of eight councilpersons present. Councilwoman Coonrod was the only councilperson not present. [View the full committee meeting <u>here</u>.]

ORDINANCES – FIRST READING:

A public hearing ensued on AGENDA ITEM VIII(a):

AN ORDINANCE TO AMEND ORDINANCE NO. 13991, ALSO KNOWN AS "THE FISCAL YEAR 2023-2024 OPERATIONS BUDGET," FOR THE CITY OF CHATTANOOGA TO TRANSFER THE FISCAL YEAR 2024 NET SURPLUS FUNDS FROM THE SALE OF CITY OF CHATTANOOGA DELINQUENT TAX PARCELS IN THE HAMILTON COUNTY SURPLUS PROPERTY SALE TO THE CHATTANOOGA LAND BANK AUTHORITY.

Councilwoman Berz opened the floor for Ms. Haley (Finance) to explain the need for this ordinance. Ms. Haley explained the City's annual sale of surplus property and how the net proceeds from the sale are given to the Land Bank for use.

Councilwoman Berz asked if there was anyone present who wished to address the Council about the ordinance. Seeing one person, she opened the floor and recognized them:

Speaker Name	District	Primary Topics:
Janice Gooden	8	The speaker expressed support of the ordinance on behalf of CALEB.

Councilwoman Berz asked if there was anyone else wishing to address the Council on the ordinance. Seeing none, Councilwoman Berz closed the public hearing. She also informed the public that 10 days' notice had been given prior to the hearing. She then closed the committee and yielded control of the meeting back to Chairman Henderson.

SPECIAL REPORT: Social and Economic Equity Study

Dr. Mauldin addressed the council with an overview of the summary report that they had received. He gave a presentation about the studies of inequalities in the City of Chattanooga. [View the full presentation <u>here.</u>] Discussion ensued and touched upon the following topics:

- Equality Framework
- Development and measurement of equality
- Collecting relevant data
- Policy strategies
- Issues existing in certain populations
- Age groups 16 19 years

- Productive citizens
- CPD's contribution to data collection
- Diverse set of policy processes
- Six different areas collected
- Equitable Policy toolkit
- "Tool kit" coordination
- Recommendations

Dr. Mauldin ended the presentation and responded to Council questions. Councilwoman Dotley had questions about the framework and budget, and how would it apply to legislative work. Vice Chair Hill asked for more details regarding his recommendation of six policy areas. Vice Chair Hill asked about the disparities in incarceration rates related to race and gender.

Dr. Mauldin discussed the census and data collected by the policy map. He explained the data collection process, incarceration rates, use of force, citizen perception of safety, and census block group data collection. He explained disparities in geographic boundaries and council districts block groups.

Dr. Mauldin agreed to provide a full report with more specific information in two weeks. Upon no further questions or concerns, this portion of the meeting was closed.

MEETING RECESS

Chairman Henderson reminded everyone that tonight is the second Tuesday, which is typically referred to as the Council's "Zoning Night." He noted that the Council has been recessing until 6:00 on Zoning Night. However, as of the month of June, the Council will no longer parlay the recess to 6:00 on second Tuesdays. All meetings will start each week at 3:30 p.m. The Council will take a 30-minute recess, then proceed with the order of business, even on second Tuesdays. Chairman Henderson then recessed the current business meeting until 6:00 p.m.

MEETING RECONVENED

Chairman Henderson reconvened the meeting at 6:00 p.m. A quorum was present that also included Vice Chair Hill and Councilpersons Smith, Ledford, Hester, Berz, Dotley, and Noel. Councilwoman Coonrod was not present. Attorney Noblett and Ms. Gwyn were also present.

ORDER OF BUSINESS

ORDINANCES – FINAL READING: (NONE)

ORDINANCES – FIRST READING:

On motion of Councilwoman Berz and seconded by Councilman Ledford,

ORDINANCE #14108

AN ORDINANCE TO AMEND ORDINANCE NO. 13991, ALSO KNOWN AS "THE FISCAL YEAR 2023-2024 OPERATIONS BUDGET," FOR THE CITY OF CHATTANOOGA TO TRANSFER THE FISCAL YEAR 2024 NET SURPLUS FUNDS FROM THE SALE OF CITY OF CHATTANOOGA DELINQUENT TAX PARCELS IN THE HAMILTON COUNTY SURPLUS PROPERTY SALE TO THE CHATTANOOGA LAND BANK AUTHORITY.

The motion carried unanimously upon roll call vote as follows:

Smith	YES	Dotley	YES
Ledford	YES	Noel	YES
Hester	YES	Hill	YES
Berz	YES	Henderson	YES

YES – Eight (8); NO – Zero (0)

ACTION: PASSED ON FIRST READING

<u>2024-0041</u> <u>Frank A. Collins</u> <u>Planning Commission Version</u> <u>District No. 1</u>

On motion of Councilman Ledford and seconded by Councilman Smith,

ORDINANCE #14109

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 3827 MOUNTAIN TOP ROAD, FROM R-1 RESIDENTIAL ZONE TO A-1 URBAN AGRICULTURAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

The motion carried.

ACTION: PASSED ON FIRST READING

<u>2024-0053</u> <u>4636, Inc. c/o Sanjay Patel</u> <u>Alternate Version</u> <u>District No. 1</u>

A hearing took place on the following: [View in full <u>here</u>]

ORDINANCE #14110

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 305 BROWNS FERRY ROAD, FROM R-2 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

[Councilman Hester had exited the meeting during this hearing.]

The Applicant was present, but no opposition was present. Ms. Rennich briefed the Council on the rezoning request and read the letter of opposition received by the Planning Commission from the Lookout Valley Neighborhood Association. Ms. Rennich read the conditions that had been added in the Alternate Version: (1) No liquor stores no storage facilities, no adult oriented establishments, and (2) No vehicular access onto Browns Ferry Road unless needed for safe access as determined by Public Works Transportation.

The Applicant, Mr. Patel, was given an opportunity to address Council on his reason for seeking a rezone; view Applicant's full comments <u>here</u>. Discussion ensued with the Applicant about his awareness of the Alternate Version conditions and the neighborhood association's opposition to the rezoning. Mr. Patel rebutted the association's opposition to the rezoning and question, to which Councilman Henderson responded. Once all discussion had concluded, the motion carried.

ACTION: ALTERNATE VERSION PASSED ON FIRST READING

2024-0054

John Wise c/o Wise Properties TN, LLC Planning Commission Meeting District No. 2

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

ORDINANCE #14111

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 724 NORTH MARKET STREET AND AN UNADDRESSED PROPERTY IN THE 700 BLOCK OF HAMILTON AVENUE, FROM E-RM-3 URBAN EDGE MULTI-UNIT RESIDENTIAL ZONE TO E-CX-3 URBAN EDGE COMMERCIAL MIXED USE ZONE, SUBJECT TO CERTAIN CONDITIONS.

Although no opposition was present today, Vice Chair Hill informed the Council of opposition that she'd received regarding the direction of traffic on the back side of the property. She advised that she was working with the Chattanooga Department of Transportation regarding the traffic problems. Upon no further comments, the motion carried.

ACTION: PASSED ON FIRST READING

<u>2024-0048</u> <u>Kyle and Danielle Hawley</u> <u>Planning Commission Version</u> <u>District No. 4</u>

On motion of Councilman Ledford and seconded by Councilman Smith,

ORDINANCE #14112

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 7712 STANDIFER GAP ROAD, FROM RZ-1 ZERO LOT LINE RESIDENTIAL ZONE TO R-2 RESIDENTIAL ZONE.

The motion carried.

ACTION: PASSED ON FIRST READING

<u>2024-0050</u> <u>Edifice Builds, LLC c/o Marylin Jones and May Caldwell</u> <u>Planning Commission Version</u> <u>District No. 5</u>

Agenda Item VIII(f):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 4416 JERSEY PIKE, FROM R-1 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.

On behalf of Councilman Hester, who had exited the meeting, **Councilwoman Dotley moved** to defer this District 5 item for one week to May 21, 2024. Councilman Ledford seconded. The motion carried.

ACTION: DEFERRED TO MAY 21, 2024

<u>2024-0052</u> <u>Joseph Parks</u> <u>Planning Commission Version</u> <u>District No. 6</u>

A hearing ensued on Agenda Item VIII(g): [View full hearing <u>here</u>]

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PART OF AN UNADDRESSED PROPERTY IN THE 6100 BLOCK OF VANCE ROAD, FROM R-1 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE.

There was no opposition present. Councilwoman Berz questioned the Applicant, Mr. Parks, about his meeting with the Shepherd Community Council and their concerns. He informed the Council of his meeting with about a dozen community members and indicated that their chief concern was the narrowness of Vance Road; view his full comments <u>here</u>. Discussion ensued with Mr. Parks abut the "introductory" price point, site uses, the site plan, and the ingress and egress. Councilwoman Berz informed the Applicant that she needed to see the site plan, so she

asked Mr. Parks if a 3-week deferral would work for him and his client, Rhythm Development. Mr. Parks confirmed. She also asked him to call her about this matter. **Councilwoman Berz moved** to defer to June 4, 2024. Councilwoman Dotley seconded. The motion carried.

ACTION: DEFERRED TO JUNE 4, 2024

<u>2024-0051</u> <u>Stone Creek Consulting, LLC c/o Allen Jones</u> <u>Alternated Version</u> <u>District No. 8</u>

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

ORDINANCE #14113

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1939 CENTRAL AVENUE, FROM UGC URBAN GENERAL COMMERCIAL ZONE (UGC PRIOR TO 2022) WITH CONDITIONS TO (UGC URBAN GENERAL COMMERCIAL ZONE) CURRENT UGC, SUBJECT TO CERTAIN CONDITIONS.

The motion carried.

ACTION: ALTERNATE VERSION PASSED ON FIRST READING

<u>2024-0058</u> Lance Spencer District No. 8

ORDINANCE #14114

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 2807 CURTIS STREET, FROM R-1 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.

Councilwoman Noel informed the Council that she had spoken to the Applicant as well as the neighborhood association president. She advised that the following conditions had been read into the record earlier in today's meeting: *"Single-unit detached dwellings only. Townhouses, multi-unit up to four units and zero lot line residential uses are prohibited."*

Attorney confirmed that those conditions could stand as previously read. The Clerk confirmed that conditions had been entered into the record. Therefore, **Councilwoman Noel moved** to approve with the following conditions previously read in the meeting [Planning Version #2 pending]. Vice Chair Hill seconded. The motion carried.

ACTION: PASSED ON FIRST READING WITH ADDED CONDITIONS

RESOLUTIONS:

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

RESOLUTION #32079

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC DEVELOPMENT TO ENTER INTO A SUBRECIPIENT AGREEMENT WITH HABITAT FOR HUMANITY FOR THE CREATION OF A HOME REPAIR PROGRAM FOR HOMEOWNERS OVER THE AGE OF SIXTY (60), WITH A HOUSEHOLD INCOME BELOW 80% AREA MEDIAN INCOME (AMI), WITH A PRIORITY FOR THOSE UNDER 50% AMI, IN THE AMOUNT OF \$430,100.00.

RESOLUTION #32080

A RESOLUTION AUTHORIZING A SPEND LIMIT INCREASE TO EXISTING INSIGHT PUBLIC SECTOR BLANKET AGREEMENT PURCHASE ORDER NO. 100603 FROM \$300,000.00 TO \$750,000.00 PER YEAR THROUGH THE 2027 CONTRACT TERM REPRESENTING AN INCREASE OF \$450,000.00 FOR SOFTWARE PURCHASES, SOFTWARE RENEWALS, HOSTED SOLUTIONS, MAINTENANCE FEES, AND SUPPORT SERVICES.

RESOLUTION #32081

A RESOLUTION AUTHORIZING THE INTERIM CHIEF INFORMATION OFFICER FOR THE DEPARTMENT OF TECHNOLOGY SERVICES TO ENTER INTO AN AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. RELATIVE TO CONTRACT NO. IC-23-001 FOR PROFESSIONAL SERVICES ASSOCIATED WITH CITYWIDE TRAFFIC SIGNAL SYNCHRONIZATION PLAN (RE-TIMING), FOR A NOT TO EXCEED AMOUNT OF \$2,920,900.00.

Vice Chair Hill moved to approve all three resolutions. Councilwoman Dotley seconded. The motion carried.

ACTION: RESOLUTIONS 32079 - 32081 ADOPTED

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

RESOLUTION #32082

A RESOLUTION AUTHORIZING THE CITY OF CHATTANOOGA TO APPLY FOR, AND IF AWARDED, TO ACCEPT A LAND AND WATER CONSERVATION FUND (LWCF) GRANT FOR THE ACQUISITION OF 14.6 ACRES FOR THE FUTURE RYALL SPRINGS PARK, IN THE AMOUNT OF \$800,000.00, AND IF AWARDED, ACCEPT THE GRANT WITH A CITY OF CHATTANOOGA MATCHING AMOUNT NOT TO EXCEED \$800,000.00, FOR A TOTAL AMOUNT NOT TO EXCEED \$1,600,000.00.

RESOLUTION #32083

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO AUTHORIZE CHANGE ORDER NO. 1 FOR J. BRENNON CONSTRUCTION, LLC, OF DALTON, GA, FOR THE FROST STADIUM CONCESSION STAND VENTILATION PROJECT, CONTRACT NO. R-22-015-202, IN THE AMOUNT OF \$33,660.67, WITH A CONTINGENCY IN THE AMOUNT OF \$10,000.00, FOR A TOTAL AMOUNT OF \$237,660.67.

RESOLUTION #32084

A RESOLUTION AUTHORIZING PAYMENT TO HAMILTON COUNTY GIS RELATIVE TO ADDRESSING SERVICES FOR FISCAL YEAR 2024, ACCORDING TO THE ADDRESSING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CHATTANOOGA AND HAMILTON COUNTY DATED MAY 19, 2006, IN THE AMOUNT OF \$68,348.00.

Councilman Ledford moved to approve all three resolutions. Vice Chair Hill seconded. The motion carried.

ACTION: RESOLUTIONS 32082 – 32084 ADOPTED

DEPARTMENTAL REPORTS:

Recommended New Purchases

Ms. Bursch (Mayor's Office) recommended the following new purchases for Council consideration:

Solicitation 200654 CDOT-Traffic Opera Rubber Speed Cushi Lowest/Best Bidder:	tions Division	\$180,000.00
Solicitation 200656- Special Events & Pr Theatrical Lighting & for EPB Community S Lowest/Best Bidder:	Audio Equipment Stage at Miller Park	\$66,266.97
PA100046 Wastewa Biosolids Handling Lowest/Best Bidder:	ter Synagro South, LLC 435 Williams Court Suite 100 Baltimore, MD 21220	Increase of \$1,400,000.00 for a total estimated spend of \$4,000,000.00

Door Inspection, Mai	s Dept/Facilities Management ntenance, Installation & Repair Services King Door Company 1802 Abutment Road Dalton, GA 30721	Increase of \$50,000.00 for a total estimated spend of \$200,000.00
Card Access Security	orks Dept/Facilities Management / System Service & Parts Gallaher & Associates, Inc. 3351 Regal Drive Alcoa, TN 37701	Increase of \$50,000.00 for a total estimated spend of \$250,000.00
PA100429 Wastewa Boiler & Heat Exchar Lowest/Best Bidder:		Increase of \$150,000.00 for a total estimated spend of \$330,000.00
REQ148208 Technology Services		\$36,180.00

Islandia, NY 11749

1930 Veterans Memorial Highway

Citizen Relationship Management Software for 311 Call Center

Suite 14-125

Councilwoman Berz moved to approve. Councilman Ledford seconded. The motion carried.

ACTION: ALL NEW PURCHASES APPROVED

COMMITTEE REPORTS:

Lowest/Best Bidder: GOGov, Inc

Affordable Housing Committee Vice Chair Hill (No report)

Budget and Finance Committee

Councilwoman Berz reported:

• Next Tuesday is the final budget education session. It will start at 1:00 p.m.

Economic Development Committee Councilwoman Coonrod (No report)

Education and Innovation Committee Councilwoman Noel (No report)

Equity and Community Development Committee Councilwoman Coonrod (No report)

Legislative Committee

Councilman Smith reported:

• He will have a date soon for the Council to discuss Councilman Henderson's proposed chicken ordinance legislation.

Planning and Zoning Committee

Councilman Ledford reported:

• The final zoning work session will take place on June 4, 2024, at 1:00 p.m. in the Council's conference room.

Parks and Public Works Councilman Hester (Not present)

Public Safety Committee Raquetta Dotley (No report)

RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL [View here]

Attorney Noblett 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:
• <u>Monty Bell</u>	(N/A)	Violence towards him by various entities/Grounds for removal in Circuit Court

ADJOURNMENT

On motion of Vice Chair Hill, Chairman Henderson adjourned the meeting of the Chattanooga City Council until next Tuesday, May 21, 2024, at 3:30 p.m.

COUNCIL CHAIR

CLERK OF COUNCIL