



In-Person & Electronic-Conducted Meeting
Chattanooga, Tennessee

COUNCIL MEETING MINUTES

April 13, 2021
4:00 PM

CALL TO ORDER

Council Chairman Chip Henderson called the meeting to order by electronic means. A quorum was present via electronic means that included Vice-Chairman Ken Smith and Councilpersons Carol Berz, Anthony Byrd, Demetrus Coonrod, Russell Gilbert, Darrin Ledford, and Erskine Oglesby, Jr. Councilman Jerry Mitchell was not present at this meeting.

Other panelists present via electronic means: Phil Noblett, City Attorney, and Nicole Gwyn, Council Clerk. Video of the meeting is available [here](#) on YouTube.

PLEDGE OF ALLEGIANCE & SPECIAL RECOGNITION

Chairman Henderson led the Assembly in the Pledge of Allegiance. After which, he gave special recognition to councilpersons Gilbert and Oglesby, whose last Council meeting was today. He then opened the floor for comments from the rest of the Council.

APPROVAL OF LAST MINUTES

On motion of Councilman Gilbert and seconded by Councilman Oglesby, the minutes of the last meeting (April 6, 2021) were approved as published. The motion carried unanimously (8-0) upon roll call vote.

ORDINANCES – FINAL READING:

2020-0027
Paces Ferry Builders
Alternate Version #4
District No. 4

On motion of Councilman Ledford and seconded by Vice-Chairman Smith,

ORDINANCE #13659

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED IN THE 7000 BLOCK OF SHALLOWFORD ROAD AND 2301 RIVENDALL LANE, FROM R-1 RESIDENTIAL ZONE AND R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE FOR A PORTION AND O-1 OFFICE ZONE FOR A PORTION OF THIS SITE AS SHOWN ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

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

ACTION: APPROVED

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-2021-0047
Southern Spears Properties/
Agent for Acme Brick Company
District No. 7

ORDINANCE #13662

AN ORDINANCE CLOSING AND ABANDONING MULTIPLE RIGHTS-OF-WAY, THE 4700-4800 BLOCK OF AN UNNAMED ALLEY, 200 BLOCK OF CHESTNUT STREET, AND 4700-4800 BLOCKS OF HIGHLAND AVENUE, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

ORDINANCE #13663

AN ORDINANCE AMENDING CHATTANOOGA CITY CODE, PART II, CHAPTER 2, SECTION 2-554, COMPETITIVE SEALED PROPOSALS.

Councilman Ledford moved to approve both resolutions. Councilwoman Berz seconded. The motion carried unanimously (8-0) upon roll call vote.

ACTION: ORDINANCES 13662 & 13663 APPROVED

ORDINANCES – FIRST READING:

2021-0046
John R. Coffelt
Planning Version
District No. 1

On motion of Vice-Chairman Smith and seconded by Councilman Ledford,

ORDINANCE #13664

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED IN THE 600 BLOCK OF WEST VIEW ROAD, FROM RT-1 RESIDENTIAL TOWNHOUSE ZONE TO R-1 RESIDENTIAL ZONE.

There were no objections from Chairman Henderson on this District 1 matter. The motion carried unanimously (8-0) upon roll call vote.

ACTION: PASSED ON FIRST READING

2021-0030
Benjamin Phillips
Planning Version
District No. 5

Agenda Item VI(b):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 3698 AND 3710 FAITH ROAD, FROM R-1 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.

Councilman Gilbert informed the Council about that he spoke with constituents, who had concerns about the way in which the rezoning sign was posted. Therefore, **Councilman Gilbert moved** to defer one month to May 11, 2021. Councilman Ledford seconded. The motion carried unanimously (8-0) upon roll call vote.

ACTION: DEFERRED UNTIL MAY 11, 2021

2021-0039
Ingram, Gore & Associates
Planning Version
District No. 5

Agenda Item VI(c):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 4200 WILLARD LANE, FROM R-3MD MODERATE DENSITY ZONE AND R-4 SPECIAL ZONE TO R-3 RESIDENTIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

Councilman Gilbert moved to defer until April 27, 2021, to give the Applicant, Mr. Ingram, an opportunity to meet with the Lake Hills association on this matter. The motion carried unanimously (8-0) upon roll call vote.

ACTION: DEFERRED TO APRIL 27, 2021

2021-0023
John Cunningham
Planning Version
District No. 6

On motion of Councilwoman Berz and seconded by Councilman Ledford,

ORDINANCE #13665

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PART OF A PROPERTY LOCATED IN THE 6100 BLOCK OF HIGHWAY 58, FROM R-1 RESIDENTIAL 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

2021-0037
South Broad, LLC
Planning Version
District No. 7

On motion of Councilman Oglesby and seconded by Councilman Ledford,

ORDINANCE #13666

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 2500 COWART STREET, IN THE 2500 BLOCK OF WILLIAMS STREET, AND IN THE 200 BLOCK OF WEST 26TH STREET, FROM R-3 RESIDENTIAL ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

The Applicant confirmed that their support of the conditions. The motion carried unanimously (8-0) upon roll call vote.

ACTION: PASSED ON FIRST READING

2021-0027
Keither Perry
Planning Version
District No. 8

On motion of Councilman Byrd and seconded by Vice-Chairman Smith,

ORDINANCE #13667

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 2203 MILNE STREET, FROM R-1 RESIDENTIAL ZONE TO R-2 RESIDENTIAL ZONE.

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

ACTION: PASSED ON FIRST READING

2021-0040
Tuba Warden
Planning Version
District No. 9

On motion of Councilwoman Coonrod and seconded by Councilman Ledford,

ORDINANCE #13668

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 2218 BAILEY AVENUE, FROM R-2 RESIDENTIAL ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

Councilwoman Coonrod asked John Bridger, Executive Director of Regional Planning, joined the panel to read the following three conditions of this rezoning:

- 1) *Residential uses only;*
- 2) *No more than five (5) residential units; and*
- 3) *Maximum building height of three (3) stories.*

The Applicant confirmed support of said conditions. Upon no questions or comments, the motion carried unanimously (8-0) upon roll call vote.

ACTION: PASSED ON FIRST READING

MR-2020-0115
Maynardville Pike Car Wash, LLC % John Wise
District No. 2

On motion of Councilman Ledford and seconded by Councilman Oglesby,

ORDINANCE #13669

AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED SEWER EASEMENT LOCATED IN THE 300 BLOCK OF TREMONT STREET, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

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

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

Agenda Item VII(a):

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO ENTER INTO AN AGREEMENT WITH CHAT-TN, LLC (THE CHATT INN), FOR NON-CONGREGATE COVID-19 RELATED HOUSING FOR UP TO ONE HUNDRED (100) HOUSEHOLDS CURRENTLY EXPERIENCING HOMELESSNESS, FOR A NINETY (90) DAY PERIOD BEGINNING APRIL 13, 2021, AND ENDING JULY 12, 2021, WITH AN OPTION TO EXTEND THE AGREEMENT, IF FUNDS ARE NOT EXPENDED, FOR AN ADDITIONAL NINETY (90) DAY PERIOD, FOR A FEMA REIMBURSABLE AMOUNT NOT TO EXCEED \$341,250.00.

ACTION: FAILED DUE TO THE LACK OF A MOTION

Agenda Item VII(b):

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO ENTER INTO AN AGREEMENT WITH SECURITY ENGINEERS, INC. (SEI), FOR NON-CONGREGATE COVID-19 RELATED SECURITY SERVICES AT THE CHATT INN FOR UP TO ONE HUNDRED (100) HOUSEHOLDS CURRENTLY EXPERIENCING HOMELESSNESS, FOR A NINETY (90) DAY PERIOD BEGINNING APRIL 13, 2021, AND ENDING JULY 12, 2021, WITH AN OPTION TO EXTEND THE AGREEMENT, IF FUNDS ARE NOT EXPENDED, FOR AN ADDITIONAL NINETY (90) DAY PERIOD, FOR A FEMA REIMBURSABLE AMOUNT NOT TO EXCEED \$62,100.00.

ACTION: FAILED DUE TO THE LACK OF A MOTION

On motion of Councilman Oglesby and seconded by Councilman Ledford,

RESOLUTION #30725

A RESOLUTION WAIVING THE FEE FOR USE OF ROSS'S LANDING, ESTIMATED AT \$26,000.00, BY FRIENDS OF THE FESTIVAL, RIVERFRONT NIGHTS (FREE COMMUNITY SUMMER MUSIC SERIES), BEGINNING ON SATURDAY, JUNE 5, 2021, AND EACH SATURDAY THROUGH AUGUST 28, 2021.

ACTION: ADOPTED

On motion of Councilman Ledford and seconded by Councilman Byrd,

RESOLUTION #30726

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO OBTAIN AN INTERPRETATION FROM THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TENNESSEE ON CERTAIN PROVISIONS OF THE COURT ORDER IN *BROWN V. CITY OF CHATTANOOGA*, CIV-1-87-388, ON THE RESIDENCY REQUIREMENTS FOR SWORN EMERGENCY PERSONNEL AND TO DRAFT SUGGESTED LANGUAGE REVISIONS TO THE CITY CHARTER AT SECTION 3.1.1 WHICH COULD BE PLACED ON THE BALLOT FOR A CHARTER REFERENDUM IF IT IS NOT CONTRARY TO THE JANUARY 18, 1990, COURT ORDER IN *BROWN V. CITY OF CHATTANOOGA* AT THIS TIME.

Councilman Ledford made comments about the discussion held today in open meeting about the recruitment of sworn personnel. Upon no further comments or questions, the motion carried (7-1) upon roll call vote as follows:

Oglesby	YES	Byrd	YES
Ledford	YES	Berz	YES
Gilbert	NO	Smith	YES
Coonrod	YES	Henderson	YES

YES – Seven (7); NO – One (1)

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilwoman Berz,

RESOLUTION #30727

A RESOLUTION FOR THE CITY OF CHATTANOOGA TO APPLY FOR, AND IF AWARDED, ACCEPT A GRANT AWARD FOR UP TO \$4 MILLION FROM THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) OFFICE OF THE ASSISTANT SECRETARY FOR HEALTH FOR THE FUNDING OPPORTUNITY ADVANCING HEALTH LITERACY TO ENHANCE EQUITABLE COMMUNITY RESPONSES TO COVID-19.

ACTION: ADOPTED

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

RESOLUTION #30728

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO A PUBLIC PRIVATE PARTNERSHIPS (P3) WITH WATERWAYS, A LOCAL NON-PROFIT, FOR A STREAM RESTORATION PROJECT ON MOUNTAIN CREEK SOUTH OF MORRISON SPRINGS ROAD, WITH THE CITY'S CONTRIBUTION FOR IN-KIND SERVICES FOR PAYMENT OF THE DESIGN PORTION OF THE PROJECT AND THE FEMA FLOOD STUDY THROUGH AN EXISTING BLANKET CONTRACT, FOR A TOTAL PROJECT COST OF \$54,850.00.

RESOLUTION #30729

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO AWARD CONTRACT NO. W-16-022-201, MBWWTP EQUALIZATION BASIN AND BLOWER REPLACEMENT IMPROVEMENTS PROJECT, A NON-CONSENT DECREE PROJECT, TO J. CUMBY CONSTRUCTION, INC., OF COOKEVILLE, TN, FOR A CONTRACT AMOUNT OF \$27,685,500.00, WITH A CONTINGENCY AMOUNT OF \$1,384,500.00, FOR AN AMOUNT NOT TO EXCEED \$29,070,000.00.

RESOLUTION #30730

A RESOLUTION AUTHORIZING PAYMENT TO HAMILTON COUNTY GIS RELATIVE TO ADDRESSING SERVICES FOR FISCAL YEAR 2022, ACCORDING TO THE ADDRESSING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CHATTANOOGA AND HAMILTON COUNTY DATED MAY 19, 2006, FOR AN AMOUNT NOT TO EXCEED \$68,348.00.

RESOLUTION #30731

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN INTER-LOCAL AGREEMENT MEMORANDUM OF UNDERSTANDING WITH HAMILTON COUNTY FOR THE 2021 AERIAL PHOTOGRAPHY UPDATE OF THE PLANIMETRIC GIS BASE MAP DATASET, TO PROVIDE FOR UPDATED GIS AND ENGINEERING BUILDING FOOTPRINTS, IMPERVIOUS SURFACES, AND OTHER BASE MAPPING DATA, FOR A COST NOT TO EXCEED \$133,000.00.

RESOLUTION #30732

A RESOLUTION ACCEPTING THE QUALIFICATIONS FOR THE ON-CALL BLANKET CONTRACTS FOR THE GEO-ENVIRONMENTAL CONSULTING AND CONSTRUCTION MATERIALS TESTING SERVICES, CONTRACT NO. E-21-002-301, FOR A ONE (1) YEAR BLANKET CONTRACT(S) WITH THREE (3) ADDITIONAL ONE (1) YEAR RENEWABLE OPTIONS WITH THE FOLLOWING SEVEN (7) CONSULTANT FIRMS: (1) GEOSERVICES, LLC; (2) GEOSYNTEC CONSULTANTS; (3) K.S. WARE AND ASSOCIATES, LLC; (4) S&ME, INC.; (5) STANTEC CONSULTING SERVICES, INC.; (6) TERRACON CONSULTANTS, INC.; AND (7) THOMPSON ENGINEERING, INC.; BASED UPON THE THREE (3) SERVICES CATEGORIES OF GEOTECHNICAL, CONSTRUCTION MATERIALS TESTING, AND ENVIRONMENTAL SERVICES THAT EACH CONSULTANT HAS QUALIFIED, FOR AN ANNUAL AMOUNT OF \$500,000.00, TO BE USED BY ALL DEPARTMENTS.

RESOLUTION #30733

A RESOLUTION AUTHORIZING THE CHATTANOOGA DEPARTMENT OF TRANSPORTATION TO ERECT COMMEMORATIVE SECONDARY STREET NAME SIGNS ON BLISS AVENUE FROM LATTA STREET TO CRUTCHFIELD STREET DESIGNATING SAID PORTIONS OF BLISS AVENUE AS “BISHOP JAMES M. SCOTT, SR. AVENUE”.

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

ACTION: RESOLUTIONS 30728 - 30733 ADOPTED

DEPARTMENTAL REPORTS:

Proposed Purchases

Anthony Sammons, Deputy Chief Operating Officer, briefed the Council on the following proposed purchases:

R209237 Waste Resources Division, Public Works \$100,000.00

Valve Actuator Services

Lowest/Best Bidder: Industrial Valve Sales & Service
510 Industrial Drive SW
Cleveland, TN 37311

Councilman Ledford moved to approve. Councilman Oglesby seconded. The motion carried unanimously (8-0) upon roll call vote.

ACTION: PURCHASE APPROVED

EMERGENCY PURCHASE

Maura Sullivan, Chief Operating Officer, reported on the following emergency purchase:

Date	Dept.	Description	Supplier
04/05/21	YFD Head Start	Replace flooring @ Daisy Head Start - Amount not to exceed \$33, 634.00	DW Construction

The emergency purchase letter was signed by Ms. Sullivan during this meeting.

OTHER BUSINESS: (NONE)

COMMITTEE REPORTS:

Budget and Finance Committee

Councilwoman Berz

(No report)

Economic and Community Development Committee

Councilman Oglesby reported:

- The committee met today in open meeting to discuss recommendations for CDBG and ESG funding.

Human Resources Committee

Councilman Gilbert

(No report)

Planning and Zoning Committee

Councilman Ledford

(No report)

Public Safety Committee
Councilman Byrd reported:

- The committee met today in open meeting to discuss the residency resolution.

Public Works and Transportation Committee
(Councilman Mitchell not present)

Youth and Family Development Committee
Councilwoman Coonrod
(No report)

Legislative Committee
Vice-Chairman Smith
(No report)

RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL

(Listen by clicking [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	Primary Topics:
• Monty Bell	Monty Bell Homeless Relief Act 2021 <ul style="list-style-type: none">○ Councilman Byrd asked to speak with Mr. Bell after this meeting. Mr. Bell agreed.
• T-RAN Gilbert	Honoring Councilman Gilbert and 12 years of service
• Mickey McCamish	Friends of the Festival resolution passed tonight

ADJOURNMENT

On motion of Vice-Chairman Smith, Chairman Henderson adjourned the meeting of the Chattanooga City Council until Tuesday, April 20, 2021, at 6:00 p.m.

[Editor's Note: Any person may join the electronic-conducted meetings of the Chattanooga City Council at the scheduled time by visiting online at council.chattanooga.gov.]

CHAIRMAN

CLERK OF COUNCIL