



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
April 16, 2019
6:00 PM

CALL TO ORDER

Council Chairman Erskine Oglesby called the meeting to order with Vice-Chairman Chip Henderson and Councilpersons Anthony Byrd, Demetrus Coonrod, Russell Gilbert, Darrin Ledford and Jerry Mitchell. Phil Noblett, City Attorney, and Nicole Gwyn, Council Clerk, were also present. Councilman Carol Berz joined the meeting after the call to order.

PLEDGE OF ALLEGIANCE

Councilman Smith led the Assembly in the Pledge of Allegiance.

APPROVAL OF LAST MINUTES

On motion of Councilman Gilbert and seconded by Councilman Smith, the minutes of the last meeting (April 9, 2019) were approved as published.

SPECIAL PRESENTATION

***Proclamation - "Financial Literacy Month"
By Chairman Erskine Oglesby, Jr.***

Chairman Oglesby presented the following proclamation to representatives from First Tennessee Bank:

Whereas, First Tennessee has partnered with BrightBridge, Inc., to provide \$500,000 for small businesses to access capital for growth and opportunity, and,

Whereas, financial health opens the doors to homeownership and opportunity, and,

Whereas, strong financial health begins with a credit score of 700, and,

Whereas, First Tennessee provides Operation HOPE to any individual looking to better their credit scores through financial programming and one-on-one counseling, and

Whereas, the City of Chattanooga's strength comes from the positive health of small businesses, entrepreneurs and homeownership for its' citizens,

NOW THEREFORE,

I, Erskine Oglesby, Councilman for City Council District 7,
do hereby proclaim the month of April as

Financial Literacy Month

in the city of Chattanooga, Tennessee
and thank First Tennessee and their partners
for the difference they are making in achieving
financial dreams for our citizens.

ORDINANCES – FINAL READING:

Alternate Version #5

On motion of Councilman Smith and seconded by Councilman Mitchell,

ORDINANCE #13452

AN ORDINANCE AMENDING CHATTANOOGA CITY CODE, PART II, CHAPTER 4, ARTICLE II, RULES, REGULATIONS, CRITERIA, STANDARDS, SECTION 4-41, RULES ADOPTED RELATING TO NOXIOUS ODORS AND NUISANCES.

Chairman Oglesby thanked Councilman Smith for his hard work and diligence put into this piece of legislation. **The motion carried, with Councilman Gilbert voting “No.”**

ACTION: APPROVED

MR-2019-0031

**John (Jake) Greear, agent for the owner
of the adjacent property, David Adams
District No. 7**

On motion of Councilman Henderson and seconded by Councilman Byrd,

ORDINANCE #13453

AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED UNIT BLOCK OF WEST 50TH STREET, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

This being a District 7 item, Councilman Henderson confirmed Chairman Oglesby’s approval prior to moving on the item. The motion carried.

ACTION: APPROVED

MR-2019-0029
George Wright Construction % Wade Wright,
agent for the owner of the adjacent property, Jody Shea
District No. 8

On motion of Councilman Byrd and seconded by Councilwoman Berz,

ORDINANCE #13454

AN ORDINANCE CLOSING AND ABANDONING THE 2500 BLOCK OF TOM STREET AND A PORTION OF THE 1500 BLOCK OF EAST 26TH STREET, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

On motion of Councilman Mitchell and seconded by Councilman Ledford,

ORDINANCE #13455

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 24, ARTICLE XIV, SECTION 24-504, RELATING TO ONE-WAY STREETS.

ACTION: APPROVED

ORDINANCES – FIRST READING: (NONE)

RESOLUTIONS:

On motion of Councilwoman Berz and seconded by Councilman Byrd,

RESOLUTION #29876

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH DARDENELLE LONG, IN SUBSTANTIALLY THE FORM ATTACHED, FOR THE USE OF THE BARN ON THE BROWN ACRES GOLF COURSE PROPERTY FOR THE KEEPING OF ANIMALS AS CONSISTENT WITH ZONING, WITH A RENTAL RATE OF \$200.00 PER MONTH.

ACTION: ADOPTED

On motion of Councilman Ledford and seconded by Councilman Byrd,

RESOLUTION #29877

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT, DIVISION OF OUTDOOR CHATTANOOGA, TO RENEW A CONTRACT WITH CIVICPLUS, INC. FOR A MANAGEMENT SOFTWARE SYSTEM THAT FACILITATES ON-LINE RESERVATIONS AND PAYMENTS FOR CITY PARKS, FACILITIES, AND OUTDOOR CHATTANOOGA PROGRAMS, FOR THE FIRST OF TWO AVAILABLE RENEWAL TERMS, IN THE AMOUNT OF \$12,500.00.

ACTION: ADOPTED

On motion of Councilman Ledford and seconded by Councilman Byrd,

RESOLUTION #29878

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUITCLAIM DEEDS CONVEYING SEVENTY-FOUR (74) CERTAIN OR CERTAIN COMBINATION OF PARCELS, IN SUBSTANTIALLY THE FORM ATTACHED, TO THE APPROVED HIGHEST BIDDERS ON JOINTLY-OWNED PROPERTIES OF THE CITY OF CHATTANOOGA AND HAMILTON COUNTY AS ACQUIRED THROUGH PREVIOUS DELINQUENT TAX SALES.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilman Byrd,

RESOLUTION #29879

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO ACCEPT AND DISTRIBUTE FISCAL YEARS 2019-2020 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIP ACT FUNDS (HOME), AND EMERGENCY SOLUTIONS GRANT (ESG) FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD), AND PROGRAM INCOME, FOR A TOTAL APPROXIMATE AMOUNT OF \$3,686,257.00.

ACTION: ADOPTED

2019-16
Jeffrey & Katelyn Rau
District No. 2

Agenda Item VII(e):

A RESOLUTION APPROVING SHORT TERM VACATION RENTAL APPLICATION NO. 19-STVR-00014 FOR PROPERTY LOCATED AT 514 CREWDSON STREET.

Councilman Mitchell informed the Council that the Applicant in this case could not be in town for today's hearing and requested a 1-week deferral. Therefore, **Councilman Mitchell moved** to defer to one week to April 23, 2019. He was seconded by Councilman Ledford. The motion carried.

ACTION: DEFERRED TO APRIL 23, 2019

2019-18
Margaret Sibley/Niloofar Fallah
District No. 8

Agenda Item VII(f):

A RESOLUTION APPROVING SHORT TERM VACATION RENTAL APPLICATION NO. 19-STVR-00011 FOR PROPERTY LOCATED AT 1601 E. 13TH STREET.

Mr. Fisher made a presentation that included information on the following:

- Map of the surrounding STVR applications
- Satellite overhead and pics
- Application History

Mr. Fisher noted that his division had received one letter of objection to this STVR. The Applicant was present, but Opposition was not present. Chairman Oglesby opened the floor to hear from the Applicant.

- **Margaret Sibley** (Co-Applicant) - She didn't know that she should contact the Highland Park neighborhood association about her plans for a STVR. She informed the Council that she needs to move to Seattle but wanted to keep the house and be able to afford it. She spoke to her neighbor who had the objection, who lives a block down and across the street. He is in an argument with the city about the alley behind his house not being wide enough. He put the objection letter in to get attention on that other matter. She noted that there are two parking spaces on the premises. She accused the man who wrote the objection letter of asking her for money to affect his objection.
 - Councilman Byrd would like for Ms. Sibley to talk with the neighborhood association president know about the situation and how the neighborhood feels. However, Ms. Sibley has already moved to Seattle and cannot fly back to Chattanooga next week. He asked Ms. Sibley to stay after the meeting so that he can get her contact information. He will still contact the neighborhood association president about this.

Therefore, **Councilman Byrd moved** to defer to April 23, 2019. He was seconded by Councilwoman Coonrod. The motion carried.

ACTION: DEFERRED TO APRIL 23, 2019

2019-19
Lee Mangum/LCM Rentals, LLC
District No. 2

On motion of Councilman Mitchell and seconded by Councilman Henderson,

RESOLUTION #29880

A RESOLUTION APPROVING SHORT TERM VACATION RENTAL APPLICATION NO. 19-STVR-00013 FOR PROPERTY LOCATED AT 504 BECK AVENUE.

Councilman Mitchell inquired about a 3-page document regarding provisions for minimum standards for STVRs that the full Council had received. He wanted to know why it was distributed

to them. Attorney Noblett informed the Council that he had distributed the document to the Council at the request of John Bridger, Executive Director of Regional Planning. An attorney was present on behalf of the Applicant, but no Opposition was present. Councilman Mitchell confirmed with Mr. Fisher that there was one objection letter for this case. The motion carried.

ACTION: ADOPTED

2019-20
Morgan Kent Caraway
District No. 7

On motion of Councilman Henderson and seconded by Councilman Smith,

RESOLUTION #29881

A RESOLUTION APPROVING SHORT TERM VACATION RENTAL APPLICATION NO. 19-STVR-00019 FOR PROPERTY LOCATED AT 1308 W. 53RD STREET.

Councilman Henderson confirmed with Chairman Oglesby that there was objection for this District 7 case. There was no Opposition present. The motion carried.

ACTION: ADOPTED

On motion of Councilman Ledford and seconded by Councilman Smith,

RESOLUTION #29882

A RESOLUTION AUTHORIZING THE DONATION OF HURST HYDRAULIC RESCUE TOOLS TO THE TRI-STATE MUTUAL AID ASSOCIATION, IN THE AMOUNT OF \$15,000.00.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilwoman Berz,

RESOLUTION #29883

A RESOLUTION AUTHORIZING THE APPOINTMENT OF KRISTEN STANFILL, AS A SPECIAL POLICE OFFICER (UNARMED) FOR THE LAND DEVELOPMENT OFFICE, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilman Byrd,

RESOLUTION #29884

A RESOLUTION AUTHORIZING THE APPOINTMENT OF MESHELL LESNIEWSKI, AS A SPECIAL POLICE OFFICER (UNARMED) FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

On motion of Councilman Ledford and seconded by Councilwoman Berz,

RESOLUTION #29885

A RESOLUTION AUTHORIZING THE OFFICE OF THE CITY ATTORNEY TO RENEW PURCHASE ORDER NO. 548221 WITH ARTHUR J. GALLAGHER RISK MANAGEMENT SERVICES, INC. FOR COMMERCIAL LIABILITY, AUTO INSURANCE, ATHLETIC LIABILITY, PUBLIC OFFICIAL BONDS, AND OTHER RISK SERVICES, FOR THE FIRST OF THREE (3) OPTIONAL RENEWAL TERMS, FOR THE PERIOD OF APRIL 17, 2019 THROUGH APRIL 16, 2020, FOR AN AMOUNT NOT TO EXCEED \$110,037.00.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Byrd,

RESOLUTION #29886

A RESOLUTION TO CONFIRM THE MAYOR'S APPOINTMENTS OF ANCA RADER AND SALLY MORROW TO THE FORM-BASED CODE COMMITTEE.

ACTION: ADOPTED

On motion of Councilman Ledford and seconded by Councilman Smith,

RESOLUTION #29887

A RESOLUTION TO CONFIRM THE MAYOR'S APPOINTMENT OF SKIP POND TO THE HISTORIC ZONING COMMISSION.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilwoman Coonrod,

RESOLUTION #29888

A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 (FINAL) FOR JDH COMPANY, INC. OF CHATTANOOGA, TN, RELATIVE TO CONTRACT NO. Y-17-017-201, REPLACEMENT ROOFING SYSTEM FOR JOHN A. PATTEN YFD CENTER BUILDING, FOR A DECREASED AMOUNT OF \$6,500.00, TO RELEASE THE CONTINGENCY AMOUNT OF \$30,000.00, FOR AN AMOUNT NOT TO EXCEED \$307,705.00.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilman Ledford,

RESOLUTION #29889

A RESOLUTION TO AMEND RESOLUTION NO. 29696 SO AS TO APPROVE CHANGE ORDER NO. 1 FOR HAREN CONSTRUCTION COMPANY, INC. OF ETOWAH, TN, RELATIVE TO CONTRACT NO. W-15-009-201, MBWWTP CONTROL ROOM UPGRADES, A CONSENT DECREE PROJECT, FOR AN INCREASED AMOUNT OF \$216,245.75, FOR A REVISED CONTRACT AMOUNT OF \$1,780,245.75, AND AUTHORIZING \$100,000.00 IN NEW CONTINGENCY, FOR A REVISED AMOUNT NOT TO EXCEED \$1,880,245.75.

ACTION: ADOPTED

On motion of Councilman Byrd and seconded by Councilwoman Coonrod,

RESOLUTION #29890

A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 (FINAL) FOR TRI-STATE ROOFING CONTRACTORS OF CHATTANOOGA, TN, RELATIVE TO CONTRACT NO. M-17-002-201, REPLACEMENT ROOFING SYSTEM FOR FLEET MAINTENANCE BUILDING AT AMNICOLA, FOR AN INCREASED AMOUNT OF \$37,691.07, FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED \$358,950.07.

ACTION: ADOPTED

On motion of Councilman Ledford and seconded by Councilman Smith,

RESOLUTION #29891

A RESOLUTION AUTHORIZING YEAR TWO (2) OF A FIVE (5) YEAR TERM FOR THE ON-CALL BLANKET CONTRACTS FOR PROFESSIONAL SERVICES FOR THE SUPPORT OF WASTEWATER CAPITAL IMPROVEMENTS PROGRAM, CONTRACT NO. W-18-001, FOR THE NINETEEN (19) CONSULTANT FIRMS LISTED BELOW THAT SUBMITTED QUALIFICATIONS IN THE SIX (6) DIFFERENT CATEGORIES PER THEIR QUALIFICATION PACKAGE, IN THE AMOUNT OF \$11.2 MILLION.

ACTION: ADOPTED

On motion of Councilman Ledford and seconded by Councilman Smith,

RESOLUTION #29892

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO THE FINAL ONE (1) YEAR AGREEMENT WITH DENALI WATER SOLUTIONS, LLC FOR LAND APPLICATION AND BENEFICIAL USE OF CLASS B BIOSOLIDS FROM THE MOCCASIN BEND WASTEWATER TREATMENT PLANT AS PER THE SIGNED CONTRACT DATED MARCH 30, 2015, FOR AN AMOUNT NOT TO EXCEED \$2.5 MILLION.

ACTION: ADOPTED

On motion of Councilman Mitchell and seconded by Councilman Henderson,

RESOLUTION #29893

A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 (FINAL) FOR KLEENCO CONSTRUCTION RELATIVE TO CONTRACT NO. T-17-006-201, COMMUNITY DEVELOPMENT BLOCK GRANT SIDEWALK INSTALL/REPAIR, FOR AN INCREASED AMOUNT OF \$95,560.70, FOR A REVISED CONTRACT AMOUNT NOT TO EXCEED \$416,982.45.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Proposed Purchases (NONE)

OTHER BUSINESS:

COMMITTEE REPORTS:

Budget and Finance Committee
Councilwoman Berz
(No report)

Economic and Community Development Committee
Councilman Byrd reported:

- On April 23, the Council will hear a presentation by CNE next week at 1:30 p.m. on affordable housing.
- On April 30, the Council will hear from CNE and the Mayor's Council on Women at 1:30 p.m. on predatory lending.
- On April 30, the ECD Committee will meet after the 3:00 p.m. Agenda Session to hear a presentation on the Business Innovation District.

HR Committee (Human Resources)
Councilman Gilbert

Planning and Zoning
Councilman Ledford reported:

- The committee will meet next week, April 23, for a discussion about the Short-Term Vacation Rental ordinance.

Public Safety Committee
Councilman Smith

- The committee will meet after the 3:00 p.m. Agenda Session for a discussion with Chief Roddy about a Police Advisory Review Committee.

Public Works and Transportation Committee

Councilman Mitchell reported:

- The committee met today in open meeting and will meet again in two weeks (April 30).

Youth and Family Development Committee

Councilwoman Coonrod

(No report)

Legislative Committee

Vice-Chairman Henderson

(No report)

**RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL
(Non-Agenda Items)**

Attorney Noblett read the rules of procedure for persons wishing to address the Council on non-agenda items. After which, Chairman Oglesby recognized the following persons:

- **Mary Ellis Craypole (Chattanooga)** - She would like to use her property in District 5 as an Airbnb rental. She lives in the King's Pointe area and would like to know how to make the STVR happen. She informed the Council that her livelihood depends on it and that her property has been "grandfathered."
 - Councilman Gilbert informed Ms. Craypole that STVRs are not allowed in District 5. He asked to speak to her after the meeting.

ADJOURNMENT

On motion of Councilman Henderson and seconded by Councilman Byrd, Chairman Oglesby adjourned the meeting of the Chattanooga City Council until Tuesday, April 23, 2019, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL