



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
June 19, 2018
6:00 PM

CALL TO ORDER

Council Vice-Chairman Erskine Oglesby called the meeting to order with a Councilpersons Carol Berz, Anthony Byrd, Russell Gilbert, Chip Henderson, Darrin Ledford and Jerry Mitchell. Wade Hinton, City Attorney, and Nicole Gwyn, Council Clerk, were also present. Chairman Ken Smith and Councilwoman Demetrus Coonrod were not present.

PLEDGE OF ALLEGIANCE

Councilwoman Berz led the Assembly in the Pledge of Allegiance.

APPROVAL OF LAST MINUTES

On motion of Councilman Gilbert and seconded by Councilman Byrd, the minutes of the last meeting (June 12, 2018) were approved as published.

SPECIAL PRESENTATION

Public Hearing of Water Quality Rate Program Rate Study And Fee Schedule Recommended For Amendments

Councilwoman Berz informed the Assembly that each person would have three (3) minutes to speak. She asked Attorney Hinton read the rules of procedure for this hearing. After which, Councilwoman Berz recognized the following speakers:

- **Richard Beeland** (Sylvan Street/District 2) - He represented the Homebuilders Associate and submitted his statements to the Clerk for the record. He asked the Council to be removed from the overall budget and be debated publically and independently. [Full statements are attached.]
- **Sandy Kurtz** (Coward St./District 7) - She represented the South Chick Greenway Alliance) - Hold off on any increase in employees and water quality fees until there is proper public input. She posed several questions to the Council.
- **Jeff Ramsey** (Resides in Hamilton County) - He spoke on behalf of the Greater Chattanooga REALTORS and over 2,000 members in Opposition to the fee increase. He submitted his full written statement to the Council. [See full statement attached.] He gave an overview of his company, then discussed the company's issues with the proposed fee increase, such as the approval process and the impact on homeownership.

- **Dr. Chris Long** (CEDEC) – He represented the Chattanooga Developers Environmental Committee Coalition (CDECC) in Opposition to the proposed fee increase. He discussed CDECC’s mission, then informed the Council of CDECC’s reasons and related questions for not supporting the increase, citing problems with the past rate structure analysis, insufficient public input, operational efficiency and fee collection history.
- **Pete Yakimovich** (District 6) - He was there when the program started in 1991 and has seen it evolve in the right direction. Being an engineer, he would like to balance the program and balance the rate structure. He recommended setting up a review board to come up with solutions to balance the program and look at the rate structure. He also recommended augmenting the budget with general fund reserves.
- **Dave Hamill** (Missionary Ridge/District 9) - He agreed with others that this has been approved too quickly before going to the Stormwater Board. He has worked in environmental engineering and discussed his passion for stormwater issues. Due to impervious surfaces including roads, recommended a stormwater tax every time you renew your license as a source of revenue for stormwater fees and meet the objective of the fund.
- **Jason Brown** (SEIU 205) – He represents the SEIU 205 and its non-commissioned police and fire officers of the City. He asked the Council to consider the living expenses and utilities cost that employees pay living in the city. He asked the Council to ensure that if a rate increase takes place, that is absolutely necessary for the city of Chattanooga.
- **Steven West** (Chattanooga) - Raising fees at the same time of raising insurance fees will impact city employees. He recommends looking closer at contracting out. He discussed contractors not staying to perform their work.
- **Rick Carpenter** (Concord Rd./District 4) - He discussed the “theft of services.” Take money for water and put it on impervious areas. He asked where the money has gone and who is to blame. Stop outsourcing and contracting out jobs.

Upon no further comments from the public, Councilwoman Berz closed the hearing at 6:35 p.m., turning the meeting back over to Vice-Chairman Oglesby.

ORDINANCES – FINAL READING:

On motion of Councilman Gilbert and seconded by Councilman Byrd,

ORDINANCE #13320

AN ORDINANCE PROVIDING FOR AN INTERIM BUDGET AND APPROPRIATING FUNDS FOR THE USUAL AND ORDINARY EXPENSES OF THE CITY GOVERNMENT FOR JULY 1 THROUGH JULY 5, 2018, PENDING THE ADOPTION OF THE 2018-2019 ANNUAL BUDGET.

The motion carried upon roll call vote as follows:

Berz	YES	Ledford	YES
Byrd	YES	Mitchell	YES
Gilbert	YES	Oglesby	YES
Henderson	YES		

ACTION: APPROVED

2018-075
Hillocks Farm Land Company, LLC
c/o Duane Horton
Planning Version
District No. 1

On motion of Councilman Henderson and seconded by Councilman Byrd,

ORDINANCE #13321

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO AMEND CONDITION 2.1 OF SPECIFIC CONDITIONS FOR R-4 ZONING ORDINANCE NO. 12809 OF PREVIOUS CASE NO. 2014-008 ON PART OF PROPERTY LOCATED AT 6100 HIGHWAY 153, MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.

John Bridger, Executive Director of Regional Planning, entered site plan to the Clerk for the record. Vice-Chairman Oglesby confirmed that neither the Applicant was no Opposition present. Councilman Henderson moved to approve with the submitted master site plan for this property. He was seconded by Councilman Byrd. The motion carried.

ACTION: APPROVED

2018-077
Hillocks Farm Land Company, LLC
c/o Duane Horton
Planning Version
District No. 1

On motion of Councilman Henderson and seconded by Councilman Ledford,

ORDINANCE #13322

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 6048 HIGHWAY 153, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE.

ACTION: APPROVED

2018-078
Hillocks Farm Land Company, LLC
c/o Duane Horton
Planning Version
District No. 1

On motion of Councilman Henderson and seconded by Councilwoman Berz,

ORDINANCE #13323

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 6046 HIGHWAY 153, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE.

ACTION: APPROVED

2018-079
Hillocks Farm Land Company, LLC
c/o Duane Horton
Planning Version
District No. 1

On motion of Councilman Henderson and seconded by Councilwoman Berz,

ORDINANCE #13324

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 6100 HIGHWAY 153, MORE PARTICULARLY DESCRIBED HEREIN, FROM C-2 CONVENIENCE COMMERCIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

2018-093
Riverton Development Group, LLC
Planning Version
District No. 2

On motion of Councilman Mitchell and seconded by Councilman Byrd,

ORDINANCE #13325

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PART OF PROPERTY LOCATED AT 1100 LUPTON DRIVE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE AND M-1 MANUFACTURING ZONE TO R-1 RESIDENTIAL ZONE, R-4 SPECIAL ZONE, AND UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

2018-082 Holcomb Family Partners
c/o Time Holcomb
Planning Version
District No. 3

On motion of Councilman Henderson and seconded by Councilman Ledford,

ORDINANCE #13326

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PART OF PROPERTY LOCATED AT 5513 HIGHWAY 153, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE.

Councilman Henderson noted that this was in Chairman Smith's district. The motion carried.

ACTION: APPROVED

2018-084
Vanessa E. Moser
Planning Version
District No. 3

On motion of Councilman Ledford and seconded by Councilman Byrd,

ORDINANCE #13327

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1649 KAMIN ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO A-1 URBAN AGRICULTURAL ZONE.

He noted that this item was in Chairman Smith's District 3. The motion carried.

ACTION: APPROVED

2018-058
Cynthia Brown
Planning Version
District No. 4

ORDINANCE #13328

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 7724 STANDIFER GAP ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

Per the request of Councilman Ledford, Mr. Bridger to read the five conditions of the recommended by Planning.

- 1) Office use and single-family detached residential only;
- 2) Except for the existing driveway and parking pad, no additional surface parking or paving shall be permitted between the structure and Standifer Gap Road;
- 3) Signage restricted to one (1) name plate, non-illuminated, attached to the building or projecting from the building and not more than one (1) square foot in area;
- 4) No dumpster service for trash pick-up; and
- 5) Use of existing structure only and limited to one story.

Councilman Ledford moved to approve, seconded by Councilman Byrd. The motion carried.

ACTION: APPROVED

2018-083
Tom Willumson
Planning Version
District No. 5

On motion of Councilman Gilbert and seconded by Councilwoman Berz,

ORDINANCE #13329

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 3951 CROMWELL ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM O-1 OFFICE ZONE TO R-1 RESIDENTIAL ZONE.

ACTION: APPROVED

2018-090
Silverdale Baptist Church
c/o Doug Anderson
Planning Version
District No. 6

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

ORDINANCE #13330

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 2916 SILVERDALE ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

2018-087
Dexter White
Planning Version
District No. 7

On motion of Councilman Ledford and seconded by Councilman Gilbert,

ORDINANCE #13331

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 432 WEST 24TH STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE.

Councilman Ledford noted that this item was in the Vice-Chairman's district. The motion carried.

ACTION: APPROVED

On motion of Councilman Ledford and seconded by Councilman Byrd,

ORDINANCE #13332

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE VI, SECTION 38-504, HEIGHT AND AREA EXCEPTIONS AND OTHER SPECIAL EXCEPTIONS TO CLARIFY INTERIOR SIDE SETBACKS FOR DETACHED SMALL STORAGE BUILDING, PRIVATE AUTOMOBILE STORAGE GARAGES, PRIVATE SHOPS FOR WOODWORKING, METAL WORKING, CERAMIC, ETC., AND OTHER SIMILAR ACCESSORY BUILDINGS LOCATED IN THE R-T/Z RESIDENTIAL TOWNHOUSE ZERO LOT LINE ZONE.

ACTION: APPROVED

ORDINANCES – FIRST READING: (NONE)

RESOLUTIONS:

On motion of Councilman Henderson and seconded by Councilman Byrd,

RESOLUTION #29497

A RESOLUTION AUTHORIZING THE CHIEF INFORMATION OFFICER TO EXECUTE A BLANKET CONTRACT RENEWAL WITH TYLER TECHNOLOGIES AS THE PROVIDER OF HARDWARE, SOFTWARE, IMPLEMENTATION SERVICES AND RELATED EXPENSES FOR ELECTRONIC CITATION SYSTEM FOR THE PERIOD OF ONE (1) YEAR BEGINNING JULY 21, 2018 THROUGH JULY 20, 2019, FOR AN AMOUNT NOT TO EXCEED \$1.5 MILLION PER CONTRACT YEAR.

ACTION: ADOPTED

On motion of Councilman Byrd and seconded by Councilman Ledford,

RESOLUTION #29498

A RESOLUTION TO CONFIRM THE MAYOR'S APPOINTMENTS OF ROY WROTH, HANNAH FORMAN, AND MATT MCDONALD TO THE CHATTANOOGA HISTORIC ZONING COMMISSION.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilman Ledford,

RESOLUTION #29499

A RESOLUTION TO CONFIRM THE MAYOR'S RE-APPOINTMENTS OF EDDIE HELTON, KENNY SMITH, MIKE WEBB, JAMES WALKER, DON BLANKENSHIP, AND ROBERT WADE TO THE CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS.

ACTION: ADOPTED

2018-094

Riverton Development Group, LLC

District No. 2

RESOLUTION #29500

A RESOLUTION AUTHORIZING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT ON PROPERTY LOCATED AT 1100 LUPTON DRIVE, SUBJECT TO CERTAIN CONDITIONS.

Councilman Mitchell asked Mr. Bridger to read the two conditions recommended by the Planning Commission.

- 1) Provide access easements to Rivermont Park and the Riverwalk; and
- 2) Subject to a street network plan as approved by Chattanooga Department of Transportation.

Mr. Bridger indicated that the Applicant requested changes to the conditions and discussed Staff's position that the current Planning Commission language should remain intact. Mr. Bridger also gave Mr. Ledford more context about the timing of the development.

Vice-Chairman Oglesby then recognized the Applicant:

Becky English – She spoke on behalf of the Riverton Group (Applicant). She gave a history of the property, formerly known as the BlueCross BlueShield property. She discussed plans for a riverfront pedestrian corridor for their Planned Unit Development. She indicated that the original language in condition #1 contained a capitalization regarding "The" Riverwalk that caused the Riverton Group some concern. By capitalizing "The," Ms. English felt like the language was somewhat heavy-handed by calling it by a defined term, "The" Riverwalk. They may at some point consider connecting to the Riverwalk, but no one can predict or dictate when that will happen. She has had

discussions with various stakeholder groups about connections on the north side of their property. She is willing to have other discussions about connections, but no plans are in place. When they do connect to the Riverwalk, they will do it in the locations that they will determine and according to their standards. They also wish to work with their developers without added restrictions for other entities.

Ms. English then responded to questions from the Council regarding the following:

- Property going all the way to the river
- No easements along riverbank except for sewer easements in some areas
- Topography in a specific area with two inlets
- Riverton's willingness to discuss connections with various entities

Discussion ensued with Attorney Hinton. In response to a question from Councilwoman Berz about right-of-ways, Attorney Hinton indicated that he would have to check if there are some right-of-way regarding lands that touch the river. He also commented on who might have authority over the right-of-way and whether the City can have a plan that includes the Riverwalk without a right-of-way. He discussed plans that would require working with property owners for certain access. Councilman Mitchell gave a historical perspective on how this has been done in the past, usually by TPL, with private property owners giving up an easement in a private-public partnership. Private property owners would always grant permission for the access. He indicated that people from TPL were present if needed to respond to questions.

Councilman Mitchell discussed the current proposed condition with Attorney Hinton and questioned if the currently condition would be enough to protect the private owners and give what is needed to fulfill the community vision.

Councilman Mitchell moved to approve, with the intent of making an amendment. He was seconded by Councilman Henderson. The motion carried. Councilman Mitchell then explained his intent with the amendment for Councilman Henderson.

Councilman Mitchell moved to amend the language of Condition #1 to read: "*...provide pedestrian easement to Rivermont Park and Riverwalk at such reasonable locations as shall be determined by developer-owner to be built to standards determined by developer-owner.*" Councilman Byrd seconded. The motion carried.

Councilman Mitchell moved to approve as amended, seconded by Councilman Henderson. The motion carried.

ACTION: ADOPTED AS AMENDED

On motion of Councilman Ledford and seconded by Councilman Byrd,

RESOLUTION #29501

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO APPLY FOR, AND IF AWARDED, ACCEPT A U.S. DEPARTMENT OF ENERGY'S ADVANCED SOLAR SYSTEMS INTEGRATION TECHNOLOGIES GRANT FOR MUNICIPAL UTILITY INFRASTRUCTURE CONTINUITY (MUSIC), IN THE AMOUNT OF \$1,950,000.00.

ACTION: ADOPTED

On motion of Councilman Mitchell and seconded by Councilwoman Berz,

RESOLUTION #29502

A RESOLUTION AUTHORIZING THE RENEWAL OF CONTRACT NO. E-16-001-401, ON-CALL BLANKET CONTRACTS FOR RESIDENT PROJECT REPRESENTATIVE SERVICES (RPR) FOR YEAR THREE (3) OF FIVE (5) WITH (1) AMEC FOSTER WHEELER ENVIRONMENT AND INFRASTRUCTURE, INC.; (2) ARCADIS, US, INC.; (3) ASA ENGINEER AND CONSULTANTS, INC.; (4) BARGE SOLUTIONS; (5) CD TECHNICAL SERVICES; (6) CTI ENGINEERS, INC.; (7) MCGILL ASSOCIATES, P.A.; (8) S&ME, INC.; (9) THOMPSON ENGINEERING; (10) VAUGHN & MELTON CONSULTING ENGINEERS, INC.; AND (11) VOLKERT, INC., FOR YEAR THREE (3) OF FIVE (5) YEAR TERM, WITHIN ELEVEN (11) PROFESSIONAL FIRMS ESTIMATED AT \$1,250,000.00 TOTAL ANNUALLY, FOR ALL ELEVEN (11) PROFESSIONAL FIRMS FOR USE BY ALL DEPARTMENTS.

ACTION: ADOPTED

PURCHASES:

Bonnie Woodward, Purchasing Director, briefed the Council on the following proposed purchases:

PO543748 - Public Works Estimated \$600,000 Annually

Blanket Contract Renewal for Tires- Fleet Management Division

Lowest/Best Bidder: Best One Tire
2348 Rossville Blvd.
Chattanooga, TN 37408

R169462 - Public Works Estimated \$50,000 Annually

New Blanket Contract for Turf Management
for Parks - Parks Division

Lowest/Best Bidder: TruGreen Lawn Care Service
4135 South Creek Road
Chattanooga, TN 37406

R169443 - Public Works Estimated \$31,000 Annually

New Blanket Contract for Janitorial Services -
Fleet Management Division

Lowest/Best Bidder: Metro Janitorial Services, Inc.
8115 Snow Hill Road
Ooltewah, TN 37363

PO538805 - Public Works Estimated \$400,000 Annually

Blanket Contract Renewal for Equipment Maintenance
& Repair Services- Waste Resource Division

Lowest/Best Bidder: Stowers Machinery Corporation
4066 S. Access Road
Chattanooga, TN 37406

R170399 - Human Resources

Estimated \$423,027 Annually

New Blanket Contract Stop Loss Insurance -
Human Resources Department
Lowest/Best Bidder: BlueCross BlueShield of Tennessee
1 Cameron Hill Circle
Chattanooga, TN 37403

R169327 - Information Technology

Estimated \$500,000 Annually

New Blanket Contract for Facility Security Equipment
Systems and Services
Lowest/Best Bidder: Convergent Technologies
4395 Nicole Drive
Lanham, MD 20706

Councilman Henderson moved to approve, seconded by Councilman Byrd. The motion carried.

ACTION: ALL PURCHASES APPROVED

OTHER BUSINESS:

Books with Berke Event

Vice-Chairman Oglesby read a document that had been submitted to him about an event. The Friends of the Chattanooga Public Library will host an event tomorrow night, June 20, called "Books with Berke" at the Downtown Public Library. Austin Kleon, author of "Steal Like An Artist," will be at the library for a conversation with Mayor Berke and Library Director Corinne Hill about his book and how you can find inspiration and creative ideas everywhere. The event is from 6:00 – 7:30 p.m., where attendees will have the chance to meet Mr. Kleon and get a book signed.

Renewal of Wine Certificates

Attorney Hinton presented wine renewal certificates for the following stores:

1. Whole Food Market Group, Inc., 301 Manufacturers Road (**District 1**)
2. Earth Fare, Inc. # 420, 1814 Gunbarrel Road, Suite 100 (**District 4**)
3. Earth Fare, Inc. # 425, 5415 Hixson Pike (**District 3**)
4. The Fresh Market #22, 2288 Gunbarrel Road (**District 4**)

The renewal certificates were each signed in the open meeting by five councilpersons.

Revision to Resolution 29478

Mr. Hinton noted an error to an ECD resolution (Resolution #29478) regarding HUD incorrectly read "2013-2019." The correct dates should be "2018-2019." A corrected copy will be sent.

COMMITTEE REPORTS:

Budget and Finance Committee

Councilwoman Berz reported:

- The Budget Education Session #5 took place today. The next one will on next Tuesday, June 26, at 10:00 a.m.

- There was also a public Water Quality Rate Hearing earlier in tonight's meeting regarding.

Economic and Community Development Committee

Councilman Byrd

(No report)

Human Resources Committee (HR)

Councilman Gilbert

(No report)

Planning and Zoning Committee

Councilman Ledford

(No report)

Public Safety Committee

Councilman Henderson

(No report)

Public Works and Transportation Committee

Councilman Mitchell reported:

- The committee will meet next Tuesday after the 3:00 p.m. Agenda Session.

Youth and Family Development Committee

(Councilwoman Coonrod not present)

RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL

(Non-Agenda Items)

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

- **Bonnie Robbins** (Old Ringgold Road) – She distributed a copy of a letter an to the Council from the Mayor's Office regarding drainage on private property at 2108 Old Ringgold Road. She informed the Council about a water that is being directed from Sunset Terrace that she believes is blocked. She believes it is contributing to a hole 6-feet deep caving in on her property. She is afraid to go to that area of the property. She had been informed that the City could not maintain conveyance of privately-owned property and that it was the responsibility of the property owners to accept and convey run-off. She asked the City to lend a hand in solving this problem.
 - Maura Sullivan, Chief Operating Officer, informed the Council that Public Works had sent a crew to look the situation on yesterday and that they will work with her.
- **Shirley Moon** (Chattanooga) – She did not wish to address the Council in the open meeting about her issue, but wanted to present a letter to the Council that discussed everything. [See full letter attached.]
- **Susan Marrow** (Chattanooga) – She has a problem with the Short-Term Vacation Rental overly because her property is not part of the zone. As a retiree, she has been making a living with AirBnB. She asked the Council to extend the STVR zone or abandon it.

ADJOURNMENT

On motion of Councilman Ledford, Vice-Chairman Oglesby adjourned the meeting of the Chattanooga City Council until Tuesday, June 26, 2017, at 6:00 p.m.

VICE-CHAIRMAN

CLERK OF COUNCIL

Attachments:
Richard Beeland (Homebuilders Association statement)
Jeff Ramsey (Greater Chattanooga REALTOR) statements
Letter from Shirley A. Moon

Water Quality Rate / Fee Increase Public Meeting – June 19, 2018

My name is Richard Beeland, 502 Sylvan Street, and I'm here representing the Home Builders Association.

Thank you for the opportunity to comment on the Water Quality Rate Study and the recommended rate and fee increases for home owners.

The Homebuilders Association of Greater Chattanooga (HBAGC) was established in 1945 and is comprised of builders, developers, and professionals from associated industries throughout the region. We advocate for housing that is affordable, of the highest possible value, environmentally responsible, and built with the highest standards of quality.

For over a year now, Public Works staff has had the opportunity to work with consultants to develop this cost of service analysis based rate study. The rate increase study was released to the public just a few weeks ago. We believe that property owners deserve a comprehensive and accountable review process prior to any increases being implemented.

Single family home construction annually accounts for an estimated \$192.2 million contributed to the local economy, \$26.5 million in taxes and other revenue for local governments, and provides approximately 2,800 jobs. As an industry stakeholder, we have not had an opportunity to thoroughly review this study and make an informed decision about how this will impact the home building industry and, more importantly, home affordability and home ownership in our community.

We understand and respect the need for regulations however, we also believe this increased cost to homeowners will unfairly and disproportionately affect low to moderate and fixed income homeowners the most. Home affordability is already out of reach for many individuals and families in our community. The very individuals and families that need to see increased access to home affordability and home ownership will be undeservedly impacted the most.

As an industry, we are always concerned when a governmental regulating authority proposes to increase rates and fees on all homeowners and homebuyers. We respectfully request that this Water Quality rate and fee increase proposal be removed from the overall City of Chattanooga FY19 budget and be debated and voted on independently. Homeowner's and home buyers stand to be the most impacted by these proposed rate and fee increases and this subject deserves a high level of consideration that can only be achieved by analyzing it as an independent issue.

Additionally, we urge you to make sure that all proposed Water Quality projects that utilize the funds generated from these increases are properly vetted and legally required by the relevant regulatory agencies. Removing this increase now from the FY19 City budget will allow time for Council to ask questions and gather input. An important responsibility that belongs to Council as a function of our government.

Thank you for the opportunity to address this matter. As an organization supporting the local Home Building industry, we are very concerned and respectfully request this Council devote more time and attention to this matter before voting to impose these rate and fee increases on the Citizens of Chattanooga. Thank you.



Overview

On behalf of Greater Chattanooga REALTORS®, thank you to the City Council for the opportunity to share our concerns regarding the increase in Stormwater/Land Development Fees in Chattanooga. Last year when changes to the Stormwater ordinance were proposed, we discussed with you the importance of cooperation between local stakeholders and the City of Chattanooga. Our goal was to ensure that Chattanooga's rapid growth results in a positive impact on the city. Unfortunately, Greater Chattanooga REALTORS® come before you today as a stakeholder, who had no input regarding an issue that affects not only developers but current and future homebuyers, as well as business owners in the City of Chattanooga.

The manner by which the city handled the proposed fee increases has left Realtors with more questions than answers. The concerns of our membership range from whether the City of Chattanooga wants development and affordable housing in the city to concerns that consumers will be negatively impacted by the proposed fee increase.

Unfortunately, we had to tell our nearly 2,000 members, all of whom work daily with current and future property owners, that we did not have answers to their questions as we, too, were confused by the City's entire process.

The Proposed Fee Increase Approval Process

Stakeholders were only provided the study and proposed fee increase three days before the first meeting of the Stormwater board, who made their decision ten days later. This timeline leads one to believe soliciting the stakeholders' opinions was either an afterthought or a formality. It appears the fee increase was a done deal regardless of any comments or concerns by the public. Our perspective is based on our knowledge that:

- (1) The study, paid for by the City, provided the option to hold residential and business focus groups regarding a rate increase, yet none were held; and
- (2) Prior to the public meeting and approval by the Stormwater Regulations Board, the City already had incorporated the proposed fee increase into the 2019 budget.

The Water Quality Program Rate stated that Public Works adheres to five "Values", two of which are "People" and "Accountability". Greater Chattanooga REALTORS® is not convinced these values have been given due consideration when it comes to the proposed increases and the process by which we got here.

The Public Works' value of "People" states, "Our citizens are our customers. We also believe people are our most valuable resources. We will embrace innovation, invest in our employees,

reward excellence, and partner with our communities to improve our city.” The City of Chattanooga had the opportunity to speak to its customers and partner with the community stakeholders during the year in which the study was being conducted. However, the City chose not to utilize this option. This issue directly affects both the pocket book and livelihood of many Chattanoogaans whom have not had an opportunity to be heard.

The Public Works’ value of “Accountability” states, “We believe in being accountable for all public funds. We will hold ourselves accountable to the highest standards, work to earn and maintain the public’s trust, and be transparent.” The City Council has worked extremely hard to make sure that this entire budget process has been transparent, so we find it interesting that some City Councilpersons were unaware these fee increases were being presented as part of the 2019 budget. In addition, misleading information has been provided throughout this process and our concern is that the facts are not being relayed to the Council. For example, information initially provided to stakeholders stated that under the proposed fee increase Volkswagen would pay close to \$1 Million in ERU’s at the end of five (5) years. However, we have been told that Volkswagen is exempt from paying these fees. If Volkswagen is exempt, the City of Chattanooga should clarify this information.

The Proposed Fee Increases

We understand that fees have not increased in some time and that an increase in fees may be necessary to move the City of Chattanooga into the future. We agree that action must be made to maintain forward progress. However, we cannot go along with such a drastic fee increase without proper due diligence. As stakeholders, we were deprived that opportunity, and we feel strongly that the City of Chattanooga did not have ample opportunity to do its due diligence. Consider the following timelines, which demonstrate the process in which this issue was handled by the City of Chattanooga:

- April 2017, the City Council authorized Public Works to conduct a Water Quality Program Rate Study.
- April 2018, the City Council was made aware that the draft study had been received. No specifics were outlined in that presentation; however, City Engineer Bill Payne was specifically asked by a City Councilperson if this study meant that fees would increase, and he answered, “not necessarily”.
- On Friday, May 3, 2018 Leslie Gower, Executive Director of the Associated General Contractors, contacted the Greater Chattanooga REALTORS® regarding the proposed fee increase. This was the first time we as stakeholders were made aware of the proposed increases – by another stakeholder not the City.
- On Wednesday, May 8, 2018, the City of Chattanooga sent an email containing Scenarios 1-4b for review.
- On Friday, May 10, 2018, the City posted Scenario 5 as the proposed Preferred Rate Structure, which is the proposal included in the budget. Scenario 5 was not included in

the 168-page draft of the Water Quality Program Rate Study, which was provided to stakeholders the same day. To our knowledge the Study is still in draft form and has yet to be finalized by the City of Chattanooga.

- On Monday, May 13, 2018, the Stormwater Regulations Board voted to recommend the proposed fee increases to the City Council.

Based on what City Staff stated to the Stormwater Regulations Board, Scenario 5 was an alternative designed between Wednesday, May 8th and Friday, May 10th. The change in the Scenario does not reflect the information provided for in the study. From our viewpoint, Scenario 5 seems to have been developed last minute by City Staff, and we question why the information in the touted “legally defensible” study is not reliable. Again, we are left with more questions than answers.

The Future of Chattanooga

Recently at the National Association of REALTORS® (NAR) legislative meetings in Washington, D.C., NAR Chief Economist Lawrence Yun stated that “Challenging affordability conditions have prevented a meaningful rise in the homeownership rate after having fallen to a 50-year low a few years ago. To increase homeownership, more home construction is needed, which could be boosted by delivering regulatory relief to community banks, removing the lumber tariff, re-examining stringent zoning laws and training more workers for the construction industry.”

Although we are extremely concerned about how these fees will impact development in Chattanooga, an even bigger concern is how these fees will impact the citizens of Chattanooga. You see, for Greater Chattanooga Realtors, this is not a selfish concern. Although the City continues to say that the development community will be assessed the increased development fees, ultimately the increased land development fees will trickle down to your constituents as they purchase homes, goods, and services. This impact seems lost on everyone when discussing the proposed increased fees.

For example, a business owner with a property that contains storage units with 36 Equivalent Residential Units (ERU) currently pays \$4,147.20 in Water Quality Fees. In Year 2023 under the current proposal, that fee will have increased to \$6,607.44. To recoup the added costs the business owner likely will increase the cost of rent on the storage units, therefore passing on the increased costs to the citizens of Chattanooga renting these units. This example is just one of the many ways that the proposed increase in fees will potentially affect your constituents, not to mention the increase in Stormwater Fees your constituents will be paying on their own property.

NAR Researcher Jessica Lautz believes the affordability crisis has impacted some segments of homebuyers more than others, specifically African American and Hispanic/Latino buyers and those with student debt. “The homeownership rate amongst some ethnic groups hasn’t rebounded since the recession, and the ongoing affordability crisis has hampered potential buyers under 35, especially those with student debt, from accessing mortgage credit and making home purchases.” *

Greater Chattanooga REALTORS® believe everyone should have an opportunity for homeownership. In April 2018 the inventory of homes for sale has dropped 33.1% since April 2017 with a 2.1 months’ supply of inventory, which is down 30.0% from this time last year. The median sales price in Chattanooga was \$175,000, up 3.9% from April 2017. As home prices continue to rise in the City of Chattanooga, the dream of homeownership will continue to dim for many of our citizens – your constituents. Greater Chattanooga REALTORS® will continue to fight to ensure that the dream of homeownership becomes reality for Chattanoogaans.

Conclusion

Greater Chattanooga REALTORS® welcomes the opportunity to work with the City of Chattanooga and other stakeholders regarding issues that impact development and homeownership in the City of Chattanooga. Issues such as an increase in Stormwater/Land Development Fees should be a conversation we have today, not four and a half years from now when it will likely be too late to recover from the damage these increased fees may cause.

Should these drastic increases pass, it is very likely that developers will seek opportunities outside Chattanooga and once again the City of Chattanooga will be left searching for new revenue streams. Greater Chattanooga REALTORS® respectfully request the City Council vote against a budget with this fee increase included or remove the fee increase from the budget to allow the issue to be addressed separate from the 2019 Budget. This request would allow stakeholders the opportunity to assist the City of Chattanooga in reviewing the study and formulating a more equitable plan moving forward.

* Thesis from Nottingham Trent University titled “Is the Dream Still Alive? Tracking Homeownership Amid Changing Economic and Demographic Conditions”.

To the Chattanooga City Councilmen; To the Hamilton County Commission; I am Shirley A. Moon, a human-being, a child of the Heavenly Father, a native born citizen of the USA, a black female, single, senior citizen, register voter, tax payer, and a homeowner in Ridgedale Neighborhood, transplant to Chattanooga in 1971. Year's back I had emailed and presented issues before you pertaining to my entire existence here in the Ridgedale Neighborhood of Chattanooga, Tennessee, which failed on/in dead ears, mind, and or conscious. Commission I didn't come before U; yet, I send you email. My emailed was blocked from both departments; that's why, I came before the councilmen's. Once again I am come to you because the issues has escalated, with a higher volume of cruelty, venom, evil, wickedness; which is more disturbing than before; it's a 24/7 constant continue persistence negative behaviors attempting to devote my entire livelihood. As of May 2018; an issues has been rectify, because of new neighbors; on the other hands, my entire surrounding and environment is under surveillance; 24/7, trackers, trailers, spotters, stalkers, my phone is tapped, USA mail is tapper, computer hacked, much more; which is displaying behaviors as a cults, gangs, hoodlums, just right down haters, followers, etc., and opposition of the Holy Father characteristics. Been viewed & treated unflavored by the "Have, position, who's/who's, the buddy system, click, & etc," is painful and down rightful disgraceful, disrespectful, unchristian like, etc. As I had told "Becky"; when someone busted his daughter door in, he went on the "Radio" with venom on his tongue, in his heart, his entire content change. I'm a citizen; want that same, or close to, a faction of that compassion he gave to his daughter home. This bark cloud has been fester since 2011. DO YOU FEEL THAT IS TOO MUCH; for Shirley Moon to asks. The old police cars use to say; "Let none live in Fear"; well, I have lived in fear, and that is a mild word. The word is indescribable!!!! The worse of it, there wasn't one elective official, media, organizations, pastor, and others that I had reported it to returned with a positive response. Many condemned me viewed as crazy, hallucination, and etc. which ostracize me from society. Sirs/Madams; I am lifting each of you up; each members that are partaking in this demise, demoniac, behaviors, and etc. In my heart-of-heart; I strongly believe there are many in this "Dark web of deceitful, conspiracy, wicked, evil, infidels, and etc."; and I submit this/these entire episodes unto the Heavenly Father, His Sons, and the Holy Spirit.

Sirs/Madams: there were fear in my spirit, because of all the sinful, wicked behavioral in the World; on the other hand, what is so, so, so embarrassing, sinful, scandal are the non-behavior and response of the one's that suppose to have compassion, to it citizen, and constringes, it is insane, ludicrous, that you act so palsies, relax, detached. Living an individual 24/7 fear of others behaviors toward me for no apparent reason; is frightful, yet, it is a "Blessing" because it drew me closer to the Heavenly Creator, His Son, and the Holy Spirit, which leaves me baffle of their (___need a word)__. It's oozing that one can put their head in the sand; that person is more frightful than the 24/7 pursuers. It also; leaves my discernment spirit to-contemplate the mindset of the elective officials and others when they hear of derange behavior as I reported and with the World is in such a satanic, evil, wicked behaviors.

24/7 evil, wicked, satan, Lucifer has recruited, deceived, and etc., many in his workshop; they come from every walk, nationality, creed, color, church goers, leaders, sick, addicted of all sort, breathing machine, oxygen tanks, canes, walkers, wheel chairs, ill; it is sadden to see them working for the hell holder. This city, county, and state is overflowing with crimes, murdering, burglary, and etc. and heads, eyes are in the sand. My heart, spirit and etc. go out for those who are working with the darkness of the World. The sadness and fear are for the entire entity of citizens of the "Bible Belt"., living in hell, I lift them and myself up to the Heavenly Father, His Son, and the Holy Spirit.

2017 Bennett Avenue, Chattanooga, TN 37404. I; Shirley A. Moon is a human-being, a child of the Heavenly Father, a native born citizen of the USA, a black female, single, senior citizen, register voter, tax payer, and a homeowner in Ridgedale Neighborhood, transplant to Chattanooga in 1972; await your invitation.

For nearly ten years my entire life living breath dash days has been alter before of the lack of "Listening, cooperation, compassion, and etc.," by elective officials, leaders, pastors, and others, which placed me Shirley Moon in an unusual survivor mode; withdraw, awaken to the cruelty, dogmatic, buddy-buddy system, and etc in this city and environment and surrounding LORD, GOD Almighty I repent, forgive all who I think and believe are associated, affiliated, etc. with 24/7 who are harassing, bullying, threaten, brutal, hostile, and etc. the city of Chattanooga, I strongly believe that I am not the only one that are been terrorizes by you and 24/7. If you wish, future knowledge of the wejrd activities that has occurred in Shirley Moon; life living breath dash days; my number is 423-697-7379, address 2107 Bennett Ave., Chattanooga, Tennessee 37404.

Gosh!! WoW!!! Do I have to go on a rampage or do 24/7 wicked worshippers have to take breath and or blood before the readers consider me as a human-being who is a victim of years of harassment without humanly support; or will the readers view and do what they have done in the past; pin me as another black, widow, unknown, unimportant, ___ off the grid, and they don't have that issue any more. Sorry fellows; the God in Heavenly will not allow me to be that evil and deranged; I do have a life living breath dash days that the God in Heaven know I am worthy and want me to have life fully and abundant; in spite of myself, the readers, and 24/7; I lift each one of us and any participators up to the Creator of this Universe, in Christ Jesus, Amen..I love this life; and I praise the Heavenly Fathers for it; even in trials & tribulations that I find myself in; whether of my doing or others attempting to... I had two totally van accidents; which wasn't my fault, and the officers at one of the scene refused to write the eyewitness name on the report, and his commanding offers backed him up; cruel & vicious to me. Shirley A. Moon growing in God's Grace and Mercy, in Christ Jesus.. Chattanooga, Hamilton County, Tennessee I submit it all to God in Christ Jesus....

There is no second reading for proofreading; therefore, U will encounter error.

These action of 24/7 can be viewed as hate, harassment, purpose crime, Every minor second of 24/7 I am being RAPE in Chattanooga, Hamilton County, Tennessee, USA.