



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

## **COUNCIL MEETING MINUTES**

August 10, 2021  
6:00 PM

### **CALL TO ORDER**

Council Chairman Chip Henderson called the meeting to order. A quorum was present that included Vice-Chairman Ken Smith and Councilpersons Carol Berz, Anthony Byrd, Raquetta Dotley, Isiah Hester, Jenny Hill, and Darrin Ledford. Councilwoman Demetrus Coonrod was not present at this meeting. Others present were Emily O'Donnell, City Attorney, and Nicole Gwyn, Council Clerk. Video of the meeting is available on YouTube [here](#).

### **PLEDGE OF ALLEGIANCE**

Chairman Henderson led the Assembly in the Pledge of Allegiance.

### **APPROVAL OF LAST MINUTES**

**On motion of Vice-Chairman Smith** and seconded by Councilwoman Dotley, the minutes of the last meeting (August 3, 2021) were approved as published. The motion carried unanimously (8-0) upon roll call vote.

### **ORDINANCES – FINAL READING: (NONE)**

### **ORDINANCE – FIRST READING:**

**PROCEDURAL NOTE:** With no objection from the Council, Chairman Henderson instructed the Clerk to group and read the following two ordinances on final reading for one Council vote.

**MR-2021-0117**  
**Chaudhari Group Investments, LLC c/o Skip Pond**  
**Planning Version**  
**District No. 8**

### **ORDINANCE #13701**

**AN ORDINANCE CLOSING AND ABANDONING A PORTION OF AN OPEN ALLEY AND UNOPEN RIGHT-OF-WAY WEST OF THE 700 BLOCK OF CENTRAL AVENUE, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.**

**ORDINANCE #13702**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 24, ARTICLE XIV, SECTION 24-502, SCHEDULE II – SPEED ON THROUGH STREETS.**

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

**ACTION: ORDINANCES 13701 & 13702  
PASSED ON FIRST READING**

**2021-0108**  
**Eigentum Development c/o Wick Spears**  
**Planning Version**  
**District No. 3**

**Agenda Item VI(c):**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 3916 AND 3920 MURRAY HILLS DRIVE, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**Vice-Chairman Smith moved** to deny. Councilwoman Dotley seconded. The motion carried unanimously (8-0) upon roll call vote.

**ACTION: DENIED**

**2021-0109**  
**Berry Engineers, LLC**  
**Planning Version**  
**District No. 3**

**Agenda Item VI(d):**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 1744 (PART) AND 1746 EAGLE DRIVE, FROM R-1 RESIDENTIAL ZONE TO R-1 RESIDENTIAL ZONE AND C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

Vice-Chairman Smith informed the Council that the developer has spoken with the Applicant, who asks to withdraw this item. Therefore, **Vice-Chairman Smith moved** to withdraw. Councilwoman Berz seconded. The motion carried unanimously (8-0) upon roll call vote.

**ACTION: WITHDRAWN**

2021-0112  
Callio Properties, LLC  
Planning Version  
District No. 3.

**Agenda Item VI(e):**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED IN THE 6000 BLOCKS OF BIG RIDGE ROAD, FROM R-1 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE.**

A hearing ensued, with Chairman Henderson recognizing the Applicant and the Opposition. Vice-Chairman informed the Council about a mislabeling on the location of this rezoning and intended to defer to get a legal correction on the language.

Applicant:

- **Mike Price** (MAP Engineers) –There is a plan that includes an undeveloped area leading from Big Ridge Road to Hixson Pike that will be left as greenspace. He intends to leave that area undeveloped, which keeps with the Low Water Bridge Apartments south of this development. He believes this area may be the concern of the opposition.

Opposition:

- **Michael Allen** – His only problem with the rezoning is the notice section listing the 6000 blocks of Big Ridge Road. He would have no problem with rezoning the 6800 block of Big Ridge. However, he and his neighbors at 6000 – 6799 Big Ridge Road would not want this.

Mr. Price declined the opportunity to make a rebuttal. Vice-Chairman Smith informed the Council that there was an error in the addressing for this rezoning: it should be should be the “6000 blocks of Hixson Pike,” not Big Ridge Road. He also noted that the addresses that Mr. Allen was concerned about were not under consideration tonight. Therefore, **Vice-Chairman Smith moved** to defer to August 24, 2021 to have the language corrected. Councilman Byrd seconded. The motion carried unanimously (8-0) upon roll call vote. Vice-Chairman Smith also informed the Council that the Regional Planning Agency will submit an Alternate Version of this rezoning that corrects the addressing and adds a condition to keep the undeveloped R-1 section as undeveloped property in the rezoning.

**ACTION: DEFERRED TO AUGUST 24, 2021;  
ALTERNATE VERSION WILL BE ADDED**

2021-0114  
KA Management  
Planning Version  
District No. 4

**Agenda Item VI(f):**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 2511 JENKINS ROAD FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE.**

**Councilman Ledford moved** to deny. Vice-Chairman Smith seconded. The motion carried unanimously (8-0) upon roll call vote.

**ACTION: DENIED**

**2021-0115**  
**EBES Partners, LLC c/o Clint Wolford**  
**Planning Version**  
**District No. 4**

On motion of Councilman Ledford and seconded by Councilman, Smith

**ORDINANCE #13703**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 7453 EAST BRAINERD ROAD, FROM C-2 CONVENIENCE COMMERCIAL ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

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

**ACTION: PASSED ON FIRST READING**

**2021-0118**  
**JMB Investments Company, LLC**  
**Planning Version**  
**District No. 4**

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

**ORDINANCE #13704**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 8187 EAST BRAINERD ROAD, FROM R-1 RESIDENTIAL ZONE AND R-2 RESIDENTIAL ZONE TO O-1 OFFICE ZONE AND R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.**

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

**ACTION: PASSED ON FIRST READING**

**2021-0119**  
**Outlook Masonry c/o Melquiades Portugal**  
**Planning Version**  
**District No. 6**

**Agenda Item VI(i):**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 5217 HUNTER ROAD AND 8627 HILLTOP DRIVE, FROM C-2 CONVENIENCE COMMERCIAL ZONE AND M-1 MANUFACTURING ZONE TO M-1 MANUFACTURING ZONE.**

**Councilwoman Berz moved** to defer to August 24, 2021. Councilman Ledford seconded. The motion carried unanimously (8-0) upon roll call vote.

**ACTION: DEFERRED TO AUGUST 24, 2021**

**2021-0110**  
**Hamlett Chapel Christian Methodist Episcopal Church**  
**Planning Version**  
**District No. 7**

On motion of Councilwoman Dotley and seconded by Councilman Byrd,

**ORDINANCE #13705**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE TWO PROPERTIES ADDRESSED AS 2512 COWART STREET, FROM R-3 RESIDENTIAL ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

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

**ACTION: PASSED ON FIRST READING**

**2021-0111**  
**Pond Holding MLK @ Palmetto Series 4 LLC c/o Skip Pond**  
**Planning Version**  
**District No. 8**

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

**ORDINANCE #13706**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED IN THE 700 BLOCK OF EAST MARTIN LUTHER KING BOULEVARD, FROM U-RA-3 URBAN RESIDENTIAL ATTACHED 3-STORY ZONE TO U-CX-3 URBAN COMMERCIAL MIXED USE 3-STORY ZONE.**

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

**ACTION: PASSED ON FIRST READING**

**RESOLUTIONS:**

**2021-01 No. 21-STVR-73**  
**Abigail Moreland**  
**District No. 7.**

**Agenda Item VII(a):**

**A RESOLUTION CONSIDERING SHORT TERM VACATION RENTAL APPLICATION NO. 21-STVR-73 FOR PROPERTY LOCATED AT 1605 READ AVENUE.**

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

**ACTION: TABLED**

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

**RESOLUTION #30857**

**A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AMENDMENT NO. 1 AND A THIRD AGREEMENT TO EXERCISE OPTION TO RENEW WITH FRIENDS OF THE ZOO, INC., IN SUBSTANTIALLY THE FORMS ATTACHED, TO EXTEND THE TERM FOR AN ADDITIONAL PERIOD OF SIX (6) MONTHS TO THE DATE OF MARCH 17, 2022.**

**RESOLUTION #30858**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF COMMUNITY DEVELOPMENT TO AWARD UP TO \$80,000.00 IN PROGRAM INCOME GENERATED FROM THE TENNESSEE HOUSING DEVELOPMENT AGENCY'S (THDA) HOUSING PROGRAM TO CHATTANOOGA PROPERTY GROUP, LLC, TO ASSIST WITH REHABILITATING TWO AFFORDABLE RENTAL UNITS LOCATED AT 2602 AND 2602 ½ 14<sup>TH</sup> AVENUE.**

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

**ACTION: RESOLUTIONS 30857 & 30858 ADOPTED**

On motion of Councilman Ledford and seconded by Councilman Byrd,

**RESOLUTION #30859**

**A RESOLUTION CONFIRMING MAYOR KELLY'S APPOINTMENT OF TIFFANY BELL TO THE BEER AND WRECKER BOARD FOR DISTRICT 9 WITH A TERM EXPIRATION OF JULY 31, 2022.**

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

**ACTION: ADOPTED**

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

**RESOLUTION #30860**

**A RESOLUTION TO DECLARE CHATTANOOGA A WORLD WAR II HERITAGE CITY.**

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

**ACTION: ADOPTED**

**PROCEDURAL NOTE:** With no objection from the Council, Chairman Henderson instructed the Clerk to read the remaining resolutions for one Council vote. He then instructed the Clerk to separate item VII(k) and re-read it for a separate vote.

**RESOLUTION #30861**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO APPROVE CHANGE ORDER NO. 1 (FINAL) FOR ROBERT ROBERTS, LLC, OF CHATTANOOGA, TN, RELATIVE TO CONTRACT NO. R-20-017-202, SUMMIT OF SOFTBALL COMPLEX IMPROVEMENTS FROM THE EASTER TORNADO 2020 – DUGOUT AND SCORESTANDS REPLACEMENTS, FOR THE DECREASED AMOUNT OF \$16,114.35, TO RELEASE THE REMAINING CONTINGENCY AMOUNT OF \$30,000.00, FOR A REVISED CONTRACT AMOUNT OF \$212,835.68.**

**RESOLUTION #30862**

**A RESOLUTION AUTHORIZING THE CITY OF CHATTANOOGA TO ENTER INTO AN AGREEMENT WITH AND ACCEPT A DONATION FROM THE CHATTANOOGA DESIGN STUDIO OF MULTIPLE ELEMENTS INSTALLED AT PATTEN PORCH, IN THE AMOUNT OF \$93,278.67.**

**RESOLUTION #30863**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO AWARD CONTRACT NO. S-18-010-201, BRANNON AVENUE DRAINAGE IMPROVEMENTS, TO WRIGHT BROTHERS CONSTRUCTION COMPANY, INC., OF CHARLESTON, TN, IN THE CONTRACT AMOUNT OF \$769,506.00, PLUS A CONTINGENCY AMOUNT OF \$76,950.00, FOR AN AMOUNT NOT TO EXCEED \$846,456.00.**

**RESOLUTION #30864**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO APPROVE CHANGE ORDER NO. 2 (FINAL), FOR WRIGHT BROTHERS CONSTRUCTION COMPANY, INC., OF CHARLESTON, TN, RELATIVE TO CONTRACT NO. D-18-002-201, GRAVITY SEWER RELOCATION – FORMER HARRIET TUBMAN HOMES SITE, FOR AN INCREASED AMOUNT OF \$34,546.99, TO RELEASE THE REMAINING CONTINGENCY AMOUNT OF \$85,453.01, FOR A REVISED CONTRACT AMOUNT OF \$1,294,646.09.**

**RESOLUTION #30865**

**A RESOLUTION AUTHORIZING YEAR TWO (2) OF A FIVE (5) YEAR TERM FOR THE ON-CALL BLANKET CONTRACT(S) TO SUPPLY HORTICULTURAL AND GREEN INFRASTRUCTURE CONSULTATION, MATERIALS, AND MAINTENANCE FOR VARIOUS CITY PROPERTIES, PER RESOLUTION NO. 30301, WITH THE FOLLOWING VENDORS: (1) CIRCADIAN CONSULTING, LLC; (2) DAVIS KEE OUTDOOR, LLC; (3) HICKORY HARDSCAPES, LLC; AND (4) SWEEPING CORPORATION OF AMERICA, FOR THE RENEWAL OF THE ONE (1) YEAR BLANKET CONTRACTS FOR HORTICULTURAL AND GREEN INFRASTRUCTURE SERVICES ESTIMATED AT \$1 MILLION TOTAL ANNUALLY FOR ALL FOUR (4) VENDORS FOR USE BY PUBLIC WORKS – WATER QUALITY.**

**RESOLUTION #30866**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO APPLY FOR, AND IF AWARDED, ACCEPT A GRANT FROM EPB TO SUPPORT THE REGIONAL RESILIENCE PLANNING PROJECT, FOR A TOTAL AMOUNT OF \$5,000.00; AND TO APPROVE CHANGE ORDER NO. 1 (FINAL) FOR STANTEC, RELATIVE TO THE REGIONAL RESILIENCY PLANNING PROJECT, FOR AN INCREASED AMOUNT OF \$10,000.00, FOR A REVISED CONTRACT AMOUNT OF \$210,000.00.**

**Councilman Hester moved** to approve. Vice-Chairman Smith seconded. The motion carried unanimously (8-0) upon roll call vote.

**ACTION: RESOLUTIONS 30861 - 30866 ADOPTED**

**Agenda Item VII(k):**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO APPROVE CHANGE ORDER NO. 2, FOR JACOBS ENGINEERING GROUP, INC. FOR CONTRACT NO. E-20-010-201, DISASTER RECOVERY MANAGEMENT SERVICES CONTRACT, FOR THE RENEWAL OF YEAR TWO (2) OF THE FOUR (4) YEAR TERM BLANKET CONTRACT, FOR THE INCREASED AMOUNT OF \$33,620.00, FOR A REVISED CONTRACT AMOUNT OF \$316,907.00.**

**Vice-Chairman Smith moved** to defer to August 17, 2021. Councilwoman Berz seconded. The motion carried unanimously (8-0) upon roll call vote.

**ACTION: DEFERRED TO AUGUST 17, 2021**

**DEPARTMENTAL REPORTS:**

**Proposed Purchases**

Julia Bursch, Deputy Chief of Staff, briefed the Council on the following proposed purchases:

<b>REQ101180 Police</b>	<b>\$27,775.00</b>
Advanced Pole Camera System	
Lowest/Best Bidder: Valorence LLC	
649 North 170	
East Smithfield, UT 84335	
<b>PO 558986 Waste Resources Division, Public Works</b>	<b>\$1,800,000.00</b>
Liquid Calcium NitrateSource Technologies, LLC	
Lowest/Best Bidder: 157 Venture Court Ste. 9	
Lexington, KY 40511	

**Vice-Chairman Smith moved** to approve. Councilwoman Berz seconded. The motion carried unanimously (8-0) upon roll call vote.

**ACTION: ALL PURCHASES APPROVED**



**OTHER BUSINESS: (NONE)**

**COMMITTEE REPORTS:**

*Budget and Finance Committee*

Councilwoman Berz

- Budget hearings have begun. The committee heard from Administration today in open meeting about pay raises for sworn personnel, a \$15.00 minimum wage, and paying employees for what they are worth. She looks forward to the next six weeks or less for budget education.

*Economic Development Committee*

Councilwoman Coonrod

(No report)

*Education and Innovation Committee*

Councilwoman Hill

(No report)

*Equity and Community Development Committee*

Councilwoman Dotley

(No report)

*Legislative Committee*

Vice-Chairman Smith

(No report)

*Planning and Zoning Committee*

Councilman Ledford

(No report)

*Parks and Public Works*

Councilman Hester reported:

- The committee met today in open meeting and will meet again in two weeks [after the 3:30 p.m. Agenda Session].

*Public Safety Committee*

Councilman Byrd

(No report)

## RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL

(Listen and view on YouTube [here](#))

Attorney O'Donnell 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:
• <a href="#">Edward Green, Jr.</a>	9	A memorial for Police Officer Clarence T. Hamler, who was killed on duty August 14, 1977. He requested a moment of silence in remembrance for Officer Hamler. <ul style="list-style-type: none"> <li>○ Chairman Henderson called upon a moment of silence in the Assembly.</li> </ul>
• <a href="#">Christiana Maish</a>	7	LED lighting on nearby tennis court causing problems for Battery Place residents <ul style="list-style-type: none"> <li>○ Councilman Byrd noted that the tennis court with the LED lighting is in District 8 and Battery Place Apartments is in District 7.</li> <li>○ He also noted that he and Councilwoman Dotley would be working to remedy this problem.</li> <li>○ Councilman Ledford informed the Council of a similar situation in District 4 and asked the Council to review the matter of upgraded lighting as a nuisance.</li> </ul>
• <a href="#">Casey Crook</a>		Spoke on the budget process and asked the Council to allow call-ins from residents on the budget. Chairman Henderson announced a hybrid meeting allowing call-ins from residents on August 31, 2021, from 3:00 – 5:00 p.m.
• <a href="#">Officer Chris Mullinex</a>	2	Pay disparity and fair wages for police
• <a href="#">Marlon Wilson</a>	5	Lack of pay affecting recruitment of lateral officers
• <a href="#">Ed Buckman</a>	N/A	Repercussions of being short-staffed at CPD
• <a href="#">Sgt. Jason Homes</a>	N/A	Police wages affecting diversity and minority recruitment
• <a href="#">Michael Joyner</a>	3	Police wages affecting police academy recruitment and retention after graduation
• <a href="#">Corey Evatt</a>	5	Need for more female officers / “30 By 30” initiative <ul style="list-style-type: none"> <li>○ There were video difficulties that did not</li> </ul>
• <a href="#">Ernest Henderson</a>	N/A	Harassment problem with police, illegal eviction, and fraudulent court papers

**ADJOURNMENT**

**On motion of Vice-Chairman Smith**, Chairman Henderson adjourned the meeting of the Chattanooga City Council until Tuesday, August 17, 2021, at 6:00 p.m.

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**CHAIRMAN**

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**CLERK OF COUNCIL**