



Electronic-Conducted (Virtual) Minutes
Chattanooga, Tennessee

COUNCIL MEETING MINUTES

September 22, 2020
6:00 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, Jerry Mitchell and Erskine Oglesby, Jr. Other panelists present via electronic means: Phil Noblett, City Attorney; Lydia Christoph, Administrative Support; and Nicole Gwyn, Council Clerk. Video of the meeting is available on YouTube [here](#).

PLEDGE OF ALLEGIANCE

Councilman Mitchell led the Assembly in the Pledge of Allegiance.

FORM-BASED CODE APPEAL - Thomas Purdy

Councilman Oglesby informed the Council that Mr. Purdy has requested to postpone his appeal to a date in October. He will work with the Land Development Office for rescheduling it. **Councilman Oglesby moved** to defer to a future date. **Councilwoman Berz** seconded. The motion carried unanimously (8-0) upon roll call vote. Councilwoman Coonrod was not present during this vote.

APPROVAL OF LAST MINUTES [Councilwoman Coonrod returned to the meeting.]

On motion of Councilman Ledford and seconded by Councilman Oglesby, the minutes of the last meeting (September 15, 2020) were approved as published. The motion carried unanimously (9-0) upon roll call vote.

ORDINANCES – FINAL READING:

2020-0090
Morgan Lane
Planning Version #3
District No. 1

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

ORDINANCE #13597

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 251, 263, 269, AND 275 RIVERSIDE AVENUE, FROM R-1 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.

The motion carried unanimously (9-0) upon roll call vote.

ACTION: APPROVED

2020-0089 4413
Jersey Pike Partners
Planning Version #2
District No. 5

On motion of Councilman Gilbert and seconded by Councilman Ledford,

ORDINANCE #13598

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PARTS OF TWO PROPERTIES LOCATED AT 4409 ELWOOD LANE AND 4409 JERSEY PIKE, FROM O-1 OFFICE ZONE TO M-2 LIGHT INDUSTRIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

The motion carried unanimously (9-0) 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 three ordinances for one Council vote.

MR-2020-0042
MAP Engineers
District No. 3

ORDINANCE #13599

AN ORDINANCE CLOSING AND ABANDONING A SEWER EASEMENT LOCATED AT 2700-2800 NORTHPOINT BOULEVARD, TAX MAP NOS. 110J-A-007, 110J-A-007.03, AND 110J-A-007.04, AS DETAILED ON THE ATTACHED MAP.

MR-2020-0050
Clayton, Inc. c/o Tim Meyle
District No. 6

ORDINANCE #13600

AN ORDINANCE CLOSING AND ABANDONING A SEWER EASEMENT LOCATED AT THE 8000 BLOCK OF VOLKSWAGEN DRIVE, TAX MAP NO. 130-001.18, AS DETAILED ON THE ATTACHED MAP.

MR-2020-0067
Kevin Boehm
District No. 8

ORDINANCE #13601

AN ORDINANCE CLOSING AND ABANDONING A SEWER EASEMENT LOCATED AT THE 1000 BLOCK OF MAIN STREET AND FILLMORE STREET, TAX MAP NO. 148P-K-002, AS DETAILED ON THE ATTACHED MAP.

Councilwoman Berz moved to approve all three ordinances on first reading. Councilman Oglesby seconded. The motion carried unanimously (9-0) upon roll call vote.

ACTION: ORDINANCES 13599 - 13601 APPROVED

ORDINANCES – FIRST READING:

On motion of Councilwoman Berz and seconded by Councilman Ledford,

ORDINANCE #13602

AN ORDINANCE TO AMEND THE OPERATIONS BUDGET ORDINANCE NO. 13558, KNOWN AS “THE FISCAL YEAR 2020-2021 OPERATIONS BUDGET ORDINANCE,” SO AS TO APPROPRIATE \$1.5 MILLION FROM THE GENERAL FUND RESERVES TO THE ELECTRIC POWER BOARD OF CHATTANOOGA FOR THE HAMILTON COUNTY SCHOOLS EDUCATION CONNECT INITIATIVE WHICH HAS BEEN COVERED BY FAVORABLE OPERATIONS DURING FY20.

The motion carried unanimously (9-0) upon roll call vote.

ACTION: PASSED ON FIRST READING

Chairman Henderson instructed the Clerk to read the Retroactive Version of the following ordinance.

ORDINANCE #13603

AN ORDINANCE TO AMEND THE OPERATIONS BUDGET ORDINANCE NO. 13558, KNOWN AS “THE FISCAL YEAR 2020-2021 OPERATIONS BUDGET ORDINANCE,” SO AS TO REPLACE PAGE 69 OF THE GENERAL PAY PLAN TO BE CONSISTENT WITH APPROVED OPERATIONS FUNDING AND ONLY PROVIDE FOR INCREASES TO EMPLOYEES WHO ARE NOT PAID IN THE AMOUNT OF THE FEDERAL POVERTY GUIDELINES. (RETROACTIVE VERSION)

Councilwoman Berz moved to approve. Councilman Mitchell seconded. Councilman Gilbert made comments during the discussion time. The motion carried (8-1) upon roll call vote as follows:

Berz	Yes	Mitchell	Yes
Byrd	Yes	Oglesby	Yes
Coonrod	Yes	Smith	Yes
Gilbert	No	Henderson	Yes
Ledford	Yes		

YES - Eight (8); NO - One (1)

ACTION: PASSED ON FIRST READING

On motion of Councilwoman Berz and seconded by Councilman Oglesby,

ORDINANCE #13604

AN ORDINANCE TO AMEND CAPITAL IMPROVEMENTS BUDGET ORDINANCE NO. 13559, KNOWN AS "THE FISCAL YEAR 2020-2021 CAPITAL BUDGET ORDINANCE," SO AS TO APPROPRIATE \$150,000.00 FROM THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT CAPITAL PROJECT PUBLIC ART IN NEW CAPITAL CONSTRUCTION, TO THE SOUTHEAST TENNESSEE DEVELOPMENT DISTRICT FOR THE ARTISTS WORK PROGRAM.

The motion carried unanimously (9-0) upon roll call vote.

ACTION: PASSED ON FIRST READING

On motion of Councilwoman Berz and seconded by Councilwoman Coonrod,

ORDINANCE #13605

AN ORDINANCE TO AMEND CAPITAL IMPROVEMENTS BUDGET ORDINANCE NO. 13559, KNOWN AS "THE FISCAL YEAR 2020-2021 CAPITAL BUDGET ORDINANCE," SO AS TO APPROPRIATE \$531,036.00 ADDITIONAL TRANSPORTATION IMPROVEMENT PROGRAM FUNDS TO TRANSPORTATION CAPITAL PROJECT PAVEMENT MANAGEMENT #2 (CHATT1) FOR THE BAILEY AVENUE AND CHESTNUT STREET TIP PAVING PROJECTS.

The motion carried unanimously (9-0) upon roll call vote.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

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

RESOLUTION #30485

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AND EXECUTE A REAL ESTATE PURCHASE AND OPTION AGREEMENT RELATIVE TO THE PURCHASE OF LOTS 1, 2-B, AND OPTION TO PURCHASE LOT 2-A, LOCATED AT THE ENTERPRISE SOUTH INDUSTRIAL PARK (ESIP) AND AUTHORIZING THE MAYOR TO EXECUTE A DEED AND OTHER NECESSARY CLOSING DOCUMENTS CONVEYING SAID PROPERTY TO THE PURCHASER LISTED HEREINBELOW UPON PAYMENT OF THE SALE PRICE BY THE PURCHASER.

RESOLUTION #30486

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO AWARD HOME PROGRAM FUNDS TO HABITAT FOR HUMANITY OF GREATER CHATTANOOGA FOR THE PURPOSE OF CREATING TWO AFFORDABLE HOUSING UNITS LOCATED AT 313 WEST 37TH STREET AND 3329 HUGHES AVENUE, FOR A TOTAL AMOUNT NOT TO EXCEED \$80,000.00.

RESOLUTION #30487

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AMENDMENT NO. 1 TO LEASE, IN SUBSTANTIALLY THE FORM ATTACHED, WITH CHATTANOOGA GOODWILL INDUSTRIES, INC., TO AMEND THE RENEWAL OPTIONS TO ONE (1) ADDITIONAL TERM BEGINNING OCTOBER 10, 2020, AND ENDING APRIL 30, 2021.

RESOLUTION #30488

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$721,031 IN HOUSING AND URBAN DEVELOPMENT (HUD) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) DISASTER RELIEF (DR) FUNDS TO AID IN THE RECOVERY AND CLEAN-UP COSTS ASSOCIATED WITH THE APRIL 2020 TORNADO DAMAGE.

Councilman Gilbert moved to approve the four resolutions. Councilman Byrd seconded. The motion carried unanimously (9-0) upon roll call vote.

ACTION: RESOLUTIONS 30485 - 30488 ADOPTED

2020-08
Pat Blankenship
District No. 7

Agenda Item VII(e):

A RESOLUTION APPROVING SHORT TERM VACATION RENTAL APPLICATION NO. 20-STVR-00094 FOR PROPERTY LOCATED AT 62 E. 17TH STREET.

Councilman Oglesby informed the Council that the Applicant had contacted him and wished to withdraw this application. Therefore, **Councilman Oglesby moved** to withdraw, seconded by Councilman Mitchell. The motion carried unanimously (9-0) upon roll call vote.

ACTION: WITHDRAWN

A hearing ensued on Agenda Item VII(f):

A RESOLUTION APPROVING SHORT TERM VACATION RENTAL APPLICATION NO. 20-STVR-00103 FOR PROPERTY LOCATED AT 74 E. 17TH STREET.

Charles Young, ECD Assistant Director of Development, gave a presentation that included information on the surrounding STVR, pictures, and application history.

The Applicant, Spencer Wakefield, was not present at this meeting. Chairman Henderson recognized the following members of the Opposition:

- **Ken Hays** - Six neighbors adjoined to this property have signed a petition asking the council to deny this STVR application. Fort Negley neighborhood is small, consisting of two main streets with the side streets, but there are already twelve STVR non-occupied units in this area. This recent development has nineteen units, but in a matter of three weeks, there have been two STVR applications. They do not want a lot of you short-term rentals occurring such a dense environment.

Councilman Oglesby moved to deny. Councilman Byrd seconded. The motion carried unanimously (9-0) upon roll call vote.

ACTION: DENIED

RESOLUTION #30489

A RESOLUTION TO ACCEPT THE CURRENT YEAR FINANCIAL REPORT FROM THE CHATTANOOGA BUSINESS IMPROVEMENT DISTRICT (CBID) AND APPROVE THE PROPOSED BUDGET FOR FISCAL YEAR 2021 ACTIVITIES, INCLUDING AUTHORIZING THE INTERIM TREASURER TO COLLECT A SPECIAL ASSESSMENT FEE FOR TAX YEAR 2020.

Councilwoman Berz moved to approve. Councilman Mitchell seconded. At the request of Councilman Oglesby, Attorney Noblett read the revised language for the budget indicating *“activities dated September 16, 2020.”* **Councilman Oglesby moved** to amend with the revised language read by Attorney Noblett. Councilman Mitchell seconded. The motion to amend carried unanimously (9-0) upon roll call vote. **Councilwoman Berz moved** to approve as amended, seconded by Councilman Oglesby. The motion carried unanimously (9-0) upon roll call vote.

Councilman Ledford also informed everyone that the Council received a letter today from the Downtown Chattanooga Alliance (DCA) stating that an agreement has been reached with the nonprofits and the churches in question regarding their fees. The finance committee for the DCA has agreed to accept each of their proposals, and this letter indicates that the committee will vote to approve at their next meeting in October.

ACTION: ADOPTED AS AMENDED

On motion of Councilman Gilbert and seconded by Councilman Ledford,

RESOLUTION #30490

A RESOLUTION AUTHORIZING THE APPOINTMENTS OF BRANDON GUERRERO AND COREY E. DENT, AS SPECIAL POLICE OFFICERS (UNARMED) FOR THE MCKAMEY ANIMAL CENTER, TO DO SPECIAL DUTIES AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

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

RESOLUTION #30491

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO AWARD CONTRACT NO. W-19-004-201 TO SITE FORMATIONS, LLC OF DECATUR, TN, STORAGE FACILITY AT MBWWTP MATERIALS AND LAYDOWN AREA, IN THE AMOUNT OF \$175,000.00, PLUS A CONTINGENCY AMOUNT OF \$17,500.00, FOR AN AMOUNT NOT TO EXCEED \$192,500.00.

RESOLUTION #30492

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO AWARD CONTRACT NO. Y-19-021-201 TO DUSTY GREER ROOFING, INC. OF MONROE, GA, REPLACEMENT ROOFING SYSTEM FOR TYNER YFD CENTER, IN THE AMOUNT OF \$166,250.00, PLUS A CONTINGENCY AMOUNT OF \$16,500.00, FOR AN AMOUNT NOT TO EXCEED \$182,750.00.

RESOLUTION #30493

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A CONSERVATION EASEMENT ON TAX PARCEL NO. 117C-A-014-03 LOCATED AT 712 VALLEY BRIDGE ROAD RELATIVE TO THE SPRING VALLEY BANK STABILIZATION AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS PERTAINING THERETO.

Councilman Gilbert moved to approve the three resolutions. Councilwoman Berz seconded. The motion carried unanimously (9-0) upon roll call vote.

ACTION: RESOLUTIONS 30491 - 30493 ADOPTED

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

RESOLUTION #30494

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO A PRIVATE/PUBLIC PARTNERSHIP AGREEMENT WITH DOWN SOUTH HOMES, LLC FOR FEE-IN-LIEU OF SIDEWALK TOWARDS THE COST OF SIDEWALK IMPLEMENTATION, IN THE AMOUNT OF \$40,266.00.

RESOLUTION #30495

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO AN INDEPENDENT CONTRACTOR SERVICES AGREEMENT WITH THE UNIVERSITY OF TENNESSEE AT CHATTANOOGA FOR PROJECT NO. T-21-008 ICA UTC PED ANALYSIS ALONG THE EAST M.L. KING BOULEVARD SMART CORRIDOR, IN THE AMOUNT OF \$55,083.00.

RESOLUTION #30496

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO AN INDEPENDENT CONTRACTOR SERVICES AGREEMENT WITH THE UNIVERSITY OF TENNESSEE AT CHATTANOOGA FOR PROJECT NO. T-21-009 ICA UTC 2021 CHATT REG CRASH PREDICTION ANALYSIS (CITY-WIDE), IN THE AMOUNT OF \$55,083.00.

Councilman Oglesby moved to approve the three resolutions. Councilman Byrd seconded. The motion carried unanimously (9-0) upon roll call vote.

ACTION: RESOLUTIONS 30494 - 30496 ADOPTED

DEPARTMENTAL REPORTS:

Proposed Purchases

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

R202128 - Chattanooga Fire Department **\$30,000.00**
Janitorial Services
Lowest/Best Bidder: Metro Janitorial Service, Inc.
8115 Snowhill Road
Ooltewah, TN 37363

R201762 - City Wide Services Division, Public Works **\$35,000.00**
Redi-Rock Concrete Blocks
Lowest/Best Bidder: Bradley Tank & Pipe, LLC
P.O. Box 3146
Cleveland, TN 37320

On motion of Councilwoman Berz and seconded by Councilwoman Coonrod, the motion carried (8-1) upon roll call vote as follows:

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

YES - Eight (8); NO - One (1)

ACTION: ALL PURCHASES APPROVED

OTHER BUSINESS:

Budget Item Follow-up

Councilwoman Coonrod asked to hear from Maura Sullivan, Chief Operating Officer, about the retroactive version of the budget amendment passed earlier in the meeting. Discussion ensued. Councilman Mitchell called a *point of order* because the Council had already voted on this item. Chairman Henderson ruled to end the discussion at this time.

Vegetation Component Update

Councilman Ledford asked to hear from John Bridger, Executive Director of Regional Planning, about the vegetation component update. Mr. Bridger informed the Council that the company, Camaros, will look at the vegetative standards. Work is taking place to finalize their work through the procurement process, which has a 60-day turnaround. He will look at the cost as far as compliance for a couple of different sites for example. He is also working with Richard Beeland of Economic and Community Development on the staffing and budget side.

National Voter Registration Day

Councilwoman Coonrod reminded everyone that today is National Voter Registration Day. She encouraged everyone to get registered at elect.hamiltontn.gov.

COMMITTEE REPORTS:

Budget and Finance Committee

Councilwoman Berz

(No report)

Economic and Community Development Committee

Councilman Oglesby

(No report)

Human Resources Committee

Councilman Gilbert

(No report)

Planning and Zoning Committee
Councilman Ledford
(No report)

Public Safety Committee
Councilman Byrd
(No report)

Public Works and Transportation Committee
Councilman Mitchell

- The committee will meet next week, September 29, after the 3:30 p.m. Agenda Session.

Youth and Family Development Committee
Councilwoman Coonrod reported:

- She wanted to celebrate and commend the YFD center recreation specialists and site managers for going above and beyond to help citizens during this pandemic.

Legislative Committee

Vice-Chairman Smith reported:

- The committee met today to review the tornado relief legislation sponsored by Councilman Ledford. There will be a few changes made to that legislation, and it should appear on the agenda in two weeks (October 6).

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	District	Primary Topics:
• Danny Ayala	8	Financial backing of the Furniture Bank
• Casey Crook	3	Charities filling gaps in funding/filling firefighter positions
• Alexis Loudenslager	8	Importance of the Furniture Bank
• Matt McFarlane	8	STVR Restrictions/Affordable housing stock questions <ul style="list-style-type: none">○ Councilwoman Coonrod addressed the affordable housing stock question

ADJOURNMENT

On motion of Councilman Oglesby, Chairman Henderson adjourned the meeting of the Chattanooga City Council until Tuesday, September 29, 2020, 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