



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

COUNCIL MEETING MINUTES

October 10, 2023

4:00 PM

CALL TO ORDER

Chair Raquetta Dotley called the meeting to order with a quorum of six. Councilpersons Carol Berz, Demetrus Coonrod, Chip Henderson, Isiah Hester, and Marvene Noel were present. Council Vice Chair Jenny Hill and Councilpersons Darrin Ledford and Ken Smith were not present. Other participants present were Phil Noblett, City Attorney, and Nicole Gwyn, Council Clerk. Video of this meeting is available on YouTube [see [here](#)].

PLEDGE OF ALLEGIANCE

Councilwoman Berz led the Assembly in the Pledge of Allegiance, then asked a moment of silence prayer for Gaza.

MOTION TO RECONSIDER

Councilwoman Noel moved to reconsider the following ordinance:

2023-0118 Chambliss, Bahner & Stophel (R-2 Residential Zone to UGC Urban General Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone part of a property located at 1710 South Holtzclaw Avenue, from R-2 Residential Zone to UGC Urban General Commercial Zone, subject to certain conditions. (District 8) (Recommended for approval by Planning Commission and Staff) (Deferred from 09-12-2023 & 09-19-2023)

Councilwoman Berz seconded. The motion carried. Councilwoman Noel asked that the Applicant have an opportunity to make a full presentation in two weeks and asked that the ordinance be added to the October 24, 2023, Council agenda based upon her motion to reconsider. With no objection, Chair Dotley added the ordinance to the October 24 agenda.

APPROVAL OF LAST MINUTES

On motion of Councilman Henderson and seconded by Councilwoman Coonrod, the minutes of the last meeting (October 3, 2023) were approved as published.

ORDINANCES – FINAL READING:

2023-0126
Stone Creek Consulting, LLC
Planning Version #2
District No. 8

On motion of Councilwoman Noel and seconded by Councilwoman Berz,

ORDINANCE #14039

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 2910 CALHOUN AVENUE, FROM R-2 RESIDENTIAL ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

The motion carried.

ACTION: APPROVED

ORDINANCES – FIRST READING:

2023-0116
David Fidalti c/o Wise Construction
Planning Commission Version
District No. 1

Agenda Item VI(a):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 1133 AND 1137 OLD PINEVILLE ROAD, FROM R-1 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE.

Councilman Henderson confirmed that Opposition was present for this case. He informed Opposition that he intended to defer this item and asked to speak with them after the meeting. **Councilman Henderson moved** to defer to November 13, 2023. Councilwoman Noel seconded. The motion carried.

ACTION: DEFERRED TO NOVEMBER 13, 2023

2023-0146
William Dickson
Planning Commission Version
District No. 3

Agenda Item VI(b):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE 5468 OLD HIXSON PIKE, FROM O-1 OFFICE ZONE AND C-2 CONVENIENCE COMMERCIAL ZONE WITH CONDITIONS TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

Councilman Henderson moved to defer to October 17, 2023 since Councilman Smith was not present for this District 3 item. Councilwoman Berz seconded. The motion carried.

ACTION: DEFERRED TO OCTOBER 17, 2023

2023-0132
Allied Metal Company/Nelson M LLC
Planning Commission Version
District No. 5

Agenda Item VI(c):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PARTS OF PROPERTIES LOCATED AT 3320 AND 3440 LIGHTFOOT MILL ROAD, FROM R-2 RESIDENTIAL ZONE TO M-1 MANUFACTURING ZONE.

Councilman Hester moved to defer to October 17, 2023. Councilman Henderson seconded. The motion carried.

ACTION: DEFERRED TO OCTOBER 17, 2023

2023-0141
Shane Durkee
Planning Commission Version
District No. 6

Agenda Item VI(d):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE 1812 HICKORY VALLEY ROAD, FROM R-1 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE.

Councilwoman Berz asked the developer, Mike Price, if the current agenda contained all of the conditions. Mr. Price did not have the conditions. He advised that the current ordinance still contains the recommendation made by the Planning Commission. **Councilwoman Berz moved** to defer to October 17, 2023, to ensure the conditions were added. Councilwoman Noel seconded. The motion carried.

ACTION: DEFERRED TO OCTOBER 17, 2023

2023-0160
Cody Etling
Planning Commission Version
District No. 6

Agenda Item VI(e):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PART OF AN UNADDRESSED PROPERTY LOCATED IN THE 6000 BLOCK OF HIGHWAY 58, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

Councilwoman Berz advised the Applicant, who was present, that she did not wish to approve the C-2 unless he could ensure the property would not be used for anything else and could not

extended in any way, and that there would be enough trees to provide a buffer for the neighbors. She also asked him how much time would be needed to meet with the neighbors. She stipulated that the Applicant must notify the HOA leader once he had met with the neighbors and come up with an agreement. The Applicant agreed. Therefore, **Councilwoman Berz moved** to defer to October 17, 2023. Councilman Henderson seconded. The motion carried.

ACTION: DEFERRED TO OCTOBER 17, 2023

2023-0085

Stone Creek Consulting, LLC c/o Allen Jones

Planning Commission Version

District No. 7

On motion of Councilwoman Noel and seconded by Councilwoman Berz,

ORDINANCE #14040

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE AN UNADDRESSED PROPERTY LOCATED IN THE 2800 BLOCK OF DODDS AVENUE, FROM M-1 MANUFACTURING ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

Councilwoman Berz asked Karen Rennich, Deputy Director of Regional Planning, to read the condition to be added: *“A traffic impact study shall be required prior to the issuance of a land disturbance permit along Dodds Avenue between 29th Street and I-24 into Westside Drive to the east.”*

Councilwoman Noel moved with the intent to amend. Councilwoman Berz seconded.

Councilwoman Noel moved to amend with the added condition read by Ms. Rennich.

Councilwoman Berz seconded. The motion carried. **Councilwoman Noel moved** to approve as amended. Councilwoman Berz seconded. The motion carried.

**ACTION: ORDINANCE 14040 AMENDED
AND PASSED ON FIRST READING**

Agenda Item VI(g):

AN ORDINANCE TO AMEND THE CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE XVI, DOWNTOWN FORM BASED CODE, DIVISION 1, INTRODUCTORY PROVISIONS, TO ADD A NEW FORM BASED CODE CONTEXT AREA AND ASSOCIATED FORM BASED CODE ZONES; SECTION 38-692, LEGAL REQUIREMENTS; SECTION 38-693, CONTEXT AREAS; SECTION 38-694, ZONES; AND AMEND DIVISION 3, RULES FOR ALL ZONES, SECTION 38-697, LOT TYPES; SECTION 38-698, MEASUREMENTS AND EXCEPTIONS; AND ADD NEW CONTEXT AREAS DIVISION 15, WESTSIDE AND ASSOCIATED ZONES.

Councilwoman Noel moved to defer to October 31, 2023. Councilwoman Berz seconded. The motion carried.

ACTION: DEFERRED TO OCTOBER 31, 2023

2023-0156
Tinker Ma, LLC
Planning Commission Version
District No. 7

Agenda Item VI(h):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 957 AND 1200 BOYNTON DRIVE, 959 GATEWAY AVENUE, 1195, 1200, AND TWO UNADDRESSED PROPERTIES IN THE 1200 AND 1300 BLOCKS OF GROVE STREET, 1201 POPLAR STREET, 501 WEST 12TH STREET, AND 500 WEST MARTIN LUTHER KING BOULEVARD, FROM C-2 CONVENIENCE COMMERCIAL ZONE, R-3 RESIDENTIAL ZONE, AND R-4 SPECIAL ZONE TO W-N (NEW ZONE).

Councilwoman Noel moved to defer to October 31, 2023. Councilman Henderson seconded. The motion carried.

ACTION: DEFERRED TO OCTOBER 31, 2023

2023-0130
Collier Construction
Planning Commission Version
District No. 8

Agenda Item VI(i):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 2409, 2411, 2417, AND AN UNADDRESSED PARCEL IN THE 2400 BLOCK OF EAST MAIN STREET, FROM C-2 CONVENIENCE COMMERCIAL ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.

Councilwoman Noel moved to defer to October 17, 2023. Councilman Henderson seconded. The motion carried.

ACTION: DEFERRED TO OCTOBER 17, 2023

2023-0137
Stephen Brady District
Nos. 8 & 9

Agenda Item VI(j):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO LIFT CONDITION NO. 2 FROM ORDINANCE NO. 13624 OF PREVIOUS CASE NO. MR-2020-0132 AFTER THE ABANDONMENT OF PARTS OF SEVERAL STREETS AND ALLEYS LOCATED NEAR 901 SOUTH HOLTZCLAW AVENUE.

Councilwoman Coonrod moved to defer to October 24, 2023. Councilman Henderson seconded. The motion carried.

ACTION: DEFERRED TO OCTOBER 24, 2023

2023-0138
Stephen Brady
District No.s 8 & 9

Agenda Item VI(k):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO LIFT CONDITION NO. 2 FROM ORDINANCE NO. 13625 FROM THE ORIGINAL ABANDONMENT OF PREVIOUS CASE NO. MR-2020-0134 FROM PROPERTY LOCATED IN THE 1300 BLOCK OF VANCE AVENUE.

Councilwoman Noel moved to defer to October 24, 2023. Councilwoman Coonrod seconded.
The motion carried.

ACTION: DEFERRED TO OCTOBER 24, 2023

2023-0151
Petra Moraczewski
Planning Commission Version
District No. 9

On motion of Councilwoman Coonrod and seconded by Councilman Henderson,

ORDINANCE #14042

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE 809 DODDS AVENUE, FROM R-2 RESIDENTIAL ZONE AND C-2 CONVENIENCE COMMERCIAL ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

The motion carried.

ACTION: PASSED ON FIRST READING

Agenda Item VI(m):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE XVI, DOWNTOWN CHATTANOOGA FORM BASED CODE, DIVISION 4, DOWNTOWN CORE, SECTION 38-702, D-CX: COMMERCIAL MIXED USE ZONE TO ADD ADDITIONAL MAXIMUM PERMITTED BUILDING HEIGHTS.

Councilman Henderson moved to defer to October 17, 2023. Councilman Hester seconded.
The motion carried.

ACTION: DEFERRED TO OCTOBER 17, 2023

MR-2023-0136
Stephen Brady/Sean Compton, SSP Lucey LLC
District No. 9

On motion of Councilwoman Coonrod and seconded by Councilwoman Noel,

ORDINANCE #14043

AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED RIGHT-OF-WAY WEST OF AND PARALLEL TO THE 700-900 BLOCK OF SOUTH GREENWOOD AVENUE, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

The motion carried.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

On motion of Councilwoman Coonrod and seconded by Councilwoman Noel,

RESOLUTION #31804

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF VIVIAN WHITE TO THE HEAD START GOVERNING BOARD FOR DISTRICT 9, WITH A TERM BEGINNING OCTOBER 11, 2023, AND ENDING ON OCTOBER 10, 2025.

The motion carried.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilwoman Coonrod,

RESOLUTION #31805

A RESOLUTION AUTHORIZING THE DEPARTMENT OF ECONOMIC DEVELOPMENT TO APPLY FOR, AND IF AWARDED, ACCEPT A PATHWAYS TO REMOVING OBSTACLES TO HOUSING (PRO HOUSING) GRANT FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO SCALE LAND BANK ACTIVITIES AND BUILD CAPACITY FOR PERMANENT AND LONG-TERM AFFORDABLE HOUSING SOLUTIONS IN CHATTANOOGA, FOR A GRANT PERIOD BEGINNING JANUARY 31, 2024, THROUGH SEPTEMBER 30, 2029, FOR AN AMOUNT UP TO TEN MILLION DOLLARS (\$10,000,000.00).

The motion carried.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilwoman Berz,

RESOLUTION #31806

A RESOLUTION AUTHORIZING THE FIRE DEPARTMENT TO APPLY FOR, AND IF AWARDED, ACCEPT A HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS (HMEP) GRANT ADMINISTERED THROUGH TENNESSEE EMERGENCY MANAGEMENT AGENCY (TEMA) AND FUNDED BY THE U.S. DEPARTMENT OF TRANSPORTATION, FOR THE PURCHASE OF TWO (2) HAND-HELD TRAINING SYSTEMS USED TO SIMULATE HAZARDOUS ATMOSPHERES FOR HAZMAT TRAINING EVOLUTIONS, WITH CITY MATCH OF TWENTY (20%) PERCENT IN THE AMOUNT OF THREE THOUSAND DOLLARS (\$3,000.00), FOR A GRANT IN THE AMOUNT OF FIFTEEN THOUSAND DOLLARS (\$15,000.00).

The motion carried.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilwoman Coonrod,

RESOLUTION #31807

A RESOLUTION CONFIRMING THE APPOINTMENT OF JIM EXUM WITH THE LAW FIRM OF CHAMBLISS, BAHNER & STOPHEL, AS BOTH AN ADMINISTRATIVE HEARING OFFICER AND OFFICER FOR HOUSING FOR THE CITY OF CHATTANOOGA, WITH A FOUR (4) YEAR TERM BEGINNING ON OCTOBER 11, 2023, AND ENDING ON OCTOBER 10, 2027, PURSUANT TO CITY CODE SECTION 21-236.

The motion carried.

ACTION: ADOPTED

Councilwoman Berz2023-0148
Chattanooga Engineering Group
District 2

Agenda Item VI(e):

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 614 ELY ROAD, SUBJECT TO CERTAIN CONDITIONS.

Councilwoman Berz moved to approve. Councilwoman Noel seconded. The motion carried.

ACTION: DEFERRED TO OCTOBER 17, 2023

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

RESOLUTION #31808

A RESOLUTION TO AMEND RESOLUTION NO. 31572, WITH ROBERT ROBERTS, LLC, OF CHATTANOOGA, TN, FOR CONTRACT NO. F-18-001-201, NEW FIRE STATION #15, TO INCLUDE A FIVE (5%) CONTINGENCY AMOUNT OF \$212,860.00 FROM FY24 CAPITAL APPROPRIATIONS, FOR A REVISED TOTAL AMOUNT OF FOUR MILLION FOUR HUNDRED SEVENTY THOUSAND SIXTY-EIGHT AND 50/100 DOLLARS (\$4,470,068.50).

RESOLUTION #31809

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR BENESCH AND COMPANY TO PROVIDE PROFESSIONAL SERVICES FOR THE MULTI-MODAL ACCESS GRANT PROJECT, CONTRACT NO. T-22-006, TDOT PIN 132043.00, TO INSTALL BIKE CHATTANOOGA BIKE SHARE STATIONS AND CARTA BUS SHELTERS ALONG DODSON AVENUE AND GLASS STREET, WITH THE CITY OF CHATTANOOGA'S SHARE NOT TO EXCEED EIGHT THOUSAND DOLLARS (\$8,000.00).

RESOLUTION #31810

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH TDOT (CONTRACT #CRR070482) TO RECEIVE REIMBURSEMENT FOR WORK PERFORMED (STRIPING AND SIGNING) FOR MULTIPLE AT-GRADE RAILROAD CROSSINGS, WITH A REIMBURSEMENT RATE OF ONE HUNDRED (100%) PERCENT.

RESOLUTION #31811

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH TDOT (CONTRACT #CRR070522) TO RECEIVE REIMBURSEMENT FOR WORK PERFORMED (STRIPING AND SIGNING) FOR THE AT-GRADE RAILROAD CROSSING AT BOY SCOUT ROAD, WITH A REIMBURSEMENT RATE OF ONE HUNDRED (100%) PERCENT.

Councilman Hester moved to approve all four resolutions. Councilwoman Coonrod seconded. The motion carried.

ACTION: RESOLUTIONS 31808 – 31811 ADOPTED

DEPARTMENTAL REPORTS:

Recommended New Purchases

Jermaine Freeman, Interim Chief of Staff, recommended the following new purchases for Council consideration:

200564-2 Facilities, Public Works \$200,000.00

Card Access Security System Service & Parts
 Lowest/Best Bidder: Gallaher & Associates, Inc.
 3351 Regal Drive
 Alcoa, TN 37701

REQ139575 Fleet \$390,835.83

CCTV Truck with Electric Lift
 Lowest/Best Bidder: Cues
 3600 Rio Vista Ave
 Orlando, FL 32805

REQ139976 Fleet \$140,115.00

Fuel Island Upgrades
 Lowest/Best Bidder: Blue1 Energy Equipment
 3040 White Horse Road
 Greenville, SC 29611

Councilwoman Berz moved to approve. Councilman Hester seconded. The motion carried.

ACTION: ALL PURCHASES APPROVED

Sole Source

Mr. Freeman also reported the following sole source purchase:

DATE	DEPARTMENT	DESCRIPTION	COST	SUPPLIER	EXPLANATION	DOCUMENTS
9/29/23	Wastewater	VTScada Software	\$47,224.02	Trihedral, Inc. 7380 W Sand Lake Road Suite 100 Orlando, FL 32819	This is a sole source purchase for existing software licenses that monitor the scada network. Trihedral, Inc., is the sole manufacturer of VTScada software.	PUR130974
9/27/23	Early Learning	ChildPlus Software	\$23,900.00	ChildPlus Software 2 Ravinia Drive Atlanta, GA 30346	This is a sole source purchase for the standard learning plan software that will work in conjunction with the Child Plus licenses DTS purchased on 5/2/23.	Sole Source Justification Form for ChildPlus
10/2/2023	DTS	Ultra Forensic Technology - FY24 Warranty Renewal SR	\$20,971.00	ULTRA 5757 Cavendish Blvd Ste 200, COTE ST. LUC QUEBEC H4W 2W8 CANADA	The National Integrated Ballistic Information Network (NIBIN) is the only national network that allows for the capture and comparison of ballistic evidence to aid in solving	REQ140063 Sole Source Justification Form

					and preventing violent crimes involving firearms	
10/2/2023	DTS	Lucid FY2024 Renewal	\$22,971.60	Lucid 10808 South River Front Parkway, Suite 600, South Jordan, UT 84095	Lucidcharts is used citywide for organization mapping, workflows and administrative planning. Lucid offers the unique module Lucidscale which is a specialized network mapping tool designed internally by the Technology Services Infrastructure team and would be cost prohibitive to have to replicate using any other application.	REQ139786 Sole Source Justification Form

[No Council action was required for this report.]

COMMITTEE REPORTS:

Affordable Housing Committee
Vice Chair Hill (Not present)

Budget and Finance Committee
Councilwoman Berz (No report)

Economic Development Committee
Councilwoman Coonrod (No report)

Education and Innovation Committee
Councilwoman Noel (No report)

Equity and Community Development Committee
Councilwoman Coonrod (No report)

Legislative Committee
Councilman Smith (Not present)

Planning and Zoning Committee
Councilman Ledford (Not present)

Parks and Public Works
Councilman Hester (Not present)

Public Safety Committee
Councilman Henderson (No report)

RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL

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

Attorney Noblett read the rules of procedure for persons wishing to address the Council. After which, Chair Dotley recognized the following persons:

Speaker Name	District	Primary Topics:
• Monty Bell	(N/A)	Conversation with a professor about the Civil Rights signage/Judge shopping/Impact of his book

ADJOURNMENT

On motion of Councilman Henderson, Chair Dotley adjourned the meeting of the Chattanooga City Council until next Tuesday, October 17, 2023, at 6:00 p.m.

COUNCIL CHAIR

CLERK OF COUNCIL