



City Council Building  
Chattanooga, Tennessee  
**COUNCIL MEETING MINUTES**  
November 14, 2017  
6:00 PM

## **CALL TO ORDER**

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

## **PLEDGE OF ALLEGIANCE**

Councilman Gilbert led the Assembly in the Pledge of Allegiance. He invited Campus Pastor Cody Clay of Venue Church to give the invocation.

## **APPROVAL OF LAST MINUTES**

**On motion of Councilman Gilbert and seconded by Councilman Ledford**, the minutes of the last meeting (November 7, 2017) were approved as published.

## **SPECIAL PRESENTATION**

**"Retirement of Rick Davis for 37 years of service with CDOT"**  
**By Blythe Bailey, Administrator for the Department of Transportation**

Blythe Bailey invited Rick Davis to join him at the podium and read a certificate in honor of Mr. Davis.

*In recognition for outstanding contributions to the City of Chattanooga, this certificate is being presented to Richard L. Davis, in celebration of 37 years of service to the City of Chattanooga.*

*Presented in Chattanooga, Tennessee, November 9, 2017*

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*Andy Berke, Mayor*

Mr. Bailey described working with Mr. Davis's over the past four years, and stated that the City was lucky to have Mr. Davis as an employee. He also reminisced about Mr. Davis's work over the years. Mr. Davis expressed thanks and his pleasure in serving the City.

**ORDINANCES – FINAL READING:**

On motion of Councilman Oglesby and seconded by Councilman Byrd,

**ORDINANCE #13238**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 21, ARTICLE VIII, OFFICE OF THE ADMINISTRATIVE HEARING OFFICER, SECTION 21-150, CREATION BY ORDINANCE, CONTENTS OF ORDINANCE, INTERLOCAL AGREEMENTS, EXISTING MUNICIPAL POWER OR AUTHORITY.**

**ACTION: APPROVED**

On motion of Councilman Henderson and seconded by Councilman Ledford,

**ORDINANCE #13239**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 2, RELATIVE TO THE FIRE AND POLICE PENSION FUND AND LIMITATIONS AND ROLLOVERS.**

**ACTION: APPROVED**

On motion of Councilman Byrd and seconded by Councilman Ledford,

**ORDINANCE #13240**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, CHAPTER 5, SECTION 5-87, CONSUMPTION OF ALCOHOLIC BEVERAGES AND BEER PROHIBITED IN CERTAIN PLACES; OPEN CONTAINERS OF ALCOHOLIC BEVERAGES AND BEER PROHIBITED IN CERTAIN PLACES.**

The motion carried, with Councilman Henderson voting “NO.”

**ACTION: APPROVED**

On motion of Councilwoman Berz and seconded by Councilman Byrd,

**ORDINANCE #13241**

**AN ORDINANCE GRANTING A FRANCHISE TO CROWN CASTLE NG CENTRAL LLC, FOR THE PURPOSE OF ALLOWING IT TO CONSTRUCT, INSTALL AND OPERATE CERTAIN TELECOMMUNICATIONS WIRES AND CABLING WITHIN THE PUBLIC RIGHTS-OF-WAY IN ORDER TO PROVIDE TELECOMMUNICATIONS SERVICES WITHIN THE CITY; SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF THE FRANCHISE; PROVIDING FOR REGULATION AND USE OF THE SYSTEM AND THE PUBLIC RIGHTS-OF-WAY IN CONJUNCTION WITH THE CITY'S RIGHT-OF-WAY ORDINANCE; AND PRESCRIBING PENALTIES FOR THE VIOLATIONS OF THE PROVISIONS HEREIN.**

**ACTION: APPROVED**

**ORDINANCES – FIRST READING:**

**Revised Alternative Version**  
**District No. 1**

On motion of Councilman Henderson and seconded by Councilman Ledford,

**ORDINANCE #13242**

**AN ORDINANCE CONSIDERING THE REQUESTED DEANNEXATION OF ONE (1) TRACT OF PROPERTY LOCATED ADJACENT TO WAUHATCHIE PIKE AND EMMAUS ROAD WHICH IS REFERENCED AS TAX MAP PARCEL NO. 165-008 CONTAINING APPROXIMATELY THREE HUNDRED NINETY (390) ACRES WHICH IS CURRENTLY IN THE CITY OF CHATTANOOGA.**

**ACTION: PASSED ON FIRST READING**

**2017-128**  
**Catherine Hunkapiller**  
**Planning Version**  
**District No. 1**

On motion of Councilman Henderson and seconded by Councilman Ledford,

**ORDINANCE #13243**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 4057 MOUNTAIN CREEK ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO RZ-1 ZERO LOT LINE RESIDENTIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: PASSED ON FIRST READING**

**2017-129**  
**Northshore Development, LLC**  
**Planning Version**  
**District No. 1**

**ORDINANCE #13244**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 423 WEST BELL AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO E-RD-3 URBAN EDGE RESIDENTIAL DETACHED ZONE 3 STORIES MAXIMUM HEIGHT.**

Councilman Henderson asked for a presentation from John Bridger, Executive Director of Regional Planning, who reviewed the case report. He discussed the main concern by Staff was the maximum height. He also noted that there was Opposition at the Planning Commission.

Applicant:

- **Randall Addison (W. Bell Avenue)** – He informed the Council that there has been plenty of community input. He asks the same rezoning that was done a few months back. He believes his zoning is in the spirit of Form-Based Code.

On behalf of Opposition:

- **Garnet Chapin (President, Northside Neighborhood Association)** – He opposed Form-Based Code being applied to the Northside. He indicated that Hill City and Northside Neighborhood associations strongly oppose this rezoning. He expressed having problems with the architect's work. He indicated that the developer did not present the plans to his neighborhood association.

**Rebuttal: (None)**

Discussion ensued on the following:

- Hill City not taking a vote due to jurisdiction
- Staff concerns about the 3-story
- Substituting E-RD-2

**Councilman Henderson moved** to approve with intent to amend. He was seconded by Vice-Chairman Smith. The motion carried.

**Councilman Henderson moved** to amend to E-RD-2, seconded by Vice-Chairman Smith. The motion carried.

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

**ACTION: PASSED AS AMENDED ON FIRST READING**

On motion of Councilman Henderson and seconded by Councilman Oglesby,

**ORDINANCE #13245**

**AN ORDINANCE TO AMEND THE DOWNTOWN CONTEXT MAP WITHIN THE CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE XVI, DOWNTOWN FORM BASED CODE, SECTION 38-693(2), TO ADD 423 WEST BELL AVENUE, MORE PARTICULARLY DESCRIBED BELOW, INTO THE URBAN EDGE CONTEXT AREA.**

**ACTION: PASSED ON FIRST READING**

On motion of Councilman Henderson and seconded by Councilwoman Berz,

**ORDINANCE #13246**

**AN ORDINANCE TO AMEND ORDINANCE NO. 13071 TO INCORPORATE 423 WEST BELL AVENUE, MORE PARTICULARLY DESCRIBED BELOW, INTO THE DOWNTOWN FORM BASED CODE AREA BOUNDARY.**

**ACTION: PASSED ON FIRST READING**

**Agenda Item VI(f):**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 5564 DAYTON BOULEVARD, IN THE 400 BLOCK OF GADD ROAD, AND IN THE 300 BLOCK OF ALLEN ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE, R-2 RESIDENTIAL ZONE, R-5 RESIDENTIAL ZONE, AND C-2 CONVENIENCE COMMERCIAL ZONE TO R-1 RESIDENTIAL ZONE AND R-T/Z RESIDENTIAL TOWNHOUSE ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.**

Mr. Bridger gave a presentation on this item, including Staff comments and recommendations. He indicated that there was Opposition at the Planning Commission. Both Staff and Planning recommended to approve with the condition of RT/Z limited to 16 units.

On behalf of Applicant:

- **Alan Jones, ASA Engineering** – Mr. Jones spoke on the neighborhood meeting prior to the Planning Commission. He informed the Council of several past requests for the use of this parcel and that he has ordered a geo-tech report on the property. He addressed the following concerns: density on Allen Road, consolidating units to be consistent with R-1 and limiting the number of homes and land disturbed. He will reserve comments about the Kimborough right-of-way until the conversation about the PUD takes place later in the agenda.
- **Chris Anderson, Greentech Homes**

On behalf of Opposition:

- **Eddie Bowen (223 and 233 Allen Road)** – His main concern is Allen and Crestview. He is afraid of homes being built in the gap above his street. He is concerned with traffic on Kimborough and Allen Road, which is not wide enough. He recommends keeping the Kimborough right-of-way closed.

Mr. Bowen responded to questions from Councilman Henderson about the problem with “Street D” and Allen Road on the current map. Mr. Bowen informed the Council that the neighborhood does not want the Kimborough right-of-way open due to traffic. On the street above their neighborhood, he asked the Council to limit the number of homes due to water runoff and traffic increases. He recommended a Cul de sac as an alternative.

Rebuttal: Councilman Henderson inquired with Mr. Jones and Mr. Anderson about how to resolve traffic issues. Mr. Anderson discussed the community meeting where 25-30 people signed in. He discussed their R—1 property and acknowledged topography issues, but argued that 2-3 lots should not hinder their main development. Mr. Jones spoke on the original considerations about leaving out part of Allen Road.

Councilman Henderson suggested deferring to have more time to discuss alternatives. Chairman Mitchell confirmed the maximum of 16 residential lots in the RT/Z condition. **Councilman Henderson moved** to defer two (2) weeks, seconded by Councilman Ledford. The motion carried.

**ACTION: DEFERRED TWO (2) WEEKS TO NOVEMBER 28, 2017**

2017-140  
James McMahan  
Planning Version  
District No. 1

On motion of Councilman Henderson and seconded by Councilman Gilbert,

**ORDINANCE #13247**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 962 AND 976 PINEVILLE ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE.**

**ACTION: PASSED ON FIRST READING**

2017-131  
MSBC Black Creek, LLC  
c/o Randy Stone  
Planning Version  
District No. 1

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

**ORDINANCE #13248**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PART OF PROPERTY LOCATED AT 3800 BLOCK OF CUMMINGS ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE ZERO LOT LINE ZONE.**

**ACTION: PASSED ON FIRST READING**

2017-087  
Zachery Darnell, Attorney  
at Cavett, Abbott & Weiss  
Planning Version  
District No. 4

**Agenda Item VI(i):**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 7600, 7604, 7606, 7608, 7610 DAVIDSON ROAD AND THE 1000 BLOCK OF NORTH SANCTUARY ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO A-1 URBAN AGRICULTURAL ZONE, PENDING AMENDMENTS TO REFERENCED LOTS.**

Councilman Ledford inquired about the incomplete site plan. Mr. Bridger yielded to the Applicant to address the site plan.

On behalf of Applicant:

- **Zachary Darnell** (on behalf of property owners) – He informed the Council that an animal storage unit was not on the current site plan. He described the property being on a 100-year flood plain and the fact that the animal storage unit is mobile because of the flooding.

Councilman Ledford confirmed that the storage unit will remain in compliance in the A-1 area. He also inquired about the final site plan including the animal storage. Mr. Darnell offered to amend the site plan if necessary. Mr. Bridger also asked that the site plan include areas where the storage unit cannot encroach. Mr. Darnell agreed.

**Councilman Ledford moved** to defer two (2) weeks to November 28, 2017, for additional work on the site plan. He was seconded by Vice-Chairman Smith. The motion carried.

**ACTION: DEFERRED TWO (2) WEEKS TO NOVEMBER 28, 2017**

2017-130  
Tracye Brogdon  
Planning Version  
District No. 6

On motion of Councilwoman Berz and seconded by Vice-Chairman Smith,

**ORDINANCE #13249**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 6214 WALDEN AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-2 RESIDENTIAL ZONE.**

**ACTION: PASSED ON FIRST READING**

2017-132  
Adamson Developers, LLC  
Planning Version  
District 8

On motion of Councilman Byrd and seconded by Councilwoman Berz,

**ORDINANCE #13250**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 2001, 2003, AND 2005 MCCALLIE AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM C-2 CONVENIENCE COMMERCIAL ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: PASSED ON FIRST READING**

2017-142  
J. Robert McKenzie  
Planning Version  
District 8

On motion of Councilman Byrd and seconded by Councilwoman Berz,

**ORDINANCE #13251**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 515, 521, AND 525 O'NEAL STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: PASSED ON FIRST READING**

2017-133  
Rowland Development Group, LLC  
Planning Version  
District No. 9

On motion of Councilman Byrd and seconded by Councilman Gilbert,

**ORDINANCE #13252**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO LIFT CONDITIONS A AND B FROM ORDINANCE NO. 6007 OF PREVIOUS CASE NO. 1968-147 FROM PROPERTY LOCATED AT 801 SOUTH GREENWOOD AVENUE, MORE PARTICULARLY DESCRIBED HEREIN.**

Chairman Mitchell requested a presentation on this item on behalf of Councilwoman Coonrod. Mr. Bridger discussed lifting conditions to relocate a dedicated alley north to the other side of the development. There were no questions on this item. The motion carried.

**ACTION: PASSED ON FIRST READING**

2017-145  
Tennessee Temple University and  
Highland Park Baptist Church  
Planning Version  
District No. 9

On motion of Councilman Ledford and seconded by Councilman Byrd,

**ORDINANCE #13253**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO APPROVE A ZONING STUDY FOR TENNESSEE TEMPLE UNIVERSITY AND HIGHLAND PARK BAPTIST CHURCH INSTITUTIONAL PUDS WHICH ARE GENERALLY BOUNDED BY BAILEY AVENUE, ON THE EAST BY SOUTH WILLOW STREET, AND ON THE WEST BY**



**SOUTH HICKORY STREET, AND REZONING FROM R-4 SPECIAL ZONE AND R-T/Z RESIDENTIAL TOWNHOUSE ZERO LOT LINE ZONE TO R-4 SPECIAL ZONE AND R-T/Z RESIDENTIAL TOWNHOUSE ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.**

Mr. Bridger informed the Council that this rezoning was related to a planned unit development dating back to when the campus was Tennessee Temple. The goal is remove the old PUD plan. He described a series of public meetings and recognized his staff member, Andy Wood, for the meetings. Mr. Bridger read the conditions approved by Staff and Planning. He noted that there was no Opposition at the Planning Commission.

**ACTION: PASSED ON FIRST READING**

**RESOLUTIONS:**

On motion of Councilwoman Berz and seconded by Councilman Oglesby,

**RESOLUTION #29329**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH THE TRUST FOR PUBLIC LAND, IN SUBSTANTIALLY THE FORM ATTACHED, FOR A TERM OF ONE (1) YEAR, FROM JULY 1, 2017 THROUGH JUNE 30, 2018, FOR AN AMOUNT NOT TO EXCEED \$100,000.00 TO BE PAID IN FOUR (4) QUARTERLY INSTALLMENTS OF \$25,000.00 EACH.**

**ACTION: ADOPTED**

**RESOLUTION #29330**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A FUNDING AGREEMENT WITH THE COMMUNITY FOUNDATION OF GREATER CHATTANOOGA ALLOWING FOR THE USE OF STAFF AND CITY PERSONNEL FROM TIME TO TIME ON SAID FUNDS SUBJECT TO COMPENSATION FOR SUCH STAFF TIME.**

Attorney Hinton informed the Council that there was an error on the caption. He indicated that the correct wording should be "... *time on said funds...*" instead of "time to spend said funds." A discussion ensued with Maura Sullivan, Chief Operating Officer joining the conversation. Mr. Ledford inquired about limits on the funds. Attorney Hinton confirmed that there were no limits on the funds.

**Councilwoman Berz moved** to amend, seconded by Councilman Byrd. The motion carried.

**Councilwoman Berz moved** to approve as amended, seconded by Councilman Byrd. The motion carried.

**ACTION: ADOPTED**

On motion of Councilman Oglesby and seconded by Councilman Byrd,

**RESOLUTION #29331**

**A RESOLUTION OF INTENT RECOGNIZING THAT (I) THAT THE CITY COUNCIL RECOGNIZES THAT THE PROPOSED EVERGREEN REAL ESTATE PROJECT (“PROJECT”) WILL PROVIDE NECESSARY IMPROVEMENTS TO PUBLIC INFRASTRUCTURE THAT THE CITY OF CHATTANOOGA (THE “CITY”) WANTS TO OCCUR WITHIN THE PROPOSED TIME FOR THE PROJECT, BUT THE CITY DOES NOT CURRENTLY PLAN TO EFFECT IN THE SHORT TERM UNDER ITS EXISTING CAPITAL IMPROVEMENT PLANS, AND (II) THAT THE CITY COUNCIL IS WILLING TO CONSIDER AN ECONOMIC IMPACT PLAN PREPARED AND SUBMITTED TO THE IDB, WITH AID FROM ECD, AND REVIEWED BY THE TIF APPLICATION REVIEW COMMITTEE FOLLOWING A PUBLIC HEARING CONDUCTED BY THE IDB IN ACCORDANCE WITH THE CITY’S TIF POLICY AND PROCEDURES.**

Councilman Oglesby asked Charita Allen, Deputy Administrator of Economic Development, to describe the TIF process. She discussed this resolution being Step #2 in the process. She discussed what this resolution authorizes for the IDB. She also noted that a public hearing would take place at the December 5, 2017, IDB meeting. Ms. Allen confirmed for Councilman Ledford that this resolution will enable the IDB to move forward with the economic impact analysis, paid for by the Applicant. **The motion carried, with Councilman Gilbert abstaining.**

**ACTION: ADOPTED**

*[Councilwoman Berz exited the meeting at this time.]*

On motion of Councilman Gilbert and seconded by Councilman Oglesby,

**RESOLUTION #29332**

**A RESOLUTION AUTHORIZING THE DIRECTOR OF HUMAN RESOURCES TO ENTER INTO AN AGREEMENT WITH UNITED HEALTHCARE TO PROVIDE THE CITY OF CHATTANOOGA MEDICARE ELIGIBLE RETIREES WITH TWO (2) MEDICARE ADVANTAGE HEALTH PLANS AT THE RATES OF \$290.42 PER MEMBER PER MONTH AND \$354.86 PER MEMBER PER MONTH, WITH THE INITIAL TERM OF THE POLICY BEING JANUARY 1, 2018 THROUGH DECEMBER 31, 2018, WITH TWO (2) ADDITIONAL TWELVE (12) MONTH RENEWALS, AND TWO (2) ADDITIONAL TWELVE (12) MONTH OPTIONS REMAINING.**

Tina Camba, Director of Human Resources, responded to Councilman Ledford about the reason for changing health plans for retirees. Ms. Camba was joined by Brent Witt of United Healthcare, who gave information on the RFP process. He discussed the expansion of access, duplication of what is currently in place, the co-pay and the cost savings. Ms. Camba and Mr. Witt responded to questions from Councilman Gilbert, Vice-Chairman Smith and Chairman Mitchell on the policy coverage, savings increases and individual costs. Ms. Camba confirmed for Vice-Chairman Smith that this is the best move for greater experience and better (national) scope. She also described for Chairman Mitchell the ways in which HR will communicate the new health plan to current retirees.

**ACTION: ADOPTED**

2017-139  
ASA Engineering  
c/o Allen Jones  
District No. 1

On motion of Councilman Henderson and seconded by Councilman Gilbert,

**RESOLUTION #29334**

**A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR PROPERTIES LOCATED AT 5564 DAYTON BOULEVARD AND IN THE 300 BLOCK OF ALLEN ROAD.**

Councilman Henderson moved to defer two (2) weeks to November 28, 2017. He was seconded by Councilman Gilbert. The motion Carried.

**ACTION: DEFERRED TWO (2) WEEKS TO NOVEMBER 28, 2017**

2017-134  
Pratt Land & Development Company  
District No. 3

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

**RESOLUTION #29325**

**A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED IN THE 6100 BLOCK OF HIXSON PIKE.**

Vice-Chairman Smith confirmed that there was Opposition in the Assembly. The motion carried.

**ACTION: ADOPTED**

2017-137  
Vinod Javer  
District No. 4

On motion of Councilman Ledford and seconded by Councilman Gilbert,

**RESOLUTION #29326**

**A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR PROPERTIES LOCATED AT 2512 AND 2514 WILL KELLEY ROAD.**

Chairman Mitchell confirmed that there was no Opposition in the Assembly. The motion carried.

**ACTION: ADOPTED**

On motion of Councilman Byrd and seconded by Councilman Oglesby,

**RESOLUTION #29327**

**A RESOLUTION ABANDONING A SPECIAL EXCEPTIONS PERMIT FOR AN INSTITUTIONAL PLANNED UNIT DEVELOPMENT FOR THE TENNESSEE TEMPLE UNIVERSITY AND HIGHLAND PARK BAPTIST CHURCH INSTITUTIONAL PUDS WHICH ARE GENERALLY BOUNDED ON THE NORTH BY BAILEY AVENUE, ON THE EAST BY SOUTH WILLOW STREET, AND ON THE WEST BY SOUTH HICKORY STREET.**

**ACTION: ADOPTED**

On motion of Councilman Oglesby and seconded by Councilman Ledford,

**RESOLUTION #29328**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO A DONATION AGREEMENT WITH RIVER CITY COMPANY AND ACCEPT THE DONATION OF ALL LABOR, MATERIALS, SERVICES, TAXES, AND ALL OTHER ITEMS, NOW OR TO BE IDENTIFIED IN THE FUTURE, NECESSARY TO PERFORM CERTAIN ROAD IMPROVEMENTS ON WALNUT STREET, FROM FIRST STREET TO AQUARIUM WAY, PROJECT NO. T-17-004-201, FROM RIVER CITY COMPANY, SUBJECT TO THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY AND CREATIVE HARDSCAPES, LLC FOR SAID IMPROVEMENTS, AND AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO AN AGREEMENT WITH CREATIVE HARDSCAPES, LLC FOR THE IMPROVEMENTS TO WALNUT STREET, IN SUBSTANTIALLY THE FORM ATTACHED, AT NO COST TO THE CITY.**

**ACTION: ADOPTED**

On motion of Councilman Oglesby and seconded by Councilman Byrd,

**RESOLUTION #29329**

**A RESOLUTION AUTHORIZING THE PURCHASE OF WHITACRE GREER PAVERS FROM LIBERTY BRICK, LLC, THE SOLE SOURCE FOR THESE CLAY PAVERS, FOR THE WALNUT STREET ROAD IMPROVEMENT PROJECT NO. T-17-004-201, IN THE AMOUNT OF \$100,000.00.**

**ACTION: ADOPTED**

**PURCHASES:**

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

**PO541661 - Public Works** Estimated \$4,000,000 Annually  
Blanket Contract Renewal for Liquid Sodium  
Hypochlorite-Waste Resources  
Lowest/Best Bidder: Olin Corporation  
490 Stuart Road  
Cleveland, TN 37312

**PO523647 - Public Works** Estimated \$85,000 Annually  
Blanket Contract Renewal for Fire Extinguishers/  
Fire Suppression Systems & Service-  
City Wide-Facilities Management  
Lowest/Best Bidder: Chattanooga Fire Protection Inc.  
1818 Broad Street  
Chattanooga, TN 37408

**PO545678 - Public Works** Estimated \$330,000 Annually  
Increase of Authorized Expenditure on Blanket Contract  
for Security Guard Services-City Wide  
Lowest/Best Bidder: SEI Inc.  
6400 Lee Hwy., Ste. 108  
Chattanooga, TN 37421

**PO535600 - Public Works** Estimated \$50,000 Annually  
Blanket Contract Renewal for Corrugated Metal  
Pipe-City Wide Services  
Lowest/Best Bidder: Bradley Tank & Pipe  
PO Box 3146  
Cleveland, TN 37320

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

**ACTION: ALL PURCHASES APPROVED**

**OTHER BUSINESS:**

**TIF Review Committee**

Chairman Mitchell nominated Bill McDonald and Dionne Jennings to the TIF Review Committee.  
**Vice-Chairman Smith moved** the nominations, seconded by Councilman Ledford. The motion carried.

**City Council Facebook Page**

Councilman Byrd announced the City Council's Facebook page: @CityCouncilChattanooga  
(<https://www.facebook.com/CityCouncilChattanooga>).

## **Special Recognition**

Vice-Chairman Smith asked the Assembly to join him in singing “Happy Birthday” to Daisy Madison, Chief Finance Officer.

## **COMMITTEE REPORTS:**

*Budget and Finance Committee*  
Councilman Henderson  
(No report)

*Economic and Community Development Committee*  
Councilman Oglesby  
(No report)

*Human Resources Committee (HR)*  
Councilman Gilbert  
(No report)

*Planning and Zoning Committee*  
Councilman Ledford reported:

- The committee met today to review items that were on first reading.

*Public Safety Committee*  
Councilman Byrd  
(No report)

*Public Works and Transportation Committee*  
(Councilwoman Berz was not present)

- On behalf of Councilwoman Berz, Chairman Mitchell announced the Public Works and Transportation Committee meeting next week after the 3:00 p.m. Agenda Session.

*Youth and Family Development Committee*  
(Councilwoman Coonrod was not present)

*Innovation Technology Committee*  
Vice-Chairman Smith  
(No report)

## **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, Chairman Mitchell recognized the following persons:

- **Margaret Chastain (Soddy Daisy)** – She is a City of Chattanooga retiree and wanted to ask for better communication from Human Resources for retirees. She also asked for better access to information for retirees.
- **Christopher Dahl (Highland Park)** – He feels that he is being censored at the neighborhood association and throughout the city regarding his views on projects in the

area. He believes there is a lack of public participation with city projects. He believes it is wrong to be censored just because he is asking for transparency in government.

- **Dr. Jeffrey Guther (Old Town)** – He came to speak on behalf of his neighbors about the planned unit development being erected between Van Buren and Old Town in River Oaks. He believes there was some “breach in process” when a permit was granted to move land in the area prior to the Council meeting on this item. He asks for more information on the process. He also requested that the construction be halted for an additional traffic study.
- **Ethan Collier (Chattanooga)** – He wanted to give a rebuttal to Dr. Guther’s comments on his construction. He discussed developing the plans and submitting for the permits for the development. He discussed meeting with the neighborhood. He noted that the project was permitted and the PUD was Council-approved.

**Chairman Mitchell addressed Donna Williams, Administrator for the Department of Economic and Community Development,** about confusion in this process. He expressed concerns about the Land Development Office approving land disturbing permits while special exception permits are still under consideration by the Council about the same property.

- **Alexia Johannas (Highland Park)** – She asked the residents of the Highland Park Neighborhood Association to stand. She wanted to speak in opposition to the M&M Industries PILOT coming to her area.
- **Megan Lindsay (Highland Park)** – She and her husband live and work in Highland Park. They are not opposed to development, but do oppose the M&M Industries PILOT coming to their neighborhood.
- **John Lindsey (Highland Park)** – He grew up in Chattanooga and has invested everything in his neighborhood of Highland Park. He does not think M&M Industries PILOT is the right direction for the neighborhood. He sees better use of the property.
- **Emerson Burch (Highland Park)** – He is the President of the neighborhood association. He asked the Council to consider public funds are used, especially how tax abatement is spent and types of jobs generated. He asked that the Council not create an affordable housing need from tax abatement. He does not see how the M&M Industries PILOT will fit in Highland Park. He asked for more community engagement on future industry.
- **Caitlin Hodges (Highland Park)** – She opposes the M&M Industries PILOT and recommends an environmental impact study. Her work in the medical industry makes her aware of the detrimental side effects of industry and pollution in the city. She believes the M&M factory will set back Highland Park.
- **Rick Carpenter (East Brainerd)** – He thanked the Council for its actions in getting lights installed on Igou Gap Road and Goodwin Road. He informed the Council of a “rogue” City Council Facebook page. He also wants to see responsible development in the city.
- **Ms. Martha (Chattanooga)** – She wanted to thank Ms. Williams. She says that there has been some confusion.

Councilman Byrd responded to the Highland Park Neighborhood Association by describing his efforts to reach the community as well as the Highland Park President on the M&M Industries matter. He announced a meeting tomorrow at the Council office at 1:00 p.m. He also asked Ms. Williams of ECD to discuss the M&M Industries presentation last week. She also spoke about the need for employment opportunities for residents in Highland Park.

## **ADJOURNMENT**

**On motion of Councilman Oglesby**, Chairman Mitchell adjourned the meeting of the Chattanooga City Council until Tuesday, November 21, 2017, at 6:00 p.m.

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**CHAIRMAN**

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**CLERK OF COUNCIL**