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TUESDAY, NOVEMBER 16, 2021
CITY COUNCIL REVISED AGENDA
6:00 PM

- I. Call to Order by Vice-Chairman Smith.
- II. Pledge of Allegiance/Invocation (Councilman Hester).
- III. Special Presentation.
- IV. Minute Approval.
- V. **Ordinances – Final Reading:**

FINANCE

- a. [An ordinance to amend the Operations Budget Ordinance No. 13710, known as “the Fiscal Year 2021-2022 Operations Budget Ordinance,” to amend Section 6\(B\) so as to appropriate \\$38,640,506.00 from the American Rescue Plan Act of 2021.](#)

PLANNING

- b. [2021-0164 CTF Alpaca Racing Group, LLC \(C-5 Neighborhood Commercial Zone to UGC Urban General Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1310 Hanover Street located in the 200 to 300 block of Tremont Street, from C-5 Neighborhood Commercial Zone to UGC Urban General Commercial Zone, subject to certain conditions. \(District 2\) \(Recommended for approval by Planning and Staff\)](#)
- c. [2021-0177 Bill Dickson \(R-2 Residential Zone to C-2 Convenience Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 5468 Hixson Pike, from R-2 Residential Zone to C-2 Convenience Commercial Zone for the front portion of the site fronting Hixson Pike \(see attached map\) and O-1 Office Zone for the rear portion of the site along Old Hixson Pike \(see attached map\), subject to certain conditions. \(District 3\) \(Recommended for approval by Planning\)](#)

- d. 2021-0166 PBD Development, GP & Napier Associates (Amend Condition). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to amend Condition No. 9 of Ordinance No. 13110 of previous Case No. 2016-0060 for properties located at 2415, 2423, and 2441 Elam Lane and parts of 2440 Elam Lane and parts of 2515, 2519, and 2527 Gunbarrel Road. (District 4) (Recommended for approval by Planning and Staff)
- e. 2021-0161 Glen Craig (R-3 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 properties located at 1213, 1215, and an unaddressed parcel on East 13th Street (Tax Map No. 146P-C-008), from R-3 Residential Zone to UGC Urban General Commercial Zone, subject to certain conditions. (District 8) (Recommended for approval by Planning)
- f. 2021-0174 1101 Main, LLC (M-1 Manufacturing Zone to UGC Urban General Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 1101 East Main Street and 1490 Top Street, from M-1 Manufacturing Zone to UGC Urban General Commercial Zone, subject to certain conditions. (District 8) (Recommended for approval by Planning and Staff)
- g. 2021-0178 Henry and Kathleen DeHart (R-1 Residential Zone to R-4 Special Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1502 East 14th Street, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. (District 8) (Recommended for approval by Planning and denial by Staff)
- h. 2021-0175 Ethan Collier (M-2 Light Industrial Zone to C-3 Central Business Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 2517 East 16th Street, from M-2 Light Industrial Zone to C-3 Central Business Zone, subject to certain conditions. (District 9) (Recommended for approval by Planning and Staff)
- i. 2021-0176 Ethan Collier (R-2 Residential Zone to C-3 Central Business Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1805, 1807, 1809, and 1811 South Lyerly Street, from R-2 Residential Zone to C-3 Central Business Zone, subject to certain conditions. (District 9) (Recommended for approval by Planning and Staff)
- j. 2021-0181 Nathan Brown (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 property located at 2500 East 19th Street, from R-2 Residential Zone to UGC Urban General Commercial Zone, subject to certain conditions. (District 9) (Recommended for approval by Planning and Staff and denial of R-3 Residential Zone by Planning and Staff)

VI. **Ordinances – First Reading:**

COUNCIL OFFICE

- a. An ordinance amending Chattanooga City Code, Part II, Chapter 12, Section 12-50, to provide for a rate of pay for the City Judge and benefits which is appropriate for duties as determined by the City Council at the beginning of the next term of office on August 31, 2022.

PLANNING

- b. 2021-0186 David Gardner (R-1 Residential Zone to R-3 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 2997 Edgmon Forest Lane, 6420 Shallowford Road, and a portion of 6418 Shallowford Road, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions. (District 6) (Recommended for approval by Planning) (Deferred from 11-09-2021)

2021-0186 David Gardner (R-1 Residential Zone to R-3 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 2997 Edgmon Forest Lane, 6420 Shallowford Road, and a portion of 6418 Shallowford Road, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions. (Staff Version)

2021-0186 David Gardner (R-1 Residential Zone to R-3 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 2997 Edgmon Forest Lane, 6420 Shallowford Road, and a portion of 6418 Shallowford Road, from R-1 Residential Zone to R-3 Residential Zone. (Applicant Version)

- c. 2021-0162 Lentorry Coleman (M-1 Manufacturing Zone to UGC Urban General Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 2101 and 2103 South Watkins Street, from M-1 Manufacturing Zone to UGC Urban General Commercial Zone, subject to certain conditions. (District 9) (Recommended for approval by Planning and Staff) (Deferred from 11-09-2021)

2021-0162 Lentorry Coleman (M-1 Manufacturing Zone to UGC Urban General Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 2101 and 2103 South Watkins Street, from M-1 Manufacturing Zone to UGC Urban General Commercial Zone. (Applicant Version)

VII. **Resolutions:**

COUNCIL OFFICE

- a. A resolution recognizing the name change of the Heritage House Arts and Civic Center – City of Chattanooga to the Don Eaves Heritage House Arts and Civic Center – City of Chattanooga in honor of former Councilperson Don Eaves.

ECONOMIC DEVELOPMENT

- b. A resolution to make certain findings relating to the Steam Logistics Project, to delegate certain authority to the Industrial Development Board of the City of Chattanooga, and to authorize the Mayor to enter into and execute an Agreement for Payments in Lieu of Ad Valorem Taxes. (District 7)
- c. A resolution authorizing the Interim Administrator of Economic Development to enter into an Artwork Donation Agreement, in substantially the form attached, with RiverCity Company to accept “The Scramble”, artwork installation valued at \$553,073.00, with leftover project contingency funds in the amount of \$57,827.65, designated towards the Public Art Maintenance Fund. (District 7)
- d. A resolution authorizing the Interim Administrator of Economic Development to enter into an Artwork Donation Agreement, in substantially the form attached, with SoundCorps to accept the mural “Vibes Resonance”, valued at \$14,100.00 with leftover project contingency funds in the amount of \$2,350.00, designated towards the Public Art Maintenance Fund. (District 7)
- e. A resolution authorizing the Interim Administrator of Economic Development to award up to \$40,000.00 in HOME program funds to Habitat for Humanity of Greater Chattanooga Area to construct a house located at 219 Canary Circle for affordable homeownership, contingent upon the project being approved through the established application review process. (District 7)
- f. A resolution authorizing the Interim Administrator of Economic Development to amend a HOME Project Agreement previously approved by City Council Resolution No. 30849, by increasing the award to the Chattanooga Community Housing Development Organization by \$30,000.00, for a total award of \$146,136.00 to construct a house at 198 N. Willow Street for an income qualified household. (District 8)

- g. [A resolution authorizing the Interim Administrator of Economic Development to amend a HOME Project Agreement previously approved by City Council Resolution No. 30851, by increasing the award to the Chattanooga Community Housing Development Organization by \\$24,000.00, for a total award of \\$151,086.00 to construct a house at 200 N. Willow Street for an income qualified household. \(District 8\)](#)
- h. [A resolution authorizing the Mayor or his designee to enter into a First Agreement to Exercise Option to Renew with Missionary Ridge Neighborhood Association, Inc., in substantially the form attached, for the lease of 36 Sheridan Avenue, identified as Tax Parcel No. 156E-B-001.01, for an additional term of one \(1\) year, through December 16, 2022, for the amount of one dollar \(\\$1.00\) per year. \(District 9\)](#)

MAYOR'S OFFICE

- i. [A resolution confirming Mayor Kelly's appointment of Sushma Shantha to a three-year term on the Library Board of Directors.](#)
- j. [A resolution confirming Mayor Kelly's appointment of David Nordy to a four-year term on the Board of Electrical Examiners.](#)

PLANNING

- k. [Michael A. Wolff, Sr./Hixson Wine & Spirits, Inc. \(Special Exceptions Permit\). A resolution approving a Special Exceptions Permit for an existing liquor store, change in ownership, located at 6401 Hixson Pike, Suite A. \(District 3\)](#)

PARKS AND PUBLIC WORKS

Public Works

- l. [A resolution authorizing the Administrator for the Department of Public Works to enter into an agreement with CTI Engineers, Inc. for professional design services for Contract No. R-21-001-101, Ross' Landing Water Cannon Improvements, for the contract amount of \\$121,777.00. \(District 7\)](#)
- m. [A resolution authorizing the Administrator for the Department of Public Works to approve Change Order No. 4 \(Final\) for J&J Contractors, Inc., of Chattanooga, TN, relative to Contract No. Y-15-008-201, The New Avondale YFD Center, for an increased amount of \\$4,540.00, for a revised contract amount of \\$5,973,728.25, and to release the remaining contingency amount of \\$5,460.00. \(District 8\)](#)

- n. A resolution declaring surplus of a mini-trackhoe manufactured by IHI, Model #55N2, Serial Number WP000964, and authorizing the sale of the unit and buckets in as-is condition to the Highway 58 Volunteer Fire Department, Inc. for training purposes, in the amount of \$5,000.00.
- o. A resolution to amend Resolution No. 30476, as adopted on September 8, 2020, relative to the agreement for the Closure/Post Closure Plan for the City Landfill with the State of Tennessee, Division of Solid Waste Management, by deleting “an amount not to exceed \$1,546,300.95” and substituting in lieu thereof “an amount not to exceed \$1,494,464.73”.
- p. A resolution to amend Resolution No. 30477, as adopted on September 8, 2020, relative to the agreement for the Closure/Post Closure Plan for the City Landfill, Lateral Expansion Area 3, with the State of Tennessee, Division of Solid Waste Management, by deleting “an amount not to exceed \$8,028,182.88” and substituting in lieu thereof “an amount not to exceed \$8,128,535.16”.
- q. A resolution to amend Resolution No. 30478, as adopted on September 8, 2020, relative to the agreement for the Closure/Post Closure Plan for the Summit Sanitary Landfill, with the State of Tennessee, Division of Solid Waste Management, by deleting “an amount not to exceed \$1,424,995.67” and substituting in lieu thereof “an amount not to exceed \$1,262,457.10”.

VIII. Purchases.

IX. Committee Reports.

X. Other Business. (Items Listed Below):

- **Hixson Wine & Spirits, Inc. d/b/a Hixson Liquors (6401 Hixson Pike) – Certificate of Compliance (District 3)**
- **APPROVAL OF INJURY ON DUTY SETTLEMENT:**
 - (1) Brian Moseley - \$55,407.18**

XI. Recognition of Persons Wishing to Address the Council.

XII. Adjournment.

TUESDAY, NOVEMBER 30, 2021
CITY COUNCIL AGENDA
6:00 PM

1. Call to Order by Chairman Henderson.
2. Pledge of Allegiance/Invocation (Councilwoman Berz).
3. Special Presentation.
4. Minute Approval.

Order of Business for City Council

5. **Ordinances - Final Reading:**

COUNCIL OFFICE

- a. An ordinance amending Chattanooga City Code, Part II, Chapter 12, Section 12-50, to provide for a rate of pay for the City Judge and benefits which is appropriate for duties as determined by the City Council at the beginning of the next term of office on August 31, 2022.

PLANNING

- b. [2021-0186 David Gardner \(R-1 Residential Zone to R-3 Residential Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 2997 Edgmon Forest Lane, 6420 Shallowford Road, and a portion of 6418 Shallowford Road, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions. \(District 6\) \(Recommended for approval by Planning\) \(Deferred from 11-09-2021\)](#)

[2021-0186 David Gardner \(R-1 Residential Zone to R-3 Residential Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 2997 Edgmon Forest Lane, 6420 Shallowford Road, and a portion of 6418 Shallowford Road, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions. \(Staff Version\)](#)

[2021-0186 David Gardner \(R-1 Residential Zone to R-3 Residential Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 2997 Edgmon Forest Lane, 6420 Shallowford Road, and a portion of 6418 Shallowford Road, from R-1 Residential Zone to R-3 Residential Zone. \(Applicant Version\)](#)

- c. [2021-0162 Lentorry Coleman \(M-1 Manufacturing Zone to UGC Urban General Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 2101 and 2103 South Watkins Street, from M-1 Manufacturing Zone to UGC Urban General Commercial Zone, subject to certain conditions. \(District 9\) \(Recommended for approval by Planning and Staff\) \(Deferred from 11-09-2021\)](#)

[2021-0162 Lentorry Coleman \(M-1 Manufacturing Zone to UGC Urban General Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 2101 and 2103 South Watkins Street, from M-1 Manufacturing Zone to UGC Urban General Commercial Zone. \(Applicant Version\)](#)

- d. [An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to address exterior building material requirements.](#)

6. **Ordinances - First Reading:**

PLANNING

- a. [2021-0169 ASA Engineering \(C-5 Neighborhood Commercial Zone to C-2 Convenience Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 5116, 5120, and 5134 Highway 58 and several unaddressed tracts \(120N-D-012, 014, 015, 016, and 018\) of land in the 5100 block of Highway 58, from C-5 Neighborhood Commercial Zone to C-2 Convenience Commercial Zone, subject to certain conditions. \(District 5\) \(Recommended for approval by Planning\) \(Deferred from 11-09-2021\)](#)

[2021-0169 ASA Engineering \(C-5 Neighborhood Commercial Zone to C-2 Convenience Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 5116, 5120, and 5134 Highway 58 and several unaddressed tracts \(120N-D-012, 014, 015, 016, and 018\) of land in the 5100 block of Highway 58, from C-5 Neighborhood Commercial Zone to C-2 Convenience Commercial Zone for Tax Map No. 120N-D-012 through 120N-D-018 only, subject to certain conditions. \(Staff Version\)](#)

[2021-0169 ASA Engineering \(C-5 Neighborhood Commercial Zone to C-2 Convenience Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 5116, 5120, and 5134 Highway 58 and several unaddressed tracts \(120N-D-012, 014, 015, 016, and 018\) of land in the 5100 block of Highway 58, from C-5 Neighborhood Commercial Zone to C-2 Convenience Commercial Zone. \(Applicant Version\)](#)

7. **Resolutions:**

ECONOMIC DEVELOPMENT

- a. A resolution authorizing the Mayor or his designee to enter into an Office Lease with the Children’s Advocacy Center of Hamilton County, Inc., in substantially the form attached, for the five (5) year term of December 1, 2021, through November 30, 2026, with the option to renew for one (1) additional term of five (5) years, for the use of 9,155 square feet of space at the Family Justice Center located at 5705 Uptain Road, identified as Tax Map No. 157M-A-012, for the rent of one dollar (\$1.00) annually. (District 6)
- b. A resolution authorizing the Mayor or his designee to collectively with Hamilton County, enter into a Lease Agreement with the Chattanooga Area Convention & Visitors Bureau, Inc., in substantially the form attached, for the lease of the building at 2 Aquarium Way, Suite 138, further identified as a portion of Tax Parcel No. 135K-A-001, with the building to be used exclusively for the operation of a Visitor Information Center, for a term of three (3) years, with the option to renew for two (2) additional terms of one (1) year each, at the consideration of one dollar (\$1.00) per year. (District 7) (Deferred from 11-09-2021)
- c. A resolution authorizing the Mayor or his designee to enter into a Lease with the University of Tennessee at Chattanooga, in substantially the form attached, for the use of approximately 19,296 square feet of space at 301 N. Holtzclaw Avenue, identified as Tax Map No. 146G-A-001, for the four (4) year term of February 16, 2021, through February 15, 2025, for use as an indoor softball facility, for the annual rent of one dollar (\$1.00). (District 8)
- d. A resolution authorizing the Mayor or his designee to collectively with Hamilton County enter into a commercial/public recreation License Agreement with the Tennessee Valley Authority, in substantially the form attached, for approximately 5.7 acres of TVA land on Chickamauga Dam Reservation on Nickajack Reservoir, for the operation and maintenance of public recreational facilities related to the existing operation of the Tennessee Riverpark. (District 8)
- e. A resolution authorizing the Mayor or his designee to enter into a Non-Profit Lease Standard Form Agreement with the Forgotten Child Fund, Inc., in substantially the form attached, to lease approximately 19,516 square feet of warehouse space located at 1815 E. Main Street, identified as Tax Map No. 156B-D-009, for the eleven (11) month term of March 1, 2021, through January 31, 2022, for the annual rent of one dollar (\$1.00). (District 8)

HUMAN RESOURCES

- f. [A resolution authorizing the appointment of Emily Johnson, as special police officer \(unarmed\) for the McKamey Animal Center, to do special duty as prescribed herein, subject to certain conditions.](#)

POLICE

- g. [A resolution authorizing the Mayor to accept a Tennessee Highway Safety Office \(THSO\) Grant on behalf of the Chattanooga Police Department for Enforcement of Tennessee Driving Under the Influence Laws to be used for overtime, supplies, and training/travel, with a contract period of October 1, 2021, through September 30, 2022, in the amount of \\$200,000.00.](#)
8. Purchases.
9. Committee Reports.
10. Recognition of Persons Wishing to Address the Council.
11. Adjournment.

November 16, 2021, Council Meeting

Recommended New Purchases

Council approval is recommended to award contracts for the following new purchases:

DEPARTMENT	ITEM DESCRIPTION	BIDS REQUESTED	BIDS RETURNED	LOWEST/BEST BIDDER	ANNUAL COST ESTIMATE	FUND NAME	SUMMARY	DOCUMENTATION LINK
Park Maintenance Division, Parks & Outdoors	Uniforms for Parks & Outdoors and Facilities Division	15	2	Cintas Corporation 2131 Polymer Drive Suite 2131A Chattanooga, TN 37421	\$25,000.00	General Fund	New Blanket Contract for Uniforms for Parks & Outdoors and Facilities Division. This will be a four (4) year contract not to exceed \$25,000 per year. The award will go to Cintas Corporation as the best bid meeting specification for the City of Chattanooga.	200074
Parks Maintenance Division, Parks & Outdoors	Flags, Flagpoles and Associated Hardware	-	-	Conserv Flag Company 1003 Illinois Street Sidney, NE 69162	\$25,000.00	General Fund	This is the 1st of 2 renewals. Due to the increase in the demand for flag materials from the manufacturer, Conserv Flag has sent through a price increase of 15% as noted on the spreadsheet.	PO# 559660
Chattanooga Department of Transportation	Asphalt Rejuvenation Agent	-	-	Pavement Technology, Inc. 24144 Detroit Road Westlake, Ohio 44145	\$211,500.00	General Fund	This is the 1st of 2 renewals. Due to the escalating cost of oil and continued inflation, Pavement Technology, Inc., the supplier has requested a 4% price increase as noted on the renewal letter dated October 12, 2021.	PO 559781
Early Learning Head Start Division	The Creative Curriculum	-	-	Teaching Strategies LLC 4500 East-West Highway, # 300 Bethesda, Maryland 20814	\$31,365.84	Grant	Purchase of The Creative Curriculum Expanded Daily Resources for Twos. This purchase from Teaching Strategies, LLC, the sole source provider will be in the amount of \$31,365.84. A Sole Source Justification from the Department Head and a written quotation from the supplier are attached for your review. TCA 6-56-304.2 allows for this single source purchase exempted from the usual advertising and bidding procedures.	REQ 107209
Information Technology for CPD	Maintenance and Support Agreement #003359-002; Product Description: Latent Station - Latent Expert Workstation Application Software Contract	-	-	Idemia 5515 E. La Palma Ave Suite 100 Anaheim, CA 92807	\$26,863.00	General Fund	Sole source purchase, previously procured by Blanket PO 551090/Bid 305229. This procurement is needed to continue use of this software for one more year, since TBI is expected to update to a new system, and CPD must be compatible with the TBI system.	REQ107153

November 16, 2021, Council Meeting

Recommended New Purchases

Council approval is recommended to award contracts for the following new purchases:

DEPARTMENT	ITEM DESCRIPTION	BIDS REQUESTED	BIDS RETURNED	LOWEST/BEST BIDDER	ANNUAL COST ESTIMATE	FUND NAME	SUMMARY	DOCUMENTATION LINK
Information Technology for PW	Cityworks software houses asset inventory and work orders for Public Works. Maintaining the current work environment, integrations, and data structure is only possible with the Cityworks ecosystem.	-	-	Azteca Systems, LLC 11075 South State, Suite 24 Sandy, Utah 84070	\$75,000.00	60% General Fund; 20% 6030 (Sewer Operations); 20% 6010 (Water Quality Operations)	New blanket PO for 1 year with 4 one-year renewals, annual spend of \$75,000. Sole source. Until this year, Hamilton County held the contract and distributed the licenses to the City. Now, the City must have its own contract.	REQ107808
Early Learning Head Start Division	Food Items & Cleaning Products	-	-	Institutional Wholesale Co., Inc P.O. Box 458 Cookeville, TN 38503	\$157,500.00	Grant	1st of 2 renewals. Vendor supplied the renewal approval and a price increase that will total 5% for the lines listed on the spreadsheet.	PO559164
Respectfully submitted,								
Debbie Talley, Interim Director of Purchasing								