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TUESDAY, NOVEMBER 7, 2023
CITY COUNCIL AGENDA
3:30 PM

- I. Call to Order by Chair Dotley.
- II. Pledge of Allegiance/Invocation (Councilman Henderson).
- III. Special Presentations.
- IV. Minute Approval.
- V. Discussion of Agenda.
- VI. Committee or Department Reports: (Planning and Zoning Committee)

RECESS

Order of Business for City Council

VII. **Ordinances – Final Reading:**

PLANNING

- a. [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. \(Alternate Version #2\)](#)
- b. [2023-0156 Tinker Ma, LLC \(C-2 Convenience Commercial Zone, R-3 Residential Zone, and R-4 Special Zone to W-N \(New Zone\)\). 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 \(New Zone\). \(District 7\) \(Recommended for approval by Planning Commission\) \(Deferred from 10-10-2023\)](#)

- c. [2023-0137 Stephen Brady \(Lift Condition\). 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. \(Districts 8 & 9\) \(Recommended for approval by Planning Commission and recommended for deferral by Staff\) \(Planning Version #2\)](#)
- d. [2023-0138 Stephen Brady \(Lift Condition\). 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. \(Districts 8 & 9\) \(Recommended for approval by Planning Commission and recommended for deferral by Staff\) \(Planning Version #2\)](#)

PUBLIC WORKS

- e. [MR-2023-0153 RP Central, LLC/John A. Felker \(Abandonment\). An ordinance closing and abandoning an unopened right-of-way in the 2200 block of Rossville Avenue, as detailed on the attached map, subject to certain conditions. \(District 8\) \(Recommended for approval by Planning Commission and Public Works\)](#)

VIII. **Ordinances – First Reading:**

PUBLIC WORKS

- a. [MR-2023-0115 Tyler Callihan-Rhonda Cunningham \(Abandonment\). An ordinance closing and abandoning an unopened right-of-way in the 600 block of Nye Circle, as detailed on the attached map, subject to certain conditions. \(District 1\) \(Recommended for approval by Planning Commission and Public Works\)](#)

IX. **Resolutions:**

ECONOMIC DEVELOPMENT

- a. [A resolution authorizing the Administrator for Economic Development to enter into an agreement with the Chattanooga Area Regional Council of Governments \(Southeast Tennessee Development District\) for management of the Environmental Protection Agency \(EPA\) Office of Environmental Justice and External Civil Rights \(OEJECR\) Environmental Justice Government-to-Government Program Grant, and to apply for, and if awarded on behalf of the City of Chattanooga, to accept this grant in the amount of \\$500,000.00.](#)

- b. [A resolution authorizing the Office of Homelessness and supportive housing to apply for, and if awarded, accept a grant from the National Center for State Courts \(NCSC\), in the amount of \\$64,900.00, and to enter into an agreement with NCSC for a grant funded position of Eviction Diversion Program Facilitator.](#)

FINANCE

- c. [An Eighth Supplemental Resolution to Resolution No. 22629 providing for the issuance of City of Chattanooga, Tennessee, Electric System Revenue Bonds Series 2023, authorizing up to \\$125 million Series 2023 bonds.](#)

HUMAN RESOURCES

- d. [A resolution ratifying the execution of a Second Addendum to Health Services Agreement between the City of Chattanooga and Marathon Health, LLC. \(Added with permission of Chair Dotley\)](#)

LEGAL

- e. [A resolution authorizing and directing the Clerk of Council to advertise the public hearing on November 28, 2023, the deannexation of Lot 34A adjacent to the current city limits which is located at 7900 Holly Hills Drive, within the City of Chattanooga, in Hamilton County, Tennessee. \(District 4\)](#)

MAYOR'S OFFICE

- f. [A resolution confirming Mayor Kelly's appointment of Brooke Barclift to the Beer & Wrecker Board \(District 3\), for a term beginning on November 8, 2023, and ending on November 7, 2026. \(District 3\)](#)
- g. [A resolution confirming Mayor Kelly's appointment of Armand Wine to the Community Advisory Committee: Region 7 \(Dodson\), for a term beginning on November 8, 2023, and ending on November 7, 2024.](#)
- h. [A resolution confirming Mayor Kelly's appointment of Armelia Williams to the Community Advisory Committee: Region 9 \(Standifer Gap\), for a term beginning on November 8, 2023, and ending on November 7, 2024.](#)
- i. [A resolution confirming Mayor Kelly's appointment of Annalee Heo to the Community Advisory Committee: Region 9 \(Standifer Gap\), for a term beginning on November 8, 2023, and ending on November 7, 2024.](#)

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- j. [A resolution confirming Mayor Kelly's reappointment of Doug Dailey to the Board of Gas Examiners, for a term beginning on November 8, 2023, and ending on November 7, 2025.](#)
- k. [A resolution confirming Mayor Kelly's reappointment of Mark Stolpmann to the Board of Gas Examiners, for a term beginning on November 8, 2023, and ending on November 7, 2025.](#)

POLICE

- l. [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, equipment, training, and travel, for a grant period beginning on October 1, 2023, through September 30, 2024, in the amount of \\$250,000.00.](#)
 - m. [A resolution authorizing the Chief of Police to apply for, and if awarded, accept a grant from the State of Tennessee Opioid Abatement Council \(OAC\) to implement opioid abatement remediation strategies to include harm reduction and funding to be used for salaries for two \(2\) co-responders' positions in the Neighborhood Policing Division and annual and quarterly training refreshers on Crisis Intervention for law enforcement, first responders, and related community organizations, for a grant period of three \(3\) years beginning on March 1, 2024, and ending on February 28, 2027, for an amount not to exceed \\$594,515.00.](#)
- X. Purchases.
 - XI. Committee Reports.
 - XII. Recognition of Persons Wishing to Address the Council.
 - XIII. Adjournment.

Proposed Agenda for Tuesday, November 14, 2023

SUBJECT TO COUNCIL ACTION

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TUESDAY, NOVEMBER 14, 2023
CITY COUNCIL PROPOSED AGENDA
3:30 PM

1. Call to Order by Chair Dotley.
2. Pledge of Allegiance/Invocation (Vice-Chair Hill).
3. Special Presentations.

Proclamation - World Pancreatic Cancer Day
By Councilwoman Demetrus Coonrod

4. Minute Approval.
5. Discussion of Agenda.
6. Committee or Department Reports: (Library-Quarterly Report) and
(Parks and Public Works Committee)

RECESS

Proposed Order of Business for City Council

7. **Ordinances - Final Reading:**

PUBLIC WORKS

- a. [MR-2023-0115 Tyler Callihan-Rhonda Cunningham \(Abandonment\). An ordinance closing and abandoning an unopened right-of-way in the 600 block of Nye Circle, as detailed on the attached map, subject to certain conditions. \(District 1\) \(Recommended for approval by Planning Commission and Public Works\)](#)

8. **Ordinances - First Reading:**

LEGAL

- a. [An ordinance amending Chattanooga City Code, Part II, Chapter 2, Section 2-566\(b\), Disposal of Surplus Real Property.](#)

PLANNING

- b. 2023-0116 David Fidalti c/o Wise Construction (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 1133 and 1137 Old Pineville Road, from R-1 Residential Zone to R-3 Residential Zone. (District 1) (Applicant Version) (Recommended for denial by Planning Commission and recommended for approval by Staff) (Deferred from 09-12-2023 and 10-10-2023)
- c. 2023-0171 ASA Engineering (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 part of a property located at 6010 Dayton Boulevard, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. (District 1) (Recommended for approval by Planning Commission and denial by Staff)
- 2023-0171 ASA Engineering (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 part of a property located at 6010 Dayton Boulevard, from R-1 Residential Zone to R-4 Special Zone. (Applicant Version)
- d. 2023-0147 Mark Kesser (R-1 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 properties located at 506 and 508 Ashland Terrace, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. (District 2) (Recommended for approval by Planning Commission and Staff)
- 2023-0147 Mark Kesser (R-1 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 properties located at 506 and 508 Ashland Terrace, from R-1 Residential Zone to C-2 Convenience Commercial Zone. (Applicant Version)
- e. 2023-0157 Perimeter Properties (M-1 Manufacturing Zone and UGC Urban General Commercial Zone to C-CX-12 and C-PK (New Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 2800 Broad Street and an unaddressed property located in the 2800 block of Broad Street, 2450, 2500, 2501, and 2701 Chestnut Street, two unaddressed properties in the 17800 blocks of I-24, 1506 Middle Street, 2655 and 2673 Sidney Street, two unaddressed properties in the 3000 and 3100 blocks of Saint Elmo Avenue, and 500 West 26th Street, from M-1 Manufacturing Zone and UGC Urban General Commercial Zone to C-CX-12 and C-PK (New Zone), subject to certain conditions. (District 7) (Recommended for approval by Planning

Commission

2023-0157 Perimeter Properties (M-1 Manufacturing Zone and UGC Urban General Commercial Zone to C-CX-12 and C-PK (New Zone)). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 2800 Broad Street and an unaddressed property located in the 2800 block of Broad Street, 2450, 2500, 2501, and 2701 Chestnut Street, two unaddressed properties in the 17800 blocks of I-24, 1506 Middle Street, 2655 and 2673 Sidney Street, two unaddressed properties in the 3000 and 3100 blocks of Saint Elmo Avenue, and 500 West 26th Street, from M-1 Manufacturing Zone and UGC Urban General Commercial Zone to C-CX-12 and C-PK (New Zone), subject to certain conditions. (Staff Version #1)

2023-0157 Perimeter Properties (M-1 Manufacturing Zone and UGC Urban General Commercial Zone to C-CX-12 and C-PK (New Zone)). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 2800 Broad Street and an unaddressed property located in the 2800 block of Broad Street, 2450, 2500, 2501, and 2701 Chestnut Street, two unaddressed properties in the 17800 blocks of I-24, 1506 Middle Street, 2655 and 2673 Sidney Street, two unaddressed properties in the 3000 and 3100 blocks of Saint Elmo Avenue, and 500 West 26th Street, from M-1 Manufacturing Zone and UGC Urban General Commercial Zone to C-CX-12 and C-PK (New Zone), subject to certain conditions. (Staff Version #2)

- f. 2023-0174 RV Market LLC c/o Matt Phillips (D-CX-12 to D-CX-20). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1001 Market Street, from D-CX-12 to D-CX-20. (District 7) (Recommended for approval by Planning Commission and Staff)
- g. 2023-0162 F. Turney Thompson (C-2 Convenience 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 unaddressed property located in the 2600 block of East Main Street, from C-2 Convenience Commercial Zone to UGC Urban General Commercial Zone, subject to certain conditions. (District 9) (Recommended for approval by Planning Commission and Staff)

2023-0162 F. Turney Thompson (C-2 Convenience 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 unaddressed property located in the 2600 block of East Main Street, from C-2 Convenience Commercial Zone to UGC Urban General Commercial Zone. (Applicant Version)

Proposed Agenda for Tuesday, November 14, 2023

SUBJECT TO COUNCIL ACTION

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- h. [2023-0169 Netia and Dion Dave \(R-2 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone\)](#). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 2425 12th Avenue, from R-2 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone. **(District 9) (Recommended for approval by Planning Commission)**

[2023-0169 Netia and Dion Dave \(R-2 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone\)](#). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 2425 12th Avenue, from R-2 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. **(Staff Version)**

- i. [An ordinance amending Chattanooga City Code, Part II, Article II, Definitions, 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; amend Division 3, Rules of All Zones, Section 38-697, Lot Types; Section 38-698, Measurements and Exceptions; and add new context areas Division 16, Chestnut Street and associated zones.](#)

9. **Resolutions:**

ECONOMIC DEVELOPMENT

- a. [A resolution authorizing the Mayor or his designee to enter into a Contract for Sale and Purchase with Marathon Realty Corp., in substantially the form attached, for the purchase of approximately 1.94 acres of Tax Map No. 129H-J-001 at 4536 Highway 58 for the purpose of Regional Stormwater Improvements and Flood Mitigation and to execute all documents required to complete the transaction at the purchase price of \\$380,000.00, with closing expenses not to exceed \\$5,000.00, for a total transaction amount not to exceed \\$385,000.00. \(District 5\)](#)
- b. [A resolution authorizing the Mayor or his designee to enter into a Second Amendment to Donation Agreement with the A.I.M. Center, Inc., in substantially the form attached, to confirm the satisfaction of the financing requirement and to extend the completion date of the project to December 31, 2026. \(District 8\)](#)

PARKS & OUTDOORS

- c. A resolution requesting permission for deaccession of Luminous Light Mast located on the Pier at Ross's Landing based on the Arts, Culture, and Creative Economy/Public Art Commission staff, City Risk Management, and City Engineer's recommendations of removal with the determination based on the review of the original design criteria and the design load is less than would be expected for design to current standards, with a projected cost for current standards projected around \$200,000.00 plus, where removal is recommended.

PLANNING

- d. 2023-0175 Stone Creek Consulting LLC c/o Allen Jones (Special Exceptions Permit). A resolution approving a Special Exceptions Permit for a Residential Planned Unit Development for part of an unaddressed property in the 6600 block of Middle Valley Road, subject to certain conditions. (District 3) (Recommended for approval by Planning Commission and Staff)

PUBLIC WORKS

- e. A resolution authorizing the Mayor to submit such Brownfield Voluntary Agreement applications to the Tennessee Department of Environment and Conservation (TDEC), in substantially the form attached, and if approved, to enter into such Brownfield Voluntary Agreements and Notice of Land Use Restrictions for certain portions of the former Volunteer Army Ammunition Plant in Chattanooga, Tennessee, and authorizing the Mayor to sign any TDEC applications, TDEC agreements, and TDEC required Land Use Restrictions necessary to implement this resolution. (District 6)
- f. A resolution authorizing the Administrator for the Department of Public Works to renew the continuing professional services On-Call Blanket Contract for Architectural Services, Contract No. E-22-026-101, with the following seven consultant firms: (1) Allen & Hoshall, Inc.; (2) Artech Design Group, Inc.; (3) Derthick, Henley & Wilkerson Architects, PLLC; (4) Franklin Associates Architects, Inc.; (5) Hefferlin Kronenberg Architects, PLLC; (6) MBI Companies Inc.; and (7) Rardin Carroll Architects, Inc., for year two (2) of a four (4) year term, for use by all departments, for an annual amount of \$2.3 million.
- g. A resolution authorizing the Administrator for the Department of Public Works to renew the continuing professional services On-Call Blanket Contract for Structural Engineering Services, Contract No. E-22-027-101, with the following six consultant firms: (1) Alfred Benesch & Company; (2) Allen & Hoshall, Inc.; (3) CTI Engineers, Inc.; (4) Neel Schaffer, Inc.; (5) Stantec Consulting Services, Inc.; and (6) Volkert, Inc., for year two (2) of a four (4) year term, for use by all departments, for an annual amount of \$2.5 million.

Proposed Agenda for Tuesday, November 14, 2023

SUBJECT TO COUNCIL ACTION

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- h. [A resolution authorizing the Administrator for the Department of Public Works to renew the continuing professional services On-Call Blanket Contract for Mechanical, Electric, Plumbing \(MEP\) Engineering Services, Contract No. E-22-028-101, with the following two consultant firms: \(1\) Allen & Hoshall, Inc.; and \(2\) March Adams & Associates, for year two \(2\) of a four \(4\) year term, for use by all departments, for an annual amount of \\$1 million.](#)

WASTEWATER

- i. [A resolution authorizing the Administrator for the Department of Wastewater to renew the On-Call Blanket Contract No. W-22-006-201, Sanitary Sewer Install and Repair Blanket Contract for Wastewater, for year two \(2\) of four \(4\) with Talley Construction Company of Rossville, GA, for use by all departments, for the annual amount of \\$4.5 million.](#)
10. Purchases.
 11. Committee Reports.
 12. Other Business. (Item Listed Below):
 - [Finance - Report on Debt Obligation CT0253 Form – SRF Loan 2023-478.](#)
 13. Recognition of Persons Wishing to Address the Council.
 14. Adjournment.

November 7, 2023, Council Session

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	Department Feedback for Renewals - Still Being Refined				
									Other notes	Responsiveness to contact	Timeliness of delivery	Accuracy of invoicing	Quality of goods/services
Dept of Technology Services (DTS)	Employee Engagement & Pulse Surveys	8	3	Qualtrics 11493 Sunset Hills Rd Reston, VA 20190	Annual amount not to exceed \$80,245	General Funds	An RFP was conducted for employee surveys. The award recommendation has been made to Qualtrics as the best proposal for the City of Chattanooga. This will be a 3 year agreement not to exceed \$80,245 annually.	RFP200507.2	N/A	N/A	N/A	N/A	N/A
Wastewater	Bypass Pumping Rental Equipment	-	-	Xylem Dewatering Solutions, Inc. 84 Floodgate Rd Bridgeport, NJ 08014	Increase of \$200,000 for a total annual estimated spend of \$850,000	Interceptor Sewer Operations	Increase of \$200K due to increased work volume in the sanitary sewer system for mainline breaks and plant repairs. These repairs have been on high-flow, high-volume lines that require bypass to meet safety and EPA guidelines.	PA100106	N/A	N/A	N/A	N/A	N/A
Wastewater	Liquid Calcium Nitrate	5	5	Source Technologies, LLC. 157 Venture Court Suite 9 Lexington, KY 40511	\$2,000,000.00	Interceptor Sewer Operations	New blanket contract for liquid calcium nitrate. This will be a four (4) year agreement not to exceed \$2,000,000 per year. The award will go to Source Technologies, LLC, as the best bid for the City of Chattanooga.	200572.3	N/A	N/A	N/A	N/A	N/A
Fleet Management Division, Public Works	Long Term Vehicle Leasing	-	-	Enterprise FM Trust 9315 Olive Blvd St. Louis, MO 63132	Increase of \$200,000 for a new estimated annual spend total of \$500,000	General Fund	Request for an increase of \$200,000. This increase will cover current leases and allow for extra funds in the event that there are additional requests before the end of February 2024. The new estimated annual spend for Year 1 will be \$500,000.	PA100111	N/A	N/A	N/A	N/A	N/A

Respectfully submitted,
 Steve Ballew, Chief Procurement Officer
 Debbie Talley, Deputy Procurement Officer