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**TUESDAY, DECEMBER 12, 2023**  
**CITY COUNCIL REVISED AGENDA**  
**3:30 PM**

- I. Call to Order by Chair Dotley.
- II. Pledge of Allegiance/Invocation (Councilman Hester).
- III. Special Presentations.
- IV. Minute Approval.
- V. Discussion of Agenda.
  - Next Week's Proposed Agenda Items
  - Purchasing Questions
  - Future Considerations (3 Week Look Ahead)
- VI. Committee or Department Reports:
  - [Parks and Public Works](#)

RECESS

**Order of Business for City Council**

- VII. **Ordinances – Final Reading:**

**LEGAL**

- a. [An ordinance deannexing Lot 34A adjacent to the current City limits which is located at 7902 Holly Hills Drive, Tax Map No. 149F-D-005, owner-Guy Cherwonuk \(Paces Ferry Builders\), within the City of Chattanooga, in Hamilton County, Tennessee. \(District 4\)](#)

**WASTEWATER**

- b. MR-2023-0144 Pratt and Associates, LLC (Abandonment). An ordinance closing and abandoning a sanitary sewer easement, beginning at MH# S118K036 following the easement through MH#'s S118K006 and S118K007, ending at MH# S118K008 for a total of 845 feet, Tax Map No. 118K-A-046.01 as shown on the attached maps, subject to certain conditions. (District 2) (Recommended for approval by Planning Commission and Wastewater)
- c. MR-2023-0159 Hollingshead Materials, LLC (Abandonment). An ordinance closing and abandoning a sanitary sewer easement, beginning at MH# S168H045 and ending at MH# S168H046, Tax Map Nos. 168A-P-003 and 004, as shown on the attached maps, subject to certain conditions. (District 7) (Recommended for approval by Planning Commission and Wastewater)

VIII. **Ordinances – First Reading:**

**FIRE**

- a. An ordinance amending Chattanooga City Code, Part II, Chapter 10, Section 10-5, relative to the exclusion of Fire District Area 12.

**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, 10-10-2023 & 11-14-2023)

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 property located at 1137 Old Pineville Road, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions. (Alternate Version)

- c. 2023-0163 Fidel Fonseca and Kimberly A. Wolf (R-4 Special Zone to C-5 Neighborhood Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1923 Hamill Road, from R-4 Special Zone to C-5 Neighborhood Commercial Zone. (District 3) (Recommended for approval by Planning Commission)

2023-0163 Fidel Fonseca and Kimberly A. Wolf (R-4 Special 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 1923 Hamill Road, from R-4 Special Zone to C-2 Convenience Commercial Zone. (District 3) (Applicant Version) (Recommended for denial by Planning Commission and Staff)

- d. 2023-0184 Richard Pollard for RMP, LLC (R-1 Residential Zone to O-1 Office Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 2804, 2806, and 2810 South Hickory Street and 1700 East 28<sup>th</sup> Street, from R-1 Residential Zone to O-1 Office Zone, subject to certain conditions. (District 7) (Recommended for approval by Planning Commission and Staff)

2023-0184 Richard Pollard for RMP, LLC (R-1 Residential Zone to O-1 Office Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 2804, 2806, and 2810 South Hickory Street and 1700 East 28<sup>th</sup> Street, from R-1 Residential Zone to O-1 Office Zone. (Applicant Version)

- e. 2023-0179 Philip Rossillo (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 608, 614, and four (4) unaddressed properties in the 600 block of Central Avenue, from R-3 Residential Zone to UGC Urban General Commercial Zone, subject to certain conditions. (District 8) (Recommended for approval by Planning Commission and Staff)

2023-0179 Philip Rossillo (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 608, 614, and four (4) unaddressed properties in the 600 block of Central Avenue, from R-3 Residential Zone to UGC Urban General Commercial Zone. (Applicant Version)

- f. 2023-0183 John “JT” McDaniel (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 properties located at 824, 830, and 910 Dodson Avenue, from C-2 Convenience Commercial Zone to UGC Urban General Commercial Zone, subject to certain conditions. (District 8) (Recommended for approval by Planning Commission and Staff)

2023-0183 John “JT” McDaniel (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 properties located at 824, 830, and 910 Dodson Avenue, from C-2 Convenience Commercial Zone to UGC Urban General Commercial Zone. (Applicant Version)

- g. 2023-0185 Infinite Industries, Inc. c/o Reginald Jordan (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 2722 and 2724 Cannon Avenue, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions. (District 8) (Recommended for approval by Planning Commission and Staff)

2023-0185 Infinite Industries, Inc. c/o Reginald Jordan (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 2722 and 2724 Cannon Avenue, from R-1 Residential Zone to R-3 Residential Zone. (Applicant Version)

IX. **Resolutions.**

**ECONOMIC DEVELOPMENT**

- a. A resolution declaring surplus of the 1.44 acre portion of the property at 1195 Grove Street, further identified as a portion of Tax Map No. 145F-A-004. (District 7)
- b. A resolution authorizing the acceptance of \$146,222.22 from Hamilton County as the City portion from the September 2023 Hamilton County surplus property sale, with \$145,025.78 applied as the City’s portion of \$418.72 applied to City Attorney fees, and \$777.72 applied to City Treasurer costs.

**HUMAN RESOURCES**

- c. A resolution authorizing the execution of a Health Services Agreement between the City of Chattanooga and One to One Health, LLC for preventative, wellness, disease management, health consultation, occupational health and/or primary care services. (Added with permission of Chair Dotley)

**MAYOR’S OFFICE**

- d. A resolution confirming Mayor Kelly’s reappointment of Daisy W. Madison to the General Pension Board, for a term beginning on August 15, 2023, and ending on August 14, 2028.

- e. [A resolution confirming Mayor Kelly's reappointment of Carl Levi to the General Pension Board, for a term beginning on August 15, 2023, and ending on August 14, 2028.](#)
- f. [A resolution confirming Mayor Kelly's reappointment of Katie Reinsmidt to the General Pension Board, for a term beginning on December 5, 2023, and ending on December 4, 2028.](#)
- g. [A resolution confirming Mayor Kelly's appointment of Aon Miller to the General Pension Board, for a term beginning on December 5, 2023, and ending on December 4, 2028.](#)
- h. [A resolution confirming Mayor Kelly's reappointment of Corri Bischer to the Head Start Governing Board, for a term beginning on December 13, 2023, and ending on December 12, 2028.](#)

#### **PLANNING**

- i. [2023-0181 Ragan Smith Associates, Inc. c/o Jay Floyd, PE \(Special Exceptions Permit\). A resolution approving a Special Exceptions Permit for an institutional Planned Unit Development for the properties located at 1115 Morris Lane and 8606 East Brainerd Road, subject to certain conditions. \(District 4\) \(Recommended for approval by Planning Commission and Staff\)](#)

#### **PUBLIC WORKS**

- j. [A resolution authorizing the Administrator for the Department of Public Works to award Contract No. E-22-023, Development Resource Center Roof and Solar Project, to J. Brennon Construction, Inc., of Dalton, GA, in the amount of \\$1,273,786.66, with a contingency in the amount of \\$127,378.67, for a total amount of \\$1,401,165.33. \(District 7\)](#)
  - k. [A resolution authorizing the Administrator for the Department of Public Works to renew On-Call blanket Contract No. D-22-002-201, Demolition Services for the Public Works, Land Development Office, Code Enforcement Division, for year two \(2\) of four \(4\) to Tower Construction, LLC, of Chattanooga, TN, restricted for use only by the Public Works, Land Development Office, Code Enforcement Division, for the annual amount of \\$650,000.00.](#)
- X. [Purchases.](#)
- XI. Committee Reports.
- XII. Recognition of Persons Wishing to Address the Council.

**Revised Agenda for Tuesday, December 12, 2023**

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XIII. Adjournment.

**TUESDAY, DECEMBER 19, 2023**  
**CITY COUNCIL PROPOSED AGENDA**  
**3:30 PM**

1. Call to Order by Chair Dotley.
2. Pledge of Allegiance/Invocation (Chair Dotley).
3. Special Presentations.
4. Minute Approval.
5. Discussion of Agenda.
  - Next Week's Proposed Agenda Items
  - Purchasing Questions
  - Future Considerations (3 Week Look Ahead)
6. Committee or Department Reports:
  - None.

RECESS

**Order of Business for City Council**

7. **Ordinances - Final Reading:**

**FIRE**

- a. [An ordinance amending Chattanooga City Code, Part II, Chapter 10, Section 10-5, relative to the exclusion of Fire District Area 12.](#)

**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. \(District 1\) \(Applicant Version\) \(Recommended for denial by Planning Commission and recommended for approval by Staff\) \(Deferred from 09-12-2023, 10-10-2023 & 11-14-2023\)](#)

- 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 property located at 1137 Old Pineville Road, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions. (Alternate Version)
- c. 2023-0163 Fidel Fonseca and Kimberly A. Wolf (R-4 Special Zone to C-5 Neighborhood Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1923 Hamill Road, from R-4 Special Zone to C-5 Neighborhood Commercial Zone. (District 3) (Recommended for approval by Planning Commission)
- 2023-0163 Fidel Fonseca and Kimberly A. Wolf (R-4 Special 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 1923 Hamill Road, from R-4 Special Zone to C-2 Convenience Commercial Zone. (District 3) (Applicant Version) (Recommended for denial by Planning Commission and Staff)
- d. 2023-0121 Lyons Group Acquisitions (Lift Conditions). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to lift Condition Nos. 2, 3, and 4; and amending Condition No. 1 from Ordinance No. 9135 of previous Case No. 1989-0046 for part of a property located at 5431 Hixson Pike. (District 3) (Recommended for approval by Planning Commission and Staff) (Deferred from 09-19-2023)
- e. 2023-0122 Lyons Group Acquisitions (R-2 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 5138, 5144, 5150, and 5157 Strickland Drive, 5422 Old Hixson Pike, and an unaddressed parcel in the 5400 block of Old Hixson Pike, from R-2 Residential Zone to R-3 Residential Zone, subject to certain conditions. (District 3) (Recommended for approval by Planning Commission and recommended for denial by Staff) (Planning Version #2) (Deferred from 09-19-2023)
- f. 2023-0184 Richard Pollard for RMP, LLC (R-1 Residential Zone to O-1 Office Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 2804, 2806, and 2810 South Hickory Street and 1700 East 28<sup>th</sup> Street, from R-1 Residential Zone to O-1 Office Zone, subject to certain conditions. (District 7) (Recommended for approval by Planning Commission and Staff)



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- g. 2023-0179 Philip Rossillo (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 608, 614, and four (4) unaddressed properties in the 600 block of Central Avenue, from R-3 Residential Zone to UGC Urban General Commercial Zone, subject to certain conditions. (District 8) (Recommended for approval by Planning Commission and Staff)

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8. **Ordinances - First Reading:**

**PARKS & OUTDOORS**

- a. [An ordinance amending Chattanooga City Code, Part II, Chapter 26, Section 26-4; Chapter 24, Section 24-10; and Chapter 25, Section 25-28, relative to skates, skateboarding, scooters, or similar devices. \(Added with permission of Chair Dotley\)](#)

**PUBLIC WORKS**

- b. [2023-0123 Lyons Group Acquisitions, LLC-MAP Engineering c/o Mike Price \(Abandonment\). An ordinance closing and abandoning an unopened right-of-way located in the 5100 block of Strickland Circle, as detailed on the attached maps, subject to certain conditions. \(District 3\) \(Recommended for approval by Planning Commission and Public Works\)](#)

9. **Resolutions:**

**ECONOMIC DEVELOPMENT**

- a. [A resolution authorizing the Mayor or his designee to enter into a Lease Agreement with the Chattanooga Housing Authority, in substantially the form attached, to lease approximately 4,581 square feet at 2470 6<sup>th</sup> Avenue, a portion of Tax Map No. 156J-G-047, for the City's Head Start/Early Head Start Program, for a term of 364 days for the rent of \\$1.00, with the option to renew for three \(3\) additional terms of 364 days each. \(District 8\)](#)
- b. [A resolution authorizing the Administrator for the Department of Economic Development to enter into an agreement with the Chattanooga Chamber Foundation to administer the Apprenticeship Works Initiative, a collaboration between the City of Chattanooga, Hamilton County, Hamilton County schools, the Benwood Foundation, and Chattanooga 2.0, which will build the capacity of Chattanooga businesses to create grow registered apprenticeship and youth apprenticeship programs, in the amount of \\$50,000.00.](#)
- c. [A resolution authorizing the award of U.S. Department of Housing and Urban Development \(HUD\) – Community Development Block Grant COVID \(CDBG-CV\) funds to various organizations, more particularly described herein, for the total amount of \\$1,448,782.00.](#)

**COUNCIL OFFICE**

- d. A resolution confirming the appointment of Quinita Robinson to the Community Advisory Committee – Region 2 (Shallowford), for a term beginning on December 20, 2023, and ending on December 19, 2025.

**MAYOR'S OFFICE**

- e. A resolution confirming Mayor Kelly's appointment of Ella Kliger to the Community Advisory Committee – Region 2 (Shallowford), for a term beginning on December 20, 2023, and ending on December 19, 2025.
- f. A resolution confirming Mayor Kelly's appointment of Carolyn Lawhorn to the Community Advisory Committee – Region 2 (Shallowford), for a term beginning on December 20, 2023, and ending on December 19, 2025.
- g. A resolution confirming Mayor Kelly's appointment of Denita Strickland to the Community Advisory Committee – Region 6 (Bushtown/Glenwood), for a term beginning on December 20, 2023, and ending on December 19, 2024.
- h. A resolution confirming Mayor Kelly's appointment of Joe Shudan to the Community Advisory Committee – Region 6 (Dodson), for a term beginning on December 20, 2023, and ending on December 19, 2024.

**PARKS & OUTDOORS**

- i. A resolution authorizing the execution of a Memorandum of Understanding between the City of Chattanooga and Hope Included regarding the Inclusive Playground Project at Riverview Park. (District 2)

**PUBLIC WORKS**

- j. A resolution authorizing the Mayor to enter into and execute a Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) Warranty Amendment to Quitclaim Deeds, granting CERCLA Covenant and discharging land use regulations on the remainder of release property known as the former Volunteer Army Ammunition Plant (VAAP). (District 6) (Added with permission of Chair Dotley)
- k. A resolution authorizing the Administrator for the Department of Public Works to award Contract No. R-22-015-202, Frost Stadium Concession Stand Ventilation Project, to J. Brennan Construction, Inc., of Dalton, GA, for \$194,000.00, with a contingency in the amount of \$20,000.00, for a total amount of \$214,000.00. (District 8)

**WASTEWATER**

1. [A resolution authorizing the Administrator for the Wastewater Department to enter into an Access Easement Agreement with Don R. Oscai and wife, Paula L. Oscai, in substantially the form attached, for the purpose of providing ingress and egress to the established sewer easement, for the consideration of \\$103,000.00.](#)
10. Purchases.
11. Committee Reports.
12. Other Business. (Items Listed Below):
  - [\(a\) Certificate of Compliance - MAPCO #7553, 2282 Emcompass Drive, Chattanooga, TN 37421.](#)
  - [\(b\) Certificate of Compliance - Weigel Stores, Inc. d/b/a Weigel's #105, 4041 Hixson Pike, Chattanooga, TN 37415.](#)
  - [\(c\) Certificate of Compliance - Weigel Stores, Inc. d/b/a Weigel's #108, 5531 Hwy. 58, Harrison, TN 37341.](#)
13. Recognition of Persons Wishing to Address the Council.
14. Adjournment.