



City Council Building  
Chattanooga, Tennessee  
**COUNCIL MEETING MINUTES**  
October 14, 2014  
6:00 PM

**CALL TO ORDER**

Council Chairman Chip Henderson called the meeting to order with Vice Chair Dr. Carol Berz and Councilpersons Chris Anderson, Moses Freeman, Russell Gilbert, Larry Grohn, Yusuf Hakeem, Jerry Mitchell and Ken Smith all present. City Attorney Wade Hinton, Management Analyst Randy Burns and Deputy Clerk Nicole Gwyn, CMC, were also present.

**PLEDGE OF ALLEGIANCE**

Councilman Smith invited Boy Scout Troop 3271 to join him in leading the Pledge of Allegiance. He then read the Boy Scout's oath.

**APPROVAL OF LAST MINUTES**

On motion of Councilman Anderson and seconded by Councilman Gilbert, the minutes of the last meeting (October 7, 2014) were approved as published.

**ORDINANCES – FINAL READING:**

Move to approve by Vice Chair Dr. Berz, seconded by Councilman Anderson,

**ORDINANCE #12863**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 2, ARTICLE XIII, CODE OF ETHICS ORDINANCE FOR CITY OF CHATTANOOGA PERSONNEL BY DELETING SECTION 2-754 IN ITS ENTIRETY AND SUBSTITUTING A NEW SECTION 2-754 IN LIEU THEREOF.**

**ACTION: APPROVED**

Move to approve by Councilman Mitchell, seconded by Councilman Smith,

**ORDINANCE #12864**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 25, ARTICLE III, SECTION 25-75(C), RELATIVE TO THE DOWNTOWN AMPLIFIED MUSIC DISTRICT PERMIT APPLICATION FEE.**

**ACTION: APPROVED**

**ORDINANCES – FIRST READING:**

2014-097  
MAP Engineers, LLC/  
MPL Construction/Gold Bond, Inc.  
District No. 3  
Planning Version

Move to approve by Councilman Smith, seconded by Councilman Freeman,

**ORDINANCE #12865**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 5485 OLD HIXSON PIKE AND 5519 HIXSON PIKE, MORE PARTICULARLY DESCRIBED HEREIN, FROM C-2 CONVENIENCE COMMERCIAL ZONE TO M-2 LIGHT INDUSTRIAL ZONE.**

There was no Opposition present. The motion carried.

**ACTION: PASSED ON FIRST READING**

2014-099  
David Harris  
District No. 4  
Planning Version

Move to approve by Councilman Grohn, seconded by Councilman Freeman,

**ORDINANCE #12866**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 3326 JENKINS ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

There was no Opposition present. The motion carried.

**ACTION: PASSED ON FIRST READING**

2014-080  
RSN Group, LLC/  
Vanessa Knight  
District No. 4  
Applicant Version

Move to deny by Councilman Grohn moved, seconded by Councilman Hakeem,

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1809 GUNBARREL ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM O-1 OFFICE ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE.**

Greg Haynes, Director of Development, made a presentation to Council on Planning and Staff's recommendation to deny. Upon no further questions, the motion carried.

**ACTION: DENIED**

2014-064  
MAP Engineers  
c/o Mike Price/Valor  
District No. 4  
Planning Version

Move to approve by Councilman Grohn, seconded by Councilman Mitchell,

**ORDINANCE #12868**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 7518 STANDIFER GAP ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO M-3 WAREHOUSE AND WHOLESALE ZONE.**

The Applicant, Ken Defoor (Shallowford Road), addressed Council on this matter. No Opposition was present. Upon no further questions, the motion carried.

**ACTION: PASSED ON FIRST READING**

**2014-093**  
**Carol Page Wnuk**  
**District No. 5**  
**Applicant Version**

Move to deny by Councilman Gilbert, seconded by Councilman Freeman,

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 304 GILLESPIE ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-2 RESIDENTIAL ZONE.**

Mr. Haynes briefed Council on the Planning Commission's recommendation to deny the rezoning and approve the Special Exceptions Permit. The Applicant, Carol Page Wnuk, addressed Council and indicated that she no longer wishes to pursue this rezoning. No Opposition was present. Chairman Henderson allowed Ms. Wnuk to address her desire for consideration of the Special Exceptions Permit (Resolution) later in today's agenda. Upon no further questions, the motion carried.

**ACTION: DENIED**

**2014-078**  
**Ivan Mousaw/**  
**James Cunningham**  
**District No. 5**  
**Applicant Version**

Move to deny by Councilman Gilbert, seconded by Councilman Anderson,

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 4501 JERSEY PIKE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE.**

Mr. Haynes gave a presentation on this zoning case and discussed Planning and Staff's recommendation to deny. The Applicant, Ivan Mousaw, addressed Council on behalf of the property owner and Verizon Wireless. Gwenda Gregory (Lake Hills Neighborhood Association) addressed Council on behalf of the Opposition. Mr. Mousaw offered a rebuttal.

Further discussion ensued, with the Council questioning the Applicant and Opposition. Councilman Freeman called the Question, but yielded when Chairman Henderson stated that there were additional questions from Council. Upon further discussion, Councilman Anderson called the Question. Councilman Hakeem objected. Chairman Henderson allowed the discussion to continue until all questions had been heard. Upon no further questions, the motion carried.

**ACTION: DENIED**

2014-100  
Travis L. Hulsey/  
William J. Hulsey  
District No. 6  
Planning Version

Move to approve by Vice Chair Dr. Berz, seconded by Councilman Anderson,

**ORDINANCE #12869**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 6115 MOUNTAIN VIEW ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-2 LIGHT INDUSTRIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE.**

**ACTION: PASSED ON FIRST READING**

2014-094  
Global Southern Realty Holdings, LLC/  
Roy and Vivian Thomas  
c/o Lorrie Dorsey  
District No. 6  
Planning Version

**ORDINANCE #12867**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 7408 AND 7414 BONNY OAKS DRIVE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE AND R-3 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

Mr. Haynes made a presentation on this case and discussed the current special conditions. The Applicant, John Rewcastle (Remax Properties) indicated that all parties affected by this zoning had come to an agreement. There was no Opposition present.

Mike Price, representing Silverdale Baptist Church, discussed the three (3) new conditions that the parties had agreed upon in a Land Swap And Zoning Object Agreement, which indicated the following new conditions:

- There would be a 20-foot landscape buffer;
- There would be an 8-foot vinyl privacy fence;
- The land would only be used for a fast food restaurant.

Councilman Gilbert moved to approve, but garnered no second. Discussion continued. During which, Attorney Hinton clarified that the legal description would be changed with the additional conditions.

**Vice Chair Dr. Berz** moved to defer one (1) week, seconded by Councilman Mitchell. The motion carried.

**ACTION: DEFERRED ONE (1) WEEK**

2014-066  
Chris Senn/  
IMI Merchandising Holding, Inc.  
District No.8  
Planning Version

Move to approve by Councilman Freeman, seconded by Councilman Smith,

**ORDINANCE #12870**

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 950 RIVERSIDE DRIVE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

**ACTION: PASSED ON FIRST READING**

2014-085  
Frank Goodwin  
District No. 8  
Planning Version

**ORDINANCE #12871**

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED IN THE 1400 BLOCK OF ADAMS STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.

During discussion, Councilman Freeman recommended deferring this zoning consideration since the zoning would take place in the Controlled Sound Zone. He recommended more time for the Applicant to show how they can protect the neighboring homes from noise during construction.

**Councilman Anderson** moved to defer two (2) weeks, seconded by Councilman Anderson. The motion carried.

**ACTION: DEFERRED TWO (2) WEEKS**

**RESOLUTIONS:**

Move to approve by Councilman Gilbert, seconded by Councilman Anderson,

**RESOLUTION #28043**

**A RESOLUTION ACCEPTING THE DONATION OF A BOAT WITH A VALUE OF \$10,500.00 TO THE CHATTANOOGA FIRE DEPARTMENT FROM PILGRIM'S PRIDE OR THE USEPA AND TO AUTHORIZE THE EXECUTION OF ANY AND ALL DOCUMENTS RELATING TO THE DONATION.**

**ACTION: ADOPTED**

Move to approve by Vice Chair Dr. Berz, seconded by Councilman Smith,

**RESOLUTION #28042**

**A RESOLUTION TO CONFIRM THE MAYOR'S APPOINTMENT OF MICAH GUSTER TO THE LIBRARY BOARD.**

**ACTION: ADOPTED**

2014-093

Carol Page Wnuk

District No. 5

Move to deny by Councilman Gilbert, seconded by Vice Chair Dr. Berz,

**A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A DUPLEX FOR PROPERTY LOCATED AT 304 GILLESPIE ROAD IN THE R-1 RESIDENTIAL ZONE.**

A discussion ensued on the rationale for denying the Special Exceptions Permit. The Applicant had been given an opportunity to address Council earlier in the meeting during the Planning and Zoning presentation. **The motion carried 8-to-1, with Councilman Anderson voting "NO."**

**ACTION: DENIED**

**DEPARTMENTAL REPORTS:**

**Upcoming Event**

Justin Wilkins, Deputy Chief of Staff, announced that the City of Chattanooga will celebrate its 175<sup>th</sup> Anniversary from November 8-15, 2014. There are several events planned in celebration. Details may be found online at [www.cha175.org](http://www.cha175.org).

**Purchases**

David Carmody, Deputy Chief Operating Officer, briefed the Council on the following purchases:

**R95187 - Public Works** Estimated \$120,000 Annually  
Blanket Contract for Lumber Products  
Lowest/Best Bidder: Evans Lumber Company

**R676588 - Transportation Department** Estimated \$40,000 Annually  
Blanket Contract Extension for Traffic Paint  
Lowest/Best Bidder: The Sherwin Williams Company

**Vice Chair Dr. Berz** moved to approve purchases, seconded by Councilman Anderson.  
The motion carried.

ACTION: APPROVED

**OTHER BUSINESS:**

CAP Graduation

Councilman Gilbert commended the recent graduates of Youth and Family Development's Chattanooga Ambassadors Program (CAP). Lurone Jennings, YFD Administrator, addressed the graduating class and thanked Council for approving for the program through the Budgeting for Outcomes process.

National Night Out

Councilman Gilbert thanked the Council for participating last week in National Night Out, which kicked off in District 5.

Tennessee Promise

Councilman Anderson discussed Governor Haslam's tuition-free college program, "Tennessee Promise." He indicated that one requirement of the program is mentorship recruitment. He encouraged mentors to sign up at [tnachieves.org](http://tnachieves.org). Eighty (80) more mentors are still needed.

**COMMITTEE REPORTS:**

*Audit & I.T. Committee*  
Councilman Grohn  
(No report)

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

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



*HR Committee (Human Resources)*  
Vice Chair Dr. Berz  
(No report)

*Planning & Zoning*  
Councilman Hakeem  
(No report)

*Public Safety Committee*  
Councilman Freeman  
(No report)

*Public Works and Transportation Committee*  
Councilman Smith

- In his absence next week, Chairman Henderson will convene the committee during Agenda Session.

*Youth and Family Development Committee*  
Councilman Gilbert  
(No report)

**RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL  
(Non-Agenda Items)**

Chairman Henderson asked if there any members of the public wishing to address the Council on non-agenda items. Seeing none, this portion of the agenda was closed.

**ADJOURNMENT**

**On motion of Councilman Anderson**, the meeting of the Chattanooga City Council was adjourned until Tuesday, October 21, 2014, at 6:00 p.m.

  
CLERK OF COUNCIL

  
CHAIRMAN

**(A full digital audio of this Council meeting has been  
filed in the Clerk of the Council's office)**