



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
July 18, 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, Demetrus Coonrod, Russell Gilbert, Darrin Ledford and Erskine Oglesby. Also present were Wade Hinton, City Attorney, and Nicole Gwyn, Council Clerk. Councilman Chip Henderson was not present.

PLEDGE OF ALLEGIANCE

Councilwoman Berz led the Assembly in the Pledge of Allegiance.

APPROVAL OF LAST MINUTES

On motion of Councilman Gilbert and seconded by Councilman Ledford, the minutes of the last meeting (July 11, 2017) were approved as published.

SPECIAL PRESENTATION

"District 9 Neighborhood Association Proclamation"
By Councilwoman Coonrod

Councilwoman Coonrod asked the neighborhood presidents of District 9 neighborhood associations to come forward. She read the following proclamation:

Whereas, neighborhood associations of Council District 9 work to build relationships among diverse residents within its geographical boundaries and serve as models for other neighborhoods for positive community collaborations and partnerships;

Whereas, they practice a nonpartisan approach to help residents gain access to information and secure training that contribute to upward mobility and economic self-sufficiency in District 9;

Whereas, they work without ceasing to protect property values, fight against crime, reduce recidivism and bring awareness to social and environmental justice issues affecting all residents;

Whereas, they contribute to a healthy and vibrant district where everyone invests in themselves and their community.

Now Therefore, Be it proclaimed that I, Councilwoman Demetrus Coonrod of the Chattanooga City Council, recognize and gratefully acknowledge:

Avondale Neighborhood Association
Battery Heights Neighborhood Association
Biltmore Neighborhood Association
Boyce Station Neighborhood Association
Eastdale Neighborhood Association
Foxwood Heights Neighborhood Association
Glass Farms Neighborhood Association

Glenwood Neighborhood Association
Good Neighbor Network
Highland Park Neighborhood Association
Menlo Park Neighborhood Association
Olde Town Brainerd Association
Orchard Knob Neighborhood Watch Association
Missionary Ridge Neighborhood Association

for extraordinary service in building the community and improving the quality of life for all residents in Council District 9.

Demetrus Coonrod
Councilwoman, District 9

ORDINANCES – FINAL READING:

On motion of Councilman Oglesby and seconded by Councilwoman Berz,

ORDINANCE #13195

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 10, SECTION 10-3(J)(F), REGARDING INTERNATIONAL BUILDING CODE, 2012 EDITION, SECTION 109.2, BY AMENDING THE NON-REFUNDABLE FEE SCHEDULE AT SECTION 109.2.4 ENTITLED, “OTHER FEES”; TO AMEND SUBSECTION 105.11, STANDARD OPERATING PROCEDURES (K), ENTITLED, “R311.2 EXIT DOORS REQUIRED”; AND TO AMEND SECTION 10-31, TECHNOLOGY AND CREDIT CARD FEES.

ACTION: APPROVED

2017-070
Vernon L. Judge and
Kenneth W. Kirklen
Planning Version
District No. 1

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

ORDINANCE #13196

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 604 BLACK STREET AND 630 WEST BELL AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM E-RM-3 URBAN EDGE RESIDENTIAL MULTI-UNIT 3 STORIES MAXIMUM HEIGHT TO E-CX-3 URBAN EDGE RESIDENTIAL COMMERCIAL MIXED USE 3 STORIES MAXIMUM HEIGHT.

ACTION: APPROVED

2017-074
Uno Terra, LLC and Gabe Thomas
Planning Version
District No. 1

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

ORDINANCE #13197

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 721 NORTH MARKET STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM E-CX-3 URBAN EDGE COMMERCIAL MIXED USE 3 STORIES MAX HEIGHT TO E-RA-3 URBAN EDGE RESIDENTIAL ATTACHED 3 STORIES MAXIMUM HEIGHT.

ACTION: APPROVED

2017-072
Churchview Properties, LLC
and Murel P. and Lillian M. Barton
Planning Version
District No. 4

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

ORDINANCE #13198

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 8615 PETTY ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE AND R-5 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

2017-080
Ayman Rifai and Jeff Young
Planning Version
District No. 4

On motion of Councilman Ledford and seconded by Councilman Oglesby,

ORDINANCE #13199

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1364 GUNBARREL ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO O-1 OFFICE ZONE.

ACTION: APPROVED

2017-071
Ben Peppers, Bobby Ford,
and James Harris
Planning Version
District No. 8

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

ORDINANCE #13200

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 925, 927, AND 929 EAST MAIN STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM C-2 CONVENIENCE COMMERCIAL ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE.

ACTION: APPROVED

2017-075
City of Chattanooga
c/o Craig Kronenberg
Planning Version
District No. 8

On motion of Councilman Byrd and seconded by Councilwoman Berz,

ORDINANCE #13201

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 2032 AND 2060 WILCOX BOULEVARD, 2075 WILSON STREET, AND 1305 DODSON AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE AND M-1 MANUFACTURING ZONE TO R-1 RESIDENTIAL ZONE AND UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

2017-077
Craig Kronenberg,
Wheelhouse Holdings, and Nathan Smith
Planning Version
District 8)

On motion of Councilman Byrd and seconded by Councilwoman Berz,

ORDINANCE #13202

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1216 AND 1220 EAST MAIN STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE.

ACTION: APPROVED

2017-058
Dusty Rowland of Rowland Development Group
Planning Version
District No. 9

On motion of Councilwoman Coonrod and seconded by Councilwoman Berz,

ORDINANCE #13203

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 801 SOUTH GREENWOOD AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL-TOWNHOUSE ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

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

ORDINANCE #13204

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SECTIONS 38-84(1)(F) AND (G), 38-84(2)(F) AND (G), 38-84(3)(D), AND 38-86(1) RELATING TO ZONING REGULATIONS, MINIMUM SIDE YARD SETBACKS, BUILDING SEPARATION, LANDSCAPE, AND PUD RESIDENTIAL SPECIAL EXCEPTIONS.

ACTION: APPROVED

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

ORDINANCE #13205

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, BY AMENDING ARTICLE VIII, BOARD OF APPEALS FOR VARIANCE AND SPECIAL PERMITS, TO DELETE AND REPLACE SECTION 568(16) REGARDING ALL TELECOMMUNICATIONS FACILITIES, TO DELETE AND REPLACE WORDING IN SECTION 568(24) REGARDING WIRELESS COMMUNICATIONS WITH TELECOMMUNICATIONS FACILITIES, AND TO DELETE AND REPLACE WORDING IN ADDITIONAL LISTED SECTIONS WITHIN ALL DIVISION ZONES OF ARTICLE V THAT ALLOW SUCH USE AS A SPECIAL PERMIT, AND WORDING IN ARTICLE II OF LISTED DEFINITIONS, AND TO DELETE AND REPLACE WORDING IN ARTICLE XVI, DOWNTOWN CHATTANOOGA FORM-BASED CODE.

Vice-Chairman Smith confirmed with Attorney Hinton that the effective date of “two weeks” had been replaced with the wording, “90 days,” in the current version. After which, the motion carried.

ACTION: APPROVED

ORDINANCES – FIRST READING: (NONE)

RESOLUTIONS:

Agenda Item VII(a):

A RESOLUTION EXPRESSING CITY COUNCIL'S DESIRE FOR THE TENNESSEE DEPARTMENT OF EDUCATION TO CONDUCT ADDITIONAL DISCUSSIONS WITH THE COMMUNITY ON THE NEXT STEPS REGARDING SCHOOLS DESIGNATED IN THE INNOVATION ZONE ("IZONE").

Councilman Gilbert discussed the City's "skin in the game" regarding the Hamilton County School system. He gave statistics on city contributions to the public school system, and addressed his own personal stake in the education. At the request of his school board representative, **Councilman Gilbert moved to defer** one (1) week, seconded by Councilwoman Berz. The motion carried.

**ACTION: DEFERRED ONE (1) WEEK
UNTIL JULY 25, 2017**

On motion of Councilman Ledford and seconded by Councilman Gilbert,

RESOLUTION #29109

A RESOLUTION AUTHORIZING THE WAIVER OF USE FEES AND DAMAGES FEES AT JACK BENSON HERITAGE PARK FOR THE BRIDGE CHRISTIAN CHURCH "MOVIES IN THE PARK" TO BE HELD ON AUGUST 11, 2017, IN THE AMOUNT OF \$1,000.00.

Councilman Ledford moved to amend to include the date "September 30, 2017" to the resolution. He was seconded by Councilman Gilbert. The motion carried. **Councilman Gilbert moved to approve as amended**, seconded by Councilman Ledford. The motion carried.

ACTION: ADOPTED AS AMENDED

On motion of Councilwoman Berz and seconded by Councilman Byrd,

RESOLUTION #29110

A RESOLUTION AMENDING RESOLUTION NO. 29006 BY ADDING VITAL RECORDS CONTROL OF TENNESSEE, LLC ("VRC") AND AUTHORIZING THE CITY ATTORNEY TO ENTER INTO A CONTRACT, IN SUBSTANTIALLY THE FORM ATTACHED, WITH VRC FOR RECORDS WAREHOUSING, FOR A COMBINED AMOUNT FOR BOTH VRC AND IRON MOUNTAIN INFORMATION MANAGEMENT, LLC NOT TO EXCEED THE AMOUNT SET FORTH IN RESOLUTION NO. 29006.

ACTION: ADOPTED

On motion of Councilwoman Coonrod and seconded by Councilwoman Berz,

RESOLUTION #29111

A RESOLUTION TO RESCIND RESOLUTION NO. 19307 TO REVOKE THE TEMPORARY USE PERMIT FOR A PORTION OF UNION AVENUE FROM HAWTHORNE STREET EAST TO ORCHARD KNOB AVENUE, AND A PORTION OF KIRBY AVENUE FROM HAWTHORNE STREET EAST TO ORCHARD KNOB AVENUE, AND FROM ORCHARD KNOB AVENUE EAST TO THE ALLEY AT APPROXIMATELY THE MIDDLE OF THE BLOCK.

ACTION: ADOPTED

On motion of Councilwoman Coonrod and seconded by Councilman Gilbert,

RESOLUTION #29112

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT TO RENEW LIABILITY AND AUTOMOBILE INSURANCE COVERAGE WITH TML RISK MANAGEMENT POOL FOR A ONE-YEAR PERIOD, IN THE AMOUNT OF \$65,724.00.

ACTION: ADOPTED

PURCHASES:

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

R152740 - Police Department

\$52,864.00

Purchase of One (1) Cooling Tower
Lowest/Best Bidder: Mountain City Service Inc
PO Box 300
Signal Mountain, TN 37377

R154296 - Public Works

Estimated \$195,035 Annually

New Blanket Contract for Concrete
Lowest/Best Bidder: Ready Mix USA
604 Hudson Road
Chattanooga, TN 37405

Councilman Ledford moved to approve, seconded by Councilman Byrd. The motion carried.

ACTION: ALL PURCHASES APPROVED

OTHER BUSINESS:

District 5 Announcements

Councilman Gilbert announced the Tyner alumni reunion on July 21-22, 2017. He also announced a "Back to School Bash" at the Brainerd Youth & Family Development (YFD) Center on August 5, 2017 from 11:00 a.m. to 2:00 p.m.

District 8 Announcements

Councilman Byrd announced the “New Chattanooga Community Expo” on July 29, 2017 at the Avondale YFD Center. The event will include a community parade down Wilcox Boulevard.

Statement by Councilwoman Coonrod

Councilwoman Coonrod read statements and apologized to constituents and Office Tiffany Lentz regarding the June traffic stop that was released in the media over weekend.

COMMITTEE REPORTS:

Budget and Finance Committee

(Councilman Henderson not present)

Economic and Community Development Committee

Councilman Oglesby

(No report)

HR Committee (Human Resources)

Councilman Gilbert

(No report)

Planning and Zoning Committee

Councilman Ledford

(No report)

Public Safety Committee

Councilman Byrd

- The committee will meet next week (July 25) following the Agenda Session.

Public Works and Transportation Committee

Councilwoman Berz reported:

- The committee met today in open meeting and reviewed some large-dollar expenditures on next week's agenda.

Youth and Family Development Committee

Councilwoman Coonrod

(No report)

Information Technology Committee

Vice-Chairman Smith reported:

- The Council passed the small cell ordinance on final reading today. He expressed thanks to Attorney Hinton and his team, consultants who lent their expertise and Blythe Bailey, Transportation Administrator.

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:

- **Fred Flack (Dodson Avenue/District 9)** – He acknowledged neighborhoods have achieved. He see good things happening in neighborhoods, especially in hard-hit areas. He acknowledged Police for doing their job in neighborhood growth.
- **Kelly Moore (Bagwell City/District 2)** – She opposed the new sewage holding tank that will affect 30-plus residents on Memphis, Atlanta and Birmingham Drive in Bagwell. She informed the Council of raw sewage and mosquitos from the current pumping station, and asked that the station be moved to where there are no kids. She informed the Council that her association had 126 signatures out of 131 homes that oppose the holding tank.
- **Donald Sandefur (21st Century Historic Glenwood Assoc./Distrit 9)** – He was the panel regarding the choice of police chief. He asked, once the chief is chosen, that the Mayor provide information on why the other two candidates were not selected.
- **Patrick Kellogg (Chattanooga)** – He brought the bill of an elderly woman that reflects a negative amount in the “amount due” section. He wanted to know who to speak to about issuing a credit to this woman. he also wanted to know what amount of time it would take for the woman to get the money credited to her.
 - Maura Sullivan, Chief Operating Officer, offered to speak with Mr. Kellogg about the bill.
- **Dr. Everlena Holmes (District 9)** – She attended Skype and face-to-face meetings with school superintendent candidates. During which, she asked Education Commissioner Candice McQueen about delaying the proposals regarding at-risk I-Zone schools and was told “no.” She encouraged tax payers to do something about the schools and asked the Council to consider a separate school tax.

ADJOURNMENT

On motion of Vice-Chairman Smith, Chairman Mitchell adjourned the meeting of the Chattanooga City Council until Tuesday, July 25, 2017, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL