



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
February 12, 2019
6:00 PM

CALL TO ORDER

Council Chairman Ken Smith called the meeting to order with Vice-Chairman Erskine Oglesby and Councilpersons Carol Berz, Anthony Byrd, Demetrus Coonrod, Russell Gilbert, Chip Henderson, Darrin Ledford and Jerry Mitchell. Phil Noblett, City Attorney, and Nicole Gwyn, Council Clerk, were also present.

PLEDGE OF ALLEGIANCE

Chairman Smith led the Assembly in the Pledge of Allegiance.

APPROVAL OF LAST MINUTES

On motion of Councilman Henderson and seconded by Councilman Ledford, the minutes of the last meeting (February 5, 2019) were approved as published.

ORDINANCES – FINAL READING: (NONE)

ORDINANCES – FIRST READING:

2019-007
Chazen Engineering Group % Justin Tirsun
Planning Version
District No. 1

ORDINANCE #13426

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PART OF PROPERTY LOCATED AT SOUTHWEST OF THE 500 BLOCK OF KESTREL LANE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE AND UGC GENERAL COMMERCIAL Zone.

Councilman Henderson moved to approve, with the intent to amend. He was seconded by Councilman Ledford. The motion carried. **Councilman Henderson moved** to amend by adding language: *“Land disturbance of any slope greater than 30 percent shall be limited to two acres total.”* He was seconded by Councilman Ledford. The motion carried. **Councilman Henderson moved** to approve as amended. He was seconded by Councilman Ledford. The motion carried.

ACTION: PASSED AS AMENDED ON FIRST READING

2019-002
Wayne Williams
District No. 6

On motion of Councilwoman Berz and seconded by Councilman Byrd,

ORDINANCE #13427

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO LIFT CONDITIONS 1 THRU 4 OF ORDINANCE NO. 10781 OF PREVIOUS CASE NO. 1998-187, OFF PROPERTY LOCATED AT 6550 LEE HIGHWAY, MORE PARTICULARLY DESCRIBED HEREIN.

ACTION: PASSED ON FIRST READING

2019-003
Chazen Engineering % Justin Tirsun
Planning Version
District No. 7

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

ORDINANCE #13428

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 3220 WILLIAMS STREET AND 1121 WEST 33RD STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE.

ACTION: PASSED ON FIRST READING

2019-008
Chazen Engineering Group % Justin Tirsun
Planning Version
District No. 7

ORDINANCE #13429

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PART OF AN UNADDRESSED AND UN-PARCELED FORMER RAILROAD RIGHT-OF-WAY LOCATED ALONG THE WEST LINE OF THE 1500 THROUGH 1700 BLOCKS OF ADAMS STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM U-PK URBAN PARKS AND OPEN SPACE ZONE TO U-RM-3 URBAN RESIDENTIAL MULTI-UNIT ZONE WITH 3 STORIES MAXIMUM HEIGHT AND U-CX-3 URBAN COMMERCIAL MIXED USE ZONE WITH 3 STORIES MAXIMUM HEIGHT.

Vice-Chairman Oglesby asked John Bridger, Executive Director of Regional Planning, to give the legal description for the Planning version. Upon no further questions, **Vice-Chairman Oglesby moved** to approve the Planning version, seconded by Councilman Byrd. The motion carried.

ACTION: PASSED ON FIRST READING

2019-006
Chazen Engineering Group % Justin Tirsun
Planning Version
District No. 8

ORDINANCE #13430

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 916 EAST 14TH STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

Councilman Byrd moved to approve with the intent to amend. He was seconded by Councilman Ledford. The motion carried. **Councilman Byrd moved** to amend by adding: *“No commercial, residential only.”* He was seconded by Councilman Gilbert. The motion carried. **Councilman Byrd moved** to approve as amended, seconded by Councilman Gilbert. The motion carried.

ACTION: PASSED AS AMENDED ON FIRST READING

2019-009
Brent and Maggie Bill
Planning Version
District No. 8

ORDINANCE #13431

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 2308 AND 2314 EAST 13TH STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE.

Councilman Byrd moved to approve with the intent to amend. He was seconded by Councilman Ledford. The motion carried. **Councilman Byrd moved** to amend by adding:

- *Business hours 9:00 a.m. – 10:00 p.m. weekdays and 9:00 a.m. – 11:00 p.m. weekends;*
- *Dumpster service prohibited between 10:00 a.m. and 6:00 a.m.;*
- *Private event hall only.*

He was seconded by Councilman Ledford. The motion carried. **Councilman Byrd moved** to approve as amended, seconded by Councilman Ledford. The motion carried.

ACTION: PASSED AS AMENDED ON FIRST READING

2019-011
Pat Neuhoff
Planning Version
District No. 8

ORDINANCE #13432

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 527 O'NEAL STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO LIMITED USES ONLY.

Councilman Byrd asked Mr. Bridger to read the limited uses:

- Single-family, two-family, and multiple-family dwellings, excluding factory manufactured homes constructed on a single self-contained unit and mounted on a single chassis;
- Lodging house, boarding house, and bed and breakfasts; and
- Fraternal, professional or hobby clubs.

Upon no questions, **Councilman Byrd moved** to approve. He was seconded by Councilwoman Berz. The motion carried.

ACTION: PASSED ON FIRST READING

2019-001
Ridgedale Mill, LLC % Jay Martin
Planning Version
District No. 9

ORDINANCE #13433

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1101 SOUTH WATKINS STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

Councilwoman Coonrod asked Mr. Bridger to read the conditions.

- 1) Hours of business operation shall be limited to between 9:00 a.m. to 10:00 p.m.;
- 2) Auto-Oriented uses, as defined by Chattanooga Zoning Regulations Section 38-201, shall be prohibited;
- 3) No outdoor amplifications; and
- 4) Dumpsters allowed on property with trash pick-up between 8:00 a.m. and 5:00 p.m.

Councilwoman Coonrod moved to approve with the intent of amending. She was seconded by Councilman Ledford. The motion carried. **Councilwoman Coonrod moved** to amend by changing from 9:00 a.m. to 7:00 a.m. She was seconded by Councilman Ledford. Mr. Bridger confirmed the amendment to Condition #1. The motion carried. **Councilwoman Coonrod moved** to approve as amended. She was seconded by Councilman Ledford. The motion carried.

ACTION: PASSED AS AMENDED ON FIRST READING

MR-2018-225
Lynn Anderson-Allen & Hoshall
District No. 5

On motion of Councilman Mitchell and seconded by Councilman Ledford,

ORDINANCE #13434

AN ORDINANCE CLOSING AND ABANDONING A SEWER EASEMENT LOCATED IN THE 800 BLOCK OF AIRPORT ROAD, AS DETAILED ON THE ATTACHED MAP.

ACTION: PASSED ON FIRST READING

MR-2019-004
Barge Design Solutions, Inc.
% Tyler W. Gross, Agent for Owner,
Hamilton County Department of Education
District No. 7

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

ORDINANCE #13435

AN ORDINANCE CLOSING AND ABANDONING THE 100 TO 300 BLOCKS OF EAST 25TH STREET FOR THE CONSTRUCTION OF A NEW HOWARD HIGH SCHOOL TRACK AND FIELD COMPLEX, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

MR-2019-005
Chazen Engineering % Justin Tirsun, Agent
for Owner, 14th Street Properties, LLC
District No. 8

On motion of Councilman Byrd and seconded by Councilman Ledford,

ORDINANCE #13436

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE INTERSECTION OF THE 900 BLOCK OF EAST 14TH STREET AND THE 1400 BLOCK OF FAGAN STREET TO FACILITATE FUTURE DEVELOPMENT, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

MR-2019-017
A.D. Engineering % Tiffany J. Farley, Agent for Owner,
Power Property Partners % Rob Jenkins
District No. 8

On motion of Councilman Byrd and seconded by Councilman Gilbert,

ORDINANCE #13437

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE 800 BLOCK OF DAISY STREET TO FACILITATE FUTURE DEVELOPMENT, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

On motion of Councilman Henderson and seconded by Councilman Byrd,

RESOLUTION #29799

A RESOLUTION TO AMEND RESOLUTION NO. 29451 ENTITLED, "A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 CDM SMITH, INC. RELATIVE TO CONTRACT NO. W-12-024-101, MBWWTP SOLIDS PROCESS OPTIMIZATION IMPLEMENTATION – PHASE 3 CENTRIFUGE AND DIGESTER UPGRADES, A CONSENT DECREE PROJECT, FOR AN INCREASED AMOUNT OF \$334,500.00, FOR THE REVISED CONTRACT AMOUNT OF \$1,708,050.00," TO CHANGE THE CONTRACT NO. TO W-16-024-101.

ACTION: ADOPTED

On motion of Councilman Henderson and seconded by Councilman Byrd,

RESOLUTION #29800

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT NO. W-16-021-201 TO HAREN CONSTRUCTION COMPANY, INC. OF ETOWAH, TN, MBWWTP RECYCLE PUMP STATIONS AND NORTH DRAIN SYSTEM UPGRADES, A NON-CONSENT DECREE PROJECT, IN THE AMOUNT OF \$1,482,000.00, WITH A CONTINGENCY AMOUNT OF \$148,000.00, FOR AN AMOUNT NOT TO EXCEED \$1,630,000.00.

ACTION: ADOPTED

On motion of Vice-Chairman Oglesby and seconded by Councilwoman Berz,

RESOLUTION #29801

A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 (FINAL) FOR ROSS GLASS AND ALUMINUM, LLC OF CHATTANOOGA, TN, RELATIVE TO CONTRACT NO. R-14-012-202, HOLMBERG BRIDGE PANEL REPLACEMENT – PHASE 2, FOR AN INCREASED AMOUNT OF \$43.00, TO RELEASE THE REMAINING CONTINGENCY IN THE AMOUNT OF \$20,914.00, FOR A REVISED CONTRACT AMOUNT OF \$519,043.00.

ACTION: ADOPTED

On motion of Councilman Mitchell and seconded by Councilman Ledford,

RESOLUTION #29802

A RESOLUTION AUTHORIZING CHATTANOOGA SIGN-A-RAMA % STEPHANIE MCCORMICK, ON BEHALF OF APPLICANT, MATTHEW MIHOCI, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 330 FRAZIER AVENUE, SUITE 100, FOR THE PURPOSE OF INSTALLING A PROJECTING SIGN, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

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

RESOLUTION #29803

A RESOLUTION AUTHORIZING RAGAN-SMITH ASSOCIATES % JAY E. FLOYD, ON BEHALF OF PROPERTY OWNER, WYNNE PROPERTIES % RICKY ETHERTON TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED BETWEEN 2800 AND 2806 8TH AVENUE FOR THE PURPOSE OF PAVING THE UNOPENED RIGHT-OF-WAY AND ADJOINING PARKING LOT, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

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

RESOLUTION #29804

A RESOLUTION AUTHORIZING MARK WYNNEMER, ON BEHALF OF PROPERTY OWNER, KEVIN C. BOEHM, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 1010 MARKET STREET FOR THE PURPOSE OF INSTALLING FABRIC AWNINGS AND OUTDOOR SEATING, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

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

RESOLUTION #29805

A RESOLUTION AUTHORIZING CHATTANOOGA SIGN-A-RAMA % STEPHANIE MCCORMICK, ON BEHALF OF APPLICANT, DREW COX, AND PROPERTY OWNER, TDK CONSTRUCTION % TIM KEACH, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 1400 CHESTNUT STREET FOR THE PURPOSE OF INSTALLING A PROJECTING SIGN, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: ADOPTED

PURCHASES: (NONE)

OTHER BUSINESS:

Free Concert

Councilman Gilbert announced Grammy nominated artist Travis Green in concert this Friday, February 15, 2019, at 7:30 p.m. at Venue Church.

COMMITTEE REPORTS:

Budget and Finance Committee
Councilwoman Berz
(No report)

Economic and Community Development Committee
Councilman Byrd reported:

- The committee met today in open meeting for a presentation by the Public Arts Commission.

Human Resources Committee (HR)
Councilman Gilbert reported:

- The committee will meet on February 26 for the GARE presentation.

Planning and Zoning Committee
Councilman Ledford
(No report)

Public Safety Committee
Councilman Henderson reported:

- The committee will meet at 1:00 p.m. in the Council's conference room on next Tuesday, February 19.

Public Works and Transportation Committee
Councilman Mitchell reported:

- The committee will meet after the 3:00 p.m. Agenda Session next week.

Youth and Family Development Committee

Councilwoman Coonrod reported:

- The committee met today in open meeting for updates on the Chattanooga Ambassadors Program and My Brother's Keepers. The committee also heard updates on Family Connect.

Legislative Committee

Vice-Chairman Oglesby

(No report)

RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL

(Non-Agenda Items)

Attorney Noblett read the rules of procedure for persons wishing to address the Council on non-agenda items. After which, Chairman Smith recognized the following persons:

- **Hannah Kuhn (Chattanooga)** – She is concerned with river conservation. She informed the Council of the recent article in the New Knoxville News regarding river pollution in Chattanooga being on an international scale. She made comments on the microplastic levels being the highest ever. She reminded the Council how it took three years to clean up the air pollution in the city. She believes the City can organize to limit excess plastic usage, just as it did to limit air pollution. She challenged the Council and the community to organize on this issue to clean the water.
- **Joseph Boswell (Chattanooga)** - He represents the YMCA and wanted to introduce the YMCA's Leadership Club that teaches youth about government and leadership in Chattanooga. Students show interest in business, politics and activism.
- **Anthony Gladden (Chattanooga)** – He founded the “Choices with Chess” program for teaching youth in the art of playing chess. He thanked Councilwoman Coonrod and Councilman Byrd for seeking volunteers for the program. The pilot program is currently in Orchard Knob Middle. It was based on a program in Chicago. The program helped students excel. He is transitioning the program to YFD centers now. He connected with chess instructor Thomas Lane of Chattanooga State and asked Mr. Lane to speak about his work with the program.
- **Thomas Lane (Chattanooga)** – He has been working with the chess program and thanked Councilwoman Coonrod for connecting him with Mr. Gladden. He believes that chess transcends socioeconomic and other barriers. He noted that Mr. Gladden is planning a block party and chess tournament to raise funds for the program. He envisions active engagement throughout the city for this program and told ways in which individuals may help. He believes that most solutions to problems are not top down. He believes chess helps us become more intentional in our thinking and actions.
- **Austin Sourbright (Chattanooga)** – He represents the Chattanooga Area Labor Council and asked the members of the Labor Council to stand for recognition. His organization would love to connect with the Council as a whole and individually in the future.
- **Gary Ball (Tower Construction)** - He has addressed the Council twice before regarding surplus property and city tax liens. He saw that Hamilton County was offering 1001 S. Holly Street for a minimum bid of \$1,000. He wanted something in writing so that his company may bid on it. He wanted to know if the liens were attached, and if all surplus city property available and can have liens removed.

- Attorney Noblett responded to Mr. Ball's inquiries about liens in relation to surplus sales.

ADJOURNMENT

On motion of Vice-Chairman Oglesby, Chairman Smith adjourned the meeting of the Chattanooga City Council until Tuesday, February 19, 2019 at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL