



City Council Building
Chattanooga, Tennessee
COUNCIL MEETING MINUTES
May 21, 2019
6:00 PM

CALL TO ORDER

Council Chairman Erskine Oglesby called the meeting to order with Vice-Chairman Chip Henderson and Councilpersons Carol Berz, Anthony Byrd, Demetrus Coonrod, Russell Gilbert, Darrin Ledford and Ken Smith. Phil Noblett, City Attorney, and Nicole Gwyn, Council Clerk, were also present. Councilman Jerry Mitchell was not present this meeting.

PLEDGE OF ALLEGIANCE

Councilman Byrd led the Assembly in the Pledge of Allegiance and invited Brad Tucker, Associate Pastor at Abba's House, to give the invocation.

APPROVAL OF LAST MINUTES

On motion of Vice-Chairman Henderson and seconded by Councilman Gilbert, the minutes of the last meeting (May 14, 2019) were approved as published.

SPECIAL PRESENTATION

At the request of Councilwoman Coonrod, the special presentations were deferred until the "Other Business" section of tonight's agenda.

ORDINANCES – FINAL READING:

2019-033
Russell Moorehead
Planning Version
District No. 1

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

ORDINANCE #13459

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PART OF PROPERTY LOCATED AT 400 BIRMINGHAM HIGHWAY, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO M-2 LIGHT INDUSTRIAL ZONE.

ACTION: APPROVED

2019-032
Ryan Stahr
Planning Version
District No. 7

On motion of Councilman Ledford and seconded by Councilman Gilbert,

ORDINANCE #13460

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 2705 EAST 44TH STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

2019-038
Chattanooga Neighborhood Enterprise/
Highland Park, LLC % Bob McNutt, Director of Real Estate
Planning Version
District No. 9

On motion of Councilman Ledford and seconded by Councilman Smith,

ORDINANCE #13461

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 2103 AND 2107 VANCE AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE TO R-3 RESIDENTIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

ACTION: APPROVED

On motion of Councilman Ledford and seconded by Councilman Smith,

ORDINANCE #13462

AN ORDINANCE AMENDING CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE V, ZONING REGULATIONS; DIVISION 8, RESIDENTIAL ZONE; SECTION 38-114, HEIGHT AND AREA REGULATIONS.

ACTION: APPROVED

ORDINANCES – FIRST READING:

On motion of Councilman Smith and seconded by Councilman Ledford,

ORDINANCE #13463

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 35, ARTICLE II, DIVISION 1, RELATIVE TO THE PASSENGER VEHICLE FOR HIRE BOARD.

ACTION: PASSED ON FIRST READING

MR-2019-030

Rock Pointe Homes-Gabe Thomas

District No. 7

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

ORDINANCE #13464

AN ORDINANCE CLOSING AND ABANDONING A SANITARY SEWER EASEMENT IN THE 200 BLOCK OF WEST 16TH STREET ON PROPERTY LOCATED AT 1514 COWART STREET, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

RESOLUTIONS:

2019-21

Jason & Caitlin Burge

District No. 1

RESOLUTION #29929

A RESOLUTION APPROVING SHORT TERM VACATION RENTAL APPLICATION NO. 19-STVR-00030 FOR PROPERTY LOCATED AT 416 ZIEGLER STREET.

A hearing ensued, with Dallas Rucker, Director of Development Services, making a presentation that included the following: Site map of surrounding STVR applications, Google Earth map, Views of the structure/directional map and Application history. Chairman Oglesby then recognized the Applicant and members of the Opposition.

Applicants:

- **Jason Burge** – He informed the Council that he and his wife, Caitlin, live in Atlanta, but they spent a good amount of time looking for a community that was receptive to STVR. He had been told by the builder that STVRs were welcome in that community. This is the only property that they own. They have come to town and evaluated parking several times, and have always seen 6-8 open parking spaces in the complex. He would prefer to have more

long-term renters instead of those who come for the weekend. This is the only property they are wanting to use as a STVR.

- **Caitlin Burge** – They want to be a part of the community. They love coming to Chattanooga and want to keep the property.

Councilman Henderson discussed having no deed restrictions and no noise monitors. He also discussed his two concerns: noise and parking spaces. Mr. Burge informed the Council that they do have noise monitors, but would be willing to add them. He also confirmed that they are limited to one parking space for their property. Councilman Henderson indicated the need for adding conditions of the noise monitors and parking.

Therefore, **Councilman Henderson moved** to approve, with intent of amending. He was seconded by Councilman Ledford. The motion carried. **Councilman Henderson moved** to amend by adding two conditions: (1) *installation of noise monitors* and (2) *limiting parking to one space*. He was seconded by Councilman Smith. The motion carried. **Councilman Henderson moved** to approve as amended, seconded by Councilman Smith. The motion carried.

ACTION: ADOPTED AS AMENDED

2019-22
Jacquallynn D. Ryan
District No. 8

Agenda Item VII(b):

A RESOLUTION APPROVING SHORT TERM VACATION RENTAL APPLICATION NO. 19-STVR-00033 FOR PROPERTY LOCATED AT 1905 IVY STREET.

Councilman Byrd indicated that he would have to deny this STVR because he has spoken to the neighborhood association and they do not wish to part of the STVR overlay. Therefore, he asked the Applicant to get in touch with the neighborhood association if they wish to reapply. **Councilman Byrd moved** to deny, seconded by Councilman Gilbert. The motion carried.

ACTION: DENIED

2019-23
Jacquallynn D. Ryan
District No. 8

Agenda Item VII(c):

A RESOLUTION APPROVING SHORT TERM VACATION RENTAL APPLICATION NO. 19-STVR-00035 FOR PROPERTY LOCATED AT 1908 VINE STREET.

Councilman Byrd indicated the need to deny this item for the same reason as the previous case. He asked the Applicant to get in touch with the neighborhood association. **Councilman Byrd moved** to deny, seconded by Councilman Gilbert. The motion carried.

ACTION: DENIED

2019-24
Michael & Holly Acord
District No. 8

Agenda Item VII(d):

A RESOLUTION APPROVING SHORT TERM VACATION RENTAL APPLICATION NO. 19-STVR-00044 FOR PROPERTY LOCATED AT 1793 E. 12TH STREET.

Councilman Byrd explained that the Applicant has spoken to the neighborhood association about this STVR. He offered to defer one week to get a definitive response from the neighborhood association on this case. Michal Acord, the Applicant, indicated the he would not be able to get off from work next week, so he asked for a two-week deferral. **Councilman Byrd moved** to defer to June 4, 2019, seconded by Councilman Gilbert. The motion carried.

ACTION: DEFERRED TO JUNE 4, 2019

On motion of Councilman Ledford and seconded by Councilman Smith,

RESOLUTION #29930

A RESOLUTION AUTHORIZING THE CHIEF INFORMATION OFFICER (CIO) TO EXTEND THE EXISTING BLANKET AGREEMENT (PO#537480) WITH AST CORPORATION FOR AN ADDITIONAL SIX (6) MONTHS, BEGINNING MAY 28, 2019 THROUGH NOVEMBER 27, 2019, CONTINUING WITH THE CURRENT RATE OF \$42,418.27 PER MONTH, YIELDING A TOTAL CALCULATED EXTENSION COST OF \$254,509.62.

ACTION: ADOPTED

On motion of Councilwoman Berz and seconded by Councilman Ledford,

RESOLUTION #29931

A RESOLUTION AUTHORIZING THE STREET NAME CHANGE FROM THE 3000 TO 8599 BLOCKS OF HICKORY VALLEY ROAD TO THE 3000 TO 8599 BLOCKS OF CLAUDE RAMSEY PARKWAY, IN MEMORY OF FORMER HAMILTON COUNTY MAYOR CLAUDE T. RAMSEY.

ACTION: ADOPTED

On motion of Councilwoman Coonrod and seconded by Councilman Byrd,

RESOLUTION #29932

A RESOLUTION AMENDING RESOLUTION NO. 28683 TO ENTER INTO A CONTRACT WITH ORANGE GROVE CENTER, INC. TO SHARE REVENUES FOR MANAGING AND MARKETING MATERIALS, AND TO OPERATE REFUSE AND RECYCLING CONVENIENCE CENTERS FOR FISCAL YEARS 2017 THROUGH 2020 EFFECTIVE JULY 8, 2016, FOR A TOTAL AMOUNT NOT TO EXCEED \$2,664,661.81, AND TO AUTHORIZE A CONTRACT WITH ORANGE GROVE CENTERS, INC. TO RECEIVE REVENUES FROM MANAGING AND MARKETING RECYCLABLE MATERIALS, AND TO OPERATE REFUSE AND RECYCLE CONVENIENCE CENTERS FOR FISCAL YEARS 2019 THROUGH 2024, EFFECTIVE MAY 1, 2019, FOR A TOTAL AMOUNT NOT TO EXCEED \$3,501,464.63.

ACTION: ADOPTED

On motion of Councilman Gilbert and seconded by Councilwoman Berz,

RESOLUTION #29933

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO A JOINT FUNDING AGREEMENT (JFA) WITH THE U.S. GEOLOGICAL SURVEY (USGS) TO OPERATE SEVEN (7) CONTINUOUS REAL-TIME STREAM GAUGES LOCATED ON NORTH CHICKAMAUGA CREEK, SOUTH CHICKAMAUGA CREEK, CHATTANOOGA CREEK, AND FOUR (4) NEW LOCATIONS TO BE DETERMINED BY USGS AND CITY OF CHATTANOOGA PERSONNEL FOR A GAUGE OPERATION PERIOD BEGINNING APRIL 1, 2019 THROUGH MARCH 31, 2020, WITH A CONTRIBUTION OF \$10,875.00 FROM USGS AND \$93,925.00 FROM THE CITY OF CHATTANOOGA, FOR A TOTAL COST OF \$104,800.00.

ACTION: ADOPTED

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

RESOLUTION #29934

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO YEAR THREE (3) OF A POSSIBLE FIVE (5) YEAR AGREEMENT WITH MATERIAL MATTERS, INC. FOR PROFESSIONAL SERVICES RELATED TO THE BIOSOLIDS DATA MANAGEMENT SYSTEM AND ALL SERVICES LISTED THEREIN, FOR AN AMOUNT NOT TO EXCEED \$55,750.00.

ACTION: ADOPTED

On motion of Councilman Ledford and seconded by Councilman Smith,

RESOLUTION #29935

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO RENEW CONTRACT NO. S-16-011, ON-CALL LANDSCAPE ARCHITECT DESIGN SERVICES, FOR YEAR THREE

(3) OF THREE (3) WITH (1) ASA ENGINEERING & CONSULTING, INC.; (2) BARGE DESIGN SOLUTIONS; (3) STANTEC; AND (4) W.M. WHITAKER & ASSOCIATES, FOR ONE (1) YEAR BLANKET CONTRACTS WITH FOUR (4) PROFESSIONAL FIRMS FOR USE BY ALL DEPARTMENTS, FOR AN ESTIMATED TOTAL ANNUAL AMOUNT OF \$500,000.00.

ACTION: ADOPTED

On motion of Councilman Ledford and seconded by Councilman Smith,

RESOLUTION #29936

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO A CONSTRUCTION AGREEMENT WITH NORFOLK SOUTHERN RAILWAY COMPANY FOR THE ST. ELMO AVENUE SIDEWALK MODIFICATIONS UNDER NORFOLK SOUTHERN RELATIVE TO CONTRACT NO. T-14-021-201, FOR AN AMOUNT NOT TO EXCEED \$35,000.00.

ACTION: ADOPTED

DEPARTMENTAL REPORTS:

Proposed Purchases (None)

OTHER BUSINESS:

Business Improvement District (BID)

Attorney Noblett announced that the BID ordinance that has been placed on the agenda for first reading next week, May 28, 2019. He read TCA 7-84-513 and 514, detailing that a Council hearing must take place within 45 days following the filing of the initiating petition of owners. He confirmed that, according to state statute, the notice of the BID public hearing has run once a week for three consecutive weeks prior to the June 4, 2019 hearing. Councilwoman Berz questioned why the May 28 first reading had been scheduled prior to the June 4 public hearing. Attorney Noblett read the state statute

requiring the first reading prior to the public hearing. He also confirmed for Councilwoman Berz that the Council may defer the ordinance if there is an amendment to the BID boundaries.

Special Presentation

Honoring Student Athletic Achievement By Councilwoman Coonrod and Councilman Gilbert

Councilwoman Coonrod and Councilman Gilbert celebrated the recent achievements in sports by young Chattanoogaans who have also participated in YFD programming. Councilwoman Coonrod presented the athletes or their representatives with Distinguished Citizen proclamations as well as a gift (journals). They recognized the following distinguished citizens:

***Tenhyia Davis
Kayla Hunt
Lauryn Dean
Symiah Douglas
Madison Hayes
Rhyne Howard
Jermiah Parker
Amiah Rivers
Kiara Suttles
JoJo Tillery***

Councilman Gilbert recognized all the parents and coaches who have helped these athletes in their walk of life. Ms. Howard thanked the YFD staff for their impact on her life.

Special Recognition

Chairman Oglesby congratulated Councilwoman Coonrod for graduating from Leadership Chattanooga.

COMMITTEE REPORTS:

Budget and Finance Committee

Councilwoman Berz reported:

- The committee met today for its first Budget Education Session today. The committee will meet again next Tuesday (May 28) at 10:00 a.m. for its second session.

Economic and Community Development Committee

Councilman Byrd

(No report)

Human Resources Committee

Councilman Gilbert

(No report)

Planning and Zoning Committee

Councilman Ledford

(No report)

Public Safety Committee
Councilman Smith
(No report)

Public Works and Transportation Committee
(Councilman Mitchell not present)

Youth and Family Development Committee
Councilwoman Coonrod
(No report)

Legislative Committee
Vice-Chairman Henderson
(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. Chairman Oglesby confirmed that there was no one wishing to address the Council this meeting. Therefore, this portion of the meeting was closed.

ADJOURNMENT

On motion of Councilman Byrd, Chairman Oglesby adjourned the meeting of the Chattanooga City Council until Tuesday, April 9, 2019, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL