



John P. Franklin, Sr. City Council Building  
Chattanooga, Tennessee

## **COUNCIL MEETING MINUTES**

February 11, 2020  
6:00 PM

### **CALL TO ORDER**

Council Chairman Erskine Oglesby, Jr. called the meeting to order with a quorum present that included Councilpersons Carol Berz, Anthony Byrd, Demetrus Coonrod, Russell Gilbert, Darrin Ledford, Jerry Mitchell and Ken Smith. Vice-Chairman Chip Henderson arrived later (during the reading of the second ordinance). Phil Noblett, City Attorney, and Nicole Gwyn, Council Clerk, were also present.

### **PLEDGE OF ALLEGIANCE**

Chairman Oglesby led the Assembly in the Pledge of Allegiance. He then invited Pastor Chris Eaves of Resurrected Reformed Baptist Church to give the invocation.

### **SPECIAL RECOGNITION**

Chairman Oglesby recognized the photojournalism students from UTC who were photographing the meeting tonight.

### **APPROVAL OF LAST MINUTES**

**On motion of Councilman Gilbert and seconded by Councilman Ledford**, the minutes of the last meeting (February 4, 2020) were approved as published.

### **ORDINANCES – FINAL READING: (NONE)**

### **ORDINANCES – FIRST READING:**

2020-0006  
Nathaniel S. Goggans  
Planning Version  
District No. 1

### **ORDINANCE #13534**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1331 BURGESS ROAD, FROM R-1 RESIDENTIAL ZONE TO A-1 URBAN AGRICULTURAL ZONE WITH SPECIAL PERMIT.**

Chairman Oglesby confirmed that the Applicant was present, but no Opposition was present. Noting that there was no opposition at the Planning Commission, **Councilman Smith moved** to approve this District 1 item. He was seconded by Councilman Ledford. The motion carried.

**ACTION: PASSED ON FIRST READING**

2019-0177  
Mitch Holland  
Planning Version  
District No. 2

**Agenda Item VI(b):**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 518 HAMILTON AVENUE, FROM R-1 RESIDENTIAL ZONE TO E-RA-2 URBAN EDGE RESIDENTIAL ATTACHED 2 STORIES MAXIMUM HEIGHT ZONE.**

Chairman Oglesby confirmed that the Applicant was not present and that there was no Opposition present. With the recommendation for denial by Planning, **Councilman Mitchell moved** to deny, seconded by Councilman Ledford. The motion carried.

**ACTION: DENIED**

2020-0012  
CMT Investments, LLC % Matthew Mucciolo  
Planning Version  
District No. 2

**Agenda Item VI(c):**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 3820, 3834, AND 3836 HIXSON PIKE, FROM R-1 RESIDENTIAL ZONE AND R-4 SPECIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

Chairman Oglesby confirmed that the Applicant was present, but no Opposition was present. John Bridger, Executive Director of the Regional Planning Agency, gave a presentation on the case that included the following:

- Property Pics (signage, development)
- Zoning Map
- Zoning History
- Slopes Map
- Planning Commission Recommendation

Applicant:

- **Matthew Mucciolo** – He discussed the area not being conducive to R-1 single-family now due other commercial businesses there. He informed the Council about meeting with the community group that was originally opposed the rezoning because they feared another used car lot coming to the area. He reported that the community felt better after hearing that he does not intend to put a used car lot there. He would like to build a shopping center or something with more appealing due to new development is coming to the area.

Councilman Mitchell questioned Mr. Mucciolo about the proposed use of the property and

concerns about a traffic light. He then confirmed with Attorney Noblett that the C-2 already allows for a used car lot and that the Council would need to restrict the use on the property in regards to a used car lot. Blythe Bailey, Transportation Administrator, recommended further analysis to see if a traffic light is warranted on the West Fairfax Drive, which is adjacent this property on Hixson Pike.

**Councilman Mitchell moved** to defer to February 25, 2020. He was seconded by Councilman Gilbert. Councilwoman Berz recommended thoughtful planning in the C-2 zone. Upon no further questions or comments, the motion carried.

**ACTION: DEFERRED TO FEBRUARY 25, 2020**

2019-0011  
Joseph Ingram  
District No. 3

On motion of Councilman Smith and seconded by Councilwoman Berz,

**ORDINANCE #13535**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO LIFT CONDITIONS FROM ORDINANCE NO. 12019 OF PREVIOUS CASE NO. 2007-0143 FROM PROPERTY LOCATED AT 2817 NORTHPOINT BOULEVARD, MORE PARTICULARLY DESCRIBED HEREIN.**

**ACTION: PASSED ON FIRST READING**

2020-0005  
W. Rondon Construction  
Planning Version  
District No. 4

**ORDINANCE #13536**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED IN THE 2400 BLOCK OF GUNBARREL ROAD AND 7400 BLOCK OF MIN TOM ROAD, FROM R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE WITH CONDITIONS TO RT-1 RESIDENTIAL TOWNHOUSE ZONE, SUBJECT TO CERTAIN CONDITIONS.**

Chairman Oglesby confirmed no Opposition present for this case.

On Behalf of the Applicant:

- **Mike Price** (MAP Engineers) – He read the conditions agreed to for this project: Maximum density of 8.6 dwelling units per acre and no individual driveway access to Gunbarrel Road and Min Tom Drive.

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

*Maintain a minimum road width of 22' along the property to be developed on Min Tom and to work with CDOT to make radius intersection improvements at Min Tom at the intersection with Gunbarrel.*

He was seconded by Councilman Mitchell. Councilman Ledford confirmed for Mr. Price “*along the property to be developed on Min Tom.*” The motion carried. **Councilman Ledford moved** to approve as amended. He was seconded by Councilman Smith. The motion carried.

**ACTION: PASSED AS AMENDED ON FIRST READING**

**2020-0003**  
**Byrd's Automotive**  
**District No. 5**

On motion of Councilman Gilbert and seconded by Councilman Ledford,

**ORDINANCE #13537**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PART OF PROPERTY LOCATED AT 4431 BONNY OAKS DRIVE, FROM R-4 SPECIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: PASSED ON FIRST READING**

**2020-0010**  
**Joseph Ingram**  
**Planning Version**  
**District No. 6**

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

**ORDINANCE #13538**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 6811 MCCUTCHEON ROAD, FROM R-3MD MODERATE DENSITY ZONE WITH CONDITION TO R-3 RESIDENTIAL ZONE.**

**ACTION: PASSED ON FIRST READING**

**PROCEDURAL MATTER:** Chairman Oglesby turned over the chair of the meeting to Vice-Chairman Henderson prior to the reading of Ordinance 13537.

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2020-0001  
Jason Scott  
Planning Version  
District No. 7

On motion of Chairman Oglesby and seconded by Councilman Byrd,

**ORDINANCE #13539**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 5291 USHER DRIVE FROM R-1 RESIDENTIAL ZONE TO R-2 RESIDENTIAL ZONE.**

**ACTION: PASSED ON FIRST READING**

**PROCEDURAL MATTER:** Vice-Chairman Henderson turned over the meeting to Chairman Oglesby prior to the reading of Ordinance 13538.

2020-0004  
Good Guys Relocation  
Planning Version  
District No. 8

On motion of Councilman Byrd and seconded by Councilwoman Coonrod,

**ORDINANCE #13540**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PART OF PROPERTY LOCATED AT 2000 STUART STREET, FROM R-1 RESIDENTIAL ZONE TO M-3 WAREHOUSE AND WHOLESALE ZONE, SUBJECT TO CERTAIN CONDITIONS.**

Councilman Byrd asked Mr. Bridger to read the conditions for this case: *“Shall be subject to parking only.”*

**ACTION: PASSED ON FIRST READING**

**Agenda Item VI(j):**

**2020-0014 LEYUI LOPEZ PEREZ (M-1 MANUFACTURING ZONE TO O-1 OFFICE ZONE). AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1915 SOUTH GREENWOOD AVENUE, FROM M-1 MANUFACTURING ZONE TO O-1 OFFICE ZONE. (DISTRICT 8) (STAFF VERSION)**

**2020-0014 LEYUI LOPEZ PEREZ (M-1 MANUFACTURING ZONE TO O-1 OFFICE ZONE). AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1915 SOUTH GREENWOOD AVENUE, FROM M-1 MANUFACTURING ZONE TO R-1 RESIDENTIAL ZONE. (APPLICANT VERSION) (RECOMMENDED FOR DENIAL BY PLANNING AND STAFF)**

Chairman Oglesby confirmed that the Applicant was present, but no opposition was present. **Councilman Byrd moved** to defer to February 18, 2020. He was seconded by Councilman Gilbert. The motion carried.

**ACTION: DEFERRED TO FEBRUARY 18, 2020**

**RESOLUTIONS:**

On motion of Councilwoman Coonrod and seconded by Councilman Byrd,

**RESOLUTION #30221**

**A RESOLUTION WAIVING THE FEE FOR USE OF THE BLUE GOOSE HOLLOW ON SATURDAY, MAY 23, 2020, FOR THE LAPSE FOR LUPUS WALK EVENT SPONSORED BY THE ZIA CHAPTER #1081.**

**ACTION: ADOPTED**

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

**RESOLUTION #30222**

**A RESOLUTION AUTHORIZING THE CITY OF CHATTANOOGA TO SERVE AS A GOVERNMENT SPONSOR AND PASS-THROUGH ENTITY FOR A GRANT FROM THE AMERICAN BATTLEFIELD PROGRAM, A PART OF THE NATIONAL PARK SERVICE, AND IN WHICH GRANT SHALL BE PASSED THROUGH TO THE AMERICAN BATTLEFIELD TRUST FOR WHICH IT WILL PURCHASE A 9.09 ACRE PARCEL KNOWN AS THE BROWN'S FERRY TAVERN TRACT (ALSO KNOWN AS THE CHAPIN TRACT) LOCATED IN THE CORE AREA OF THE WAUHATCHIE BATTLEFIELD IN HAMILTON COUNTY, FOR A GRANT AMOUNT NOT TO EXCEED \$259,446.00.**

**ACTION: ADOPTED**

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

**RESOLUTION #30223**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO AWARD HOME PROGRAM FUNDS FOR THE PURPOSE OF CREATING AFFORDABLE HOUSING TO HABITAT FOR HUMANITY OF GREATER CHATTANOOGA, FOR AN AMOUNT NOT TO EXCEED \$40,000.00.**

**ACTION: ADOPTED**

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

**RESOLUTION #30224**

**A RESOLUTION AUTHORIZING THE CHIEF INFORMATION OFFICER (CIO) TO RENEW THE CITY'S EXISTING CONTRACT WITH CENTRAL SQUARE D/B/A TRITECH SOFTWARE SYSTEMS PROVIDING SOFTWARE INTERFACE TECHNOLOGIES, PROFESSIONAL SERVICES FOR CITYWIDE SOFTWARE INTEGRATION, AND OTHER TECHNICAL SERVICES FOR THE CITY BEGINNING JUNE 1, 2019 THROUGH MAY 31, 2020, WITH AN ANNUAL SPEND LIMIT NOT TO EXCEED \$500,000.00.**

**ACTION: ADOPTED**

On motion of Councilman Ledford and seconded by Councilman Byrd,

**RESOLUTION #30225**

**A RESOLUTION AUTHORIZING THE CHIEF INFORMATION OFFICER (CIO) TO ENTER INTO A ONE-TIME PURCHASE AGREEMENT WITH DLT SOLUTIONS, INC. FOR THE PURCHASE OF AUTODESK SOFTWARE LICENSES AND SUPPORT PRODUCTS EFFECTIVE JANUARY 18, 2020 THROUGH JANUARY 17, 2021, SERVICING THE DEPARTMENT OF PUBLIC WORKS, THE DEPARTMENT OF TRANSPORTATION, AND THE REGIONAL PLANNING AGENCY, FOR AN AMOUNT NOT TO EXCEED \$27,405.70.**

**ACTION: ADOPTED**

**2020-0007**  
**Nathaniel S. Goggans**  
**District No. 1**

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

**RESOLUTION #30226**

**A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR AN A-1 URBAN AGRICULTURAL ZONE FOR LOTS LESS THAN FIVE (5) ACRES FOR PROPERTY LOCATED AT 1331 BURGESS ROAD.**

**ACTION: ADOPTED**

On motion of Councilman Gilbert and seconded by Councilman Byrd,

**RESOLUTION #30227**

**A RESOLUTION TO ADOPT THE AIRPORT DISTRICT MASTER PLAN STUDY.**

**ACTION: ADOPTED**

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

**RESOLUTION #30228**

**A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 FOR J. CUMBY CONSTRUCTION, INC. OF COOKEVILLE, TN, RELATIVE TO CONTRACT NO. W-16-017-201, MBWWTP SOLIDS PROCESS OPTIMIZATION IMPLEMENTATION – PHASE 2 THICKENER UPGRADES, A CONSENT DECREE PROJECT, FOR THE INCREASED AMOUNT OF \$1,237,848.00, WHICH INCLUDES A CONTINGENCY AMOUNT OF \$112,500.00, FOR A REVISED CONTRACT AMOUNT OF \$5,564,748.00.**

**ACTION: ADOPTED**

On motion of Councilman Byrd and seconded by Councilwoman Coonrod,

**RESOLUTION #30229**

**A RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 FOR JDH COMPANY, INC. OF CHATTANOOGA, TN, RELATIVE TO CONTRACT NO. Y-19-014-201, REPLACEMENT ROOFING SYSTEM FOR WARNER PARK/UTC SOFTBALL FIELD HOUSE, FOR AN INCREASED AMOUNT OF \$46,605.00, PLUS A CONTINGENCY AMOUNT OF \$5,000.00, FOR A REVISED CONTRACT AMOUNT OF \$93,210.00.**

**ACTION: ADOPTED**

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

**RESOLUTION #30230**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO RENEW BLANKET PURCHASE ORDER NO. 553122 WITH ENCO UTILITY SERVICES FOR A ONE (1) YEAR RENEWAL PERIOD, WITH ONE (1) OPTIONAL ONE (1) YEAR RENEWAL PERIOD REMAINING FOR SEWER BILLING SERVICES, FOR AN AMOUNT NOT TO EXCEED \$1.5 MILLION.**

Councilwoman Berz asked Daisy Madison, Chief Financial Officer, to clarify the 1-year renewal. Ed Wellman, Utility Financial Services Manager, confirmed that the renewal of only one year. Discussion ensued about why the contract is not a 3-year-contract and whether the option belongs to the Council or the department. Anthony Sammons, Deputy Chief Operating Officer, explained the process for ensuring that departments document both satisfactory and poor performance of vendors. The motion carried.

**ACTION: ADOPTED**



On motion of Councilwoman Berz and seconded by Councilman Byrd,

**RESOLUTION #30231**

**A RESOLUTION AUTHORIZING PAYMENT TO TENNESSEE ONE-CALL SYSTEM FOR 2020 UTILIZING THE SYSTEM FOR ANNUAL BILLING, IN THE AMOUNT OF \$36,334.15.**

**ACTION: ADOPTED**

**DEPARTMENTAL REPORTS:**

**Proposed Purchases**

Mr. Sammons returned to the podium to brief the Council on the following proposed purchases:

**PO556058 - Public Works Department** Increase Amount \$50,000.00 ~~~~~  
Increase of Authorized Expenditure – Estimated Total \$150,000.00 Annually  
Haworth Open Landscape Furniture –  
Facilities Division – Public Works Department  
Lowest/Best Bidder: NOI Chattanooga  
4167 S. Creek Rd., Chattanooga, TN 37406

**R195289 - Public Works Department** Total Cost \$30,245.72  
Purchase - Service Repairs on Roadtec Paving Equipment –  
City Wide Services Division – Public Works Department  
Lowest/Best Bidder: Roadtec, Inc.  
2909 Riverside Drive, Chattanooga, TN 37406

**R193457 - Public Works Department** Total Estimate \$450,000.00 Annually  
New Blanket Contract - SCADA System and  
Operational Technology Network Support –  
Waste Resource Division - Public Works Department  
Lowest/Best Bidder: Lord & Company, Inc.  
2100 Carolina Place Drive, Fort Mill, SC 29708

**PO541758 - Public Works Department** Total Estimate \$26,000.00 Annually  
Blanket Contract Extension - Vehicle Oils,  
Lubricants & Fluids - Fleet Management Division – Public Works Department  
Lowest/Best Bidder: Hunter Oil Company  
2009 S. Highland Park Avenue, Chattanooga, TN 37404

**On motion of Vice-Chairman Henderson** and seconded by Councilman Ledford, all purchases were approved.

**ACTION: ALL PURCHASES APPROVED**

## **OTHER BUSINESS:**

### **Certificate of Compliance**

Attorney Noblett presented the Certificate of Compliance for a change in ownership for the following business: **4 Friends, LLC d/b/a Jax Liquor Store, 216 Market Street** (District 7). The certificate was signed during this open meeting by five councilpersons.

### **Civic Encouragement**

Councilwoman Coonrod spoke for six minutes the impact of the 21<sup>st</sup> Century Waterfront funding, struggles of black people due to redlining, the need for a revenue stream and investment for poor communities, lack of development in the Eastdale area and the need for black and white residents in poor communities to stand together when demanding investment and economic development.

## **COMMITTEE REPORTS:**

### *Budget and Finance Committee*

Councilwoman Berz

(No report)

### *Economic and Community Development Committee*

Councilman Byrd reported:

- The committee met today to hear about a 60-unit, affordable housing development proposed for the Main Street area. He welcomed emails and phone calls from the community about this proposal. There will be a community meeting about this topic on February 20, 2020, at 6:00 p.m. at Together Café.

### *Human Resources Committee*

Councilman Gilbert

(No report)

### *Planning and Zoning Committee*

Councilman Ledford

- There was an ad hoc committee meeting today moving towards developing standards for steep slopes and floodplains.

*[Councilman Ledford exited the meeting after his report.]*

### *Public Safety Committee*

Councilman Smith

(No report)

### *Public Works and Transportation Committee*

Councilman Mitchell reported:

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

### *Youth and Family Development Committee*

Councilwoman Coonrod reported:

- The committee met today to hear about early learning and literacy, staff training for trauma, and a donation from Sankofa Fund for Civic Engagement.

Legislative Committee  
Vice-Chairman Henderson  
(No report)

**RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL  
(Non-Agenda Items) – URL: [https://youtu.be/QzqW21\\_yyuc?t=3531](https://youtu.be/QzqW21_yyuc?t=3531)**

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

<b>Name (Street, City, District):</b>	<b>Primary Topic:</b>
• Monty Bell (Chattanooga)	Illegal court records; Nunc pro tunc judgment
• Sylvester Harris (Chattanooga)	Importance of voting
• Verlene Middlebrooks (Wilcox Blvd.)	Thanks for the store coming to Dodson & Crutchfield
• Stephen West (Chattanooga)	Re-evaluating city’s wood chipping contract <ul style="list-style-type: none"><li>○ Councilman Gilbert recommended more accountability on this contract.</li></ul>

**ADJOURNMENT**

Chairman Oglesby adjourned the meeting of the Chattanooga City Council until Tuesday, February 18, 2020, at 6:00 p.m.

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**CHAIRMAN**

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**CLERK OF COUNCIL**