



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

COUNCIL MEETING MINUTES

August 24, 2021
6:00 PM

CALL TO ORDER

Council Chairman Chip Henderson called the hybrid (in-person/virtual) meeting to order. A quorum was present in the Assembly that included Vice-Chairman Ken Smith and Councilpersons Carol Berz, Demetrus Coonrod, Raquetta Dotley, Isiah Hester, and Darrin Ledford. Councilpersons Jenny Hill and Anthony Byrd joined the meeting moments after the call to order. Others present were Emily O'Donnell, City Attorney, and Nicole Gwyn, Council Clerk. Video of the meeting is available on YouTube [here](#).

PLEDGE OF ALLEGIANCE

Chairman Henderson led the Assembly in the Pledge of Allegiance. Councilwoman Hill joined the meeting. She read from James 3:17-18 of the Bible for inspiration tonight.

MOMENT OF SILENCE

Councilwoman Coonrod asked for a moment of silence to honor the Rev. Paul A. McDaniel, a civil rights advocate who had served as a Hamilton County Commissioner and Senior Pastor of Second Missionary Baptist Church. Chairman Henderson called for a moment of silent reflection.

SPECIAL PRESENTATIONS (2)

Black Philanthropy Month Proclamation
By Councilwoman Demetrus Coonrod

Black Business Month Proclamation
By Councilman Anthony Byrd

Councilpersons Coonrod and Byrd each read proclamations on behalf of Mayor Kelly and presented them to Rev. Ann Jones-Pierre, President of the local NAACP chapter. Ms. Jones-Pierre expressed words of thanks to the Council. [Editor's Note: Attached are copies of both resolutions.]

APPROVAL OF LAST MINUTES

On motion of Vice-Chairman Smith and seconded by Councilman Ledford, the minutes of the last meeting (August 17, 2021) were approved as published. The motion carried unanimously (9-0) upon roll call vote.

ORDINANCES – FINAL READING: (NONE)

ORDINANCES – FIRST READING:

MR-2021-0105
4th and Cherry LLC
District No. 7.

On motion of Councilman Dotley and seconded by Councilman Byrd,

ORDINANCE #13707

AN ORDINANCE CLOSING AND ABANDONING TWO (2) SEWER EASEMENTS LOCATED IN THE 100 BLOCK OF EAST 4TH STREET, TAX MAP NOS. 135MA-B-002 AND 135M-D-019, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

ACTION: PASSED ON FIRST READING

2021-0112
Callio Properties, LLC
Alternate Version
District No. 3

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

ORDINANCE #13708

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 6102 HIXSON PIKE, 6106 HIXSON PIKE, 6108 HIXSON PIKE, AND 6110 HIXSON PIKE, AND FOR A PORTION OF TAX MAP NOS. 101-025 AND 101-027, FROM R-1 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE, AND FOR A PORTION OF TAX MAP NOS. 101-025 AND 101-027, FROM R-1 RESIDENTIAL ZONE TO R-1 RESIDENTIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

Vice-Chairman Smith confirmed with Karen Rennich, Interim Director of Regional Planning, that the parcels have been corrected in the summary and ordinance, and that conditions have been added to the R-1. He also questioned the map that came from the Planning Commission not containing the correct parcels. Ms. Rennich informed the Council that she will attach documentation to the map regarding the incorrect parcels. The motion carried unanimously (9-0) upon roll call vote.

ACTION: ALTERNATE VERSION PASSED ON FIRST READING

Agenda Item VI(c):

2021-0119 Outlook Masonry c/o Melquiades Portugal (C-2 Convenience Commercial Zone and M-1 Manufacturing Zone to M-1 Manufacturing Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 5217 Hunter Road and 8627 Hilltop Drive, from C-2 Convenience Commercial Zone and M-1 Manufacturing Zone to M-1 Manufacturing Zone. (District 6) (Recommended for approval by Planning and Staff) (Deferred from 08-10-2021)

2021-0119 Outlook Masonry c/o Melquiades Portugal (C-2 Convenience Commercial Zone and M-1 Manufacturing Zone to M-1 Manufacturing Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 5217 Hunter Road and 8627 Hilltop Drive, from C-2 Convenience Commercial Zone and M-1 Manufacturing Zone to M-1 Manufacturing Zone, subject to certain conditions. (Alternate Version) (Added with permission of Chairman Henderson)

Councilwoman Berz informed the Council that she had expected the Applicant to be present to confirm his understanding of the rezoning being tied to the site plan. After confirming with Ms. Rennich that the Applicant was not present today in the Assembly, **Councilwoman Berz moved** to defer to August 31, 2021. Councilman Ledford seconded. The motion to defer carried unanimously (9-0) upon roll call vote.

ACTION: DEFERRED TO AUGUST 31, 2021

RESOLUTIONS:

On motion of Councilman Byrd and seconded by Councilwoman Coonrod,

RESOLUTION #30871

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A FIRST AMENDMENT TO DONATION AGREEMENT AND SUPPLEMENTAL DONATION AGREEMENT WITH NIPPON PAINT AUTOMOTIVE AMERICAS, INC., IN SUBSTANTIALLY THE FORM ATTACHED, FOR ONE-YEAR EXTENSIONS OF THE PROJECT COMPLETION DATE TO DECEMBER 31, 2025, PROJECT END DATE TO DECEMBER 31, 2027, CURE PERIOD FOR FAILURE TO COMPLY WITH THE COMPLETION REQUIREMENT TO JUNE 30, 2026, CURE PERIOD FOR FAILURE TO COMPLY WITH THE CAPITAL INVESTMENT REQUIREMENT TO JUNE 30, 2026, AND THE ROAD CONSTRUCTION COMPLETION DATE TO JUNE 30, 2023.

The motion carried unanimously (9-0) upon roll call vote.

ACTION: ADOPTED

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

RESOLUTION #30872

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A GROUND LEASE AGREEMENT WITH CHATTANOOGA FC FOUNDATION, IN SUBSTANTIALLY THE FORM ATTACHED, FOR APPROXIMATELY A THIRTEEN (13) ACRE PORTION OF 1151 E. 23RD STREET, IDENTIFIED AS A PORTION OF TAX PARCEL NO. 156A-D-001, FOR THE CONSTRUCTION AND OPERATION OF A MULTIFUNCTIONAL SPACE FOR RECREATION AND COMMUNITY ACTIVITIES, SPECIFICALLY FOR RECREATIONAL, LEAGUE, AND TOURNAMENT PLAY FOR SOCCER AND OTHER SPORTS, FOR A LEASE TERM OF FORTY (40) YEARS.

Councilman Byrd moved to approve with the intent to amend. Vice-Chairman Smith seconded. Councilman Ledford seconded. Councilman Byrd made comments on his thoughts for moving this item. Councilpersons Ledford, Berz, and Henderson made comments regarding their thoughts prior to voting.

Councilman Byrd moved to amend to add the words "...upon HUD approval." Jermaine Freeman, Senior Advisor for Economic Opportunity and Interim Administrator, recommended the words "*subject to*" instead of "*upon*" in the motion. Councilman Byrd agreed and rescinded his amendment as previously stated. Councilman Ledford, the seconder, agreed. **Councilman Byrd moved** to amend by rewording the language to read "...*subject to HUD approval.*" Councilman Ledford seconded. The motion carried (7-2) upon roll call vote as follows:

Hill	YES	Byrd	YES
Ledford	YES	Coonrod	NO
Hester	YES	Smith	YES
Berz	YES	Henderson	NO
Dotley	YES		

YES – Seven (7); NO – Two (2)

ACTION: ADOPTED AS AMENDED

On motion of Councilwoman Berz and seconded by Councilman Ledford,

RESOLUTION #30873

A RESOLUTION AUTHORIZING PAYMENT TO HAMILTON COUNTY FOR THE CITY'S INSURANCE PREMIUM TERM PERIOD DECEMBER 20, 2020, THROUGH DECEMBER 20, 2021, FOR THE CITY'S PORTION OF PREMIUM, IN THE AMOUNT OF \$29,427.46 AND FOR THE TOTAL PRO-RATED PORTION OF THE UPDATED ONSITE VALUATION COST OF HUBER & LAMB ON JOINTLY OWNED PROPERTIES, IN THE AMOUNT OF \$833.00, FOR A TOTAL AMOUNT OF \$30,260.46.

The motion carried unanimously (9-0) upon roll call vote.

ACTION: ADOPTED

PROCEDURAL NOTE: With no objection from the Council, Chairman Henderson instructed the Clerk to group and read the last two resolutions for one Council vote.

RESOLUTION #30874

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO APPROVE CHANGE ORDER NO. 5 (FINAL) FOR BURNS AND MCDONNELL ENGINEERING COMPANY RELATIVE TO CONTRACT NO. W-16-013-101, CITICO PUMP RELIABILITY IMPROVEMENTS, A CONSENT DECREE PROJECT, FOR THE DECREASED AMOUNT OF \$34,298.46, FOR A REVISED CONTRACT AMOUNT OF \$1,836,000.93.

RESOLUTION #30875

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT, IN CONJUNCTION WITH THE CITY TREASURY DEPARTMENT, TO RENEW AN AGREEMENT, IN SUBSTANTIALLY THE FORM ATTACHED, WITH OPENGOV.INC. (FORMERLY VIEWPOINT GOVERNMENT SOLUTIONS) FOR OPERATING SOFTWARE FOR THE LAND DEVELOPMENT OFFICE FOR THE SECOND YEAR OF A THREE (3) YEAR TERM, WITH AN OPTION TO RENEW FOR AN ADDITIONAL ONE (1) YEAR TERM, FOR A TOTAL OF THREE (3) YEARS, IN THE AMOUNT OF \$152,320.80.

Councilman Ledford moved to approve both resolutions. Councilwoman Berz seconded. The motion carried unanimously (9-0) upon roll call vote.

ACTION: RESOLUTIONS 30874 & 30875 ADOPTED

DEPARTMENTAL REPORTS:

Proposed Purchases

Julia Bursch, Deputy Chief of Staff, briefed the Council on the following proposed purchases:

PO# 548899 & 548900 City Wide Services, Public Works (No money will be added)

Equipment Maintenance & Repairs

Lowest/Best Bidder:

1. PO# 548899; Chattanooga Tractor & Equipment, Inc - 2034 E. Polymer Drive, Chattanooga, TN 37421

2. PO# 548900; Power Equipment Company - 4295 Bonny Oaks Drive, Chattanooga, TN 37406

PO# 555428 Fleet Management Division, Public Works \$2,000,000.00

Sedans, SUVs, Vans & Light Trucks

Lowest/Best Bidder: Ford of Dalton

P.O. Box 519

Dalton, GA 30720

PO# 559244 Purchasing Department, Mayor's Office
 Soft Drinks, Energy Drinks, Sports Drinks & Bottle Water
 Lowest/Best Bidder: Coca-Cola Bottling Company
 P.O. Box 11128
 Chattanooga, TN 37401

Increase of \$10,000 for a total
 annual estimated spend of
 \$50,000

Councilman Byrd moved to approve. Councilman Ledford seconded. The motion carried unanimously (9-0) upon roll call vote.

ACTION: ALL PURCHASES APPROVED

Emergency Purchase (1):

Ms. Bursch also reported on the following emergency purchase:

Date	Dept	Description	Cost	Supplier	Explanation	Event Type
8/18/21	Transportation	Old Hixson Pike Bridge	\$450,000.00	Jamison Construction, LLC	Expedite construction to get the fire damaged bridge repaired and reopened to traffic.	Date of Emergency 6.25.21 Date of Approval 8.13.21

OTHER BUSINESS:

Lawsuit Settlement

Attorney O'Donnell announced a lawsuit settlement previously discussed in attorney-client privilege meeting with the Council. The settlement was authorized in one-on-one meetings with councilpersons by Assistant Attorney Melinda Foster for \$190,000.00.

COMMITTEE REPORTS:

Budget and Finance Committee

Councilwoman Berz reported:

- The committee finished its education sessions on the FY22 budget in open meeting today. The Council will hold Public Input Sessions next week, August 31, as follows:
 - 3:00 – 5:00 p.m. – Zoom speakers only (Speakers must register in advance)
 - 6:00 – 8:00 p.m. – In-person speakers only (in Assembly Room)

Economic Development Committee

Councilwoman Coonrod reported:

- The committee met today in open meeting and heard a trade school presentation by the AGC.

Education and Innovation Committee
Councilwoman Hill
(No report)

Equity and Community Development Committee
Councilwoman Dotley
(No report)

Legislative Committee
Vice-Chairman Smith reported:

- The committee met today in open meeting to discuss a piece of City Court legislation that will be added to the Council's 3-week agenda for further discussion.

Planning and Zoning Committee
Councilman Ledford
(No report)

Parks and Public Works
Councilman Hester reported:

- The committee met today in open meeting and will meet again in two weeks (September 7).

Public Safety Committee
Councilman Byrd
(No report)

RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL (Listen and view on YouTube [here](#))

Attorney O'Donnell read the rules of procedure for persons wishing to address the Council. After which, Chairman Henderson recognized the following persons:

Speaker Name	District	Primary Topics:
• Charles Patrick	N/A	Spoke on the needs of the elderly at the homeless camps
• (unidentified firefighter)	N/A	Made introductory remarks about the firefighters addressing the Council tonight
• (unidentified firefighter)	N/A	Support of budget/Work-life balance for firefighters
• Bradley Freeman	3	Asking budget approval/time spent working extra jobs
• Sterling Gillum	N/A	Diversity in firefighter workforce/Exposure and access for diverse applicants
• Jack Thompson	N/A	Asking support of the pay increases for firefighters

Chairman Henderson indicated that there was one person registered to speak via Zoom. However, that person did not raise their electronic hand when called upon by the Chairman. There were no other registered speakers on Zoom tonight.

ADJOURNMENT

On motion of Councilman Ledford, Chairman Henderson adjourned the meeting of the Chattanooga City Council until Tuesday, August 31, 2021, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL

*Attachments:
Black Philanthropy Month Proclamation
Black Business Month Proclamation*



City of Chattanooga
Office of the Mayor

Proclamation

Whereas: Black Philanthropy Month was originally organized in 2011 by the Pan-African Women's Network as an annual global celebration of African-descent giving; and

Whereas: the event was recognized by the United Nations as part of its declaration of 2011 as the International Year of People of African Descent; and

Whereas: the counties and cities around the globe are recognizing every August as Black Philanthropy Month; and

Whereas: the month of August is set to allow for the recognition of the contributions of the African descent philanthropic leadership that supports our communities, and applaud the impact and power of the collective giving to transform lives and make a difference; and

Whereas: philanthropic African descent organizations and individuals donate time, money, experience, skills or talent to help create a better world; and

Whereas: philanthropic organizations have existed in the African American community for more than 100 years; and

Whereas: the City of Chattanooga, Tennessee applauds the African descent community for their work philanthropy.

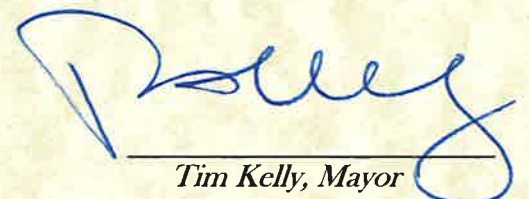
Now Therefore,

I, Tim Kelly, Mayor of the City of Chattanooga, do hereby proclaim the month of August

Black Philanthropy Month

In Witness Whereof, I have hereunto set my hand and caused the Seal of the City of Chattanooga to be affixed this 6th of August, 2021.




Tim Kelly, Mayor



City of Chattanooga
Office of the Mayor

Proclamation

- Whereas:** National Black Business Month was founded in 2004 by Frederick E. Johnson and John William Templeton to recognize the contributions of black-owned businesses throughout the country, and to encourage their continued development; and
- Whereas:** the United States Minority Business Development Agency estimates that there are 124,551 million black-owned businesses in the United States, generating approximately \$150.2 billion in annual receipts; and
- Whereas:** Chattanooga is home to 80+ black-owned businesses that provide family-supporting jobs and careers to residents throughout the city; and
- Whereas:** promoting and supporting black-owned businesses helps close the racial wealth gap in Chattanooga and encourages the flourishing of the local community and culture; and
- Whereas:** the local community is urged to continue to work toward inclusion, empowerment and support for black-owned enterprises; and
- Whereas:** the City of Chattanooga, Tennessee encourages Chattanoogaans to frequent black-owned businesses in the community during the month of August and throughout the year, and to reflect on the numerous contributions of black entrepreneurs in our city.

Now Therefore,

I, Tim Kelly, Mayor of the City of Chattanooga, do hereby proclaim August

Black Business Month

In Witness Whereof, I have hereunto set my hand and caused the Seal of the City of Chattanooga to be affixed this 6th Day of August, 2021.




Tim Kelly, Mayor