



Chattanooga City Council
Chattanooga, Tennessee
John P. Franklin, Sr. City Council Building
COUNCIL MEETING MINUTES
September 14, 2021
6:00 PM

CALL TO ORDER

Council Chairman Chip Henderson called the hybrid (in-person/virtual) meeting to order. A quorum was present that included Vice-Chairman Ken Smith and Councilpersons Carol Berz, Anthony Byrd, Demetrus Coonrod, Raquetta Dotley, Isiah Hester, Jenny Hill, and Darrin Ledford. 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

Councilman Hester led the Assembly in the Pledge of Allegiance and gave an invocation.

APPROVAL OF LAST MINUTES

On motion of Vice-Chairman Smith and seconded by Councilwoman Coonrod, the minutes of the last meeting (September 7, 2021) were approved as published. The motion carried unanimously (9-0) upon roll call vote.

CERTIFIED TAX RATE PUBLIC HEARING

Chairman Henderson allowed Councilwoman Berz to explain the need to defer tonight's budget items so that a public hearing could be held regarding the city's intent to exceed the certified tax rate through the FY22 budget. She announced said public hearing for Tuesday, September 28, 2021, to ensure Tennessee Code compliance.

She announced that the September 28 hearing would take place in two parts that day: 3:00 – 5:00 p.m. for registered Zoom speakers and 6:00 – 8:00 p.m. for speakers making a personal appearance in the Assembly. She also noted that a public notice would run in the newspaper tomorrow for the hearing. She reiterated her intent to move the deferral of all the FY22 budget ordinances and resolutions on tonight's agenda due to the pending hearing.

ORDINANCES – FINAL READING:

ORDINANCE #13710

AN ORDINANCE, HEREINAFTER ALSO KNOWN AS "THE FISCAL YEAR 2021-2022 OPERATIONS BUDGET", PROVIDING REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, AND ENDING JUNE 30, 2022; APPROPRIATING SAME TO THE PAYMENT OF EXPENSES OF THE MUNICIPAL GOVERNMENT; FIXING THE RATE OF TAXATION ON ALL TAXABLE PROPERTY IN THE CITY, AND THE TIME TAXES AND PRIVILEGES ARE DUE, HOW THEY SHALL BE PAID, WHEN THEY SHALL BECOME DELINQUENT; PROVIDING FOR INTEREST AND PENALTY ON DELINQUENT TAXES AND PRIVILEGES; AMENDING CHATTANOOGA CITY CODE, PART II, CHAPTER 2, SECTION 2-267, RELATIVE TO PAID LEAVE FOR ACTIVE-DUTY TRAINING AND TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 31, SECTIONS 31-36, 31-37, 31-41, AND 31-43, SECTIONS 31-322 AND 31-354 AND TO ACCEPT AND APPROPRIATE FEDERAL FUNDS FOR THE FISCAL YEAR ACTIVITIES FROM THE STATE AND LOCAL FISCAL RECOVERY FUNDS PROVIDED IN THE AMERICAN RESCUE PLAN ACT.

Councilwoman Berz moved to defer to September 28, 2021. Councilman Ledford seconded. The motion to defer carried unanimously (9-0) upon roll call vote as follows:

Hill	YES	Byrd	YES
Ledford	YES	Coonrod	YES
Hester	YES	Smith	YES
Berz	YES	Henderson	YES
Dotley	YES		

YES – Nine (9); NO – Zero (0)

ACTION: DEFERRED TO SEPTEMBER 28, 2021

ORDINANCE #13711

AN ORDINANCE APPROPRIATING, AUTHORIZING OR ALLOCATING FUNDS TO THE CAPITAL IMPROVEMENTS BUDGET FOR THE FISCAL YEAR 2021-2022.

The motion carried unanimously (9-0) upon roll call vote as follows:

Coonrod	YES	Ledford	YES
Byrd	YES	Hill	YES
Dotley	YES	Smith	YES
Berz	YES	Henderson	YES
Hester	YES		

YES – Nine (9); NO – Zero (0)

ACTION: DEFERRED TO SEPTEMBER 28, 2021

ORDINANCES – FIRST READING:

2021-0122
G.T. Issa Premier Homes
Planning Version
District No. 4

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

ORDINANCE #13712

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 1629, 1631, AND 1633 JENKINS ROAD, FROM R-1 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.

Councilman Ledford confirmed the Applicant's agreement with the conditions through their representative, who was present in the Assembly. Upon no further questions, **Councilman Ledford moved** to approve. Vice-Chairman Smith seconded. The motion carried unanimously (9-0) upon roll call vote.

ACTION: PASSED ON FIRST READING

2021-0124
Iron Horse Properties TN, LLC
Alternate Version
District No. 4

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

ORDINANCE #13713

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 2524 GUNBARREL ROAD AND IN THE 7400 BLOCK OF PINWOOD DRIVE, FROM R-1 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

Councilman Ledford thanked the community for their engagement on this rezoning. He asked Attorney O'Donnell to read the six conditions.

- 1) Maximum density shall be one hundred sixty-eight (168) units for this development;
- 2) No vehicular access to Pinewood Drive; 3) A twenty-five (25') foot landscape buffer shall be constructed along the shared southern and eastern boundaries of the development and shall be required meeting the Type A landscape requirements;
- 4) A minimum forty (40') foot building setback, as measured from the shared southern and eastern boundaries of the development, shall be required;
- 5) Developer to install a minimum five (5') foot high vinyl coated chain link fence along the southern and eastern property boundaries of the development; and
- 6) The maximum height of any building in the development shall be two (2) stories or thirty (30') feet.

Councilman Ledford confirmed acceptance of these Alternate Version conditions with the Applicant's representative, who was present in the Assembly. Upon no further questions,

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

ACTION: ALTERNATE VERSION PASSED ON FIRST READING

2021-0131
ASA Engineering c/o Allen Jones
Planning Version
District No. 8

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

ORDINANCE #13714

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1402 CEMETERY AVENUE, FROM C-2 CONVENIENCE COMMERCIAL ZONE AND R-3 RESIDENTIAL ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

Councilman Byrd informed the Council that he had not received any opposition to this rezoning and asked Karen Rennich, Interim Director of the Regional Planning Agency, to read the conditions.

- 1) A ten (10') foot landscape buffer is required for any shared property lines abutting residential zones. The ten (10') foot landscape buffer is not required within the thirty (30') feet by fifteen (15') feet Bellsouth Easement as described in Deed Book 4341 Page 607 and Deed Book 3967 Page 823; and
- 2) Auto-oriented uses, adult-oriented establishments, self-service storage facility, wholesaling with accessory warehousing, and hospitals shall be prohibited.

Councilman Byrd confirmed that the Applicant agreed with these conditions. Upon no questions, the motion carried unanimously (9-0) upon roll call vote.

ACTION: PASSED ON FIRST READING

2021-0121
Richard L. Brown
Planning Version
District No. 9

Agenda Item VI(d):

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED IN THE 1200 BLOCK OF GILLESPIE ROAD, THE 3600 BLOCK OF THROUGH STREET, AND 3607 HOYT STREET, FROM R-1 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE ZERO LOT LINE ZONE.

Councilwoman Coonrod moved to defer one week to September 21, 2021, to correct the zoning. Councilman Ledford seconded. The motion carried unanimously (9-0) upon roll call vote.

ACTION: DEFERRED TO SEPTEMBER 21, 2021

2021-0139
Ethan Collier of Collier Construction
Planning Version
District No. 9

On motion of Councilwoman Coonrod and seconded by Councilman Byrd,

ORDINANCE #13715

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED IN THE 2500 BLOCK OF EAST 16TH STREET, 2300 AND 2500 BLOCKS OF EAST 17TH STREET, 2400 AND 2500 BLOCKS OF EAST 18TH STREET, 2500 BLOCK OF EAST 19TH STREET, 2400 AND 2500 BLOCKS OF EAST 21ST STREET, 2300 BLOCK OF EAST MAIN STREET, 1500 AND 2000 BLOCK OF SOUTH LYERLY STREET, AND 1500 THROUGH 1800 BLOCKS OF SOUTH WATKINS STREET, FROM C-2 CONVENIENCE COMMERCIAL ZONE, C-3 CENTRAL BUSINESS ZONE, AND R-2 RESIDENTIAL ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.

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

ACTION: PASSED ON FIRST READING

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

MR-2021-0132
ASA Engineering c/o Allen Jones on behalf of
1402 Cemetery, LLC c/o Chris Henegar
District No. 8

ORDINANCE #13716

AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED ALLEY IN THE 1400 BLOCK OF CEMETERY AVENUE, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

MR-2021-0135
Stantec Consulting Services, LLC c/o Jan Pass
on behalf of Tennessee Valley Railroad Museum
District No. 9

ORDINANCE #13717

AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED ALLEY IN THE 2000 BLOCK OF MUSEUM STREET, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

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

**ACTION: ORDINANCES 13716 & 13717
PASSED ON FIRST READING**

RESOLUTIONS:

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

RESOLUTION #30881

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A FIRST AMENDMENT TO LEASE WITH HENDRICKS COMMERCIAL PROPERTIES, LLC, IN SUBSTANTIALLY THE FORM ATTACHED, FOR OFFICE SPACE IN SUITE 300 OF THE EDNEY BUILDING LOCATED AT 1100 MARKET STREET, FOR AN ADDITIONAL TERM OF TWO (2) YEARS, WITH THE OPTION TO RENEW FOR ONE (1) ADDITIONAL TERM OF TWO (2) YEARS, FOR THE OCCUPANCY OF APPROXIMATELY 7,790 SQ. FT. OF SPACE BY THE DEPARTMENT OF INFORMATION TECHNOLOGY.

RESOLUTION #30882

A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF COMMUNITY DEVELOPMENT TO AWARD \$135,000.00 IN CSBG-CV FUNDS TO THE CITY OF CHATTANOOGA'S HEALTH, EDUCATIONAL, AND HOUSING FACILITY BOARD (HEB) FOR THE EMPACT WORKFORCE INITIATIVE, IN PARTNERSHIP WITH THE AMERICAN JOBS CENTER, THE ENTERPRISE CENTER, CHATTANOOGA STATE COMMUNITY COLLEGE, AND THE CHATTANOOGA AREA CHAMBER FOUNDATION.

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

ACTION: RESOLUTIONS 30881 & 30882 ADOPTED

Agenda Item VII(c):

A RESOLUTION ADOPTING A FIVE-YEAR CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2022-2026, SUBJECT TO FUTURE REVISION; A COPY OF WHICH IS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.

Councilwoman Berz moved to defer to September 28, 2021. Councilman Byrd seconded. The motion to defer carried unanimously (9-0) upon roll call vote as follows:

Coonrod	YES	Ledford	YES
Byrd	YES	Hill	YES
Dotley	YES	Smith	YES
Berz	YES	Henderson	YES
Hester	YES		

YES – Nine (9); NO – Zero (0)

ACTION: DEFERRED TO SEPTEMBER 28, 2021

Agenda Item VII(d):

A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF CHATTANOOGA TO ISSUE BONDS IN THE AGGREGATE AMOUNT NOT TO EXCEED \$5,500,000 FOR THE PURPOSE OF PAYING ALL OR A PORTION OF THE COSTS OF THE FOLLOWING: ALTON PARK CONNECTOR, BRIDGE MAINTENANCE - STANDIFER GAP, COMMUNITY CENTER IMPROVEMENTS, FIRE TRAINING CENTER UPGRADE PLANNING AND DESIGN, GOODWIN ROAD SEGMENT 4 / HAMILTON PL BLVD., GREENWAY FARM CONFERENCE CENTER, LAW ENFORCEMENT TRAINING CENTER, LYNNBROOK PARK, ROADWAY SLOPE FAILURE, STATION 15 REPLACEMENT (ADDITION), TRAFFIC SIGNAL INFRASTRUCTURE MAINTENANCE, TRANSIT STOP ACCESSIBILITY (SECTION 5310).

Councilwoman Berz moved to defer to September 28, 2021. Councilman Byrd seconded. The motion to defer carried unanimously (9-0) upon roll call vote as follows:

Hill	YES	Byrd	YES
Ledford	YES	Coonrod	YES
Hester	YES	Smith	YES
Berz	YES	Henderson	YES
Dotley	YES		

YES – Nine (9); NO – Zero (0)

ACTION: DEFERRED TO SEPTEMBER 28, 2021

2021-0123

G.T. Issa Premier Homes

District No. 4

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

RESOLUTION #30883

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR PROPERTIES LOCATED AT 1629, 1631, AND 1633 JENKINS ROAD.

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

ACTION: ADOPTED

2021-0125
Iron Horse Properties TN, LLC
District No. 4

On motion of Councilman Ledford and seconded by Councilman Byrd,

RESOLUTION #30884

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR PROPERTIES LOCATED AT 2524 GUNBARREL ROAD, 7408, 7414, 7420, 7424, AND 7428 PINWOOD DRIVE.

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

ACTION: ADOPTED

Punabha, LLC/Emma Chaudhari, Inc.
District No. 7

On motion of Councilwoman Dotley and seconded by Councilman Byrd,

RESOLUTION #30885

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A NEW LIQUOR STORE LOCATED AT 2001 MARKET STREET.

The motion carried upon roll call vote as follows:

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

YES – Eight (8); NO – One (1)

ACTION: ADOPTED

Ronald L. Cameron/HJ & Sons, Inc.
District No. 8

On motion of Councilman Byrd and seconded by Councilwoman Coonrod,

RESOLUTION #30886

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A NEW LIQUOR STORE LOCATED AT 2101 MCCALLIE AVENUE.

The motion carried upon roll call vote as follows:

Hill YES
Ledford YES
Hester YES
Berz YES
Dotley YES

Byrd YES
Coonrod YES
Smith YES
Henderson NO

YES – Eight (8); NO – One (1)

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 #30887

A RESOLUTION TO APPROVE THE PAYMENT OF AN INVOICE BY INNOVYZE FOR SOFTWARE USED BY WRD FOR HYDRAULIC MODELING OF THE SANITARY SEWER COLLECTION SYSTEM IN ORDER TO MEET REQUIREMENTS OF THE CONSENT DECREE, IN THE AMOUNT OF \$25,571.00.

RESOLUTION #30888

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH SHIFT TRANSIT FOR THE OPERATION OF THE BIKE CHATTANOOGA SYSTEM ON BEHALF OF THE CITY OF CHATTANOOGA FOR A ONE (1) YEAR RENEWAL AT NO COST TO THE CITY PER RESOLUTION NO. 29223.

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

ACTION: RESOLUTIONS 30887 & 30888 ADOPTED

DEPARTMENTAL REPORTS:

Proposed Purchase

Brent Goldberg, Chief of Staff, briefed the Council on the following proposed purchase:

PO 557803 Waste Resources Division, Public Works

Land Application of Biosolids

Lowest/Best Bidder: Denali Water Solutions
3308 Bernice Ave.
Russellville, AR 72802

\$1,500,000 to cover
a six-month extension

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

ACTION: PO 557803 APPROVED

COMMITTEE REPORTS:

Budget and Finance Committee

Councilwoman Berz reported:

- Everything budget related on tonight's agenda had been deferred to the September 28, 2021, agenda to correct a procedural matter.
- A certified tax rate public hearing will take place on September 28 in the Assembly Room from 3:00 – 5:00 p.m. for Zoom speakers only and 6:00 – 8:00 p.m. for speakers making a personal appearance. [Editor's Note: Any person may join the hearing via Zoom at council.chattanooga.gov.]

Economic Development Committee

Councilwoman Coonrod

(No report)

Education and Innovation Committee

Councilwoman Hill

(No report)

Equity and Community Development Committee

Councilwoman Dotley reported:

- The committee met today in open meeting to discuss all items on its agenda.

Legislative Committee

Vice-Chairman Smith

(No report)

Planning and Zoning Committee

Councilman Ledford

(No report)

Parks and Public Works

Councilman Hester

(No report)

Public Safety Committee

Councilman Byrd

(No report)

OTHER BUSINESS:

Certificates of Compliance

Attorney O'Donnell announced the following businesses that had met requirements for Certificates of Compliance:

- **Mapco Express, Inc. d/b/a Mapco #3538 (3709 Cummings Highway) - Certificate of Compliance for Wine in Retail Store (District 1)**
- **Emma Chaudhari d/b/a Kanku's Bottle Shop - Certificate of Compliance for a Liquor Store (District 7)**

- **HJ & Sons, Inc. d/b/a Joe's Wine & Spirit - Certificate of Compliance for a Liquor Store (District 8)**

Attorney O'Donnell will secure the signatures of at least five councilpersons for each certificate.

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 online and in-person. Chairman Henderson confirmed that there were no registered persons wishing to address the Council via Zoom. Therefore, Chairman Henderson recognized the following persons present in the Assembly:

Speaker Name	District	Primary Topics:
• Keith Liles	N/A	Thanks to Council and CFD support of the budget process
• Harold Murray	N/A	Fleet Maintenance needs and support of pay increases
• Thomas Slaten	N/A	Recommends reallocation of Lee Smith contract funds to Fleet maintenance

ADJOURNMENT

On motion of Councilman Ledford, Chairman Henderson adjourned the meeting of the Chattanooga City Council until Tuesday, September 21, 2021, at 6:00 p.m.

CHAIRMAN

CLERK OF COUNCIL