



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

## **COUNCIL MEETING MINUTES**

November 30, 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, and Darrin Ledford. Others present were Emily O’Donnell, City Attorney, and Nicole Gwyn, Council Clerk. Councilwoman Jenny Hill was not present at this meeting. Video of the meeting is available on YouTube [here](#).

### **PLEDGE OF ALLEGIANCE**

Councilwoman Berz led the Assembly in the Pledge of Allegiance.

### **SPECIAL PRESENTATION**

#### ***Joint Proclamation Honoring Former Councilperson Don Eaves By Councilman Darrin Ledford***

Chairman Henderson recognized current and past elected officials who were present in the Assembly tonight: Mayor Tim Kelly, Former Mayor Jon Kinsey, and Circuit Court Clerk Larry Henry. He then turned the floor to Councilman Ledford, who yielded the floor to the following to speak about Mr. Eaves and the occasion: Mayor Kelly, Mayor Kinsey, Mr. Henry, and Chris Holley. Councilman Ledford also informed the Assembly that Hamilton County Commission Chairman Sabrena Smedley sent well-wishes to the Eaves family on behalf of the Commission.

Councilman Ledford introduced the family of Mr. Eaves. He read statements about Mr. Eaves prior to reading the joint proclamation *[see attached]*. He presented the proclamation to Mr. Eaves’ daughter, who expressed the family’s thanks. He also displayed the visuals for a plaque that will be erected soon in the Don Eaves Heritage House Arts & Civic Center-City of Chattanooga. After the presentation, Chairman Henderson allowed a brief pause in the business meeting to allow the Eaves family and guests to exit the room.

*[Councilman Ledford exited the meeting momentarily, leaving a quorum of seven.]*

## APPROVAL OF LAST MINUTES

On motion of Vice Chairman Smith and seconded by Councilwoman Dotley, the minutes of the last meeting (November 16, 2021) were approved as published. The motion carried unanimously (7-0) upon roll call vote.

## ORDINANCES – FINAL READING:

2021-0162  
Lentorry Coleman  
Planning Version  
District No. 9

On motion of Councilwoman Coonrod and seconded by Councilman Byrd,

### ORDINANCE #13744

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 2101 AND 2103 SOUTH WATKINS STREET, FROM M-1 MANUFACTURING ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

The motion carried unanimously (7-0) upon roll call vote.

**ACTION: APPROVED**

*[Councilman Ledford joined the meeting, thus, returning the quorum to eight.]*

## ORDINANCES – FIRST READING:

A hearing ensued on the following:

2021-0169  
ASA Engineering  
Planning Version  
District No. 5

### Agenda Item VI(a):

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 5116, 5120, AND 5134 HIGHWAY 58 AND SEVERAL UNADDRESSED TRACTS (120N-D-012, 014, 015, 016, AND 018) OF LAND IN THE 5100 BLOCK OF HIGHWAY 58, FROM C-5 NEIGHBORHOOD COMMERCIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

Applicant:

- **Alan Jones** (ASA Engineering) – He informed the Council of sending the list of C-2 zone list to the Opposition, but receiving a call from Mr. Noble that the neighbors did not wish to meet about the C-2. He also discussed adding a fifth condition to their C-2 proposal.

Opposition:

- **Edward Freeman** – He asked the Council to deny the C-2 and spoke on the reason why the C-2 would not work for the area.
- **Alonzo Noble** – He spoke on years of fighting against rezoning in this area and reiterated the neighborhood's wish to deny the C-2.

Councilpersons Berz, Ledford, and Byrd questioned the Opposition about their understanding of the permitted uses for C-5. Karen Rennich, Deputy Director of Regional Planning, also responded to the councilpersons' questions about permitted uses in C-5.

Rebuttal: Mr. Jones repeated the offer to meet with the neighborhood association about the list of C-2 uses.

**Councilman Hester moved** to defer to December 14, 2021, to give the neighborhood an opportunity to meet with the Applicant. Councilwoman Berz seconded. The motion carried unanimously (8-0) upon roll call vote.

**ACTION: DEFERRED TO DECEMBER 14, 2021**

**PROCEDURAL NOTE:** With no objection from the Council, Chairman Henderson instructed the Clerk to group and read the following four ordinances for one Council vote.

**MR-2021-0188**

**Ethan Collier Construction c/o WS Renew, LLC**

**District No. 9.**

**ORDINANCE #13745**

**AN ORDINANCE CLOSING AND ABANDONING AN EXISTING SEWER EASEMENT LOCATED IN THE 1600 BLOCK OF SOUTH WATKINS STREET, TAX MAP NO. 156F-A-001, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.**

**ORDINANCE #13746**

**AN ORDINANCE AMENDING CHATTANOOGA CITY CODE, PART II, CHAPTER 32, ARTICLE II, BY ADDING A NEW SECTION 32-45, STRUCTURES, OBSTRUCTION OR VANDALISM OF POSTED CITY CRITICAL INFRASTRUCTURE.**

**MR-2021-0180**

**ASA Engineering on behalf of**

**Boyd Buchanan School**

**District No. 5**

**ORDINANCE #13747**

**AN ORDINANCE CLOSING AND ABANDONING AN OPENED RIGHT-OF-WAY LOCATED AT 4600 MARIA STREET, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.**

MR-2021-0187  
Hopkins Surveying Group on behalf of  
Don Duff/Travis Hulse Co. Trustees  
District No. 6

**ORDINANCE #13748**

**AN ORDINANCE CLOSING AND ABANDONING TWO UNOPENED ALLEYWAYS IN THE 6000 BLOCK OF OOLTEWAH-GEORGETOWN ROAD, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.**

**Vice Chairman Smith moved** to approve all four ordinances. Councilwoman Berz seconded. The motion carried unanimously (8-0) upon roll call vote.

**ACTION: ORDINANCES 13745 – 13748  
PASSED ON FIRST READING**

**RESOLUTIONS:**

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

**RESOLUTION #30954**

**A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AN OFFICE LEASE WITH THE CHILDREN'S ADVOCACY CENTER OF HAMILTON COUNTY, INC., IN SUBSTANTIALLY THE FORM ATTACHED, FOR THE FIVE (5) YEAR TERM OF DECEMBER 1, 2021, THROUGH NOVEMBER 30, 2026, WITH THE OPTION TO RENEW FOR ONE (1) ADDITIONAL TERM OF FIVE (5) YEARS, FOR THE USE OF 9,155 SQUARE FEET OF SPACE AT THE FAMILY JUSTICE CENTER LOCATED AT 5705 UPTAIN ROAD, IDENTIFIED AS TAX MAP NO. 157M-A-012, FOR THE RENT OF ONE DOLLAR (\$1.00) ANNUALLY.**

**RESOLUTION #30955**

**A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A LEASE WITH THE UNIVERSITY OF TENNESSEE AT CHATTANOOGA, IN SUBSTANTIALLY THE FORM ATTACHED, FOR THE USE OF APPROXIMATELY 19,296 SQUARE FEET OF SPACE AT 301 N. HOLTZCLAW AVENUE, IDENTIFIED AS TAX MAP NO. 146G-A-001, FOR THE FOUR (4) YEAR TERM OF FEBRUARY 16, 2021, THROUGH FEBRUARY 15, 2025, FOR USE AS AN INDOOR SOFTBALL FACILITY, FOR THE ANNUAL RENT OF ONE DOLLAR (\$1.00).**

**RESOLUTION #30956**

**A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO COLLECTIVELY WITH HAMILTON COUNTY ENTER INTO A COMMERCIAL/PUBLIC RECREATION LICENSE AGREEMENT WITH THE TENNESSEE VALLEY AUTHORITY, IN SUBSTANTIALLY THE FORM ATTACHED, FOR APPROXIMATELY 5.7 ACRES OF TVA LAND ON CHICKAMAUGA DAM RESERVATION ON NICKAJACK RESERVOIR, FOR THE OPERATION AND MAINTENANCE OF PUBLIC RECREATIONAL FACILITIES RELATED TO THE EXISTING OPERATION OF THE TENNESSEE RIVERPARK.**

**RESOLUTION #30957**

**A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A NON-PROFIT LEASE STANDARD FORM AGREEMENT WITH THE FORGOTTEN CHILD FUND, INC., IN SUBSTANTIALLY THE FORM ATTACHED, TO LEASE APPROXIMATELY 19,516 SQUARE FEET OF WAREHOUSE SPACE LOCATED AT 1815 E. MAIN STREET, IDENTIFIED AS TAX MAP NO. 156B-D-009, FOR THE ELEVEN (11) MONTH TERM OF MARCH 1, 2021, THROUGH JANUARY 31, 2022, FOR THE ANNUAL RENT OF ONE DOLLAR (\$1.00).**

**RESOLUTION #30958**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR OF ECONOMIC DEVELOPMENT TO ENTER INTO AN AGREEMENT WITH CHATTANOOGA NEIGHBORHOOD ENTERPRISE, INC. (CNE), FOR LOAN PORTFOLIO MANAGEMENT, THE RENT AND UTILITY ASSISTANCE PROGRAM, AND OTHER AFFORDABLE HOUSING INITIATIVES ON BEHALF OF THE CITY OF CHATTANOOGA.**

**Councilwoman Berz moved** to approve the five resolutions. Councilman Byrd seconded. The motion carried unanimously (8-0) upon roll call vote.

**ACTION: RESOLUTIONS 30954 – 30958 ADOPTED**

**Agenda Item VII(b):**

**A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO COLLECTIVELY WITH HAMILTON COUNTY, ENTER INTO A LEASE AGREEMENT WITH THE CHATTANOOGA AREA CONVENTION & VISITORS BUREAU, INC., IN SUBSTANTIALLY THE FORM ATTACHED, FOR THE LEASE OF THE BUILDING AT 2 AQUARIUM WAY, SUITE 138, FURTHER IDENTIFIED AS A PORTION OF TAX PARCEL NO. 135K-A-001, WITH THE BUILDING TO BE USED EXCLUSIVELY FOR THE OPERATION OF A VISITOR INFORMATION CENTER, FOR A TERM OF THREE (3) YEARS, WITH THE OPTION TO RENEW FOR TWO (2) ADDITIONAL TERMS OF ONE (1) YEAR EACH, AT THE CONSIDERATION OF ONE DOLLAR (\$1.00) PER YEAR.**

**Councilwoman Dotley moved** to table. Councilwoman Berz seconded. The motion carried unanimously (8-0) upon roll call vote.

**ACTION: ITEM VII(B) TABLED**

**ALTERNATE VERSION**

On motion of Councilwoman Berz and seconded by Vice Chairman Smith,

**RESOLUTION #30959**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR ECONOMIC DEVELOPMENT TO ENTER INTO AN AGREEMENT WITH THE CHATTANOOGA AREA ECONOMIC COUNCIL OF GOVERNMENTS (SOUTHEAST TENNESSEE DEVELOPMENT DISTRICT) FOR A MULTI-YEAR PERIOD BEGINNING ON DECEMBER 1, 2021, AND ENDING ON AUGUST 31, 2023, ON BEHALF OF THE CITY OF CHATTANOOGA, TO APPLY FOR ENVIRONMENTAL PROTECTION AGENCY (EPA) BROWNFIELD ASSESSMENT AND CLEANUP GRANTS, AND FOR THE CITY OF CHATTANOOGA TO ACCEPT THESE GRANTS, IF AWARDED, WITH THE CITY'S SHARE NOT TO EXCEED \$100,000.00 OR TWENTY (20%) PERCENT OF THE GRANT AWARD.**

The motion carried unanimously (8-0) upon roll call vote.

**ACTION: ALTERNATE VERSION ADOPTED**

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

**RESOLUTION #30960**

**A RESOLUTION AUTHORIZING THE APPOINTMENT OF EMILY JOHNSON, AS SPECIAL POLICE OFFICER (UNARMED) FOR THE MCKAMEY ANIMAL CENTER, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.**

**RESOLUTION #30961**

**A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A TENNESSEE HIGHWAY SAFETY OFFICE (THSO) GRANT ON BEHALF OF THE CHATTANOOGA POLICE DEPARTMENT FOR ENFORCEMENT OF TENNESSEE DRIVING UNDER THE INFLUENCE LAWS TO BE USED FOR OVERTIME, SUPPLIES, AND TRAINING/TRAVEL, WITH A CONTRACT PERIOD OF OCTOBER 1, 2021, THROUGH SEPTEMBER 30, 2022, IN THE AMOUNT OF \$200,000.00.**

**RESOLUTION #30962**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO AWARD CONTRACT NO. Y-21-018-201, JOHN A. PATTEN RECREATION CENTER ENVIRONMENTAL ABATEMENT, TO NEO CORPORATION, OF KNOXVILLE, TN, IN THE AMOUNT OF \$48,730.00, PLUS A CONTINGENCY AMOUNT OF \$4,800.00, FOR AN AMOUNT NOT TO EXCEED \$53,530.00.**

**RESOLUTION #30963**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PUBLIC WORKS TO APPROVE CHANGE ORDER NO. 3, FOR ARCADIS U.S., RELATIVE TO CONTRACT NO. W-12-027-101, FRIARS BRANCH PUMP STATION IMPROVEMENTS, FOR AN INCREASED AMOUNT OF \$110,665.35, FOR A REVISED CONTRACT AMOUNT OF \$1,902,194.55.**

**RESOLUTION #30964**

**A RESOLUTION AUTHORIZING THE CITY FINANCE OFFICER TO EXECUTE ANY DOCUMENTS NECESSARY RELATED TO A LOAN AGREEMENT WITH THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION (SRF 2020-440-01) FOR FINANCING OF CAPITAL CONSTRUCTION PROJECTS REQUIRED BY THE CONSENT DECREE FOR THE INTERCEPTOR SEWER SYSTEM (ISS), IN THE AMOUNT OF \$19 MILLION.**

**Councilwoman Berz moved** to approve the five resolutions. Councilman Ledford seconded. The motion carried unanimously (8-0) upon roll call vote.

**ACTION: RESOLUTIONS 30960 - 30964 ADOPTED**

**DEPARTMENTAL REPORTS:**

**Proposed Purchases**

Joda Thongnopnua, Chief of Staff, briefed the Council on the following proposed purchases:

<b>557977 Public Works Administration</b> Propane Service at Birchwood Landfill Lowest/Best Bidder: Suburban Propane PO Box 75144 Richmond, VA 23236	Increase of \$75,000 for a total estimated annual spend of \$125,000
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<b>555291 Waste Resources Division, Public Works</b> Equipment Maintenance & Repairs Lowest/Best Bidder: Stowers Machinery Corp. PO Box 14802 Knoxville, TN 37914	\$275,000 Annually No money will be added
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<b>PO# 548899 &amp; 548900 City Wide Services, Public Works</b> Equipment Maintenance & Repairs Lowest/Best Bidders: 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	\$485,000 Annually No money will be added
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**PO# 556284 City Wide Services, Public Works** \$28,519.30  
 Wilcox Tunnel Bi-Annual Cleaning  
 Lowest/Best Bidder: ARB Enterprises, Inc  
 1509 E. 28th Street  
 Chattanooga, TN 37404

**REQ107579 Fleet Management Division, Public Works** \$750,000.00  
 Smeal Fire Pumper Apparatus  
 Lowest/Best Bidder: Spartan Motors USA, Inc  
 907 7th Avenue North  
 Brandon, SD 57005

Mr. Thongnopnua briefed the Council on four more purchases [not listed herein] that were on the proposed purchases list, but, due to the Council only having a handout listing the first five, above-referenced purchases, Chairman Henderson ruled that the four purchases should be brought before the Council at next week’s meeting. Mr. Thongnopnua agreed. **Councilman Ledford moved** to approve the five purchases. Councilwoman Berz seconded. The motion carried unanimously (8-0) upon roll call vote.

**ACTION: ALL FIVE PURCHASES APPROVED**

**RFP Recommendation**

Mr. Thongnopnua also recommended the following for approval as a Competitive Sealed Proposal:

DEPARTMENT	SUMMARY	DOCUMENTATION LINK
Police Department	The Chattanooga Police Department requests to use the RFP format to solicit proposals for Animal Control Services. The scope of work includes protecting citizens from nuisance and/or danger posed by animals at large and aggressive animals. Since a unique skill set for the welfare of citizens and animals is needed, the Department would like to consider competence, approach, and experience, as well as price, to select the best supplier.	<a href="#">Request for Proposal RFP Format Determination</a>

**Councilman Ledford moved** to approve the issuance of the RFP. Councilman Byrd seconded. The motion carried unanimously (8-0) upon roll call vote.

**ACTION: ISSUING OF RFP APPROVED**

**COMMITTEE REPORTS:**

*Budget and Finance Committee*  
 Councilwoman Berz  
 (No report)

*Economic Development Committee*  
 Councilwoman Coonrod  
 (No report)



*Education and Innovation Committee*  
(Councilwoman Hill – Not present)

*Equity and Community Development Committee*  
Councilwoman Dotley  
(No report)

*Legislative Committee*  
Vice Chairman Smith  
(No report)

*Planning and Zoning Committee*  
Councilman Ledford reported:

- The committee will meet next week (December 7) after the 3:30 p.m. Agenda Session.

*Parks and Public Works*  
Councilman Hester reported:

- The committee met today in open meeting and will meet again in two weeks (December 14).

*Public Safety Committee*  
Councilman Byrd  
(No report)

## **RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL**

Vice Chairman Smith confirmed that there were no speakers registered to address the Council via Zoom. Therefore, Chairman Henderson open the floor for persons present in the Assembly who wished to address the Council. Seeing none, this portion of the agenda was closed.

## **ADJOURNMENT**

**On motion of Councilman Byrd**, Chairman Henderson adjourned the meeting of the Chattanooga City Council until Tuesday, December 7, 2021, at 6:00 p.m. *[Editor's Note: Future meetings will no longer be broadcast via the Zoom platform. However, live streaming of Council meetings will continue on the Council YouTube channels for online viewers.]*

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**CHAIRMAN**

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**CLERK OF COUNCIL**

**ATTACHMENT:**  
*Proclamation Honoring Don Eaves*



# Proclamation

**Whereas:** Don Eaves served on the Chattanooga City Council for 12 years as the councilman representing East Brainerd. During that time, he served as vice chairman from 1992-1993 and chairman from 1993-1995; and,

**Whereas:** Don was born in Chattanooga on June 11, 1930, and departed this life on October 20, 2021, at the age of 91. He was a loving husband, father, grandfather, and lifelong resident of Chattanooga; and,

**Whereas:** Don was a veteran of the United States Army and served during the Korean War. He owned an electrical supply company for many years and was involved with many organizations throughout his lifetime, including the Masons, Kiwanis, and Elks Lodge; and,


**Whereas:** Don was known for telling funny stories and tall tales, but he was also known as "Mr. Lincoln," for dramatically bringing history to life as President Abraham Lincoln for classrooms and organizations; and,

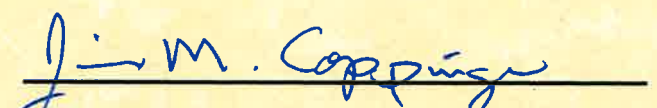
**Whereas:** as a boy, Don grew up roaming the Henshall Family estate in East Brainerd. As a councilperson in 2000, he was instrumental in the city's acquisition of that 21-acre estate, which officially opened in 2003 as "Heritage Park" at East Brainerd and Jenkins roads, thus, solidifying his passion for the beauty of nature in the heart of East Brainerd; and,

**Whereas:** in 2021, the Chattanooga City Council recognized the renaming of the "Heritage House Arts and Civic Center - City of Chattanooga" to the "Don Eaves Heritage House Arts and Civic Center - City of Chattanooga."

NOW, THEREFORE, We, Tim Kelly, Mayor of the City of Chattanooga, Tennessee; Jim Coppinger, Mayor of Hamilton County, Tennessee; Darrin Ledford, District 4 Councilman; the Chattanooga City Council; and the Hamilton County Commission do hereby honor the memory of former councilman Don Eaves and ask all residents to join us in celebrating his profound accomplishments and shining example of service to the community.

IN WITNESS WHEREOF, we have hereunto set our hands and caused the Seals of Chattanooga and Hamilton County to be affixed this the 30<sup>th</sup> day of November, 2021.

  
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Tim Kelly, City Mayor

  
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Jim M. Coppinger, County Mayor