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TUESDAY, JUNE 13, 2023
CITY COUNCIL REVISED AGENDA
6:00 PM

- I. Call to Order by Chair Dotley.
- II. Pledge of Allegiance/Invocation (Councilwoman Coonrod).
- III. Special Presentation.
- IV. Minute Approval.

Order of Business for City Council

V. **Ordinances – Final Reading:**

COMMUNITY DEVELOPMENT

- a. [An ordinance amending Chattanooga City Code, Part II, Chapter 21, Section 21-137, Abatement by City and lien for costs thereof; notice; hearing; appeal, subsection \(c\), relating to service of notice.](#)

FIRE

- b. [An ordinance amending Chattanooga City Code, Part II, Chapter 17, Section 17-3, 2018 International Fire Code 912.3.1 and by adding a new Section 17-43, requiring structures to have a key lock box installed on the exterior of the structure for fire safety purposes.](#)

PLANNING

- c. [2023-0037 Pierce Hardy \(R-1 Residential Zone to M-2 Light Industrial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 2844 Eblen Drive, from R-1 Residential Zone to M-2 Light Industrial Zone, subject to certain conditions. \(District 6\) \(Alternate Version\) \(Sponsored by Councilwoman Berz\)](#)

- d. 2023-0049 Charles Ford (M-1 Manufacturing Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 2701 Benton Avenue, from M-1 Manufacturing Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. (District 8) (Alternate Version)

PUBLIC WORKS

- e. MR-2023-0032 Andrew Hodgson, Esq. Husch Blackwell LLP c/o SEB, LLC and SEB2, LLC (Abandonment). An ordinance closing and abandoning an unopened right-of-way in an alley located in the 3800 block of St. Elmo Avenue, as detailed on the attached maps, subject to certain conditions. (District 7) (Recommended for approval by Planning Commission and Public Works)

VI. Ordinances – First Reading:

FINANCE

- a. An ordinance, hereinafter also known as “the Fiscal Year 2023-2024 Operations Budget”, providing revenue for the fiscal year beginning July 1, 2023, and ending June 30, 2024; 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 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.
- b. An ordinance appropriating, authorizing or allocating funds to the Capital Improvements Budget for the Fiscal Year 2023-2024.

PLANNING

- c. 2022-0262 Thornhill Management Group, LLC (C-2 Convenience Commercial Zone to UGC Urban Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 7707 Lee Highway, from C-2 Convenience Commercial Zone to UGC Urban Residential Zone. (District 6) (Recommended for approval by Planning Commission and Staff) (Deferred from 05-06-2023 & 05-23-2023)

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- e. 2023-0063 Chattanooga-Hamilton County Regional Planning Agency (R-3 Residential Zone (Temporary Zone with conditions to R-3 Residential Zone (Permanent Zone)). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 5619 Clark Road, from R-3 Residential Zone (Temporary Zone with conditions to R-3 Residential Zone (Permanent Zone), subject to certain conditions. (District 6) (Recommended for approval by Planning Commission and Staff)
- f. 2023-0068 Alton L. Rogers and Charla Y. Shamblin c/o MAP Engineers (Lift and Amend Conditions). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to lift and amend conditions from Ordinance No. 12703, Section 4 of previous Case No. 2013-0004 for an unaddressed property in the 5200 block of Hunter Road. (District 6) (Recommended for approval by Planning Commission)

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- g. 2023-0069 Jae Y. and Gennie K. Lee (R-1 Residential Zone to R-4 Special Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone an unaddressed tract of land located in the 6700 block of East Brainerd Road, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. (District 6) (Recommended for approval by Planning Commission and Staff)

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- h. 2023-0062 Sansbury Mellon LTD CO (R-1 Residential Zone to R-3 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 907 Arlington Avenue and 911, 915, and 919 Taylor Street, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions. (District 8) (Recommended for approval by Planning Commission and Staff)

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- i. 2023-0066 Stone Creek Consulting, LLC c/o Allen Jones (R-3 Residential Zone to UGC Urban General Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1130 East 14th Street, from R-3 Residential Zone to UGC Urban General Commercial Zone, subject to certain conditions. (District 8) (Recommended for approval by Planning Commission and Staff)

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- j. 2023-0067 Campbell Lewis (M-2 Light Industrial Zone and R-3 Residential Zone to UGC Urban General Commercial Zone and R-4 Special Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1108 McCallie Avenue and an unaddressed tract of land located in the 1100 block of Duncan Avenue, from M-2 Light Industrial Zone and R-3 Residential Zone to UGC Urban General Commercial Zone and R-4 Special Zone, subject to certain conditions. (District 8) (Recommended for approval by Planning Commission and Staff)

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- k. 2023-0065 Stone Creek Consulting, LLC (R-2 Residential Zone to UGC Urban General Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 2519 Bailey Avenue, from R-2 Residential Zone to UGC Urban General Commercial Zone, subject to certain conditions. (District 9) (Recommended for approval by Planning Commission and Staff)

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VII. **Resolutions:**

COUNCIL OFFICE

- a. A resolution confirming the appointment of Whitney Sickels to the Animal Control Board for District 1, with a term beginning on June 14, 2023, and ending on June 13, 2026. (District 1)

ECONOMIC DEVELOPMENT

- b. A resolution authorizing the Mayor or his designee to enter into a Second Amendment to Lease with Hendricks Commercial Properties, LLC, in substantially the form attached, for office space in Suite 300 of the Edney Building, 1100 Market Street, for an additional term of two (2) years, with the option to renew for one (1) additional term of one (1) year, for the occupancy of approximately 7,790 square feet of space by the Department of Technology Services. (District 8)
- c. A resolution authorizing the Mayor to enter into a contract for sale and purchase with Warren Partners, in substantially the form attached, for property located on E. 38th Street, further identified as Tax Map No. 167D-E-041, in the amount of \$275,000.00, and to execute all documents related to the transaction with closing fees, for an amount not to exceed \$5,000.00, for a total amount not to exceed \$280,000.00. (District 8)
- d. A resolution authorizing the Mayor to execute quitclaim deeds conveying 14 certain or certain combinations of parcels, in substantially the form attached, to the approved highest bidders on properties of the City of Chattanooga and Hamilton County as acquired through previous delinquent tax sales.

FINANCE

- e. A resolution adopting a five-year Capital Improvement Plan for Fiscal Years 2024-2028, subject to future revision; a copy of which is attached hereto and made a part hereof by reference.
- f. A resolution indicating intent of the City of Chattanooga, Tennessee, to issue its bonds or other obligation of indebtedness relating to Public Works projects of the City with the proceeds of bonds or other debt obligations to be issued by the City of Chattanooga, Tennessee. (Revised)

MAYOR'S OFFICE

- g. A resolution confirming Mayor Kelly's appointment of Declan Mangan-Lamb to the Community Advisory Committee – Region 3 (North Chattanooga), and to acknowledge, as confirmed, as a Special Youth Representative, with a term beginning on June 14, 2023, and ending on June 13, 2024. (Moved with permission of Chair Dotley) (Revised)
- h. A resolution approving a Cost Savings Incentive Program Policy to develop increased efficiency of government operations through the stimulation of innovative thinking among City employees leading to areas for improvement, cost savings, and better service to the residents of the City of Chattanooga.

PUBLIC WORKS

- i. A resolution authorizing the approval of Change Order No. 2 for Alta Planning and Design relative to Contract No. T-14-005-101, Protected Bike Lane and Neighborhood Greenway Design, for an increased amount of \$10,000.00, for a revised contract amount not to exceed \$401,660.00. (Districts 1, 2, 7, 8 & 9)
- j. A resolution authorizing the Administrator for the Department of Public Works to enter into an agreement with Stantec Consulting Services, Inc. to perform geotechnical exploration and preliminary engineering services for the Hamill Road Slope Stabilization (T-22-007-101) Project, for an amount not to exceed \$162,147.45. (District 3)
- k. A resolution authorizing the Administrator for the Department of Public Works to execute the Consent to Assignment of all Purchase Orders for Vendor No. 871375, Vaughn & Melton Consulting Group, LLC to Johnson, Mirmiran & Thompson, Inc., relative to the following purchase orders: (1) On-Call Blanket Contract(s) for Professional Surveying Services, Contract No. E-22-002-901, Purchase Agreement No. 100260, Purchase Order No. 546275-2.
- l. A resolution authorizing the Administrator for the Department of Public Works to renew the continuing On-Call Professional Surveying Services Blanket Contract No. E-22-002-901, with the following eight (8) consultant firms: (1) ASA Engineering and Consulting, Inc.; (2) Barge Design Solutions, Inc.; (3) Consor Engineers, LLC; (4) Croy Engineering, LLC; (5) Earthworx, LLC; (6) Ragan Smith Associates, Inc.; (7) The RLS Group, LLC; and (8) Johnson, Mirmiran & Thompson, Inc. (formerly Vaughn & Melton Consulting Engineers, Inc.) based upon their qualifications within the identified service categories, for year two (2) of a four (4) year term, for an annual amount of \$1 million, for use by all departments.
- m. A resolution authorizing the Administrator for the Department of Public Works to renew the On-Call Blanket Contract No. E-19-011-202, for year three (3) of four (4) for the roof inspections, repairs, and maintenance, with the following two (2) vendors: (1) Porter Roofing Contractors, Inc., of Morrison, TN; and (2) Tri-State Roofing Contractors, LLC, of Chattanooga, TN, for the annual amount of \$500,000.00 total, for use by all departments.

PLANNING

- n. Hamilton Realty, LLC (Special Exceptions Permit). A resolution approving a new Special Exceptions Permit for an existing liquor store located at 7022 Shallowford Road. (District 6)

Revised Agenda for Tuesday, June 13, 2023

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VIII. Purchases.

IX. Committee Reports.

X. Other Business. (Items Listed Below):

- **Certificate of Compliance - Om Guru Krupa, LLC d/b/a Ronnie's Wine & Spirits, 7022 Shallowford Road, Chattanooga, TN. (District 6)**
- **Certificate of Good Moral Character - Terry Wayne Thomas (Applicant for the Veterans of Foreign Wars Post #1289, 2193 Park Drive, Chattanooga, TN 37421). (District 6)**

XI. Recognition of Persons Wishing to Address the Council.

XII. Adjournment.

Proposed Agenda for Tuesday, June 20, 2023

SUBJECT TO COUNCIL ACTION

Page 1

TUESDAY, JUNE 20, 2023
CITY COUNCIL PROPOSED AGENDA
6:00 PM

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2. Pledge of Allegiance/Invocation (Councilman Henderson).
3. Special Presentation.
4. Minute Approval.

Proposed Order of Business for City Council

5. **Ordinances - Final Reading:**

FINANCE

- a. An ordinance, hereinafter also known as “the Fiscal Year 2023-2024 Operations Budget”, providing revenue for the fiscal year beginning July 1, 2023, and ending June 30, 2024; 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 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.
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PLANNING

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Proposed Agenda for Tuesday, June 20, 2023

SUBJECT TO COUNCIL ACTION

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6. **Ordinances - First Reading:**

LEGAL

- a. An ordinance to amend Chattanooga City Code, Part II, Chapter 4, which chapter is known as “the Chattanooga Air Pollution Control Ordinance,” by providing for incorporation by reference of certain federal regulations and for certain housekeeping provisions. (Moved by Chair Dotley)

TRANSPORTATION

- b. MR-2023-0039 Chattanooga Neighborhood Enterprise c/o Justin Tirsun (Abandonment). An ordinance closing and abandoning an unopened right-of-way in the 2500 block of Chamberlain Avenue, as detailed on the attached maps, subject to certain conditions. (District 9) (Recommended for approval by Planning Commission and Public Works) (Deferred from 06-06-2023) (Version 2)

7. **Resolutions:**

COUNCIL OFFICE

- a. A resolution confirming the appointment of Sherrie Ford to the Lookout Valley Region Community Advisory Committee for District 1, with a term beginning June 21, 2023, and ending on June 20, 2025. (District 1)
- b. A resolution authorizing the Mayor or his designee to enter into a Beneficiary Memorandum of Agreement for an amount not to exceed \$10,000.00 from the American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Funds to the Lighthouse Collective for the support of the Lighthouse Scholars initiative which provides opportunities for middle school-aged youth to strengthen their math and reading abilities and to learn life skills, including healthy nutrition, emotional regulation, entrepreneurship, and the importance of community service. (District 2)
- c. A resolution authorizing the City of Chattanooga Police Department to accept an award of \$17,200.00 from the American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Funds for the purchase and use of a DJI Matrice 30t, two (2) WB37 batteries, and other additional required equipment for operation. (District 2)
- d. A resolution authorizing the City of Chattanooga Police Department to accept an award of \$8,000.00 from the American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Funds for the purchase of ten (10) Fusus Core public safety devices for distribution to businesses within the City of Chattanooga's District Two. (District 2)
- e. A resolution authorizing the City of Chattanooga Police Department to accept an award of \$20,000.00 from the American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Funds to support the creation of a designated LGBTQ+ Liaison within the Chattanooga Police Department through providing access to training, continued education opportunities, and resources for peer and community engagement. (District 2)

Proposed Agenda for Tuesday, June 20, 2023

SUBJECT TO COUNCIL ACTION

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- f. A resolution authorizing the City of Chattanooga to allocate \$40,000.00 from the American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Funds to First Baptist Cares to serve as the Fiduciary Agent for the Control-Alt-Delete Program, which offers trauma-focused mental health and mindfulness youth initiatives. (Districts 5 & 9)
- g. A resolution authorizing the City of Chattanooga to allocate \$10,000.00 from the American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Funds to the Bessie Smith Cultural Center and Chattanooga African American Museum for the support of their community development initiatives centered around connecting the community to arts and culture opportunities. (Districts 5 & 9)
- h. A resolution authorizing the City of Chattanooga to allocate \$20,000.00 from the American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Funds to the New Monumental Baptist Church for the purposes of making facilities upgrades which will allow the organization to expand their wraparound services to area youth and their families. (District 5)
- i. A resolution authorizing the Administrator for the Department of Early Learning to accept an award of \$100,000.00 from the American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Funds for the establishment of a school resource center at Tyner Academy and other facilities and equipment upgrades at Barger Academy of Fine Arts, Bess T. Shepherd Elementary, and Tyner Academy. (District 6)

ECONOMIC DEVELOPMENT

- j. A resolution stating the intent of the Chattanooga City Council to consider an economic impact plan authorizing a tax increment incentive to support a multi-use development identified as The One Westside-Bend Project, which development will contain eligible projects for purposes of applicable law.
- k. A resolution authorizing the acceptance of \$228,546.45 from Hamilton County as the City's portion from the March 2023 Hamilton County surplus property sale, with \$227,049.51 applied as the City's portion; \$708.97 applied to City attorney fees; and \$787.97 applied to City Treasurer costs.

Proposed Agenda for Tuesday, June 20, 2023

SUBJECT TO COUNCIL ACTION

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LEGAL

1. A resolution authorizing the Office of the City Attorney to engage the following firms for legal and lobbying services: (1) Chambliss, Bahner & Stophel, P.C.; (2) Gearhiser, Peters, Elliott & Cannon, PLLC; (3) Baker Donelson; (4) Luther Anderson, PLLP; (5) Miller & Martin PLLC; (6) Tidwell & Associates, P.C.; (7) Janie Varnell with Davis & Hoss, P.C.; (8) Evans, Harrison & Hackett, PLLC; (9) Bass, Berry & Sims; (10) Butler Snow LLP; (11) Husch Blackwell; (12) Katten Muchin Rosenman LLP; (13) Adam Sowatzka with McGuireWoods; (14) Waller Lansden Dortch & Davis LLP; (15) Brian Kopet of The Title Guaranty and Trust Company of Chattanooga; (16) Bradley Arant Boult Cummings, LLP; (17) Reifers, Holmes & Peters, LLC (formerly Boyle Brasher LLC); (18) BrightShare Consulting; (19) Tune, Entrekin & White, PC; (20) Bridge Public Affairs; (21) Jones Title Insurance Agency, Inc.; and (22) Emanuel Kapelsohn with The Peregrine Corporation, for the period of July 1, 2023, through June 30, 2024.

PUBLIC WORKS

- m. A resolution authorizing the Administrator for the Department of Public Works to award Contract No. P-22-002-201, Chattanooga Police Department RTIC Area Alteration, for the base bid plus Alternate 2 to T.U. Parks Construction Company, of Chattanooga, TN, in the amount of \$109,800.00, with a contingency in the amount of \$30,000.00, for a total amount of \$139,800.00. (District 8)
8. Purchases.
9. Committee Reports.
10. Recognition of Persons Wishing to Address the Council.
11. Adjournment.

Recommended New Purchases

Council approval is recommended to award contracts for the following new purchases:

DEPARTMENT	ITEM DESCRIPTION	BIDS REQUESTED	BIDS RETURNED	LOWEST/BEST BIDDER	ANNUAL COST ESTIMATE	FUND NAME	SUMMARY	DOCUMENTATION LINK
Fleet Management Division, Public Works	Vehicle Oils, Lubricants & Fluids	14	2	Hunter Oil Comppany, Inc 2009 S. Highland Park Avenue Chattanooga, TN 37404	\$150,000.00	Municipal Garage	New blanket contract for Vehicle Oils, Lubricants & Fluids. This will be a four (4) year agreement not to exceed \$150,000 per year. The award will go to Hunter Oil Company, Inc as the best bid for the City of Chattanooga. Romeo Enterprises, LLC was the low bidder but did not bid all lines and was not considered for award.	200491-2

Department Feedback for Renewals - Still Being Refined

Other notes	Responsiveness to contact	Timeliness of delivery	Accuracy of invoicing	Quality of goods/services
N/A	N/A	N/A	N/A	N/A

Respectfully submitted,
Debbie Talley, Deputy Director of Purchasing