

Last saved on 10/31/2023 3:30 PM

TUESDAY, OCTOBER 31, 2023
CITY COUNCIL REVISED AGENDA
4:00 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:**

POLICE

- a. [An ordinance amending Chattanooga City Code, Part II, Chapter 16, Section 16-59 through Section 16-66, by deleting same in their entirety and substituting in lieu thereof the following new sections, as amended, for the Police Advisory Review Committee. \(Version #6\)](#)

VI. **Ordinances – First Reading:**

PLANNING

- a. [An ordinance to amend the Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article XVI, Downtown Form Based Code, Division 1, Introductory Provisions, to add a new Form Based Code Context Area and associated Form Based Code Zones; Section 38-692, Legal Requirements; Section 38-693, Context Areas; Section 38-694, Zones; and amend Division 3, Rules for all zones, Section 38-697, Lot Types; Section 38-698, Measurements and Exceptions; and add new context areas Division 15, Westside and associated zones. \(Deferred from 10-10-2023\)](#)
- b. [2023-0156 Tinker Ma, LLC \(C-2 Convenience Commercial Zone, R-3 Residential Zone, and R-4 Special Zone to W-N \(New Zone\)\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 957 and 1200 Boynton Drive, 959 Gateway Avenue, 1195, 1200, and two unaddressed properties in the 1200 and 1300 blocks of Grove Street, 1201 Poplar Street, 501 West 12th Street, and 500 West Martin Luther King Boulevard, from C-2 Convenience Commercial Zone, R-3 Residential Zone, and R-4 Special Zone to W-N \(New Zone\). \(District 7\) \(Recommended for approval by Planning](#)

Commission) (Deferred from 10-10-2023)

2023-0156 Tinker Ma, LLC (C-2 Convenience Commercial Zone, R-3 Residential Zone, and R-4 Special Zone to W-N (New Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 957 and 1200 Boynton Drive, 959 Gateway Avenue, 1195, 1200, and two unaddressed properties in the 1200 and 1300 blocks of Grove Street, 1201 Poplar Street, 501 West 12th Street, and 500 West Martin Luther King Boulevard, from C-2 Convenience Commercial Zone, R-3 Residential Zone, and R-4 Special Zone to W-N (New Zone), subject to certain modifications. (Staff Version)

- c. 2023-0137 Stephen Brady (Lift Condition). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to lift Condition No. 2 from Ordinance No. 13624 of previous Case No. MR-2020-0132 after the abandonment of parts of several streets and alleys located near 901 South Holtzclaw Avenue. (Districts 8 & 9) (Recommended for approval by Planning Commission and recommended for deferral by Staff) (Deferred from 09-12-2023, 10-10-2023 & 10-24-2023)
- d. 2023-0138 Stephen Brady (Lift Condition). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to lift Condition No. 2 from Ordinance No. 13625 from the original abandonment of previous Case No. MR-2020-0134 from property located in the 1300 block of Vance Avenue. (Districts 8 & 9) (Recommended for approval by Planning Commission and recommended for deferral by Staff) (Deferred from 09-12-2023, 10-10-2023 & 10-24-2023)

PUBLIC WORKS

- e. MR-2023-0153 RP Central, LLC/John A. Felker (Abandonment). An ordinance closing and abandoning an unopened right-of-way in the 2200 block of Rossville Avenue, as detailed on the attached map, subject to certain conditions. (District 8) (Recommended for approval by Planning Commission and Public Works)

VII. **Resolutions:**

COUNCIL OFFICE

- a. A resolution to amend Resolution No. 31544 authorizing the Mayor or his designee to enter into a Beneficiary Agreement with the Bethlehem Center to serve as the fiduciary agent for the Chattanooga Empowerment Cowboys, for an amount not to exceed \$5,000.00. (District 7)
- b. A resolution confirming the appointment of Ponda Bailey-Foster to the Community Advisory Committee for Region 6 - Bushtown-Glenwood, with a term beginning on November 1, 2023, and ending on October 31, 2024. (District 8)

EARLY LEARNING

- c. A resolution to provide Head Start/Early Head Start services to one hundred twenty-eight (128) children through collaborations with local childcare providers using funding provided by the Head Start/Early Head Start Grant for the following local childcare providers: Chambliss Center for Children, Maurice Kirby Day Care Center, Purpose Point Learning Academy, Childcare Network I24 on Grays Road, Newton Child Development Center, and Volunteer Community Preschool (Chambliss) which will serve the Head Start classrooms for eighty (80) 3&4 year olds, for an amount not to exceed \$275,860.36 and will serve the Early Head Start classrooms for forty-eight (48) infant and toddler children, for an amount not to exceed \$419,908.80. (Added with permission of Chair Dotley)

- d. A resolution to provide Early Head Start services to seventy-two (72) children through collaborations between the Early Head Start Program and local childcare providers using funding provided by the Early Head Start - Child Care Partnership Grant for the following childcare providers: Chambliss Center for Children, Maurice Kirby Day Care Center, and Newton Child Development Center which will serve Early Head Start classrooms for seventy-two (72) infant and toddler children, for an amount not to exceed \$795,240.00. (Added with permission of Chair Dotley)

ECONOMIC DEVELOPMENT

- e. A resolution authorizing the Mayor or his designee to enter into an office lease with HSOPSNF, LLC, in substantially the form attached, for the use of 100 square feet of office space in a portion of the Family Justice Center located at 5705 Uptain Road, identified as Tax Map No. 157M-A-012, for a term of two (2) years, November 1, 2023, through October 31, 2025, with an option to renew for one (1) additional term of two (2) years, with monthly rent of one hundred dollars (\$100.00). (District 6)

- f. A resolution authorizing the Mayor or his designee to enter into a Donation Agreement with the Chattanooga Housing Authority, in substantially the form attached, for the donation of property located at 501 W. 12th Street, identified as Tax Map No. 145C-B-001, for the purpose of constructing mixed income new housing units as related to the Westside Evolves Redevelopment Plan, and to execute all documents required for the completion of the transaction. (District 7)

- g. A resolution authorizing the Mayor or his designee to enter into a Donation Agreement with Chattanooga Housing Authority, in substantially the form attached, for the donation of a portion of the property at 1195 Grove Street, identified as Tax Map No. 145F-A-004, for the purpose of constructing a new public right-of-way known as “Grace Street” as outlined in the Westside Redevelopment Plan, and subject to the surplus approval of the property to execute all documents required for the completion of the transaction. (District 7)
- h. A resolution supporting the application to the U.S. Department of Housing and Urban Development (HUD) for a Choice Neighborhoods Implementation (CNI) Grant and authorizing the Mayor to execute a Partnership Certification with the Chattanooga Housing Authority (CHA) to jointly apply for the CNI Grant, in the amount of \$50 million for the Westside Plan, and additionally, commit a total of \$1.5 million of Community Development Block Grant (CDBG) funds during the eight (8) year grant period. (District 7)
- i. A resolution of the City Council of the City of Chattanooga, Tennessee, approving the Economic Impact Plan for The Bend Development Project and establishing additional requirements as conditions to the allocation of incremental property tax revenues from The Bend Development Project to the Public Projects. (District 7) (Revised)
- j. A resolution authorizing the Mayor or his designee to enter into a First Agreement to Exercise Option to Renew with Diagnostic Radiology Consultants, P.A., in substantially the form attached, to lease 173 square feet for an x-ray examination area at the City of Chattanooga Well Advantage Center, with rent in the amount of \$250.00 per month, for an additional term of two (2) years, through December 31, 2025. (District 8)
- k. A resolution authorizing the Mayor to execute Quitclaim Deeds conveying fifteen (15) 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.

INFORMATION TECHNOLOGY

- 1. A resolution to apply for, and if awarded, accept a grant from the U.S. Department of Transportation under the Bipartisan Infrastructure Law, Strengthening Mobility and Revolutionizing Transportation (SMART) Grant Program for the City of Chattanooga project titled, “A Nationally Scalable C-V2X PILOT Deployment: Advancing Interoperability Connectivity for Improving Safety and Operations in the City”, for an amount not to exceed \$2 million.

LEGAL

- m. A resolution amending Resolution No. 31674 by authorizing the Office of the City Attorney to engage with the following additional firms for legal and lobbying services: (23) Messer * Fort; and (24) Reno & Cavanaugh, PLLC, for the period of October 1, 2023, through June 30, 2024.

PARKS & OUTDOORS

- n. A resolution authorizing the City of Chattanooga to accept three (3) donations of LED panels to go along side the new Jumbotron Scoreboard at Frost Stadium, from (1) Coke in the amount of \$65,000.00; (2) UTC in the amount of \$50,000.00; and (3) Frost Cutlery in the amount of \$20,000.00, for a total amount of \$135,000.00. (District 8) (Added with permission of Chair Dotley)
- o. A resolution rescinding Resolution No. 25339 to eliminate the Park Rangers' positions for special police commission authority.
- p. A resolution authorizing the waiver of park rental fees for RiverCity Company in support of Reindeer on the Riverfront for the dates of November 22, 23, and 24, 2023, to be held in Ross's Landing, Renaissance Park, and Chattanooga Green, with a deposit in the amount of \$2,500.00 (responsibility of the applicant), for a total amount of \$3,500.00.

PLANNING

- q. Coradini Properties (Acme Liquors, Inc. d/b/a Valley Wine and Spirits) (Special Exceptions Permit). A resolution approving a new Special Exceptions Permit for an existing liquor store located at 3540 Cummings Hwy., Chattanooga, TN 37419. (District 1)

PUBLIC WORKS

- r. A resolution authorizing the Administrator for the Department of Public Works to award Contract No. F-22-005-201, Fire Hall #10 and #12 Concrete Repairs, to J. Brennon Construction, Inc., of Dalton, GA, in the amount of \$96,332.19, with a contingency in the amount of \$9,750.00, for a total amount of \$106,082.19. (Districts 2 & 8)

- s. A resolution authorizing the Public Works Administrator to accept a Historic Preservation Fund Grant in the amount of \$70,000.00 from the Tennessee Historical Commission and authorizing the \$50,000.00 match from Regional Planning Agency fund balance, for a total project cost of \$120,000.00, to update historical guidelines and create landmark guides for local landmarks and historic districts. (Districts 7 & 8) (Added with permission by Vice-Chair Hill)

WASTEWATER

- t. A resolution authorizing the Administrator for the Wastewater Department to approve Change Order No. 1 with Reeves Young, LLC, of Sugar Hill, GA, for Contract Nos. W-17-023-201 and W-18-008-201, MBWWTP Improvements – Schedules A and B, due to the duration of administration period, flow splitter box design changes, additional slide gate purchase, and utility conflict resolution, for an increase of \$1,132,610.53, for a revised amount of \$9,399,610.53, with a contingency in the amount of \$413,450.00, for a total amount of \$9,813,060.53.
- u. A resolution authorizing the Administrator for the Wastewater Department to enter into an agreement for grant administration services with Southeast Tennessee Development District (SETDD) for technical and professional administrative services for one (1) City project financed through the Clean Water State Revolving Loan Fund (SRF), for a total project cost not to exceed \$31,500.00.

VIII. Purchases.

IX. Committee Reports.

X. Other Business. (Items Listed Below):

- a. Certificate of Compliance, Acme Liquors, Inc. d/b/a Valley Wine and Spirits, 3540 Cummings Hwy., Chattanooga, TN 37419. **(District 1)**
- b. Certificate of Compliance, Mac's Convenience Stores, LLC d/b/a Circle K #4703955, 4600 Highway 58, Chattanooga, TN 37416. **(District 5)**
- c. Certificate of Compliance, Joe's Kwik Marts, LLC d/b/a Joe's Kwik Marts, 7420 Bonny Oaks Drive, Chattanooga, TN 37421. **(District 6)**
- d. Certificate of Compliance, Mac's Convenience Stores, LLC d/b/a Circle K #4703954, 100 West 20th Street, Chattanooga, TN 37408. **(District 7)**

XI. Recognition of Persons Wishing to Address the Council.

Revised Agenda for Tuesday, October 31, 2023

Page 7

XII. Adjournment.

Proposed Agenda for Tuesday, November 7, 2023

SUBJECT TO COUNCIL ACTION

Page 1

TUESDAY, NOVEMBER 7, 2023
CITY COUNCIL PROPOSED AGENDA
3:30 PM

1. Call to Order by Chair Dotley.
2. Pledge of Allegiance/Invocation (Councilman Henderson).
3. Special Presentation.
4. Minute Approval.

Proposed Order of Business for City Council

5. **Ordinances - Final Reading:**

PLANNING

- a. An ordinance to amend the Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article XVI, Downtown Form Based Code, Division 1, Introductory Provisions, to add a new Form Based Code Context Area and associated Form Based Code Zones; Section 38-692, Legal Requirements; Section 38-693, Context Areas; Section 38-694, Zones; and amend Division 3, Rules for all zones, Section 38-697, Lot Types; Section 38-698, Measurements and Exceptions; and add new context areas Division 15, Westside and associated zones. (Deferred from 10-10-2023)
- b. 2023-0156 Tinker Ma, LLC (C-2 Convenience Commercial Zone, R-3 Residential Zone, and R-4 Special Zone to W-N (New Zone)). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 957 and 1200 Boynton Drive, 959 Gateway Avenue, 1195, 1200, and two unaddressed properties in the 1200 and 1300 blocks of Grove Street, 1201 Poplar Street, 501 West 12th Street, and 500 West Martin Luther King Boulevard, from C-2 Convenience Commercial Zone, R-3 Residential Zone, and R-4 Special Zone to W-N (New Zone). (District 7) (Recommended for approval by Planning Commission) (Deferred from 10-10-2023)

2023-0156 Tinker Ma, LLC (C-2 Convenience Commercial Zone, R-3 Residential Zone, and R-4 Special Zone to W-N (New Zone)). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 957 and 1200 Boynton Drive, 959 Gateway Avenue, 1195, 1200, and two unaddressed properties in the 1200 and 1300 blocks of Grove Street, 1201 Poplar Street, 501 West 12th Street, and 500 West Martin Luther King Boulevard, from C-2 Convenience Commercial Zone, R-3 Residential Zone, and R-4 Special Zone to W-N (New Zone), subject to certain modifications. (Staff Version)

Proposed Agenda for Tuesday, November 7, 2023

SUBJECT TO COUNCIL ACTION

Page 2

- c. [2023-0137 Stephen Brady \(Lift Condition\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to lift Condition No. 2 from Ordinance No. 13624 of previous Case No. MR-2020-0132 after the abandonment of parts of several streets and alleys located near 901 South Holtzclaw Avenue. \(Districts 8 & 9\) \(Recommended for approval by Planning Commission and recommended for deferral by Staff\) \(Deferred from 09-12-2023, 10-10-2023 & 10-24-2023\)](#)
- d. [2023-0138 Stephen Brady \(Lift Condition\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to lift Condition No. 2 from Ordinance No. 13625 from the original abandonment of previous Case No. MR-2020-0134 from property located in the 1300 block of Vance Avenue. \(Districts 8 & 9\) \(Recommended for approval by Planning Commission and recommended for deferral by Staff\) \(Deferred from 09-12-2023, 10-10-2023 & 10-24-2023\)](#)

PUBLIC WORKS

- e. [MR-2023-0153 RP Central, LLC/John A. Felker \(Abandonment\). An ordinance closing and abandoning an unopened right-of-way in the 2200 block of Rossville Avenue, as detailed on the attached map, subject to certain conditions. \(District 8\) \(Recommended for approval by Planning Commission and Public Works\)](#)

6. Ordinances - First Reading:

PUBLIC WORKS

- a. [MR-2023-0115 Tyler Callihan-Rhonda Cunningham \(Abandonment\). An ordinance closing and abandoning an unopened right-of-way in the 600 block of Nye Circle, as detailed on the attached map, subject to certain conditions. \(District 1\) \(Recommended for approval by Planning Commission and Public Works\)](#)

7. Resolutions:

ECONOMIC DEVELOPMENT

- a. [A resolution authorizing the Administrator for Economic Development to enter into an agreement with the Chattanooga Area Regional Council of Governments \(Southeast Tennessee Development District\) for management of the Environmental Protection Agency \(EPA\) Office of Environmental Justice and External Civil Rights \(OEJECR\) Environmental Justice Government-to-Government Program Grant, and to apply for, and if awarded on behalf of the City of Chattanooga, to accept this grant in the amount of \\$500,000.00.](#)

Proposed Agenda for Tuesday, November 7, 2023

SUBJECT TO COUNCIL ACTION

Page 3

- b. [A resolution authorizing the Office of Homelessness and supportive housing to apply for, and if awarded, accept a grant from the National Center for State Courts \(NCSC\), in the amount of \\$64,900.00, and to enter into an agreement with NCSC for a grant funded position of Eviction Diversion Program Facilitator.](#)

FINANCE

- c. [An Eighth Supplemental Resolution to Resolution No. 22629 providing for the issuance of City of Chattanooga, Tennessee, Electric System Revenue Bonds Series 2023, authorizing up to \\$125 million Series 2023 bonds.](#)

LEGAL

- d. [A resolution authorizing and directing the Clerk of Council to advertise the public hearing on November 28, 2023, the deannexation of Lot 34A adjacent to the current city limits which is located at 7900 Holly Hills Drive, within the City of Chattanooga, in Hamilton County, Tennessee. \(District 4\)](#)

MAYOR'S OFFICE

- e. [A resolution confirming Mayor Kelly's appointment of Brooke Barclift to the Beer & Wrecker Board \(District 3\), for a term beginning on November 8, 2023, and ending on November 7, 2026. \(District 3\)](#)
- f. [A resolution confirming Mayor Kelly's appointment of Armand Wine to the Community Advisory Committee: Region 7 \(Dodson\), for a term beginning on November 8, 2023, and ending on November 7, 2024.](#)
- g. [A resolution confirming Mayor Kelly's appointment of Armelia Williams to the Community Advisory Committee: Region 9 \(Standifer Gap\), for a term beginning on November 8, 2023, and ending on November 7, 2024.](#)
- h. [A resolution confirming Mayor Kelly's appointment of Annalee Heo to the Community Advisory Committee: Region 9 \(Standifer Gap\), for a term beginning on November 8, 2023, and ending on November 7, 2024.](#)
- i. [A resolution confirming Mayor Kelly's reappointment of Doug Dailey to the Board of Gas Examiners, for a term beginning on November 8, 2023, and ending on November 7, 2025.](#)
- j. [A resolution confirming Mayor Kelly's reappointment of Mark Stolpmann to the Board of Gas Examiners, for a term beginning on November 8, 2023, and ending on November 7, 2025.](#)

POLICE

- k. 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, equipment, training, and travel, for a grant period beginning on October 1, 2023, through September 30, 2024, in the amount of \$250,000.00. (Added with permission of Chair Dotley)
- l. A resolution authorizing the Chief of Police to apply for, and if awarded, accept a grant from the State of Tennessee Opioid Abatement Council (OAC) to implement opioid abatement remediation strategies to include harm reduction and funding to be used for salaries for two (2) co-responders' positions in the Neighborhood Policing Division and annual and quarterly training refreshers on Crisis Intervention for law enforcement, first responders, and related community organizations, for a grant period of three (3) years beginning on March 1, 2024, and ending on February 28, 2027, for an amount not to exceed \$594,515.00. (Added with permission of Chair Dotley)
8. Purchases.
9. Committee Reports.
10. Recognition of Persons Wishing to Address the Council.
11. Adjournment.

October 31, 2023, Council Session

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	Department Feedback for Renewals - Still Being Refined				
									Other notes	Responsiveness to contact	Timeliness of delivery	Accuracy of invoicing	Quality of goods/services
Street Maintenance Division, Public Works	Grinding of Wood, Brush, Leaf Materials & Removal Services	-	-	Big Woody's Tree Service 4018 Alabama Road Apison, TN 37302	Increase of \$140,000 for a new estimated annual spend total of \$500,000	Solid Waste Operations	This is an increase of \$140,000 needed due to the additional amount of grinding being performed at the Wood Recycling Center during Year 1 of contract, for a new estimated annual spend of \$500,000. This new amount will be through February 3, 2024.	PA100409	N/A	N/A	N/A	N/A	N/A
Fleet Management Division, Public Works	Long Term Vehicle Leasing	-	-	Enterprise FM Trust 9315 Olive Blvd St. Louis, MO 63132	Increase of \$500,000 for a new estimated annual spend total of \$800,000	General Fund	Request for an increase of \$500,000. This increase will cover current leases and allow for extra funds in the event that there are additional request before the end of February 2024. The new estimated annual spend for Year 1 will be \$800,000.	PA100111	N/A	N/A	N/A	N/A	N/A
Fleet Management Division, Public Works	Vehicle Preventative Maintenance - PMB Services	-	-	East Ridge Fast Lube 3208 Ringgold Road Chattanooga, TN 37412	Increase of \$50,000 for a new estimated annual spend total of \$250,000	Municipal Garage	Year three (3) renewal of four (4). A 25.0% price increase was submitted at the time of Year 3 due to general inflation, cost of goods by the manufacturer, also mechanic labor increases. New estimated annual spend is \$250,000.	PA100058	N/A	N/A	N/A	N/A	N/A
Fleet Management Division, Public Works	Tires for Small & Light Duty Vehicles	-	-	Highland Tire and Auto Inc 3886 Hixson Pike Chattanooga, TN 37415	Increase of \$4,500 for a total contract amount for Year 2 of \$154,500	Municipal Garage	Year two (2) renewal of four (4). A 3.0% price increase was submitted at the time of Year 2 due to Goodyear price book changes and the vendor absorbs the cost until the 1st year term is over. New estimated annual spend is \$154,500.	PA100343		4/4	4/4	4/4	4/4
Fleet Management Division, Public Works	Ford Sedans, SUVs, Vans & Light Trucks	11	1	Ford of Dalton O. Box 519 925 Shugart Road Dalton, GA 30720	\$2,500,000.00	Fleet Leasing Capital	New blanket contract for Ford Sedans, SUVs, Vans & Light Trucks. This will be a four (4) year agreement not to exceed \$2,500,000 per year. Original bid opening produced one (1) bid and was readvertised. No other bids were received. The award will go to Ford of Dalton as the best bid for the City of Chattanooga	200570-2	N/A	N/A	N/A	N/A	N/A
Fleet Management Division, Public Works	Maintenance & Repair for Light Duty Ford Vehicles	4	3	Marshal Mize Ford Inc 5348 Hwy 153 Chattanooga, TN 37343	\$250,000.00	Municipal Garage	New blanket contract for Maintenance & Repair for Light Duty Ford Vehicles. This will be a four (4) year agreement not to exceed \$250,000 per year. Original bid opening produced one (1) bid. Bid was readvertised and we received two (2) more bids. The award will go to Marshal Mize Ford Inc as the best bid for the City of Chattanooga.	200568-3	N/A	N/A	N/A	N/A	N/A

Respectfully submitted,
 Steve Ballew, Chief Procurement Officer
 Debbie Talley, Deputy Procurement Officer