



Electronic-Conducted (Virtual) Minutes  
Chattanooga, Tennessee

**COUNCIL MEETING MINUTES**

December 8, 2020  
6:00 PM

**CALL TO ORDER**

Council Chairman Chip Henderson called the meeting to order by electronic means. A quorum was present via electronic means that included Vice-Chairman Ken Smith and Councilpersons Carol Berz, Anthony Byrd, Demetrus Coonrod, Russell Gilbert, Darrin Ledford, Jerry Mitchell, and Erskine Oglesby, Jr. Other panelists present via electronic means: Phil Noblett, City Attorney, and Nicole Gwyn, Council Clerk. Video of the meeting is available on YouTube [here](#).

**PLEDGE OF ALLEGIANCE**

Vice-Chairman Smith led the Assembly in the Pledge of Allegiance.

**APPROVAL OF LAST MINUTES**

**On motion of Councilman Gilbert** and seconded by Councilwoman Berz, the minutes of the last meeting (December 1, 2020) were approved as published. The motion carried unanimously (9-0) upon roll call vote.

**ORDINANCES – FINAL READING: (NONE)**

**ORDINANCES – FIRST READING:**

**Alternate Version 2A**

On motion of Councilwoman Berz and seconded by Councilman Ledford,

**ORDINANCE #13628**

**AN ORDINANCE TO AMEND THE OPERATIONS BUDGET  
ORDINANCE NO. 13558, KNOWN AS “THE FISCAL YEAR 2020-  
2021 OPERATIONS BUDGET ORDINANCE”, SO AS TO  
APPROPRIATE \$1.7 MILLION FOR ADDITIONAL EMPLOYEE  
COMPENSATION.**

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

**ACTION: PASSED ON FIRST READING**

Alternate Version 2B

**Agenda Item VI(a):**

**AN ORDINANCE TO AMEND THE OPERATIONS BUDGET ORDINANCE NO. 13558, KNOWN AS “THE FISCAL YEAR 2020-2021 OPERATIONS BUDGET ORDINANCE”, SO AS TO APPROPRIATE CERTAIN ADDITIONAL FUNDING IN THE AMOUNT OF \$800,000.00 FOR THE FORGOTTEN CHILD FUND, THE TIVOLI & MEMORIAL AUDITORIUM FOUNDATION, BESSIE SMITH CULTURAL CENTER, UNITED WAY OF GREATER CHATTANOOGA, AND THE SOUTHEAST TENNESSEE DEVELOPMENT DISTRICT (SETDD).**

**Vice-Chairman Smith moved** to defer to January 5, 2021. Councilman Ledford seconded. The motion carried (5-4) upon roll call vote as follows:

<b>Berz</b>	<b>YES</b>	<b>Mitchell</b>	<b>YES</b>
<b>Byrd</b>	<b>NO</b>	<b>Oglesby</b>	<b>NO</b>
<b>Coonrod</b>	<b>NO</b>	<b>Smith</b>	<b>NO</b>
<b>Gilbert</b>	<b>YES</b>	<b>Henderson</b>	<b>YES</b>
<b>Ledford</b>	<b>YES</b>		

YES - Five (5); NO - Four (4)

**ACTION: DEFERRED TO JANUARY 5, 2021**

**PROCEDURAL NOTE:** Chairman Henderson yielded the Chair of the meeting to Vice-Chairman Smith at this time.

2020-0127  
Craig Design Group  
Alternate Version  
District No. 1

**Agenda Item VI(b):**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE TWO (2) PROPERTIES LOCATED IN THE 100 BLOCK OF BUSH STREET, FROM R-1 RESIDENTIAL ZONE TO E-RA-2 URBAN EDGE RESIDENTIAL ATTACHED 2 STORIES, SUBJECT TO CERTAIN CONDITIONS.**

**Chairman Henderson moved** to defer to January 5, 2021. Councilman Ledford seconded. The motion carried unanimously (9-0) upon roll call vote.

**ACTION: DEFERRED TO JANUARY 5, 2021**

**PROCEDURAL NOTE:** Vice-Chairman Smith yielded the Chair of the meeting back to Chairman Henderson at this time.

2020-0155  
Riverton, LLC  
Planning Version  
District No. 2

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

**ORDINANCE #13629**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PART OF A PROPERTY LOCATED AT 1100 LUPTON DRIVE, FROM R-1 RESIDENTIAL ZONE, UGC URBAN GENERAL COMMERCIAL ZONE, AND R-4 SPECIAL ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE AND R-1 SINGLE FAMILY RESIDENTIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

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

**ACTION: PASSED ON FIRST READING**

2020-0139  
Pursuit Investments c/o William Dickson  
Applicant Version  
District No. 4

**Agenda Item VI(d):**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 7504 OLD LEE HIGHWAY, FROM R-4 SPECIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE.**

**Councilman Ledford moved** to withdraw. Councilman Oglesby seconded. The motion carried unanimously (9-0) upon roll call vote.

**ACTION: WITHDRAWN**

2020-0154  
Exit 9 Mountain Development, LLC  
Planning Version  
District No. 4

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

**ORDINANCE #13630**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PARTS OF PROPERTIES LOCATED AT 7924, 8000, 8004, AND 8016 OLD LEE HIGHWAY, FROM R-2 RESIDENTIAL ZONE, R-3 RESIDENTIAL ZONE, AND R-5 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE.**

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

**ACTION: PASSED ON FIRST READING**

2020-0162  
Kyler & Danielle Hawley  
Planning Version  
District No. 4

On motion of Councilman Ledford and seconded by Councilman Byrd,

**ORDINANCE #13631**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 7722 STANDIFER GAP ROAD, FROM RZ-1 ZERO LOT LINE RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.**

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

**ACTION: PASSED ON FIRST READING**

2020-0163  
Wayne Rock  
Alternate Version  
District No. 5

On motion of Councilman Gilbert and seconded by Councilman Ledford,

**ORDINANCE #13632**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 4261 SHALLOWFORD ROAD, FROM C-2 CONVENIENCE COMMERCIAL ZONE TO M-2 LIGHT INDUSTRIAL ZONE.**

Attorney Noblett read the conditions for the Alternate Version of this rezoning.

*... shall be subject to the following uses shall be prohibited on site: communication towers; microwave towers; rug cleaning operations; and active textile dyeing.*

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

**ACTION: ALTERNATE VERSION PASSED ON FIRST READING**

2020-0136  
Andrew Masley  
Applicant Version  
District No. 7

**Agenda Item VI(h):**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 3104 EAST 38<sup>TH</sup> STREET, FROM R-1 RESIDENTIAL ZONE TO R-2 RESIDENTIAL ZONE.**

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

**ACTION: DENIED**

2020-0153  
CFB Properties, LLC  
Planning Version  
District No. 9

On motion of Councilwoman Coonrod and seconded by Councilman Ledford,

**ORDINANCE #13633**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 2608 EAST MAIN STREET, FROM R-2 RESIDENTIAL ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

Attorney Noblett read the conditions for this rezoning:

- 1) *Auto-oriented uses, warehousing and wholesaling, adult-oriented businesses, selfservice storage facilities, animal hospitals, kennels and drive thru prohibited/ Drive thru's does not include curbside pick-up/carry out dining services;*
- 2) *No outdoor amplification of sound;*
- 3) *Dumpster service prohibited between 10:00 p.m. and 6:00 a.m.; and*
- 4) *Building height limited to two and a half (2½) stories or thirty-five (35') feet.*

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

**ACTION: PASSED ON FIRST READING**

2020-0165  
Phillip R. Allgood  
Planning Version  
District No. 9

On motion of Councilwoman Coonrod and seconded by Councilman Ledford,

**ORDINANCE #13634**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 2407 FAIRLEIGH STREET, FROM M-1 MANUFACTURING ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE.**

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 three ordinances for one Council vote.

MR-2020-0148  
Robyn Carlton on behalf of  
Lookout Mountain Conservancy  
District No. 7

**ORDINANCE #13635**

**AN ORDINANCE CLOSING AND ABANDONING SEVERAL UNOPENED, UNIMPROVED RIGHTS-OF-WAY WITHIN THE SOUTHERN PORTION OF THE ST. ELMO NEIGHBORHOOD, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.**

MR-2020-0167  
Jody Shea on behalf of Shea Properties II, LLC  
District No. 8

**ORDINANCE #13636**

**AN ORDINANCE CLOSING AND ABANDONING THE REMAINING SEGMENT OF AN UNOPENED ALLEY IN THE 2700 BLOCK OF ROSSVILLE BOULEVARD, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.**

MR-2020-0158  
Bryant Black on behalf of Collier Construction  
District No. 9

**ORDINANCE #13637**

**AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE WESTERN RIGHT-OF-WAY ALONG THE 1700 BLOCK OF SOUTH WATKINS, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.**

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

**ACTION: ORDINANCES 13635 - 13637  
PASSED ON FIRST READING**

**RESOLUTIONS:**

2020-11  
Lorrin Kim  
District No. 7

**Agenda Item VII(a):**

**A RESOLUTION CONSIDERING SHORT TERM VACATION RENTAL APPLICATION NO. 20-STVR-00136 FOR PROPERTY LOCATED AT 1710 UNDERWOOD STREET.**

A hearing ensued on this item. Caleb Fisher, Code Enforcement Inspector, gave a presentation on this STVR application that included information on the following:

- Surrounding STVR Applications
- Site Photos
- Application History

Attorney Noblett read the rules of the hearing. Chairman Henderson then allotted five minutes total for the Applicant and five minutes total for the Opposition.

Applicants:

- **Lorin Kim** - She and her husband, Dr. Jordan Kim, live in Highland Park, a couple minutes down the road from Underwood. They are very invested in Chattanooga and the Southside. Her husband did his residency at Erlanger and is now a family doctor serving the Southside community. His office is a few minutes' walk up the road from Underwood. Their intention is to manage the property with integrity and in a way that keeps the local spirit alive. She would serve as the property manager, working from home during the day, so she can be close by and hands-on with renters and neighbors. Their management plan includes thoroughly vetting potential renters, limiting occupancy, disallowing parties or events, maintaining posted quiet hours, taking a security deposit for any violation of house rules, and meeting all of the minimum standards of City requirements for STVRs.
- **Greg Howell** - He is married to Dr. Kim's sister. Their family pooled together funds to buy this property. They plan to use it for family get-togethers and rent it when not in use by the family. They will take care of it and keep the integrity of the neighborhood intact. They feel that there are no grounds under the City ordinance for denying their application. There are no health, safety, or nuisance concerns by the objectors. There is no argument or concern by the objectors that they do not comply with the law. They do not want to run a hotel in a residential neighborhood. Their property is zoned for commercial mixed-use and is near four hotels, a hostel, an auto shop, a chicken processing plant--which employs 400 people--and other businesses. Their property was previously an abandoned building with a chain link razor wire surrounding it. One of the objectors lives two blocks away from the plan. There are no STVR's in their building, so the percentage of STVR's and non-STVR's is not an issue. They feel as if they are in the middle of a dispute between Mr. Hayes, who wrote the letter on behalf of the objectors, and the City regarding STVR legislation and percentages. They ask the Council to follow its own ordinance and grant their application.

On Behalf of the Opposition:

- **Ken Hays** - He noted that this is his third time appearing before the Council, and thinks the Applicants stated the views of the neighborhood fairly well. The objectors are not opposed to STVRs, but there are several STVRs in the neighborhood that they are opposed to and have concerns about, particularly in multi-family buildings such as this. Behind this property is single-family homes. They believe there should be some density requirement. It is a 9-unit building, with four out of the nine units being proposed as STVRs. They would like to see some restrictions or legislation about density. With four STVR units proposed, they ask the Council to deny the application.

Councilman Oglesby questioned Mr. Fisher about the number of objection letters. Mr. Fisher informed the Council of the one letter with multiple objectors representing their concerns.

**Councilman Oglesby moved** to deny. Councilman Gilbert seconded. The motion carried unanimously (9-0) upon roll call vote.

**ACTION: DENIED**

**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 #30570**

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A LEASE AGREEMENT, IN SUBSTANTIALLY THE FORM ATTACHED, WITH MISSIONARY RIDGE NEIGHBORHOOD ASSOCIATION, INC. FOR A TERM OF ONE (1) YEAR WITH THE OPTION TO RENEW FOR THREE (3) ADDITIONAL TERMS OF ONE (1) YEAR EACH FOR THE USE OF 36 SHERIDAN AVENUE, IDENTIFIED AS TAX PARCEL NO. 156E-B-001.01, FOR THE AMOUNT OF ONE DOLLAR (\$1.00) PER YEAR.

**RESOLUTION #30571**

A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF DAN WRIGHT TO THE WASTEWATER REGULATIONS AND APPEALS BOARD.

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

**ACTION: RESOLUTIONS 30570 & 30571 ADOPTED**

2020-0164  
Andrew Stone, MBSC  
Black Creek  
District No. 1

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

**RESOLUTION #30572**

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 1076 RIVER GORGE DRIVE.

Chairman Henderson had no objection to the motion for this District 1 item. 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 next two resolutions for one Council vote.

2020-0157  
Riverton, LLC  
District No. 2

**RESOLUTION #30573**

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 1100 LUPTON DRIVE, SUBJECT TO CERTAIN CONDITIONS.

2020-0156  
Riverton, LLC



**District No. 2**

**RESOLUTION #30574**

**A RESOLUTION AUTHORIZING AN ABANDONMENT OF A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 1100 LUPTON DRIVE.**

**ACTION: RESOLUTIONS 30573 & 30574 ADOPTED**

On motion of Councilwoman Berz and seconded by Councilman Mitchell,

**RESOLUTION #30575**

**A RESOLUTION AUTHORIZING THE CHATTANOOGA POLICE DEPARTMENT TO ACCEPT THE FY2020 LOCAL LAW ENFORCEMENT BJA GRANT FOR CRIME GUN INTELLIGENCE CENTERS GRANT FOR THIRTY-SIX (36) MONTHS STARTING OCTOBER 1, 2020, THROUGH SEPTEMBER 30, 2023, IN THE AMOUNT OF \$700,000.00.**

**ACTION: ADOPTED**

**DEPARTMENTAL REPORTS:**

**Proposed Purchases**

Anthony Sammons, Deputy Chief Operating Officer, briefed the Council on the following proposed purchases:

**R203066/203811 Waste Resources Division, Public Works** \$53,606.00

Varec Biogas Regulator and Repair Kits

Lowest/Best Bidder: Appalacian Environmental Equipment, Inc.  
7228 Dave Rd.  
Knoxville, TN 37938

**R198413 Waste Resources Division, Public Works** \$80,000

Janitorial & Custodial Services

Lowest/Best Bidder: Jani-King of Chattanooga  
7610 Hamilton Park Drive Ste.3&4  
Chattanooga, TN 37421

**R205132ECD** \$143,465.00

Winter Non-Congregate Shelter - Rooms  
JDH Developers - Chattanooga Hotel LLC

Lowest/Best Bidder: The Chatt Inn  
2000 East 23rd Street  
Chattanooga, TN 37404

**R196560 Citywide** \$600,000.00

Office/Classroom Supplies, Ink/Toner

Lowest/Best Bidder: Staples Contract & Commercial LLC  
 500 Staples Drive  
 Framingham, MA 01702

**R205081 Fleet Division, Public Works**

\$18,048.92

Various Sized Tires For City Vehicle

Lowest/Best Bidder: Best One Tire of Chattanooga  
 2348 Rossville Blvd  
 Chattanooga, TN 37408

**Councilwoman Coonrod moved** to approve, seconded by Councilman Byrd. The motion carried (8-0) upon roll call vote as follows:

<b>Berz</b>	<b>YES</b>	<b>Mitchell</b>	<b>YES</b>
<b>Byrd</b>	<b>YES</b>	<b>Oglesby</b>	<b>YES</b>
<b>Coonrod</b>	<b>YES</b>	<b>Smith</b>	<b>YES</b>
<b>Gilbert</b>	<b>NO</b>	<b>Henderson</b>	<b>YES</b>
<b>Ledford</b>	<b>YES</b>		

YES - Eight (8); NO - One (1)
-------------------------------

<b>ACTION: ALL PURCHASES APPROVED</b>
---------------------------------------

Emergency Purchase

Mr. Sammons also reported the following emergency purchase under the Mayor's emergency declaration.

Date	Dept	Description	Supplier	Explanation	Event Type
12/1/20	Mayor's Office	Cleaning Services	Jan-Pro of East Tennessee	PO# 559738 \$40,000.00 Emergency Cleaning Services for the Salvation Army COVID isolation center.	COVID

**COMMITTEE REPORTS:**

*Budget and Finance Committee*

Councilwoman Berz

- Chairman Henderson asked Councilwoman Berz to schedule a Budget and Finance Committee meeting on January 5, 2021, to discuss the budget amendment 2B that was deferred tonight. Councilwoman Berz agreed.

*Economic and Community Development Committee*

Councilman Oglesby

- The committee met today in open meeting to hear from ALCO Properties about a potential PILOT to do renovations at Battery Heights in District 9.
- There is good news about additional funding from the Tennessee Housing Development Association to help support COVID efforts.

*Human Resources Committee*

Councilman Gilbert

(No report)

*Planning and Zoning Committee*

Councilman Ledford

(No report)

*Public Safety Committee*

Councilman Byrd

(No report)

*Public Works and Transportation Committee*

Councilman Mitchell reported:

- The committee met today in open meeting and will meet next time on January 12, 2021.

*Youth and Family Development Committee*

Councilwoman Coonrod reported:

- YFD assistance is still available. For rent assistance, email [csbg@chattanooga.gov](mailto:csbg@chattanooga.gov). Also, for rent and mortgage assistance, call (423) 643-6434.
- She thanked the Council for approving the non-congregate shelter for homeless people.

*Legislative Committee*

Vice-Chairman Smith

(No report)

## RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL

(Listen by clicking [here](#))

Attorney Noblett 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:
• <a href="#">Casey Crook</a>	3	Budget amendments/use of surplus
• <a href="#">Christopher Dahl</a>	8	Boards and commissions applications/police policy on lights and sirens <ul style="list-style-type: none"><li>○ Chairman Henderson asked Meara Knowles, Constituent Services Director, to contact Mr. Dahl about the board application process.</li></ul>

One individual, John Craig Howell, was not allowed to speak on the previous STVR case.

## ADJOURNMENT

**On motion of Councilman Ledford**, Chairman Henderson adjourned the meeting of the Chattanooga City Council until Tuesday, December 15, 2020, at 6:00 p.m.

[Editor's Note: Any person may join the electronic-conducted meetings of the Chattanooga City Council at the scheduled time by visiting online at [council.chattanooga.gov](http://council.chattanooga.gov).]

---

**CHAIRMAN**

---

**CLERK OF COUNCIL**