



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

## **COUNCIL MEETING MINUTES**

October 17, 2023

6:00 PM

### **CALL TO ORDER**

Council Vice Chair Jenny Hill called the meeting to order. A quorum of seven was present that also included Councilpersons Carol Berz, Chip Henderson, Isiah Hester, Darrin Ledford, Marvene Noel, and Ken Smith. Council Chair Raquetta Dotley and Councilwoman Demetrus Coonrod were not present. Other participants present were Phil Noblett, City Attorney, and Nicole Gwyn, Council Clerk. Video of this meeting is available on YouTube [see [here](#)].

### **PLEDGE OF ALLEGIANCE**

Councilwoman Berz led the Assembly in the Pledge of Allegiance.

### **SPECIAL PRESENTATION**

#### ***Proclamation - National Domestic Violence Awareness Month By Councilwoman Carol Berz***

Councilwoman Berz presented the following proclamation to Regina McDevitt, Executive Director of the Family Justice Center:

**Whereas,** Domestic violence impacts individuals in every community, regardless of age, economic status, sexual orientation, gender, race, religion, or nationality; in which, children are also affected. 1 in 3 women and 1 in 4 men have experienced physical violence by an intimate partner.

**Whereas,** More than half crimes against persons in Tennessee are domestic violence-related. Research shows that domestic violence is a root cause of other crimes, such as mass shootings and gun violence. Within the city of Chattanooga, we have experienced almost two thousand domestic violence incidents so far this year of 2023.

**Whereas,** While domestic violence is not always manifested as physical abuse, it is also any pattern of behaviors that attempts to control and intimidate a partner or family member through fear, manipulation, isolation, financial abuse, physical abuse, sexual abuse, stalking, mental abuse, and/or verbal abuse. While physical injury with visible marks may often be the most obvious signs of harm,

the true physical and mental trauma is much deeper and can have life-long consequences emotionally, mentally, socially, spiritually, and physically and may also include financial insecurity.

**Whereas,** As leaders in this community, we realize that family is the foundation of a safe and healthy community and ending domestic violence requires a combined effort involving every part of our society, including law enforcement and our justice system to work together to hold offenders accountable and to protect and empower survivors and their children to create pathways to hope and safety.

**Whereas,** Together with the Chattanooga Hamilton County Family Justice Center and their co-located partner organizations, there is help to hold offenders accountable and reduce recidivism while helping to ensure victim safety, justice and healing.

**Whereas,** We honor the tremendous dedication of law enforcement, advocates and service providers, honor the courage and resilience of survivors as we recommit ourselves to standing with them for safety, dignity and justice. We dedicate ourselves to create a community where domestic violence is not tolerated, where survivors are supported and where all people have an opportunity to thrive without fear of violence or abuse.

**Now, therefore, By the virtue of the authority vested in us, the Chattanooga City Council, we do hereby proclaim October 2023 as**

## **Domestic Violence Awareness Month**

and call on all citizens to know the power of ‘we’—as One Chattanooga—to observe and speak out against domestic violence and support efforts of law enforcement, the justice system, advocates, service providers, health care providers and the leadership of survivors to end domestic violence.

**IN WITNESS WHEREOF, I have hereunto set our hands and caused the Seal of Chattanooga to be affixed this the 17<sup>th</sup> day of October, 2022.**

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Dr. Carol Berz, Councilwoman  
Chattanooga City Council, District 6

Ms. McDevitt accepted the proclamation and spoke further on the work of the Family Justice Center and its partners [listen [here](#)]. She also expressed thanks to the FJC staff who were present.

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**APPROVAL OF LAST MINUTES**

On motion of Councilman Smith and seconded by Councilman Hester, the minutes of the last meeting (October 10, 2023) were approved as published.

**ORDINANCES – FINAL READING:**

2023-0085  
Stone Creek Consulting, LLC c/o Allen Jones  
Planning Version #2  
District No. 7

On motion of Councilman Ledford and seconded by Councilman Smith,

**ORDINANCE #14040**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE AN UNADDRESSED PROPERTY LOCATED IN THE 2800 BLOCK OF DODDS AVENUE, FROM M-1 MANUFACTURING ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

The motion carried.

**ACTION: APPROVED**

2023-0151  
Petra Moraczewski  
Planning Commission Version  
District No. 9

**ORDINANCE #14042**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE 809 DODDS AVENUE, FROM R-2 RESIDENTIAL ZONE AND C-2 CONVENIENCE COMMERCIAL ZONE TO UGC URBAN GENERAL COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

Councilman Ledford moved to defer this item to October 24, 2023. Councilman Smith seconded. The motion carried.

**ACTION: DEFERRED TO OCTOBER 24, 2023**

MR-2023-0136  
Stephen Brady/Sean Compton, SSP Lucey LLC  
District No. 9

On motion of Councilman Ledford and seconded by Councilman Smith,

**ORDINANCE #14043**

**AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED RIGHT-OF-WAY WEST OF AND PARALLEL TO THE 700-900 BLOCK OF SOUTH GREENWOOD AVENUE, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.**

The motion carried.

**ACTION: APPROVED**

**ORDINANCES – FIRST READING:**

2023-0146  
William Dickson  
Planning Commission Version  
District No. 3

On motion of Councilman Smith and seconded by Councilman Ledford,

**ORDINANCE #14044**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE 5468 OLD HIXSON PIKE, FROM O-1 OFFICE ZONE AND C-2 CONVENIENCE COMMERCIAL ZONE WITH CONDITIONS TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

The motion carried.

**ACTION: PASSED ON FIRST READING**

2023-0132  
Allied Metal Company/Nelson M LLC  
Planning Commission Version  
District No. 5

On motion of Councilman Hester and seconded by Councilman Ledford,

**ORDINANCE #14045**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PARTS OF PROPERTIES LOCATED AT 3320 AND 3440 LIGHTFOOT MILL ROAD, FROM R-2 RESIDENTIAL ZONE TO M-1 MANUFACTURING ZONE.**

The motion carried.

**ACTION: PASSED ON FIRST READING**

2023-0141  
Shane Durkee  
Planning Version #2  
District No. 6

**ORDINANCE #14046**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE 1812 HICKORY VALLEY ROAD, FROM R-1 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE.**

Councilwoman Berz asked Karen Rennich, Deputy Director of Regional Planning, to read the conditions that have been added to this rezoning.

- 1) A minimum four foot (4') tall black aluminum decorative fence shall be installed along the right of way of Hickory Valley Road which terminates on either side of the proposed entrance road into a masonry, stone, or brick structure where the subdivision name is

depicted. Fencing shall also have brick, stone and/or masonry columns installed at a minimum spacing of fifty feet (50') on center;

- 2) Minimum two-inch (2") caliper trees and minimum three (3) gallon shrubs shall be planted along the right-of-way of Hickory Valley Road. Trees shall be planted at a minimum of twenty feet (20') on center beginning twenty five feet (25') on either side from each edge of pavement of the entrance drive to the development.
- 3) A minimum of three shrubs shall be planted between the trees; Development shall have a common outdoor amenities area for the residents of this development; and
- 4) A sidewalk shall be constructed along Hickory Valley Road as required by CDOT.

**Councilwoman Berz moved** to approve with the intent to amend. Councilman Ledford second. **Councilwoman Berz moved** to amend to include the four conditions as read. Councilman Ledford seconded. The motion carried. **Councilwoman Berz moved** to approve as amended. Councilman Ledford seconded. The motion carried.

**ACTION: PASSED ON FIRST READING AS AMENDED**

2023-0160  
Cody Etling  
Planning Commission Version  
District No. 6

On motion of Councilwoman Berz and seconded by Councilman Ledford,

**ORDINANCE #14047**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PART OF AN UNADDRESSED PROPERTY LOCATED IN THE 6000 BLOCK OF HIGHWAY 58, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

The motion carried.

**ACTION: PASSED ON FIRST READING**

2023-0130  
Collier Construction  
Planning Commission Version  
District No. 8

On motion of Councilwoman Noel and seconded by Councilman Ledford,

**ORDINANCE #14048**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 2409, 2411, 2417, AND AN UNADDRESSED PARCEL IN THE 2400 BLOCK OF EAST MAIN STREET, FROM C-2 CONVENIENCE COMMERCIAL ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.**

The motion carried.

**ACTION: PASSED ON FIRST READING**

On motion of Councilman Ledford and seconded by Councilman Smith,

**ORDINANCE #14049**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE XVI, DOWNTOWN CHATTANOOGA FORM BASED CODE, DIVISION 4, DOWNTOWN CORE, SECTION 38-702, D-CX: COMMERCIAL MIXED USE ZONE TO ADD ADDITIONAL MAXIMUM PERMITTED BUILDING HEIGHTS.**

The motion carried.

**ACTION: PASSED ON FIRST READING**

**Version #6**

On motion of Councilman Henderson and seconded by Councilman Smith,

**ORDINANCE #14050**

**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.**

**Councilman Henderson moved** to approve. Councilman Smith seconded. **Councilwoman Berz moved** to amend with language that changes the number of committee members to nine, including two alternates. There was no second. Vice Chair Hill ruled the motion failed for a lack of a second.

Attorney Noblett affirmed that the Council was voting on Version 6 of this ordinance. Vice Chair Hill called for a vote on Councilman Henderson’s main motion. **The motion carried, with Vice Chair Hill and Councilwoman Berz voting “No.”**

**ACTION: VERSION #6 PASSED ON FIRST READING**

**RESOLUTIONS:**

**PROCEDURAL NOTE:** With no objection from the Council, Vice Chair Hill instructed the Clerk to group and read the following two resolutions for one Council vote.

**RESOLUTION #31812**

**A RESOLUTION CONFIRMING THE APPOINTMENT OF CAROLINE BAKER TO THE ANIMAL CONTROL BOARD FOR DISTRICT 2, WITH A TERM BEGINNING ON OCTOBER 18, 2023, AND ENDING ON OCTOBER 17, 2026.**

**RESOLUTION #31813**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF ECONOMIC DEVELOPMENT TO ACCEPT AN AWARD OF \$30,000.00 FROM THE AMERICAN RESCUE PLAN ACT CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS FOR THE CONTINUATION OF THE EMPACT PROGRAM IN CHATTANOOGA'S DISTRICT 7, WHICH EQUIPS UNEMPLOYED, AND UNDEREMPLOYED PARTICIPANTS, WITHOUT PRIOR INFORMATION TECHNOLOGY (IT) EXPERIENCE, WITH INDUSTRY-RECOGNIZED TRAINING AND CREDENTIALS THAT WILL LEAD TO ENTRY-LEVEL EMPLOYMENT.**

**Councilman Ledford moved** to approve. Councilman Smith seconded. The motion carried. Vice Chair Hill expressed her thanks to Caroline Baker for her willingness to serve on the Animal Control Board.

**ACTION: RESOLUTIONS 31812 & 31813 ADOPTED**

**RESOLUTION #31814**

**A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT OF GROUND LESSOR, IN SUBSTANTIALLY THE FORM ATTACHED, WITH MORGAN STANLEY BANK, N.A. ("LENDER"), AS AN INDUCEMENT TO LENDER IN MAKING A LOAN TO HARBOR HOTEL, LLC, WHICH WILL BE SECURED, IN PART, BY A FEE AND LEASEHOLD DEED OF TRUST AND SECURITY AGREEMENT GRANTED BY TENANT UPON TENANT'S RIGHTS AND INTERESTS UNDER THAT CERTAIN GROUND LEASE DATED APRIL 3, 2008, BY AND BETWEEN THE CITY OF CHATTANOOGA, AS LANDLORD AND HARBOR HOTEL, LLC, AS TENANT.**

**RESOLUTION #31815**

**A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A LEASE AGREEMENT WITH CMC, INC., IN SUBSTANTIALLY THE FORM ATTACHED, FOR THE USE OF LOTS 1, 2, 3, 4, AND THE PORTION OF LOT 5 NOT IN THE FLOODWAY, WITH SAID LOTS BEING A PORTION OF TAX MAP NO. 167D-E-041, AT 915 E. 38TH STREET, TO BE USED AS A STAGING AREA FOR ACTIVITIES RELATING TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY "SOUTHSIDE CHATTANOOGA LEAD SUPERFUND SITE" PROJECT, FOR THE TERM OF FIVE (5) YEARS, WITH THE OPTION TO RENEW FOR AN ADDITIONAL TERM OF FIVE (5) YEARS, FOR THE ANNUAL RENT OF ONE DOLLAR (\$1.00).**

**RESOLUTION #31816**

**A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A SECOND AGREEMENT TO EXERCISE OPTION TO RENEW WITH THE FORGOTTEN CHILD FUND, INC., IN SUBSTANTIALLY THE FORM ATTACHED, TO LEASE APPROXIMATELY 19,516 SQUARE FEET OF WAREHOUSE SPACE AT 1815 E. MAIN STREET, IDENTIFIED AS TAX MAP NO. 156B-D-009, FOR AN ADDITIONAL TERM OF THREE (3) MONTHS, THROUGH JANUARY 31, 2024, FOR THE RENT OF ONE DOLLAR (\$1.00) PER TERM.**

**RESOLUTION #31817**

**A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A SECOND AGREEMENT TO EXERCISE OPTION TO RENEW WITH THE FORGOTTEN CHILD FUND, INC., IN SUBSTANTIALLY THE FORM ATTACHED, TO LEASE APPROXIMATELY 1,142 SQUARE FEET OF OFFICE SPACE AT 1715 E. MAIN STREET, IDENTIFIED AS TAX MAP NO. 156B-D-011, FOR AN ADDITIONAL TERM OF THREE (3) MONTHS, THROUGH JANUARY 31, 2024, FOR THE RENT OF ONE DOLLAR (\$1.00) PER TERM.**

**Councilman Hester moved** to approve the four resolutions. Councilman Henderson seconded. The motion carried.

**ACTION: RESOLUTIONS 31814 – 31817 ADOPTED**

**2023-0148**  
**Chattanooga Engineering Group**  
**District No. 2**  
**Planning Version #2**

**RESOLUTION #31818**

**A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 614 ELY ROAD, SUBJECT TO CERTAIN CONDITIONS.**

Councilman Ledford read the conditions that had been agreed to and already been added to Planning Version #2 presented today.

- 1) A ten (10') foot Type C landscape buffer along the northern PUD perimeter between the development and the adjacent single-family properties (Hamilton County Tax Map Nos. 109O-D-28, 109O-D-36, and 109O-D-037; and
- 2) A pedestrian access connecting both sides of the development across the creek/drainage area shall be constructed.

With no objection from Vice Chair Hill, **Councilman Ledford moved** to approve. Councilman Hester seconded. The motion carried.

**ACTION: ADOPTED**

**PROCEDURAL NOTE:** With no objection from the Council, Vice Chair Hill instructed the Clerk to group and read the following two resolutions for one Council vote.

**RESOLUTION #31819**

**A RESOLUTION AUTHORIZING THE CHATTANOOGA POLICE DEPARTMENT TO APPLY, AND IF AWARDED, ACCEPT FROM THE OFFICE OF JUSTICE PROGRAM FOR THE BJA FY23 NATIONAL PUBLIC SAFETY PARTNERSHIP-CAPACITY BUILDING GRANT, TO BE USED TO ENHANCE TRAINING, PREVENTION, INTERVENTION, AND ENFORCEMENT TOWARDS GUN VIOLENCE REDUCTION, WITH A GRANT PERIOD BEGINNING ON OCTOBER 1, 2023, AND ENDING ON SEPTEMBER 30, 2025, IN THE AMOUNT OF \$500,000.00.**



**RESOLUTION #31820**

**A RESOLUTION AUTHORIZING THE CHATTANOOGA POLICE DEPARTMENT TO APPLY FOR, AND IF AWARDED, ACCEPT FROM THE OFFICE OF JUSTICE PROGRAM A VICTIM SERVICE STATE SUPPORT SERVICE GRANT TO BE USED FOR SUPPLIES, TRAINING AND TRAVEL, AND ASSISTANCE FOR INDIVIDUAL VICTIMS, WITH A GRANT PERIOD OF ONE (1) YEAR BEGINNING JULY 1, 2023, AND ENDING ON JUNE 30, 2024, IN THE AMOUNT OF \$61,500.00.**

Councilman Henderson moved to approve both resolutions. Councilman Ledford seconded. The motion carried.

**ACTION: RESOLUTIONS 31819 & 31820 ADOPTED**

On motion of Councilman Hester and seconded by Councilman Ledford,

**RESOLUTION #31821**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF PARKS & OUTDOORS TO APPLY FOR, AND IF AWARDED, ACCEPT A ONE-TIME AWARD FROM THE UNITED STATES COUNCIL OF MAYORS-AMERICAN BEVERAGE FOUNDATION FOR A CHILDHOOD OBESITY PREVENTION/ENVIRONMENTAL HEALTH AND SUSTAINABILITY AWARD, IN THE AMOUNT OF \$175,000.00.**

The motion carried.

**ACTION: ADOPTED**

On motion of Councilman Hester and seconded by Councilman Ledford,

**RESOLUTION #31822**

**A RESOLUTION AUTHORIZING THE APPOINTMENT OF ADAM SALAS, AS A SPECIAL POLICE OFFICER (UNARMED) FOR THE CITY OF CHATTANOOGA AND THE CHATTANOOGA PARKING AUTHORITY, TO DO SPECIAL DUTY AS PRESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.**

The motion carried.

**ACTION: ADOPTED**

**DEPARTMENTAL REPORTS:**

**Purchase Withdrawal**

Brooke Satterfield, Deputy Chief of Staff, asked to withdraw the following purchase from Council consideration tonight:

**200571 Facilities, Public Works** \$65,000.00  
Custodial Services at the Family Justice Center  
DetailXperts 651 E Fourth Street, Suite 200 Chattanooga, TN 37403

Councilman Henderson moved to withdraw 200571 (Facilities, Public Works). Councilman Smith seconded. The motion carried.

**ACTION: ITEM 200571 WITHDRAWN FROM CONSIDERATION**



## COMMITTEE REPORTS:

*Affordable Housing Committee*  
Vice Chair Hill (No report)

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

*Economic Development Committee*  
Councilwoman Coonrod (Not present)

*Education and Innovation Committee*  
Councilwoman Noel (No report)

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

*Legislative Committee*  
Councilman Smith (No report)

*Planning and Zoning Committee*  
Councilman Ledford (No report)

- He asked the Assembly to offer thoughts and prayers for Councilwoman Coonrod.

*Parks and Public Works*  
Councilman Hester reported:

- The committee met today.
- Thanks to Park and Outdoors for the presentation today on unifying Montague Park.

*Public Safety Committee*  
Councilman Henderson (No report)

## RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL (Listen and view on YouTube [here](#))

Attorney Noblett read the rules of procedure for persons wishing to address the Council. After which, Vice Chair Hill recognized the following persons:

Speaker Name	District	Primary Topics:
• <a href="#">Monty Bell</a>	(N/A)	Someone stole his book at UTC./His role in the African American chamber.

**ADJOURNMENT**

**On motion of Councilman Henderson**, Vice Chair Hill adjourned the meeting of the Chattanooga City Council until next Tuesday, October 24, 2023, at 6:00 p.m.

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**COUNCIL VICE CHAIR**

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**CLERK OF COUNCIL**