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TUESDAY, JANUARY 23, 2024
CITY COUNCIL REVISED AGENDA
3:30 PM

- I. Call to Order by Chair Dotley.
- II. Pledge of Allegiance/Invocation (Councilwoman Coonrod).
- III. Special Presentations.
- IV. Minute Approval.
- V. Discussion of Agenda.
 - Next Week’s Proposed Agenda Items
 - Purchasing Questions
 - Future Considerations (3 Week Look Ahead)
- VI. Committee or Department Reports:
 - [Parks and Public Works](#)
 - [Affordable Housing](#)

RECESS

Order of Business for City Council

VII. **Ordinances – Final Reading:**

LEGAL

- a. [An ordinance amending Chattanooga City Code, Part II, Chapter 21, Article VI, Office of the Administrative Hearing Officer, Section 21-239, Review of Citation; Levy of Civil Penalties authorized by law.](#)

PLANNING

- b. [2023-0198 Stone Creek Consulting c/o Allen Jones \(R-1 Residential Zone and R-4 Special Zone to C-2 Convenience Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 5910 Highway 153 and an unaddressed property in the 6200 block of Wilder Road, from R-1 Residential Zone and R-4 Special Zone to C-2 Convenience Commercial Zone, subject to certain conditions. \(District 1\)](#)

(Recommended for approval by Planning Commission and denial by Staff)

- c. 2023-0194 Stone Creek Consulting c/o Allen Jones (R-2 Residential Zone and C-2 Convenience Commercial Zone to M-3 Warehouse and Wholesale Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 4228, 4230 Benton Drive, and 4057 South Access Road, from R-2 Residential Zone and C-2 Convenience Commercial Zone to M-3 Warehouse and Wholesale Zone. (District 5) (Recommended for approval by Planning Commission and Staff)
- d. 2023-0185 Infinite Industries, Inc. c/o Reginald Jordan (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 2722 and 2724 Cannon Avenue, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions. (District 8) (Recommended for approval by Planning Commission and Staff) (Deferred from 12-12-2023)
- e. 2023-0192 Ragan Smith c/o Grace Wooten (C-2 Convenience Commercial Zone and M-3 Warehouse and Wholesale 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 1600 East 23rd Street, from C-2 Convenience Commercial Zone and M-3 Warehouse and Wholesale Zone to UGC Urban General Commercial Zone, subject to certain conditions. (District 8) (Recommended for approval by Planning Commission) (Planning Version #2)
- f. 2023-0200 Privateer Development, LLC c/o David Boyd (R-2 Residential 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 1413 East 17th Street, from R-2 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. (District 8) (Recommended for approval by Planning Commission and Staff)
- g. 2023-0195 Stone Creek Consulting c/o Allen Jones (R-1 Residential 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 2603 Ocoee Street, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. (District 9) (Recommended for approval by Planning Commission)

PUBLIC WORKS

Transportation

- h. [MR-2023-0158 Jason Davis, Phaltless/Tiffany Farley, Ad Engineering \(Abandonment\). An ordinance closing and abandoning an unopened street located in the 2700 block of Chickamauga Avenue and unopened 2800 block of Pennsylvania Avenue \(to recombine areas with properties located at 2801 and 2805 New Jersey Avenue\), as detailed on the attached maps. \(District 5\) \(Recommended for approval by Public Works and Planning Commission\)](#)

VIII. **Ordinances – First Reading:**

PARKS & OUTDOORS

- a. [An ordinance to amend Chattanooga City Code, Part II, Chapter 26, Section 26-23, 26-24, 26-25, 26-26, 26-27, 26-28, 26-29, 26-30, 26-31, 26-32, 26-33, 26-34, 26-58, and 26-91, establishing fees for events, rentals, and usage of Chattanooga parks, community centers, and recreational facilities.](#)

[An ordinance to amend Chattanooga City Code, Part II, Chapter 26, Section 26-23, 26-24, 26-25, 26-26, 26-27, 26-28, 26-29, 26-30, 26-31, 26-32, 26-33, 26-34, 26-58, and 26-91, establishing fees for events, rentals, and usage of Chattanooga parks, community centers, and recreational facilities. \(Alternate Version\)](#)

PLANNING

- b. [2023-0182 Stone Creek Consulting, LLC c/o Allen Jones \(C-5 Neighborhood Commercial Zone to C-2 Convenience Commercial Zone with conditions\). 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 five unaddressed properties in the 5100 block of Highway 58, from C-5 Neighborhood Commercial Zone to C-2 Convenience Commercial Zone with conditions. \(District 5\) \(Recommended for denial by Planning Commission and recommended for denial of Applicant's request and approval of C-2 Convenience Commercial Zone with conditions for Tax Map Parcels 120N-D-012 through 120N-D-018 and approval of C-5 Neighborhood Commercial Zone with conditions for Tax Map Parcel 120N-D-001 by Staff\) \(Applicant Version\) \(Deferred from 01-09-2024\)](#)

[2023-0182 Stone Creek Consulting, LLC c/o Allen Jones \(C-5 Neighborhood Commercial Zone to C-2 Convenience Commercial Zone\). 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 five unaddressed properties in the 5100 block of Highway 58, from C-5 Neighborhood Commercial](#)

Zone to C-2 Convenience Commercial Zone, subject to certain conditions. (Staff Version)

- c. 2023-0184 Richard Pollard for RMP, LLC (R-1 Residential Zone to O-1 Office Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 2804, 2806, and 2810 South Hickory Street and 1700 East 28th Street, from R-1 Residential Zone to O-1 Office Zone, subject to certain conditions. (District 7) (Recommended for approval by Planning Commission and Staff) (Deferred from 12-12-2023)

2023-0184 Richard Pollard for RMP, LLC (R-1 Residential Zone to O-1 Office Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 2804, 2806, and 2810 South Hickory Street and 1700 East 28th Street, from R-1 Residential Zone to O-1 Office Zone. (Applicant Version)

- d. 2023-0179 Philip Rossillo (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 properties located at 608, 614, and four (4) unaddressed properties in the 600 block of Central Avenue, 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) (Deferred from 12-12-2023)

2023-0179 Philip Rossillo (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 properties located at 608, 614, and four (4) unaddressed properties in the 600 block of Central Avenue, from R-3 Residential Zone to UGC Urban General Commercial Zone. (Applicant Version)

IX. **Resolutions.**

ECONOMIC DEVELOPMENT

- a. A resolution authorizing the Mayor or his designee to enter into a License Agreement with the State of Tennessee, in substantially the form attached, for a ten (10) year renewable term for zero dollars per year to use and maintain the area underneath the Olgiati Bridge for bus and handicap parking that shall be at no cost to the public. (District 7)

- b. A resolution authorizing the Mayor or his designee to enter into a Lease Agreement with the Hamilton County, Tennessee, Board of Education, in substantially the form attached, for the use of a portion of Tax Parcel Number 168I-C-032, for the operation of the Cedar Hill Head Start/Early Head Start Program at 4701 Divine Avenue for an initial term of one (1) year, commencing on January 1, 2024, and ending December 31, 2024, for the annual rent of one dollar (\$1.00), with the option to renew for three (3) additional terms of one (1) year each. (District 7)
- c. A resolution authorizing the Mayor or his designee to enter into a Lease Agreement with the Hamilton County, Tennessee, Board of Education, in substantially the form attached, for the use of Tax Parcel Numbers 136L-M-002, 136L-M-005, and 136L-M-006, for the operation of the Avondale Head Start/Early Head Start Program at 2302 Ocoee Street for an initial term of one (1) year, commencing on January 1, 2024, and ending December 31, 2024, for the annual rent of one dollar (\$1.00), with the option to renew for three (3) additional terms of one (1) year each. (District 9)
- d. A resolution authorizing the Mayor or his designee to enter into a Lease Agreement with the Hamilton County, Tennessee, Board of Education, in substantially the form attached, for the use of a portion of Tax Parcel Number 066M-D-014, for the operation of the Daisy Head Start Program at 9517 W. Ridge Trail Road in Soddy Daisy, Tennessee, for an initial term of one (1) year, commencing on January 1, 2024, and ending on December 31, 2024, for the annual rent of one dollar (\$1.00), with an option to renew for three (3) additional terms of one (1) year each.

FAMILY JUSTICE CENTER

- e. A resolution authorizing the Family Justice Center approval to apply for, and if awarded, accept a 2024 OVW Justice for Families Solicitation Grant for a period of thirty-six (36) months for funding to support the Family Justice Center in Hamilton County courts to allow for expansion of services to additional municipalities and develop a strong coordinated Court Advocacy Collaborative, for an amount not to exceed \$600,000.00. (Added with permission of Chair Dotley)

LEGAL

- f. A resolution authorizing and directing the Clerk of the Council to advertise for public hearing on February 20, 2024, the deannexation of 4615, 4703, and 4713 Mountain Creek Road, Chattanooga, TN 37415, adjacent to the current city limits, requested by applicant James A. Folkner, within the City of Chattanooga, in Hamilton County, Tennessee, as referenced on the attached maps, more fully described as Tax Parcels 098-063.01, 098-064, and 098-066, and referenced in the legal description attached as Exhibit "A" to this resolution. (District 1)

MAYOR'S OFFICE

- g. [A resolution confirming Mayor Kelly's appointment of Paula Wilkes to the Library Board of Directors, for a term beginning on January 24, 2024, and ending on January 23, 2027.](#)
- h. [A resolution confirming Mayor Kelly's appointment of Sharon Law to the Library Board of Directors, for a term beginning on January 24, 2024, and ending on January 23, 2027.](#)
- i. [A resolution confirming Mayor Kelly's appointment of Berton Whitaker to the Library Board of Directors, for a term beginning on January 24, 2024, and ending on January 23, 2027.](#)
- j. [A resolution confirming Mayor Kelly's reappointment of Paul McGinnis to the Board of Plumbing Examiners, for a term beginning on September 29, 2023, and ending on September 28, 2025.](#)
- k. [A resolution confirming Mayor Kelly's reappointment of Susan Dailey to the Board of Plumbing Examiners, for a term beginning on September 29, 2023, and ending on September 28, 2025.](#)
- l. [A resolution confirming Mayor Kelly's reappointment of Doug Dailey to the Board of Plumbing examiners, for a term beginning on September 29, 2023, and ending on September 28, 2025.](#)
- m. [A resolution confirming Mayor Kelly's reappointment of Mark Stolpmann to the Board of Plumbing Examiners, for a term beginning on September 29, 2023, and ending on September 28, 2025.](#)
- n. [A resolution confirming Mayor Kelly's reappointment of Thomas Snow to the Metropolitan Airport Authority, for a term beginning on August 30, 2023, and ending on August 29, 2026.](#)

PARKS & OUTDOORS

- o. [A resolution authorizing the City of Chattanooga to accept a donation of a floating dock from Chattanooga Tourism Company, to be used for several water reliant events such as Ironman and Head of the Hooch, valued at \\$132,156.08.](#)

PUBLIC WORKS

- p. A resolution authorizing the Administrator for the Department of Public Works to apply for, and if awarded, accept a Five Star and Urban Waters Restoration Grant for watershed restoration, litter/invasive species removal, educational programming, and community partnerships in the Mountain Creek watershed, in the amount of \$60,000.00, and authorizing matching funds in the amount of \$60,000.00, for a total project cost of \$120,000.00. (District 1)
- q. A resolution authorizing the Administrator for the Department of Public Works to execute a Federal U.S. Communities Contract No. 4400008468 via Safeware to assist local communities in procurement of public safety and emergency preparedness equipment and related services for Automated High Water Road Closure Systems at Lower Mill Road, Airport Road, and additional flashers at Davidson Road, plus antenna and software upgrades, in the amount of \$313,030.96, plus a contingency in the amount of \$30,000.00, for a total amount of \$343,030.96. (Districts 3, 4 & 5)
- r. A resolution authorizing the Administrator for the Department of Public Works to renew the professional services On-Call Blanket Contract for Design and Plan Production Services, Contract No. S-20-004-100, for year four (4) of five (5) to the eleven (11) consulting firms listed, per their qualifications package, for the total amount of \$1,050,000.00: (1) WK Dickson; (2) Volkert; (3) Barge Design Solutions; (4) S&ME, Inc.; (5) RK&K; (6) Geosyntec; (7) CTI; (8) Croy Engineering; (9) Labella; (10) Brown & Caldwell; and (11) Arcadis.
- s. A resolution authorizing the 2023 Annual Inflation Adjustment of the Financial Assurance for the City of Chattanooga Landfills, Permit Nos. SNL330000035 Phases 1 and 2 at Summit Landfill as required by the Regulations of the Division of Solid Waste Management to maintain the assurance of \$1,424,995.67.
- t. A resolution authorizing the 2023 Annual Inflation Adjustment of the Financial Assurance for the City of Chattanooga Landfills, Permit Nos. SNL330000273 Lateral Expansion Area 3 at Birchwood Landfill as required by the Regulations of the Division of Solid Waste Management to increase the assurance from \$8,028,182.88 to \$9,079,516.88.
- u. A resolution authorizing the 2023 Annual Inflation Adjustment of the Financial Assurance for the City of Chattanooga Landfills, Permit Nos. SNL330000273 Original at Birchwood Landfill and Summit Landfill as required by the Regulations of the Division of Solid Waste Management to decrease the assurance from \$1,546,300.95 to \$1,510,325.06.

WASTEWATER

- v. [A resolution authorizing the Administrator for the Wastewater Department to renew blanket Contract No. W-20-010-201, paving and concrete repair or replacement, for year four \(4\) of four \(4\) years, with TNT Concrete, LLC, of Calhoun, TN, for an annual amount not to exceed \\$1.5 million.](#)

- X. [Purchases.](#)

- XI. Committee Reports.

- XII. Recognition of Persons Wishing to Address the Council.

- XIII. Adjournment.

TUESDAY, JANUARY 30, 2024
CITY COUNCIL PROPOSED AGENDA
3:30 PM

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 - None.

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- c. 2023-0184 Richard Pollard for RMP, LLC (R-1 Residential Zone to O-1 Office Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 2804, 2806, and 2810 South Hickory Street and 1700 East 28th Street, from R-1 Residential Zone to O-1 Office Zone, subject to certain conditions. (District 7) (Recommended for approval by Planning Commission and Staff) (Deferred from 12-12-2023)

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- d. 2023-0179 Philip Rossillo (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 properties located at 608, 614, and four (4) unaddressed properties in the 600 block of Central Avenue, 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) (Deferred from 12-12-2023)

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8. **Ordinances - First Reading:**

LEGAL

- a. An ordinance amending Chattanooga City Code, Part II, Chapter 14, Electricity, Section 14-18, Correction of Defects, Reinspections; and Chapter 19, Gas, Article II, Permits and Inspections, Section 19-36, Fees.

9. **Resolutions:**

ECONOMIC DEVELOPMENT

- a. A resolution authorizing the Mayor or his designee to enter into a First Agreement to Exercise Option to Renew with Dynamo Studios, in substantially the form attached, for the use of a certain space at South Chattanooga Community Center, located at 1151 W. 40th Street, further identified as Tax Map No. 155E-B-001.01, for an additional term of one (1) year, through March 14, 2024, for the amount of one dollar (\$1.00) per year. (District 7)

FAMILY JUSTICE CENTER

- b. A resolution authorizing the Family Justice Center to apply for, and if awarded, accept support services provided to victims living within Hamilton County, for an amount not to exceed \$200,000.00.

FIRE

- c. A resolution authorizing approval to accept \$5,716.00 from the Colonial Pipeline to be used for the purchase of four (4) hazardous materials monitors to provide enhanced capability to monitor hazardous materials atmospheres and provide integration and redundancy for the department's current hazardous materials response capabilities.

- d. A resolution authorizing the Mayor or his designee to enter into a First Amendment to Tower and Ground Space License Agreement with Tennessee RSA #3 Limited Partnership, in substantially the form attached, to allow the License Agreement to be renewed for six (6) additional terms of five (5) years each, with the initial term ending on June 30, 2016, the second renewal is authorized through June 30, 2026, and to authorize automatic renewals in the future unless intent to terminate is provided by Licensee to Licensor at least one hundred twenty (120) days before expiration of the term.

PUBLIC WORKS

- e. A resolution authorizing the Department of Public Works to enter into a Construction Agreement with the Electric Power Board of Chattanooga to provide street lighting infrastructure improvements as part of the Ferdinand Piech Way Extension, in the amount of \$72,536.52.
10. Purchases.
 11. Committee Reports.
 12. Recognition of Persons Wishing to Address the Council.
 13. Adjournment.