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TUESDAY, FEBRUARY 21, 2023
CITY COUNCIL REVISED AGENDA
6:00 PM

- I. Call to Order by Chairman Ledford.
- II. Pledge of Allegiance/Invocation (Councilman Smith).
- III. Special Presentation.

Special Recognition for Tyner Rams
2022 Class 2A State Champions
By Councilwoman Carol Berz

- IV. Minute Approval.

Order of Business for City Council

- V. **Ordinances – Final Reading:**

LEGAL

- a. [An ordinance amending Chattanooga City Code, Part II, Chapter 21, Section 21-232, Jurisdiction of Office of Administrative Hearing Officer; Restrictions on Authority relating to Short Term Vacation Rental, litter, and overgrowth issues. \(Sponsored by Councilwoman Berz and Councilman Smith\)](#)

PLANNING

- b. [2023-0015 Aventine Development Services \(Lift Conditions\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to lift Condition Nos. 1, 3, and 6 of Ordinance No. 11827 and all other remaining conditions to remain valid and carry over for the properties located at 5993, 5979, and 5965 Highway 153, subject to certain conditions. \(District 3\) \(Recommended for approval by Planning Commission\)](#)
- c. [2023-0016 Comfort Home Builders c/o Ingram Gore & Associates \(R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 2341 Jenkins Road, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. \(District 4\) \(Recommended for approval by Planning Commission and Staff\)](#)

- d. 2023-0014 Stone Creek Consulting c/o Allen Jones (R-3 Residential Zone with conditions to UGC Urban General Commercial Zone with conditions). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone several properties in the 2600 blocks of Cowart and Williams Street and the 200 block of West 27th Street, from R-3 Residential Zone with conditions to UGC Urban General Commercial Zone with conditions. (District 7) (Recommended for approval by Planning Commission)
- e. 2023-0008 Stone Creek Consulting c/o Allen Jones (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 an unaddressed property in the 1800 block of Watauga Street, from R-2 Residential Zone to UGC Urban General Commercial Zone, subject to certain conditions. (District 8) (Recommended for approval by Planning Commission and Staff)
- f. 2023-0009 Stone Creek Consulting c/o Allen Jones (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 2003 South Beech Street, from R-2 Residential Zone to UGC Urban General Commercial Zone, subject to certain conditions. (District 8) (Recommended for approval by Planning Commission and Staff)
- g. 2023-0012 Stone Creek Consulting c/o Allen Jones (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 2209 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)
- h. 2023-0018 Vinicio J. Liriano (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 1605 Dodds 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)
- i. An ordinance amending Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article VII, Non-Conforming Uses, to add a new subsection to Section 38-541 to establish Legal Non-Conforming Protection to Existing Two-Family Dwellings in the R-1 Residential Zone that was lost due to a loss of power for more than one hundred (100) days.

VI. **Ordinances – First Reading:**

PLANNING

- a. 2022-0199 NE Group c/o Eric Emery (R-1 Residential Zone to RT-1 Residential Townhouse Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 6026 East Brainerd Road, from R-1 Residential Zone to RT-1 Residential Townhouse Zone, subject to certain conditions. (District 6) (Recommended for approval by Planning Commission and Staff) (Deferred from 10-11-2022 & 11-08-2022)

2022-0199 NE Group c/o Eric Emery (R-1 Residential Zone to RT-1 Residential Townhouse Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 6026 East Brainerd Road, from R-1 Residential Zone to RT-1 Residential Townhouse Zone. (Applicant Version)

- b. 2023-0013 Stone Creek Consulting c/o Allen Jones (R-2 Residential Zone and C-5 Neighborhood Commercial 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 1913 and 1915 South Kelley Street, from R-2 Residential Zone and C-5 Neighborhood Commercial Zone to UGC Urban General Commercial Zone, subject to certain conditions. (District 8) (Recommended for approval by Planning Commission and Staff)

2023-0013 Stone Creek Consulting c/o Allen Jones (R-2 Residential Zone and C-5 Neighborhood Commercial 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 1913 and 1915 South Kelley Street, from R-2 Residential Zone and C-5 Neighborhood Commercial Zone to UGC Urban General Commercial Zone, subject to certain conditions. (Alternate Version)

VII. **Resolutions:**

COUNCIL OFFICE

- a. A resolution confirming Mayor Kelly's appointment of Phillip A. Noblett as Chattanooga City Attorney, pursuant to Section 3.62 of the Chattanooga City Charter. (Sponsored by Councilpersons Henderson, Hill, Smith, Ledford, Hester, Berz, Dotley, Noel, and Coonrod)
- b. A resolution to repeal Resolution No. 30806, adopted on June 29, 2021, and adopting new Rules of Operation for the Chattanooga City Council. (Sponsored by Chairman Ledford and Councilwoman Berz)

LEGAL

- c. [A resolution authorizing the Mayor or his designee to execute a Waiver, Release, and Termination of Reversionary Interests and Reconveyance Right with the Chattanooga-Hamilton County Hospital Authority, Erlanger Health, Erlanger MergeCo, LLC, and Hamilton County.](#)

MAYOR'S OFFICE

- d. [A resolution confirming Mayor Kelly's appointment of Alexis Kennedy to the Community Advisory Committee – Region 10 \(Washington Hills\), for a term beginning on February 22, 2023, and ending on February 21, 2024.](#)
- e. [A resolution confirming Mayor Kelly's appointment of Chausie Neal to the Community Advisory Committee – Region 5 \(South Chattanooga\), for a term beginning on February 22, 2023, and ending on February 21, 2024.](#)
- f. [A resolution confirming Mayor Kelly's appointment of Christie Morris to the Community Advisory Committee – Region 10 \(Washington Hills\), for a term beginning on February 22, 2023, and ending on February 21, 2024.](#)
- g. [A resolution confirming Mayor Kelly's appointment of Christopher Cooper to the Community Advisory Committee – Region 1 \(Lookout Valley\), for a term beginning on February 22, 2023, and ending on February 21, 2024.](#)
- h. [A resolution confirming Mayor Kelly's appointment of Donald Sanderfur to the Community Advisory Committee – Region 6 \(Bushtown-Glenwood\), for a term beginning on February 22, 2023, and ending on February 21, 2025.](#)
- i. [A resolution confirming Mayor Kelly's appointment of George Ricks to the Community Advisory Committee – Region 6 \(Bushtown-Glenwood\), for a term beginning on February 22, 2023, and ending on February 21, 2025.](#)
- j. [A resolution confirming Mayor Kelly's appointment of Janice Gooden to the Community Advisory Committee – Region 7 \(Dodson\), for a term beginning on February 22, 2023, and ending on February 21, 2025.](#)
- k. [A resolution confirming Mayor Kelly's appointment of Jillian Sanderfur to the Community Advisory Committee – Region 9 \(Standifer Gap\), for a term beginning on February 22, 2023, and ending on February 21, 2025.](#)
- l. [A resolution confirming Mayor Kelly's appointment of Kelvin Scott to the Community Advisory Committee – Region 7 \(Dodson\), for a term beginning on February 22, 2023, and ending on February 21, 2025.](#)

- m. A resolution confirming Mayor Kelly's appointment of Ma'Cia Rudolph to the Community Advisory Committee – Region 6 (Bushtown-Glenwood), for a term beginning on February 22, 2023, and ending on February 21, 2024.
- n. A resolution confirming Mayor Kelly's appointment of Micah Chapman to the Community Advisory Committee – Region 10 (Washington Hills), for a term beginning on February 22, 2023, and ending on February 21, 2025.
- o. A resolution confirming Mayor Kelly's appointment of Molly Anderson to the Community Advisory Committee – Region 9 (Standifer Gap), for a term beginning on February 22, 2023, and ending on February 21, 2025.
- p. A resolution confirming Mayor Kelly's appointment of Shiloh McCulley to the Community Advisory Committee – Region 1 (Lookout Valley), for a term beginning on February 22, 2023, and ending on February 21, 2025.
- q. A resolution confirming Mayor Kelly's appointment of Terry James to the Community Advisory Committee – Region 10 (Washington Hills), for a term beginning on February 22, 2023, and ending on February 21, 2025.
- r. A resolution confirming Mayor Kelly's appointment of Tom Hirsch to the Community Advisory Committee – Region 1 (Lookout Valley), for a term beginning on February 22, 2023, and ending on February 21, 2025.

OFFICE OF COMMUNITY HEALTH

- s. A resolution authorizing the Office of Community Health (OCH) to apply to serve as a Host Site for two (2) additional Centers for Disease Control (CDC) Public Health Associate Program (PHAP) public health professional, field-assigned (for two (2) years) positions. (Added with permission of Chairman Ledford)

PARKS & OUTDOORS

- t. A resolution authorizing the waiver of park rental fees for RiverCity Company in support of Los Trompos for the dates of March 15, 2023, through April 17, 2023, for the maximum amount of \$32,500.00. (District 7)
- u. A resolution authorizing the Department of Parks and Outdoors to apply for, and if awarded, accept a Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant, for an amount up to \$17.5 million, with a local not to exceed 20% match of \$3.5 million.

- v. A resolution authorizing the Administrator for the Department of Parks & Outdoors to accept an award of \$150,000.00 from American Rescue Plan funds to support teen and community specific programming.

PLANNING

- w. A resolution authorizing the Administrator of Planning RPA to enter into an agreement with Ragan-Smith to prepare area plans for unincorporated Hamilton County areas, plus a 10% contingency, for an amount not to exceed \$516,000.00.

A resolution authorizing the Administrator of Planning RPA to enter into an agreement with Ragan-Smith to prepare area plans for unincorporated Hamilton County areas for \$516,000.00, with a contingency amount of \$51,600.00, for a total amount not to exceed \$567,600.00. (Alternate Version) (Added with permission by Chairman Ledford)

PUBLIC WORKS

- x. A resolution authorizing the Administrator for the Department of Public Works to award Contract No. E-22-29, ESIP Release Area Site Prep, to Wright Brothers Construction Company, Inc., in the amount of \$6,696,235.00. (District 6)
- y. A resolution authorizing the Administrator for the Department of Public Works to approve Change Order No. 2 (Final), with Tricon, Inc., of Cleveland, TN, for Contract No. Y-17-005-201, East Lake YFD Center Renovations, to increase the contract by \$450,318.59 due to parking lot subgrade remediation, addition of 37th Street partial sidewalk reconstruction, addition of sidewalk railing, and other construction changes, for a revised contract amount of \$4,543,891.24. (District 7)
- z. A resolution authorizing the Administrator for the Department of Public Works to award Contract No. W-22-004-201, CIPP Rehabilitation Blanket, to SAK Construction, LLC, of O'Fallon, MO, and to Inliner Solutions, LLC, of Orleans, IN, for a four (4) year term, for the annual amount of \$4 million.
- aa. A resolution authorizing the appointment of James A. Laymon, as Special Police Officer (unarmed) for the Department of Public Works, to do special duty as prescribed herein in his position as Electrical Inspector, subject to certain conditions.

VIII. Purchases.

IX. Committee Reports.

X. Recognition of Persons Wishing to Address the Council.

Revised Agenda for Tuesday, February 21, 2023

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XI. Adjournment.

Proposed Agenda for Tuesday, February 28, 2023

SUBJECT TO COUNCIL ACTION

Page 1

TUESDAY, FEBRUARY 28, 2023
CITY COUNCIL PROPOSED AGENDA
6:00 PM

1. Call to Order by Chairman Ledford.
2. Pledge of Allegiance/Invocation (Chairman Ledford).
3. Special Presentation.
4. Minute Approval.

Proposed Order of Business for City Council

5. **Ordinances - Final Reading:**

PLANNING

- a. 2022-0199 NE Group c/o Eric Emery (R-1 Residential Zone to RT-1 Residential Townhouse Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 6026 East Brainerd Road, from R-1 Residential Zone to RT-1 Residential Townhouse Zone, subject to certain conditions. (District 6) (Recommended for approval by Planning Commission and Staff) (Deferred from 10-11-2022 & 11-08-2022)

2022-0199 NE Group c/o Eric Emery (R-1 Residential Zone to RT-1 Residential Townhouse Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 6026 East Brainerd Road, from R-1 Residential Zone to RT-1 Residential Townhouse Zone. (Applicant Version)

- b. 2023-0013 Stone Creek Consulting c/o Allen Jones (R-2 Residential Zone and C-5 Neighborhood Commercial 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 1913 and 1915 South Kelley Street, from R-2 Residential Zone and C-5 Neighborhood Commercial Zone to UGC Urban General Commercial Zone, subject to certain conditions. (District 8) (Recommended for approval by Planning Commission and Staff)

2023-0013 Stone Creek Consulting c/o Allen Jones (R-2 Residential Zone and C-5 Neighborhood Commercial 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 1913 and 1915 South Kelley Street, from R-2 Residential Zone and C-5 Neighborhood Commercial Zone to UGC Urban General Commercial Zone, subject to certain conditions. (Alternate Version)

6. Ordinances - First Reading:

COUNCIL OFFICE

- a. An ordinance amending Chattanooga City Code, Part II, Chapter 11, to add new definitions for absentee and Homestay rentals, create an appeals process by an Administrative Hearing Officer for absentee applicant disputes and by the Short-Term Vacation Rental Board for Homestay applicants, creating the Short-Term Vacation Rental Board, and establishing density and distance restrictions for short-term rental units within the Short-Term Vacation Rental District in new Sections 11-510 through 11-526. (Sponsored by Councilpersons Hill and Henderson) (Deferred from 02-14-2023)

PLANNING

- b. 2023-0017 Richard Wayne McCoy (R-1 Residential Zone, R-4 Special Zone, and RT-1 Residential Townhouse Zone with conditions to RT-1 Residential Townhouse Zone with conditions). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 1514 Shelby Circle, 6340 Middle Valley Road, and two unaddressed properties in the 6300 block of Middle Valley Road, from R-1 Residential Zone, R-4 Special Zone, and RT-1 Residential Townhouse Zone with conditions to RT-1 Residential Townhouse Zone with conditions, subject to certain conditions. (District 3) (Recommended for approval by Planning Commission and Staff) (Deferred from 02-14-2023)

2023-0017 Richard Wayne McCoy (R-1 Residential Zone, R-4 Special Zone, and RT-1 Residential Townhouse Zone with conditions to RT-1 Residential Townhouse Zone with conditions). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 1514 Shelby Circle, 6340 Middle Valley Road, and two unaddressed properties in the 6300 block of Middle Valley Road, from R-1 Residential Zone, R-4 Special Zone, and RT-1 Residential Townhouse Zone with conditions to RT-1 Residential Townhouse Zone with conditions. (Applicant Version)

- c. [An ordinance amending Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article V, Zoning Regulations, Division 13, C-2 Convenience Commercial Zone, Section 38-188, Minimum Yard and Landscaping Requirements; Maintenance of Visibility at Access Points; relations of Yards to Turnout and Merging Lanes, and Division 29, Off-Street Parking and Loading Space Requirements, Section 38-472, General Regulations by amending Table 1700 Multi-Family Units.](#)

7. **Resolutions:**

COUNCIL OFFICE

- a. [A resolution confirming the appointment of J.T. McDaniel to the Board of Zoning Appeals to fill the unexpired District 9 seat, with a term beginning February 28, 2023, and ending July 24, 2024.](#)

ECONOMIC DEVELOPMENT

- b. [A resolution authorizing the Mayor or his designee to enter into an Office Lease with Rise Up Cooperative, in substantially the form attached, for the use of 100 square feet of office space at the Family Justice Center at 5705 Uptain Road, identified as Tax Map No. 157M-A-012, with an effective date of March 1, 2023, for the term of five \(5\) years at the annual rent of \\$1.00. \(District 6\)](#)
- c. [A resolution authorizing the acceptance of \\$214,215.64 from Hamilton County as the City's portion from the 2022 Hamilton County surplus property sale, with \\$212,528.18 applied as the City's portion; \\$1,367.71 being applied to City Attorney fees; and \\$319.75 being applied to City Treasurer costs.](#)

PUBLIC WORKS

- d. [A resolution authorizing the 2022 Annual Inflation Adjustment of the Financial Assurance for the City of Chattanooga landfills, Permit No. 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 \\$1,481,655.03. \(District 4\)](#)
- e. [A resolution authorizing the Administrator for the Department of Public Works to award Contract No. S-16-014-201, Lynnbrook Park and Stream Restoration, to Thomas Brothers Construction Company, Inc., of Hixson, TN, for \\$3,092,249.42, with a contingency amount of \\$300,000.00, for a total amount of \\$3,392,249.42. \(District 8\)](#)

Proposed Agenda for Tuesday, February 28, 2023

SUBJECT TO COUNCIL ACTION

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- f. [A resolution authorizing the 2022 Annual Inflation Adjustment of the Financial Assurance for the City of Chattanooga landfills, Permit No. 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 \\$8,461,805.11.](#)
8. Purchases.
9. Committee Reports.
10. Recognition of Persons Wishing to Address the Council.
11. Adjournment.

February 21, 2023, Council Meeting

Recommended New Purchases

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

Department Feedback for **Renewals** - Still Being Refined

DEPARTMENT	ITEM DESCRIPTION	BIDS REQUESTED	BIDS RETURNED	LOWEST/BEST BIDDER	ANNUAL COST ESTIMATE	FUND NAME	SUMMARY	DOCUMENTATION LINK	Other notes	Responsiveness to contact	Timeliness of delivery	Accuracy of invoicing	Quality of goods/services
Wastewater Department	Moyno Pump Parts	5	1	Carl Eric Johnson, Inc. 1725 MacLeod Drive, Ste. Q Lawrenceville, GA 30043	\$150,000.00	Interceptor Sewer Operations	New blanket contract for Moyno Pump Parts. This will be a four (4) year agreement not to exceed \$150,000 per year. Bids were received from one (1) vendor. The invitation was re-advertised and resulted in no additional bids. The award will go to Carl Eric Johnson, Inc.	200430-2	N/A	N/A	N/A	N/A	N/A
Wastewater Department	Brentwood Polychem Chains	-	-	Guthrie Sales & Service 7003 Chadwick Drive Ste. 300 Brentwood, TN 37027	\$141,600.00	Interceptor Sewer Operations	This is a one (1) time purchase of Brentwood Polychem Chains needed for the primary clarifiers at the Wastewater Department. The award will go to Guthrie Sales & Service, as the sole authorized representative in Tennessee.	REQ128668	N/A	N/A	N/A	N/A	N/A
Facilities Department, Public Works	Custodial Services at the Family Justice Center	12	6	ABM Industry Group, LLC. 545 Mainstream Drive. Nashville, TN 37228	\$55,000.00	General Fund	New blanket contract for Custodial Services at the Family Justice Center. This will be a four (4) year agreement not to exceed \$55,000 per year. The award will go to ABM Industry Group, LLC., as the best bid for the City of Chattanooga.	200435.2	N/A	N/A	N/A	N/A	N/A
Economic Development	Affordable Housing Team Coordinator	12	1	May 8 Consulting 1425 Locust Street, Ste. 12C Philadelphia, PA 19102	\$89,840.00	Affordable Housing Fund	New blanket contract for an Affordable Housing Team Coordinator. This will be a four (4) year agreement not to exceed \$89,840 total. Bids were received from one (1) vendor. The invitation was re-advertised and resulted in no additional bids. The award will go to May 8 Consulting.	REQ127004	N/A	N/A	N/A	N/A	N/A
DTS	Fire Department Records Management System	-	-	Locality Media, Inc. dba First Due 107 Seventh St. Garden City, NY 11530	Year 1 - \$112,600 Year 2 - \$106,785 Year 3 - \$112,124.25 Year 4 - \$117,730.46 Year 5 - \$123,616.99	General Fund	Year 1 - \$112,600 Year 2 - \$106,785 Year 3 - \$112,124.25 Year 4 - \$117,730.46 Year 5 - \$123,616.99	REQ129102	N/A	N/A	N/A	N/A	N/A

Respectfully submitted,
Kevin Bartenfield, Chief Procurement Officer

February 21, 2023, Council Meeting

Recommended New Purchases

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

Department Feedback for **Renewals** - Still Being Refined

DEPARTMENT	ITEM DESCRIPTION	BIDS REQUESTED	BIDS RETURNED	LOWEST/BEST BIDDER	ANNUAL COST ESTIMATE	FUND NAME	SUMMARY	DOCUMENTATION LINK	Other notes	Responsiveness to contact	Timeliness of delivery	Accuracy of invoicing	Quality of goods/services
Debbie Talley, Deputy Director of Purchasing													