Minutes of the Regular Meeting of the Council of the City of Knoxville

Tuesday, February 11, 2020  6:00 PM  City County Building: Main Assembly Room

1. **CALL TO ORDER**

   The meeting was called to order at 6:02 PM by Mayor Indya Kincannon

2. **INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG**

   Council Member Testerman gave the invocation, and Council Member Rider led in the Pledge of Allegiance.

6. **MAYOR’S REPORT**

   At this time, Mayor Kincannon gave her report.

   The Mayor announced that today is National 211 Day. She explained that 211 is an emergency telephone number for social services.

   Mayor Kincannon read aloud a Mayoral Proclamation recognizing the League of Women Voters on their centennial. She stated that she will deliver this proclamation this Saturday, February 15, 2020 to a larger group League members.

   The Mayor announced the annual Budget Retreat with her Administration and City Council Members for this Friday, February 14, 2020 beginning at 9:00am at the City's Public Works Complex at 3131 Morris Ave.

   The Mayor also announced the beginning of the 2020 Census on Thursday, March 12, 2020.

   The Mayor announced a current exhibit at the Knoxville Museum of Art which is in honor of Black History Month. The exhibit is the *Beauford Delaney and James Baldwin: Through the Unusual Door*. Beauford Delaney is a native Knoxville artist from the Twentieth Century.

   Mayor Kincannon announced a Promotion Ceremony for the Knoxville Police Department for Monday, February 17, 2002 at 3:00pm at the Civic Coliseum.

   The Mayor returned to the regular order of business at the conclusion of her report.

3. **ROLL CALL**

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
<th>Status</th>
<th>Arrived</th>
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<tbody>
<tr>
<td>Indya Kincannon</td>
<td>Mayor</td>
<td>Present</td>
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<tr>
<td>Lynne Fugate</td>
<td>At-Large Seat A</td>
<td>Present</td>
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<tr>
<td>Gwen McKenzie</td>
<td>Vice-Mayor, Sixth District</td>
<td>Present</td>
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<tr>
<td>Amelia Parker</td>
<td>At-Large Seat C</td>
<td>Present</td>
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<tr>
<td>Lauren Rider</td>
<td>Fourth District</td>
<td>Present</td>
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</table>
Andrew Roberto Second District Present
Seema Singh Third District Present
Janet Testerman At-Large Seat B Present
Charles Thomas Fifth District Present
Stephanie Welch First District Present

4. **APPROVAL OF MINUTES**

Motion to: approve the minutes of the January 28, 2020 Regular Meeting of City Council

RESULT: APPROVED [UNANIMOUS]
MOVER: Andrew Roberto, Second District
SECONDER: Stephanie Welch, First District
AYES: Fugate, McKenzie, Parker, Rider, Roberto, Singh, Testerman, Thomas, Welch

5. **ANNOUNCEMENTS AND EXTRAORDINARY MATTERS, ADOPTION OF AGENDA**

a. **ITEMS WITHDRAWN (Indicated with "W")**

None

b. **ITEMS FOR POSTPONEMENT (Indicated with "P")**

Postponed

12-j An Ordinance approving the request of Marty Norton for an amendment to the North City Sector Plan from Low Density Residential to Light Industrial for property located at 3313 and 3309 Mill Road. (Planning Commission Approved 9-4) (File No. 1-A-20-SP) (Fourth District)(Requested by Knoxville-Knox County Planning Commission)

RESULT: POSTPONED [UNANIMOUS] Next: 2/25/2020 6:00 PM
MOVER: Lauren Rider, Fourth District
SECONDER: Andrew Roberto, Second District
AYES: Fugate, McKenzie, Parker, Rider, Roberto, Singh, Testerman, Thomas, Welch

Postponed

12-k An Ordinance approving the request of Marty Norton for a One Year Plan Amendment from Low Density Residential to Light Industrial for property located at 3313 and 3309 Mill Road. (Planning Commission Approved 10-3) (File No. 1-A-20-PA) (Fourth District)(Requested by Knoxville-Knox County Planning Commission)

RESULT: POSTPONED [UNANIMOUS] Next: 2/25/2020 6:00 PM
MOVER: Lauren Rider, Fourth District
SECONDER: Andrew Roberto, Second District
AYES: Fugate, McKenzie, Parker, Rider, Roberto, Singh, Testerman, Thomas, Welch
**Postponed**

12-I An Ordinance to rezone property located at 3313 Mill Road from RN-1 (Single Family Residential Neighborhood) District to I-G (General Industrial) District, subject to one condition, Marty Norton, Applicant. (Planning Commission Approved 10-3) (File No. 1-A-20-RZ) (Fourth District)(Requested by Knoxville-Knox County Planning Commission)

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c. **ITEMS REQUESTED TO BE ADDED BY MOTION** (Indicated with "M")

None

d. **CONSENT ITEMS** (Indicated with "**")

_Council Member Roberto announced that he would abstaining from voting on Ordinance 12-t because his wife works at The Muse._

**Ordinance No. O-9-2020**

12-n An Emergency Ordinance of the Council of the City of Knoxville appropriating the sum of $200.00 from the Community Improvement (202) Fund and donating same to Epilepsy Foundation of East Tennessee to be utilized toward purchasing helmets.(Requested by Councilmember Welch)

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**Ordinance No. O-10-2020**

12-o An Emergency Ordinance of the Council of the City Knoxville appropriating the sum of $250.00 from the Community Improvement (202) Fund and donating same to Alpha Pi Omega Foundation toward the Annual Alfreda C. Delaney Scholarship Brunch event.(Requested by Councilmember Welch)

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**Ordinance No. O-11-2020**

12-p An Emergency Ordinance of the Council of the City of Knoxville appropriating the sum of $500.00 from the Community Improvement (202) Fund and donating same to Centro Hispano de East Tennessee to be utilized toward the Lideramos Latino Leadership Conference. (Requested by Councilmember Welch)

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**Ordinance No. O-12-2020**

12-q An Emergency Ordinance of the Council of the City of Knoxville appropriating the sum of $500.00 from the Community Improvement (202) Fund and donating same to SEEED, Inc. to be utilized toward the career readiness and community engagement training programs. (Requested by Councilmember Welch)

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**Ordinance No. O-13-2020**

12-r An Emergency Ordinance of the Council of the City of Knoxville appropriating the sum of $500.00 from the Community Improvement (202) Fund and donating same to East Tennessee Community Design Center, Inc. to be utilized toward Vectorworks software updates and plotter repairs. (Requested by Councilmember Welch)

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**Ordinance No. O-14-2020**

12-s An Emergency Ordinance of the Council of the City of Knoxville appropriating the sum of $1,000.00 from the Community Improvement (202) Fund and donating same to Metro Drug Coalition to be utilized toward recovery housing. (Requested by Councilmember Welch)

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Ordinance No. O-15-2020

12-t An Emergency Ordinance of the Council of the City of Knoxville Appropriating the sum of $300.00 from the Community Improvement (202) Fund and donating same to the Muse Knoxville to be utilized toward the annual STEAM Carnival.(Requested by Councilmember Welch)

RESULT: APPROVED, EMERGENCY [8 TO 0]
MOVER: Gwen McKenzie, Vice-Mayor, Sixth District
SECONDER: Stephanie Welch, First District
AYES: Fugate, McKenzie, Parker, Rider, Singh, Testerman, Thomas, Welch
ABSTAIN: Andrew Roberto

Ordinance No. O-16-2020

12-u An Emergency Ordinance of the Council of the City of Knoxville appropriating the sum of $1,250.00 from the Community Improvement (202) Fund and donating same to Knoxville Area Urban League, Inc. to be utilized toward the shoes for school event.(Requested by Vice Mayor McKenzie and Councilmembers Welch, Roberto, Singh, and Rider)

RESULT: APPROVED, EMERGENCY [UNANIMOUS]
MOVER: Gwen McKenzie, Vice-Mayor, Sixth District
SECONDER: Stephanie Welch, First District
AYES: Fugate, McKenzie, Parker, Rider, Roberto, Singh, Testerman, Thomas, Welch

Ordinance No. O-17-2020

12-v An Emergency Ordinance of the Council of the City of Knoxville appropriating the sum of $1,500.00 from the Community Improvement (202) Fund and donating same to the Carpetbag Theatre Inc. to be utilized toward the 30th Annual Youth Theatre Festival.(Requested by Vice Mayor McKenzie and Councilmembers Roberto, Singh, & Rider)

RESULT: APPROVED, EMERGENCY [UNANIMOUS]
MOVER: Gwen McKenzie, Vice-Mayor, Sixth District
SECONDER: Stephanie Welch, First District
AYES: Fugate, McKenzie, Parker, Rider, Roberto, Singh, Testerman, Thomas, Welch

6. MAYOR’S REPORT

The Mayor delivered her report after the Invocation and Pledge of Allegiance - see Section 2.

The Mayor recognized a Boy Scout in the audience.

7. REPORTS OF COUNCIL MEMBERS OR COMMITTEES

Council Member Roberto announced a meeting of the East Tennessee Community Design Center for Wednesday, February 12, 2020 from 4:30pm to 6:30pm at the National Guard Headquarters, 3300 Sutherland Avenue. This community input
meeting will be on the Sutherland Avenue Enhancements.

Council Member Roberto also announced the West Hills Community Association's General Meeting for Monday, February 17, 2020 at 7:00pm at the First Church of the Nazarene.

Council Member Roberto announced a meeting of the Bearden Village Council for Tuesday, February 18, 2020 at 11:30am at Bearden United Methodist Church.

Vice-Mayor McKenzie announced additional events for Black History Month:

- On Saturday, February 15, 2020 from 2:00pm to 5:00pm, Knoxville Jack and Jill of America and East Tennessee Freedom Schools are hosting a living museum, “Let the Children March.” Children will be dressed as their favorite figures from Black History.
- On Saturday, February 22, 2020 at 6:00pm at the Clayton Center for the Arts in Maryville, the Knoxville Opera Gospel Choir will be performing.
- On Friday and Saturday, February 28 and 29, 2020, a play will be performed depicting the life of Beauford Delaney.

Vice-Mayor McKenzie announced that she and Council Member Roberto will be hosting another lunch mob on Sutherland Avenue on Wednesday, February 26, 2020 at noon at Gus’s World Famous Fried Chicken.

Vice-Mayor McKenzie announced that she will be bringing forward a resolution recognizing Council Member Stephanie Welch on her service on City Council.

8. **ELECTIONS AND CONFIRMATIONS**

None

9. **ORDINANCES ON SECOND READING**

Ordinance No. O-18-2020

a. An Ordinance to amend the FY19/20 Operating and Capital Budgets. (Requested by Finance Department)

| RESULT: | APPROVED [UNANIMOUS] |
| MOVER:  | Stephanie Welch, First District |
| SECONDER: | Andrew Roberto, Second District |
| AYES:  | Fugate, McKenzie, Parker, Rider, Roberto, Singh, Testerman, Thomas, Welch |

**Discussion:**

Council Member Roberto and Boyce Evans, Interim Finance Director
Ordinance No. O-19-2020

b. An Ordinance to amend Section 2-450 of the Knoxville City Code to adjust the City of Knoxville’s Classification and Compensation Plan for General Government employees. (Requested by Civil Service)

RESULT: APPROVED [UNANIMOUS]
MOVER: Seema Singh, Third District
SECONDER: Gwen McKenzie, Vice-Mayor, Sixth District
AYES: Fugate, McKenzie, Parker, Rider, Roberto, Singh, Testerman, Thomas, Welch

Discussion:

Council Member Parker and Vicki Hatfield, Civil Service Director

10. HEARINGS ON ZONING MATTERS, APPEALS FROM ACTION OF MPC/BOARD OF ZONING APPEALS OR PLANS REVIEW

None

11. RESOLUTIONS

Resolution No. R-47-2020

a. A Resolution respectfully requesting Knoxville-Knox County Planning to undertake a corridor study for Western Avenue/Oak Ridge Highway. (Requested by Councilmember Singh)

RESULT: APPROVED [UNANIMOUS]
MOVER: Seema Singh, Third District
SECONDER: Gwen McKenzie, Vice-Mayor, Sixth District
AYES: Fugate, McKenzie, Parker, Rider, Roberto, Singh, Testerman, Thomas, Welch

Resolution No. R-48-2020

b. A Resolution respectfully requesting Knoxville-Knox County Planning to undertake a study to develop an approach and policies for envisioning and managing development and redevelopment along the Alcoa Highway Corridor. (Requested by Councilmember Welch)

RESULT: APPROVED [UNANIMOUS]
MOVER: Stephanie Welch, First District
SECONDER: Gwen McKenzie, Vice-Mayor, Sixth District
AYES: Fugate, McKenzie, Parker, Rider, Roberto, Singh, Testerman, Thomas, Welch
Resolution No. R-49-2020

c. A Resolution authorizing the Mayor to execute an agreement with the Tennessee Association of Chiefs of Police to coordinate Internet Crimes Against Children Investigator training and website maintenance, pursuant to a grant from the United States Department of Justice, Office of Juvenile Justice and Delinquency Programs, in an amount not to exceed $79,000.00. (Requested by Knoxville Police Department)

RESULT: APPROVED [UNANIMOUS]  
MOVER: Gwen McKenzie, Vice-Mayor, Sixth District  
SECONDER: Janet Testerman, At-Large Seat B  
AYES: Fugate, McKenzie, Parker, Rider, Roberto, Singh, Testerman, Thomas, Welch

Resolution No. R-50-2020

d. A Resolution authorizing the Mayor to execute an amendment to Contract Number C-13-0089 between the City of Knoxville and Knoxville Convention & Visitors Bureau d/b/a Visit Knoxville to expand the scope of services to provide for Census marketing for an additional contract amount not to exceed $35,000.00. (Requested by Office of Redevelopment)

RESULT: APPROVED [UNANIMOUS]  
MOVER: Gwen McKenzie, Vice-Mayor, Sixth District  
SECONDER: Lauren Rider, Fourth District  
AYES: Fugate, McKenzie, Parker, Rider, Roberto, Singh, Testerman, Thomas, Welch

Resolution No. R-51-2020

e. A Resolution approving the annual budget of the Central Business Improvement District for Fiscal Year 2019-2020. (Requested by Office of Redevelopment)

RESULT: APPROVED [UNANIMOUS]  
MOVER: Gwen McKenzie, Vice-Mayor, Sixth District  
SECONDER: Stephanie Welch, First District  
AYES: Fugate, McKenzie, Parker, Rider, Roberto, Singh, Testerman, Thomas, Welch

Discussion:

Council Member Parker, Mayor Kincannon, and Rick Emmett, Downtown Coordinator
12. **ORDINANCES ON FIRST READING**

**Ordinance No. O-20-2020**

a. An Emergency Ordinance amending Section 4-76 of Chapter 4 of the Knoxville City Code so as to create a Downtown Festival District and to allow possession and consumption of beer and alcoholic beverages on public property within the Festival Event Area, upon approval of a Special Beer Permit by the Beer Board under such terms, conditions, rules and regulations as the Beer Board may establish. (Requested by Beer Board Chair Roberto and Vice Mayor McKenzie)

| RESULT: | APPROVED, EMERGENCY [UNANIMOUS] |
| MOVER:  | Andrew Roberto, Second District |
| SECONDER: | Gwen McKenzie, Vice-Mayor, Sixth District |
| AYES:    | Fugate, McKenzie, Parker, Rider, Roberto, Singh, Testerman, Thomas, Welch |

**Discussion:**

*Council Members Roberto and Singh; Rob Frost, Special Counsel and Advisor to the City Council; and Police Chief Eve Thomas*

**Approved on First Reading**

b. An Ordinance extending the moratorium imposed by Ordinance Nos. O-137-2018, O-16-2019, and O-101-2019 upon shared mobility vehicles within the City of Knoxville through September 2, 2020, with the exception of those shared mobility vehicle providers operating in accordance with and authorized by the City’s pilot program. (Requested by Law Department)

| RESULT: | APPROVED ON FIRST READING [UNANIMOUS]     Next: 2/25/2020 6:00 PM |
| MOVER:  | Gwen McKenzie, Vice-Mayor, Sixth District |
| SECONDER: | Stephanie Welch, First District |
| AYES:    | Fugate, McKenzie, Parker, Rider, Roberto, Singh, Testerman, Thomas, Welch |

**Discussion:**

*Council Member Singh, Chip Barry, Deputy Chief of Operations; Council Members Roberto, Parker, and Rider; and Vice-Mayor McKenzie*
c. An Ordinance appropriating the total sum of $13,924.02 from the Parks and Recreation Department’s Grants and Benevolence Fund and donating same for completed projects to various qualified organizations as part of the Challenge Grant Award Program. (Requested by Parks and Recreation Department)

| RESULT: APPROVED ON FIRST READING [UNANIMOUS] | MOVER: Gwen McKenzie, Vice-Mayor, Sixth District |
| SECONDER: Lauren Rider, Fourth District | AYES: Fugate, McKenzie, Parker, Rider, Roberto, Singh, Testerman, Thomas, Welch |

d. An Ordinance to amend the Downtown Knoxville Design Guidelines as recommended by the Downtown Design Review Board and Planning staff, Knoxville-Knox County Planning, Applicant. (Planning Commission approved 13-0 Consent) (File No. 1-B-20-OB) (All Districts)(Requested by Knoxville-Knox County Planning Commission)

| RESULT: APPROVED ON FIRST READING [UNANIMOUS] | MOVER: Gwen McKenzie, Vice-Mayor, Sixth District |
| SECONDER: Stephanie Welch, First District | AYES: Fugate, McKenzie, Parker, Rider, Roberto, Singh, Testerman, Thomas, Welch |


| RESULT: APPROVED FIRST READING AMENDED [UNANIMOUS] | MOVER: Stephanie Welch, First District |
| SECONDER: Gwen McKenzie, Vice-Mayor, Sixth District | AYES: Fugate, McKenzie, Parker, Rider, Roberto, Singh, Testerman, Thomas, Welch |

"Council Member Welch moved to approve the ordinance, and Vice-Mayor McKenzie seconded the motion."
Discussion:

Council Member Roberto, Gerald Green, Executive Director of Knoxville-Knox County Planning

Council Member Rider moved the amend the ordinance by inserting in two places the word "contiguous" in between "five (5)" and "acres" in Section 8.2.A. INST Institutional District. Council Member Roberto seconded the motion. On unanimous voice-vote, the motion to amend the ordinance carried.

Language as amended:

Sec 8.2.A.

8.2 INST INSTITUTIONAL DISTRICT

A. Purpose Statement

The INST Institutional District is intended to accommodate federal, state, county, and municipal governmental operations (with the exception of those operations that are industrial in nature), and campus institutional uses such as healthcare institutions and educational facilities, to allow for their expansion in a manner that protects surrounding neighborhoods. Areas zoned Institutional shall have a minimum size of five (5) contiguous acres. The area designated as an Institutional district may be composed of lots of various sizes, with a minimum lot size of 20,000 SF, but the total area shall contain a minimum of five (5) contiguous acres. Additional uses may also be permitted, such as residential, and professional office or business uses that are compatible with the character of the district.

On unanimous voice vote, the motion to approve the ordinance carried, and the ordinance was approved on first reading, as amended.

Postponed

f. An Ordinance to close a portion of Myrtle Street between the northern right-of-way line of East Fifth Avenue and terminus and dead-end, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, City of Knoxville, Applicant. (MPC Approved 14-0 Consent) (File No. 4-A-19-SC) (Sixth District)(Requested by Knoxville-Knox County Planning Commission)

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Speaking against the ordinance:

Christopher Salmons, 1710 E Fifth Ave
**Discussion:**

Mayor Kincannon, Vice-Mayor McKenzie, Ron Mills, Deputy Director of Law; Council Member Parker, and Dr. Bill Lyons, Senior Advisor to the Mayor

Vice-Mayor McKenzie moved to postpone the matter for two weeks, and Council Member Roberto seconded the motion.

**Discussion:**

Council Members Rider and Welch, Bruce Spangler, Chief Executive Officer Volunteer Ministry Center; Council Member Roberto, Mr. Salmons, Council Member Fugate, Becky Wade, Director of Housing and Neighborhood Development.

On unanimous voice-vote, the motion to postpone the matter carried.

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### Approved on First Reading

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<tr>
<th>g.</th>
<th>An Ordinance to close the unimproved section of Autumn Creek Drive between 5714 Autumn Creek Drive and Glen Creek Road, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, Trans South Properties, Applicant. (Planning Commission Approved 13-0 Consent) (File No. 1-A-20-SC) (Fourth District)(Requested by Knoxville-Knox County Planning Commission)</th>
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<th>An Ordinance to close an unnamed alley between 3617 Sutherland Avenue and 3601 Sutherland Avenue, City Block 50620, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, Rodney Reagan, Farm Fresh Produce Mkt., Applicant. (Planning Commission Approved 13-0 Consent) (File No. 1-A-20-AC) (Sixth District)(Requested by Knoxville-Knox County Planning Commission)</th>
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Approved on First Reading

i. An Ordinance to close the unimproved portion of Glen Creek Road between 2358 McCampbell Wells Way and the terminus of Glen Creek Road right-of-way, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, Trans South Properties, Applicant. (Planning Commission Approved 13-0 Consent) (File No. 1-B-20-SC) (Fourth District)(Requested by Knoxville-Knox County Planning Commission)

RESULT: APPROVED ON FIRST READING [UNANIMOUS] Next: 2/25/2020 6:00 PM
MOVER: Lauren Rider, Fourth District
SECONDER: Gwen McKenzie, Vice-Mayor, Sixth District
AYES: Fugate, McKenzie, Parker, Rider, Roberto, Singh, Testerman, Thomas, Welch

j. Ordinance 12-j was postponed earlier in the meeting - see Section 5-b

k. Ordinance 12-k was postponed earlier in the meeting - see Section 5-b

l. Ordinance 12-l was postponed earlier in the meeting - see Section 5-b

Ordinance No. O-21-2020

m. An Ordinance to rezone property located at 2735 Martin Luther King, Jr. Avenue from RN-2 (Single Family Residential Neighborhood) District to RN-4 (General Residential Neighborhood) District, City of Knoxville, Applicant. (Planning Commission Approved 13-0 Consent) (File No. 1-B-20-RZ) (Sixth District)(Requested by Knoxville-Knox County Planning Commission)

RESULT: APPROVED, AS AMENDED EMERGENCY [UNANIMOUS]
MOVER: Gwen McKenzie, Vice-Mayor, Sixth District
SECONDER: Seema Singh, Third District
AYES: Fugate, McKenzie, Parker, Rider, Roberto, Singh, Testerman, Thomas, Welch

Vice-Mayor McKenzie moved to approve the ordinance, and Council Member Singh seconded the motion.

Vice-Mayor McKenzie moved to amend the ordinance for it to be heard on emergency reading, and Council Member Rider seconded the motion. On unanimous voice-vote, the motion to amend the ordinance carried.

On unanimous voice-vote, the motion to approve the ordinance carried, and the ordinance was approved as amended on emergency reading.
13. **PUBLIC FORUM**

**Shawn Naessig**  
112 Skyland Ln Powell, TN 37849

At approximately 7:24pm, Council Member Singh left the meeting.

**John Ziadeh**  
48 Ankara Ct

**Patricia Berrier**  
807 Phillips Ave

**Dr. Greg Duthey**  
4505 Plymouth Dr

14. **ADJOURNMENT**

The meeting was closed at 7:36 PM

______________________________________
Presiding Officer of the Council

______________________________________
Recorder