

**AGENDA FOR TUESDAY, FEBRUARY 8, 2000**  
**(Corrected 02-07-00)**

- I. Call to Order.
- II. Invocation (Councilman Crockett).
- III. Minute Approval.
- IV. Special Presentations:
  - a)
- V. Ordinances – Second & Third Reading:
  - a) An ordinance to amend Ordinance No. 10590, and to approve settlement of annexation litigation with the City of Collegedale, Tennessee. **(2<sup>nd</sup> & 3<sup>rd</sup> Readings Held from 1-18-00) (SEE AMENDED VERSION—NEED MOTION TO SUBSTITUTE)**
  - b) An ordinance to amend the Chattanooga City Code, Part II, Chapter 4, which chapter is known as “The Chattanooga Air Pollution Control Ordinance” by providing for incorporation by reference of National Association of Corrosion Engineers Standard RP0294-94 “Recommended Practice Design, Fabrication, and Inspection of Tanks for Storage of Concentrated Sulfuric Acid and Oleum at Ambient Temperatures.”
  - c) An ordinance to amend Chattanooga City Code, Part II, Chapter 4, which chapter is known as “The Chattanooga Air Pollution Control Ordinance” by providing for revisions to fuel-burning equipment and incinerator permit fees; and by adding a new rule for sulfuric acid plants and oleum manufacturing plants; and by adding a new rule for oleum transfer operations.
- VI. Ordinances – First Reading:
  - a) 1999-210 Rivershore Properties (From C-2 to R-3): Rezone a tract of land located in the 5700 block of Lake Resort Drive, being on the southeast line of Lake Resort Drive northeast of Lake Resort Terrace, more particularly described herein. **(Applicant & Staff Version)**  
  
1999-210 Rivershore Properties (From C-2 to R-3): Rezone a tract of land located in the 5700 block of Lake Resort Drive, being on the southeast line of Lake Resort Drive northeast of Lake Resort Terrace, more particularly described herein, subject to certain conditions. **(Planning Version)**

VI. Ordinances – First Reading (continued):

b) 1999-220 Mark Guhne and John Thomas Farrow, Jr. (Close & Abandon): An unnamed street located southwest from Graham Road, southeast of Jenkins Road, more particularly described herein and as shown on plat attached hereto and made a part hereof by reference, subject to a certain condition. **(Recommended for approval)**

c) 1999-223 Chattanooga Neighborhood Enterprise, Inc. (From M-1 to C-3): Rezone tracts of land located at 1603 and 1605 Williams Street, being on the northwest line of Williams Street southwest of West 16<sup>th</sup> Street, more particularly described herein. **(Applicant Version)**

1999-223 Chattanooga Neighborhood Enterprise, Inc. (From M-1 to C-3): Rezone tracts of land located at 1603 and 1605 Williams Street, being on the northwest line of Williams Street southwest of West 16<sup>th</sup> Street, more particularly described herein, subject to certain conditions. **(Planning & Staff Version)**

d) 2000-003 M & M Holdings (From C-1 to M-1): Rezone a tract of land located at 7731 Lee Highway, being on the northwest line of Lee Highway northeast of Bonny Oaks Drive, more particularly described herein. **(Recommended for approval)**

e) 2000-009 Harry Gross (From R-1 to O-1): Rezone a tract of land located at 7531 Shallowford Road, being on the northeast line of Shallowford Road northwest of Ashford Drive, more particularly described herein. **(Applicant Version)**

2000-009 Harry Gross (From R-1 to O-1): Rezone a tract of land located at 7531 Shallowford Road, being on the northeast line of Shallowford Road northwest of Ashford Drive, more particularly described herein, subject to certain conditions. **(Planning & Staff Version)**

f) 2000-012 Walter Barger (From R-2 to R-4): Rezone a tract of land located at 2007 Huff Place, being on the northwest line of Huff Place northeast of East 23<sup>rd</sup> Street, more particularly described herein. **(Applicant Version – recommended for denial by Staff)**

2000-012 Walter Barger (From R-2 to R-4): Rezone a tract of land located at 2007 Huff Place, being on the northwest line of Huff Place northeast of East 23<sup>rd</sup> Street, more particularly described herein, subject to certain conditions. **(Planning Version)**

VI. Ordinances – First Reading (continued):

- g) 2000-013 Larry Armour (From R-1 to C-2): Rezone a tract of land located at 1736 Gunbarrel Road, being on the southeast line of Gunbarrel Road southwest of Igou Gap Road, more particularly described herein. **(Applicant & Planning Version)**

2000-013 Larry Armour (From R-1 to O-1): Rezone a tract of land located at 1736 Gunbarrel Road, being on the southeast line of Gunbarrel Road southwest of Igou Gap Road, more particularly described herein, subject to certain conditions. **(Staff Version)**

- h) 2000-016 Northpoint Land Company and LLBJ, LLC (From G-2 to C-1): Rezone a tract of land located at 1949 Northpoint Boulevard, being on the northeast line of Northpoint Boulevard northwest of Hixson Pike, more particularly described herein. **(Applicant Version)**

2000-016 Northpoint Land Company and LLBJ, LLC (From G-2 to C-1): Rezone a tract of land located at 1949 Northpoint Boulevard, being on the northeast line of Northpoint Boulevard northwest of Hixson Pike, more particularly described herein, subject to certain conditions. **(Planning & Staff Version)**

- i) 2000-017 Herman & Sandra Kelly-Kellikare (From R-1 to R-4): Rezone a tract of land located at 2526 Kelley Road, being on the southeast line of Kelley Road southwest of Pinewood Drive, more particularly described herein. **(Recommended for denial)**

- j) 2000-018 Jerry W. Brown, Sr. (From R-1, R-3 & R-4 to C-2): Rezone a tract of land located at 601 and 603 Airport Road, and 209 and 211 Nowlin Lane, being on the northwest line of Airport Road between Nowlin Lane and Pinehurst Avenue, and the northeast line of Nowlin Lane northwest of Airport Road, more particularly described herein. **(Applicant & Planning Version)**

2000-018 Jerry W. Brown, Sr. (From R-1, R-3 & R-4 to R-4): Rezone a tract of land located at 601 and 603 Airport Road, and 209 and 211 Nowlin Lane, being on the northwest line of Airport Road between Nowlin Lane and Pinehurst Avenue, and the northeast line of Nowlin Lane northwest of Airport Road, more particularly described herein. **(Staff Version)**

- k) 2000-021 Jerry Hagan (From R-1 to RZ-1): Rezone a tract of land located at 2906 Kirkman Road, being on the southeast line of Kirkman Road southwest of Bonny Oaks Drive, more particularly described herein. **(Recommended for denial)**

VII. Resolutions:

- a) A resolution authorizing the appointment of Michael McElrath as a Special Policeman for the Chattanooga Metropolitan Airport Authority, to do special duty as prescribed herein, subject to certain conditions.
- b) A resolution authorizing the appointment of Lamont Chapman as a Special Policeman for the City of Chattanooga, Neighborhood Services Department, to do special duty as prescribed herein, subject to certain conditions.
- c) A resolution authorizing the appointment of Daniel Hendy as a Special Policeman for the City of Chattanooga, Neighborhood Services Department, to do special duty as prescribed herein, subject to certain conditions.
- d) A resolution authorizing the Administrator of the Public Works Department to enter into an Agreement with Hamilton County, relative to their providing GIS software and mapping and a department-wide work order software system for the Department of Public Works, for an amount not to exceed \$100,000.00.
- e) A resolution authorizing the execution of Amendment No. 2 to the Agreement with ComQuest, LLC, for providing additional engineering services to Contract No. CSO-6-99, M. L. King CSO Control Facility, which Amendment increases the contract by the amount of \$63,004.03 for a revised contract amount of \$338,454.03.

VIII. Overtime Report.

IX. Departmental Reports:

- a) Department of Human Services.
- b) Department of Parks, Recreation, Arts & Culture.
- c) Department of General Services.
- d) Department of Public Works.
- e) Fire Department.
- f) Police Department.
- g) Department of Finance and Administration.
- h) Department of Personnel.
- i) Department of Neighborhood Services.
- j) City Finance Officer.
- k) City Attorney.

**Agenda for Tuesday, February 8, 2000 (Corrected 02-07-00)**  
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- X. Other Business.
- XI. Committee Reports.
- XII. Agenda Session for Tuesday, February 15, 2000 (see following pages of this Agenda).
- XIII. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
- XIV. Adjournment.

XII. Agenda Session for Tuesday, February 15, 2000:

AGENDA FOR TUESDAY, FEBRUARY 15, 2000

1. Call to Order.
2. Invocation (Councilman Eaves).
3. Minute Approval.
4. Special Presentations:
  - a)
5. Ordinances – Second & Third Reading:
  - a) 1999-210 Rivershore Properties (From C-2 to R-3): Rezone a tract of land located in the 5700 block of Lake Resort Drive, being on the southeast line of Lake Resort Drive northeast of Lake Resort Terrace, more particularly described herein. **(Applicant & Staff Version)**  
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XII. Agenda Session for Tuesday, February 15, 2000 (continued):

5. Ordinances – Second & Third Reading (continued):

- d) 2000-003 M & M Holdings (From C-1 to M-1): Rezone a tract of land located at 7731 Lee Highway, being on the northwest line of Lee Highway northeast of Bonny Oaks Drive, more particularly described herein. **(Recommended for approval)**
  
- e) 2000-009 Harry Gross (From R-1 to O-1): Rezone a tract of land located at 7531 Shallowford Road, being on the northeast line of Shallowford Road northwest of Ashford Drive, more particularly described herein. **(Applicant Version)**  
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**XII. Agenda Session for Tuesday, February 15, 2000** (continued):

5. Ordinances – Second & Third Reading (continued):

- h) 2000-016 Northpoint Land Company and LLBJ, LLC (From G-2 to C-1): Rezone a tract of land located at 1949 Northpoint Boulevard, being on the northeast line of Northpoint Boulevard northwest of Hixson Pike, more particularly described herein. **(Applicant Version)**  
OR  
2000-016 Northpoint Land Company and LLBJ, LLC (From G-2 to C-1): Rezone a tract of land located at 1949 Northpoint Boulevard, being on the northeast line of Northpoint Boulevard northwest of Hixson Pike, more particularly described herein, subject to certain conditions. **(Planning & Staff Version)**
- i) 2000-017 Herman & Sandra Kelly-Kellikare (From R-1 to R-4): Rezone a tract of land located at 2526 Kelley Road, being on the southeast line of Kelley Road southwest of Pinewood Drive, more particularly described herein. **(Recommended for denial)**
- j) 2000-018 Jerry W. Brown, Sr. (From R-1, R-3 & R-4 to C-2): Rezone a tract of land located at 601 and 603 Airport Road, and 209 and 211 Nowlin Lane, being on the northwest line of Airport Road between Nowlin Lane and Pinehurst Avenue, and the northeast line of Nowlin Lane northwest of Airport Road, more particularly described herein. **(Applicant & Planning Version)**  
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2000-018 Jerry W. Brown, Sr. (From R-1, R-3 & R-4 to R-4): Rezone a tract of land located at 601 and 603 Airport Road, and 209 and 211 Nowlin Lane, being on the northwest line of Airport Road between Nowlin Lane and Pinehurst Avenue, and the northeast line of Nowlin Lane northwest of Airport Road, more particularly described herein. **(Staff Version)**
- k) 2000-021 Jerry Hagan (From R-1 to RZ-1): Rezone a tract of land located at 2906 Kirkman Road, being on the southeast line of Kirkman Road southwest of Bonny Oaks Drive, more particularly described herein. **(Recommended for denial)**

6. Ordinances – First Reading:

- a) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, to change certain provisions within Article VI, Section 111(A) and 111(C) relative to the requirements for a Special Exceptions Permit for a cemetery.



**XII. Agenda Session for Tuesday, February 15, 2000 (continued):**

**6. Ordinances – First Reading (continued):**

- b) An ordinance to amend Chattanooga City Code, Part II, Section 5-75(b), regarding distance restrictions for the sale of beer or other beverages of like alcoholic content.

**7. Resolutions:**

- a) A resolution accepting the donation of certain property, more particularly described herein, from R. L. Stowe Mills, Inc. and authorizing the conveyance of said property to Steve Pemberton d/b/a Pemberton Contractors for the purpose of constructing affordable housing per the City's building specifications and design review.
- b) A resolution authorizing the execution of Amendment No. 1 to the Aerobic Bio-Reclamation Process – Pilot Testing Agreement with ARCADIS, Geraghty & Miller, which Amendment increases the contract by the amount of \$69,170.00 for a revised contract amount of \$454,170.00.
- c) A resolution authorizing the execution of Change Order No. 1, Contract No. CSO-2a-99, Central Avenue CSO Control Facility, with Cash Construction Company, which change order increases the contract amount by \$183,239.37, for a revised contract amount not to exceed \$3,058,448.37.
- d) A resolution authorizing the execution of Change Order No. 1 (Final), Contract No. SW-1-99, Concrete Curb and Gutter, Sidewalk and Driveway, with Yerbey Concrete Construction, Inc., which change order increases the contract amount by \$51,402.70, for a revised contract amount not to exceed \$151,402.70.
- e) A resolution authorizing the award of Contract No. CSO-6-99, M. L. King CSO Control Facility, to Raines Brothers, Inc., for their low bid in the amount of \$3,301,535.30.
- f) A resolution authorizing the award of Contract No. P-1-00, Bituminous Pavement Resurfacing, to Vulcan Materials Company, for their low bid in the amount of \$2,500,000.00.
- g) A resolution authorizing the Administrator of Parks, Recreation, Arts & Culture to enter into a License Agreement with Building Blocks, relative to their operation of a Comprehensive Child Development Program at the John A. Patten Center.

**XII. Agenda Session for Tuesday, February 15, 2000 (continued):**

7. Resolutions (continued):

- h) A resolution authorizing the Administrator of the Department of Parks, Recreation, Arts & Culture to enter into a Personal Services Contract with Frank Ellis d/b/a Horsing Around relative to maintenance and repair services for the Coolidge Park Carousel.
- i) A resolution supporting the efforts of our State Representatives and State Senators in their work to ensure that existing City services can be continued without a near doubling of municipal property tax rates, and opposing any use of local governments' state-shared revenue distributions to solve the state budget problem.

8. Overtime Report.

9. Departmental Reports:

- a) Department of Human Services.
- b) Department of Parks, Recreation, Arts & Culture.
- c) Department of General Services.
- d) Department of Public Works.
- e) Fire Department.
- f) Police Department.
- g) Department of Finance and Administration.
- h) Department of Personnel.
- i) Department of Neighborhood Services.
- j) City Finance Officer.
- k) City Attorney.

10. Other Business.

11. Committee Reports.

12. Agenda Session for Tuesday, February 22, 2000.

13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.

14. Adjournment.