

AGENDA FOR TUESDAY, SEPTEMBER 10, 2002

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Lively).
- III. Minute Approval.
- IV. Special Presentations:
- V. Ordinances – Second & Third Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 5, Article III, by adding a new Section 5-87 relative to open containers of and the consumption of alcoholic beverages and beer in public places and on certain private property.
 - b) An ordinance appropriating, authorizing, or allocating funds to the Capital Improvements Budget for the Fiscal Year 2002/2003.
 - c) An ordinance to amend Ordinance No. 11285, so as to appropriate, authorize and allocate \$1,750,000.00 from the unreserved fund balance of the StormWater Operating Fund so as to provide funds for the construction of certain stormwater projects.
- VI. Ordinances – First Reading:
 - a) MR-2001-153 Americo Group by Thomas Kale (Amend Ordinances). An ordinance amending Ordinance No. 11216, adopted December 4, 2001, and Ordinance No. 11282, adopted July 9, 2002, closing and abandoning all recorded rights-of-way in an area bounded by West 33rd Street on the north, West 35th Street on the south, Broad Street on the East and St. Elmo Avenue on the west, by permitting BellSouth to retain their full easement on West 34th Street.
 - b) 2002-042 Pro Properties of Chattanooga (Amend Ordinance). An ordinance amending Ordinance 11297, adopted July 23, 2002, closing and abandoning a fifty foot (50') wide right-of-way located in the 2200 block of Baldwin Street, as shown on the map attached hereto and made a part hereof by reference, by deleting "Tax Map No. 148G-N-007 and 008" and substituting in lieu thereof "Tax Map No. 145M-C-006".
 - c) 2002-114 Capital Toyota, Inc. (From R-1 to C-1). Rezone a tract of land located at 201 Chickamauga Road and 107 Aiken Road, more particularly described herein. **(Recommended for denial – recommend approval of different zone, see alternate version)**

2002-114 Capital Toyota, Inc. (From R-1 to C-2). Rezone a tract of land located at 201 Chickamauga Road and 107 Aiken Road, more particularly described herein, subject to certain conditions. **(Recommended for approval)**

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VI. Ordinances - First Reading (continued):

- d) 2002-126 Crest Partnership, LLC (From R-2 to R-3). Rezone a tract of land located at 1526 Old Ringgold Road, more particularly described herein. **(Recommended for denial – recommended for approval of different zone, see alternate version)**

2002-126 Crest Partnership, LLC (From R-2 to R-3MD). Rezone a tract of land located at 1526 Old Ringgold Road, more particularly described herein, subject to certain conditions. **(Recommended for approval)**

- e) 2002-129 Center for Sports Medicine and Orthopaedics (From R-1 to C2). Rezone a tract of land located at 2421 McCallie Avenue, more particularly described herein. **(Recommended for denial – recommended for approval of different zone, see alternate version)**

2002-129 Center for Sports Medicine and Orthopaedics (From R-1 to R-4). Rezone a tract of land located at 2421 McCallie Avenue, more particularly described herein, subject to certain conditions. **(Recommended for approval)**

- f) 2002-136 Troy L. Cox (From R-1 and C-2 to M-2). Rezone a tract of land located at 706 Ashland Terrace, more particularly described herein. **(Recommended for denial)**

- g) 2002-141 Frank Tatum (From R-1 to C-2). Rezone a tract of land located at 211 Nowlin Lane, more particularly described herein. **(Recommended for denial – recommended for approval of different zone, see alternate version)**.

2002-141 Frank Tatum (From R-1 to R-4). Rezone a tract of land located at 211 Nowlin Lane, more particularly described herein. **(Recommended for approval)**

- h) MR-2002-142 William D. Scott (Close and Abandon). An ordinance closing and abandoning a fifty foot (50') wide right-of-way located in the 1300 block of Simmons Drive, more particularly described herein and as shown on the map attached on the map attached hereto and made a part hereof by reference, with the Electric Power Board, Chattanooga Gas Company, and the City of Chattanooga retaining their utility easements in the full width of the existing right-of-way of Simmons Drive, subject to certain conditions. **(Recommended for approval by Planning)**

- i) 2002-144 Knitting Mill, LLC – Jon M. Kinsey (From M-1 to C-3). Rezone a tract of land located at 1433 Williams Street, more particularly described herein. **(Recommended for denial – recommended for approval of different zone, see alternate version)**

2002-144 Knitting Mill, LLC – Jon M. Kinsey (From M-1 to C-3). Rezone a tract of land located at 1433 Williams Street, more particularly described herein, subject to certain conditions. **(Recommended for approval)**

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VI. Ordinances - First Reading (continued):

- j) 2002-146 Ruby B. Creighton and E. Steve Bates (From R-1 to R-4). Rezone a tract of land located at 200 Walker Street, more particularly described herein. **(Recommended for approval)**

VII. Resolutions:

- a) A resolution authorizing the execution of Change Order No. 1, Relative to the Southside Streetscape Project, Contract NO. SS-2-01, with J&J Contracting, Inc., which Change Order decreases the contract amount by \$14,085.61, for a revised contract price not to exceed \$508,087.79.
- b) A resolution authorizing the execution of an Agreement with Dennis Smith for construction inspection of various Public Works projects for a total amount not to exceed \$125,000.00.
- c) A resolution authorizing the Administrator of the Department of Public Works or the Mayor to execute such documents as may be necessary related to the environmental remediation of the site bounded by Martin Luther King Boulevard, 10th Street, Market Street and Broad Street (the "Butcher Block") and conveyance of the property to the Electric Power Board.

VIII. Overtime Report.

IX. Departmental Reports:

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

X. Other Business.

XI. Committee Reports.

XII. Agenda Session for Tuesday, September 17, 2002.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, September 17, 2002:

AGENDA FOR TUESDAY, SEPTEMBER 17, 2002

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilwoman Robinson).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Second & Third Reading:
 - a) MR-2001-153 Americo Group by Thomas Kale (Amend Ordinances). An ordinance amending Ordinance No. 11216, adopted December 4, 2001, and Ordinance No. 11282, adopted July 9, 2002, closing and abandoning all recorded rights-of-way in an area bounded by West 33rd Street on the north, West 35th Street on the south, Broad Street on the East and St. Elmo Avenue on the west, by permitting BellSouth to retain their full easement on West 34th Street.
 - b) 2002-042 Pro Properties of Chattanooga (Amend Ordinance). An ordinance amending Ordinance 11297, adopted July 23, 2002, closing and abandoning a fifty foot (50') wide right-of-way located in the 2200 block of Baldwin Street, as shown on the map attached hereto and made a part hereof by reference, by deleting "Tax Map No. 148G-N-007 and 008" and substituting in lieu thereof "Tax Map No. 145M-C-006".
 - c) 2002-114 Capital Toyota, Inc. (From R-1 to C-1). Rezone a tract of land located at 201 Chickamauga Road and 107 Aiken Road, more particularly described herein. **(Recommended for denial – recommend approval of different zone, see alternate version)**

2002-114 Capital Toyota, Inc. (From R-1 to C-2). Rezone a tract of land located at 201 Chickamauga Road and 107 Aiken Road, more particularly described herein, subject to certain conditions. **(Recommended for approval)**
 - d) 2002-126 Crest Partnership, LLC (From R-2 to R-3). Rezone a tract of land located at 1526 Old Ringgold Road, more particularly described herein. **(Recommended for denial – recommended for approval of different zone, see alternate version)**

2002-126 Crest Partnership, LLC (From R-2 to R-3MD). Rezone a tract of land located at 1526 Old Ringgold Road, more particularly described herein, subject to certain conditions. **(Recommended for approval)**

XII. Agenda Session for Tuesday, September 17, 2002 (continued):

5. Ordinances – Second & Third Reading:

- e) 2002-129 Center for Sports Medicine and Orthopaedics (From R-1 to C2). Rezone a tract of land located at 2421 McCallie Avenue, more particularly described herein. **(Recommended for denial – recommended for approval of different zone, see alternate version)**

2002-129 Center for Sports Medicine and Orthopaedics (From R-1 to R-4). Rezone a tract of land located at 2421 McCallie Avenue, more particularly described herein, subject to certain conditions. **(Recommended for approval)**

- f) 2002-136 Troy L. Cox (From R-1 and C-2 to M-2). Rezone a tract of land located at 706 Ashland Terrace, more particularly described herein. **(Recommended for denial)**

- g) 2002-141 Frank Tatum (From R-1 to C-2). Rezone a tract of land located at 211 Nowlin Lane, more particularly described herein. **(Recommended for denial – recommended for approval of different zone, see alternate version).**

2002-141 Frank Tatum (From R-1 to R-4). Rezone a tract of land located at 211 Nowlin Lane, more particularly described herein. **(Recommended for approval)**

- h) MR-2002-142 William D. Scott (Close and Abandon). An ordinance closing and abandoning a fifty foot (50') wide right-of-way located in the 1300 block of Simmons Drive, more particularly described herein and as shown on the map attached on the map attached hereto and made a part hereof by reference, with the Electric Power Board, Chattanooga Gas Company, and the City of Chattanooga retaining their utility easements in the full width of the existing right-of-way of Simmons Drive, subject to certain conditions. **(Recommended for approval by Planning)**

- i) 2002-144 Knitting Mill, LLC – Jon M. Kinsey (From M-1 to C-3). Rezone a tract of land located at 1433 Williams Street, more particularly described herein. **(Recommended for denial – recommended for approval of different zone, see alternate version)**

2002-144 Knitting Mill, LLC – Jon M. Kinsey (From M-1 to C-3). Rezone a tract of land located at 1433 Williams Street, more particularly described herein, subject to certain conditions. **(Recommended for approval)**

- j) 2002-146 Ruby B. Creighton and E. Steve Bates (From R-1 to R-4). Rezone a tract of land located at 200 Walker Street, more particularly described herein. **(Recommended for approval)**

XII. Agenda Session for Tuesday, September 17, 2002 (continued):

6. Ordinances - First Reading:

- a) MR-2002-143 Sequatchie Concrete Service (Close and Abandon). An ordinance closing and abandoning all alleys and rights-of-way within the property lines of 1401 East 39th Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions.

7. Resolutions:

- a) A resolution authorizing the appointment of Howard R. Brown and Gary D. Talley as special policemen (armed) for Erlanger Health Systems, to do special duty as prescribed herein, subject to certain conditions.
- b) A resolution authorizing the Administrator of the Department of Public Works to execute Amendment No. 1 to Contract No. SS-6-00, relative to the Market Street Streetscape Project with Volkert & Associates, Inc., for resident project representative services for an amount not to exceed \$140,500.00 for a total revised fee not to exceed \$246,000.00.
- c) A resolution authorizing the Administrator of the Department of Public Works to execute Amendment No. 2 to Contract No. SS-6-00, relative to the Market Street Streetscape Project with Volkert & Associates, Inc., for additional re-design services for an amount not to exceed \$10,500.00 for a total revised fee not to exceed \$256,500.00.
- d) A resolution authorizing the award of Contract SS-6-00, Market Street Streetscape Project, from 6th Street to 10th Street, to East Tennessee Grading, Inc. for their low bid in the amount of \$1,895,422.50.
- e) A resolution authorizing the acceptance of a sewer easement from the Department of the Army on property located on the Volunteer Army Ammunition Plant (VAAP), as more particularly described on Exhibit B attached hereto and made a part hereof by reference.

8. Overtime Report.

9. Departmental Reports:

- a) Department of Human Services.
- b) Department of Parks, Recreation, Arts & Culture.
- c) Department of Public Works.
- d) Fire Department.
- e) Police Department.
- f) Department of Finance and Administration.
- g) Department of Personnel.

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XII. Agenda Session for Tuesday, September 17, 2002 (continued):

9. Departmental Reports (continued):
 - h) Department of Neighborhood Services.
 - i) City Finance Officer.
 - j) City Attorney.
10. Other Business.
11. Committee Reports.
12. Agenda Session for Tuesday, September 24, 2002.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.