

## AGENDA FOR TUESDAY, FEBRUARY 18, 2003

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Chairman Littlefield).
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Second & Third Reading:
  - a) MR-2002-223 City of Chattanooga (Close and Abandon). An ordinance closing and abandoning an unopened alley located in the 2600 block of Lockwood Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.
  - b) 2002-230 City of Chattanooga (Name Change). Right-of-way name change for the 1700 and 1800 blocks of Cummings Highway to Broad Street and for a portion of Broad Street to Charger Drive, more particularly described herein.
  - c) 2003-009 Blood Assurance, Inc. (From R-4 to C-3). Rezone a part of a tract of land located at 700 East 3<sup>rd</sup> Street, more particularly described herein, subject to certain conditions.
  - d) 2003-012 Cummings Cove, LLC and Inman, LLC (From R-1 and C-2 to RT-1). Rezone a tract of land located at 4214 Cummings Highway and 4010 Cummings Road, more particularly described herein.
- VI. Ordinances - First Reading:
  - a) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Tiftonia in Hamilton County, Tennessee, as shown by the attached map. (1-A)
  - b) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Tiftonia in Hamilton County, Tennessee, as shown by the attached map. (1-B)
  - c) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Hixson in Hamilton County, Tennessee, as shown by the attached map. (2-A)

**Agenda for Tuesday, February 18, 2003**  
**Page 2 of 9**

VI. Ordinances - First Reading (continued):

- d) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Hixson in Hamilton County, Tennessee, as shown by the attached map. (2-B)
- e) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Lee Highway and Interstate 75 in Hamilton County, Tennessee, as shown by the attached map. (4A-1)
- f) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Lee Highway and Interstate 75 in Hamilton County, Tennessee, as shown by the attached map. (4A-2)
- g) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Lee Highway and Interstate 75 in Hamilton County, Tennessee, as shown by the attached map. (4-B)
- h) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Bonny Oaks Drive in Hamilton County, Tennessee, as shown by the attached map. (5-A)
- i) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Bonny Oaks Drive in Hamilton County, Tennessee, as shown by the attached map. (5-B)
- j) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Old Lee Highway in Hamilton County, Tennessee, as shown by the attached map. (5-C)
- k) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Old Lee Highway in Hamilton County, Tennessee, as shown by the attached map. (5C-1)
- l) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of the Jenkins Road extension in Hamilton County, Tennessee, as shown by the attached map. (6)

**Agenda for Tuesday, February 18, 2003**  
**Page 3 of 9**

VI. Ordinances - First Reading (continued):

- m) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of the Valley Hospital property in Hamilton County, Tennessee, as shown by the attached map. (7)
- n) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of East Brainerd in Hamilton County, Tennessee, as shown by the attached map. (8)

VII. Resolutions:

- a) A resolution authorizing the Mayor or the City Finance Officer to execute any and all documents necessary to facilitate the donation of real property located at 4501 St. Elmo Avenue, Tax Map No. 167G-E-004, to the St. Elmo Improvement League.
- b) A resolution authorizing the Administrator of the Department of Public Works to execute an agreement with the State of Tennessee Department of Transportation (TDOT), to construct a project designated as Federal Project No. BH-STP-3556(7); State Project No. 33959-1506-94, bridge and approaches over South Chickamauga Creek, L.M. 4.01.
- c) A resolution authorizing the Administrator of the Department of Public Works to execute a professional services agreement with Consolidated Technologies, Inc., relative to hydraulic modeling and evaluation of flood control options at Warner Park/Engel Stadium, Contract No. S-03-001-100, for a total amount not to exceed \$14,000.00.
- d) A resolution authorizing the Administrator of the Department of Public Works to execute an agreement with Orange Grove Center, Inc., relative to continuing to provide facilities, equipment, labor and services required to receive, handle, sort, process and market recyclables for the City's recycling program for the fiscal year 2002-2003.
- e) A resolution authorizing the Mayor or the City Finance Officer to enter into a loan agreement with American Communities Fund so as to finance up to \$5,000,000.00 in infrastructure investment related to the Alton Park Hope VI effort. **(Added by permission of Vice Chairman Franklin)**

VIII. Overtime Report.

**Agenda for Tuesday, February 18, 2003**

**Page 4 of 9**

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, February 25, 2003.

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

XIV. Adjournment.

**XII. Agenda Session for Tuesday, February 25, 2003:**

**AGENDA FOR TUESDAY, FEBRUARY 25, 2003**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Taylor).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Second & Third Reading:
  - a) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Tiftonia in Hamilton County, Tennessee, as shown by the attached map. (1-A)
  - b) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Tiftonia in Hamilton County, Tennessee, as shown by the attached map. (1-B)
  - c) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Hixson in Hamilton County, Tennessee, as shown by the attached map. (2-A)
  - d) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Hixson in Hamilton County, Tennessee, as shown by the attached map. (2-B)
  - e) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Lee Highway and Interstate 75 in Hamilton County, Tennessee, as shown by the attached map. (4A-1)
  - f) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Lee Highway and Interstate 75 in Hamilton County, Tennessee, as shown by the attached map. (4A-2)
  - g) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Lee Highway and Interstate 75 in Hamilton County, Tennessee, as shown by the attached map. (4-B)

**XII. Agenda Session for Tuesday, February 25, 2003 (continued):**

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

- h) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Bonny Oaks Drive in Hamilton County, Tennessee, as shown by the attached map. (5-A)
- i) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Bonny Oaks Drive in Hamilton County, Tennessee, as shown by the attached map. (5-B)
- j) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Old Lee Highway in Hamilton County, Tennessee, as shown by the attached map. (5-C)
- k) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Old Lee Highway in Hamilton County, Tennessee, as shown by the attached map. (5C-1)
- l) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of the Jenkins Road extension in Hamilton County, Tennessee, as shown by the attached map. (6)
- m) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of the Valley Hospital property in Hamilton County, Tennessee, as shown by the attached map. (7)
- n) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of East Brainerd in Hamilton County, Tennessee, as shown by the attached map. (8)
- o) 2002-228 Trotter's Place, Inc. (From R-1 to R-4). Rezone tracts of land located in the 2200 block of Hickory Valley Road and 6710 Shallowford Road, more particularly described herein, subject to certain conditions. **(Deferred for 2<sup>nd</sup> & 3<sup>rd</sup> reading from 02-18-03)**

6. Ordinances – First Reading:

- a) An ordinance to amend Chattanooga City Code, Part II, Chapter 35, Article IV, Sections 35-146 through 35-180, relative to the wrecking and towing service.

**XII. Agenda Session for Tuesday, February 25, 2003 (continued):**

6. Ordinances – First Reading (continued):

- b) MR-2001-153 Americo Group by Thomas Kale (Rescind Ordinance No. 11216 and No. 11282). An ordinance amending Ordinance No. 11216, adopted December 4, 2001, and as amended by Ordinance No. 11282, adopted July 15, 2002, by rescinding the closing and abandoning of all recorded rights-of-way in an area bounded by West 33<sup>rd</sup> Street on the north, West 35<sup>th</sup> Street on the south, and Broad Street on the east and St. Elmo Avenue on the west, as shown on the map attached hereto and made a part hereof by reference. **(Deferred from 02-11-03)**
- c) MR-2003-001 Jimmy Hudson (Close & Abandon). An ordinance closing and abandoning the unopened 3000 block of Sydney Street and the unopened 1300 block of West 30<sup>th</sup> 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 award of the contract for the Development Resource Center Office Build-Out Project to DP Construction, LLC, for their low bid in the amount of \$46,100.00.
- b) A resolution authorizing the contract for the construction of a concessions stand at the Lakeside Ballfield Complex to Eastman Construction Company in an amount not to exceed \$146,000.00.
- c) A resolution rescinding Resolution No. 23644, adopted January 7, 2003, and encaptioned “A resolution authorizing the award of Contract 81C, Sanitary Sewer Relocation for Signal Mountain Project Widening, to Case Construction Service, Inc., for an amount not to exceed \$487,443.40, including a contingency amount of \$50,000.00” due to the failure of Case Construction, Inc. to submit the relevant bonds.
- d) A resolution authorizing the Administrator of the Department of Public Works to transfer an amount not to exceed \$64,313.00 from the Public Works Capital Projects Fund P416, to the Tennessee Department of Transportation (“TDOT”) relative to Project No. LP #1982, BR-STP-3614(4) Hamill Road, bridge over unnamed branch.
- e) A resolution authorizing the Administrator of the Department of Public Works to transfer an amount not to exceed \$175,529.00 from the Public Works Capital Projects Fund P416, to the Tennessee Department of Transportation (“TDOT”) relative to Project No. LP #3269, STP-M-9202(79), Shallowford Road over Friars Branch.

**XII. Agenda Session for Tuesday, February 25, 2003 (continued):**

7. Resolutions (continued):

- f) A resolution authorizing the Administrator of the Department of Public Works to accept a check from the United States Treasury Department in the amount of \$100,000.00 assessed in court case *United States v. Hydro-Vac Services, et al.*, with said funds to be used to improve or enhance the operations of the Industrial Pretreatment Program at Moccasin Bend Wastewater Treatment Plant.
- g) A resolution authorizing the execution of Change Order No. 1, relative to the Market Street Streetscape from 6<sup>th</sup> Street to 10<sup>th</sup> Street, Contract No. SS-6-00 (landscaping), with Ooltewah Nursery, which change order increases the contract amount by \$11,277.00, for a revised contract amount not to exceed \$240,202.00.
- h) A resolution authorizing the Administrator of the Department of Public Works to execute any and all documents necessary to facilitate a declaration and agreement with Kenco Group, Inc., relative to the dedication of a sewer line located on Kenco property at Wauhatchie Pike, Hamilton County, Tennessee, for a total consideration of \$10.00.
- i) A resolution authorizing the Administrator of the Department of Public Works to execute any and all documents necessary to facilitate a declaration and agreement with ConAgra Poultry Company, relative to the dedication of a sewer line located on ConAgra property at 950 Wauhatchie Pike, Hamilton County, Tennessee, for a total consideration of \$10.00.
- j) A resolution authorizing the purchase of a permanent sewer easement from Don Moon, relative to Contract No. 73B-3, Hixson Marina Collection System, Parcel No. 101-56.08, Tract No. 027.1, for an amount not to exceed \$677.00.
- k) A resolution authorizing the purchase of a deed of perpetual channel improvement easement from James F. and Cheryl K. Trimble, relative to the Riverbank Stabilization Project, Parcel No. 118N-D-004, Tract No. 604E, for an amount not to exceed \$2,974.00.
- l) A resolution authorizing BRD Properties to use temporarily the City's right-of-way located at 711 and 713 Cherry Street to install two awnings, subject to certain conditions.
- m) A resolution authorizing Linda McFalls, President of the Missionary Ridge Neighborhood Association, to use temporarily the City's right-of-way of Crest Road South and Seminole Road South to install a monument sign as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions.
- n) A resolution authorizing Malcolm Walker, President of the Shepherd Community Council, to use temporarily the City's right-of-way at Fisk Avenue to place a gateway sign, subject to certain conditions.



**XII. Agenda Session for Tuesday, February 25, 2003 (continued):**

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.
  - h) Department of Neighborhood Services.
  - i) City Finance Officer.
  - j) City Attorney.
10. Other Business.
11. Committee Reports.
12. Agenda Session for Tuesday, March 4, 2003.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.