

## AGENDA FOR TUESDAY, SEPTEMBER 9, 2003

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Page).
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Second & Third Reading:
  - a) An Ordinance appropriating, authorizing, or allocating funds to the Capital Budget Improvements Budget for the Fiscal Year 2003-2004 and amending Ordinance No. 11316.
- VI. Ordinances - First Reading:
  - a) An Ordinance reapportioning the nine (9) Districts for City Council.
  - b) An Ordinance to Amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article III, so as to add a new Section 105, to incorporate new language relative to an Urban Overlay Zone.
  - c) An Ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article IV, General Regulations, Article V, Zone Regulations, and adding a new Section 1700, to incorporate language relative to off-street parking, shared parking and reduced parking standards.
  - d) 2003-080 Neal Spurling (From R-2 to R-3MD). Rezone tracts of land located at 600 and 606 Hamilton Avenue, more particularly described herein. **(Not recommended for approval by Planning - deferred from 07-08-03)**
  - e) 2003-107 City of Chattanooga (From R-2, R-3, R-4, C-2, M-1, M-3 to R-1). An Ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone properties within the area being generally bounded on the South by Manning Street, on the North by Oxford Street, on the East to the rear property lines of parcels with frontage on Forest Avenue and Mississippi Avenue, and on the West to North Market Street, Dallas Road, and Hamilton Avenue, more particularly described herein and shown on the maps attached hereto and made a part hereof by reference, from R-2 Residential Zone, R-3 Residential Zone, R-4 Residential Zone, C-2 Convenience Commercial Zone, M-1 Manufacturing Zone and M-3 Warehouse and Wholesale Zone to R-1 Residential Zone. **(Recommended for approval by Planning)**
  - f) 2003-121 City of Chattanooga. An Ordinance to change the right-of-way name of the 1600 Block of White Oak Road to Auburndale Avenue. **(Recommended for approval)**

VI. Ordinances - First Reading (continued):

- g) 2003-126 Brian L. Tune. Lift conditions imposed in Ordinance No. 8943 and Ordinance No. 9649, on property located at 1651 Gunbarrel Road, more particularly described herein, subject to certain conditions. **(Not recommended for approval by Planning - see alternate version)**

2003-126 Brian L. Tune. Lift conditions imposed in Ordinance No. 8943 and Ordinance No. 9649, on property located at 1651 Gunbarrel Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

- h) 2003-127 Clare Parker (From R-2 to C-2). Rezone a tract of land located at 3222 Calhoun Avenue, more particularly described herein. **(Recommended for approval by Planning)**

- i) 2003-129 Wyndi M. White and Louis Ferguson, JR. (From R-1 to R-4). Rezone a tract of land located at 13 North Parkdale Avenue, more particularly described herein. **(Recommended for denial by Planning)**

- j) 2003-132 Sandy Maddox (From R-1 to R4). Rezone a tract of land located at 2235 Hickory Valley Road, more particularly described herein. **(Recommended for approval by Planning)**

- k) 2003-133 Hunter Museum c/o DHW Architects and City of Chattanooga c/o Jeff Pfitzer (From R-4 to C-3). Rezone a tract of land located at 10 Bluff View, more particularly described herein. **(Not recommended for approval by Planning - see alternate version)**

2003-133 Hunter Museum c/o DHW Architects and City of Chattanooga c/o Jeff Pfitzer (From R-4 to C-3). Rezone a tract of land located at 10 Bluff View, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

- l) 2003-134 Elmer J. Bass (From R-2 to C-2). Rezone a tract of land located at 3402 and 2404 7<sup>th</sup> Avenue, more particularly described herein. **(Not recommended for approval by Planning - see alternate version)**

2003-134 Elmer J. Bass (From R-2 to C-2). Rezone a tract of land located at 3402 and 2404 7<sup>th</sup> Avenue, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

VI. Ordinances - First Reading (continued):

- m) 2003-135 Jim Horsey (From R-1 to R-4). Rezone a tract of land located at 1900 Gunbarrel Road, more particularly described herein. **(Not recommended for approval by Planning - see alternate version)**

2003-135 Jim Horsey (From R-1 to R-4). Rezone a tract of land located at 1900 Gunbarrel Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

- n) 2003-137 Rick Thompson (From R-4 to C-3): Rezone a tract of land located in the 500 Block of Lindsay Street, more particularly described herein. **(Not recommended for approval by Planning - see alternate version)**

2003-137 Rick Thompson (From R-4 to C-3): Rezone a tract of land located in the 500 Block of Lindsay Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

- o) 2003-140 Jeffery B. Carmack – Carmack Properties (From O-1 to R-4): An Ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 5809 Winding Lane. **(Not recommended for approval - see alternate version)**

2003-140 Jeffery B. Carmack – Carmack Properties (From O-1 to R-4): Rezone a tract of land located at 5809 Winding Lane, subject to certain conditions. **(Recommended for approval by Planning)**

VII. Resolutions:

- a) A resolution approving a lease-purchase agreement with Motorola, Inc., relative to the acquisition of certain radio communications equipment and software, and authorizing the City Finance Officer to enter into said lease-purchase agreement.
- b) A resolution authorizing the Mayor to enter into an interlocal agreement with Hamilton County and the 911 Board relative to radio communications.
- c) A resolution authorizing the Mayor to enter into an interlocal agreement with Hamilton County relative to the sharing of the cost of the Motorola update in radio communications equipment and software.
- d) A resolution authorizing Ewen Environmental to use temporarily the City's right-of-way between the 500 Block and the 800 Block of Riverfront Parkway for the installation of ground monitoring wells for the Jones-Blair Company, subject to certain conditions.

VII. Resolutions (continued):

- e) A resolution amending Resolution No. 23721 authorizing Malcolm Walker, President of the Shepherd Community Council, to use temporarily the City's right-of-way at the 1700 Block of Shepherd Road and Fisk Avenue to place a gateway sign at a revised location, subject to certain conditions.
- f) A resolution authorizing LeMont Johnson, d/b/a LeMont's Catering to use temporarily the City's right-of-way of the 800 Block of Dodds Avenue to plant trees and grass along the sidewalk area, subject to certain conditions.
- g) A resolution authorizing the Administrator of the Department of Public Works to enter into an Agreement with Gershman, Brickner & Bratton, Inc. for professional services relative to solid waste management in an amount not to exceed \$85,000.00.
- h) A resolution authorizing the appointment of Jackie L. Moore, Thomas J. Pickens, Michael T. Robertson, Albert D. Chandler, Richard E. Cook, Jr., Justin E. Jackson, Danny Mingo, and James Flanagan as special policemen for the Hamilton County Parks Department, to do special duty as prescribed herein, subject to certain conditions.
- i) A resolution authorizing the Mayor to execute an agreement with Stokes, Bartholomew, Evans & Petree, P.A., relative to lobbying services for fiscal year 2003-2004, for an amount not to exceed \$50,000.00, plus reasonable out-of-pocket expenses.

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.

**Agenda for Tuesday, September 9, 2003**  
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- XII. Agenda Session for Tuesday, September 16, 2003.
- XIII. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
- XIV. Adjournment.

**XII. Agenda Session for Tuesday, September 16, 2003:**

**AGENDA FOR TUESDAY, SEPTEMBER 16, 2003**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Vice Chair Benson).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Second & Third Reading:
  - a) An Ordinance reapportioning the nine (9) Districts for City Council.
  - b) An Ordinance to Amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article III, so as to add a new Section 105, to incorporate new language relative to an Urban Overlay Zone.
  - c) An Ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article IV, General Regulations, Article V, Zone Regulations, and adding a new Section 1700, to incorporate language relative to off-street parking, shared parking and reduced parking standards.
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  - f) 2003-121 City of Chattanooga. An Ordinance to change the right-of-way name of the 1600 Block of White Oak Road to Auburndale Avenue. **(Recommended for approval)**

**XII. Agenda Session for Tuesday, September 16, 2003 (continued):**

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

- g) 2003-126 Brian L. Tune. Lift conditions imposed in Ordinance No. 8943 and Ordinance No. 9649, on property located at 165 1 Gunbarrel Road, more particularly described herein, subject to certain conditions. **(Not recommended for approval by Planning - see alternate version)**

2003-126 Brian L. Tune. Lift conditions imposed in Ordinance No. 8943 and Ordinance No. 9649, on property located at 1651 Gunbarrel Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

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- l) 2003-134 Elmer J. Bass (From R-2 to C-2). Re zone a tract of land located at 3402 and 2404 7<sup>th</sup> Avenue, more particularly described herein. **(Not recommended for approval by Planning - see alternate version)**

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**XII. Agenda Session for Tuesday, September 16, 2003 (continued):**

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

- m) 2003-135 Jim Horsey (From R-1 to R-4). Rezone a tract of land located at 1900 Gunbarrel Road, more particularly described herein. **(Not recommended for approval by Planning - see alternate version)**

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2003-140 Jeffery B. Carmack – Carmack Properties (From O-1 to R-4): Rezone a tract of land located at 5809 Winding Lane, subject to certain conditions. **(Recommended for approval by Planning)**

6. Ordinances - First Reading:

- a) 2003-098 Fred Robinson (From R-1 to C-2). Rezone a tract of land located at 4181 Hixson Pike, more particularly described herein. **(Recommended for denial by Planning - deferred from 08-12-03)**

7. Resolutions:

- a) A resolution amending Resolution No. 23495, adopted August 20, 2002, relative to the agreement with the State of Tennessee Division of Solid Waste Management for the Closure/Post-Closure Plan for the Summit Landfill, by deleting “an amount not to exceed \$3,319,250.00” and substituting in lieu thereof “an amount not to exceed \$3,226,694.00”.



**XII. Agenda Session for Tuesday, September 16, 2003 (continued):**

7. Resolutions (continued):
  - b) A resolution amending Resolution No. 233 97, adopted May 14, 2002, relative to the agreement for the Closure/Post Closure Plan for the Birchwood Landfill with the State of Tennessee, Division of Solid Waste Management, by deleting "an amount not to exceed \$5,340,465.00" and substituting in lieu thereof "an amount not to exceed \$5,507,346.00".
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, September 23, 2003.
13. Recognition of Persons Wishing to Address the Council on Non -Agenda Matters.
14. Adjournment.