

AGENDA FOR TUESDAY, JULY 6, 2004

- 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 hereinafter also known as "The Fiscal Year 2004-2005 Budget Ordinance", to provide revenue for the fiscal year beginning July 1, 2004, and ending June 30, 2005, and appropriating same to the payment of expenses of the municipal government; fixing the rate of taxation on all taxable property in the City, and the time taxes and privileges are due, how they shall be paid, when they shall become delinquent; providing for interest and penalty on delinquent taxes and privileges, and to amend Part II, Chattanooga City Code, Sections 2-285, 7-1, 7-8, 31-36, 31-41 and 31-43.
- VI. Ordinances - First Reading:
 - a) 2004-076 Henry C. Eickhoff and Karen Ford Eickhoff (From R-1 and C-5 to C-2). Rezone a tract of land located at 4400 Brainerd Road, more particularly described herein. **(Recommended for denial by Planning - deferred from 05-18-04)**
- VII. Resolutions:
 - a) A resolution authorizing the Administrator of the Department of Parks, Recreation, Arts and Culture to execute a contract with Tower Construction Company, relative to work at the new Whiteside Park, in an amount not to exceed \$215,000.00.
 - b) A resolution authorizing the Administrator of the Department of Parks, Recreation, Arts and Culture to accept the Friends of the Zoo's proposal to build the Himalayan Passage Exhibit for the Chattanooga Zoo at Warner Park with Friends of the Zoo contributing a minimum of \$300,000.00 to the project and the City contributing \$225,000.00.
 - c) A resolution authorizing the Administrator of the Department of Parks, Recreation, Arts and Culture to execute a contract with Tower Construction Company, relative to renovations at the Washington Hills Recreation Center, in an amount not to exceed \$460,000.00.
 - d) A resolution authorizing the Administrator of the Department of Public Works to execute a Lease with Co-Generation Technologies, Inc. and a restated agreement with Alternative Fuels, LLC, relating to the operation of the landfill gas system at Summit Landfill.

Agenda for Tuesday, July 6, 2004

Page 2 of 7

VII. Resolutions (continued):

- e) A resolution authorizing the Administrator of the Department of Public Works to execute an agreement with Volkert & Associates, Inc., relative to Contract No. E-03-031-100, Electric Power Board Block Streetscape, for professional services in a total amount not to exceed \$99,000.00.
- f) A resolution authorizing the award of Contract No. E-03-017-200, North Access Road Repair, to Wright Brothers Construction for a total amount not to exceed \$206,520.00, including a contingency amount of \$20,000.00.

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 Personnel.
- g) Department of Neighborhood Services.
- h) Department of Finance and Administration
- i) City Attorney.

X. Other Business.

XI. Committee Reports.

XII. Agenda Session for Tuesday, July 13, 2004.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, July 13, 2004:

AGENDA FOR TUESDAY, JULY 13, 2004

1. Call to Order.
2. Pledge of Allegiance/Invocation (Chairman Benson).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Second & Third Reading:
 - a) 2004-076 Henry C. Eickhoff and Karen Ford Eickhoff (From R-1 and C-5 to C-2). Rezone a tract of land located at 4400 Brainerd Road, more particularly described herein. **(Recommended for denial by Planning - deferred from 05-18-04)**
6. Ordinances - First Reading:
 - a) An ordinance to amend the Charter of the City of Chattanooga, and all acts, ordinances and other Charter provisions, amendatory thereof, pursuant to the provisions of Article XI, Section 9, of the Constitution of the State of Tennessee (Home Rule Amendment) so as to repeal Section 3.1.1 of the Charter which requires that City employees be registered or be eligible to vote in the State of Tennessee. **(Deferred from 04-27-04)**
 - b) 2004-068 Richard Burke (From R-4 to O-1). Rezone a tract of land located at 2807 Walker Road, more particularly described herein. **(Recommended for approval by Planning - recommended for denial by Staff)**
 - c) 2004-094 Gregory Shawn Petree (Amend Conditions). An ordinance to amend Ordinance No. 6958, as the Zoning Ordinance, so as to amend certain conditions imposed in Ordinance No. 11475 on property located at 2510 Duncan Avenue, being more particularly described herein, subject to certain conditions. **(Not recommended for approval by Planning - see alternate version)**

2004-094 Gregory Shawn Petree (Amend Conditions). An ordinance to amend Ordinance No. 6958, as the Zoning Ordinance, so as to amend certain conditions imposed in Ordinance No. 11475 on property located at 2510 Duncan Avenue, being more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

XII. Agenda Session for Tuesday, July 13, 2004 (continued):

6. Ordinances - First Reading (continued):

- d) 2004-105 S.E.W. Construction, L.L.C. (From R-1 to R-T/Z). Rezone tracts of land located at 7229, 7231 and 7233 Noah Reid Road, more particularly described herein. **(Not recommended for approval by Planning - see alternate version)**

2004-105 S.E.W. Construction, L.L.C. (From R-1 to R-T/Z). Rezone tracts of land located at 7229, 7231 and 7233 Noah Reid Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

- e) 2004-109 Tony Daniel (From R-5 to R-4). Rezone a tract of land located at 5927 Winding Lane, more particularly described herein. **(Recommended for approval by Planning)**

- f) 2004-110 Carmack & Johnson, LLC (Lift Conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to amend certain conditions imposed in Ordinance No. 11421 on property being located at 912 Sutton Drive, being more particularly described herein, subject to certain conditions. **(Not recommended for approval by Planning - see alternate version)**

2004-110 Carmack & Johnson, LLC (Lift Conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to amend certain conditions imposed in Ordinance No. 11421 on property being located at 912 Sutton Drive, being more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

- g) 2004-112 CAP Investments (From R-2 to R-3). Rezone a tract of land located at 1711 Olive Street, more particularly described herein. **(Recommended for denial by Planning)**

- h) 2004-122 LDG Construction, Inc. (From R-1 to R-2). Rezone tracts of land located at 507 and 511 North Germantown Road and 3525 Rogers Road, more particularly described herein. **(Recommended for denial by Planning)**

- i) 2004-123 Tag Bailey (From R-3 to C-3). Rezone a tract of land located at 727 Battery Place, more particularly described herein. **(Not recommended for approval by Planning - see alternate version)**

2004-123 Tag Bailey (From R-3 to C-3). Rezone a tract of land located at 727 Battery Place, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

XII. Agenda Session for Tuesday, July 13, 2004 (continued):

6. Ordinances - First Reading (continued):

- j) 2004-124 Tagner H. Bailey (From R-4 to C-3). Rezone a tract of land located at 110 Douglas Street, more particularly described herein. **(Not recommended for approval by Planning - see alternate version)**

2004-124 Tagner H. Bailey (From R-4 to C-3). Rezone a tract of land located at 110 Douglas Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

- k) MR-2004-005 Chattanooga Housing Authority (Close & Abandon). An ordinance closing and abandoning the 600 block of West 37th Street, part of the 3500 and 3700 blocks of Chandler Avenue and an unopened alley located at the east line of the 3700 block of Chandler Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Public Works and Planning)**

- l) MR-2004-009 City of Chattanooga and Chattanooga Housing Authority (Close & Abandon). An ordinance closing and abandoning an unopened alley located in the 3800 block of Chandler Avenue, an unopened portion of Oakland Avenue located in the north line of the 500 block of West 42nd Street, the unopened 600 blocks of West 40th Street and West 41st Street and a portion of the unopened 700 block of West 40th Street right-of-way, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Public Works and Planning)**

7. Resolutions:

- a) 2004-090 Wise Properties - TN, LLC (Preliminary PUD). A resolution approving a Preliminary Planned Unit Development Special Exceptions Permit for a proposed Planned Unit Development known as Townhomes Over Chattanooga Planned Unit Development, on a tract of land located in the 500 blocks of Woodland and Forest Avenues, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning - deferred from 06-08-04)**

- b) 2004-115 Chris Amos (Preliminary PUD). A resolution approving a Preliminary Planned Unit Development Special Exceptions Permit for a proposed Planned Unit Development known as Chris Amos Planned Unit Development, on a tract of land located at 1134 Mountain Creek Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning)**

XII. Agenda Session for Tuesday, July 13, 2004 (continued):

7. Resolutions (continued):

- c) 2004-121 Barry A. Payne (Preliminary PUD). A resolution approving a Preliminary Planned Unit Development Special Exceptions Permit for a proposed Planned Unit Development known as Payne on Kirkman Planned Unit Development, on a tract of land located at 2817 and 2827 Kirkman Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning)**
- d) 2004-126 Michael A. Dowlen (Preliminary PUD). A resolution approving a Preliminary Planned Unit Development Special Exceptions Permit for a proposed Planned Unit Development known as Dowlen at Concord Planned Unit Development, on a tract of land located in the 6900 block of Delbert Lane, the 1500 block of North Concord Road and the 3800 block of Interstate 75, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning)**
- e) A resolution authorizing the adoption of the Avondale Neighborhood Plan.
- f) A resolution authorizing the adoption of the North Brainerd Area Plan.
- g) A resolution authorizing Danny Patel to use temporarily the City's right-of-way located in the 2300 block of Shallowford Village Drive at the intersection of Shallowford Road to plant crepe myrtles, as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions.
- h) A resolution authorizing Adam Cohen to use temporarily the City's right-of-way located in the 1600 block of Long Street to connect building entrance stoops to the public sidewalk as shown on the maps attached hereto and made a part hereof by reference, subject to certain conditions.
- i) A resolution authorizing the City Finance Officer to execute any and all documents necessary to facilitate the donation of certain real property located at 0 Pirola Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, to the Chattanooga Community Housing Development Organization.
- j) A resolution authorizing the City Finance Officer to execute any and all documents necessary to facilitate the donation of certain real property located at 75 Wall Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, to the Chattanooga Neighborhood Enterprise.

XII. Agenda Session for Tuesday, July 13, 2004 (continued):

7. Resolutions (continued):

- k) A resolution authorizing the City Finance Officer to execute any and all documents necessary to facilitate the sale of certain real property located at 0 Hollywood Circle, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, to Mark Siedlecki, for a total consideration of \$100.00.

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 Personnel.
- g) Department of Neighborhood Services.
- h) Department of Finance and Administration
- i) City Attorney.

10. Other Business.

11. Committee Reports.

12. Agenda Session for Tuesday, July 20, 2004.

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

14. Adjournment.