

**AGENDA FOR TUESDAY, AUGUST 3, 2004**

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Taylor)
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Second & Third 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) to amend provisions of the Charter requiring ordinances to be read 3 times, so as to provide for 2 readings instead of 3.
  - b) 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) to amend provisions of the Charter as to when ordinances take effect so as to provide that they go into effect upon becoming law or at such subsequent time as the Council may designate.
  - c) 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) to amend provisions of the Charter to require certain information to be a part of the annual budget.
  - d) 2004-052 Joseph Ryan Cooke (From R-2 to C-2). Rezone a tract of land located at 2108 Newton Street, more particularly described herein. **(Deferred from 07-20-04)**
  - e) 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 - deferred from 07-13-04 - amended 07-29-04 need motion to substitute)**
- VI. Ordinances - First Reading:
  - a) 2004-076 Henry C. Eickhoff and Karen Ford Eickhoff (From R-1 & 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 07-06-04)**

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### VI. Ordinances - First Reading (continued):

- b) MR-2004-016 City of Chattanooga c/o Naveed Minhas (Close & Abandon). An ordinance closing and abandoning sewer and stormwater easements on tracts of land located at the Spencer J. McCallie Homes site on several lots, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.
- c) MR-2004-066 Joe Woodall (Amend No. 11563). An ordinance amending Ordinance No. 11563, adopted June 1, 2004, closing and abandoning an unopened portion of the 3300 block of Crestfield Drive, as shown on the map attached hereto and made a part hereof by reference, by correcting the property description.
- d) MR-2004-085 Roy L. Roach (Close & Abandon). An ordinance closing and abandoning an unopened portion of the 1800 block of West 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 - see alternate Planning version)**

MR-2004-085 Roy L. Roach (Close & Abandon). An ordinance closing and abandoning an unopened portion of the 1800 block of West 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 Planning)**

- e) MR-2004-106 Northside Presbyterian Church (Close & Abandon). An ordinance closing and abandoning an unopened alley located parallel to the 1000 block of Endicott Street and the 900 block of Mississippi Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for denial by Public Works and Staff - recommended for approval by Planning)**
- f) MR-2004-128 John P. Skates (Close & Abandon). An ordinance closing and abandoning an unopened alley located parallel to the 3300 blocks of East 39<sup>th</sup> Street and East 40<sup>th</sup> Street and the unopened block of East 40<sup>th</sup> Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for denial by Public Works - recommended for approval by Planning)**

### VII. Resolutions:

- a) A resolution authorizing the execution of Change Order No. 2 (final), relative to Contract No. 28K1, Moccasin Bend Wastewater Treatment Plant Solids Handling Facilities, Centrifuge Building No. 2 and Plant Warehouse, with Max Foote Construction Company, Inc., which change order decreases the contract amount by \$48,426.06 for a revised contract amount not to exceed \$3,911,195.94.

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VII. Resolutions (continued):

- b) A resolution authorizing the Administrator of the Department of Public Works to execute an agreement with Consolidated Technologies, Inc. for professional services relative to Contract No. E-03-007-102, Wilcox Boulevard Tunnel Improvements, in an amount not to exceed \$125,000.00.
- c) A resolution authorizing the Administrator of the Department of Public Works to execute a contract with the Tennessee Department of Transportation for the City to maintain and supply power to signals at the intersection of Highway 153 at Winding Lane and Highway 153 at Wolford Development (south entrance).

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, August 10, 2004.

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

XIV. Adjournment.

**XII. Agenda Session for Tuesday, August 10, 2004:**

**AGENDA FOR TUESDAY, AUGUST 10, 2004**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Hakeem).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Second & Third Reading:
  - a) 2004-076 Henry C. Eickhoff and Karen Ford Eickhoff (From R-1 & 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 07-06-04)**
  - b) MR-2004-016 City of Chattanooga c/o Naveed Minhas (Close & Abandon). An ordinance closing and abandoning sewer and stormwater easements on tracts of land located at the Spencer J. McCallie Homes site on several lots, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.
  - c) MR-2004-066 Joe Woodall (Amend No. 11563). An ordinance amending Ordinance No. 11563, adopted June 1, 2004, closing and abandoning an unopened portion of the 3300 block of Crestfield Drive, as shown on the map attached hereto and made a part hereof by reference, by correcting the property description.
  - d) MR-2004-085 Roy L. Roach (Close & Abandon). An ordinance closing and abandoning an unopened portion of the 1800 block of West 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 - see alternate Planning version)**

MR-2004-085 Roy L. Roach (Close & Abandon). An ordinance closing and abandoning an unopened portion of the 1800 block of West 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 Planning)**
  - e) MR-2004-106 Northside Presbyterian Church (Close & Abandon). An ordinance closing and abandoning an unopened alley located parallel to the 1000 block of Endicott Street and the 900 block of Mississippi Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for denial by Public Works and Staff - recommended for approval by Planning)**

**XII. Agenda Session for Tuesday, August 10, 2004 (continued):**

- f) MR-2004-128 John P. Skates (Close & Abandon). An ordinance closing and abandoning an unopened alley located parallel to the 3300 blocks of East 39<sup>th</sup> Street and East 40<sup>th</sup> Street and the unopened block of East 40<sup>th</sup> Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for denial by Public Works - recommended for approval by Planning)**

6. Ordinances - First Reading:

- a) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article II, Definitions and Article V, Sections 103(3), 203(3), 303(1) and 1204(2), to incorporate new language relative to acreage requirements for Residential Planned Unit Developments.

- b) 2004-111 Mission Group Partners (From R-3 to C-2). Rezone a tract of land located in the 3500 block of Cummings Highway, more particularly described herein. **(Not recommended for approval by Planning - see alternate versions)**

2004-111 Mission Group Partners (From R-3 to C-2). Rezone a tract of land located in the 3500 block of Cummings Highway, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning - see alternate Attorney version)**

2004-111 Mission Group Partners (From R-3 to C-2). Rezone a tract of land located in the 3500 block of Cummings Highway, more particularly described herein, subject to certain conditions. **(Not recommended for approval by Planning)**

- c) 2004-131 R. Larry McGill (From R-2 to R-3). Rezone a tract of land located at 3003 East 34<sup>th</sup> Street, more particularly described herein. **(Not recommended for approval by Planning - see alternate version)**

2004-131 R. Larry McGill (From R-2 to R-3MD). Rezone a tract of land located at 3003 East 34<sup>th</sup> Street, more particularly described herein. **(Recommended for approval by Planning)**

- d) 2004-133 Three Pines, LLC (From R-1 to C-2). Rezone a tract of land located at 830 Cherokee Boulevard, more particularly described herein. **(Not recommended for approval by Planning - see alternate version)**

2004-133 Three Pines, LLC (From R-1 to C-2). Rezone a tract of land located at 830 Cherokee Boulevard, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

- e) 2004-136 Tommye Montgomery (From R-2 to C-2). Rezone a tract of land located at 2600 Glass Street, more particularly described herein. **(Recommended for denial by Planning)**

**XII. Agenda Session for Tuesday, August 10, 2004 (continued):**

6. Ordinances - First Reading (continued):

- f) 2004-137 Denise Salhany Couden, LLC (From O-1 to C-5). Rezone a tract of land located at 6830 McCutcheon Road, more particularly described herein. **(Not recommended for approval by Planning -see alternate versions)**

2004-137 Denise Salhany Couden, LLC (From O-1 to C-5). Rezone a tract of land located at 6830 McCutcheon Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning - see alternate Staff version)**

2004-137 Denise Salhany Couden, LLC (From O-1 to R-4). Rezone a tract of land located at 6830 McCutcheon Road, more particularly described herein. **(Not recommended for approval by Planning)**

- g) 2004-140 David Young (From R-1 to R-3). Rezone a tract of land located at 4805 Winding Lane, more particularly described herein. **(Recommended for approval by Planning)**

- h) 2004-144 Stephen S. Putnal (From C-2 to R-4). Rezone a tract of land located at 2113 McCallie Avenue, more particularly described herein. **(Recommended for approval by Planning)**

- i) 2004-146 J. Al Davis, Deborah Buchanan and Fred Akins (From R-1 to R-3). Rezone tracts of land located 8814 Montview Drive and 210 Sunnyside Drive, more particularly described herein. **(Recommended for denial by Planning)**

- j) 2004-151 Neal Bennett (From R-1 to R-T/Z). Rezone a tract of land located at 1029 North Runyan Drive, more particularly described herein. **(Not recommended for approval by Planning - see alternate version)**

2004-151 Neal Bennett (From R-1 to R-T/Z). Rezone a tract of land located at 1029 North Runyan Drive, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

- k) 2004-152 B.C. McCurdy (From R-2 to C-5). Rezone a tract of land located at 1501 North Chamberlain Avenue, more particularly described herein. **(Recommended for denial by Planning)**

**XII. Agenda Session for Tuesday, August 10, 2004 (continued):**

6. Ordinances - First Reading (continued):

- l) 2004-153 Plaza Radiology, LLC (From R-1 to R-4). Rezone tracts of land located at 2070 Hamill Road and 4921 Bradington Road, more particularly described herein. **(Not recommended for approval by Planning - see alternate version)**

2004-153 Plaza Radiology, LLC (From R-1 to R-4). Rezone tracts of land located at 2070 Hamill Road and 4921 Bradington Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning - recommended for deferral by Staff)**

- m) MR-2004-004 Larry Crane (Close & Abandon). An ordinance closing and abandoning an unnamed alley beginning on the south line of the 1500 block of East 30<sup>th</sup> Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for denial by Public Works - recommended for denial by Planning and recommended for temporary use permit by Planning - deferred from 02-10-04)**

7. Resolutions:

- a) A resolution amending Resolution No. 23975, adopted November 18, 2003, encaptioned hereinbelow, so as to delete "Chattanooga Police Department" wherever the same occurs and substitute in lieu thereof "Department of Neighborhood Services".
- b) A resolution authorizing the appointment of Jenna Sales as special policeman (unarmed) for the City of Chattanooga Department of Public Works Stormwater Management Division to do special duty as prescribed herein, subject to certain conditions.
- c) A resolution authorizing the Administrator of the Department of Public Works to execute an agreement with David Brainerd Christian School, relative to the purchase of a right-of-way, for a total amount not to exceed \$250,000.00.

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.

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**XII. Agenda Session for Tuesday, August 10, 2004 (continued):**

9. Departmental Reports (continued):
  - 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, August 17, 2004.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.