

## AGENDA FOR TUESDAY, DECEMBER 6, 2005

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Page).
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Second Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 2, by adding a new Article XIII relative to Boards and Commissions.
- VI. Ordinances – First Reading:
  - a) 2005-176 Phil Shellabarger (from R-1 to C-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 1110 McNichol Lane and 1101 Greens Road, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone. **(Deferred from 11-8-05. Recommended for denial by Planning.)**
  - b) MR-2005-188 Hubert Weathers (Close & Abandon). An ordinance closing and abandoning an unopened alley located on the south line of the 2200 block of East 19<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 approval by Planning and Public Works.)**
  - c) MR-2005-202 City of Chattanooga c/o William Payne, City Engineer (Close & Abandon). An ordinance closing and abandoning portions of the western right-of-way of the 200 and 300 block of North Lyerly Street, 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 and Public Works.)**
- VII. Resolutions:
  - a) A resolution amending Resolution No. 24287, relative to the award of Contract No. S-04-002-200, Stormwater Sampler Set-up, to Mayse Construction Company, to change the contract amount to \$0.
  - b) A resolution authorizing the execution of Change Order No. 3, relative to Moccasin Bend Wastewater Treatment Plant Solids Handling Facilities Primary Sludge System Improvements, Contract No. 28K2, with Max Foote Construction Company, Inc., which change order decreases the contract amount by \$25,600.00, for a revised contract amount not to exceed \$9,418,608.69.

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- c) A resolution authorizing the execution of Change Order No. 1, the Summit Head Start Center Kitchen Hood System Installation by Viking Industrial, Inc., which change order increases the contract amount by \$934.62, for a revised contract price not to exceed \$22,774.62.
- d) A resolution authorizing the Administrator of the Department of Parks and Recreation to execute a Lease Agreement with YMCA of Chattanooga Community Action Program relative to the building located at 1600 Central Avenue beginning December 1, 2005 and ending November 30, 2010.
- e) A resolution to make certain findings relating to the United Enertech Corporation/RLT Properties, LLC Project, to delegate certain authority to the Industrial Development Board of the City of Chattanooga, and to authorize the Mayor to enter into and execute an Agreement for Payments in Lieu of Ad Valorem Taxes. **(Added by permission of the Economic Development Committee.)**
- f) A resolution authorizing the Mayor to apply for and, if approved, accept a Brownfield Grant from the United States Department of Environmental Protection Agency, relative to a hazardous materials assessment in the Alton Park Community, in the amount of \$200,000.00. **(Added by permission of Council Vice Chairman Pierce.)**

#### VIII. Overtime Report.

#### IX. Departmental Reports:

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

#### X. Other Business.

#### XI. Committee Reports.

#### XII. Agenda Session for Tuesday, December 13, 2005.

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

#### XIV. Adjournment.

XII. Agenda Session for Tuesday, December 13, 2005:

**AGENDA FOR TUESDAY, DECEMBER 13, 2005**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Benson).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Second Reading:
  - a) 2005-176 Phil Shellabarger (from R-1 to C-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 1110 McNichol Lane and 1101 Greens Road, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone. **(Deferred from 11-8-05. Recommended for denial by Planning.)**
  - b) MR-2005-188 Hubert Weathers (Close & Abandon). An ordinance closing and abandoning an unopened alley located on the south line of the 2200 block of East 19<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 approval by Planning and Public Works.)**
  - c) MR-2005-202 City of Chattanooga c/o William Payne, City Engineer (Close & Abandon). An ordinance closing and abandoning portions of the western right-of-way of the 200 and 300 block of North Lyerly Street, 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 and Public Works.)**
6. Ordinances – First Reading:
  - a) 2005-190 John Sweet (from M-1 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 217 East Main Street, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning – see alternate version.)**  
  
2005-190 John Sweet (from M-1 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 217 East Main Street, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

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- b) 2005-193 Leonard Coleman (from R-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 1007 Tunnel Boulevard, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone. **(Recommended for denial by Planning.)**
- c) 2005-194 Oscar Brock (from M-1 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 1032 McCallie Avenue, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning – see alternate version.)**
- 2005-194 Oscar Brock (from M-1 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 1032 McCallie Avenue, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by Planning.)**
- d) 2005-195 Erica Gustus (from R-1 to C-5). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 6838 McCutcheon Road, more particularly described herein, from R-1 Residential Zone to C-5 Neighborhood Commercial Zone. **(Not recommended for approval by Planning – see alternate version.)**
- 2005-195 Erica Gustus (from R-1 to C-5). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 6838 McCutcheon Road, more particularly described herein, from R-1 Residential Zone to C-5 Neighborhood Commercial Zone, subject to certain conditions. **(Recommended for approval by Planning.)**
- e) 2005-199 2901 Orchard Knob, LLC (from R-1 to M-1). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 2913 and 2914 South Hawthorne Street, more particularly described herein, from R-1 Residential Zone to M-1 Manufacturing Zone. **(Not recommended for approval by Planning – see alternate version.)**
- 2005-199 2901 Orchard Knob, LLC (from R-1 to M-1). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 2913 and 2914 South Hawthorne Street, more particularly described herein, from R-1 Residential Zone to M-1 Manufacturing Zone, subject to certain conditions. **(Recommended for approval by Planning.)**
- f) 2005-201 McCallie School (Bill Kropff) (Lift Conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to lift conditions imposed in Ordinance No. 11252 on a tract of land located at the former 2900 block of Kirby Avenue, being more particularly described herein. **(Not recommended for approval by Planning – see alternate version.)**

2005-201 McCallie School (Bill Kropff) (Lift Conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to lift conditions imposed in Ordinance No. 11252 on a tract of land located at the former 2900 block of Kirby Avenue, being more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning.)**

7. Resolutions:

- a) A resolution authorizing the award of Contract No. E-02-008-201, Hamill Road from SR-153 to CSX Railroad Project, to Talley Construction Company, Inc. for a total amount not to exceed \$1,500,000.00, including a contingency amount of \$79,855.53.
- b) A resolution authorizing the Administrator of the Department of Parks and Recreation to execute a contract with Associated Mechanical Systems, Inc., relative to the Watkins Street Maintenance Facility, for an HVAC system in an amount not to exceed \$212,971.00.
- c) A resolution authorizing the Chief of the Chattanooga Fire Department to enter into a contract with Franklin Associates Architects, Inc., relative to the stabilization and roofing of Fire Station No. 17, including furnishing all plans needed for the project and to oversee the contractor during construction, in an amount not to exceed \$15,000.00.
- d) 2005-198 John B. Lowery, c/o Wellstone Housing, LLC (Preliminary PUD). A resolution approving a Preliminary Planned Unit Development Special Exceptions Permit for a proposed planned unit development, known as Mountain Creek Planned Unit Development, on a tract of land located at 1120 Mountain Creek Road, more particularly described herein and as shown on the maps attached hereto and made a part hereof by reference, subject to certain conditions.

8. Overtime Report.

9. Departmental Reports:

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

10. Other Business.

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11. Committee Reports.
12. Agenda Session for Tuesday, December 13, 2005.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.