

## AGENDA FOR TUESDAY, MARCH 7, 2006

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilwoman Rutherford).
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Second Reading:
  - a) MR-2005-184 Ben Frizzell (Close & Abandon). An ordinance closing and abandoning the unopened 5800 block of Snow Hill Road from Lee Highway to I-75, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Deferred from 1-17-06, 1-24-06, and 1-31-06.)**
- VI. Ordinances – First Reading:
  - a) MR-2005-225 The Krystal Company, c/o Roger Rendin (Close & Abandon). An ordinance closing and abandoning an unnamed alley located on the south line of the 1600 block of East 37<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 with recommendation to apply for temporary use by Planning and not recommended for approval by Public Works – see alternate version and Resolution (h)\* below for Temporary Use. Deferred from 2-21-06.)**  
  
MR-2005-225 The Krystal Company, c/o Roger Rendin (Close & Abandon). An ordinance closing and abandoning an unnamed alley located on the south line of the 1600 block of East 37<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. **(Recommended for approval by Public Works.)**
- VII. Resolutions:
  - a) A resolution authorizing the Administrator of the Department of Public Works to execute an agreement with Consolidated Technologies, Inc. relative to Contract No. W-05-003-101 (3B), Eastgate Pump Station No. 2, Gravity Connector Sewer, and Force Main, in an amount not to exceed \$49,550.00, including a contingency amount of \$5,000.00.
  - b) A resolution authorizing the award of Contract No. E-03-011-201, Igou Gap Road Improvements (Ph I) from Gunbarrel Road to Gray Road, to Highways, Inc. for an amount not to exceed \$2,481,861.60, plus a contingency amount of \$250,000.00, for a total amount not to exceed \$2,731,861.60.

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- c) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. (3B), Eastgate Pump Station No. 2 Gravity Connector Sewer, and Force Main, with Consolidated Technologies, Inc., which Change Order decreases the contract amount by \$29,999.00, for a revised contract amount not-to-exceed \$31,360.00.
- d) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. S-02-001, Water Abatement Improvements Contract, with Stephens Construction, which Change Order decreased the contract amount by \$70,575.17, for a revised contract amount not-to-exceed \$409,289.83.
- e) A resolution authorizing the Administrator of the Department of Public Works to execute Amendment No. 1 with Consolidated Technologies, Inc., for engineering services, relative to Contract No. W-05-002-101, CSO Control Facilities Enhancement Program, which amendment increases the contract amount by \$16,700.00, for a total contract amount not to exceed \$55,700.00.
- f) A resolution authorizing the Office of the City Attorney to institute eminent domain proceedings against Jose I. Herrera for right-of-way, slope, and temporary construction easements located at 7503 Igou Gap Road, Parcel No. 159A-B-002, Tract No. 21A, relative to the Igou Gap Road Widening Project.
- g) A resolution authorizing Miller Industries c/o Jeff Badgley to use temporarily the City's right-of-way along 8501 and 8503 Hilltop Drive to install a fence and a parking lot that will encroach into the City right-of-way, as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions.
- \*h) A resolution authorizing The Krystal Company to use temporarily an unnamed alley located on the south line of the 1600 block of East 37<sup>th</sup> Street, as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions.
- i) A resolution authorizing Duke Stone to use temporarily 2201 Hickory Valley Road to encroach and grade within in the right-of-way of Botsford Drive for the proposed soccer field for Hickory Valley Community Church, as shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions.
- j) A resolution authorizing the Administrator of the Department of Parks and Recreation to apply for, and if granted, accept a grant from the Kresge Foundation in the amount of \$550,000.00 for the construction of the new front and park entrances at the Chattanooga Zoo.
- k) A resolution approving the master plan for the Chattanooga Zoo and management of the project by Friends of the Zoo.
- l) A resolution authorizing the Mayor to execute an agreement between the City of Chattanooga and Wendell Rowe for his services as Fire Chief. **(Added by permission of the Public Works Committee.)**

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- m) A resolution to declare the City of Chattanooga's support for the Digital Cameras for Chattanooga Police Department Vehicles Project and agreeing to meet any required funding match. **(Added by permission of Council Chair Robinson.)**
- n) A resolution to declare the City of Chattanooga's support for the Enterprise South Workforce Development Center Project and agreeing to meet any required funding match equaling the funding match of Hamilton County. **(Added by permission of Council Chair Robinson.)**
- o) A resolution to declare the City of Chattanooga's support for the Dobbs Branch Subwatershed Project and agreeing to provide up to \$100,000.00 in any required funding match. **(Added by permission of Council Chair Robinson.)**
- p) A resolution to declare the City of Chattanooga's support for the Brainerd Mission Park – Interpretive Center Project and agreeing to provide up to \$250,000.00 in any required funding match. **(Added by permission of Council Chair Robinson.)**
- q) A resolution to declare the City of Chattanooga's support for the Greater Chattanooga Greenways – North Chickamauga Creek Greenway Project and agreeing to provide up to \$254,000.00 in any required funding match. **(Added by permission of Council Chair Robinson.)**

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 & 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, March 14, 2006.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, March 14, 2006:

**AGENDA FOR TUESDAY, MARCH 14, 2006**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Rico).
3. Minute Approval.
4. Special Presentations.

**Recognition of Human Rights/Human Relations Commission Members**

5. Ordinances – Second Reading:

- a) MR-2005-225 The Krystal Company, c/o Roger Rendin (Close & Abandon). An ordinance closing and abandoning an unnamed alley located on the south line of the 1600 block of East 37<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 with recommendation to apply for temporary use by Planning and not recommended for approval by Public Works – see alternate version and Resolution (h)\* below for Temporary Use. Deferred from 2-21-06.)**

MR-2005-225 The Krystal Company, c/o Roger Rendin (Close & Abandon). An ordinance closing and abandoning an unnamed alley located on the south line of the 1600 block of East 37<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. **(Recommended for approval by Public Works.)**

6. Ordinances – First Reading:

- a) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article V, Section 1208, Site Improvements, within Planned Unit Development – Residential, by deleting subsections (4) and (5), relative to curbs, gutters, and storm drainage structures.
- b) 2006-014 City of Chattanooga (by staff) (from R-1 to R-2, R-3, R-5, C-2, C-5, M-1 and M-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to clarify and rezone certain tracts of land located within the East Chattanooga Study boundary, more particularly described herein, from R-1 Residential Zone to R-3 Residential Zone, R-5 Residential Zone, C-2 Convenience Commercial Zone, C-5 Neighborhood Convenience Zone, M-1 Manufacturing Zone, and M-3 Warehouse and Wholesale Zone. **(Recommended for approval by Planning.)**

- c) 2006-017 City of Chattanooga (by staff) (from R-1 & C-2 (Temp) to R-1). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 5447 Highway 58, more particularly described herein, from R-1 Residential Zone and C-2 Convenience Commercial Zone (Temporary) to R-1 Residential Zone. **(Recommended for approval by Planning.)**
  
- d) 2006-022 Leighton Smith (from M-2 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 823 East 11<sup>th</sup> Street, more particularly described herein, from M-2 Light Industrial Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning.)**  
  
2006-022 Leighton Smith (from M-2 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 823 East 11<sup>th</sup> Street, more particularly described herein, from M-2 Light Industrial Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by Planning.)**
  
- e) 2006-035 City of Chattanooga c/o Real Property Department (from R-1 and C-2 to R-T/Z). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located in the 1600, 1700, and 1800 blocks of Southern Street and the 1800 blocks of North Orchard Knob Avenue and Sholar Avenue, more particularly described herein, from R-1 Residential Zone and C-2 Convenience Commercial Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone. **(Recommended for approval by Planning.)**
  
- f) 2006-039 City of Chattanooga – City Council (Lift Condition). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to lift condition No. 4 imposed in Ordinance No. 11784 on a tract of land located at 1511 Gunbarrel Road, more particularly described herein. **(Recommended for approval by Planning.)**

7. Resolutions:

- a) A resolution authorizing the acquisition of certain property located west of Market Street on Manufacturers Road, commonly known as the former Chattanooga Traction Company land, more particularly described herein, from the Cincinnati, New Orleans, and Texas Pacific Railway Company for the amount of \$55,931.00, plus reasonable closing costs, subject to the mandatory referral process. **(Deferred from 2-14-06.)**
  
- b) A resolution authorizing the donation of certain real property located at 38 17<sup>th</sup> Street, more particularly described herein as shown on the map attached hereto and made a part hereof by reference, to Chattanooga Neighborhood Enterprise and authorizing the Mayor or the City Finance Officer to execute any and all documents necessary for said donation.

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- c) A resolution authorizing acceptance of a grant from Allied Arts to the Department of Parks and Recreation for the “Imagination Recreation” drawing contest in the amount of \$325.00 and expressing the gratitude of the Department, the Mayor, and the City Council.
  - d) A resolution authorizing acceptance of a donation from the Trust for Public Land to the Department of Parks and Recreation in the amount of \$39,847.00 to be applied strictly to its capital account for greenways and expressing the gratitude of the Department, the Mayor, and the City Council.
  - e) 2006-034 Larry Plemons (Preliminary PUD). A resolution approving a Preliminary Planned Unit Development Special Exceptions Permit for a proposed planned unit development, known as Plemons Place Planned Unit Development, on tracts of land located at 735 and 751 Gentry Road, more particularly described herein and as shown on the map 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 & Culture.
  - f) Fire Department.
  - g) Police Department.
  - h) Department of Personnel.
  - i) Department of Finance and Administration
  - j) City Attorney.
10. Other Business.
11. Committee Reports.
12. Agenda Session for Tuesday, March 21, 2006.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.