

## AGENDA FOR TUESDAY, SEPTEMBER 5, 2006

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Rico).
- III. Minute Approval.
- IV. Special Presentations.

### **Presentation of the Recycling Task Force Committee Interim Findings**

- V. Ordinances – Final Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 31, Article VIII, Division 2, Section 31-311(b), relative to stormwater management, new facility permits.
  - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 32, Article XII, Sections 32-271 through 32-288, relative to street construction standards.
  - c) 2005-153 Reid M. Henson (from R-1 to C-2 and 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 327 Stringer Street, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone and R-4 Special Zone, subject to certain conditions. (**Deferred from 10-25-05, 01-17-06, 3-28-06, 6-27-06, and 8/29/06. Revised - Need Motion for Substitution.**)
  - d) MR-2006-116 River View of Tennessee, LLC (Close & Abandon). An ordinance closing and abandoning a portion of two (2) opened alleys located north of the north line of the 400 block of East 5<sup>th</sup> Street, more particularly described herein and as shown on the maps attached hereto and made a part hereof by reference, subject to certain conditions.
- VI. Ordinances – First Reading:
  - a) An ordinance to amend Ordinance No. 11848 entitled “An ordinance, hereinafter also known as the “Fiscal Year 2006-2007 Budget Ordinance”, to provide revenue for the fiscal year beginning July 1, 2006, and ending June 30, 2007, 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 City Code Chapter 18, Section 18-123(g)” so as to set forth the Budget of the Interceptor Sewer System and to amend Chattanooga City Code, Part II, Chapter 31, Sections 31-15, 31-36, 31-37, 31-4-, and 31-43.
  - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 7, by adding new Sections 7-35 and 7-36 relative to rabies inoculation requirements.

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- c) An ordinance to amend Chattanooga City Code, Part II, Chapter 24, to include a new Section 24-273, relative to the enforcement of traffic laws using traffic control photographic systems. **(Added by permission of the Public Works Committee.)**

### VII. Resolutions:

- a) A resolution authorizing the Chief of the Chattanooga Fire Department to enter into a contract with JDH Roofing to remove and replace the roof of Fire Station No. 17 for its lowest bid in an amount not to exceed \$32,940.00.
- b) A resolution authorizing the Chief of the Chattanooga Fire Department to enter into a contract with JDH Roofing to remove and replace the roof of Fire Station 5 for its lowest bid in an amount not to exceed \$32,582.00.
- c) A resolution authorizing the Administrator of the Department of Parks and Recreation to negotiate and execute an agreement with Chattanooga Head Race to utilize Ross's Landing for the Chattanooga Head Race to take place on October 13, 2006 and October 14, 2006.
- d) A resolution authorizing the Administrator of the Department of Parks and Recreation to negotiate and execute an agreement with Head of the Hooch to utilize Ross's Landing for the Head of the Hooch to take place on November 2, 2006 through November 5, 2006.
- e) A resolution authorizing the acceptance of two grants from Wal-Mart, Inc. in the approximate amount of \$2,500.00 and expressing the gratitude of the Mayor and City Council for said donation.
- f) A resolution authorizing the Chief of Police to accept a grant from the Tennessee Department of Homeland Security in the amount of \$99,725.00, which is to be used for law enforcement training purposes.
- g) A resolution authorizing the Chief of Police to accept the donation of a bus, which is to be used for law enforcement training purposes, from the Chattanooga Area Regional Transportation Authority (CARTA), and expressing the gratitude of the Mayor and City Council for said donation.
- h) A resolution authorizing the appointment of Billy D. Mumpower as special policeman (unarmed) for the City of Chattanooga Department of Public Works to do special duty as prescribed herein, subject to certain conditions.
- i) A resolution authorizing the appointment of Porter L. McKamey as special policeman (armed) for Erlanger Health Systems, to do special duty as prescribed herein, subject to certain conditions.
- j) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. W-04-005-201, Tampa Street Sewer Relocation, with Maysee Construction Company, Inc., which change order decreases the contract amount by \$69,280.18, for a revised contract amount not to exceed \$1,122,695.82.

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- k) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. W-05-004-201, Hixson Pike Sewer Replacement, with Talley Construction Company, Inc., which change order decreases the contract amount by \$23,829.23, for a revised contract amount not to exceed \$374,333.40.
- l) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. S-05-001-101, Private Detention Pond Inspections, with S.L. King & Associates, Inc., which change order decreases the contract amount by \$2,445.00, for a revised contract amount not to exceed \$47,555.00.
- m) A resolution authorizing James E. City to use temporarily the City's right-of-way at 2521 Broad Street to install a second awning, as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions.
- n) A resolution authorizing the Administrator of the Department of Public Works to negotiate and execute an agreement with LaserCraft, Inc. for automated traffic enforcement services. **(Added by permission of the Public Works Committee.)**
- o) A resolution authorizing a contract with Ballet Tennessee for dance classes during 2006 Summer Kidz Camp in an amount not to exceed \$ 14,080.00. **(Added by permission of the Parks and Recreation Committee.)**

#### 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, September 12, 2006.

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

#### XIV. Adjournment.

XII. Agenda Session for Tuesday, September 12, 2006:

**AGENDA FOR TUESDAY, SEPTEMBER 12, 2006**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilwoman Gaines).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Final Reading:
  - a) An ordinance to amend Ordinance No. 11848 entitled “An ordinance, hereinafter also known as the “Fiscal Year 2006-2007 Budget Ordinance”, to provide revenue for the fiscal year beginning July 1, 2006, and ending June 30, 2007, 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 City Code Chapter 18, Section 18-123(g)” so as to set forth the Budget of the Interceptor Sewer System and to amend Chattanooga City Code, Part II, Chapter 31, Sections 31-15, 31-36, 31-37, 31-4-, and 31-43.
  - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 7, by adding new Sections 7-35 and 7-36 relative to rabies inoculation requirements.
  - c) An ordinance to amend Chattanooga City Code, Part II, Chapter 24, to include a new Section 24-273, relative to the enforcement of traffic laws using traffic control photographic systems.
6. Ordinances – First Reading:
  - a) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article III, Section 101 by adding a new paragraph relative to the Official Zoning Map.
  - b) 2006-127 Samir Shenouda (from R-1 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 at 7423, 7425, and 7427 Pinewood Drive, more particularly described herein, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone. **(Not recommended for approval by Planning - see alternate version.)**  
  
2006-127 Samir Shenouda (from R-1 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 at 7423, 7425, and 7427 Pinewood Drive, more particularly described herein, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- c) 2006 162 Elite Hotels Group, LLC (from R-3 & C-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 440 West Martin Luther King Boulevard, more particularly described herein, from R-3 Residential Zone and C-2 Convenience Commercial Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning - see alternate version.)**

2006 162 Elite Hotels Group, LLC (from R-3 & C-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 440 West Martin Luther King Boulevard, more particularly described herein, from R-3 Residential Zone and C-2 Convenience Commercial Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- d) 2006-165 Deb Royal and Robert G. Bass (from R-3 & M-1 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located in the 1300 and 1400 blocks of Adams Street, more particularly described herein, from R-3 Residential Zone and M-1 Manufacturing Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning - see alternate version.)**

2006-165 Deb Royal and Robert G. Bass (from R-3 & M-1 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located in the 1300 and 1400 blocks of Adams Street, more particularly described herein, from R-3 Residential Zone and M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- e) 2006-173 Jay W. Bell (from R-1 to RT-1). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 8401 and 8425 Igou Gap Road, more particularly described herein, from R-1 Residential Zone to RT-1 Residential Townhouse Zone. **(Recommended for denial by Staff. Not recommended for approval by Planning - see alternate version.)**

2006-173 Jay W. Bell (from R-1 to RT-1). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 8401 and 8425 Igou Gap Road, more particularly described herein, from R-1 Residential Zone to RT-1 Residential Townhouse Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- f) 2006-174 Ken DeFoor Properties (from M-1, M-2, R-4, & C-5 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 6039 and 6059 Shallowford Road, more particularly described herein, from M-1 Manufacturing Zone, M-2 Light Industrial Zone, R-4 Special Zone, and C-5 Neighborhood Commercial Zone to C-2 Convenience Commercial Zone. **(Recommended for approval by Planning.)**

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#### 7. Resolutions:

- a) A resolution authorizing the Administrator of the Department of Parks and Recreation to negotiate and execute an agreement with Cornerstone to utilize the Walnut Street Bridge for the Wine Over Water Event from September 29, 2006 through October 1, 2006.
- b) A resolution authorizing the execution of Change Order No. 4, relative to renovation of the existing structure at Heritage Park, with P&C Construction, Inc., which change order increases the contract amount by \$3,230.00, for a revised contract price of \$236,043.71.
- c) A resolution amending Resolution No. 24456, adopted May 31, 2005, relative to the Agreement for the Closure/Post Closure Plan for the Summit Sanitary Landfill, Project No. SNL 33-0035, with the State of Tennessee, Division of Solid Waste Management, by deleting “not to exceed \$3,082,408.00” and substituting in lieu thereof “not to exceed \$3,027,997.00”.
- d) A resolution amending Resolution No. 24339, adopted February 22, 2005, relative to the Agreement for the Closure/Post Closure Plan for the North Hawthorne/Wood Recycling Solid Waste Management, by deleting “not to exceed \$28,473.00” and substituting in lieu thereof “not to exceed \$29,884.00”.
- e) A resolution amending Resolution No. 24593, adopted November 29, 2005, relative to the Agreement for the Closure/Post Closure Plan for the City Landfill, Lateral Expansion Area 3, with the Tennessee Department of Environment and Conservation, Division of Solid Waste Management, by deleting “not to exceed \$6,034,292.00” and substituting in lieu thereof “not to exceed \$6,197,217.00”.
- f) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. E-03-031-201, Streetscape for EPB Block, with Talley Construction Company, Inc., which change order decreases the contract amount by \$118,307.71, and the contingency encumbrance by \$100,000.00, for a revised contract amount not to exceed \$1,442,601.22.
- g) A resolution authorizing the execution of Change Order No. 4, relative to Contract No. 28K(EP-3), Moccasin Bend Wastewater Treatment Plant Digester Equipment Procurement and Anaerobic Digester Equipment, with Infilco Degremont, Inc., which change order decreases the contract amount by \$1,863.00, for a revised contract amount not to exceed \$3,072,371.00.
- h) A resolution authorizing the Administrator of the Department of Public Works to reimburse BellSouth PRO Group - Atlanta for the relocation of their facilities located within a private easement along Hamill Road as part of the Hamill Road Improvements Project - Hwy 153 to R/R Tracks, Contract No.E-02-008, in an amount not to exceed \$105,473.78.
- i) A resolution authorizing David E. Johnson, Deputy Administrator for the Department of Education, Arts & Culture, to sign vouchers, requisitions, and other necessary documents for and on behalf of the Education, Arts & Culture Department.

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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, September 19, 2006.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.