

AGENDA FOR TUESDAY, SEPTEMBER 12, 2006

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilwoman Gaines).
- III. Minute Approval.
- IV. Special Presentations.
- V. 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, 31-40, 31-41, 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.
- VI. 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.)**

VII. 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.

Agenda for Tuesday, September 12, 2006

Page 4 of 7

- j) A resolution authorizing the City Finance Officer to execute on behalf of the City a plat replatting property owned by the City and SunTrust Bank in the vicinity of River Street and Manufacturers Road and further authorizing the City Finance Officer to execute on behalf of the City a license agreement authorizing SunTrust Bank to use temporarily City property for a temporary branch bank pending redevelopment of its existing site. **(Added by permission of the Legal and Legislative 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 19, 2006.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, September 19, 2006:

AGENDA FOR TUESDAY, SEPTEMBER 19, 2006

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilwoman Bennett).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Final 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) 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, 8/29/06, and 9/5/06. Revised - Need Motion for Substitution.)**
 - c) 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.)**
 - d) 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.)**

- e) 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.)**

- f) 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.)**

- g) 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.)**

6. Ordinances – First Reading:

7. Resolutions:

- a) A resolution authorizing an extension of the construction deadlines set forth in the deed authorized by Resolution No. 24598 for the sale of properties at the intersection of Central Avenue and McCallie Avenue, identified as State Tax Map Nos. 146H-K-011 through 146H-K-013 and 146H-K-013.01 and authorizing the Mayor to execute any and all documents necessary to accomplish said extension.
- b) A resolution authorizing payment to RiverCity Company in the amount of \$15,000.00 for the City's share of the cost for the Central Business District Situational Analysis.

Agenda for Tuesday, September 12, 2006

Page 7 of 7

- c) A resolution authorizing Danny Williams to use temporarily 405 Market Street to install a projecting sign that will hang over the City's right-of-way, as shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions.
 - d) A resolution authorizing an agreement with Allied Arts of Greater Chattanooga for administration of the City of Chattanooga Public Art Plan and for the City's funding of a portion thereof.
- 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 26, 2006.
- 13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
- 14. Adjournment.