

AGENDA FOR TUESDAY, APRIL 15, 2008

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilwoman Berz)
- III. Election of Officers.
- IV. Minute Approval.
- V. Special Presentations.

Chattanooga Choral Society, Hosts of the Fisk Jubilee Singers

- VI. Ordinances – Final Reading:
 - a) 2008-002 City of Chattanooga, c/o Bill Payne, City Engineer (Street Name Change). An ordinance to change the right-of-way name of the 1200 block of Gifford Street to the 1200 block of Prayer Lane, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.
 - b) 2008-035 City of Chattanooga, c/o City Engineer (Street name Change.) An ordinance to change the right-of-way name of the 100 block of South Crest Road to the 3100 and 3200 blocks of South Crest Place, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.
 - c) 2008-045 City of Chattanooga, c/o Bill Payne, City Engineer (Street Name Change). An ordinance to change the right-of-way name of an unnamed alley located on the east line of Adams Street to Quincy Alley and an unnamed alley located on the west line of Jefferson Street to Zachary Alley, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.
 - d) 2008-064 Ilya Kyskin (Sixth Project, LLC) (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. 11925 (Case No. MR-2006-233) on tracts of land located at 7610 and 7614 Standifer Gap Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.
 - e) 2008-065 Ilya Kyskin (Sixth Project, LLC) (from R-1 to R-3 & O-1). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located in the 7600 block of Standifer Gap Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-3 Residential Zone and O-1 Office 1 Zone, subject to certain conditions.
 - f) 2008-066 Keith Perry (from R-3 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 1700 Jefferson Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-3 Residential Zone to C-3 Central Business Zone, subject to certain conditions.

VII. Ordinances – First Reading:

- a) An ordinance to amend Chattanooga City Code, Part II, Chapter 24, Section 24-504, Schedule IV, One-Way Streets. **(Deferred from 4/8/08. Revised - need motion to substitute.)**
- b) 2008-062 Delta Brogdon (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 6024 Talladega Avenue and 5945 Shaw Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-1 Residential Zone to C-2 Convenience Commercial Zone. **(Deferred from 4/8/08. Not recommended for approval by Planning or Staff - see alternate versions.)**

2008-062 Delta Brogdon (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 6024 Talladega Avenue and 5945 Shaw Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

2008-062 Delta Brogdon (from R-1 to C-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone **a tract of land located at 5945 Shaw Avenue**, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Recommended for approval by Staff.)**

VIII. Resolutions:

- a) A resolution authorizing payment in the amount of \$16,000.00 to Louise Peterson to purchase her sculpture which is to be placed in the First Street Step Sculpture Garden as part of the Chattanooga Public Art Plan.
- b) A resolution to make certain findings relating to the Designed Alloy Products, Inc. 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 Payment in Lieu of Ad Valorem Taxes.
- c) A resolution authorizing the Administrator of the Department of Public Works to execute an agreement with Raines Brothers Construction, Inc. relative to Contract No. E-08-001-201, Mountain Creek Pump Station Modifications, in the amount of \$71,815.00, plus a contingency amount of \$7,185.00, for a total amount not to exceed \$79,000.00.
- d) A resolution authorizing the Administrator of the Department of Public Works to execute an agreement with Engineering & Research International, Inc., relative to Contract No. E-07-016-101, Ground Penetrating Radar and Falling Weight Deflectometer Pavement Testing, in an amount not to exceed \$491,500.00.

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- e) A resolution authorizing United Eneritech c/o RLT Properties to use temporarily a portion of the right-of-way running north and south along the 2900 block of South Hickory Street, as shown on the map attached hereto and made a part hereof by reference, to allow the property owner maneuvering space for 18-wheel transports to dock and park next to the warehouse, subject to certain conditions.
- f) A resolution authorizing the appointment of Leightaylor Noorbergen as special policeman (armed) for Erlanger Health Systems, to do special duty as prescribed herein, subject to certain conditions. **(Deferred from 4/8/08).**
- g) A resolution amending Resolution No. 23960 by changing the proposed use of \$10,000,000.00 financing from the Section 108 loan guarantee.
- h) A resolution authorizing the Chattanooga-Hamilton County Regional Planning Agency to update a Land Use Plan for the Alton Park Community.

VIX. Overtime Report.

X. 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.

XI. Other Business.

XII. Committee Reports.

XIII. Agenda Session for Tuesday, April 22, 2008.

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

XV. Adjournment.

XIII. Agenda Session for Tuesday, April 22, 2008:

AGENDA FOR TUESDAY, APRIL 22, 2008

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Rico)
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 24, Section 24-504, Schedule IV, One-Way Streets. (**Deferred from 4/8/08. Revised - need motion to substitute.**)
 - b) 2008-062 Delta Brogdon (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 6024 Talladega Avenue and 5945 Shaw Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-1 Residential Zone to C-2 Convenience Commercial Zone. (**Deferred from 4/8/08. Not recommended for approval by Planning or Staff - see alternate versions.**)

2008-062 Delta Brogdon (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 6024 Talladega Avenue and 5945 Shaw Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. (**Recommended for approval by Planning.**)

2008-062 Delta Brogdon (from R-1 to C-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone **a tract of land located at 5945 Shaw Avenue**, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. (**Recommended for approval by Staff.**)
6. Ordinances – First Reading:
 - a) MR-2008-012 Susan Elliott Rich, Esq. for JH Holding Company (Close & Abandon). An ordinance closing and abandoning the 600 block of East 12th Street located off the west line of the 1100 block of Baldwin Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. (**Not recommended for approval by Planning and Public Works - see alternate version.**)

MR-2008-012 Susan Elliott Rich, Esq. for JH Holding Company (Close & Abandon). An ordinance closing and abandoning the 600 block of East 12th Street located off the west line of the 1100 block of Baldwin 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.)**

- b) MR-2008-042 Christopher J. Theobald (Close & Abandon). An ordinance closing and abandoning a portion of a sanitary sewer line and Easement No. 958 on a tract of land located in the 1700 and 1800 blocks of Glenroy Avenue, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference. **(Recommended for approval by Planning and Public Works.)**
- c) MR-2008-043 City of Chattanooga, c/o William Payne, City Engineer (Close & Abandon). An ordinance closing and abandoning a portion of a sanitary sewer line and Easement No. 958 on a tract of land located in the 1800 block of Glenroy Avenue and the 1900 block of Avalon Avenue, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference. **(Recommended for approval by Planning and Public Works.)**
- d) MR-2008-054 Arcadis, c/o Jay E. Floyd, PE (Close & Abandon). An ordinance closing and abandoning two (2) portions of the 5900 and 6200 blocks of Gothard Road and Wilson Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning and Public Works - see alternate version.)**

MR-2008-054 Arcadis, c/o Jay E. Floyd, PE (Close & Abandon). An ordinance closing and abandoning two (2) portions of the 5900 and 6200 blocks of Gothard Road and Wilson Road, 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.)**

- e) MR-2008-055 Arcadis, c/o Jay E. Floyd, PE (Close & Abandon). An ordinance closing and abandoning two (2) portions of sanitary sewer line and Easements Nos. 51347 and 51344 located in the 6500 block of Grubb Road and the 5800 block of Highway 153, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning and Public Works - see alternate version.)**

MR-2008-055 Arcadis, c/o Jay E. Floyd, PE (Close & Abandon). An ordinance closing and abandoning two (2) portions of sanitary sewer line and Easements Nos. 51347 and 51344 located in the 6500 block of Grubb Road and the 5800 block of Highway 153, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning and Public Works.)**

7. Resolutions:

- a) A resolution authorizing intervention in the pending rate increase filed by Tennessee-American Water Company before the Tennessee Regulatory Authority and further authorizing the City Attorney to incur all reasonable and necessary expenses relating thereto.
- b) A resolution authorizing the Fire Chief to apply for and accept a 2008 grant from the United States Department of Homeland Security, for assistance to firefighters in the amount of \$327,331.00, with eighty percent (80%) of the federal share being \$261,864.80, which, if awarded, will require local matching funds of twenty percent (20%), in the amount of \$65,466.20, for the purpose of seeking funding for training and equipment in order to expand current Urban Search and Rescue (USAR) team personnel and capabilities, and train additional personnel in USAR capabilities (e.g., structural collapse, trench rescue, etc.), in the event of a major incident.
- c) A resolution authorizing the execution of Change Order No. 1 relative to the contract for removal and re-installation of concrete caulking at the 21st Century Waterfront with Dotan Construction, LLC, which change order increases the contract by \$6,644.00, for a revised contract amount not to exceed \$55,345.30.
- d) A resolution authorizing the award of Contract No. E-07-003-201, 2007 City Sidewalks Requirements Contract - CDBG, to Yerbey Concrete Construction, Inc. in the amount of \$316,088.00, plus a contingency amount of \$23,912.00, for a total contract amount not to exceed \$340,000.00.
- e) A resolution authorizing the Administrator of the Department of Public Works to execute an agreement with S&ME, Inc. relative to Contract No. E-08-001-301, Riverfront Parkway Driveway and Roadway Modifications, for Construction Testing Services in an amount not to exceed \$4,000.00.
- f) A resolution authorizing the Administrator of the Department of Public Works to execute an agreement with S. L. King & Associates, Inc., relative to Contract No. W-07-007-101, Generator Back-up Power for Waste Resource Division, in an amount not to exceed \$20,000.00.
- g) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. S-05-011-201, Private Sanitary Sewer Service Lateral Repair (SEP), with Street Cuts, LLC, which change order increases the contract amount by \$4,700.00 and releases the remaining contingency amount of \$300.00, for a revised contract amount not to exceed \$42,374.00.
- h) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. S-07-001-210, Private Sanitary Sewer Service Lateral Repair (SEP), with Street Cuts, LLC, which change order increases the contract amount by \$1,455.00, for a revised contract amount not to exceed \$12,000.00.
- i) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. S-06-013-201, Private Sanitary Sewer Service Lateral Repair (SEP), with Roto Rooter Plumbing Company, which change order increases the contract amount by \$2,118.00, for a revised contract amount not to exceed \$25,000.00.

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- j) A resolution authorizing Flournoy Development Company to use temporarily the right-of-way on Commons Boulevard for installation of an entrance sign, as shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for denial by Public Works.)**
 - k) A resolution authorizing Daryl Spaulding to use temporarily the corner of Brainerd Road and West Brow Terrace to barricade the road to prevent outside vehicles from cruising the neighborhood, as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for denial by Public Works.)**
 - l) A resolution authorizing Theresa D. Jordan to use temporarily 128 Norman Lane to close the road to traffic and trespassing, as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Public Works.)**
 - m) A resolution authorizing Clark Center, LLC to use temporarily the right-of-way of 1463 Market Street for installation of three (3) project signs, as shown on the photographs attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Public Works.)**
 - n) A resolution authorizing Craig Kronenberg to use temporarily a portion of the Market Street right-of-way at the northeast corner of Houston Street to install outdoor seating, as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Public Works.)**
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, April 22, 2008.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.