

AGENDA FOR TUESDAY, SEPTEMBER 9, 2008

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Benson)
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
- VI. Ordinances – First Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, to amend Sections 35-146 through 35-180 known as the Traffic Incident and Management Service Ordinance. **(Deferred from 9-2-08.)**
 - b) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article V, Section 406(13), to provide for a building façade fronting existing or planned public maintained streets within the Mixed Use Zone (MXU).
 - c) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article V, Sections 1212(1) and (2) and 1311(1) and (2), relative to major and minor changes to Residential and Institutional Planned Unit Developments after review or adoption.
 - d) An ordinance appropriating, authorizing or allocating funds to the Capital Improvements Budget for the Fiscal Year 2008/2009 and to amend the Fiscal Year 2008/2009 Budget Ordinance No. 12139, the 2004/2005 Capital Budget Ordinance No. 11606, the 2006/2007 Capital Budget Ordinance No. 11903, and the 2007/2008 Capital Budget Ordinance No. 12024.
 - e) MR-2008-053 Bob Franklin – Girl’s Preparatory School (Close & Abandon). An ordinance closing and abandoning the 100 through 300 blocks of Dickerson Avenue, more particularly described herein and as shown on the maps attached hereto and made a part hereof by reference. **(Deferred from 6-24-08, 7-1-08, and 8-19-08. Recommended for denial by Planning. Not recommended for approval by Public Works – see alternate version.)**

MR-2008-053 Bob Franklin – Girl’s Preparatory School (Close & Abandon). An ordinance closing and abandoning the **700 block of Frazier Avenue**, more particularly described herein and as shown on the maps attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Public Works.)**

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- f) 2008-136 David Mathews (Lift Conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to lift the condition imposed in Ordinance No. 7654, reservation of any existing easement for any utility, on a tract of land located on the former 1600 block of First 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 - see alternate version.)**

2008-136 David Mathews (Lift Conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to lift the condition imposed in Ordinance No. 7654, reservation of any existing easement for any utility, on a tract of land located on the former 1600 block of First 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.)**

- g) 2008-140 Don Skiles & Richard Cribbs (from R-2 to R-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 6918 and 2920 Northside Drive, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-2 Residential Zone to R-3 Residential Zone. **(Recommended for denial by Planning.)**

- h) 2008-144 Shull Harris Construction, LLC (from C-5 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 3370 Jenkins Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from C-5 Neighborhood Commercial Zone to R-4 Special Zone. **(Recommended for approval by Planning.)**

- i) MR-2008-146 City of Chattanooga, c/o Dan Thornton (Close & Abandon). An ordinance closing and abandoning a portion of the eastern right-of-way of the 1100 block of Lindsay Street, 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-2008-146 City of Chattanooga, c/o Dan Thornton (Close & Abandon). An ordinance closing and abandoning a portion of the eastern right-of-way of the 1100 block of Lindsay Street, 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.)**

VII. Resolutions:

- a) A resolution authorizing the Director of General Services to enter into an Agreement with Attorney Michael J. Mahn for legal services relative to the Public Safety Interoperable Communications Project at the rate of \$175.00 per hour with the total amount paid not to exceed \$37,500.00 pursuant to the Engagement Letter attached hereto and made a part hereof by reference.

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- b) A resolution authorizing the Chattanooga Police Department to issue funds from Reduction of Part I Offenses in the amount of \$10,000.00 to the Greater Chattanooga Crime Stoppers, Inc. to be used as rewards for tips leading to the arrest and conviction of persons who commit crimes.
- c) A resolution adopting a five-year Capital Improvement Plan, subject to future revision, a copy of which is attached hereto and made a part hereof by reference.
- d) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. W-06-008-201, 2006 Miscellaneous Sanitary Sewer Point Repair Contract, with Mayse Construction Company, Inc., which change order increases the contract amount by \$35,745.57, for a revised contract amount not to exceed \$235,745.57.
- e) A resolution authorizing the Department of Public Works to accept payment in the amount of \$236,617.50 from Ken Defoor Properties relative to Contract No. E-06-006-202, Northpoint Boulevard Extension Phase 2 and 3.
- f) 2008-142 Yetonia Edwards (Special Exceptions Permit). A resolution approving a Special Exceptions Permit for a Residential Home for the Handicapped and/or Aged Persons Operated on a Commercial Basis on a tract of land located at 3713 Clio Avenue, 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 - see alternate version.)**

2008-142 Yetonia Edwards (Special Exceptions Permit). A resolution approving a Special Exceptions Permit for a Residential Home for the Handicapped and/or Aged Persons Operated on a Commercial Basis on a tract of land located at 3713 Clio Avenue, 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.)**

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.

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XII. Agenda Session for Tuesday, September 16, 2008

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, September 16, 2008:

AGENDA FOR TUESDAY, SEPTEMBER 16, 2008

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

**SPECIAL PRESENTATION BY
LOOKOUT VALLEY NEIGHBORHOOD ASSOCIATION.**

5. Ordinances - Final Reading:
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 - b) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article V, Section 406(13), to provide for a building façade fronting existing or planned public maintained streets within the Mixed Use Zone (MXU).
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 - d) An ordinance appropriating, authorizing or allocating funds to the Capital Improvements Budget for the Fiscal Year 2008/2009 and to amend the Fiscal Year 2008/2009 Budget Ordinance No. 12139, the 2004/2005 Capital Budget Ordinance No. 11606, the 2006/2007 Capital Budget Ordinance No. 11903, and the 2007/2008 Capital Budget Ordinance No. 12024.
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6. Ordinances – First Reading:

- a) An ordinance to amend Ordinance No. 12139, entitled “An ordinance, hereinafter also known as ‘The Fiscal Year 2008-2009 Budget Ordinance’, to provide revenue for the fiscal year beginning July 1, 2008, and ending June 30, 2009, 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,” so as to set forth the Budget of the Interceptor Sewer System and to amend Chattanooga City Code, Part II, Chapter 31, Sections 31-36, 31-37, 31-41, and 31-43.

7. Resolutions:

- a) A resolution affirming Chattanooga’s intent to participate in a Regional Strategic Skills Forecast and assuring local matching funds in an amount not to exceed \$25,000.00.
- b) A resolution authorizing the Mayor to extend the personal services contract with Dr. Barbara Medley for oversight of the Office of Multicultural Affairs for the period of September 1, 2008 through October 31, 2008 in an amount not to exceed \$6,000.00.
- c) A resolution authorizing the Office of Multicultural Affairs to solicit and accept donations from businesses which include gift certificates, low-cost merchandise for prizes, and food for consumption by event participants for all current and future Sweet Diversity events.
- d) A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into an amendment to the agreement with Plantation Pipe Line Company relative to the construction of the Summit Softball Complex, which amendment increases the contract amount by \$34,758.95, for a revised contract amount not to exceed \$179,758.95.
- e) A resolution authorizing the Chief of the City of Chattanooga Police Department to enter into a Memorandum of Understanding, in substantially the form attached hereto, with Hamilton County, Tennessee, to host the 17th Annual Homicide Conference in Chattanooga, with the City’s portion not to exceed \$6,000.00.
- f) A resolution authorizing the Department of Public Works, Interceptor Sewer Fund, to accept a payment from Tennessee-American Water Company as reimbursement for field relocation of interceptor sewer to avoid the existing thirty-foot (30’) water main relative to Contract No. W-05-007-202, Warner Park/Engel Stadium Parallel Interceptor Sewer Contract, in the amount of \$15,220.17.
- g) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. E-08-001-201, Riverfront Parkway Modifications, with Yerbey Concrete Construction, Inc., which change order decreases the contract amount by \$64,484.24, for a revised contract amount not to exceed \$263,765.01, and releasing the contract contingency amount of \$32,825.75.

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- h) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. E-03-011-201, Igou Gap Road Improvements Phase 1, with Highway, Inc., which change order decreases the contract amount by \$419,385.30, for a revised contract amount not to exceed \$2,062,476.30, and releasing the contract contingency amount of \$250,000.00.
- 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 23, 2008.
- 13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
- 14. Adjournment.