

AGENDA FOR TUESDAY, NOVEMBER 4, 2008

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Vice-Chair Benson)
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
 - a) MR-2008-141 James Schwall (Close & Abandon). An ordinance closing and abandoning a portion of an unopened alley between the former 1600 blocks of First Street and East 29th 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:
- VII. Resolutions:
 - a) A resolution authorizing the Mayor to apply for and, if awarded, accept a 2009 United States Environmental Protection Agency Brownfields Cleanup Grant for cleanup of property located at 400 West 45th Street, Tax Map No. 167C-H-002, in an amount up to \$200,000.00, and further authorizing the required matching funds of twenty percent (20%), or an amount up to \$40,000.00.
 - b) A resolution authorizing the Mayor to apply for and, if awarded, accept a 2009 United States Environmental Protection Agency Brownfields Revolving Loan Fund Grant in an amount up to \$1,000,000.00 to establish a revolving loan fund for brownfields cleanup and redevelopment, and further authorizing the required matching funds of twenty percent (20%), or an amount up to \$200,000.00.
 - c) A resolution authorizing the award of a contract with Cy Young Industries, Inc. to recover the seats on the main floor and balcony area of the Tivoli Theatre in a total amount not to exceed \$117,974.62.
 - d) A resolution authorizing the Department of Neighborhood Services and Community Development to manage an allocation of \$2,113,757.00 from the U.S. Department of Housing and Urban Development awarded under the Neighborhood Stabilization Program and any sub-allocations from the State of Tennessee that may be awarded to the City under this same program.
 - e) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. S-07-010-201, Private Sanitary Sewer Service Lateral Repair (SLAP), with Street Cuts, LLC, which change order increases the contract amount by \$1,000.00, for a revised contract amount not to exceed \$13,250.00, and releasing the contingency funds in the amount of \$875.00.

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- f) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. S-08-002-201, Private Sanitary Sewer Service Lateral Repair (SLAP), with Street Cuts, LLC, which change order increases the contract amount by \$3,400.00, for a revised contract amount not to exceed \$25,900.00, and releasing the contingency funds in the amount of \$100.00.
- g) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. S-08-003-201, Private Sanitary Sewer Service Lateral Repair (SLAP), with Street Cuts, LLC, which change order increases the contract amount by \$1,125.00, for a revised contract amount not to exceed \$14,050.00, and releasing the contingency funds in the amount of \$1,875.00.
- h) A resolution authorizing the execution of Change Order No. 2 relative to Contract No. W-05-007-102, Warner Park Combined Sewer Overflow (CSO) Control Facility, with Consolidated Technologies, Inc., which change order increases the contract amount by \$10,000.00, for a revised contract amount not to exceed \$471,550.00.
- i) A resolution authorizing the Administrator of the Department of Public Works to approve Amendment 2 to an agreement between GSL Energy Solutions (GSL) and the City of Chattanooga which provide biosolids and wood mulch for the express purpose of allowing GSL to perform a full scale test of their process to convert biosolids and/or wood mulch into bio-oil. This Amendment 2 extends the term of the Agreement by 180 days from the effective end date of October 25, 2008 of Amendment 1. All remaining conditions in Section 10 shall remain in force.
- j) 2008-PW-006 - City - Street Name Change. A resolution to change the right-of-way name of the 1600 through 2100 blocks of Carter Street (between West Main Street and 21st Street) to the 1600 through 2100 blocks of Reggie White Boulevard, as shown on the map attached hereto and made a part hereof by reference. **(Added by permission of Councilman Pierce and Councilwoman Gaines.)**

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, November 11, 2008

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

XIV. Adjournment.

XV. Agenda Session for Tuesday, November 11, 2008:

AGENDA FOR TUESDAY, NOVEMBER 11, 2008

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Shockley)
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
6. Ordinances – First Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 32, relative to Streets and Sidewalks.
 - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 35, Article VII, relative to Pedal Carriages and Rickshaws, to provide for the purpose of the Article, definitions, and jurisdiction.
 - c) 2008-168 William Eric Lee (from R-1 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 9124 Amos Road, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-4 Special Zone. **(Not recommended for approval by Planning – see alternate version.)**

2008-168 William Eric Lee (from R-1 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 9124 Amos Road, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Planning.)**
 - d) 2008-172 DHW Architects – Memorial Hospital (from R-1 to R-4). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located in the 2400 block of Citico Avenue, the 800 block of Wheeler Avenue, and the 800 block of North Chamberlain 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.)**

2008-172 DHW Architects – Memorial Hospital (from R-1 to R-4). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located in the 2400 block of Citico Avenue, the 800 block of Wheeler Avenue, and the 800 block of North Chamberlain 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.)**

- e) 2008-175 Jerry Hagan (from O-1 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 7374 Applegate Lane, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, from O-1 Office Zone to R-4 Special Zone. **(Not recommended for approval by Planning – see alternate version.)**

2008-175 Jerry Hagan (from O-1 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 7374 Applegate Lane, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, from O-1 Office Zone to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- f) 2008-176 Eddie Adams – Central Baptist Church (from C-2 & M-3 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 5202 Hixson Pike, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, from C-2 Convenience Commercial Zone and M-3 Warehouse and Wholesale Zone to R-4 Special Zone. **(Recommended for approval by Planning.)**

- g) 2008-178 David M. & Janie R. Benton (from R-2 to M-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 2701 Walker Road, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, from R-2 Residential Zone to M-3 Warehouse and Wholesale Zone. **(Not recommended for approval by Planning or Staff– see alternate versions.)**

2008-178 David M. & Janie R. Benton (from R-2 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 2701 Walker Road, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, from R-2 Residential Zone to **C-2 Convenience Commercial Zone**, subject to certain conditions. **(Recommended for approval by Planning.)**

2008-178 David M. & Janie R. Benton (from R-2 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 2701 Walker Road, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, from R-2 Residential Zone to **C-2 Convenience Commercial Zone**, subject to certain conditions. **(Recommended for approval by Staff.)**

- h) 2008-179 Flournoy Development Company, LLC (from R-1 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 in the 7200 block of East Brainerd Road and the 1200 block of Panorama Drive, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-3 Residential Zone. **(Not recommended for approval by Planning or Staff – see alternate versions.)**

2008-179 Flournoy Development Company, LLC (from R-1 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 in the 7200 block of East Brainerd Road and the 1200 block of Panorama Drive, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

2008-179 Flournoy Development Company, LLC (from R-1 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 in the 7200 block of East Brainerd Road and the 1200 block of Panorama Drive, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions. **(Recommended for approval by Staff.)**

- i) 2008-182 Corrie Eldred – Betts Engineering Associates, Inc. (Lift Conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to lift all conditions imposed in Ordinance No. 10011 (Case No. 1993-234) on tracts of land located at 1005 Glenwood Drive and 950 North Chamberlain 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.)**

2008-182 Corrie Eldred – Betts Engineering Associates, Inc. (Lift Conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to lift all conditions imposed in Ordinance No. 10011 (Case No. 1993-234) on tracts of land located at 1005 Glenwood Drive and 950 North Chamberlain 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.)**

7. Resolutions:

- a) A resolution to make certain findings relating to the Scenic Industries, LLC 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 Payments in Lieu of Ad Valorem Taxes.
- b) A resolution authorizing the Office of the City Attorney to institute a cause of action against Dement Construction Company for damage to property located on Williams Street relative to Waste Resources Management.

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- c) A resolution authorizing the Director of General Services to enter into an agreement with Jake Marshall, LLC for modifications and corrections to the Development Resource Center (DRC) heating, cooling and ventilation systems in the amount of \$1,100,000.00, plus a contingency in the amount of \$55,000.00, for a total contract amount not to exceed \$1,155,000.00.
 - d) A resolution authorizing the acceptance of a permanent conservation easement form Dean Construction, LLC on property described on the legal description and map attached hereto and made a part hereof by reference, to be used as part of the South Chickamauga Creek Greenway and authorizing the Administrator of the Department of Parks and Recreation to execute the Deed of Conservation Easement relative to this donation.
 - e) 2008-PW-005 (Street Dedication). A resolution authorizing the dedication of the right-of-way for the 1300 block of West 43rd Street between Tennessee Avenue and Seneca Avenue, as shown on the map attached hereto and made a part hereof by reference, to honor Fidesah Ingram, and authorizing the placement of signage reading "In Honor of Fidesah Ingram" along said right-of-way. The official name of the right-of-way shall remain West 43rd Street on City records.
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, November 18, 2008.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.