

## **SECOND AMENDED AGENDA FOR TUESDAY, AUGUST 4, 2009**

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilwoman Berz)
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 3, Section 3-7, relative to sign permits, location restrictions, and projective signs.
  - b) An ordinance to amend Chattanooga City Code, Part II, Sections 10-1 and 10-2, so as to adopt the 2006 Edition of the International Building Code and to retain the 2003 Edition of the International Residential Code and certain appendices of those codes as revised and amended as the Official Building Code of the City of Chattanooga; to amend Section 10-3 concerning special amendments to the International Building Code and the International Residential Code concerning drawings and specifications, permit fees, existing buildings or structures, moved structures, employee qualifications, and signs; to amend Sections 2-625 and 2-626 concerning the Construction Board of Adjustments and Appeals; and to amend Section 10-7 concerning the adoption of the ANSI National Standard as the Official Handicap and Accessibility Code of the City of Chattanooga.
  - c) An ordinance to amend Chattanooga City Code, Part II, Section 10-33, so as to adopt the 2006 Edition of the Energy Conservation Code, in its entirety, as the Official Energy Code of the City of Chattanooga.
  - d) An ordinance to amend Chattanooga City Code, Part II, Chapter 17, Article I, Sections 17-1 and 17-2, relative to the adoption of the International Fire Code, 2006 Edition, and all referenced standards and publications specified therein, including the 2006 National Fire Protection Association (NFPA) 101 Life Safety Code in its entirety for certain specified occupancies, as the Official Fire Code of the City of Chattanooga; to amend Section 17-2 as appendices to Code adopted; and to amend Section 17-3 as amendments to Code.
  - e) An ordinance to amend Chattanooga City Code, Part II, Sections 19-1 and 19-2, so as to adopt the 2006 Edition of the International Fuel Gas Code and certain appendices as revised and amended as the Official Gas Code of the City of Chattanooga; to amend Section 19-3 concerning amendments to said Code; and to delete the last sentence in Section 19-91 regarding “issuance of a copy of the current Gas Code without charge” to all Master Gas Fitters.
  - f) An ordinance to amend Chattanooga City Code, Part II, Sections 22.5-1 through 22.5-3, so as to adopt the 2006 Edition of the International Mechanical Code and certain appendices as revised and amended as the Official Mechanical Code of the City of Chattanooga and to amend Section 22.5-3 concerning amendments to said Code regarding scope, permits, permit fees, expiration, and violation penalties.

## Second Amended Agenda for Tuesday, August 4, 2009

### Page 2 of 6

- g) An ordinance to amend Chattanooga City Code, Part II, Sections 27-1 through 27-3, so as to adopt the 2006 Edition of the International Plumbing Code as revised and amended as the Official Plumbing Code of the City of Chattanooga and to amend Section 27-3 concerning amendments to said Code.

#### VI. Ordinances – First Reading:

- a) An ordinance to amend Chattanooga City Code, Part II, Chapter 24, Sections 24-474, 24-476, 24-477, 24-482, and add Section 24-483 relative to bicycles.
- b) **An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Sections 38-2, 38-185, and 38-527, relative to the regulation of nightclubs. (Added by permission of the Legal & Legislative Committee.)**

#### VII. Resolutions:

- a) A resolution authorizing the Mayor to apply for and, if approved, accept a Climate Showcase Communities Grant from the U.S. Environmental Protection Agency in an amount up to and including \$500,000.00 for the Warm Mix Asphalt Project, which grant requires a local match from the City in an amount up to and including \$250,000.00.
- b) A resolution authorizing Wade R. Verble to use temporarily an unpaved right-of-way located at the rear of 4374 Guild Trail (a/k/a Forty-Fourth Street), as shown on the maps attached hereto and made a part hereof by reference, during construction on 4374 Guild Trail, subject to certain conditions.
- c) **A resolution declaring the area in and around Enterprise South Industrial Park as more fully described herein an Economic Recovery Zone. (Revised.)**

#### 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, August 4, 2009.

**Second Amended Agenda for Tuesday, August 4, 2009**

**Page 3 of 6**

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

XIV. Adjournment.

XV. Agenda Session for Tuesday, August 11, 2009:

**AGENDA FOR TUESDAY, AUGUST 11, 2009**

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, Sections 24-474, 24-476, 24-477, 24-482, and add Section 24-483 relative to bicycles.
  - b) **An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Sections 38-2, 38-185, and 38-527, relative to the regulation of nightclubs. (Added by permission of the Legal & Legislative Committee.)**
6. Ordinances – First Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, to include suburban infill lot frontage and setback regulations and urban infill lot compatibility subdivision option, delete flag lot provisions, and change the definition of frontage.
  - b) 2009-087 Eric Myers (Elemi Architects, LLC) (R-3 Residential Zone and R-2 Residential Zone to RT-1 Residential Townhouse Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 600 block of Hamilton Avenue and 640 North Market Street, more particularly described herein and as shown on the maps and drawings attached hereto and made a part hereof by reference, from R-3 Residential Zone and R-2 Residential Zone to RT-1 Residential Townhouse Zone. **(Not recommended for approval by Planning – see alternate version.)**  
  
2009-087 Eric Myers (Elemi Architects, LLC) (R-3 Residential Zone and R-2 Residential Zone to RT-1 Residential Townhouse Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 600 block of Hamilton Avenue and 640 North Market Street, more particularly described herein and as shown on the maps and drawings attached hereto and made a part hereof by reference, from R-3 Residential Zone and R-2 Residential Zone to RT-1 Residential Townhouse Zone, subject to certain conditions. **(Recommended for approval by Planning.)**
  - c) MR-2009-082 OBAR Investments, LLC and Black Creek Farm, LLC (Closing and Abandonment). An ordinance closing and abandoning Aetna Mountain Road within the City limits of Chattanooga, more particularly described herein and as shown on the maps and drawings attached hereto and made a part hereof by reference. (Not recommended for approval by Public Works.) **(Deferred from July 28, 2009.)**

MR-2009-082 OBAR Investments, LLC and Black Creek Farm, LLC (Closing and Abandonment). An ordinance closing and abandoning Aetna Mountain Road within the City limits of Chattanooga, more particularly described herein and as shown on the maps and drawings attached hereto and made a part hereof by reference, subject to certain conditions. (Recommended for approval by Public Works.) **(Deferred from July 28, 2009.)**

- d) MR-2009-097 City of Chattanooga c/o Dan Thornton (Closing and Abandonment). An ordinance closing and abandoning a right-of-way of the 400 block of Cherry Street and the southern right-of-way of the 100 block of East 4<sup>th</sup> Street, more particularly described herein and as shown on the maps and drawings attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning and Public Works – see alternate version.)**

MR-2009-097 City of Chattanooga c/o Dan Thornton (Closing and Abandonment). An ordinance closing and abandoning a right-of-way of the 400 block of Cherry Street and the southern right-of-way of the 100 block of East 4<sup>th</sup> Street, more particularly described herein and as shown on the maps and drawings 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 the appointment of V. Quinn Lewis, Joshua Rogers, and Don Green as special police officers (unarmed) for the Public Works Water Quality Department as prescribed herein, subject to certain conditions and restrictions.
- b) A resolution authorizing payment in the amount of \$24,000.00 to Chattanooga Parent Magazine for advertisements to run eight (8) times during the school year promoting the Parks and Recreation Department's programs.
- c) A resolution authorizing the Administrator of the Department of Parks and Recreation and the Administrator of the Department of Education, Arts & Culture to apply for and accept a mini-grant available through the "JumpStart" grant program from Met Life Corporation and distributed through the Choose Chattanooga Organization in the amount of \$1,000.00 for each department to provide basic computer and technology training to staff.
- d) A resolution authorizing the execution of Change Order No. 1 (Final), relative to Contract No. E-08-003-202, 2008 City Sidewalk Requirements Contract with Yerbey Concrete Construction, Inc., which change order is to decrease the contract amount by \$12,738.82, for a revised contract amount of \$183,416.78, and to release the contingency amount of \$19,614.40.
- e) A resolution authorizing Robert E. Sanders to use temporarily 2474 Clay Street to install a directional sign at the corner of Appling Street and Amnicola Hwy., as shown on the maps attached hereto and made a part hereof by reference, subject to certain conditions.

## Second Amended Agenda for Tuesday, August 4, 2009

### Page 6 of 6

- f) A resolution authorizing the Department of Education, Arts & Culture to accept a low bid from J. D. Helton Roofing for a base amount of \$96,390.00, not to exceed \$101,209.50, for the replacement of the roof over the stage house and crossover at the Soldiers and Sailors Memorial Auditorium.
  - g) A resolution authorizing the Department of Education, Arts & Culture to make an additional payment not to exceed \$1,354.00 to Garnet Chapin, Architect, for the redesign of the stairway chairlift at Heritage House. The total renovation design contract is \$10,854.00.
  - h) A resolution authorizing the Department of Education, Arts & Culture to make additional payments not to exceed \$12,271.00 to Custom Lifts Access for the purchase and installation of a stairway chairlift at Heritage House.
  - i) A resolution authorizing purchase of two (2) ten (10) ton Liebert AC and ductwork from Carrier International to be installed at 332 M.L. King Building for the City's new data center for a total cost of \$80,000.00. (Added by permission of Councilman Rico.)
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, August 18, 2009.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.