

## AMENDED AGENDA FOR TUESDAY, SEPTEMBER 8, 2009

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilwoman Robinson)
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
- VI. Ordinances – First Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Section 38-84, regarding the use of the Urban Overlay Zone within R-TZ Residential Townhouse/Zero Lot Line Zone.
  - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Section 38-402(3)(c) to change a condition for residential planned unit developments.
  - c) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Sections 38-264 and 38-266, and by adding Section 38-527 relative to a Special Exceptions Permit for beer sales in neighborhood grocery stores.
  - d) An ordinance to amend Chattanooga City Code, Part II, Chapter 26, Sections 26-22, 26-23, 26-24, 26-25, and 26-134, and by adding new Sections 26-26, 26-27, 26-28, 26-29, 26-30, 26-31, 26-32, 26-33, and 26-34, establishing event fees for usage of various Chattanooga Parks and Recreation facilities.
  - e) 2009-037 Chattanooga Metropolitan Church c/o Pamela Ammons (R-1 to C-2). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 1063 Shallowford Road, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone. **(Not recommended for approval by Planning.)**
  - f) 2009-090 Gurdeep K. Madan, Broker (C-5 to C-2). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 3467 Wilcox Boulevard, more particularly described herein, from C-5 Neighborhood Commercial Zone to C-2 Convenience Commercial Zone. **(Not recommended for approval by Planning.)**  
  
2009-090 Gurdeep K. Madan, Broker (C-5 to C-2). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 3467 Wilcox Boulevard, more particularly described herein, from C-5 Neighborhood Commercial Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Not recommended but Special Exceptions permit is recommended.)**

- g) 2009-108 James Farris (R-1 to R-3). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 1408 Palisades Road, more particularly described herein, from R-1 Residential Zone to R-3 Residential Zone. **(Not recommended for approval by Planning.)**
  
- h) 2009-111 Sean Daniels (R-1 to C-2). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 3630 Ridgeside Road, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone. **(Not recommended for approval by Planning.)**  
  
2009-111 Sean Daniels (R-1 to C-5). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 3630 Ridgeside Road, more particularly described herein, from R-1 Residential Zone to C-5 Neighborhood Commercial Zone, subject to certain conditions. **(Recommended for approval by Planning with Special Exceptions permit.)**
  
- i) 2009-114 Armstrong, Weber, Randall, LLC c/o Andrew Mattox (R-3 to C-3). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone part of a tract of land located at 1711 Baldwin Street, more particularly described herein, from R-3 Residential Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning.)**  
  
2009-114 Armstrong, Weber, Randall, LLC c/o Andrew Mattox (R-3 to UGC). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone part of a tract of land located at 1711 Baldwin Street, more particularly described herein, from R-3 Residential Zone to UGC Urban General Commercial Zone. **(Recommended for approval by Planning.)**
  
- j) An ordinance hereinafter also known as “the Fiscal Year 2009-2010 Budget Ordinance,” to provide revenue for the fiscal year beginning July 1, 2009, and ending June 30, 2010; 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 Chattanooga City Code, Part I, Chapter 2, Section 2-267, relative to paid leave for active-duty training.

**VII. Resolutions:**

- a) A resolution authorizing the execution of a change order to Contract No. P0025759 with Oracle to decrease the contract amount by \$343,666.37, for a revised total contract amount not to exceed \$3,488,223.63.
  
- b) A resolution authorizing the execution of a change order to Contract No. 0027350 with Duley Hopkins to increase the contract amount by \$318,000.00, for a revised total contract amount not to exceed \$4,518,000.00.
  
- c) A resolution authorizing the Administrator of Public Works to approve an award to Parris Roofing for roofing repairs for the Friar Branch Pump Station in an amount not to exceed \$22,900.00.

- d) A resolution authorizing Carmike Cinemas to use temporarily the right-of-way for placement of a signage at 311 Broad Street, as shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions.
- e) A resolution requesting an opinion from the Attorney General of the State of Tennessee with regard to the authority of the Chattanooga City Council to enact an ordinance that would give preference to contractors that utilize local labor.
- f) 2005-077 Dale Darby (PUD Special Exceptions Permit.) A resolution approving a proposed final Planned Unit Development Special Exceptions Permit for a Planned Unit Development known as Amberbrook Gardens Planned Unit Development on part of a tract of land located at 5506 Cassandra Smith Road, more particularly described herein and as shown on the final Planned Unit Development Plan attached hereto and made a part hereof by reference, subject to certain conditions.
- g) 2007-166 R and S Development (PUD Special Exceptions Permit.) A resolution approving a proposed final Planned Unit Development Special Exceptions Permit for a Planned Unit Development known as Dallas Road Subdivision Planned Unit Development on tracts of land located in the 1000 block of Dallas Road, more particularly described herein and as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions.
- h) MR-2009-094 City of Chattanooga c/o Bill Payne (Declaring Surplus). A resolution declaring surplus the City's interest in property owned jointly by the City and Hamilton County part of the Enterprise South Industrial Park, Tax Map No. 130-001.01, as shown on the attached maps and made a part hereof by reference and authorizing the Mayor or his designee to execute a conservation easement for said property in favor of the U.S. Fish and Wildlife Service for the protection of the large flowered skullcap (CS. MONTANA).
- i) **A resolution authorizing the Mayor to endorse the Enterprise South Transportation Efficiency Project (ESTEP) proposal for a Transportation Investment Generating Economic Recovery (TIGER) grant for up to \$40,000,000.00 from the United States Department of Transportation. (Added by permission of Council Chair Benson.)**
- j) **A resolution authorizing the Director of General Services to execute a contract with George Wright Construction, Inc. for repairs and replacements for the second floor of the City Hall Annex in the amount of \$48,175.00, along with a project contingency of five (5%) percent for a total amount not to exceed project amount of \$50,583.75. (Added by permission of Council Vice Chair Rico.)**

VIII. Overtime Report.

**Amended Agenda for Tuesday, September 8, 2009**

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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 15, 2009.\*

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

XIV. Adjournment.

XV. Agenda Session for Tuesday, September 15, 2009:

**AGENDA FOR TUESDAY, SEPTEMBER 15, 2009**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilwoman Ladd)
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Section 38-84, regarding the use of the Urban Overlay Zone within R-TZ Residential Townhouse/Zero Lot Line Zone.
  - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Section 38-402(3)(c) to change a condition for residential planned unit developments.
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  - e) 2009-037 Chattanooga Metropolitan Church c/o Pamela Ammons (R-1 to C-2). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 1063 Shallowford Road, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone. **(Not recommended for approval by Planning.)**
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i) 2009-114 Armstrong, Weber, Randall, LLC c/o Andrew Mattox (R-3 to C-3). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone part of a tract of land located at 1711 Baldwin Street, more particularly described herein, from R-3 Residential Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning.)**

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j) An ordinance hereinafter also known as “the Fiscal Year 2009-2010 Budget Ordinance”, to provide revenue for the fiscal year beginning July 1, 2009, and ending June 30, 2010; 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 Chattanooga City Code, Part I, Chapter 2, Section 2-267, relative to paid leave for active-duty training.

6. Ordinances – First Reading:

a) An ordinance to amend Chattanooga City Code, Part II, Chapter 3, Section 3-126(3), relative to placement of business directional signs.

7. Resolutions:

a) A resolution authorizing amendment of the City of Chattanooga 401(a) Retirement Plan to address changed regulations under the Internal Revenue Code, and authorizing the City Finance Officer to execute any and all documents necessary in connection with said amendment. **(Deferred from 8/25/09.)**

## Amended Agenda for Tuesday, September 8, 2009

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- b) A resolution designating an economic Recovery Zone which shall include areas as shown on the map attached hereto and made a part hereof by reference.
  - c) A resolution authorizing the Chief of Police to negotiate and enter into a memorandum of understanding with Hamilton County, Tennessee in substantially the form attached hereto and incorporated herein by reference.
  - d) 2009-PW-012 City of Chattanooga, c/o Bill Payne, City Engineer (Street Name Change). A resolution to change the right-of-way name of the 800 through 899 block of Wells Street to the 807 through 899 block of Forest Avenue, due to 911 issues.
  - e) 2009-PW-013 City of Chattanooga, c/o Bill Payne, City Engineer (Street Name Change). A resolution to change the right-of-way name of the 700 through 799 block of Natchez Circle (AKA Natchez Road) to the 1800 through 1999 block of Notting Hill, due to 911 issues, with the 1000 through 1099 block portion of North Natchez Road remaining unchanged.
  - f) 2009-PW-014 City of Chattanooga, c/o Bill Payne, City Engineer (Street Name Change). A resolution to change the right-of-way name of the portion of Oak Street between Oak Hill Road and the dead end to the 4600 block of Begonia Lane, due to duplicate street names.
  - g) 2009-PW-015 City of Chattanooga, c/o Bill Payne, City Engineer (Street Name Change). A resolution to change the right-of-way name of the 1 through 99 block of Beason Drive to the 800 through 899 block of McRoy Drive, due to duplicate street names.
  - h) 2009-PW-016 City of Chattanooga, c/o Bill Payne, City Engineer (Street Name Change). A resolution to change the right-of-way name of the 500 through 599 block of West Crewdson Street to the 500 through 599 block of Moonhollow Lane, due to 911 issues.
  - i) 2009-PW-018 City of Chattanooga, c/o Bill Payne, City Engineer (Street Name Change). A resolution to change the right-of-way name of the 4700 through 4719 block of Charlotte Drive to the 2600 through 2699 block of Bryant Road, due to plat correction.
  - j) A resolution authorizing the Administrator of Public Works to enter into an agreement with Arcadis, U.S., Inc. for a planning study for Moccasin Bend Architectural District in an amount not to exceed \$98,500.00. (Added by permission of Council Vice Chair Rico.)**
  - k) A resolution authorizing the Administrator of Public Works to enter into a contract with MAP Engineering/Bonny Oaks Sewer Relocation at Railroad Bridge in an amount not to exceed \$13,650.00. (Added by permission of Council Vice Chair Rico.)**
8. Overtime Report.

**Amended Agenda for Tuesday, September 8, 2009**

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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 22, 2009
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.