

AGENDA FOR TUESDAY, NOVEMBER 17, 2009

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilwoman Ladd).
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Sections 38-2, 38-361, 38-363, 38-365 through 38-368, and 38-378, to update flood regulations.
 - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 5, Section 5-75(b), relative to sale of beer in the UGC Urban General Commercial Zone.
 - c) 2008-194 Trudy Mott (R-1 to R-3MD). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 1203 Rockway Drive, more particularly described herein, from R-1 Residential Zone to R-3MD Moderate Density Zone.
 - d) 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 and Staff.) (Revised – Motion to Substitute.) (District No. 9.)**
 - e) 2009-123 Structure Group, Inc. (M-1 to UGC). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 1200 East Main Street, more particularly described herein, from M-1 Manufacturing Zone to UGC Urban General Commercial Zone. **(Recommended for approval by Planning and Staff.) (District No. 8.) (Corrected.)**
 - f) 2009-124 Metropolitan Main, LLC (C-2 and M-1 to UGC). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 1601 Gulf Street, more particularly described herein, from C-2 Convenience Commercial Zone and M-1 Manufacturing Zone to UGC Urban General Commercial Zone. **(Recommended for approval by Planning and Staff.) (District No. 8.)**
 - g) 2009-145 Alan Haniszewski (R-1 to R-T/Z). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 907 Avon Place, more particularly described herein, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. **(Recommended for approval by Planning.) (Revised – Motion to Substitute.) (District No. 2.)**

Agenda for Tuesday, November 17, 2009

Page 2 of 6

- h) 2009-146 D & G Development, LLC (M-2 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 3421 St. Elmo Avenue, more particularly described herein, from M-2 Light Industrial Zone to R-3 Residential Zone. **(Recommended for approval by Planning.) (District No. 7.)**

VI. Ordinances – First Reading:

- a) An ordinance waiving any fees or restrictions for use of the right-of-ways throughout the Downtown Central Business District to allow placement of signs, banners, decals, and other displays of various sizes to promote the NCAA Championship Game during the week of December 14-19, 2009 only, subject to certain conditions.
- b) An ordinance to amend Chattanooga City Code, Part II, Chapter 24, Article XIV, Section 24-502, relative to speed limits on M. L. King Boulevard.

An ordinance to amend Chattanooga City Code, Part II, Chapter 24, Article XIV, Section 24-502, relative to speed limits on M. L. King Boulevard. **(Alternate version to 30 mph.)**

- c) An ordinance appropriating, authorizing or allocating funds to the Capital Improvements Budget for the fiscal year 2009/2010 and to amend the fiscal year 2009/2010 Budget Ordinance No. 12288 and to amend the 2008/2009 Capital Budget No. 12161. (Added by permission by Budget and Finance Committee.)
- d) **An ordinance to amend Chattanooga City Code, Part II, Chapter 32, Section 32-178 relative to the Standard Street Numbering and Addressing Policy for the City of Chattanooga, and to amend Chattanooga City Code, Part II, Chapter 32, Article IX, relative to street names. (Added by permission of Council Chair.)**
- e) **An ordinance to amend Ordinance No. 12288, entitled “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, 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. (Added by permission of Budget and Finance Committee.)**

VII. Resolutions:

- a) A resolution authorizing the Mayor to renew a Personal Services Contract with Michael L. Feely to coordinate initiatives and act as a liaison with Hispanic and homeless populations of Chattanooga to establish and nurture relationships with organizations representing the rights and/or interests of said populations for the period of September 1, 2009 through August 31, 2010 in an amount not to exceed \$22,000.00 per year.

Agenda for Tuesday, November 17, 2009

Page 3 of 6

- b) A resolution authorizing the award of Contract No. E-07-007-201, Walnut Street Bridge North Viaduct Improvements, to Tower Construction Company, Inc., in the amount of \$1,313,415.50, plus a contingency amount of \$100,000.00, for a total amount not to exceed \$1,413,415.50.
- c) A resolution authorizing the execution of Change Order No. 1 relative to Contract No. E-08-027-201, Traffic Operations Re-Roofing Project, with Don Grant Company, which increases the contract amount by \$3,905.74, for a revised contract amount of \$86,551.74, and releasing the remaining contingency amount of \$4,348.26.
- d) 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. (Added by permission of Budget and Finance Committee.) **(Deferred from 11/10/09.)**
- e) **A resolution to make certain findings relating to the Gestamp Chattanooga Project, to delegate certain authority to the Industrial Development Board of the County of Hamilton, Tennessee, and to authorize the Mayor to enter into and execute an agreement for payments in lieu of ad valorem taxes. (Added by permission of Economic Development Committee.)**
- f) MR-2009-061 and 062 City of Chattanooga, c/o Dan Thornton (Acceptance of Property). A resolution authorizing the acceptance of a donation of property from AKI, Inc. (d/b/a Arcade Marketing, Inc.) located at 1815 Main Street, Lynnbrook Avenue, and 1715 Main Street, more particularly described herein, and authorizing the Director of General Services to execute any and all documents necessary relating thereto.

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 24, 2009.

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

Agenda for Tuesday, November 17, 2009
Page 4 of 6

XIV. Adjournment.

XII. Agenda Session for Tuesday, November 24, 2009:

AGENDA FOR TUESDAY, NOVEMBER 24, 2009

1. Call to Order.
2. Pledge of Allegiance/Invocation (Council Chair Benson).
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
 - a) An ordinance waiving any fees or restrictions for use of the right-of-ways throughout the Downtown Central Business District to allow placement of signs, banners, decals, and other displays of various sizes to promote the NCAA Championship Game during the week of December 14-19, 2009 only, subject to certain conditions.
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 - d) An ordinance to amend Chattanooga City Code, Part II, Chapter 32, Section 32-178 relative to the Standard Street Numbering and Addressing Policy for the City of Chattanooga, and to amend Chattanooga City Code, Part II, Chapter 32, Article IX, relative to street names. **(Added by permission of Council Chair.)**
6. Ordinances – First Reading:
 - a. MR-2009-112 Chestnut Properties, LLC (Close & Abandon). An ordinance closing and abandoning the 900 block of East 23rd Street, a portion of the unopened 2000 block of East End Avenue, and a portion of an unopened alley located on the west line of the 2000 block of Central Avenue, more particularly described herein, subject to certain conditions. **(Recommended for approval by Public Works.) (District No. 7.) (Deferred from 10/27/09 and 11/10/09.) (Revised.)**

MR-2009-112 Chestnut Properties, LLC (Close & Abandon). An ordinance closing and abandoning the 900 block of East 23rd Street, a portion of the unopened 2000 block of East End Avenue, and a portion of an unopened alley located on the west line of the 2000 block of Central Avenue, more particularly described herein.

Agenda for Tuesday, November 17, 2009

Page 6 of 6

7. Resolutions:
 - a. A resolution authorizing the Director of General Services to enter into an agreement with Brightbridge for the administration of the EPA Brownfield Revolving Loan Fund, with a two-year contract for staffing, in an amount not to exceed \$191,000.00.
 - b. A resolution authorizing the Director of General Services to enter into an agreement with Brightbridge for the administration of the Brownsfield Grants at Ohls Avenue and the Anchor Glass Office Building sites for a cost of \$11,300.00 for Ohls Avenue and \$14,000.00 for the Anchor Glass Office Building.
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, December 1, 2009.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.