

AMENDED AGENDA FOR TUESDAY, MAY 11, 2010

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman McGary.)
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Section 14-2, in order to adopt the National Electrical Code of 2008 as the official Electrical Code of the City of Chattanooga and to amend Section 14-3, regarding certain amendments to the 2008 National Electrical Code.
 - b) An ordinance to amend Part II, Chattanooga City Code, Chapter 35, Article IV, relative to vehicles for hire for non-consensual towing. **(Revised.)**
- VI. Ordinances – First Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article IV, Section 38-401(1)(f), Planned Unit Development: Residential Regarding Major Changes.
 - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article IV, Section 38-32, General Regulations relative to allowing the Chattanooga-Hamilton County Regional Planning Commission to approve variances for lot size, lot frontage, and setbacks relative to the creation of lots as part of a new subdivision. **(Revised.)**
 - c) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article II, Definitions and Article V, Division 3, RT-1 Residential Townhouse Zone, and Division 5, R-T/Z Residential Townhouse/Zero Lot Line Zone regarding Townhouses.
 - d) 2010-036-Thomas Palmer (Lift Conditions). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to lift the conditions imposed in Ordinance No. 11974 (Case No. 2007-058) on tracts of land located at 1601, 1607, and 1613 Rossville 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. **(District 7, Planning Version.) (Staff recommends deferring for a site plan and a parking plan.)**

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- e) 2010-039-City of Chattanooga-RPA (Temporary R-1, RT-1, R-2, R-3, R-5, and C-2 to Permanent R-1, RT-1, R-3, R-5, and C-2). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 6851 and 6857 Big Ridge Road, 1438 Dahl Springs Lane, and various properties in the 6400-6500 blocks of Fairview Road and 6400-6800, and 7000 blocks of Hixson Pike, more particularly described herein from temporary R-1 Residential Zone, RT-1 Residential Townhouse Zone, R-2 Residential Zone, R-3 Residential Zone, R-5 Residential Zone, and C-2 Convenience Commercial Zones to permanent R-1 Residential Zone, RT-1 Residential Zone, R-3 Residential Zone, R-5 Residential Zone, and C-2 Convenience Commercial Zones. **(District 3.) (Recommended for approval by Planning.)**

- f) 2010-041-Jerry Hagan (Lift and Amend Condition). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to lift and amend Condition Number 2 imposed in Ordinance No. 11246 on a tract of land located at 7374 Applegate Lane, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(District 4, Staff Version.)**

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- g) 2010-042-Robert McNutt (R-1 Residential Zone to C-3 Central Business Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 784 East Martin Luther King Boulevard, more particularly described herein, from R-1 Residential Zone to C-3 Central Business Zone, subject to certain conditions. **(District 8, Planning Version.)**

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- h) 2010-050-Ken DeFoor/Valor GP (R-1 Residential Zone to R-4 Special Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 7518 Standifer Gap Road, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(District 4, Planning Version.)**

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- i) 2010-051-John S. Wise (M-1 Manufacturing Zone to C-3 Central Business Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 203 East Main Street, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions. **(District 8, Planning Version.)**
(Staff recommends deferring until parking plan is submitted to satisfy the concerns of the Traffic Engineering Department.)

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- j) 2010-054-Ann Jones-Pierre (R-3 Residential Zone to R-4 Special Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 1141 East 3rd Street and 1144 Garfield Street, more particularly described herein, from R-3 Residential Zone to R-4 Special Zone, subject to certain conditions. **(District 8, Planning Version.)**
(Planning recommends R-4 be denied, but approve O-1.)

2010-054-Ann Jones-Pierre (R-3 Residential Zone to R-4 Special Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 1141 East 3rd Street and 1144 Garfield Street, more particularly described herein, from R-3 Residential Zone to R-4 Special Zone. **(Applicant Version.)**

- k) **An ordinance to amend the fiscal year 2009-2010 Budget Ordinance No. 12288 to reallocate the remaining \$40,000.00 of a total \$80,000.00 appropriation to Downtown Partnership to Allied Arts of Greater Chattanooga for the Pops Project. (Added by permission of Council Chair Rico.)**

VII. Resolutions:

- a) A resolution authorizing the Mayor to execute an agreement with Hamilton County and the Tennessee Department of Transportation for a \$1,723,601.00 Transportation Enhancement Grant for construction of the Downtown Riverwalk and providing \$215,450.00 in matching funds in the fiscal year 2011 Capital Budget which matches dollar for dollar the contribution provided by Hamilton County for this purpose.
- b) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with Brown and Caldwell for engineering services for the implementation of equipment maintenance and reliability improvement program, in an amount not to exceed \$1,573,800.00. **(Deferred from 4/27/10.)**
- c) 2010-038-Mi Belvin (Special Exceptions Permit). A resolution approving a Special Exceptions Permit for a duplex in R-1 Residential Zone, on a tract of land located at 4317 Norcross Road, more particularly described herein. **(District 2.)**
- d) 2010-045-Bragg Point Properties, LLC (Special Exceptions Permit (PUD)). A resolution approving a Preliminary and Final Planned Unit Development Special Exceptions Permit for a Proposed Planned Unit Development, known as Bragg Point Properties, LLC, on a tract of land located at 3144 through 3212 South Crest Place, 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. **(District 9, Planning Version.)**

2010-045-Bragg Point Properties, LLC (Special Exceptions Permit (PUD)). A resolution approving a Preliminary and Final Planned Unit Development Special Exceptions Permit for a Proposed Planned Unit Development, known as Bragg Point Properties, LLC, on a tract of land located at 3144 through 3212 South Crest Place, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference. **(Applicant Version.)**
- e) A resolution authorizing the Chattanooga-Hamilton County Regional Planning Agency to enter into agreements with Aquaterra Engineering for conducting two Phase II Environmental Site Assessments at the Main Street and Ocoee Street Sites in the approximate amount of \$73,000.00.
- f) A resolution authorizing the Chattanooga-Hamilton County Regional Planning Agency to enter into an agreement with PM Environmental, Inc. for conducting a Phase II Environmental Site Assessment at the Wisdom Street Site in the approximate amount of \$22,080.00.

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- g) A resolution authorizing the Fire Chief of the Chattanooga Fire Department to enter into an Addendum to the Supplemental Fire Services Contract with Tri-Community Fire Department, Inc. for protection of the Ooltewah Annexation Area within the City of Chattanooga, Tennessee, in an amount not to exceed \$150,000.00 annually or \$37,500.00 quarterly beginning July 1, 2010, and subject to an annual increase of 5% during each subsequent year of this Supplemental Fire Services Agreement during the term of this agreement beginning July 1, 2011. **(Revised.)**
- h) A resolution authorizing the Mayor to accept a Congestion Mitigation and Air Quality improvements (CMAQ) Grant from the Tennessee Department of Transportation (TDOT) in the amount of \$2,500,000.00 for the Chattanooga Regional ITS System, State Project No. 33LPLM-F0-066 and PIN 114321.00, for the PE and Design of a regional ITS system to be operated by the City Traffic Engineering Division.
- i) 2010-PW-003 City of Chattanooga, c/o Mayor (ROW Name Change). A resolution to change the name of Enterprise South Boulevard and a portion of Enterprise South Parkway to name Volkswagen Drive. **(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, May 18, 2010.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, May 18, 2010:

AGENDA FOR TUESDAY, MAY 18, 2010

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Murphy.)
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
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- k) An ordinance to amend the fiscal year 2009-2010 Budget Ordinance No. 12288 to reallocate the remaining \$40,000.00 of a total \$80,000.00 appropriation to Downtown Partnership to Allied Arts of Greater Chattanooga for the Pops Project.

6. Ordinances – First Reading:

- a. An ordinance providing for an interim budget and appropriating funds for the usual and ordinary expenses of the City government for the months of July, August, and September, 2010, pending the adoption of the 2010-2011 annual budget.

7. Resolutions:

- a. A resolution authorizing the Personnel Director to execute an amendment to the contract with ChipRewards, Inc. for an employee incentive program to increase the amount from \$45,000.00 in an amount not to exceed \$145,000.00.

- b. A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into an agreement with Pointe General Construction, LLC for the installation of bleacher canopies at Warner Park in an amount not to exceed \$70,000.00.
 - c. A resolution authorizing Mitch Patel on behalf of Hampton Inn & Suites to use temporarily a right-of-way for 400 Chestnut Street for the installation of streetscapes, as shown on the maps attached hereto and made a part hereof by reference, subject to certain conditions.
 - d. A resolution authorizing the Administrator of the Department of Public Works to enter into a contract with U.S. Xpress, Inc. for the installation of a traffic signal at the intersection of Jenkins Road and the driveways for U.S. Xpress, Inc., in an amount not to exceed \$116,167.00, with an apportionment by the City in the amount of \$27,400.00.
 - e. A resolution authorizing the sale of City-owned property located at 1700 Baldwin Street to Jerry Stubbs in the amount of \$3,000.00, plus closing costs.
 - f. A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into an agreement with the University of Tennessee at Chattanooga for the lease of the UTC/Warner Park Indoor Softball Training Center.
 - g. **A resolution authorizing the Administrator of the Department of Neighborhood Services and Community Development to purchase 1612 Olive Street with Neighborhood Stabilization Program (NSP) funds to assist in stabilizing values in neighborhoods impacted by foreclosures, in an amount not to exceed \$50,000.00, inclusive of closing costs. (Added by permission of Council Chair 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.

Amended Agenda for Tuesday, May 11, 2010
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12. Agenda Session for Tuesday, May 25, 2010.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.