

SECOND AMENDED AGENDA FOR TUESDAY, MARCH 13, 2012

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Council Chairwoman Ladd)
- III. Minute Approval.
- IV. Special Presentation:
- V. Ordinances – Final Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Article XIV, Chapter 24, Section 502, Schedule II, Speed on through streets. **(District 1.)**
 - b) An ordinance to amend Sections 2-445 and 2-448 of Ordinance No. 12413 entitled “An ordinance amending Chattanooga City Code, Part II, Chapter 2, Article III, Sections 2-151 through 2-153 by deleting these sections in their entirety and inserting a new Division 19 entitled ‘Injury On Duty Program.’” **(Deferred from 2/21/2012.)**
- VI. Ordinances – First Reading:
 - a) An ordinance to amend Chattanooga City Code, Chapter 38, Zoning Ordinance, Article VIII, Section 38-564(1), Applications to the Board.
 - b) An ordinance to amend Chattanooga City Code, Chapter 20, Article VII, by adding a new Division 3 titled “Mobile Food Units”, Sections 20-146 through 150, and Chattanooga City Code Chapter 38, Sections 2, 203 and 222 relative to zoning for mobile food units.
 - c) 2010-015 City of Chattanooga (R-3 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 1165 Fairmount Avenue, more particularly described herein, from R-3 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. **(Recommended for approval by Planning and Staff.) (District 1.) (Deferred from 2/14/2012.)**

2010-015 City of Chattanooga (R-3 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 1165 Fairmount Avenue, more particularly described herein, from R-3 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone. **(Applicant Version.)**

Second Amended Agenda for Tuesday, March 13, 2012

Page 2 of 7

- d) 2012-008 Barton E. & Elizabeth B. Woodham (R-1 Residential Zone to M-1 Manufacturing Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1910 East 31st Street, more particularly described herein, from R-1 Residential Zone to M-1 Manufacturing Zone, subject to certain conditions. **(Recommended for approval by Planning and Staff.) (District 7.)**

2012-008 Barton E. & Elizabeth B. Woodham (R-1 Residential Zone to M-1 Manufacturing Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1910 East 31st Street, more particularly described herein, from R-1 Residential Zone to M-1 Manufacturing Zone. **(Applicant Version.)**

- e) 2012-015 Denis & Joy Dobosh/Mathew Hullander (R-1 Residential Zone to C-2 Convenience Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 7120 and 7148 East Brainerd Road, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Recommended for approval by Planning and Staff.) (District 4.)**

2012-015 Denis & Joy Dobosh/Mathew Hullander (R-1 Residential Zone to C-2 Convenience Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 7120 and 7148 East Brainerd Road, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone. **(Applicant Version.)**

VII. Resolutions:

- a) **A resolution authorizing the Mayor to enter into an agreement with Global Green Lighting for a purchase of up to 27,000 lights, subject to availability of funding. (Deferred from 3/6/2012.) (Revised.)**
- b) A resolution authorizing the appointment of Allen Jones as a special police officer (unarmed) for the City of Chattanooga Public Works Department, to do special duty as prescribed herein, subject to certain conditions.
- c) A resolution authorizing the appointment of Mike Haponski as a special police officer (unarmed) for the City of Chattanooga Public Works Department, to do special duty as prescribed herein, subject to certain conditions.
- d) A resolution authorizing Change Order No. 1 (Final) for American Consulting Professionals, LLC, for the design of structural repairs to Wilson Road Bridge, for a decreased amount of \$4,500.00, for a revised contract amount not to exceed \$22,094.00. **(District 7.)**

Second Amended Agenda for Tuesday, March 13, 2012

Page 3 of 7

- e) A resolution authorizing payment to Barbara G. Hassett, et al, for a right-of-way easement, relative to Contract No. E-03-044, Oakwood Drive at Jersey Pike Intersection Improvements, for Tract No. 4, property located at 4828 Jersey Pike, Chattanooga, TN 37416, Tax Map No. 129C-A-002, for the amount of \$1,225.00. **(District 5.)**
- f) A resolution authorizing Fort Wood Neighborhood Association to use temporarily the right-of-way located with the Fort Wood Neighborhood boundary for the installation of banners to define the boundary and promote the Fort Wood Neighborhood, as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(District 8.)**
- g) A resolution adopting the current records retention manual approved by the Municipal Technical Advisory Service as the official records retention schedule of the City of Chattanooga.
- h) 2012-013 Joseph Ingram (Preliminary Planned Unit Development). A resolution approving a Preliminary Planned Unit Development Special Exceptions Permit for a Planned Unit Development, known as Perry North Residential Planned Unit Development, located in the 1000 block of Dallas Road, more particularly described herein and as shown on the maps attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning and Staff.) (District 1.)**

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, March 20, 2012.

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

XIV. Adjournment.

AGENDA FOR TUESDAY, MARCH 20, 2012

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Benson).
3. Minute Approval.
4. Special Presentation:
5. Ordinances - Final Reading:
 - a) An ordinance to amend Chattanooga City Code, Chapter 38, Zoning Ordinance, Article VIII, Section 38-564(1), Applications to the Board.
 - b) An ordinance to amend Chattanooga City Code, Chapter 20, Article VII, by adding a new Division 3 titled "Mobile Food Units", Sections 20-146 through 150, and Chattanooga City Code Chapter 38, Sections 2, 203 and 222 relative to zoning for mobile food units.
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 - d) 2012-008 Barton E. & Elizabeth B. Woodham (R-1 Residential Zone to M-1 Manufacturing Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1910 East 31st Street, more particularly described herein, from R-1 Residential Zone to M-1 Manufacturing Zone, subject to certain conditions. **(Recommended for approval by Planning and Staff.) (District 7.)**

2012-008 Barton E. & Elizabeth B. Woodham (R-1 Residential Zone to M-1 Manufacturing Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1910 East 31st Street, more particularly described herein, from R-1 Residential Zone to M-1 Manufacturing Zone. **(Applicant Version.)**

- e) 2012-015 Denis & Joy Dobosh/Mathew Hullander (R-1 Residential Zone to C-2 Convenience Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 7120 and 7148 East Brainerd Road, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Recommended for approval by Planning and Staff.) (District 4.)**

2012-015 Denis & Joy Dobosh/Mathew Hullander (R-1 Residential Zone to C-2 Convenience Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 7120 and 7148 East Brainerd Road, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone. **(Applicant Version.)**

6. Ordinances – First Reading:

- a) An ordinance to amend Chattanooga City Code, Part II, Chapter 26, Section 26-23, establishing the event fees for usage of various Chattanooga Parks and Recreation facilities and arts and civic centers.
- b) An ordinance granting unto Englewood Enterprises a franchise for construction, repair, and maintenance of an ethanol pipeline located within the right-of-way in the 4200 and 4300 block of Jersey Pike (Case No. MR-2012-019), as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(District 6.)**
- c) **An ordinance to amend Budget Ordinance Nos. 12523 and 12534 so as to appropriate \$5,000.00 and \$20,000.00 respectively to the Engel Stadium Foundation for roof repair to Engel Stadium. (Revised.)**
- d) 2012-001 Terrence M. Majors, DDS/Joe Proctor (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 property located at 6514 and 6518 Shallowford Road, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Planning and Staff.) (District 6.) (Deferred from 2/14/2012.)**

2012-001 Terrence M. Majors, DDS/Joe Proctor (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 property located at 6514 and 6518 Shallowford Road, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone. **(Applicant Version.)**

7. Resolutions:

- a) A resolution authorizing the Administrator of the Department of Education, Arts & Culture to execute a License Agreement with Eastgate Town Center, LLC, for temporary use of certain facilities located at 5600 Brainerd Road, Eastgate Town Center, for the operation of the Eastgate Senior Activity Center, with a **“rolling term” of twelve (12) months continuing thereafter. (District 6.) (Revised.)**

Second Amended Agenda for Tuesday, March 13, 2012

Page 6 of 7

- b) A resolution to amend Resolution No. 26985 entitled, “A resolution to change the right-of-way name for the 400-499 block of Westview Drive to the 400-499 block of Cloudland Trail, Tax Map No. 1571, due to the street name segments and emergency responder issues.” by changing the street name from Westview Drive to Westview Avenue. **(District 6.)**
 - c) A resolution to amend Resolution No. 26989 entitled, “A resolution to change the right-of-way name for the 300-499 block of East View to the 300-399 block of Paden Lane, Tax Map No. 1571, due to duplicate street name segments and emergency responder.” by changing the street name from East View to Eastview Avenue. **(District 6.)**
 - d) A resolution authorizing the Administrator of the Department of Public Works to award Contract No. E-12-001-201, Bituminous Surface Treatment Project, to Duracap Asphalt Paving Company, Inc., in the amount of \$275,900.00, with a contingency amount of \$27,600.00, for an amount not to exceed \$303,500.00. **(Districts 8 & 9.)**
 - e) A resolution authorizing W. Eric Schwieter to use temporarily the right-of-way located at 803 Cherry Street for the installation of an awning with graphics for the purpose of solar and rain protection, as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(District 8.)**
 - f) A resolution approving payment to the State of Tennessee for the **release from public ownership and use requirements** and reversionary language contained in that certain right-of-way deed from the State of Tennessee to the City of Chattanooga, in the amount of \$32,000.00, plus closing costs in connection with the Property Exchange Agreement with Walnut Commons, LLC and Little Miss Mag Child Care Center, for a total amount not to exceed \$50,000.00. **(District 8.) (Revised.)**
 - g) A resolution authorizing the Administrator of the Department of Public Works to solicit and accept donations from businesses and other organizations in support of the Public Works Week Celebration.
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.

Second Amended Agenda for Tuesday, March 13, 2012

Page 7 of 7

- j) City Attorney.
- 10. Other Business.
 - a) **Notice of Public Hearing – Misty Dawn Powell (SkyZoo Nightclub Special Permit, 5709 Lee Hwy., Chattanooga, TN 37421)**
- 11. Committee Reports.
- 12. Agenda Session for Tuesday, March 27, 2012.
- 13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
- 14. Adjournment.