

## SECOND AMENDED AGENDA FOR TUESDAY, MARCH 20, 2012

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Benson)
- III. Minute Approval.
- IV. Special Presentation:
- V. 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. **(Revised.)**
  - 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.)**
  - 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 31<sup>st</sup> 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.)**
- VI. 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.) (Revised.)**

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- 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.)**

### 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, with an initial purchase of \$6 million **and additional purchases subject to future fiscal year funding, and further authorizing a Three-Party Escrow Service Agreement with Iron Mountain Intellectual Property Management. (Revised.)**
- b) 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, **and shall commence June 1, 2011, and end on July 31, 2012, with a “rolling term” of twelve (12) months continuing thereafter. (District 6.) (Revised.)**
- c) 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.)**
- d) 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.)**
- e) 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.)**

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- f) 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.)**
- g) A resolution approving payment to the State of Tennessee for the **release of 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.)**
- h) 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.

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 27, 2012.

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

XIV. Adjournment.

**AGENDA FOR TUESDAY, MARCH 27, 2012**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Gilbert).
3. Minute Approval.
4. Special Presentation:
5. Ordinances - Final 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.
  - 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.)**  
  
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.)**
  - 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.) (Revised.)**

6. Ordinances – First Reading:

- a) An ordinance to amend Ordinance No. 12534, entitled “An ordinance appropriating, authorizing or allocating funds to the Capital Improvements Budget for the Fiscal Year 2011/2012” so as to accept \$100,000.00 from Hamilton County and provide funding for the Visionair RMS/Mobile Software database application upgrade.

7. Resolutions:

- a) A resolution authorizing the Administrator of Neighborhood Services and Community Development to enter into an agreement with Wayne Jefferson d/b/a WE Construction Company for roof repair or replacement and related services, for an amount not to exceed \$35,000.00, including contingencies. **(Districts 2, 3, 5, 7 & 8.)**
- b) A resolution authorizing the appointment of Roy Curry 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 Samuel Webb 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 the Mayor to enter into and execute an “Offer to Purchase” relative to Tract 29 of the Enterprise South Industrial Park and authorizing the Mayor to execute a deed and other necessary closing documents conveying said property to BCP Chattanooga, LLC for \$378,045.00.
- e) A resolution authorizing the Mayor to apply for and, if approved, accept a Clean Tennessee Energy Grant by the Tennessee Department of Environment and Conservation (TDEC) for the City of Chattanooga/Moccasin Bend Waste Water Treatment Plant **for energy conservation**, in the amount of \$250,000.00, to be matched with \$250,000.00 of City funds, for a total project cost of \$500,000.00. **(Revised.)**
- f) A resolution authorizing Fairfax Bagwell Neighborhood Association c/o Deborah Maynard to use temporarily the rights-of-way located at three (3) locations around the community to install markers to indicate the Association’s boundaries, as shown in the photos attached hereto and made a part hereof by reference, subject to certain conditions. **(District 2.)**
- g) A resolution authorizing Thomas J. Snow to use temporarily the right-of-way located in the 6200 block of Jim Snow Way (Dead End Road) for the use of said right-of-way in the day-to-day operations of IBI Power, as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(District 6.)**

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- h) A resolution authorizing Ray Debarge to use temporarily the right-of-way located at 1617 Rossville Avenue to install two (2) awnings facing Rossville Avenue, as shown in the photo attached hereto and made a part hereof by reference, subject to certain conditions. **(District 7.)**
  - i) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with Atkins North America, Inc., for professional services, relative to Contract No. T-10-001-401, Construction Engineering Inspection (CEI) on Chattanooga Regional ITS System Phase 1, in an amount not to exceed \$707,100.53. **(District 4.)**
  - j) A resolution authorizing the Administrator of the Department of Public Works to award Contract No. T-10-001-201, to Stansell Electric Company, Inc., in the amount of \$4,106,657.70, with a contingency amount of \$410,665.77, for an amount not to exceed \$4,517,323.47. **(Citywide.)**
  - k) A resolution authorizing the Administrator of the Department of Public Works to award Contract No. E-11-005-202, to Yerbey Concrete Construction, in an amount not to exceed \$639,000.00. **(Districts 1, 7, 8 & 9.)**
  - l) A resolution authorizing the Mayor to enter into a Utility Relocation Contract with the Tennessee Department of Transportation, relative to the Relocation of Sanitary Sewers for I-124 from 0.27 miles south of Riverfront Parkway to 0.54 miles north of Riverfront Parkway, PIN No. 103917.00, Contract No. W-11-005-801, and receive reimbursements from TDOT in an amount up to \$434,387.00. **(District 8.)**
  - m) A resolution authorizing the Mayor to apply for and, if approved, accept a Safe Routes to School (SRTS) Grant from the Tennessee Department of Transportation (TDOT) for sidewalk facilities relative to Woodmore Elementary School, in the amount of \$250,000.00, with 100% SRTS Funds and the support of extending sidewalk facilities to interconnect other local points of service. **(District 5.)**
  - n) A resolution authorizing the Mayor to apply for and, if approved, accept a Tennessee Department of Environment and Conservation (TDEC) grant for the collection of household hazardous waste, in the amount of \$85,000.00.
  - o) **A resolution relating to telecommunications services provided by the Electric Power Board of Chattanooga. (Revised.)**
8. Overtime Report.
9. Departmental Reports:
- a) Department of Human Services.
  - b) Department of Parks and Recreation.
  - c) Department of Public Works.

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- 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.
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- 10. Other Business.
  - 11. Committee Reports.
  - 12. Agenda Session for Tuesday, April 3, 2012.
  - 13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
  - 14. Adjournment.