

REVISED AGENDA FOR TUESDAY, DECEMBER 11, 2012

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilwoman Berz).
- III. Minute Approval.
- IV. Special Presentation:
- V. Ordinances – Final Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 2, Article III, Sections 2-410, 2-411, 2-413, 2-415, and 2-419, relative to the fire and police pension fund.
 - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 16, Article I, Section 16-2, relative to age of employees of the fire or police department.
 - c) An ordinance to amend Chattanooga City Code, Part II, Chapter 5, Section 5-71(e) relative to Fire Code, Building Code, and Zoning Ordinance compliance. **(Revised.)**
- VI. Ordinances – First Reading:
 - a) An ordinance to amend Part II, Chattanooga City Code, Chapter 2, Article V, Section 2-554, relative to purchasing and competitive sealed proposals. **(Revised.)**
 - b) An ordinance to amend the Charter of the City of Chattanooga, and all acts, ordinances, and other charter provisions amendatory thereof, pursuant to the provisions of Article XI, Section 9, of the Constitution of the State of Tennessee (Home Rule Amendment) so as to change the City's Charter by deleting archaic provisions, **to modernize its provisions, to conform to state laws of general application, and to generally improve the Charter. (Revised.)**
 - c) 2012-108 Yerbey Concrete Construction/Mark L. Settles (C-2 Convenience Commercial Zone to M-3 Warehouse and Wholesale Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 4121, 4123, and 4215 Shallowford Road, more particularly described herein, from C-2 Convenience Commercial Zone to M-3 Warehouse and Wholesale Zone, subject to certain conditions. **(Recommended for approval by Planning and Staff.) (District 5.)**

2012-108 Yerbey Concrete Construction/Mark L. Settles (C-2 Convenience Commercial Zone to M-2 Light Industrial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 4121, 4123, and 4215 Shallowford Road, more particularly described herein, from C-2 Convenience Commercial Zone to M-2 Light Industrial Zone. (Applicant Version.) (Recommended for denial by Planning and Staff.)

- d) 2012-148 Young Properties, LLC (R-2 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 3906 10th Avenue, more particularly described herein, from R-2 Residential Zone to M-1 Manufacturing Zone, subject to certain conditions. (Recommended for approval by Planning and Staff.) (District 7.)

2012-148 Young Properties, LLC (R-2 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 3906 10th Avenue, more particularly described herein, from R-2 Residential Zone to M-1 Manufacturing Zone. (Applicant Version.)

- e) 2012-152 Napier & Associates, GP/Ken Defoor/Wayne Upchurch/John & Vivienne Reeser (R-1 Residential Zone to MXU Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 7329, 7331, and 7335 McCutcheon Road and 2405 Gunbarrel Road, more particularly described herein, from R-1 Residential Zone to MXU Zone, subject to certain conditions. (Recommended for approval by Planning and Public Works now recommends approval with conditions.) (District 4.)

2012-152 Napier & Associates, GP/Ken Defoor/Wayne Upchurch/John & Vivienne Reeser (R-1 Residential Zone to MXU Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 7329, 7331, and 7335 McCutcheon Road and 2405 Gunbarrel Road, more particularly described herein, from R-1 Residential Zone to MXU Zone. (Applicant Version.)

- f) 2012-153 J R Realty/James Vincent, Sr. (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 in the 6400 block of Hixson Pike, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. (Recommended for approval by Planning.) (District 3.)

2012-153 J R Realty/James Vincent, Sr. (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 in the 6400 block of Hixson Pike, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. (Staff Version.)

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- g) 2012-140 Barry Evans/James Pratt (R-4 Special Zone to R-TZ Residential Townhouse Zero Lot Line Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 402 Forest Avenue, more particularly described herein, from R-4 Special Zone to R-TZ Residential Townhouse Zero Lot Line Zone, subject to certain conditions. (Recommended for approval by Planning.) (District 2.) (Deferred from 11/13/2012.)

2012-140 Barry Evans/James Pratt (R-4 Special Zone to R-TZ Residential Townhouse Zero Lot Line Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 402 Forest Avenue, more particularly described herein, from R-4 Special Zone to R-TZ Residential Townhouse Zero Lot Line Zone, subject to certain conditions. (Recommended for approval by Staff.)

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- h) MR-2012-083 Dr. W. C. Helton (Abandonment). An ordinance closing and abandoning of the 4200 block of Cherryton Drive, more particularly described herein, subject to certain conditions. (Recommended for approval by Public Works.) (District 5.)

VII. Resolutions:

- a) A resolution authorizing the Gang Task Force Coordinator to execute a contract with the Community Foundation of Greater Chattanooga (CFGF) to create a fund to accept donations and contributions.
- b) A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into a Personal Services Agreement with Larry Ridge relative to maintenance and repair services for the Coolidge Park Carousel.
- c) A resolution authorizing the Chief of the Chattanooga Fire Department to enter into a contract for a sale and purchase with Miller Land Holdings, LLC of land for construction of a new fire station in the Ooltewah area. (District 4.)

- d) A resolution authorizing the Administrator of the Department of Neighborhood Services and Community Development to renew the agreement with Brightbridge, Inc. for administration of Section 108 Guarantee Loan funds from the United States Department of Housing and Urban Development for a period of three (3) years.
- e) A resolution adopting the 2012 Purchasing Manual with revisions as set forth in Part II, Chattanooga City Code, Chapter 2, Article V, relative to purchases, contracts, and property disposition.
- f) A resolution authorizing payment to John K. Gray and Janice B. Gray for a sanitary sewer easement relative to Contract No. W-10-011, East Brainerd Road Sewer Relocation Project for Tract No. 8, property located at 1406 Morris Hill Road, for an amount not to exceed \$17,981.00. (District 4.)
- g) A resolution authorizing the Administrator of the Department of Parks and Recreation, on behalf of the Therapeutic Recreation Division, to apply for and, if granted, accept a grant from the Columbia Grassroots Outdoor Alliance Program, in the amount of \$5,000.00.
- h) A resolution authorizing the Administrator of the Department of Education, Arts & Culture to apply for and, if awarded, accept a grant from the Community Foundation of Greater Chattanooga to develop literacy programs, in the amount of \$20,000.00.
- i) 2012-149 Peter E. Johnson, Esq./Energy Way Corporation (Special Exceptions Permit). A resolution approving a Special Exceptions Permit for a duplex on property located at 110 Gardner Street. (Planning Commission has recommended denial; Staff recommended approval.) (District 6.) (Written request to withdraw.)
- j) A resolution requesting the Hamilton County Election Commission to establish satellite early voting locations at the City's expense for the municipal election in March, 2013.
- k) A resolution authorizing the Chief of Police to purchase two (2) K-9 dogs from the United States Marine Corps, for a total cost of \$10.00.

VIII. Overtime Report.

Revised Agenda for Tuesday, December 11, 2012

Page 5 of 10

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, December 18, 2012.

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

XIV. Adjournment.

AGENDA FOR TUESDAY, DECEMBER 18, 2012

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Rico).
3. Minute Approval.
4. Special Presentations:
5. Ordinances - Final Reading:
 - a) An ordinance to amend Part II, Chattanooga City Code, Chapter 2, Article V, Section 2-554, relative to purchasing and competitive sealed proposals. (Revised.)
 - b) An ordinance to amend the Charter of the City of Chattanooga, and all acts, ordinances, and other charter provisions amendatory thereof, pursuant to the provisions of Article XI, Section 9, of the Constitution of the State of Tennessee (Home Rule Amendment) so as to change the City's Charter by deleting archaic provisions, to modernize its provisions, to conform to state laws of general application, and to generally improve the Charter. (Revised.)
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- h) MR-2012-083 Dr. W. C. Helton (Abandonment). An ordinance closing and abandoning of the 4200 block of Cherryton Drive, more particularly described herein, subject to certain conditions. (Recommended for approval by Public Works.) (District 5.)

6. Ordinances – First Reading:

7. Resolutions:

- a) A resolution authorizing Market Street Tavern c/o Aaron Long to use temporarily a portion of said right-of-way located in the 800 block of Market Street for the installation of an awning and outdoor seating, as shown on the drawings and map attached hereto and made a part hereof by reference, subject to certain conditions. (District 8.)
- b) A resolution authorizing Change Order No. 1 for Arcadis U.S., Inc. relative to Contract No. S-11-005, Green Infrastructure Retrofit for the Brainerd Corridor, for an increased amount of \$19,500.00, for a revised contract amount not to exceed \$294,500.00.
- c) A resolution authorizing the appointment of Gary Robkin 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 Administrator of the Department of Public Works to enter into contract(s) for the purchase of Frawley Road #2 Pump Station located at 15 Frawley Road in East Ridge, Tennessee, and equipment therein, for a purchase price of \$115,000.00. (District 6.)

- e) A resolution authorizing payment to Pavestone, LLC for a sanitary sewer easement relative to Contract No. W-10-005, ESIP Sanitary Sewer Basin Improvements for Tract No. 4, Tax Map No. 138-001.01, property located at 7322 Bonnyshire Drive, for an amount not to exceed \$61,126.00. (District 5.)
 - f) A resolution authorizing Uptown Vision c/o Dr. Dave Pifer to use temporarily a portion of right-of-way located at 629 Market Street for the installation of signage, as shown on the attached maps, subject to certain conditions. (District 8.)
 - g) A resolution authorizing the appointment of Lt. Carl A. Hartung as a special police officer (unarmed) for the City of Chattanooga Fire Department, to do special duty as prescribed herein, subject to certain conditions.
 - h) A resolution authorizing the Mayor to execute an agreement between the City of Chattanooga, Tennessee, and The Enterprise Center, Inc. for the purpose of promoting economic development.
 - i) A resolution authorizing the Chief Information Officer to enter into a Master Services Agreement with Armedia, LLC for the blanket purchase of an electronic content management software suite, with the initial purchase of \$457,108.00 for City Court, with an annual maintenance fee of \$58,423.00, and an estimated total of \$1 million for city-wide implementation. (Revised.)
 - j) A resolution authorizing the Director of General Services to extend the Lease Agreement with Crown Castle for a cellular tower located at Cornelison Road and to acquire 815 Aubrey Drive as part of the rental agreement. (Districts 5 & 6.)
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.

Revised Agenda for Tuesday, December 11, 2012

Page 10 of 10

12. Agenda Session for Tuesday, January 8, 2012.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.