

REVISED AGENDA FOR TUESDAY, FEBRUARY 19, 2013

I. Call to Order.

II. Pledge of Allegiance/Invocation.

(Led by Caleb George - Teen Advisory Council – Gang Task Force)

III. Minute Approval.

IV. Special Presentation:

V. Ordinances – Final Reading:

- a) 2012-089 Napier Associates/Defoor Brothers Development, LLC/Gunbarrel Partners/Waterside Property Investment, LLC (R-1 Residential Zone and MXU Zone to C-4 Planned Commerce Center Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone parts of properties located at 2351, 2417, 2424, 2428, and 2440 Elam Lane; 2545 and 2565 Lifestyle Way; and 2515 and 2519 Gunbarrel Road, more particularly described herein, from R-1 Residential Zone and MXU Zone to C-4 Planned Commerce Center Zone, subject to certain conditions. (Recommended for approval by Planning and Staff.) (District 4.)
- b) 2013-008 Napier Associates/Defoor Brothers (Amend Conditions.) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to amend conditions of Case No. 2012-014 to change MXU Boundary and Plan on properties located in the 2300 and 2400 blocks of Gunbarrel Road, being more particularly described herein, subject to certain conditions. (Recommended for approval by Planning and Staff.) (District 4.)
- c) 2013-013 Grace Episcopal Church/Randy Durham (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 properties located at 4018, 4022, and 4026 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.) (District 6.)
- d) 2013-015 Hole Foods, LLC c/o Rob Renner/Dr. Gene Rudnick (O-1 Office Zone and 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 7737 East Brainerd Road, more particularly described herein, from O-1 Office Zone and R-1 Residential Zone to C-2 Convenience Commercial Zone. (Recommended for approval by Planning and Staff.) (District 4.)

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- e) 2013-016 Ragan-Smith Associates/Brant Enderle (R-1 Residential Zone to R-3 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located in the 3800 block of Cummings Road, more particularly described herein, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions. (Recommended for approval by Planning and Staff.) (District 1.)
- f) MR-2012-158 Alan Haniszewski-RTB Holdings (Abandonment). An ordinance closing and abandoning of a portion of an unopened right-of-way located in the 1900 block of Jefferson Street, more particularly described herein, subject to certain conditions. (District 7.)

VI. Ordinances – First Reading:

- a) An ordinance to amend Ordinance No. 12622 known as “the Fiscal Year 2012-2013 Budget Ordinance” so as to appropriate \$500,000.00 from the General Fund Contingency to the Southeast Tennessee Development District for the development of a forty (40) year Comprehensive Greater Chattanooga Regional Growth Plan. (Added by permission of Council Vice-Chairman Murphy.)

VII. Resolutions:

- a) A resolution authorizing Hewitt Coleman to pay an on-the-job injury settlement to City Employee, Joshua Wright, in the amount of \$21,835.00 for permanent partial impairment rating and \$8,165.00 for future medical expenses, for a total amount of \$30,000.00.
- b) A resolution authorizing IBI Power Company c/o Tom Wessenbuehler to use temporarily the right-of-way located at 6203 through 6207 Jim Snow Way (Dead End Road) for the use of day to day operations by IBI Power. (District 6.)
- c) A resolution authorizing the Director of General Services to acquire park property to comply with a State of Tennessee mandate for replacing park property that was originally acquired with federal/state funds and later sold by the City, in the amount of \$412,000.00. (Added by permission of Council Vice-Chairman Murphy.)

VIII. Overtime Report.

IX. Departmental Reports:

- a) Department of Human Services.
- b) Department of Parks and Recreation.

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- 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, February 26, 2013.
- XIII. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
- XIV. Adjournment.

AGENDA FOR TUESDAY, FEBRUARY 26, 2013

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 Ordinance No. 12622 known as “the Fiscal Year 2012-2013 Budget Ordinance” so as to appropriate \$500,000.00 from the General Fund Contingency to the Southeast Tennessee Development District for the development of a forty (40) year Comprehensive Greater Chattanooga Regional Growth Plan.
6. Ordinances – First Reading:
 - a) MR-2012-022 City of Chattanooga c/o Bill Payne (Abandonment). An ordinance closing and abandoning of a portion of right-of-way in the 5100 block of Old Hixson Pike beginning at the intersection of Northpoint Boulevard and Old Hixson Pike, more particularly described herein, subject to certain conditions. (District 3.)
7. Resolutions:
 - a) A resolution authorizing the payment of 2013 membership dues for the U.S. Conference of Mayors, in the amount of \$12,242.00.
 - b) A resolution authorizing the renewal of Federal Aviation Administration (FAA) Lease No. DTFA 6-3-L-04444, for Low Level Warning System (LLWAS) numbers 5, 6, and 9 covering Lovell Field Airport, with lease expiring on September 30, 2013 and the renewal expiring on September 30, 2033.
 - c) A resolution authorizing the Director of General Services to execute a contract with Wright Brothers Construction for soil cap restoration on the Brownfield site of the closed 36th Street Landfill, in the amount of \$96,866.96. (District 7.)
 - d) A resolution authorizing the Director of General Services to execute a contract with Thomas Brothers Construction for soil cap restoration on the Brownfield site at Tennessee Avenue, in the amount of \$201,000.00. (District 7.)

- e) A resolution authorizing the Chief of the Chattanooga Fire Department to apply for and, if awarded, accept the 2012-2013 Clean Tennessee Energy Grant under the Tennessee Department of Environment and Conservation (TDEC) for use to install geothermal heating and cooling systems in two new stations, Station 9 (East Lake) and Station 11 (Hixson) to begin construction this year, City funds will have a 50% match of \$32,760.00, for a total project cost in the amount of \$65,520.00.
 - f) A resolution authorizing the appointment of Olivia Swafford as a special police officer (unarmed) for Animal Care Trust d/b/a McKamey Animal Care and Adoption Center, Inc., to do special duty as prescribed herein, subject to certain conditions.
 - g) A resolution authorizing Change Order No. 1 (Final) for Yerbey Concrete Construction relative to Contract No. R-12-001-201, Main Terrain Art Park Bike Shelter, for a decreased amount of \$3,620.00, for a revised contract amount not to exceed \$24,280.00, and to release the contingency amount of \$3,000.00. (District 8.)
 - h) A resolution authorizing the Department of Public Works to purchase used construction equipment, including a used Caterpillar Hydraulic Excavator, for an approximate amount of \$168,000.00.
 - i) A resolution authorizing an Amendment of Contract in Lieu of Performance Bond relative to the Closure/Post Closure Plan for the City Landfill with the State of Tennessee, Division of Solid Waste Management, arising from an annual inflation adjustment, by increasing the bond amount from \$6,591,417.00 to \$6,710,568.00.
 - j) A resolution authorizing an Amendment of Contract in Lieu of Performance Bond relative to the Closure/Post Closure Plan for the City Landfill, Lateral Expansion Area 3 with the State of Tennessee, Division of Solid Waste Management, arising from an annual inflation adjustment, by increasing the bond amount from \$7,032,925.00 to \$7,166,551.00.
 - k) A resolution authorizing an Amendment of Contract in Lieu of Performance Bond relative to the Closure/Post Closure Plan for the Summit Sanitary Landfill with the State of Tennessee, Division of Solid Waste Management, by decreasing the bond amount from \$2,496,677.00 to \$2,385,107.00.
 - l) A resolution to amend the agreement with Terracon to complete the necessary assessments for the requirements of the EPA Brownfield grant in order to increase the amount by no more than \$2,100.00 for a total project cost in the amount of \$223,700.00.
8. Overtime Report.

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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, March 5, 2013.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.