

**REVISED AGENDA FOR TUESDAY, JULY 16, 2013**

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilwoman Berz).
- III. Minute Approval.
- IV. Special Presentation.

***“World Changers Ministry – Recognition of Volunteers”  
By Donna Williams, Anthony Sammons, and Vanessa Jackson  
Department of Economic and Community Development***

V. Ordinances – Final Reading:

- a) An ordinance granting unto River City Company c/o Jim Williamson and the Chattanooga Area Regional Transportation Authority (CARTA) a franchise to construct an elevated platform for the block development at 215 Broad Street on a portion of the 200 block of Broad Street beginning at the northeast corner, as referenced in Case No. MR-2013-087, as shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions. (District 7) (Public Works)
- b) 2013-072 Walk2Campus Properties c/o Roe Elam/UTC Three, LLC (C-2 Convenience Commercial Zone to C-3 Central Business Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 863 McCallie Avenue, more particularly described herein, from C-2 Convenience Commercial Zone to C-3 Central Business Zone, subject to certain conditions. (Planning and Staff Version) (District 8) (Planning) (Revised)
- c) 2013-074 Roy Williams/Nathaniel and Linda Long (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 1113 East 11<sup>th</sup> Street, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone. (Planning, Staff, and Applicant Version) (District 8) (Planning)
- d) 2013-086 Independent Healthcare Properties/National Bank of Tennessee (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 properties located at 7715, 7719, and 7721 Shallowford Road, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone, subject to approval. (Planning and Staff Version) (District 4) (Planning)
- e) MR-2013-078 City of Chattanooga c/o Bill Payne (Abandonment). An ordinance closing and abandoning a portion of the northern right-of-way of the 5300 block of Mountain Creek Road, subject to certain conditions. (District 1) (Public Works)

VI. Ordinances – First Reading:

- a) [An ordinance to amend Part II, Chattanooga City Code, Chapter 18, Article VII, Section 18-106, relative to Wood Recycling and Compost Facility. \(Public Works\)](#)
- b) [2013-080 Richard W. McCoy/Arlington Properties, Inc. \(C-2 Convenience Commercial Zone to R-3 Residential Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located in the 5300 block of Highway 58, more particularly described herein, from C-2 Convenience Commercial Zone to R-3 Residential Zone. \(Planning, Staff, and Applicant Version\) \(District 3\) \(Planning\) \(Tabled 7/9/2013\)](#)
- c) [MR-2013-051 Valor c/o Ken Defoor Properties \(Abandonment\). An ordinance closing and abandoning a portion of the northern right-of-way of the 2100 block of Northpoint Boulevard, subject to certain conditions. \(District 3\) \(Public Works\)](#)
- d) [An ordinance to amend Chattanooga City Code, Part II, Chapter 7, relative to reference “the Animal Center” and to amend Chattanooga City Code, Chapter 7, relative to animal permits by creating new provisions for dealer permits, kennel permits, animal performance permits, animal rescue permits, and dogs in outdoor dining areas permits. \(City Attorney’s office\) \(Added by permission of Council Chairman Hakeem\) \(Revised\)](#)

VII. Resolutions:

- a) [A resolution authorizing the appointment of U.S. Bank as successor agent to Deutsche Bank National Trust Company and further authorizing the Chief Finance Officer to enter into an Agreement of Resignation, Appointment, and Acceptance with Deutsche Bank and U.S. Bank effective August 23, 2013. \(Finance\)](#)
- b) [A resolution authorizing the approval of Change Order No. 1 for HDR Engineering relative to Contract No. E-10-012-101, Ross’s Landing Park Improvements and Repairs, Phase II \(Detailed Design and Engineering\), for a decreased amount of \\$425,923.88, for a revised contract amount not to exceed \\$402,930.12. \(District 7\) \(Public Works\)](#)
- c) [A resolution authorizing Tron Wilder to use temporarily the right-of-way located at 1207 Hanover Street to build a retaining wall and create a level front yard, as shown on the maps attached hereto and made a part hereof by reference, subject to certain conditions. \(District 2\) \(Public Works\)](#)
- d) [A resolution authorizing Jack Robison to use temporarily the right-of-way located at 1172 Greens Road for installation of a driveway off the cul-de-sac for a private residence, as shown on the maps attached hereto and made a part hereof by reference, subject to certain conditions. \(District 4\) \(Public Works\)](#)

- e) A resolution authorizing River City Company c/o Jim Williamson and Chattanooga Area Regional Transportation Authority (CARTA) to use temporarily the right-of-way located at 215 Broad Street for the installation of canopies and signage, as shown on the map and drawings, for a period of ninety (90) days until a franchise agreement becomes operative, subject to certain conditions. (District 7) (Public Works)
- f) A resolution authorizing Mid America Apartments c/o Amanda Davis to use temporarily along the right-of-way located at 1175 Pineville Road for the installation of a new sign at the entrance of the community, as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions. (District 1) (Public Works)
- g) A resolution to confirm the Mayor's appointment of Nancy E. Poston and Robert Gustafson to the Historic Zoning Commission, pursuant to Tennessee Code Annotated Sections 42-4-101, et seq. (Mayor's office) (Added by permission of Council Chairman Hakeem)
- h) A resolution authorizing the Mayor to execute a release pertaining to the settlement of the *Bobby Rodgers, et al vs. City of Chattanooga* lawsuit, Chancery Court No. 06-0048, Part 2, in the amount of \$725,000.00. (City Attorney's office) (Added by permission of Council Chairman Hakeem)
- i) A resolution authorizing the Mayor to apply for, and accept, a grant awarded by the State of Tennessee to institute a planning process to determine the feasibility of establishing a Family Justice Center in Chattanooga modeled after family justice centers across the country, in the amount of \$240,000.00. (Mayor's office) (Added by permission of Council Chairman Hakeem)
- j) A resolution authorizing the Mayor to execute a Sanitary Sewer Easement relative to Contract No. W-10-005, the ESIP Sanitary Sewer Project for Tract No. 11, a portion of the property jointly held by the City of Chattanooga and Hamilton County currently known as Railroad West. (District 6) (Public Works) (Added by permission of Council Chairman Hakeem)

VIII. Departmental Reports:

- a) Police.
- b) Fire.
- c) Economic and Community Development.
- d) Youth and Family Development.
- e) Transportation.
- f) Public Works.
- g) Finance.

IX. Other Business.

**Revised Agenda for Tuesday, July 16, 2013**  
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- X. Committee Reports.
- XI. Agenda Session for Tuesday, July 23, 2013.
- XII. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
- XIII. Adjournment.

**AGENDA FOR TUESDAY, JULY 23, 2013**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Anderson).
3. Minute Approval.
4. Special Presentation.
5. Ordinances - Final Reading:
  - a) [An ordinance to amend Part II, Chattanooga City Code, Chapter 18, Article VII, Section 18-106, relative to Wood Recycling and Compost Facility. \(Public Works\)](#)
  - b) [2013-080 Richard W. McCoy/Arlington Properties, Inc. \(C-2 Convenience Commercial Zone to R-3 Residential Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located in the 5300 block of Highway 58, more particularly described herein, from C-2 Convenience Commercial Zone to R-3 Residential Zone. \(Planning, Staff, and Applicant Version\) \(District 3\) \(Planning\) \(Tabled 7/9/2013\)](#)
  - c) [MR-2013-051 Valor c/o Ken Defoor Properties \(Abandonment\). An ordinance closing and abandoning a portion of the northern right-of-way of the 2100 block of Northpoint Boulevard, subject to certain conditions. \(District 3\) \(Public Works\)](#)
  - d) [An ordinance to amend Chattanooga City Code, Part II, Chapter 7, relative to reference "the Animal Center" and to amend Chattanooga City Code, Chapter 7, relative to animal permits by creating new provisions for dealer permits, kennel permits, animal performance permits, animal rescue permits, and dogs in outdoor dining areas permits. \(City Attorney's office\)](#)
6. Ordinances – First Reading:
  - a) [An ordinance amending Chattanooga City Code, Article XV, Whistle Blower Protection, Sections 2-782, 2-783\(e\), and 2-784\(e\) relative to the Audit Committee. \(Audit\)](#)
  - b) [MR-2010-137 Joseph Parks \(Abandonment\). An ordinance closing and abandoning a portion of the 700 block of the River Gorge Drive, subject to certain conditions. \(District 1\) \(Public Works\)](#)

7. Resolutions:

- a) A resolution authorizing the acceptance of \$387,840.08 from Hamilton County as the City's portion from the 2013 real property back tax sale for March 2013 with \$381,225.18 being applied as the City's portion and \$6,614.90 being applied to City Attorney's fees. (General Services)
- b) A resolution authorizing Police Chief Bobby H. Dodd to sign vouchers, requisitions and other necessary documents for and on behalf of the Chattanooga Police Department, effective July 23, 2013. (Police)
- c) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with the Tennessee Department of Transportation for a Utility Easement Contract relative to PIN #101431.00, SR-320, from 325 feet East of Graysville Road to 900 feet East of Bell-Air Road for sanitary sewer relocations, Contract No. W-10-011-802, for an amount of \$84,436.00. (District 4) (Public Works/Transportation)
- d) A resolution authorizing the approval of additional funds to be deposited into the Local Government Investment Pool relative to the State Industrial Access Road serving Volkswagen Group of America, Contract No. E-09-015-801, TDOT PIN No. 114048.00, for a revised amount of \$299,843.00. (District 6) (Public Works)
- e) A resolution authorizing the approval of Change Order No. 1 to the Professional Services Contract with Jacobs Engineering Group, Inc. for continuation of services for Program Management, Consent Decree Implementation. (Public Works)
- f) A resolution authorizing the Administrator of the Department of Public Works to award Contract No. W-13-003-201 to Adman Electric, Inc. for UNOX Variable Frequency Motor Controller's purchase and installation, for an amount not to exceed \$392,761.80. (Public Works)
- g) A resolution authorizing Waters Holland, LLC c/o Alan Haniszewski to use temporarily the right-of-way located at 1000 Westwood Avenue to connect to a sanitary sewer manhole, as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. (District 2) (Public Works)
- h) A resolution authorizing UTC One LLC c/o Edward Martin to use temporarily the right-of-way located at 418 Vine Street to replace existing window sashes that extend into the City right-of-way, as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. (District 7) (Public Works)

## Revised Agenda for Tuesday, July 16, 2013

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- i) A resolution authorizing Custom Canvas Awnings, LLC c/o W. Eric Schwieter for Helen Grzybowski to use temporarily the 500 block of Broad Street for the installation of an outdoor seating area and awning at a commercial establishment, as shown on the map and drawing attached hereto and made a part hereof by reference, subject to certain conditions. (District 7) (Public Works)
  - j) A resolution authorizing the Mayor to execute a quitclaim deed transferring property to Rebound, LLC that is a portion of the Buckley Street right-of-way between Chamberlain Avenue and Duncan Avenue. (District 9) (General Services)
  - k) MR-2012-079 City of Chattanooga c/o Director of General Services. A resolution to amend Resolution No. 27406 by deleting all references to HealthSouth, which is an entity owning hospitals and replacing with Rebound, LLC, the name of the affiliated real estate holding company who will acquire the real property. (District 9) (General Services)
8. Departmental Reports:
    - a) Police.
    - b) Fire.
    - c) Economic and Community Development.
    - d) Youth and Family Development.
    - e) Transportation.
    - f) Public Works.
    - g) Finance.
  9. Other Business.
  10. Committee Reports.
  11. Agenda Session for Tuesday, July 30, 2013.
  12. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
  13. Adjournment.

**PROPOSED PURCHASES  
CITY COUNCIL  
July 16, 2013**

| DEPARTMENT<br>REQUISITION NO. | ITEM DESCRIPTION   | BIDS<br>REQUESTED | BIDS<br>RETURNED | LOWEST/BEST<br>BIDDER   | COST                                 | FUNDING<br>SOURCE |
|-------------------------------|--|-------------------|------------------|-------------------------|--------------------------------------|-------------------|
| R72150<br>Public Works        | Rescind the Blanket<br>Contract for Grounds<br>Maintenance at Moccasin<br>Bend Wastewater<br>Treatment Plant | 12                | 7                | R&A Lawn<br>Maintenance | Estimated<br>\$40,000.00<br>Annually | Operating         |





**City of Chattanooga**  
Purchasing Department

July 1, 2013

**Mr. Lee Norris, Administrator**  
**Public Works Department**  
**Development Resource Center**  
**1250 Market Street – Suite 2100**  
**Chattanooga, TN 37402**

**Subject: 72150/302485 – Grounds Maintenance at Moccasin Bend Wastewater Treatment Plant – Waste Resource Division – Public Works Department**

**Dear Mr. Norris:**

**Council approval is recommended to rescind the blanket contract for Grounds Maintenance at Moccasin Bend Wastewater Treatment Plant that was awarded to Green Effects on March 12, 2013, and to re-award the contract to the next lowest bidder, R&A Lawn Maintenance. Green Effects has defaulted on performance of the contract citing financial hardship.**

**The invitation to bid was originally sent to twelve (12) vendors as well as formally advertised. Seven (7) responses were received as shown on the attachment. Copies of the bids are retained on file and available for review in the Purchasing Office upon request.**

**I recommend that Council approves rescinding the purchase award to Green Effects and re-awarding the contract to R&A Lawn Maintenance. The contract term will be for the remainder of the initial twelve (12) months (ending March 15, 2014) with the option to renew for four (4) additional twelve (12) month periods. The estimated expenditure for this contract is \$40,000 annually.**

**Respectfully yours,**

A handwritten signature in blue ink, appearing to read "DC/gh", written over the typed name and title.

**David Carmody**  
**Purchasing Agent**

**DC/gh**

**Attachment**

Bid Tabulation -

RFQ # 302485 Grounds Maintenance at MBWWTP

| Item # | Item                    | Green Effects<br>Unit Price | R&A Lawn<br>Maintenance<br>Unit Price | Pro Lawn<br>Garden Center<br>Unit Price | Special Touch<br>Lawn Care<br>Service<br>Unit Price | Fresh Start<br>Lawn<br>Unit Price | Fimco<br>Services<br>Unit Price | Hughes<br>Landscaping<br>Inc.<br>Unit Price |
|--------|-------------------------|-----------------------------|---------------------------------------|---|---|-----------------------------------|---------------------------------|---|
| 1      | MBWWTP - Grounds        | \$1,000                     | \$1,155                               | \$1,250                                 | \$1,500   | \$1,800                           | \$1,760                         | \$2,400                                     |
| 2      | Influent Relief Station | \$34                        | \$40                                  | \$250                                   | \$55  | \$40                              | \$96                            | \$75  |
| 3      | MBWWTP - Shrubs         | \$600                       | \$650                                 | \$650                                   | \$675   | \$600                             | \$632.50                        | \$885.50                                    |
|        | Total                   | \$1,634                     | \$1,845                               | \$2,150                                 | \$2,230   | \$2,440                           | \$2,488.50                      | \$3,360.50                                  |