

## AGENDA FOR TUESDAY, OCTOBER 19, 1999

- I. Call to Order.
- II. Invocation (Councilman Eaves).
- III. Minute Approval.
- IV. Special Presentation:
  - a) Eastgate Town Center Presentation
- V. Ordinances – Second Reading:
  - a) An ordinance granting unto KMC Telecom III, Inc. a franchise to install and maintain fiber optic cables in certain rights-of-way in the City of Chattanooga to provide telecommunication services, subject to certain conditions.
- VI. Ordinances – Second & Third Reading:
  - a) 1999-167 CBH Properties, LLC (From R-4 to C-5): A tract of land located southwest of the 7400 block of Goodwin Road, more particularly described herein. **(Recommended for approval)**
  - b) 1999-168 Chattanooga-Hamilton County Hospital Authority (From R-3 to O-1): Tracts of land located on the south side of East 3<sup>rd</sup> Street located at 1116 East 3<sup>rd</sup> Street and in the 1100 block of East 3<sup>rd</sup> Street, more particularly described herein, subject to certain conditions. **(Recommended for approval)**
  - c) 1999-170 Allied Metal Company (From R-2 to M-1): A tract of land located on the southeast side of Lightfoot Mill Road located in the 3400 block of Lightfoot Mill Road, more particularly described herein. **(Recommended for approval)**
  - d) 1999-171 Fidelity Trust Company (From R-1 to R-4): A tract of land located on the northwest side of Hixson Pike located at 1307 Hixson Pike, more particularly described herein. **(Recommended for approval by Planning)**  
**(SEE REVISED VERSION – NEED MOTION TO SUBSTITUTE)**

VI. Ordinances – Second & Third Reading (continued):

- e) 1999-174 Silas L. Johnson (From R-1 & R-2 to O-1): A tract of land located on the northeast side of East Brainerd Road located at 6033, 6041 and 6065 East Brainerd Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**
- f) 1999-176 George S. Elder (From M-1 to C-3): A tract of land located on the south side of East Main Street located at 100 East Main Street, more particularly described herein, subject to certain conditions. **(Recommended for approval)**

VII. Ordinances – First Reading:

- a) 1999-150 L & P, LLC (Amend Conditions): Amend certain conditions imposed in Ordinance No. 10725 (Case No. 1998-120) on a tract of land located in the 2400 blocks of 6<sup>th</sup> Avenue and 8<sup>th</sup> Avenue, and the 2400 and 2500 blocks of 7<sup>th</sup> Avenue, being more particularly described herein, subject to certain conditions. **(Applicant Version – Recommended for Denial)**

1999-150 L & P, LLC (Amend Conditions): Amend certain conditions imposed in Ordinance No. 10725 (Case No. 1998-120) on a tract of land located in the 2400 blocks of 6<sup>th</sup> Avenue and 8<sup>th</sup> Avenue, and the 2400 and 2500 blocks of 7<sup>th</sup> Avenue, being more particularly described herein, subject to certain conditions. **(Planning Commission Version)**

1999-150 L & P, LLC (Amend Conditions): Amend certain conditions imposed in Ordinance No. 10725 (Case No. 1998-120) on a tract of land located in the 2400 blocks of 6<sup>th</sup> Avenue and 8<sup>th</sup> Avenue, and the 2400 and 2500 blocks of 7<sup>th</sup> Avenue, being more particularly described herein, subject to certain conditions. **(Staff Version)**

1999-150 L & P, LLC (Amend Conditions): Amend certain conditions imposed in Ordinance No. 10725 (Case No. 1998-120) on a tract of land located in the 2400 blocks of 6<sup>th</sup> Avenue and 8<sup>th</sup> Avenue, and the 2400 and 2500 blocks of 7<sup>th</sup> Avenue, being more particularly described herein, subject to certain conditions. **(Revised Staff Version)**  
**(HELD FROM 9-14-99 & 10-5-99)**

VII. Ordinances – First Reading (continued):

- b) 1999-151 L & P, LLC (From R-3 to M-1): Rezone a tract of land located in the 2400 blocks of 6<sup>th</sup> Avenue and 7<sup>th</sup> Avenue, more particularly described herein. **(Recommended for approval but upon differing conditions by Staff and Planning)**

1999-151 L & P, LLC (From R-3 to M-1): Rezone a tract of land located in the 2400 blocks of 6<sup>th</sup> Avenue and 7<sup>th</sup> Avenue, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

1999-151 L & P, LLC (From R-3 to M-1): Rezone a tract of land located in the 2400 blocks of 6<sup>th</sup> Avenue and 7<sup>th</sup> Avenue, more particularly described herein, subject to certain conditions. **(Recommended for approval by Staff)**  
**(HELD FROM 9-14-99 & 10-5-99)**

- c) An ordinance to amend Ordinance No. 10872, the 1999/2000 Budget Ordinance, so as to provide for certain changes in General Fund Estimated Revenue; to provide for certain changes in Appropriations set out in Section 5; to provide for certain changes in Personnel set out in Section 7C; to provide for certain changes set out in Section 9; and to provide for certain changes set out in Section 11. **(SEE REVISED VERSION – NO MOTION TO SUBSTITUTE REQUIRED)**

VIII. Resolutions:

- a) A resolution authorizing the payment of up to \$250,000.00 from the Economic Development Fund to the Eastgate Town Center for the construction of a commercial plaza in conjunction with the Agreement with Eastgate Town Center as authorized by Resolution No. 22057. **(HELD FROM 9-21-99 & 10-5-99)**
- b) A resolution authorizing the Administrator of the Department of Parks, Recreation, Arts & Culture to enter into a Contract with Artech Design for architectural services relative to the East Chattanooga Recreation Center for an amount not to exceed \$75,000.00.
- c) A resolution authorizing the Administrator of the Department of Parks, Recreation, Arts & Culture to enter into a Contract with Ritchie Smith Associates relative to the Brainerd Recreation Complex in an amount not to exceed \$300,000.00.

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VIII. Resolutions (continued):

- d) A resolution authorizing the execution of Change Order No. 1, Contract No. CSO-5b-99, Citico Combined Sewer Overflow Facility, with Haren Construction Company, which change order increases the contract amount by \$34,368.00 for a revised contract amount of \$5,167,368.00.
- e) A resolution authorizing a streetscape project near BellSouth Stadium at a cost not to exceed \$325,000.00 to be funded from the Economic Development Fund, and further authorizing the award of Contract No. SS-4-99, Third Street Streetscape Project, to Riverbend Construction Corporation for their low bid in the amount of \$217,609.50 as a part of that project.
- f) A resolution authorizing payment to the Chamber Foundation in the amount of \$37,500.00 from the Economic Development Fund for an economic development study.

IX. Overtime Report.

X. Departmental Reports:

- a) Department of Human Services.
- b) Department of Parks, Recreation, Arts & Culture.
- c) Department of General Services.
- d) Department of Public Works.
- e) Fire Department.
- f) Police Department.
- g) Department of Finance and Administration.
- h) Department of Personnel.
- i) Department of Neighborhood Services.
- j) City Finance Officer.
- k) City Attorney.

XI. Other Business.

XII. Committee Reports.

XIII. Agenda Session for Tuesday, October 26, 1999 (see following pages of this Agenda).

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

XV. Adjournment.

XIII. Agenda Session for Tuesday, October 26, 1999:

AGENDA FOR TUESDAY, OCTOBER 26, 1999

1. Call to Order.
2. Invocation (Councilman Franklin).
3. Minute Approval.
4. Special Presentations:
  - a)
5. Ordinances – Third Reading:
  - a) An ordinance granting unto KMC Telecom III, Inc. a franchise to install and maintain fiber optic cables in certain rights-of-way in the City of Chattanooga to provide telecommunication services, subject to certain conditions.
6. Ordinances – Second & Third Reading:
  - a) 1999-150 L & P, LLC (Amend Conditions): Amend certain conditions imposed in Ordinance No. 10725 (Case No. 1998-120) on a tract of land located in the 2400 blocks of 6<sup>th</sup> Avenue and 8<sup>th</sup> Avenue, and the 2400 and 2500 blocks of 7<sup>th</sup> Avenue, being more particularly described herein, subject to certain conditions. **(Applicant Version – Recommended for Denial) OR**  
1999-150 L & P, LLC (Amend Conditions): Amend certain conditions imposed in Ordinance No. 10725 (Case No. 1998-120) on a tract of land located in the 2400 blocks of 6<sup>th</sup> Avenue and 8<sup>th</sup> Avenue, and the 2400 and 2500 blocks of 7<sup>th</sup> Avenue, being more particularly described herein, subject to certain conditions. **(Planning Commission Version) OR**  
1999-150 L & P, LLC (Amend Conditions): Amend certain conditions imposed in Ordinance No. 10725 (Case No. 1998-120) on a tract of land located in the 2400 blocks of 6<sup>th</sup> Avenue and 8<sup>th</sup> Avenue, and the 2400 and 2500 blocks of 7<sup>th</sup> Avenue, being more particularly described herein, subject to certain conditions. **(Staff Version) OR**  
1999-150 L & P, LLC (Amend Conditions): Amend certain conditions imposed in Ordinance No. 10725 (Case No. 1998-120) on a tract of land located in the 2400 blocks of 6<sup>th</sup> Avenue and 8<sup>th</sup> Avenue, and the 2400 and 2500 blocks of 7<sup>th</sup> Avenue, being more particularly described herein, subject to certain conditions. **(Revised Staff Version)**

XIII. Agenda Session for Tuesday, October 26, 1999 (continued):

6. Ordinances – Second & Third Reading (continued):

- b) 1999-151 L & P, LLC (From R-3 to M-1): Rezone a tract of land located in the 2400 blocks of 6<sup>th</sup> Avenue and 7<sup>th</sup> Avenue, more particularly described herein. **(Recommended for approval but upon differing conditions by Staff and Planning) OR**  
1999-151 L & P, LLC (From R-3 to M-1): Rezone a tract of land located in the 2400 blocks of 6<sup>th</sup> Avenue and 7<sup>th</sup> Avenue, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning) OR**  
1999-151 L & P, LLC (From R-3 to M-1): Rezone a tract of land located in the 2400 blocks of 6<sup>th</sup> Avenue and 7<sup>th</sup> Avenue, more particularly described herein, subject to certain conditions. **(Recommended for approval by Staff)**
- c) An ordinance to amend Ordinance No. 10872, the 1999/2000 Budget Ordinance, so as to provide for certain changes in General Fund Estimated Revenue; to provide for certain changes in Appropriations set out in Section 5; to provide for certain changes in Personnel set out in Section 7C; to provide for certain changes set out in Section 9; and to provide for certain changes set out in Section 11. **(SEE REVISED VERSION – NO MOTION TO SUBSTITUTE REQUIRED)**

7. Ordinances – First Reading:

- a) An ordinance to amend the Chattanooga City Code, Part II, Chapter 4, which chapter is known as “The Chattanooga Air Pollution Control Ordinance”, by providing for incorporation by reference of certain federal regulations.
- b) An ordinance to amend the Chattanooga City Code, Part II, Chapter 4, which chapter is known as “The Chattanooga Air Pollution Control Ordinance”, by providing for revisions to permit fees and Part 70 Operating Permit emissions fees.

8. Resolutions:

- a) A resolution authorizing the execution of Contracts with Beers/Parks, a Joint Venture, to construct the Conference Center and Parking Deck for a total construction budget of \$35,920,433.00.

**XIII. Agenda Session for Tuesday, October 26, 1999 (continued):**

**8. Resolutions (continued):**

- b) A resolution authorizing the Chief of the Chattanooga Police Department to enter into an Agreement for Extended Service with Tiburon, Inc., substantially in the form attached hereto, for software maintenance services for a period of one year beginning November 1, 1999, at a cost of \$33,785.00 plus charges for technical support as set forth in the Agreement.
- c) A resolution approving a Request for Proposals (RFP) for the sale and redevelopment of the former ABB Combustion Engineering, Inc. Administration Building and land located at 1301 Riverfront Parkway.
- d) A resolution authorizing the Office of Economic and Community Development to allocate \$200,000.00 in funds earned from Urban Development Action Grant (UDAG) projects for commercial facade projects.
- e) A resolution authorizing the award of Work Authorization No. 3 to ARCADIS, Geraghty & Miller for basic services in connection with construction related to sanitary sewer system improvements to the Altamont Road Sewer System for a total amount of \$74,400.00.
- f) A resolution authorizing the Administrator of Public Works to enter into an Agreement with Betts Engineering Associates, Inc., to design, provide construction and easement services, surveying, and inspection for the relocation of sanitary sewers for Tennessee Department of Transportation Project No. NH-153(7)-33052-3242-14, Widening of S.R. 153 from I-75 Interchange at Hickory Valley Road to North of S.R. 58 (Amnicola Highway), for a fee not to exceed \$51,517.99, 100% of which is reimbursable by the Tennessee Department of Transportation.
- g) A resolution authorizing the Administrator of Public Works to enter into an Agreement with the University of Tennessee at Chattanooga to carry out final statistical analysis and report preparations of Chattanooga Urban Streams Baseline Survey Project Year 3 Contract, for a total cost not to exceed \$32,591.48.
- h) A resolution authorizing the Mayor to execute an Agreement with the Tennessee Department of Transportation to construct a closed loop traffic signal system along Hixson Pike between Cloverdale Drive and Austin Road for a total amount of \$230,000.00, to be totally funded by federal funds.

**XIII. Agenda Session for Tuesday, October 26, 1999 (continued):**

**8. Resolutions (continued):**

- i) A resolution authorizing the execution of Change Order No. 2 (Final), Contract No. 53B-4, Northwest Georgia Sewer Collection System, Spring Creek and Waverly Drive Interceptors, with Mayse Construction Company, which decreases the contract by the amount of \$19,921.01 for a total contract price of \$1,442,124.49.
- j) A resolution authorizing the execution of Change Order No. 1 (Final), Contract No. 73D, Lakeshore Collection System, with Mayse Construction Company to increase the contract by the amount of \$2,527.17, for a total contract price of \$940,406.17.
- k) A resolution authorizing payment in the amount of \$52,308.00 to Hamilton County, Tennessee, for the City of Chattanooga's share of project costs relative to design of the Streambank Protection Projects at Coolidge Park and Heritage Landing.
- l) A resolution authorizing Artech Design Group to use temporarily the City's right-of-way for the purpose of installing two metallic canopies, more particularly described herein, to the front wall of the Development Resource Center at 1250 Market Street, subject to certain conditions.

**9. Overtime Report.**

**10. Departmental Reports:**

- a) Department of Human Services.
- b) Department of Parks, Recreation, Arts & Culture.
- c) Department of General Services.
- d) Department of Public Works.
- e) Fire Department.
- f) Police Department.
- g) Department of Finance and Administration.
- h) Department of Personnel.
- i) Department of Neighborhood Services.
- j) City Finance Officer.
- k) City Attorney.

**XIII. Agenda Session for Tuesday, October 26, 1999 (continued):**

11. Other Business.
12. Committee Reports.
13. Agenda Session for Tuesday, November 2, 1999.
14. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
15. Adjournment.