

AMENDED AGENDA FOR TUESDAY, NOVEMBER 14, 2000

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Lively).
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Second & Third Reading:
 - a) 2000-199 Mary and Kenneth Quarles (Close & Abandon): An ordinance closing and abandoning an open alley between 32nd and 34th Streets parallel to Calhoun Avenue and Rossville Boulevard, more particularly described herein and as shown on plat attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval)**
 - b) 2000-205 City of Chattanooga (Close & Abandon): An ordinance closing and abandoning an opened section of Lindsay Street beginning at the intersection of Lindsay Street and Karr Street and extending southward some 140 feet, more particularly described herein and as shown on plat attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval)**
 - c) An ordinance to amend Chattanooga City Code, Part II, Chapter 16, so as to add a new Section 16-28, entitled “Obstacles Around Fire Hydrants.”
- VI. Ordinances - First Reading
 - a) 2000-189 Provident Life & Accident Insurance Company/Richard Meadows (Close & Abandon): An ordinance closing and abandoning the 400 and 500 blocks of Walnut Street and the 100 and 200 blocks of East 5th Street, more particularly described herein and as shown on plat attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval)**
 - b) 2000-192 Peter Alden Gibson (From O-1 to C-2): Rezone a tract of land located in the 600 block of West Bell Avenue, more particularly described herein. **(Recommended for denial)**
 - c) 2000-194 Harley Ray Smith & Ray Alan Smith (From R-2 to C-2): Rezone a tract of land located at 328 Browns Ferry Road, more particularly described herein. **(Recommended for denial by Planning, approve another zone – see alternate version; recommended for denial by Staff)**

2000-194 Harley Ray Smith & Ray Alan Smith (From R-2 to R-4): Rezone a tract of land located at 328 Browns Ferry Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

VI. Ordinances – First Reading (continued):

- d) 2000-196 Frances G. Bolen (From M-1 to C-3): Rezone a tract of land located at 1419 Williams Street, more particularly described herein. **(Recommended for approval but with conditions – see alternate version)**

2000-196 Frances G. Bolen (From M-1 to C-3): Rezone a tract of land located at 1419 Williams Street, more particularly described herein, subject to certain conditions. **(Recommended for approval)**

- e) 2000-197 Chattanooga Neighborhood Enterprise (From M-1 to C-3): Rezone a tract of land located in the 1800 block of Cowart Street and Williams Street, more particularly described herein. **(Recommended for approval but with conditions – see alternate version)**

2000-197 Chattanooga Neighborhood Enterprise (From M-1 to C-3): Rezone a tract of land located in the 1800 block of Cowart Street and Williams Street, more particularly described herein, subject to certain conditions. **(Recommended for approval)**

- f) 2000-198 Chattanooga Neighborhood Enterprise (From M-1 to C-3): Rezone a tract of land located in the 1800 block of Cowart Street and Williams Street, more particularly described herein. **(Recommended for approval but with conditions – see alternate version)**

2000-198 Chattanooga Neighborhood Enterprise (From M-1 to C-3): Rezone a tract of land located in the 1800 block of Cowart Street and Williams Street, more particularly described herein, subject to certain conditions. **(Recommended for approval)**

- g) 2000-207 James C. Johnson (From R-3 to M-3): Rezone a tract of land located at 6421 Bonny Oaks Drive, more particularly described herein. **(Recommended for approval by Planning; recommended for denial by Staff)**

- h) 2000-208 James C. Johnson (Lift Conditions 2 & 3): An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to lift certain conditions imposed in Ordinance No. 10158 on property located at 6421 Bonny Oaks Drive, being more particularly described herein, subject to certain conditions. **(Recommended for denial – see alternate version)**

2000-208 James C. Johnson (Lift Condition 3): An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to lift certain conditions imposed in Ordinance No. 10158 on property located at 6421 Bonny Oaks Drive, being more particularly described herein, subject to certain conditions. **(Recommended for denial – see alternate version)**

VI. Ordinances – First Reading (continued):

- i) 2000-209 Nancy & James Anderson (From R-1 to R-2): Rezone a tract of land located at 1444 Ely Road, more particularly described herein. **(Recommended for denial)**
- j) 2000-210 Wisdom Group, LLC (From M-1 to M-4): Rezone a tract of land located in the 1300 block of Wisdom Street, more particularly described herein. **(Recommended for approval but with conditions – see alternate version)**

2000-210 Wisdom Group, LLC (From M-1 to M-4): Rezone a tract of land located in the 1300 block of Wisdom Street, more particularly described herein, subject to certain conditions. **(Recommended for approval)**
- k) 2000-211 Michael Mirabella (From M-1 to R-2): Rezone a tract of land located in the 2200 block of Wilder Street, more particularly described herein. **(Recommended for approval)**
- l) 2000-212 Boyd Sharp and Jane Bell Sharp (From R-1 to C-2): Rezone a tract of land located at 5564 Dayton Boulevard, more particularly described herein. **(Recommended for approval)**
- m) 2000-213 Myrtle Layde Montgomery and George Foster (From R-1 to M-1): Rezone a tract of land located at 5913 Clark Road, more particularly described herein. **(Recommended for denial)**
- n) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, amending Article V by adding Section 1600 creating the A-1 Urban Agricultural Zone and amending language in Article V, Sections 1202, 1203 and 1209 relative to the addition of the A-1 Urban Agricultural Zone.

VII. Resolutions:

- a) A resolution that certain property located on Curtain Pole Road (off Amnicola Highway) be declared surplus. (Property being donated to Chattanooga Food Bank)
- b) A resolution that certain property located on Curtain Pole Road (off Amnicola Highway) be declared surplus. (Property being sold to Synair Corporation)
- c) A resolution that certain properties known as the St. Elmo Fire Station be declared surplus.

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VII. Resolutions (continued):

- d) A resolution authorizing the conveyance of certain property previously declared surplus located at Wheeler Avenue and Wilcox Boulevard, Tax Map No. 136M-M-001, to Alton and Lenora Williams for a consideration of \$300.00, relative to the Wilcox Boulevard Improvement Project.
- e) A resolution authorizing the conveyance of a .346 acre strip of land from the Third Street side of Warner Park to the State of Tennessee, relative to the Third Street Viaduct – Bridge Replacement Project, for a consideration of \$127,250.00.
- f) A resolution authorizing the conveyance of a .162 acre strip of land across the street from Warner Park, adjacent to the Driver Testing Center, to the State of Tennessee, relative to the Third Street Viaduct – Bridge Replacement Project, for a consideration of \$24,400.00.
- g) A resolution authorizing the execution of Change Order No. 3, Contract No. 28G, Moccasin Bend Wastewater Treatment Plant, Plant Expansion and Wet Weather Treatment, with 3D Enterprises Contracting Corporation, which change order increases the contract amount by \$48,443.00, for a revised contract total of \$18,971,373.00, and increases the contract time for Item 9 by 120 days.
- h) A resolution authorizing the Office of the City Attorney to institute eminent domain proceedings against Chattanooga 153 LLC for a sewer easement on Tract No. 6, Contract No. 45B, Sanitary Sewer Relocation for Widening of State Route 153 from North Hickory Valley Road to Amnicola Highway.

VIII. Overtime Report.

IX. 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.

X. Other Business.

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- XI. Committee Reports.
- XII. Agenda Session for Tuesday, November 21, 2000 (see following pages of this Agenda).
- XIII. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
- XIV. Adjournment.

XII. Agenda Session for Tuesday, November 21, 2000:

AGENDA FOR TUESDAY, NOVEMBER 21, 2000

1. Call to Order.
2. Pledge of Allegiance/Invocation (Council Vice-Chair Hurley).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Second & Third Reading:
 - a) 2000-189 Provident Life & Accident Insurance Company/Richard Meadows (Close & Abandon): An ordinance closing and abandoning the 400 and 500 blocks of Walnut Street and the 100 and 200 blocks of East 5th Street, more particularly described herein and as shown on plat attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval)**
 - b) 2000-192 Peter Alden Gibson (From O-1 to C-2): Rezone a tract of land located in the 600 block of West Bell Avenue, more particularly described herein. **(Recommended for denial)**
 - c) 2000-194 Harley Ray Smith & Ray Alan Smith (From R-2 to C-2): Rezone a tract of land located at 328 Browns Ferry Road, more particularly described herein. **(Recommended for denial by Planning, approve another zone – see alternate version; recommended for denial by Staff)**
OR
2000-194 Harley Ray Smith & Ray Alan Smith (From R-2 to R-4): Rezone a tract of land located at 328 Browns Ferry Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**
 - d) 2000-196 Frances G. Bolen (From M-1 to C-3): Rezone a tract of land located at 1419 Williams Street, more particularly described herein. **(Recommended for approval but with conditions – see alternate version)**
OR
2000-196 Frances G. Bolen (From M-1 to C-3): Rezone a tract of land located at 1419 Williams Street, more particularly described herein, subject to certain conditions. **(Recommended for approval)**

XII. Agenda Session for Tuesday, November 21, 2000 (continued):

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

- e) 2000-197 Chattanooga Neighborhood Enterprise (From M-1 to C-3): Rezone a tract of land located in the 1800 block of Cowart Street and Williams Street, more particularly described herein. **(Recommended for approval but with conditions – see alternate version)**
OR
2000-197 Chattanooga Neighborhood Enterprise (From M-1 to C-3): Rezone a tract of land located in the 1800 block of Cowart Street and Williams Street, more particularly described herein, subject to certain conditions. **(Recommended for approval)**
- f) 2000-198 Chattanooga Neighborhood Enterprise (From M-1 to C-3): Rezone a tract of land located in the 1800 block of Cowart Street and Williams Street, more particularly described herein. **(Recommended for approval but with conditions – see alternate version)**
OR
2000-198 Chattanooga Neighborhood Enterprise (From M-1 to C-3): Rezone a tract of land located in the 1800 block of Cowart Street and Williams Street, more particularly described herein, subject to certain conditions. **(Recommended for approval)**
- g) 2000-207 James C. Johnson (From R-3 to M-3): Rezone a tract of land located at 6421 Bonny Oaks Drive, more particularly described herein. **(Recommended for approval by Planning; recommended for denial by Staff)**
- h) 2000-208 James C. Johnson (Lift Conditions 2 & 3): An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to lift certain conditions imposed in Ordinance No. 10158 on property located at 6421 Bonny Oaks Drive, being more particularly described herein, subject to certain conditions. **(Recommended for denial – see alternate version)**
OR
2000-208 James C. Johnson (Lift Condition 3): An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to lift certain conditions imposed in Ordinance No. 10158 on property located at 6421 Bonny Oaks Drive, being more particularly described herein, subject to certain conditions. **(Recommended for denial – see alternate version)**
- i) 2000-209 Nancy & James Anderson (From R-1 to R-2): Rezone a tract of land located at 1444 Ely Road, more particularly described herein. **(Recommended for denial)**

XII. Agenda Session for Tuesday, November 21, 2000 (continued):

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

- j) 2000-210 Wisdom Group, LLC (From M-1 to M-4): Rezone a tract of land located in the 1300 block of Wisdom Street, more particularly described herein. **(Recommended for approval but with conditions – see alternate version)**
OR
2000-210 Wisdom Group, LLC (From M-1 to M-4): Rezone a tract of land located in the 1300 block of Wisdom Street, more particularly described herein, subject to certain conditions. **(Recommended for approval)**
- k) 2000-211 Michael Mirabella (From M-1 to R-2): Rezone a tract of land located in the 2200 block of Wilder Street, more particularly described herein. **(Recommended for approval)**
- l) 2000-212 Boyd Sharp and Jane Bell Sharp (From R-1 to C-2): Rezone a tract of land located at 5564 Dayton Boulevard, more particularly described herein. **(Recommended for approval)**
- m) 2000-213 Myrtle Layde Montgomery and George Foster (From R-1 to M-1): Rezone a tract of land located at 5913 Clark Road, more particularly described herein. **(Recommended for denial)**
- n) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, amending Article V by adding Section 1600 creating the A-1 Urban Agricultural Zone and amending language in Article V, Sections 1202, 1203 and 1209 relative to the addition of the A-1 Urban Agricultural Zone.

6. Ordinances – First Reading:

- a) 2000-163 City of Chattanooga (Close & Abandon): An ordinance closing and abandoning a triangular area twelve feet (12') by seventeen feet (17') by eleven feet (11'), a part of Martin Luther King Boulevard right-of-way at Market Street, more particularly described herein and as shown on plat attached hereto and made a part hereof by reference. **(Recommended for approval)**
- b) 2000-164 TJD Properties – Jack Steiner (Close & Abandon): An ordinance closing and abandoning a partially opened ten foot (10') alleyway located between the 1300 block of West 13th Street and the 1300 block of West 14th Street, more particularly described herein and as shown on plat attached hereto and made a part hereof by reference. **(Recommended for approval)**

XII. Agenda Session for Tuesday, November 21, 2000 (continued):

6. Ordinances – First Reading (continued):

- c) An ordinance to amend Chattanooga City Code, Part II, Chapter 24, Section 24-504, Schedule IV, One-Way Streets, so as to delete therefrom “Rossville Avenue, southeastwardly from Main Street to Wilhoit Street.”
- d) An ordinance to amend Chattanooga City Code, Part II, Chapter 2, so as to add a new Division 7 to Article III to be entitled “General Pension Plan.”

7. Resolutions:

- a) A resolution repealing Resolution No. 22343, encaptioned as set forth herein and establishing new exemptions under the Fair Labor Standards Act of 1938, as amended pursuant to Section 2-152(a) of the Chattanooga City Code.
- b) A resolution authorizing the payment of \$12,000.00 to Volunteer Behavioral Health Care System, Inc., to be paid out of Local Law Enforcement Block Grant Program funds for Critical Incident Stress Debriefing and Management Training for officers in the Chattanooga Police Department.
- c) A resolution declaring certain property located at 535 Chestnut Street as surplus, and authorizing the conveyance of said property to the Southeast Tennessee Development District for the remaining debt on the building.
- d) A resolution authorizing the Mayor of the City of Chattanooga to execute a Contract to adjust certain of the contiguous boundaries of the City limits of the Cities of Chattanooga and East Ridge pursuant to T.C.A. § 6-51-302.
- e) A resolution authorizing the award of Contract No. RW-3-00, Shallowford Road Improvements, to Jones Brothers, Inc. for their low bid in the amount of \$2,501,787.10 (Base Bid plus Additive Alternate).
- f) A resolution authorizing the award of Contract No. SS-11-00, Streetscape Improvements, Broad Street, from M. L. King Boulevard to north 220’ and M. L. King Boulevard, from Broad Street to Market Street, to Yerbey Concrete Construction, Inc., for their low bid in the amount of \$121,871.21.
- g) A resolution authorizing the execution of an Agreement with Dennis Smith for construction inspection of various Public Works projects for a total amount not to exceed \$125,000.00 per year, including wages and other reasonable expenses.

XII. Agenda Session for Tuesday, November 21, 2000 (continued):

7. Resolutions (continued):

- h) A resolution authorizing the execution of Change Order No. 1, Contract No. MB-1-00, Moccasin Bend Wastewater Treatment Plant, Digester Cleaning and Sludge Inventory Reduction, with Synagro (formerly Wheelabrator Water Technologies, Inc.), which change order increases the contract amount by \$185,812.00, for a revised contract total of \$601,702.00, and increases the contract time by 30 days.
- i) A resolution authorizing Hixson Church of Christ to use temporarily the City's right-of-way located at Cloverdale Circle and Cloverdale Drive, to install a landscaping and irrigation system for beautification purposes.

8. Overtime Report.

9. 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.

10. Other Business.

11. Committee Reports.

12. Agenda Session for Tuesday, November 28, 2000.

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

14. Adjournment.