

AGENDA FOR TUESDAY, OCTOBER 8, 2002

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Vice Chair Franklin).
- III. Minute Approval.
- IV. Special Presentations:
- V. Ordinances – Second & Third Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 24, Sections 24-111 through 24-116, relative to the traffic unit of the Chattanooga Police Department.
 - b) MR-2002-016 City of Chattanooga. An ordinance closing and abandoning sanitary sewer and sewer easements on all lots from Gulf Street to Holtzclaw Avenue between Main Street and 14th Street, as shown on the map attached hereto and made a part hereof by reference.
- VI. Ordinances – First Reading:
 - a) An ordinance to amend Ordinance No. 11285, entitled “an ordinance to provide revenue for the fiscal year beginning July 1, 2002, and ending June 30, 2003, and appropriating same to the payment of expenses of the municipal government; fixing the rate of taxation on all taxable property in the City, and the time taxes and privileges are due, how they shall be paid, when they shall become delinquent; and provide for interest and penalty on delinquent taxes and privileges.” so as to provide for certain changes in the personnel positions set out in Section 7(b); add Section 6(c); and to set forth the budget of the interceptor sewer system.
 - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 31, Sections 31-36, 31-41 and 31-43, relative to sewer service charges and fees.
 - c) An ordinance to amend Part II, Chattanooga City Code, Chapter 3, Article X, Section 3-102(b), relative to signs.
 - d) An ordinance to amend Part II, Chattanooga City Code, Chapter 10, Article II, Section 10-23, relative to engineering plans review and fees.
 - e) An ordinance to amend Part II, Chattanooga City Code, Chapter 18, Article III, Section 18-49, relative to garbage service fees for veterinary clinics.
 - f) An ordinance to amend Part II, Chattanooga City Code, Chapter 32, Article III, Section 32-64, relative to excavations and restoration of paving.

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VI. Ordinances – First Reading (continued):

- g) MR-2002-134A Chris Farris - Parkridge Hospital (Close and Abandon). An ordinance closing and abandoning an unnamed, unopened alley located between the 200 blocks of Watkins Street and Derby Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.
- h) MR-2002-134B Chris Farris - Parkridge Hospital (Close and Abandon). An ordinance closing and abandoning an unnamed, unopened alley located on the southwest line of the 100 block of North Kelley Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.
- i) 2002-151 Temple Baptist Church (Lift Conditions). Lift certain conditions imposed in Ordinance No. 8841, on property located at 3204 Clio Avenue, more particularly described herein.
- j) 2002-152 Waymon Oliver (From R-2 to M-2). Rezone a tract of land located at 104 East 38th Street, more particularly described herein. **(Recommended for denial - see alternate version)**
- 2002-152 Waymon Oliver (From R-2 to M-2). Rezone a tract of land located at 104 East 38th Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**
- k) 2002-158 Jack & Tina Johnson (From R-1 to R-4). Rezone a tract of land located in the 1600 block of North Joiner Road, more particularly described herein. **(Recommended for denial - see alternate versions)**
- 2002-158 Jack & Tina Johnson (From R-1 to R-4). Rezone a tract of land located in the 1600 block of North Joiner Road, more particularly described herein, subject to certain conditions. **(Planning version A - see alternate version B)**
- 2002-158 Jack & Tina Johnson (From R-1 to R-4 and R-1). Rezone a tract of land located in the 1600 block of North Joiner Road, more particularly described herein, subject to certain conditions. **(Planning version B - see alternate version C)**
- 2002-158 Jack & Tina Johnson (From R-1 to R-4 and R-1). Rezone a tract of land located in the 1600 block of North Joiner Road, more particularly described herein, subject to certain conditions. **(Planning version C)**
- l) 2002-161 Robert Humble (From R-1 to R-4). Rezone a tract of land located at 2307 Gunbarrel Road, more particularly described herein. **(Recommended for denial - see alternate versions)**
- 2002-161 Robert Humble (From R-1 to O-1). Rezone a tract of land located at 2307 Gunbarrel Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning - see alternate Staff version)**

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VI. Ordinances – First Reading (continued):

2002-161 Robert Humble (From R-1 to R-4). Rezone a tract of land located at 2307 Gunbarrel Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Staff)**

m) 2002-162 James K. Glenn (From R-3 to M-1). Rezone a tract of land located at 1918 Rossville Avenue, more particularly described herein. **(Recommended for approval by Planning)**

n) 2002-163 Charles E. Lawson (From R-5 to R-4). Rezone a tract of land located at 5404 Longview Drive, more particularly described herein. **(Recommended for denial by Planning)**

2002-163 Charles E. Lawson (From R-5 to R-4). Rezone a tract of land located at 5404 Longview Drive, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

o) 2002-168 Glasscock Developments, Inc. (From R-4 to RT-1). Rezone a tract of land located at 3625 Mountain Creek Road, more particularly described herein. **(Recommended for approval by Planning)**

p) MR-2002-172 Camco Properties (Close and Abandon). An ordinance closing and abandoning an unnamed right-of-way located at 4100 Caine Lane, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.

q) 2002-173 Phillip Barry Robertson (From M-1 to C-3). Rezone a tract of land located at West Main Street, more particularly described herein. **(Recommended for denial by Planning - see alternate version)**

2002-173 Phillip Barry Robertson (From M-1 to C-3). Rezone a tract of land located at West Main Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

VII. Resolutions:

a) 2002-170 Christopher A. Amos (Preliminary Planned Unit Development). A resolution approving an R-1 Residential Zone Preliminary Planned Unit Development for a proposed R-1 Residential Zone Planned Unit Development known as the Butler Amos Shallowford Road Planned Unit Development, on tracts of land located at 7707 and 7711 Shallowford Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions.

b) A resolution authorizing the transfer of a deed of perpetual channel improvement easement to Hamilton County Government, relative to the Tennessee Riverbank Stabilization Project, Tax Map No. 135E-N-023, Tract No. 800E.

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VII. Resolutions (continued):

- c) A resolution granting a temporary easement, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, to Hamilton County Government on Tax Map No. 136P-A-002, Tract 900E, to carry out the Tennessee River Basin Hamilton County Bank Stabilization Project.
- d) A resolution authorizing the award of Contract SS-6-00, Market Street Landscape Project, to Ooltewah Nursery and Landscape Company, Inc. for their low bid in the amount of \$228,925.00.
- e) A resolution authorizing the award of Contract E2-001, Bituminous Pavement Resurfacing, to Highways, Inc. for their low bid in the amount of \$1,400,000.00.
- f) A resolution allocating the sum of \$500,000.00 of Community Development Program income to various road enhancement projects within eligible areas.
- g) A resolution authorizing the Mayor to enter into a contract with the 28th Community Development Corp for planning various neighborhood enhancement projects in an amount not to exceed \$50,000.00 with funding through the Community Development Block Funds.
- h) A resolution authorizing the award of the contract for removal and replacement of the roof at Firestation #20, to JDH Company for their low bid in the amount of \$36,028.00.
- i) A resolution recommending support of the passage of the proposed Amendment to Article 6, Section 14, of the State of Tennessee Constitution, also know as "Question 2", relative to the assessment of municipal fines.
- j) A resolution declaring a City truck as surplus property and authorizing the Purchasing Agent to sell said truck to Hamilton County, Tennessee Emergency Medical Services for a consideration of \$1.00. **(Added by permission of the Legal and Legislative Committee)**

VIII. Overtime Report.

IX. Departmental Reports:

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

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- X. Other Business.
- XI. Committee Reports.
- XII. Agenda Session for Tuesday, October 15, 2002.
- XIII. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
- XIV. Adjournment.

XII. Agenda Session for Tuesday, October 15, 2002:

AGENDA FOR TUESDAY, OCTOBER 15, 2002

1. Call to Order.
2. Pledge of Allegiance/Invocation (Chairman Littlefield).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Second & Third Reading:
 - a) An ordinance to amend Ordinance No. 11285, entitled “an ordinance to provide revenue for the fiscal year beginning July 1, 2002, and ending June 30, 2003, and appropriating same to the payment of expenses of the municipal government; fixing the rate of taxation on all taxable property in the City, and the time taxes and privileges are due, how they shall be paid, when they shall become delinquent; and provide for interest and penalty on delinquent taxes and privileges.” so as to provide for certain changes in the personnel positions set out in Section 7(b); add Section 6(c); and to set forth the budget of the interceptor sewer system.
 - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 31, Sections 31-36, 31-41 and 31-43, relative to sewer service charges and fees.
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 - d) An ordinance to amend Part II, Chattanooga City Code, Chapter 10, Article II, Section 10-23, relative to engineering plans review and fees.
 - e) An ordinance to amend Part II, Chattanooga City Code, Chapter 18, Article III, Section 18-49, relative to garbage service fees for veterinary clinics.
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 - g) MR-2002-134A Chris Farris - Parkridge Hospital (Close and Abandon). An ordinance closing and abandoning an unnamed, unopened alley located between the 200 blocks of Watkins Street and Derby Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.
 - h) MR-2002-134B Chris Farris - Parkridge Hospital (Close and Abandon). An ordinance closing and abandoning an unnamed, unopened alley located on the southwest line of the 100 block of North Kelley Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.

XII. Agenda Session for Tuesday, October 15, 2002 (continued):

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

i) 2002-151 Temple Baptist Church (Lift Conditions). Lift certain conditions imposed in Ordinance No. 8841, on property located at 3204 Clio Avenue, more particularly described herein.

j) 2002-152 Waymon Oliver (From R-2 to M-2). Rezone a tract of land located at 104 East 38th Street, more particularly described herein. **(Recommended for denial - see alternate version)**

2002-152 Waymon Oliver (From R-2 to M-2). Rezone a tract of land located at 104 East 38th Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

k) 2002-158 Jack & Tina Johnson (From R-1 to R-4). Rezone a tract of land located in the 1600 block of North Joiner Road, more particularly described herein. **(Recommended for denial - see alternate versions)**

2002-158 Jack & Tina Johnson (From R-1 to R-4). Rezone a tract of land located in the 1600 block of North Joiner Road, more particularly described herein, subject to certain conditions. **(Planning version A - see alternate version B)**

2002-158 Jack & Tina Johnson (From R-1 to R-4 and R-1). Rezone a tract of land located in the 1600 block of North Joiner Road, more particularly described herein, subject to certain conditions. **(Planning version B - see alternate version C)**

2002-158 Jack & Tina Johnson (From R-1 to R-4 and R-1). Rezone a tract of land located in the 1600 block of North Joiner Road, more particularly described herein, subject to certain conditions. **(Planning version C)**

l) 2002-161 Robert Humble (From R-1 to R-4). Rezone a tract of land located at 2307 Gunbarrel Road, more particularly described herein. **(Recommended for denial - see alternate versions)**

2002-161 Robert Humble (From R-1 to O-1). Rezone a tract of land located at 2307 Gunbarrel Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning - see alternate Staff version)**

2002-161 Robert Humble (From R-1 to R-4). Rezone a tract of land located at 2307 Gunbarrel Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Staff)**

m) 2002-162 James K. Glenn (From R-3 to M-1). Rezone a tract of land located at 1918 Rossville Avenue, more particularly described herein. **(Recommended for approval by Planning)**

XII. Agenda Session for Tuesday, October 15, 2002 (continued):

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

- n) 2002-163 Charles E. Lawson (From R-5 to R-4). Rezone a tract of land located at 5404 Longview Drive, more particularly described herein. **(Recommended for denial by Planning)**

2002-163 Charles E. Lawson (From R-5 to R-4). Rezone a tract of land located at 5404 Longview Drive, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

- o) 2002-168 Glasscock Developments, Inc. (From R-4 to RT-1). Rezone a tract of land located at 3625 Mountain Creek Road, more particularly described herein. **(Recommended for approval by Planning)**

- p) MR-2002-172 Camco Properties (Close and Abandon). An ordinance closing and abandoning an unnamed right-of-way located at 4100 Caine Lane, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.

- q) 2002-173 Phillip Barry Robertson (From M-1 to C-3). Rezone a tract of land located at West Main Street, more particularly described herein. **(Recommended for denial by Planning - see alternate version)**

2002-173 Phillip Barry Robertson (From M-1 to C-3). Rezone a tract of land located at West Main Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

6. Ordinances - First Reading:

- a) 2002-071 Volunteer Behavioral Health Care Systems (From M-1 to C-2). Rezone a tract of land located at 413 Spring Street, more particularly described herein. **(Recommended for denial by Planning - see alternate version - deferred from 07-09-02)**

2002-071 Volunteer Behavioral Health Care Systems (From M-1 to R-4). Rezone a tract of land located at 413 Spring Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning - deferred from 07-09-02)**

- b) 2002-136 Troy L. Cox (From R-1 and C-2 to M-2). Rezone a tract of land located at 706 Ashland Terrace, more particularly described herein. **(Recommended for denial by Planning - deferred from 09-10-02)**

XII. Agenda Session for Tuesday, October 15, 2002 (continued):

7. Resolutions:

- a) A resolution authorizing Battery Place Properties, LLC to use temporarily the City's right-of-way at 324 McCallie Avenue to install a canvas awning, subject to certain conditions.
- b) A resolution authorizing Greenlife Grocery, LLC to use temporarily the City's right-of-way at Hanover Street to extend an existing loading pallet for the safe of employees, subject to certain conditions
- c) A resolution authorizing the Administrator of the Department of Public Works to execute an engineering agreement with Consolidated Technologies, Inc., relative to engineering services for the Martin Luther King Boulevard Stormwater Retention Facilities, Contract No. W-02-12, for a total fee not to exceed \$127,000.00.
- d) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with Fuller, Massbarger, Scott & May Engineer, Inc., relative to the first phase of the Chattanooga Stormwater Management Program Revision, for a total fee not to exceed \$380,000.00.
- e) A resolution authorizing the execution of Change Order No. 1 (final), relative to the UTC/Martin Luther King Historic District Streetscape, Contract No. SS-9-00, with Stein Construction Company, Inc., which change order decreases the contract amount by \$264,306.93, for a revised contract price of \$1,101,567.57.
- f) A resolution authorizing Marion Environmental, Inc. to use temporarily the City's right-of-way in the 900 block of Pineville Road for installation of three ground water monitor wells, subject to certain conditions.
- g) A resolution authorizing Colonial Commercial Development, Inc. to use temporarily the City's right-of-way at the entrance of Pinnacle Homes at Harbor View along the south road frontage of Lake Resort Drive for the installation of an irrigation system and laying sod, subject to certain conditions.
- h) A resolution adopting a reuse plan for the Tennessee Products Superfund Site and the Chattanooga Coke Superfund Site, a copy of which is attached hereto and made a part hereof by reference.

8. Overtime Report.

Agenda for Tuesday, October 8, 2002

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XII. Agenda Session for Tuesday, October 15, 2002 (continued):

9. Departmental Reports:
 - a) Department of Human Services.
 - b) Department of Parks, Recreation, Arts & Culture.
 - c) Department of Public Works.
 - d) Fire Department.
 - e) Police Department.
 - f) Department of Finance and Administration.
 - g) Department of Personnel.
 - h) Department of Neighborhood Services.
 - i) City Finance Officer.
 - j) City Attorney.
10. Other Business.
11. Committee Reports.
12. Agenda Session for Tuesday, October 22, 2002.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.