

AGENDA FOR TUESDAY, OCTOBER 19, 2004

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Vice Chair Robinson).
- III. Minute Approval.
- IV. Special Presentations.

**Richard da Costa:
Recognition and Introduction of Guests from Europe -
Marshall Memorial Fellows**

- V. Ordinances – Second & Third Reading:
 - a) An ordinance to amend Part II, Chattanooga City Code, Chapter 31, by adding new Sections 31-325.1 through 325.9 known as the Timber Removal Ordinance and by amending Subsections 31-321(b) and (c). **(Approved on First reading -9/21/04. Deferred from 9/21/04 & 10/12/04 for 2nd & 3rd Reading.)**
 - b) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article VIII, Sections 102(4) and 107, relative to Special Exceptions Permits.
 - c) MR-2004-021 City of Chattanooga (Close & Abandon). An ordinance closing and abandoning a portion of the opened 200 blocks of 2nd Street and Lookout Street, subject to certain conditions. **(Recommended for approval by Public Works.)**
 - d) MR-2004-161 Associated Mechanical Systems, Inc. (Close & Abandon). An ordinance closing and abandoning a right-of-way at the 2800 block of Roanoke Avenue between Cushman Street and Bachman Street, subject to certain conditions. **(Recommended for approval by Public Works.)**
 - e) 2004-172 City of Chattanooga (R-2 and R-3 to R-1). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone properties within the Avondale Neighborhood Area, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning.)**
 - f) 2004-176 William R. Ring d/b/a WHR Properties (R-1 to R-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 1019 Dallas Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning.)**
 - g) 2004-185 Thom Sedgwick c/o Hopkins Survey Group (Lift Conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning

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Ordinance, so as to lift conditions imposed in Ordinance No. 11579 on property located on the abandoned portion of John Mark Drive and Cowart Drive, being more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning.)**

- h) 2004-186 Thom Sedgwick c/o Hopkins Survey Group (Close & Abandon). An ordinance closing and abandoning a sewer easement located between the 5600 block of Winding Lane and Highway 153, more particularly described herein. **(Recommended for approval by Public Works and Planning.)**
- i) 2004-189 Chattanooga Housing Authority (R-3 to M-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 3351 Chandler Place, more particularly described herein. **(Recommended for approval by Planning.)**
- j) 2004-192 The RLS Group, LLC (R-1 to M-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at the 4700 block of Adams Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning.)**
- k) 2004-194 Towne Center North, LLC (R-1 to C-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 1033 Cowart Drive, more particularly described herein. **(Recommended for approval by Planning.)**
- l) 2004-195 Towne Center North, LLC (Close & Abandon). An ordinance closing and abandoning a portion of the 1000 block of Cowart Drive, more particularly described herein, subject to certain conditions. **(Recommended for approval by Public Works.)**
- m) 2004-199 Chattanooga Housing Authority (Close & Abandon). An ordinance closing and abandoning an unnamed alley located at the south line of the 400 block of Water Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Public Works.)**
- n) 2004-200 Chattanooga Housing Authority (Close & Abandon). An ordinance closing and abandoning a portion of an unnamed alley located off of the north line of the 600 block of West 37th Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Public Works.)**
- o) MR-2004-201 Chattanooga Housing Authority (Close & Abandon). An ordinance closing and abandoning a portion of an unnamed alley beginning on the west line of the 3800 block of Highland Avenue, more particularly described herein, subject to certain conditions. **(Recommended for approval by Public Works.)**

VI. Ordinances - First Reading:

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- a) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending certain sections of Article V and Article VIII, Section 107, relative to the location of tattoo and body piercing services and non-banking institutions which include check cashing, title pawn, and pawn shops. **(Deferred from 10/12/04.)**

- b) 2004-193 The RLS Group, LLC (M-2 to RT-1). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 5000 Adams Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning. - Deferred from 10/12/04.)**

- c) MR-2004-198 Chattanooga Housing Authority (Close & Abandon). An ordinance closing and abandoning two (2) portions of the 3700 block of Chandler Avenue located between the 400 blocks of Water Street and 38th Street, more particularly described herein. **(Not recommended for approval by Public Works - see alternate version.)**

MR-2004-198 Chattanooga Housing Authority (Close & Abandon). An ordinance closing and abandoning two (2) portions of the 3700 block of Chandler Avenue located between the 400 blocks of Water Street and 38th Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Public Works.)**

VII. Resolutions:

- a) A resolution authorizing the acceptance of an additional grant from “Safe Neighbor Heroes Program” of Wal-Mart, Inc. to the Chattanooga Fire Department in the amount of \$1,000.00 and expressing the gratitude of the Mayor and the City Council for said donation.

- b) A resolution accepting a donation to the Chattanooga Fire Department from the Greater Chattanooga Exchange Club in the amount of \$200.00 and expressing the gratitude of the Mayor and the City Council for said donation.

- c) A resolution to make certain findings relating to the Advanced Technical Ceramics Company Project, to delegate certain authority to the Industrial Development Board of the City of Chattanooga, and to authorize the Mayor to enter into and execute an agreement for payment in lieu of ad valorem taxes.

- d) A resolution authorizing the Administrator of the Department of Public Works to execute an agreement with Consolidated Technologies, Inc. and Arcadis G&M, Inc., a joint venture (CTI/AGM), for engineering services relative to Contract No. W-03-003-102, Sanitary/Storm Sewer “As Found” Program in an amount not to exceed \$1,250,000.00.

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- e) 2003-088 Pratt & Associates (Final PUD). A resolution approving a Special Exceptions Permit for a Planned Unit Development known as The Reunion Planned Unit Development, on a tract of land located at 00000 Morris Lane, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

- f) A resolution to make certain findings relating to the U.S. Xpress, Inc. Project, to delegate certain authority to the Industrial Development Board of the County of Hamilton, Tennessee, and to authorize the Mayor to enter into and execute an Agreement for Payment in Lieu of Ad Valorem Taxes. **(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 Personnel.
- g) Department of Neighborhood Services.
- h) Department of Finance and Administration
- i) City Attorney.

X. Other Business.

XI. Committee Reports.

XII. Agenda Session for Tuesday, October 26, 2004.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, October 26, 2004:

AGENDA FOR TUESDAY, OCTOBER 26, 2004

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Page).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Second & Third Reading:
 - a) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending certain sections of Article V and Article VIII, Section 107, relative to the location of tattoo and body piercing services and non-banking institutions which include check cashing, title pawn, and pawn shops. **(Deferred from 10/12/04.)**
 - b) 2004-193 The RLS Group, LLC (M-2 to RT-1). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 5000 Adams Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning. - Deferred from 10/12/04.)**
 - c) MR-2004-198 Chattanooga Housing Authority (Close & Abandon). An ordinance closing and abandoning two (2) portions of the 3700 block of Chandler Avenue located between the 400 blocks of Water Street and 38th Street, more particularly described herein. **(Not recommended for approval by Public Works - see alternate version.)**

MR-2004-198 Chattanooga Housing Authority (Close & Abandon). An ordinance closing and abandoning two (2) portions of the 3700 block of Chandler Avenue located between the 400 blocks of Water Street and 38th Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Public Works.)**
6. Ordinances - First Reading:
 - a) MR-2004-173 Jerry and Treva Ritchie and Jimmy Wayne Dickey (Close & Abandon). An ordinance closing and abandoning an unopened alley located between the 4200 block of Walnut Street and the 4100 block of Pine Street, more particularly described herein. **(Not recommended for approval by Public Works - see alternate version.)**

MR-2004-173 Jerry and Treva Ritchie and Jimmy Wayne Dickey (Close & Abandon). An ordinance closing and abandoning an unopened alley located between the 4200 block of Walnut Street and the 4100 block of Pine Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Public Works.)**

- b) MR-2004-174 Jimmy Wayne Dickey (Close & Abandon). An ordinance closing and abandoning of Mill Street and Garden Street located within the property boundaries at 4106 Pine Street, more particularly described herein. **(Not recommended for approval by Public Works - see alternate version.)**

MR-2004-174 Jimmy Wayne Dickey (Close & Abandon). An ordinance closing and abandoning of Mill Street and Garden Street located within the property boundaries at 4106 Pine Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Public Works.)**

- c) MR-2004-178 Carol C. Moss (Close & Abandon). An ordinance closing and abandoning of an unopened alley beginning on the west line of the 4200 block of Walnut Street, more particularly described herein. **(Not recommended for approval by Public Works - see alternate version.)**

MR-2004-178 Carol C. Moss (Close & Abandon). An ordinance closing and abandoning of an unopened alley beginning on the west line of the 4200 block of Walnut Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Public Works.)**

- d) MR-2004-180 Janice Hixson (Close & Abandon). An ordinance closing and abandoning an unnamed alley beginning on the west line of the 4600 block of Walthall Street, more particularly described herein. **(Recommended for denial by Staff and Public Works - Not recommended for approval by Planning - see alternate version.)**

MR-2004-180 Janice Hixson (Close & Abandon). An ordinance closing and abandoning an unnamed alley beginning on the west line of the 4600 block of Walthall Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning.)**

7. Resolutions:

- a) A resolution authorizing the award of Requirements Contract No. W-04-006, Miscellaneous Sanitary Sewers Requirement Contracts, to Mayse Construction Company for a total amount not to exceed \$300,000.00.
- b) A resolution authorizing the award of Requirements Contract No. W-04-006, Miscellaneous Sanitary Sewers Requirement Contracts, for CIPP lining, to Miller

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Pipeline Corp. for a total amount not to exceed \$135,125.00, including \$10,000.00 in contingency.

- c) A resolution authorizing the execution of Change Order No. 1, Contract No. E-03-021, Sidewalk Requirements Contract to Yerbey Concrete Construction, Inc., which change order increases the contract amount by \$75,000.00, for a revised contract amount not to exceed \$221,819.00.
 - d) A resolution authorizing the execution of Change Order No. 2 (CRF 13), Contract 28L, Solids Handling System Improvements Installation of Filter Press Sludge Dewatering System to Jake Marshall, LLC, which change order increases the contract amount by \$99,979.00, for a revised contract amount not to exceed \$6,517,321.00.
 - e) A resolution authorizing Bruce Case, President of Construction Consultants, to use temporarily the City's right-of-way between the 7100 block of Lee Highway and Snow Hill Road to build a concrete retaining wall with pilings that will extend a maximum of 8 feet in the City's right-of-way, as shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions.
 - f) A resolution authorizing BoSouth Tennessee, Inc. to use temporarily the 1800 block of East 23rd Street to install a non-permanent storage and dumpster pad in the City right-of-way, as shown on the site plan attached hereto and made a part hereof by reference, subject to certain conditions.
8. Overtime Report.
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 Personnel.
 - g) Department of Neighborhood Services.
 - h) Department of Finance and Administration
 - i) City Attorney.
10. Other Business.
11. Committee Reports.
12. Agenda Session for Tuesday, November 2, 2004.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.

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14. Adjournment.