

## AGENDA FOR TUESDAY, SEPTEMBER 18, 2007

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilwoman Robinson).
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
  - a) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article V, Section 1001(2) and Article VI, Height and Area Exceptions, relative to building setbacks in commercial and manufacturing zones that abut the R-4 Special Zone.
  - b) MR-2007-090 City of Chattanooga, c/o William Payne (Close & Abandon). An ordinance closing and abandoning a fifty-four inch (54”) sanitary sewer easement located at 600 River Terminal Road, more particularly described herein and as shown on the maps attached hereto and made a part hereof by reference, subject to certain conditions.
  - c) MR-2007-095 Franklin Associates Architects, Inc. (Close & Abandon). An ordinance closing and abandoning an existing brick sewer line and manhole located at 710 East 4<sup>th</sup> Street, more particularly described herein and as shown on the maps attached hereto and made a part hereof by reference, subject to certain conditions.
  - d) MR-2007-109 Mount Canaan Baptist Church (Close & Abandon). An ordinance closing and abandoning the unopened 700 block of West Road, more particularly described herein and as shown on the maps attached hereto and made a part hereof by reference, subject to certain conditions.
  - e) 2007-121 UTC, c/o Janet Spraker (from C-3 & R-1 to R-4). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 701 East Martin Luther King Boulevard, more particularly described herein, from C-3 Central Business Zone and R-1 Residential Zone to R-4 Special Zone.
  - f) 2007-123 Everette V. Dyer (from R-2 & R-4 to R-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 1612 Kirby Avenue, more particularly described herein, from R-2 Residential Zone and R-4 Special Zone to R-1 Residential Zone.
  - g) 2007-126 Ed Wiseman (from C-2 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 737 McCallie Avenue, more particularly described herein, from C-2 Convenience Commercial Zone to C-3 Central Business Zone, subject to certain conditions.

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- h) 2007-132 Ken DeFoor (Lift Conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to lift conditions imposed in Ordinance No. 11841 (Case No. MR-2006-084) on a tract of land located at 7315 Shallowford Road, more particularly described herein, subject to certain conditions.
- i) 2007-134 Ken DeFoor (Lift Conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to lift conditions imposed in Ordinance No. 11932 (Case No. MR-2006-218) on a tract of land located at 7315 Shallowford Road, more particularly described herein, subject to certain conditions.
- j) 2007-138 CNE (from R-3 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 1605, 1609, 1611, and 1623 Madison Street and 611 East 17<sup>th</sup> Street, more particularly described herein, from R-3 Residential Zone to C-3 Central Business Zone, subject to certain conditions.
- k) 2007-139 CNE (from M-1 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 1800, 1802, 1804, 1808, and 1810 Madison Street, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.
- l) 2007-140 CNE (from R-3 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located in the 600 block of East 17<sup>th</sup> Street and the 1700 block of Madison Street, more particularly described herein, from R-3 Residential Zone to C-3 Central Business Zone, subject to certain conditions.
- m) 2007-142 GVH Shallowford Associates (from R-4 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 2245 Hickory Valley Road, more particularly described herein, from R-4 Special Zone to C-2 Convenience Commercial Zone, subject to certain conditions.
- n) 2007-143 City of Chattanooga, c/o Steve Leach (Amend Conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to amend Condition Nos. 1, 2, and 3 imposed in Ordinance No. 11572 (Case No. 2004-093) on a tract of land located at 2010 Godsey Drive, more particularly described herein.
- o) 2007-145 City of Chattanooga by RPA Staff (from C-2, C-3, M-1, and M-3 to URG). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone specific C-2 Convenience Commercial Zone, C-3 Central Business Zone, M-1 Manufacturing Zone, and M-3 Warehouse and Wholesale Zone properties within the South Broad Street Area, more particularly described herein, to URG Urban General Commercial Zone, subject to the attached Zoning Study.

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- p) 2007-147 City of Chattanooga, c/o Mayor's Office (from R-3 to M-1). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located in the 2900 and 3000 blocks of Alton Park Boulevard, more particularly described herein, from R-3 Residential Zone to M-1 Manufacturing Zone.
- q) An ordinance to amend Ordinance No. 11540 captioned, "An ordinance closing and abandoning a portion of the opened 5500 block of Clear Creek Road, more particularly described herein and as shown on the Map attached hereto and made a part hereof by reference, subject to certain conditions" to lift Condition No. 2 requiring a cul-de-sac.

### VI. Ordinances – First Reading:

- a) An ordinance to amend Chattanooga City Code, Part II, Chapter 7, Section 7-74, relative to keeping or possessing swine, goats or chickens.
- b) An ordinance appropriating from the Department of Parks and Recreation Capital Projects Fund to Chattanooga Junior Golfer's Development Program/The First Tee of Chattanooga, a non profit organization, the amount of \$43,000.00 for the design and engineering drawings for the Hickory Valley practice golf facility.

### VII. Resolutions:

- a) A resolution authorizing the donation of four (4) surplus roll-off containers from the Department of Public Works to Orange Grove Recycling Center.
- b) A resolution authorizing the Department of Public Works to accept a grant from the Tennessee Department of Agriculture for the development of the Lower Tennessee River Watershed Academy in the amount of \$57,500.00.
- c) A resolution authorizing the Mayor to enter into a contract with the Chattanooga Housing Authority (CHA) to create a minimum of twenty-five (25) units of permanent, supportive housing opportunities for individuals and families experiencing chronic homelessness in an amount not to exceed \$644,452.00, which funds are to be awarded from previously allocated Home Investment Partnership Act funds.
- d) A resolution authorizing the Administrator of the Department of Neighborhood Services and Community Development to cancel the contract with Chattanooga Housing Resource Board (CHRB) and transfer said contract to Chattanooga Neighborhood Enterprise (CNE) on an interim basis for the continuation of the Housing Information Service Line in an amount not to exceed \$50,400.00.
- e) A resolution authorizing the Personnel Director to execute a Subscriber Agreement with PHP Companies, Inc. d/b/a Cariten WORxS Program for medical management services for injuries sustained by employees while working.

### VIII. Overtime Report.

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**VIX. Departmental Reports:**

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

**X. Other Business.**

**XI. Committee Reports.**

**XII. Agenda Session for Tuesday, September 25, 2007**

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

**XIV. Adjournment.**

XII. Agenda Session for Tuesday, September 25, 2007:

**AGENDA FOR TUESDAY, SEPTEMBER 25, 2007**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Council Chair Page).
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 7, Section 7-74, relative to keeping or possessing swine, goats or chickens.
  - b) An ordinance appropriating from the Department of Parks and Recreation Capital Projects Fund to Chattanooga Junior Golfer's Development Program/The First Tee of Chattanooga, a non profit organization, the amount of \$43,000.00 for the design and engineering drawings for the Hickory Valley practice golf facility.
6. Ordinances – First Reading:
  - a) An ordinance to amend Ordinance No. 11994, entitled “An ordinance, hereinafter also known as ‘The Fiscal Year 2007-2008 Budget Ordinance,’ to provide revenue for the fiscal year beginning July 1, 2007, and ending June 30, 2008, 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; providing for interest and penalty on delinquent taxes and privileges” so as to set forth the Budget of the Interceptor Sewer System and to amend Chattanooga City Code, Part II, Chapter 31, Sections 31-15, 31-36, 31-37, 31-40, 31-41, and 31-43.
  - b) MR-2007-117 Long Street, LLC (Close and Abandon). An ordinance closing and abandoning the 1000 block of Linn Street, the 3000 block of Brown Street, an unopened alley beginning on the east line of the 3000 block of Long Street, and an unopened alley beginning on the north line of the 1000 block of Linn Street, more particularly described herein and as shown on the maps attached hereto and made a part hereof by reference. **(Recommended for approval by Planning and Public Works.)**
  - c) 2007-137 Phillip Mucci (from 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 1507 Kirby Avenue, more particularly described herein, from R-1 Residential Zone to R-2 Residential Zone. **(Deferred from 9/11/07. Recommended for approval by Planning. Recommended for denial by Staff.)**

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### 7. Resolutions:

- a) A resolution authorizing the appointment of Joseph P. Miller as special policeman (unarmed) for the City of Chattanooga Department of Public Works to do special duty as prescribed herein, subject to certain conditions.
- b) A resolution authorizing the Chief of Police to apply for and accept a grant from the Governor's Highway Safety Office in the amount of \$198,836.85 which will be used to purchase enforcement equipment including overtime for both directed enforcement and photo enforcement activities to assist in the Chattanooga Drives Safe Campaign.
- c) A resolution authorizing the Chief of Police to apply for and accept a grant from the Governor's Highway Safety Office in the amount of \$75,105.62 which will be used to purchase equipment and trailer to perform activities related to roadside sobriety enforcement, including overtime.
- d) A resolution authorizing the Department of Public Works to accept funds from Joe V. Williams III Properties for relocation of traffic controller relative to Contract No. T-06-002, The Two Way Conversion of 25<sup>th</sup> and 26<sup>th</sup> Streets in the amount of \$894.00.
- e) A resolution authorizing Al Shiflett to use temporarily the 600 block of Crest Drive to install a fence, as shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions.
- f) A resolution authorizing Ken Defoor to use temporarily part of Shallowford Road, more particularly described herein and as shown on the drawings attached hereto and made a part hereof by reference, for parking and installation of decorative lighting, subject to certain conditions.
- g) A resolution authorizing Joe Palmer to use temporarily part of West 21<sup>st</sup> Street, more particularly described herein and as shown on the drawings attached hereto and made a part hereof by reference, to install a new structure using the existing slab and footer, subject to certain conditions.
- h) A resolution authorizing Robert Gentry to use temporarily 200 West 2<sup>nd</sup> Street to install an exterior bend on the outside of the building, as shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions.

### 8. Overtime Report.

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9. Departmental Reports:
  - a) Department of Human Services.
  - b) Department of Parks and Recreation.
  - c) Department of Public Works.
  - d) Department of Neighborhood Services.
  - e) Department of Education, Arts & Culture.
  - f) Fire Department.
  - g) Police Department.
  - h) Department of Personnel.
  - i) Department of Finance and Administration
  - j) City Attorney.
10. Other Business.
11. Committee Reports.
12. Agenda Session for Tuesday, October 2, 2007
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.