

## AGENDA FOR TUESDAY, OCTOBER 2, 2007

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Benson).
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final 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) An ordinance appropriating, authorizing or allocating funds to the Capital Improvements Budget for the Fiscal Year 2007-2008 to amend the Fiscal Year 2007-2008 Budget Ordinance No. 11994 and to amend the Fiscal Year 2006 Capital Budget Ordinance No. 11762. **(Revised. Need Motion to substitute.)**
  - c) 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.)**
- VI. Ordinances – First Reading:
  - a) An ordinance appropriating from the General Fund to the Chattanooga Hamilton County Branch of the National Association for the Advancement of Colored People (NAACP) the amount of \$800.00, as sponsorship for “The 20<sup>th</sup> Annual Ruby Hurley Dinner.”
- VII. Resolutions:
  - a) A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into an Agreement with the American National Red Cross, Greater Chattanooga Area Chapter (“Red Cross”), for the use of the Brainerd and South Chattanooga Recreation Centers as Red Cross emergency shelters in the event of an emergency situation and authorizing the waiving of rental fees for the Red Cross in such event.

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- b) A resolution expressing the intent of the City of Chattanooga to issue bonds in the aggregate amount not to exceed \$20,000,000.00 of the City of Chattanooga, Tennessee for the purpose of paying all or a portion of the costs of the following: Improvements to Enterprise South Parkway (I-75 to Enterprise South); Enterprise South Boulevard; Enterprise South Wetlands/Detention; Road Improvements - Northpoint Boulevard Extension; Hamill Road (Hwy 153 - Hixson) and Hixson Area; Warner Park Improvements; and "Summit of Softball" Sports Complex.
- c) A resolution adopting a five-year Capital Improvement Plan for the City of Chattanooga, subject to future revisions, a copy of which is attached hereto and made a part hereof by reference. **(Added by permission of the Budget and Finance/Personnel Committee.)**

VIII. Overtime Report.

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, October 9, 2007

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, October 9, 2007:

**AGENDA FOR TUESDAY, OCTOBER 9, 2007**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Franklin).
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
  - a) An ordinance appropriating from the General Fund to the Chattanooga Hamilton County Branch of the National Association for the Advancement of Colored People (NAACP) the amount of \$800.00, as sponsorship for “The 20<sup>th</sup> Annual Ruby Hurley Dinner.”
6. Ordinances – First Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 24, Section 24-505, relative to Parking Meter Zones.
  - b) 2007-056 Frederick Metzger (from 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 5933 Fisk Avenue, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone. **(Deferred from 5/8/07 and 8/7/07. Not recommended for approval by Planning - see alternate version.)**

2007-056 Frederick Metzger (from 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 5933 Fisk Avenue, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Recommended for approval by Planning.)**
  - c) MR-2007-107 Thom Mills (Close & Abandon). An ordinance closing and abandoning the unopened 4100 and 4200 blocks of Broad Street, the unopened 2400 block of Mill Street, and the unopened 2400 block of an unnamed alley, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning, Staff, and Public Works - see alternate versions.)**

MR-2007-107 Thom Mills (Close & Abandon). An ordinance closing and abandoning the unopened 4100 and 4200 blocks of Broad Street, the unopened 2400 block of Mill Street, and the unopened 2400 block of an unnamed alley, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning and Public Works.)**

MR-2007-107 Thom Mills (Close & Abandon). An ordinance closing and abandoning the unopened 4100 and 4200 blocks of Broad Street, the unopened 2400 block of Mill Street, and the unopened 2400 block of an unnamed alley, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Staff.)**

- d) MR-2007-110 Bragg Point Properties, LLC (Close & Abandon). An ordinance closing and abandoning a portion of the unit block of Laurel Drive, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning, Staff, and Public Works - see alternate versions.)**

MR-2007-110 Bragg Point Properties, LLC (Close & Abandon). An ordinance closing and abandoning a portion of the unit block of Laurel Drive, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning and Public Works.)**

MR-2007-110 Bragg Point Properties, LLC (Close & Abandon). An ordinance closing and abandoning a portion of the unit block of Laurel Drive, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Staff.)**

- e) MR-2007-122 City of Chattanooga, c/o City Attorney (Close & Abandon). An ordinance closing and abandoning a public sanitary sewer line on a tract of land located at 61 and 100 North Market Street, more particularly described herein and as shown on the maps attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning and Public Works - see alternate version.)**

MR-2007-122 City of Chattanooga, c/o City Attorney (Close & Abandon). An ordinance closing and abandoning a public sanitary sewer line on a tract of land located at 61 and 100 North Market Street, more particularly described herein and as shown on the maps attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning and Public Works.)**

- f) MR-2007-127 City of Chattanooga, c/o City Engineer (Close & Abandon). An ordinance closing and abandoning an alley on a tract of land beginning at the west line of Magnolia Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for denial by Planning. Not recommended for approval by Staff and Public Works - see alternate version.)**

MR-2007-127 City of Chattanooga, c/o City Engineer (Close & Abandon). An ordinance closing and abandoning an alley on a tract of land beginning at the west line of Magnolia Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Staff and Public Works.)**

- g) 2007-154 Deanna Duncan & Terry Cannon (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 1642 and 1644 Rossville Avenue, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning - see alternate version.)**

2007-154 Deanna Duncan & Terry Cannon (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 1642 and 1644 Rossville Avenue, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- h) MR-2007-155 City of Chattanooga, c/o Steve Leach (Close & Abandon). An ordinance closing and abandoning sewer easements located between the unit block of Laurel Avenue and 200 block of Ridge Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning and Public Works - see alternate version.)**

MR-2007-155 City of Chattanooga, c/o Steve Leach (Close & Abandon). An ordinance closing and abandoning sewer easements located between the unit block of Laurel Avenue and 200 block of Ridge Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning and Public Works.)**

- i) 2007-159 City of Chattanooga, c/o City Engineer (Street Name Change). An ordinance to change the right-of-way name of the 1700 block of Shepherd View Drive to Shepherd View Circle, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for approval by Planning.)**

- j) 2007-159 City of Chattanooga, c/o City Engineer (Street Name Change). An ordinance to change the right-of-way name of the 1700 block of Shepherd View Drive to Shepherd View Circle, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for approval by Planning.)**

- k) 2007-162 Will Haisten (from R-3 & R-4 to C-7). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 14 Manning Street and in the 300 block of Woodland Avenue, more particularly described herein, from R-3 Residential Zone and R-4 Special Zone to C-7 North Shore Commercial/Mixed Use Zone. **(Not recommended for approval by Planning and Staff - see alternate versions.)**

2007-162 Will Haisten (from R-3 & R-4 to C-7). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 14 Manning Street and in the 300 block of Woodland Avenue, more particularly described herein, from R-3 Residential Zone and R-4 Special Zone to C-7 North Shore Commercial/Mixed Use Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

2007-162 Will Haisten (from R-3 & R-4 to C-7). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 14 Manning Street and in the 300 block of Woodland Avenue, more particularly described herein, from R-3 Residential Zone and R-4 Special Zone to C-7 North Shore Commercial/Mixed Use Zone, subject to certain conditions. **(Recommended for approval by Staff.)**

- l) 2007-163 John Prestwood (from 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 875 Intermont Road, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone. **(Not recommended for approval by Planning and Staff - see alternate versions.)**

2007-163 John Prestwood (from 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 875 Intermont Road, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

2007-163 John Prestwood (from R-1 to O-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 875 Intermont Road, more particularly described herein, from R-1 Residential Zone to **O-1 Office Zone**, subject to certain conditions. **(Recommended for approval by Staff.)**

- m) 2007-165 GVH Shall-Jen Associates, Greg Hurley (from R-2 to C-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 7906 Shallowford Road, more particularly described herein, from R-2 Residential Zone to C-2 Convenience Commercial Zone. **(Recommended for denial by Planning.)**

- n) 2007-167 Geoffrey Tarr (from M-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 621 East Main Street, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning - see alternate version.)**

2007-167 Geoffrey Tarr (from M-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 621 East Main Street, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- o) 2007-171 City of Chattanooga, c/o City Engineer (Street Name Change). An ordinance to change the right-of-way name of the 1700 block of Petty Road to Southernwood Drive, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for approval by Planning.)**

7. Resolutions:

- a) A resolution authorizing acceptance of funds toward sponsorship of Go!Fest 2007.
- b) A resolution authorizing the Administrator of the Department of Parks and Recreation to negotiate an Interlocal Agreement with Hamilton County for the installation of a walking trail at the John A. Patten Recreation Center and authorizing the Mayor to execute the final Interlocal Agreement approved by the City Attorney.
- c) A resolution authorizing the Administrator of the Department of Parks and Recreation to negotiate an Interlocal Agreement with Hamilton County for the installation of a walking trail at the Shepherd Recreation Center and authorizing the Mayor to execute the final Interlocal Agreement approved by the City Attorney.
- d) A resolution authorizing the Mayor to extend the professional services contract for grant writing with Strategy Team Facilitators Consultants for an additional twelve (12) months to continue to assist the Mayor and City departments with strategic planning, project planning and implementation, community involvement, inter-organizational collaboration, and resource development related to various City initiatives for an amount not to exceed the current rate of \$8,888.89 per month.
- e) A resolution authorizing the Department of Public Works to apply for, and if awarded, accept a grant from the Tennessee Wildlife Resource Agency for the TWRA Aquatic Habitat Protection Program to assist the Water Quality Program with stream clean-up projects in an amount not to exceed \$1,000.00.
- f) A resolution authorizing the purchase of a right-of-way and temporary construction easement from E. Clifford Wolfe at 2105 Hamill Road, Parcel No. 110J-A-012, Tract No. 03, relative to the Northpoint Boulevard Extension Project, Contract No. E-06-006, for an amount not to exceed \$32,385.00.
- g) A resolution authorizing the purchase of a right-of-way and temporary construction easement from Virgil Raymond Catlett, III and Ruth Ann Catlett at 2111 Hamill Road, Parcel No. 110J-A-013, Tract No. 01, relative to the Northpoint Boulevard Extension Project, Contract No. E-06-006, for an amount not to exceed \$45,240.00, with a payment to each owner in the amount of \$22,620.00.
- h) A resolution authorizing the purchase of a right-of-way, permanent drainage easement, and temporary construction easement from Allemande Hall, Inc. at 7400 Standifer Gap Road, Parcel No. 149B-A-024, Tract No. 02, relative to the Gunbarrel Road at Standifer Gap Road Intersection Improvement Project, Contract No. E-05-024, for an amount not to exceed \$5,125.00.
- i) A resolution authorizing the Mayor to enter into and execute an agreement with the Southeast Development Corporation to coordinate the City Brownfields Redevelopment Program, develop, manage, and market HUD 108 Revolving Loan Fund, facilitate the development planning, and complete plans for a development finance Center in an amount not to exceed \$95,000.00.

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- j) A resolution authorizing the Mayor to apply for and, if awarded, accept an Environmental Protection Agency Brownfields Cleanup Grant in the amount of \$200,000.00 to cleanup a portion of the former Anchor Glass Site on Ohls Avenue, which, if awarded, will require local matching funds of \$100,000.00.
- k) A resolution authorizing the Administrator of the Department of Public Works to execute an agreement with S&ME, Inc relative to Contract No. E-06-009-301, Stormwater As-Found GIS Program - Phase IV, in an amount not to exceed \$2,000.00.
- l) A resolution authorizing the Administrator of the Department of Public Works to execute an agreement with Tri-State Testing & Drilling, LLC relative to Contract No. W-05-003-302 in an amount not to exceed \$284.25.
- m) A resolution authorizing the execution of Change Order No. 1 relative to Contract No. E-06-011, Roadway Resurfacing, with Southeastern Materials, Inc., which change order decreases the contract amount by \$71,075.89, for a revised contract amount not to exceed \$1,514,424.11.
- n) A resolution to make certain findings relating to the Scannell Properties #85, LLC and FedEx Ground Package System, 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 Payments in Lieu of Ad Valorem Taxes.
- o) A resolution to make certain findings relating to the FedEx Ground Package System, Inc. Project, to delegate 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 Payments in Lieu of Ad Valorem Taxes.
- p) A resolution to make certain findings relating to the Madem Reels USA, Inc. Project, to delegate 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 Payments in Lieu of Ad Valorem Taxes.
- q) A resolution to make certain findings relating to the National Print Group, Inc./National Posters, Inc. Project, to delegate 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 Payments in Lieu of Ad Valorem Taxes.
- r) A resolution to make certain findings relating to the Southern Champion Tray, L.P. Project, to delegate 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 Payments in Lieu of Ad Valorem Taxes.

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- s) 2004-023 Iris Knoll Development Company (Final PUD). A resolution approving a Special Exceptions Permit for a Planned Unit Development known as the Iris Knoll Planned Unit Development, on a tract of land located in the 6600 block of Sandwitch Road, more particularly described herein and as shown on the Final Planned Unit Development Plan attached hereto and made a part hereof by reference, subject to certain conditions.
  - t) 2007-164 Windward Properties (Prelim. PUD). A resolution approving a Special Exceptions Permit for a Planned Unit Development on tracts of land located in the 4500 block of Webb Road, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, subject to certain conditions.
  - u) 2007-166 William H. Ring, WHR Properties (Prelim. PUD). A resolution approving a Special Exceptions Permit for a Planned Unit Development, known as the Dallas Road Planned Unit Development, on tracts of land located in the 1000 block of Dallas Road, more particularly described herein and as shown on the Final Planned Unit Development 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 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 16, 2007
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.