

AGENDA FOR TUESDAY, OCTOBER 9, 2007

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Franklin).
- III. Minute Approval.
- IV. Special Presentations.
- V. 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 20th Annual Ruby Hurley Dinner.”
- VI. 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.)**

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 - 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.)**

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- 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.)**

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- 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.)**

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- 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.)**

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- 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.)**

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- 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.)**

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- 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) 2007-160 City of Chattanooga, c/o City Engineer (Street Name Change). An ordinance to change the right-of-way name of an unopened portion of Lake Resort Drive to Trailhead 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.)**

- 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.)**

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- 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.)**

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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-1 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.)**

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- 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.)**

VII. Resolutions:

- a) A resolution authorizing the acceptance of funds toward the sponsorship of Go!Fest 2007, "Living Life Without Limitations," and expressing the gratitude of the Mayor and City Council for said sponsorships and support of the event.
- 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 current contract with Strategy Team Facilitators Consultants for an additional twelve (12) months to assist the Mayor with strategic planning, targeted area economic development, project planning and implementation, inter-organizational collaboration and community-based capacity building, community involvement, and resource development in 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 Mayor to apply for and, if awarded, accept an Environmental Protection Agency Brownfields Job Training Grant in the amount of \$200,000.00 to develop a Brownfields Assessment and Cleanup Job Training Program in areas affected by Brownfields.
- l) 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.
- m) 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.
- n) 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.
- o) 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.
- p) 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.
- q) 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.
- r) A resolution authorizing Bragg Point Properties to use temporarily a portion of the unopened unit block of Laurel Drive north of the closure and abandonment referenced in Case No. MR-2007-110 to reconfigure access to their property, more particularly described in Case No. MR-2007-110 and shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions.

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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.

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 16, 2007

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, October 16, 2007:

AGENDA FOR TUESDAY, OCTOBER 16, 2007

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Rico).
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final 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.)**

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- 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.)**
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6. Ordinances – First Reading:

- a) An ordinance to amend Chattanooga City Code, Part II, Chapter 26, Sections 26-13 and 26-14, establishing permit fees for usage of various Chattanooga Parks and Recreation Facilities, and by deleting Sections 26-59, 26-60, and 26-71 through 26-90 in their entirety.

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- b) An ordinance to amend Chattanooga City Code, Part II, Chapter 26, Sections 26-22 through 26-25 and 26-134, and by adding new Sections 26-26 through 26-34, establishing the event fees for usage of various Chattanooga Parks and Recreation Facilities.
 - c) An ordinance granting unto Covista Communications a franchise for a larger area than provided in Ordinance No. 11859 to install and maintain fiber optic cables in rights-of-way in the City of Chattanooga as described herein to provide telecommunications services, subject to certain conditions.
7. Resolutions:
- a) A resolution authorizing the Administrator of the Department of Parks and Recreation to accept a payment from the Greater Chattanooga Sports and Events Committee in the amount of \$15,000.00 to assist in the construction of a boat entrance ramp for rowing events on the waterfront.
 - b) A resolution authorizing the Administrator of the Department of Public Works to apply for, and if awarded, accept a five (5) year grant (Years 2007 to 2012) from the Tennessee Department of Environment and Conservation, Division of Community Assistance, relative to the Household Hazardous Waste Program, in an amount up to \$85,000.00 per year, for a total amount up to \$425,000.00.
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 23, 2007
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.