

AMENDED AGENDA FOR TUESDAY, MAY 5, 2009

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

“National Exercise for Medicine Month” – Jenny Lass

V. Ordinances – Final Reading:

- a) 2009-012 Provident Life and Accident Insurance Company (Franchise). An ordinance granting unto Provident Life & Accident Insurance Company a franchise to construct and maintain a pedestrian bridge over the 100 block of East Fifth Street in the City of Chattanooga and any below grade foundations 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.)**

VI. Ordinances – First Reading:

- a) An ordinance to amend Chattanooga City Code, Part II, Chapter 35, Vehicles for Hire, Section 35-17, to reconstitute the Transportation Board, and Section 35-55 relative to driver’s permits.
- b) 2009-028 Jimar Sanders (Miller & Martin, Attorneys) (Close & Abandon). An ordinance closing and abandoning a portion of the unopened 4400 block of Calhoun 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.)**

2009-028 Jimar Sanders (Miller & Martin, Attorneys) (Close & Abandon). An ordinance closing and abandoning a portion of the unopened 4400 block of Calhoun 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.)**

VII. Resolutions:

- a) A resolution authorizing payment in the amount of \$25,900.00 to Hamilton County Government as the City’s portion of the cost to refurbish the *Fireman’s Memorial Fountain* as per an agreement dated May 16, 1988.
- b) A resolution authorizing the City of Chattanooga to amend the Consolidated Plan 2008 Action Plan to accept an allocation of \$465,678.00 of Community Development Block Grant funds from the U.S. Department of Housing and Urban Development awarded under the American Recovery and Reinvestment Act of 2009 (Stimulus Funds), and authorizing the Department of Neighborhood Services and Community Development to distribute and manage the funds.

Amended Agenda for Tuesday, May 5, 2009

Page 2 of 6

- c) A resolution authorizing the City of Chattanooga to amend the Consolidated Plan 2008 Action Plan to accept an allocation of \$712,946.00 from the U.S. Department of Housing and Urban Development awarded under the Homeless Prevention and Rapid Re-Housing Program (Stimulus Funds), and authorizing the Department of Neighborhood Services and Community Development to distribute and manage the funds.
- d) A resolution declaring surplus and authorizing conveyance of two (2) 2006 police patrol vehicles to the Meigs County Sheriff's Department for the sum of \$17,600.00.
- e) A resolution authoring the award of Contract No. E-08-028-201, Old Hixson Pike Roadway Improvements, to Thomas Brothers Construction, Inc. in the amount of \$644,211.64, plus a contingency amount of \$64,488.35, for a total contract amount not to exceed \$708,700.00, **subject to continuing appropriation in fiscal year 2010 budget**, and authorizing acceptance of funds from the Hamilton County Board of Education in the amount of \$10,000.00 and from Hixson Development Partners, LLC in the amount of \$25,000.00 for said project.
- f) A resolution authorizing James C. Hudson, III, on behalf of Regions Bank, to use temporarily the right-of-way at 345 Frazier Avenue to install a directional sign, as shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions.
- g) A resolution authorizing Mitchell Bell, on behalf of the Sweet Peppers Deli, to use temporarily 407 Broad Street to install a canopy along a portion of the right-of-way, as shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions.
- h) A resolution authorizing Karen L. Loveless to use temporarily the right-of-way at 116 Cross Street to install a 6' wide handicap ramp that will service a new banquet space currently under construction, as shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions.
- i) **A resolution authorizing the award of Contract No. E-04-036-201, Enterprise South Roadway Extension Phase 1, to Talley Construction Company, Inc. in the amount of \$2,029,805.16, plus a contingency amount of \$202,979.84, for a total contract amount not to exceed \$2,232,785.00, with the City's portion estimated at \$223,278.50. (Added by permission of Council Chair Benson.)**
- j) **A resolution authorizing the Fire Chief to apply for and, if awarded, accept an Assistance to Firefighters Grant (AFG) for two (2) fire engines and seven (7) emergency power generators in the amount of \$994,000.00 with the City's portion of \$198,800.00.**

VIII. Overtime Report.

Amended Agenda for Tuesday, May 5, 2009

Page 3 of 6

IX. 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, May 12, 2009.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, May 12, 2009:

AGENDA FOR TUESDAY, MAY 12, 2009

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilwoman Ladd)
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 35, Vehicles for Hire, Section 35-17, to reconstitute the Transportation Board, and Section 35-55 relative to driver's permits.
 - b) 2009-028 Jimar Sanders (Miller & Martin, Attorneys) (Close & Abandon). An ordinance closing and abandoning a portion of the unopened 4400 block of Calhoun 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.)**

2009-028 Jimar Sanders (Miller & Martin, Attorneys) (Close & Abandon). An ordinance closing and abandoning a portion of the unopened 4400 block of Calhoun 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.)**
6. Ordinances – First Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Section 38-2, Section 38-185, and Section 38-527, relative to the regulation of nightclubs.
 - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article II, Article V, and Article VIII Definitions, to clarify use regulations for cemetery, cremation, crematory, columbarium, funeral home, mausoleum, mortuary, and undertaking.
 - c) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Section 38-171, to include “single-family detached dwellings” as a permitted use in the O-1 Office Zone.
 - d) An ordinance to amend Chattanooga City Code, Chapter 5, by adding a new Article VI, Sections 5-189 through 5-194, relative to Special Gathering Permits.
 - e) An ordinance to amend Chattanooga City Code, Part II, Chapter 22, Section 2-713 relative to the Advisory Board of Multicultural Affairs.

- f) 2008-116 William W. Wise c/o Ronald Feldman (from M-1 & R-4 to C-3). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 120 Market Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from M-1 Manufacturing Zone and R-4 Special Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning – see alternate version.)**

2008-116 William W. Wise c/o Ronald Feldman (from M-1 & R-4 to C-3). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 120 Market Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from M-1 Manufacturing Zone and R-4 Special Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- g) 2009-059 City of Chattanooga c/o City Council (from R-3 to R-1, R-3 & C-2 to R-1). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land bounded on the north by the 1900 thru 2100 blocks of Citico Avenue, on the south by the 1900 thru 2200 blocks of McCallie Avenue, on the east by the 100 thru 300 blocks of North Lyerly Street and the 400 thru 700 blocks of Dodson Avenue, and on the west by the 100 thru 700 blocks of North Orchard Knob Avenue, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, from R-3 Residential Zone to R-1 Residential Zone and from R-3 Residential Zone and C-2 Convenience Commercial Zone to R-1 Residential Zone. **(Recommended for approval by Planning.)**

7. Resolutions:

- a) A resolution authorizing the Chief of Police to apply for and, if awarded, accept a grant from the Edward Byrne Memorial Competitive Grant Program for \$1,129,869.00, which will be used to hire and buy uniforms for 20 part-time police service technicians who will be assigned in positions that will supplement sworn police officers.
- b) A resolution rescinding Resolution No. 25876 and authorizing the Mayor to execute all documents necessary relative to a U.S. Economic Development Administration Grant in an amount of \$3,000,000.00 for Enterprise South Industrial Park Rail Improvements with the Chattanooga match not to exceed \$1,500,000.00.
- c) A resolution authorizing Jerry Gross to use temporarily 225 East 8th Street to install an awning, as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions.
- d) A resolution authorizing the award of Contract No. E-08-027-201, Traffic Operations Re-Roofing Project to JDH Company, Inc., in the amount of \$77,799.11, plus a contingency amount of \$7,780.89, for a total amount not to exceed \$85,580.00.

Amended Agenda for Tuesday, May 5, 2009

Page 6 of 6

- e) A resolution authorizing the Director of General Services to enter into an easement and license agreement with Cameron Harbor, LLC and Harbor Lodging for Marina Slips 1-37 in reference to the marina expansion in front of Parcels 135N-A-6.01 and 135N-A-005.
 - f) A resolution authorizing the appointment of Robert Christopher Clark and Kiri Krupp as special police officers (unarmed) for Animal Care Trust d/b/a McKamey Animal Care and Adoption Center, Inc., to do special duty as prescribed herein, subject to certain conditions.
 - g) 2008-216 Don Walker. A resolution approving a Special Exceptions Permit for a Preliminary Planned Unit Development on tracts of land located in the 4600 block of Heiskell 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.)**
 - h) 2009-049 Jonathan Griffin. A resolution approving a Special Exceptions Permit for a duplex in an R-1 Residential Zone on a tract of land located at 1740 Ocoee 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.)**
 - i) 2009-056 Atlas Developers, LLC. A resolution approving a Special Exceptions Permit for a Preliminary and Final Planned Unit Development, known as the Andover Place Planned Unit Development, Lots 1 through 33, on tracts of land located in the 1600 thru 1800 blocks of Andover Place, 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.)**
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, May 19, 2009
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.