

## AMENDED AGENDA FOR TUESDAY, AUGUST 18, 2009

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman McGary)
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, to include suburban infill lot frontage and setback regulations and urban infill lot compatibility subdivision option, delete flag lot provisions, and change the definition of frontage.
  - b) 2009-087 Eric Myers (Elemi Architects, LLC) (R-3 Residential Zone and R-2 Residential Zone to RT-1 Residential Townhouse Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 600 block of Hamilton Avenue and 640 North Market Street, more particularly described herein and as shown on the maps and drawings attached hereto and made a part hereof by reference, from R-3 Residential Zone and R-2 Residential Zone to RT-1 Residential Townhouse Zone, subject to certain conditions.
  - c) MR-2009-097 City of Chattanooga c/o Dan Thornton (Closing and Abandonment). An ordinance closing and abandoning a right-of-way of the 400 block of Cherry Street and the southern right-of-way of the 100 block of East 4<sup>th</sup> Street, more particularly described herein and as shown on the maps and drawings attached hereto and made a part hereof by reference, subject to certain conditions.
- VI. Ordinances – First Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Sections 38-2, 38-185, and 38-527, relative to the regulation of nightclubs.
- VII. Resolutions:
  - a) A resolution authorizing the Chief of Police to apply for and accept a grant from the City of Knoxville in the amount of \$247,951.68 to be used to fund a position and overtime in the Police Department's Internet Crimes Against Children Division for a period of three (3) years with no matching funds required.
  - b) A resolution authorizing payment to the Tennessee Municipal League for 2009-2010 Annual Membership dues in the amount of \$24,252.00.
  - c) A resolution authorizing the Mayor to execute an Assignment and Assumption Agreement regarding the Custom Baking Company Project Payment in Lieu of Ad Valorem Tax Agreement.

- d) A resolution to amend Resolution No. 26031, encaptioned, “A resolution authorizing and directing the Clerk of the Council to advertise for public hearing on September 1, 2009, the annexation of Area 1B which is adjacent to Cummings Highway within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as described herein below and as shown on the attached map, contiguous to the City limits of Chattanooga,” to revise the public hearing date to September 15, 2009. (Added by permission of Council Chair Benson.)**
- e) A resolution to amend Resolution No. 26032, encaptioned, “A resolution authorizing and directing the Clerk of the Council to advertise for public hearing on September 3, 2009, the annexation of Area 4A which is between Hixson Pike and Middle Valley Road within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as described herein below and as shown on the attached map, contiguous to the City limits of Chattanooga,” to revise the public hearing date to September 17, 2009. (Added by permission of Council Chair Benson.)**
- f) A resolution to amend Resolution No. 26033, encaptioned, “A resolution authorizing and directing the Clerk of the Council to advertise for public hearing on September 3, 2009, the annexation of Area 4C which is adjacent to the current City limits of Hixson Marina Road, Big Ridge Road, and Fairview Road within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as described herein below and as shown on the attached map, contiguous to the City limits of Chattanooga,” to revise the public hearing date to September 17, 2009. (Added by permission of Council Chair Benson.)**
- g) A resolution authorizing and directing the Clerk of the Council to advertise for public hearing on September 22, 2009, the annexation of Area 8A which is adjacent to Interstate 75 and Hunter Road within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as described herein below and as shown on the attached map, contiguous to the limits of Chattanooga.**
- h) A resolution authorizing and directing the Clerk of the Council to advertise for public hearing on September 22, 2009, the annexation of Area 8B which is adjacent to Interstate 75 and Relocation Way within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as described herein below and as shown on the attached map, contiguous to the limits of Chattanooga.**
- i) A resolution authorizing and directing the Clerk of the Council to advertise for public hearing on September 22, 2009, the annexation of Area 9A which is adjacent to the Enterprise South Property and the right-of-way of Interstate 75 within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as described herein below and as shown on the attached map, contiguous to the limits of Chattanooga.**

- j) **A resolution authorizing and directing the Clerk of the Council to advertise for public hearing on September 22, 2009, the annexation of Area 9B which is adjacent to Old Lee Highway and Apison Pike within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as described herein below and as shown on the attached map, contiguous to the limits of Chattanooga.**
- k) **A resolution authorizing and directing the Clerk of the Council to advertise for public hearing on September 24, 2009, the annexation of Area 11A which is adjacent to the current City limits of Morris Hill Road, East Brainerd Road, and Igou Gap Road within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as described herein below and as shown on the attached map, contiguous to the limits of Chattanooga.**
- l) **A resolution authorizing and directing the Clerk of the Council to advertise for public hearing on September 29, 2009, the annexation of Area 10A which is adjacent to Old Lee Highway in Hamilton County, Tennessee, as described herein below and as shown on the attached map, contiguous to the limits of Chattanooga.**
- m) **A resolution authorizing and directing the Clerk of the Council to advertise for public hearing on September 29, 2009, the annexation of Area 10B which is adjacent to Old Lee Highway and Apison Pike in Hamilton County, Tennessee, as described herein below and as shown on the attached map, contiguous to the limits of Chattanooga.**

VIII. Overtime Report.

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, August 25, 2009.

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

XIV. Adjournment.

XV. Agenda Session for Tuesday, August 25, 2009:

**AGENDA FOR TUESDAY, AUGUST 25, 2009**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Murphy)
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Sections 38-2, 38-185, and 38-527, relative to the regulation of nightclubs.
6. Ordinances – First Reading:
7. Resolutions:
  - a) A resolution authorizing the execution of Change Order No. 1 (Final), relative to Contract No. E-08-003-202, 2008 City Sidewalk Requirements Contract with Yerbey Concrete Construction, Inc., which change order is to decrease the contract amount by \$12,738.82, for a revised contract amount of \$183,416.78, and to release the contingency amount of \$19,614.40. **(Deferred from 8/11/09.)**
  - b) A resolution authorizing payment in the amount of \$159,000.00, **minus closing costs and attorneys' fees**, to Vijay Chaudhari and Joseph Chaudhari, LLC upon the City's simultaneous receipt of an executed Quitclaim Deed from Vijay Chaudhari and Joseph Chaudhari, LLC for the property conveyed by the City of Chattanooga to Vijay Chaudhari by Warranty Deed with the Possibility of Reverter dated December 20, 2005, and recorded in Deed Book 7794, Page 729, Register's office of Hamilton County, Tennessee, conveying a fee simple determinable interest in Parcels 146H-K-011, 146H-K-012, 146H-K-013, and 146H-K-013.01, and upon the City's simultaneous receipt of a partial release of Parcel Number 146H-K-012 from the lien of that certain Deed of Trust in favor of Cornerstone Community Bank recorded in Book 8180, Page 442, Register's office of Hamilton County, Tennessee. **(Revised.)**
  - c) A resolution authorizing amendment of the City of Chattanooga 401(a) Retirement Plan to address **changed regulations under** the Internal Revenue Code, and authorizing the City Finance Officer to execute any and all documents necessary in connection with said amendment. **(Revised.)**
  - d) **A resolution authorizing Robert B. Doak to use temporarily the right-of-way for a signage at ten (10) locations for the Tennessee Civil War Trail, as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions.**

- e) **A resolution authorizing the Administrator of the Department of Parks and Recreation to accept a proposal provided by Aquamarine Swimming Pool Company for the design, supply, and construction installation of a complete zero-depth water spraypark and filtration system at the Warner Park Pool in the amount of \$420,500.00 along with a project contingency of seven percent (7%) for a total amount not to exceed project amount of \$450,000.00, half of which will be provided by the State.**
- 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, September 1, 2009
  - 13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
  - 14. Adjournment.