

AMENDED AGENDA FOR TUESDAY, SEPTEMBER 15, 2009

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilwoman Ladd)
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Section 38-84, regarding the use of the Urban Overlay Zone within R-TZ Residential Townhouse/Zero Lot Line Zone.
 - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Section 38-402(1)(c) to change a condition for residential planned unit developments. **(Revised.)**
 - c) An ordinance to amend Chattanooga City Code, Part II, Chapter 26, Sections 26-22, 26-23, 26-24, 26-25, and 26-134, and by adding new Sections 26-26, 26-27, 26-28, 26-29, 26-30, 26-31, 26-32, 26-33, and 26-34, establishing event fees for usage of various Chattanooga Parks and Recreation facilities.
 - d) 2009-114 Armstrong, Weber, Randall, LLC c/o Andrew Mattox (R-3 to UGC). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone part of a tract of land located at 1711 Baldwin Street, more particularly described herein, from R-3 Residential Zone to UGC Urban General Commercial Zone.
- VI. Ordinances – First Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Sections 38-264 and 38-266, and by adding Section 38-527 relative to a Special Exceptions Permit for beer sales in neighborhood grocery stores. **(Deferred from 9/8/09.)**
 - b) **An ordinance to amend Chattanooga City Code, Part II, Chapter 3, Section 3-96 relative to placement of traffic directional signs and delete 3-116 regarding Business directional signs. (Revised.)**
 - c) **An ordinance to amend Chattanooga City Code, Part II, Chapter 24, Section 24-273(d)(4), relative to the use of revenues generated by the City’s Traffic Control Photographic System. (Added by permission of Council Chair Benson and Vice-Chair Rico.)**

- d) **An ordinance hereinafter also known as “the Fiscal Year 2009-2010 Budget Ordinance,” to provide revenue for the fiscal year beginning July 1, 2009, and ending June 30, 2010; 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; and to amend Chattanooga City Code, Part I, Chapter 2, Section 2-267, relative to paid leave for active-duty training. (Deferred from 09-08-09)**

VII. Resolutions:

- a) 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. **(Deferred from 8/25/09.)**
- b) A resolution designating an economic Recovery Zone which shall include areas as shown on the map attached hereto and made a part hereof by reference. **(Revised.)**
- c) A resolution authorizing the Chief of Police to negotiate and enter into a memorandum of understanding with Hamilton County, Tennessee in substantially the form attached hereto and incorporated herein by reference.
- d) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement relative to Contract No. T-09-002-201 with Arcadis, U.S., Inc. for a Transportation Planning Study for Moccasin Bend Archeological District in an amount not to exceed \$98,500.00. **(Added by permission of Council Vice-Chair Rico.)**
- e) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement relative to Contract No. W-09-021-201 with MAP Engineers, LLC, Bonny Oaks Drive Sewer Relocation at Railroad Bridge in an amount not to exceed \$13,650.00. **(Added by permission of Council Vice-Chair Rico.)**
- f) 2007-166 R and S Development (PUD Special Exceptions Permit.) A resolution approving a proposed final Planned Unit Development Special Exceptions Permit for a Planned Unit Development known as Dallas Road Subdivision Planned Unit Development on tracts of land located in the 1000 block of Dallas Road, more particularly described herein and as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions. **(Deferred from 9/8/09.)**
- g) 2009-PW-012 City of Chattanooga, c/o Bill Payne, City Engineer (Street Name Change). A resolution to change the right-of-way name of the 800 through 899 block of Wells Street to the 807 through 899 block of Forest Avenue, due to 911 issues.

Amended Agenda for Tuesday, September 15, 2009

Page 3 of 7

- h) 2009-PW-013 City of Chattanooga, c/o Bill Payne, City Engineer (Street Name Change). A resolution to change the right-of-way name of the 700 through 799 block of Natchez Circle (AKA Natchez Road) to the 1800 through 1999 block of Notting Hill, due to 911 issues, with the 1000 through 1099 block portion of North Natchez Road remaining unchanged.
- i) 2009-PW-014 City of Chattanooga, c/o Bill Payne, City Engineer (Street Name Change). A resolution to change the right-of-way name of the portion of Oak Street between Oak Hill Road and the dead end to the 4600 block of Begonia Lane, due to duplicate street names.
- j) 2009-PW-015 City of Chattanooga, c/o Bill Payne, City Engineer (Street Name Change). A resolution to change the right-of-way name of the 1 through 99 block of Beason Drive to the 800 through 899 block of McRoy Drive, due to duplicate street names.
- k) 2009-PW-016 City of Chattanooga, c/o Bill Payne, City Engineer (Street Name Change). A resolution to change the right-of-way name of the 500 through 599 block of West Crewdson Street to the 500 through 599 block of Moonhollow Lane, due to 911 issues.
- l) 2009-PW-018 City of Chattanooga, c/o Bill Payne, City Engineer (Street Name Change). A resolution to change the right-of-way name of the 4700 through 4719 block of Charlotte Drive to the 2600 through 2699 block of Bryant Road, due to plat correction.
- m) A resolution authorizing and directing the Clerk of the Council to advertise for public hearing on October 13, 2009, at 7:00 p.m., the annexation of Area 3A, which is adjacent to Textile Lane and Cummings Highway near Lookout Creek at the base of Lookout Mountain, located in Hamilton County, Tennessee, as described herein below and as shown on the attached map.
- n) A resolution authorizing and directing the Clerk of the Council to advertise for public hearing on October 13, 2009, at 7:00 p.m., the annexation of Area 3C, which includes properties adjacent to Ruby Falls and the U.S. Park Service and Resource Division, on the side of Lookout Mountain, located in Hamilton County, Tennessee, as described herein below and as shown on the attached map.
- o) A resolution authorizing and directing the Clerk of the Council to advertise for public hearing on October 15, 2009, at 6:00 p.m., the annexation of Area 4B, which includes properties adjacent to Hixson Pike, Thrasher Pike and/or Stonington, Gold Crest, Dahl Springs, Houser Ridge, Ely Ford, Bullock, Manassas Gap, Dove Field, Jackson Mill, Rapidan River, Orange Plank, Bayonet, Brigade, Musket, Clearwater, and Cotter Streets, located in Hamilton County, Tennessee, as described herein below and as shown on the attached map.
- p) A resolution authorizing and directing the Clerk of the Council to advertise for public hearing on October 20, 2009, at 7:00 p.m., the annexation of Area 6A, which includes properties adjacent to Highway 58 and Turkeyfoot Road, located in Hamilton County, Tennessee, as described herein below and as shown on the attached map.

Amended Agenda for Tuesday, September 15, 2009

Page 4 of 7

- q) A resolution authorizing and directing the Clerk of the Council to advertise for public hearing on October 20, 2009, at 7:00 p.m., the annexation of Area 6B, which is adjacent to Highway 58 and Hickory Valley Road, located in Hamilton County, Tennessee, as described herein below and as shown on the attached map.
- r) A resolution authorizing and directing the Clerk of the Council to advertise for public hearing on October 20, 2009, at 7:00 p.m., the annexation of Area 6C, which is adjacent to Highway 58 and includes Highway 58 road frontage lots from Central High School to Harrison-Ooltewah Road, located in Hamilton County, Tennessee, as described herein below and as shown on the attached map.
- s) A resolution authorizing and directing the Clerk of the Council to advertise for public hearing on October 22, 2009, at 6:00 p.m., the annexation of Area 12A, which is adjacent to Ooltewah-Ringgold Road, and the Georgia state line and includes Hurricane Creek Subdivision, located in Hamilton County, Tennessee, as described herein below and as shown on the attached map.
- t) A resolution authorizing and directing the Clerk of the Council to advertise for public hearing on October 27, 2009, at 7:00 p.m., the annexation of Area 12B, which is adjacent to East Brainerd Road and Ooltewah-Ringgold Road, and includes Emerald Valley Subdivision and frontage lots on East Brainerd and Ooltewah-Ringgold Road, located in Hamilton County, Tennessee, as described herein below and as shown on the attached map.

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, September 22, 2009.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, September 22, 2009:

AGENDA FOR TUESDAY, SEPTEMBER 22, 2009

1. Call to Order.
2. Pledge of Allegiance/Invocation (Council Chair Benson)
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 38-264 and 38-266, and by adding Section 38-527 relative to a Special Exceptions Permit for beer sales in neighborhood grocery stores. **(Deferred from 9/8/09.)**
 - b) **An ordinance to amend Chattanooga City Code, Part II, Chapter 3, Section 3-96 relative to placement of traffic directional signs and delete 3-116 regarding Business directional signs. (Revised.)**
 - c) **An ordinance to amend Chattanooga City Code, Part II, Chapter 24, Section 24-273(d)(4), relative to the use of revenues generated by the City's Traffic Control Photographic System. (Added by permission of Council Chair Benson and Vice-Chair Rico.)**
 - d) **An ordinance hereinafter also known as "the Fiscal Year 2009-2010 Budget Ordinance," to provide revenue for the fiscal year beginning July 1, 2009, and ending June 30, 2010; 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; and to amend Chattanooga City Code, Part I, Chapter 2, Section 2-267, relative to paid leave for active-duty training. (Deferred from 09-08-09)**
6. Ordinances – First Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 18, Section 18-165, so as to provide for appeals to the public officer of notice to abate a public nuisance.
 - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 3, Article X, Section 3-102, relative to Jurisdiction of the Board.
 - c) **An ordinance adopting a Plan of Services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of the City of Chattanooga, being certain parcels adjacent to Cummings Highway within the Urban Growth Boundary of The City of Chattanooga, in Hamilton County, Tennessee, as shown by the attached map. (Added by permission of Council Chair Benson and Vice-Chair Rico.)**

- d) **An ordinance adopting a Plan of Services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of the City of Chattanooga, being certain parcels adjacent to the current city limits between Hixson Pike and Middle Valley Road within the Urban Growth Boundary of The City of Chattanooga, in Hamilton County, Tennessee, as shown by the attached map. (Added by permission of Council Chair Benson and Vice-Chair Rico.)**
- e) **An ordinance adopting a Plan of Services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of the City of Chattanooga, being certain parcels 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 shown by the attached map. (Added by permission of Council Chair Benson and Vice-Chair Rico.)**

7. Resolutions:

- a) **A resolution authorizing the Chattanooga Fire Department to award a contract to Thomas Brothers Construction for the site work only for the new Fire Station No. 7 at Enterprise South Industrial Park in the amount of \$348,772.14, plus a contingency amount of \$34,877.22, for a total amount not to exceed \$383,649.36. (Added by permission of Council Chair Benson and Vice-Chair Rico.)**
- b) **A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into a Lease Agreement with the Hunter Museum of American Art for portions of property whereupon sculptures are or will be located on City of Chattanooga property. (Added by permission of Council Chair Benson and Vice-Chair Rico.)**
- c) **A resolution authorizing the Administrator of the Department of Public Works to enter into a Conservation Easement Option Agreement with the Tennessee Wildlife Resources Foundation, Inc. for the design and construction of stream mitigation improvements for Friar Branch. (Added by permission of Council Vice-Chair Rico.)**

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.

Amended Agenda for Tuesday, September 15, 2009
Page 7 of 7

10. Other Business.
11. Committee Reports.
12. Agenda Session for Tuesday, September 29, 2009
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.