

SECOND AMENDED AGENDA FOR TUESDAY, JUNE 7, 2011

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilwoman Berz)
- III. Minute Approval.
- IV. Special Presentation.
- V. Ordinances – Final Reading:
 - a) An ordinance providing for an Interim Budget and appropriating funds for the usual and ordinary expenses of the City Government for the months of July, August, and September, 2011, pending the adoption of the 2011-2012 annual budget.
 - b) MR-2009-014 Windward Properties (Abandonment). An ordinance closing and abandoning a recorded sewer easement beginning some 125' feet from its intersection within MF# 52070 thence southwest some 276' feet a dead-end being part of the sewer easement, more particularly described herein. **(District No. 3.)**
 - c) MR-2009-070 Michael S. Morgan (Abandonment). An ordinance closing and abandoning a right-of-way of an unopened alley beginning on the south line of the 1700 block of West 57th Street thence southwest some 250' feet to the north line of the unopened 1700 block of C. Street, more particularly described herein, subject to certain conditions. **(District No. 7.)**
 - d) MR-2011-052 Vision Hospitality Group (Abandonment). An ordinance closing and abandoning a portion of a right-of-way in the open 2000 block of Skyline Drive beginning at the southern boundary of the property at Tax Map No. 148M-G-008, more particularly described herein, subject to certain conditions. **(District No. 4.)**
 - e) An ordinance amending Ordinance No. 12312 extending the corporate limits of the City of Chattanooga, Tennessee, to change the effective date of annexation of certain territory contiguous to the present corporate limits of the City, to include certain parcels, known as Area 6A, adjacent to the western right-of-way of Highway 58 and Turkeyfoot Road within the Urban Growth Boundary of the City of Chattanooga in Hamilton County, Tennessee, as shown by the attached map.
 - f) An ordinance amending Ordinance No. 12313 extending the corporate limits of the City of Chattanooga, Tennessee, to change the effective date of annexation of certain territory contiguous to the present corporate limits of the City, to include certain parcels, known as Area 6B, adjacent to the western right-of-way of Highway 58 and adjacent to the right-of-way for Hickory Valley Road within the Urban Growth Boundary of the City of Chattanooga in Hamilton County, Tennessee, as shown by the attached map.

Second Amended Agenda for Tuesday, June 7, 2011

Page 2 of 7

- g) An ordinance amending Ordinance No. 12314 extending the corporate limits of the City of Chattanooga, Tennessee, to change the effective date of annexation of certain territory contiguous to the present corporate limits of the City, to include certain parcels, known as Area 6C, adjacent to the eastern and western rights-of-way of Highway 58 up to its intersection with Harrison-Ooltewah Road, including portions of other streets named Bent Pine, Congress, Deerwood, Mahlon Clark, Church, Tyner, and Easter, within the Urban Growth Boundary of the City of Chattanooga in Hamilton County, Tennessee, as shown by the attached map.

VI. Ordinances – First Reading:

- a) MR-2009-015 AC Properties (Abandonment). An ordinance closing and abandoning a portion of an unopened alley beginning at its intersection with the 200 block of West 19th Street, more particularly described herein, subject to certain conditions. **(District No. 8.)**
- b) MR-2010-138 Chattanooga Housing Authority (Abandonment). An ordinance closing and abandoning a right-of-way at the open 1900 block of Burton Street, more particularly described herein, subject to certain conditions. **(District No. 9.)**
- c) MR-2011-005 Duckett Properties (Abandonment). An ordinance closing and abandoning of two unopened alleys: (1) between the 1600 block of Rossville Avenue and the 300 block of East 18th Street; and (2) between the first alley and the 1700 block of Kerr Street, more particularly described herein, subject to certain conditions. **(District No. 7.)**

VII. Resolutions:

- a) A resolution authorizing the Personnel Administrator to enter into an agreement with TWH Architects, Inc. to perform architectural services for the design and construction administration of a new employee health center for a total fee in an amount not to exceed \$197,100.00, and to authorize additional funds for services as needed at the same rate, but not to exceed an additional \$44,000.00. **(Deferred from 5/24/2011.)**
- b) A resolution authorizing the Department of Education, Arts & Culture to apply for and, if awarded, accept a grant from the Southeast Tennessee Area Agency on Aging and Disability for the Eastgate Senior Activity Center programming, in the amount of \$40,000.00.
- c) A resolution authorizing the Director of General Services to extend the agreement with Brightbridge for the administration of the EPA Brownfield Revolving Loan Fund, for a one (1) year term with the option for two (2), one (1) year extensions, with no new funds.

- d) **A resolution to amend Resolution No. 26711 encaptioned, “A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with True North Emergency Management, for professional services for the Debris Removal Management Services, relative to Contract No. C-11-001-401, in an amount not to exceed \$300,000.00”; and authorizing an increase in an amount not to exceed \$500,000.00, based upon updated information. (Added by permission of Council Chairwoman Ladd.)**
- e) **A resolution to amend Resolution No. 26712 encaptioned, “A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with Byrd Brothers Emergency Services, LLC, for the Debris Removal Collection Services, relative to Contract No. C-11-001-201, in an amount not to exceed \$750,000.00”; and authorizing an increase in an amount not to exceed \$2 million, based upon updated information. (Added by permission of Council Chairwoman Ladd.)**
- f) **A resolution authorizing the Administrator of the Department of Neighborhood Services and Community Development to award up to \$47,500.00 to Quality Lifestyle Services, Inc. in HOMEAgain Program funds for the purpose of creating affordable, permanent, supportive housing, and authorizing an agreement with the entity for the same. (Added by permission of Council Chairwoman Ladd.) (Revised.)**
- g) **A resolution authorizing the Administrator of the Department of Neighborhood Services and Community Development to award up to \$74,500.00 to Quality Building and Design in HOMEAgain Program funds for the purpose of creating affordable, permanent, supportive housing, and authorizing an agreement with the entity for the same. (Added by permission of Council Chairwoman Ladd.) (Revised.)**
- h) **A resolution authorizing Arcade, Inc. and the subsequent property owner, to use temporarily the right-of-way located at 1524 East Main Street regarding parking capacity to be completed in the subject portion of right-of-way, as referenced on the attached drawing, subject to certain conditions. (Added by permission of Council Chairwoman Ladd.)**
- i) **A resolution supporting the application of Middle Tennessee State University (MTSU) to the U.S. Department of Housing and Urban Development (HUD) Office of Healthy Homes and Lead Hazard Control to provide the City of Chattanooga with support in technical assistance in promoting healthy homes initiatives in residential construction and rehabilitation projects undertaken and/or funded by the City and authorizing the Administration of the Department of Neighborhood Services and Community Development to enter into a Memorandum of Understanding for the same. (Added by permission of Council Chairwoman Ladd.)**

- j) A resolution authorizing the Mayor to apply for and, if approved, accept a U.S. Economic Development Administration Grant, in an amount not to exceed \$1,500,000.00, for Sewer System Improvements at the Enterprise South Industrial Park. (Added by permission of Council Chairwoman Ladd.)**
- k) A resolution authorizing Top it Off/Zach Smith to use temporarily the right-of-way along 401 Broad Street for the installation of outdoor seating, as shown on the drawing, photograph, and maps attached hereto and made a part hereof by reference, subject to certain conditions. (Added by permission of Council Chairwoman Ladd.)**

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 on June 14, 2011

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

XIV. Adjournment.

AGENDA FOR TUESDAY, JUNE 14, 2011

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

“Report for Plan of Services for Area 1B”

5. Ordinances - Final Reading:
 - a) MR-2009-015 AC Properties (Abandonment). An ordinance closing and abandoning a portion of an unopened alley beginning at its intersection with the 200 block of West 19th Street, more particularly described herein, subject to certain conditions. **(District No. 8.)**
 - b) MR-2010-138 Chattanooga Housing Authority (Abandonment). An ordinance closing and abandoning a right-of-way at the open 1900 block of Burton Street, more particularly described herein, subject to certain conditions. **(District No. 9.)**
 - c) MR-2011-005 Duckett Properties (Abandonment). An ordinance closing and abandoning of two unopened alleys: (1) between the 1600 block of Rossville Avenue and the 300 block of East 18th Street; and (2) between the first alley and the 1700 block of Kerr Street, more particularly described herein, subject to certain conditions. **(District No. 7.)**
6. Ordinances – First Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Section 38-287, Design Guidelines within the C-7 North Shore Commercial/Mixed Use Zone.
 - b) 2011-043 Englewood Enterprises, LLC/Leroy Hurst & Bickerstaff PL/JDK Real Estate, LLC (M-2 Light Industrial Zone to M-1 Manufacturing Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 6162 Enterprise Park Drive, more particularly described herein, from M-2 Light Industrial Zone to M-1 Manufacturing Zone. **(Recommended for denial by Planning.) (District No. 6.) (Deferred from 5/10/2011.)**
 - c) 2011-058 Fraternal Order of Firefighters (Lift Conditions). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to approve amending Condition #4 imposed in Ordinance No. 12349 by removing existing language and replacing with new language on property located at 4393 Benton Drive, being more particularly described herein in the attached landscape plan. **(Planning Version, District No. 5.)**

2011-058 Fraternal Order of Firefighters (Lift Conditions). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to lift Condition #4 imposed in Ordinance No. 12349 requiring Type B landscaping on property located at 4393 Benton Drive, being more particularly described herein in the attached landscape plan. **(Applicant Version.)**

- d) 2011-061 ABM Properties, LLC/Larry Armour-Chief Manager (O-1 Office Zone and M-2 Light Industrial Zone to M-2 Light Industrial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 6131 Preservation Drive, more particularly described herein, from O-1 Office Zone and M-2 Light Industrial Zone to M-2 Light Industrial Zone. **(District No. 5.)**

7. Resolutions:

- a) A resolution authorizing the Mayor to enter into and execute the First Amendment to the Agreement for Payments in Lieu of Ad Valorem Taxes with US Real Estate Limited Partnership relative to the Amazon.com.dedc LLC EPB Substation.
- b) A resolution to terminate the temporary use authorized by Resolution No. 26637 encaptioned, "A resolution authorizing Larry Crane to use temporarily the 806 Browns Ferry Road Pump Station property for access across City easement during high water, subject to certain conditions."
- c) A resolution authorizing the Director of General Services to execute a loan agreement from the Environmental Protection Agency (EPA) Revolving Loan Fund to Wise Properties for the environmental cleanup of 201 Cherokee Boulevard, in an amount not to exceed \$70,000.00.
- d) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with Griggs & Maloney, Inc. for engineering services for groundwater sampling, monitoring, and reporting services at the Summit Landfill, City Landfill on Birchwood Pike, and the Farmers Market site for an amount not to exceed \$91,297.50.
- e) A resolution authorizing the Chief Information Officer to enter into **an agreement with Maycreate, LLC for web design services to create** a new Content Management System and migration of all applicable data to a completely new database, for a total project fee of **approximately \$128,000.00. (Revised.)**
- f) 2011-071 Re/Max Properties North, LLC/Bank of America (Special Exceptions Permit). A resolution approving a Special Exceptions Permit to allow a duplex in an R-1 Residential Zone located at 1503 Taylor Street. **(District No. 9.)**

8. Overtime Report.

Second Amended Agenda for Tuesday, June 7, 2011

Page 7 of 7

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 on June 21, 2011.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.