

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING ALTON PARK DEVELOPMENT CORPORATION C/O ELENORA WOOD TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 850 MARKET STREET FOR THE INSTALLATION OF A FREESTANDING HISTORICAL MARKER (RECOGNITION OF THE 1960 CIVIL RIGHTS SIT-IN AT NEARBY EATERIES) IN A PORTION OF THE SIDEWALK ADJACENT TO THE SOUTH SIDE OF THE BUS SHELTER AT THE INTERSECTION OF NORTH M.L. KING BOULEVARD, AS SHOWN ON THE DRAWINGS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That ALTON PARK DEVELOPMENT CORPORATION C/O ELNORA WOOD, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the right-of-way located at 850 Market Street for the installation of a freestanding historical marker (recognition of the 1960 Civil Rights sit-in at nearby eateries) in a portion of the sidewalk adjacent to the south side of the bus shelter at the intersection of North M.L. King Boulevard, as shown on the drawings attached hereto and made a part hereof by reference.

BE IT FURTHER RESOLVED, That said temporary usage shall be subject to the following conditions:

1. Temporary User shall execute the Indemnification Agreement attached hereto in favor of the City of Chattanooga, its officers, agents and employees for any and all claims for damages for injuries to persons or property related to or arising out of the temporary usage.
2. Temporary User agrees to vacate the property and temporary use upon reasonable notice from the City to do so.

3. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

4. Any proposed items placed along the subject right-of-way must comply with ADA Standards and minimum clearances for pedestrian traffic within said right-of-way.

ADOPTED: _____, 2013

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the “City”), and ALTON PARK DEVELOPMENT CORPORATION C/O ELENORA WOOD (hereinafter “Temporary User”), this ____ day of _____, 2013.

For and in consideration of the granting of the temporary usage of the right-of-way located at 850 Market Street for the installation of a freestanding historical marker (recognition of the 1960 Civil Rights sit-in at nearby eateries) in a portion of the sidewalk adjacent to the south side of the bus shelter at the intersection of North M.L. King Boulevard, as shown on the drawings attached hereto and made a part hereof by reference, the receipt of which is hereby acknowledged, Temporary User agrees as follows:

1. Temporary User shall defend, and hold harmless the City of Chattanooga, Tennessee, its officers, agents and employees from any and all claims for damages for injuries to persons or property related to or arising out of the aforementioned temporary use.
2. Temporary User shall vacate the property and temporary use upon reasonable notice from the City to do so; the parties hereto agree that “reasonable notice” shall be deemed to be thirty (30) days. Temporary User shall restore the property to its original condition when it is returned to the City.
3. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.
4. Any proposed items placed along the subject right-of-way must comply with ADA Standards and minimum clearances for pedestrian traffic within said right-of-way.

ALTON PARK DEVELOPMENT
CORPORATION

_____, 2013
Date

BY: _____
Elenora Woods

CITY OF CHATTANOOGA, TENNESSEE

_____, 2013
Date

BY: _____
Ron Littlefield, Mayor

City of Chattanooga



Resolution Request Form

(This form is only required for resolutions requiring expenditure of City funds)

Date: January 29, 2013

Preparer: William C. Payne

Department: Public Works - Engineering

Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council): _____ District 1

A City Council Action is requested to approve the request for Temporary Usage No.106324 for Alton Park Development Corporation c/o Elnora Wood for right of way of 850 Market Street for the installation of a freestanding Historical Marker (recognition of the 1960 Civil Rights sit-in at nearby eateries) in a portion of the sidewalk adjacent to the south side of the Bus Shelter at the intersection of N. MLK Blvd., as referenced on the attached drawing.

| | | | |
|---------------------------------------|-----|-----------------------------------------|-----|
| Name of Vendor/Contractor/Grant, etc. | N/A | New Contract/Project? (Yes or No) | N/A |
| Total project cost \$ | N/A | Funds Budgeted? (YES or NO) | N/A |
| Total City of Chattanooga Portion \$ | N/A | Provide Fund | N/A |
| City Amount Funded \$ | N/A | Provide Cost Center | N/A |
| New City Funding Required \$ | N/A | Proposed Funding Source if not budgeted | N/A |
| City's Match Percentage % | N/A | Grant Period (if applicable) | N/A |

List all other funding sources and amount for each contributor.

| Amount(s) | Grantor(s) |
|-----------|------------|
| | |
| | |
| | |
| | |

Agency Grant Number _____

CFDA Number if known _____

Other comments: (Include contingency amount, contractor, and other information useful in preparing resolution)

Approved by:

Reviewed by: FINANCE OFFICE

DESIGNATED OFFICIAL/ADMINISTRATOR

Please submit completed form to @budget, City Attorney and City Finance Officer

Memorandum

To: Bill Payne
From: Bill Cannon
cc: Dennis Malone
Date: January 28, 2013
Re: Temporary Usage Request #106324
Elenora Woods for Dental Angel Fund Foundation
850 Market Street
Recommendations Regarding Temporary Usage Request

I have completed my review of the Dental Angel Fund Foundation's request regarding the Temporary Usage of the right of way at 850 Market Street for the installation of a freestanding Historical Marker (recognition of the 1960 Civil Rights sit-in at near-by eateries) in a portion of the sidewalk adjacent to the south side of the Bus Shelter at the intersection of N. Market St. and MLK Blvd. Please refer to the attached map and drawings. My comments are as follows:

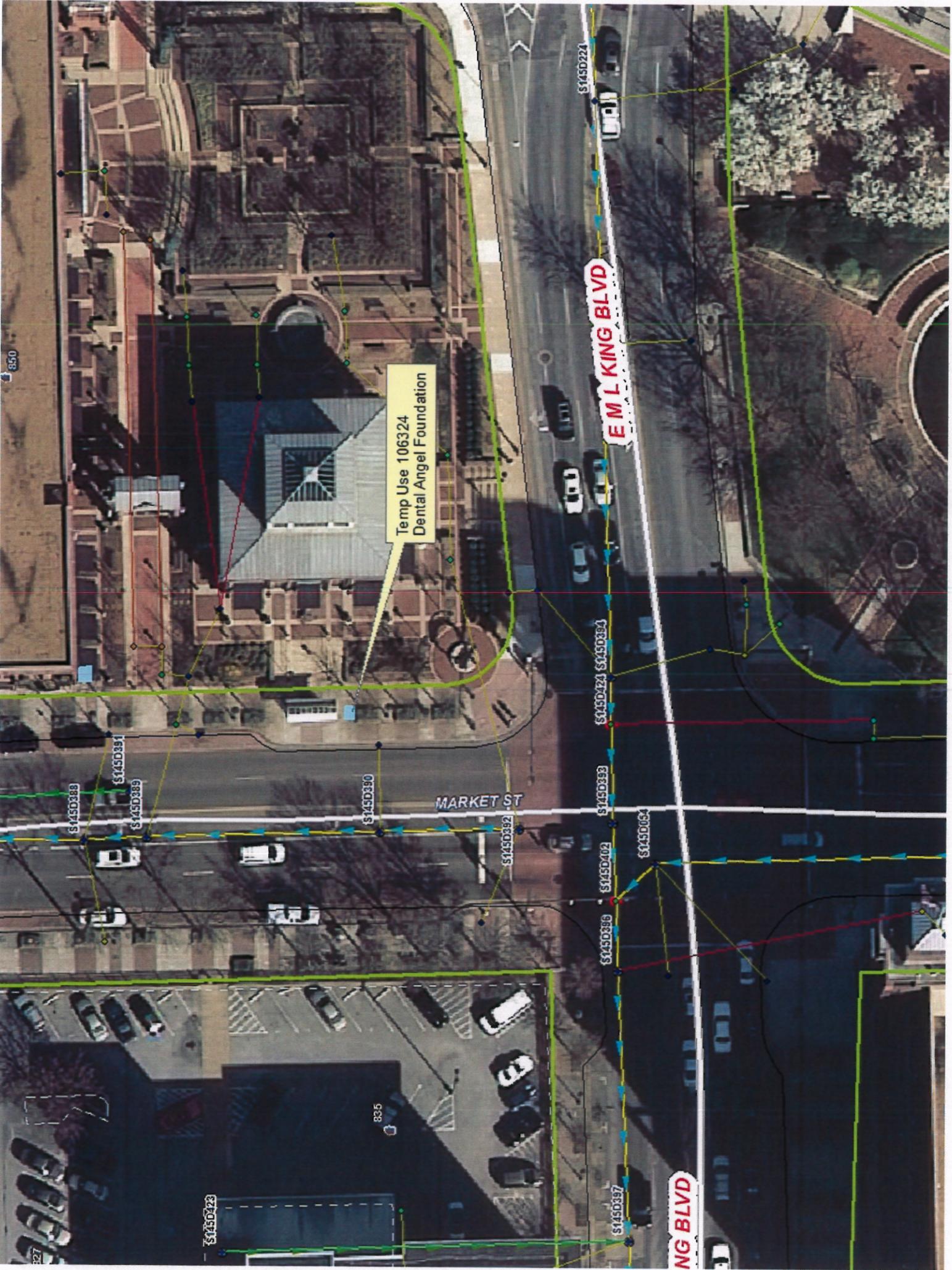
- As per submitted drawings the proposed Historical Marker dimensions are 18" by 22" and the support post is approximately 3' in height.
- As per the submitted drawings the minimum clearance along the sidewalk at the proposed location will meet ADA minimum requirements (see attached image).

After review, granting this Temporary Usage does not conflict with the Public's interest. Therefore, I recommend that the request for ***Temporary Usage be granted subject to the following condition.***

- ***Any proposed items placed along the subject right of way must comply with ADA Standards and minimum clearances for pedestrian traffic within said right of way.***



2 FEET FROM TREE WELL
SET MARKER POST



Temp Use 106324
Dental Angel Foundation

E M L KING BLVD

MARKET ST

NG BLVD

850

835

S145D223

S145D388

S145D389

S145D390

S145D391

S145D392

S145D402

S145D386

S145D397

S145D054

S145D333

S145D224

S145D221

S145D222

S145D223

S145D224

S145D225

S145D226

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S145D292

S145D293

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S145D296

S145D297

S145D298

S145D299

S145D300

1/11/13 (Date)

William C. Payne, P. E.
City Engineer
Development Resource Center
1250 Market Street, Suite 2100
Chattanooga, Tennessee 37402

WO# 106324

| | |
|------------------------|--|
| For Office Use Only | |
| <i>Jennifer Dodson</i> | |
| Technician Signature | |
| 1/11/13 | |
| Date | |

CLOSED
1-14-2013

RECEIVED
JAN 11 2013
STORM WATER

Re: Request for Temporary Usage

Dear Mr. Payne:

SR# 685474

This is a request for a temporary usage of Sidwalk/Right of Way at
800 block of Market Street Next to Coveland.
713 MARKET STREET

The reason for this request is as follows:

Historical Machine Honoring Citizens for Woodworth St. In
Ending Discrimination at Woodworth Store in 1960

BWD
1/14



In making this request: Temporary User agrees as follows:

1. Temporary User will defend, indemnify, and hold harmless the City of Chattanooga, Tennessee its officers, agents, and employees from any and all claims for damages for injuries to persons or property related to or arising out of the aforementioned temporary use.
2. Temporary User will vacate the property and temporary use upon reasonable notice from the City to do so; the parties have to agree that reasonable notice shall be deemed to be thirty (30) days to restore the property to substantially the same condition that existed prior to granting the temporary use, including complying with any environmental regulations upon the request of the city to vacate the property and temporary use.
3. Temporary User will provide full access for maintenance of any utilities located within the easement.
4. Temporary User will obtain any and all other permits, variances, or approvals necessary to accommodate the temporary use.
5. Temporary user agrees to maintain the property in the condition equal to or better than the condition at the time the temporary use is granted.
6. If this request is for maintaining wells the applicant will upon satisfactory completion of use as determined by the Tennessee Department of Environment and Conservation, the wells will be abandoned using standard and acceptable practices, which shall include grouting from the bottom to top with a mixture of Portland cement and powdered bentonite and restoring the surface to its original condition as reasonably as possible.

My address and phone number are as follows:

Elena Elena Woods
6425 Camp Oaks Drive
Chattanooga, TN 37410

(Processing Fee \$110.00)

Elena Woods / Artisan Park Development Corporation 1-11-13
Print Applicant Name Date

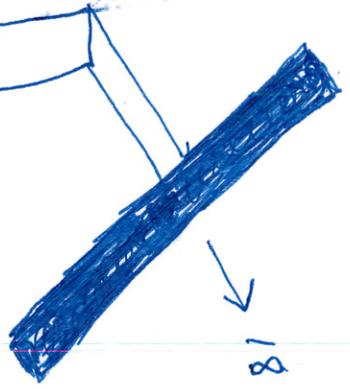
Elena Woods / APDC / David Angel 1-11-13
Print Owner's Name Date

Elena Woods Evie Dina Horne
Owner's Signature (Required)

NOTE: This application will not be processed without the owner's signature and a site map/drawing of the location.

HISTORIC WOOLWORTH SITE IN Commemorative Plaque SITE MAP DRAWING

→ 18" x 22" Sign (Plaque)



Supporting
post

3' (3 Three Feet)

SIDEWALK

Plaque to be placed at end of Woolworth sign next to Lovemans

* Note

Woolworths was not next to Lovemans. I believe they may mean S.H. Kress which WAS by Lovemans

CCF



CITY OF CHATTANOOGA
PUBLIC WORKS DEPARTMENT
SERVICE REQUEST

Date/Time Printed: 1/18/13 @ 8:34 AM

*Temp. Use. Address Changed
 by Bonnie in TIC*

CityworksSR #: **685474**

| | | | |
|----------------------|----------------------------------|--------------------|----------------------|
| SR Type: | ENG - Temporary Right-of-Way Use | | |
| Submitted to: | CANNON, WILLIAM E | Dispatched: | CANNON, WILLIAM E |
| Input By: | FISHER, CAROLYN C | Priority: | 3 |
| Create Date: | 1/14/2013 8:46:53 AM | Status: | CLOSED |
| District: | 8 | Due Date: | 4/14/2013 8:46:00 AM |
| Location: | 850 MARKET ST 37402 | | |

| Question | Answer |
|----------|--------|
| | |

Callers/Complainants

| First Name | Last Name | Address | Apt. | Zip |
|-------------|-------------------|--------------------|------|-------|
| ELNORA WOOD | ALTON PK DEV CORP | 6425 BONNY OAKS DR | | 37416 |
| Home Phone | Work Phone | Other Phone | | |
| | | | | |

Additional Information

| | |
|-------|-------------|
| CSRID | 13-00003157 |
|-------|-------------|

Additional Details/Comments:

By FISHER, CAROLYN C: 1/14/2013 8:57:06 AM
 REQUEST FOR TEMP. USAGE OF SIDEWALK/R.O.W. AT 713 MARKET STREET NEXT TO LOVEMANS.
 REASON: HISTORICAL PLAQUE HONORING CITIZENS TO WOOLWORTH SIT IN ENDING DISCRIMINATION AT WOOLWORTH STORE IN 1960.

By FISHER, CAROLYN C: 1/14/2013 10:00:09 AM
 NOTE: WOOLWORTH WAS NOT NEXT TO LOVEMANS. S.H. KRESS WAS NEXT TO LOVEMANS. BUT WOOLWORTH WAS ON OPPOSITE SIDE OF MARKET STREET NEARER TO MILLER BROTHERS, SAME SIDE. CCF.

By FISHER, CAROLYN C: 1/14/2013 10:19:21 AM
 IN 1960, THERE WERE 4 5 & 10 STORES ON MARKET STEET. WOOLWORTH, McCLELLANS AND W.T. GRANT WERE ALL IN THE BLOCK JUST BEFORE THE HAMILTON NATIONAL BANK AND MILLER BROS AND WERE ALL LOCATED ON THE LEFT SIDE OF MARKET STREET GOING NORTH.
 IF THE APPLICANT IS REFERRING TO LOVEMANS, THEN THE 5 & 10 STORE NEAR LOVEMANS ON SAME SIDE OF MARKET STREET AS LOVEMANS, THEN THAT WOULD BE S.H. KRESS. LOVEMANS AND S.H. KRESS WERE LOCATED ON THE RIGHT SIDE OF MARKET STREET GOING NORTH. ALL 4 5 & 10 STORES HAD LUNCH CIUNTERS. LOVEMANS AND S.H. KRESS WERE LOCATED BETWEEN E. 8TH STREET AND E. 9TH STREETS.



**CITY OF CHATTANOOGA
PUBLIC WORKS DEPARTMENT
UNIFIED WORK ORDER**

Project/Funding:

Temp. use. Address changed - Bonnie in TIC

Work Order Number: * 1 0 6 3 2 4 *

Address: 850 MARKET ST

Tax Map/Grid: 135D

| | | | |
|------------------------------------------------|----------------------------------------------|----------------------------------------------|------------------------------------------------------------------------------------|
| Required Work Type: ENG - Temporary Use | | Category: ADMIN | Date Needed: 3/15/2013 |
| WO Initiated: 1/14/2013 9:40:16 AM | Initiated By: FISHER, CAROLYN C | Requested By: CANNON, WILLIAM E | Priority: 3 |
| | | District: 1 | Transferred To/Submitted to: CANNON, WILLIAM E - 1/14/2013 9:40:54 AM |
| | | | Status: UNDINV |

Instructions:

Comments:

From: Request ID: 685474, 1/14/2013 9:39:53 AM Problem Details:

By FISHER, CAROLYN C: 1/14/2013 9:41:08 AM
REQUEST FOR TEMP. USAGE OF SIDEWALK/R.O.W. AT 713 MARKET STREET NEXT TO LOVEMANS.
REASON: HISTORICAL PLAQUE HONORING CITIZENS TO WOOLWORTH SIT IN ENDING DISCRIMINATION AT
WOOLWORTH STORE IN 1960.

By FISHER, CAROLYN C: 1/14/2013 9:45:29 AM
NOTE: WOOLWORTH WAS NOT NEXT TO LOVEMANS. S.H. KRESS WAS NEXT TO LOVEMANS. BUT
WOOLWORTH WAS ON OPPOSITE SIDE OF MARKET STREET NEARER TO MILLER BROTHERS, SAME SIDE.
CCF.

Date Completed:

Supervisor:

WO Closed :

Associated Service Request(s), if Any:

| SR# | Date/Time Init. | Priority | Description | Problem Address |
|-----------------------------------------------------------|-------------------------|----------------------------|----------------------------------|------------------------------|
| 685474 | 1/14/2013 8:46:53 AM | 3 | ENG - Temporary Right-of-Way Use | 850 MARKET ST |
| Customer Name ALTON PK DEV CORP, ELNORA WOOD | | Customer Work Phone | | Customer Zip 37416 |

DENTAL ANGEL FUND FOUNDATION

6425 BONNY OAKS DRIVE SUITE 109
CHATTANOOGA, TN 37416

1140

87-36613
1219

PAY TO THE
ORDER OF

City of Chattanooga \$ *110.00*

DOLLARS



Security
Features
Begin on
Back

DATE

1-11-13



MEMBER OF THE
FIRST TENNESSEE BANK GROUP
FOR CHECK VERIFICATION DIAL: 1-800-264-0730

FOR *Wol Lwrth / Plage (stn)ice / APC*

⑈001140⑈ ⑆061300367⑆ 100545157⑈

[Signature]

MP



CITY OF CHATTANOOGA

DATE *1/11/13*

Received from *DENTAL ANGEL FOUNDATION*

RECEIPT NO. *193623*

Amount of *ONE HUNDRED*

Dollars and *00*

Cents *00*

For *TRYP USAGE 800 MARKET ST - PERMANENT*

BLADE

TRC

Cash \$

Check \$

110.00

1140

Department/Division
BOOKING

Signature