

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING JOHN WISE TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 103 CHEROKEE BOULEVARD FOR THE INSTALLATION OF TWO HOODS FOR EXHAUST TO BE ATTACHED TO THE SIDE OF THE BUILDING, AS SHOWN ON THE DRAWING AND MAP 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 JOHN WISE, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way located at 103 Cherokee Boulevard for the installation of two hoods for exhaust to be attached to the side of the building, as shown on the drawing and map 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 may execute the Indemnification Agreement prior to the granting of a temporary use by the City Council provided that any obligation to Indemnify and hold the City of Chattanooga, its officers, agents and employees harmless for any claims for damages for injuries to persons or property shall be void if the Temporary Use is not granted to applicant by the Chattanooga City Council. Temporary User agrees to comply with all terms and conditions of the Indemnification Agreement in the event a temporary use is granted by the City Council.

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. The exhaust structure at its lowest point to the top of the existing surface/sidewalk is to meet the minimum elevation difference of eleven (11') feet by four (4") inches.

5. The exhaust structure shall be fitted with a drip pan or other similar device to capture and retain fluids from said exhaust structure.

ADOPTED: _____, 2014

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the “City”), and JOHN WISE (hereinafter “Temporary User”), this _____ day of _____, 2014.

For and in consideration of the granting of the temporary usage of the right-of-way located at 103 Cherokee Boulevard for the installation of two hoods for exhaust to be attached to the side of the building, as shown on the drawing and map attached hereto and made a part hereof by reference, the receipt of which is hereby acknowledged, Temporary User agrees as follows:

1. Temporary User may execute the Indemnification Agreement prior to the granting of a temporary use by the City Council provided that any obligation to Indemnify and hold the City of Chattanooga, its officers, agents and employees harmless for any claims for damages for injuries to persons or property shall be void if the Temporary Use is not granted to applicant by the Chattanooga City Council. Temporary User agrees to comply with all terms and conditions of the Indemnification Agreement in the event a temporary use is granted by the City Council.

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. The exhaust structure at its lowest point to the top of the existing surface/sidewalk is to meet the minimum elevation difference of eleven (11') feet by four (4") inches.

5. The exhaust structure shall be fitted with a drip pan or other similar device to capture and retain fluids from said exhaust structure.

_____, 2014
Date

BY: _____
John Wise

CITY OF CHATTANOOGA, TENNESSEE

_____, 2014
Date

BY: _____
Andy Berke, Mayor

City of Chattanooga



Resolution Request Form

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

Date: March 10, 2014

Preparer: Fritz Brogdon

[Signature] 3/10/14

Department: Transportation

Brief Description of Purpose for Resolution:

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

A City Council Action is requested to authorize the request for Temporary Use No. 128461 for John Wise for the right-of-way for installation of two hoods for exhaust to be attached to the side of the building as shown on the attached drawing and map. Also subject to the conditions stated on the attached Memorandum.

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

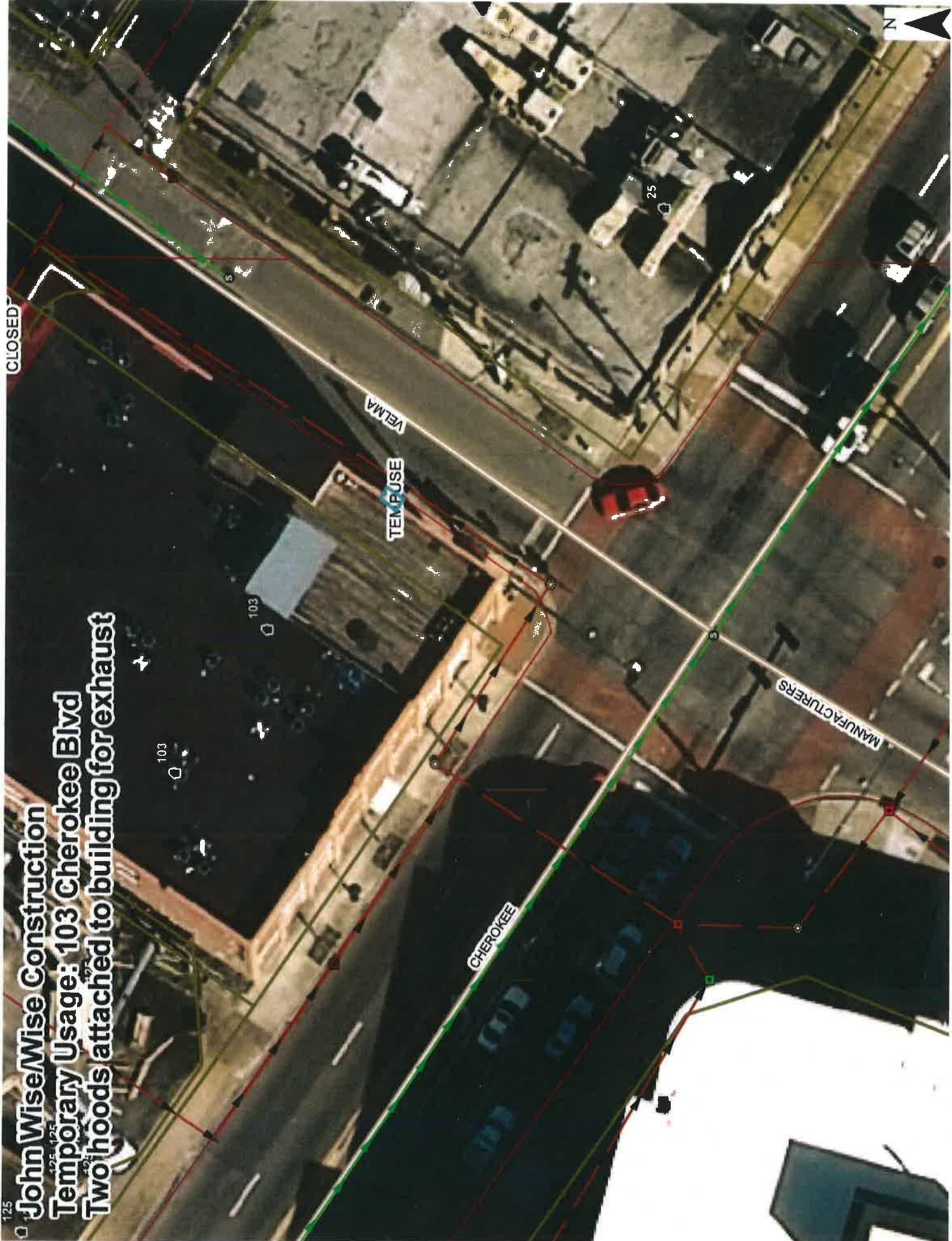
To: Fritz Brogdon
From: Ed Bowen
cc: Bill Payne, Dennis Malone
Date: March 7, 2014
Re: Temporary Usage Request #128461
103 Cherokee Blvd.
John Wise, Wise Construction
Recommendations Regarding Temporary Usage Request

I have completed my review of Mr. Wise's request regarding the Temporary Usage of the right-of-way for installation of two hoods for exhaust to be attached to the side of the building as shown on the attached drawing and map. My comments are as follows:

- The longer of the hoods will extend from the building into the sidewalk's air space by approximately 4' - 4".

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 with the following conditions:***

- The exhaust structure at its lowest point to the top of the existing surface/sidewalk is to meet the minimum elevation difference of 11' - 4".
- The exhaust structure shall be fitted with a drip pan or other similar device to capture and retain fluids from said exhaust structure.



John Wise/Wise Construction
Temporary Usage: 103 Cherokee Blvd
Two hoods attached to building for exhaust

CLOSED

CHEROKEE

MANUFACTURERS

VELMA

TEMP USE

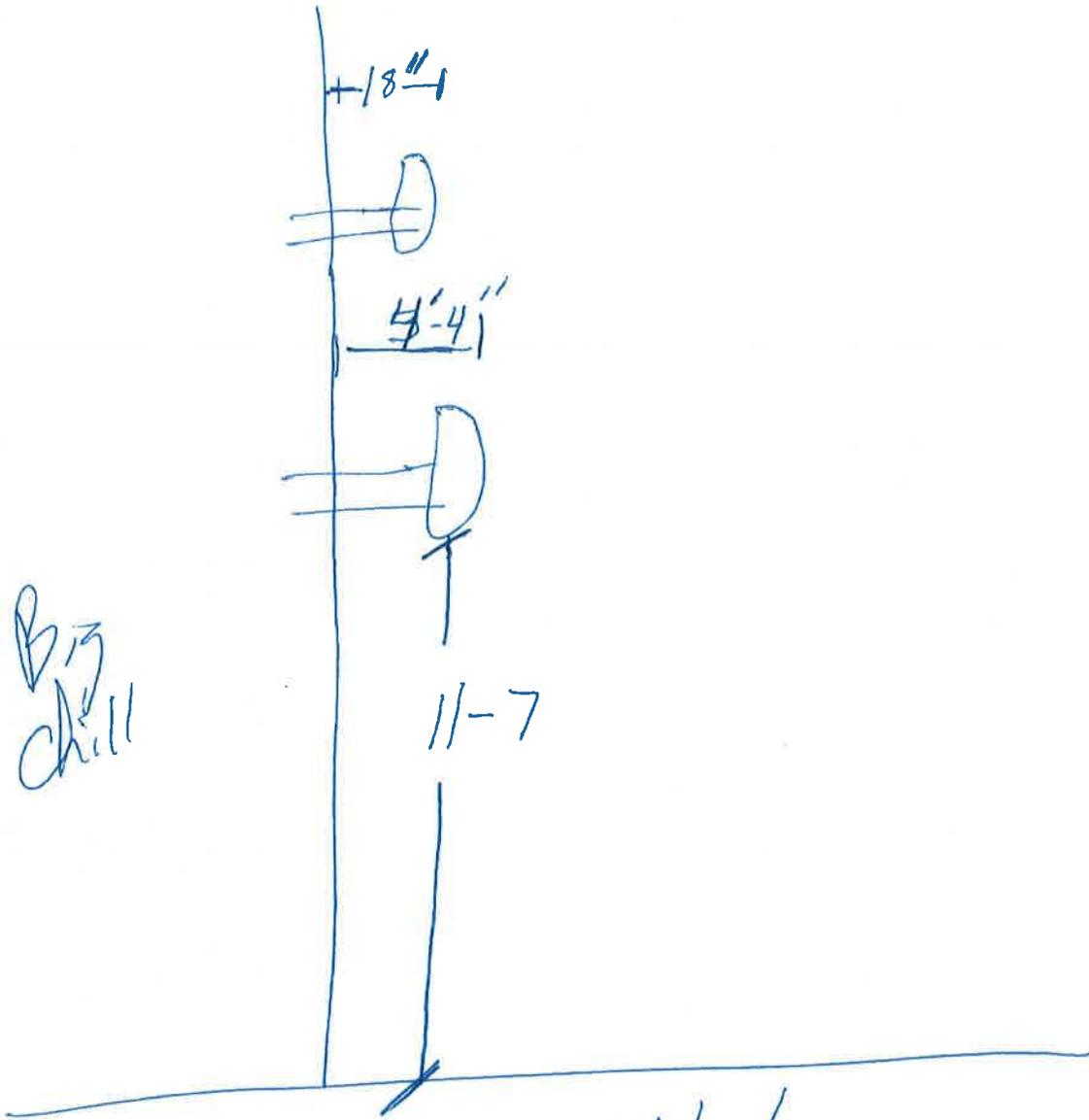
103

103

25

N

Big
Chill



Velma

103 Cherokee Blvd



SR# 808226
NO# 128461

For Office Use Only	
<i>Benjamin Doba</i>	
Technician Signature	
2/21/14	
Date	

2/21/14
(DATE)

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

Re: Request for Temporary Usage

Dear Mr. Payne:

This is a request for a temporary usage of two hood(s) for exhaust attached to side of building 103 Cherokee Blvd

The reason for this request is as follows: two hood(s) protrudes over sidewalk

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 is as follows:
298 Acorn Oaks Circle jwise@wiselivingonline.com
Chatt, TN 37405

(email address)

(Processing Fee of \$110.00 payable to: City of Chattanooga)

John Wise
(Print) Applicant Name

2/21/2014
Date

John Wise 593-1040

John Wise
(Print) Owner's Name

2/21/2014
Date

This application must include the owner's signature and a site map of the referenced location to complete processing.



CITY OF CHATTANOOGA

PUBLIC WORKS DEPARTMENT

WORK ORDER

Project/Funding:

Work Order Number: 128461

Address: 103 Cherokee Blvd

Required Work Type: ENG - Temporary Use						
WO	Initiated	Requested	Priority:	District:	Transferred	Status:
Initiated: 2/21/2014 1:17:24 PM	By: KING, CAROL A	By: BOWEN, EDWARD L	ROUTINE		To/Submitted to: BOWEN, EDWARD L	Under Investigation

Instructions:

Comments: From Request 808226:
Code: Tmp Right-of-Way Use
Description: ENG - Temporary Right-of-Way Use
Details: 2 hoods protrudes over sidewalk
Comments: By KING, CAROL A: 2/21/2014 1:16:02 PM
2 hoods for exhaust attached to side of building

Date Completed: **Supervisor:** **WO Closed:**

Associated Service Requests(s), If Any:

Request ID	Problem Code	Request Description	Request Priority	Incident Address		
808226	Tmp Right-of-Way Use	ENG - Temporary Right-of-Way Use	ROUTINE	103 Cherokee Blvd		
Customer Call #	Customer Title	First Name	Middle Initial	Last Name	Address	Apt. #
840081		JOHN		WISE	298 Acorn Oaks Circle	
City	Zip	Address Type	Home Phone	Work Phone	Other Phone	Date & Time Of Call
Chattanooga	37405	Streets	593-1040			2/21/2014 1:11:55 PM



CITY OF CHATTANOOGA
PUBLIC WORKS DEPARTMENT
SERVICE REQUEST

CityworksSR #: 808226

SR Type: ENG - Temporary Right-of-Way Use	
Submitted to: BOWEN, EDWARD L	Dispatched: BOWEN, EDWARD L
Input By: KING, CAROL A	Priority: ROUTINE
Create Date: 2/21/2014 1:16:02 PM	Status: CLOSED
District:	Due Date: 5/22/2014 1:16:02 PM
Location: 103 Cherokee Blvd	

Callers/Complaints

First Name	Last Name	Address	Apt.	Zip
JOHN	WISE	298 Acorn Oaks Circle		37405
Home Phone	Work Phone	Other Phone		
593-1040				

Question	Answer

Additional Details/Comments:

2 hoods protrudes over sidewalk By KING, CAROL A: 2/21/2014 1:16:02 PM
 2 hoods for exhaust attached to side of building

Additional Information:

Custom Field Names	Custom Field Value		
CSRID			



CITY OF CHATTANOOGA

DATE

2/11/14

RECEIPT NO.

221731

Received from

Custom Canvas Awnings

Amount of

One Hundred Ten & 00/100

Dollars and

Cents

110⁰⁰

For

Temp Usage - 428 ML King Blvd.

Cash \$

Check \$

110⁰⁰ # 2222

Collection Report No.

Department/Division

TIC
Production

WISE CONSTRUCTION LLC

P.O. BOX 4261
CHATTANOOGA, TN 37405
PH. 423-634-1900

2233

DATE

2/24/2014

87-36/613
1201

PAY TO THE ORDER OF

City of Chattanooga

\$

110⁰⁰

DOLLARS



Security Features
Outline on Back

one hundred & ten & 00/100



FOR CHECK VERIFICATION DIAL: 1-800-264-0730

FOR

Big Chill

[Signature]

⑈002233⑈ ⑆061300367⑆ 176143066⑈

Cash \$

Check \$

110⁰⁰

2227

Collection Report No.

Department/Division

110
BONNIE

Signature



CITY OF CHATTANOOGA

DATE

2/21/14

RECEIPT NO.

221733

Received from

WISE CONSTRUCTION

Amount of

ONE HUNDRED

Dollars and

TEN

Cents

00

For

TEMP USAGE 103 CHEROKEE BLVD

Cash \$

Check \$

110⁰⁰

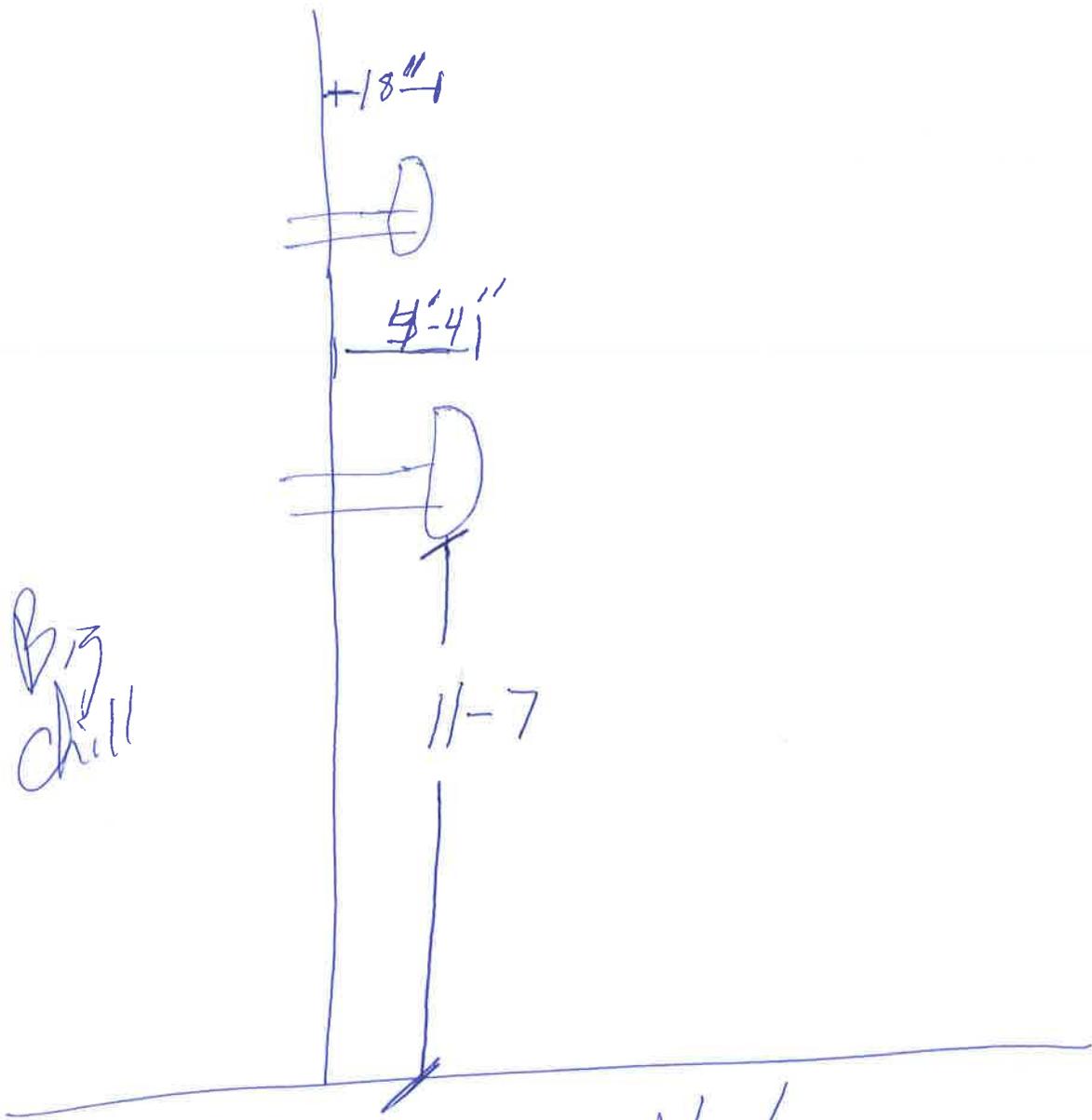
2233

Collection Report No.

Department/Division

TIC
BONNIE

Signature



Big
Chill

Velma

103 Cherokee Blvd

John Wise/Wise Construction Temporary Usage: 103 Cherokee Blvd Two hoods attached to building for exhaust



CLOSED

CHEROKEE

MANUFACTURERS

TEMP USE

VELMA

N