

AGENDA FOR TUESDAY, MAY 6, 2008

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilwoman Bennett)
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
 - a) An ordinance appropriating from the General Fund to Friends of Moccasin Bend National Park the amount of \$30,000.00 to fund 50% of the cost of a feasibility study to help meet requirements by the National Park Service for the capital campaign and building project for the Interpretive Center at the Moccasin Bend National Archeological District, subject to Hamilton County contributing the remaining 50% of the cost of said project.
 - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 3, Section 3-7, relative to sign permits.
 - c) An ordinance to amend Chattanooga City Code, Part II, Section 10-2(a), to remove any reference to Appendix H - Signs, and to amend Section 10-3, by deleting subsection (q), in its entirety.
 - d) An ordinance to amend Chattanooga City Code, Part II, Section 10-3 concerning special amendments to the International Building Code, and the International Residential Code.
 - e) An ordinance to amend Chattanooga City Code, Part II, Chapter 32, Article XII, Section 32-64, relative to excavation permit application fees.
 - f) An ordinance to amend Ordinance No. 11994, entitled “An ordinance, hereinafter also known as “the Fiscal Year 2007-2008 Budget Ordinance”, to provide revenue for the fiscal year 2007-2008 beginning July 1, 2007, and ending June 30, 2008, and 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,” as amended, specifically by Ordinance No. 12023, so as to amend city employee position titles and pay grades. **(Revised. Need motion for substitution.)**
- VI. Ordinances – First Reading:
 - a) MR-2008-034 Office Coordinators, Inc. (Close & Abandon). An ordinance closing and abandoning the 400 block of Myrtle Place and two (2) unnamed alleys from the 1500 block of Washington Street to the 1500 block of Wilhoit Road, more particularly described herein and as shown on the map and drawing and map attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning or Public Works.)**

MR-2008-034 Office Coordinators, Inc. (Close & Abandon). An ordinance closing and abandoning the 400 block of Myrtle Place and two (2) unnamed alleys from the 1500 block of Washington Street to the 1500 block of Wilhoit Road, more particularly described herein and as shown on the map and drawing and map attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning or Public Works.)**

VII. Resolutions:

- a) A resolution authorizing the award of RFP #0108923 of Wireless/Cellular Communications Services to Verizon Wireless for a term of three (3) years with the option to renew for an additional one (1) year term.
- b) A resolution authorizing the Administrator of the Department of Parks and Recreation to execute a two-year Lease Agreement with Darde Long for the use of the barn on the Brown Acres Golf Course property, as referenced in Case No. MR-2008-090, with a rental rate of \$200.00 per month and other good and valuable consideration.
- c) A resolution authorizing the award of Contract No. E-06-024-201, Tunnel Boulevard Sidewalk Extension Project, to Talley Construction Company, Inc. in the amount of \$248,134.85, plus a contingency amount of \$25,815.15, for a total contract amount not to exceed \$283,950.00.
- d) A resolution authorizing the award of Contract No. S-08-003-201, to Street Cuts, LLC, for Private Sanitary Sewer Service Line Repair (SLAP) in the amount of \$12,925.00, plus a contingency amount of \$3,000.00, for a total amount not to exceed \$15,925.00.
- e) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with Environment Materials, Inc. (EMI) (herein "Contractor") to provide services of a qualified, trained, and bonded scale operator to operate the scales at the City Landfill on Birchwood Pike. The duration of the contract will be for one (1) year with an option by the City and the Contractor to mutually agree to extend the contract for three (3) additional one-year periods.
- f) A resolution authorizing the Administrator of the Department of Public Works to approve Amendment 1 to an agreement between GSL Energy Solutions, LLC (GSL) and the City of Chattanooga which provide biosolids and wood mulch for the express purpose of allowing GSL to perform a full scale test of their process to convert biosolids and/or wood mulch into bio-oil. This Amendment 1 extends the term of the agreement by 180 days from the effective end date of April 27, 2008 of the original agreement. All remaining conditions in Section 10 remain in force.
- g) A resolution authorizing the Administrator of the Department of Public Works to execute Addendum No. 2 to its contract with Earthscapes, Inc. for the beneficial use of wood mulch and leaves.
- h) A resolution authorizing the Director of General Services to execute a Right-of-Entry Agreement with Hamilton County and the University of Tennessee at Chattanooga in substantially the form attached hereto and made a part hereof by reference.

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- i) MR-2008-093 City of Chattanooga, c/o Dan Thornton (Surplus & Sell). A resolution declaring as surplus to sell a tract of land located at 2412 10th Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, and authorizing the Director of General Services to execute any and all documents necessary for the sale of said property to C&L Rentals for the amount of \$25,000.00.
- j) A resolution declaring a moratorium on rezoning requests in the Orchard Knob and Churchville areas as generally described herein until July 31, 2008 or until the City Council receives the Regional Planning Agency's recommendations, whichever occurs sooner.
- k) A resolution declaring a moratorium on rezoning requests in the South Broad Street area as generally described herein until July 31, 2008 or until the City Council receives the Regional Planning Agency's recommendations, whichever occurs sooner.
- l) A resolution declaring a moratorium on rezoning requests in the Martin Luther King, Jr. Boulevard area, as generally described herein and shown on the map attached hereto and made a part hereof by reference, until July 31, 2008 or until the City Council receives the Regional Planning Agency's recommendations, whichever occurs sooner.

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, May 13, 2008.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, May 13, 2008:

AGENDA FOR TUESDAY, MAY 13, 2008

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilwoman Robinson)
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
 - a) MR-2008-034 Office Coordinators, Inc. (Close & Abandon). An ordinance closing and abandoning the 400 block of Myrtle Place and two (2) unnamed alleys from the 1500 block of Washington Street to the 1500 block of Wilhoit Road, more particularly described herein and as shown on the map and drawing and map attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning or Public Works.)**

MR-2008-034 Office Coordinators, Inc. (Close & Abandon). An ordinance closing and abandoning the 400 block of Myrtle Place and two (2) unnamed alleys from the 1500 block of Washington Street to the 1500 block of Wilhoit Road, more particularly described herein and as shown on the map and drawing and map attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning or Public Works.)**
6. Ordinances – First Reading:
 - a) 2008-070 Rostis Timoshchuk (from R-1 to R-T/Z). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land in the 8900 block of Rostis Lane, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone. **(Not recommended for approval by Planning – see alternate version.)**

2008-070 Rostis Timoshchuk (from R-1 to R-T/Z). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land in the 8900 block of Rostis Lane, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. **(Recommended for approval by Planning.)**
 - b) 2008-071 City of Chattanooga, c/o Bill Payne (Street Name Change). An ordinance to change the right-of-way name of the 3700 block of Polk Avenue to the 3700 block of Seminary Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for approval by Planning.)**

- c) 2008-072 Jeff Cannon (from M-1 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 81 East Main Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from M-1 Manufacturing Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning – see alternate version.)**

2008-072 Jeff Cannon (from M-1 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 81 East Main Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- d) 2008-073 William H. Wilkerson (from R-1 to R-4). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 4921 Bradington Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-4 Special Zone. **(Not recommended for approval by Planning – see alternate version.)**

2008-073 William H. Wilkerson (from R-1 to R-4). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 4921 Bradington Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- e) 2008-074 Ken Pritchard (from M-1 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 400 East Main Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from M-1 Manufacturing Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning – see alternate version.)**

2008-074 Ken Pritchard (from M-1 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 400 East Main Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- f) 2008-077 City of Chattanooga, c/o Bill Payne (Street Name Change). An ordinance to change the right-of-way name of the 5200 block of Polk Avenue to the 5200 block of Lomnick Drive, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for approval by Planning.)**

- g) 2008-079 Matt Brown (from R-4 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located in the 900 block of East 8th Street, 710 Palmetto Street, and 800 McCallie Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-4 Special Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning – see alternate version.)**

2008-079 Matt Brown (from R-4 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located in the 900 block of East 8th Street, 710 Palmetto Street, and 800 McCallie Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-4 Special Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- h) 2008-080 Matt Brown (from R-1 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located in the 900 block of East 8th Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-4 Special Zone to C-3 Central Business Zone. **(Recommended for denial by Planning.)**

- i) 2008-085 David C. Miller (Lift Conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to lift Conditions 1 and 2 imposed in Ordinance No. 10895 (Case No. 1999-139) on a tract of land located at 1912 South Willow Street, being more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning – see alternate recommendation.)**

2008-085 David C. Miller (from C-2 to R-4). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to **rezone** a tract of land located at 1912 South Willow Street, being more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, **from C-2 Convenience Commercial Zone to R-4 Special Zone, subject to certain conditions. (Recommended for approval by Planning.)**

- j) 2008-087 Matt & Julie Rogers (from R-1 To RT-1). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located in the 300 block of Pine Ridge Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-1 Residential Zone to RT-1 Residential Townhouse Zone. **(Recommended for denial by Planning.)**

7. Resolutions:

- a) A resolution authorizing the Mayor of the City of Chattanooga to enter into an Interlocal Agreement, the form attached hereto, with Hamilton County, Tennessee, for the purchase of Homeland Security equipment for the Chattanooga Police Department in an amount not to exceed \$310,901.47, with Hamilton County Government reimbursing the City of Chattanooga from Homeland Security grants provided to Hamilton County, Tennessee, by the United States government during the fiscal year 2007-2008 which shall be completed by April of 2010.

- b) A resolution approving a payment to Orange Grove Center, Inc. in an amount not to exceed \$20,400.00 for custodial services at the Fitness Center and Warner Park/Frost Stadium during November 2006 through April 2008.
- c) A resolution authorizing the Director of General Services to enter into an agreement with Campbell & Associates for engineering services relative to modifications of the Development Resource Center (DRC) heating, cooling, and ventilation systems in an amount not to exceed \$73,280.00, with the cost of said services to be shared by all DRC tenants.
- d) A resolution authorizing the Department of Public Works to accept a donation in the amount of \$229.00 from Dean Construction LLC for the purchase of a FlashCAM-DBO-REFURBISHED Dummy System, for which the City has no obligation to enter into a contract/agreement or perform services.
- e) A resolution authorizing the Mayor to apply for and, if awarded, accept an Urban and Community Forestry Grant from the Tennessee Division of Forestry in an amount up to \$30,000.00, with the required equal match being provided by the City's Appropriations to General Funds.
- f) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with Jordan, Jones & Goulding, Inc. relative to Contract No. W-08-006-101, Phase 2 – Wastewater System CMOM and Miscellaneous Services, in an amount not to exceed \$50,000.00.
- g) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with TranSystems/Litchenstein relative to Contract No. E-07-007-101, Walnut Street Bridge, Sixth Biennial Inspection, Design, and Construction Phase Services, in an amount not to exceed \$99,870.00.
- h) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with Jordan, Jones & Goulding, Inc. relative to Contract No. W-08-005, J-VAP Remedial Action at the MBWWTP Solids Handling System Demonstration and Renovation of Plate and Frame Presses, in an amount not to exceed \$143,850.00, which amount shall be reimbursed by Siemens per their agreement with the City.
- i) A resolution authorizing James Ball to use temporarily the 2500 block of Doolittle Street to install a driveway, as shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions.
- j) 2007-212 Habitat for Humanity, c/o Dennis Neal (Final PUD). A resolution approving a proposed Final Planned Unit Development Special Exceptions Permit for a Planned Unit Development known as The Covenant Planned Unit Development on tracts of land located in the 1600 block of Eucalyptus Drive, more particularly described herein and as shown on the Final Planned Unit Development Plan attached hereto and made a part hereof by reference, subject to certain conditions.

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- k) A resolution authorizing the Mayor to apply for and, if awarded, to accept a FY 2007 Buffer Zone Protection Plan (BZPP) grant from the Tennessee Emergency Management Agency (TEMA) in the amount of \$192,480.74, with no matching funds required, to be used to purchase tactical equipment for the SWAT Team, Bomb Squad, and Patrol Division.
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.
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 10. Other Business.
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 12. Agenda Session for Tuesday, May 13, 2008.
 13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
 14. Adjournment.