

**REVISED AGENDA FOR TUESDAY, DECEMBER 4, 2012**

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Gilbert).
- III. Minute Approval.
- IV. Special Presentations:

**PUBLIC HEARING**

[\*“Report on Plan of Services – Area 3A”\*](#)  
[\*“Report on Plan of Services – Area 3C”\*](#)  
[\*“Report on Plan of Services – Area 4B”\*](#)  
[\*“Report on Plan of Services – Area 8B”\*](#)  
[\*“Report on Plan of Services – Area 9A”\*](#)  
[\*“Report on Plan of Services – Area 10A”\*](#)  
[\*“Report on Plan of Services – Area 10B”\*](#)

- V. Ordinances – Final Reading:
  - a) [An ordinance amending Chattanooga City Code, Article III, Division 5, Section 2-155, relating to Overtime Pay for Holidays.](#)
- VI. Ordinances – First Reading:
  - a) [An ordinance to amend Chattanooga City Code, Part II, Chapter 2, Article III, Sections 2-410, 2-411, 2-413, 2-415, and 2-419, relative to the fire and police pension fund.](#)
  - b) [An ordinance to amend Chattanooga City Code, Part II, Chapter 16, Article I, Section 16-2, relative to age of employees of the fire or police department.](#)
  - c) [An ordinance to amend Chattanooga City Code, Part II, Chapter 5, Section 5-71\(e\) relative to Fire Code, Building Code, and Zoning Ordinance compliance.](#)
- VII. Resolutions:
  - a) [A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into an agreement with Vermont Systems for the purchase of a WebTrac System in the amount of \\$124,000.00, with a contingency fee in the amount of \\$5,000.00 for customization if needed.](#)
  - b) [A resolution authorizing the Director of General Services to enter into a lease agreement, in substantially the form attached, with Diagnostic Radiology Consultants, P.A. to lease 173 square feet for an x-ray examination area at the City of Chattanooga Well Advantage Center. \(District 8.\)](#)

- c) A resolution authorizing the Director of General Services to enter into an agreement for a structure permit with Tennessee Valley Authority for a warning siren which will be part of the Sequoyah Prompt Notification System. (District 3.)
- d) A resolution authorizing the Administrator of Neighborhood Services and Community Development to enter into contracts with neighborhood organizations for neighborhood partners projects and related activities and initiatives, for an amount not to exceed \$52,000.00. (Various Districts.) (Revised.)
- e) A resolution authorizing the Gang Task Force Coordinator to execute two (2) personal services contracts for one (1) full-time outreach worker and one (1) part-time violence interrupter/outreach worker to be hired as temporary employees during the pilot phase of implementation of the Comprehensive Gang Model's Intervention Teams, in the amount of \$25,000.00.
- f) A resolution to make certain findings relating to the UTC Two, LLC project to delegate certain authority to the Health, Educational and Housing Facility Board of the City of Chattanooga, Tennessee, and to authorize the Mayor to enter into and execute an Agreement for Payments in Lieu of Ad Valorem Taxes. (Deferred from 11/27/2012.)
- g) A resolution to make certain findings relating to the UTC Three, LLC project to delegate certain authority to the Health, Educational and Housing Facility Board of the City of Chattanooga, Tennessee, and to authorize the Mayor to enter into and execute an Agreement for Payments in Lieu of Ad Valorem Taxes. (Deferred from 11/27/2012.)
- h) A resolution adopting a temporary policy of individually assessing prospective Payment in Lieu of Tax (PILOT) Agreements pending a Chamber of Commerce Study. (Revised.)
- i) A resolution authorizing the Administrator of the Department of Public Works to apply for and, if approved, accept a Green Development Grant from the Tennessee Stormwater Association for the development of a "Low Impact Development (LID) Excellence Awards Program," in the amount of \$28,080.00 for the department to provide a 20% in-kind match in the amount of \$5,620.00, for a total amount of \$33,700.00. (Added by permission of Council Chairwoman Ladd.)

VIII. Overtime Report.

IX. Departmental Reports:

- a) Department of Human Services.
- b) Department of Parks and Recreation.

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- 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, December 11, 2012.
- XIII. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
- XIV. Adjournment.

**AGENDA FOR TUESDAY, DECEMBER 11, 2012**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilwoman Berz).
3. Minute Approval.
4. Special Presentations:
5. Ordinances - Final Reading:
  - a) [An ordinance to amend Chattanooga City Code, Part II, Chapter 2, Article III, Sections 2-410, 2-411, 2-413, 2-415, and 2-419, relative to the fire and police pension fund.](#)
  - b) [An ordinance to amend Chattanooga City Code, Part II, Chapter 16, Article I, Section 16-2, relative to age of employees of the fire or police department.](#)
  - c) [An ordinance to amend Chattanooga City Code, Part II, Chapter 5, Section 5-71\(e\) relative to Fire Code, Building Code, and Zoning Ordinance compliance.](#)
6. Ordinances – First Reading:
  - a) [An ordinance to amend Part II, Chattanooga City Code, Chapter 2, Article V, Section 2-554, relative to purchasing and competitive sealed proposals.](#)
  - b) [An ordinance to amend the Charter of the City of Chattanooga, and all acts, ordinances, and other charter provisions amendatory thereof, pursuant to the provisions of Article XI, Section 9, of the Constitution of the State of Tennessee \(Home Rule Amendment\) so as to change the City’s Charter by deleting archaic provisions and improving ...](#)
  - c) [2012-108 Yerbey Concrete Construction/Mark L. Settles \(C-2 Convenience Commercial Zone to M-3 Warehouse and Wholesale Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 4121, 4123, and 4215 Shallowford Road, more particularly described herein, from C-2 Convenience Commercial Zone to M-3 Warehouse and Wholesale Zone, subject to certain conditions. \(Recommended for approval by Planning and Staff.\) \(District 5.\)](#)  

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[2012-108 Yerbey Concrete Construction/Mark L. Settles \(C-2 Convenience Commercial Zone to M-2 Light Industrial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 4121, 4123, and 4215 Shallowford Road, more particularly described herein, from C-2 Convenience Commercial Zone to M-2 Light Industrial Zone. \(Applicant Version.\) \(Recommended for denial by Planning and Staff.\)](#)

- d) 2012-148 Young Properties, LLC (R-2 Residential 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 3906 10<sup>th</sup> Avenue, more particularly described herein, from R-2 Residential Zone to M-1 Manufacturing Zone, subject to certain conditions. (Recommended for approval by Planning and Staff.) (District 7.)

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2012-148 Young Properties, LLC (R-2 Residential 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 3906 10<sup>th</sup> Avenue, more particularly described herein, from R-2 Residential Zone to M-1 Manufacturing Zone. (Applicant Version.)

- e) 2012-152 Napier & Associates, GP/Ken Defoor/Wayne Upchurch/John & Vivienne Reeser (R-1 Residential Zone to MXU Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 7329, 7331, and 7335 McCutcheon Road and 2405 Gunbarrel Road, more particularly described herein, from R-1 Residential Zone to MXU Zone, subject to certain conditions. (Recommended for approval by Planning and Public Works now recommends approval with conditions.) (District 4.)

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2012-152 Napier & Associates, GP/Ken Defoor/Wayne Upchurch/John & Vivienne Reeser (R-1 Residential Zone to MXU Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 7329, 7331, and 7335 McCutcheon Road and 2405 Gunbarrel Road, more particularly described herein, from R-1 Residential Zone to MXU Zone. (Applicant Version.)

- f) 2012-153 J R Realty/James Vincent, Sr. (R-1 Residential Zone to C-2 Convenience Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located in the 6400 block of Hixson Pike, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. (Recommended for approval by Planning.) (District 3.)

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2012-153 J R Realty/James Vincent, Sr. (R-1 Residential Zone to C-2 Convenience Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located in the 6400 block of Hixson Pike, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. (Staff Version.)

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2012-153 J R Realty/James Vincent, Sr. (R-1 Residential Zone to C-2 Convenience Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located in the 6400 block of Hixson Pike, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone. (Applicant Version.)

- g) 2012-140 Barry Evans/James Pratt (R-4 Special Zone to R-TZ Residential Townhouse Zero Lot Line Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 402 Forest Avenue, more particularly described herein, from R-4 Special Zone to R-TZ Residential Townhouse Zero Lot Line Zone, subject to certain conditions. (Recommended for approval by Planning.) (District 2.) (Deferred from 11/13/2012.)

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2012-140 Barry Evans/James Pratt (R-4 Special Zone to R-TZ Residential Townhouse Zero Lot Line Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 402 Forest Avenue, more particularly described herein, from R-4 Special Zone to R-TZ Residential Townhouse Zero Lot Line Zone, subject to certain conditions. (Recommended for approval by Staff.)

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2012-140 Barry Evans/James Pratt (R-4 Special Zone to R-TZ Residential Townhouse Zero Lot Line Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 402 Forest Avenue, more particularly described herein, from R-4 Special Zone to R-TZ Residential Townhouse Zero Lot Line Zone. (Applicant Version.)

- h) MR-2012-083 Dr. W. C. Helton (Abandonment). An ordinance closing and abandoning of the 4200 block of Cherryton Drive, more particularly described herein, subject to certain conditions. (Recommended for approval by Public Works.) (District 5.)

7. Resolutions:

- a) A resolution authorizing the Gang Task Force Coordinator to execute a contract with the Community Foundation of Greater Chattanooga (CFGC) to create a fund to accept donations and contributions.
- b) A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into a Personal Services Agreement with Larry Ridge relative to maintenance and repair services for the Coolidge Park Carousel.
- c) A resolution authorizing the Chief of the Chattanooga Fire Department to enter into a contract for a sale and purchase with Miller Land Holdings, LLC of land for construction of a new fire station in the Ooltewah area. (District 4.)
- d) A resolution authorizing the Administrator of the Department of Neighborhood Services and Community Development to renew the agreement with Brightbridge, Inc. for administration of Section 108 Guarantee Loan funds from the United States Department of Housing and Urban Development for a period of three (3) years.
- e) A resolution adopting the 2012 Purchasing Manual with revisions as set forth in Part II, Chattanooga City Code, Chapter 2, Article V, relative to purchases, contracts, and property disposition.

- f) A resolution authorizing payment to John K. Gray and Janice B. Gray for a sanitary sewer easement relative to Contract No. W-10-011, East Brainerd Road Sewer Relocation Project for Tract No. 8, property located at 1406 Morris Hill Road, for an amount not to exceed \$17,981.00. (District 5.)
  - g) A resolution authorizing the Administrator of the Department of Parks and Recreation, on behalf of the Therapeutic Recreation Division, to apply for and, if granted, accept a grant from the Columbia Grassroots Outdoor Alliance Program, in the amount of \$5,000.00.
  - h) A resolution authorizing the Administrator of the Department of Education, Arts & Culture to apply for and, if awarded, accept a grant from the Community Foundation of Greater Chattanooga to develop literacy programs, in the amount of \$20,000.00.
  - i) 2012-149 Peter E. Johnson, Esq./Energy Way Corporation (Special Exceptions Permit). A resolution approving a Special Exceptions Permit for a duplex on property located at 110 Gardner Street. (Planning Commission has recommended denial and Staff recommends approval.) (District 6.)
  - j) A resolution requesting the Hamilton County Election Commission to establish satellite early voting locations at the City's expense for the municipal election in March, 2013.
  - k) A resolution authorizing the Chief of Police to purchase two (2) K-9 dogs from the United States Marine Corps, for a total cost of \$10.00.
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.
10. Other Business.
11. Committee Reports.
12. Agenda Session for Tuesday, December 18, 2012.

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