

## AGENDA FOR TUESDAY, JANUARY 4, 2000

- I. Call to Order.
- II. Invocation (Councilwoman Rutherford).
- III. Minute Approval.
- IV. Special Presentations:
  - a)
- V. Ordinances – Second & Third Reading:
  - a) 1999-195 Highland Group (Close & Abandon): An unnamed alley southeast of Fillmore Street (unopened) and Fillmore Street southwest of East 16<sup>th</sup> Street, more particularly described herein and as shown on plat attached hereto and made a part hereof by reference. **(Recommended for approval)**
- VI. Ordinances – First Reading:
  - a) 1998-174 American Materials Technologies, LLC (Close & Abandon): Streets and alleys located southeast of Jersey Pike, northeast of Highway 153, more particularly described herein and as shown on plat attached hereto and a made a part hereof by reference, subject to certain conditions. **(Recommended for approval upon conditions)**  
**(HELD FROM 12-29-98 & 6-29-99)**
  - b) 1999-213 John Pauley, Nilesh Mehta, Dheraaj Desai and Naven Patel (From R-1 & C-2 to C-1): Rezone a tract of land located at 5112 Highway 153, more particularly described herein. **(Applicant Version – Recommended for denial – See Alternate Version)**  
OR  
1999-213 John Pauley, Nilesh Mehta, Dheraaj Desai and Naven Patel (From C-2 to C-1): Rezone a tract of land located at 5112 Highway 153, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning and Staff)**  
**(HELD FROM 12-14-99)**
  - c) An ordinance to amend Chattanooga City Code, Part II, Chapter 3, Section 3-55, relative to the prohibition of off-premise signs along scenic corridors.

VI. Ordinances – First Reading (continued):

- d) An ordinance to amend Chattanooga City Code, Part II, Chapter 3, Section 3-102(h), relative to the jurisdiction of the Board of Sign Appeals.
- e) An ordinance granting unto ITC^DeltaCom Communications, Inc. a franchise to install and maintain fiber optic telecommunications cables in certain rights-of-way in the City of Chattanooga to provide telecommunication services, subject to certain conditions.
- f) 1999-201 Clyde and Elizabeth Fuller (Close & Abandon): An ordinance closing and abandoning the 2900 block of Baldwin Street, northeast of Alton Park Boulevard, more particularly described herein and as shown on plat attached hereto and made a part hereof by reference. **(Recommended for approval)**
- g) 1999-203 City of Chattanooga – General Services/Real Property (Close & Abandon): An ordinance closing and abandoning the 1100 block of North Willow Street, northeast of Cooley Street, more particularly described herein and as shown on plat attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval)**
- h) 1999-214 S. Reginald Ruff, III (Close & Abandon): An ordinance closing and abandoning the 2600 block of Mitchell Street, southwest of West 26<sup>th</sup> Street, more particularly described herein and as shown on plat attached hereto and made a part hereof by reference.
- i) An ordinance to amend Ordinance No. 10872, the 1999/2000 Budget Ordinance, so as to provide for certain changes in Appropriations set out in Section 5.

VII. Resolutions:

- a) A resolution authorizing the execution of Change Order No. 1, Contract No. 28G, Moccasin Bend Wastewater Treatment Plant, Plant Expansion and Wet Weather Treatment, with 3D Enterprises Contracting Corporation, which change order increases the contract amount by \$262,110.00, for a revised contract total of \$18,712,110.00, and which change order increases the contract time by ten (10) calendar days for a revised completion date of August 6, 2000.
- b) A resolution authorizing Bridgeview Gallery to use temporarily the City's right-of-way at 340 Frazier Avenue for installing an awning, more particularly described herein, subject to certain conditions.

VII. Resolutions (continued):

- c) A resolution authorizing First Freewill Baptist Church to use temporarily the City's right-of-way at the intersection of Ashland Terrace and Ely Road for replacement of a missing directional sign, subject to certain conditions.
- d) A resolution authorizing Priscilla Guzman to use temporarily the City's right-of-way at an alley located between 13<sup>th</sup> and 14<sup>th</sup> Streets for landscaping and installing a wooden security fence, more particularly described herein, subject to certain conditions.
- e) A resolution authorizing the purchase of certain property located in East Brainerd and more particularly described herein from George K. Henshall and Faith B. Henshall for use as a park.
- f) A resolution authorizing the City Finance Officer to serve as Fiscal Agent for a grant of \$32,600.00 received from the Mary Reynolds Babcock Foundation for the Jefferson Heights Neighborhood Coalition to participate in the Foundation's Community Problem Solving Program.
- g) A resolution authorizing the execution of Change Order No. 1, Contract No. DM-1-99, Old Eureka Foundry Demolition, with Stein Construction Company, which change order decreases the contract amount by \$1,100.00, for a revised contract total of \$61,878.00.
- h) A resolution authorizing the execution of Change Order No. 3, Contract No. CSO-2-98, Central Avenue CSO Control Facility, Schedule II (Control Facility), with Crowder Construction Company, which change order increases the contract amount by \$69,402.39, for a revised contract amount of \$10,593,906.47.

VIII. Overtime Report.

IX. Departmental Reports:

- a) Department of Human Services.
- b) Department of Parks, Recreation, Arts & Culture.
- c) Department of General Services.
- d) Department of Public Works.
- e) Fire Department.
- f) Police Department.
- g) Department of Finance and Administration.
- h) Department of Personnel.
- i) Department of Neighborhood Services.
- j) City Finance Officer.
- k) City Attorney.

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- X. Other Business.
- XI. Committee Reports.
- XII. Agenda Session for Tuesday, January 11, 2000 (see following pages of this Agenda).
- XIII. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
- XIV. Adjournment.

XII. Agenda Session for Tuesday, January 11, 2000:

AGENDA FOR TUESDAY, JANUARY 11, 2000

1. Call to Order.
2. Invocation (Councilman Taylor).
3. Minute Approval.
4. Special Presentations:
  - a)
5. Ordinances – Second Reading:
  - a) An ordinance granting unto ITC^DeltaCom Communications, Inc. a franchise to install and maintain fiber optic telecommunications cables in certain rights-of-way in the City of Chattanooga to provide telecommunication services, subject to certain conditions.
6. Ordinances – Second & Third Reading:
  - a) 1998-174 American Materials Technologies, LLC (Close & Abandon): Streets and alleys located southeast of Jersey Pike, northeast of Highway 153, more particularly described herein and as shown on plat attached hereto and a made a part hereof by reference, subject to certain conditions. **(Recommended for approval upon conditions)**  
**(HELD FROM 12-29-98 & 6-29-99)**
  - b) 1999-213 John Pauley, Nilesh Mehta, Dheraaj Desai and Naven Patel (From R-1 & C-2 to C-1): Rezone a tract of land located at 5112 Highway 153, more particularly described herein. **(Applicant Version – Recommended for denial – See Alternate Version)**  
OR  
1999-213 John Pauley, Nilesh Mehta, Dheraaj Desai and Naven Patel (From C-2 to C-1): Rezone a tract of land located at 5112 Highway 153, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning and Staff)**  
**(HELD FROM 12-14-99)**
  - c) An ordinance to amend Chattanooga City Code, Part II, Chapter 3, Section 3-55, relative to the prohibition of off-premise signs along scenic corridors.

XII. Agenda Session for Tuesday, January 11, 2000 (continued):

6. Ordinances – Second & Third Reading (continued):

- d) An ordinance to amend Chattanooga City Code, Part II, Chapter 3, Section 3-102(h), relative to the jurisdiction of the Board of Sign Appeals.
- e) 1999-201 Clyde and Elizabeth Fuller (Close & Abandon): An ordinance closing and abandoning the 2900 block of Baldwin Street, northeast of Alton Park Boulevard, more particularly described herein and as shown on plat attached hereto and made a part hereof by reference. **(Recommended for approval)**
- f) 1999-203 City of Chattanooga – General Services/Real Property (Close & Abandon): An ordinance closing and abandoning the 1100 block of North Willow Street, northeast of Cooley Street, more particularly described herein and as shown on plat attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval)**
- g) 1999-214 S. Reginald Ruff, III (Close & Abandon): An ordinance closing and abandoning the 2600 block of Mitchell Street, southwest of West 26<sup>th</sup> Street, more particularly described herein and as shown on plat attached hereto and made a part hereof by reference.
- h) An ordinance to amend Ordinance No. 10872, the 1999/2000 Budget Ordinance, so as to provide for certain changes in Appropriations set out in Section 5.

7. Ordinances – First Reading:

- a) An ordinance to amend Ordinance No. 10590, and to approve settlement of annexation litigation with the City of Collegedale, Tennessee.
- b) 1999-157 MC Properties, Inc. (From R-1 to C-1 & C-2): Rezone a tract of land located at 7301 and 7315 Shallowford Road, 2310, 2317, 2313, 2314, 2319, 2318 and 2325 Napier Drive, more particularly described herein. **(Recommended for denial by Planning)**  
  
1999-157 MC Properties, Inc. (From R-1 to O-1): Rezone a tract of land located at 7301 and 7315 Shallowford Road, 2310, 2317, 2313, 2314, 2319, 2318 and 2325 Napier Drive, more particularly described herein, subject to certain conditions. **(Recommended for approval by Staff)**  
**(HELD FROM 12-14-99)**

XII. Agenda Session for Tuesday, January 11, 2000 (continued):

7. Ordinances – First Reading (continued):

- c) 1999-216 Reginald Delynn Rains (From R-4 to C-2): Rezone a tract of land located in the 5800 block of Highway 153, being on the northwest line of Highway 153, northeast of Grubb Road, more particularly described herein. **(Recommended for denial by Staff)**

1999-216 Reginald Delynn Rains (From R-4 to C-2): Rezone a tract of land located in the 5800 block of Highway 153, being on the northwest line of Highway 153, northeast of Grubb Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

- d) 1999-217 Barry Ligon (From R-1 to C-2): Rezone a tract of land located at 8488 East Brainerd Road, being on the southwest line of East Brainerd Road southeast of Givens Road, more particularly described herein. **(Recommended for denial)**

1999-217 Barry Ligon (From R-1 to C-2): Rezone a tract of land located at 8488 East Brainerd Road, being on the southwest line of East Brainerd Road southeast of Givens Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning & Staff)**

- e) 1999-222 Bruce Patton (From C-5 to R-2): Rezone a tract of land located at 602 Midland Pike, being on the southeast line of Midland Pike at Park Street, more particularly described herein. **(Recommended for approval by Planning & Staff)**

- f) 1999-224 Trinity Baptist Church (From M-1 to C-3): Rezone a tract of land located at 1608, 1612, 1614, and 1616 Market Street, being on the southeast line of Market Street southwest of East 16<sup>th</sup> Street, more particularly described herein. **(Recommended for denial)**

1999-224 Trinity Baptist Church (From M-1 to C-3): Rezone a tract of land located at 1608, 1612, 1614, and 1616 Market Street, being on the southeast line of Market Street southwest of East 16<sup>th</sup> Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning & Staff)**

XII. Agenda Session for Tuesday, January 11, 2000 (continued):

7. Ordinances – First Reading (continued):

- g) 1999-225 Traci Kozloski (From M-1 to C-3): Rezone a tract of land located in the 1400 block of Williams Street, being on the southeast line of Williams Street at West 14<sup>th</sup> Street, more particularly described herein. **(Recommended for denial)**

1999-225 Traci Kozloski (From M-1 to C-3): Rezone a tract of land located in the 1400 block of Williams Street, being on the southeast line of Williams Street at West 14<sup>th</sup> Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning & Staff)**

- h) 1999-226 Q. T. Morphis (From R-3 to M-1): Rezone tracts of land located at 2001, 2003, 2005, 2007, 2009, and 2013 Rossville Avenue, being on the southwest line of Rossville Avenue at Madison Street, more particularly described herein. **(Recommended for approval by Planning & Staff)**
- i) 1999-227 Rainbow Creek Apartments, LP (Amend Conditions): Amend certain conditions imposed in Ordinance No. 10893, on the Rainbow Creek Apartments, LP property located at 7604 Standifer Gap Road, being on the southwest line of Standifer Gap Road southeast of Walker Road, being more particularly described herein. **(Recommended for approval by Planning & Staff)**
- j) 1999-236 R. L. Williams (From R-2 to C-2): Rezone a tract of land located at 1605 West 39<sup>th</sup> Street, being on the northeast line of West 39<sup>th</sup> Street at Old Mountain Road, more particularly described herein. **(Recommended for denial by Planning & Staff)**

8. Resolutions:

- a) A resolution that certain property located at Fairview Avenue at 10<sup>th</sup> Street, Citico Avenue and Talladega Avenue, more particularly described herein, be declared surplus.
- b) A resolution that certain property located at 2107 Jackson Street, more particularly described herein, be declared surplus.

9. Overtime Report.



**XII. Agenda Session for Tuesday, January 11, 2000 (continued):**

10. Departmental Reports:
  - a) Department of Human Services.
  - b) Department of Parks, Recreation, Arts & Culture.
  - c) Department of General Services.
  - d) Department of Public Works.
  - e) Fire Department.
  - f) Police Department.
  - g) Department of Finance and Administration.
  - h) Department of Personnel.
  - i) Department of Neighborhood Services.
  - j) City Finance Officer.
  - k) City Attorney.
11. Other Business.
12. Committee Reports.
13. Agenda Session for Tuesday, January 18, 2000.
14. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
15. Adjournment.