

AGENDA FOR TUESDAY, MAY 8, 2007

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilwoman Gaines).
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 25, Article I, by substituting a new Section 25-45(2) relative to panhandling.
 - b) An ordinance appropriating from the General Fund to A Night To Remember, Inc., a non profit organization, the amount of \$1,500.00 as a sponsorship of its 20th anniversary event.
 - c) An ordinance to amend Ordinance No. 11903 entitled “An ordinance appropriating, authorizing or allocating funds to the Capital Improvements Budget for the Fiscal Year 2006/2007” to provide for the appropriation from the Department of Human Services and from Human Services Department Operations for the renovation of the Daisy Head Start/Early Head Start Center.
 - d) MR-2007-013 Bouman Development (Close & Abandon). An ordinance closing and abandoning a portion of the unopened 2500 block of East 16th Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Deferred from 5/1/07.)**
 - e) MR-2007-018 Charter Real Estate Corporation (Close & Abandon). An ordinance closing and abandoning a portion of the 6000 block of Hall Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions.
 - f) MR-2007-031 Hamilton County Real Property (Close & Abandon). An ordinance closing and abandoning a portion of the 1900 block of East 4th Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions.
- VI. Ordinances – First Reading:
 - a) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article V, Sections 650 and 1700, so as to clarify parking requirements within the Urban General Commercial (UGC) Zone.
 - b) 2007-038 Sabrena Turner (from R-1 to O-1). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 1413 North Concord Road and the 6900 block of Concord Circle, more particularly described herein, from R-1 Residential Zone to O-1 Office Zone. **(Recommended for denial by Planning.)**

- c) 2007-049 THP-Investors, Inc. (from R-1 & R-2 to R-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 3928 and 3952 Webb Road, more particularly described herein, from R-1 Residential Zone and R-2 Residential Zone to R-3 Residential Zone. **(Not recommended for approval by Planning or Staff - see alternate versions.)**

2007-049 THP-Investors, Inc. (from R-1 & R-2 to R-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 3928 and 3952 Webb Road, more particularly described herein, from R-1 Residential Zone and R-2 Residential Zone to R-3 Residential Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

2007-049 THP-Investors, Inc. (from R-1 & R-2 to R-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 3928 and 3952 Webb Road, more particularly described herein, from R-1 Residential Zone and R-2 Residential Zone to R-3 Residential Zone, subject to certain conditions. **(Recommended for approval by Staff.)**

- d) 2007-055 Earthworx, LLC (Lift Condition). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to **lift** Condition No. 2 imposed in Ordinance No. 11540 (Case No. 2004-030) on a tract of land located in the 5500 block of Clear Creek Road, more particularly described herein. **(Not recommended for approval by Planning - see alternate version.)**

2007-055 Earthworx, LLC (Lift Condition). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to **amend** Condition No. 2 imposed in Ordinance No. 11540 (Case No. 2004-030) on a tract of land located in the 5500 block of Clear Creek Road, more particularly described herein. **(Recommended for approval by Planning.)**

- e) 2007-056 Frederick Metzger (from R-1 to C-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 5933 Fisk Avenue, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone. **(Not recommended for approval by Planning - see alternate version.)**

2007-056 Frederick Metzger (from R-1 to C-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 5933 Fisk Avenue, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- f) 2007-058 Gregg Juster, c/o Elder Healy & Company (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 1601 Rossville Avenue, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning or Staff - see alternate versions.)**

2007-058 Gregg Juster, c/o Elder Healy & Company (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 1601 Rossville Avenue, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

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- g) 2007-059 Ken Defoor (from R-1 & O-1 to MXU). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 2307, 2319, 2323, 2327, 2331, and 2335 Gunbarrel Road and 7340 McCutcheon Road, more particularly described herein, from R-1 Residential Zone and O-1 Office Zone to MXU Mixed Use Zone. **(Recommended for denial by Planning. Not recommended for approval by Staff - see alternate version.)**

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- h) 2007-063 Robert L. Cummings (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 7425 Ziegler Road, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone. **(Recommended for denial by Staff. Not recommended for approval by Planning - see alternate version.)**

2007-063 Robert L. Cummings (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 7425 Ziegler Road, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

VII. Resolutions:

- a) A resolution authorizing the adoption of the North Shore Plan.
- b) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. E-06-002-201, 2006 City Sidewalks Requirements Contract - CDBG Phase 2, with Yerbey Concrete Construction, Inc., which Change Order increases the contract amount by \$10,800.60, for a revised contract amount not to exceed \$240,800.60.

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- c) MR-2007-067 City of Chattanooga (Declare Surplus & Donate). A resolution declaring surplus a tract of land located at 2312 Duncan Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, authorizing the donation of said parcel to the Boys and Girls Clubs of Chattanooga, Inc., and authorizing the Director of General Services to execute any and all documents necessary to facilitate said donation.
- d) MR-2007-068 City of Chattanooga (Declare Surplus). A resolution declaring surplus a tract of land located in the 1200 block of Sholar Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.
- e) MR-2007-069 City of Chattanooga (Declare Surplus). A resolution declaring surplus a tract of land located at 3501 Central Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.

VIII. Overtime Report.

VIX. 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 15, 2007.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, May 15, 2007:

AGENDA FOR TUESDAY, MAY 15, 2007

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilwoman Bennett).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Final Reading:
 - a) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article V, Sections 650 and 1700, so as to clarify parking requirements within the Urban General Commercial (UGC) Zone.
 - b) 2007-038 Sabrena Turner (from R-1 to O-1). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 1413 North Concord Road and the 6900 block of Concord Circle, more particularly described herein, from R-1 Residential Zone to O-1 Office Zone. **(Recommended for denial by Planning.)**
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- f) 2007-058 Gregg Juster, c/o Elder Healy & Company (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 1601 Rossville Avenue, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning or Staff - see alternate versions.)**

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- h) 2007-063 Robert L. Cummings (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 7425 Ziegler Road, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone. **(Recommended for denial by Staff. Not recommended for approval by Planning - see alternate version.)**

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6. Ordinances – First Reading:

7. Resolutions:

- a) A resolution adopting Design Guidelines for the C-7 North Shore Commercial/Mixed Use Zone, in substantially the form attached hereto and made a part hereof by reference.
- b) A resolution authorizing the Department of Parks and Recreation to accept a grant from the State of Tennessee in the amount of \$300,000.00 relative to the Pavilion in Renaissance Park (former Roper site).
- c) A resolution authorizing acceptance of a donation from the Community Foundation of Greater Chattanooga, Inc. in the amount of \$1,000.00 to the Department of Education, Arts & Culture for its “Friday Night Live” Program.
- d) A resolution authorizing the Fire Chief to apply for and accept a grant from the United States Department of Homeland Security, 2007 Assistance to Firefighters Grant in the amount of \$250,000.00, with eighty percent (80%) of the federal share being \$200,000.00, and which, if awarded, will require local matching funds of \$50,000.00.
- e) A resolution authorizing the Chief of the Chattanooga Fire Department to award a contract to Jason Helton Roofing to remove and replace the roof of Fire Station No. 16 for its lowest and best bid in an amount not to exceed \$47,300.00.
- f) A resolution authorizing the appointment of Oather D. Cales, Charles L. Freeman, Jr., Donald W. Woodby, and Richard R. Roberts as special policemen (unarmed) for the City of Chattanooga Department of Public Works to do duty as prescribed herein, subject to certain conditions.
- g) A resolution authorizing the appointment of Ricky L. Tate as special policeman (unarmed) for the City of Chattanooga Department of Public Works to do special duty as prescribed herein, subject to certain conditions.
- h) A resolution authorizing the Administrator of the Department of Public Works to accept donations from various companies in a total amount of \$8,150.00 for expenses related to the Public Word Week Celebration and expressing the gratitude of the Mayor and City Council for said donations.

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- i) A resolution authorizing the Administrator of the Department of Public Works to submit an application to the Tennessee Department of Transportation (TDOT) for construction of a proposed industrial access road off Alton Park Boulevard to serve a distribution center and authorizing the payment of fifty percent (50%) of the right-of-way acquisition and utility relocation expense incurred by TDOT, if any.
 - j) A resolution authorizing the award of Contract No. E-05-024-201, Gunbarrel Road at Standifer Gap Road Intersection Improvement, to Talley Construction Company, Inc. in the amount of \$322,152.31, plus a contingency amount of \$32,847.69, for a total contract amount not to exceed \$355,000.00.
 - k) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. W-05-003-101, Eastgate Pump Station No. 2, Gravity Connector Sewer, and Force Main, with Consolidated Technologies, Inc., which change order increases the contract amount by \$2,500.00, for a revised contract amount not to exceed \$52,050.00.
 - l) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. W-05-003-201, Eastgate Pump Station No. 2, Gravity Connector Sewer, and Force Main, with East Tennessee Grading, Inc., which change order decreases the contingency encumbrance by \$27,797.49, for a revised contract amount not to exceed \$570,689.01.
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, May 22, 2007.
 13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
 14. Adjournment.