

AMENDED AGENDA FOR TUESDAY, JUNE 16, 2009

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

MAYOR'S SUBMITTAL OF ADMINISTRATIVE APPOINTMENTS

- V. Ordinances – Final Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, by amending Article II to add definitions for “Garden Center,” “Greenhouse, Commercial,” and “Nursery, Commercial,” and amending Article V, Sections 38-187(3), 38-206(2), 38-321(1), and 38-473(12) within C-2 Convenience Commercial Zone, Urban General Commercial Zone, M-2 Light Industrial Zone, and parking requirements sections to include these as permitted uses.
 - b) 2009-057 John P. Franklin, Jr. (From R-2 to C-2). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 1016 Peachtree Street, more particularly described herein and as shown on the maps and drawing attached hereto and made a part hereof by reference, from R-2 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.
 - c) 2009-067 Helen W. Henley (From M-1 to C-5). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 116 Peerless Avenue, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, from M-1 Manufacturing Zone to C-5 Neighborhood Commercial Zone, subject to certain conditions.
 - d) 2009-075 Greg Vital (Amend Conditions). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to amend the conditions imposed in Ordinance No. 11957 (Case No. 2007-046) on property located at 5501 Old Hixson Pike, being more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, subject to certain conditions.
 - e) 2009-078 Tennessee Temple University (From R-1 & R-3 to R-4). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 1715 Union Avenue and in the 1700 block of Kirby 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 and R-3 Residential Zone with conditions to R-4 Special Zone, subject to certain conditions.

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- f) 2009-079 Robert Hall (From R-1 to C-2). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 1101 Greens Road, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.
- g) 2009-080 Jay M. Philippose (From R-1 to R-4). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 7415 and 7419 Ziegler Road, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions.
- h) An ordinance to amend Chattanooga City Code, Part II, Chapter 18, relative to garbage and refuse. **(Revised – Need Motion to Substitute.)**

VI. Ordinances – First Reading:

VII. Resolutions:

- a) A resolution accepting the highest and best offers for certain parcels of property acquired by the City of Chattanooga and Hamilton County through previous delinquent tax sales and authorizing the Director of General Services to execute deeds conveying said parcels to individuals as shown on the list attached hereto and made a part hereof by reference.
- b) A resolution authorizing the Mayor to enter into and execute an Interlocal Agreement with Hamilton County, Tennessee relative to maintenance and operational funding for the Bessie Smith Hall located at 200 East Martin Luther King Boulevard.
- c) A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into an agreement with CSX Railway to conduct preliminary engineering services relative to a proposed trail under the South Chickamauga Bridge in an amount not to exceed \$10,000.00.
- d) A resolution authorizing the award of Contract No. W-09-040-201, Summit Landfill Gas Extraction System Additions, to SCS Field Services in the amount of \$294,260.00, plus a contingency amount of \$29,340.00, for a total amount not to exceed \$323,600.00.
- e) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with Electric Power Board (EPB) to relocate existing facilities within an existing EPB easement relative to Contract No. E-08-028-201, Old Hixson Pike Roadway Improvements Project, in an amount not to exceed \$14,712.50.
- f) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with Electric Power Board (EPB) to relocate existing facilities within an existing EPB easement relative to Contract No. E-06-006-202, Northpoint Boulevard Extension Phase 2, in an amount not to exceed \$21,216.00.

- g) A resolution authorizing the Administrator of the Department of Public Works to amend the agreement with Civic Engineering for implementation of Azteca City Works at the Waste Water Treatment Plant to increase the contract amount by \$9,600.00 for additional services required, for a revised total amount not to exceed \$39,470.00.
- h) A resolution authorizing Elemi Architects, on behalf of Joshua McManus with CreateHere, to use temporarily the right-of-way at 55 East Main Street to install signage, as shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Public Works.)**
- i) A resolution authorizing Elemi Architects, on behalf of Madia Siniard with Madia's Studio, to use temporarily the right-of-way at 48 East Main Street to install signage, as shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Public Works.)**
- j) A resolution authorizing Elemi Architects, on behalf of Mariah S. Mayfield with Shadowbox, to use temporarily the right-of-way at 46 East Main Street to install signage, as shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Public Works.)**
- k) **A resolution authorizing the Mayor to accept an endowment grant from the Tennessee Department of Economic and Community Development in the amount of \$200,000.00, with no requirements for any matching funds, to purchase and plant trees in various areas of Chattanooga. (Added by permission of Chairman Benson.)**
- l) MR-2008-120 City of Chattanooga, c/o Dan Thornton (Lease). A resolution authorizing the Director of General Services to enter into a Lease Agreement with the Chattanooga African American Museum and Hamilton County for property located at 200 East Martin Luther King Boulevard, more particularly described herein, for a term of ten (10) years and for a monthly rental rate of \$1.00 and other good and valuable consideration.
- m) **A resolution to amend conditions imposed by Resolution No. 25951 (Case No. 2009-074), entitled, "A resolution approving a Preliminary Institutional Planned Unit Development Special Exceptions Permit for a proposed Institutional Planned Unit Development on tracts of land being generally bounded on the north by Bailey Avenue, on the south by Bennett Avenue, on the east by South Willow Street, and on the west by South Hickory Street, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, subject to certain conditions." (Recommended for approval by Planning. Added by permission of Council Chair Benson and Vice Chair Rico.)**

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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, June 23, 2009.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, June 23, 2009:

AGENDA FOR TUESDAY, JUNE 23, 2009

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Murphy)
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
6. Ordinances – First Reading:
7. Resolutions:
 - a) A resolution accepting and adopting a mission statement, goals, and objectives for the fiscal years 2010 and 2011 budgets. **(DRAFT ONLY - Deferred from 5/26/09.)**
 - b) A resolution to make certain findings relating to the Chattem, Inc. project, to delegate certain authority to the Industrial Development Board of the City of Chattanooga, and to authorize the Mayor to enter into and execute an agreement for payments in lieu of ad valorem taxes.
 - c) A resolution authorizing the Chief of the Chattanooga Fire Department to enter into a contract with JDH to remove and replace the roof at the Fire Training Center for (1) a base bid in the amount of \$68,422.00; (2) an alternate bid to remove and replace the roof over the gym in the amount of \$48,218.00; and (3) a contingency of ten (10) percent for damaged steel in the amount of \$11,664.00, for a total price not to exceed \$128,304.00.
 - d) A resolution authorizing Sanjay Actuarya, on behalf of Delight Hospitality, LLC, to use temporarily the right-of-way at 7725 Lee Highway to plant shrubs, as shown on the map and drawing attached hereto and made a part hereof by reference, subject to certain conditions.
 - e) A resolution authorizing Ken J. Defoor to use temporarily the right-of-way at the center of the round-about at the new phase of North Point Boulevard to install a sprinkler line under the roadway for landscaping, as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions.
 - f) A resolution authorizing the Chief of Police to apply for and accept the 2009 Edward Byrne Memorial Justice Assistance Grant from the Bureau of Justice Administration in Washington, D.C., in a total amount not to exceed \$256,549.00, for a three year period, to be shared with Hamilton County Sheriff's Department and East Ridge Police Department, with no local matching funds, and authorizing the Mayor to execute an agreement between all parties for the sharing of said funds.

- g) A resolution authorizing the Mayor to apply for and, if awarded, accept 2009 United States Department of Energy, National Energy Technology Laboratory, Recovery Act Energy Efficiency and Conservation Block Grants (EECBG) - Formula Grants. (Added by permission of Council Chair Benson.)**
- 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, June 30, 2009
- 13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
- 14. Adjournment.