

SECOND AMENDED AGENDA FOR TUESDAY, NOVEMBER 3, 2009

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilwoman Scott).
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
 - a) An ordinance adopting a Plan of Services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of the City of Chattanooga known as area 3C, which includes certain properties adjacent to Ruby Falls and the U.S. Park Service Land Resource Division, on the side of Lookout Mountain, within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as shown by the attached map. **(Public Hearing.)**
 - b) An ordinance adopting a Plan of Services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of the City of Chattanooga known as area 6A, which includes certain properties adjacent to the western right-of-way of Highway 58 and Turkeyfoot Road within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as shown by the attached map. **(Public Hearing.)**
 - c) An ordinance adopting a Plan of Services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of the City of Chattanooga known as area 6B, which includes certain properties adjacent to the western right-of-way of Highway 58 and adjacent to the right-of-way for Hickory Valley Road within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as shown by the attached map. **(Public Hearing.)**
 - d) An ordinance adopting a Plan of Services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of the City of Chattanooga known as area 6C, which includes certain properties adjacent to the eastern and western rights-of-way of Highway 58 up to its intersection with Harrison-Ooltewah Road, including portions of other streets named Bent Pine, Congress, Deerwood, Mahlon, Clark, Church, Tyner, and Easter, within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as shown by the attached map. **(Public Hearing.)**
 - e) MR-2009-121 Kirti Naik (Close & Abandon). An ordinance closing and abandoning an unopened alley located off of the 2100 block of East 23rd Street, more particularly described herein, and subject to certain conditions.
 - f) An ordinance amending the Chattanooga City Code, Part II, Chapter 10, Section 10-5, as amended, so as to exclude certain properties known as Lot 24, Rossville Avenue, from the Downtown Fire District Boundaries, subject to certain conditions.

Second Amended Agenda for Tuesday, November 3, 2009

Page 2 of 7

VI. Ordinances – First Reading:

- a) An ordinance adopting a Plan of Services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of the City of Chattanooga known as Area 9B, being certain parcels adjacent to Old Lee Highway and Apison Pike within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as shown by the attached map. **(Public Hearing.)**

VII. Resolutions:

- a) A resolution authorizing the Department of Parks and Recreation to accept a 5.5 acre (approximate) conservation easement on part of property located at 5600 Hixson Pike, Tax Map No. 100K-C-006, from Clear Creek Church of Christ to be used as part of the North Chickamauga Greenway Master Plan, and authorizing the Administrator to execute any documents necessary relative to this donation.
- b) A resolution authorizing the Director of General Services to enter into an agreement with Barge, Waggoner, Sumner and Cannon, Inc. for the Brownfield Cleanup Projects at the Ohls Avenue Glass Field Site and the Anchor Glass Office Building Site in the amount of \$59,565.00, plus contingencies totaling \$18,000.00, for a total amount not to exceed \$77,565.00.
- c) A resolution authorizing the Administrator of the Department of Public Works to approve the award of Contract No. S-08-006-201, Private Sanitary Sewer Line Repair (SLAP), to Tower Construction Company, Inc. in the amount of \$21,980.00, plus a contingency amount of \$3,000.00, for a total amount not to exceed \$24,980.00.
- d) A resolution authorizing the Administrator of the Department of Public Works to approve the award of Contract No. S-09-001-201, Private Sanitary Sewer Line Repair (SLAP), to C&C Construction Services in the amount of \$11,400.00, plus a contingency amount of \$2,800.00, for a total amount not to exceed \$14,200.00.
- e) A resolution authorizing the Administrator of the Department of Neighborhood Services and Community Development to enter into a professional services contract with **APD Urban Planning and Management, LLC.** to initiate, manage, and oversee the goals and objectives outlined in the Neighborhood Stabilization Implementation Plan for the utilization of the City's Neighborhood Stabilization Program funds in an amount not to exceed \$205,050.00 for 24 months, with the option to renew for 2 additional 12-month periods, contingent upon the availability of funding. **(Revised.)**

Second Amended Agenda for Tuesday, November 3, 2009

Page 3 of 7

- f) A resolution authorizing the issuance and sale of bonds in the aggregate amount not to exceed Twenty Million Dollars (\$20,000,000.00) of the City of Chattanooga, for the purpose of paying all or a portion of the costs of certain projects at the Volkswagen Car Plant, including streets, helipad, welcome center, fire building, electric transformer station, wastewater, water and stormwater drainage, certain utility infrastructure and financing, certain other Public Works projects including for general government, public works, fire department, information services, road improvements (Goodwin Drive), 6.4 ESIP railway lines, fire service expansion, land for new stations, apparatus for new stations, furnishings for new stations, fire hydrants, mesh network for information services, ESIP traffic study intersection improvements, Hickory Valley Road bridge replacement, local infrastructure and certain other Public Works projects, and fixing the maximum rate of interest such bonds shall bear.

- g) A resolution authorizing the Chief of the Chattanooga Fire Department to enter into a contract with Bradanna, Inc. to construct Fire Station No. 7 at Enterprise South in the amount of \$1,879,000.00, with a contingency in the amount of \$187,900.00, for a total cost not to exceed \$2,066,900.00. **(Added by permission of Council Chair Benson and Vice Chair Rico – brought forward from 11/10/09 Agenda 7(b).)**

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, November 10, 2009.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, November 10, 2009:

AGENDA FOR TUESDAY, NOVEMBER 10, 2009

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilwoman Robinson).
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
 - a) An ordinance adopting a Plan of Services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of the City of Chattanooga known as Area 9B, being certain parcels adjacent to Old Lee Highway and Apison Pike within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as shown by the attached map. **(Public Hearing.)**
6. Ordinances – First Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Sections 38-2, 38-361, 38-363, 38-365 through 38-368, and 38-378, to update flood regulations.
 - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, by amending Sections 38-43(4) and 38-524(1) through (4)(a) to include three and four unit dwellings by special exceptions permit in R-1 Residential Zone.
 - c) An ordinance to amend Chattanooga City Code, Part II, Chapter 5, Section 5-75(b), relative to sale of beer in the UGC Urban General Commercial Zone. **(Deferred from 10/27/09.)**
 - d) 2008-194 Trudy Mott (R-1 to R-3MD). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 1203 Rockway Drive, more particularly described herein, from R-1 Residential Zone to R-3MD Moderate Density Zone. **(Denied by Planning and Staff but recommended for Special Exceptions Permit approval once 6(b) is decided on.)**
 - e) 2009-111 Sean Daniels (R-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 3630 Ridgeside Road, more particularly described herein, from R-1 Residential Zone to C-5 Neighborhood Commercial Zone, subject to certain conditions. **(Recommended for approval by Planning and Staff.) (District No. 9.)**

2009-111 Sean Daniels (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 3630 Ridgeside Road, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone. **(Denied by Planning and Staff.)**

- f) MR-2009-112 Chestnut Properties, LLC (Close & Abandon). An ordinance closing and abandoning the 900 block of East 23rd Street, a portion of the unopened 2000 block of East End Avenue, and a portion of an unopened alley located on the west line of the 2000 block of Central Avenue, more particularly described herein, subject to certain conditions. **(Recommended for approval by Public Works.) (District No. 7.) (Deferred from 10/27/09.)**

MR-2009-112 Chestnut Properties, LLC (Close & Abandon). An ordinance closing and abandoning the 900 block of East 23rd Street, a portion of the unopened 2000 block of East End Avenue, and a portion of an unopened alley located on the west line of the 2000 block of Central Avenue, more particularly described herein.

- g) 2009-122 Kim Helton (R-1 to R-T/Z). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a part of a tract of land located at 7230 Noah Reid Road, more particularly described herein, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. **(Recommended for approval by Planning and denied by Staff.) (District No. 6.)**

2009-122 Kim Helton (R-1 to R-T/Z). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a part of a tract of land located at 7230 Noah Reid Road, more particularly described herein, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone.

- h) 2009-123 Structure Group, Inc. (M-1 to UGC). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 1200 East Main Street, more particularly described herein, from M-1 Manufacturing Zone to UGC Urban General Commercial Zone. **(Recommended for approval by Planning and Staff.) (District No. 8.) (Corrected.)**

2009-123 Structure Group, Inc. (M-1 to C-3). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 1200 East Main Street, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone. **(Denied by Planning and Staff.)**

- i) 2009-124 Metropolitan Main, LLC (C-2 and M-1 to UGC). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 1601 Gulf Street, more particularly described herein, from C-2 Convenience Commercial Zone and M-1 Manufacturing Zone to UGC Urban General Commercial Zone. **(Recommended for approval by Planning and Staff.) (District No. 8.)**

2009-124 Metropolitan Main, LLC (C-2 and M-1 to C-3). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 1601 Gulf Street, more particularly described herein, from C-2 Convenience Commercial Zone and M-1 Manufacturing Zone to C-3 Central Business Zone. **(Denied by Planning and Staff.)**

Second Amended Agenda for Tuesday, November 3, 2009

Page 6 of 7

- j) 2009-143 Linda J. Murphy (R-1 to R-3). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 28 South Germantown Road, more particularly described herein, from R-1 Residential Zone to R-3 Residential Zone. **(Denied by Planning and Staff.) (District No. 6.)**

- k) 2009-145 Alan Haniszewski (R-1 to R-T/Z). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 907 Avon Place, more particularly described herein, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. **(Recommended for approval by Planning.) (District No. 2.)**

2009-145 Alan Haniszewski (R-1 to R-T/Z). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 907 Avon Place, more particularly described herein, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone.

- l) 2009-146 D & G Development, LLC (M-2 to R-3). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 3421 St. Elmo Avenue, more particularly described herein, from M-2 Light Industrial Zone to R-3 Residential Zone. **(Recommended for approval by Planning.) (District No. 7.)**

7. Resolutions:

- a) A resolution authorizing payment of 2010 Membership Dues for National League of Cities in an amount not to exceed \$10,610.00.

- b) A resolution authorizing the award of Contract No. W-05-007-203, North Warner Park Stormwater Detention Basin, to Thomas Brothers Construction Company, Inc. in the amount of \$1,703,999.00, plus a contingency amount of \$170,000.00, for a total amount not to exceed \$1,873,999.00, subject to appropriation of funds. **(Deferred from 10/27/09.)**

- c) 2009-144 Nate Durham (Special Exceptions Permit). A resolution approving a Special Exceptions Permit for a two-family dwelling in R-1 Residential Zone on a tract of land located at 2036 Ruby Street, more particularly described herein. **(Recommended for approval by Planning.)**

8. Overtime Report.

Second Amended Agenda for Tuesday, November 3, 2009

Page 7 of 7

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, November 17, 2009.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.