

**THIRD AMENDED AGENDA FOR TUESDAY, APRIL 19, 2011**

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman McGary)
- III. Minute Approval.
- IV. Special Presentation.
  - a) **A resolution of support for the “Achievement Scholarship Dinner and Tribute” to John P. Franklin, Sr. sponsored by the KAPPA Foundation of Chattanooga.**
- V. Ordinances – Final Reading:
  - a) An ordinance to amend Part II, Chattanooga City Code, Chapter 17, Article I, Section 17-1, relative to the adoption of the International Fire Code, 2006 Edition, including all referenced standards and publications specified therein, and the 2006 National Fire Protection Association (NFPA) 101 Life Safety Code in its entirety for certain specified occupancies, including existing buildings, as defined by the 2006 NFPA 101 Life Safety Code, as the official fire code of the City of Chattanooga; and to amend Sections 17-2, as to appendices, and 17-3 as amendments to the Code. **(Request for deferral to 4/26/2011.)**
  - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, by amending Article VIII, Section 38-568(4) to clarify use of cremation/crematory in the M-1 Manufacturing Zone; and funeral homes, mortuaries, and undertaking establishments in the R-4 Special Zone.
  - c) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article VIII by repealing or deleting Section 38-563(5) regarding appeals of the Downtown Residential/Mixed Use District Review Committee.
  - d) 2011-024 Miriam J. Herstik/Peggy Holder (R-1 Residential Zone and R-2 Residential Zone to A-1 Urban Agricultural Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 4200 Randolph Circle, more particularly described herein, from R-1 Residential Zone and R-2 Residential Zone to A-1 Urban Agricultural Zone, subject to certain conditions. **(District No. 5.)**
  - e) 2011-029 Travis Hulsey (M-2 Light Industrial 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 at 6101 Mountain View Road, more particularly described herein, from M-2 Light Industrial Zone to C-2 Convenience Commercial Zone. **(District No. 4.)**

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- f) 2011-031 City of Chattanooga/RPA (Temporary R-2 Residential Zone and M-2 Light Industrial Zone to Permanent R-2 Residential Zone and M-2 Light Industrial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located in annexed Area 3A of Ordinance No. 12308, from temporary R-2 Residential Zone and M-2 Light Industrial Zone to permanent R-2 Residential Zone and M-2 Light Industrial Zone. **(District No. 1.)**
- g) 2011-032 City of Chattanooga/RPA (Temporary R-2 Residential Zone to Permanent R-1 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located in annexed Area 3C of Ordinance No. 12311, from temporary R-2 Residential Zone to permanent R-1 Residential Zone. **(District No. 1.)**
- h) 2011-037 Carylon Killebrew/CFS Properties (M-1 Manufacturing Zone to C-3 Central Business Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1416 Williams Street, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions. **(District No. 8.)**
- i) 2011-044 Darren W. Kennedy, Attorney/Hubert Properties (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 at 3883 Wilcox Boulevard, more particularly described herein, from R-1 Residential Zone to C-5 Neighborhood Commercial Zone. **(District No. 5.)**

### VI. Ordinances – First Reading:

### VII. Resolutions:

- a) A resolution authorizing the Office of the City Attorney to institute eminent domain proceedings against RI TN 2, LLC, Jenkins Road, Tract No. 7, Tax Map and Parcel No. 149K-C-033.01 for Shallowford Road at Jenkins Road Intersection Improvements, Contract No. E-08-010. **(District No. 4.)**
- b) A resolution authorizing the Office of the City Attorney to institute eminent domain proceedings against GVH (SHALL-JEN) & Associates, Inc. relative to Shallowford Road, Tract No. 10, Tax Map and Parcel No. 149J-E-015 for Shallowford Road at Jenkins Road Intersection Improvements, Contract No. E-08-010. **(District No. 4.)**
- c) **A resolution authorizing payment to Grace Baptist Church of Hamilton County, Inc., for a right-of-way easement, relative to Contract No. E-08-010, Shallowford Road at Jenkins Road Intersection for Tract No. 3, property located at Jenkins Road, Chattanooga, Tennessee, Tax Map No. 149G-B-022, in an amount not to exceed \$110,219.46. (District No. 4.) (Revised.)**

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- d) A resolution authorizing payment to Soon Ja Cho, for a right-of-way easement, relative to Contract No. E-08-010, Shallowford Road at Jenkins Road Intersection Improvement, for Tract No. 6, property located at 2302 Jenkins Road, Tax Map No. 149K-C-033.02, in an amount not to exceed \$13,818.00. **(District No. 4.)**
- e) A resolution authorizing payment to Landscape, LLC for a right-of-way easement relative to Contract No. E-08-010, Shallowford Road at Jenkins Road Intersection Improvement, for Tract No. 5, Tax Map No. 149K-C-033.03, on Jenkins Road, in an amount not to exceed \$15,015.00. **(District No. 4.)**
- f) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with Volkert, Inc. for professional services relative to Contract No. W-10-012-101, Evaluation of Telemetry and SCADA Systems for the Moccasin Bend Wastewater Treatment Plant and remote facilities, in an amount not to exceed \$127,500.00.
- g) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with Burns and McDonnell Engineering Company for professional services relative to Contract No. W-11-001-101, Moccasin Bend Wastewater Treatment Plant SF6, circuit breaker replacement, in an amount not to exceed \$165,607.00. **(District No. 1.)**
- h) A resolution authorizing the Director of General Services to enter into a Change Order with Tower Construction relative to the construction of a building to be used by Chattanooga Mobile Communications Services for the management and maintenance of the Tennessee Valley Regional Communication System for an increase of \$20,221.00.
- i) A resolution authorizing the City Finance Officer to accept the proposal of First Tennessee Bank to provide merchant card, payroll card, lockbox processing, and branch property tax collection services, and to execute a contract with First Tennessee Bank for said services.
- j) A resolution authorizing the City Finance Officer to accept the proposal of SunTrust Bank to provide general banking services, and to execute a contract with SunTrust Bank for said services.
- k) A resolution authorizing the City Finance Officer to accept the proposal of Bank of America to provide purchasing card services, and to execute a contract with Bank of America for said services.
- l) A resolution authorizing the Director of General Services to enter into an agreement with March Adams & Associates, Inc. to perform professional engineering services for the design and construction administration **of the Police Station** on 11<sup>th</sup> Street for a total design fee in an amount not to exceed \$77,500.00. **(Revised.)**

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- m) A resolution authorizing the Mayor to enter into an agreement with Hamilton County for the Hamilton County Courts Community Service Program to pick up litter along City rights-of-way using first-time, non-violent offenders, in an amount not to exceed \$60,000.00.

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 on April 26, 2011

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

XIV. Adjournment.

**AGENDA FOR TUESDAY, APRIL 26, 2011**

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:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 31, Article VIII, Division 7, Fees, Section 31-356(d) relative to inspection and maintenance agreements. **(Deferred from 3/29/11.)**
7. Resolutions:
  - a) **A resolution authorizing payment of \$175,000.00 of extraordinary maintenance expenses and \$50,000.00 cash infusion working capital for Dogwood Manor to meet short-term needs through September, 2011. (Revised.)**
  - b) A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into a lease agreement for the City to lease from Invista a certain parcel of land containing approximately 5.03 acres, situated at 4501 North Access Road to be used for public recreation. **(District No. 1.)**
  - c) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with Samuel Daniel, relative to Contract No. R-09-001, South Chickamauga Creek Greenway Project, for a temporary right-of-way, for a total amount not to exceed \$4,500.00. **(District No. 5.)**
  - d) A resolution authorizing Lee Ann Chesnutt to use temporarily the rights-of-way located at 516 Beck Avenue for the installation of wooden stairs over deteriorating concrete, along a portion of Beck Avenue, and along a portion of Moonhollow Lane, for construction of a parking pad, as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions. **(District No. 1.)**
  - e) A resolution authorizing Highland Park Neighborhood Association to use temporarily the rights-of-way throughout the neighborhood to place community markers to indicate the Association’s boundaries, as shown in the drawings attached hereto and made a part hereof by reference, subject to certain conditions. **(District No. 9.)**

- f) A resolution authorizing Stuart Heights Neighborhood Association to use temporarily the rights-of-way located throughout the neighborhood to install community markers to indicate the Association's boundaries, as shown in the drawings attached hereto and made a part hereof by reference, subject to certain conditions. **(District No. 2.)**
  - g) A resolution authorizing King Oak Neighborhood Association to use temporarily the rights-of-way located throughout the neighborhood to place community markers to indicate the Association's boundaries, as shown on the attached drawings and made a part hereof by reference, subject to certain conditions. **(District No. 5.)**
  - h) A resolution authorizing Brainerd Park North, N.A. to use temporarily the rights-of-way located throughout the neighborhood to place community markers to indicate the boundaries, as shown on the attached drawings and made a part hereof by reference, subject to certain conditions. **(District No. 6.)**
  - i) **A resolution authorizing the Office of the City Attorney to institute eminent domain proceedings against \_\_\_\_\_ and any other known or unknown party necessary with interest in the property located at 7900 Shallowford Road, Chattanooga, TN, Tract No. 8, Tax Map and Parcel No. 149N-A-002 for Shallowford Road at Jenkins Road Intersection Improvements, Contract No. E-08-010.**
  - j) MR-2010-132 Dan Thornton. A resolution authorizing the Director of General Services to accept a parcel of land located in a triangular intersection at Tennessee Avenue, Thomas Avenue, and Beulah Avenue, Tax Map No. 167O-E-017.
  - k) MR-2010-151 Dan Thornton. A resolution authorizing the Director of General Services to allow Hamilton County temporary access to Farmers Market (Tax Map No. 145E-T-002) in order to perform geotechnical and other related tests and inspections, and to convey the subdivided parcel to Hamilton County to build its new healthcare clinic on the site, described more particularly below.
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.

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10. Other Business.
11. Committee Reports.
12. Agenda Session on May 3, 2011.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.