

**FOURTH AMENDED AGENDA FOR TUESDAY, SEPTEMBER 27, 2011**

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Council Chairwoman Ladd).
- III. Minute Approval.
- IV. Special Presentation.

**“SPECIAL PRESENTATION – WOLFSBURG, GERMANY, SISTER CITY Resolution”**

- V. Ordinances – Final Reading:
- VI. Ordinances – First Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 24, Article I, by adding a new Section 24-49 relative to use of hand-held mobile telephone or personal digital assistant prohibited while driving. **(Deferred from 9/13/2011.) (Revised.)**
  - b) 2011-093 Spike 201, LLC/Don Johnson (R-2 Residential Zone to O-1 Office Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 111 Cross Street, more particularly described herein, from R-2 Residential Zone to O-1 Office Zone. **(Planning Version.) (District No. 1.) (Revised.)**  
  
2011-093 Spike 201, LLC/Don Johnson (R-2 Residential Zone to O-1 Office Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 111 Cross Street, more particularly described herein, from R-2 Residential Zone to C-5 Neighborhood Commercial Zone. **(Applicant Version.)**
  - c) MR-2011-108 City of Chattanooga/Engineering/Bill Payne (Closure). An ordinance closing a portion of a right-of-way near the 1300 block of Hixson Pike, more particularly described herein, subject to certain conditions. (District No. 2.)
- VII. Resolutions:
  - a) A resolution authorizing The Ice Cream Show to use temporarily the right-of-way located at 105 Walnut Street for the installation of a sign along a portion of the right-of-way, as shown on the maps and drawings attached hereto and made a part hereof by reference, subject to certain conditions. **(Temp. Usage No. 73644.) (District No. 8.) (Deferred from 8/30/2011.)**

**Fourth Amended Agenda for Tuesday, September 27, 2011**

**Page 2 of 6**

- b) A resolution authorizing the Chattanooga City Council to request the members of the local Hamilton County Delegation to offer and support an amendment to Public Chapter 2011-323 in order to protect and ensure the rights of our citizens to vote. (Added by permission of Council Vice-Chairman Benson.) **(Revised.)**
- c) **A resolution authorizing the Administrator of the Department of Human Services to enter into agreements with Signal Center, Inc.; Children's Home Shelter; and Child Care Networks of Hamill Road for Early Head Start and Head Start Services for 284 infants, toddlers, and preschool children during the school year term, for a total amount of \$1,412,970.00, as set forth more fully herein. (Revised.)**
- d) A resolution authorizing Garrett Nudd on behalf of Cobblestone Rue to use temporarily the right-of-way located at 55 East Main Street for the installation of a business sign, as shown in the map and drawings attached hereto and made a part hereof by reference, subject to certain conditions. **(Temp. Usage No. 73817, District No. 7.)**
- e) A resolution authorizing Five Guys Corporation to use temporarily the right-of-way located at 401 Broad Street for the use of the right-of-way along the front of the business for the placement of outdoor seating and the installation of awnings, as shown in the map and drawings attached hereto and made a part hereof by reference, subject to certain conditions. **(Temp. Usage No. 74802, District No. 8.)**
- f) A resolution authorizing the approval of Change Order No. 1 (Final) for Integrated Properties, LLC, relative to Contract No. E-09-002-203, City Sidewalk Requirements Contract – Southside Area, for a decreased amount of \$1,790.27, for a revised contract amount not to exceed \$10,034.23, and to release the remaining contingency amount of \$2,990.27. **(District No. 7.)**
- g) A resolution authorizing the approval of Change Order No. 1 (Final) for Integrated Properties, LLC relative to Contract No. E-09-002-201, City Sidewalk Requirements Contract (CDBG) for an increased amount of \$17,663.48, for a revised contract amount not to exceed \$257,612.73, and to release the remaining contingency amount of \$6,336.52. **(District Nos. 1, 7, 8, and 9.)**
- h) A resolution authorizing the approval of Change Order No. 1 (Final) for Integrated Properties, LLC relative to Contract No. E-09-002-202, City Sidewalk Requirements Contract – Barton Avenue, for an increased amount of \$2,258.07, for a revised contract amount not to exceed \$62,783.07, and to release the remaining contingency amount of \$3,791.93. **(District No. 2.)**

## Fourth Amended Agenda for Tuesday, September 27, 2011

### Page 3 of 6

- i) A resolution authorizing the Administrator of Public Works to award Contract No. E-11-007-201 to Blount Construction Company, Inc. for a Full Depth Roadway Reclamation Contract in the amount of \$435,790.00, with a contingency amount of \$43,579.00, for an amount not to exceed \$479,369.00. **(The work will be on the Spears, Sawyer, and Creek side.) (District Nos. 1 and 9.)**
- j) A resolution authorizing the approval for Randy Glaze, Occupational Safety and Health Coordinator for the City's Personnel Department, for a Special Commission (unarmed) in order to execute the duties as Occupational Safety and Health Coordinator.
- k) A resolution authorizing the Fire Chief to issue a change order to Thomas Brothers Construction for \$71,500.00 for additional concrete work at Fire Station No. 7, for a total amount not to exceed \$455,149.36. **(District No. 4.)**
- l) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with Arcadis U.S., Inc., for professional services, relative to Contract No. W-11-007-101, Evaluation, Design, and Construction of Disinfection System Alternatives for the Effluent from Moccasin Bend Waste Water Treatment Plant, in an amount not to exceed **\$101,800.00. (Revised.)**
- m) MR-2011-098 City of Chattanooga c/o Dan Thornton. A resolution to accept a donation of Conservation Easement from Joe Chod, Inc. located at 4065 Caine Lane, Tax Map No. 137K-A-001, which easement serves as a continuation of the Greenway in the South Chickamauga Creek area. **(District No. 5.)**

#### 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 October 4, 2011.

**Fourth Amended Agenda for Tuesday, September 27, 2011**  
**Page 4 of 6**

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

XIV. Adjournment.

**AGENDA FOR TUESDAY, OCTOBER 4, 2011**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Council Vice-Chairman Benson).
3. Minute Approval.
4. Special Presentation.
5. Ordinances - Final Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 24, Article I, by adding a new Section 24-49 relative to use of hand-held mobile telephone or personal digital assistant prohibited while driving. **(Deferred from 9/13/2011.)**
  - b) 2011-093 Spike 201, LLC/Don Johnson (R-2 Residential Zone to O-1 Office Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 111 Cross Street, more particularly described herein, from R-2 Residential Zone to O-1 Office Zone. **(Planning Version.) (District No. 1.)**  
  
2011-093 Spike 201, LLC/Don Johnson (R-2 Residential Zone to O-1 Office Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 111 Cross Street, more particularly described herein, from R-2 Residential Zone to C-5 Neighborhood Commercial Zone. **(Applicant Version.)**
  - c) MR-2011-108 City of Chattanooga/Engineering/Bill Payne (Closure). An ordinance closing a portion of a right-of-way near the 1300 block of Hixson Pike, more particularly described herein, subject to certain conditions. (District No. 2.)
6. Ordinances – First Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, by amending Section 38-502 and adding new Sections 38-13, 38-528 and 38-529 to identify certain areas of scenic value and establish a special exceptions permit relative to the regulation of structure heights in such areas. **(Deferred from 1/18/2011.)**

## Fourth Amended Agenda for Tuesday, September 27, 2011

### Page 6 of 6

#### 7. Resolutions:

- a) A resolution authorizing **the deferral** of loan repayments by Chattanooga Housing Authority on behalf of Dogwood Manor due to cash flow shortage and further providing that any excess cash flow resulting from this suspension of loan payments be set aside as capital reserves until such time as the property is disposed of or operations consistently provide sufficient cash flow whichever occurs first. **(Revised.)**
- b) A resolution authorizing the Administrator of the Department of Parks and Recreation to establish a sales agreement and the purchase of a sculpture from Chattanooga Artist John Petrey entitled, "Blue Boy Pull Toy #1" in the amount of \$32,500.00 from existing capital funds.
- c) 2011-112 Meo Mio's Cajun Restaurant c/o Brian Sabo (Special Exceptions Permit). A resolution approving a Special Exceptions Permit for use of a nightclub located at 4119 Cummings Highway, as more particularly described in the attached report and maps, subject to certain conditions and recommendation.

#### 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 on October 11, 2011.

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

#### 14. Adjournment.