

## AMENDED AGENDA FOR TUESDAY, AUGUST 10, 1999

- I. Call to Order.
- II. Invocation (Councilwoman Hurley).
- III. Minute Approval.
- IV. Special Presentation:
  - a)
- V. Ordinances – Second & Third Reading:
  - a) MR-99-011 (Close & Abandon): An ordinance closing and abandoning a sewer easement reserved in the previously abandoned forty (40) feet wide, one hundred fifteen (115) feet long section of East 42<sup>nd</sup> Street, more particularly described herein and as shown on plat attached hereto and made a part hereof by reference.
  - b) An ordinance changing the right-of-way name for Pine Street from Second (2<sup>nd</sup>) Street to the dead end south of Third (3<sup>rd</sup>) Street to “Power Alley.”
- VI. Ordinances – First Reading:
  - a) 1999-086 Mid South Mattress Company (From R-3 to M-1): A tract of land located at 1255, 1257, and 1265 East 13<sup>th</sup> Street, being on the northeast line of East 13<sup>th</sup> Street northwest of Holtzclaw Avenue, more particularly described herein. **(Applicant Version – HELD FROM 6-8-99 & 7-13-99)**  
  
1999-133 Mid South Mattress Company (From R-3 to M-1): A tract of land located at 1253 East 13<sup>th</sup> Street, being on the northeast line of East 13<sup>th</sup> Street northwest of Holtzclaw Avenue, more particularly described herein. **(Applicant Version)**  
  
1999-086 & 1999-133 Mid South Mattress Company (From R-3 to M-1): A tract of land located at 1253, 1255, 1257, and 1265 East 13<sup>th</sup> Street, being on the northeast line of East 13<sup>th</sup> Street, northwest of Holtzclaw Avenue, more particularly described herein, subject to certain conditions. **(Recommended for approval)**
  - b) 1999-098 Gary Ball (From C-2 to M-2): A tract of land located at 2207 East Main Street, being on the northeast line of East Main Street southeast of Kelley Street, more particularly described herein. **(Recommended for denial) (HELD FROM 7-13-99 & 7-27-99)**

VI. Ordinances – First Reading (continued):

- c) 1999-099 Alvin Cannon (From R-1, R-2 & R-4 to C-5): Tracts of land located in the 5100 block of Highway 58, being on the southeast line of Highway 58, northeast of Swan Road, more particularly described herein. **(Recommended for denial)**

1999-099 Alvin Cannon (From R-1, R-2 & R-4 to C-5): Tracts of land located in the 5100 block of Highway 58, being on the southeast line of Highway 58, northeast of Swan Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

1999-099 Alvin Cannon (From R-4 to C-5): A tract of land located in the 5100 block of Highway 58, being on the southeast line of Highway 58, northeast of Swan Road, more particularly described herein. **(Recommended for approval by Staff)**

- d) 1999-118 Jack Born (From O-1 to C-2): A tract of land located at 1042 Graysville Road, being on the northeast line of Graysville Road, southeast of East Brainerd Road, more particularly described herein. **(Recommended for approval by Planning; recommended for denial by Staff)**

- e) 1999-119 Grover Marks (From R-1 to C-2): A tract of land located at 9 Pisgah Avenue, being on the northwest line of Pisgah Avenue, northeast of Brainerd Road, more particularly described herein. **(Recommended for denial)**

- f) 1999-121 Al Cannon (From R-1 to C-5): A tract of land located in the 5300 block of Champion Road, being on the southwest line of Champion Road, northwest of Highway 58, more particularly described herein. **(Recommended for denial)**

- g) 1999-123 Bannum, Inc. (From R-2 & R-3 to R-4): A tract of land located at 5412 Lee Avenue, being on the southeast line of Lee Avenue, southwest of Central Avenue, more particularly described herein. **(Recommended for denial by Planning; recommended for approval with conditions by Staff-see alternate version)**

1999-123 Bannum, Inc. (From R-2 & R-3 to R-4): A tract of land located at 5412 Lee Avenue, being on the southeast line of Lee Avenue, southwest of Central Avenue, more particularly described herein, subject to certain conditions. **(Recommended for approval by Staff)**

VI. Ordinances – First Reading (continued):

- h) 1999-124 James R. Hardaway (From R-2 to R-3): A tract of land located at 1203 Peachtree Street, being on the northwest line of Peachtree Street, southwest of East 12<sup>th</sup> Street, more particularly described herein. **(Recommended for approval)**
- i) 1999-125 George Wayne Winkler (From R-2 to M-1): A tract of land located at 7805 Lee Highway, being off the northwest line of Lee Highway northeast of Bonny Oaks Drive, more particularly described herein. **(Recommended for approval)**
- j) 1999-126 Mrs. Joe Frank Smith (From R-1 to R-2): A tract of land located at 1804, 1805, 1807, 1809, 1811, and 1813 East 13<sup>th</sup> Street, being on the northeast and southwest line of East 13<sup>th</sup> Street, northwest of Orchard Knob Avenue, more particularly described herein. **(Recommended for denial)**
- k) 1999-127 Jimmy L. Anderson (From R-1 to C-5): A tract of land located at 100 Glenwood Drive, being on the southeast line of Glenwood Drive at McCallie Avenue, more particularly described herein. **(Recommended for denial)**
- l) 1999-128 Roy Belk & James Downer (From R-1 to R-3): A tract of land located at 4805, 4809, and 4813 Jersey Pike, being on the northwest line of Jersey Pike, northeast of Oakwood Drive, more particularly described herein. **(Recommended for approval with conditions by Planning-see alternate version; recommended for denial by Staff)**  
  
1999-128 Roy Belk & James Downer (From R-1 to R-3): A tract of land located at 4805, 4809, and 4813 Jersey Pike, being on the northwest line of Jersey Pike, northeast of Oakwood Drive, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**
- m) 1999-129 Judith Hart Davis (From R-1 to O-1): A tract of land located at 5918 Hixson Pike, being on the southwest line of Hixson Pike northwest of Cassandra Smith Road, more particularly described herein. **(Recommended for approval)**
- n) 1999-134 Hamilton County Government c/o Becky Browder, Real Property Office (From M-1 to R-4): A tract of land located at 224 North Highland Park Avenue, being on the southeast line of North Highland Park Avenue at East 5<sup>th</sup> Street, more particularly described herein. **(Recommended for approval)**

VI. Ordinances – First Reading (continued):

- o) 1999-135 Billy Joe Cagle, Jr. (From R-1 to R-4): A tract of land located at 4025 Cummings Road, being on the east line of Cummings Road southeast of Cummings Highway, more particularly described herein. **(Recommended for approval)**
- p) 1999-136 Brindley Development Company, LLC (Amend Conditions): Amend certain conditions imposed in Ordinance No. 10778 on property located at 7604 Standifer Gap Road, being on the southwest line of Standifer Gap Road southeast of Walker Road, being more particularly described herein, subject to certain conditions. **(Recommended for approval with conditions)**
- q) 1999-137 Yerbey Concrete Construction, Inc. (From C-1 to C-2): A tract of land located in the 7600 block of Lee Highway, being on the southeast line of Lee Highway at Old Lee Highway, more particularly described herein. **(Recommended for approval)**
- r) 1999-139 ITNOA, LLC (From R-4 to C-2): A tract of land located at 1912 South Willow Street, being on the southeast line of South Willow Street at East 20<sup>th</sup> Street, more particularly described herein. **(Recommended for approval but with conditions—see alternate version)**  
  
1999-139 ITNOA, LLC (From R-4 to C-2): A tract of land located at 1912 South Willow Street, being on the southeast line of South Willow Street at East 20<sup>th</sup> Street, more particularly described herein, subject to certain conditions. **(Recommended for approval)**
- s) An ordinance appropriating, authorizing or allocating funds to the Capital Improvements Budget for the fiscal year 1999/2000. **(SEE REVISED VERSION)**
- t) An ordinance to amend Ordinance No. 10872, the Budget Ordinance for FY 1999/2000, so as to provide for certain changes in General Fund Estimated Revenue; to provide for certain changes in Appropriations set out in Section 5; to provide for certain changes in the Special Revenue Funds as set out in Section 6 and to provide for certain changes in Personnel set out in Section 7B. **(SEE REVISED VERSION)**

VII. Resolutions:

- a) 1999-130 University of Tennessee at Chattanooga By Tom Ellis (Special Exceptions Permit): A resolution approving a Special Exceptions Permit for an Institutional Planned Unit Development on a tract of land located at 724 Mabel Street, being on the northwest line of Mabel Street at East 3<sup>rd</sup> Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions.
- b) A resolution authorizing the Department of General Services Administrator to enter into lease agreements with certain non-profit organizations relative to the lease of surplus computers and related equipment.
- c) A resolution authorizing the appointment of Christopher P. Hunt as a special policeman for the Riverpark, to do special duty as prescribed herein, subject to certain conditions.
- d) A resolution authorizing the Mayor to enter into a Personal Services Contract with Darrell G. McDonald for consulting and project management services relative to construction of the Rivermont Tennis Center, a copy of said Contract attached hereto and incorporated herein by reference.
- e) A resolution granting a permanent channel improvement easement to the Government of Hamilton County in order to carry out a Riverbank Protection Project for Coolidge Park by Hamilton County in collaboration with the U.S. Army Corps of Engineers.
- f) A resolution authorizing the Administrator of the Public Works Department to execute an Agreement with the City of East Ridge, relative to traffic signal controller maintenance services.
- g) A resolution authorizing the Administrator of the Public Works Department to execute an Intergovernmental Agreement with Walker County, Georgia, relative to services performed by the City on a bridge located on Pocket Road, for an hourly fee of \$311.25, more particularly described herein. **(SEE REVISED VERSION)**

**Amended Agenda for Tuesday, August 10, 1999**  
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VIII. Overtime Report.

IX. Departmental Reports:

- a) Department of Human Services.
- b) Department of Parks, Recreation, Arts & Culture.
- c) Department of General Services.
- d) Department of Public Works.
- e) Fire Department.
- f) Police Department.
- g) Department of Finance and Administration.
- h) Department of Personnel.
- i) Department of Neighborhood Services.
- j) City Finance Officer.
- k) City Attorney.

X. Other Business.

XI. Committee Reports.

XII. Agenda Session for Tuesday, August 17, 1999 (see following pages of this Agenda).

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, August 17, 1999:

AGENDA FOR TUESDAY, AUGUST 17, 1999

1. Call to Order.
2. Invocation (Councilman Crockett).
3. Minute Approval.
4. Special Presentations:
  - a)
5. Ordinances – Second & Third Reading:
  - a) 1999-090 Stan Baker (From R-1 to C-2): A tract of land located at 6 Brooks Circle and 7 Pisgah Avenue, being on the southeast line of Brooks Circle and the northwest line of Pisgah Avenue northeast of Brainerd Road, more particularly described herein, subject to certain conditions. **(Recommended for denial) (NEED MOTION TO SUBSTITUTE) (SECOND & THIRD READING HELD FROM 8-3-99)**
  - b) 1999-086 Mid South Mattress Company (From R-3 to M-1): A tract of land located at 1255, 1257, and 1265 East 13<sup>th</sup> Street, being on the northeast line of East 13<sup>th</sup> Street northwest of Holtzclaw Avenue, more particularly described herein. **(Applicant Version)**  
**OR**  
1999-133 Mid South Mattress Company (From R-3 to M-1): A tract of land located at 1253 East 13<sup>th</sup> Street, being on the northeast line of East 13<sup>th</sup> Street northwest of Holtzclaw Avenue, more particularly described herein. **(Applicant Version)**  
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  - c) 1999-098 Gary Ball (From C-2 to M-2): A tract of land located at 2207 East Main Street, being on the northeast line of East Main Street southeast of Kelley Street, more particularly described herein. **(Recommended for denial)**

XII. Agenda Session for Tuesday, August 17, 1999 (continued):

5. Ordinances – Second & Third Reading (continued):

- d) 1999-099 Alvin Cannon (From R-1, R-2 & R-4 to C-5): Tracts of land located in the 5100 block of Highway 58, being on the southeast line of Highway 58, northeast of Swan Road, more particularly described herein. **(Recommended for denial)**

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- e) 1999-118 Jack Born (From O-1 to C-2): A tract of land located at 1042 Graysville Road, being on the northeast line of Graysville Road, southeast of East Brainerd Road, more particularly described herein. **(Recommended for approval by Planning; recommended for denial by Staff)**
- f) 1999-119 Grover Marks (From R-1 to C-2): A tract of land located at 9 Pisgah Avenue, being on the northwest line of Pisgah Avenue, northeast of Brainerd Road, more particularly described herein. **(Recommended for denial)**
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**XII. Agenda Session for Tuesday, August 17, 1999** (continued):

5. Ordinances – Second & Third Reading (continued):

- i) 1999-124 James R. Hardaway (From R-2 to R-3): A tract of land located at 1203 Peachtree Street, being on the northwest line of Peachtree Street, southwest of East 12<sup>th</sup> Street, more particularly described herein. **(Recommended for approval)**
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**XII. Agenda Session for Tuesday, August 17, 1999** (continued):

5. Ordinances – Second & Third Reading (continued):

- p) 1999-135 Billy Joe Cagle, Jr. (From R-1 to R-4): A tract of land located at 4025 Cummings Road, being on the east line of Cummings Road southeast of Cummings Highway, more particularly described herein. **(Recommended for approval)**
- q) 1999-136 Brindley Development Company, LLC (Amend Conditions): Amend certain conditions imposed in Ordinance No. 10778 on property located at 7604 Standifer Gap Road, being on the southwest line of Standifer Gap Road southeast of Walker Road, being more particularly described herein, subject to certain conditions. **(Recommended for approval with conditions)**
- r) 1999-137 Yerbey Concrete Construction, Inc. (From C-1 to C-2): A tract of land located in the 7600 block of Lee Highway, being on the southeast line of Lee Highway at Old Lee Highway, more particularly described herein. **(Recommended for approval)**
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- t) An ordinance appropriating, authorizing or allocating funds to the Capital Improvements Budget for the fiscal year 1999/2000.
- u) An ordinance to amend Ordinance No. 10872, the Budget Ordinance for FY 1999/2000, so as to provide for certain changes in General Fund Estimated Revenue; to provide for certain changes in Appropriations set out in Section 5; to provide for certain changes in the Special Revenue Funds as set out in Section 6 and to provide for certain changes in Personnel set out in Section 7B.

6. Ordinances – First Reading:

- a)

**XII. Agenda Session for Tuesday, August 17, 1999 (continued):**

**7. Resolutions:**

- a) A resolution authorizing the payment of \$89,725.00 to the Carter Street Corporation for marketing expenses related to additional business and economic development efforts accomplished during fiscal year 1998-99.
- b) A resolution authorizing the execution of Amendment No. 3 to the Engineering Services Agreement with Consolidated Technologies, Inc., relative to the Northwest Georgia Sewer Project, Contracts 53B-1 and 53B-2, Pump Stations and Spring Creek Force Main, which increases the contract amount by \$12,200.00 for a revised contract amount of \$405,725.00.
- c) A resolution authorizing the execution of Change Order No. 4, Contract No. 28F, Influent Relief Pump Station and Force Main, with Haren Construction Company, Inc., which change order increases the contract in the amount of \$25,159.00, for a total contract price of \$2,817,702.00.
- d) A resolution authorizing the Mayor to submit a grant application to the Tennessee Department of Economic and Community Development to provide infrastructure improvements for Allied Metal Company, and to approve its portion of the local required match in the amount of \$16,000 to be funded from the Contingency Fund.

**8. Overtime Report.**

**9. Departmental Reports:**

- a) Department of Human Services.
- b) Department of Parks, Recreation, Arts & Culture.
- c) Department of General Services.
- d) Department of Public Works.
- e) Fire Department.
- f) Police Department.
- g) Department of Finance and Administration.
- h) Department of Personnel.
- i) Department of Neighborhood Services.
- j) City Finance Officer.
- k) City Attorney.

**10. Other Business.**

**XII. Agenda Session for Tuesday, August 17, 1999 (continued):**

11. Committee Reports.
12. Agenda Session for Tuesday, August 24, 1999.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.