

## AGENDA FOR TUESDAY, OCTOBER 12, 1999

- I. Call to Order.
- II. Invocation (Councilman Crockett).
- III. Minute Approval.
- IV. Special Presentation:
  - a)
- V. Ordinances – Second & Third Reading:
  - a) 1999-009 Robert C. & Helen T. Mowery (From R-3 to M-1): A tract of land located at 7401 Lee Highway, more particularly described herein, subject to certain conditions. **(Recommended for approval upon conditions by Planning; recommended for denial by Staff)**
- VI. Ordinances – First Reading:
  - a) 1999-162 Anna Marie Lynn (From R-1 to R-4): A tract of land located at 6420 Shallowford Road being on the southwest side of Shallowford Road. **(Recommended for denial)**
  - b) 1999-167 CBH Properties, LLC (From R-4 to C-5): A tract of land located southwest of the 7400 block of Goodwin Road, more particularly described herein. **(Recommended for approval)**
  - c) 1999-168 Chattanooga-Hamilton County Hospital Authority (From R-3 to C-2): Tracts of land located on the south side of East 3<sup>rd</sup> Street located at 1116 East 3<sup>rd</sup> Street and in the 1100 block of East 3<sup>rd</sup> Street, more particularly described herein. **(Recommended for denial – approve another zone-see alternate version)**  
  
1999-168 Chattanooga-Hamilton County Hospital Authority (From R-3 to O-1): Tracts of land located on the south side of East 3<sup>rd</sup> Street located at 1116 East 3<sup>rd</sup> Street and in the 1100 block of East 3<sup>rd</sup> Street, more particularly described herein, subject to certain conditions. **(Recommended for approval)**

VI. Ordinances – First Reading (continued):

- d) 1999-170 Allied Metal Company (From R-2 to M-1): A tract of land located on the southeast side of Lightfoot Mill Road located in the 3400 block of Lightfoot Mill Road, more particularly described herein. **(Recommended for approval)**
- e) 1999-171 Fidelity Trust Company (From R-1 to O-1): A tract of land located on the northwest side of Hixson Pike located at 1307 Hixson Pike, more particularly described herein. **(Recommended for denial by Staff; recommended for denial – approve another zone by Planning-see alternate version)**
- 1999-171 Fidelity Trust Company (From R-1 to R-4): A tract of land located on the northwest side of Hixson Pike located at 1307 Hixson Pike, more particularly described herein. **(Recommended for approval by Planning)**
- f) 1999-174 Silas L. Johnson (From R-1 & R-2 to O-1): A tract of land located on the northeast side of East Brainerd Road located at 6033, 6041 and 6065 East Brainerd Road, more particularly described herein. **(Recommended for approval by Staff)**
- 1999-174 Silas L. Johnson (From R-1 & R-2 to O-1): A tract of land located on the northeast side of East Brainerd Road located at 6033, 6041 and 6065 East Brainerd Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**
- g) 1999-176 George S. Elder (From M-1 to C-3): A tract of land located on the south side of East Main Street located at 100 East Main Street, more particularly described herein. **(Recommended for approval but with conditions – see alternate version)**
- 1999-176 George S. Elder (From M-1 to C-3): A tract of land located on the south side of East Main Street located at 100 East Main Street, more particularly described herein, subject to certain conditions. **(Recommended for approval)**
- h) An ordinance granting unto KMC Telecom III, Inc. a franchise to install and maintain fiber optic cables in certain rights-of-way in the City of Chattanooga to provide telecommunication services, subject to certain conditions. **(See Revised Version)**

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#### VII. Resolutions:

- a) A resolution authorizing the execution of Amendment No. 1 to the Agreement with ARCADIS, Geraghty & Miller, Inc., relative to Contract No. CSO-3-98, Williams Street Combined Sewer Overflow Facility, which Amendment increases the original Agreement amount by \$45,000.00 for a total Agreement cost of \$195,000.00.
- b) A resolution authorizing Archer Daniels Midland Company (Refinery) to use temporarily a portion of Judd Road, more particularly described herein, for controlling traffic and visitors entering said company, subject to certain conditions.
- c) A resolution authorizing Philadelphia Missionary Baptist Church to use temporarily a portion of West 21<sup>st</sup> Street and an unopened alley bordering the Church property to provide additional parking, subject to certain conditions.
- d) A resolution to designate a Tourism Development Zone.

#### 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, October 19, 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, October 19, 1999:

AGENDA FOR TUESDAY, OCTOBER 19, 1999

1. Call to Order.
2. Invocation (Councilman Eaves).
3. Minute Approval.
4. Special Presentations:
  - a) Eastgate Town Center Presentation
5. Ordinances – Second Reading:
  - a) An ordinance granting unto KMC Telecom III, Inc. a franchise to install and maintain fiber optic cables in certain rights-of-way in the City of Chattanooga to provide telecommunication services, subject to certain conditions.
6. Ordinances – Second & Third Reading:
  - a) 1999-162 Anna Marie Lynn (From R-1 to R-4): A tract of land located at 6420 Shallowford Road being on the southwest side of Shallowford Road. **(Recommended for denial)**
  - b) 1999-167 CBH Properties, LLC (From R-4 to C-5): A tract of land located southwest of the 7400 block of Goodwin Road, more particularly described herein. **(Recommended for approval)**
  - c) 1999-168 Chattanooga-Hamilton County Hospital Authority (From R-3 to C-2): Tracts of land located on the south side of East 3<sup>rd</sup> Street located at 1116 East 3<sup>rd</sup> Street and in the 1100 block of East 3<sup>rd</sup> Street, more particularly described herein. **(Recommended for denial – approve another zone-see alternate version)**  
  
1999-168 Chattanooga-Hamilton County Hospital Authority (From R-3 to O-1): Tracts of land located on the south side of East 3<sup>rd</sup> Street located at 1116 East 3<sup>rd</sup> Street and in the 1100 block of East 3<sup>rd</sup> Street, more particularly described herein, subject to certain conditions. **(Recommended for approval)**

XII. Agenda Session for Tuesday, October 19, 1999 (continued):

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

d) 1999-170 Allied Metal Company (From R-2 to M-1): A tract of land located on the southeast side of Lightfoot Mill Road located in the 3400 block of Lightfoot Mill Road, more particularly described herein. **(Recommended for approval)**

e) 1999-171 Fidelity Trust Company (From R-1 to O-1): A tract of land located on the northwest side of Hixson Pike located at 1307 Hixson Pike, more particularly described herein. **(Recommended for denial by Staff; recommended for denial – approve another zone by Planning-see alternate version)**

1999-171 Fidelity Trust Company (From R-1 to R-4): A tract of land located on the northwest side of Hixson Pike located at 1307 Hixson Pike, more particularly described herein. **(Recommended for approval by Planning)**

f) 1999-174 Silas L. Johnson (From R-1 & R-2 to O-1): A tract of land located on the northeast side of East Brainerd Road located at 6033, 6041 and 6065 East Brainerd Road, more particularly described herein. **(Recommended for approval by Staff)**

1999-174 Silas L. Johnson (From R-1 & R-2 to O-1): A tract of land located on the northeast side of East Brainerd Road located at 6033, 6041 and 6065 East Brainerd Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

g) 1999-176 George S. Elder (From M-1 to C-3): A tract of land located on the south side of East Main Street located at 100 East Main Street, more particularly described herein. **(Recommended for approval but with conditions – see alternate version)**

1999-176 George S. Elder (From M-1 to C-3): A tract of land located on the south side of East Main Street located at 100 East Main Street, more particularly described herein, subject to certain conditions. **(Recommended for approval)**

XII. Agenda Session for Tuesday, October 19, 1999 (continued):

7. Ordinances – First Reading:

- a) 1999-150 L & P, LLC (Amend Conditions): Amend certain conditions imposed in Ordinance No. 10725 (Case No. 1998-120) on a tract of land located in the 2400 blocks of 6<sup>th</sup> Avenue and 8<sup>th</sup> Avenue, and the 2400 and 2500 blocks of 7<sup>th</sup> Avenue, being more particularly described herein, subject to certain conditions. **(Applicant Version – Recommended for Denial)**

1999-150 L & P, LLC (Amend Conditions): Amend certain conditions imposed in Ordinance No. 10725 (Case No. 1998-120) on a tract of land located in the 2400 blocks of 6<sup>th</sup> Avenue and 8<sup>th</sup> Avenue, and the 2400 and 2500 blocks of 7<sup>th</sup> Avenue, being more particularly described herein, subject to certain conditions. **(Planning Commission Version)**

1999-150 L & P, LLC (Amend Conditions): Amend certain conditions imposed in Ordinance No. 10725 (Case No. 1998-120) on a tract of land located in the 2400 blocks of 6<sup>th</sup> Avenue and 8<sup>th</sup> Avenue, and the 2400 and 2500 blocks of 7<sup>th</sup> Avenue, being more particularly described herein, subject to certain conditions. **(Staff Version)**

1999-150 L & P, LLC (Amend Conditions): Amend certain conditions imposed in Ordinance No. 10725 (Case No. 1998-120) on a tract of land located in the 2400 blocks of 6<sup>th</sup> Avenue and 8<sup>th</sup> Avenue, and the 2400 and 2500 blocks of 7<sup>th</sup> Avenue, being more particularly described herein, subject to certain conditions. **(Revised Staff Version)**  
**(HELD FROM 9-14-99 & 10-5-99)**

- b) 1999-151 L & P, LLC (From R-3 to M-1): Rezone a tract of land located in the 2400 blocks of 6<sup>th</sup> Avenue and 7<sup>th</sup> Avenue, more particularly described herein. **(Recommended for approval but upon differing conditions by Staff and Planning)**

1999-151 L & P, LLC (From R-3 to M-1): Rezone a tract of land located in the 2400 blocks of 6<sup>th</sup> Avenue and 7<sup>th</sup> Avenue, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

1999-151 L & P, LLC (From R-3 to M-1): Rezone a tract of land located in the 2400 blocks of 6<sup>th</sup> Avenue and 7<sup>th</sup> Avenue, more particularly described herein, subject to certain conditions. **(Recommended for approval by Staff)**  
**(HELD FROM 9-14-99 & 10-5-99)**

**XII. Agenda Session for Tuesday, October 19, 1999 (continued):**

**7. Ordinances – First Reading (continued):**

- c) An ordinance to amend Ordinance No. 10872, the 1999/2000 Budget Ordinance, 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 Personnel set out in Section 7C; to provide for certain changes set out in Section 9; and to provide for certain changes set out in Section 11.

**8. Resolutions:**

- a) A resolution designating the best proposal and an alternate proposal (in case a contract cannot be negotiated with the best proposer) for the operation of the Water System, including the operation, transitional services, and such acquisition services as the City's legal representatives shall deem appropriate or necessary.
- b) A resolution authorizing the payment of up to \$250,000.00 from the Economic Development Fund to the Eastgate Town Center for the construction of a commercial plaza in conjunction with the Agreement with Eastgate Town Center as authorized by Resolution No. 22057. **(HELD FROM 9-21-99 & 10-5-99)**
- c) A resolution authorizing the Administrator of the Department of Parks, Recreation, Arts & Culture to enter into a Contract with Artech Design for architectural services relative to the East Chattanooga Recreation Center for an amount not to exceed \$75,000.00.
- d) A resolution authorizing the Administrator of the Department of Parks, Recreation, Arts & Culture to enter into a Contract with Ritchie Smith Associates relative to the Brainerd Recreation Complex in an amount not to exceed \$300,000.00.
- e) A resolution authorizing the execution of Change Order No. 1, Contract No. CSO-5b-99, Citico Combined Sewer Overflow Facility, with Haren Construction Company, which change order increases the contract amount by \$34,368.00 for a revised contract amount of \$5,167,368.00.
- f) A resolution authorizing the award of Contract No. SS-4-99, Third Street Streetscape Project, to Riverbend Construction Corporation for their low bid in the amount of \$217,609.50.

**XII. Agenda Session for Tuesday, October 19, 1999 (continued):**

9. Overtime Report.
10. 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.
11. Other Business.
12. Committee Reports.
13. Agenda Session for Tuesday, October 26, 1999.
14. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
15. Adjournment.