

AMENDED AGENDA FOR TUESDAY, JANUARY 11, 2000

- I. Call to Order.
- II. Invocation (Councilman Taylor).
- III. Minute Approval.
- IV. Special Presentations:
 - a)
- V. Ordinances – Second Reading:
 - a) An ordinance granting unto ITC^DeltaCom Communications, Inc. a franchise to install and maintain fiber optic telecommunications cables in certain rights-of-way in the City of Chattanooga to provide telecommunication services, subject to certain conditions.
- VI. Ordinances – Second & Third Reading:
 - a) 1998-174 American Materials Technologies, LLC (Close & Abandon): Streets and alleys located southeast of Jersey Pike, northeast of Highway 153, more particularly described herein and as shown on plat attached hereto and a made a part hereof by reference, subject to certain conditions. **(Recommended for approval upon conditions)**
 - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 3, Section 3-55, relative to the prohibition of off-premise signs along scenic corridors.
 - c) An ordinance to amend Chattanooga City Code, Part II, Chapter 3, Section 3-102(h), relative to the jurisdiction of the Board of Sign Appeals.
 - d) 1999-201 Clyde and Elizabeth Fuller (Close & Abandon): An ordinance closing and abandoning the 2900 block of Baldwin Street, northeast of Alton Park Boulevard, more particularly described herein and as shown on plat attached hereto and made a part hereof by reference. **(Recommended for approval)**
 - e) 1999-203 City of Chattanooga – General Services/Real Property (Close & Abandon): An ordinance closing and abandoning the 1100 block of North Willow Street, northeast of Cooley Street, more particularly described herein and as shown on plat attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval)**

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

- f) 1999-214 S. Reginald Ruff, III (Close & Abandon): An ordinance closing and abandoning the 2600 block of Mitchell Street, southwest of West 26th Street, more particularly described herein and as shown on plat attached hereto and made a part hereof by reference. **(Recommended for approval)**
- g) An ordinance to amend Ordinance No. 10872, the 1999/2000 Budget Ordinance, so as to provide for certain changes in Appropriations set out in Section 5.

VII. Ordinances – First Reading:

- a) An ordinance to amend Ordinance No. 10590, and to approve settlement of annexation litigation with the City of Collegedale, Tennessee.
- b) 1999-157 MC Properties, Inc. (From R-1 to C-1 & C-2): Rezone a tract of land located at 7301 and 7315 Shallowford Road, 2310, 2317, 2313, 2314, 2319, 2318 and 2325 Napier Drive, more particularly described herein. **(Recommended for denial by Planning)**

1999-157 MC Properties, Inc. (From R-1 to O-1): Rezone a tract of land located at 7301 and 7315 Shallowford Road, 2310, 2317, 2313, 2314, 2319, 2318 and 2325 Napier Drive, more particularly described herein, subject to certain conditions. **(Recommended for approval by Staff)**
(HELD FROM 12-14-99)
- c) 1999-216 Reginald Delynn Rains (From R-4 to C-2): Rezone a tract of land located in the 5800 block of Highway 153, being on the northwest line of Highway 153, northeast of Grubb Road, more particularly described herein. **(Recommended for denial by Staff)**

1999-216 Reginald Delynn Rains (From R-4 to C-2): Rezone a tract of land located in the 5800 block of Highway 153, being on the northwest line of Highway 153, northeast of Grubb Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

VII. Ordinances – First Reading (continued):

- d) 1999-217 Barry Ligon (From R-1 to C-2): Rezone a tract of land located at 8488 East Brainerd Road, being on the southwest line of East Brainerd Road southeast of Givens Road, more particularly described herein. **(Recommended for denial)**

1999-217 Barry Ligon (From R-1 to C-2): Rezone a tract of land located at 8488 East Brainerd Road, being on the southwest line of East Brainerd Road southeast of Givens Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning & Staff)**

- e) 1999-222 Bruce Patton (From C-5 to R-2): Rezone a tract of land located at 602 Midland Pike, being on the southeast line of Midland Pike at Park Street, more particularly described herein. **(Recommended for approval by Planning & Staff)**

- f) 1999-224 Trinity Baptist Church (From M-1 to C-3): Rezone a tract of land located at 1608, 1612, 1614, and 1616 Market Street, being on the southeast line of Market Street southwest of East 16th Street, more particularly described herein. **(Recommended for denial)**

1999-224 Trinity Baptist Church (From M-1 to C-3): Rezone a tract of land located at 1608, 1612, 1614, and 1616 Market Street, being on the southeast line of Market Street southwest of East 16th Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning & Staff)**

- g) 1999-225 Traci Kozloski (From M-1 to C-3): Rezone a tract of land located in the 1400 block of Williams Street, being on the southeast line of Williams Street at West 14th Street, more particularly described herein. **(Recommended for denial)**

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- h) 1999-226 Q. T. Morphis (From R-3 to M-1): Rezone tracts of land located at 2001, 2003, 2005, 2007, 2009, and 2013 Rossville Avenue, being on the southwest line of Rossville Avenue at Madison Street, more particularly described herein. **(Recommended for approval by Planning & Staff)**

VII. Ordinances – First Reading (continued):

- i) 1999-227 Rainbow Creek Apartments, LP (Amend Conditions): Amend certain conditions imposed in Ordinance No. 10893, on the Rainbow Creek Apartments, LP 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. **(Recommended for approval by Planning & Staff)**
- j) 1999-236 R. L. Williams (From R-2 to C-2): Rezone a tract of land located at 1605 West 39th Street, being on the northeast line of West 39th Street at Old Mountain Road, more particularly described herein. **(Recommended for denial by Planning & Staff)**

VIII. Resolutions:

- a) A resolution that certain property located at 2107 Jackson Street, more particularly described herein, be declared surplus.
- b) A resolution authorizing the Mayor to enter into Retirement Incentive Agreements, substantially in the forms attached hereto, with one (1) Deputy Chief, fifteen (15) Captains and/or Lieutenants and one (1) civilian employee in the Police Department, providing for retirement incentive payments for positions to be eliminated in the Police Department.

IX. Overtime Report.

X. 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.

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- XI. Other Business.
- XII. Committee Reports.
- XIII. Agenda Session for Tuesday, January 18, 2000 (see following pages of this Agenda).
- XIV. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
- XV. Adjournment.

XIII. Agenda Session for Tuesday, January 18, 2000:

AGENDA FOR TUESDAY, JANUARY 18, 2000

1. Call to Order.
2. Invocation (Council Vice-Chair Hakeem).
3. Minute Approval.
4. Special Presentations:
 - a)
5. Ordinances – Third Reading:
 - a) An ordinance granting unto ITC^DeltaCom Communications, Inc. a franchise to install and maintain fiber optic telecommunications 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) An ordinance to amend Ordinance No. 10590, and to approve settlement of annexation litigation with the City of Collegedale, Tennessee.
 - b) 1999-157 MC Properties, Inc. (From R-1 to C-1 & C-2): Rezone a tract of land located at 7301 and 7315 Shallowford Road, 2310, 2317, 2313, 2314, 2319, 2318 and 2325 Napier Drive, more particularly described herein. **(Recommended for denial by Planning)**

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(HELD FROM 12-14-99)
 - c) 1999-216 Reginald Delynn Rains (From R-4 to C-2): Rezone a tract of land located in the 5800 block of Highway 153, being on the northwest line of Highway 153, northeast of Grubb Road, more particularly described herein. **(Recommended for denial by Staff)**

1999-216 Reginald Delynn Rains (From R-4 to C-2): Rezone a tract of land located in the 5800 block of Highway 153, being on the northwest line of Highway 153, northeast of Grubb Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

XIII. Agenda Session for Tuesday, January 18, 2000 (continued):

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

- d) 1999-217 Barry Ligon (From R-1 to C-2): Rezone a tract of land located at 8488 East Brainerd Road, being on the southwest line of East Brainerd Road southeast of Givens Road, more particularly described herein. **(Recommended for denial)**

1999-217 Barry Ligon (From R-1 to C-2): Rezone a tract of land located at 8488 East Brainerd Road, being on the southwest line of East Brainerd Road southeast of Givens Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning & Staff)**

- e) 1999-222 Bruce Patton (From C-5 to R-2): Rezone a tract of land located at 602 Midland Pike, being on the southeast line of Midland Pike at Park Street, more particularly described herein. **(Recommended for approval by Planning & Staff)**

- f) 1999-224 Trinity Baptist Church (From M-1 to C-3): Rezone a tract of land located at 1608, 1612, 1614, and 1616 Market Street, being on the southeast line of Market Street southwest of East 16th Street, more particularly described herein. **(Recommended for denial)**

1999-224 Trinity Baptist Church (From M-1 to C-3): Rezone a tract of land located at 1608, 1612, 1614, and 1616 Market Street, being on the southeast line of Market Street southwest of East 16th Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning & Staff)**

- g) 1999-225 Traci Kozloski (From M-1 to C-3): Rezone a tract of land located in the 1400 block of Williams Street, being on the southeast line of Williams Street at West 14th Street, more particularly described herein. **(Recommended for denial)**

1999-225 Traci Kozloski (From M-1 to C-3): Rezone a tract of land located in the 1400 block of Williams Street, being on the southeast line of Williams Street at West 14th Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning & Staff)**

- h) 1999-226 Q. T. Morphis (From R-3 to M-1): Rezone tracts of land located at 2001, 2003, 2005, 2007, 2009, and 2013 Rossville Avenue, being on the southwest line of Rossville Avenue at Madison Street, more particularly described herein. **(Recommended for approval by Planning & Staff)**

XIII. Agenda Session for Tuesday, January 18, 2000 (continued):

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

- i) 1999-227 Rainbow Creek Apartments, LP (Amend Conditions): Amend certain conditions imposed in Ordinance No. 10893, on the Rainbow Creek Apartments, LP 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. **(Recommended for approval by Planning & Staff)**
- j) 1999-236 R. L. Williams (From R-2 to C-2): Rezone a tract of land located at 1605 West 39th Street, being on the northeast line of West 39th Street at Old Mountain Road, more particularly described herein. **(Recommended for denial by Planning & Staff)**

7. Ordinances – First Reading:

- a) 1999-181 Chattanooga Neighborhood Enterprise, Inc. (Close & Abandon): A ten (10) foot unopened alleyway from West 17th Street northeast fifty-six (56) feet, more particularly described herein and as shown on plat attached hereto and made a part hereof by reference, subject to a certain condition. **(Recommended for approval) (HELD FROM 12-14-99)**
- b) 1999-213 John Pauley, Nilesh Mehta, Dharaaj Desai and Naven Patel (From R-1 & C-2 to C-1): Rezone a tract of land located at 5112 Highway 153, more particularly described herein. **(Applicant Version – Recommended for denial – See Alternate Version)**
OR
1999-213 John Pauley, Nilesh Mehta, Dharaaj Desai and Naven Patel (From C-2 to C-1): Rezone a tract of land located at 5112 Highway 153, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning and Staff) (HELD FROM 12-14-99 & 1-4-00)**

8. Resolutions:

- a) A resolution authorizing the execution of Amendment No. 1 to the Agreement with Consolidated Technologies, Inc., relative to additional design and construction support services on Contract No. SWM-2-99, Drainage and Water Quality Abatement, said Amendment not to exceed \$23,790.00 for a revised total fee not to exceed \$103,790.00.

XIII. Agenda Session for Tuesday, January 18, 2000 (continued):

8. Resolutions (continued):

- b) A resolution authorizing the Administrator of the Department of Public Works to enter into a Sales Order Agreement with the Electric Power Board of Chattanooga for the removal and relocation of overhead power lines along 17th Street between Broad Street and Market Street, more fully described herein, for a total fee not to exceed \$89,100.00.
- c) A resolution authorizing the award of Contract No. SWM-2-99, Drainage and Water Quality Abatement Project, to Mayse Construction Company, for their low bid in the amount of \$2,244,295.50.
- d) A resolution authorizing the award of Contract No. SS-1-98, 17th Street, Broad Street to Market Street Streetscape Project, to East Tennessee Grading, Inc., for their low bid in the amount of \$813,261.80.
- e) A resolution authorizing the purchase of a sewer easement from Creeks Bend Golf Club, Inc., relative to Contract No. 99D, Miscellaneous Sanitary Sewers Requirements Contract, Tract No. 35, for a total consideration of \$2,000.00.
- f) A resolution authorizing D & S Construction to use temporarily a triangular area of the City's sewer easement, more particularly described herein, subject to certain conditions.
- g) A resolution authorizing McKibbon Hotel Group of Chattanooga #2, L.P. to use temporarily the City's right-of-way at the intersection of Chestnut and Second Streets for installing a metal canopy, more particularly described herein, subject to certain conditions.

9. Overtime Report.

XIII. Agenda Session for Tuesday, January 18, 2000 (continued):

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, January 25, 2000.
14. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
15. Adjournment.