

AGENDA FOR TUESDAY, FEBRUARY 25, 2003

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Taylor).
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Second & Third Reading:
 - a) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Tiftonia in Hamilton County, Tennessee, as shown by the attached map. (1-A)
 - b) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Tiftonia in Hamilton County, Tennessee, as shown by the attached map. (1-B)
 - c) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Hixson in Hamilton County, Tennessee, as shown by the attached map. (2-A)
 - d) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Hixson in Hamilton County, Tennessee, as shown by the attached map. (2-B)
 - e) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Lee Highway and Interstate 75 in Hamilton County, Tennessee, as shown by the attached map. (4A-1)
 - f) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Lee Highway and Interstate 75 in Hamilton County, Tennessee, as shown by the attached map. (4A-2)
 - g) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Lee Highway and Interstate 75 in Hamilton County, Tennessee, as shown by the attached map. (4-B)

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

- h) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Bonny Oaks Drive in Hamilton County, Tennessee, as shown by the attached map. (5-A)
- i) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Bonny Oaks Drive in Hamilton County, Tennessee, as shown by the attached map. (5-B)
- j) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Old Lee Highway in Hamilton County, Tennessee, as shown by the attached map. (5-C)
- k) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of Old Lee Highway in Hamilton County, Tennessee, as shown by the attached map. (5C-1)
- l) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of the Jenkins Road extension in Hamilton County, Tennessee, as shown by the attached map. (6)
- m) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of the Valley Hospital property in Hamilton County, Tennessee, as shown by the attached map. (7)
- n) An ordinance adopting a plan of services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of said City, being an area of East Brainerd in Hamilton County, Tennessee, as shown by the attached map. (8)
- o) An ordinance to amend Chattanooga City Code, Part II, Chapter 7, Article II, Section 7-21, Article III, Section 7-33(a) and Article VIII, Section 84(c), relative to animals. **(Added by permission of the Legal and Legislative Committee - held from 02-11-03 - need motion to substitute)**
- p) 2002-228 Trotter's Place, Inc. (From R-1 to R-4). Rezone tracts of land located in the 2200 block of Hickory Valley Road and 6710 Shallowford Road, more particularly described herein, subject to certain conditions. **(Deferred from 02-11-02)**

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VI. Ordinances - First Reading:

- a) An ordinance to amend Chattanooga City Code, Part II, Chapter 35, Article IV, Sections 35-146 through 35-180, relative to the wrecking and towing service.
- b) MR-2001-153 Americo Group by Thomas Kale (Rescind Ordinance No. 11216 and No. 11282). An ordinance amending Ordinance No. 11216, adopted December 4, 2001, and as amended by Ordinance No. 11282, adopted July 15, 2002, by rescinding the closing and abandoning of all recorded rights-of-way in an area bounded by West 33rd Street on the north, West 35th Street on the south, and Broad Street on the east and St. Elmo Avenue on the west, as shown on the map attached hereto and made a part hereof by reference. **(Deferred from 02-11-03)**
- c) 2002-071 Volunteer Behavioral Health Care Systems (From M-1 to C-2). Rezone a tract of land located at 413 Spring Street, more particularly described herein, subject to certain conditions. **(Recommended for denial by Planning - see alternate version - Deferred from 01-21-03)**

2002-071 Volunteer Behavioral Health Care Systems (From M-1 to R-4). Rezone a tract of land located at 413 Spring Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning - Deferred from 01-21-03)**
- d) MR-2003-001 Jimmy Hudson (Close & Abandon). An ordinance closing and abandoning the unopened 3000 block of Sydney Street and the unopened 1300 block of West 30th Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions.

VII. Resolutions:

- a) A resolution authorizing the award of the contract for the Development Resource Center Office Build-Out Project to DP Construction, LLC, for their low bid in the amount of \$46,100.00.
- b) A resolution authorizing the contract for the construction of a concessions stand at the Lakeside Ballfield Complex to Eastman Construction Company in an amount not to exceed \$146,000.00.
- c) A resolution rescinding Resolution No. 23644, adopted January 7, 2003, and encaptioned "A resolution authorizing the award of Contract 81C, Sanitary Sewer Relocation for Signal Mountain Project Widening, to Case Construction Service, Inc., for an amount not to exceed \$487,443.40, including a contingency amount of \$50,000.00" due to the failure of Case Construction, Inc. to submit the relevant bonds.
- d) A resolution authorizing the Administrator of the Department of Public Works to transfer an amount not to exceed \$64,313.00 from the Public Works Capital Projects Fund P416, to the Tennessee Department of Transportation ("TDOT") relative to Project No. LP #1982, BR-STP-3614(4) Hamill Road, bridge over unnamed branch.

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VII. Resolutions (continued):

- e) A resolution authorizing the Administrator of the Department of Public Works to transfer an amount not to exceed \$175,529.00 from the Public Works Capital Projects Fund P416, to the Tennessee Department of Transportation (“TDOT”) relative to Project No. LP #3269, STP-M-9202(79), Shallowford Road over Friars Branch.
- f) A resolution authorizing the Administrator of the Department of Public Works to accept a check from the United States Treasury Department in the amount of \$100,000.00 assessed in court case *United States v. Hydro-Vac Services, et al.*, with said funds to be used to improve or enhance the operations of the Industrial Pretreatment Program at Moccasin Bend Wastewater Treatment Plant.
- g) A resolution authorizing the execution of Change Order No. 1, relative to the Market Street Streetscape from 6th Street to 10th Street, Contract No. SS-6-00 (landscaping), with Ooltewah Nursery, which change order increases the contract amount by \$11,277.00, for a revised contract amount not to exceed \$240,202.00.
- h) A resolution authorizing the Administrator of the Department of Public Works to execute any and all documents necessary to facilitate a declaration and agreement with Kenco Group, Inc., relative to the dedication of a sewer line located on Kenco property at Wauhatchie Pike, Hamilton County, Tennessee, for a total consideration of \$10.00.
- i) A resolution authorizing the Administrator of the Department of Public Works to execute any and all documents necessary to facilitate a declaration and agreement with ConAgra Poultry Company, relative to the dedication of a sewer line located on ConAgra property at 950 Wauhatchie Pike, Hamilton County, Tennessee, for a total consideration of \$10.00.
- j) A resolution authorizing the purchase of a permanent sewer easement from Don Moon, relative to Contract No. 73B-3, Hixson Marina Collection System, Parcel No. 101-56.08, Tract No. 027.1, for an amount not to exceed \$677.00.
- k) A resolution authorizing the purchase of a deed of perpetual channel improvement easement from James F. and Cheryl K. Trimble, relative to the Riverbank Stabilization Project, Parcel No. 118N-D-004, Tract No. 604E, for an amount not to exceed \$2,974.00.
- l) A resolution authorizing BRD Properties to use temporarily the City’s right-of-way located at 711 and 713 Cherry Street to install two awnings, subject to certain conditions.
- m) A resolution authorizing Linda McFalls, President of the Missionary Ridge Neighborhood Association, to use temporarily the City’s right-of-way of Crest Road South and Seminole Road South to install a monument sign as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions.

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VII. Resolutions (continued):

- n) A resolution authorizing Malcolm Walker, President of the Shepherd Community Council, to use temporarily the City's right-of-way at Fisk Avenue to place a gateway sign, subject to certain conditions.
- o) A resolution approving the Alton Park Redevelopment Plan. **(Added by permission of Chairman Littlefield)**
- p) 2003-010 S. Reginald Ruff, III (Preliminary PUD). A resolution approving a Preliminary Planned Unit Development Special Exceptions Permit for a proposed R-3 Residential Planned Unit Development known as the Spencer J. McCallie Homes Planned Unit Development, on a tract of land located at 3500 Kirkland Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning - added by permission of Chairman Littlefield)**
- q) 2003-010 S. Reginald Ruff, III (Final PUD). A resolution approving a proposed Final Planned Unit Development Special Exceptions Permit for an R-3 Residential Planned Unit Development known as the Spencer J. McCallie Homes Planned Unit Development, on a tract of land located at 3500 Kirkland Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning - added by permission of Chairman Littlefield)**

VIII. Overtime Report.

IX. Departmental Reports:

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

X. Other Business.

XI. Committee Reports.

XII. Agenda Session for Tuesday, March 4, 2003.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, March 4, 2003:

AGENDA FOR TUESDAY, MARCH 4, 2003

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Hakeem).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Second & Third Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 35, Article IV, Sections 35-146 through 35-180, relative to the wrecking and towing service.
 - b) MR-2001-153 Americo Group by Thomas Kale (Rescind Ordinance No. 11216 and No. 11282). An ordinance amending Ordinance No. 11216, adopted December 4, 2001, and as amended by Ordinance No. 11282, adopted July 15, 2002, by rescinding the closing and abandoning of all recorded rights-of-way in an area bounded by West 33rd Street on the north, West 35th Street on the south, and Broad Street on the east and St. Elmo Avenue on the west, as shown on the map attached hereto and made a part hereof by reference. **(Deferred from 02-11-03)**
 - c) 2002-071 Volunteer Behavioral Health Care Systems (From M-1 to C-2). Rezone a tract of land located at 413 Spring Street, more particularly described herein, subject to certain conditions. **(Recommended for denial by Planning - see alternate version - Deferred from 01-21-03)**

2002-071 Volunteer Behavioral Health Care Systems (From M-1 to R-4). Rezone a tract of land located at 413 Spring Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning - Deferred from 01-21-03)**
 - d) MR-2003-001 Jimmy Hudson (Close & Abandon). An ordinance closing and abandoning the unopened 3000 block of Sydney Street and the unopened 1300 block of West 30th Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions.
6. Ordinances – First Reading:
 - a) MR-2003-027 City of Chattanooga (Close & Abandon). An ordinance closing and abandoning 425 Houston Street, Lot 19 McConnell Home Place, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions.

XII. Agenda Session for Tuesday, March 4, 2003 (continued):

7. Resolutions:

- a) A resolution authorizing the Administrator of the Department of Public Works to execute an Agreement with the Tennessee Department of Environment and Conservation (“TDEC”) relative to delegation of State authority to review and approve certain construction plans and specifications to the City of Chattanooga and authorizing the adoption of the Sanitary Sewer System Design and Construction Manual as the criteria for sanitary sewer design and construction activities in the City of Chattanooga.
- b) A resolution authorizing the Administrator of the Department of Public Works to execute an Agreement with Khafra Engineering Consultants, Inc., relative to professional services for design and construction of Hamill Road from Central Avenue to Wilson Road, Contract No. E-2-019, for a total amount not to exceed \$63,159.46.
- c) A resolution authorizing the Administrator of the Department of Public Works to execute an Agreement with Consolidated Technologies, Inc., relative to professional services for Contract No. E-03-001-100, Tunnel Boulevard Sidewalk Project from Shallowford Road to Wilcox Boulevard, for a total fee not to exceed \$33,130.00.
- d) A resolution authorizing the Administrator of the Department of Public Works to execute an Agreement with Franklin Associates Architects, Inc., relative to professional services for Contract No. E-02-018-100, Mountain Creek Road and Browns Ferry Road Sidewalks, for a total fee not to exceed \$31,460.00.
- e) A resolution authorizing the execution of Change Order No. 1 (final), relative to Contract No. RW-3-00, Shallowford Road Improvements, to Jones Brothers, Inc., Group 46, which change order decreases the contract amount by \$144,087.54, for a total revised contract amount not to exceed \$2,357,699.56.
- f) A resolution authorizing the purchase of a permanent sewer easement from Gary L. Jaynes, relative to Contract No. 73B-3, Hixson Marina Collection System, Parcel No. 101-56.17, Tract No. 033.1, for an amount not to exceed \$732.00.
- g) A resolution authorizing the purchase of a permanent sewer easement from Charles L. Marsh, III and Sonia Marsh, relative to Contract No. 73B-3, Hixson Marina Collection System, Parcel No. 101G-B-031, Tract No. .066, for an amount not to exceed \$1,200.00.
- h) A resolution authorizing Conoco Phillips Company to use temporarily the City’s right-of-way at Rosemont Drive for the installation of a monitoring well, as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions.

XII. Agenda Session for Tuesday, March 4, 2003 (continued):

7. Resolutions (continued):
 - i) A resolution authorizing the Administrator of the Office of Performance Review to enter into a contract with TeleAdjust, Inc., relative to a telecommunications service audit with any refund amounts being divided as set forth more fully below.
8. Overtime Report.
9. Departmental Reports:
 - a) Department of Human Services.
 - b) Department of Parks, Recreation, Arts & Culture.
 - c) Department of Public Works.
 - d) Fire Department.
 - e) Police Department.
 - f) Department of Finance and Administration.
 - g) Department of Personnel.
 - h) Department of Neighborhood Services.
 - i) City Finance Officer.
 - j) City Attorney.
10. Other Business.
11. Committee Reports.
12. Agenda Session for Tuesday, March 11, 2003.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.