

AGENDA FOR TUESDAY, NOVEMBER 4, 2003

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilwoman Robinson).
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Second & Third Reading:
- VI. Ordinances - First Reading:
- VII. Resolutions:
 - a) A resolution authorizing the acceptance of a permanent easement from the Industrial Development Board of Hamilton County on real property located on Mundy Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, relative to Fire Station No. 17.
 - b) A resolution authorizing the Fire Chief of the City of Chattanooga to enter into a Memorandum of Agreement with the Industrial Development Board of Hamilton County and Komatsu Corporation, relative to installation of a driveway for Fire Station No. 17, on real property located on Mundy Street, more particularly described herein, with the City's portion of said project not to exceed \$85,000.00.
 - c) A resolution amending Resolution No. 23872, adopted July 22, 2003, encaptioned "A resolution authorizing the execution of Change Order No. 1, relative to work at the Lakeside Concession Stand, with Eastman Construction Company, which change order increases the contract amount by \$3,885.00, for a revised contract price of \$143,345.00" so as to delete "Lakeside Concession Stand" and substitute in lieu thereof "Lakeside Youth Association Building" and so as to delete "for a revised contract price of \$143,345.00" and substitute in lieu thereof "for a revised contract amount not to exceed \$147,885.00".
 - d) A resolution authorizing the appointment of Jeremy Swilley as special policeman (unarmed) for the City of Chattanooga Department of Public Works, Stormwater Division, to do special duty as prescribed herein, subject to certain conditions.
 - e) MR-2003-184 City of Chattanooga c/o Harvey Webb. A resolution declaring certain property located at 2712 East 13th Street, more particularly described herein, as surplus and authorizing the City Finance Officer to execute any and all documents necessary to facilitate the sale of said property to McCallie School for a consideration of \$200,000.00.

VII. Resolutions (continued):

- f) A resolution authorizing the Administrator of the Department of Parks, Recreation, Arts and Culture to accept two donations of \$5,000.00 each from the Lyndhurst Foundation and the Community Foundation, for a total of \$10,000.00, to be used toward the Outdoor Initiative website.
- g) A resolution authorizing the Administrator of the Department of Parks, Recreation, Arts and Culture to accept two donations of \$3,600.00 each from the Chattanooga Tennis Association and the Chattanooga Tennis Foundation, for a total of \$7,200.00, to be used toward therapeutic recreation programs.
- h) A resolution authorizing the Administrator of the Department of Parks, Recreation, Arts and Culture to execute a Lease Agreement with Clear Channel Outdoor for a site on the east side of Amnicola Highway north of Chickamauga Creek.
- i) MR-2003-144 City of Chattanooga c/o Phillip W. Lynn. A resolution authorizing the acceptance of the donation of approximately 6.03 acres of certain real property adjacent to the proposed Greenway View Drive and Brainerd Levee, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from Osborne Building Corporation.
- j) A resolution authorizing the Administrator of the Department of Public Works to purchase a right-of-way deed from Timothy and Joy Ann Whitmill, Tax Map No. 159H-B-5.00, Tract No. 11, relative to the Ziegler Road Widening Project, Contract No. E-02-007, for a total consideration not to exceed \$2,210.00.
- k) A resolution authorizing the Administrator of the Department of Public Works to purchase a right-of-way deed from Timothy and Joy Ann Whitmill, Tax Map No. 159H-B-7.01, Tract No. 12, relative to the Ziegler Road Widening Project, Contract No. E-02-007, for a total consideration not to exceed \$1,846.00.
- l) A resolution authorizing the Mayor to apply for and accept a 108 loan with the Department of Housing and Urban Development in an amount not to exceed \$10,000,000.00, relative to the Hope VI Project and establishment of a Brownfield Revolving Loan Fund and Community Development Fund. **(Added by permission of Chairman Franklin)**
- m) A resolution authorizing the Chief of the Chattanooga Fire Department to apply for an accept a grant from the United States Federal Emergency Management Agency, 2003 Fire Prevention and Safety Program, in the amount of \$36,947.00, which, if awarded, will require local matching funds of \$15,835.00. **(Added by permission of the Safety Committee)**

VII. Resolutions (continued):

- n) A resolution directing the Chattanooga-Hamilton County Regional Planning Agency to conduct a zoning, land use and traffic circulation analysis for the area in and around the Fortwood Neighborhood/University of Tennessee at Chattanooga (“UTC”) area to determine what is needed to protect the integrity of the Fortwood Neighborhood and the adjacent area. **(Added by permission of Councilman Pierce and Councilman 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, November 11, 2003.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, November 11, 2003:

AGENDA FOR TUESDAY, NOVEMBER 11, 2003

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Page).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Second & Third Reading:
 - 1) 2003-150 Napier Associates (From R-1 to R-4). Rezone a tract of land located at 7327 Shallowford Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning - deferred from 10-28-03)**
6. Ordinances - First Reading:
 - a) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article V, Section 1208, Subsection (1), to incorporate new language relative to site improvements in a Planned Unit Development (residential).
 - b) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article II, Definitions, to incorporate new language relative to the lot size for flag lots.
 - c) 2003-168 Barbara Davis (From M-1 to C-3). Rezone a tract of land located at 1900 Broad Street, more particularly described herein. **(Not recommended for approval by Planning - see attached memorandum from Attorney and alternate Attorney and Planning versions)**

2003-168 Barbara Davis (From M-1 to C-3). Rezone a tract of land located at 1900 Broad Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Attorney - see alternate Planning version)**

2003-168 Barbara Davis (From M-1 to C-3). Rezone a tract of land located at 1900 Broad Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning - not recommended for approval by Attorney)**
 - d) MR-2003-169 Will Smith (Close & Abandon). An ordinance closing and abandoning an unopened right-of-way located between the 400 block of West 47th Street and the Central of Georgia Railroad right-of-way, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for approval by Planning and Public Works)**

XII. Agenda Session for Tuesday, November 11, 2003 (continued):

6. Ordinances - First Reading (continued):

- e) 2003-171 Napier Associates (From R-1 to R-4). Rezone a tract of land located at 2313 Timberlane Trail, more particularly described herein. **(Not recommended for approval by Planning - see alternate Attorney and Planning versions)**

2003-171 Napier Associates (From R-1 to R-4). Rezone a tract of land located at 2313 Timberlane Trail, more particularly described herein, subject to certain conditions. **(Recommended for approval by Attorney - see alternate Planning version)**

2003-171 Napier Associates (From R-1 to R-4). Rezone a tract of land located at 2313 Timberlane Trail, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning - not recommended for approval by Attorney)**

- f) 2003-172 Napier Associates (From R-1 to R-4). Rezone a tract of land located at 7301 Shallowford Road, more particularly described herein. **(Not recommended for approval by Planning - see alternate Attorney and Planning Versions)**

2003-172 Napier Associates (From R-1 to R-4). Rezone a tract of land located at 7301 Shallowford Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Attorney - see alternate Planning version)**

2003-172 Napier Associates (From R-1 to R-4). Rezone a tract of land located at 7301 Shallowford Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning - not recommended for approval by Attorney)**

- g) MR-2003-173 Joseph S. Hailey (Close & Abandon). An ordinance closing and abandoning an unopened alley beginning at the east line of the 2400 block of Broad Street to the west line of the 2400 block of Cowart Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, with Tennessee-American Water Company and BellSouth Telecommunications, Inc. retaining their respective easements in the full width of the existing right-of-way. **(Recommended for approval by Planning and Public Works)**

- h) 2003-174 Thomas C. Rumph (From R-1 to R-4). Rezone a tract of land located at 8402 East Brainerd Road, more particularly described herein. **(Not recommended for approval by Planning - see alternate Planning and Staff versions)**

XII. Agenda Session for Tuesday, November 11, 2003 (continued):

6. Ordinances - First Reading (continued):

2003-174 Thomas C. Rumph (From R-1 to R-4). Rezone a tract of land located at 8402 East Brainerd Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning - see alternate Staff version)**

2003-174 Thomas C. Rumph (From R-1 to R-4). Rezone a tract of land located at 8402 East Brainerd Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Staff)**

i) MR-2003-176 Joe McNew (Close & Abandon). An ordinance closing and abandoning an unopened alley located in the 3200 block of East 43rd Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for approval by Planning and Public Works)**

j) 2003-177 Crest Mortgage Lenders, LLC (Lift Conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to amend certain conditions imposed in Ordinance No. 10530, on property located at 6016 East Brainerd Road, being more particularly described herein, subject to certain conditions. **(Not recommended for approval by Planning - see alternate Planning and Staff versions)**

2003-177 Crest Mortgage Lenders, LLC (Lift Conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to amend certain conditions imposed in Ordinance No. 10530, on property located at 6016 East Brainerd Road, being more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning - see alternate Staff version)**

2003-177 Crest Mortgage Lenders, LLC (Lift Conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to amend certain conditions imposed in Ordinance No. 10530, on property located at 6016 East Brainerd Road, being more particularly described herein, subject to certain conditions. **(Recommended for approval by Staff)**

XII. Agenda Session for Tuesday, November 11, 2003 (continued):

6. Ordinances - First Reading (continued):
 - k) 2003-178 Harold Lasater, Jr. (From R-2 to M-2). Rezone a tract of land located at 1618 51st Street, more particularly described herein. **(Recommended for approval by Planning)**

7. Resolutions:
 - a) A resolution authorizing the extension of an additional 3 months of a Personal Services Contract with CityScape Development Services to perform services as consultant for the City and County in their development planning activities at Enterprise South.
 - b) A resolution authorizing the appointment of Laban R. Defriese, Jr. as special policeman for Erlanger Health Systems to do special duty as prescribed herein, subject to certain conditions.
 - c) A resolution authorizing the Ooltewah United Methodist Church to use temporarily the City's right-of-way located in the 2900 block of Lee Highway to install a directional sign, subject to certain conditions.
 - d) A resolution authorizing North Hixson Church of Christ to use temporarily the City's right-of-way located in the 5400 block of Hixson Pike, 45 feet northeast of Old Hixson Pike and Long View Drive, to install a 1' by 3' directional sign, subject to certain conditions.
 - e) A resolution acknowledging the informal alliance which comprises the Community Impact Fund as the formally incorporated Tennessee not-for-profit public welfare corporation operating under the name "Community Impact of Chattanooga" and accepting their ongoing assistance and support in revitalizing distressed urban neighborhoods within the Chattanooga community.

8. Overtime Report.

XII. Agenda Session for Tuesday, November 11, 2003 (continued):

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, November 18, 2003.
13. Recognition of Persons Wishing to Address the Council on Non -Agenda Matters.
14. Adjournment.