

## AGENDA FOR TUESDAY, MAY 18, 2004

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Chairman Benson)
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Second & Third Reading:
  - a) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article V, Section 404, Subsections (3), (5) and (8), to incorporate new language relative to side yard requirements and minimum frontage in the R-4 Special Zone. **(Recommended for approval by Planning)**
  - b) MR-2003-224 City of Chattanooga c/o Phillip Lynn (Amend Ordinance No. 11510). An ordinance amending Ordinance No. 11510, adopted January 13, 2004, closing and abandoning an unopened portion of Morgan Street at the intersection of 28<sup>th</sup> Street, more particularly described herein, to include the triangular portion at the northeast corner of Lot 1, as shown on the map attached hereto and made a part hereof by reference. **(Recommended for approval by Public Works)**
  - c) MR-2004-008 City of Chattanooga c/o William McDonald (Close & Abandon). An ordinance closing and abandoning an unmaintained alley located east of the 4700 block of Covington 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)**
  - d) 2004-042 James E. Citty (From R-1 to R-4). Rezone tracts of land located at 1412 and 1420 Crawford Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**
  - e) 2004-064 Ray Allen Jones (From R-1 to C-2). Rezone a tract of land located at 4031 Brainerd Road, more particularly described herein. **(Recommended for approval by Planning)**
  - f) 2004-065 James A. Tipton (From R-1 to R-3). Rezone part of a tract of land located at 1343 Burgess Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**
  - g) 2004-073 City of Chattanooga c/o Chattanooga Housing Authority (From M-1 to R-1). Rezone tracts of land located at 3811 Chandler Avenue and in the 3800 block of Ohls Avenue, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

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

- h) 2004-074 Southmark, LLC (From R-3 to R-3 with conditions and C-2). Rezone tracts of land located at 2103, 2105, 2109 and 2111 Duncan Avenue, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**
- i) 2004-086 Bobby Fairbanks and Jerry Hagan (From O-1 to R-4). Rezone tracts of land located at 1605 Gunbarrel Road and 7388 Applegate Lane, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**
- j) MR-2004-071 Michael Dowlen (Close & Abandon). An ordinance closing and abandoning a portion of the unopened 3600 block of 16<sup>th</sup> 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 Planning)**

VI. Ordinances - First Reading:

- a) An ordinance providing for an interim budget and appropriating funds for the usual and ordinary expenses of the city government for the months of July, August and September 2004, pending the adoption of the 2004-2005 annual budget.
- b) An ordinance to amend Part II, Chattanooga City Code, Chapter 35, Article IV, Section 160, Subsection (4), relative to billing and charges for district wreckers. **(Deferred from 04-27-04)**
- c) MR-2004-021 Connie Henry Fernandez (Close & Abandon). An ordinance closing and abandoning 2 alleys located in the 4900 block of Beulah Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for denial by Public Works and Planning - see alternate Temporary Use Resolution 7-a below)**
- d) 2004-052 Joseph Ryan Cooke (From M-2 and R-2 to C-2). Rezone tracts of land located at 1401 Dodson Avenue and 2108 Newton Street, more particularly described herein. **(Not recommended for approval by Planning - see alternate version - deferred from 04-13-04)**  
  
2004-052 Joseph Ryan Cooke (From M-2 to C-2). Rezone a tract of land located at 1401 Dodson Avenue , more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning - deferred from 04-13-04)**
- e) MR-2004-063 Hillard Wall (Close & Abandon). An ordinance closing and abandoning an alley located south of the 1700 block of East 38<sup>th</sup> Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for denial by Public Works and Planning - see alternate Temporary Use Resolution 7-b below)**

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### VI. Ordinances - First Reading (continued):

- f) 2004-076 Henry C. Eickhoff and Karen Ford Eickhoff (From R-1 and C-5 to C-2). Rezone a tract of land located at 4400 Brainerd Road, more particularly described herein. **(Recommended for denial by Planning - deferred from 05-11-04)**

### VII. Resolutions:

- a) MR-2004-021 Connie Henry Fernandez. A resolution authorizing Connie Henry Fernandez to use temporarily the City's right-of-way located in the 4900 block of Beulah Avenue to restrict the access into the alley using a gate or similar barrier, 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 Public Works and Planning - see alternate Ordinance No. 6-c above)**
- b) MR-2004-063 Hillard Wall. A resolution authorizing Hillard Wall to use temporarily the City's right-of-way located south of the 1700 block of East 38<sup>th</sup> Street to install a fence for security and safety purposes, 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 Public Works and Planning - see alternate Ordinance No. 6-e above)**
- c) A resolution authorizing the transfer of credits from one account to another account within the various departments, agencies and divisions of the government.
- d) A resolution authorizing the appointment of Kenardo Curry as special policeman (unarmed) for the City of Chattanooga Department of Neighborhood Services to do special duty as prescribed herein, subject to certain conditions.
- e) A resolution authorizing the Chattanooga-Hamilton County Regional Planning Agency to develop a community land use plan for the Rossville Boulevard Community which includes East Lake, Clifton Hills, Cedar City and Park City.
- f) A resolution authorizing the Chattanooga-Hamilton County Regional Planning Agency to develop a community land use plan for the East Chattanooga Area.
- g) A resolution authorizing the City Finance Officer to allocate \$115,000.00 for the award of 2004-2005 Neighborhood Grants.

### VIII. Overtime Report.

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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, May 25, 2004.

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

XIV. Adjournment.

**XII. Agenda Session for Tuesday, May 25 2004:**

**AGENDA FOR TUESDAY, MAY 25, 2004**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Franklin).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Second & Third Reading:
  - a) An ordinance providing for an interim budget and appropriating funds for the usual and ordinary expenses of the city government for the months of July, August and September 2004, pending the adoption of the 2004-2005 annual budget.
  - b) An ordinance to amend Part II, Chattanooga City Code, Chapter 35, Article IV, Section 160, Subsection (4), relative to billing and charges for district wreckers. **(Deferred from 04-27-04)**
  - c) MR-2004-021 Connie Henry Fernandez (Close & Abandon). An ordinance closing and abandoning 2 alleys located in the 4900 block of Beulah Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for denial by Public Works and Planning - see alternate Temporary Use Resolution)**
  - d) 2004-052 Joseph Ryan Cooke (From M-2 and R-2 to C-2). Rezone tracts of land located at 1401 Dodson Avenue and 2108 Newton Street, more particularly described herein. **(Not recommended for approval by Planning - see alternate version - deferred from 04-13-04)**  
2004-052 Joseph Ryan Cooke (From M-2 to C-2). Rezone a tract of land located at 1401 Dodson Avenue , more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning - deferred from 04-13-04)**
  - e) MR-2004-063 Hillard Wall (Close & Abandon). An ordinance closing and abandoning an alley located south of the 1700 block of East 38<sup>th</sup> Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for denial by Public Works and Planning - see alternate Temporary Use Resolution)**
  - f) 2004-076 Henry C. Eickhoff and Karen Ford Eickhoff (From R-1 and C-5 to C-2). Rezone a tract of land located at 4400 Brainerd Road, more particularly described herein. **(Recommended for denial by Planning - deferred from 05-11-04)**

**XII. Agenda Session for Tuesday, May 25, 2004 (continued):**

6. Ordinances - First Reading:

- a) 2002-221 Mike Price (From M-1 to R-T/Z). Rezone a tract of land located at 2869 Harrison Pike, more particularly described herein. **(Recommended for approval by Planning)**
- b) MR-2004-066 Joe Woodall (Close & Abandon). An ordinance closing and abandoning an unopened portion of the 3300 block of Crestfield Drive, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for approval by Public Works and Planning)**
- c) MR-2004-067 Michael A. Dowlen (Close & Abandon). An ordinance closing and abandoning an unopened alley located southeast of the 1700 block of Jenkins Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for approval by Public Works and Planning)**

7. Resolutions:

- a) A resolution authorizing the City Finance Officer to execute any and all documents necessary to facilitate the sale of certain real property located at 252 thru 258 East 17<sup>th</sup> Street, 1635 and 1639 Rossville Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, to Joe Sliger, Eastman Construction Company, for a total consideration of \$103,780.00.
- b) A resolution authorizing the City Finance Officer to execute any and all documents necessary to facilitate the donation of certain real property located at 9 Flynn Street, 826 East 8<sup>th</sup> Street, 9 Flynn Street, 812 Flynn Street, 314 Flynn Street, 0 Flynn Street, 0 Flynn Street and 701 East Martin Luther King Boulevard, more particularly described herein, to the Campus Development Foundation, Inc.
- c) A resolution authorizing the Administrator of the Department of Public Works to execute an agreement with Orange Grove Center, Inc., relative to continuing to provide facilities, equipment, labor and services required to receive, handle, sort, process and market recyclables for the City' Recycling Program for the fiscal year 2003-2004, for an amount not to exceed \$475,000.00.
- d) A resolution authorizing the City Finance Officer to execute an agreement with \_\_\_\_\_ to perform collection services for the City. **(Draft)**

**XII. Agenda Session for Tuesday, May 25, 2004 (continued):**

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, June 1, 2004.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.