

AGENDA FOR TUESDAY, FEBRUARY 1, 2005

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Taylor).
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Second Reading:
- VI. Ordinances - First Reading:
 - a) MR-2004-205 Paul Pruett (Close & Abandon). An ordinance closing and abandoning an unnamed alley running west of and parallel to the 2500, 2600, and 2700 blocks of Cannon Avenue and a portion of the unopened 2200 block of Burnette Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for denial by Staff and Public Works - see resolution below for temporary usage. Not recommended for approval by Planning - see alternate version of ordinance.) (Deferred from 1/25/05.)**

MR-2004-205 Paul Pruett (Close & Abandon). An ordinance closing and abandoning an unnamed alley running west of and parallel to the 2500, 2600, and 2700 blocks of Cannon Avenue and a portion of the unopened 2200 block of Burnette 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.)**
 - b) An ordinance to amend Ordinance No. 11581, Entitled “An ordinance to provide revenue for the fiscal year beginning July 1, 2004, and ending June 30, 2005, and appropriating same to the payment of expenses of the municipal government; fixing the rate of taxation on all taxable property in the City, and the time taxes and privileges are due, how they shall be paid, when they shall become delinquent; providing for interest and penalty on delinquent taxes and privileges” so as to provide for certain changes in special revenue funds set out in Section 6. **(Added by permission of Council Chair Benson and Councilman Pierce.)**
 - c) An ordinance to amend Ordinance No. 11606 entitled “An ordinance appropriating, authorizing or allocating funds to the Capital Improvements Budget for the fiscal year 2004/2005” to provide for the appropriation of additional funds from the Economic Development Fund to General Fund Capital Projects Fund P413 for Enterprise South Industrial Park.. **(Added by permission of Council Chair Benson and Councilman Pierce.)**

VII. Resolutions:

- a) A resolution authorizing Paul Pruett and Ken Garner, Sr. to use temporarily alleys parallel to the 2500, 2600, and 2700 blocks of Cannon Avenue and a portion of the 2200 block of Burnette Avenue, more particularly described herein and as shown on the drawing attached hereto and made a part hereof by reference, to install a fence, remove trash and vegetation, and grade and gravel, subject to certain conditions. **(Recommended for approval by Public Works.) (Deferred from 1/25/05.)**
- b) A resolution authorizing the execution of Change Order No. 1, relative to the Moccasin Bend Wastewater Treatment Plant Procurement of Oxygenation System Equipment and Accessories, Contract No. 28J2 (EP), with Linde Process Plants, Inc., which change order increases the contract amount by \$93,023.45, for a revised contract amount not to exceed \$2,683,950.00.
- c) A resolution authorizing the execution of Change Order No. 1, relative to the North Access Road Retaining Wall Repair Project, Contract No. E-03-017, with Wright Brothers Construction, Inc., which change order decreases the contract amount by \$19,847.10, for a revised contract amount not to exceed \$186,672.90.
- d) A resolution authorizing the execution of Change Order No. 1, relative to the Martin Luther King Boulevard Bituminous Paving Project, Contract No. E-03-012, with Vulcan Materials Company, which change order decreases the contract amount by \$362.68, for a revised contract amount not to exceed \$264,282.00.
- e) A resolution authorizing the Administrator of the Department of Public Works to purchase a right-of-way, as shown on the Right-Of-Way Deed and drawing attached hereto and made a part hereof by reference, relative to the improvement and widening of the northeast intersection between East 23rd Street and South Holtzclaw Avenue, Contract No. E-04-012, from Wingfield Stonewall Jackson and June, in an amount not to exceed \$1,260.00.
- f) A resolution authorizing the Administrator of the Department of Public Works to execute an agreement with Billingsley/Architecture relative to Contract No. R-04-003-101, Bushtown Neighborhood Association, Carver Community Center, in an amount not to exceed \$13,600.00.
- g) A resolution authorizing the Administrator of the Department of Public Works to execute an agreement with Arcadis G&M, Inc. relative to Contract No. E-05-001-101, Travel Demand and Traffic Model for Downtown Chattanooga, in an amount not to exceed \$89,500.00.
- h) A resolution authorizing the award of Contract No. E-03-033, Intersection and Infrastructure Improvements at Frazier Avenue and Forest Avenue, to Talley Construction Company, Inc. for a total amount not to exceed \$188,658.93, including \$20,000.00 in contingency.

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- i) A resolution authorizing the Mayor to enter into a real estate purchase agreement with the U.S. General Services Administration (GSA) for the purchase of remaining acreage of the former Volunteer Army Ammunition Plant (VAAP) and authorizing the Mayor to sign all necessary closing documents to acquire said property. **(Added by permission of Council Chair Benson and Councilman Pierce.)**
 - j) A resolution to make certain findings relating to the LJT of Tennessee, LLC Project, to delegate certain authority to the Industrial Development Board of the County of Hamilton, Tennessee, and to authorize the Mayor to enter into and execute an Agreement for Payment in Lieu of Ad Valorem Taxes. **(Added by permission of the Legal and Legislative Committee.)**
 - k) A resolution authorizing the award of Contract No. E-03-031, EPB Block Streetscape, to Talley Construction Company, Inc. for a total amount not to exceed \$1,660,908.93, including \$100,000.00 in contingency. **(Added by permission of Council Chair Benson.)**
 - l) A resolution authorizing the Administrator of Public Works to execute an agreement with Colonial Pipeline Company for preliminary design services to relocate existing pipelines relative to Contract No. E-04-036-102, Enterprise South Connector Road, in an amount not to exceed \$50,000.00. **(Added by permission of Council Chair Benson.)**
- 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 Personnel.
 - g) Department of Neighborhood Services.
 - h) Department of Finance and Administration
 - i) City Attorney.
- X. Other Business.
- XI. Committee Reports.
- XII. Agenda Session for Tuesday, February 8, 2005.
- XIII. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
- XIV. Adjournment.

XII. Agenda Session for Tuesday, February 8, 2005:

AGENDA FOR TUESDAY, FEBRUARY 8, 2005

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Hakeem).
3. Minute Approval.
4. Special Presentations.

Recognition of Lorayne Durham – 100th Birthday

5. Ordinances – Second Reading:

- a) MR-2004-205 Paul Pruet (Close & Abandon). An ordinance closing and abandoning an unnamed alley running west of and parallel to the 2500, 2600, and 2700 blocks of Cannon Avenue and a portion of the unopened 2200 block of Burnette Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for denial by Staff and Public Works - see resolution below for temporary usage. Not recommended for approval by Planning - see alternate version of ordinance.)**

MR-2004-205 Paul Pruet (Close & Abandon). An ordinance closing and abandoning an unnamed alley running west of and parallel to the 2500, 2600, and 2700 blocks of Cannon Avenue and a portion of the unopened 2200 block of Burnette 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.)**

- b) An ordinance to amend Ordinance No. 11581, Entitled “An ordinance to provide revenue for the fiscal year beginning July 1, 2004, and ending June 30, 2005, and appropriating same to the payment of expenses of the municipal government; fixing the rate of taxation on all taxable property in the City, and the time taxes and privileges are due, how they shall be paid, when they shall become delinquent; providing for interest and penalty on delinquent taxes and privileges” so as to provide for certain changes in special revenue funds set out in Section 6.
- c) An ordinance to amend Ordinance No. 11606 entitled “An ordinance appropriating, authorizing or allocating funds to the Capital Improvements Budget for the fiscal year 2004/2005” to provide for the appropriation of additional funds from the Economic Development Fund to General Fund Capital Projects Fund P413 for Enterprise South Industrial Park..

6. Ordinances - First Reading:

- a) MR-2004-089 Wise Properties, LLC (Close & Abandon). An ordinance closing and abandoning an unopened alley located between and parallel to the 500 blocks of Woodland and Forest Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning & Staff. Recommended for approval by Public Works – see alternate version.)**

MR-2004-089 Wise Properties, LLC (Close & Abandon). An ordinance closing and abandoning an unopened alley located between and parallel to the 500 blocks of Woodland and Forest 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 & Staff.)**

- b) 2004-231 City of Chattanooga (from R-2 and R-3 to R-1). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone properties within the East Chattanooga Neighborhood Area, more particularly described herein, from R-2 Residential Zone and R-3 Residential Zone to R-1 Residential Zone. **(Not recommended for approval by Planning – see alternate version.)**

2004-231 City of Chattanooga (from R-2 and R-3 to R-1). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone properties within the East Chattanooga Neighborhood Area, more particularly described herein and as shown on the zoning study and maps attached hereto and made a part hereof by reference, from R-2 Residential Zone and R-3 Residential Zone to R-1 Residential Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- c) 2004-242 City of Chattanooga (from C-2, R-3, and R-4 to R-1). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone properties within the Rossville Boulevard Community, more particularly described herein, from C-2 Convenience Commercial Zone, R-3 Residential Zone, and R-4 Special Zone to R-1 Residential Zone. **(Not recommended for approval by Planning – see alternate version.)**

2004-242 City of Chattanooga (from C-2, R-3, and R-4 to R-1). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone properties within the Rossville Boulevard Community, more particularly described herein and as shown on the zoning study and maps attached hereto and made a part hereof by reference, from C-2 Convenience Commercial Zone, R-3 Residential Zone, and R-4 Special Zone to R-1 Residential Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- d) 2004-249 Linda J. Murphy (from R-1 and R-3 to R-4). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 28 South Germantown Road, more particularly described herein, from R-1 Residential Zone and R-3 Residential Zone to R-4 Special Zone. **(Recommended for denial by Planning.)**

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e) 2005-009 SBL Properties (from O-1 to M-2). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 6040 Century Oaks Drive, more particularly described herein, from O-1 Office Zone to M-2 Light Industrial Zone. **(Recommended for approval by Planning.)**

f) 2005-015 Brian Tune (from M-3 and M-1 to C-3). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 509 East Main Street, more particularly described herein, from M-3 Warehouse and Wholesale Zone and M-1 Manufacturing Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning – see alternate version.)**

2005-015 Brian Tune (from M-3 and M-1 to C-3). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 509 East Main Street, more particularly described herein, from M-3 Warehouse and Wholesale Zone and M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

g) 2005-16 Ready Mix USA, Inc. c/o Jessica Garrison (from M-1 to M-4). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 607 Hudson Road, more particularly described herein, from M-1 Manufacturing Zone to M-4 Outdoor Industrial Use Zone. **(Not recommended for approval by Planning – see alternate version.)**

2005-16 Ready Mix USA, Inc. c/o Jessica Garrison (from M-1 to M-4). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 607 Hudson Road, more particularly described herein, from M-1 Manufacturing Zone to M-4 Outdoor Industrial Use Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

7. Resolutions:

a) A resolution designating February 12, 2005 as “Spay Day USA.”

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 Personnel.
- g) Department of Neighborhood Services.
- h) Department of Finance and Administration
- i) City Attorney.

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10. Other Business.
11. Committee Reports.
12. Agenda Session for Tuesday, February 15, 2005.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.