

**AGENDA FOR TUESDAY, MAY 17, 2005**

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilwoman Rutherford).
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Second Reading:
  - a) MR-2002-014 Joe Glover (Close & Abandon). An ordinance closing and abandoning an unnamed alley located in the 300 block of Workman Road (previously Hamill Road), more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.
  - b) MR-2003-141 South Broad Associates, LLC (Close & Abandon). An ordinance closing and abandoning an eight inch (8”) V.C. Pipe located in the old 34<sup>th</sup> Street right-of-way, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.
  - c) 2005-033 Chattanooga Neighborhood Enterprise (from R-3 & M-1 to C-3). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone tracts of land located at 1902, 1904, and 1910 Rossville Avenue, more particularly described herein, from R-3 Residential Zone and M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.
  - d) 2005-047 Walter L. and Barbara H. Crox (From R-1 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 4340 Bonny Oaks Drive, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions.
  - e) 2005-051 Stan Phillips (From R-1 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 1017 Mountain Creek Road, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone.
- VI. Ordinances – First Reading:
  - a) 2004-222 RMP, LLC (From R-2 to M-1). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 2909 Faxon Street, more particularly described herein, from R-2 Residential Zone to M-1 Manufacturing Zone. **(Not recommended for approval by Planning - see alternate version.) (Deferred from 11-9-04 & 5-10-05)**  
  
2004-222 RMP, LLC (From R-2 to M-1). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 2909 Faxon Street, more particularly described herein, from R-2 Residential Zone to M-1 Manufacturing Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- b) 2005-054 D L Developers, LLC (From R1 to R-T/Z). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 5506 Cassandra Smith Road, more particularly described herein, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone. **(Not recommended for approval by Planning – see alternate version. Deferred from 5-10-05.)**

2005-054 D L Developers, LLC (From R1 to R-T/Z). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 5506 Cassandra Smith Road, more particularly described herein, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- c) An ordinance to amend Chattanooga City Code, Part II, Chapter 26, Article VI, relative to increasing entrance fees to the Chattanooga Zoo at Warner Park. **(Added by permission of the Parks, Recreation, Arts & Culture Committee.)**

VII. Resolutions:

- a) A resolution rescinding the motion carried in open meeting on February 8, 2005 imposing a moratorium on demolition of the St. Elmo Recreation Center.
- b) A resolution authorizing the award of Contract No. R-04-004, St. Elmo Passive Park – Phase I: Building Demolition, to Pate’s Hauling & Demolition for a total amount not to exceed \$28,000.00, including a contingency amount of \$3,000.00.
- c) A resolution authorizing the Mayor to apply for and, if awarded, accept a Fair Housing Grant from the Department of Housing and Urban Development in the amount of \$100,000.00 relative to community education. **(Added by permission of the Public Works Committee.)**
- d) A resolution authorizing the Administrator of the Department of Parks, Recreation, Arts & Culture to execute a contract with P & C Construction, Inc. for the renovation of the existing structure at Heritage Park in an amount not to exceed \$221,365.00. **(Added by permission of the Parks, Recreation, Arts & Culture Committee.)**

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.

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- X. Other Business.
- XI. Committee Reports.
- XII. Agenda Session for Tuesday, May 24, 2005.
- XIII. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
- XIV. Adjournment.

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XII. Agenda Session for Tuesday, May 24, 2005:

**AGENDA FOR TUESDAY, MAY 24, 2005**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Rico).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Second Reading:
  - a) 2004-222 RMP, LLC (From R-2 to M-1). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 2909 Faxon Street, more particularly described herein, from R-2 Residential Zone to M-1 Manufacturing Zone. **(Not recommended for approval by Planning - see alternate version.) (Deferred from 11-9-04 & 5-10-05)**

2004-222 RMP, LLC (From R-2 to M-1). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 2909 Faxon Street, more particularly described herein, from R-2 Residential Zone to M-1 Manufacturing Zone, subject to certain conditions. **(Recommended for approval by Planning.)**
  - b) 2005-054 D L Developers, LLC (From R1 to R-T/Z). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 5506 Cassandra Smith Road, more particularly described herein, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone. **(Not recommended for approval by Planning – see alternate version. Deferred from 5-10-05.)**

2005-054 D L Developers, LLC (From R1 to R-T/Z). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 5506 Cassandra Smith Road, more particularly described herein, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. **(Recommended for approval by Planning.)**
6. 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 2005, pending the adoption of the 2005-2006 Annual Budget.
  - b) MR-2005-040 KIG Management, Inc. (Close & Abandon). An ordinance closing and abandoning a portion of the eastern unopened 5400 block of Winniespann Road and an unnamed right-of-way located east of the 5400 block of Winniespann Road, 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, or Public Works – see alternate versions.)**

MR-2005-040 KIG Management, Inc. (Close & Abandon). An ordinance closing and abandoning all but a fifty foot (50') right-of-way of the eastern unopened 5400 block of Winniespann Road and a fifty foot (50') right-of-way of an unnamed right-of-way located east of the 5400 block of Winniespann Road, 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 and Public Works.)**

MR-2005-040 KIG Management, Inc. (Close & Abandon). An ordinance closing and abandoning all but a fifty foot (50') right-of-way of the eastern unopened 5400 block of Winniespann Road and a fifty foot (50') right-of-way of an unnamed right-of-way located east of the 5400 block of Winniespann Road, 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 Staff and Public Works.)**

- c) MR-2005-044 John Wise (Close & Abandon). An ordinance closing and abandoning a portion of the eastern unopened right-of-way of the 1100 block of New Pineville Road, 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.)**

7. Resolutions:

- a) A resolution authorizing the Administrator of the Department of Public Works to execute Addendum No. 2 with TWH Architects, Inc. relative to Contract No. E-04-039, Interior Design Services for the Renovations to Chattanooga City Hall, in an amount not to exceed \$104,560.00, for a total contract amount not to exceed \$604,560.00. **(Deferred from 5-10-05.)**
- b) A resolution authorizing the Mayor to execute an agreement with Raines Brothers, Inc. relative to Contract No. E-04-039-200, City Hall Renovations, in an amount not to exceed \$7,041,000.00, including a contingency amount of \$750,000.00, subject to continuing appropriation. **(Deferred from 5-10-05.)**
- c) A resolution authorizing the award of Contract No. E-04-039-202, City Hall Renovations Environmental Abatement, to First Response, Inc. for a total amount not to exceed \$102,531.00, including a contingency amount of \$10,000.00. **(Deferred from 5-10-05.)**
- d) A resolution authorizing the transfer of credits from one account to another account within the various departments, agencies, and divisions of the government.
- e) A resolution authorizing the City Finance Officer to execute any and all documents necessary to facilitate the sale of certain real property located in the 500 block of East M. L. King Boulevard for development, more particularly described herein and as shown on the map and drawings attached hereto and made a part hereof by reference, to Renaissance Ventures, LLC, for a total consideration of \$50,000.00.

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- f) A resolution authorizing the purchase of a right-of-way, slope easement, and temporary construction easement from Ronald L. Simmons, Sr. and Ruby J. Simmons at 7524 Igou Gap Road, Parcel No. 159A-C-024, Tract No. 29, relative to the Igou Gap Road Widening Project, Contract No. E-03-011, for an amount not to exceed \$4,048.50.
- g) A resolution authorizing the purchase of a right-of-way, slope easement, and temporary construction easement from Raymond And Betty Haggard at 0000 Igou Gap Road, Parcel No. 159A-C-028, Tract No. 26, relative to the Igou Gap Road Widening Project, Contract No. E-03-011, for an amount not to exceed \$1,585.50.
- h) A resolution authorizing the purchase of a right-of-way, slope easement, and temporary construction easement from Raymond And Betty Haggard at 7504 Igou Gap Road, Parcel No. 159A-C-030, Tract No. 25, relative to the Igou Gap Road Widening Project, Contract No. E-03-011, for an amount not to exceed \$6,052.50.
- i) A resolution authorizing the purchase of a permanent drainage easement and temporary construction easement from Haresh and Sumitra Patel at 1901 Igou Crossing Drive, Parcel No. 159A-G-008, Tract No. 32, relative to the Igou Gap Road Widening Project, Contract No. E-03-011, for an amount not to exceed \$217.50.
- j) A resolution authorizing the purchase of a right-of-way, permanent drainage easement, slope easement, and temporary construction easement from Kristen and Bryan Bonnema at 7508 Igou Gap Road, Parcel No. 159A-C-027, Tract No. 27, relative to the Igou Gap Road Widening Project, Contract No. E-03-011, for an amount not to exceed \$1,812.00.
- k) A resolution authorizing the purchase of a right-of-way, slope easement, and temporary construction easement from Cornerstone Apostolic Church at 7548 Igou Gap Road, Parcel No. 159A-D-001, Tract No. 30, relative to the Igou Gap Road Widening Project, Contract No. E-03-011, for an amount not to exceed \$2,853.00.
- l) A resolution authorizing the purchase of a right-of-way, slope easement, and temporary construction easement from Volunteer Bank and Trust Company at 1836 Gunbarrel Road, Parcel No. 159A-A-006, Tract No. 01, relative to the Igou Gap Road Widening Project, Contract No. E-03-011, for an amount not to exceed \$8,205.00.
- m) A resolution authorizing the purchase of a permanent drainage easement from James and Shirley Joanne Perry at 1820 Gray Road, Parcel No. 159B-A-001, Tract No. 41, relative to the Igou Gap Road Widening Project, Contract No. E-03-011, for an amount not to exceed \$694.50.
- n) A resolution authorizing the purchase of a permanent sanitary sewer easement from Robert T. Waring at 7002 Lee Highway, Parcel No. 148D-F-04.01, Tract No. 64, relative to the Shallowford Road Sewer Relocation Project, Contract No. W-03-004, for an amount not to exceed \$2,775.00.

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- o) A resolution authorizing the award of Contract No. E-03-001, Tunnel Boulevard Sidewalk Project, to Talley Construction Company, Inc. for a total amount not to exceed \$236,607.82, including a contingency amount of \$20,000.00
  - p) A resolution authorizing the Administrator of the Department of Public Works to apply for and, if approved, accept a grant in the amount of \$85,000.00 from the State of Tennessee Department of Environment and Conservation, Division of Community Assistance, relative to the Household Hazardous Waste Program for the Fiscal Year 2005-2006.
  - q) A resolution authorizing George Schimpf to use temporarily the City's right-of-way along 1109 Spears Avenue to install and pave a drive for parking, as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions.
  - r) A resolution authorizing James E. City to use temporarily the City's right-of-way in front of 1269 Market Street to install an awning, as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions.
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.
10. Other Business.
11. Committee Reports.
12. Agenda Session for Tuesday, May 31, 2005.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.