

## AGENDA FOR TUESDAY, AUGUST 1, 2006

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilwoman Robinson).
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
  - a) 2006-122 B. Paul Hatcher & Bambi L. Hatcher (from C-5 to C-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 1412 McCallie Avenue, more particularly described herein, from C-5 Neighborhood Commercial Zone to C-2 Convenience Commercial Zone, subject to certain conditions.
- VI. Ordinances – First Reading:
  - a) An ordinance to amend the Charter of the City of Chattanooga, and all Acts, Ordinances, and other Charter provisions amendatory thereof, pursuant to the provisions of Article XI, Section 9, of the Constitution of the State of Tennessee (Home Rule Amendment) to repeal the provisions regarding the appointment of members of the Electric Power Board and providing that the Mayor shall appoint such members, subject to confirmation by the City Council. **(Deferred from 5-16-06.)**
  - b) An ordinance appropriating from the General Fund to the Chattanooga Bar Foundation the amount of up to \$2,000.00 as sponsorship for “The Alliance: Two Noble Professions, Medicine and the Law, in Harmony” Event.
  - c) An ordinance appropriating from the Chattanooga Outdoor Operating Budget to the Chattanooga Track Club the amount of \$5,000.00 as part of the partnership to host the Chattanooga Waterfront Triathlon.
  - d) An ordinance to amend Ordinance No. 11812, Encaptioned, “An Ordinance to Amend Chattanooga City Code, Part II, Chapter 11, Section 11-377, to Include a New Subsection (10), Which Prohibits Sidewalk Vending on the City Blocks Located Between Market Street Bridge and Olgiati Bridge Adjacent to Riverfront Parkway and also for the Sidewalk and Parks Located Between Market Street and Walnut Street Adjacent to First Street Within the Protected Vending Zones of the Twenty-First Century Waterfront Development Project as Shown on the Attached Map” so as to provide additional restricted areas and to permit limited vending subject to a request for proposals.
  - e) An ordinance to amend Chattanooga City Code, Part II, Chapter 2, Article III, Division 8, Section 2-406, relative to the Fire and Police Pension Fund so as to change locations for elections of the Board of Directors. **(Added by permission of Council Chair Pierce.)**

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### VII. Resolutions:

- a) A resolution authorizing the Chattanooga Fire Department Metropolitan Medical Response System (MMRS) Project Manager to enter into a Memorandum of Understanding with the American Red Cross regarding supplies for a Rapid Response Shelter Trailer with the understanding that the repair and replacement of all equipment and/or supplies issued to the American Red Cross by the Chattanooga Metropolitan Response System shall be the sole responsibility of the American Red Cross.
- b) A resolution authorizing the donation of certain surplus equipment from the Chattanooga Police Department to the Bradford, Tennessee, Police Department.
- c) A resolution authorizing the appointment of Harriet A. White and James D. Avery as special policemen (armed) for the Chattanooga Housing Authority Public Safety Division, to do special duty as prescribed herein, subject to certain conditions.
- d) A resolution authorizing the appointment of Jennifer Wright and Erik Reeves as special policemen (armed) for the Chattanooga Housing Authority Public Safety Division, to do special duty as prescribed herein, subject to certain conditions.
- e) A resolution authorizing the appointment of Jason D. Payne as special policeman (unarmed) for the City of Chattanooga Department of Public Works to do special duty as prescribed herein, subject to certain conditions.
- f) A resolution authorizing the award of Contract No. E-06-003-201, 2006 Sidewalk Requirements Contract - Phase 3, to Yerbey Concrete Construction, Inc. in the amount of \$118,770.00, plus a \$2,000.00 contingency amount, for a total amount not to exceed \$120,770.00.
- g) A resolution authorizing the award of Contract No. E-03-029-102, Cherokee Boulevard at Market Street Intersection Improvements, Phase II, to Lamar Dunn & Associates, Inc. for design and construction phase services in an amount not to exceed \$18,500.00.
- h) A resolution authorizing the Jim Berry Company to use temporarily the 800 blocks of Cherry Street and Georgia Avenue to install two (2) decks, as shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions.
- i) A Second Supplemental Resolution to Resolution No. 22629, as amended and supplemented, providing for the issuance of City of Chattanooga, Tennessee Electric System Revenue Bonds, Series 2006A, authorizing up to \$40,000,000.00 Series 2006A Bonds.
- j) A Third Supplemental Resolution to Resolution No. 22629, as amended and supplemented, providing for the issuance of City of Chattanooga, Tennessee Electric System Revenue Bonds, Series 2006B, authorizing up to \$27,000,000.00 Series 2006B Bonds.

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- k) A resolution authorizing the award of a contract to Knowledge Computing Corporation for its best proposal in an amount not to exceed \$253,125.00 for the Coplink System, a joint regional information exchange system for the Chattanooga Police Department. **(Added by permission of the Safety and Security Committee.)**

VIII. Overtime Report.

IX. Departmental Reports:

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

X. Other Business.

XI. Committee Reports.

XII. Agenda Session for Tuesday, August 8, 2006.

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

XIV. Adjournment.

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XII. Agenda Session for Tuesday, August 8, 2006:

### AGENDA FOR TUESDAY, AUGUST 8, 2006

1. Call to Order.
2. Pledge of Allegiance/Invocation (Vice-Chairman Page).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Final Reading:
  - a) An ordinance to amend the Charter of the City of Chattanooga, and all Acts, Ordinances, and other Charter provisions amendatory thereof, pursuant to the provisions of Article XI, Section 9, of the Constitution of the State of Tennessee (Home Rule Amendment) to repeal the provisions regarding the appointment of members of the Electric Power Board and providing that the Mayor shall appoint such members, subject to confirmation by the City Council. **(Deferred from 5-16-06.)**
  - b) An ordinance appropriating from the General Fund to the Chattanooga Bar Foundation the amount of \$2,000.00 as sponsorship for “The Alliance: Two Noble Professions, Medicine and the Law, in Harmony” Event.
  - c) An ordinance appropriating from the Chattanooga Outdoor Operating Budget to the Chattanooga Track Club the amount of \$5,000.00 as part of the partnership to host the Chattanooga Waterfront Triathlon.
  - d) An ordinance to amend Ordinance No. 11812, Encaptioned, “An Ordinance to Amend Chattanooga City Code, Part II, Chapter 11, Section 11-377, to Include a New Subsection (10), Which Prohibits Sidewalk Vending on the City Blocks Located Between Market Street Bridge and Olgiati Bridge Adjacent to Riverfront Parkway and also for the Sidewalk and Parks Located Between Market Street and Walnut Street Adjacent to First Street Within the Protected Vending Zones of the Twenty-First Century Waterfront Development Project as Shown on the Attached Map” so as to provide additional restricted areas and to permit limited vending subject to a request for proposals.
  - e) An ordinance to amend Chattanooga City Code, Part II, Chapter 2, Article III, Division 8, Section 2-406, relative to the Fire and Police Pension Fund so as to change locations for elections of the Board of Directors and to authorize the Pension Fund Administrator to participate. **(Added by permission of Council Chair Pierce.)**

6. Ordinances – First Reading:

- a) 2006-104 BlueCross BlueShield of Tennessee, Inc. (from R-3, R-4, & C-2 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 409 and 488 Cameron Hill Circle and 601 West Martin Luther King Junior Boulevard, more particularly described herein, from R-3 Residential Zone, R-4 Special Zone, and C-2 Convenience Commercial Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning - see alternate version.)**

2006-104 BlueCross BlueShield of Tennessee, Inc. (from R-3, R-4, & C-2 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 409 and 488 Cameron Hill Circle and 601 West Martin Luther King Junior Boulevard, more particularly described herein, from R-3 Residential Zone, R-4 Special Zone, and C-2 Convenience Commercial Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- b) 2006-139 Butler Ridge Development, Inc. (from R-1 to R-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 7248 East Brainerd Road, more particularly described herein, from R-1 Residential Zone to R-2 Residential Zone. **(Not recommended for approval by Planning or Staff - see alternate versions.)**

2006-139 Butler Ridge Development, Inc. (from R-1 to R-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 7248 East Brainerd Road, more particularly described herein, from R-1 Residential Zone to R-2 Residential Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

2006-139 Butler Ridge Development, Inc. (from R-1 to R-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 7248 East Brainerd Road, more particularly described herein, from R-1 Residential Zone to R-2 Residential Zone, subject to certain conditions. **(Recommended for approval by Staff.)**

- c) 2006-146 Dana Lynn McKamey (Lift conditions). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to lift conditions imposed in Ordinance 10683 (Case No. 1998-036) on a tract of land located at 7304 Jarnigan Road, more particularly described herein. **(Not recommended for approval by Planning - see alternate version.)**

2006-146 Dana Lynn McKamey (Lift conditions). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to lift conditions imposed in Ordinance 10683 (Case No. 1998-036) on a tract of land located at 7304 Jarnigan Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning.)**

- d) 2006-147 Ben F. Miller & Louis Belua (from R-1 to R-4). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 6844 McCuthcheon Road, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone. **(Not recommended for approval by Planning - see alternate version.)**

2006-147 Ben F. Miller & Louis Belua (from R-1 to R-4). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 6844 McCuthcheon Road, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- e) 2006-148 B & B Development (from R-1 to R-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 5900 Hixson Pike, more particularly described herein, from R-1 Residential Zone to R-3 Residential Zone. **(Not recommended for approval by Planning - see alternate version.)**

2006-148 B & B Development (from R-1 to R-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 5900 Hixson Pike, more particularly described herein, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- f) 2006-153 2525 Broad Street, LLC (from M-1 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 2517 and 2525 Broad Street, together with two (2) unaddressed tracts of land located in the 400 block of West 25<sup>th</sup> and West 26<sup>th</sup> Streets, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning - see alternate version.)**

2006-153 2525 Broad Street, LLC (from M-1 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 2517 and 2525 Broad Street, together with two (2) unaddressed tracts of land located in the 400 block of West 25<sup>th</sup> and West 26<sup>th</sup> Streets, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- g) 2006-155 Deanna Duncan & Terry Cannon (from M-1 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 1800 Rossville Avenue, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning - see alternate version.)**

2006-155 Deanna Duncan & Terry Cannon (from M-1 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 1800 Rossville Avenue, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- h) 2006-158 Aaron D. Smith & William E. Clegg, Jr. (from R-1 to O-1). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 2104 Hamill Road, more particularly described herein, from R-1 Residential Zone to O-1 Office Zone. **(Not recommended for approval by Planning - see alternate version.)**

2006-158 Aaron D. Smith & William E. Clegg, Jr. (from R-1 to O-1). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 2104 Hamill Road, more particularly described herein, from R-1 Residential Zone to O-1 Office Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- i) 2006-160 City Council, City of Chattanooga (from R-2 & R-4 to R-1). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone certain tracts of land located in the 2300 through 2700 blocks of Cannon Avenue and the north side of the 1200 to 1400 blocks of East 28<sup>th</sup> Street, more particularly described herein, from R-2 Residential Zone and R-4 Special Zone to R-1 Residential Zone. **(Recommended for approval by Planning.)**

7. Resolutions:

- a) A resolution authorizing the Mayor to execute a Quitclaim Deed to transfer certain real property located at 2212 Bennett Avenue, Tax Map No. 146N-Y-016.01, to the Chattanooga Community Housing Development Organization, Inc.
- b) A resolution authorizing the Administrator of the Department of Parks and Recreation to execute a Conservation Agreement, in the form attached hereto and made a part hereof by reference, in an amount not to exceed \$100,000.00, to be paid in four quarterly installments of \$25,000.00 each, relative to the Chattanooga Greenways Program, for a term beginning July 1, 2006 through June 30, 2007.
- c) A resolution authorizing the execution of Change Order No. 1 for the HVAC system installation at the Watkins Street Maintenance Facility with Associated Mechanical Systems, Inc., which change order increases the contract amount by \$2,342.39, for a revised contract price of \$215,313.39.
- d) 2006-129 Butler Ridge Development, Inc. (Prelim. PUD). A resolution approving a Preliminary Planned Development Special Exceptions Permit for a proposed Planned Unit Development, known as Ridgeview at Panorama Drive Planned Unit Development, on tracts of land located at 7248 East Brainerd Road, more particularly described herein and as shown on the maps and drawings attached hereto and made a part hereof by reference, subject to certain conditions.

8. Overtime Report.

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9. Departmental Reports:
  - a) Department of Human Services.
  - b) Department of Parks and Recreation.
  - c) Department of Public Works.
  - d) Department of Neighborhood Services.
  - e) Department of Education, Arts & Culture.
  - f) Fire Department.
  - g) Police Department.
  - h) Department of Personnel.
  - i) Department of Finance and Administration
  - j) City Attorney.
10. Other Business.
11. Committee Reports.
12. Agenda Session for Tuesday, August 15, 2006.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.