

AGENDA FOR TUESDAY, AUGUST 22, 2006

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Franklin).
- III. Minute Approval.
- IV. Special Presentations.
- V. 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. **(Revised - Need Motion for Substitution.)**
 - b) 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) so as to delete the City Engineer position from those Charter Officials who must be appointed after the election of the Mayor.
 - c) An ordinance appropriating from the General Fund, Office of Faith Based Initiative, to Front Porch Alliance the amount of \$20,000.00 for summer youth programs.
 - d) 2003-085 Oscar T. Hurley (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 7210 Jarnigan Road, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(Revised - Need Motion to Substitute.)**
- VI. Ordinances – First Reading:
 - a) An ordinance appropriating from the P415 F06006 Zoo Improvements Fund to Friends of the Zoo, Inc. the balance of the 2006 fund in the approximate amount of \$250,000.00 for zoo improvements.
 - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 24, Article I, by adding Section 24-47, relative to financial responsibility for operation of motor vehicles.

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- c) An ordinance to repeal Ordinance No. 11833, encaptioned, “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) so as to make applicable only to popularly elected officials of the City the provisions prohibiting federal, state and county employees from holding office under the city government and having an interest in any contract with the City”. **(Added by permission of the Legal & Legislative Committee.)**
- d) 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) so as to make applicable only to popularly elected officials of the City the provisions prohibiting federal, state, and county employees from holding office under the City government and having an interest in any contract with the City. **(Added by permission of the Legal & Legislative Committee.)**

VII. Resolutions:

- a) A resolution amending Resolution No. 24457, adopted May 31, 2005, relative to the agreement for the Closure/Post Closure Plan for the City Landfill, Project No. SNL 33-0273, with the State of Tennessee, Division of Solid Waste Management, by deleting “not to exceed \$5,706,280.00” and substituting in lieu thereof “not to exceed \$5,851,702.00”.
- b) A resolution authorizing the Administrator of the Department of Public Works to execute an agreement with Earthworx, LLC relative to Contract No. S-06-009-101, Stormwater As-Found GIS Program - Phase IV, in an amount not to exceed \$925,000.00.
- c) A resolution authorizing the Administrator of the Department of Public Works to execute an agreement with Tower Construction Company, Inc. relative to Contract No. R-04-004-202, Site Work at St. Elmo Passive Park, in an amount not to exceed \$78,559.48, plus a \$5,000.00 contingency, for a total amount not to exceed \$83,559.48.
- d) A resolution authorizing the Administrator of the Department of Parks and Recreation to execute an agreement with Southern Brewers Festival to utilize Ross’s Landing for the Southern Brewers Festival to take place August 25, 2006 through August 27, 2006. **(Added by permission of the Parks & Recreation Committee.)**

VIII. Overtime Report.

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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 29, 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 29, 2006:

AGENDA FOR TUESDAY, AUGUST 29, 2006

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilwoman Rutherford).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Final Reading:
 - a) 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. **(Deferred from 8-15-06.)**
 - b) An ordinance to repeal Ordinance No. 11833, encaptioned, “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) so as to make applicable only to popularly elected officials of the City the provisions prohibiting federal, state and county employees from holding office under the city government and having an interest in any contract with the City”.
 - c) 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) so as to make applicable only to popularly elected officials of the City the provisions prohibiting federal, state, and county employees from holding office under the City government and having an interest in any contract with the City.
 - d) An ordinance appropriating from the P415 F06006 Zoo Improvements Fund to Friends of the Zoo, Inc. the balance of the 2006 fund in the approximate amount of \$250,000.00 for zoo improvements.
 - e) An ordinance to amend Chattanooga City Code, Part II, Chapter 24, Article I, by adding Section 24-47, relative to financial responsibility for operation of motor vehicles.

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- f) 2005-153 Reid M. Henson (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 327 Stringer Street, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone. **(Deferred from 10-25-05, 01-17-06, 3-28-06, and 6-27-06.)**

6. Ordinances – First Reading:

- a) An ordinance to amend Chattanooga City Code, Part II, Chapter 31, Article VIII, Division 2, Section 31-311(b), relative to stormwater management, new facility permits.
- b) An ordinance to amend Chattanooga City Code, Part II, Chapter 32, Article XII, Sections 32-271 through 32-288, relative to street construction standards.
- c) MR-2006-116 River View of Tennessee, LLC (Close & Abandon). An ordinance closing and abandoning two (2) opened alleys located north of the north line of the 400 block of East 5th Street, more particularly described herein and as shown on the maps attached hereto and made a part hereof by reference. **(Not recommended for approval by Public Works and Planning - see alternate version.)**

MR-2006-116 River View of Tennessee, LLC (Close & Abandon). An ordinance closing and abandoning **a portion of** two (2) opened alleys located north of the north line of the 400 block of East 5th Street, more particularly described herein and as shown on the maps attached hereto and made a part hereof by reference, **subject to certain conditions**. **(Recommended for approval by Public Works and Planning.)**

7. Resolutions:

- a) A resolution authorizing the Human Services Department to pay Tennessee Municipal League the amount of \$48,631.00 for comprehensive insurance coverage.
- b) A resolution authorizing the appointment of William Jerry McCullough as special policeman (armed) for Erlanger Health Systems, to do special duty as prescribed herein, subject to certain conditions.
- c) A resolution authorizing the appointment of Anjenet Brown as special policeman (unarmed) for the Department of Neighborhood Services to do special duty as prescribed herein, subject to certain conditions.
- d) A resolution authorizing the Mayor to enter into an agreement with the Tennessee Department of Transportation (TDOT) relative to the Lighting the Interchange of Interstate 75 and State Route 2 (US-11) at Exit 1w1 Project.
- e) A resolution authorizing the award of Contract No. W-05-002-201, Combined Sewer Overflow (CSO) Control Facility Enhancements, to H&H Brown, Inc. in the amount of \$424,000.00, plus a contingency amount of \$42,400.00, for a total amount not to exceed \$466,400.00.

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- f) A resolution authorizing Kevin Freeman to use temporarily an alley of 916 and 918 Mississippi Avenue for ingress and egress into driveways for parking automobiles, as shown in on the drawings attached hereto and made a part hereof by reference, subject to certain conditions.
 - g) A resolution authorizing the acceptance of a grant from the “Grand Opening Grants Program” of Wal-Mart, Inc. to the Chattanooga Fire Department in the amount of \$2,500.00 and expressing the gratitude of the Mayor and City Council for said donation.
8. Overtime Report.
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, September 5, 2006.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.