

AGENDA FOR TUESDAY, JANUARY 8, 2008

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilwoman Gaines).
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
 - a) An ordinance appropriating from the General Fund to The Stadium Campaign Corporation the amount of \$60,000.00 to cover the City’s portion of the operating losses for Finley Stadium, with an equal amount of funding being provided by Hamilton County, Tennessee.
- VI. Ordinances – First Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 7, Section 7-74, relative to keeping or possessing swine, goats or chickens. **(Deferred from 9-18-07 and 10-2-07.)**
 - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 31, Section 31-325, Landfilling Requirements in certain residential areas. **(Deferred from 12-4-07. Revised.)**
 - c) An ordinance to amend Chattanooga City Code, Part II, Chapter 2, Section 2-416(e) relative to the Fire and Police Pension Fund permanent and total disability benefits.
 - d) An ordinance appropriating from the General Fund to the Association of Visual Arts the amount of \$10,000.00 to support the annual 4 Bridges Arts Festival.
 - e) 2007-184 Robert Hughes, Trustee Chair, Tyner United Methodist (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 208 Nelson Road, more particularly described herein, from R-1 Residential Zone to R-2 Residential Zone. **(Recommended for approval by Planning. Not recommended for approval by Staff, but recommends approval of a Special Permit for duplexes in R-1 Zone instead.)**
 - f) 2007-215 Sam J. Williams, III (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 4928 Bradington Avenue, more particularly described herein, from R-1 Residential Zone to O-1 Office Zone. **(Not recommended for approval by Planning - see alternate version. Recommended for denial by Staff.)**

2007-215 Sam J. Williams, III (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 4928 Bradington Avenue, more particularly described herein, from R-1 Residential Zone to **R-4 Special Zone**, subject to certain conditions. **(Recommended for approval by Planning.)**

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- g) 2007-222 City of Chattanooga (from R-1, R-2, R-3, & R-4 to R-1, R-3, R-3 w/conditions, & R-4 w/conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone specific R-1 Residential Zone, R-2 Residential Zone, R-3 Residential Zone, and R-4 Special Zone properties within the North Shore Zoning Study, Phase One, more particularly described herein, to R-1 Residential Zone, R-3 Residential Zone, R-3 Residential Zone with Conditions, and R-4 Special Zone with Conditions, subject to said Zoning Study. **(Recommended for approval by Planning.)**

VII. Resolutions:

- a) A resolution declaring as surplus tracts of land located in the 1100 block of Lindsay Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.
- b) A resolution authorizing the Director of General Services to accept the proposal of and enter into an agreement with HVS for an appraisal of The Chattanooga in an amount not to exceed \$14,000.00 in fees, plus an amount not to exceed \$900.00 in expenses, for a total not to exceed \$14,900.00.
- c) A resolution accepting a donation to the Chattanooga Fire Department from Memorial Hospital in the amount of \$2,500.00 to be used to fund Fire Prevention Week activities and expressing the gratitude of the Mayor and City Council for said donation.
- d) A resolution authorizing the Administrator of the Department of Education, Arts, & Culture to apply for and, if awarded, accept a grant from the Community Foundation of Greater Chattanooga in the amount of \$20,000.00 to recover worn chairs in the Tivoli Theatre.
- e) A resolution authorizing the appointment of Michael J. Ball as special policeman (armed) for Erlanger Health Systems, to do special duty as prescribed herein, subject to certain conditions.
- f) A resolution authorizing the Administrator of the Department of Neighborhood Services and Community Development to allocate \$43,224.00 for Fiscal year 2007-2008 Neighborhood Partners Projects, a list of which is attached hereto and made a part hereof by reference, authorizing agreements with neighborhood organizations for same, and authorizing any unspent funds being used for additional Neighborhood Partners Projects and related activities and initiatives.
- g) A resolution authorizing the Department of Public Works and the Community Council, on behalf of the City, to accept donations from private and public sources for the purchase, transportation, and planting of trees at the direction of the City Forester and Tree Commission.
- h) A resolution authorizing the Administrator of the Department of Public Works to spend, but not exceed, \$250,000.00 to purchase used construction equipment for the Department.

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- i) A resolution authorizing the Administrator of the Department of Public Works to execute an agreement with Volkert & Associates, Inc. relative to Contract No. E-06-006-101, Design of Northpoint Boulevard Extension - Phase 2, in an amount not to exceed \$173,200.00.
- j) A resolution authorizing the Administrator of the Department of Public Works to execute an agreement with Lamar Dunn & Associates, Inc. relative to Contract No. E-07-001-101, Design of River Street Extension, in an amount not to exceed \$105,300.00.
- k) A resolution authorizing Unum Group and Provident Life and Accident Insurance Company to use temporarily a portion of the right-of-way of Market, Cherry, 5th, and 6th Streets to facilitate efficiency and safety in the process of demolishing and stabilizing the site of the former EPB Building, as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions.
- l) 2007-212 Habitat for Humanity/Dennis Neal (Prel. Res. PUD). A resolution approving a Preliminary Planned Unit Development Special Exceptions Permit for a Proposed Single-Family Residential Planned Unit Development, known as the New Covenant Properties Planned Unit Development, Lots 1-35, on tracts of land located in the 1600 block of Eucalyptus Drive, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning.)**
- m) 2007-228 Brian Durham (Special Exceptions Permit for a Duplex in R-1). A resolution approving a Special Exceptions Permit for a duplex in an R-1 Residential Zone on a tract of land located at 1507 Kirby Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for approval by Planning.)**

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, January 15, 2008.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, January 15, 2008:

AGENDA FOR TUESDAY, JANUARY 15, 2008

1. Call to Order.
2. Pledge of Allegiance/Invocation (Vice-Chair Bennett).
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 7, Section 7-74, relative to keeping or possessing swine, goats or chickens. **(Deferred from 9-18-07 and 10-2-07.)**
 - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 31, Section 31-325, Landfilling Requirements in certain residential areas. **(Deferred from 12-4-07. Revised.)**
 - c) An ordinance to amend Chattanooga City Code, Part II, Chapter 2, Section 2-416(e) relative to the Fire and Police Pension Fund permanent and total disability benefits.
 - d) An ordinance appropriating from the General Fund to the Association of Visual Arts the amount of \$10,000.00 to support the annual 4 Bridges Arts Festival.
 - e) 2007-184 Robert Hughes, Trustee Chair, Tyner United Methodist (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 208 Nelson Road, more particularly described herein, from R-1 Residential Zone to R-2 Residential Zone. **(Recommended for approval by Planning. Not recommended for approval by Staff, but recommends approval of a Special Permit for duplexes in R-1 Zone instead.)**
 - f) 2007-215 Sam J. Williams, III (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 4928 Bradington Avenue, more particularly described herein, from R-1 Residential Zone to O-1 Office Zone. **(Not recommended for approval by Planning - see alternate version. Recommended for denial by Staff.)**

2007-215 Sam J. Williams, III (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 4928 Bradington Avenue, more particularly described herein, from R-1 Residential Zone to **R-4 Special Zone**, subject to certain conditions. **(Recommended for approval by Planning.)**

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- g) 2007-222 City of Chattanooga (from R-1, R-2, R-3, & R-4 to R-1, R-3, R-3 w/conditions, & R-4 w/conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone specific R-1 Residential Zone, R-2 Residential Zone, R-3 Residential Zone, and R-4 Special Zone properties within the North Shore Zoning Study, Phase One, more particularly described herein, to R-1 Residential Zone, R-3 Residential Zone, R-3 Residential Zone with Conditions, and R-4 Special Zone with Conditions, subject to said Zoning Study. **(Recommended for approval by Planning.)**

6. Ordinances – First Reading:

- a) MR-2007-173 A. D. Engineering Services, Inc. (Close & Abandon). An ordinance closing and abandoning twenty-five feet (25') of sanitary sewer on a tract of land located at 2613 Belle Arbor Avenue, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference. **(Recommended for approval by Planning and Public Works.)**

7. Resolutions:

- a) A resolution authorizing the Mayor to enter into an agreement with Waterhouse Public Relations for public relations services relative to recycling for a one-year term beginning January 1, 2008 and ending December 31, 2008 in an amount not to exceed \$100,000.00.
- b) A resolution authorizing the Department of Public Works to apply for and, if awarded, accept a grant from the Tennessee Department of Agriculture for water quality education relative to the “Low Impact Development (LID) Demonstration Site” in the amount of \$24,300.00 and authorizing the City’s required 40.1% in kind match.
- c) A resolution authorizing the award of Contract No. E-07-014-201, 2007 City Sidewalks Requirements Contract, to Yerbey Concrete Construction, Inc. in an amount not to exceed \$264,766.00.
- d) A resolution authorizing the execution of Change Order No. 1 relative to Contract No. E-03-029-201, Cherokee Boulevard Streetscape Improvements, with East Tennessee Grading, Inc., which change order decreases the contract amount by \$787.95, for a revised contract amount not to exceed \$695,966.05.
- e) A resolution authorizing the execution of Change Order No. 1 relative to Contract No. E-03-029-202, Cherokee Boulevard Streetscape Improvements, with Talley Construction Company, Inc., which change order decreases the contract amount by \$45,437.25, for a revised contract amount not to exceed \$324,562.75.
- f) A resolution authorizing the execution of Change Order No. 3 relative to Contract No. W-05-007, Warner Park-Engel Stadium Drainage Area CSO Improvements, with Consolidated Technologies, Inc., which change order increases the contract amount by \$3,500.00, for a revised contract amount not to exceed \$59,000.00.

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, January 22, 2008.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.