

## AGENDA FOR TUESDAY, AUGUST 19, 2008

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Council Chair Bennett)
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
  - a) 2008-094 Dennis Neal, Habitat for Humanity (from M-2 to R-1). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located in the 2300 block of East 19<sup>th</sup> Street, more particularly described herein and as shown on the maps attached hereto and made a part hereof by reference, from M-2 Light Industrial Zone to R-1 Residential Zone.
  - b) 2008-126 William J. Patterson, Jr. (from R-3 and O-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 in the 200 block of Forest Avenue and 109 Hartman Street, more particularly described herein and as shown on the maps attached hereto and made a part hereof by reference, from R-3 Residential Zone and O-1 Office Zone to R-4 Special Zone, subject to certain conditions.
  - c) 2008-131 Bowman & Associates (from R-1 and R-2 to R-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 8509 and 8515 East Brainerd Road, more particularly described herein and as shown on the maps attached hereto and made a part hereof by reference, from R-1 Residential Zone and R-2 Residential Zone to R-3 Residential Zone, subject to certain conditions.
- VI. Ordinances – First Reading:
  - a) An ordinance to amend Ordinance No. 11433 (Case No. MR-2003-052), entitled, “An ordinance closing and abandoning several unopened rights-of-way between Winding Way, Edgewood Circle, Manchester Road, and Glenn Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference,” to correct the legal description therein.
  - b) MR-2008-053 Bob Franklin – Girl’s Preparatory School (Close & Abandon). An ordinance closing and abandoning the 100 through 300 blocks of Dickerson Avenue, more particularly described herein and as shown on the maps attached hereto and made a part hereof by reference. **(Deferred from 6-24-08 and 7-1-08. Recommended for denial by Planning. Not recommended for approval by Public Works – see alternate version.)**

MR-2008-053 Bob Franklin – Girl’s Preparatory School (Close & Abandon). An ordinance closing and abandoning the **700 block of Frazier Avenue**, 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.)**

## Agenda for Tuesday, August 19, 2008

Page 2 of 6

### VII. Resolutions:

- a) A resolution authorizing the Chief of the Chattanooga Fire Department to award a contract to RBA Construction, Inc. for the construction of Fire Hall No. 4 for its lowest and best bid, including Alternates 1 and 2, in the amount of \$1,112,579.00, plus a contingency amount of \$98,000.00, for a total amount not to exceed \$1,210,579.00.
- b) A resolution expressing the intent of the City of Chattanooga to issue bonds in the aggregate amount of \$40,000,000.00 of the City of Chattanooga, Tennessee for the purpose of paying all or a portion of the costs of the obligations of the City related to certain public use infrastructure items including site preparation, railroad lines, a training center, a welcome center, roads, sewers, fire station and related equipment and telecommunications in connection with the Volkswagen manufacturing facility to be located within the City of Chattanooga.
- c) A resolution authorizing the acceptance of a permanent easement of approximately 0.72 of an acre located at 1401 Mueller Avenue from Mueller Company through The Trust for Public Land to be used as part of the South Chickamauga Greenway, and expressing the gratitude of the Mayor and City Council for said easement.
- d) A resolution authorizing the appointment of Stephen Mayo and Tonja Wilkes as special policemen (unarmed) for Animal Care Trust d/b/a McKamey Animal Care and Adoption Center, Inc., to do special duty as prescribed herein, subject to certain conditions.
- e) A resolution authorizing a Memorandum of Understanding with the Chattanooga-Hamilton County Hospital Authority for use of the City's regional public safety radio communications system.
- f) A resolution authorizing the Office of the City Attorney to institute eminent domain proceedings against MAPCO Express, Inc. for a right-of-way and temporary construction easement on property located at 1933 Hamill Road, Parcel No. 110I-H-001, relative to Contract No. E-03-028-201, Hamill Road Improvements (Hixson Pike to Highway 153), Phase I.
- g) A resolution amending Resolution No. 25163, adopted June 26, 2007, 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 \$6,017,645.00" and substituting in lieu thereof "not to exceed to \$6,171,474.00".
- h) A resolution amending Resolution No. 25164, adopted June 26, 2007, relative to the Agreement for the Closure/Post Closure Plan for the Summit Sanitary Landfill, Project No. SNL 33-0035, with the State of Tennessee, Division of Solid Waste Management, by deleting "not to exceed \$2,977,072.00" and substituting in lieu thereof "not to exceed \$2,911, 860.00".

## Agenda for Tuesday, August 19, 2008

Page 3 of 6

- i) A resolution amending Resolution No. 25165, adopted June 26, 2007, relative to the Agreement for the Closure/Post Closure Plan for the North Hawthorne/Wood Recycling Solid Waste Management, by deleting “not to exceed \$30,781.00” and substituting in lieu thereof “not to exceed \$31,612.00”.
- j) A resolution amending Resolution No. 25166, adopted June 26, 2007, relative to the Agreement for the Closure/Post Closure Plan for the City Landfill, Lateral Expansion Area 3, with the Tennessee Department of Environment and Conservation, Division of Solid Waste Management, by deleting “not to exceed \$6,383,134.00” and substituting in lieu thereof “not to exceed \$6,555,479.00”.
- k) A resolution to extend the Special Exceptions Permit for a Planned Unit Development known as Gentry Square Planned Unit Development, referred to in City Council Resolution No. 24782 (Case No. 2006-034), on tracts of land located at 735 and 731 Gentry Road. **(Recommended for approval by Planning.)**
- l) A resolution authorizing the Office of the City Attorney to institute eminent domain proceedings against Deane F. Allen for permanent slope and temporary construction easements on property located at 0 Apison Pike, Parcel No. 140-160.07, relative to the Summit Ballfield Complex Project. **(Added by permission of Council Chair Bennett.)**

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 26, 2008

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, August 26, 2008:

**AGENDA FOR TUESDAY, AUGUST 26, 2008**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilwoman Robinson)
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
  - a) An ordinance to amend Ordinance No. 11433 (Case No. MR-2003-052), entitled, "An ordinance closing and abandoning several unopened rights-of-way between Winding Way, Edgewood Circle, Manchester Road, and Glenn Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference," to correct the legal description therein.
  - b) MR-2008-053 Bob Franklin – Girl’s Preparatory School (Close & Abandon). An ordinance closing and abandoning the 100 through 300 blocks of Dickerson Avenue, more particularly described herein and as shown on the maps attached hereto and made a part hereof by reference. **(Deferred from 6-24-08 and 7-1-08. Recommended for denial by Planning. Not recommended for approval by Public Works – see alternate version.)**

MR-2008-053 Bob Franklin – Girl’s Preparatory School (Close & Abandon). An ordinance closing and abandoning the **700 block of Frazier Avenue**, 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.)**
  - c) 2008-103 Southeast Local Development Corporation, c/o Joe Guthrie (from R-1 to R-4). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located in the 1100 blocks of 10<sup>th</sup> Street and 11<sup>th</sup> Street, more particularly described herein and as shown on the maps attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(Deferred on 8/12/08 for two weeks for Second Reading.)**
6. Ordinances – First Reading:
  - a) MR-2008-092 Edward E. Stephens (Close & Abandon). An ordinance closing and abandoning a portion of Sewer Line and Easement #672, between manholes #2 and #4, located in the 4400 block of Pinnacle Lane, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning and Public Works - see alternate version.)**

MR-2008-092 Edward E. Stephens (Close & Abandon). An ordinance closing and abandoning a portion of Sewer Line and Easement #672, between manholes #2 and #4, located in the 4400 block of Pinnacle Lane, 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 and Public Works.)**

- b) MR-2008-135 City of Chattanooga, c/o Lee Norris, Public Works (Close & Abandon). An ordinance closing and abandoning two (2) portions of Sewer Easement MF#10547 located off the east line of the 2100 block of Market Street, 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 Todd McCain to use temporarily the right-of-way at Manchester Avenue and Glenn Road to install a back entrance at the property, as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions. **(Deferred from 7-8-08, 7-22-08, and 8-5-08. Recommended for denial by Public Works.)**
- b) A resolution authorizing payment to the Tennessee Municipal League for 2008-2009 Annual Membership dues in the amount of \$24,252.00.
- c) A resolution authorizing the Chief of Police to apply for and, if awarded, to accept a grant from the Department of Transportation, National Highway Traffic Safety Administration, in the amount of \$187,841.46 to be used for child passenger safety and booster set use, which grant requires no local matching funds.
- d) A resolution authorizing a Memorandum of Understanding between the City, the State of Tennessee, the Georgia counties of Catoosa, Dade, and Walker, and various municipalities within the named Georgia counties for use of the City's regional public safety radio communications system.
- e) A resolution authorizing a Memorandum of Understanding between the City, the State of Tennessee, the Tennessee Emergency Management Agency (TEMA), and various other political subdivisions of the State of Tennessee for use of the City's regional public safety radio communications system.
- f) A resolution authorizing the Administrator of the Department of Neighborhood Services and Community Development to enter into a contract with the Chattanooga Convention Center for use of facilities to host the 10<sup>th</sup> Annual Neighborhoods Conference scheduled for October 9-10, 2008 for an amount not to exceed \$38,000.00.
- g) A resolution authorizing the Department of Public Works to accept a payment from Museum Bluff Condos in the amount of \$22,737.00 for streetscape work at 2<sup>nd</sup> Street, Cherry Street, and Walnut Street per the Agreement for the Purchase and Sale of Land for Parcel 6 between the Chattanooga Downtown Redevelopment Corporation and Windsor/Aughtry Company, Inc.

## Agenda for Tuesday, August 19, 2008

Page 6 of 6

- h) A resolution authorizing the award of Contract No. S-08-004-201, Private Sanitary Sewer Service Line Repair (SLAP) to Roto Rooter in the amount of \$12,898.00, plus a contingency amount of \$3,200.00, for a total contract amount not to exceed \$16,098.00.
  - i) A resolution authorizing the award of Contract No. E-08-007-201, Asphalt Milling and Paving Requirements Contract, to Highways, Inc. in the amount of \$549,000.00, plus a contingency amount of \$11,000.00, for a total contract amount not to exceed \$560,000.00.
  - j) A resolution authorizing the award of Contract No. E-08-012-201, Chip Seal Requirements Contract, to Tinsley Asphalt in an amount not to exceed \$797,976.00, plus a contingency amount of \$80,024.00, for a total contract amount not to exceed \$875,000.00.
  - k) MR-2008-110 City of Chattanooga, c/o Bill Payne, City Engineer (Street Name Change). A resolution to change the right-of-way name of the 5200 block of Polk Avenue to the 5200 block of Tanner Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.
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 2, 2008.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.