

## AGENDA FOR TUESDAY, OCTOBER 14, 2008

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Council Chair Bennett)
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 5, Section 5-75(b), regarding exceptions to the distance restrictions for the sale of beer or other beverages of like alcoholic content to the area of Warner Park occupied by the Chattanooga Zoo and to remove Eastgate Plaza from the exceptions listed in Section 5-75(b).
- VI. Ordinances – First Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, to amend Sections 35-146 through 35-180 known as the Traffic Incident Management Service Ordinance. **(Deferred from 9-2-08 and 9-9-08. Revised.)**
  - b) MR-2008-112 City of Chattanooga, c/o Dan Thornton (Close & Abandon). An ordinance closing and abandoning a portion of the former eastern right-of-way of the 400 block of Cherry Street and the southern right-of-way of the 100 block of 4<sup>th</sup> 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 Planning and Public Works - see alternate version.)**  
  
MR-2008-112 City of Chattanooga, c/o Dan Thornton (Close & Abandon). An ordinance closing and abandoning a portion of the former eastern right-of-way of the 400 block of Cherry Street and the southern right-of-way of the 100 block of 4<sup>th</sup> 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 Planning and Public Works.)**
  - c) 2008-114 Mehdi Malekzadeh (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 6709 Shallowford Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-4 Special Zone. **(Recommended for denial by Planning.)**
  - d) MR-2008-130 C & L Rentals, LLC (Close & Abandon). An ordinance closing and abandoning a portion of the 2400 block of 10<sup>th</sup> Avenue, the 2500 block of East 24<sup>th</sup> Street, and portions of an unopened alley located off of said block of East 24<sup>th</sup> Street, 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 and Public Works - see alternate version. Recommended for denial by Staff.)**

MR-2008-130 C & L Rentals, LLC (Close & Abandon). An ordinance closing and abandoning a portion of the 2400 block of 10<sup>th</sup> Avenue, the 2500 block of East 24<sup>th</sup> Street, and portions of an unopened alley located off of said block of East 24<sup>th</sup> Street, 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.)**

- e) MR-2008-137 Jacquelyn C. Smith (Close & Abandon). An ordinance closing and abandoning the right-of-way designated for building of connectivity to Hewitt Lane per conditions of prior Ordinance No. 11705 located on the west line of the 1700 block of Holly Oak Lane, more particularly described herein and as shown on the maps and drawings attached hereto and made a part hereof by reference. **(Recommended for approval by Planning, subject to approval by the City Engineer and all public utilities. Recommended for denial by Staff and Public Works.)**

- f) 2008-151 Mary Ann Wood (from R-1 to R-3). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a portion of a tract of land located at 336 and 338 East View Drive, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-3 Residential Zone. **(Not recommended for approval by Planning - see alternate version.)**

2008-151 Mary Ann Wood (from R-1 to R-3). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a portion of a tract of land located at 336 and 338 East View Drive, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- g) 2008-154 Marcus Womble (from M-1 to R-3). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 4913 Kirkland Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from M-1 Manufacturing Zone to R-3 Residential Zone. **(Not recommended for approval by Planning - see alternate version.)**

2008-154 Marcus Womble (from M-1 to R-3). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 4913 Kirkland Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from M-1 Manufacturing Zone to R-3 Residential Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- h) 2008-157 James Thornton (from M-2 to M-1). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone part of a tract of land located at 2017 Dodson Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from M-2 Light Industrial Zone to M-1 Manufacturing Zone. **(Not recommended for approval by Planning - see alternate version.)**

2008-157 James Thornton (from M-2 to C-2). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone part of a tract of land located at 2017 Dodson Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from M-2 Light Industrial Zone to **C-2 Convenience Commercial Zone**, subject to certain conditions. **(Recommended for approval by Planning.)**

- i) 2007-158 Phyllis Williams (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 1109 East 11<sup>th</sup> Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-4 Special Zone. **(Not recommended for approval by Planning - see alternate version.)**

2007-158 Phyllis Williams (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 1109 East 11<sup>th</sup> Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

VII. Resolutions:

- a) A resolution authorizing the Director of General Services to execute a Quitclaim Deed conveying a tract of land located at 3501 Central Avenue, Tax Map No. 155M-A-001, to Hamilton County for remediation, with Hamilton County re-conveying the property to the City after completion of the remediation for use as a park and playground for residents of Alton Park.
- b) A resolution declaring a City Police Department surveillance van as surplus property, authorizing the Purchasing Agent to sell said van to Tactical Technologies, Inc. for a consideration of \$1.00, and authorizing the Chief of Police to accept a donation of equipment from Tactical Technologies, Inc. with a total retail value of \$4,713.00.
- c) A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into a Memorandum of Understanding with the Chattanooga Eastside Task Force for use of the Avondale, Carver, and Glenwood Recreation Centers to provide positive cultural programs and activities for the area youth as part of the East Chattanooga Weed and Seed Program.
- d) A resolution authorizing the award of Contract No. E-08-022-201, Ashland Terrace Paving and Milling (end of TDOT Project to Hixson Pike including Norcross Road), to Talley Construction Company, Inc., using unit prices and adjustment factors established per the Tennessee Department of Transportation Project No. CNE-385, with a total contract amount not to exceed \$125,000.00.
- e) A resolution authorizing the Administrator of the Department of Public Works to execute an agreement with S&ME, Inc. relative to Contract No. E-06-006-302, Northpoint Boulevard Extension Phase 2 and 3, for professional services in an amount not to exceed \$9,000.00.

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- f) A resolution authorizing the Administrator of the Department of Public Works to execute an agreement with S&ME, Inc. relative to Contract No. E-03-028-301, Hamill Road Improvements Phase 1, for construction testing services in an amount not to exceed \$7,000.00.
- g) A resolution authorizing Ryan Dillard to use temporarily the right-of-way (sidewalk) at 401 North Market Street and Manning Street, to replace existing awnings and install signage and non-permanent planters, as shown on the attached drawings, subject to certain conditions.
- h) A resolution authorizing Timothy Dunn to use temporarily a portion of the right-of-way beginning at Laurel Lane and Ochs Highway, as shown on the attached maps, to use as a private driveway into the back of Applicant's property, subject to certain conditions.

#### 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, October 21, 2008

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

#### XIV. Adjournment.

XII. Agenda Session for Tuesday, October 21, 2008:

**AGENDA FOR TUESDAY, OCTOBER 21, 2008**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilwoman Robinson)
3. Minute Approval.
4. Special Presentations.

**SPECIAL PRESENTATION OF MARSHALL FELLOWS**

5. Ordinances - Final Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, to amend Sections 35-146 through 35-180 known as the Traffic Incident and Management Service Ordinance. **(Deferred from 9-2-08 and 9-9-08.)**
  - b) MR-2008-112 City of Chattanooga, c/o Dan Thornton (Close & Abandon). An ordinance closing and abandoning a portion of the former eastern right-of-way of the 400 block of Cherry Street and the southern right-of-way of the 100 block of 4<sup>th</sup> 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 Planning and Public Works - see alternate version.)**  
  
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6. Ordinances – First Reading:

- a) MR-2008-121 Corrie Eldred/Betts Engineering (Close & Abandon). An ordinance closing and abandoning the 3000 block of Basham Street and four (4) unopened alleys located off the west line of the 2900 block of Alton Park Boulevard, more particularly described herein and as shown on the maps attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning and Public Works - see alternate version.)**

MR-2008-121 Corrie Eldred/Betts Engineering (Close & Abandon). An ordinance closing and abandoning the 3000 block of Basham Street and four (4) unopened alleys located off the west line of the 2900 block of Alton Park Boulevard, 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 Planning and Public Works.)**

7. Resolutions:

- a) A resolution authorizing the award of Contract No. E-08-013-201, West Martin Luther King Boulevard Roadway Improvements, to Thomas Brothers Construction, Inc. in the amount of \$765,952.85, plus a contingency amount of \$45,000.15, for a total contract amount not to exceed \$810,953.00.
- b) A resolution authorizing the Administrator of the Department of Public Works to enter into an Agreement with Aquaterra Engineering, LLC relative to Contract No. E-04-002-301, Mountain Creek Road Improvements (North of Stonebrook), for engineering services in an amount not to exceed \$4,500.00.

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- c) A resolution authorizing the Administrator of the Department of Public Works to enter into an Agreement with Electric Power Board (EPB) for a Sales Order to relocate existing facilities within an EPB Easement for the Northpoint Boulevard Extension Phase 2 Project in an amount not to exceed \$15,975.00.
  - d) A resolution authorizing the Administrator of the Department of Public Works to enter into an Engineering Services Agreement with Brown and Caldwell relative to Contract No. W-08-001, Phase I of the Equipment Maintenance and Reliability Improvement Program, in the amount of \$536,067.32, plus a 10% contingency fee.
  - e) A resolution authorizing the Administrator of the Department of Public Works to enter into an Engineering Services Agreement with Consolidated Technologies, Inc. for ground water sampling, monitoring, and reporting during 2008-2009 for the Summit, North Hawthorne Street, Birchwood Pike, and Montague Park Landfills in an amount not to exceed \$44,200.00.
  - f) A resolution authorizing the Chattanooga Fire Department Metropolitan Medical Response System (MMRS) Project Manager to enter into a Memorandum of Understanding with the Chattanooga-Hamilton County Health Department Medical Reserve Corps (MRC) to provide specific supplies which it has requested to operate within this community for responses to any mass casualty event with the understanding that the repair and replacement of any equipment and/or supplies issued pursuant to this Memorandum of Understanding shall be the sole responsibility of the Medical Reserve Corps.
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, October 28, 2008.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.