

## FINAL AGENDA FOR TUESDAY, MARCH 10, 2009

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Page)
- III. Minute Approval.
- IV. Special Presentations.

### **MARSHALL FELLOWS, PRESENTED BY ELEANOR COOPER**

- V. Ordinances – Final Reading:
  - a) An ordinance to provide temporary exception to Chattanooga City Code, Sections 2-161(c)(2) and (7) for employees assigned to the 9-1-1 Communication Board. **(Added by permission of the Personnel Committee.)**
- VI. Ordinances – First Reading:
  - a) An ordinance adopting and enacting a new Code for the City of Chattanooga, Tennessee, including the Chattanooga Zoning Ordinance; providing for the repeal of certain ordinances not included therein; providing a penalty for the violation thereof; providing for the manner of amending such Code; and providing when such Code and this ordinance shall become effective.
  - b) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, Article V, Section 1210 to define open space for residential planned unit development.
  - c) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article VI, Sections 204(A) and (E) to include R-3 Residential Zone within the Special Exceptions process for two-family dwellings.
  - d) MR-2007-070 ONS Partnership (Close and Abandon). An ordinance closing and abandoning a storm and sanitary easement on a tract of land located at 200 Manufacturers Road, more particularly described herein and as shown on the map and drawings attached hereto and made a part hereof by reference.
  - e) 2008-218 Jay M. Philippose (from R-1 to R-4). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone the 7400 block of Ziegler Road and the 1700 block of North Joiner Road, more particularly described herein and as shown on the map and drawing 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. Recommended for denial by Staff.)**

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- f) MR-2009-004 Tammy Hass (Close and Abandon). An ordinance closing and abandoning an alley located in the north line of the 2700 block of East 17<sup>th</sup> 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.)**
- g) MR-2009-005 Tammy Hass (Close and Abandon). An ordinance closing and abandoning an alley located in the south line of the 2700 block of East 17<sup>th</sup> 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.)**
- h) 2009-021 Mike Hedges (from M-2 to R-3). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone parts of the tracts of land located in the 3300 and 3400 blocks of Chandler Place, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference from M-2 Light Industrial Zone to R-3 Residential Zone. **(Not recommended for approval by Planning – see alternate version.)**

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- i) 2009-022 Mike Price, MAP Engineers (Amend Conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to amend Condition No. 13 imposed in Ordinance No. 12111 on property located at 7624, 7626, 7628, and 7630 Standifer Gap Road, being more particularly described herein and as shown on the map and drawings attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning or Staff – see alternate versions.)**

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VII. Resolutions:

- a) A resolution to make certain findings relating to the Provident Life & Accident Insurance Company Project, to delegate certain authority to the Industrial Development Board of the City of Chattanooga, and to authorize the Mayor to enter into and execute an Agreement for Payments in Lieu of Ad Valorem Taxes.
- b) A resolution authorizing the Office of the City Attorney to institute eminent domain proceedings against Corral of Columbus, LLC for a temporary construction easement at 4506 Hixson Pike, Tax Map No. 110P-A-001, Tract No. A-001, relative to Contract No. E-03-028-202, Hamill Road at Hixson Pike Roadway Improvements Phase 2.
- c) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with Volkert & Associates, Inc. for professional services relative to Contract No. E-03-028-103, Hamill Road Improvements (Highway 153 to Hixson Pike) Phase 2 and 3, in an amount not to exceed \$64,500.00.
- d) A resolution authorizing the appointment of Sheena Benavente, Jordan Buffat, Dianna Burrow, Chris Gayton, Rebekka Gayton, and Cindy Glover 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 the Chief of Police to apply for and, if awarded, to accept a grant from the Benwood Foundation in the amount of \$18,700.00 to be used to upgrade the Child Identification Program from standard ink to digital.
- f) A resolution authorizing the Mayor to execute an "Offer to Purchase" with Orlandi Laboratories relative to Lot 18 of the Enterprise South Industrial Park and further authorizing the Mayor to execute any and all documents necessary to convey said property.
- g) A resolution authorizing the Mayor to submit a request for federal funds for facilities to house the Regional Emergency Fire Training Facility at Enterprise South, the Chattanooga Police Department Firearms Training Facility, and the Hickory Valley Road Bridge Replacement Project.
- h) 2009-019 Ward Properties, LLC (Special Exceptions Permit - Two-Family Dwelling in R-1). A resolution approving a Special Exceptions Permit for a two-family dwelling in R-1 Residential Zone for Ward Properties, LLC on a tract of land located at 3816 Montview Drive, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for denial by Planning.)**

**Final Agenda for Tuesday, March 10, 2009**

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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, March 17, 2009.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, March 17, 2009:

**AGENDA FOR TUESDAY, MARCH 17, 2009**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Benson)
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
  - a) An ordinance adopting and enacting a new Code for the City of Chattanooga, Tennessee, including the Chattanooga Zoning Ordinance; providing for the repeal of certain ordinances not included therein; providing a penalty for the violation thereof; providing for the manner of amending such Code; and providing when such Code and this ordinance shall become effective.
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6. Ordinances – First Reading:

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### 7. Resolutions:

- a) A resolution authorizing payment to the United States Conference of Mayors for 2009 dues in the amount of \$12,242.00.
- b) A resolution authorizing the Department of Parks and Recreation to accept a donation from the Benwood Foundation and the Lyndhurst Foundation in the amount of \$18,453.60 to be used for the administrative costs of the Chattanooga Public Art Program.
- c) A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into an agreement with Scenic City Aquatic Club to rent the Warner Park swimming pool for the purposes of the Chattanooga Invitational Swimming Meet to be held June 5-7, 2009, for the amount of \$1,500.00.
- d) A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into an agreement with Scenic City Aquatic Club to rent the Warner Park swimming pool for the purposes of practice from May 18, 2009 through August 8, 2009, for the amount of \$2,000.00.
- e) MR-2008-030 City of Chattanooga, c/o Dan Thornton. A resolution authorizing the Director of General Services to enter into a Lease Agreement with Barry Garrison for property located at 5522 Clear Creek Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, to maintain a garden on the property.

### 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, March 24, 2009

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

### 14. Adjournment.