

## AGENDA FOR TUESDAY, AUGUST 11, 2009

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Rico)
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
- VI. Ordinances – First Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, to include suburban infill lot frontage and setback regulations and urban infill lot compatibility subdivision option, delete flag lot provisions, and change the definition of frontage.
  - b) 2009-087 Eric Myers (Elemi Architects, LLC) (R-3 Residential Zone and R-2 Residential Zone to RT-1 Residential Townhouse Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 600 block of Hamilton Avenue and 640 North Market Street, more particularly described herein and as shown on the maps and drawings attached hereto and made a part hereof by reference, from R-3 Residential Zone and R-2 Residential Zone to RT-1 Residential Townhouse Zone. **(Not recommended for approval by Planning – see alternate version.)**  
  
2009-087 Eric Myers (Elemi Architects, LLC) (R-3 Residential Zone and R-2 Residential Zone to RT-1 Residential Townhouse Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 600 block of Hamilton Avenue and 640 North Market Street, more particularly described herein and as shown on the maps and drawings attached hereto and made a part hereof by reference, from R-3 Residential Zone and R-2 Residential Zone to RT-1 Residential Townhouse Zone, subject to certain conditions. **(Recommended for approval by Planning.)**
  - c) MR-2009-082 OBAR Investments, LLC and Black Creek Farm, LLC (Closing and Abandonment). An ordinance closing and abandoning Aetna Mountain Road within the City limits of Chattanooga, more particularly described herein and as shown on the maps and drawings attached hereto and made a part hereof by reference. (Not recommended for approval by Public Works.) **(Deferred from July 28, 2009.)**  
  
MR-2009-082 OBAR Investments, LLC and Black Creek Farm, LLC (Closing and Abandonment). An ordinance closing and abandoning Aetna Mountain Road within the City limits of Chattanooga, more particularly described herein and as shown on the maps and drawings attached hereto and made a part hereof by reference, subject to certain conditions. (Recommended for approval by Public Works.) **(Deferred from July 28, 2009.)**

- d) MR-2009-097 City of Chattanooga c/o Dan Thornton (Closing and Abandonment).  
An ordinance closing and abandoning a right-of-way of the 400 block of Cherry Street and the southern right-of-way of the 100 block of East 4<sup>th</sup> Street, more particularly described herein and as shown on the maps and drawings attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning and Public Works – see alternate version.)**

MR-2009-097 City of Chattanooga c/o Dan Thornton (Closing and Abandonment).  
An ordinance closing and abandoning a right-of-way of the 400 block of Cherry Street and the southern right-of-way of the 100 block of East 4<sup>th</sup> Street, more particularly described herein and as shown on the maps and drawings attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning and Public Works.)**

VII. Resolutions:

- a) A resolution authorizing the appointment of V. Quinn Lewis, Joshua Rogers, and Don Green as special police officers (unarmed) for the Public Works Water Quality Department as prescribed herein, subject to certain conditions and restrictions.
- b) A resolution authorizing payment in the amount of \$24,000.00 to Chattanooga Parent Magazine for advertisements to run eight (8) times during the school year promoting the Parks and Recreation Department's programs.
- c) A resolution authorizing the Administrator of the Department of Parks and Recreation and the Administrator of the Department of Education, Arts & Culture to apply for and accept a mini-grant available through the "JumpStart" grant program from Met Life Corporation and distributed through the Choose Chattanooga Organization in the amount of \$1,000.00 for each department to provide basic computer and technology training to staff.
- d) A resolution authorizing the execution of Change Order No. 1 (Final), relative to Contract No. E-08-003-202, 2008 City Sidewalk Requirements Contract with Yerbey Concrete Construction, Inc., which change order is to decrease the contract amount by \$12,738.82, for a revised contract amount of \$183,416.78, and to release the contingency amount of \$19,614.40.
- e) A resolution authorizing Robert E. Sanders to use temporarily 2474 Clay Street to install a directional sign at the corner of Appling Street and Amnicola Hwy., as shown on the maps attached hereto and made a part hereof by reference, subject to certain conditions.
- f) A resolution authorizing the Department of Education, Arts & Culture to accept a low bid from J. D. Helton Roofing for a base amount of \$96,390.00, not to exceed \$101,209.50, for the replacement of the roof over the stage house and crossover at the Soldiers and Sailors Memorial Auditorium.
- g) A resolution authorizing the Department of Education, Arts & Culture to make an additional payment not to exceed \$1,354.00 to Garnet Chapin, Architect, for the redesign of the stairway chairlift at Heritage House. The total renovation design contract is \$10,854.00.

## Agenda for Tuesday, August 11, 2009

Page 3 of 6

- h) A resolution authorizing the Department of Education, Arts & Culture to make additional payments not to exceed \$12,271.00 to Custom Lifts Access for the purchase and installation of a stairway chairlift at Heritage House.
- i) A resolution authorizing purchase of two (2) ten (10) ton Liebert AC and ductwork from Carrier International to be installed at 332 M.L. King Building for the City's new data center for a total cost of \$80,000.00. (Added by permission of Councilman Rico.)

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 18, 2009.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, August 18, 2009:

**AGENDA FOR TUESDAY, AUGUST 18, 2009**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman McGary)
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, to include suburban infill lot frontage and setback regulations and urban infill lot compatibility subdivision option, delete flag lot provisions, and change the definition of frontage.
  - b) 2009-087 Eric Myers (Elemi Architects, LLC) (R-3 Residential Zone and R-2 Residential Zone to RT-1 Residential Townhouse Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 600 block of Hamilton Avenue and 640 North Market Street, more particularly described herein and as shown on the maps and drawings attached hereto and made a part hereof by reference, from R-3 Residential Zone and R-2 Residential Zone to RT-1 Residential Townhouse Zone. **(Not recommended for approval by Planning – see alternate version.)**

2009-087 Eric Myers (Elemi Architects, LLC) (R-3 Residential Zone and R-2 Residential Zone to RT-1 Residential Townhouse Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 600 block of Hamilton Avenue and 640 North Market Street, more particularly described herein and as shown on the maps and drawings attached hereto and made a part hereof by reference, from R-3 Residential Zone and R-2 Residential Zone to RT-1 Residential Townhouse Zone, subject to certain conditions. **(Recommended for approval by Planning.)**
  - c) MR-2009-082 OBAR Investments, LLC and Black Creek Farm, LLC (Closing and Abandonment). An ordinance closing and abandoning Aetna Mountain Road within the City limits of Chattanooga, more particularly described herein and as shown on the maps and drawings attached hereto and made a part hereof by reference. (Not recommended for approval by Public Works.) **(Deferred from July 28, 2009.)**

MR-2009-082 OBAR Investments, LLC and Black Creek Farm, LLC (Closing and Abandonment). An ordinance closing and abandoning Aetna Mountain Road within the City limits of Chattanooga, more particularly described herein and as shown on the maps and drawings attached hereto and made a part hereof by reference, subject to certain conditions. (Recommended for approval by Public Works.) **(Deferred from July 28, 2009.)**

- d) MR-2009-097 City of Chattanooga c/o Dan Thornton (Closing and Abandonment).  
An ordinance closing and abandoning a right-of-way of the 400 block of Cherry Street and the southern right-of-way of the 100 block of East 4<sup>th</sup> Street, more particularly described herein and as shown on the maps and drawings attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning and Public Works – see alternate version.)**

MR-2009-097 City of Chattanooga c/o Dan Thornton (Closing and Abandonment).  
An ordinance closing and abandoning a right-of-way of the 400 block of Cherry Street and the southern right-of-way of the 100 block of East 4<sup>th</sup> Street, more particularly described herein and as shown on the maps and drawings attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning and Public Works.)**

6. Ordinances – First Reading:

- a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Sections 38-2, 38-185, and 38-527, relative to the regulation of nightclubs. **(Deferred from 8/4/09.)**

7. Resolutions:

- a) A resolution authorizing the Chief of Police to apply for and accept a grant from the City of Knoxville in the amount of \$247,951.68 to be used to fund a position and overtime in the Police Department's Internet Crimes Against Children Division for a period of three (3) years with no matching funds required.
- b) A resolution authorizing payment to the Tennessee Municipal League for 2009-2010 Annual Membership dues in the amount of \$24,252.00.
- c) A resolution authorizing the Mayor to execute an Assignment and Assumption Agreement regarding the Custom Baking Company Project Payment in Lieu of Ad Valorem Tax Agreement.

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.

**Agenda for Tuesday, August 11, 2009**  
**Page 6 of 6**

11. Committee Reports.
12. Agenda Session for Tuesday, August 25, 2009.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.