

**AMENDED AGENDA FOR TUESDAY, SEPTEMBER 1, 2009**

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

**“Recognition of Jim Frost – Mayor Ron Littlefield”**

V. Ordinances – Final Reading:

- a) An ordinance to amend Chattanooga City Code, Part II, Chapter 24, Sections 24-474, 24-476, 24-477, 24-482, and Section 24-483 relative to bicycles.

VI. Ordinances – First Reading:

VII. Resolutions:

- a) A resolution authorizing the Mayor to execute the First Amendment to the Section 108 Loan Guarantee Assistance Contract, Commitment No. B-04-MC-47-0001, with the U.S. Department of Housing and Urban Development (HUD) and any and all security documents related thereto.
- b) A resolution authorizing the Mayor to execute an Independent Contractor Agreement with Brightbridge, Inc. for professional business lending, grant, and consulting services relative to the City Brownfields Redevelopment Programs, assistance in Section 108 implementation of the Fiber to the Home loan to EPB, and other economic development programs and initiatives for a term of one (1) year and in an amount not to exceed \$95,000.00 annually. (Revised.)
- c) A resolution authorizing the Chief of Police to apply for and, if awarded, accept a Congressionally Selected Awards Grant from the U.S. Department of Justice, Office of Justice Programs’ Bureau of Justice Assistance, for a total amount not to exceed \$550,000.00 over a three-year period, with no matching funds required, to be used to purchase firearms range equipment.
- d) MR-2009-115 City of Chattanooga, c/o Dan Thornton (Surplus & Sale). A resolution declaring surplus property **and authorize advertisement for sale. (Amended.)**
- e) MR-2009-117 City of Chattanooga, c/o Dan Thornton (Lease). A resolution authorizing the Director of General Services to enter into a Lease Agreement with the United Way of Greater Chattanooga, Inc. for a warehouse located at 702 East 11<sup>th</sup> Street, more particularly described herein, for a term of one (1) year and for an annual rental rate of \$1.00 and **all related expenses. (Amended.)**

## Amended Agenda for Tuesday, September 1, 2009

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- f) MR-2009-120 City of Chattanooga/Hamilton County (Surplus & Sale). A resolution declaring surplus property located at 7151 Discovery Drive, jointly owned by the City and Hamilton County; authorizing the acceptance, by execution of the Mayor, of the Offer to Purchase from E-spin Technologies, Inc. for said property for \$1,460,000.00; and authorizing the Director of General Services to execute a deed and other closing documents to transfer said property to E-spin Technologies, Inc.

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, September 1, 2009.

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

XIV. Adjournment.

XV. Agenda Session for Tuesday, September 8, 2009:

**AGENDA FOR TUESDAY, SEPTEMBER 8, 2009**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilwoman Robinson)
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
6. Ordinances – First Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Section 38-84, regarding the use of the Urban Overlay Zone within R-TZ Residential Townhouse/Zero Lot Line Zone.
  - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Section 38-402(3)(c) to change a condition for residential planned unit developments.
  - c) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Sections 38-264 and 38-266, and by adding Section 38-527 relative to a Special Exceptions Permit for beer sales in neighborhood grocery stores.
  - d) An ordinance to amend Chattanooga City Code, Part II, Chapter 26, Sections 26-22, 26-23, 26-24, 26-25, and 26-134, and by adding new Sections 26-26, 26-27, 26-28, 26-29, 26-30, 26-31, 26-32, 26-33, and 26-34, establishing event fees for usage of various Chattanooga Parks and Recreation facilities.
  - e) 2009-037 Chattanooga Metropolitan Church c/o Pamela Ammons (R-1 to C-2). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 1063 Shallowford Road, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone. **(Not recommended for approval by Planning.)**
  - f) 2009-090 Gurdeep K. Madan, Broker (C-5 to C-2). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 3467 Wilcox Boulevard, more particularly described herein, from C-5 Neighborhood Commercial Zone to C-2 Convenience Commercial Zone. **(Not recommended for approval by Planning.)**  
  
2009-090 Gurdeep K. Madan, Broker (C-5 to C-2). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 3467 Wilcox Boulevard, more particularly described herein, from C-5 Neighborhood Commercial Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Not recommended but Special Exceptions permit is recommended.)**

g) 2009-108 James Farris (R-1 to R-3). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 1408 Palisades Road, more particularly described herein, from R-1 Residential Zone to R-3 Residential Zone. **(Not recommended for approval by Planning.)**

h) 2009-111 Sean Daniels (R-1 to C-2). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 3630 Ridgeside Road, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone. **(Not recommended for approval by Planning.)**

2009-111 Sean Daniels (R-1 to C-5). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 3630 Ridgeside Road, more particularly described herein, from R-1 Residential Zone to C-5 Neighborhood Commercial Zone, subject to certain conditions. **(Recommended for approval by Planning with Special Exceptions permit.)**

i) 2009-114 Armstrong, Weber, Randall, LLC c/o Andrew Mattox (R-3 to C-3). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone part of a tract of land located at 1711 Baldwin Street, more particularly described herein, from R-3 Residential Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning.)**

2009-114 Armstrong, Weber, Randall, LLC c/o Andrew Mattox (R-3 to UGC). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone part of a tract of land located at 1711 Baldwin Street, more particularly described herein, from R-3 Residential Zone to UGC Urban General Commercial Zone. **(Recommended for approval by Planning.)**

j) **An ordinance hereinafter also known as “the Fiscal Year 2009-2010 Budget Ordinance”, to provide revenue for the fiscal year beginning July 1, 2009, and ending June 30, 2010; appropriating same to the payment of expenses of the municipal government; fixing the rate of taxation on all taxable property in the City, and the time taxes and privileges are due, how they shall be paid, when they shall become delinquent; providing for interest and penalty on delinquent taxes and privileges; and to amend Chattanooga City Code, Part I, Chapter 2, Section 2-267, relative to paid leave for active-duty training.**

7. Resolutions:

a) A resolution authorizing the execution of a change order to Contract No. P0025759 with Oracle to decrease the contract amount by \$343,666.37, for a revised total contract amount not to exceed \$3,488,223.63.

b) A resolution authorizing the execution of a change order to Contract No. 0027350 with Duley Hopkins to increase the contract amount by \$318,000.00, for a revised total contract amount not to exceed \$4,518,000.00.

c) A resolution authorizing the Administrator of Public Works to approve an award to Parris Roofing for roofing repairs for the Friar Branch Pump Station in an amount not to exceed \$22,900.00.

- d) A resolution authorizing Carmike Cinemas to use temporarily the right-of-way for placement of a signage at 311 Broad Street, as shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions.
  - e) A resolution requesting an opinion from the Attorney General of the State of Tennessee with regard to the authority of the Chattanooga City Council to enact an ordinance that would give preference to contractors that utilize local labor.
  - f) 2005-077 Dale Darby (PUD Special Exceptions Permit.) A resolution approving a proposed final Planned Unit Development Special Exceptions Permit for a Planned Unit Development known as Amberbrook Gardens Planned Unit Development on part of a tract of land located at 5506 Cassandra Smith Road, more particularly described herein and as shown on the final Planned Unit Development Plan attached hereto and made a part hereof by reference, subject to certain conditions.
  - g) 2007-166 R and S Development (PUD **Special** Exceptions Permit.) A resolution approving a proposed final Planned Unit Development Special Exceptions Permit for a Planned Unit Development known as Dallas Road Subdivision Planned Unit Development on tracts of land located in the 1000 block of Dallas Road, more particularly described herein and as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions.
  - h) MR-2009-094 City of Chattanooga c/o Bill Payne (Declaring Surplus). A resolution declaring surplus the City's interest in property owned jointly by the City and Hamilton County part of the Enterprise South Industrial Park, Tax Map No. 130-001.01, as shown on the attached maps and made a part hereof by reference and authorizing the Mayor or his designee to execute a conservation easement for said property in favor of the U.S. Fish and Wildlife Service for the protection of the large flowered skullcap (CS. MONTANA).
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 15, 2009

**Amended Agenda for Tuesday, September 1, 2009**

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