

**AMENDED AGENDA FOR TUESDAY, SEPTEMBER 29, 2009**

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Gilbert)
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 18, Section 18-165, so as to provide for appeals to the public officer of notice to abate a public nuisance.
  - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 3, Article X, Section 3-102, relative to Jurisdiction of the Board.
  - c) An ordinance adopting a Plan of Services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of the City of Chattanooga known as Area 1B, being certain parcels adjacent to Cummings Highway within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as shown by the attached map. **(Revised Plan of Services.) (Public Hearing.)**
  - d) An ordinance adopting a Plan of Services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of the City of Chattanooga known as Area 4A, being certain parcels adjacent to the current city limits between Hixson Pike and Middle Valley Road within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as shown by the attached map. **(Public Hearing.)**
  - e) An ordinance adopting a Plan of Services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of the City of Chattanooga known as Area **4C**, being certain parcels adjacent to the current city limits of Hixson Marina Road, Big Ridge Road, and Fairview Road within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as shown by the attached map. **(Public Hearing.) (Motion to Substitute – correction of typo.)**
- VI. Ordinances – First Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 31, Article VIII, Sections 31-302, 31-352, 31-354, 31-356, and 31-357, to add definitions, revise the water quality fee rate structure (formerly known as Stormwater User’s Fee) rate structure, and provide a schedule of charges for the funding of the operation, maintenance, and improvement of the Water Quality System within the City limits. **(Public Hearing.) (Revised.)**

- b) 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.)

- c) 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.)

- d) An ordinance adopting a Plan of Services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of the City of Chattanooga known as Area 8A, being certain parcels adjacent to Interstate 75 and Hunter Road within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as shown by the attached map. **(Public Hearing.)**
- e) An ordinance adopting a Plan of Services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of the City of Chattanooga known as Area 8B, being certain parcels adjacent to Interstate 75 and Relocation Way within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as shown by the attached map. **(Public Hearing.)**
- f) An ordinance adopting a Plan of Services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of the City of Chattanooga known as Area 9A, being certain parcels adjacent to Enterprise South property and the right-of-way of Interstate 75 within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as shown by the attached map. **(Public Hearing.)**

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- g) An ordinance adopting a Plan of Services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of the City of Chattanooga known as Area 9B, being certain parcels adjacent to Old Lee Highway and Apison Pike within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as shown by the attached map. **(Public Hearing.)**
- h) An ordinance adopting a Plan of Services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of the City of Chattanooga known as Area 11A, being certain parcels adjacent to the current City limits of Morris Hill Road, East Brainerd Road, and Igou Gap Road within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as shown by the attached map. **(Public Hearing.)**

#### VII. Resolutions:

- a) A resolution authorizing the Administrator of the Department of Parks and Recreation to amend the Personal Services Contract with Townsend Atelier, LLC for Coordinator of Public Art Services to increase the contract amount by \$12,480.00, for a revised contract amount not to exceed \$54,080.00.

#### 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 6, 2009.

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

#### XIV. Adjournment.

XVI. Agenda Session for Tuesday, October 6, 2009:

**AGENDA FOR TUESDAY, OCTOBER 6, 2009**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilwoman Berz).
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 31, Article VIII, Sections 31-302, 31-352, 31-354, and 31-356, to add definitions, revise the water quality rate structure, and provide for the funding of the operation, maintenance, and improvement of the Water Quality System within the City limits. **(Public Hearing.)**
  - b) 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.)
  - c) 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.)
  - d) An ordinance adopting a Plan of Services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of the City of Chattanooga known as Area 8A, being certain parcels adjacent to Interstate 75 and Hunter Road within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as shown by the attached map.

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- e) An ordinance adopting a Plan of Services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of the City of Chattanooga known as Area 8B, being certain parcels adjacent to Interstate 75 and Relocation Way within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as shown by the attached map.
- f) An ordinance adopting a Plan of Services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of the City of Chattanooga known as Area 9A, being certain parcels adjacent to Enterprise South property and the right-of-way of Interstate 75 within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as shown by the attached map.
- g) An ordinance adopting a Plan of Services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of the City of Chattanooga known as Area 9B, being certain parcels adjacent to Old Lee Highway and Apison Pike within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as shown by the attached map.
- h) An ordinance adopting a Plan of Services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of the City of Chattanooga known as Area 11A, being certain parcels adjacent to the current City limits of Morris Hill Road, East Brainerd Road, and Igou Gap Road within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as shown by the attached map.

6. Ordinances – First Reading:

- a) An ordinance adopting a Plan of Services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of the City of Chattanooga known as Area 10A, being certain parcels adjacent to Old Lee Highway, Green Shanty Road, Rexway Lane, Ranco Circle, and Maywater Road, within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as shown by the attached map. **(Public Hearing.)**
- b) An ordinance adopting a Plan of Services and extending the corporate limits of the City of Chattanooga, Tennessee, to annex certain territory contiguous to the present corporate limits of the City of Chattanooga known as Area 10B, being certain parcels adjacent to Old Lee Highway, Apison Pike, Pattentown Road, Woodland Drive, and Old Woodland Drive, within the Urban Growth Boundary of the City of Chattanooga, in Hamilton County, Tennessee, as shown by the attached map. **(Public Hearing.)**

7. Resolutions:

8. Overtime Report.

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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 13, 2009
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.