

## AMENDED AGENDA FOR TUESDAY, APRIL 6, 2010

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

### **“Fair Housing Month Proclamation”**

- V. Ordinances – Final Reading:

- a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, by removing in their entirety Sections 38-43(4) and 38-524, relative to two-family dwellings in an R-1 Residential Zone. **(Deferred from 3/23/10.)**

- VI. Ordinances – First Reading:

- a) An ordinance to amend Chattanooga City Code, Part II, Chapter 2, by adding a new Article XV to establish a “Whistle Blower” Protection.

- VII. Resolutions:

- a) A resolution authorizing Jay Floyd c/o Whitehall Properties, LLC to use temporarily the right-of-way located at 320 North Market Street for placement of awnings over display windows and entrance to business, as shown on the drawings attached hereto and made a part hereof by reference.
- b) A resolution authorizing the execution of Change Order No. 1 relative to Contract No. E-04-036-201, Enterprise South Roadway Extension Phase 1, with Talley Construction Company, which change order decreases the contract amount by \$240,000.00, for a revised contract amount not to exceed \$1,789,805.16, and the reduction of the contingency amount by \$202,979.84.
- c) A resolution authorizing the execution of Change Order No. 1 relative to Contract No. E-04-036-202, Enterprise South Roadway Extension Phase 1B, with East Tennessee Grading, Inc., for an increased amount of \$461,486.01, for a revised contract amount not to exceed \$1,394,771.77.
- d) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with S&ME, Inc. for professional services for materials testing, relative to Contract No. W-05-007-402, North Warner Park Stormwater Detention Basin, in an amount not to exceed \$9,000.00.

## Amended Agenda for Tuesday, April 6, 2010

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- e) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with Gallet & Associates, Inc., for professional services for materials testing, relative to Contract No. E-07-018-401, Passage Repair Project, in an amount not to exceed \$7,500.00.
- f) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with CSX Transportation, Inc. relative to Contract No. R-09-001, South Chickamauga Creek Greenway, for the trail construction under CSXT bridges in vicinity of Mileposts 0WA-129.13 and 0WA-129.31, CSXT OP Number TN0284, in an amount not to exceed \$95,304.00.
- g) A resolution authorizing the Administrator of the Department of Public Works to amend the contract with Haman's to pay an additional \$46,000.00 for additional driver's training classes.
- h) A resolution authorizing the waiver of the landfill fees for the "Keep America Beautiful, Great American Cleanup" taking place March through June, 2010.

#### 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, April 13, 2010.

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

#### XIV. Adjournment.

XII. Agenda Session for Tuesday, April 13, 2010:

**AGENDA FOR TUESDAY, APRIL 13, 2010**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Council Chair Benson.)
3. Minute Approval.
4. a) Special Presentations.  
b) Election of Officers.
5. Ordinances - Final Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 2, by adding a new Article XV to establish a “Whistle Blower” Protection.
6. Ordinances – First Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, relative to Article V, Section 38-302 and Article VIII, Section 38-568(12) in order to provide a special permit process for kennels/small animal facilities.
  - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article II, Section 38-2, Definitions of dwelling.
  - c) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article IV, Section 38-33, General Regulations relative to exterior lighting.
  - d) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article V, Section 38-171(2), O-1 Office Zone, relative to detached dwellings.
  - e) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Division 14, UGC Urban General Commercial Zone for auto-oriented uses.
  - f) 2010-024 William A. Johnson, III (R-1 Residential Zone to R-5 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 167 and 195 Willie Way, more particularly described herein, from R-1 Residential Zone to R-5 Residential Zone. **(District 1, and recommended for approval by Planning.)**

- g) 2010-028 United House of Prayer for all People/Bishop C. M. Bailey, Trustee (R-1 Residential Zone to R-3 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 3214 12<sup>th</sup> Avenue, more particularly described herein, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions. **(District 7, and recommended for approval by Planning and denied by Staff.) (Planning version.)**

2010-028 United House of Prayer for all People/Bishop C. M. Bailey, Trustee (R-1 Residential Zone to R-3 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 3214 12<sup>th</sup> Avenue, more particularly described herein, from R-1 Residential Zone to R-3 Residential Zone. **(Applicant version.)**

- h) 2010-030 City of Chattanooga – RPA (Temporary C-2 Convenience Commercial Zone to Permanent C-2 Convenience Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located in the 5000 block of Hunter Road, more particularly described herein, from temporary C-2 Convenience Commercial Zone to permanent C-2 Convenience Commercial Zone. **(District 4, and recommended for approval by Planning.)**

- i) 2010-031 City of Chattanooga – RPA (Temporary R-1 Residential Zone to Permanent R-1 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located in an unnumbered portion of Aetna Mountain Road, more particularly described herein, from temporary R-1 Residential Zone to permanent R-1 Residential Zone. **(District 1, and recommended for approval by Planning.)**

- j) 2010-033 Daniel Rose (M-1 Manufacturing Zone to C-3 Central Business Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 15, 17, and 29 Johnson Street and the 100 block of East 14<sup>th</sup> Street, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions. **(District 8, and recommended for approval by Planning.) (Planning version.)**

2010-033 Daniel Rose (M-1 Manufacturing Zone to C-3 Central Business Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 15, 17, and 29 Johnson Street and the 100 block of East 14<sup>th</sup> Street, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone. **(Applicant version.)**

- k) 2010-034 Jason Geraci (R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 816 and 818 Palmetto Street, more particularly described herein, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. **(District 8, and recommended for approval by Planning.) (Planning version.)**

2010-034 Jason Geraci (R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 816 and 818 Palmetto Street, more particularly described herein, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone. **(Applicant version.)**

7. Resolutions:

- a) A resolution authorizing the Administrator of Public Works to award Contract No. W-09-008-201, Eastgate Pump Station and Force Main, to East Tennessee Grading, Inc., in the amount of \$610,543.20, with a contingency amount of \$59,456.80, for an amount not to exceed \$670,000.00.
- b) 2010-029 Jeffery Timothy Johnson, Sr. (Special Exceptions Permit). A resolution approving a Special Exceptions Permit for a residential home for handicapped and/or aged on a commercial basis, on a tract of land located at 601 East 52<sup>nd</sup> Street, more particularly described herein. **(Recommended for denial by Planning and Staff.)**

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, April 20, 2010.

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

14. Adjournment.