

## AGENDA FOR TUESDAY, FEBRUARY 8, 2011

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Rico)
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 24, Section 24-505, relative to parking meter zones on Fourteenth Street East. **(District 8.)**
  - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 24, Article XIV, Section 24-502, to revise specific speed limits on Bonny Oaks Drive. **(Districts 4, 5, and 6.)**
  - c) **MR-2010-116 (Chattanooga Neighborhood Enterprise, Inc. by Jean Lamb).** An ordinance to amend Ordinance No. 12453 (Case No. MR-2010-116), encaptioned, “An ordinance closing and abandoning a right-of-way easement along the south side of 17<sup>th</sup> Street and adjacent to 1702 Long Street, more particularly described herein, subject to certain conditions,” to correct the legal description. **(District 8.)**
  - d) An ordinance to amend Chattanooga City Code, Part II, Chapter 18, Article VII, Section 18-124 relative to the price of leaf compost for non-city residents, contractors, and persons-for-hire **and county residents.**
- VI. Ordinances – First Reading:
  - a) 2010-109 Ken Pritchard (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 1133 Old Pineville Road, more particularly described herein, from R-1 Residential Zone to R-3 Residential Zone. **(Applicant version, District No. 1.) (Planning recommends denial.) (Deferred from 12/14/10.)**
  - b) MR-2010-140 Cagle Development (Abandonment). An ordinance closing and abandoning an unnamed alley located between the 2100 block of E. 3<sup>rd</sup> Street and the 2100 block of Garfield Street, more particularly described herein, subject to certain conditions. **(Public Works version, District No. 9).**
- VII. Resolutions:
  - a) A resolution authorizing the Mayor to enter into an amendment to the Interlocal Agreement between the City, Hamilton County, the Industrial Development

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Board, the Health Educational, and Housing Facility Board, and Volkswagen relative to the Volkswagen Project.

- b) A resolution authorizing the Administrator of the Department of Public Works to accept funds from Ralph White Electric Company, Inc., on behalf of Hamilton County Business Development Center for four (4) pedestrian lights relative to Project No. E-11-002, Cherokee Boulevard Streetscape for a total amount not to exceed \$10,216.00. **(District 1.)**
- c) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with Norfolk Southern Corporation, for a Grade Crossing Improvement at W. Main Street, relative to Contract No. E-10-011-201, West Main Street Streetscape Project, in an amount not to exceed \$91,264.00. **(District 8.)**
- d) A resolution authorizing the Director of the Office of Sustainability Outreach Coordinator to contract with HDR, Inc., in an amount not to exceed \$88,000.00, to review energy and utility use in the City of Chattanooga buildings; to outline goals and initiatives for reducing energy and utility use within Chattanooga Operations; to produce an energy/utility policy, procedure, and uniform forms for local contractors to collect data to be used in comparative analysis; to draft a City sustainability policy for preliminary analysis of existing building inventory and recommendations; and for analysis of an alternative energy/water conservations project for financing and delivery methods. **(Requested to be deferred one (1) week.)**
- e) A resolution authorizing the appointment of Robert K. Morgan as special police officer (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.
- f) A resolution authorizing the appointment of Charles R. Young as special police officer (unarmed) for the Public Works Department to do special duty as prescribed herein, subject to certain conditions
- g) Michael Dean (Special Exceptions Permit). A resolution approving a Special Exceptions Permit **for use of a nightclub** located at 6241 Perimeter Drive, Suite 109, as more particularly described in the attached analysis and maps, subject to certain conditions. **(Staff recommends approval subject to certain conditions.) (District 6.) (Revised.)**
- h) Misty Dawn Powell (Special Exceptions Permit). A resolution approving a Special Exceptions Permit **for use of a nightclub** located at 5709 Lee Highway, as more particularly described in the attached analysis and maps, subject to certain conditions. **(Staff recommends approval subject to certain conditions.) (District 6.) (Revised.)**
- i) Joel Seiner (Special Exceptions Permit). A resolution approving a Special Exceptions Permit **for use of a nightclub** located at 5425 Highway 153, Suite

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100B, as more particularly described in the attached analysis and maps, subject to certain conditions. **(Staff recommends approval subject to certain conditions.) (District 2.) (Revised.)**

- j) A resolution authorizing the City Finance Officer to secure the services of Public Financial Management (PFM) to analyze Banking Services Proposals as allowed under Section 10 of the City's existing contract with PFM at a fee not to exceed \$33,000.00, plus expenses not to exceed \$2,000.00.

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 on February 15, 2011

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

XIV. Adjournment.

**AGENDA FOR TUESDAY, FEBRUARY 15, 2011**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman McGary).
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
  - a) 2010-109 Ken Pritchard (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 1133 Old Pineville Road, more particularly described herein, from R-1 Residential Zone to R-3 Residential Zone. **(District 1.)**
  - b) MR-2010-140 Cagle Development (Abandonment). An ordinance closing and abandoning an unnamed alley located between the 2100 block of E. 3<sup>rd</sup> Street and the 2100 block of Garfield Street with EPB and AT&T Southeast to maintain the easement in the full width, more particularly described herein, subject to certain conditions. **(District 9.)**
6. Ordinances – First Reading:
  - a) An ordinance to amend Part II, Chattanooga City Code, Chapter 17, Article I, Section 17-1, relative to the adoption of the International Fire Code, 2006 Edition, including all referenced standards and publications specified therein, and the 2006 National Fire Protection Association (NFPA) 101 Life Safety Code in its entirety for certain specified occupancies, including existing buildings, as defined by the 2006 NFPA 101 Life Safety Code, as the official fire code of the City of Chattanooga; and to amend Sections 17-2, as to appendices, and 17-3 as amendments to the Code. **(Deferred from 1/18/11.)**
  - b) An ordinance deannexing certain properties on Elder Mountain and Elder Mountain Road which are currently in the City of Chattanooga. **(Deferred from 1/18/11.)**
  - c) MR-2010-161 Memorial Health Care System (Abandonment). An ordinance closing and abandoning two unopened rights of way beginning at the intersection with the east line of the 800 block of North Chamberlain Avenue, more particularly described herein. **(Public Works version, District No. 9.)**  
  
MR-2010-161 Memorial Health Care System (Abandonment). An ordinance closing and abandoning two unopened rights of way beginning at the intersection with the east line of the 800 block of North Chamberlain Avenue, more particularly described herein, subject to certain conditions. **(Planning version.)**

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#### 7. Resolutions:

- a) A resolution authorizing the Department of Parks and Recreation to accept a grant from the Lyndhurst Foundation in the amount of \$40,000.00 to support the administrative costs of the Public Art Program.
- b) A resolution authorizing the Mayor to enter into an interlocal agreement with the Hamilton County Trustee whereby the Trustee will collect City Hotel Motel taxes at an annual cost of \$30,000.00.
- c) A resolution amending Resolution No. 26436, adopted September 21, 2010, relative to the agreement for the closure/post closure plan for the North Hawthorne/Wood Recycling Solid Waste Processing Unit, with the State of Tennessee, Division of Solid Waste Management, by deleting “an amount not to exceed \$32,759.00,” and substituting in lieu thereof “an amount not to exceed \$33,087.00.”
- d) A resolution amending Resolution No. 26437, adopted September 21, 2010, relative to the agreement for the closure/post closure plan for the City Landfill, with the State of Tennessee, Division of Solid Waste Management, by deleting “an amount not to exceed \$6,383,802.00,” and substituting in lieu thereof “an amount not to exceed \$6,444,437.00.”
- e) A resolution amending Resolution No. 26438, adopted September 21, 2010, relative to the agreement for the closure/post closure plan for the City Landfill, Lateral Expansion Area 3, with the State of Tennessee, Division of Solid Waste Management, by deleting “an amount not to exceed \$6,793,364.00,” and substituting in lieu thereof “an amount not to exceed \$6,868,091.00.”
- f) A resolution amending Resolution No. 26439, adopted September 21, 2010, relative to the agreement for the closure/post closure plan for the Summit Sanitary Landfill, with the State of Tennessee, Division of Solid Waste Management, by deleting “an amount not to exceed \$2,715,773.00,” and substituting in lieu thereof “an amount not to exceed \$2,590,546.00.”
- g) A resolution authorizing payment to Park Mills Properties 2, LLC for emergency stormwater repairs for a total amount not to exceed \$27,981.00.

#### 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 on February 22, 2011.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.