

SECOND AMENDED AGENDA FOR TUESDAY, FEBRUARY 15, 2011

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman McGary)
- III. Minute Approval.
- IV. Special Presentations.
- V. 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. **(Applicant version, District No. 1.)**
 - b) MR-2010-140 Cagle Development (Abandonment). An ordinance closing and abandoning an unnamed alley located between the 2100 block of E. 3rd Street and the 2100 block of Garfield Street, more particularly described herein, subject to certain conditions. **(Public Works version, District No. 9.)**
- VI. Ordinances – First Reading:
 - a) 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.) (Recommend deferral 3/15/2011.)**
 - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 35, Article IV, Section 171(e)(3) relative to maximum storage fees for towed vehicles from private property. **(Revised.)**
 - c) 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.)**
 - d) 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.)**

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 Board, the Health Educational, and Housing Facility Board, and Volkswagen relative to the Volkswagen Project. **(Deferred from 2/8/2011.)**
- b) 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. **(Deferred from 2/8/2011.) (Recommend deferral to 3/1/2011.)**
- c) A resolution authorizing the Department of Parks and Recreation to accept a grant from the Lyndhurst Foundation through the Community Foundation of Greater Chattanooga in the amount of \$40,000.00 to support the administrative costs of the Public Art Program. **(Revised.)**
- d) 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. **(Deferred from 2/8/2011.)**
- e) 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.”
- f) 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.”
- g) 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

Second Amended Agenda for Tuesday, February 15, 2011

Page 3 of 6

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.”

- h) 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.”
- i) A resolution authorizing payment to Park Mills Properties 2, LLC for emergency stormwater repairs for a total amount not to exceed \$27,981.00.
- j) 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.) (Deferred from 2/8/2011.)**

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 22, 2011

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

XIV. Adjournment.

AGENDA FOR TUESDAY, FEBRUARY 22, 2011

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Murphy).
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
 - a) An ordinance deannexing certain properties on Elder Mountain and Elder Mountain Road which are currently in the City of Chattanooga.
 - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 35, Article IV, Section 171(e)(3) relative to maximum storage fees for towed vehicles from private property. **(Revised.)**
 - c) 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.
 - d) 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.)**
6. Ordinances – First Reading:
 - a) An ordinance granting unto Chattanooga Gas Company, a Tennessee Corporation, a franchise for the purpose of operating a system of gas distribution and service within the City of Chattanooga so as to furnish gas service within the City to its inhabitants for domestic, commercial, industrial and municipal general use. **(Public Hearing.)**

- b) MR-2010-158 Janet Brooks (Abandonment). An ordinance closing and abandoning the unopened 1700 block of West 49th Street, more particularly described herein, subject to certain conditions. **(Public Works version, District No. 7.)**

7. Resolutions:

- a) A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into an agreement with Scenic City Aquatic Club for the use of the Warner Park Swimming Pool for the purposes of the Quad Swimming Meet for a rental fee of \$750.00.
- b) A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into an agreement with the Chattanooga Swim League for the use of the Warner Park Swimming Pool for the purpose of hosting the Chattanooga Area Swim League Championship for a rental fee of \$2,000.00.
- c) A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into an agreement with the Scenic City Aquatic Club for the use of the Warner Park Swimming Pool for purposes of practice for a rental fee of \$2,000.00.
- d) **A resolution authorizing the General Services Director to accept an offer to sell 3218 7th Avenue as surplus property for \$5,000.00. (District No. 1.) (Corrected.)**
- e) **A resolution authorizing the General Services Director to accept an offer to sell 3306 Montview Drive as surplus property for \$35,000.00. (District No. 1.) (Corrected.)**
- f) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with Lamar Dunn and Associates for professional services relative to Contract No. W-10-007-101, Altamont Pump Station and Sewer Basin Project, in an amount not to exceed \$211,440.00. **(District No. 3.)**
- g) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with Barge Waggoner Sumner and Cannon, Inc. for professional services relative to Contract No. W-10-005-101, ESIP Sewer Basin, Collection System and Pump Station Evaluation and Upgrade, in an amount not to exceed \$729,600.00. **(District No. 4.)**
- h) A resolution authorizing Chattanooga First Seventh-Day Adventist Church to use temporarily the right-of-way located at 7450 Standifer Gap Road to install an ID sign and message center, as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions. **(District No. 4.)**

Second Amended Agenda for Tuesday, February 15, 2011

Page 6 of 6

- i) A resolution authorizing the Administrator of the Department of Public Works to award Contract No. E-03-007-201, Wilcox Boulevard Tunnel Modifications, to Tower Construction Company, in the amount of \$414,332.93, with a contingency amount of \$41,500.00, for an amount not to exceed \$455,832.93. **(District Nos. 5 and 9.)**
 - j) A resolution authorizing the Administrator of the Department of Public Works to award Contract No. E-09-021-201, Intersection Improvement SR153 Northbound Off-Ramp at Bonny Oaks Drive, to East Tennessee Grading, Inc., in the amount of \$210,407.00, with a contingency amount of \$21,093.00, for an amount not to exceed \$231,500.00. **(District Nos. 5 and 6.)**
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 on March 1, 2011.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.