

SECOND AMENDED AGENDA FOR TUESDAY, APRIL 5, 2011

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

“Brainerd High School Peer Mentoring Group – Councilman Russell Gilbert”
- V. Ordinances – Final Reading:
 - a) An ordinance granting unto Memorial Health Care System a franchise to install and maintain piping in a portion of the 2400 block of Citico Avenue near its intersection with the 800 block of North Chamberlain Avenue in the City of Chattanooga (Case No. MR-2011-018), as shown on the map attached hereto and made a part hereof by reference, relative to Memorial Health Care System’s proposed Central Utilities Plant, subject to certain conditions. **(District No. 9.) (Public Hearing.)**
- VI. Ordinances – First Reading:
 - a) 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 the event fees for usage of various Chattanooga Parks and Recreation facilities.
- VII. Resolutions:
 - a) A resolution authorizing the City Attorney’s office to retain the law firm of Gearhiser, Peters, Cavett, Elliott & Cannon, PLLC for the case of *City of Chattanooga, Tennessee and Chattanooga Downtown Redevelopment Corporation v. Hargreaves Associates, Inc., et al.* **(Deferred from 3/29/11.)**
 - b) A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into a two-year Lease Agreement with Darde Long for the use of the barn on the Brown Acres Golf Course property with a rental rate of \$200.00 per month.
 - c) A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into a Lease Agreement with Ballet Tennessee for the ground level wing of the John A. Patten Arts Center for a term beginning January 1, 2011, through December 31, 2011, at the rate of \$1,400.00 per month **includes utilities** and other considerations with an option to negotiate an extension of this Lease Agreement for one additional year, commencing January 1, 2012, and ending December 31, 2012. **(Revised.)**

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- d) A resolution approving the acceptance of the transfer of the Shelter Plus Care Grant by the Department of Neighborhood Services and Community Development to award the TN144C4J001001 grant from the Chattanooga Housing Authority and authorizing the Administrator of the Department of Neighborhood Services and Community Development to enter into an agreement with the Housing and Urban Development (HUD) for use of the funds in the amount of \$36,600.00.
- e) A resolution authorizing the Administrator of the Department of Public Works to accept \$46,000.00 from Silverdale Baptist Church for the installation of a traffic signal at 7236 Bonny Oaks Drive. **(District No. 6.)**
- f) A resolution authorizing the Administrator of Public Works to award Contract No. S-10-004-201, Private Sanitary Sewer Service Line Repair, to Leslie Allen Green in the amount of \$14,700.00, with a contingency amount of \$3,500.00, for an amount not to exceed \$18,200.00. **(District Nos. 5 & 9.)**
- g) A resolution authorizing the Administrator of Public Works to award Contract No. S-10-005-201, Private Sanitary Sewer Service Line Repair, to Leslie Allen Green in the amount of \$27,450.00, with a contingency amount of \$3,500.00, for an amount not to exceed \$30,950.00. **(District Nos. 5 & 9.)**
- h) A resolution authorizing the Administrator of Public Works to award Contract No. S-10-006-201, Private Sanitary Sewer Service Line Repair, to Leslie Allen Green in the amount of \$13,520.00, with a contingency amount of \$3,500.00, for an amount not to exceed \$17,020.00. **(District Nos. 5 & 9.)**
- i) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with Consolidated Technologies, Inc., for professional services, relative to Contract No. W-10-011-101, East Brainerd Road Sanitary Sewer Replacement and Extension Project, in an amount not to exceed \$432,000.00. **(District No. 4.)**
- j) A resolution approving the acceptance of the Shelter Plus Care (SPC) Renewal Grant TN0010C4J001003 from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$201,936.00 and approval for the Administrator of the Department of Neighborhood Services and Community Development to enter into agreements with the following organizations to provide rental assistance for homeless persons with disabilities: Fortwood Center, Inc.; Chattanooga Cares; The AIM Center, Inc.; and Volunteer Behavioral Health System d/b/a Joseph W. Johnson, Jr. Mental Health Center, Inc.
- k) A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into an agreement with the Boys and Girls Clubs of Chattanooga, Inc. for the use of the South Chattanooga Recreation Center. **(Revised.)**

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- l) A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into an agreement with the Partnership for Families, Children, and Adults for use of the East Lake Recreation Secondary Building located at 3701 Dodds Avenue for the purpose of operating a Community Resource Center. **(District No. 7.)**
- m) **MR-2009-173 Hamilton County Real Property c/o Paul Parker. A resolution authorizing the Mayor of the City of Chattanooga to enter into and execute an “Offer to Purchase” relative to Tract 27 of the Enterprise South Industrial Park and authorizing the Mayor to execute a deed and other necessary closing documents conveying said property to Archer Daniels Midland Company for \$623,700.00, minus sellers’ closing costs. (Added by permission of Council Chairman Rico.)**
- n) **A resolution authorizing the City Finance Officer to execute an Agreement relating to external audit services.**

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 April 12, 2011

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

XIV. Adjournment.

AGENDA FOR TUESDAY, APRIL 12, 2011

1. Call to Order.
2. Pledge of Allegiance/Invocation (Council Chairman Rico).
3. Minute Approval.
4. Special Presentations.

“Election of Chair and Vice Chair”

5. Ordinances - Final Reading:
 - a) 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 the event fees for usage of various Chattanooga Parks and Recreation facilities.
6. Ordinances – First Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, by amending Article VIII, Section 38-568(4) to clarify use of cremation/crematory in the M-1 Manufacturing Zone; and funeral homes, mortuaries, and undertaking establishments in the R-4 Special Zone.
 - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article VIII by repealing or deleting Section 38-563(5) regarding appeals of the Downtown Residential/Mixed Use District Review Committee.
 - c) 2011-024 Miriam J. Herstik/Peggy Holder (R-1 Residential Zone and R-2 Residential Zone to A-1 Urban Agricultural Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 4200 Randolph Circle, more particularly described herein, from R-1 Residential Zone and R-2 Residential Zone to A-1 Urban Agricultural Zone, subject to certain conditions. **(Planning Version, District No. 5.)**

2011-024 Miriam J. Herstik/Peggy Holder (R-1 Residential Zone and R-2 Residential Zone to A-1 Urban Agricultural Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 4200 Randolph Circle, more particularly described herein, from R-1 Residential Zone and R-2 Residential Zone to A-1 Urban Agricultural Zone. **(Applicant Version.)**
 - d) 2011-029 Travis Hulsey (M-2 Light Industrial Zone to C-2 Convenience Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 6101 Mountain View Road, more particularly described herein, from M-2 Light Industrial Zone to C-2 Convenience Commercial Zone. **(District No. 4.)**

- e) 2011-031 City of Chattanooga/RPA (Temporary R-2 Residential Zone and M-2 Light Industrial Zone to Permanent R-2 Residential Zone and M-2 Light Industrial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located in annexed Area 3A of Ordinance No. 12308, from temporary R-2 Residential Zone and M-2 Light Industrial Zone to permanent R-2 Residential Zone and M-2 Light Industrial Zone. **(District No. 1.)**

- f) 2011-032 City of Chattanooga/RPA (Temporary R-2 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 property located in annexed Area 3C of Ordinance No. 12311, from temporary R-2 Residential Zone to permanent R-1 Residential Zone. **(District No. 1.)**

- g) 2011-037 Carylton Killebrew/CFS Properties (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 property located at 1416 Williams Street, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions. **(Planning Version, District No. 8.)**

2011-037 Carylton Killebrew/CFS Properties (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 property located at 1416 Williams Street, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone. **(Applicant Version.)**

- h) 2011-044 Darren W. Kennedy, Attorney/Hubert Properties (R-1 Residential Zone to C-2 Convenience Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 3883 Wilcox Boulevard, more particularly described herein, from R-1 Residential Zone to C-5 Neighborhood Commercial Zone. **(Planning Version, District No. 5.)**

2011-044 Darren W. Kennedy, Attorney/Hubert Properties (R-1 Residential Zone to C-2 Convenience Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 3883 Wilcox Boulevard, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone. **(Recommended for denial by Planning.) (Applicant Version.)**

7. Resolutions:

- a) A resolution amending Resolution No. 26141 relating to the Agreement with Brightbridge for the administration of the Brownsfield grants at Ohls Avenue and the Anchor Glass Office Building sites to redistribute the authorized funds for a combined total amount of \$25,300.00.

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- b) A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into an Agreement with Ooltewah Nursery to install an irrigation system at Warner Park in an amount not to exceed \$17,759.00.
 - c) A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into an Interim Management Agreement between the University of Tennessee, on behalf of its Chattanooga Campus, and the City of Chattanooga allowing the University of Tennessee to use Engel Stadium between now and the transfer date of the property to the University of Tennessee.
 - d) A resolution authorizing Rita's to use temporarily the right-of-way located at 100 Market Street for the installation of a sign and canopy along a portion of the right-of-way, as shown in the drawings attached hereto and made a part hereof by reference, subject to certain conditions. **(District No. 8.)**
 - e) A resolution authorizing Graphic Works, LLC to use temporarily the right-of-way located at 429 Broad Street for the installation of a sign along a portion of the right-of-way, as shown in the drawings attached hereto and made a part hereof by reference, subject to certain conditions. **(District No. 8.)**
 - f) A resolution authorizing James C. Berry to use temporarily the right-of-way located at 605 Chestnut Street for the installation of a parapet cap atop the Liberty Tower that will project into the right-of-way, as shown in the drawing attached hereto and made a part hereof by reference, subject to certain conditions. **(District No. 8.)**
 - g) A resolution authorizing the execution of a Change Order with H&H Brown for liquid oxygen provided to the Moccasin Bend Wastewater Treatment Plant between April 3, 2009, and April 17, 2009, relative to Contract No. W-07-003 (28J1), in the amount of \$80,000.00.
 - h) 2011-045 Fort Town, LLC/Dale Darby (PUD). A resolution to amend Resolution No. 26062 relative to Amberbrook Gardens Planned Unit Development (Case No. 2005-007) on properties located at 5506, 5542, 5556, 5594, and 5598 Cassandra Smith Road by lifting Condition No. 1 and amending Condition No. 2. **(Recommended for approval by Planning, District No. 3.)**
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 April 19, 2011.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.