

SECOND AMENDED AGENDA FOR TUESDAY, AUGUST 14, 2012

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Rico)
- III. Minute Approval.
- IV. Special Presentation:
- V. Ordinances – Final Reading:
- VI. Ordinances – First Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 14, Section 14-84, relative to the Board of Electrical Examiners.
 - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 10, Sections 10-3(j), relative to building permit and other fees and to add a new Section 10-3(u) regarding design methodology for retaining walls and reinforced soil slopes.
 - c) An ordinance to amend Chattanooga City Code, Part II, Chapter 35, Sections 35-44 and 35-59 relative to temporary medical exceptions for drivers of vehicles for hire.
 - d) 2012-086 Keith Crisp (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 111 West Bell Avenue, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Recommended for approval by Planning and recommended for denial by Staff.) (District 1.)**

2012-086 Keith Crisp (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 111 West Bell Avenue, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone. **(Applicant Version.)**
 - e) 2012-091 James D. Lee (R-1 Residential Zone, R-2 Residential Zone, and R-4 Special Zone to C-2 Convenience Commercial Zone, C-5 Neighborhood Commercial Zone, O-1 Office Zone, and 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 property located at 8244 East Brainerd Road, more particularly described herein, from R-1 Residential Zone, R-2 Residential Zone, and R-4 Special Zone to C-2 Convenience Commercial Zone, C-5 Neighborhood Commercial Zone, O-1 Office Zone, and R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. **(Recommended for approval by Planning.) (District 4.)**

2012-091 James D. Lee (R-1 Residential Zone, R-2 Residential Zone, and R-4 Special Zone to C-2 Convenience Commercial Zone, C-5 Neighborhood Commercial Zone, O-1 Office Zone, and 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 property located at 8244 East Brainerd Road, more particularly described herein, from R-1 Residential Zone, R-2 Residential Zone, and R-4 Special Zone to C-2 Convenience Commercial Zone, C-5 Neighborhood Commercial Zone, O-1 Office Zone, and R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. **(Recommended for approval by Staff.)**

2012-091 James D. Lee (R-1 Residential Zone, R-2 Residential Zone, and R-4 Special Zone to C-2 Convenience Commercial Zone, C-5 Neighborhood Commercial Zone, O-1 Office Zone, and 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 property located at 8244 East Brainerd Road, more particularly described herein, from R-1 Residential Zone, R-2 Residential Zone, and R-4 Special Zone to C-2 Convenience Commercial Zone, C-5 Neighborhood Commercial Zone, O-1 Office Zone, and R-T/Z Residential Townhouse/Zero Lot Line Zone. **(Applicant Version.)**

VII. Resolutions:

- a) A resolution to recommend adoption of the Gateway Plan for Moccasin Bend and Stringer's Ridge.
- b) A resolution authorizing the appointment of Michael A. Ballinger as a special police officer (unarmed) for the City of Chattanooga Department of Public Works, to do special duty as prescribed herein, subject to certain conditions.
- c) A resolution recommending the Bureau of Alcohol, Tobacco, Firearms, and Explosives to expedite rulemaking regarding the use of bright-colored firearm components.
- d) A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into a contract with Thomas Brothers Construction Company, Inc. for construction of additional parking at the Summit of Softball Complex and Maintenance Facility Additions in the amount of \$463,185.00. **(District 4.) (Revised.)**
- e) A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into an agreement with the Belvoir Neighborhood Association allowing the Association to construct a pavilion on premises owned by the City at Mayfair Avenue and South Sweetbriar with transfer of ownership, maintenance, and control of the pavilion to the City, without other monetary considerations. **(District 6.)**

Second Amended Agenda for Tuesday, August 14, 2012

Page 3 of 9

- f) A resolution authorizing the Administrator of the Department of Parks and Recreation or his designee to enter into an agreement with the University of Tennessee at Chattanooga and the McCallie School for shared use of their tennis facilities by Parks and Recreation and the Champion's Club. **(Districts 7 & 8.)**
- g) A resolution authorizing the Administrator of the Department of Parks and Recreation to execute a lease agreement with the North Chickamauga Creek Conservancy for the use of office space at Greenway Farm for a term beginning September 1, 2012 and ending August 30, 2013 at the rate of \$100.00 monthly with an optional one year renewal until August, 2014. **(District 3.)**
- h) A resolution authorizing the Administrator of the Department of Public Works to award Contract No. C-11-003-201, Roof Replacement Citywide Services Paul Clark Building, to Total Building Maintenance, Inc., in the amount of \$130,800.40, with a contingency amount of \$15,000.00, for an amount not to exceed \$145,800.40. **(District 8.)**
- i) A resolution authorizing the Mayor to apply for and, if approved, accept a Federal Preservation Grant from the Tennessee Historical Commission/National Park Service to update the four (4) Historic District Guidelines relative to St. Elmo, Battery Place, Ferger Place, and Fort Wood, in an amount not to exceed **\$16,750.00**, with 60% Federal Funds and 40% City in Kind Services and Funds. **(Districts 7 & 8.) (Revised.)**
- j) A resolution authorizing payment to Envirotec Systems Corporation, for a Sanitary Sewer Easement, relative to Contract No. W-10-005, ESIP Sanitary Sewer Basin Improvements, for Tract No. 5, property located at 7460 Bonnyshire Drive, Chattanooga, TN 37416, Tax Map No. 138-001.03, for an amount not to exceed \$7,504.00. **(District 5.)**
- k) A resolution authorizing the City of Chattanooga to reimburse the City of Rossville for overcharges relative to monthly wheelage and treatment billing for the Waheela area sewers for a six (6) year period (2004-2010), in an amount not to exceed \$17,856.48. **(District 9.)**
- l) A resolution authorizing Change Order No. 1 (Final) for Thompson Engineering, for the Citywide Services Tool Supply Building, design of roof replacement, for an increased amount of \$3,040.00, for a revised contract amount not to exceed \$25,985.00. **(District 8.)**
- m) A resolution authorizing Change Order No. 1 (Final) for J.D. Helton Roofing Company, Inc., relative to Contract No. C-11-002-201, Citywide Services Tool Supply Building, for a decreased amount of \$2,840.00, for a revised contract amount not to exceed \$153,541.00, and to release the remaining contingency of \$15,000.00. **(District 8.)**

Second Amended Agenda for Tuesday, August 14, 2012

Page 4 of 9

- n) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with Fred M. Newton and Kathryn L. Newton, relative to responsibilities and covenants pertaining to the repair of an existing WPA ditch known as Project No. S-09-005-801, 2888 Rossville Boulevard Ditch Improvement. **(District 7.)**
- o) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with the Southeast Tennessee Development District for technical and professional administrative services for eight (8) City projects financed through a Clean Water State Revolving Loan Fund, for a total project cost in the amount of \$20,000.00. **(District 1.)**
- p) A resolution to amend Resolution No. 26612, Paragraph 13, relative to administrative regulations for conduct of employee disciplinary hearings, to reflect ten (10) days rather than fifteen (15) days.
- q) A resolution approving Chattanooga Housing Authority's low income public housing project plan for Dogwood Manor Apartments in substantially the form attached and extending the City-Housing Authority Corporation Agreement to incorporate the Dogwood Manor property. **(District 8.)**
- r) A resolution authorizing an additional estimated amount of a \$4 million extension to the blanket contract with Excalibur Integrated Systems.

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, August 21, 2012.

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

XIV. Adjournment.

AGENDA FOR TUESDAY, AUGUST 21, 2012

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman McGary).
3. Minute Approval.
4. Special Presentation:

**"MEMORIAL PROCLAMATION HONORING ROBBY MCMURTRY,
NATIVE AMERICAN ARTIST"**
Presented by Mayor Littlefield

5. Ordinances - Final Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 14, Section 14-84, relative to the Board of Electrical Examiners.
 - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 10, Sections 10-3(j), relative to building permit and other fees and to add a new Section 10-3(u) regarding design methodology for retaining walls and reinforced soil slopes.
 - c) An ordinance to amend Chattanooga City Code, Part II, Chapter 35, Sections 35-44 and 35-59 relative to temporary medical exceptions for drivers of vehicles for hire.
 - d) 2012-086 Keith Crisp (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 111 West Bell Avenue, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Recommended for approval by Planning and recommended for denial by Staff.) (District 1.)**

2012-086 Keith Crisp (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 111 West Bell Avenue, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone. **(Applicant Version.)**

- e) 2012-091 James D. Lee (R-1 Residential Zone, R-2 Residential Zone, and R-4 Special Zone to C-2 Convenience Commercial Zone, C-5 Neighborhood Commercial Zone, O-1 Office Zone, and 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 property located at 8244 East Brainerd Road, more particularly described herein, from R-1 Residential Zone, R-2 Residential Zone, and R-4 Special Zone to C-2 Convenience Commercial Zone, C-5 Neighborhood Commercial Zone, O-1 Office Zone, and R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. **(Recommended for approval by Planning.) (District 4.)**

2012-091 James D. Lee (R-1 Residential Zone, R-2 Residential Zone, and R-4 Special Zone to C-2 Convenience Commercial Zone, C-5 Neighborhood Commercial Zone, O-1 Office Zone, and 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 property located at 8244 East Brainerd Road, more particularly described herein, from R-1 Residential Zone, R-2 Residential Zone, and R-4 Special Zone to C-2 Convenience Commercial Zone, C-5 Neighborhood Commercial Zone, O-1 Office Zone, and R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. **(Recommended for approval by Staff.)**

2012-091 James D. Lee (R-1 Residential Zone, R-2 Residential Zone, and R-4 Special Zone to C-2 Convenience Commercial Zone, C-5 Neighborhood Commercial Zone, O-1 Office Zone, and 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 property located at 8244 East Brainerd Road, more particularly described herein, from R-1 Residential Zone, R-2 Residential Zone, and R-4 Special Zone to C-2 Convenience Commercial Zone, C-5 Neighborhood Commercial Zone, O-1 Office Zone, and R-T/Z Residential Townhouse/Zero Lot Line Zone. **(Applicant Version.)**

6. Ordinances – First Reading:

- a) An ordinance to amend Chattanooga City Code, Part II, Chapter 24, Section 24-507, Schedule VII, restricted on-street parking area.
- b) **An ordinance to amend the Charter of the City of Chattanooga, and all acts, ordinances, and other charter provisions amendatory thereof, pursuant to the provisions of Article XI, Section 9, of the Constitution of the State of Tennessee (Home Rule Amendment) so as to change the dates of election for Mayor and City Council members and the term for the first Mayor and City Council members elected following the change in election dates.**

- c) MR-2012-111 Provident Life & Accident Insurance Company (Abandonment).
An ordinance closing and abandoning a general slope easement containing 231 square feet, more or less, and a temporary construction easement containing 449 square feet, more or less, more particularly described herein. **(Recommended for approval by General Services, Public Works, and Planning.) (District 8.)**

7. Resolutions:

- a) A resolution authorizing the Director of General Services to execute a **blanket** contract for a telephone system from Mac Source Communications to complete the phone system for the City of Chattanooga, **for an amount not to exceed \$1,350,000.00. (Revised.)**
- b) A resolution allowing permanent paper records to be maintained by photographic or electronic means.
- c) A resolution authorizing payment to Woodland Park Baptist Church for a Sanitary Sewer Easement, relative to Contract No. W-10-005, ESIP Sanitary Sewer Basin Improvements, for Tract No. 1, property located at 6735 Standifer Gap Road, Chattanooga, TN 37421, Tax Map No. 138-E-A-001.01, for an amount not to exceed \$909.00. **(District 6.)**
- d) A resolution authorizing payment to Woodland Park Baptist Church for a Sanitary Sewer Easement, relative to Contract No. W-10-005, ESIP Sanitary Sewer Basin Improvements, for Tract No. 2, property located at 6735 Standifer Gap Road, Chattanooga, TN 37421, Tax Map No. 138-E-A-001.01, for an amount not to exceed \$2,429.00. **(District 6.)**
- e) A resolution authorizing payment to Woodland Park Baptist Church for a Sanitary Sewer Easement, relative to Contract No. W-10-005, ESIP Sanitary Sewer Basin Improvements, for Tract No. 3, property located at 6735 Standifer Gap Road, Chattanooga, TN 37421, Tax Map No. 138-E-A-001.01, for an amount not to exceed \$16,002.00. **(District 6.)**
- f) A resolution authorizing **Enzo's** Southside Market c/o Eric Cummings to use temporarily a portion of a right-of-way along the west right-of-way line of street beginning at West Main Street to its intersection at 16th Street for the installation of a retaining wall and for the installation of a canopy along a portion of 100 West Main Street, as shown in the drawing and map attached hereto and made a part hereof by reference, subject to certain conditions. **(District 8.) (Revised.)**
- g) A resolution authorizing **Mike and Taylor Monen** c/o **Blythe Bailey** to use temporarily the right-of-way located at 850 Market Street for the installation of planters below the existing windows of the business and small stoop for access to the business along portion of said right-of-way, as shown in the map attached hereto and made a part hereof by reference, subject to certain conditions. **(District 8.) (Revised.)**

Second Amended Agenda for Tuesday, August 14, 2012

Page 8 of 9

- h) A resolution authorizing James Barrett c/o Blythe Bailey to use temporarily the right-of-way located at 100 Tremont Street to install a canopy, as shown in the map attached hereto and made a part hereof by reference, subject to certain conditions. **(District 2.)**
 - i) A resolution to make certain findings relating to the granting of incentives to develop housing in downtown Chattanooga; to delegate certain authority to the Health, Educational and Housing Facility Board of the City of Chattanooga, Tennessee; to adopt a program for downtown housing development; to authorize the Mayor of the City of Chattanooga to enter into agreements for payments in lieu of ad valorem taxes meeting the criteria of said program and to provide for a termination of this incentive program in ten (10) years. **(District 8.)**
 - j) A resolution authorizing the Fire Chief to enter into a contract for sale and purchase with JR Realty, LLC, for the purchase of 55,729 square feet of real estate that is a portion of Tax Map No. 101-010, located at 6406 Hixson Pike, with property to be used for the construction of a new fire station for the sum of \$175,000.00. **(District 3.)**
 - k) A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into an agreement with the Chattanooga Rugby Club, Inc. to lease a portion of Montague Park from the City of Chattanooga to construct a building that shall be open to the public and shall be known as the Montague Park Fieldhouse. **(District 8.)**
 - l) 2010-012 Fishers Landing (formerly known as Mackey Glen) (Special Exceptions Permit). A resolution to extend the special exceptions permit for a Planned Unit Development (formerly known as Mackey Glen) now referred to as Fishers Landing Planned Unit Development, and referenced in City Council Resolution No. 26403, on tracts of land located at 1091 Mackey Avenue. **(District 4.)**
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.

Second Amended Agenda for Tuesday, August 14, 2012
Page 9 of 9

12. Agenda Session for Tuesday, August 28, 2012.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.