

## Burns Randy

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**From:** Crownover Shirley  
**Sent:** Wednesday, April 15, 1998 12:18 PM  
**Subject:** 4/14/98

### LEGAL AND LEGISLATIVE COMMITTEE

April 14, 1998  
4:30 P.M.

The meeting of the Legal and Legislative Committee was called to order by Councilman Lively, Chairman, with Councilpersons Hurley, Pierce, Taylor, Eaves, Rutherford, and Swafford being present. City Attorneys Randall Nelson and Phil Noblett; Management Analyst Randy Burns; and Shirley Crownover, Assistant Clerk to the Council, were also present.

Others present included Ann Coulter, John Bridger, Barry Bennett, Adm. Boney, Mayor Kinsey, Larry Zehnder, and Adm. McDonald.

### LANDSCAPING ORDINANCE

Chairman Lively stated that the committee had one item to discuss today, which was the Landscaping Ordinance. He called on Mayor Kinsey.

Mayor Kinsey stated he would really like to applaud Ann Coulter and John Bridger; that they had been working on this for eight years, and it was an ever-changing document. He stated that most communities in the South had had Landscape Ordinances for a long time; that out-of-town developers were used to seeing cities that had Landscape Ordinances; that a lot of citizens would do even more than the Ordinance called for. He explained that there had been some confusion about the two versions--that we had had 1,000 versions, and one of them had gotten labeled the Mayor's Version, but added that it was not his version--that it was clearly the Planning Staff's version, and he felt the latest version was as good as we can get and will work for our community. He stated that meetings had been held with realtors and AGC concerning the Landscape Ordinance and everyone affected, including the Chamber of Commerce; that they had worked and tried to address all of the concerns; that some concerns were not workable. Mayor Kinsey encouraged adoption of the Ordinance.

Councilman Pierce stated that he thought all of the Council appreciated the work that Ms. Coulter and her Staff had done and appreciated the input and the fact that the Mayor had made it more friendly for developers to work with. He stated that Mayor Kinsey had told him that this was his one-year anniversary--he had been here one year today, and a round of applause was given the Mayor. Councilman Pierce expressed the cooperation that the Council had enjoyed with the Mayor. Councilman Taylor added that it was his first year, as well.

Chairman Lively stated that it did not appear that there was a lot of concern and noted that he did prefer the version that was labeled the Mayor's Version--that it addressed some of the business peoples' concerns, and he felt quality developers would be pleased with this.

Councilman Swafford recognized the tremendous amount of work that had gone into this, stating that he thought it would help and expressed appreciation for all of the work, noting that this should have been done a long time ago.

On motion of Councilwoman Hurley, seconded by Councilman Pierce, this will be recommended to the full Council.

#### NORTH SHORE ZONING STUDY

Councilwoman Hurley noted that she and Councilwoman Taylor were involved with the Planning Staff concerning a Resolution accepting and adopting the North Shore Zoning Study for C-7 Mixed Use District for certain properties located between U.S. 127 (Market Street Bridge) and the Veterans Bridge. Mayor Kinsey added that the Planning Staff had also been working on this a long time and noted that Frazier Ave. had increased the City's tax base and would continue to do so in the future. Councilwoman Hurley added that the character of each neighborhood could be maintained and that this represented 10 years of work. On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford, this will be recommended to the full Council.

Councilman Eaves noted that Councilwoman Rutherford's district might also benefit from something like this, mentioning that the same thing was happening in a dozen places; that in some of the older sections, revitalization could be used.

Councilwoman Hurley thanked John Bridger and Ann Coulter.

Chairman Lively recognized the presence of Jim Vaughn and Bill Sudderth and asked if they wanted to say anything.

Mr. Vaughn stated that the Chamber endorsed the Ordinance at their last meeting; that they had worked with Ann and her Staff; that he would like to ask Bill Sudderth to make some brief comments about their recommendation.

Mr. Sudderth stated that he would have to give a lot of credit to John Germ who pulled together architects and AGC, whose input was helpful. He stated that with every recommendation you get something and lose something at the same time, and this was no exception; that he hoped the public and private sectors would be a part of this; that they had hoped Stormwater runoff could be used as an offset; expressing appreciation for the support given by the Chamber.

At this point Chairman Lively also recognized the presence of Mike McGauley, who stated he appreciated the support, noting that this was an important step forward and should work for all of us and improve the community.

Mayor Kinsey noted that the Stormwater credit had been mentioned and stated that more landscaping would mean less stormwater runoff; that we could not offer dollar for dollar; that with more landscaping, the stormwater fee would go down. Mr. McGauley stated that this was sort of what they had in mind, too--that they knew it could not be dollar for dollar.

#### CENTURY TELEPHONE

Mayor Kinsey stated he was out of town when Century Telephone hosted a luncheon; that their new building would be in Hixson and would be similar to the AT&T Building; that what enticed them was a pilot agreement with a five-year freeze; that they hoped to have 250 jobs at the end of five years, and if this happened, this would be extended for another five years (tax abatement). He stated this was a great new company and was on the agenda for this evening. On motion of Councilwoman Hurley, seconded by Councilwoman Rutherford, this will be recommended to the full Council.

Councilman Pierce asked if the County was in accord 100%, and the answer was yes.

The meeting adjourned at 5:00 P.M.