

## THIRD AMENDED AGENDA FOR TUESDAY, JANUARY 5, 2010

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman McGary).
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 32, Article III, Sections 32-61 through 32-85, relative to excavation and restoration of paving.
- VI. Ordinances – First Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 7, relative to Animals and Fowl.
  - b) MR-2009-109 George L. Byars (Closing and Abandonment). An ordinance closing and abandoning an unopened alley located in the west line of the 3600 block of Dorris Street, more particularly described herein. **(Recommended for approval by Public Works.)**
  - c) MR-2009-134 Mario Forte (Closing and Abandonment). An ordinance closing and abandoning the right-of-way of an alley which intersects with the 2700 block of Bryant Road and the 4600 block of Charlotte Drive, more particularly described herein, subject to certain conditions. **(Recommended for approval by Public Works.)**  
  
MR-2009-134 Mario Forte (Closing and Abandonment). An ordinance closing and abandoning the right-of-way of an alley which intersects with the 2700 block of Bryant Road and the 4600 block of Charlotte Drive, more particularly described herein.
- VII. Resolutions:
  - a) A resolution authorizing the issuance and sale of an amount not to exceed \$55,000,000 principal amount of the City of Chattanooga, General Obligation Bonds, Refunding Bonds, Series 2010.
  - b) A resolution authorizing the issuance and sale of an amount not to exceed **\$20,000,000** principal amount of the City of Chattanooga, General Obligation Bonds, Series, 2010.
  - c) A resolution authorizing W. Lucille Wright **on behalf of the Avondale Neighborhood Association** to use temporarily the right-of-way located at Roanoke and Bragg, Wilcox, Holtzclaw, Chamberlain, Bragg & Camden to install an identification sign, as shown on the attached maps and made a part hereof by reference, subject to certain conditions.

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- d) A resolution authorizing Cecelia Reynolds to use temporarily the entrance of an alley located at 4917 Virginia Avenue to install fencing, as shown on the attached map made a part hereof by reference, subject to certain conditions.
- e) A resolution authorizing the appointment of John Haustein and Karna K. Levitt as special officers (unarmed) for the Public Works Land Development Office to do special duties as prescribed herein, subject to certain conditions.
- f) A resolution authorizing the City Attorney to enter into an agreement with King & Spalding, LLP for legal services relative to the Water Quality Program.
- g) A resolution authorizing payment to Hamilton County, Tennessee, for the City's portion of insurance premiums for the period of December 20, 2009 through December 20, 2010 for jointly owned and insured properties in an amount not to exceed \$10,858.69 according to the attached list of premium breakdowns.
- h) A resolution authorizing the City Finance Officer to approve an award to Eagle Financial d/b/a Metro Sewer & Drain, Inc. for replacement of a valve on a water line and to install pressure reduction backflow preventer at Dogwood Manor Apartments' maintenance room in an amount not to exceed \$14,860.00.
- i) A resolution authorizing the Department of Neighborhood Services and Community Development to enter into agreements with neighborhood organizations for Neighborhood Partners Projects and related activities and initiatives in an amount not to exceed \$67,550.00.
- j) A resolution authorizing the execution of Change Order No. 1 relative to the agreement with Barge, Waggoner, Sumner & Cannon, Inc. for engineering and design services relative to the South Chickamauga Greenway Project, which change order increases the contract amount by \$30,000.00, for a revised amount not to exceed \$271,000.00.
- k) A resolution authorizing the execution of Change Order No. 1 relative to the agreement with Attorney Michael J. Mahn for legal services relative to the Public Safety Interoperable Communications Project, which change order increases the contract amount by \$6,000.00, for a revised contract amount not to exceed \$43,500.00.
- l) MR-2010-004 City of Chattanooga c/o Dan Thornton. A resolution authorizing the establishment of a permanent right-of-way or to convey in fee simple approximately 5,962 square feet **of property located at 3699 Faith Road for a permanent road or driveway to grant the adjacent property owner access.**
- m) **A resolution declaring a moratorium of 120 days on issuance of new building permits relative to a proposed multi-unit development located on Fairmont Avenue until appropriate studies can be done to determine the need for new zoning regulations to protect the public safety and welfare.**

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- n) **A resolution authorizing the General Services Director to apply for and, if awarded, accept an Interoperable Emergency Communications Grant from the Tennessee Emergency Management Agency in the amount of \$168,656.00.**

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 for Tuesday, January 12, 2010.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, January 12, 2010:

**AGENDA FOR TUESDAY, JANUARY 12, 2010**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Murphy).
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 7, relative to Animals and Fowl. **(Per Councilman Murphy, Ordinance is being drafted.)**
  - b) MR-2009-109 George L. Byars (Closing and Abandonment). An ordinance closing and abandoning an unopened alley located in the west line of the 3600 block of Dorris Street, more particularly described herein. **(Recommended for approval by Public Works.)**
  - c) MR-2009-134 Mario Forte (Closing and Abandonment). An ordinance closing and abandoning the right-of-way of an alley which intersects with the 2700 block of Bryant Road and the 4600 block of Charlotte Drive, more particularly described herein, subject to certain conditions. **(Recommended for approval by Public Works.)**  
  
MR-2009-134 Mario Forte (Closing and Abandonment). An ordinance closing and abandoning the right-of-way of an alley which intersects with the 2700 block of Bryant Road and the 4600 block of Charlotte Drive, more particularly described herein.
6. Ordinances – First Reading:
  - a) 2009-158 City of Chattanooga (from Temp. M-2 to Perm. M-2). An ordinance to amend Chattanooga City Code, Part II, Zoning Ordinance, so as to rezone a tract of land located at 6059 Relocation Way and within the boundaries of Area 8B as listed by Ordinance No. 12297, more particularly described herein, from Temporary M-2 Light Industrial Zone to Permanent M-2 Light Industrial Zone. **(Recommended for approval by Planning.) (District 4.)**
  - b) 2009-159 City of Chattanooga (from Temp. M-1 to Perm. M-1). An ordinance to amend Chattanooga City Code, Part II, Zoning Ordinance, so as to rezone a tract of land located in the 7800 block of Interstate Highway 75 and within the boundaries of Area 9A as listed by Ordinance No. 12298, more particularly described herein, from Temporary M-1 Manufacturing Zone to Permanent M-1 Manufacturing Zone. **(Recommended for approval by Planning.) (District 4.)**

- c) 2009-175 Yi Zhang (from R-1 to R-3). An ordinance to amend Chattanooga City Code, Part II, Zoning Ordinance, so as to rezone a tract of land located at 4317 Norcross Road, more particularly described herein, from R-1 Residential Zone to R-3 Residential Zone. **(Recommended for Denial by Planning.) (District 2.)**

7. Resolutions:

- a) A resolution authorizing the purchase of a Right-of-Way and Permanent Drainage Easement from Dewey C. and Teresa A. Roberson, at 1802 Hamill Road, Parcel no. 110I-J-016, Tract No. J-016, relative to Contract No. E-03-028, Hamill Road Widening (Hixson Pike to Highway 153), for an amount not to exceed \$4,849.50.
- b) A resolution authorizing the Office of the City Attorney to institute eminent domain proceedings against Charles W. Lind, Jr. and Debi S. Disheroon, 1625 Hamill Road, Chattanooga, TN 37343, Tax Map No. 110P-A-033, Tract No. A-033, relative to Contract No. E-03-028-203, Hamill Road (Highway 153 to Hixson Pike) Roadway Improvements Phase 3, in an amount not to exceed \$4,000.00. **(Deferred from 1/5/10).**
- c) 2009-168 Nevco Properties, LLC (William R. Neville) (Duplex in R-1). A resolution approving a Special Exceptions Permit for a duplex in R-1 Residential Zone on a tract of land located at 2010 Camden Street, more particularly described herein. **(Recommended for denial by Planning. Recommended for approval by Staff.) (District 8.)**
- d) 2009-169 Nevco Properties, LLC (William R. Neville) (Duplex in R-1). A resolution approving a Special Exceptions Permit for a duplex in R-1 Residential Zone on a tract of land located at 2012 Camden Street, more particularly described herein. **(Recommended for denial by Planning. Recommended for approval by Staff.) (District 8.)**
- e) 2009-177 Beth Fogo (Duplex in R-1). A resolution approving a Special Exceptions Permit for a duplex in R-1 Residential Zone on a tract of land located at 3706 Provence Street, more particularly described herein. **(Recommended for approval by Planning.) (District 6.)**
- f) 2009-178 Steve Storey (Group Home Permit). A resolution approving a Special Exceptions Permit for a group home for the handicapped on a tract of land located at 806 South Watkins Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning.) (District 7.)**  
  
2009-178 Steve Storey (Group Home Permit). A resolution approving a Special Exceptions Permit for a group home for the handicapped on a tract of land located at 806 South Watkins Street, more particularly described herein.
- g) A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into a lease agreement with Flamingo Skateshop for the lease and management of the Skate Park and Pro Shop known as Chatttown Skate Park for an initial term of one (1) year at a rate of \$750.00 per month. **(Deferred from 1/5/10).**

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- h) A resolution designating an economic Recovery Zone which shall include areas more particularly described herein.**
  
- 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 for Tuesday, January 19, 2010.
  
- 13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
  
- 14. Adjournment.