

THIRD AMENDED AGENDA FOR TUESDAY, JANUARY 12, 2010

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Murphy).
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
 - a) 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.)**
 - b) 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.)**
- VI. 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.)**
 - d) **An ordinance appropriating \$19,000.00 from the General Fund Contingency Account to the Chattanooga-Hamilton County Bicentennial Library as a match of Hamilton County funds received. (Added by permission of Council Chair Benson.)**

- e) **An ordinance appropriating from the General Fund Contingency to the Chattanooga-Hamilton County Regional Planning Agency the amount of \$72,872.00 in order to complete the “long-range transportation plan data collection and analysis” as federally mandated. (Added by Council Chair Benson and Vice Chair Rico.)**

VII. 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 City Attorney or his designee to aggressively pursue delinquent storm water fees in an amount of \$22 million to the extent allowed by law and to incur reasonable and necessary expenses associated thereto and authorizing the Mayor or his designee to approach the General Assembly to request that Tennessee Code Annotated Sections 68-221-1112 and 68-221-1107(a) relative to storm water fees be amended. (Added by permission of Council Chair Benson.)**

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 19, 2010.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, January 19, 2010:

AGENDA FOR TUESDAY, JANUARY 19, 2010

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilwoman Scott).
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. **(Revised.) (Need Motion to Substitute.) (Delayed from 1/12/10 per Councilman Murphy.)**
 - b) 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.)**
 - c) 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.)**
 - d) 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.)**
 - e) **An ordinance appropriating \$19,000.00 from the General Fund Contingency Account to the Chattanooga-Hamilton County Bicentennial Library as a match of Hamilton County funds received. (Added by permission of Council Chair Benson.)**
 - f) **An ordinance appropriating from the General Fund Contingency to the Chattanooga-Hamilton County Regional Planning Agency the amount of \$72,872.00 in order to complete the “long-range transportation plan data collection and analysis” as federally mandated. (Added by Council Chair Benson and Vice Chair Rico.)**
6. Ordinances – First Reading:
 - a) An ordinance to amend the Chattanooga City Code, Part II, Chapter 2, Section 2-553, relative to local preference.

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7. Resolutions:

- a) A resolution authorizing the execution of Change Order No. 1 with Earthworx, LLC, relative to Contract No. S-06-009-103, Chattanooga Combined Sanitary System (CSS) mapping, which change order increases the contract amount by \$397,500.00 for a revised contract amount not to exceed \$1,072,500.00.
- b) A resolution authorizing the Administrator of the Department of Public Works to accept funds from Chattanooga Neighborhood Enterprises, Inc. relative to the Jefferson Heights Community in the amount of \$8,000.00 for the installation of curbing along 18th Street.
- c) A resolution authorizing the award of Contract No. E-09-008-201, Pavement Surface Condition Data Collection and Analysis, to Engineering and Research International, Inc. (ERI) in an amount not to exceed \$376,250.00.
- d) A resolution authorizing the Administrator of the Department of Public Works to execute an agreement with Earthworx, LLC relative to Contract No. S-09-007-101, Chattanooga Storm System As-Found GIS Phase VII Annexation Areas, in an amount not to exceed \$75,565.00.
- e) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. E-08-016, Warehouse Row Improvement Project, with Jamestown Warehouse Row, LP, relative to Resolution No. 25573, which Change Order decreases the contract amount by \$24,486.00, for a revised contract amount not to exceed \$300,514.00.
- f) A resolution authorizing the Police Chief to execute a Change Order relative to Resolution No. 25768 involving a contract with Billingsley Architecture in an amount not to exceed \$1,500.00 to cover the expense for nuclear roof scanning and other incidental expenses, for a total contract amount not to exceed \$14,300.00.
- g) A resolution authorizing payment in the amount of \$30,000.00 to Barge, Waggoner, Sumner & Cannon, Inc. for charges incurred for rendering engineering and environmental services in the area of the Chattanooga Community Resource Center (CCRC).
- h) A resolution authorizing payment in the amount of \$20,000.00 to the Tennessee Department of Environment and Conservation (TDEC) for charges incurred for continuing inspections in the area of the Chattanooga Community Resource Center (CCRC).

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 for Tuesday, January 26, 2010.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.