

**AMENDED AGENDA FOR TUESDAY, FEBRUARY 16, 2010**

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Gilbert).
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
  - a) An ordinance to amend the Chattanooga City Code, Part II, Chapter 2, Section 2-553, relative to local preference.
  - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, by removing in their entirety Sections 38-43(4) and 38-524, relative to two-family dwellings in a R-1 Residential Zone.
  - c) 2009-157 City of Chattanooga. An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located within the boundaries of Area 1B as listed by Ordinance No. 12291 as adopted by City Council on October 6, 2009, more particularly described herein, from temporary R-1 Residential Zone, RT-1 Residential Townhouse Zone, R-2 Residential Zone, R-3 Residential Zone, and C-2 Convenience Commercial Zone to permanent zones R-1 Residential Zone, RT-1 Residential Townhouse Zone, R-3 Residential Zone, and C-2 Convenience Commercial Zone. **(District No. 1.)**
  - d) 2010-006 Fraternal Order of Firefighters c/o Kevin M. Carpenter. An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 4393, 4397, and 4401 Bonny Oaks Drive, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(District No. 5.)**
  - e) 2010-011 D & M Properties, LLP. An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 1091 Mackey Avenue, more particularly described herein, from R-3 Residential Zone to R-1 Residential Zone. **(District No. 4.)**
  - f) 2010-013 Don Walker. An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to lift a particular condition imposed in Ordinance No. 11926 (Case No. 2006-235) on tracts of land located in the 6900 block of Park Drive, more particularly described herein and as shown on the map and drawings attached hereto and made a part hereof by reference, subject to certain conditions. **(District No. 6.)**
  - g) MR-2010-007 City of Chattanooga (Abandonment). An ordinance closing and abandoning a portion of the unopened 600 block of Druid Lane, more particularly described herein, subject to certain conditions. **(District No. 2.)**

VI. Ordinances – First Reading:

- a) An ordinance to amend Ordinance No. 12329, entitled “An Ordinance Appropriating, Authorizing or Allocating Funds to the Capital Improvements Budget for the Fiscal Year 2009/2010 and to Amend the Fiscal Year 2009/2010 Budget Ordinance No. 12288 and to Amend the 2008/2009 Capital Budget No. 12161,” so as to provide for certain changes in revenues in Sections 1 and 3, and provide for certain changes in appropriations in Section 4.
- b) MR-2009-172 Buddy B. Presley, Jr. (Close & Abandon). An ordinance closing and abandoning a portion of an alley located off of the 2500 block of East 12<sup>th</sup> Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Staff and Public Works.)**

MR-2009-172 Buddy B. Presley, Jr. (Close & Abandon). An ordinance closing and abandoning a portion of an alley located off of the 2500 block of East 12<sup>th</sup> Street, more particularly described herein. **(District 7.) (Recommended for denial by Planning.) (Applicant Version.)**

VII. Resolutions:

- a) A resolution authorizing the Administrator of the Department of Human Services to accept a grant from the Department of Health and Human Services, Administration for Children and Financial Family Assistance for the expansion of the Head Start Program at Childcare Network, Inc. sites and the Children’s Academy for Education and Learning, Children’s Home/Chambliss Shelter.
- b) A resolution authorizing the Department of Parks and Recreation to accept grants from the Benwood Foundation and the Lyndhurst Foundation in the amount of \$18,026.00 each, for a total amount of \$36,052.00, to support the administrative costs of the Chattanooga Public Art Program for 2010.
- c) A resolution approving the acceptance and distribution of Fiscal Year 2010-2011 Community Development Block Grant and Home Investment Partnership Act funds from the U.S. Department of Housing and Urban Development (HUD) and program income, all totaling approximately \$3,450,000.00, and further authorizing acceptance, if awarded, and the distribution of Emergency Shelter Grant funds from the Tennessee Housing Development Agency (THDA) in the approximate amount of \$84,000.00 as shown more fully hereinbelow.
- d) A resolution authorizing the award of Contract No. E-04-036-203, Enterprise South Roadway Extension Phase 2, to Highways, Inc. in the amount of \$2,399,575.00, plus a contingency amount of \$240,000.00, for an amount not to exceed \$2,639,575.00.

- e) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. E-08-028-201, Old Hixson Pike Road Improvements, with Thomas Brothers Construction Company, Inc., which change order increases the contract amount by \$189,141.16, for a revised contract amount not to exceed \$833,141.16.
- f) A resolution authorizing Joann Hellman, President of the Midfield Acres Neighborhood Association, to use temporarily rights-of-way at two (2) entrances at Edgefield Drive and Midfield Drive to install plants to enhance the landscaping, as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions.
- g) A resolution authorizing the Mayor to enter into an Interlocal Agreement with Hamilton County, Tennessee and to enter into a Mutual Contract with the Atlantic Group, LLC for digital orthophotography images at a total cost not to exceed \$147,547.00 of which portion the City shall reimburse Hamilton County for a total amount of \$42,773.50. **(Added by permission of Vice-Chair Rico.)**
- h) A resolution authorizing the City of Chattanooga to submit a request for federal funding for the projects set forth herein from our federal elected representatives including the offices of Congressman Zach Wamp and Senators' Lamar Alexander and Bob Corker. **(Added by permission of Council Chair Benson.)**
- i) 2010-012 D & M Properties, LLP (Preliminary PUD). A resolution approving a Special Exceptions Permit for a residential Planned Unit Development, known as the Mackey Glen Planned Unit Development, on a tract of land located at 1091 Mackey Avenue, more particularly described herein, subject to certain conditions. **(District No. 4.) (Deferred from 2/9/10.) (Corrected version.)**
- j) 2010-018 James A. Craig, P.E./Wolford Development, Inc. (Special Permit for Nightclub in C-2). A resolution approving a Special Exceptions Permit for a nightclub in a C-2 Convenience Commercial Zone on a tract of land located at 5740 Highway 153, Tax Map No. 100A-C-001.03. **(District 3.) (Recommended for denial by Planning. Recommended for approval by RPA staff.)**

VIII. Overtime Report.

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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, February 23, 2010.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, February 23, 2010:

**AGENDA FOR TUESDAY, FEBRUARY 23, 2010**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilwoman Berz).
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
  - a) An ordinance to amend Ordinance No. 12329, entitled “An Ordinance Appropriating, Authorizing or Allocating Funds to the Capital Improvements Budget for the Fiscal Year 2009/2010 and to Amend the Fiscal Year 2009/2010 Budget Ordinance No. 12288 and to Amend the 2008/2009 Capital Budget No. 12161,” so as to provide for certain changes in revenues in Sections 1 and 3, and provide for certain changes in appropriations in Section 4.
  - b) MR-2009-172 Buddy B. Presley, Jr. (Close & Abandon). An ordinance closing and abandoning a portion of an alley located off of the 2500 block of East 12<sup>th</sup> Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Staff and Public Works.)**  
  
MR-2009-172 Buddy B. Presley, Jr. (Close & Abandon). An ordinance closing and abandoning a portion of an alley located off of the 2500 block of East 12<sup>th</sup> Street, more particularly described herein. **(District 7.) (Recommended for denial by Planning.) (Applicant Version.)**
6. Ordinances – First Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 3, Section 3-7, relative to sign permits. **(Added by permission of Council Chair Benson.)**
  - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 10, Sections 10-3(f), 10-4, and 10-32, relative to building permit and other fees. **(Added by permission of Council Chair Benson.)**
  - c) An ordinance to amend Chattanooga City Code, Part II, Chapter 11, Section 11-190, relative to hotel permit fees, and Section 11-429, relative to adult entertainment license fees. **(Added by permission of Council Chair Benson.)**
  - d) An ordinance to amend Chattanooga City Code, Part II, Chapter 14, Section 14-15, relative to electrical permit fees. **(Added by permission of Council Chair Benson.)**

- e) An ordinance to amend Chattanooga City Code, Part II, Chapter 16, by adding a new Section 16-29 relative to fees for Fire Department services. **(Added by permission of Council Chair Benson.)**
- f) An ordinance to amend Chattanooga City Code, Part II, Chapter 18, Sections 18-49(d) and (e), relative to garbage service fees for veterinary clinics and to amend Section 18-124, relative to fees for the dumping of brush and leaves and fees for the sale of wood chips and leaf compost. **(Added by permission of Council Chair Benson.)**
- g) An ordinance to amend Chattanooga City Code, Chapter 19, Section 19-36(a), relative to gas permit fees. **(Added by permission of Council Chair Benson.)**
- h) An ordinance to amend Chattanooga City Code, Chapter 22.5, Sections 22.5-3(a) and (f), relative to mechanical permit fees. **(Added by permission of Council Chair Benson.)**
- i) An ordinance to amend Chattanooga City Code, Chapter 24, Sections 24-392, 24-393, and 24-395, relative to vehicle license fees. **(Added by permission of Council Chair Benson.)**
- j) An ordinance to amend Chattanooga City Code, Chapter 24, Sections 24-104, 24-330, and 24-384, relative to fees for special events permits, temporary reserved commercial parking permits, and special parking permits. **(Added by permission of Council Chair Benson.)**
- k) An ordinance to amend Chattanooga City Code, Part II, Chapter 24, Section 24-304, relative to parking fines. **(Added by permission of Council Chair Benson.)**
- l) An ordinance to amend Chattanooga City Code, Chapter 27, Sections 27-3(a) and 27-3(d), relative to plumbing permit fees. **(Added by permission of Council Chair Benson.)**

7. Resolutions:

- a) A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into an agreement with Allied Mechanical Constructors, LLC, to install two (2) ten (10) ton heating and cooling units on top of the Washington Hills Recreation Center building, in an amount not to exceed \$51,260.00.
- b) A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into an agreement with Scenic City Aquatic Club to rent the Warner Park Swimming Pool for purposes of practice, in the amount of \$2,000.00.

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- c) A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into an agreement with Scenic City Aquatic Club to rent the Warner Park Swimming Pool for purposes of the Chattanooga Invitational Swimming Meet, in the amount of \$1,500.00.
  - d) A resolution authorizing the Director of Personnel to enter into an Administrative Services Agreement with Blue Cross/Blue Shield of Tennessee relative to insurance benefits of certain retirees beginning March 1, 2010.
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, March 2, 2010.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.