

**AMENDED AGENDA FOR TUESDAY, DECEMBER 7, 2010**

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilwoman Scott)
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
- VI. Ordinances – First Reading:
  - a) MR-2010-116 Chattanooga Neighborhood Enterprise, Inc. by Jean Lamb (Abandonment). An ordinance closing and abandoning a right-of-way easement along the south side of 17<sup>th</sup> Street and adjacent to 1702 Long Street, more particularly described herein, subject to certain conditions. **(Planning and Public Works Version, District 8.) (Added by permission of Council Vice Chair Ladd.)**  
  
MR-2010-116 Chattanooga Neighborhood Enterprise, Inc. by Jean Lamb (Abandonment). An ordinance closing and abandoning a right-of-way easement along the south side of 17<sup>th</sup> Street and adjacent to 1702 Long Street, more particularly described herein. **(Applicant Version.)**
- VII. Resolutions:
  - a) A resolution approving a request for installation of a roof sign (Lifesavers logo) to be installed on the Wrigley Corporation's building located at 3002 Jersey Pike which shall be visible for traffic entering or exiting the Chattanooga Metropolitan Airport. **(District 6.) (Deferred from 11/30/10.)**
  - b) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. W-09-040-201, Modifications to Summit Landfill Gas Extraction System Additions, with SCS Field Services, for a decrease of \$24,736.00 and a revised contract amount of \$269,524.00, and releasing the remaining contingency amount of \$23,340.00.
  - c) A resolution authorizing the execution of Change Order No. 2 (Final) to Contract No. W-05-007-201, Warner Park Combined Sewer Overflow (CSO) Control Facility, with Haren Construction Co., Inc., for an increase of \$36,683.00 and a revised contract amount of \$4,560,885.00, and releasing the remaining contingency of \$134,715.00.
  - d) A resolution authorizing the Director of General Services to execute a contract with Tower Construction to construct a building to be used by the Chattanooga Mobile Communications Services for the management and maintenance of the Tennessee Valley Regional Communication System in an amount not to exceed \$310,314.00.

- e) A resolution authorizing the Mayor to execute an amended agreement with Hamilton County and the Tennessee Department of Transportation (TDOT) for a \$1,080,148.00 2010 Transportation Enhancement Grant for the next phase of the Downtown Riverwalk construction and approving the City's half of the required match in the amount of \$135,019.00, with the same amount being paid by Hamilton County.
- f) **A resolution to make certain findings relating to the Chattanooga Seating Systems, LLC Project, to delegate certain authority to the Industrial Development Board of the City of Chattanooga, and to authorize the Mayor to enter into and execute an Agreement for Payments in Lieu of Ad Valorem Taxes.**
- g) **A resolution authorizing the Administrator of the Department of Public Works to enter into an Interlocal Agreement with the City of East Ridge for signal controller maintenance services at an hourly rate of \$54.25.**
- h) **A resolution authorizing the Administrator of the Department of Public Works to enter into an Interlocal Agreement with Hamilton County for signal controller maintenance services at an hourly rate of \$54.25.**
- i) **A resolution authorizing the Administrator of the Department of Public Works to enter into an addendum to the Interlocal Agreement with the City of Collegedale for signal controller maintenance services at an hourly rate of \$54.25.**
- j) **A resolution authorizing the Department of Education, Arts & Culture to apply for and, if awarded, accept a grant from the Kresge Foundation in the amount of \$75,000.00.**
- k) **A resolution authorizing the Department of Education, Arts & Culture to apply for and, if awarded, accept a grant from the Ford Foundation in the amount of \$200,000.00.**
- l) **A resolution authorizing the Department of Education, Arts & Culture to apply for and, if awarded, accept a grant from the Community Foundation of Greater Chattanooga in the amount of \$20,000.00.**
- m) **A resolution authorizing the Department of Education, Arts & Culture to apply for and, if awarded, accept a grant from the Pepsi Refresh Project in the amount of \$250,000.00.**
- n) **A resolution authorizing the Administrator of the Department of Public Works to award Contract No. W-10-010-201, Sanitary Sewer Improvements Old Lee Highway at Apison Pike, to East Tennessee Grading, Inc. in the amount of \$498,898.00, with a contingency amount of \$49,902.00, for an amount not to exceed \$548,800.00.**

- o) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. E-07-001-201, River Street Extension-Phase One, with Dillard Construction, for a decrease of \$64,907.95 and a revised contract amount of \$645,282.58, and releasing the remaining contingency amount of \$69,809.47.**
- p) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. E-07-007-201, Walnut Street Bridge North Viaduct Improvements, with Tower Construction Company, Inc., for an increase of \$98,041.02 and a revised contract amount of \$1,411,456.52, and releasing the remaining contingency amount of \$1,958.98.**
- q) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. E-07-007-401, Walnut Street Bridge North Viaduct Improvements, with Volkert and Associates, Inc., for a decrease of \$33,947.20 and a revised contract amount of \$55,942.80.**
- r) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. E-03-028-202, Hamill Road Improvements-Highway 153 to Hixson Pike (Phase Two), with Tennessee Dirtworks, LLC, for a decrease of \$7,835.60 and a revised contract amount of \$366,264.40, and releasing the remaining contingency amount of \$37,400.00.**
- s) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. W-09-008-201, New Eastgate Pump Station No. 1 and Force Main, with East Tennessee Grading, Inc., for a decrease of \$7,582.45 and a revised contract amount of \$602,960.75, and releasing the remaining contingency amount of \$59,456.80.**
- t) A resolution authorizing the execution of Change Order No. 2 (Final) relative to Contract No. W-09-040-201, Investigation of Subsurface Gas Migration at the Summit Landfill, with Consolidated Technologies, Inc., for an increase of \$11,300.00 and a revised contract amount of \$129,500.00.**
- u) A resolution authorizing the execution of Change Order No. 2 (Final) relative to Contract No. E-04-036-201, Enterprise South Roadway Extension, Phase 1, with Talley Construction Company, Inc., for a decrease of \$60,190.90 and a revised contract amount of \$1,729,614.26.**
- v) A resolution authorizing the execution of Change Order No. 2 (Final) relative to Contract No. E-04-036-202, Enterprise South Roadway Extension, Phase 1B, with East Tennessee Grading, Inc., for a decrease of \$99,612.71 and a revised contract amount of \$1,297,247.81.**

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, December 14, 2010

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

XIV. Adjournment.

**AGENDA FOR TUESDAY, DECEMBER 14, 2010**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilwoman Robinson).
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
  - a) MR-2010-116 Chattanooga Neighborhood Enterprise, Inc. by Jean Lamb (Abandonment). An ordinance closing and abandoning a right-of-way easement along the south side of 17<sup>th</sup> Street and adjacent to 1702 Long Street, more particularly described herein, subject to certain conditions. **(Planning and Public Works Version, District 8.) (Added by permission of Council Vice Chair Ladd.)**  
  
MR-2010-116 Chattanooga Neighborhood Enterprise, Inc. by Jean Lamb (Abandonment). An ordinance closing and abandoning a right-of-way easement along the south side of 17<sup>th</sup> Street and adjacent to 1702 Long Street, more particularly described herein. **(Applicant Version.)**
6. Ordinances – First Reading:
  - a) An ordinance to amend Ordinance No. 10191, entitled, “An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located in the 5800 block of Cassandra Smith Road, being on the southeast line of Cassandra Smith Road southwest of Hixson Pike, from R-1 Residential Zone to R-T/Z Zone for all but the rear 500 feet, subject to certain conditions,” so as to amend the legal description by deleting the word “Drive” after the words “Ridgeview Circle” in the legal description. **(District 3.)**
  - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, by amending Section 38-502 and adding new Sections 38-13, 38-528 and 38-529 to identify certain areas of scenic value and establish a special exceptions permit relative to the regulation of structure heights in such areas.
  - c) An ordinance to amend Chattanooga City Code, Part II, Chapter 35, Article IV, Sections 35-162 and 35-171 relative to vehicles for hire.
  - d) MR-2010-094 Charter Real Estate (Abandonment). An ordinance closing and abandoning a portion of the 6000 block of Hall Road and an adjacent alley, more particularly described herein, subject to certain conditions. **(Planning & Public Works Version, District No. 4.) (Deferred from 10/26/10.)**

MR-2010-094 Charter Real Estate (Abandonment). An ordinance closing and abandoning a portion of the 6000 block of Hall Road and an adjacent alley, more particularly described herein. **(Applicant Version.)**

- e) 2010-109 Ken Pritchard (R-1 Residential Zone to R-3 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 1133 Old Pineville Road, more particularly described herein, from R-1 Residential Zone to R-3 Residential Zone. **(Applicant version, District No. 1.) (Planning recommends denial.) (Deferred from 11/9/10.)**
- f) MR-2010-121 David Macallister (Abandonment). An ordinance closing and abandoning part of an unnamed alley located between the 4400 block of Seneca Avenue and the 1300 block of West 45<sup>th</sup> Street, more particularly described herein. **(Public Works and Staff Version, District 7.) (Planning recommends denial.)**

MR-2010-121 David Macallister (Abandonment). An ordinance closing and abandoning part of an unnamed alley located between the 4400 block of Seneca Avenue and the 1300 block of West 45<sup>th</sup> Street, more particularly described herein. **(Applicant Version.)**

- g) 2010-139 Cagle Development (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 properties located at 2104, 2106, and 2108 Garfield Street and 408 North Willow Street, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone. **(District 9.) (Planning recommends approval.) (Staff recommends denial.)**
- h) 2010-144 Ronnie Bull (M-3 Warehouse Wholesale Zone to R-4 Special Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1329 Gadd Road, more particularly described herein, from M-3 Warehouse Wholesale Zone to R-4 Special Zone. **(Planning Version, District 3.)**

2010-144 Ronnie Bull (M-3 Warehouse Wholesale 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 1329 Gadd Road, more particularly described herein, from M-3 Warehouse Wholesale Zone to C-2 Convenience Commercial Zone. **(Applicant Version.)**

- i) 2010-145 Passpointe Engineering (Jan Pass) (R-1 Residential Zone and C-2 Convenience Commercial Zone to O-1 Office Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 331 Stringer Street, more particularly described herein, from R-1 Residential Zone and C-2 Convenience Commercial Zone to O-1 Office Zone, subject to certain conditions. **(Planning Version, District 1.)**

2010-145 Passpointe Engineering (Jan Pass) (R-1 Residential Zone and C-2 Convenience Commercial Zone to O-1 Office Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 331 Stringer Street, more particularly described herein, from R-1 Residential Zone and C-2 Convenience Commercial Zone to O-1 Office Zone. **(Applicant Version.)**

j) 2010-146 Fletcher Bright (O-1 Office Zone to C-2 Convenience Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 550 South Terrance, more particularly described herein, from O-1 Office Zone to C-2 Convenience Commercial Zone. **(District 6.) (Planning recommends approval.)**

k) 2010-148 Duckett Properties, LP (M-1 Manufacturing Zone to UGC Urban General Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1701 Rossville Avenue, more particularly described herein, from M-1 Manufacturing Zone to UGC Urban General Commercial Zone, subject to certain conditions. **(Planning Version, District 8.)**

2010-148 Duckett Properties, LP (M-1 Manufacturing Zone to UGC Urban General Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1701 Rossville Avenue, more particularly described herein, from M-1 Manufacturing Zone to UGC Urban General Commercial Zone. **(Applicant Version.)**

l) 2010-149 Timothy W. McDonald (R-3 Residential Zone to UGC Urban General Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 603 and 607 East Main Street and 1427, 1433, and 1435 Park Street, more particularly described herein, from R-3 Residential Zone to UGC Urban General Commercial Zone, subject to certain conditions. **(Planning Version, District 8.)**

2010-149 Timothy W. McDonald (R-3 Residential Zone to UGC Urban General Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 603 and 607 East Main Street and 1427, 1433, and 1435 Park Street, more particularly described herein, from R-3 Residential Zone to UGC Urban General Commercial Zone, subject to certain conditions. **(Applicant Version.)**

7. Resolutions:

a) A resolution authorizing the Director of General Services to enter into an agreement with Brightbridge in the amount of \$34,980.00 for Brownfield Cleanup Programmatic Services and Project Management for the project on Tennessee Avenue and the Old 36<sup>th</sup> Street Landfill Site.

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- b) A resolution authorizing the City Attorney to file a quiet title action for 1029 Dartmouth Street (Tax Map No. 127P-F-021) and the former Alton Park Recreation Center (Tax Map No. 167F-C-001) located at the corner of West 45<sup>th</sup> and Central Avenue.
  - c) A resolution authorizing the Department of Parks and Recreation to accept a sculpture entitled “Arise” by Andrew Light of Lexington, Kentucky and donated by the Friends of Hixson for the collection of City Public Art to be located in the Hixson Community at Access Road and Hixson Pike.
  - d) A resolution authorizing the City Finance Officer to execute a Loan Agreement with the Tennessee Department of Environment and Conservation in the amount of \$5,500,000.00, and any other documents necessary for said loan; and to make certain representations, certifications, and pledges of certain revenue in connection with said loan for the Interceptor Sewer System (ISS) capital projects.
  - e) A resolution authorizing payment of 2011 Membership Dues for the National League of Cities in an amount not to exceed \$10,610.00.
  - f) A resolution authorizing the Administrator of the Department of Parks and Recreation execute renewals of a five-year Lease Agreement and Management Agreement between the City, Chattanooga Downtown Redevelopment Corporation, and MarineMax East, Inc.
  - g) A resolution authorizing the Police Department to apply for and accept a Buffer Zone Protection Plan Grant in the amount of \$170,091.80.
  - h) A resolution authorizing the Police Department to apply for and accept a Domestic Preparedness State Homeland Security Grant in the amount of \$99,000.00.
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.
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  - h) Department of Personnel.
  - i) Department of Finance and Administration
  - j) City Attorney.
10. Other Business.
11. Committee Reports.

**Amended Agenda for Tuesday, December 7, 2010**

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12. No Agenda Session. **(Note: There will be no Council meetings on December 21 and 28, 2010.)**
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.