

AGENDA FOR TUESDAY, JULY 9, 2002

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Hakeem).
- III. Minute Approval.
- IV. Special Presentations:
- V. Ordinances – Second & Third Reading:
 - a) MR-2001-153 Americo Group by Thomas Kale (Amend Ordinance). An ordinance amending Ordinance No. 11216, adopted December 4, 2001, closing and abandoning all recorded rights-of-way in an area bounded by West 33rd Street on the north, West 35th Street on the south, Broad Street on the east and St. Elmo Avenue on the west, as shown on the map attached hereto and made a part hereof by reference, by correcting the property description. **(Added by permission of Councilwoman Robinson and Councilman Taylor)**
 - b) MR-2002-041 Regina Sawyer (Close & Abandon). An ordinance closing and abandoning a 50' wide right-of-way located in the 1800 block of Morehouse Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.
 - c) 2002-064 S. Reginald Ruff, III (Close & Abandon). An ordinance closing and abandoning all interior rights-of-way located within the McCallie Homes Complex, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.
- VI. Ordinances – First Reading:
 - a) An ordinance, hereinafter also known as “The FY2002/2003 Budget Ordinance”, to provide revenue for the fiscal year beginning July 1, 2002, and ending June 30, 2003, and appropriating same to the payment of expenses of the municipal government; fixing the rate of taxation on all taxable property in the City, and the time taxes and privileges are due, how they shall be paid, when they shall become delinquent; providing for interest and penalty on delinquent taxes and privileges. **(Added by permission of Chairman Littlefield)**
 - b) An Ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article V, Section 101(1), to incorporate new language relative to permitted uses of the M-2 Light Industrial Zone.
 - c) 2001-084 Raymond L. Hassler (From R-4 to C-2). Rezone a tract of land located in the 5800 block of Highway 153, more particularly described herein. **(Recommended for approval by Planning - deferred from 12-11-01)**

Agenda for Tuesday, July 9, 2002

Page 2 of 9

VI. Ordinances – First Reading (continued):

- d) 2001-085 Dewey C. Roberson and Timothy McClure (From C-2 to R-2 and R-3). Rezone a tract of land located in the 5700 block of Grubb Road, more particularly described herein. **(Recommended for denial)**
- e) 2001-186 JDC Calhoun, Inc. c/o James Doran Company (From R-1 and O-1 to C-2). Rezone tracts of land located at 5801, 5803, 5807, 5813 and 5901 Cassandra Smith Road and 5918 and 5936 Hixson Pike, more particularly described herein. **(Recommended for denial by Planning - see alternate version)**
- 2001-186 JDC Calhoun, Inc. c/o James Doran Company (From R-1 and O-1 to C-2). Rezone tracts of land located at 5918 and 5926 Hixson Pike, more particularly described herein. **(Recommended for approval by Staff)**
- f) 2001-194 City of Chattanooga/City Council Office (From Temporary R-2 to R-1). Rezone a tract of land located at 4415 Kelly's Ferry Road, more particularly described herein. **(Recommended for approval)**
- g) 2001-196 City of Chattanooga/City Council Office (From Temporary R-2 to R-1). Rezone a tract of land located at 1020 Shingle Road, more particularly described herein. **(Recommended for approval)**
- h) 2002-017 Troy L. Cox (From R-1 to C-2). Rezone a tract of land located at 706 Ashland Terrace, more particularly described herein. **(Recommended for denial by Planning - see alternate version)**
- 2002-017 Troy L. Cox (From R-1 to C-2). Rezone a tract of land located at 706 Ashland Terrace, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**
- i) 2002-071 Volunteer Behavioral Health Care Systems (from M-1 to C-2). Rezone a tract of land located at 413 Spring Street, more particularly described herein. **(Recommended for denial by Planning - see alternate version - deferred from 05-21-02)**
- 2002-071 Volunteer Behavioral Health Care Systems (from M-1 to R-4). Rezone a tract of land located at 413 Spring Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning - deferred from 05-21-02)**
- j) 2002-089 Stein Construction Company, Inc. (From R-1 to M-1). Rezone a tract of land located at 1220 Birmingham Highway, more particularly described herein. **(Recommended for denial by Planning - approve another zone - see alternate version)**
- 2002-089 Stein Construction Company, Inc. (From R-1 to M-2). Rezone a tract of land located at 1220 Birmingham Highway, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

Agenda for Tuesday, July 9, 2002

Page 3 of 9

VI. Ordinances – First Reading (continued):

- k) 2002-100 Mt. View Presbyterian Church (From C-2 to R-1). Rezone a tract of land located at 3111 Kelly's Ferry Road, more particularly described herein. **(Recommended for approval by Planning)**
- l) 2002-102 Sashi Madan (From C-2 to R-3). Rezone a tract of land located at 1006 Metro Drive, more particularly described herein. **(Recommended for approval by Planning)**
- m) 2002-105 Charles Robert Skillern (From R-2 to R-4). Rezone tracts of land located at 5109 and 5111 Skillern Drive, more particularly described herein. **(Recommended for approval by Planning - see alternate Staff version)**

2002-105 Charles Robert Skillern (From R-2 to R-4). Rezone tracts of land located at 5109 and 5111 Skillern Drive, more particularly described herein, subject to certain conditions. **(Recommended for approval by Staff)**
- n) 2002-108 Marvin Berke and Ronald Berke (From M-1 to R-3). Rezone a tract of land located at 2151 Glass Street, more particularly described herein. **(Recommended for approval by Planning)**
- o) 2002-109 Kinney and Brenda Short (From R-1 to R-2). Rezone a tract of land located at 2501 Maple Street, more particularly described herein. **(Recommended for denial by Planning)**
- p) 2002-110 Peter Gibson - Nino Piccolo Architect (Lift Conditions). Lift certain conditions of Ordinance No. 11108 on property located at 615 West Bell Avenue, more particularly described herein. **(Recommended for denial by Planning)**
- q) 2002-112 Tommy Freeman (From R-1 to RZ-1). Rezone a tract of land located at 7716 Standifer Gap Road, more particularly described herein. **(Recommended for approval by Planning)**
- r) 2002-117 City of Chattanooga (From R-5 and R-2 to R-1 and from R-3 to R-4). Rezone the Concord Road Area, bounded on the north by East Brainerd Road, on the south by the South Chickamauga Creek, on the East by Gunbarrel Road and on the west by Interstate 75, more particularly described herein. **(Recommended for approval by Planning)**

VII. Resolutions:

- a) A resolution to adopt the Hixson-North River Community Plan.
- b) A resolution authorizing the Chief of the Chattanooga Police Department to enter into an agreement with FoamCrete relative to the installation of a roof for the motorcycle garage for a total fee not to exceed \$10,844.00.

Agenda for Tuesday, July 9, 2002

Page 4 of 9

VII. Resolutions (continued):

- c) A resolution authorizing the Chief of the Chattanooga Police Department to enter into an agreement with Eastman Construction relative to the Police Memorial, Requisition No. R0061148, for a total fee not to exceed \$16,210.00.
- d) A resolution authorizing Blue Cross/Blue Shield of Chattanooga to use temporarily the City's right-of-way at 631 Broad Street to provide a data connection between the Blue Cross/Blue Shield Facility and the Tivoli Center that will cross 7th Street, subject to certain conditions. **(Added by permission of Chairman Littlefield)**

VIII. Overtime Report.

IX. Departmental Reports:

- a) Department of Human Services.
- b) Department of Parks, Recreation, Arts & Culture.
- c) Department of Public Works.
- d) Fire Department.
- e) Police Department.
- f) Department of Finance and Administration.
- g) Department of Personnel.
- h) Department of Neighborhood Services.
- i) City Finance Officer.
- j) City Attorney.

X. Other Business.

XI. Committee Reports.

XII. Agenda Session for Tuesday, July 16, 2002.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, July 16, 2002:

AGENDA FOR TUESDAY, JULY 16, 2002

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Lively).
3. Minute Approval.
4. Special Presentations.

**Recognition of Patrick Hubbard, Jr.
National Pitch, Hit and Run Champ**

5. Ordinances – Second & Third Reading:
 - a) An ordinance, hereinafter also known as “The FY2002/2003 Budget Ordinance”, to provide revenue for the fiscal year beginning July 1, 2002, and ending June 30, 2003, and appropriating same to the payment of expenses of the municipal government; fixing the rate of taxation on all taxable property in the City, and the time taxes and privileges are due, how they shall be paid, when they shall become delinquent; providing for interest and penalty on delinquent taxes and privileges. **(Added by permission of Chairman Littlefield)**
 - b) An Ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article V, Section 101(1), to incorporate new language relative to permitted uses of the M-2 Light Industrial Zone.
 - c) 2001-084 Raymond L. Hassler (From R-4 to C-2). Rezone a tract of land located in the 5800 block of Highway 153, more particularly described herein. **(Recommended for approval by Planning - deferred from 12-11-01)**
 - d) 2001-085 Dewey C. Roberson and Timothy McClure (From C-2 to R-2 and R-3). Rezone a tract of land located in the 5700 block of Grubb Road, more particularly described herein. **(Recommended for denial)**
 - e) 2001-186 JDC Calhoun, Inc. c/o James Doran Company (From R-1 and O-1 to C-2). Rezone tracts of land located at 5801, 5803, 5807, 5813 and 5901 Cassandra Smith Road and 5918 and 5936 Hixson Pike, more particularly described herein. **(Recommended for denial by Planning - see alternate version)**

2001-186 JDC Calhoun, Inc. c/o James Doran Company (From R-1 and O-1 to C-2). Rezone tracts of land located at 5918 and 5926 Hixson Pike, more particularly described herein. **(Recommended for approval by Staff)**
 - f) 2001-194 City of Chattanooga/City Council Office (From Temporary R-2 to R-1). Rezone a tract of land located at 4415 Kelly’s Ferry Road, more particularly described herein. **(Recommended for approval)**

XII. Agenda Session for Tuesday, July 16, 2002:

5. Ordinances – Second & Third Reading (continued):

g) 2001-196 City of Chattanooga/City Council Office (From Temporary R-2 to R-1). Rezone a tract of land located at 1020 Shingle Road, more particularly described herein. **(Recommended for approval)**

h) 2002-017 Troy L. Cox (From R-1 to C-2). Rezone a tract of land located at 706 Ashland Terrace, more particularly described herein. **(Recommended for denial by Planning - see alternate version)**

2002-017 Troy L. Cox (From R-1 to C-2). Rezone a tract of land located at 706 Ashland Terrace, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

i) 2002-071 Volunteer Behavioral Health Care Systems (from M-1 to C-2). Rezone a tract of land located at 413 Spring Street, more particularly described herein. **(Recommended for denial by Planning - see alternate version - deferred from 05-21-02)**

2002-071 Volunteer Behavioral Health Care Systems (from M-1 to R-4). Rezone a tract of land located at 413 Spring Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning - deferred from 05-21-02)**

j) 2002-089 Stein Construction Company, Inc. (From R-1 to M-1). Rezone a tract of land located at 1220 Birmingham Highway, more particularly described herein. **(Recommended for denial by Planning - approve another zone - see alternate version)**

2002-089 Stein Construction Company, Inc. (From R-1 to M-2). Rezone a tract of land located at 1220 Birmingham Highway, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

k) 2002-100 Mt. View Presbyterian Church (From C-2 to R-1). Rezone a tract of land located at 3111 Kelly's Ferry Road, more particularly described herein. **(Recommended for approval by Planning)**

l) 2002-102 Sashi Madan (From C-2 to R-3). Rezone a tract of land located at 1006 Metro Drive, more particularly described herein. **(Recommended for approval by Planning)**

XII. Agenda Session for Tuesday, July 16, 2002:

5. Ordinances – Second & Third Reading (continued):

- m) 2002-105 Charles Robert Skillern (From R-2 to R-4). Rezone tracts of land located at 5109 and 5111 Skillern Drive, more particularly described herein. **(Recommended for approval by Planning - see alternate Staff version)**

2002-105 Charles Robert Skillern (From R-2 to R-4). Rezone tracts of land located at 5109 and 5111 Skillern Drive, more particularly described herein, subject to certain conditions. **(Recommended for approval by Staff)**

- n) 2002-108 Marvin Berke and Ronald Berke (From M-1 to R-3). Rezone a tract of land located at 2151 Glass Street, more particularly described herein. **(Recommended for approval by Planning)**

- o) 2002-109 Kinney and Brenda Short (From R-1 to R-2). Rezone a tract of land located at 2501 Maple Street, more particularly described herein. **(Recommended for denial by Planning)**

- p) 2002-110 Peter Gibson - Nino Piccolo Architect (Lift Conditions). Lift certain conditions of Ordinance No. 11108 on property located at 615 West Bell Avenue, more particularly described herein. **(Recommended for denial by Planning)**

- q) 2002-112 Tommy Freeman (From R-1 to RZ-1). Rezone a tract of land located at 7716 Standifer Gap Road, more particularly described herein. **(Recommended for approval by Planning)**

- r) 2002-117 City of Chattanooga (From R-5 and R-2 to R-1 and from R-3 to R-4). Rezone the Concord Road Area, bounded on the north by East Brainerd Road, on the south by the South Chickamauga Creek, on the East by Gunbarrel Road and on the west by Interstate 75, more particularly described herein. **(Recommended for approval by Planning)**

6. Ordinances - First Reading:

- a) MR-2002-042 Pro Properties of Chattanooga (Close and Abandon). An ordinance closing and abandoning a 50' wide right-of-way located in the 2200 block of Baldwin Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, with the Tennessee American Water Company and the City of Chattanooga retaining their utility easements in the full width of the existing right-of-way of Baldwin Street.

- b) MR-2002-097 Sashi Madan (Close and Abandon). An ordinance closing and abandoning a portion of the 1000 block of Metro Drive, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, with the Electric Power Board maintaining their utility easement.

XII. Agenda Session for Tuesday, July 16, 2002 (continued):

6. Ordinances - First Reading (continued):

- c) MR-2002-104 Mitchco, LLC (Close and Abandon). An ordinance closing and abandoning the 2300 block of Ohio Avenue southwest of Latta Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for denial by Staff - recommended to apply for temporary usage)**

7. Resolutions:

- a) A resolution approving the Chattanooga Urban Area Bicycle Facilities Master Plan.
- b) A resolution amending Resolution No. 23427, adopted July 2, 2002, authorizing the award of Contract No. SS-1-02, Carter Street and 13th Street Streetscape, to Stein Construction Company, Inc. to include the amount of their low bid for the add alternate Phase III in the amount of \$182,978.37, for a total base bid and the two alternates in the amount of \$1,214,785.70.
- c) A resolution authorizing the execution of Change Order No. 2, relative to the Market Street Streetscape Project, Contract No. SS-3-01, with Raines Brothers, Inc., which change order increases the contract amount by \$13,903.17, for a revised contract price of \$1,330,497.77.
- d) A resolution authorizing Don Walker to use temporarily the City's sewer easement located at 6817 Nakwisa Drive, Lot 58, subject to certain conditions.
- e) A resolution authorizing Don Walker to use temporarily the City's sewer easement located at 6818 Sunalay Lane, Lot 60, subject to certain conditions.
- f) A resolution authorizing Don Walker to use temporarily the City's sewer easement located at 6818 Gayda Lane, Lot 48, subject to certain conditions.
- g) A resolution authorizing Don Walker to use temporarily the City's sewer easement located at 6818 Nakwisa Drive, Lot 50, subject to certain conditions.
- h) A resolution authorizing Chattanooga Times Free Press to use temporarily the City's right-of-way at 400 East 11th Street to replace an existing canopy, subject to certain conditions.
- i) A resolution authorizing Gayatriguru Investments, Inc. to use temporarily the City's right-of-way on 13th Street to install a sign and canopy over the storefront and for a portion of the foundation below grade, subject to certain conditions.
- j) A resolution authorizing Mike Goza to use temporarily the City's right-of-way located at 412 Market Street to add a patio, sign and awning onto the restaurant, subject to certain conditions.

XII. Agenda Session for Tuesday, July 16, 2002 (continued):

7. Resolutions (continued):
 - k) A resolution authorizing the execution of a change order relative to the Avondale Head Start/Early Start Center with Wise Construction, LLL, which change order increases the contract amount by \$9,658.00 for a revised contract price of \$919,658.00.
8. Overtime Report.
9. Departmental Reports:
 - a) Department of Human Services.
 - b) Department of Parks, Recreation, Arts & Culture.
 - c) Department of Public Works.
 - d) Fire Department.
 - e) Police Department.
 - f) Department of Finance and Administration.
 - g) Department of Personnel.
 - h) Department of Neighborhood Services.
 - i) City Finance Officer.
 - j) City Attorney.
10. Other Business.
11. Committee Reports.
12. Agenda Session for Tuesday, July 23, 2002.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.