

MARKED

AGENDA FOR A REGULAR COUNCIL MEETING

JANUARY 15, 2008

7:00 PM

ORDER OF BUSINESS

1. **CALL TO ORDER:** Mayor Bill Haslam

2. **INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG:**
Councilmember Pelot and Councilmember Woodhull

3. **ROLL CALL:** All present

4. **APPROVAL OF MINUTES:** Approved

5. **ANNOUNCEMENTS AND EXTRAORDINARY MATTERS, ADOPTION OF AGENDA:**
 - a. **ITEMS WITHDRAWN (Indicated with "W")**
 - b. **ITEMS FOR POSTPONEMENT (Indicated with "P")**
 - c. **ITEMS REQUESTED TO BE ADDED BY MOTION (Indicated with "M")**
 - d. **CONSENT ITEMS (Indicated with "**")**

6. MAYOR'S REPORT:

Approved

- a. An application for a renewal of a Retailer's Certificate for Thad S. Cox, Jr. and Peggy S. Cox d/b/a Ashe's Wines & Spirits, 4534 Old Kingston Pike, Knoxville, Tennessee, 37919. (Requested by Finance)

Approved

- b. An application for a renewal of a Retailer's Certificate for Elizabeth M. Cox and Dennis R. McClane d/b/a Cedar Bluff Discount Wines & Spirits, 9141 Cross Park Drive, Suite 101, Knoxville, Tennessee, 37923. (Requested by Finance)

- Community Development will have a public meeting January 24, 2008 at 5:30 p.m. at the Cansler YMCA Community Room to discuss the 2008 Action Plan.
- John Troyer presented the Government Finance Officers Association Certificate of Achievement to Finance Director Jim York.
- Dr. Bill Lyons and Fire Chief Bob Keith addressed the McClung Warehouse fire issue at the request of Councilman Frost.

7. REPORTS OF COUNCIL MEMBERS OR COMMITTEES:

- Councilmember Pelot addressed the recent recycling effort by the city and challenged the city to find a different location due to traffic problems.
- Vice-Mayor Brown discussed the recent Election Cycle workshop and announced that Chris Woodhull (chair), Joe Hultquist and Bob Becker would be serving on a sub-committee to study the election cycle issue.
- Vice-Mayor Brown stated that the City Council's PNI Board appointments would be on the agenda in two weeks and thanked Madeline Rogero for her assistance and hard work in the effort.
- Vice-Mayor Brown recognized the Martin Luther King celebration events taking place this week.
- Councilmember Roddy discussed the recent TML District 2 meeting and stated that two packets of information addressing Legislative issues were being distributed to Council.
- Councilmember Hultquist also addressed the TML District 2 meeting.
- Councilmember Woodhull stated that he would be chairing the Charitable Solicitations Committee and hoped to begin work with the committee very soon.
- Councilmember Frost reminded everyone that January 16 marks the beginning of early voting.

8. ELECTIONS AND CONFIRMATIONS:

Approved: R-11-08

- a. A Resolution confirming the appointment of Richard Ruh to serve as a member of the Knoxville Solicitations Board. (Requested by Mayor)

8. ELECTIONS AND CONFIRMATIONS (continued):

Approved: R-12-08

- b. A Resolution confirming the appointments of Mercedes Stollo and Carolyn Bryant to serve as members of the Fair Housing Board. (Requested by Mayor)

9. ORDINANCES ON SECOND READING:

Postponed two (2) weeks

- “P” a. An Ordinance to close a portion of B Drive north of S. Northshore Drive with conditions, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, Northshore Commons, LLC, Applicant. (MPC Approved 12-0) (File No. 10-A-07-SC) (Second District)

10. HEARINGS ON ZONING MATTERS, APPEALS FROM ACTION OF MPC/BOARD OF ZONING APPEALS OR PLANS REVIEW:

None.

11. RESOLUTIONS:

Approved: R-13-08

- a. A Resolution acknowledging receipt of and accepting the City’s Annual Financial Statement and Management Letter, entitled “Comprehensive Annual Financial Report for Fiscal Year ending June 30, 2007” as provided by Pugh and Company, PC, Certified Public Accountants. (Requested by Audit Committee)

Postponed two (2) weeks

- b. A Resolution respectfully urging the State Legislature to reverse the amendment to the Convention Center and Tourism Development Financing Act of 1998 so as to restore to the City the sales tax recapture provisions in effect upon the original adoption of this law. (Requested by Councilmember Frost)

Approved: R-14-08

- c. A Resolution authorizing the Mayor to execute an agreement with the Knoxville Area Urban League to provide funding in an amount not to exceed \$250,000.00 to continue the management and implementation of the Empowerment Zone Small Business Loan Program. (Requested by Community Development)

Approved: R-15-08

- d. A Resolution authorizing the Mayor to execute a contract with Vaughn & Melton, Inc. for professional engineering design services for the Westland Drive Bridge Replacement and Drainage Project for an amount not to exceed \$81,072.00. (Requested by Engineering)

11. RESOLUTIONS (continued):

Approved: R-16-08

- e. A Resolution authorizing the Mayor to execute Contract #070183 with State of Tennessee, Department of Transportation to upgrade signal timing along Sutherland Avenue from Forest Park Boulevard to Concord Street, Project ID #109008.00. (Requested by Engineering)

Approved: R-17-08

- f. A Resolution authorizing the Mayor to execute Contract #070182 with State of Tennessee, Department of Transportation to upgrade signal timing along Parkside Drive/North Peters Road from Campbell Station Road to Town and Country Circle, Project ID #108733.00. (Requested by Engineering)

Approved: R-18-08

- g. A Resolution approving a contract with Ron Wood and wife Mary Wood and authorizing the Mayor to execute all documents on behalf of the City of Knoxville necessary to acquire a permanent drainage easement on real property owned by Ron Wood and wife Mary Wood, for a total price of \$1,860.00. (Requested by Engineering)

Approved: R-19-08

- h. A Resolution authorizing the Mayor to execute Contract #070204 with State of Tennessee, Department of Transportation, for state industrial access funding for the City of Knoxville to construct an industrial access road to serve the Scripps Networks Corporate Headquarters Expansion, Project No. 109810.00, at a City cost not to exceed \$254,196.00. (Requested by Engineering)

12. ORDINANCES ON FIRST READING:

Withdrawn

- a. An Ordinance to amend the Charter of the City of Knoxville, specifically Chapter 412 of the Private Acts of 1923 of the General Assembly of the State of Tennessee, entitled, "An act to incorporate the City of Knoxville in Knox County, Tennessee, and to define the rights, powers and liabilities of the same; to fix the boundaries of said municipality, and to repeal all acts or parts of acts in conflict with this act", and all acts amendatory thereto, by amending Article VII, Section 707, entitled "Manner of Holding Elections," so as to provide that the Mayor and Municipal Judge shall be elected in the same manner as at-large City Council members with a primary election wherein all voters may vote for one (1) candidate for each position, with the two (2) candidates receiving the highest number of votes for each position to be placed on the regular election ballot, and further providing for the submission of this ordinance to the qualified voters of the City of Knoxville for approval as provided in Article IV, Section 9 of the Constitution of the State of Tennessee. (Requested by Councilmember Becker)

12. ORDINANCES ON FIRST READING (CONTINUED):

- “Revised Text
in Ordinance”
- b. **Approved on first reading**
An Ordinance to amend certain divisions and sections of Chapter 2, Article II of the Knoxville City Code relating to the organizational structure of the Executive Branch of city government. (Requested by Mayor)
- c. **Approved on first reading**
An Ordinance to amend Chapter 2, Article III, Division 2, Section 2-450 of the Code of the City of Knoxville. (Requested by Civil Service)
- d. **Approved on first reading**
An Ordinance to amend Article IV, Section 26, D-1, downtown design overlay district, of the City of Knoxville Zoning Ordinance changing the Downtown Design Review Board’s appeal process and the status of the Metropolitan Planning Commission representative on the Board. (MPC Approved 11-0-1) (File No. 12-A-07-OA) (Sixth District)
- e. **Postponed four (4) weeks**
An Ordinance enacted pursuant to T.C.A. § 67-5-705 to implement a property tax freeze program for elderly and low income taxpayers. (Requested by Councilmember Frost)
- f. **Approved on first reading**
An Ordinance to approve the closure of a 15-foot alley from Middlebrook Pike to Hopkins Avenue, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, Lonnie Jones and Patrick Fultz, Applicants. (MPC Approved 11-0-1) (File No. 12-A-07-AC) (Third District)
- g. **Approved on first reading**
An Ordinance to approve the closure of a 12-foot alley between Valley Avenue and New King Street, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, Kimberly Davis, Applicant. (MPC Approved 11-0-1) (File No. 12-B-07-AC) (First District)
- h. **Approved on first reading**
An Ordinance approving the request of Teraz Investments for a One Year Plan Amendment from Heavy Industrial to Mixed Uses (Heavy Industrial and General Commercial) for property located on the northeast side of Western Avenue, southeast side of Blackstock Avenue. (MPC Approved 11-0-1) (File No. 10-K-07-PA) (Sixth District)

12. ORDINANCES ON FIRST READING (CONTINUED):

Approved on first reading

- i. An Ordinance to rezone property located on the northeast side of Western Avenue, southeast side of Blackstock Avenue, from I-3, General Industrial District to C-3, General Commercial District, Teraz Investments, Applicant. (MPC Approved 11-0-1) (File No. 10-R-07-RZ) (Sixth District)

Postponed four (4) weeks

- j. An Ordinance to rezone property located on the southeast side of Metler Drive, northeast of Clinton Highway, from R-1, Low Density Residential District to C-4, Highway and Arterial Commercial District, Goodwill Industries-Knoxville, Inc., Applicant. (MPC Approved 12-0) (File No. 12-B-07-RZ) (Fifth District)

Approved on first reading

- k. An Ordinance to rezone property located on the south side of Technology Drive, west side of Cogdill Road, from PC-2, Retail and Distribution Park District/TO-1, Technology Overlay to C-6, General Commercial Park District/TO-1, Technology Overlay, Ken Sanderson, Applicant. (MPC Approved 11-0-1) (File No. 12-E-07-RZ) (Second District)

Approved on first reading

- l. An Ordinance to rezone property located on the southeast side of Merchant Drive, northeast of Pleasant Ridge Road, from O-3, Office Park District, to O-1, Office, Medical, and Related Services District, David Velarde, Applicant. (MPC Approved 11-0-1) (File No. 12-F-07-RZ) (Third District)

Approved on first reading

- m. An Ordinance to rezone property located on the southeast side of E. Magnolia Avenue, northeast side of N. Mary Street, from C-3, General Commercial District, to C-4, Highway and Arterial Commercial District, Susanne Painter, Applicant. (MPC Approved 11-0-1) (File No. 12-I-07-RZ) (Sixth District)

Approved on first reading

- n. An Ordinance to rezone property located on the north end of B Drive, northeast of S. Northshore Drive, from R-1, Low Density Residential District, O-1, Office, Medical, and Related Services District, and F-1, Floodway, to O-3, Office Park District, and F-1, Floodway, Northshore Commons, LLC, Applicant. (MPC Approved 12-0) (File No. 12-M-07-RZ) (Second District)

12. ORDINANCES ON FIRST READING (CONTINUED):

Approved on first reading

- o. An Ordinance approving the request of the Metropolitan Planning Commission for a One Year Plan Amendment from Medium Density Residential to General Commercial for property located north of Sherrill Boulevard, east of I-140. (MPC Approved 11-0-1) (File No. 12-A-07-PA) (Second District)

Approved on first reading

- p. An Ordinance approving the request of Scripps Network, Inc. for an amendment to the Northwest County Sector Plan from Low Density Residential to Commercial for property located north of Sherrill Boulevard, east of Pellissippi Parkway. (MPC Approved 11-0-1) (File No. 12-F-07-SP) (Second District)

Approved on first reading

- q. An Ordinance to rezone property located north of Sherrill Boulevard, east of Pellissippi Parkway, from RP-1, Planned Residential District to C-3, General Commercial District, Scripps Network, Inc., Applicant. (MPC Approved 11-0-1) (File No. 12-R-07-RZ) (Second District)

Postponed two (2) weeks

- r. An Ordinance to rezone property located on the southwest side of Laurans Avenue, northwest of Goforth Avenue, from R-1, Low Density Residential District, to RP-1, Planned Residential District, at a density up to 5.9 dwelling units per acre, Helen Ross McNabb Center, Applicant. (MPC Approved 12-0) (File No. 12-V-07-RZ) (Sixth District)

Approved: O-4-08

- s. An Emergency Ordinance to rezone property located on the southeast side of Parkside Drive, northeast side of Cogdill Road, from No Zone to O-1, Office, Medical, and Related Services District, City of Knoxville, Applicant. (MPC Approved 11-0-1) (File No. 12-Y-07-RZ) (Second District)

Approved on first reading

- t. An Ordinance to rezone property located on the south side of Ailor Avenue, east side of Seventeenth Street, from C-3, General Commercial District, to C-4, Highway and Arterial Commercial District, Benchmark Associates, Inc., Applicant. (MPC Approved 11-0-1) (File No. 12-Z-07-RZ) (Sixth District)

Approved: O-5-08

- u. An Emergency Ordinance to rezone property located on the north side of Kingston Pike, north of Fox Road, from No Zone to PC-2, Retail and Distribution Park District, City of Knoxville, Applicant. (MPC Approved 12-0) (File No. 12-BB-07-RZ) (Second District)

12. ORDINANCES ON FIRST READING (CONTINUED):

Approved: O-6-08

- v. An Emergency Ordinance to rezone property located on the northwest side of Callahan Drive, southwest side of I-75, from No Zone to C-4, Highway and Arterial Commercial District, City of Knoxville, Applicant. (MPC Approved 11-0-1) (File No. 12-CC-07-RZ) (Fifth District)

Approved: O-7-08

- w. An Emergency Ordinance to rezone property located on the east and west sides of Cessna Road, south of Sabre Drive, from No Zone to R-1, Low Density Residential District, City of Knoxville, Applicant. (MPC Approved 11-0-1) (File No. 12-DD-07-RZ) (Second District)

Approved: O-8-08

- x. An Emergency Ordinance to rezone property located on the northwest side of Luscombe Drive, southwest side of Bardon Road, from No Zone to R-1, Low Density Residential District, City of Knoxville, Applicant. (MPC Approved 11-0-1) (File No. 12-EE-07-RZ) (Second District)

Approved: O-9-08

- y. An Emergency Ordinance to rezone property located on the south side of Ridgetop Road, northeast of Shrewsbury Drive, from No Zone to R-1, Low Density Residential District, City of Knoxville, Applicant. (MPC Approved 11-0-1) (File No. 12-FF-07-RZ) (Third District)

Approved: O-10-08

- z. An Emergency Ordinance of the Council appropriating the sum of \$2,250.00 from the Community Improvement (202) Fund and donating same to the Dr. Martin Luther King, Jr. Commemorative Commission of Greater Knoxville, Inc., as a contribution toward the "2008 King Week Celebration" Events. (Requested by Councilmembers Pelot, Hall, Frost, Becker, Woodhull and Vice Mayor Brown)

Approved: O-11-08

- aa. An Emergency Ordinance of the Council appropriating the sum of \$2,250.00 from the Community Improvement (202) Fund and donating same to the Knoxville Botanical Gardens and Arboretum to be utilized toward funding the master plan project. (Requested by Councilmembers Pelot, Hall, Frost, Becker, Woodhull, and Vice Mayor Brown)

13. PUBLIC FORUM: None

14. ADJOURNMENT: 8:07 p.m