

MINUTES OF THE REGULAR SESSION OF THE COUNCIL OF THE CITY OF KNOXVILLE

**MARCH 11, 2008 - 7:00 PM
Main Assembly Room, City-County Building**

1. CALL TO ORDER

The Council of the City of Knoxville met in Regular Session at 7:00 p.m. in the Main Assembly Room of the City-County Building on Tuesday, March 11, 2008. Mayor Bill Haslam was present and presiding officer of the Council.

2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Councilmember Barbara Pelot led in the Invocation and Councilmember Bob Becker led in the "Pledge of Allegiance" to the Flag.

3. ROLL CALL

The following City Council Members were present: Joe Bailey, Bob Becker, Vice-Mayor Mark Brown, Rob Frost, Steve Hall, Joe Hultquist, Barbara Pelot, Marilyn Roddy and Chris Woodhull.

4. APPROVAL OF MINUTES

Councilmember Bailey made a motion to approve the minutes from the February 26, 2008 City Council meeting. Councilmember Becker seconded the motion. By unanimous voice vote the motion carried. The minutes were approved.

5. ANNOUNCEMENTS AND EXTRAORDINARY MATTERS, ADOPTION OF AGENDA:

5-a. ITEMS WITHDRAWN (Indicated with "W")

None.

5-b. ITEMS FOR POSTPONEMENT (Indicated with "P")

Councilmember Bailey made a motion to postpone the following ordinance four (4) weeks:

- 9-c.** An Ordinance to amend Ordinance No. O-155-00, granting to Knology of Knoxville, Inc. a franchise for the use and occupancy of public ways in the city for the purpose of constructing and operating a cable television system and other telecommunications privileges in the city, specifically relating to liquidated damages, completion of the cable system, and providing cable television service to certain facilities. (Requested by Law Department)

Councilmember Becker seconded the motion. By unanimous voice vote the motion carried. The ordinance was postponed four (4) weeks.

Vice-Mayor Brown made a motion to postpone the following ordinance four (4) weeks:

- 12-c.** An Ordinance to amend the Knoxville City Code, Appendix B, “Zoning Regulations”, Article V, Section 10 “Signs, Billboards, and other Advertising Structures”, and related sections regarding regulation of dynamic displays on signs and billboards in the City of Knoxville. (MPC Approved 11-3) (File No. 12-B-07-OA)

Councilmember Pelot seconded the motion.

Discussion ensued with the following persons addressing the postponement: Councilmember Becker; Councilmember Hultquist; Vice-Mayor Brown; Councilmember Pelot; Councilmember Roddy and Duane Grieve.

By unanimous voice vote the motion to postpone carried. The ordinance was postponed four (4) weeks.

Councilmember Pelot made a motion to postpone the following ordinance four (4) weeks:

- 9-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)

Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The ordinance was postponed four (4) weeks.

Councilmember Frost made a motion to postpone the following ordinance until July 1, 2008:

- 12-a.** 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)

Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The ordinance was postponed to July 1, 2008.

**5-c. ITEMS REQUESTED TO BE ADDED BY MOTION
(Indicated with “M”)**

Councilmember Pelot made a motion to add resolutions 11q and 11r to the agenda by motion. Vice-Mayor Brown seconded the motion. By unanimous voice vote the motion carried. The resolutions were added to the agenda. (See “Resolutions”).

5-d. CONSENT ITEMS (Indicated with “*”)

None.

6. MAYOR'S REPORT

RE: RETAILER'S CERTIFICATE FOR CAROL A. SEEMAN d/b/a FRONTIER PACKAGE STORE

- 6-a.** An application for renewal of a Retailer's Certificate for Carol A. Seeman d/b/a Frontier Package Store, 10421 Kingston Pike, Knoxville, Tennessee, 37922. (Requested by Department of Finance and Accountability)

Councilmember Pelot made a motion to approve the Retailer's Certificate. Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The Retailer's Certificate was approved.

RE: MAYOR'S REMARKS

- Thank you to those who participated in the Neighborhood Conference last Saturday.
- Happy Birthday to Councilmember Steve Hall whose birthday is tomorrow.
- The opening of the Mayor's Portrait Gallery was held today at 10:00 a.m. with all three of the living former Mayor's present to unveil their portraits.

7. REPORTS OF COUNCIL MEMBERS OR COMMITTEES

None.

8. ELECTIONS AND CONFIRMATIONS

RE: TRANSPORTATION AND MOBILITY COMMITTEE

- 8-a.** A Resolution to appoint the membership of the Transportation and Mobility Committee. (Requested by Councilmembers Bailey and Hultquist)

Councilmember Bailey made a motion to approve the resolution. Councilmember Hultquist seconded the motion.

Councilmember Roddy noted that Ms. Bueckman's name was misspelled in the resolution and asked that it be corrected.

Councilmember Becker made a motion to amend the resolution to add Bill Terry as his representative. Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-78-08.

9. ORDINANCES ON SECOND READING

RE: CITY CODE AMENDMENT – CHAPTER 20, ARTICLE III – SKATEPARKS - HELMETS

- 9-b.** An Ordinance to amend Chapter 20, Article III of the Code of Ordinances of the City of Knoxville, so as to adopt a definition for skatepark and a requirement that users of such skateparks wear helmets. (Requested by Department of Parks and Recreation)

Councilmember Frost made a motion to approve the ordinance on second reading. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-58-08

RE: CLOSURE OF CUL-DE-SAC – DOWELL SPRINGS BOULEVARD – DOWELL SPRINGS, LLL/RALPH V. SMITH, APPLICANT

- 9-d.** An Ordinance to close the cul-de-sac of Dowell Springs Boulevard north of its junction with Old Weisgarber Road, subject to conditions, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, Dowell Springs LLC/Ralph V. Smith, Applicant. (MPC Approved 13-0-2) (File No. 1-B-08-SC) (Third District)

Councilmember Hall made a motion to approve the ordinance on second reading. Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-59-08

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

None.

11. RESOLUTIONS

RE: SURPLUS PROPERTY - DANDRIDGE AVENUE – MABRY HAZEN FOUNDATION

- 11-a.** A Resolution authorizing the Mayor on behalf of the City of Knoxville to execute all necessary documents to sell an approximately 1.36 acre tract of vacant surplus city property on Dandridge Avenue, CLT # 095B-L-005, to the Mabry Hazen Foundation for \$136,000.00. (Requested by Department of Finance and Accountability)

Vice-Mayor Brown made a motion to approve the resolution. Councilmember Becker seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-79-08.

RE: U. S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS – GRANTS TO ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS PROGRAM

- 11-b.** A Resolution authorizing the Mayor to execute any and all documents necessary to accept a grant award of \$357,812.00 from the U.S. Department of Justice, Office of Justice Programs, under the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program. (Requested by Police Department)

Councilmember Becker made a motion to approve the resolution. Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-80-08.

RE: KNOXVILLE TRACK CLUB – KNOXVILLE MARATHON

- 11-c.** A Resolution authorizing the Mayor to execute and deliver an agreement with the Knoxville Track Club to provide additional police services for the Knoxville Marathon, scheduled for March 30, 2008. (Requested by Police Department)

Vice-Mayor Brown made a motion to approve the resolution. Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-81-08.

RE: KNOXVILLE HARLEY-DAVIDSON – KNOXVILLE POLICE DEPARTMENT

- 11-d.** A Resolution authorizing the Mayor to execute agreements with Knoxville Harley-Davidson for the lease of nineteen (19) motorcycles for use of the Knoxville Police Department, in an amount not to exceed \$33,250.00 per year. (Requested by Department of Fleet Services)

Councilmember Roddy made a motion to approve the resolution. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-82-08.

RE: BUCKHEAD CONSTRUCTION COMPANY – KNOXVILLE CIVIC AUDITORIUM – NEW RESTROOM FACILITY

- 11-e.** A Resolution authorizing the Mayor to execute an agreement between the City of Knoxville and Buckhead Construction Company for construction of a new women's restroom facility at the Knoxville Civic Auditorium in an amount not to exceed \$239,000.00. (Requested by Public Assembly Facilities)

Councilmember Roddy made a motion to approve the resolution. Councilmember Pelot seconded the motion.

Councilmember Roddy and Bob Polk, Public Assemblies Director addressed the resolution.

By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-83-08.

RE: SURFACE TRANSPORTATION PROGRAM PROJECT – STATE OF TENNESSEE, DEPARTMENT OF TRANSPORTATION – CUMBERLAND AVENUE FROM ALCOA HIGHWAY TO 16TH STREET

- 11-f.** A Resolution authorizing the Mayor to execute a Surface Transportation Program Project contract, No. 080013, PIN 110692.00 with State of Tennessee, Department of Transportation for streetscape and pedestrian improvements and utility relocations along Cumberland Avenue from Alcoa Highway to 16th Street, with the city to pay an amount not to exceed twenty percent (20%) of the total estimated cost, or \$2,371,400.00. (Requested by Department of Engineering)

Councilmember Hultquist made a motion to approve the resolution. Councilmember Pelot seconded the motion.

Discussion ensued with the following persons addressing the resolution: Councilmember Becker; Councilmember Roddy; Councilmember Hultquist; Councilmember Frost; Councilmember Pelot; Vice-Mayor Brown and Mayor Haslam.

By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-84-08.

RE: FOUNDATION SYSTEMS ENGINEERING, P. C. – KNOX BLOUNT GREENWAY – CITY OF KNOXVILLE

- 11-g.** A Resolution authorizing the Mayor to execute Change Order No. 1 to Contract No. C-07-0138 between the City of Knoxville and Foundation Systems Engineering, P.C. to design a Gabion wall, a pedestrian bridge, and micropiles and bridge abutments for the Knox Blount Greenway so as to increase the contract price by \$16,000.00 for a new contract price of \$36,000.00 and to increase the contract time by one calendar year to December 31, 2008. (Requested by Department of Engineering)

Councilmember Hultquist made a motion to approve the resolution. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-85-08.

**RE: GEORGE S. DYKEMAN, III – 2517 PARKVIEW AVENUE –
HOMEMAKER PROGRAM**

- 11-h.** A Resolution amending Resolution No. R-23-08, which authorizes the Mayor to execute a quitclaim deed to George S. Dykeman, III, for one parcel of property located at 2517 Parkview Avenue, CLT No. 082-KV-030, within the city limits of the City of Knoxville pursuant to the homemaker program for a contract sales price of \$3,000.00. (Requested by Department of Community Development)

Vice-Mayor Brown made a motion to approve the resolution. Councilmember Becker seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-86-08.

**RE: SMITH TURF & IRRIGATION – CITY OF KNOXVILLE’S PUBLIC
GOLF COURSES**

- 11-i.** A Resolution authorizing the Mayor to execute a lease purchase agreement between the City of Knoxville and Smith Turf & Irrigation for equipment necessary to operate and maintain the city’s two public golf courses. (Requested by Department of Parks and Recreation)

Vice-Mayor Brown made a motion to approve the resolution. Councilmember Bailey seconded the motion.

Councilmember Bailey and Joe Walsh, Director of Parks and Recreation, addressed the resolution.

By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-87-08.

**RE: TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION –
TENNESSEE TRAILS GRANT – KNOX ROAD AND MAPLE DRIVE IN
FOUNTAIN CITY**

- 11-j.** A Resolution authorizing the Mayor to file a grant application with the Tennessee Department of Environment and Conservation for a Tennessee Trails Grant so as to construct a greenway on city property located in the area of Knox Road and Maple Drive in Fountain City, and if such application is approved, to authorize the Mayor to execute any and all documents to accept such a grant award. (Requested by Department of Parks and Recreation)

Councilmember Becker made a motion to approve the resolution. Councilmember Frost seconded the motion.

Donna Buekeman, Fountain City Connections, addressed resolution.

By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-88-08.

**RE: TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION –
SARAH MOORE GREEN ELEMENTARY MAGNET SCHOOL**

- 11-k.** A Resolution authorizing the Mayor to partner with Knox County in applying for a grant from the Tennessee Department of Environment and Conservation so as to construct a greenway near the Sarah Moore Greene Elementary Magnet School, and if such application is approved, to authorize the Mayor to execute any and all

documents to accept such a grant award. (Requested by Department of Parks and Recreation)

Vice-Mayor Brown made a motion to approve the resolution. Councilmember Bailey seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-89-08.

RE: GOODWILL INDUSTRIES – KNOXVILLE, INC.

- 11-l.** A Resolution authorizing the Mayor to execute an amendment to Agreement No. C-02-0266 with Goodwill Industries-Knoxville, Inc. to extend the term of the agreement for one additional year and to increase the contract price by three and a half percent (3.5%) for a new total annual cost of \$125,311.59. (Requested by Department of Public Service)

Councilmember Pelot made a motion to approve the resolution. Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-90-08.

RE: A & T LAWN CARE AND LANDSCAPING

- 11-m.** A Resolution authorizing the Mayor to execute an agreement with A&T Lawn Care and Landscaping to provide mowing services for state medians within the City of Knoxville for a contract price of \$32,000.00. (Requested by Department of Public Service)

Councilmember Roddy made a motion to approve the resolution. Councilmember Becker seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-91-08.

RE: A & T LAWN CARE AND LANDSCAPING – MOWING FOR MEDIANS AND BOULEVARDS WITHIN THE CITY OF KNOXVILLE

- 11-n.** A Resolution authorizing the Mayor to execute an agreement with A&T Lawn Care and Landscaping to provide mowing services for local medians and boulevards within the City of Knoxville for a contract price of \$32,000.00. (Requested by Department of Public Service)

Councilmember Becker made a motion to approve the resolution. Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-92-08.

RE: B & B LAWN SERVICES, LLC – HENLEY STREET CONNECTOR LANDSCAPING PROJECT

- 11-o.** A Resolution authorizing the Mayor to execute an agreement with B&B Lawn Services, LLC to provide landscaping maintenance services for the Henley Street Connector Landscaping Project in a contract amount of \$28,244.42. (Requested by Department of Public Service)

Vice-Mayor Brown made a motion to approve the resolution. Councilmember Becker seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-93-08.

RE: VISITABILITY REPORT – METROPOLITAN PLANNING COMMISSION – VISITABILITY WORKING GROUP

- 11-p.** A Resolution to accept the Visitability Report and acknowledge the efforts of the Metropolitan Planning Commission and the Visitability Working Group. (MPC Approved 14-0) (File No. 2-A-08-MP)

Vice-Mayor Brown made a motion to approve the resolution. Councilmember Becker seconded the motion.

Discussion ensued with the following persons addressing the resolution: Councilmember Frost; Councilmember Becker; Mark Donaldson, MPC; Madeline Rogero, Community Development

By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-94-08.

RE: COACH PAT SUMMITT – UNIVERSITY OF TENNESSEE LADY VOLS BASKETBALL TEAM – 2008 SOUTHEASTERN CONFERENCE WOMEN’S BASKETBALL TOURNAMENT

- “M” **11-q.** A Resolution honoring and congratulating Coach Pat Summitt and the University of Tennessee Lady Vols upon winning the 2008 Southeastern Conference Women’s Basketball Tournament and wishing them continued success in the upcoming NCAA Tournament. (Requested by Council)

Councilmember Pelot made a motion to approve the resolution. Councilmember Becker seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-95-08.

RE: COACH BRUCE PEARL – UNIVERSITY OF TENNESSEE MEN’S BASKETBALL TEAM – 2008 SOUTHEASTERN CONFERENCE REGULAR SEASON CHAMPIONSHIP

- “M” **11-r.** A Resolution honoring and congratulating Coach Bruce Pearl and the University of Tennessee Men’s Basketball team upon winning the 2008 Southeastern Conference regular season championship and wishing the best of luck to the team in the upcoming Southeastern Conference and NCAA Tournaments. (Requested by Council)

Vice-Mayor Brown made a motion to approve the resolution. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-96-08.

12. ORDINANCES ON FIRST READING

RE: CITY CODE AMENDMENT – APPENDIX B ZONING REGULATIONS – RESIDENTIAL ACCESSORY BUILDING

- 12-b.** An Ordinance to amend the Knoxville City Code, Appendix B, “Zoning Regulations”, regulating the size of residential accessory buildings. (MPC Approved 13-1) (File No. 7-B-07-OA)

Councilmember Becker made a motion to approve the ordinance. Councilmember Bailey seconded the motion.

Councilmember Becker made a motion to amend the ordinance to adopt “Option B” (Alternative Proposal) by changing all references in the ordinance from Option A to Option B (Alternative Proposal). Councilmember Pelot seconded the motion.

Discussion ensued with the following persons addressing the amendment:
Councilmember Pelot; Mark Donaldson; Councilmember Becker; Councilmember Frost;
Councilmember Roddy; Councilmember Hultquist; Charlotte Davis, Fountain City Town Hall.

By unanimous voice vote the motion to amend the ordinance to approve “Option B” (Alternative Proposal) was approved. The amendment was adopted.

By unanimous voice vote on the motion to approve the ordinance, as amended to approve “Option B” (Alternative Proposal), was adopted.

The ordinance was approved on first reading, as amended.

RE: CITY CODE AMENDMENT – ZONING REGULATIONS, ARTICLE IV, INFILL HOUSING OVERLAY DISTRICT – INFILL HOUSING DESIGN REVIEW COMMITTEE

12-d. An Ordinance to amend the Knoxville City Code, Appendix B, “Zoning Regulations”, Article IV, Section 25 “IH-1 Infill Housing Overlay District” to clarify that the Infill Housing Design Review Committee has the authority to approve lot sizes. (MPC Approved 14-0) (File No. 12-C-07-OA)

Councilmember Becker made a motion to approve the ordinance. Councilmember Bailey seconded the motion.

Discussion ensued with Vice-Mayor Brown, Mark Donaldson, MPC, Councilmember Hultquist, Councilmember Becker and Councilmember Bailey speaking to the ordinance.

By unanimous voice vote the ordinance was adopted on first reading.

RE: CITY CODE AMENDMENT – APPENDIX B ZONING REGULATIONS ARTICLE V – YARD, BUILDING SETBACK AND OPEN SPACE EXCEPTIONS

12-e. An Ordinance to amend the Knoxville City Code, Appendix B, “Zoning Regulations”, Article V, Section 6 “Yard, Building Setback and Open Space Exceptions” dealing with substandard parcels and lots of record. (MPC Approved 14-0) (File No. 2-B-08-OA)

Councilmember Becker made a motion to approve the ordinance on first reading. Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The ordinance was approved on first reading.

RE: CITY CODE AMENDMENT – APPENDIX B, ZONING REGULATIONS, ARTICLE IV – DESIGN REVIEW BOARD: CREATION, RESPONSIBILITIES, MEMBERSHIP AND ADMINISTRATIVE RULES

12-f. An Ordinance to amend the Knoxville City Code, Appendix B, “Zoning Regulations”, Article IV, Section 26, E, “Design Review Board: Creation, Responsibilities, Membership, and Administrative Rules”. (MPC Approved 14-0) (File No. 2-D-08-OA)

Councilmember Roddy made a motion to approve the ordinance on first reading. Councilmember Becker seconded the motion. By unanimous voice vote the motion carried. The ordinance was approved on first reading.

RE: CITY CODE AMENDMENT – APPENDIX B, ZONING REGULATIONS, ARTICLE V – TEMPORARY USES

12-g. An Ordinance to amend the Knoxville City Code, Appendix B, “Zoning Regulations”, Article V, Section 13 “Temporary Uses” adding additional temporary uses. (MPC Approved 14-0) (File No. 2-E-08-OA)

Councilmember Becker made a motion to approve the ordinance on first reading. Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The ordinance was approved on first reading.

RE: ALLEY CLOSURE FROM SHERMAN STREET TO CONNECTICUT AVENUE-KNOXVILLE COMMUNITY DEVELOPMENT CORPORATION, APPLICANT

12-h. An Ordinance to close an unnamed 12-foot alley from Sherman Street to Connecticut Avenue, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, Knoxville's Community Development Corporation, Applicant. (MPC Approved 12-0-2) (File No. 2-A-08-AC) (Fifth District)

Councilmember Becker made a motion to approve the ordinance on first reading. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The ordinance was approved on first reading.

RE: ALLEY CLOSURE OFF FULTON PLACE – PARAMONT/U-LI-KA CLEANERS, INC., APPLICANT

12-i. An Ordinance to close a 10-foot alley off Fulton Place, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, Paramount/U-li-ka Cleaners, Inc., Applicant. (MPC Approved 12-0-2) (File No. 2-B-08-AC) (Fourth District)

Councilmember Frost made a motion to approve the ordinance on first reading. Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The ordinance was approved on first reading.

RE: STREET CLOSURE – GRAY AVENUE – KNOXVILLE HABITAT FOR HUMANITY, INC.

12-j. An Ordinance to close Gray Avenue from Ellen Street to Maxey Street, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, Knoxville Habitat for Humanity, Inc., Applicant. (MPC Approved 14-0) (File No. 2-A-08-SC) (First District)

Councilmember Hultquist made a motion to approve the ordinance on first reading. Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The ordinance was approved on first reading.

RE: REZONING REQUEST OF WANDA ENGLISH/WAYNE TIPTON

12-k. An Ordinance to rezone property located on the southeast side of Creekhead Drive, southwest of Helmbolt Road from A-1, General Agricultural District to R-1, Low Density Residential District, Wanda English/Wayne Tipton, Applicant. (MPC Approved 12-0-2) (File No. 1-H-08-RZ) (Third District)

Councilmember Hall made a motion to approve the ordinance on first reading. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The ordinance was approved on first reading.

RE: REZONING REQUEST OF DAVID DEWHIRST

- 12-l.** An Ordinance to rezone property located on the southeast side of W. Jackson Avenue, southwest of State Street from I-3, General Industrial District/D-1, Downtown Design Overlay to C-2, Central Business District/D-1, Downtown Design Overlay, David Dewhirst, Applicant. (MPC Approved 12-0-2) (File No. 2-A-08-RZ) (Sixth District)

Vice-Mayor Brown made a motion to approve the ordinance on first reading. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The ordinance was approved on first reading.

RE: REZONING REQUEST OF THE CITY OF KNOXVILLE – CLINTON HIGHWAY AND OLD CALLAHAN DRIVE

- 12-m.** An Emergency Ordinance to rezone property located on the north side of Clinton Highway, southeast side of Old Callahan Drive, from No Zone to C-3, General Commercial District, City of Knoxville, Applicant. (MPC Approved 12-0-2) (File No. 2-C-08-RZ) (Sixth District)

Councilmember Hall made a motion to approve the emergency ordinance. Vice-Mayor Brown seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-60-08.

RE: REZONING REQUEST OF THE CITY OF KNOXVILLE – TAZEWELL PIKE AND ANDERSON ROAD

- 12-n.** An Emergency Ordinance to rezone property located on the southeast side of Tazewell Pike, southwest of Anderson Road, from No Zone to RP-1, Planned Residential District at a density up to 5.9 dwelling units per acre, City of Knoxville, Applicant. (MPC Approved 14-0) (File No. 2-D-08-RZ) (Fourth District)

Discussion ensued with Jamie Rowe, 4215 Tazewell Pike, in opposition to ordinance, addressing the ordinance.

Ms. Rowe was given four additional minutes to address Council.

Discussion continued with the following persons speaking to the ordinance:

Councilmember Frost; Councilmember Hultquist; Steve King, Engineering Director.

Councilmember Frost made a motion to approve the emergency ordinance.

Councilmember Becker seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-61-08.

RE: REZONING REQUEST OF THE CITY OF KNOXVILLE – DEERBROOK DRIVE AND GLADE DRIVE

- 12-o.** An Emergency Ordinance to rezone property located on the northwest side of Deerbrook Drive, southwest of Glade Drive, from No Zone to C-3, General Commercial District and F-1, Floodway, City of Knoxville, Applicant. (MPC Approved 12-0-2) (File No. 2-E-08-RZ) (Second District)

Councilmember Pelot made a motion to approve the emergency ordinance. Vice-Mayor Brown seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-62-08.

RE: REZONING REQUEST OF THE CITY OF KNOXVILLE – CENTRAL AVENUE PIKE AND MURRAY DRIVE

- 12-p.** An Emergency Ordinance to rezone property located on the southwest side of Central Avenue Pike, northwest of Murray Drive, from No Zone to C-4, Highway and Arterial Commercial District, City of Knoxville, Applicant. (MPC Approved 12-0-2) (File No. 2-F-08-RZ) (Fifth District)

Councilmember Becker made a motion to approve the emergency ordinance. Vice-Mayor Brown seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-63-08.

RE: REZONING REQUEST OF THE CITY OF KNOXVILLE – N. CEDAR BLUFF ROAD AND CROSS PARK DRIVE

- 12-q.** An Emergency Ordinance to rezone property located northeast of N. Cedar Bluff Road, northwest of Cross Park Drive, from No Zone to C-3, General Commercial District, City of Knoxville, Applicant. (MPC Approved 12-0-2) (File No. 2-G-08-RZ) (Second District)

Councilmember Pelot made a motion to approve the emergency ordinance. Councilmember Bailey seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-64-08.

RE: REZONING REQUEST OF THE CITY OF KNOXVILLE – CALLAHAN DRIVE AND CAMPBELL LANE

- 12-r.** An Emergency Ordinance to rezone property located on the southeast side of Callahan Drive, northeast of Campbell Lane, from No Zone to C-6, General Commercial Park District, City of Knoxville, Applicant. (MPC Approved 12-0-2) (File No. 2-H-08-RZ) (Third District)

Councilmember Hall made a motion to approve the emergency ordinance. Councilmember Becker seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-65-08.

RE: REZONING REQUEST OF THE CITY OF KNOXVILLE – STRAWBERRY PLAINS PIKE AND I-40

- 12-s.** An Emergency Ordinance to rezone property located on the northwest side of Strawberry Plains Pike, south side of I-40, from No Zone to C-6, General Commercial Park District, City of Knoxville, Applicant. (MPC Approved 12-0-2) (File No. 2-L-08-RZ) (Fourth District)

Councilmember Frost made a motion to approve the emergency ordinance. Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-66-08.

RE: REZONING REQUEST OF THE METROPOLITAN PLANNING COMMISSION CURTIS LANE AREA WITHIN FOUNTAIN CITY

- 12-t.** An Ordinance to rezone the Curtis Lane area within Fountain City from R-1, Low Density Residential District to R-1EN, Established Neighborhood District, Metropolitan Planning Commission, Applicant. (MPC Approved 11-1-1) (File No. 2-M-08-RZ) (Fourth District)

Councilmember Frost made a motion to approve the ordinance on first reading. Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The ordinance was approved on first reading.

RE: COMMUNITY IMPROVEMENT (202) FUND – BLACK LAW STUDENTS ASSOCIATION (BLSA) OF THE UNIVERSITY OF TENNESSEE, COLLEGE OF LAW

12-u. An Emergency Ordinance of the Council appropriating the sum of \$250.00 from the Community Improvement (202) Fund and donating same to the Black Law Students Association (BLSA) of the University of Tennessee, College of Law. (Requested by Vice Mayor Brown)

Vice-Mayor Brown made a motion to approve the emergency ordinance. Councilmember Becker seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-67-08.

RE: COMMUNITY IMPROVEMENT (202) FUND – OPTIMIST CLUB OF MECHANICSVILLE LONSDALE

12-v. An Emergency Ordinance of the Council appropriating the sum of \$250.00 from the Community Improvement (202) Fund and donating same to the Optimist Club of Mechanicsville Lonsdale as financial assistance toward their service projects to benefit inner city children. (Requested by Vice Mayor Brown)

Vice-Mayor Brown made a motion to approve the emergency ordinance. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-68-08.

RE: COMMUNITY IMPROVEMENT (202) FUND – BEAUMONT MAGNET ELEMENTARY SCHOOL

12-w. An Emergency Ordinance of the Council appropriating the sum of \$50.00 from the Community Improvement (202) Fund and donating same to Beaumont Magnet Elementary School to be utilized as final grant match funding toward an outdoor classroom for science education. (Requested by Vice Mayor Brown)

Vice-Mayor Brown made a motion to approve the emergency ordinance. Councilmember Becker seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-69-08.

RE: COMMUNITY IMPROVEMENT (202) FUND – CENTRAL HIGH SCHOOL

12-x. An Emergency Ordinance of the Council appropriating the sum of \$200.00 from the Community Improvement (202) Fund and donating same to Central High School to be utilized toward the benefit and betterment of the school's choral program. (Requested by Councilmember Frost)

Councilmember Frost made a motion to approve the emergency ordinance. Vice-Mayor Brown seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-70-08.

RE: COMMUNITY IMPROVEMENT (202) FUND – LEGACY PARKS FOUNDATION

- 12-y.** An Emergency Ordinance of the Council appropriating the sum of \$2,000.00 from the Community Improvement (202) Fund and donating same to the Legacy Parks Foundation as financial contribution toward construction of a skate plaza/park to be located in Fountain City. (Requested by Councilmembers Pelot, Hall, Frost, Becker, Woodhull, Bailey, and Vice Mayor Brown)

Councilmember Pelot made a motion to approve the emergency ordinance.
Councilmember Frost seconded the motion.

Carolyn Perryburst thanked Council for their donation.

By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-71-08.

RE: COMMUNITY IMPROVEMENT (202) FUND – WEST HILLS ELEMENTARY SCHOOL

- 12-z.** An Emergency Ordinance of the Council appropriating the sum of \$400.00 from the Community Improvement (202) Fund and donating same to West Hills Elementary School to be utilized toward the cost of hosting a walk-a-thon fundraiser event on April 24, 2008. (Requested by Councilmembers Pelot and Hall)

Councilmember Pelot made a motion to approve the emergency ordinance.
Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-72-08.

RE: COMMUNITY IMPROVEMENT (202) FUND – NU ZETA CHAPTER OF ZETA PHI BETA SORORITY, INC.

- 12-aa.** An Emergency Ordinance of the Council appropriating the sum of \$510.00 from the Community Improvement (202) Fund and donating same to Nu Zeta Chapter of Zeta Phi Beta Sorority, Inc., to be utilized as seed money toward establishing the Lois Kelly Scholarship Fund. (Requested by Councilmembers Pelot, Frost, and Vice Mayor Brown)

Vice-Mayor Brown made a motion to approve the emergency ordinance.
Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-73-08.

RE: ELECTRONIC MESSAGE CENTERS - NINETY-DAY TEMPORARY STOPGAP MORATORIUM

- 12-bb.** An Emergency Ordinance to extend for ninety (90) additional days, the temporary stop-gap moratorium upon the issuance of new permits for the erection of electronic message centers within the City of Knoxville pending a review and potential modification of zoning requirements regulating such signs. (Requested by Councilmember Becker)

Councilmember Becker made a motion to approve the emergency ordinance.
Councilmember Hultquist seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-74-08.

13. PUBLIC FORUM

None

14. ADJOURNMENT

There being no further business to come before City Council, upon motion, the meeting adjourned at 8:30 p.m.

Presiding Officer of the Council

Recorder