

AGENDA FOR A REGULAR COUNCIL MEETING

APRIL 8, 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 Becker

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 - a. **ITEMS WITHDRAWN (Indicated with "W")**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 renewal of a Retailer's Certificate for Herman E. Gettelfinger d/b/a Turkey Creek Wine & Spirits, LLC, 10903 Turkey Drive, Knoxville, Tennessee, 37922. (Requested by Department of Finance and Accountability)

Approved

- b. An application for renewal of a Retailer's Certificate for Michael Foltz/Mike's Top Flight Wine & Spirits, LLC d/b/a Pinnacle Wine Market, 11385 Parkside Drive, Knoxville, Tennessee, 37934. (Requested by Department of Finance and Accountability)

Approved

- c. An application for renewal of a Retailer's Certificate for Robert E. Rowan d/b/a Parkway Wine & Spirits, LLC, 9409 S. Northshore Drive, Knoxville, Tennessee, 37922. (Requested by Department of Finance and Accountability)

RE: MAYOR'S REPORT

- Ken Knight, representing the Dogwood Arts Festival, presented the annual Dogwood print to City Council.
- The City of Knoxville received the annual DOE Solar America award, thanks to Madeleine Weil for finding the grant and pursuing it.
- The City of Knoxville Engineering Department held a Site Development Workshop today at the Civic Coliseum. 124 development professionals attended the workshop.
- From March 29 to April 5, city employees partnered with Habitat for Humanity to build a three-bedroom home in the Lonsdale Community.
- A City Council workshop regarding Community Development Annual Action Plan will be held Thursday, April 17 at 5:00 p.m. in the Main Assembly Room.
- A First Creek flood control plan meeting will be held April 15, 7:00 p.m. at Arlington Baptist Church.

7. REPORTS OF COUNCIL MEMBERS OR COMMITTEES:

- Councilmember Hultquist announced a public meeting on April 15, 6:30 p.m. at the South Community Center in Vestal to discuss pending issues involving the Vestal Community.
- Councilmember Frost announced that future public forums would be held in north and south Knoxville to deal with issues related to the possible closing of St. Mary's and Baptist Hospitals .
- Councilmember Becker handed out a draft ordinance regarding sidewalks and announced that it would be on the agenda in two weeks with a workshop scheduled for June.

8. ELECTIONS AND CONFIRMATIONS:

Approved: R-123-08

- a. A Resolution appointing Lewis S. Pipkin and reappointing Jane Allen and Curtis Anderson to the Knox County Tax Equalization Board. (Requested by Mayor)

Approved: R-124-08

- b. A Resolution confirming the appointment of Frank S. Hill, Sr. to the Better Building Board of the City of Knoxville. (Requested by Mayor)

Approved: R-125-08

- c. A Resolution making additional appointments to the City Council Committee on Transportation and Mobility. (Requested by Councilmember Hultquist)

9. ORDINANCES ON SECOND READING:

Postponed two (2) weeks

- a. 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)

Postponed two (2) weeks

- “P” b. 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:

Postponed two (2) weeks

- a. An Appeal by Karen O’Dell of the Metropolitan Planning Commission’s approval of a Use on Review request for a senior living facility of 194 attached and detached dwellings in an RP-1, Planned Residential District, property located on the north side of Asheville Highway, east end of Eastburn Drive. (MPC Approved 13-0) (File No. 2-H-08-UR) (Sixth District) (Consider with 11h.)

11. RESOLUTIONS:

Approved: R-126-08

- a. A Resolution authorizing the Mayor to execute all forms necessary to accept a grant in the amount of \$15,000.00 from the Department of Energy, and administered by the Tennessee Emergency Management Agency, to prepare the Knoxville-Knox County Emergency Management Agency to respond to off-site emergencies and drills involving Department of Energy facilities. (Requested by Emergency Management Agency)

Approved: R-127-08

- b. A Resolution authorizing the Mayor to execute an agreement with the State of Tennessee, Department of the Military, and the Tennessee Emergency Management Agency, in order to receive the Metropolitan Medical Response System Grant in the amount of \$258,145.25 enabling the Knoxville-Knox County Emergency Management Agency to develop plans and training, purchase equipment and conduct exercises to prepare to respond to potential mass casualty event. (Requested by Emergency Management Agency)

Approved: R-128-08

- c. A Resolution authorizing the Mayor to execute all documents necessary to accept a grant in the amount of \$10,000.00 from the Tennessee Department of Agriculture to provide funding to the East Tennessee Farmers Association for a marketing campaign to promote an open-air farmers market within the City of Knoxville. (Requested by Department of Community Development)

Approved: R-129-08

- d. A Resolution authorizing the Mayor to execute an agreement with Tennessee Asphalt Company for the 2008 Resurfacing Project for the 2008 Resurfacing Project, No. 07W-P-0444, in an amount not to exceed \$6,881,587.00. (Requested by Department of Engineering)

Approved: R-130-08

- e. A Resolution authorizing the Mayor to execute all documents necessary to purchase approximately 2.54 acres of real property and improvements located adjacent to the Knoxville Municipal Golf Course property on Schaad Road from Gary L. Roberts and Janice I. Roberts, Inc. for a total purchase price of \$115,000.00. (Requested by Department of Parks and Recreation)

Approved: R-131-08

- f. A Resolution authorizing the Mayor to execute an agreement with Rembco Geotechnical Contractors, Inc. for construction services for the Knoxville Area Transit Building Settlement Project for a cost not to exceed One Hundred Ninety Three Thousand, Three Hundred Ninety Six and 50/100 Dollars (\$193,396.50). (Requested by Operations and Efficiency, Knoxville Area Transit)

11. RESOLUTIONS (CONTINUED):

Approved: R-132-08

- g. A Resolution setting the in lieu of tax payments for the electric and gas systems of the Knoxville Utilities Board (KUB) for the fiscal year beginning July 1, 2007, and providing for allocation and distribution of such payments to the affected taxing jurisdictions. (Requested by Department of Finance and Accountability)

Postponed two (2) weeks

- h. A Resolution approving an appeal by Karen O'Dell of the Metropolitan Planning Commission's approval of a Use on Review request for a senior living facility of 194 attached and detached dwellings in an RP-1, Planned Residential District, property located on the north side of Asheville Highway, east end of Eastburn Drive. (MPC Approved 13-0) (File No. 2-H-08-UR) (Sixth District) (Consider with 10a.)

Approved: R-133-08

- i. A Resolution honoring and congratulating the Fulton High School Boys Basketball Team for winning the State AA Boys Basketball Championship. (Requested by Council)

12. ORDINANCES ON FIRST READING:

Postponed four (4) weeks

- a. 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)

Approved on first reading

- b. An Ordinance to adopt the Knoxville One Year Plan dated 2008 as prepared by the Metropolitan Planning Commission for the City of Knoxville. (MPC Approved 11-0-1) (File No. 3-A-08-OYP)

Denied

- c. 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)

Postponed two (2) weeks

- d. An Ordinance approving the request of Kelly Nichols for a One Year Plan amendment from Low Density Residential to Neighborhood Commercial for property located on the southeast side of Washington Pike, southwest side of Mill Road. (MPC Approved 13-0-2) (File No. 1-F-08-PA) (Fourth District)

12. ORDINANCES ON FIRST READING (CONTINUED):

Postponed two (2) weeks

- e. An Ordinance to rezone property located on the southeast side of Washington Pike, southwest side of Mill Road, from R-1, Low Density Residential District to C-1, Neighborhood Commercial District, Kelly Nichols, Applicant. (MPC Approved 13-0-2) (File No. 1-P-08-RZ) (Fourth District)

Approved on first reading

- f. An Ordinance to rezone property located on the south side of Western Avenue, west side of Tennessee Avenue, from I-3, General Industrial District to O-2, Civic and Institutional District, Cambridge Development, Applicant. (MPC Approved 11-0-1) (File No. 3-J-08-RZ) (Third District)

Approved: O-86-08

- g. An Emergency Ordinance of the Council appropriating the sum of \$1,000.00 from the Community Improvement (202) Fund and donating same to Lonsdale United For Change (LUFC) to be utilized toward their 3rd annual cleanup, community event. (Requested by Councilmembers Pelot, Hall, Frost, Becker, and Vice Mayor Brown)

Withdrawn

- “W” h. An Emergency Ordinance of the Council appropriating the sum of \$1,500.00 from the Community Improvement (202) Fund and donating same to the Oakwood-Lincoln Park Neighborhood Association in support of fundraising efforts to further benefit certain 5th grade students, attending Christenberry Elementary School. (Requested by Councilmembers Pelot, Hall, Frost, Becker, Woodhull, and Vice Mayor Brown)

Approved: O-87-08

- i. An Emergency Ordinance of the Council appropriating the sum of \$700.00 from the Community Improvement (202) Fund and donating same to Sterchi Elementary School to be utilized toward their 5K race fundraiser event with proceeds to resurface the school’s track. (Requested by Councilmembers Pelot, Hall, Frost, and Becker)

Approved: O-88-08

- j. An Emergency Ordinance of the Council appropriating the sum of \$1,700.00 from the Community Improvement (202) Fund and donating same to the Fulton High School to purchase certain needed equipment to benefit the school’s baseball program. (Requested by Councilmembers Pelot, Hall, Frost, Becker, Woodhull, and Vice Mayor Brown)

12. ORDINANCES ON FIRST READING (CONTINUED):

Approved: O-89-08

- k. An Emergency Ordinance of the Council appropriating the sum of \$500.00 from the Community Improvement (202) Fund and donating same to the Boys and Girls Clubs of Greater Knoxville, Inc. to be utilized toward a capital need to benefit the Caswell Avenue Club. (Requested by Councilmember Bailey)

Approved: O-90-08

- l. An Emergency Ordinance of the Council appropriating the sum of \$1,750.00 from the Community Improvement (202) Fund and donating same to the Boys and Girls Clubs of Greater Knoxville, Inc., toward continuation of inner city youth services and programs. (Requested by Councilmembers Pelot, Hall, Frost, Becker, Woodhull, and Vice Mayor Brown)

Approved: O-91-08

- m. An Emergency Ordinance of the Council appropriating the sum of \$400.00 from the Community Improvement (202) Fund and donating same to West High School to be utilized toward their Project Graduation Celebration for the Class of 2008. (Requested by Councilmembers Pelot, Hall, and Frost)

13. PUBLIC FORUM:

None.

14. ADJOURNMENT: 9:35 p.m.