

REVISED

AGENDA FOR A REGULAR COUNCIL MEETING

APRIL 22, 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 Frost

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 - a. **ITEMS WITHDRAWN (Indicated with “W”)**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:

No City Council action required

- a. Appointment of Norman Watkins as the resident commissioner on the Knoxville's Community Development Corporation Board of Commissioners for a term ending January 1, 2010.
- May 1 will be the Mayor's Budget Luncheon at Sysco beginning at noon.
 - A Cumberland Avenue visual will be available to view April 24 from 5:00 –7:00 at the Downtown Design Studio, 500 Gay Street.
 - The Lonsdale United For Change cleanup and picnic will take place April 26 from 10:00 a.m. to 2:00 p.m.
 - April 26 will be Earthfest, a City sponsored event at Pellissippi State from 11:00 a.m. until 7:00 p.m.
 - May 1 will be the closing of I-40 from James White Parkway to Cherry Street.
 - Community Television of Knoxville has begun live streaming and archiving the City Council and County Commission meetings on the internet. Access the meetings at www.ctvknox.org

7. REPORTS OF COUNCIL MEMBERS OR COMMITTEES:

- Councilmember Becker discussed the St Mary's/Baptist Hospital issue and talked about establishing a community task force.
- Councilmember Hultquist announced that the State of Tennessee Department of Tourism would be hosting a Sustainable Tourism Summit on April 28 & 29 at the Knoxville Convention Center.
- Mayor Haslam recognized the Ice Bears Hockey Team for winning the 2008 League Playoff Championship and the 2008 Regular Season Championship.

8. ELECTIONS AND CONFIRMATIONS:

None.

9. ORDINANCES ON SECOND READING:

Approved: O-92-08

- 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)

9. ORDINANCES ON SECOND READING (CONTINUED):

Postponed to June 17, 2008

- 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)

Postponed four (4) weeks

- “P”
- c. 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)

Approved: O-93-08

- d. 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)

Approved: O-94-08

- e. 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)

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

A portion of the appeal was approved and a portion of the appeal was denied with new and amended conditions associated with the development plan as a UOR.

- 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 11k.)

11. RESOLUTIONS:

Approved: R-134-08

- a. A Resolution authorizing the Mayor to execute and deliver a compromise and settlement agreement with Knology of Knoxville, Inc. related to liquidated damages and completion of Knology’s cable system within the city limits of Knoxville. (Requested by Law Department)

11. RESOLUTIONS (CONTINUED):

Approved: R-135-08

- b. A Resolution approving a contract between the City and Professional Computer Software Services, Inc. to provide the City of Knoxville with a municipal court software system to track and manage court citations as well as establish a system for remote entry of citations for a contract price not to exceed Four Hundred and Fifty Thousand and no/100 Dollars (\$450,000.00). (Requested by Department of Information Systems)

Approved: R-136-08

- c. A Resolution authorizing the submission of the 2008-2009 Action Plan to the Consolidated Plan for Housing and Community Development to the U.S. Department of Housing and Urban Development and authorizing the Mayor to execute any required documents under the Community Development Block Grant, HOME Investment Partnerships Act, American Dream Downpayment Initiative, Fair Housing Assistance and Emergency Shelter Grant programs. (Requested by Department of Community Development)

Postponed to June 17, 2008

- d. A Resolution requesting and encouraging the executive director and the professional staff at the Metropolitan Planning Commission to study, evaluate and analyze the feasibility and potential for adopting a comprehensive sidewalk ordinance for the City of Knoxville. (Requested by Councilmember Becker)

Approved: R-137-08

- e. A Resolution authorizing the Mayor to execute Contract No. 070164 with State of Tennessee, Department of Transportation to upgrade signal timing along Washington Pike from Greenway Drive to Mall Road South, and along Millertown Pike from Loves Creek Road to Mall Road South, Project Identification No. 109012.00. (Requested by Department of Engineering)

Approved: R-138-08

- f. A Resolution authorizing the Mayor to execute Agreement No. 070186 with State of Tennessee, Department of Transportation to upgrade signal timing at various intersections within the City of Knoxville, Project ID# 108732.00. (Requested by Department of Engineering)

Approved: R-139-08

- g. A Resolution authorizing the Mayor to approve Change Order No. 1 to Contract No. C-07-0139 between the City of Knoxville and Vaughn & Melton, Inc. for the First Creek Channel Improvements, Phase II, so as to increase the contract price by \$149,785.00 for a new contract price of \$358,365.00 and to increase the contract time by 365 days to December 31, 2009. (Requested by Department of Engineering)

11. RESOLUTIONS (CONTINUED):

Approved: R-140-08

- h. A Resolution authorizing the Mayor to execute any and all documents to accept a special legislative appropriation grant in the amount of Four Hundred and Eight Thousand One Hundred and Five and 15/100 Dollars (\$408,105.15) from the Tennessee Department of Transportation to provide funding to Knoxville Area Transit for capital grant assistance. (Requested by Operations and Efficiency, Knoxville Area Transit)

Approved: R-141-08

- i. A Resolution authorizing the Mayor to execute any and all documents to accept a grant award in the amount of One Hundred Forty-two Thousand, Five Hundred Seventy-one and 00/100 Dollars (142,571.00) from the Department of Transportation, United States of America, and State of Tennessee, to provide funding to Knoxville Area Transit in order to provide night and Sunday transit service. (Requested by Operations and Efficiency, Knoxville Area Transit)

Approved: R-142-08

- j. A Resolution approving a sales agreement between the City of Knoxville and the City of Alcoa transferring a 1996 E-One Bronto ladder truck from the City of Knoxville to the City of Alcoa for a purchase price of \$240,000. (Requested by Fire Department)

A portion of the appeal was approved and a portion of the appeal was denied with new and amended conditions associated with the development plan as a UOR. R-143-08

- k. 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-144-08

- "*" l. A Resolution granting a pension of \$1,687.83 per month to Donna Lisa Betschart, an employee of the Knoxville Police Department. (Requested by Pension Board)

Approved: R-145-08

- "*" m. A Resolution granting a pension of \$1,134.70 per month to Glenn E. Owen, an employee of the Knoxville General Government. (Requested by Pension Board)

11. RESOLUTIONS (CONTINUED):

- Approved: R-146-08**
- "*" n. A Resolution granting a pension of \$149.74 per month to Alfred L. Nance, an employee of the former Knoxville City School System. (Requested by Pension Board)
- Approved: R-147-08**
- "*" o. A Resolution granting a pension of \$2,585.24 per month to James M. Porter, an employee of the Knoxville General Government. (Requested by Pension Board)
- Approved: R-148-08**
- "*" p. A Resolution granting a pension of \$989.46 per month to Martha Jane Shannon, an employee of the Knoxville General Government. (Requested by Pension Board)
- Approved: R-149-08**
- q. A Resolution honoring and congratulating the University of Tennessee Lady Vols basketball team for winning the 2008 NCAA Women's Basketball National Championship. (Requested by Council)
- Approved: R-150-08**
- r. A Resolution authorizing the Mayor to execute a revised lease purchase equipment agreement between the City of Knoxville and Smith Turf & Irrigation for equipment necessary to operate and maintain the City's two public golf courses and an assignment of payments to General Electric Capital Corporation and rescinding Resolution R-87-08 approving the original lease purchase agreement. (Requested by Department of Parks and Recreation)

12. ORDINANCES ON FIRST READING:

- Approved on first reading**
- a. An Ordinance to amend Chapter 17, Article VI of the Knoxville City Code, so as to regulate the booting of vehicles parked within the city limits of Knoxville. (Requested by Police Department)
- Withdrawn**
- b. 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):

Approved on first reading

- c. 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: O-95-08

- d. An Emergency Ordinance of the Council appropriating the sum of \$500.00 from the Community Improvement (202) Fund and donating same to the Historic Tennessee Theatre Foundation to be utilized toward the Youth Arts Alliance, Education Partnership program. (Requested by Councilmember Pelot)

Approved: O-96-08

- e. An Emergency Ordinance of the Council appropriating the sum of \$1,300.00 from the Community Improvement (202) Fund and donating same to the Knoxville Challenger League, Inc., as financial support toward the youth baseball programs. (Requested by Councilmembers Pelot, Hall, Frost, Becker, and Woodhull)

Approved: O-97-08

- f. An Emergency Ordinance of the Council appropriating the sum of \$900.00 from the Community Improvement (202) Fund and donating same to the Knox County Public Library, as financial support toward the Summer 2008 Children's Festival of Reading event. (Requested by Councilmembers Pelot, Hall, Frost, Becker, and Woodhull)

Approved: O-98-08

- g. An Emergency Ordinance of the Council appropriating the sum of \$950.00 from the Community Improvement (202) Fund and donating same to Central High School to be utilized toward the purchase of a laminating machine. (Requested by Councilmembers Pelot, Hall, Frost, Becker, and Woodhull)

Approved: O-99-08

- h. An Emergency Ordinance of the Council appropriating the sum of \$150.00 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 Councilmember Frost)

13. PUBLIC FORUM:

Alonzo Montgomery

14. ADJOURNMENT: 10:06 p.m.

