

**AGENDA FOR A REGULAR COUNCIL MEETING**

**MAY 6, 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 Bailey
  
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  - a. **ITEMS WITHDRAWN (Indicated with “W”)**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 Southside Package Store located at 3223 Chapman Highway, Knoxville, Tennessee, 37920, owned by Carolyn Hicks, Administrator of the Estate of William M. Scates. (Requested by Department of Finance and Accountability)

**7. REPORTS OF COUNCIL MEMBERS OR COMMITTEES:**

- Vice-Mayor Brown gave kudos to Hubert Smith for his award winning radio show.
- Vice-Mayor Brown asked Chris Woodhull to lead in prayer for Councilmember Pelot's daughter Laurie who is in intensive care at Parkwest Hospital.
- Councilmember Pelot discussed the recent groundbreaking for the FBI facility in the Third District.
- Councilmember Roddy stated that a public meeting to discuss the city's Public Arts Policy would be held May 15, 2008 at 5:00 p.m. in the Small Assembly Room.
- Councilmember Hultquist announced that a public meeting to discuss the Flenniken School property would be held May 19, 2008 at 6:30 p.m. at the South Knoxville Recreation Center.

**8. ELECTIONS AND CONFIRMATIONS:**

None.

**9. ORDINANCES ON SECOND READING:**

**Amended and referred back to the Wrecker Commission for further review**

- 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)

**Approved: O-100-08**

- b. 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)

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

**Appeal approved**

- a. An Appeal by Faris Eid for Design Innovation Architects of the Board of Zoning Appeals denial of variances to reduce the minimum width of ramps between parking levels from 26 feet to 19 feet for two-way operation, and to reduce the minimum clear distance between columns of a module from 60 feet to 57 feet (Article 5, Section 7.A.4.d.1 (table) and 2) for a 10 story condominium building and a 4-story parking garage, property located at 1735 Lake Avenue (108CE016), in a C-7, Pedestrian Commercial District. (BZA Denied 2-1) (File No. 4-C-08-VA) (First District) (Consider with 11f.)

**11. RESOLUTIONS:**

**Approved: R-151-08**

- a. A Resolution of the Council of the City of Knoxville authorizing the Mayor to execute an Agreement with Knoxville's Community Development Corporation (KCDC) to provide Empowerment Zone funding in an amount not to exceed \$500,000.00 for the Vestal Commercial Redevelopment Project located in the Vestal business district near the intersection of W. Martin Mill Pike and Ogle Avenue. (Requested by Department of Community Development)

**Approved: R-152-08**

- b. A Resolution approving a contract with Knoxville-Knox County Community Action Committee for programming in the J.T. O'Connor Senior Citizen Center (\$138,000). (Requested by Department of Parks and Recreation)

**Approved: R-153-08**

- c. A Resolution authorizing the Mayor to execute an agreement to lease the Deane Hill Recreation Center addition to the Knoxville Association of Bridge Clubs, Inc. (Requested by Department of Parks and Recreation)

**Approved: R-154-08**

- d. A Resolution approving an agreement for a neighborhood park on Highland Avenue. (Requested by Department of Parks and Recreation)

**Approved: R-155-08**

- e. A Resolution approving Change Order 2 with Design and Construction Services for the Ten Mile Creek Greenway Project. This change order increases the contract price by \$172,148.00 for a new contract total of \$685,148.090. The contract time will be extended by 153 calendar days for a new completion date of August 31, 2008. (Requested by Department of Engineering)

**11. RESOLUTIONS (CONTINUED):**

**Approved: R-156-08**

- f. A Resolution approving an appeal by Faris Eid for Design Innovation Architects of the Board of Zoning Appeals denial of variances to reduce the minimum width of ramps between parking levels from 26 feet to 19 feet for two-way operation, and to reduce the minimum clear distance between columns of a module from 60 feet to 57 feet (Article 5, Section 7.A.4.d.1 (table) and 2) for a 10 story condominium building and a 4-story parking garage, property located at 1735 Lake Avenue (108CE016), in a C-7, Pedestrian Commercial District. (BZA Denied 2-1) (File No. 4-C-08-VA) (First District) (Consider with 10a.).

**12. ORDINANCES ON FIRST READING:**

**Failed due to lack of motion**

- 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 making and fixing the annual appropriations for the several departments, agencies, and funds of the City of Knoxville for the fiscal period beginning July 1, 2008 and ending June 30, 2009. (Requested by Department of Finance and Accountability)

**Approved on first reading**

- c. An Ordinance to levy a tax of \$2.81 per \$100 of assessed valuation on all taxable properties, real, personal and mixed, within the corporate limits of the City of Knoxville to provide sufficient revenues to fund the General Fund and Debt Service Fund operations and debt service obligations of the City of Knoxville for the fiscal period beginning July 1, 2008 and ending June 30, 2009. (Requested by Department of Finance and Accountability)

**Approved on first reading**

- d. An Ordinance to amend Sections 2-449, 2-450, 2-454, 2-458, 2-459, 2-461, and 2-462 of the Code of the City of Knoxville to adjust the City of Knoxville's classification and compensation plans for general government employees and uniformed members of the police and fire departments. (Requested by Civil Service)

**Approved on first reading**

- e. An Ordinance to amend the Knoxville City Code, Chapter 17, Article II, Division 4, relative to operation of the vehicle impound lot. (Requested by Law Department)

**12. ORDINANCES ON FIRST READING (CONTINUED):**

**Postponed to July 1, 2008**

- f. An Ordinance to amend the Knoxville City Code, Appendix B, "Zoning Regulations", Article II, Article IV, Sections 2.G., 2a.G., 2b.F., and 2c.G., to restrict parking in front yards in R-1, R-1A, R-1E, and R-1EN zoning districts. (MPC Approved 12-0-1) (File No. 2-C-08-OA)

**Approved on first reading**

- g. An Ordinance to amend the City of Knoxville Zoning Ordinance, Article I, Section 1, Article III, Section 4, Article IV, Section 9, Article V, Section 5, and related sections removing stories as a criteria for determining building height and utilizing feet to determine height. (MPC Approved 12-0-1) (File No. 4-A-08-OA)

**Postponed two (2) weeks**

- h. An Ordinance to rezone property located at the northwest side of Millertown Pike, northwest of Amelia and Spring Hill Roads, from R-1, Low Density Residential District to O-1, Office, Medical, and Related Services District, subject to limiting access to Millertown Pike (prohibiting access to Corbitt Drive), Dr. Steve Copeland, Applicant. (MPC Approved 13-0) (File No. 3-H-08-RZ) (Fourth District)

**Approved on first reading**

- i. An Ordinance approving the request of Stephen Ridenour for a One Year Plan amendment from Low Density Residential to Light Industrial for property located on the south side of Old Amherst Road, southwest of Amherst Road. (MPC Approved 12-1) (File No. 4-A-08-PA) (Third District)

**Approved on first reading**

- j. An Ordinance to rezone property located on the south side of Old Amherst Road, southwest of Amherst Road from R-1, Low Density Residential District to I-3, General Industrial District, Stephen Ridenour, Applicant. (MPC Approved 12-1) (File No. 4-A-08-RZ) (Third District)

**Approved: O-101-08**

- k. An Emergency Ordinance approving the request of the City of Knoxville for a One Year Plan amendment from Office to Central Business District for property located on the northwest side of Church Avenue, between S. Central Street and S. Hall of Fame Drive. (MPC Approved 12-0-1) (File No. 4-B-08-PA) (Sixth District)

**12. ORDINANCES ON FIRST READING (CONTINUED):**

**Approved: O-102-08**

- l. An Emergency Ordinance to rezone property located on the northwest side of Church Avenue between S. Central Street and S. Hall of Fame Drive from O-1, Office, Medical, and Related Services District to C-2, Central Business District, City of Knoxville, Applicant. (MPC Approved 12-0-1) (File No. 4-I-08-RZ) (Sixth District)

**Approved: O-103-08**

- m. An Emergency Ordinance of the Council appropriating the sum of \$250.00 from the Community Improvement (202) Fund and donating same to Knox Heritage, Inc. to be utilized as support toward their 2008 summer supper series events. (Requested by Councilmember Frost)

**Approved: O-104-08**

- n. An Emergency Ordinance of the Council appropriating the sum of \$300.00 from the Community Improvement (202) Fund and donating same to the YMCA of Metropolitan Knoxville, as capital campaign support, related to the East Knoxville Cansler Branch. (Requested by Vice Mayor Brown)

**Approved: O-105-08**

- o. An Emergency Ordinance of the Council appropriating the sum of \$1,000.00 from the Community Improvement (202) Fund and donating same to Knoxville-Knox County Community Action ommittee for the benefit of the Beardsley Community Farm Festival. (Requested by Councilmembers Hultquist, Pelot, Hall, Frost, Becker, and Woodhull)

**Approved: O-106-08**

- p. An Emergency Ordinance of the Council appropriating the sum of \$600.00 from the Community Improvement (202) Fund and donating same to the Great Smoky Mountain Council-Boy Scouts of America to be utilized toward inner city youth programs, Chehote Distrist. (Requested by Councilmembers Hall, Frost, and Becker)

**Approved: O-107-08**

- q. An Emergency Ordinance of the Council appropriating the sum of \$400.00 from the Community Improvement (202) Fund and donating same to the Joy of Music School to be utilized toward their various music education programs. (Requested by Councilmember Pelot)

**12. ORDINANCES ON FIRST READING (CONTINUED):**

**Approved: O-108-08**

- r. An Emergency Ordinance of the Council appropriating the sum of \$1050.00 from the Community Improvement (202) Fund and donating same to the Fulton High School Alumni Association to defray certain expenses of hosting a parade event in honor of the Fulton High School Boys Basketball Team. (Requested by Councilmembers Pelot, Frost, Becker, and Woodhull)

**Approved: O-109-08**

- s. An Emergency Ordinance of the Council appropriating the sum of \$200.00 from the Community Improvement (202) Fund and donating same to the Knoxville Symphony Society, Inc. to be utilized as financial assistance toward their annual support drive. (Requested by Councilmember Pelot)

**13. PUBLIC FORUM:**

Larry Wilson, Advanced Alarm Systems  
Larry Ross, TN Security Dealers Alliance

**14. ADJOURNMENT: 9:30 p.m.**