

MARKED

AGENDA FOR A REGULAR COUNCIL MEETING

JULY 29, 2008

7:00 PM

ORDER OF BUSINESS

Mayor Haslam addressed the recent shooting at the Tennessee Valley Unitarian Universalist Church.

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

2. **INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG:**
Councilmember Pelot and Vice-Mayor Brown

3. **ROLL CALL:** Councilmember Roddy and Councilmember Woodhull were absent

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 - a. **ITEMS WITHDRAWN (Indicated with "W")**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 "S")**

6. MAYOR'S REPORT:

Approved

- a. An application for a Certificate of Good Moral Character for William Edward Cosey, for the sale of alcoholic beverages at the private club, Fraternal Order of Eagles #2698, 203 Walnut Street, Knoxville, Tennessee, 37902 (Requested by Department of Finance and Accountability)

Approved

- b. An application for renewal of a Certificate of Compliance for Lloyd C. Davis, Jr. d/b/a Warehouse Liquors, 7587 S. Northshore Drive, Knoxville, Tennessee, 37919. (Requested by Department of Finance and Accountability)

Approved

- c. An application for renewal of a Certificate of Compliance for Earl Ignatius Gettelfinger d/b/a McScrooge's Wine Boutique & Liquor Warehouse, Inc., 307 N. Peters Road, Knoxville, Tennessee, 37922. (Requested by Department of Finance and Accountability)

**Mayor Haslam officially welcomed back Councilman Steve Hall to the City Council meeting. Councilman Hall had been recuperating from many broken bones received in a serious motorcycle accident.

**A celebration to mark the 3-year renovation of Lonsdale Homes was held today in Lonsdale.

**Public meetings were held last week regarding Downtown North and Cumberland Avenue. Thank you to City Council and the neighborhoods for their support.

7. REPORTS OF COUNCIL MEMBERS OR COMMITTEES:

Councilmember Becker invited everyone to Lonsdale Homecoming taking place August 1, 2 & 3.

Vice-Mayor Brown stated that Catherine Brunson from the Metropolitan Drug Commission asked him to announce that nominations for the Governor's Volunteer Star Awards were due August 29. To nominate someone access www.metrodrug.org

Vice-Mayor Brown addressed a petition he received from AT&T regarding cable television. Vice-Mayor Brown requested copies of any information the administration has regarding geographic build-out areas proposed by AT & T.

Larry Martin, and Councilmember Pelot also addressed the AT & T issue.

Councilmember Pelot announced that Saturday, August 2 would be the annual Gazebo Run in West Hills Park.

Councilmember Frost welcomed Councilmember Steve Hall back to City Council and then addressed the shooting tragedy at the Tennessee Valley Unitarian Universalist Church.

8. ELECTIONS AND CONFIRMATIONS:

Approved: R-238-08

- a. A Resolution appointing Mary Lou Crider to serve as a member of the Citizens Advisory Committee to the Knoxville Area Transit Authority. (Requested by Councilmember Becker)

Approved: R-239-08

- b. A Resolution appointing Richard Vaura to serve as a member of the Citizens Advisory Committee to the Knoxville Area Transit Authority. (Requested by Councilmember Bailey)

9. ORDINANCES ON SECOND READING:

Withdrawn

- a. An Ordinance to amend Ordinance No. O-107-07 entitled “An Ordinance of the Council of the City of Knoxville 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 and 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 Section 703 of said Charter in order to provide that nonresident property owners shall cast ballots in any City election only by mail in a manner to be prescribed by the State Coordinator of Elections; and further providing for the submission of this Ordinance to the qualified voters of the City of Knoxville for approval as provided in Article XI, Section 9 of the Constitution of the State of Tennessee” pertaining to election date. (Requested by Vice Mayor Brown)

Postponed two (2) weeks

- b. An Ordinance to close a portion of the turn-around at the end of a 10 foot alley off Eighteenth Street, subject to conditions, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, Fort Sanders Regional Medical Center, Applicant. (MPC Approved 13-0) (File No. 6-A-08-AC) (First District)

Approved: O-153-08

- c. An Ordinance to close Clinch Avenue from James White Parkway to S. Hall of Fame Drive, and authorizing the Mayor to execute a quitclaim deed to the adjacent Knoxville Station Transit Center property, City of Knoxville, Applicant. (MPC Approved 13-0) (File No. 6-A-08-SC) (Sixth District)

9. ORDINANCES ON SECOND READING (CONTINUED):

Approved: O-154-08

- d. An Ordinance to rezone property located on the northwest side of Millertown Pike, northwest of Amelia Road and Spring Hill Road, from R-1, Low Density Residential District to C-1, Neighborhood Commercial District, subject to limiting access to Millertown Pike (prohibiting access to Corbitt Drive) and maintaining a continuous landscape buffer along the east and north property lines, C. Edward Daniel, Applicant. (MPC Approved 13-0) (File No. 3-H-08-RZ) (Fourth District)

Approved: O-155-08

- e. An Ordinance to rezone property located on the northwest side of W. Anderson Avenue, southwest of N. Central Street, from I-2, Restricted Manufacturing and Warehousing District to C-3, General Commercial District, Anderson Avenue Properties, Applicant. (MPC Approved 13-0) (File No. 6-B-08-RZ) (Fourth District)

Approved: O-156-08

- f. An Ordinance to rezone property located on the northwest side of Callahan Drive, northeast and southeast sides of Old Callahan Drive, from C-4, Highway and Arterial Commercial District and C-6, General Commercial Park District to C-3, General Commercial District, Jeff Huffaker, Applicant. (MPC Approved 13-0) (File No. 6-C-08-RZ) (Third District)

Approved: O-157-08

- g. An Ordinance to rezone property located on the northwest side of McCampbell Drive, northwest of Washington Pike, southwest of Murphy Road, from A-1, General Agricultural District to C-3, General Commercial District, Coventry Creek, LLC, Applicant. (MPC Approved 13-0) (File No. 6-D-08-RZ) (Fourth District)

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

Postponed four (4) weeks

- a. An Appeal by Jim Bletner, on behalf of the Kingston Pike/Sequoyah Hills Homeowners Association, of the Metropolitan Planning Commission's decision to approve a Use on Review request for a financial planning office as a home occupation subject to seven conditions, property located on the northwest side of Lyons View Pike, southwest of Colony Way. (MPC Approved 7-5) (File No. 6-A-08-UR) (Second District) (Consider with 11v.)

11. RESOLUTIONS:

Approved: R-240-08

- a. A Resolution approving a tax increment financing amendment to the Gay Street Redevelopment and Urban Renewal Plan to support the redevelopment of real property located in the redevelopment area known as the S&W Cafeteria/Athletic House/WROL buildings located at 516, 518, 522 and 524 South Gay Street. (Requested by Department of Policy and Communications)

Approved: R-241-08

- b. A Resolution (1) authorizing one or more loans under one or more loan agreements between the City of Knoxville, Tennessee and a Tennessee Public Building Authority in an aggregate principal amount of not to exceed Thirty-Four Million Five Hundred Thousand Dollars (\$34,500,000) to refinance the municipality's outstanding series III-F Loan Agreement and (2) authorizing the execution and delivery of one or more loan agreements and other documents relating to said borrowings; providing for the application of the proceeds of said borrowings and the payment of the municipality's obligations under the loan agreements; and consenting to the assignment of the municipality's obligations under the loan agreements. (Requested by Department of Finance and Accountability)

Approved: R-242-08

- c. A Resolution honoring the memory of the late Martha Phillips and extending its sincere condolences and sympathy to the members of her family upon the occasion of her passing. (Requested by Council)

Approved: R-243-08

- d. A Resolution honoring the memory of the late Harold Shersky and offering sincere condolences and sympathy to the members of his family upon the occasion of his passing. (Requested by Council)

Approved: R-244-08

- e. A Resolution congratulating Walgreens upon their plans to open five walk-in medical clinics in Knoxville stores and requesting and encouraging Walgreens to extend this service to locations in East Knoxville neighborhoods. (Requested by Councilmember Frost and Vice Mayor Brown)

Approved: R-245-08

- f. A Resolution urging and requesting the United States Environmental Protection Agency to carefully reconsider policies which would exacerbate pollution problems in national parks and wilderness areas and respectfully requesting the Tennessee Congressional Delegation to actively support Environmental Protection Agency policies which will afford environmental protection to our rare national resources. (Requested by Councilmembers Becker, Woodhull and Hultquist)

11. RESOLUTIONS (CONTINUED):

Approved: R-246-08

- g. A Resolution authorizing the Mayor to execute an agreement with Knoxville Knox County Metropolitan Planning Commission to provide \$150,000.00 in Empowerment Zone funding for assistance in planning, implementing, and evaluating economic development and revitalization projects within Knoxville's Empowerment Zone. (Requested by Department of Community Development)

Approved as corrected: R-247-08

- h. A Resolution authorizing the Mayor to execute an agreement with Pellissippi State Technical Community College to provide HUD Empowerment Zone grant funds in an amount not to exceed \$220,000.00 to allow Pellissippi State Technical Community College to continue to operate the Heart of Knoxville Career and Resource Center. (Requested by Department of Community Development)

Approved: R-248-08

- i. A Resolution authorizing the Mayor to execute an agreement, with addenda, with West, a Thomson Reuters business, for on-line legal research services, in an initial amount not to exceed \$2575 per month, or \$30,900 per year. (Requested by Law Department)

Approved: R-249-08

- j. A Resolution authorizing the Mayor to execute an agreement between the City of Knoxville and Concessions and Catering by Cox for the provision of food, beverage and catering services for Chilhowee Park and Exposition Center for a period of five years. (Requested by Public Assembly Facilities)

Approved: R-250-08

- k. A Resolution approving an agreement with Ovations Food Services, L.P. for food, beverage and related concession services for the Knoxville Civic Coliseum/Auditorium. (Requested by Public Assembly Facilities)

Approved: R-251-08

- l. A Resolution supplementing Resolution No. 1644 adopted by the City Council of the City of Knoxville, Tennessee on January 4, 1949 entitled "A Resolution providing for the issuance of Electric Revenue Bonds" so as to provide for the issuance of not to exceed Forty Million Dollars (\$40,000,000) of Electric System Revenue Bonds, Series Y-2008. (Requested by Department of Finance and Accountability)

11. RESOLUTIONS (CONTINUED):

Approved: R-252-08

- m. A Resolution supplementing Resolution No. R-129-90 adopted by the City Council of the City of Knoxville, Tennessee on May 15, 1990 providing for the issuance of not to exceed Seventy-Five Million Dollars and no/100 (\$75,000,000) of Wastewater System Revenue Bonds, Series 2008. (Requested by Department of Finance and Accountability)

Approved: R-253-08

- n. A Resolution authorizing the Mayor to execute an agreement with Baseline Sports Construction in an amount not to exceed \$71,526.00, to renovate and resurface the tennis courts located at Whitlow Logan Park and Edgewood Park. (Requested by Department of Parks and Recreation)

Approved: R-254-08

- o. A Resolution authorizing the Mayor to approve Change Order No. 1 to Contract No. C-08-0226 between the City of Knoxville and Rogers Group, Inc. for the 2008 Resurfacing Project, No. 07W-P-0444, to account for escalating asphalt prices, so as to increase the contract price by \$907,979.76 for a new contract price of \$7,789,566.76. (Requested by Department of Engineering)

Approved: R-255-08

- p. A Resolution authorizing the Mayor to execute a local agency project agreement with the Tennessee Department of Transportation for State Project Identification No. 110670.00, Contract No. 080047, for the Safe Routes to School Project at Beaumont Elementary School. (Requested by Department of Engineering)

Approved: R-256-08

- q. A Resolution authorizing the Mayor to request the Public Building Authority of the County of Knox and the City of Knoxville, Tennessee, to perform project management services for the Lyons View School Building Roof Project under the agreement for project management services for designated projects, at a budgeted amount not to exceed \$49,905.00. (Requested by Department of Public Service)

Approved: R-257-08

- r. A Resolution authorizing the Mayor to execute an agreement with Computer Sciences Corporation for computer support services which will enable the City to track and analyze workers' compensation and liability claims for a period of five years. (Requested by Department of Finance and Accountability)

Approved: R-258-08

- s. A Resolution authorizing the Mayor to execute an agreement with MCMC LLC to provide medical bill review services for City of Knoxville's workers' compensation claims for a projected annual cost of \$175,000.00 with a term of five years. (Requested by Department of Finance and Accountability)

11. RESOLUTIONS (CONTINUED):

Approved: R-259-08

- t. A Resolution authorizing the Mayor to file a grant application with the Tennessee Department of Agriculture, Forestry Division, 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 Public Service)

Approved: R-260-08

- u. A Resolution authorizing the Mayor to execute an agreement with 500 Block, LLC to permit certain encroachments into the right-of-way of the 500 Block of Gay Street, CLT #095IG021, #095IG022, and #095IG023. (Requested by Department of Engineering)

Postponed four (4) weeks

- v. A Resolution approving an appeal by Jim Bletner, on behalf of the Kingston Pike/Sequoyah Hills Homeowners Association, of the Metropolitan Planning Commission's decision to approve a Use on Review request for a financial planning office as a home occupation subject to seven conditions, property located on the northwest side of Lyons View Pike, southwest of Colony Way. (MPC Approved 7-5) (File No. 6-A-08-UR) (Second District) (Consider with 10a.)

Approved: R-261-08

- "*" w. A Resolution granting a pension of \$201.17 per month to Rose Mary Thompson, an employee of the former Knoxville City School System. (Requested by Pension Board)

Approved: R-262-08

- "*" x. A Resolution granting a pension of \$1,234.19 per month to Robert L. Evans, an employee of the Knoxville General Government. (Requested by Pension Board)

12. ORDINANCES ON FIRST READING:

Approved: O-158-08

- a. An Emergency Ordinance of the Council appropriating the sum of \$1,400.00 from the Community Improvement (202) Fund and donating same to the Fulton High School Alumni Association to be utilized toward certain mailing costs and other fundraising activities. (Requested by Councilmembers Pelot, Hall, Frost, Becker, Woodhull, and Vice Mayor Brown)

12. ORDINANCES ON FIRST READING (CONTINUED):

Approved: O-159-08

- b. An Emergency Ordinance of the Council appropriating the sum of \$1,400.00 from the Community Improvement (202) Fund and donating same to the Fraternal Order of Police Volunteer Lodge #2, as financial assistance toward their “Back to School Shop with a Cop” program. (Requested by Councilmembers Pelot, Hall, Frost, Becker, Woodhull, and Vice Mayor Brown)

Approved: O-160-08

- c. An Emergency Ordinance of the Council appropriating the sum of \$700.00 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-161-08

- d. An Emergency Ordinance of the Council appropriating the sum of \$1,600.00 from the Community Improvement (202) Fund and donating same to the Lonsdale Community Development Corporation to be utilized toward expenses related to the Annual Community Homecoming Celebration. (Requested by Councilmembers Pelot, Hall, Frost, Becker, Woodhull, and Vice Mayor Brown)

13. PUBLIC FORUM:

Nora Cooper

14. ADJOURNMENT: 8:00 p.m.