

**MARKED  
AGENDA FOR A REGULAR COUNCIL MEETING**

**AUGUST 12, 2008**

**7:00 PM**

**ORDER OF BUSINESS**

1. **CALL TO ORDER:** Mayor Bill Haslam
  
2. **INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG:**  
Councilman Barbara Pelot  
Councilman Joe Bailey
  
3. **ROLL CALL:** All present
  
4. **APPROVAL OF MINUTES:** OK
  
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  - a. **ITEMS WITHDRAWN (Indicated with "W")**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:**

Mayor announced that yesterday (8/11) was Bob Becker's birthday  
Mayor announced following walking tours: 1)8/14 Westwood Neighborhood 5:30 pm,  
5719 Kingston Pk; 2) North Hills 8/18 North Hills 5:30, N. Hills Park  
Mayor announced an on-line registration for March 29 Covenant Health Marathon

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

Cm. Hultquist two public mtgs. On S. Waterfront: 1) 8/21 at 6pm at Kerbela Temple  
Re: Vaughn & Melton design; 2) 8/28 at 6pm at Kerbela Temple, Re: Hargreaves  
preliminary work

**8. ELECTIONS AND CONFIRMATIONS:**

**APPROVED: R-263-08**

- a. A Resolution confirming the initial appointments to the City of Knoxville Public Arts Committee. (Requested by Mayor and Vice Mayor Brown)

**9. ORDINANCES ON SECOND READING:**

**APPROVED: O-162-08**

- a. 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)

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

**11. RESOLUTIONS:**

**APPROVED: R-264-08**

- a. A Resolution authorizing the Mayor to execute an agreement with Duracap Asphalt Paving Company, Inc. for the 2009 Alley Paving Project, No. 08P-W-0453, in an amount not to exceed \$232,189.83. (Requested by Department of Engineering)

**APPROVED: R-265-08**

- b. A Resolution authorizing the Mayor to enter into a contract with MACTEC for professional environmental consulting services as part of the South Waterfront Public Improvement Projects known as the River Plain Park and River Road for an amount not to exceed \$229,100.00. (Requested by South Waterfront)

**11. RESOLUTIONS (CONTINUED):**

**APPROVED: R-266-08**

- c. A Resolution authorizing the Mayor to execute a contract with Vaughn & Melton (Tennessee), Inc. for professional engineering and landscape architectural services for the Jackson Avenue Ramps Project in an amount not to exceed \$799,800.00. (Requested by Department of Engineering)

**APPROVED: R-267-08**

- d. A Resolution authorizing the Mayor to execute all documents on behalf of the City of Knoxville necessary to purchase a permanent drainage easement, temporary construction easement, and improvements on a portion of property located at 1517 Emoriland Boulevard from Kenneth L. Sherfick and wife, Kathleen A. Sherfick for the First Creek Improvement Project, Phase II for \$33,000.00. (Requested by Department of Engineering)

**APPROVED: R-268-08**

- e. A Resolution authorizing the Mayor to execute all documents on behalf of the City of Knoxville necessary to purchase a permanent drainage easement, a temporary construction easement, improvements within both easements, and incidental damages to the remainder on property located at 1511 Fairmont Boulevard from Bryan William Dove for the First Creek Improvement Project, Phase II for \$116,000.00. (Requested by Department of Engineering)

**APPROVED: R-269-08**

- f. A Resolution authorizing the Mayor to execute an agreement with Fulghum, MacIndoe, & Associates, Inc. to provide professional design services for the Cross Park Drive Drainage Project, Phase II, in an amount not to exceed \$79,800.00. (Requested by Department of Engineering)

**APPROVED: R-270-08**

- g. A Resolution amending Resolution R-102-08 which authorized the Mayor to file a grant application on behalf of KAT for Formula Urbanized Area Transit Grant Assistance (Section 5307) for Fiscal Year 2008 so as to allow the City to receive additional available grant funds in the amount of \$231,248.00 and to allow the City to increase its local share of matching funds by \$23,125.00. (Requested by Operations and Efficiency, Knoxville Area Transit)

**APPROVED: R-271-08**

- h. A Resolution authorizing the Mayor to file a grant application with the Department of Transportation, United States of America and State of Tennessee, to provide funding to Knoxville Area Transit for Discretionary Capital Grant Assistance for Fiscal Year 2008 in order to purchase buses and related equipment, and if such application is approved, to authorize the Mayor to execute any and all documents to accept such a grant award. (Requested by Operations and Efficiency, Knoxville Area Transit)

**11. RESOLUTIONS (CONTINUED):**

**APPROVED: R-272-08**

- i. A Resolution authorizing the Mayor to execute an agreement with Neighborhood Housing Inc. in an amount not to exceed \$45,000.00 for a program that will provide services necessary to perform minor home repairs to low-income homeowners within the City of Knoxville. (Requested by Department of Community Development)

**APPROVED: R-273-08**

- j. A Resolution authorizing the Mayor to execute an agreement with Knoxville-Knox County Community Action Committee in an amount not to exceed \$100,000.00 to provide funds for the Emergency Home Repair program, a program designed to provide emergency health- and safety-related improvements to owner-occupied, single-family households within the City of Knoxville. (Requested by Department of Community Development)

**APPROVED: R-274-08**

- k. A Resolution authorizing the Mayor to execute an agreement with Knoxville-Knox County Community Action Committee in an amount not to exceed \$200,000.00 to provide funds for the rehabilitation of single-family residences for very low income households and to provide accessibility improvements for low income renters and owner occupants within the City of Knoxville. (Requested by Department of Community Development)

**APPROVED: R-275-08**

- l. A Resolution authorizing the Mayor to execute an agreement with East Tennessee Community Design Center to provide \$45,000.00 in Community Development Block Grant funding for construction design and technical assistance for community improvement projects. (Requested by Department of Community Development)

**APPROVED: R-276-08**

- m. A Resolution authorizing the Mayor to execute an agreement with Volunteer Ministry Center to provide \$40,000.00 in Emergency Shelter Grant funding to cover maintenance and support costs necessary for the operation of a day shelter for homeless persons. (Requested by Department of Community Development)

- n. \*\*\*

**POSTPONED FOUR (4) WEEKS**

- o. A Resolution amending the Major Road Plan for the City of Knoxville and Knox County to change Loves Creek Road to a Major Collector Street through its entire length. (MPC Approved 13-0) (File No. 7-A-08-MRP) (Fourth District)

**WITHDRAWN**

- p. A Resolution approving amendments to the Knox County Code, Appendix A, Article 5, "Zone Regulations", Section 5.61, "Industrial Zone (I)", to revise industrial permitted uses. (MPC Approved 13-0) (File No. 7-A-08-OA)

**12. ORDINANCES ON FIRST READING:**

**APPROVED ON FIRST READING**

- a. An Ordinance to rescind Ordinance No. O-107-07. (Requested by Law Department)

**POSTPONED EIGHT (8) WEEKS**

- b. An Ordinance to amend the Knoxville City Code, Appendix B, "Zoning Regulations", Article II and 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)

**POSTPONED TWO (2) WEEKS**

- c. An Ordinance to amend the Knoxville City Code, Appendix B, "Zoning Regulations", to revise Article IV, "Specific District Regulations" and Article VII, "Administration and Enforcement" in order to accomplish reorganization of said articles. (MPC Approved 13-0) (File No. 6-B-08-OA)

**APPROVED ON FIRST READING**

- d. An Ordinance to amend the Knoxville City Code, Appendix B, "Zoning Regulations", Article IV, Section 26, "D-1 Downtown Design Overlay District", to require a Certificate of Appropriateness for demolitions and to add demolitions to the list of items that may be approved by the Metropolitan Planning Commission Staff. (MPC Approved 13-0) (File No. 7-B-08-OA) (Sixth District)

**APPROVED ON FIRST READING**

- e. An Ordinance adopting the Downtown Knoxville Design Guidelines, including amendments proposed by the Downtown Design Review Board and Metropolitan Planning Commission Staff as approved at the July 10, 2008 Meeting of the Metropolitan Planning Commission. (MPC Approved 13-0) (File No. 7-E-08-OB) (Sixth District)

**APPROVED ON FIRST READING**

- f. An Ordinance to close a portion of Badgett Drive from Louisiana Avenue to the eastern boundary of Parcels 094-A-A-001.01 and 081-P-P-001, subject to conditions, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, Gerdau Ameristeel, Applicant. (MPC Approved 13-0) (File No. 7-A-08-SC) (Fifth District)

**APPROVED ON FIRST READING**

- g. An Ordinance to close an unnamed alley off Badgett Drive, subject to conditions, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, Gerdau Ameristeel, Applicant. (MPC Approved 13-0) (File No. 7-A-08-AC) (Fifth District)

**APPROVED ON FIRST READING**

- h. An Ordinance to close a portion of Louisiana Avenue from Sherman Street southwest to its terminus, subject to conditions, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, Gerdau Ameristeel, Applicant. (MPC Approved 13-0) (File No. 7-B-08-SC) (Fifth District)

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

**APPROVED ON FIRST READING**

- i. An Ordinance to close Tennessee Avenue to traffic between Western Avenue and Schofield Street, Gerdau Ameristeel, Applicant. (MPC Approved 13-0) (File No. 7-C-08-SC) (Fifth District)

**APPROVED ON FIRST READING**

- j. An Ordinance to close a sliver off the north side of E. Church Avenue generally between James White parkway and S. Hall of Fame Drive, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, City of Knoxville, Applicant. (MPC Approved 13-0) (File No. 7-D-08-SC) (Sixth District)

**APPROVED ON FIRST READING**

- k. An Ordinance to rezone property located on the southeast side of Washington Pike, southwest of Mill Road, from R-1, Low Density Residential District to C-1, Neighborhood Commercial District, Kelly Nichols, Applicant. (MPC Approved 13-0) (File No. 7-A-08-RZ) (Fourth District)

**APPROVED ON FIRST READING**

- l. An Ordinance approving the request of Priority Healthcare Services of Tennessee for a One Year Plan amendment from Light Industrial to Mixed Uses (O/MDR) for property located on the northeast side of Liberty Street, northwest of Middlebrook Pike. (MPC Approved 13-0) (File No. 7-A-08-PA) (Third District)

**APPROVED ON FIRST READING**

- m. An Ordinance to rezone property located on the northeast side of Liberty Street, northwest of Middlebrook Pike, from I-2, Restricted Manufacturing and Warehousing District, and R-2, General Residential District to O-1, Office, Medical, and Related Services District, Priority Healthcare Services of Tennessee, Applicant. (MPC Approved 13-0) (File No. 7-B-08-RZ) (Third District)

**APPROVED ON FIRST READING**

- n. An Ordinance to rezone property located on the south side of Chambliss Avenue, west side of Lebanon Street, from R-2, General Residential District to O-1, Office, Medical, and Related Services District, Stephen T. Blankenship, Applicant. (MPC Approved 13-0) (File No. 7-D-08-RZ) (Second District)

**APPROVED ON FIRST READING**

- o. An Ordinance approving the request of Gerdau Ameristeel for a One Year Plan amendment from Light Industrial, Public Institution, and Medium Density Residential to Heavy Industrial for property located on the east side of Mynderse Avenue, north of Western Avenue, northwest side of Tennessee Avenue. (MPC Approved 13-0) (File No. 7-B-08-PA) (Fifth District)

**APPROVED ON FIRST READING APPROVED ON FIRST READING**

- p. An Ordinance to rezone property located on the east side of Mynderse Avenue, north of Western Avenue, northwest side of Tennessee Avenue, from I-3, General Industrial District and I-3/IH-1, Infill Housing Overlay to I-4, Heavy Industrial District and I-4/IH-1, Infill Housing Overlay, Gerdau Ameristeel, Applicant. (MPC Approved 13-0) (File No. 7-F-08-RZ) (Fifth District)

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

**APPROVED ON FIRST READING**

- q. An Ordinance approving the request of Gerdau Ameristeel for a One Year Plan amendment from Low Density Residential to Heavy Industrial for property located on the northwest side of Louisiana Avenue, southwest side of Sherman Street, northeast side of Badgett Drive. (MPC Approved 13-0) (File No. 7-C-08-PA) (Fifth District)

**APPROVED ON FIRST READING**

- r. An Ordinance to rezone property located on the northwest side of Louisiana Avenue, southwest side of Sherman Street, northeast side of Badgett Drive, from R-1A, Low Density Residential District/IH-1, Infill Housing Overlay to I-4, Heavy Industrial District/IH-1, Infill Housing Overlay, subject to two conditions, Gerdau Ameristeel, Applicant. (MPC Approved 13-0) (File No. 7-G-08-RZ) (Fifth District)

**APPROVED ON FIRST READING**

- s. An Ordinance to rezone property located on the northeast side of Cherokee Trail, northwest of Edington Road, from R-1, Low Density Residential District to RP-1, Planned Residential District at a density up to 3.5 dwelling units per acre with a maximum of 80 bedrooms total, Todd Kennedy, Applicant. (MPC Approved 12-0 PR, 10-2 for density) (File No. 7-I-08-RZ) (First District)

**APPROVED ON FIRST READING**

- t. An Ordinance to rezone property located on the northeast side of Western Avenue, northwest of John May Drive, from O-1, Office, Medical, and Related Services District, to C-3, General Commercial District, Shan Wilcox, Applicant. (MPC Approved 13-0) (File No. 7-K-08-RZ) (Third District)

**APPROVED ON FIRST READING**

- u. An Ordinance to rezone property located on the southwest side of N. Broadway, northeast side of Knox Road, from SC-1, Neighborhood Shopping Center District to PC-1, Retail and Office Park District, subject to two conditions, The Kroger Co., Applicant. (MPC Approved 13-0) (File No. 7-M-08-RZ) (Fifth District)

**APPROVED: O-163-08**

- v. An Emergency Ordinance of the Council appropriating the sum of \$250.00 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 Councilmember Bailey)

**13. PUBLIC FORUM: None**

**14. ADJOURNMENT: 8:32 pm**