

MARKED

AGENDA FOR A REGULAR COUNCIL MEETING

OCTOBER 7, 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 - a. **ITEMS WITHDRAWN (Indicated with “W”)**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 a Certificate of Compliance for Bartholomew D. Phillips d/b/a Spartan Premium Wine and Liquor, 4617 Papermill Drive, Knoxville, Tennessee, 37909. (Requested by Department of Finance and Accountability)

Approved

- b. An application for a Certificate of Compliance for Richard A. Thomas d/b/a Northshore Wine and Spirits, 9405 S. Northshore Drive, Knoxville, Tennessee, 37919. (Requested by Department of Finance and Accountability)

Approved

- c. An application for a Certificate of Compliance for Bambi "Linn" Atchley Slocum d/b/a Blue Slip Winery, LLC, 105 B. West Jackson Avenue, Knoxville, Tennessee, 37902. (Requested by Department of Finance and Accountability)

- Thank you to Boyce Evans, the city's United Way Chair, for hosting the Chili Cookoff to raise money for United Way.
- The Solar Cities kickoff will be October 24, 2008, 10:00 a.m. at the Tennessee Amphitheater. Knoxville was named a Solar City by the Department of Energy.
- The FCC will host a workshop on October 13, 2008 at the UT Center to address the upcoming digital TV change.
- Downtown North met last week and discussed the Downtown Dog Park plans.
- Mayor Haslam presented the Status of Preservation in Knoxville report. (See attached)
- Mayor Haslam presented a proclamation to Aneisha McDonald from Knox County Schools recognizing Child Health Week.

7. REPORTS OF COUNCIL MEMBERS OR COMMITTEES:

- Councilmember Frost announced that the annual Happy Hollerpalooza will be held October 11 from 4:00p.m. to 8:00 p.m. on Central Street.
- Councilmember Roddy thanked all who participated in the recent Neighborhood Bike Ride and thanked Fire Chief Bob Key for the Firefighter Memorial Service held today.
- Councilmember Woodhull announced that last Thursday the Knox County Libraries launched "The Big Read" and encouraged everyone to participate in reading Grapes of Wrath.
- Councilmember Woodhull gave mention to North Knoxville and the various re-building efforts taking place there.
- Councilmember Hultquist announced that October 16 will be another South Knoxville Waterfront open house beginning at 6:00 p.m. at South Knoxville Elementary School.
- Councilmember Pelot recognized Dr. Joe Fuhr for his service as president of the West Hills Community Association. Mayor Haslam presented a proclamation to Dr. Fuhr.
- Councilmember Frost announced The Ed Bailey All-Star Weekend being held October 12-13, 2008 and asked Councilman Bailey to elaborate.

7. REPORTS OF COUNCIL MEMBERS OR COMMITTEES (CONTINUED):

- Councilmember Bailey announced that the Ed Bailey Foundation was raising money for various charities during the All-Star Weekend and gave a brief run down of the many activities taking place October 12 -13.
- Councilmember Pelot congratulated Councilman Bailey and wife Miechelle on the birth of a new baby girl last Friday.
- Councilmember Bailey announced that baby Sloan was born Friday and weighed 7lbs, 2oz.
- Councilmember Hultquist announced that a public meeting would be heard on the Vestal Commercial Area on October 20 from 6:00p.m. to 8:00p.m. at Vestal United Methodist Church.

8. ELECTIONS AND CONFIRMATIONS:

None.

9. ORDINANCES ON SECOND READING:

None.

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 Paul Dickenson/Michael Tjaarda, representatives of the Historic Gibbs Drive Neighborhood Association, of the Metropolitan Planning Commission's decision to approve a Use on Review for a retail establishment containing up to 79,599 square feet of floor space and the accompanying parking, subject to conditions, in a PC-1, Retail and Office Park District, property located on the southwest side of N. Broadway, north side of Knox Road. (MPC Approved 13-0) (File No. 8-B-08-UR) (Fifth District) (Consider with 11q.)

11. RESOLUTIONS:

Postponed two (2) weeks

- a. 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-323-08

- b. A Resolution requesting and encouraging the professional staff of the Metropolitan Planning Commission to study the feasibility and utility of adopting R1-EN zoning for the West Hills Neighborhood and, if appropriate, to initiate such a zoning modification. (Requested by Councilmember Pelot)

11. RESOLUTIONS (CONTINUED):

Approved: R-324-08

- c. A Resolution authorizing the Mayor to execute a consultant agreement with Thomas Caldwell Architect in an amount not to exceed \$41,150.00 to provide design services for a multi-purpose room addition to the Lonsdale Recreation Center. (Requested by Department of Parks and Recreation)

Approved: R-325-08

- d. A Resolution authorizing the Mayor to execute any and all documents necessary to accept a grant award of \$106,539.82, with a required local match of \$35,313.27, from the State of Tennessee, Governor's Highway Safety Office, for the purpose of funding for overtime for highway safety enforcement and general funding for educational events. (Requested by Police Department)

Approved: R-326-08

- e. A Resolution authorizing the Mayor to execute any and all documents necessary to accept a grant award of \$127,067.00 from the U.S. Department of Justice, Bureau of Justice Assistance, for continued funding of the Project Safe Neighborhoods Initiative in East Tennessee. (Requested by Police Department)

Approved: R-327-08

- f. A Resolution authorizing the Mayor to execute any and all documents necessary to accept a grant award of \$13,799.08, with a required local match in the same amount, from the U.S. Department of Justice, Bureau of Justice Assistance, under the local Law Enforcement Block Grant Program, to provide funding for replacement of police officers' bullet-resistant vests. (Requested by Police Department)

Approved: R-328-08

- g. A Resolution authorizing the Mayor to execute any and all documents necessary to accept a grant award of \$500,000 from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, for a mentoring program for youth. (Requested by Police Department)

Approved: R-329-08

- h. A Resolution authorizing the Mayor to execute an agreement with Child and Family Tennessee, pursuant to a grant from the United States Department of Justice, Office of Violence Against Women, to provide for full-time intake services at the Family Justice Center, in the amount of \$37,500. (Requested by Police Department)

Approved: R-330-08

- i. A Resolution authorizing the Mayor to execute an encroachment agreement with 4MC, LLC to permit certain encroachments within City-owned property at 10 Market Square, CLT #094L-E-034. (Requested by Department of Engineering)

11. RESOLUTIONS (CONTINUED):

Approved: R-331-08

- j. A Resolution authorizing the Mayor to execute all documents on behalf of the City of Knoxville necessary to acquire a fee simple interest, temporary construction easement and slope easement, all within the property located at 4322 Valley View Drive from Harold S. Byrd and wife, Sharon C. Byrd for the Valley View Realignment Project, #ENG073303, for \$6,550.00. (Requested by Department of Engineering)

Approved: R-332-08

- k. A Resolution authorizing the Mayor to execute all documents on behalf of the City of Knoxville necessary to acquire a fee simple interest, temporary construction easement and slope easement, all within property located at 4320 Valley View Drive, CLT #059N-C-001.03 from Harold S. Byrd and wife, Sharon C. Byrd for the Valley View Realignment Project, #ENG073303, for \$114,500.00. (Requested by Department of Engineering)

Approved: R-333-08

- l. A Resolution authorizing the Mayor to execute all documents on behalf of the City of Knoxville necessary to acquire a fee simple interest, temporary construction easement and slope easement, all within property located at 4324 Valley View Drive, CLT #059N-C-001.02 from Harold S. Byrd and wife, Sharon C. Byrd for the Valley View Realignment Project, #ENG073303, for \$7,950.00. (Requested by Department of Engineering)

Approved: R-334-08

- m. A Resolution authorizing the Mayor to execute all documents on behalf of the City of Knoxville necessary to acquire a fee simple interest, right-of-way, temporary construction easement and slope easement, all within property located at 4400 Valley View Drive, CLT #059N-C-002 from Harold S. Byrd and wife, Sharon C. Byrd for the Valley View Realignment Project, #ENG073303, for \$30,850.00. (Requested by Department of Engineering)

Approved: R-335-08

- n. A Resolution authorizing the Mayor to execute all documents on behalf of the City of Knoxville necessary to accept a donation of a fee simple interest, temporary construction easement and slope easement within a portion of the property located at 5000 Washington Pike, CLT #059N-C-008, owned by Harold S. Byrd and wife, Sharon C. Byrd for the Valley View Realignment Project, #ENG073303. (Requested by Department of Engineering)

11. RESOLUTIONS (CONTINUED):

Approved: R-336-08

- o. A Resolution authorizing the acquisition by condemnation, if necessary, of the real property and improvements located at 3116 Morris Avenue, CLT No. 094P-C-012, owned by Frances Toole Loughran, for the Loraine Street Public Works Complex Facilities Plan. (Requested by Department of Public Service)

Postponed to November 18, 2008

- p. 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)

Postponed four (4) weeks

- q. A Resolution approving an appeal by Paul Dickenson/Michael Tjaarda, representatives of the Historic Gibbs Drive Neighborhood Association, of the Metropolitan Planning Commission's decision to approve a Use on Review for a retail establishment containing up to 79,599 square feet of floor space and the accompanying parking, subject to conditions, in a PC-1, Retail and Office Park District, property located on the southwest side of N. Broadway, north side of Knox Road. (MPC Approved 13-0) (File No. 8-B-08-UR) (Fifth District) (Consider with 10a.)

Approved: R-337-08

- “M” r. A Resolution honoring, congratulating and thanking Dr. Joe Fuhr upon the completion of his term as president of the West Hills Community Association. (Requested by Councilmember Pelot)

12. ORDINANCES ON FIRST READING:

Approved on first reading

- a. An Ordinance to amend Sections 2-450 (4) and (5) of the Knoxville City Code to create new job classifications and to adjust the City of Knoxville's hourly/events payroll rates. (Requested by Civil Service)

Referred back to MPC and schedule workshop

- 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)

Approved on first reading

- c. An Ordinance to change the street name of Mall Road North to North Mall Road, located between Millertown Pike and Washington Pike, City of Knoxville, Applicant. (MPC Approved 12-0) (File No. 9-E-08-SNC) (Fourth District).

12. ORDINANCES ON FIRST READING (CONTINUED):

Approved on first reading

- d. An Ordinance to change the street name of Mall Road South to South Mall Road, located between Millertown Pike and Washington Pike, City of Knoxville, Applicant. (MPC Approved 12-0) (File No. 9-F-08-SNC) (Fourth District).

Approved: O-202-08

- e. An Emergency Ordinance of the Council appropriating the sum of \$1,275.00 from the Community Improvement (202) Fund and donating same to the North Knoxville Business & Professionals Association to underwrite certain costs of hosting the North Knoxville Street Fair & Annual Happy Hollerpalooza Event. (Requested by Councilmembers Frost, Becker, and Woodhull)

Approved: O-203-08

- f. An Emergency Ordinance of the Council appropriating the sum of \$450.00 from the Community Improvement (202) Fund and donating same to the Knoxville Volunteer Emergency Rescue Squad, Inc. to be utilized toward the cost of certain needed training equipment. (Requested by Councilmembers Becker and Bailey)

Approved: O-204-08

- g. An Emergency Ordinance of the Council appropriating the sum of \$800.00 from the Community Improvement (202) Fund and donating same to South-Doyle High School to be utilized toward the purchase of volleyball team equipment. (Requested by Councilmembers Pelot, Becker, Woodhull, and Vice Mayor Brown)

13. PUBLIC FORUM:

Roy Cruze, Marcella Lane, thanked Council for their 202 Fund support for the North Knoxville Street Fair and annual Happy Hallerpalooza event.

14. ADJOURNMENT: 9:25 p.m.