

MINUTES OF THE REGULAR SESSION OF THE COUNCIL OF THE CITY OF KNOXVILLE

NOVEMBER 18, 2008- 7:00 PM
Main Assembly Room, City-County Building, 400 Main Street

1. CALL TO ORDER

The Council of the City of Knoxville met in Regular Session at 7:00 p.m. in the Main Assembly Room of the City-County Building on Tuesday, November 18, 2008. Mayor Bill Haslam was present and presiding officer of the Council.

2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Councilmember Barbara Pelot led in the Invocation and Councilmember Steve Hall led in the “Pledge of Allegiance” to the Flag.

3. ROLL CALL

The following City Council Members were present: Joe Bailey, Bob Becker, Mark Brown, Rob Frost, Steve Hall, Joe Hultquist, Barbara Pelot, Marilyn Roddy and Chris Woodhull. No one was absent.

4. APPROVAL OF MINUTES

Councilmember Bailey made a motion to approve the minutes from the November 4, 2008 City Council meeting. Councilmember Becker seconded the motion. By unanimous voice vote the motion carried. The minutes were approved.

5. ANNOUNCEMENTS AND EXTRAORDINARY MATTERS, ADOPTION OF AGENDA

5-a. ITEMS WITHDRAWN (Indicated with “W”)

None.

5-b. ITEMS FOR POSTPONEMENT (Indicated with “P”)

Councilmember Frost made a motion to postpone the following resolution four (4) weeks:

- 11-o** A Resolution authorizing the Mayor to execute an agreement between the City of Knoxville and the Tennessee Department of Transportation for the purchase, installation, operation and maintenance of a multiphase traffic signal at the intersection of Broadway (S.R. 33) and Jacksboro Pike. (Requested by Department of Engineering)

Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The resolution was postponed four (4) weeks.

Councilmember Becker made a motion to postpone the following resolution two (2) weeks:

- 11-k.** A Resolution authorizing the Mayor to execute an agreement with Bank of America, N.A. to provide comprehensive banking services for the City for an annual amount not to exceed \$60,000.00. (Requested by Department of Finance and Accountability)

Councilmember Bailey seconded the motion. By unanimous voice vote the motion carried. The resolution was postponed two (2) weeks.

Councilmember Becker made a motion to postpone the following resolution to December 16, 2008:

- 11-x.** 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)

Councilmember Frost seconded the motion. By unanimous voice vote the motion carried. The resolution was postponed to December 16, 2008.

**5-c. ITEMS REQUESTED TO BE ADDED BY MOTION
(Indicated with "M")**

None.

5-d. CONSENT ITEMS (Indicated with "*")

None.

SUSPENSION OF COUNCIL RULES

Councilmember Bailey made a motion to suspend Council Rules to allow resolution 11i moved to the beginning of the agenda. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. (See after Elections and Confirmations).

6. MAYOR'S REPORT

**RE: CERTIFICATE OF COMPLIANCE FOR PENELOPE A. MAPLES d/b/a
640 LIQUOR STORE, LLC**

- 6-a.** An application for renewal of a Certificate of Compliance for Penelope A. Maples d/b/a 640 Liquor Store, LLC, 4425 Western Avenue, Knoxville, Tennessee, 37921. (Requested by Department of Finance and Accountability)

Councilmember Hall made a motion to approve. Councilmember Bailey seconded the motion. By unanimous voice vote the motion carried. The Certificate of Compliance was approved.

RE: MAYOR'S REMARKS

Mayor Haslam announced the following:

- The CrossKnox 15k run would be Saturday, November 22, 2008.
- A new home repair program called E-Z Home Repair is being launched for those who live in the Empowerment Zone and would be administered by the city's Community Development Department. Two public meetings would be held at the L. T. Ross Building : 5:00 p.m. for general public, 6:00 p.m. for contractors.

- Christmas in the City begins next weeks with the Regal Celebration of Lights Friday at 6:00 p.m. The skating rink opens that evening as well.
- Mayor Haslam and Public Service Director David Brace recognized Public Service employee Mark Jinks who is the first city employee to complete the new city sponsored GED program.

7. REPORTS OF COUNCIL MEMBERS OR COMMITTEES

- Councilmember Frost stated that the reception he hosted for new School Superintendent James McIntyre was successful with several neighborhoods being represented.
- Councilmember Pelot discussed the opening of the new 3rd Creek Greenway and the new tennis courts at West Hills Parks.
- Councilmember Pelot stated that the Art in Public Places Committee announced the expansion to 35 sculptures the 3rd annual public art exhibit to be displayed from April through October, 2009 throughout the city. (See attached)
- Bob Becker announced he has a cold and might be contagious. He also announced that sometime after Thanksgiving he would be disconnecting his home phone and could be reached by cell phone at 387-0752.
- Councilmember Hultquist announced that on November 20, 2008 a South Waterfront Design Open House for the final link of the Lincoln Landing River Road design would be held at 6:00 p.m. at South Knoxville Elementary School.

8. ELECTIONS AND CONFIRMATIONS

RE: BARBARA DOWELL AND JAMES ALLEN – PARTNERSHIP FOR NEIGHBORHOOD IMPROVEMENT BOARD OF DIRECTORS

- 8-a.** A Resolution reappointing Barbara Dowell and James Allen to serve three-year terms as members of the Board of Directors of the Partnership for Neighborhood Improvement. (Requested by Vice Mayor Brown and Councilmembers Becker and Hall)

Vice-Mayor Brown made a motion to approve the resolution. Councilmember Becker seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-372-08.

RE: MELYNDA WHETSEL – HISTORIC ZONING COMMISSION

- 8-b.** A Resolution confirming the reappointment of Melynda Whetsel to serve as a member of the Historic Zoning Commission. (Requested by Mayor)

Councilmember Frost made a motion to approve the resolution. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-373-08.

RE: SHELLEY WASCOM – KNOXVILLE SOLICITATIONS BOARD

- 8-c.** A Resolution confirming the reappointment of Shelley Wascom to serve as a member of the Knoxville Solicitations Board. (Requested by Mayor)

Councilmember Becker made a motion to approve the resolution. Vice-Mayor Brown seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-374-08.

RE: CHARLES R. "CHARLIE" BURCHETT, SR.

- 11-i.** A Resolution honoring the memory of the late Charles R. "Charlie" Burchett, Sr., and expressing sincere sympathy to the members of his family upon the occasion of his passing. (Requested by Council)

Vice-Mayor Brown made a motion to approve the resolution. Councilmember Bailey seconded the motion.

The following persons addressed the resolution honoring Mr. Burchett, Sr.: Mayor Haslam; Councilmember Bailey; Councilmember Pelot.

By unanimous voice vote the motion to approve was adopted. The printed resolution can be found attached to these minutes as Resolution No. R-383-08.

9. ORDINANCES ON SECOND READING

RE: ANNEXATION – MURPHY ROAD AND WASHINGTON PIKE

- 9-a.** An Ordinance to annex certain territory adjoining the bounds of the City of Knoxville, an area generally being described as two tracts of land northwest of the intersection of Murphy Road and Washington Pike (1-11-08.AX), which property is to be incorporated into the limits of the City of Knoxville and to revise the boundary of Ward 33 of the City of Knoxville so as to include said area. (Requested by Mayor) (Consider with 11a.)

in conjunction with

- 11-a.** A Resolution to adopt the Plan of Service dated November 2008 for annexation of an area generally being described as two tracts of land northwest of the intersection of Murphy Road and Washington Pike (1-11-08.AX). (Requested by Mayor) (Consider with 9a.)

Councilmember Roddy made a motion to approve the annexation ordinance. Councilmember Frost seconded the motion

Councilmember Frost made a motion to adopt the resolution approving the Plan of Service. Councilmember Becker seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-375-08.

By unanimous voice vote the motion to approve the annexation ordinance was adopted. The printed ordinance can be found attached to these minutes as Ordinance No. O-212-08.

RE: ANNEXATION – KECK ROAD AND CALLAHAN DRIVE

- 9-b.** An Ordinance to annex certain territory adjoining the bounds of the City of Knoxville, an area generally being described as a tract of land north of Callahan Drive and approximately 680 feet southwest of the intersection of Keck Road and Callahan Drive (2-11-08.AX), which property is to be incorporated into the limits of the City of Knoxville and to revise the boundary of Ward 39 of the City of Knoxville so as to include said area. (Requested by Mayor) (Consider with 11b.)

in conjunction with

- 11-b.** A Resolution to adopt the Plan of Service dated November 2008 for annexation of an area generally being described as a tract of land north of Callahan Drive and approximately 680 feet southwest of the intersection of Keck Road and Callahan Drive (2-11-08.AX). (Requested by Mayor) (Consider with 9b.)

Councilmember Becker made a motion to approve the annexation ordinance.
Councilmember Frost seconded the motion

Vice-Mayor Brown made a motion to adopt the resolution approving the Plan of Service. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-376-08.

By unanimous voice vote the motion to approve the annexation ordinance was adopted. The printed ordinance can be found attached to these minutes as Ordinance No. O-213-08.

RE: ANNEXATION – HAYNES STERCHI ROAD AND CHESSWOOD DRIVE

- 9-c.** An Ordinance to annex certain territory adjoining the bounds of the City of Knoxville, an area generally being described as a tract of land northwest of the intersection of Haynes Sterchi Road and Chesswood Drive (3-11-08.AX), which property is to be incorporated into the limits of the City of Knoxville and to revise the boundary of Ward 38 of the City of Knoxville so as to include said area. (Requested by Mayor) (Consider with 11c.)

in conjunction with

- 11-c.** A Resolution to adopt the Plan of Service dated November 2008 for annexation of an area generally being described as a tract of land northwest of the intersection of Haynes Sterchi Road and Chesswood Drive (3-11-08.AX). (Requested by Mayor) (Consider with 9c.)

Councilmember Becker made a motion to approve the annexation ordinance.
Councilmember Frost seconded the motion

Councilmember Becker made a motion to adopt the resolution approving the Plan of Service. Vice-Mayor Brown seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-377-08.

By unanimous voice vote the motion to approve the annexation ordinance was adopted. The printed ordinance can be found attached to these minutes as Ordinance No. O-214-08.

RE: ANNEXATION – CHESSWOOD DRIVE AND WOODLEAF DRIVE

- 9-d.** An Ordinance to annex certain territory adjoining the bounds of the City of Knoxville, an area generally being described as a tract of land northeast of the intersection of Chesswood Drive and Woodleaf Drive (4-11-08.AX), which property is to be incorporated into the limits of the City of Knoxville and to revise the boundary of Ward 38 of the City of Knoxville so as to include said area. (Requested by Mayor) (Consider with 11d.)

in conjunction with

- 11-d.** A Resolution to adopt the Plan of Service dated November 2008 for annexation of an area generally being described as a tract of land northeast of the intersection of Chesswood Drive and Woodleaf Drive (4-11-08.AX). (Requested by Mayor) (Consider with 9d.)

Councilmember Frost made a motion to approve the annexation ordinance.
Councilmember Pelot seconded the motion

Councilmember Roddy made a motion to adopt the resolution approving the Plan of Service. Councilmember Becker seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-378-08.

By unanimous voice vote the motion to approve the annexation ordinance was adopted. The printed ordinance can be found attached to these minutes as Ordinance No. O-215-08.

RE: ANNEXATION – KILDARE DRIVE AND KILLARNEY ROAD

- 9-e.** An Ordinance to annex certain territory adjoining the bounds of the City of Knoxville, an area generally being described as a tract of land north of Kildare Drive and Killarney Road and a portion of the right of way of I-40 (5-11-08.AX), which property is to be incorporated into the limits of the City of Knoxville and to revise the boundary of Ward 47 of the City of Knoxville so as to include said area. (Requested by Mayor) (Consider with 11e.)

in conjunction with

- 11-e.** A Resolution to adopt the Plan of Service dated November 2008 for annexation of an area generally being described as a tract of land north of Kildare Drive and Killarney Road and a portion of the right of way of I-40 (5-11-08.AX). (Requested by Mayor) (Consider with 9e.)

Councilmember Pelot made a motion to approve the annexation ordinance.

Councilmember Becker seconded the motion

Vice-Mayor Brown made a motion to adopt the resolution approving the Plan of Service. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-379-08.

By unanimous voice vote the motion to approve the annexation ordinance was adopted. The printed ordinance can be found attached to these minutes as Ordinance No. O-216-08.

RE: ANNEXATION – CHESSWOOD DRIVE AND WOODLEAF DRIVE

- 9-f.** An Ordinance to annex certain territory adjoining the bounds of the City of Knoxville, an area generally being described as a tract of land south of Chesswood Drive and approximately 300 feet southwest of the intersection of Woodleaf Drive and Chesswood Drive (6-11-08.AX), which property is to be incorporated into the limits of the City of Knoxville and to revise the boundary of Ward 38 of the City of Knoxville so as to include said area. (Requested by Mayor) (Consider with 11f.)

in conjunction with

- 11-f.** A Resolution to adopt the Plan of Service dated November 2008 for annexation of an area generally being described as a tract of land south of Chesswood Drive and approximately 300 feet southwest of the intersection of Woodleaf Drive and Chesswood Drive (6-11-08.AX). (Requested by Mayor) (Consider with 9f.)

Councilmember Becker made a motion to approve the annexation ordinance.

Councilmember Roddy seconded the motion

Councilmember Becker made a motion to adopt the resolution approving the Plan of Service. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-380-08.

By unanimous voice vote the motion to approve the annexation ordinance was adopted. The printed ordinance can be found attached to these minutes as Ordinance No. O-217-08.

RE: ANNEXATION – MOUNTAINCREST DRIVE AND RIDGEMONT DRIVE

- 9-g.** An Ordinance to annex certain territory adjoining the bounds of the City of Knoxville, an area generally being described as a tract of land north of Mountaincrest Drive and approximately 885 feet northeast of the intersection of Ridgemont Drive and Mountaincrest Drive (7-11-08.AX), which property is to be incorporated into the limits of the City of Knoxville and to revise the boundary of

Ward 35 of the City of Knoxville so as to include said area. (Requested by Mayor) (Consider with 11g.)

in conjunction with

- 11-g.** A Resolution to adopt the Plan of Service dated November 2008 for annexation of an area generally being described as a tract of land north of Mountaincrest Drive and approximately 885 feet northeast of the intersection of Ridgemont Drive and Mountaincrest Drive (7-11-08.AX). (Requested by Mayor) (Consider with 9g.)

Councilmember Roddy made a motion to approve the annexation ordinance.

Councilmember Bailey seconded the motion

Councilmember Roddy made a motion to adopt the resolution approving the Plan of Service. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-381-08.

By unanimous voice vote the motion to approve the annexation ordinance was adopted. The printed ordinance can be found attached to these minutes as Ordinance No. O-218-08.

RE: ANNEXATION – MOUNTAINCREST DRIVE AND RIDGEMONT DRIVE

- 9-h.** An Ordinance to annex certain territory adjoining the bounds of the City of Knoxville, an area generally being described as a tract of land north of Mountaincrest Drive and approximately 1000 feet northwest of the intersection of Ridgemont Drive and Mountaincrest Drive (8-11-08.AX), which property is to be incorporated into the limits of the City of Knoxville and to revise the boundary of Ward 35 of the City of Knoxville so as to include said area. (Requested by Mayor) (Consider with 11h.)

in conjunction with

- 11-h.** A Resolution to adopt the Plan of Service dated November 2008 for annexation of an area generally being described as a tract of land north of Mountaincrest Drive and approximately 1000 feet northwest of the intersection of Ridgemont Drive and Mountaincrest Drive (8-11-08.AX). (Requested by Mayor) (Consider with 9h.)

Councilmember Frost made a motion to approve the annexation ordinance.

Councilmember Roddy seconded the motion

Councilmember Frost made a motion to adopt the resolution approving the Plan of Service. Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-382-08.

By unanimous voice vote the motion to approve the annexation ordinance was adopted. The printed ordinance can be found attached to these minutes as Ordinance No. O-219-08.

RE: STREET CLOSURE – HIGH DRIVE – FREDERICK TROTTER, APPLICANT

- 9-i.** An Ordinance to close High Drive from the unimproved street section north of Parcels 079MA040 and 079MA041, and south of Parcel 079MA017 (approximately 200 feet), and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, Frederick Trotter, Applicant. (MPC Approved 14-0-1) (File No. 10-A-08-SC) (Third District)

Councilmember Hall made a motion to approve the ordinance on second reading. Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-220-08.

RE: UNNAMED ALLEY CLOSURE NEAR E. INSKIP DRIVE – DAVID VARNER, APPLICANT

- 9-j.** An Ordinance to close an unnamed alley from E. Inskip Drive to the northwestern property line of Parcel 069HC015, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, David Varner, Applicant. (MPC Approved 14-0-1) (File No. 10-A-08-AC) (Fifth District)

Councilmember Becker made a motion to approve the ordinance on second reading. Councilmember Bailey seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-221-08.

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

RE: APPEAL BY PAUL DICKENSON/MICHAEL TJAARDA REPRESENTATIVES OF THE HISTORIC GIBBS DRIVE NEIGHBORHOOD ASSOCIATION (KROGER REQUEST)

- 10-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 11y.)

in conjunction with

- 11-y.** 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.)

Discussion began with the following persons speaking: Councilmember Becker, Councilmember Roddy, Councilmember Frost, Councilmember Hultquist, Councilmember Pelot, Mayor Haslam, Vice-Mayor Brown, George Scott, 3045 Gibbs Drive, Paul Dickenson, 3013 Gibbs Drive, Tim McNamara, Kroger, Steve King, City Engineering, Councilmember Woodhull, Councilmember Hall, Charles Swanson.

After lengthy discussion, Councilmember Frost made a motion to postpone the matter two (2) weeks. Councilmember Becker seconded the motion. By unanimous voice vote the motion carried. The matter was postponed two (2) weeks.

RESOLUTIONS

RE: COMPREHENSIVE SIDEWALK ORDINANCE – MPC EXECUTIVE DIRECTOR AND PROFESSIONAL STAFF

- 11-j.** 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)

Councilmember Becker, Dr. Bill Lyons, Mayor Haslam, Law Director Debbie Poplin, Councilmember Frost, Councilmember Hultquist and City Council Attorney Charles Swanson addressed the resolution.

Councilmember Becker made a motion to postpone the resolution twenty-eight (28) days. Councilmember Hultquist seconded the motion. By unanimous voice vote the motion carried. The resolution was postponed twenty-eight (28) days.

RE: NEIGHBORHOOD STABILIZATION PROGRAM SUBSTANTIAL AMENDMENT TO THE 2008-2009 ACTION PLAN FOR HOUSING AND COMMUNITY DEVELOPMENT

- 11-l.** A Resolution authorizing the submission of the Neighborhood Stabilization Program Substantial Amendment to the 2008-2009 Action Plan for Housing and Community Development to the U.S. Department of Housing and Urban Development and authorizing the Mayor to execute any associated documents and certifications. (Requested by Department of Community Development)

Discussion began with the following persons addressing the resolution: David Hutchens, KCDC Commissioner; Madeline Rogero, Director of Community Development; Councilmember Roddy; Jon Lawler; Councilmember Woodhull; Councilmember Hultquist; Councilmember Pelot; Doug McDaniel, Glenwood Avenue; Mark Harmon, Knox County Commission; Vice-Mayor Brown; Ginny Weatherstone, Volunteer Ministry; Councilmember Frost; Mayor Haslam.

Councilmember Becker made a motion to approve. Councilmember Roddy seconded the motion.

Discussion continued with Councilmember Frost; Councilmember Roddy; Councilmember Pelot, Councilmember Becker, Councilmember Hultquist, Vice-Mayor Brown and Councilmember Bailey speaking.

Councilmember Hultquist made a motion to postpone the matter until Tuesday, November 25, 2008, 5:00 p.m. at a location to be determined. Councilmember Frost seconded the motion. Upon roll call, Councilmembers Bailey, Brown, Frost, Hultquist and Woodhull voted "Aye." Councilmembers Becker, Hall, Pelot and Roddy voted "Nay." The motion carried. The resolution was postponed to Tuesday, November 25, 2008 at 5:00 p.m.

RE: VOLUNTEER MINISTRY CENTER – FIFTH AVENUE MOTEL- 447 N. BROADWAY

- 11-m.** A Resolution authorizing the Mayor to execute an amendment to Agreement C-06-0284 with Volunteer Ministry Center to extend the required date of completion for the rehabilitation of the Fifth Avenue Motel located at 447 N. Broadway, Knoxville, Tennessee from January 1, 2009 to December 31, 2010. (Requested by Department of Community Development)

Councilmember Roddy made a motion to approve the resolution. Councilmember Pelot seconded the motion. By voice vote the Council voted as follows: Councilmembers Bailey, Becker, Brown, Pelot, Roddy and Woodhull voted "Aye." Councilmembers Frost, Hall and Hultquist voted "Nay." The motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-384-08.

RE: TENNESSEE DEPARTMENT OF TRANSPORTATION – MULTIPHASE TRAFFIC SIGNAL – NORTH MALL ROAD AND EAST TOWNE ROAD EAST

- 11-n.** A Resolution authorizing the Mayor to execute an agreement between the City of Knoxville and the Tennessee Department of Transportation for the purchase, installation, operation and maintenance of a multiphase traffic signal at the intersection of North Mall Road and East Towne Road East. (Requested by Department of Engineering)

Councilmember Frost made a motion to approve the resolution. Councilmember Becker seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-385-08.

RE: PROPERTY ACQUISITION - 2405 MARTIN LUTHER KING, JR. BOULEVARD- JOHN R. AND MINNIE JOHNSON GOSS

11-p. A Resolution authorizing the Mayor to execute all documents on behalf of the City of Knoxville necessary to purchase certain real property located at 2405 Martin Luther King, Jr. Boulevard from John R. and Minnie Johnson Goss for \$25,000.00 as part of the Five Points Comprehensive Redevelopment Plan. (Requested by Department of Community Development)

Vice-Mayor Brown made a motion to approve the resolution. Councilmember Becker seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-386-08.

RE: AIR RIGHTS EASEMENT OF A CANTILEVERED EXPANSION OF NEYLAND STADIUM

11-q. A Resolution authorizing the Mayor to execute an Air Rights Easement for construction and maintenance of a cantilevered expansion of Neyland Stadium which will encroach 14 feet, 3 inches at a height of 55 feet and 11 inches into the right-of-way of Phillip Fulmer Way. (Requested by Department of Engineering)

Councilmember Pelot made a motion to approve the resolution. Councilmember Becker seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-387-08.

RE: BROOKVIEW TOWN CENTRE, LLC –WEISGARBER ROAD – 4TH CREEK AT NORTSHORE DRIVE BRIDGE

11-r. A Resolution authorizing the Mayor to execute an agreement with Brookview Town Centre, LLC for installation of curb and gutter, sidewalk, and curb cuts along Weisgarber Road, construction of a bridge over 4th Creek at Northshore Drive of sufficient width for a greenway, and to acquire the associated greenway easement for said bridge, at a cost to the City not to exceed \$250,000.00. (Requested by Department of Engineering)

Councilmember Hultquist made a motion to approve the resolution. Councilmember Pelot seconded the motion. By voice vote the Council voted as follows: Councilmember Bailey, Becker, Brown, Frost, Hall, Hultquist, Pelot and Woodhull voted “Aye.” Councilmember Roddy “Abstained”. The motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-388-08.

RE: STOOKSBURY CONSTRUCTION, INC. – 2008 SIDEWALK IMPROVEMENTS PROJECT

11-s. A Resolution authorizing the Mayor to execute an agreement with Stooksbury Construction, Inc. for the 2008 Sidewalk Improvements Project, No. 08W-S-0455, in an amount not to exceed \$116,088.60. (Requested by Department of Engineering)

Councilmember Becker made a motion to approve the resolution. Councilmember Bailey seconded the motion.

Councilmember Hultquist, Steve King and Vice-Mayor Brown addressed the resolution.

By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-389-08.

RE: DURACAP ASPHALT PAVING COMPANY, INC. – 2009 ALLEY PAVING PROJECT – WEE COURSE MAINTENANCE FACILITIES PARKING LOT

11-t. A Resolution authorizing the Mayor to approve Change Order No. 2 to Contract No. C-09-0059 between the City of Knoxville and Duracap Asphalt Paving Co., Inc. for the 2009 Alley Paving Project to pave the Wee Course maintenance facilities parking lot, so as to increase the contract price by \$22,000.00 for a new contract price of \$269,494.33 and to extend the completion date by 20 days to December 31, 2008. (Requested by Department of Engineering)

Vice-Mayor Brown made a motion to approve the resolution. Councilmember Bailey seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-390-08.

RE: VAUGHN & MELTON, INC. – GAY STREET STREETSCAPES PROJECT

11-u. A Resolution authorizing the Mayor to approve Change Order No. 1 to Contract No. C-07-0137 between the City of Knoxville and Vaughn & Melton, Inc. for the Gay Street Streetscapes Project due to changes in the scope of the Project, so as to increase the contract price by \$46,500.00 for a new contract price of \$339,040.00, and to increase the project time by 914 calendar days to December 31, 2010. (Requested by Department of Engineering)

Councilmember Becker made a motion to approve the resolution. Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-391-08.

RE: WASTE CONNECTIONS OF TENNESSEE, INC.

11-v. A Resolution authorizing the Mayor to execute a change order dated October 30, 2008 to Agreement No. C-08-0094 with Waste Connections of Tennessee, Inc. to increase the contract price from \$360,000.00 to \$475,000.00 to compensate the contractor for additional pick-ups not covered in the original contract price due to increased usage and volumes at drop centers. (Requested by Department of Public Service)

Councilmember Roddy made a motion to approve the resolution. Councilmember Bailey seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-392-08.

RE: TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION

11-w. A Resolution authorizing the Mayor to execute all documents necessary to accept a grant in the amount of \$6,700.00 from the Tennessee Department of Environment and Conservation to provide funding to purchase equipment to operate a used automobile oil collection center. (Requested by Department of Public Service)

Councilmember Becker made a motion to approve the resolution. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-393-08.

12. ORDINANCES ON FIRST READING

None.

13. PUBLIC FORUM

None.

14. ADJOURNMENT

There being no further business to come before City Council, upon motion the meeting adjourned at 10: 42 p.m.

Presiding Officer of the Council

Recorder