

MARKED

AGENDA FOR A REGULAR COUNCIL MEETING

MARCH 10, 2009

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 Hall

3. **ROLL CALL:** Vice-Mayor Becker 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 - a. **ITEMS WITHDRAWN (Indicated with “W”)**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 “*”)**

6. MAYOR'S REPORT:

Approved

- a. An application for renewal of a Certificate of Compliance for James Joseph Maples d/b/a Southern Wine & Spirits, LLC, 211 W. Young High Pike, Knoxville, Tennessee, 37920. (Requested by Department of Finance and Accountability)
- The Women Today Expo will be held March 13 -15 at the Knoxville Convention Center.
 - A Public Meeting to discuss the Downtown Wayfinding Project will take place March 10, 2009 at 6:00 p.m. in the Main Assembly Room.
 - The City of Knoxville and the Knox County Public Library are partnering to bring a new Lunch & Learn series called "Brown Bag – Green Book". Mike Edwards, CEO and President of the Knoxville Chamber of Commerce will launch the series on Wednesday 11, 2009 at 12:00 p.m. in the Café 4 Conference Room.

7. REPORTS OF COUNCIL MEMBERS OR COMMITTEES:

8. ELECTIONS AND CONFIRMATIONS:

Approved: R-66-09

- a. A Resolution confirming the appointment of Rick Whittaker to serve as a consumer representative on the Wrecker Services Commission. (Requested by Mayor)

Approved: R-67-09

- b. A Resolution confirming the reappointment of Lucille Griffo to serve as a member of the Public Assembly Facilities Board. (Requested by Mayor)

Approved: R-68-09

- c. A Resolution confirming the reappointment of Suzanne K. Roten to the Civil Service Merit Board. (Requested by Mayor)

9. ORDINANCES ON SECOND READING:

Postponed two (2) weeks

- "P" 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 the operating regulations of electronic message centers. (MPC Approved 9-4) (File No. 5-A-08-OA)
- (Requested due to Vice Mayor Becker being out of town)

9. ORDINANCES ON SECOND READING:

Postponed two (2) weeks

- “P” b. 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 electronic message centers on a development directory sign approved as part of a Master Sign Plan. (MPC Approved 9-4) (File No. 5-A-08-OA)
- (Requested due to Vice Mayor Becker being out of town)

Approved: O-27-09

- c. An Ordinance to amend the Operating Budget for Fiscal Year 08-09. (Requested by Department of Finance and Accountability)

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

Postponed two (2) weeks

- “P” a. An Appeal by Janice Loveday of the Metropolitan Planning Commission’s denial to rezone property located on the north side of W. Governor John Sevier Highway, west of Maryville Pike from O-1, Office, Medical, and Related Services District, to C-3, General Commercial District. (MPC Denied 10-1) (File No. 1-C-09-RZ) (First District) (Consider with 12g.)
- (Requested by MPC)

11. RESOLUTIONS:

Approved: R-69-09

- a. A Resolution honoring and congratulating the Webb High School Lady Spartans basketball team for winning the State Division II-AA Girls’ Basketball Championship. (Requested by Council)

Approved: R-70-09

- b. A Resolution approving an agreement between the City and Southeastern Glass Building, LLC to lease the property located underneath the viaduct at the intersection of Jackson Avenue and Broadway in order to provide additional parking in the downtown area. (Requested by Department of Policy and Communications)

Approved: R-71-09

- c. A Resolution authorizing the Mayor to execute an agreement with Loudon County Fence, LLC for the purchase and installation of a security gate system for KAT parking lots on or near Magnolia Avenue for an amount not to exceed a total cost of Forty-Seven Thousand Seven Hundred and Twenty-Six and 00/100 Dollars (\$47,726.00). (Requested by Operations and Efficiency)

11. RESOLUTIONS (CONTINUED):

Approved: R-72-09

- d. A Resolution authorizing the Mayor to execute an agreement with Orpak USA, Inc. to provide a new fuel management system for the City of Knoxville Fleet Services Department in an amount not to exceed \$221,731.50. (Requested by Department of Fleet Services)

Approved: R-73-09

- e. A Resolution authorizing the Mayor to execute an amendment to an agreement with the State of Tennessee to increase the amount of the Motor Carrier Safety Assistance Program Grant by \$131,200.00, which includes a state match of 80% (\$104,960) and a local match of 20% (\$26,240.00). (Requested by Police Department)

Approved: R-74-09

- * f. A Resolution to amend Resolution R-22-09 so as to authorize the Mayor to execute any and all documents necessary to award a grant award of \$16,000.00 to Bristol's Promise, a non-profit corporation, on behalf of Bristol/Anderson Weed and Seed, for the Project Safe Neighborhoods East Tennessee Anti-Gang Program. (Requested by Police Department)

Approved: R-75-09

- * g. A Resolution authorizing the Mayor to execute any and all documents necessary to add an additional \$2,000.00 to a grant award to the City of Bristol, on behalf of the Bristol Police Department, for the Project Safe Neighborhoods Gun Violence Reduction Program. (Requested by Police Department)

Approved: R-76-09

- * h. A Resolution authorizing the Mayor to execute any and all documents necessary to add an additional \$3,059.08 to a grant award to the City of Chattanooga, on behalf of the Chattanooga Police Department, for the Project Safe Neighborhoods East Tennessee Anti-Gang Program. (Requested by Police Department)

Approved: R-77-09

- i. A Resolution authorizing the Mayor to execute an agreement with Domestic Abuse Intervention Project pursuant to a grant from the Office of Justice Programs to conduct a safety audit and training to address a coordinated community response to domestic violence for the Knoxville-Knox County Community. (Requested by Police Department)

11. RESOLUTIONS (CONTINUED):

Approved: R-78-09

- j. A Resolution authorizing the Mayor to sign a Memorandum of Understanding with Knox County to accept Seventy-Five Thousand and no/100 Dollars (\$75,000.00) as a subrecipient of the 2008 Homeland Security Grant in order to purchase a gas ID detector for the Knoxville Fire Department. (Requested by Fire Department)

Approved: R-79-09

- k. A Resolution authorizing the Mayor to execute an Air Rights Easement with Fort Sanders Regional Medical Center for construction and maintenance of a pedestrian bridge which will encroach approximately 40.35 feet, at a height of 16 feet across the right-of-way of Laurel Avenue near the intersection of Nineteenth Street and Laurel Avenue. (Requested Department of Engineering)

Approved: R-80-09

- l. A Resolution approving a tax increment financing amendment to the Downtown North/I-275 Corridor Redevelopment and Urban Renewal Plan. (Requested by Department of Policy and Communications)

Approved: R-81-09

- m. A Resolution authorizing the Mayor to execute a quitclaim deed to Knoxville's Community Development Corporation for one parcel of property located at 0 Bishop Street, CLT No. 080-MC-006, within the city limits of the City of Knoxville to facilitate redevelopment of the Lonsdale Redevelopment and Urban Renewal Plan. (Requested by Department of Community Development)

Approved as Amended: R-82-09

- n. A Resolution authorizing the Mayor to execute the second amendment to Option Agreement with Jackson Avenue Parking, LLC; to execute all necessary documents to purchase the Option Tract from Jackson Avenue Parking, LLC for \$60,833.33; and to accept a permanent non-exclusive easement from the Option Tract to Jackson Avenue from Jackson Avenue Parking, LLC. (Requested by Department of Policy and Communications)

12. ORDINANCES ON FIRST READING:

Postponed two (2) weeks

- a. An Ordinance to amend the 2008-09 Operating Budget of the City of Knoxville so as to delete all remaining funds within the City Council budget designated for travel for the members of City Council. (Requested by Councilmember Frost)

12. ORDINANCES ON FIRST READING:

Postponed two (2) weeks

- b. An Ordinance to amend the 2008-09 Operating Budget of the City of Knoxville so as to delete all remaining funds of the Community Improvement (202) Fund. (Requested by Councilmember Frost)

Approved: O-28-09

- c. An Emergency Ordinance to extend for ninety (90) additional days the temporary stop-gap moratorium upon the issuance of new permits for the erection of electronic message centers within the City of Knoxville pending a review and potential modification of zoning requirements regulating such signs. (Requested by Council)

Approved on first reading

- d. An ordinance amending Chapter 6, Article IV of the Knoxville City Code relating to unfit buildings and adopting The 2006 Edition of the International Property Maintenance Code and Appendices, with amendments, as the Property Maintenance Code (Housing Code) of the City of Knoxville. (Requested by Department of Public Service)

Approved on first reading

- e. An Ordinance amending Chapter 6, Articles II and IIA of the Knoxville City Code to provide a consistent height requirement for street numbers on buildings. (Requested by Department of Public Service)

Approved on first reading

- f. An Ordinance to amend the Knoxville City Code, Appendix B “Zoning Regulations”, Article IV, Section 24. C., expanding permitted uses in the TC-1, Town Center District, to allow business and professional services and recreational facilities. (MPC Approved 10-0-1) (File No. 2-A-09-OA)

Postponed two (2) weeks

- g. **“P”** An Ordinance to rezone property located on the north side of W. Governor John Sevier Highway, west of Maryville Pike from O-1, Office, Medical, and Related Services District, to C-3, General Commercial District, on appeal from a decision of the Metropolitan Planning Commission. (MPC Denied 10-1) (File No. 1-C-09-RZ) (First District) (Consider with 10a.)
(Requested by MPC)

Approved on first reading

- h. An Ordinance to rezone property located on the west side of Park Village Road, north side of Executive Park Drive from C-6, General Commercial Park District, to C-3, General Commercial District, Shashi Patel, Applicant. (MPC Approved 10-0-1) (File No. 2-D-09-RZ) (Second District)

12. ORDINANCES ON FIRST READING (CONTINUED):

Approved on first reading

- i. An Ordinance to rezone portions of R-2 zoned property located within the area bounded by the west and northwest sides of James White Parkway, east and northeast sides of Davenport Road, and the south side of the railroad right-of-way of Sevier Avenue from R-2, General Residential District, to R-1, Low Density Residential District, Metropolitan Planning Commission, Applicant. (MPC Approved 10-0-1) (File No. 2-E-09-RZ)

Approved: O-29-09

- j. An Emergency Ordinance to rezone property located on the northwest side of McCampbell Drive, northwest side of Washington Pike, southwest side of Murphy Road from No Zone to C-3, General Commercial District, City of Knoxville, Applicant. (MPC Approved 10-0-1) (File No. 2-F-09-RZ) (Fourth District)

Approved: O-30-09

- k. An Emergency Ordinance to rezone property located on the northwest side of Callahan Drive, northeast of Barger Pond Way from No Zone to C-6, General Commercial Park District, City of Knoxville, Applicant. (MPC Approved 10-0-1) (File No. 2-G-09-RZ) (Third District)

Approved: O-31-09

- l. An Emergency Ordinance to rezone property located on the northwest side of Chesswood Drive, southwest side of Haynes-Sterchi Road from No Zone to R-1, Low Density Residential District, City of Knoxville, Applicant. (MPC Approved 10-0-1) (File No. 2-H-09-RZ) (Fifth District)

Approved: O-32-09

- m. An Emergency Ordinance to rezone property located on the north side of Woodleaf Drive, east side of Chesswood Drive from No Zone to R-1, Low Density Residential District, City of Knoxville, Applicant. (MPC Approved 10-0-1) (File No. 2-I-09-RZ) (Fifth District)

Approved: O-33-09

- n. An Emergency Ordinance to rezone property located on the north side of Kildare Drive, south side of I-40/75 right-of-way, north of Killarney Road from No Zone to R-1, Low Density Residential District, City of Knoxville, Applicant. (MPC Approved 10-0-1) (File No. 2-J-09-RZ) (Second District)

Approved: O-34-09

- o. An Emergency Ordinance to rezone property located on the southeast side of Chesswood Drive, southwest of Woodleaf Drive from No Zone to R-1, Low Density Residential District, City of Knoxville, Applicant. (MPC Approved 10-0-1) (File No. 2-K-09-RZ) (Fifth District)

12. ORDINANCES ON FIRST READING (CONTINUED):

Approved: O-35-09

- p. An Emergency Ordinance to rezone property located on the northwest side of Mountaincrest Drive, northeast of Ridgemont Drive from No Zone to R-1, Low Density Residential District, City of Knoxville, Applicant. (MPC Approved 10-0-1) (File No. 2-L-09-RZ) (Fourth District)

Approved: O-36-09

- q. An Emergency Ordinance of the Council appropriating the sum of \$100.00 from the Community Improvement (202) Fund and donating same to Fountain City Town Hall to be utilized toward the 2009 Honor Fountain City Day, other community events and mailing costs. (Requested by Councilmember Pelot)

13. PUBLIC FORUM:

None.

14. ADJOURNMENT: 7:45 p.m.