

**AGENDA FOR A REGULAR COUNCIL MEETING**

**DECEMBER 15, 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 Hultquist
  
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  - a. **ITEMS WITHDRAWN (Indicated with “W”)**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:**

**Special Presentation by Mayor Haslam and Vice-Mayor Becker to outgoing City Council Members Hultquist, Pelot, Hall, Frost and Booker.**

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

- Vice-Mayor Becker reminded everyone of the Swearing-In Ceremonies for five new City Council Members on Saturday, December 19, 2009 in the Main Assembly Room at Noon.
- Councilmember Pelot recognized her daughter and granddaughter in the audience.
- Councilmember Woodhull reported that he met with VMC, KARM, Salvation Army and others regarding the recently adopted sidewalk ordinance.
- Councilmember Woodhull thanked the members of Council leaving office for their service.
- Councilmember Hultquist announced that December 16 is the Tour de Lights bicycle tour beginning at Krutch Park at 7:00 p.m.

**8. ELECTIONS AND CONFIRMATIONS:**

**Approved: R-406-09**

- a. A Resolution confirming the reappointment of Jean Teague as a consumer representative on the Wrecker Services Commission. (Requested by Mayor)

**9. ORDINANCES ON SECOND READING:**

**Approved as Amended three times: O-166-09**

- a. An Ordinance to amend Chapter 5 of the Knoxville City Code so as to authorize restaurants within the City to permit pet dogs in certain outdoor dining areas. (Requested by Councilmembers Roddy and Woodhull)

**Approved: O-167-09**

- b. An Ordinance to amend Chapter 2, Article V, Divisions 1 and 2, Sections 2-643 and 2-657 of the Knoxville City Code to require new photographs for identification for special police officers and municipal enforcement officers every three years, rather than every year. (Requested by Police Department)

**Approved: O-168-09**

- c. An Ordinance to amend the Knoxville City Code, Article II, Division 6, Section 2-362, revising the schedule of charges for copies of public records in the custody of the Knoxville Police Department. (Requested by Police Department)

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

None.

**11. RESOLUTIONS:**

**Approved: R-407-09**

- a. A Resolution honoring and recognizing Sam Anderson for 22 years of distinguished service as a member of the Knox County School Board and expressing City Council's gratitude to Mr. Anderson for his dedication and devotion to the young people of Knox County. (Requested by Council)

**Approved: R-408-09**

- b. A Resolution congratulating and thanking the Knoxville Turkish Cultural Center for the successful presentation of the 2<sup>nd</sup> Annual "Dialogue Dinner" for promoting harmonious relationships among culturally diverse groups within this community. (Requested by Councilmembers Frost and Woodhull)

**Approved: R-409-09**

- c. A Resolution honoring and congratulating the Webb School Spartan Football Team for winning the 2009 TSSAA Division II-A State High School Football Championship. (Requested by Council)

**Approved: R-410-09**

- d. A Resolution expressing support for Mayor's appointment of Mae G. Moody, Eldon Eugene (Gene) Mathis, Barbara Armstead, and Elwood O. (Rick) Roach to the Neighborhood Advisory Council. (Requested by Mayor)

**Withdrawn**

- e. A Resolution requesting that the appropriate representative of Knology of Knoxville, Inc., fulfill the company's stated obligation to appear and make an annual report to City Council, engage in a discussion as to Knology's progress since April 12, 2008, and to provide specific information to City Council regarding Knology's build-out of its facilities as well as its progress with respect to carrying Community Television (CTV). (Requested by Councilmember Frost)

**Approved: R-411-09**

- f. A Resolution authorizing the Mayor to execute an amendment to the Development Agreement with Metropolitan Plaza, LLC, Document No. C-09-0211, regarding the development of the former site of the Tennessee Supreme Court. (Requested by Law Department)

**11. RESOLUTIONS (CONTINUED):**

**Approved: R-412-09**

- g. A Resolution authorizing the Mayor to execute all documents on behalf of the City of Knoxville necessary to sell surplus property located at 2363 Linden Avenue, CLT No. 0820-E-014 to Slemmons Mathes for the sum of \$1,000.00. (Requested by Department of Finance and Accountability)

**Approved: R-413-09**

- h. A Resolution authorizing the Mayor to execute all documents necessary to purchase a permanent drainage easement of 7,574 square feet and a temporary construction easement of 2,973 square feet at 9050 Cross Park Drive for the Cross Park Drive Drainage Improvements Project for \$20,300.00. (Requested by Department of Engineering)

**Approved: R-414-09**

- i. A Resolution authorizing the Mayor to execute an agreement with Shelton General Contractors for the 2009 Sidewalk Improvements Project in an amount not to exceed \$234,375.00. (Requested by Department of Engineering)

**Approved: R-415-09**

- j. A Resolution authorizing the Mayor to execute Change Order No. 3 to Contract No. C-09-0154 with Stooksbury Construction, Inc. for the 2008 Sidewalk Improvement Project (Project No. 08W-S-0455), to increase the contract amount by \$20,770.00, for a new total of \$148,858.60 and to increase the time by 31 days to December 31, 2009. (Requested by Department of Engineering)

**Approved: R-416-09**

- k. A Resolution authorizing the Mayor to execute all documents necessary to accept a quitclaim deed from John R. Moore, Trustee of the Fourth & Gill Neighborhood Organization, of two parcels of vacant property, CLT #081M-M-026 and #081M-M-028 for a City park. (Requested by Department of Parks and Recreation)

**Approved: R-417-09**

- l. A Resolution authorizing the Mayor to execute a lease with Knox County to lease office space at 400 Harriet Tubman for a term of one year with the option to extend for five (5) one (1) year terms to provide senior aide services to the local elderly community for a total annual contract price of \$12,960.00. (Requested by Department of Parks and Recreation)

**11. RESOLUTIONS (CONTINUED):**

**Approved: R-418-09**

- m. A Resolution rescinding Resolution No. R-104-08 and amending Resolution No. R-103-08 by increasing the local share of funding from \$100,000.00 to \$297,000.00 for the Congestion/Mitigation Air Quality (CMAQ) grant for Knoxville Area Transit and authorizing the Mayor to execute an agreement with the Tennessee Department of Transportation accepting \$2,970,000.00 in CMAQ grant funds. (Requested by Operations and Efficiency)

**Approved: R-419-09**

- n. A Resolution authorizing the Mayor to execute an agreement with Community Television of Knoxville, Inc. to operate public, educational and government cable channels for the City of Knoxville. (Requested by Department of Finance and Accountability)

**Approved: R-420-09**

- o. A Resolution authorizing the Mayor to execute an amendment to the operating contract between the City of Knoxville and the Public Building Authority of the County of Knox and the City of Knoxville, Tennessee with respect to the management of World's Fair Park, extending the contract until June 30, 2012. (Requested by Operations and Efficiency)

**Approved: R-421-09**

- p. A Resolution authorizing the Mayor to execute an amendment to Contract No. C-09-0040 with Knoxville-Knox County Metropolitan Planning Commission, extending the term of the agreement to June 30, 2010 and adding \$35,000.00 in Empowerment Zone funding for continued assistance with planning, implementing, and evaluating economic development and revitalization projects within Knoxville's Empowerment Zone. (Requested by Department of Community Development)

**Approved: R-422-09**

- q. A Resolution authorizing the Mayor to execute an agreement with Knoxville-Knox County Community Action Committee to provide \$30,000.00 in Community Development Block Grant funding for the Homeward Bound Program. (Requested by Department of Community Development)

**Approved: R-423-09**

- r. A Resolution authorizing the Mayor to execute Change Order No. 1 to Contract No. C-10-0046 with EC Corporation for the Fountain City Skate Plaza Project to increase the contract amount by \$22,412.70, for a new total of \$191,772.98, and to increase the time by 35 days to January 30, 2010. (Requested by Department of Parks and Recreation)

**11. RESOLUTIONS (CONTINUED):**

**Approved: R-424-09**

- s. 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 Thirty Million Dollars and no/100 (\$30,000,000.00) of Wastewater System Revenue Bonds, Series 2009 and amending Resolution No. R-129-90. (Requested by Department of Finance and Accountability)

**12. ORDINANCES ON FIRST READING:**

**Approved on first reading**

- a. An Ordinance to amend the operating budget for Fiscal Year 2009/2010 to fund a contribution to Legacy Parks Foundation. (Requested by Department of Finance and Accountability)
- b. \*\*\*

**Withdrawn**

- c. An Ordinance 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 in 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 Article IV, Section 405 of the Charter of the City of Knoxville entitled "City Council-compensation [of Councilmembers]" so as to authorize councilmembers to receive any annual salary increase provided by ordinance to all non-exempt, permanent employees of the City who have satisfactorily completed their initial employment probationary period and whose pay is established in accordance with the classification and compensation plan of the City; 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. (Requested by Councilmember Hultquist)

**Approved on first reading**

- d. An Ordinance to amend the Knoxville City Code, Appendix B, "Zoning Regulations", Article V, Section 6(D)(5), "Division of a lot", by rescinding Ordinance No. O-76-08. (MPC Approved 13-0-1) (File No. 11-A-09-OA)

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

**Approved: O-169-09**

- e. An Emergency Ordinance appropriating the sum of \$1,000.00 from the Community Improvement (202) Fund and donating same to the Boys and Girls Clubs of Greater Knoxville, Inc., toward continuation of inner city youth services and programs. (Requested by Councilmember Hall)

**Approved: O-170-09**

- f. An Emergency Ordinance appropriating the sum of \$500.00 from the Community Improvement (202) Fund and donating same to the Joy of Music School to be utilized toward their various music education programs. (Requested by Councilmember Pelot)

**Approved: O-171-09**

- g. An Emergency Ordinance appropriating the sum of \$1,200.00 from the Community Improvement (202) Fund and donating same to the Knoxville Symphony Society, Inc., to be utilized as financial assistance toward the Symphony League Show House 2010 annual fundraiser event. (Requested by Councilmember Pelot)

**Approved: O-172-09**

- h. An Emergency Ordinance appropriating the sum of \$400.00 from the Community Improvement (202) Fund and donating same to Safe Haven Center to be utilized toward the continuance of abuse/assault survivor programs. (Requested by Councilmember Pelot)

**Approved: O-173-09**

- i. An Emergency Ordinance appropriating the sum of \$1,350.00 from the Community Improvement (202) Fund and donating same to the Knoxville-Knox County Community Action Committee Office on Aging to be utilized toward their Mobile Meals program. (Requested by Councilmembers Hall and Pelot)

**Approved: O-174-09**

- j. An Emergency Ordinance appropriating the sum of \$1,500.00 from the Community Improvement (202) Fund and donating same to CASA of East Tennessee to be utilized toward general program support and furtherance of the CASA mission. (Requested by Councilmember Pelot)

**13. PUBLIC FORUM:**

George Brock Scott, 3045 Gibbs Drive, thanked Council for their work on Gibbs Drive.

Terry Faulkner, 4178 Ridgeway Lane, Representative of the Bearden Council, thanked Councilmember Pelot and other Council Members leaving office for their support of the Bearden Council during the past eight years.

Councilmember Bailey thanked the Council Members leaving office for their service to the city.

Councilmember Pelot recognized and thanked Anita Cash whose husband recently passed away.

**14. ADJOURNMENT: 8:40 p.m.**