

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

JANUARY 12, 2010 - 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, January 12, 2010.
Mayor Bill Haslam was present and presiding officer of the Council.

2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Councilmember Chris Woodhull led in the Invocation and Councilmember Marilyn Roddy led in the "Pledge of Allegiance" to the Flag.

3. ROLL CALL

The following City Council Members were present: Joe Bailey, Vice-Mayor Bob Becker, Daniel Brown, Nick Della Volpe, Duane Grieve, Brenda Palmer, Nick Pavlis, Marilyn Roddy and Chris Woodhull.

No one was absent.

4. APPROVAL OF MINUTES

Councilmember Della Volpe made a motion to approve the minutes from the December 29, 2009 City Council meeting. Councilmember Roddy 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5-a. ITEMS WITHDRAWN (Indicated with "W")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")

Vice-Mayor Becker made a motion to postpone the following ordinance twelve (12) weeks:

- 12-b.** An Ordinance to amend the Knoxville City Code, Appendix B "Zoning Regulations", Article V, Section 10 regarding the minimum required street frontage for the installation of a changeable price sign to require a minimum of 100 feet of frontage on the street where the property is addressed. (MPC Approved 10-0-1) (File No. 12-A-09-OA)

Councilmember Grieve seconded the motion. By unanimous voice vote the motion carried. The ordinance was postponed twelve (12) weeks.

Vice-Mayor Becker discussed ordinance 12c and whether or not a postponement was needed so that a workshop could be held.

No motion was offered by City Council. See "Ordinances on First Reading" for further consideration.

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

None.

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

None.

6. MAYOR'S REPORT

- Martin Luther King Celebration begins tomorrow at noon with the Interfaith Prayer Service at Mount Calvary Baptist Church. The Leadership Luncheon will take place on January 14th and the Parade will be held Monday, January 18 beginning at 10:00 a.m.
- Nissan will bring its new electric car, The Nissan LEAF, to Knoxville next week as part of its 22-city Nissan Leaf Zero Emission Tour.
- The City of Knoxville and Keep Knoxville Beautiful invite you to celebrate MLK Day this year by helping revitalize the historic Alex Haley Heritage Square in Morningside Park on Saturday, January 16.
- Thank you to the Public Service Department for their work during the recent winter storm. The Public Service Department cleared Level 1 and Level II streets and all streets around major medical facilities.

7. REPORTS OF COUNCIL MEMBERS OR COMMITTEES

- Councilmember Palmer thanked the Public Service Department for their hard work during the recent ice and snow storm.
- Councilmember Della Volpe asked Mintha Roach, KUB, to discuss KUB's Tree Trimming Policies. Ms. Roach addressed Council.
- Vice-Mayor Becker announced that the city's audit is printed and ready to be read. Mr. Becker also discussed upcoming MLK Celebration activities.

8. ELECTIONS AND CONFIRMATIONS

**RE: BOARD OF DIRECTORS OF COMMUNITY TELEVISION OF KNOXVILLE –
THOMAS "TANK" STRICKLAND – JACKIE LANE – DR. JERRY SEALE**

- 8-a.** A Resolution confirming the reappointments of Thomas "Tank" Strickland, Jackie Lane, and Dr. Jerry Seale to the Board of Directors of Community Television of Knoxville. (Requested by Mayor)

Councilmember Roddy made a motion to approve the resolution. Vice-Mayor 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-1-2010.

RE: HISTORIC ZONING COMMISSION – FARIS EID – ANDIE RAY

- 8-b.** A Resolution confirming the appointments of Faris Eid and Andie Ray to the Historic Zoning Commission. (Requested by Mayor)

Councilmember Grieve made a motion to approve the resolution. Councilmember Woodhull seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-2-2010.

9. ORDINANCES ON SECOND READING

None.

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

None.

11. RESOLUTIONS

RE: SOUTHERN CONSTRUCTORS, INC. – GAY STREET STREETSCAPES PROJECT

- 11-a.** A Resolution authorizing the Mayor to execute Change Order No. 4 to Contract No. C-09-0186 with Southern Constructors, Inc. for the Gay Street Streetscapes Project for additional excavation, installation of micropiles, change in bench design and addition of tactile warning pavers so as to increase the contract price by \$103,465.12 for a new contract amount of \$4,229,694.29. (Requested by Department of Engineering)

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-3-2010.

RE: RICHARDSON TURNER CONSTRUCTION, INC. – 360 DEGREE FIRING RANGE – KNOXVILLE POLICE DEPARTMENT

- 11-b.** A Resolution authorizing the Mayor to enter into a contract with Richardson Turner Construction, Inc. for construction of the 360 Degree Firing Range for the Knoxville Police Department in an amount not to exceed \$477,610.00. (Requested by Police Department)

Councilmember Roddy made a motion to approve the resolution. Vice-Mayor Becker seconded the motion.

Councilmember Della Volpe and Lieutenant Jeff Stiles of the Knoxville Police Department addressed the resolution.

By unanimous voice vote the motion carried. The resolution was approved. The printed resolution can be found attached to these minutes as Resolution No. R-4-2010.

12. ORDINANCES ON FIRST READING

RE: OPERATING AND CAPITAL BUDGETS AMENDMENT FOR FISCAL YEAR 2009-2010

12-a. An Ordinance to amend the Operating and Capital Budgets for Fiscal Year 2009-2010. (Requested by Department of Finance and Accountability)

Vice-Mayor Becker made a motion to approve the ordinance on first reading. Councilmember Bailey seconded the motion. By unanimous voice vote the motion carried. The ordinance was approved on first reading.

RE: KNOXVILLE – KNOX COUNTY PARK, RECREATION AND GREENWAYS PLAN – GENERAL PLAN AND SECTOR PLAN AMENDMENTS

12-c. An Ordinance adopting the Knoxville - Knox County Park, Recreation and Greenways Plan dated December 2009, which amends the General Plan and Sector Plans. (MPC Approved 10-0-1) (File No. 10-A-09-SAP)

Vice-Mayor Becker made a motion to approve the ordinance on first reading. Councilmember Woodhull seconded the motion.

Vice-Mayor Becker stated that he would ask the City Recorder to poll Council to see whether or not they would want a workshop on this matter.

Councilmember Della Volpe mentioned that the Plan could also be found on the Parks & Recreation or MPC websites.

By unanimous voice vote the motion carried. The ordinance was approved on first reading.

RE: STREET CLOSURE – EVANS STREET NEAR BONNY AVENUE – HABITAT FOR HUMANITY, APPLICANT

12-d. An Ordinance to close a portion of Evans Street between Bonny Avenue and south to terminus at Parcel 081PC003, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, Habitat for Humanity, Applicant. (MPC Approved 10-0-1) (File No. 3-A-08-SC) (Fifth District)

Vice-Mayor Becker made a motion to approve the ordinance on first reading. Councilmember Grieve seconded the motion. By unanimous voice vote the motion carried. The ordinance was approved on first reading.

RE: STREET NAME CHANGE – BONNY AVENUE NEAR DIVIDE STREET AND GAP ROAD – LEFLORE AVENUE – LOIS LEFLORE, APPLICANT

12-e. An Ordinance to change the street name of Bonny Avenue located between Divide Street and Gap Road to LeFlore Avenue, Lois LeFlore, Applicant. (MPC Approved 10-0-1) (File No. 12-B-09-SNC) (Third and Fifth Districts)

Councilmember Bailey made a motion to approve the ordinance on first reading. Vice-Mayor Becker seconded the motion.

Councilmember Bailey stated that the street name change had been approved by the Public Property Naming Committee.

By unanimous voice vote the motion to approve the ordinance on first reading was adopted. The ordinance was approved on first reading.

RE: REZONING REQUEST OF T. SCOTT JONES

- 12-f.** An Ordinance to rezone property located on the northwest side of Middlebrook Pike, southwest of N. Twenty First Street from I-2, Restricted Manufacturing and Warehousing District, to C-3, General Commercial District, T. Scott Jones, Applicant. (MPC Approved 10-0-1) (File No. 12-C-09-RZ) (Sixth District).

Councilmember Brown made a motion to approve the ordinance on first reading. Councilmember Bailey seconded the motion.

Discussion ensued with Councilmember Della Volpe, Mark Donaldson of MPC and Vice-Mayor Becker speaking.

By unanimous voice vote the motion carried. The ordinance was approved on first reading.

RE: COMMUNITY IMPROVEMENT (202) FUND – DR. MARTIN LUTHER KING, JR. COMMEMORATIVE COMMISSION OF GREATER KNOXVILLE, INC.

- 12-g.** An Emergency Ordinance appropriating the sum of \$3,000.00 from the Community Improvement (202) fund and donating same to the Dr. Martin Luther King, Jr. Commemorative Commission of Greater Knoxville, Inc., as a contribution toward the “2010 King Week Celebration” events. (Requested by Councilmembers Pavlis, Grieve, Palmer, Della Volpe, Brown, Woodhull and Vice Mayor Becker)

Councilmember Grieve made a motion to approve the emergency ordinance. Councilmember Brown seconded the motion.

Vice-Mayor Becker addressed the ordinance.

By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-1-2010.

13. PUBLIC FORUM

None.

14. ADJOURNMENT

There being no further business to come before City Council, upon motion, the meeting adjourned at 7:37 p.m.

Presiding Officer of the Council

Recorder