

REVISED

AGENDA FOR A REGULAR COUNCIL MEETING

JANUARY 26, 2010

7:00 PM

ORDER OF BUSINESS

1. **CALL TO ORDER:** Mayor Bill Haslam

2. **INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG:**
Councilmember Woodhull 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 - a. **ITEMS WITHDRAWN (Indicated with “W”)**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 “*”)**
11w-11y

6. MAYOR'S REPORT:

- A public meeting on the Henley Street Bridge reconstruction will be held Wednesday at 5:30 in the Small Assembly Room. The city is recommending to TDOT that the bridge have five traffic lanes, two bike lanes and sidewalks.
- The Sagawa sidewalk meeting will be held January 28, 7:00 p.m. at Sequoyah Elementary School.
- Thank you to everyone for their hard work during the recent recycling event at Chilhowee Park. Event was great success.
- Stan McCroskey, Fraternal Order of Police, was recognized to introduce the new FOP President, Mark Taylor.

7. REPORTS OF COUNCIL MEMBERS OR COMMITTEES:

- Councilmember Brown thanked all the volunteers who have worked so diligently in the aftermath of the earthquake in Haiti.
- Vice-Mayor Becker announced the following: 1) Mayor's Budget Retreat, February 2, 8:00 a.m. at TN Theater; 2) Training Session on Zoning, 5:00 p.m., February 4, Room 453 of City-County Building; 3) Workshop on the Ten Year Plan to Prevent Homelessness, February 11 – 5:30 p.m., Small Assembly Room.
- Vice-Mayor Becker also asked Council to respond to the following: 1) An e-mail regarding a request by Madeline Rogero for a workshop on the 5-year Consolidated Plan; 2) An e-mail from Council Office regarding scheduling Legislative Budget Hearings; 3) Next City Council dinner there will be discussion about Boards and Commissions, visioning and agenda review – February 9, 6:00 p.m. Room 453, City-County Building.

8. ELECTIONS AND CONFIRMATIONS:

Approved: R-5-2010

- a. A Resolution appointing Sylvia Woods to the Citizens Board for the operation of the Public Assembly Facilities. (Requested by Councilmember Pavlis)

9. ORDINANCES ON SECOND READING:

Approved as amended: O-2-2010

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

Approved: O-3-2010

- b. 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)

9. ORDINANCES ON SECOND READING (CON'T):

Approved: O-4-2010

- c. 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)

Approved: O-5-2010

- d. 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)

Approved: O-6-2010

- e. 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).

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

Appeal Approved

- a. An appeal by Ryan Construction Company of the Board of Zoning Appeals' decision to deny the request for variance to reduce the minimum required front yard setback from S. Northshore Drive from 25 feet to 5 feet (Knoxville City Code, Appendix B, Article IV, Section 2.1.1.E.1.a.) as per site plan to construct a carport addition to an existing dwelling on a lot with two required front yard setbacks, in an R-1, Low Density Residential District, property located at 1333 Park Glen Road, Parcel 134AD021. (BZA Denied 5-0) (File No. 12-G-09-VA) (Second District) (Consider with 11v.)

11. RESOLUTIONS:

Approved: R-6-2010

- a. A Resolution approving a contract between the City and Pugh & Company, P.C. to audit the accounts of the City of Knoxville for the period from July 1, 2009 to June 30, 2010 for a contract price of \$170,000.00. (Requested by City Recorder/Legislative)

11. RESOLUTIONS (CONTINUED):

Approved: R-7-2010

- b. A Resolution authorizing the Mayor to execute all documents necessary to accept a grant in the amount of \$16,000.00 from the Department of Energy, and administered by the Tennessee Emergency Management Agency, in order for the Knoxville-Knox County Emergency Management Agency to purchase equipment to enhance the capabilities of the Emergency Operations Center. (Requested by Emergency Management Agency)

Approved as amended: R-8-2010

- c. A Resolution authorizing the Mayor to execute all documents necessary to purchase approximately 68.05 acres of property located at 4328 Old French Road, Knox County, Tennessee, CLT # 111 Parcel 016, in fee simple from Suzanne H. Clark, Sandra Ray Monday and Josephine French Duncan for \$1,400,000.00 and to transfer said property to the State of Tennessee for a veteran's cemetery, upon certain conditions. (Requested by Department of Parks and Recreation) (Consider with 11d.)

Approved as amended: R-9-2010

- d. A Resolution authorizing the Mayor to execute an amendment to the October 15, 1999 Agreement Concerning Implementation of Lakeshore Master Plan between the State of Tennessee and the City of Knoxville to convey approximately 17.2 acres of the Lakeshore cemetery expansion area to the City, to relieve and delay certain City obligations at Lakeshore, and to further clarify the process for conveying abandoned property to the City. (Requested by Department of Parks and Recreation) (Consider with 11c.)

Approved: R-10-2010

- e. A Resolution authorizing the Mayor to transfer approximately one hundred and thirty doses of the City's surplus influenza vaccine to the Blount County Health Department. (Requested by Department of Finance and Accountability, Risk Management Division)

Approved: R-11-2010

- f. A Resolution authorizing the Mayor to execute an agreement with Knox County Schools for the transfer of surplus City equipment (a knuckle-boom, brush truck, and trailer) at a price of \$1,000.00. (Requested by Department of Finance and Accountability, Purchasing Division)

Approved: R-12-2010

- g. A Resolution authorizing the Mayor to approve Change Order No. 1 to Contract No. C-10-0072 with Southern Constructors, Inc. for additional services associated with the Blount Avenue Reconstruction Project in an amount not to exceed \$116,276.79 for a new contract price of \$1,661,091.79. (Requested by South Waterfront)

11. RESOLUTIONS (CONTINUED):

Approved: R-13-2010

- h. A Resolution authorizing the Mayor to execute all documents necessary to acquire an easement within 2101 Alcoa Highway, CLT # 122-001, from the United States of America, for a pedestrian bicycle path as part of Phase I of the Knox Blount Greenway Project for \$11,500.00. (Requested by Department of Engineering)

Approved: R-14-2010

- i. A Resolution authorizing the Mayor to execute an agreement with Richard C. Wood and Francis H. Wood to permit an encroachment for an awning within the right-of-way at 25 Emory Place. (Requested by Department of Engineering)

Approved: R-15-2010

- j. A Resolution authorizing the Mayor to execute an agreement with 617 Central Corporation to permit an encroachment for an awning within the right-of-way at 601 North Broadway. (Requested by Department of Engineering)

Approved: R-16-2010

- k. A Resolution authorizing the Mayor to execute an agreement with DEC Land Company, LLC to permit an encroachment for an awning within the right-of-way at 605 North Broadway. (Requested by Department of Engineering)

Approved: R-17-2010

- l. A Resolution authorizing the Mayor to execute an agreement with Michael Byron Denton to permit an encroachment for an awning within the right-of-way at 643 North Broadway. (Requested by Department of Engineering)

Approved: R-18-2010

- m. A Resolution authorizing the Mayor to execute an agreement with Cigarette Service Company, Inc. to permit an encroachment for an awning within the right-of-way at 706 North Broadway. (Requested by Department of Engineering)

Approved: R-19-2010

- n. A Resolution authorizing the Mayor to execute an agreement with Fikret T. Gencay and Susan E. O'Neil to permit an encroachment for an awning within the right-of-way at 730 North Broadway. (Requested by Department of Engineering)

Approved: R-20-2010

- o. A Resolution authorizing the Mayor to execute an agreement with Paramount U-LI-KA Dry Cleaners, Inc. to permit an encroachment for an awning within the right-of-way at 741 North Broadway. (Requested by Department of Engineering)

11. RESOLUTIONS (CONTINUED):

Approved: R-21-2010

- p. A Resolution authorizing the Mayor to execute a quitclaim deed to Elizabeth Upchurch for one parcel of property located at 1122 Luttrell Street, CLT No. 081-MH-032, within the limits of the City of Knoxville pursuant to the Homemakers Program for a contract sales price of \$53,800.00. (Requested by Department of Community Development)

Approved: R-22-2010

- q. A Resolution authorizing the acquisition, by condemnation if necessary, of a fee simple interest in certain property located at 808 N. Fourth Avenue (CLT No. 082-PA-013), believed to be owned by Birch Maintenance, Inc., said property to be used for the City's Homemakers Program, at a cost not to exceed \$45,000.00 as recommended by the Chronic Problem Properties Committee. (Requested by Department of Community Development)

Approved: R-23-2010

- r. A Resolution authorizing the acquisition, by condemnation if necessary, of a fee simple interest in certain property located at 2907 Martin Luther King, Jr. Avenue (CLT No. 082-FN-023), believed to be owned by Aaron & Derek Farmer, said property to be used for the City's Homemakers Program, at a cost not to exceed \$21,000.00, as recommended by the Chronic Problem Properties Committee. (Requested by Department of Community Development)

Approved: R-24-2010

- s. A Resolution authorizing the acquisition, by condemnation if necessary, of a fee simple interest in certain property located at 2923 Martin Luther King, Jr. Avenue (CLT No. 082-FN-019), believed to be owned by Ina Jean Shumpert, Dollor Helen Armstrong, and Carroll Claudette Armstrong, said property to be used for the City's Homemakers Program at a cost not to exceed \$23,000.00 as recommended by the Chronic Problem Properties Committee. (Requested by Department of Community Development)

Approved: R-25-2010

- t. A Resolution authorizing the Mayor to enter into an agreement with S&ME, Inc. for professional environmental consulting services within the South Waterfront Redevelopment Area for an amount not to exceed \$382,000.00. (Requested by South Waterfront)

11. RESOLUTIONS (CONTINUED):

Approved: R-26-2010

- u. A Resolution authorizing the Mayor to execute an agreement with the Tennessee Association Chiefs of Police to coordinate Basic/Advanced Internet Crimes Against Children Investigation Training, Prosecutors Training and Website Database Development pursuant to a grant from the Office of Juvenile Justice and Delinquency Programs (OJJDP) in an amount not to exceed \$87,472.00. (Requested by Police Department)

Approved: R-27-2010

- v. A Resolution approving an appeal by Ryan Construction Company of the Board of Zoning Appeals' decision to deny the request for variance to reduce the minimum required front yard setback from S. Northshore Drive from 25 feet to 5 feet (Knoxville City Code, Appendix B, Article IV, Section 2.1.1.E.1.a.) as per site plan to construct a carport addition to an existing dwelling on a lot with two required front yard setbacks, in an R-1, Low Density Residential District, property located at 1333 Park Glen Road, Parcel 134AD021. (BZA Denied 5-0) (File No. 12-G-09-VA) (Second District) (Consider with 10a.)

Approved: R-28-2010

- “*” w. A Resolution granting a pension of \$834.25 per month to Jean W. Davis-James, an employee of the Knoxville General Government. (Requested by Pension Board)

Approved: R-29-2010

- “*” x. A Resolution granting a pension of \$3,597.79 per month to Norman G. Hoskins, an employee of the Knoxville Police Department. (Requested by Pension Board)

Approved: R-30-2010

- “*” y. A Resolution granting a pension of \$3,849.60 per month to Terry L. Loveday, an employee of the Knoxville Fire Department. (Requested by Pension Board)

12. ORDINANCES ON FIRST READING:

Approved: O-7-2010

- a. An Emergency Ordinance appropriating the sum of \$500.00 from the Community Improvement (202) Fund and donating same to the Great Smoky Mountain Council – Boy Scouts of America for the benefit of certain Boy Scouts at Sarah Moore Greene and Green Elementary Schools. (Requested by Councilmember Brown)

13. PUBLIC FORUM:

None.

14. ADJOURNMENT: 9:35 p.m.