

AGENDA FOR A REGULAR COUNCIL MEETING

AUGUST 24, 2010

7:00 PM

ORDER OF BUSINESS

- 1. CALL TO ORDER:**

- 2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG:**

- 3. ROLL CALL:**

- 4. APPROVAL OF MINUTES:**

- 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 - a. ITEMS WITHDRAWN (Indicated with “W”)**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 “*”)**
11r – 11w

6. MAYOR'S REPORT:

7. REPORTS OF COUNCIL MEMBERS OR COMMITTEES:

8. ELECTIONS AND CONFIRMATIONS: [Click on blue box for agenda item](#)

- a. A Resolution to amend Resolution No. R-228-2010 confirming reappointments to the Downtown Design Review Board to reflect the correct term of service for Jeffrey Nash as being through July 1, 2011. (Requested by Mayor)
- b. A Resolution confirming the reappointment of Joe Petre to the Downtown Design Review Board. (Requested by Mayor)

9. ORDINANCES ON SECOND READING: [Click on blue box for agenda item](#)

- a. An Ordinance to amend Chapter 5 of the City Code so as to authorize residents to keep limited numbers of domesticated chickens on a noncommercial basis. (Requested by Councilmember Woodhull)
- b. 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 Section 709, Subpart (B), of Article VII of the Charter of the City of Knoxville, entitled "Elections," to amend the minimum number of signatures required for a petition accompanying a proposed ordinance for initiative and referendum to be at least seven percent (7%) of those registered to vote in the City as of January 1 of the year in which the petition is certified or seven thousand (7,000) signatures, whichever is greater, 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 Roddy)

9. ORDINANCES ON SECOND READING (CONTINUED): [Click on blue box for agenda item](#)

- c. An Ordinance to amend the Knoxville City Code, Appendix A, “Subdivision Regulations,” regarding review agencies and the number and type of copies of a final or administrative plat to be submitted for review, certification for recording and recording. (MPC Approved 11-0-1) (File No. 7-A-10-OA)
- d. An Ordinance approving the request of Maurice D. Hundley for a One Year Plan Amendment from Low Density Residential to Office for property located on the southeast side of Beaumont Avenue, southwest side of Boyd Street. (MPC Approved 11-0-1) (File No. 7-A-10-PA) (Fifth District).
- e. An Ordinance approving the request of Maurice D. Hundley for an amendment to the Central City Sector Plan from Low Density Residential to Office for property located on the southeast side of Beaumont Avenue, southwest side of Boyd Street. (MPC Approved 11-0-1) (File No. 7-B-10-SP) (Fifth District).
- f. An Ordinance to rezone property located on the southeast side of Beaumont Avenue, southwest side of Boyd Street from R-1A (Low Density Residential) District to O-1 (Office, Medical, and Related Services) District, Maurice D. Hundley, Applicant. (MPC Approved 11-0-1) (File No. 7-B-10-RZ) (Fifth District).
- g. An Ordinance to rezone property located on the northwest side of Scenic Drive, northeast side of Blows Ferry Road from R-1 (Low Density Residential) District to R-1/NC-1 (Low Density Residential District/Neighborhood Conservation Overlay) with Scenic Drive NC-1 Design Guidelines, Sue C. Howard, Applicant. (MPC Approved 11-0-1) (File No. 7-C-10-RZ) (Second District).

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

11. RESOLUTIONS: [Click on blue box for agenda item](#)

- a. A Resolution of the Mayor and the Council honoring and thanking Sam Anderson upon the completion of thirty-four years of loyal and dedicated service to the City of Knoxville and wishing him much happiness and success in all of his future endeavors. (Requested by Mayor and Council)

11. RESOLUTIONS (CONTINUED): [Click on blue box for agenda item](#)

- b. A Resolution honoring the memory of the late Patricia Neal and expressing Council's sincere condolences to her loved ones upon the occasion of her passing. (Requested by Councilmembers Palmer and Grieve)
- c. A Resolution approving the issuance of a certificate of compliance to Admiral Wine & Spirits LLC relative to its application to the Tennessee Alcoholic Beverage Commission for a license to operate a liquor store in the City. (Requested by Department of Finance and Accountability)
- d. A Resolution approving the issuance of a certificate of compliance to Eastown Package Store relative to its application to the Tennessee Alcoholic Beverage Commission to renew its license to operate a liquor store in the City. (Requested by Department of Finance and Accountability)
- e. A Resolution approving the issuance of a certificate of compliance to On the Rocks LLC d/b/a On the Rocks Wine and Liquor relative to its application to the Tennessee Alcoholic Beverage Commission to renew its license to operate a liquor store in the City. (Requested by Department of Finance and Accountability)
- f. A Resolution expressing appreciation to Dow Chemical Company for the donation of miscellaneous fire equipment valued at approximately \$15,871.04 for use by the Knoxville Fire Department. (Requested by Fire Department)
- g. A Resolution authorizing the Mayor to execute an amendment to the development agreement with Metropolitan Plaza, LLC, Document No. C-09-0211, to extend the purchase date of the former site of the Tennessee Supreme Court to December 31, 2010. (Requested by Law Department)
- h. A Resolution authorizing the Mayor to execute all documents on behalf of the City of Knoxville necessary to sell surplus City property located at 0 Fourth Avenue, CLT No. 094F-D-019, to Charles Lee Moses for \$4,000.00. (Requested by Department of Finance and Accountability)
- i. A Resolution authorizing the Mayor to execute all documents on behalf of the City of Knoxville necessary to purchase 432 square feet in fee simple and 1,172 square feet for a temporary construction easement within property located at 2829 Whittle Springs Road, CLT No. 070P-C-026, from William J. Captain, for a total amount of \$2,950.00, as part of the 2009 Sidewalk Improvements Project. (Requested by Department of Engineering)

11. RESOLUTIONS (CONTINUED): [Click on blue box for agenda item](#)

- j. A Resolution authorizing the Mayor to execute all documents on behalf of the City of Knoxville necessary to complete an exchange of several parcels of property owned by the City located at the corner of Frazier Street and Fifth Avenue for various parcels of property owned by Knox County located at Biddle Street, Brooks Avenue, and Graves Street. (Requested by Department of Finance and Accountability)
- k. A Resolution authorizing the Mayor to execute Change Order No. 1 to Contract No. C-10-0227 between the City of Knoxville and Charles Ingle Trucking, Inc. d/b/a Ingle Paving for the 2010 CDBG Sidewalk Project to increase the contract price by \$20,274.00 for a new contract price of \$122,005.75, and increase the time for a new completion date of September 4, 2010. (Requested by Department of Engineering)
- l. A Resolution authorizing the Mayor to execute an agreement with Charles Ingle Trucking, Inc. d/b/a Ingle Paving for the 2010 Sidewalk Replacement Project, No. 10W-S-0478, in an amount not to exceed \$633,586.20. (Requested by Department of Engineering)
- m. A Resolution authorizing the Mayor to execute an agreement with MC Painting, Inc. in an amount of \$76,685.00 to paint the ceiling of the Knoxville Civic Auditorium and Coliseum. (Requested by Department of Public Assembly Facilities)
- n. A Resolution authorizing the Mayor to execute an agreement with Knox Housing Partnership, Inc. to provide \$383,000.00 in HOME Investment Partnerships Program funds to be used for the development of an affordable housing facility at 1405 Dutch Valley Drive, conditional upon environmental review and clearance by the U.S. Department of Housing and Urban Development. (Requested by Department of Community Development)
- o. A Resolution authorizing the Mayor to file a grant application with the U.S. Department of Transportation to provide funding to Knoxville Area Transit for Surface Transportation Program (STP) grant assistance in an amount not to exceed \$1,818,187.00, with a City match up to \$454,547.00, and authorizing the Mayor to execute any and all documents to accept such a grant award. (Requested by Operations and Efficiency)
- p. A Resolution authorizing the Mayor to file a grant application with the U.S. Department of Transportation to provide funding to Knoxville Area Transit in the amount of \$365,954.00 for Surface Transportation Program fund grant assistance under the American Recovery and Reinvestment Act of 2009 (ARRA), and authorizing the Mayor to execute any and all documents to accept such a grant award. (Requested by Operations and Efficiency)

11. RESOLUTIONS (CONTINUED): [Click on blue box for agenda item](#)

- q. A Resolution delegating the authority to negotiate and accept payments in lieu of ad valorem taxes from Eastport Development, LP and approving the form of payment in lieu of tax agreement between Knoxville’s Community Development Corporation and Eastport Development, LP. (Requested by Department of Community Development)
- “*” r. A Resolution granting a pension of \$563.12 per month to Roberta A. Werner, an employee of the former Knoxville City School System. (Requested by Pension Board)
- “*” s. A Resolution granting a pension of \$4,149.60 per month to Donna M. Kelley, an employee of the Knoxville Police Department. (Requested by Pension Board)
- “*” t. A Resolution granting a pension of \$759.05 per month to Carl Steven Bobo, an employee of the Knoxville General Government. (Requested by Pension Board)
- “*” u. A Resolution granting a pension of \$416.52 per month to James L. Turner, an employee of the Knoxville General Government. (Requested by Pension Board)
- “*” v. A Resolution granting a pension of \$1,072.45 per month to Clarence Norman Bragg, an employee of the Knoxville General Government. (Requested by Pension Board)
- “*” w. A Resolution granting a pension of \$130.19 per month to Clara Robins, an employee of the former Knoxville City School System. (Requested by Pension Board)

12. ORDINANCES ON FIRST READING: [Click on blue box for agenda item](#)

- a. 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)
- b. An Emergency Ordinance appropriating the sum of \$400.00 from the Community Improvement (202) Fund and donating same to Community Shares acting as fiscal agent for the Socially Equal Energy Efficient Development Organization, toward the project to create and sustain green jobs for certain Knoxville at-risk youth. (Requested by Councilmembers Della Volpe and Brown)

12. ORDINANCES ON FIRST READING (CONTINUED): [Click on blue box for agenda item](#)

- c. An Emergency Ordinance appropriating the sum of \$250.00 from the Community Improvement (202) Fund and donating same to the Free Medical Clinic of America to be utilized toward their upcoming celebration banquet. (Requested by Councilmember Pavlis)
- d. An Emergency Ordinance appropriating the sum of \$200.00 from the Community Improvement (202) Fund and donating same to the East Tennessee Community Design Center toward the furtherance of certain efforts of the College Street Cemetery Preservation Committee. (Requested by Councilmember Brown)

13. PUBLIC FORUM:

14. ADJOURNMENT: