

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

**JANUARY 27, 2009 - 7:00 PM  
Main Assembly Room, City-County Building**

## **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 27, 2009. Mayor Bill Haslam was present and presiding officer of the Council.

## **2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG**

Councilmember Barbara Pelot led in the Invocation and Councilmember Chris Woodhull led in the “Pledge of Allegiance” to the Flag.

## **3. ROLL CALL**

The following Councilmembers were present: Joe Bailey, Bob Becker, Vice-Mayor Brown, Rob Frost, Steve Hall, Joe Hultquist, Barbara Pelot, Marilyn Roddy and Chris Woodhull.

## **4. APPROVAL OF MINUTES**

Councilmember Frost made a motion to approve the minutes from the January 13, 2009 meeting. Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The minutes were adopted.

## **5. ANNOUNCEMENTS AND EXTRAORDINARY MATTERS, ADOPTION OF AGENDA**

### **5-a. ITEMS WITHDRAWN (Indicated with “W”)**

None.

### **5-b. ITEMS FOR POSTPONEMENT (Indicated with “P”)**

None.

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

None.

### **5-d. CONSENT ITEMS (Indicated with “\*”)**

Vice-Mayor Brown made a motion to approve resolutions 11y through 11hh on the consent agenda. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The resolutions were approved. (See “Resolutions”).

**6. MAYOR'S REPORT**

**RE: CERTIFICATE OF COMPLIANCE – JOHN A. MEESE d/b/a CRISTY'S LIQUOR STORE**

- 6-a.** An application for a Certificate of Compliance for John A. Meese d/b/a Cristy's Liquor Store, 4613 Rutledge Pike, Knoxville, Tennessee, 37914. (Requested by Department of Finance and Accountability)

Councilmember Frost made a motion to approve the application for a Certificate of Compliance. Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The matter was approved.

**RE: CERTIFICATE OF GOOD MORAL CHARACTER – DANIEL THOMAS FRITZ, JR., VETERANS OF FOREIGN WARS #1733 – KNOXVILLE ELKS LODGE 160**

- 6-b.** An application for a Certificate of Good Moral Character for Daniel Thomas Fritz, Jr., Veterans of Foreign Wars #1733, for the sale of alcoholic beverages at the private club, Knoxville Elks Lodge 160, 734 N. Fourth Avenue, Knoxville, Tennessee, 37917. (Requested by Department of Finance and Accountability)

Councilmember Frost made a motion to approve the application for a Certificate of Good Moral Character. Councilmember Bailey seconded the motion. By unanimous voice vote the motion carried. The matter was approved.

**RE: MAYOR'S REMARKS**

- Mayor Haslam recognized and congratulated Public Service Director David Brace who recently won the Ed Archer Young Public Works Leader of the Year Award
- The Knoxville Zoo is currently hosting their cold weather Penguin Discount Days.
- The Bijou Theater is celebrating its 100<sup>th</sup> Birthday. The new/old marquee unveiling will be Wednesday, at 5:50 p.m.
- Mayor Haslam recognized Park Superintendent Dale Ditsaman to talk about the 75<sup>th</sup> birthday celebration for the Smoky Mountains National Park.

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

- 7-a.** Report of Mayor's Council on Disability Issues (CODI) regarding the abandonment of comprehensive LIFT services for citizens of Knoxville with disabilities.

Mayor Haslam reported that several folks had signed up to speak and recommended setting a time limit of 20 minutes to allow as many persons to speak as possible within that 20 minute time frame.

Councilmember Hultquist made a motion to suspend the rules of Council to allow 20 minutes of discussion with as many speakers as possible within the 20 minutes. Councilmember Bailey seconded the motion. By unanimous voice vote the motion carried.

The following persons addressed the report: Councilmember Woodhull; Tom Caylor; Bill Dockery; Otis Stephens; Nick Wallis; Tom Dyer; Catherine Moore; Joyce Marshall; Councilmember Frost; Cindy McGinnis, KAT; Councilmember Pelot; Councilmember Becker; Lillian Burch; Vice-Mayor Brown; Councilmember Roddy; Mayor Haslam.

Mayor Haslam stated that new policy discussion needs to occur and suggested that KAT allow CAC to assume the work related trips that are outside the ¾ mile radius. He also suggested that during the discussion period, KAT grandfather the other trips until other solutions are determined. Mayor Haslam also stated that a consistent policy needs to be determined instead of the ad hoc policy that had been set over the years.

- Councilmember Pelot recognized Terry Faulkner who thanked the city administration for recent tree planting.

## **8. ELECTIONS AND CONFIRMATIONS**

None.

## **9. ORDINANCES ON SECOND READING**

### **RE: CITY CODE AMENDMENT – APPENDIX B, ZONING REGULATIONS – ELECTRONIC MESSAGE CENTERS**

- 9-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)

Councilmember Becker made a motion to approve the ordinance. Councilmember Frost seconded the motion.

Discussion on the ordinance took place with the following persons speaking: Arthur Seymour, Jr., representing Turkey Creek Land Partners; Councilmember Frost; Vice-Mayor Brown; Duane Grieve, Scenic Knoxville; Councilmember Becker; Councilmember Frost; Robert Bedwell, 1321 Harvey Road; Councilmember Pelot; Debbie Poplin, Law Department; Mark Donaldson, MPC; Anita Cash, Inspections; Charles Swanson, City Council Attorney.

#### **Amendment #1**

Councilmember Becker made a motion to adopt amendments provided from the City of Knoxville Law Department in 27 page document where amendments are highlighted in yellow.

Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. Amendment #1 was adopted.

#### **Amendment #2**

Councilmember Becker made a motion to be applied to both page 12 & 19 section 1, subsections (a), (b) and (d), to add the underlined language in each section:

- (a) An EMC may be permitted in those areas covered by an H-1 Overlay district subject to approval as required within an H-1 District.
- (b) An EMC may be permitted in those areas covered by a D-1 Overlay district subject to approval as required within a D-1 District.
- (d) An EMC may be permitted in those specific zone districts that allow EMC’s with approved design regulations or guidelines subject to approval by the appropriate regulatory body for such district.

Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. Amendment #2 was adopted.

#### **Amendment #3**

Councilmember Roddy made a motion to add the following language:

“In order to clarify the fact that we amended this last time to adopt an option which included a statement that consideration was to be given to the potential for a plan for amortization of these signs, I would like to move to amend what we have before us so that the portion to be codified will not change but so it clearly provides that the MPC and the Law Dept and any other

necessary department give consideration to the potential for an amortization plan for EMC's and report back to City Council with respect to their findings as to the potential for such amortization."

Councilmember Becker seconded the motion. By unanimous voice vote the motion carried. Amendment #3 was adopted.

**Amendment #4**

Councilmember Pelot made a motion to place changeable price signs back into the ordinance. Councilmember Hall seconded the motion. Bailey, Hall and Pelot "Aye." Becker, Brown, Frost, Hultquist, Roddy and Woodhull voted "Nay." The motion failed.

**Amendment #4 reconsidered**

After further discussion, Vice-Mayor Brown made a motion to reconsider Amendment #4. Councilmember Pelot seconded the motion. By unanimous voice vote the motion to reconsider was approved.

Amendment #4 back on floor with original motion:

By unanimous voice vote, the motion to provide for changeable price signs to be placed back into ordinance, was approved. Amendment #4 was adopted.

By unanimous voice vote, the motion to approve the ordinance, as amended four times, was approved. Due to substantive changes, the ordinance was approved on first reading.

**RE: ALLEY CLOSURE FROM STONEWALL STREET TO BRAGG STREET – CITY OF KNOXVILLE APPLICANT.**

- 9-b.** An Ordinance to close an unnamed alley from Stonewall Street to Bragg Street (closed portion), and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, City of Knoxville, Applicant. (MPC Approved 13-0) (File No. 12-A-08-AC) (Fifth District)

Councilmember Becker made a motion to approve the ordinance on second reading. Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as O-6-09.

**RE: STREET CLOSURE – BRIDGE AVENUE NEAR TWELFTH STREET AND ELEVENTH STREET – CHIP STANLEY, APPLICANT**

- 9-c.** An Ordinance to close a portion of the radius of Bridge Avenue at the northeast corner of Twelfth Street and northwest corner of Eleventh Street conditional upon the recording of a resubdivision plat, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, Chip Stanley, Applicant. (MPC Approved 13-0) (File No. 12-A-08-SC) (First District)

Councilmember Hultquist made a motion to approve the ordinance on second reading. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as O-7-09

**RE: STREET CLOSURE – HIGHLAND AVENUE NEAR ELEVENTH STREET – CHIP STANLEY, APPLICANT**

- 9-d.** An Ordinance to close a portion of the radius of Highland Avenue at the southwest corner of Eleventh Street conditional upon the recording of a resubdivision plat, and authorizing the Mayor to execute quitclaim deeds to the

adjacent property owners, Chip Stanley, Applicant. (MPC Approved 13-0) (File No. 12-B-08-SC) (First District)

Councilmember Hultquist made a motion to approve the ordinance on second reading. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as O-8-09

**RE: ONE YEAR PLAN AMENDMENT REQUEST OF THE KNOXVILLE CITY COUNCIL – KINGSTON PIKE – ALCOA HIGHWAY**

- 9-e.** An Ordinance approving the request of Knoxville City Council for a One Year Plan Amendment from Light Industrial to Mixed Uses (Office, General Commercial, High Density Residential) for property located on the southeast side of Kingston Pike, southeast of Alcoa Highway. (MPC Approved 13-0) (File No. 12-A-08-PA) (First District).

Councilmember Hultquist made a motion to approve the ordinance on second reading. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as O-9-09

**RE: REZONING REQUEST OF THE KNOXVILLE CITY COUNCIL – KINGSTON PIKE AND ALCOA HIGHWAY**

- 9-f.** An Ordinance to rezone property located on the southeast side of Kingston Pike, southeast of Alcoa Highway, from O-2, Civic and Institutional District to RP-3, Planned Residential District, Knoxville City Council, Applicant. (MPC Approved 13-0) (File No. 12-D-08-RZ) (First District)

Councilmember Hultquist made a motion to approve the ordinance on second reading. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as O-10-09

**RE: REZONING REQUEST OF THE KNOXVILLE CITY COUNCIL – SOUTHSIDE ROAD AND ISLAND HOME PIKE**

- 9-g.** An Ordinance to rezone property located south, southeast and west of Aberdeen Lane, northwest, west and southwest of Harold Lane, north and northeast of Southside Road, southwest of Island Home Pike, from I-4, Heavy Industrial District and R-1, Low Density Residential District to R-1, Low Density Residential District and OS-1, Open Space, Knoxville City Council, Applicant. (MPC Approved 13-0) (File No. 12-E-08-RZ) (First District)

Councilmember Hultquist made a motion to approve the ordinance on second reading. Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as O-11-09

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

**RE APPEAL BY CHEROKEE BLUFF COUNCIL OF CO-OWNERS, INC.**

- 10-a.** An appeal by Cherokee Bluff Council of Co-owners, Inc., of the Metropolitan Planning Commission's decision to approve a Use on Review for a development plan for up to 30 residential dwelling units with a maximum of 80 bedrooms, subject to nine conditions, in an RP-1, Planned Residential District, property located on the northeast side of Cherokee Trail, west of Edington Road. (MPC Approved 13-0-1) (File No. 10-G-08-UR) (First District) (Consider with 11x.)

**in conjunction with**

- 11-x.** A Resolution approving an appeal by Cherokee Bluff Council of Co-owners, Inc., of the Metropolitan Planning Commission's decision to approve a Use on Review for a development plan for up to 30 residential dwelling units with a maximum of 80 bedrooms, subject to nine conditions, in an RP-1, Planned Residential District, property located on the northeast side of Cherokee Trail, west of Edington Road. (MPC Approved 13-0-1) (File No. 10-G-08-UR) (First District) (Consider with 10a.)

Arthur Seymour, Jr. and Robbie Pope both stated that an agreement between the parties had been made concerning the appeal.

After brief discussion, Councilmember Hultquist moved that the appeal be approved to the extent of adding an additional condition to condition #10 and then denying the remainder of the appeal. The language being as follows:

- 10.** The applicant will dedicate a Conservation Easement over the undisturbed area of the development with Legacy Parks, Cherokee Bluff Council of Co-Owners, Inc. or a like organization as beneficiary that will ensure the preservation of the undisturbed area of the development in its present state, or to convey in fee simple the property to such organization rather than grant the conservation easement. Said area is delineated as Exhibit 1 hereto.

Said dedication shall be completed and filed with the Register of Deeds Office for Knox County Tennessee prior to issuance by the City of Knoxville of a Certificate of Occupancy for the dwelling units on the property.

In all other respects the appeal is denied.

Councilmember Becker seconded the motion. By unanimous voice vote the motion carried. The appeal was approved with an additional condition #10 and the remainder of appeal being denied. The printed resolution can be found attached to these minutes as Resolution No. R-33-09.

**11. RESOLUTIONS**

**RE: CITY COUNTY BUILDING GREEN SPACE POLICY**

- 11-a.** A Resolution in support of policy governing development on the green space of the City County Building. (Requested by Department of Policy and Communications)

Councilmember Roddy made a motion to approve the resolution. Councilmember Pelot seconded the motion.

Councilmember Becker made a motion to amend the resolution to add the language "subject to approval by the Downtown Design Guidelines Committee". Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The amendment was adopted.

Discussion continued with Councilmember Becker; Councilmember Pelot; Councilmember Frost; Councilmember Roddy; Dr. Bill Lyons and Dale Smith, PBA, speaking.

Councilmember Frost then made a motion to postpone the resolution two (2) weeks. Councilmember Hultquist seconded the motion. By unanimous voice vote the motion carried. The resolution was postponed two (2) weeks.

**RE: KNOXVILLE'S COMMUNITY DEVELOPMENT CORPORATION –  
MAGNOLIA AVENUE WAREHOUSE DISTRICT REDEVELOPMENT PLAN**

- 11-b.** A Resolution authorizing Knoxville's Community Development Corporation to study and prepare a redevelopment plan for the Magnolia Avenue Warehouse District within the City of Knoxville and to conduct a public hearing regarding the necessity for the adoption of such a redevelopment plan. (Requested by Department of Policy and Communications, Councilmember Woodhull, and Vice Mayor Brown)

Discussion ensued with the following persons addressing the resolution: Denise Sanabria, 1153 Edinbridge, apprehensive about resolution; Preston Proffitt, Fireproof Storage, in opposition to resolution; Tom Brandon, property owner in area, in opposition to resolution; councilmember Hall; Councilmember Woodhull; Councilmember Frost; Dr. Bill Lyons, Policy and Communication Department; Councilmember Becker.

Councilmember Hall stated that he would "abstain" on this matter and not vote since he is a property owner in this area.

Councilmember Woodhull made a motion to approve the resolution. Vice-Mayor Brown seconded the motion. Upon roll call, Councilmembers Bailey, Becker, Brown, Hultquist, Pelot and Woodhull voted "Aye." Councilmembers Frost and Roddy voted "Nay." Councilmember Hall "Abstained". The motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-12-09.

**RE: METROPOLITAN PLANNING COMMISSION - FILING OF APPEALS**

- 11-c.** A Resolution respectfully requesting the Metropolitan Planning Commission to design and implement a form for appeals which fully comports with the requirements of the City Code relative to the filing of appeals. (Requested by Councilmember Frost)

Councilmember Frost made a motion to approve the resolution. Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-13-09.

**RE: TENNESSEE DEPARTMENT OF TRANSPORTATION - STATE ROUTE 33,  
HENLEY STREET BRIDGE**

- 11-d.** A Resolution authorizing the Mayor to execute a proposal with the Tennessee Department of Transportation for Federal Project No. HPP-NHE-33(51), State Project No. 47017-2217-94, State Route 33 (Henley Street) bridge and approaches, widening from Main Street to Blount Avenue. (Requested by Department of Engineering)

Councilmember Hultquist addressed the resolution.

Councilmember Hultquist made a motion to approve the resolution. Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-14-09.

**RE: AMERICAN TELEPHONE AND TELEGRAPH (AT&T) – CROSS PARK DRIVE  
DRAINAGE IMPROVEMENT PROJECT, PHASE II**

- 11-e.** A Resolution authorizing the Mayor to execute a special construction agreement with American Telephone and Telegraph (AT&T) to pay AT&T to relocate underground communications lines as part of the Cross Park Drive Drainage Improvement Project, Phase II, in an amount not to exceed \$57,000.57. (Requested by Department of Engineering)

**RE: AIR RIGHTS EASEMENT TO THE UNIVERSITY OF TENNESSEE FOR CANTILEVERED EXPANSION OF NEYLAND STADIUM**

- 11-f.** A Resolution to repeal Resolution Number R-387-08 and to grant a revised Air Rights Easement to the University of Tennessee for a cantilevered expansion of Neyland Stadium over Phillip Fulmer Way. (Requested by Department of Engineering)

Councilmember Becker 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-16-09.

**RE: KNOXVILLE FIRE DEPARTMENT – STATE FARM SCHOLARSHIP – 2009 STATE FARM ARSON DOG PROGRAM**

- 11-g.** A Resolution authorizing the Mayor to accept on behalf of the Fire Department a scholarship from State Farm as part of their 2009 State Farm Arson Dog Program and to express the City's appreciation to State Farm and Maine Specialty Dogs for their donation to the City of Knoxville of a fully-trained arson dog to assist in the investigation of suspicious fires. (Requested by Fire Department)

Councilmember Roddy made a motion to approve the resolution. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-17-09.

**RE: KNOX-BRADLEY MECHANICAL CONTRACTORS, INC. – KNOXVILLE CIVIC AUDITORIUM/COLISEUM**

- 11-h.** A Resolution authorizing the Mayor to execute an agreement with Knox-Bradley Mechanical Contractors, Inc. for purchase and installation of two water heaters to replace the water heater at the Knoxville Civic Auditorium/Coliseum in an amount not to exceed \$32,000.00. (Requested by Public Assembly Facilities)

Vice-Mayor Brown made a motion to approve the resolution. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-18-09.

**RE: CHATTANOOGA HOUSING AUTHORITY – EAST CHATTANOOGA WEED AND SEED - EAST SIDE TASK FORCE – PROJECT SAFE NEIGHBORHOODS EAST TENNESSEE ANTI-GANG PROGRAM**

- 11-i.** A Resolution authorizing the Mayor to execute any and all documents necessary to award a grant award of \$30,000 to the Chattanooga Housing Authority, on behalf of East Chattanooga Weed and Seed and the East Side Task Force, for the Project Safe Neighborhoods East Tennessee Anti-Gang Program. (Requested by Police Department)

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-18-09.

**RE: PROJECT SAFE NEIGHBORHOODS – EAST TENNESSEE ANTI-GANG PROGRAMS**

Councilmember Frost made a motion to amend the consent agenda to approve resolutions 11j through 11s on the consent agenda. Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The following resolutions 11j through 11s were approved on consent:

**APPROVED R-20-09**

- 11-j.** A Resolution authorizing the Mayor to execute any and all documents necessary to award a grant award of \$20,500.00 to the Kingsport Housing and Redevelopment Authority, on behalf of the South Central Kingsport Weed and Seed and South Central Kingsport Community Development, Inc., for the Project Safe Neighborhoods East Tennessee Anti-Gang Program. (Requested by Police Department)

**APPROVED R-21-09**

- 11-k.** A Resolution authorizing the Mayor to execute any and all documents necessary to award a grant award of \$ 18,000.00 to the City of Johnson City, on behalf of Johnson City Weed and Seed, for the Project Safe Neighborhoods East Tennessee Anti-Gang Program. (Requested by Police Department)

- 11-l** \*\*\*(Left blank intentionally)

**APPROVED R-22-09**

- 11-m.** A Resolution authorizing the Mayor to execute any and all documents necessary to award a grant award of \$16,000.00 to the City of Bristol, on behalf of Bristol's Promise, a non-profit corporation, for the Project Safe Neighborhoods East Tennessee Anti-Gang Program. (Requested by Police Department)

**APPROVED R-23-09**

- 11-n.** A Resolution authorizing the Mayor to execute an agreement with the University of Tennessee Institute for Public Service, Law Enforcement Innovation Center, in an amount not to exceed \$100,000 to continue operation of a comprehensive program to provide services for the Project Safe Neighborhoods East Tennessee Anti-gang Initiative. (Requested by Police Department)

**APPROVED R-24-09**

- 11-o.** A Resolution authorizing the Mayor to execute any and all documents necessary to award a grant award of \$30,000.00 to the City of Johnson City, on behalf of the Johnson City Police Department, for the Project Safe Neighborhoods East Tennessee Anti-Gang Program. (Requested by Police Department)

**APPROVED R-25-09**

- 11-p.** A Resolution authorizing the Mayor to execute any and all documents necessary to award a grant award of \$34,984 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-26-09**

- 11-q.** A Resolution authorizing the Mayor to execute an agreement with the University of Tennessee institute for Public Service, Law Enforcement Innovation Center, in an amount not to exceed \$100,000 to continue operation of a comprehensive program to provide services for the Project Safe Neighborhoods Crime Research Project to reduce gun violence in East Tennessee. (Requested by Police Department)

**APPROVED R-27-09**

- 11-r.** A Resolution authorizing the Mayor to execute any and all documents necessary to award a grant award of \$10,000 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-28-09**

- 11-s.** A Resolution authorizing the Mayor to execute any and all documents necessary to award a grant award of \$10,000 to the City of Winchester, on behalf of the Winchester Police Department, for the Project Safe Neighborhoods Gun Violence Reduction Program. (Requested by Police Department)

**RE; LASERCRAFT, INC. – AUTOMATED RED LIGHT CAMERA ENFORCEMENT SYSTEM**

- 11-t.** A Resolution authorizing the Mayor to enter into a contract with Lasercraft, Inc. for the provision of an automated red light enforcement system for a period of five years at no cost to the City of Knoxville. (Requested by Police Department)

Councilmember Pelot made a motion to approve the resolution. Councilmember Becker seconded the motion. By voice vote, Council voted as follows: Councilmembers Becker, Brown, Frost, Hultquist, Pelot, Roddy and Woodhull voted “Aye.” Councilmembers Bailey and Hall voted “Nay”. The motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-29-09.

**RE: GEORGE P. RAMEY AND WIFE, NANAE RAMEY, PHILLIP J. RAMEY AND LULA YUKI HATERUMA – WILLIAM HASTIE PARK**

- 11-u.** A Resolution authorizing the Mayor to execute a permanent easement with George P. Ramey and wife, Nanae Ramey, Phillip J. Ramey, and Lula Yuki Hateruma to access William Hastie Park on Margaret Road. (Requested by Department of Parks and Recreation)

Councilmember Hultquist made a motion to approve the resolution. Councilmember 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-30-09.

**RE: KNOXVILLE AREA URBAN LEAGUE – EMPOWERMENT ZONE SMALL BUSINESS LOAN PROGRAM**

- 11-v.** A Resolution authorizing the Mayor to execute an agreement with the Knoxville Area Urban League to provide funding in an amount not to exceed \$228,000.00 to continue the management and implementation of the Empowerment Zone Small Business Loan Program. (Requested by Department of Community Development)

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

Madeline Rogero, Director of Community Development, addressed Council.

By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-31-09.

**RE: KNOXVILLE’S COMMUNITY DEVELOPMENT CORPORATION – 2405 MARTIN LUTHER KING, JR. AVENUE – FIVE POINTS REDEVELOPMENT PLAN**

- 11-w.** A Resolution authorizing the Mayor to execute a quitclaim deed to Knoxville’s Community Development Corporation for one parcel of real property located at

2405 Martin Luther King, Jr. Avenue, CLT No. 082-OH-025, within the city limits of the City of Knoxville, for the purpose of redevelopment in accordance with the Five Points Redevelopment Plan. (Requested by Department of Community Development)

Vice-Mayor Brown 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-32-09.

**The following pension resolutions were approved unanimously on first and final reading under the consent agenda:**

**APPROVED R-34-09**  
“\*” **11-y.** A Resolution granting a pension of \$844.64 per month to Jimmie Thacker, an employee of the former Knoxville City School System. (Requested by Pension Board)

**APPROVED R-35-09**  
“\*” **11-z.** A Resolution granting a pension of \$447.45 per month to Sandra W. Morgan, an employee of the former Knoxville City School System. (Requested by Pension Board)

**APPROVED R-36-09**  
“\*” **11-aa.** A Resolution granting a pension of \$438.94 per month to James L. Myers, an employee of the Knoxville General Government. (Requested by Pension Board)

**APPROVED R-37-09**  
“\*” **11-bb.** A Resolution granting a pension of \$131.92 per month to Jacqueline E. Womack, an employee of the former Knoxville City School System. (Requested by Pension Board)

**APPROVED R-38-09**  
“\*” **11-cc.** A Resolution granting a pension of \$3,492.90 per month to Randall C. Carman, an employee of the Knoxville Police Department. (Requested by Pension Board)

**APPROVED R-39-09**  
“\*” **11-dd.** A Resolution granting a pension of \$3,321.77 per month to Thomas A. Fox, an employee of the Knoxville Police Department. (Requested by Pension Board)

**APPROVED R-40-09**  
“\*” **11-ee.** A Resolution granting a pension of \$3,104.70 per month to Lloyd S. Huskey, an employee of the Knoxville Fire Department. (Requested by Pension Board)

**APPROVED R-41-09**  
“\*” **11-ff.** A Resolution granting a pension of \$3,030.24 per month to Stanley W. Ingle, an employee of the Knoxville Fire Department. (Requested by Pension Board)

**APPROVED R-42-09**  
“\*” **11-gg.** A Resolution granting a pension of \$3,318.60 per month to Robert E. Pointer, an employee of the Knoxville Fire Department. (Requested by Pension Board)

**APPROVED R-43-09**  
“\*” **11-hh.** A Resolution granting a pension of \$5,063.70 per month to Robert P. Pressley, an employee of the Knoxville Fire Department. (Requested by Pension Board)

**12. ORDINANCES ON FIRST READING**

**RE: REZONING REQUEST OF KEITH POPE/BILLY MULLINS**

- 12-a.** An Ordinance to rezone property located on the south side of Division Street, east side of Cary Street, from I-2, Restricted Manufacturing and Warehousing District to O-1, Office, Medical, and Related Services District, Keith Pope/Billy Mullins, Applicant. (MPC Approved 13-0-1) (File No. 1-H-09-RZ) (Sixth District)

Vice-Mayor Brown made a motion to approve the ordinance. Councilmember Pelot seconded the motion.

Vice-Mayor Brown made a motion to amend the ordinance to make it an emergency. Councilmember Pelot seconded the motion. By voice vote on the emergency motion Council voted as follows: Councilmembers Bailey, Brown, Frost, Hall, Hultquist, Pelot, Roddy and Woodhull voted "Aye". Councilmember Becker voted "Nay". The amendment was adopted.

By voice vote on the original motion to approve the ordinance, as amended to an emergency, Council voted as follows: Councilmember Bailey, Becker, Brown, Hall, Hultquist, Pelot, Roddy and Woodhull voted "Aye". Councilmember Frost voted "Nay". The printed ordinance can be found attached to these minutes as Ordinance No. O-12-09.

**RE: COMMUNITY IMPROVEMENT (2020 FUND – WEST HILLS COMMUNITY ASSOCIATION**

- 12-b.** An Emergency Ordinance of the Council appropriating the sum of \$1,000.00 from the Community Improvement (202) Fund and donating same to West Hills Community Association acting as fiscal agent for the Lyons View Community Club and utilized toward the project to purchase needed furnishings for the reopening of the Lyons View Neighborhood Community Center. (Requested by Councilmembers Pelot, Frost, Woodhull, and Vice Mayor Brown)

Councilmember Pelot made a motion to approve the emergency ordinance. Councilmember Becker seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-13-09.

**RE: COMMUNITY IMPROVEMENT (202) FUND – CITY OF KNOXVILLE CAPITAL PROJECTS FUND -401 – SIDEWALK SAFETY PROGRAM**

- 12-c.** An Emergency Ordinance of the Council appropriating the sum of \$1,000.00 from the Community Improvement (202) Fund and making said funds available to the City of Knoxville Capital Projects Fund-401, as adopted by Ordinance O-116-08, to provide for additional funding for the Sidewalk Safety Program (ENG033002). (Requested by Councilmember Becker)

Councilmember Becker made a motion to approve the emergency ordinance. Councilmember Frost seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-14-09.

**RE: COMMUNITY IMPROVEMENT (202) FUND – FORT SANDERS COMMUNITY DEVELOPMENT CORPORATION**

- 12-d.** An Emergency Ordinance of the Council appropriating the sum of \$900.00 from the Community Improvement (202) Fund and donating same to Fort Sanders Community Development Corporation to be utilized toward certain start up costs necessary to establish this newly formed neighborhood group. (Requested by Councilmembers Hultquist, Frost, and Woodhull)

Councilmember Pelot made a motion to approve the emergency ordinance. Councilmember Hultquist seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-15-09.

**13. PUBLIC FORUM**

Councilmembers Roddy addressed the Lasercraft contract approved earlier on the agenda and the overall Red Light Camera statistics.

Councilmember Pelot also addressed the Red Light Camera issue.

Hubert Smith addressed transportation issues.

Jamie Rowe Re: Joshua's Landing @BZA –building permits

**14. ADJOURNMENT**

There being no further business to come before City Council, upon motion the meeting adjourned at 10:50 p.m.

---

Presiding Officer of the Council

---

Recorder