

MARKED

AGENDA FOR A REGULAR COUNCIL MEETING

FEBRUARY 24, 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 Roddy

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 - a. **ITEMS WITHDRAWN (Indicated with “W”)**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 “*”)**
11k and 11l

6. MAYOR'S REPORT:

Approved

- a. An application for renewal of a Certificate of Compliance for John Lange Tweedall d/b/a Lange's Liquor Store, 8878 Kingston Pike, Knoxville, Tennessee, 37923. (Requested by Department of Finance and Accountability)

Approved

- b. An application for renewal of a Certificate of Compliance for Nasir Mithani d/b/a Colonial Liquor and Wine, 6013 Chapman Highway, Knoxville, Tennessee, 37920. (Requested by Department of Finance and Accountability)

Mayor Haslam addressed the following items:

- The Mardi Growl Parade held 2/21/09 in the Old City.
- The Legacy Parks Foundation ceremonial first tree planting on 2/19/09 announcing the Legacy Tree Fund.
- Summit Hill Road closures.
- Congressman Duncan's assistance in the city receiving a \$572,000 grant from the Omnibus bill for the pedestrian bridge at the South Waterfront.

7. REPORTS OF COUNCIL MEMBERS OR COMMITTEES:

- Councilman Frost indicated he had talked with the State's Commissioner of Revenue who said the state shared revenue will not change this year.
- Councilmember Becker stated that the Lonsdale Recreation Center Task Force will meet March 3, 2009 at 6:00 p.m. at the Lonsdale Recreation Center.

8. ELECTIONS AND CONFIRMATIONS:

Councilmember Bob Becker (5th District)

- a. Election of Vice Mayor

Approved: R-52-09

- b. A Resolution confirming the appointment of Winston Frazier to serve as a member of the Public Building Authority Board. (Requested by Mayor)

Approved: R-53-09

- c. A Resolution confirming the reappointment of Mercedes Strollo to serve as a member of the Fair Housing Board. (Requested by Mayor)

Approved: R-54-09

- d. A Resolution confirming the reappointment of Finbarr Saunders to serve as a member of the Historic Zoning Commission. (Requested by Mayor)

8. ELECTIONS AND CONFIRMATIONS:

Approved: R-55-09

- e. A Resolution confirming the reappointment of Mark Freeman to serve as a consumer representative on the Wrecker Services Commission. (Requested by Mayor)

Approved: R-56-09

- f. A Resolution electing King Purnell to serve as a member of the Industrial Development Board of the City of Knoxville. (Requested by Mayor)

Approved: R-57-09

- g. A Resolution to elect King Purnell and Annette Winston to the Industrial Development Board of the City of Knoxville for the Downtown Cinema, Inc. (Requested by Mayor)

9. ORDINANCES ON SECOND READING:

Ordinance was amended and divided into two ordinances to separate out the EMC's on a development directory sign approved as part of a Master Sign Plan. Both ordinances were approved on first reading.

- 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)

Approved: O-18-09

- b. An Ordinance to adopt amendments to the Knoxville One Year Plan map changing plan designations on certain interstates and other highway segments from Open Space to Major Rights of Way. (MPC Approved 13-0-1) (File No. 1-A-09-OYP)

Approved: O-19-09

- c. An Ordinance approving the request of Thomas Timm for a One Year Plan Amendment from Low Density Residential to General Commercial for property located on the southeast side of E. Oldham Avenue, northeast of N. Central Street. (MPC Approved 13-0-1) (File No. 1-A-09-PA) (Fifth District).

Approved: O-20-09

- d. An Ordinance to rezone property located on the southeast side of E. Oldham Avenue, northeast of N. Central Street from R-2, General Residential District/IH-1, Infill Housing Overlay, to C-3, General Commercial District/IH-1, Infill Housing Overlay, Thomas Timm, Applicant. (MPC Approved 13-0-1) (File No. 1-A-09-RZ) (Fifth District).

9. ORDINANCES ON SECOND READING:

Approved: O-21-09

- e. An Ordinance to rezone property located on the northwest side of Morris Avenue, northeast side of McClain Street, from I-3, General Industrial District, to C-6, General Commercial Park District, Associated General Contractors of America, Knoxville Branch, Applicant. (MPC Approved 13-0-1) (File No. 1-I-09-RZ) (Third District).

Approved: O-22-09

- f. An Ordinance to rezone property located on the northwest side of W. Oldham Avenue, northeast side of McSpadden Street from C-3, General Commercial District, to O-1, Office, Medical, and related Services District, Day Spring Baptist Church, Applicant. (MPC Approved 13-0-1) (File No. 1-J-09-RZ) (Fifth District).

Approved: O-23-09

- g. An Ordinance to rezone property located on the northeast side of Pleasant Ridge Road, south of Sycamore Drive from I-1, Planned Industrial Park District, to I-2, Restricted Manufacturing and Warehousing District, Steve Young – Odle and Young Architects, Applicant. (MPC Approved 13-0-1) (File No. 1-K-09-RZ) (Third District).

Approved: O-24-09

- h. An Ordinance approving the request of Tom Tate for a One Year Plan Amendment from Open Space to Office, limited to O-3, Office Park zoning for property located on the north side of Osprey Point Lane, south of S. Northshore Drive. (MPC Approved 13-0-1) (File No. 1-E-09-PA) (Second District).

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

None.

11. RESOLUTIONS:

Approved: R-58-09

- a. A Resolution honoring and congratulating the NAACP upon the occasion of its 100th Anniversary. (Requested by Councilmembers Frost and Booker)

Approved: R-59-09

- b. A Resolution honoring and congratulating Coach Pat Head Summitt upon the remarkable feat of being the first NCAA Division I basketball coach to achieve 1,000 victories. (Requested by Council)

11. RESOLUTIONS (CONTINUED):

Tabled

- c. A Resolution requesting and encouraging the Metropolitan Planning Commission, the City of Knoxville Law Department, the City of Knoxville Finance Department and any other pertinent department or agency to study, review and analyze the potential and feasibility for eliminating, by a program of amortization, currently existing Electronic Message Centers. (Requested by Councilmember Becker)

Tabled

- d. A Resolution requesting and encouraging the Metropolitan Planning Commission and the City of Knoxville Law Department, together with the Bureau of Inspections to review, study and if appropriate, offer proposals to City Council for amendments to the City Code which would authorize and appropriately regulate changeable price signs within the corporate limits of the City of Knoxville. (Requested by Councilmember Becker)

Tabled

- e. A Resolution urging the Mayor to appoint a task force charged with responsibility for reviewing, analyzing and evaluating new technology in an effort to identify and implement methods of utilizing such technology in improving the function of wayfinding within the City while simultaneously reducing visual pollution and clutter. (Requested by Councilmember Becker)

Approved: R-60-09

- f. A Resolution authorizing the Mayor to execute an agreement with Fulghum, MacIndoe & Associates, Inc. for professional engineering design services for the Williams Creek Watershed Drainage Improvements Project for an amount not to exceed \$164,500.00. (Requested by Department of Engineering)

Approved: R-61-09

- g. A Resolution authorizing the Mayor to execute an agreement with DH Excavating, LLC for the First Creek Drainage Improvements from Chickamauga Avenue to Emoriland Boulevard, Project, No. 08A-D-0450, in an amount not to exceed \$2,154,906.20. (Requested by Department of Engineering)

Approved: R-62-09

- h. A Resolution authorizing the Mayor to execute all documents on behalf of the City of Knoxville necessary to acquire a fee simple interest, temporary construction easement and slope easement, all within property located at 5005 Washington Pike, CLT #059N-C-008.01, from Regions Bank for the Valley View Drive Realignment Project, #ENG073303, for \$59,200.00. (Requested by Department of Engineering)

11. RESOLUTIONS (CONTINUED):

Approved: R-63-09

- i. A Resolution authorizing the Mayor to execute all documents necessary to purchase property and improvements located at 3105 Morris Avenue, CLT #094P-B-014, from Wilda A. Greene and wife Jerrye Greene in the amount of \$55,000.00 to facilitate the future expansion of the Loraine Public Works Complex Capital Project. (Requested by Department of Public Service)

Postponed two (2) weeks

- j. A Resolution approving an agreement between the City and Southeastern Glass Building, LLC to lease the property located underneath the viaduct at the intersection of Jackson Avenue and Broadway in order to provide additional parking in the downtown area. (Requested by Department of Policy and Communications)

Approved: R-64-09

- “*” k. A Resolution granting a pension of \$1,330.81 per month to Carolyn L. Cate, an employee of the Knoxville General Government. (Requested by Pension Board)

Approved: R-65-09

- “*” l. A Resolution granting a pension of \$3,257.61 per month to Van James Bubel, an employee of the Knoxville Police Department. (Requested by Pension Board)

12. ORDINANCES ON FIRST READING:

Approved on first reading

- a. An Ordinance to amend the operating budget for Fiscal Year 08-09. (Requested by Department of Finance and Accountability)

Approved: O-25-09

- b. An Emergency Ordinance of the Council appropriating the sum of \$400.00 from the Community Improvement (202) Fund and donating same to Bearden High School to be utilized toward the Project Graduation Celebration for the Class of 2009. (Requested by Councilmembers Pelot, Hall, and Frost)

Approved: O-26-09

- c. An Emergency Ordinance of the Council appropriating the sum of \$875.00 from the Community Improvement (202) Fund and donating same to Fountain City Town Hall to be utilized toward the 2009 Honor Fountain City Day, other community events and mailing costs. (Requested by Councilmembers Frost, Becker, and Woodhull)

13. PUBLIC FORUM: None.

14. ADJOURNMENT: 9:53 p.m.