

MARKED

AGENDA FOR A REGULAR COUNCIL MEETING

MARCH 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 Vice-Mayor Becker

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 - a. **ITEMS WITHDRAWN (Indicated with “W”)**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 “*”)**
11n and 11o

6. MAYOR'S REPORT:

- A meeting to discuss and overview the Public Policy for Market Square will be held April 6, 2009 at 5:30 p.m. at the Chamber office.
- The 5th annual Covenant Health Marathon will be held Sunday, March 29 beginning at 7:00 a.m.
- The Administrative Budget Hearings will take place April 1 & 2 in Room 453 of the City-County Building.
-

7. REPORTS OF COUNCIL MEMBERS OR COMMITTEES:

- Vice-Mayor Becker announced that the Legislative Budget Hearings are scheduled for May 20 and June 1, 2009.
- Councilmember Woodhull announced that the KAT Working Group would be holding a meeting March 30 at 5:30 p.m. in the Small Assembly Room.

8. ELECTIONS AND CONFIRMATIONS:

Approved: R-83-09

- a. A Resolution electing John W. Craig to serve as a member of the Industrial Development Board of the City of Knoxville. (Requested by Mayor)

Approved: R-84-09

- b. A Resolution to elect John W. Craig to the Industrial Development Board of the City of Knoxville for the Downtown Cinema, Inc. (Requested by Mayor)

9. ORDINANCES ON SECOND READING:

Approved as Amended: O-37-09

- 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)

Amended to 250' – Approved on first reading

- b. 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 electronic message centers on a development directory sign approved as part of a Master Sign Plan. (MPC Approved 9-4) (File No. 5-A-08-OA)

9. ORDINANCES ON SECOND READING (CONTINUED):

Approved: O-38-09

- c. An Ordinance amending Chapter 6, Article IV of the Knoxville City Code relating to unfit buildings and adopting The 2006 Edition of the International Property Maintenance Code and Appendices, with amendments, as the Property Maintenance Code (Housing Code) of the City of Knoxville. (Requested by Department of Public Service)

Withdrawn

- d. An Ordinance amending Chapter 6, Articles II and IIA of the Knoxville City Code to provide a consistent height requirement for street numbers on buildings. (Requested by Department of Public Service)

Approved as amended: O-39-09

- e. An Ordinance to amend the Knoxville City Code, Appendix B “Zoning Regulations”, Article IV, Section 24. C., expanding permitted uses in the TC-1, Town Center District, to allow business and professional services and recreational facilities. (MPC Approved 10-0-1) (File No. 2-A-09-OA)

Approved: O-40-09

- f. An Ordinance to rezone property located on the west side of Park Village Road, north side of Executive Park Drive from C-6, General Commercial Park District, to C-3, General Commercial District, Shashi Patel, Applicant. (MPC Approved 10-0-1) (File No. 2-D-09-RZ) (Second District)

Approved: O-41-09

- g. An Ordinance to rezone portions of R-2 zoned property located within the area bounded by the west and northwest sides of James White Parkway, east and northeast sides of Davenport Road, and the south side of the railroad right-of-way of Sevier Avenue from R-2, General Residential District, to R-1, Low Density Residential District, Metropolitan Planning Commission, Applicant. (MPC Approved 10-0-1) (File No. 2-E-09-RZ) (First District)

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

Postponed two (2) weeks

- “P” a. An Appeal by Janice Loveday of the Metropolitan Planning Commission’s denial (Requested by MPC) of a One Year Plan amendment from Office to General Commercial for property located on the north side of W. Governor John Sevier Highway, west of Maryville Pike. (MPC Denied 10-1) (File No. 1-C-09-PA) (First District) (Consider with 12e.)

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

Postponed two (2) weeks

- “P” b. An Appeal by Janice Loveday of the Metropolitan Planning Commission’s denial
(Requested by MPC) to rezone property located on the north side of W. Governor John Sevier Highway west of Maryville Pike from O-1, Office, Medical, and Related Services District, to C-3, General Commercial District. (MPC Denied 10-1) (File No. 1-C-09-RZ) (First District) (Consider with 12f.)

11. RESOLUTIONS:

Approved: R-85-09

- a. A Resolution authorizing the Mayor to sign a Memorandum of Understanding with Knox County to accept Thirty-Five Thousand and no/100 Dollars (\$35,000.00) as a subrecipient of the 2008 Homeland Security Grant in order to purchase a bomb suit for the Knoxville Police Department. (Requested by Police Department)

Approved: R-86-09

- b. A Resolution authorizing the Mayor to execute an agreement with Rich Construction, Inc. for construction of ten miniature buildings at Safety City, for a total contract price not to exceed \$349,000.00. (Requested by Police Department)

Approved: R-87-09

- c. A Resolution authorizing the Mayor to execute an agreement with Creative Structures Inc. for the construction of a 2,400 square foot pre-engineered metal utility building in Chilhowee Park, for an amount not to exceed \$83,386.00. (Requested by Public Assembly Facilities)

Approved: R-88-09

- d. A Resolution authorizing the Mayor to execute an agreement with the Tennessee Department of Transportation for the maintenance of state highways through municipalities from April 1, 2009 through November 30, 2009. (Requested by Department of Public Service)

Approved: R-89-09

- e. A Resolution authorizing the Mayor to execute an agreement with Rock Tenn Converting Company to haul and process recyclables from the City of Knoxville’s eleven (11) drop-off centers at an estimated annual revenue to the City of Eighty-Five Thousand and no/100 Dollars (\$85,000.00), and to lease from Rock Tenn Converting Company for one year, five (5) additional steel containers at a price not to exceed Nine Thousand and no/100 Dollars (\$9,000.00). (Requested by Department of Public Service)

11. RESOLUTIONS:

Approved: R-90-09

- f. A Resolution authorizing the Mayor to execute an agreement with Rock Tenn Converting Company to provide for the proper disposal of residential newspapers from the City of Knoxville's eleven (11) drop-off centers, at an estimated annual revenue to the City of Thirty Thousand and no/100 Dollars (\$30,000.00). (Requested by Department of Public Service)

Approved: R-91-09

- g. A Resolution authorizing the Mayor to execute all documents necessary to enter into an agreement with Travelers Insurance Company to provide excess liability and vehicle physical damage coverage for the City's self-insured liability program for an annual premium of \$321,068.00. (Requested by Department of Finance and Accountability)

Approved: R-92-09

- h. A Resolution authorizing the Mayor to execute an amendment to Agreement No. C-97-0239 between the City of Knoxville and Nationwide Retirement Solutions, Inc. to provide administration of the City's deferred compensation program to July 31, 2009. (Requested by Department of Finance and Accountability)

Approved: R-93-09

- i. A Resolution authorizing the Mayor to execute an agreement with Sharp Contracting, Inc. for the Valley View Drive Roadway Improvement Project, No. 08A-R-0451, in an amount not to exceed \$884,476.58. (Requested by Department of Engineering)

Approved: R-94-09

- j. A Resolution authorizing the Mayor to execute an agreement with Overholt Holdings Partnership on behalf of the City of Knoxville to acquire by donation a fee simple interest, two drainage easements, a slope easement, and a temporary construction easement, all within property located at 4410 Valley View Drive, CLT #059N-C-005, and to obligate the City to perform certain obligations, for the Valley View Realignment Project, #ENG073303. (Requested by Department of Engineering)

Approved: R-95-09

- k. A Resolution authorizing the Mayor to execute an agreement with the State of Tennessee, Department of the Military, and the Tennessee Emergency Management Agency, in order to receive the Metropolitan Medical Response System Grant in the amount of Three Hundred Twenty-One Thousand, Two Hundred and Twenty-One and no/100 Dollars (\$321,221.00) enabling the Knoxville-Knox County Emergency Management Agency to develop plans and training, purchase equipment and conduct exercises to prepare to respond to potential mass casualty event. (Requested by Emergency Management Agency)

11. RESOLUTIONS (CONTINUED):

Approved: R-96-09

- l. A Resolution authorizing the Mayor to sign a Memorandum of Understanding with Knox County to accept Twenty-Seven Thousand and no/100 Dollars (\$27,000.00) as a subrecipient of the 2008 Homeland Security Grant in order to purchase a satellite phone, fax and data service for the Mobile Command vehicle for the Knoxville-Knox County Emergency Management Agency. (Requested by Emergency Management Agency)

Approved: R-97-09

- m. A Resolution to amend Resolution No. R-81-09 relative to executing a quitclaim deed to Knoxville's Community Development Corporation for one parcel of property located at 0 Bishop Street, CLT No. 080-MC-006, within the city limits of the City of Knoxville to facilitate redevelopment of the Lonsdale Redevelopment and Urban Renewal Plan. (Requested by Department of Community Development)

Approved: R-98-09

- "*" n. A Resolution granting a pension of \$3,408.64 per month to Ricky F. Ferguson, an employee of the Knoxville Police Department. (Requested by Pension Board)

Approved: R-99-09

- "*" o. A Resolution granting a pension of \$2,716.00 per month to Bryan J. Bates, an employee of the Knoxville Police Department. (Requested by Pension Board)

Approved: R-100-09

- "M" p. A Resolution honoring the life and legacy of former City Councilmember William V. "Bill" Powell, Jr., and expressing Council's sincere condolences to his family upon the occasion of his passing. (Requested by Council)

Approved: R-101-09

- "M" q. A Resolution to honor and congratulate the Fulton Falcons high school boys basketball team for winning the 2009 TSSAA Class AA Basketball Championship. (Requested by Council)

12. ORDINANCES ON FIRST READING:

Denied

- a. An Ordinance to amend the 2008-09 Operating Budget of the City of Knoxville so as to delete all remaining funds within the City Council budget designated for travel for the members of City Council. (Requested by Councilmember Frost)

12. ORDINANCES ON FIRST READING:

Approved on first reading as amended

- b. An Ordinance to amend the 2008-09 Operating Budget of the City of Knoxville so as to delete all remaining funds of the Community Improvement (202) Fund. (Requested by Councilmember Frost)

Approved on first reading as amended

- c. An Ordinance to close Claude Street and an unnamed street to the east from northwest of Langford Avenue to the south side of the waters edge of the Tennessee River, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, City of Knoxville, Applicant. (MPC Approved 9-0-3) (File No. 3-A-09-SC) (First District)

Approved on first reading as amended

- d. An Ordinance to close all unnamed alleys northwest of Langford Avenue to the south side of the waters edge of the Tennessee River, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, City of Knoxville, Applicant. (MPC Approved 9-0-3) (File No. 3-B-09-AC) (First District)

Postponed two (2) weeks

- “P” e. An Ordinance approving the request of Janice Loveday for a One Year Plan amendment from Office to General Commercial for property located on the north Side of W. Governor John Sevier Highway, west of Maryville Pike, on appeal From a decision of the Metropolitan Planning Commission. (MPC Denied 10-1) (File No. 1-C-09-PA) (First District) (Consider with 10a.)
(Requested by MPC)

Postponed two (2) weeks

- “P” f. An Ordinance to rezone property located on the north side of W. Governor John Sevier Highway, west of Maryville Pike from O-1, Office, Medical, and Related Services District, to C-3, General Commercial District, Janice Loveday, Applicant, on appeal from a decision of the Metropolitan Planning Commission. (MPC Denied 10-1) (File No. 1-C-09-RZ) (First District) (Consider with 10b.)
(Requested by MPC)

Approved: O-42-09

- g. An Emergency Ordinance appropriating the sum of \$150.00 from the Community Improvement (202) Fund and donating same to the Teen Center, Inc. toward their ongoing community service programs and civic involvement. (Requested by Councilmembers Pelot and Woodhull)

Approved: O-43-09

- h. An Emergency Ordinance appropriating the sum of \$8,650.00 from the Community Improvement (202) Fund and donating same to Knox Youth Sports, Inc. to assist toward purchase of certain needed field maintenance equipment. (Requested by Councilmember Bailey)

12. ORDINANCES ON FIRST READING (CONTINUED):

Approved: O-44-09

- i. An Emergency Ordinance appropriating the sum of \$500.00 from the Community Improvement (202) Fund and donating same to Bearden High School Foundation to be utilized as sponsorship support toward the Annual Bulldog Classic Golf Tournament Benefit. (Requested by Councilmembers Pelot and Bailey)

Approved: O-45-09

- j. An Emergency Ordinance appropriating the sum of \$5,000.00 from the Community Improvement (202) Fund and donating same to the East Tennessee Community Design Center to provide fiscal management services, related to the City of Knoxville Transportation and Mobility Committee. (Requested by Councilmember Hultquist)

Approved: O-46-09

- k. An Emergency Ordinance appropriating the sum of \$2,000.00 from the Community Improvement (202) Fund and donating same to the Knoxville Civil War Roundtable to assist toward costs associated with the archaeological survey process of Fort Stanley. (Requested by Councilmember Hultquist)

Approved: O-47-09

- l. An Emergency Ordinance appropriating the sum of \$750.00 from the Community Improvement (202) Fund and donating same to Safe Haven Center to be utilized toward the continuance of abuse/assault survivor programs. (Requested by Councilmember Pelot)

13. PUBLIC FORUM: None.

14. ADJOURNMENT: 9:00 p.m.