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

APRIL 7, 2009 - 7:00 PM
Main Assembly Room, City-County Building
400 Main Street

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, 400 Main Street on Tuesday, April 7, 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 Rob Frost led in the "Pledge of Allegiance" to the Flag.

3. ROLL CALL

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

4. APPROVAL OF MINUTES

Vice-Mayor Becker made a motion to approve the minutes from the March 24, 2009 City Council meeting. Councilmember Pelot 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5-a. ITEMS WITHDRAWN (Indicated with "W")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")

Councilmember Frost made a motion to postpone the following ordinance eight (8) weeks:

- 12-a.** An Ordinance enacted pursuant to T.C.A. § 67-5-705 to implement a property tax freeze program for elderly, low income taxpayers. (Requested by Councilmember Frost)

Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The ordinance was postponed eight (8) weeks.

Councilmember Roddy made a motion to move ordinance 9a further down the agenda to be heard after resolution 11n. Councilmember Hultquist seconded the motion. By unanimous voice vote the motion carried.

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

Councilmember Roddy made a motion to add resolution 11n to the agenda by motion. Councilmember Frost seconded the motion. By unanimous voice vote the motion carried. (See “Resolutions”).

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

None.

6. MAYOR’S REPORT

**RE: CERTIFICATE OF COMPLIANCE FOR EVERETT MARTIN CHRISTEN d/b/a
SMOKY MOUNTAIN WINE & SPIRITS, LLC**

- 6-a.** An application for renewal of a Certificate of Compliance for Everett Martin Christen d/b/a Smoky Mountain Wine & Spirits, LLC, 7433 Chapman Highway, Knoxville, Tennessee, 37920. (Requested by Department of Finance and Accountability)

Councilmember Hultquist made a motion to approve the application. Councilmember Bailey seconded the motion. By unanimous voice vote the motion carried. The application was approved.

RE: MAYOR’S REMARKS

- Recognition of Gary Norman for being named “Building Official of the Year”
- The First Friday downtown event was held last week. The First Friday event takes place the first Friday of each month and shops and art galleries in downtown keep their doors open to the public late into the evening offering complimentary food and entertainment.
- The 49th annual Dogwood Arts Festival takes place in April with a month-long celebration.
- The first Sundown in the City will be held Thursday, April 9 beginning at 6:00 p.m.

7. REPORTS OF COUNCIL MEMBERS OR COMMITTEES

RE: POLICE ADVISORY AND REVIEW COMMITTEE

7-a. Mr. Bill Cole presented the Annual Report for the Police Advisory and Review Committee to Mayor Haslam and City Council.

- Mayor Haslam recognized Madeline Rogero who presented to Council the draft 2009 Annual Plan from Community Development. A City Council workshop is scheduled on the matter on April 16, 2009.
- Councilmember Pelot addressed the West Hills Easter Egg Hunt.
- Vice-Mayor Becker discussed an upcoming resolution he plans present to City Council on convenience voting.
- Councilmember Frost announced the 4th & Gill Tour of Homes to be held April 19 from 1:00 until 6:00 p.m.

8. ELECTIONS AND CONFIRMATIONS

RE: PUBLIC PROPERTY NAMING COMMITTEE – DAVID MCGINLEY, JIM BLETNER, RICK EMMETT

- 8-a.** A Resolution appointing David McGinley, Jim Bletner and Rick Emmett to serve as members of the Public Property Naming Committee. (Requested by Councilmember Bailey)

Councilmember Bailey 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 minute as Resolution No. R-102-09.

RE: CITIZENS ADVISORY COMMITTEE TO THE KNOXVILLE AREA TRANSIT AUTHORITY – DEBORAH LANGSTON

- 8-b.** A Resolution appointing Deborah Langston to serve as a member of the Citizens Advisory Committee to the Knoxville Area Transit Authority. (Requested by Councilmember Roddy)

Councilmember Roddy 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 minute as Resolution No. R-103-09.

RE: CITIZENS ADVISORY COMMITTEE TO THE KNOXVILLE AREA TRANSIT AUTHORITY – VENUS STYLES

- 8-c.** A Resolution reappointing Venus Styles to serve as a member of the Citizens Advisory Committee to the Knoxville Area Transit Authority. (Requested by Councilmember Booker)

Councilmember Booker made a motion to approve the resolution. Vice-Mayor Becker seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minute as Resolution No. R-104-09.

9. ORDINANCES ON SECOND READING

SEE LATER IN MINUTES FOR DISCUSSION AND VOTE ON:

- 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 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)

RE: 2008 – 2009 OPERATING BUDGET AMENDMENT

- 9-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)

Councilmember Bailey made a motion to approve the ordinance on second reading. Councilmember Woodhull seconded the motion.

Councilmember Roddy recused herself from voting because she did not accept Community Improvement Funds.

Discussion ensued with the following persons speaking: Councilmember Becker, Councilmember Bailey, Councilmember Roddy, Councilmember Hall, Charles Swanson, City Council Attorney, Councilmember Pelot and Councilmember Frost.

Upon roll call on the motion to approve, Councilmembers Bailey and Woodhull voted "Aye." Councilmembers Becker, Booker, Frost, Hall, Hultquist and Pelot voted "Nay." Councilmember Roddy recused herself and did not vote on the ordinance. The motion failed. The ordinance was denied.

RE: STREET CLOSURE – CLAUDE STREET – UNNAMED STREET NEAR LANGFORD AVENUE AND TENNESSEE RIVER – CITY OF KNOXVILLE, APPLICANT (SOUTH WATERFRONT)

- 9-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)

Councilmember Hultquist made a motion to approve the ordinance on second reading. Councilmember Becker seconded the motion. By unanimous voice vote the motion carried. The ordinance was approved. The printed ordinance can be found attached to these minutes as Ordinance No. O-48-09.

RE: UNNAMED ALLEYS NEAR LANGFORD AVENUE AND TENNESSEE RIVER (SOUTH WATERFRONT)

- 9-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)

Councilmember Hultquist made a motion to approve the ordinance on second reading. 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-49-09.

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

RE: APPEAL BY JANICE LOVEDAY – W. GOVERNOR JOHN SEVIER HIGHWAY (DOLLAR GENERAL STORE)

- 10-a.** An Appeal by Janice Loveday of the Metropolitan Planning Commission's denial 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 12d.)

In conjunction with

- 12-d.** 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.)

Discussion began with the following persons addressing the appeal: Arthur Seymour, Jr. representing Ms. Loveday and Mr. John Hall (property owner), in favor of appeal; Councilmember Roddy; Greg Moats, representative of Dollar General Store, in favor of appeal; John Hall, property owner, in favor of appeal; County Commissioner Mike Brown, in opposition to appeal; Councilmember Hultquist; Carson Daily, South Knox County resident IN opposition to appeal; Charles Swanson, City Council Attorney; Mark Donaldson, MPC; Councilmember Becker.

Councilmember Hultquist made a motion to deny the appeal. Councilmember Becker seconded the motion. By voice vote the Council voted as follows on the motion to deny: Councilmembers Bailey, Becker, Frost, Hall, Hultquist, Roddy and Woodhull voted "Aye." Councilmembers Booker and Pelot voted "Nay." The motion carried. The appeal was denied, therefore, the ordinance was denied.

RE: APPEAL BY JANICE LOVEDAY – W. GOVERNOR JOHN SEVIER HIGHWAY

- 10-b.** An Appeal by Janice Loveday of the Metropolitan Planning Commission's denial 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 12e.)

In conjunction with

- 12-e.** 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 10-b).

This matter was moot because 10a and 12d were denied. Council did not hear this appeal.

11. RESOLUTIONS

RE: U. S. DEPARTMENT OF JUSTICE, NATIONAL INSTITUTE OF JUSTICE

- 11-a.** A Resolution authorizing the Mayor to execute any and all documents necessary to accept a grant award of \$500,000 from the U.S. Department of Justice, National Institute of Justice for assistance in solving cold cases through technology advances of DNA biological evidence analysis. (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-105-09.

RE: 1763 HILLWOOD AVENUE – BARBARA U. WELLS

- 11-b.** A Resolution authorizing the Mayor to execute all documents necessary to purchase, in fee simple, real property and improvements located at 1763 Hillwood Avenue, CLT #0950-D-020, from Mrs. Barbara U. Wells for One Hundred Forty Thousand and no/100 Dollars (\$140,000.00). (Requested by South Waterfront)

Councilmember Hultquist made a motion to approve the resolution. Vice-Mayor 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-106-09.

RE: LEGACY PARKS FOUNDATION – FOUNTAIN CITY SKATEPARK

- 11-c.** A Resolution authorizing the Mayor to execute all documents on behalf of the City of Knoxville necessary to accept a donation of real property on Fair Drive, CLT #058KE019, from Legacy Parks Foundation for a detention pond associated with the Fountain City Skatepark. (Requested by Department of Parks and Recreation)

Vice-Mayor Becker made a motion to approve the resolution. Councilmember Frost seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-107-09.

RE: GOLDEN GLOVES CHARITIES, INC. – AMATEUR BOXING PROGRAM

- 11-d.** A Resolution authorizing the Mayor to execute an agreement with Golden Gloves Charities, Inc. to provide an amateur boxing program for five (5) years beginning May 1, 2009 with one (1) five (5) year renewal option in an amount not to exceed Seventy-Five Thousand and no/100 Dollars (\$75,000.00) for each year of the contract. (Requested by Department of Parks and Recreation)

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

Councilmember Woodhull and Ace Miller, Golden Gloves Charities, Inc., addressed the resolution.

By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-108-09.

RE: GOODYEAR TIRE & RUBBER COMPANY – KNOXVILLE AREA TRANSIT

- 11-e.** A Resolution authorizing the Mayor to execute an agreement with Goodyear Tire & Rubber Company to lease tires for use on the Knoxville Area Transit (“KAT”) bus fleet for an amount not to exceed a total cost of Seven Hundred Two Thousand, Seven Hundred and Four and 92/100 Dollars (\$702,704.92). (Requested by Operations and Efficiency)

Councilmember Frost 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-109-09.

RE: PUBLIC BUILDING AUTHORITY OF THE COUNTY OF KNOX AND THE CITY OF KNOXVILLE, TENNESSEE – LOCUST STREET GARAGE – HENLEY STREET WALKOVER BRIDGE

- 11-f.** A Resolution authorizing the Mayor to execute an amendment to the operating contract between the City of Knoxville and the Public Building Authority of the County of Knox and the City of Knoxville, Tennessee with respect to the operation and management of the Locust Street Garage to add management and maintenance of the Henley Street Walkover Bridge. (Requested by Operations and Efficiency)

Councilmember Pelot made a motion to approve the resolution. Councilmember Woodhull seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-110-09.

RE: WILBUR SMITH ASSOCIATES – HOLBROOK DRIVE BRIDGE REPLACEMENT PROJECT

- 11-g.** A Resolution authorizing the Mayor to execute an agreement with Wilbur Smith Associates for professional engineering design and inspection services for the Holbrook Drive Bridge Replacement Project in an amount not to exceed \$376,934.00. (Requested by Department of Engineering)

Councilmember Frost 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-111-09.

RE: ROGERS PETROLEUM, INC. – FUEL FOR CITY OF KNOXVILLE FLEET

- 11-h.** A Resolution authorizing the Mayor to execute an agreement for a term of six months with Rogers Petroleum, Inc. to provide bulk fuels (unleaded and diesel) for the vehicles and equipment owned by the City of Knoxville at a fixed factor price plus the daily OPIS rate per gallon. (Requested by Department of Finance and Accountability)

Vice-Mayor Becker 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-112-09.

RE: 2637 SELMA AVENUE – NATHANIEL BRINSON

- 11-i.** A Resolution authorizing the acquisition of a fee simple interest in certain property located at 2637 Selma Avenue (CLT #082K-Q-018) within the City of Knoxville, owned by Nathaniel Brinson, said property to be used to minimize future flooding damage in the area. (Requested by Department of Community Development)

Councilmember Pelot made a motion to approve the resolution. Vice-Mayor 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-113-09.

RE: THE HELEN ROSS MCNABB CENTER – UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU OF JUSTICE ASSISTANCE – KNOX COUNTY JUVENILE COURT

- 11-j.** A Resolution authorizing the Mayor to execute an agreement with The Helen Ross McNabb Center pursuant to a grant from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, to provide intensive probation/aftercare programs for the most serious delinquent offenders to divert future delinquent behaviors in conjunction with the Knox County Juvenile Court, in an amount not to exceed \$117,884. (Requested by Police Department)

Councilmember Pelot made a motion to approve the resolution. Councilmember Woodhull seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-114-09.

RE: LEGISLATURE OF THE STATE OF TENNESSEE – WATER QUALITY BILLS

- 11-k.** A Resolution urging the Legislature of the State of Tennessee to decline to adopt a number of proposed bills which would threaten the quality of water in the State of Tennessee. (Requested by Councilmember Hultquist)

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

Discussion followed with Councilmember Hultquist, Renee Hoyos, Executive Director of the Tennessee Clean Water Network, Councilmember Hall and Councilmember Roddy speaking.

Councilmember Becker made a motion to postpone the resolution two (2) weeks. Councilmember Booker seconded the motion.

Discussion continued with Vice-Mayor Becker, Councilmember Hultquist, Councilmember Booker, Councilmember Frost and Councilmember Pelot speaking.

By unanimous voice vote the motion to postpone was adopted. The resolution was postponed two (2) weeks.

RE: METROPOLITAN PLANNING COMMISSION – CEDAR LANE/CENTRAL AVENUE PIKE

- 11-l.** A Resolution requesting and encouraging the Metropolitan Planning Commission to take any and all action necessary to initiate the process for rezoning certain property located generally within the Cedar Lane/Central Avenue Pike area. (Requested by Vice Mayor Becker)

Vice-Mayor Becker made a motion to approve the resolution. Councilmember Hultquist seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-115-09.

Councilmember Roddy addressed City Council sending special projects to MPC and requested information from MPC regarding their work plan and priority system on the projects.

RE: HAROLD S. BYRD AND SHARON C. BYRD – 5000 WASHINGTON PIKE – VALLEY VIEW REALIGNMENT PROJECT

- 11-m.** A Resolution authorizing the Mayor to execute all documents on behalf of the City of Knoxville necessary to acquire a fee simple interest in 0.403 acres (Tract 8A) and a fee simple interest in 0.02 acres (Tract 8B) of real property, both portions of CLT #059N-C-008, owned by Harold S. Byrd and wife, Sharon C. Byrd, 5000 Washington Pike, for the Valley View Realignment Project, #ENG073303, for the total amount of \$98,850.00. (Requested by Department of Engineering)

Councilmember Pelot made a motion to approve the resolution. Councilmember Frost seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-116-09.

RE: LEGISLATURE OF THE STATE OF TENNESSEE – TENNESSEE PUBLIC SAFETY COALITION – VIOLENT CRIME PENALTIES

- 11-n.** A Resolution requesting and encouraging the Legislature of the State of Tennessee to adopt legislation promoted by the Tennessee Public Safety Coalition which would enhance the penalties for certain violent crimes and provide for an increased number of prosecutors to enforce these laws. (Requested by Councilmember Roddy)

Councilmember Roddy addressed the resolution.

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-117-09.

CONSIDERATION OF ORDINANCE 9A (POSTPONED FROM EARLIER IN MINUTES)

RE: CITY CODE AMENDMENT, APPENDIX B “ZONING REGULATIONS” – ARTICLE V, SECTION 10 – 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 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)

Councilmember Hall made a motion to approve. Councilmember Pelot seconded the motion.

Discussion ensued with the following persons addressing the ordinance: Duane Grieve, #8 Emory Place; Robert Bedwell; Charles Swanson; Councilmember Pelot; Anita Cash; Joyce Feld; Councilmember Becker; Councilmember Roddy; Debbie Poplin; Arthur Seymour, Jr.

Duane Grieve made the following statement on behalf of Scenic Knoxville for the record:

Scenic Knoxville is definitely pleased with what Turkey Creek has done in terms of setting the bar for development signs within their development. Scenic Knoxville will continue to be concerned about signage. We’re pleased that Council took the steps, not only with digital billboards but with EMC’s, so I think what I’m asking for is a little bit of discussion based on the fact as to whether or not it could be either amended to 150 square feet or it could be amended to have the 250 square feet along the interstate. That would be the request that we would have.

Discussion continued.

Councilmember Bailey made a motion to amend the ordinance to add the words “**fronting on an interstate highway with a 500’ minimum**” after the word “more” at the end of the second line in sections **A. (f); E and G**. The sections would all read as follows:

A development directory sign approved as part of a master signage plan for a unified development of 100 acres or more fronting on an interstate highway with a 500 foot minimum, may incorporate one Electronic Message Center as an integral part of a business ground or monument sign and shall have a minimum matrix area of 20 square feet and a maximum matrix area of 250 square feet. Such sign shall be identified on and constructed in accordance with an approved Master signage plan.

Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The amendment was adopted.

By voice vote on the motion to approve the ordinance, as amended, the Council voted as follows: Councilmembers Bailey, Booker, Frost, Hall, Pelot, Roddy and Woodhull voted “Aye.” Councilmembers Becker and Hultquist voted “Nay.” The motion carried. The ordinance was approved on first reading only since the amendment was a substantive change.

12. ORDINANCES ON FIRST READING

RE: CITY CODE AMENDMENT – CHAPTER 2, ARTICLE VIII – COMPETITIVE SEALED BIDDING

- 12-b.** An Ordinance to amend Chapter 2, Article VIII, Division 3, § 2-865(b) of the Knoxville City Code, regulating negotiations after competitive sealed bidding when all bids exceed available funding. (Requested by Department of Finance and Accountability)

Councilmember Roddy made a motion to approve the ordinance on first reading. Councilmember Becker seconded the motion. By unanimous voice vote the motion carried. The ordinance was approved on first reading.

RE: CITY CODE AMENDMENT, APPENDIX B, ZONING REGULATIONS – ARTICLE IV (SPECIFIC DISTRICT REGULATIONS) REORGANIZATION

- 12-c.** An Ordinance to amend the Knoxville City Code, Appendix B, “Zoning Regulations” to revise Article IV “Specific District Regulations” and Article VII, “Administration and Enforcement” in order to accomplish reorganization of said articles. (MPC Approved 13-0) (File No. 6-B-08-OA)

Councilmember Roddy made a motion to approve the ordinance on first reading. Vice-Mayor Becker seconded the motion. By unanimous voice vote the motion carried. The ordinance was approved on first reading.

RE: ALLEY CLOSURE NEAR AMBROSE STREET – DON E. GUIGNARD, APPLICANT

- 12-f.** An Ordinance to close an unnamed alley between Ambrose Street and the deadend, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, Don E. Guignard, Applicant. (MPC Approved 9-0-3) (File No. 3-A-09-AC) (Fifth District)

Vice-Mayor Becker made a motion to approve the ordinance on first reading. Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The ordinance was approved on first reading.

RE: ADOPTION OF KNOXVILLE ONE YEAR PLAN 2009

- 12-g.** An Ordinance to adopt the Knoxville One Year Plan dated 2009 as prepared by the Metropolitan Planning Commission for the City of Knoxville. (MPC Approved 9-0-3) (File No. 3-A-09-OYP)

Councilmember Roddy made a motion to approve the ordinance on first reading. Vice-Mayor Becker seconded the motion. By unanimous voice vote the motion carried. The ordinance was approved on first reading.

RE: ONE YEAR PLAN AMENDMENT REQUEST OF THREE HUGHS PROPERTIES, LLC

- 12-h.** An Ordinance approving the request of Three Hughs Properties, LLC for a One Year Plan amendment from Low Density Residential to Mixed Uses (Office and Medium Density Residential) for property located on the northwest side of E. Inskip Drive, northeast of Rowan Road. (MPC Approved 12-0) (File No. 1-D-09-PA) (Fifth District).

Vice-Mayor Becker made a motion to approve the ordinance on first reading. Councilmember Pelot seconded the motion.

Vice-Mayor Becker and Councilmember Roddy addressed the ordinance.

By unanimous voice vote the motion carried. The ordinance was approved on first reading.

RE: REZONING REQUEST OF THREE HUGHES PROPERTIES, LLC

12-i. An Ordinance to rezone property located on the northwest side of E. Inskip Drive, northeast of Rowan Road from R-2, General Residential District, to O-1, Office, Medical, and Related Services District, Three Hughes Properties, LLC, Applicant. (MPC Approved 12-0) (File No. 1-E-09-RZ) (Fifth District).

Vice-Mayor Becker made a motion to approve the ordinance on first reading. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The ordinance was approved on first reading.

RE: REZONING REQUEST OF DOUG SHOFFNER

12-j. An Ordinance to rezone property located on the northwest side of Dutch Valley Drive, southwest of Plummer Road from R-1, Low Density Residential District, to O-3, Office Park District, Doug Shoffner, Applicant. (MPC Approved 12-0) (File No. 3-A-09-RZ) (Fifth District)

Vice-Mayor Becker made a motion to approve the ordinance on first reading. Councilmember Bailey seconded the motion. By unanimous voice vote the motion carried. The ordinance was approved on first reading.

RE: REZONING REQUEST OF THE METROPOLITAN PLANNING COMMISSION

12-k. An Ordinance to rezone property located on the northwest side of W. Anderson Avenue, southwest of N. Central Street from I-2, Restricted Manufacturing and Warehousing District, to C-3, General Commercial District, Metropolitan Planning Commission, Applicant. (MPC Approved 9-0-3) (File No. 3-D-09-RZ) (Fourth District)

Councilmember Frost made a motion to approve the ordinance on first reading. Vice-Mayor Becker seconded the motion. By unanimous voice vote the motion carried. The ordinance was approved on first reading.

RE: REZONING REQUEST OF THE CITY OF KNOXVILLE – CHEROKEE TRAIL AND CANDORA ROAD

12-l. An Emergency Ordinance to rezone property located on the southeast side of Cherokee Trail, northeast and southwest sides of Candora Road, east side of Edington Road from No Zone to RP-1, Planned Residential District at a density up to 8 dwelling units per acre, City of Knoxville, Applicant. (MPC Approved 11-1) (File No. 3-E-09-RZ) (First District)

Councilmember Hultquist made a motion to approve the emergency ordinance. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-50-09.

RE: REZONING REQUEST OF TIM NICHOLS

12-m. An Ordinance to rezone property located on the northeast side of Tippins Drive, northwest of Lewis Avenue from I-3, General Industrial District, to R-1, Low Density Residential District, Tim Nichols, Applicant. (MPC Approved 9-0-3) (File No. 3-F-09-RZ) (First District)

Councilmember Hultquist made a motion to approve the ordinance on first reading. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The ordinance was approved on first reading.

RE: COMMUNITY IMPROVEMENT (202) FUND – BOYS AND GIRLS CLUBS OF GREATER KNOXVILLE, INC.

12-n. An Emergency Ordinance appropriating the sum of \$2,450.00 from the Community Improvement (202) Fund and donating same to the Boys and Girls Clubs of Greater Knoxville, Inc., toward continuation of inner city youth services and programs. (Requested by Councilmembers Pelot, Hall, Booker, Woodhull, and Vice Mayor Becker)

Councilmember Becker made a motion to approve the emergency ordinance. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-51-09.

RE: COMMUNITY IMPROVEMENT (202) FUND – JUNIOR LEAGUE OF KNOXVILLE

12-o. An Emergency Ordinance appropriating the sum of \$250.00 from the Community Improvement (202) Fund and donating same to the Junior League of Knoxville to be utilized toward the cost of hosting their current fundraiser event. (Requested by Councilmember Pelot)

Councilmember Pelot made a motion to approve the emergency ordinance. Councilmember Bailey seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-52-09.

RE: COMMUNITY IMPROVEMENT (202) FUND – KNOX COUNTY PUBLIC LIBRARY

12-p. An Emergency Ordinance appropriating the sum of \$700.00 from the Community Improvement (202) Fund and donating same to the Knox County Public Library, as financial support toward the Summer 2009, Children's Festival of Reading Event. (Requested by Councilmembers Pelot, Hall, Woodhull, and Vice Mayor Becker)

Councilmember Becker made a motion to approve the emergency ordinance. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-53-09.

RE: COMMUNITY IMPROVEMENT (202) FUND – HISTORIC TENNESSEE THEATRE FOUNDATION

12-q. An Emergency Ordinance appropriating the sum of \$200.00 from the Community Improvement (202) Fund and donating same to the Historic Tennessee Theatre Foundation toward the ongoing, annual giving campaign. (Requested by Councilmember Pelot)

Councilmember Pelot made a motion to approve the emergency ordinance. Councilmember Woodhull seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-54-09.

RE: COMMUNITY IMPROVEMENT (202) FUND – OPTIMIST CLUB OF MECHANICSVILLE LONSDALE

- 12-r.** An Emergency Ordinance appropriating the sum of \$325.00 from the Community Improvement (202) Fund and donating same to the Optimist Club of Mechanicsville Lonsdale as financial assistance toward their service projects to benefit inner city children. (Requested by Councilmembers Pelot and Booker)

Councilmember Pelot made a motion to approve the emergency ordinance. Councilmember Booker seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-55-09.

RE: COMMUNITY IMPROVEMENT (202) FUND – SOAR YOUTH MINISTRIES

- 12-s.** An Emergency Ordinance appropriating the sum of \$900.00 from the Community Improvement (202) Fund and donating same to SOAR Youth Ministries to be utilized toward the 4th Annual Lonsdale Community Cleanup Event. (Requested by Councilmembers Pelot, Booker, Woodhull, and Vice Mayor Becker)

Councilmember Hultquist made a motion to approve the emergency ordinance. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-50-09.

13. PUBLIC FORUM

None.

14. ADJOURNMENT

There being no further business to come before City Council, upon motion the meeting adjourned at 9:10 p.m.

Presiding Officer of the Council

Recorder