

MARKED

AGENDA FOR A REGULAR COUNCIL MEETING

JUNE 2, 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 Bailey

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 - a. **ITEMS WITHDRAWN (Indicated with "W")**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 "*")**
11s, 11t

6. MAYOR'S REPORT:

- June 12, 2009 – 2:00 p.m. – Official re-opening of I-40 – June 11, 2009 – 7:00 p.m. Fun Walk/Run on new portion of I-40.
- June 5, 2009 – will be First Friday in Downtown
- June 6, 2009 – Farmer's Market on Market Square

7. REPORTS OF COUNCIL MEMBERS OR COMMITTEES:

- Cm Bailey – June 5, 2009 – 7:00 p.m. – City of Knoxville softball game at Tyson Park – benefitting Second Harvest.
- VM Becker – June 11, 2009 – 5:00 p.m. – City Council workshop on KAT Long Range Plan.
- Cm Pelot – Attended GED Graduation – wonderful experience.
- Cm Roddy – Fire Dept. introduced their new arson dog, “Bailey” today at the Fire Department Training Center.

8. ELECTIONS AND CONFIRMATIONS:

Approved: R-155-09

- a. A Resolution appointing Vice Mayor Bob Becker to serve as a member of the Public Property Naming Committee. (Requested by Councilmember Bailey)

Approved: R-156-09

- b. A Resolution to appoint Vice Mayor Bob Becker to serve as a member of the City of Knoxville Golf Course Advisory Committee. (Requested by Councilmember Bailey)

Approved: R-157-09

- c. A Resolution appointing Brenda Kaye Palmer to the Knox County Tax Equalization Board. (Requested by Mayor)

9. ORDINANCES ON SECOND READING:

Approved as amended: O-84-09

- a. An Ordinance making and fixing the annual appropriations for the several departments, agencies, and funds of the City of Knoxville for the fiscal period beginning July 1, 2009 and ending June 30, 2010. (Requested by Department of Finance and Accountability)

9. ORDINANCES ON SECOND READING (CONTINUED):

Approved: O-85-09

- b. An Ordinance to levy a tax on all taxable properties, real, personal and mixed, within the corporate limits of the City of Knoxville to provide sufficient revenues to fund the general fund and debt service fund operations and debt service obligations of the City of Knoxville for the fiscal period beginning July 1, 2009 and ending June 30, 2010. (Requested by Department of Finance and Accountability)

Approved: O-86-09

- c. An Ordinance to amend Sections 2-450, 2-458, and 2-459 of the Knoxville City Code to adjust the City of Knoxville's classification and compensation plans for general government employees and uniformed members of the police and fire departments. (Requested by Civil Service)

Approved: O-87-09

- d. An Ordinance amending Section 26-91(b) and deleting Section 26-94 of the Knoxville City Code so as to provide that the issuance of certificates of public convenience and necessity for taxis, shuttles and limousines will occur in January of each year instead of July and to extend the current certificates and registration stickers from June 30, 2009 until December 31, 2009. (Requested by Police Department)

Approved: O-88-09

- e. An Ordinance to approve and adopt the FY2010-2015 Knoxville Capital Improvement Program, including the FY2010 Capital Improvement Budget. (MPC Approved 14-0) (File No. 5-A-09-OB)

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

None.

11. RESOLUTIONS:

Approved: R-158-09

- a. A Resolution honoring and congratulating the Christian Academy of Knoxville Warriors for winning the 2009 TSSAA Class A/AA State Soccer Championship. (Requested by Council)

Approved: R-159-09

- b. A Resolution honoring and congratulating the Farragut High School Admirals soccer team for winning the 2009 TSSAA Class AAA State Soccer Championship. (Requested by Council)

11. RESOLUTIONS (CONTINUED):

Approved: R-160-09

- c. A Resolution honoring and congratulating the Farragut Admirals baseball team for winning the 2009 TSSAA Class AAA State Baseball Championship. (Requested by Council)

Postponed four (4) weeks

- d. A Resolution expressing City Council's willingness to participate in the convenient voting pilot project. (Requested by Vice Mayor Becker)

Approved: R-161-09

- e. A Resolution authorizing the Mayor to execute an agreement with National Building Service, in an amount not to exceed \$73,799.40, to provide janitorial services for the Safety Building. (Requested by Police Department)

Approved: R-162-09

- f. A Resolution authorizing the Mayor to file a grant application with the United States Department of Transportation and the Tennessee Department of Transportation to provide funding in the amount of Four Million, Nine Hundred Twenty Thousand, Seven Hundred and Fifty-Two Dollars (\$4,920,752.00) to Knoxville Area Transit for Formula Urbanized Area Transit Grant Assistance (Section 5307) for fiscal year 2009, and if such application is approved, to authorize the Mayor to execute any and all documents to accept such a grant award. (Requested by Operations and Efficiency)

Approved: R-163-09

- g. A Resolution authorizing the Mayor to file a grant application with the United States Department of Transportation and the Tennessee Department of Transportation in the amount of Six Million, Eight Hundred Fifty Thousand, Thirty-One Dollars (\$6,850,031.00) to provide funding to Knoxville Area Transit for Section 5309 Discretionary Transit Grant Assistance for fiscal years 2008-2009 for the Downtown Transit Center Project, and if such application is approved, to authorize the Mayor to execute any and all documents to accept such a grant award. (Requested by Operations and Efficiency)

Approved: R-164-09

- h. A Resolution authorizing the Mayor to execute an agreement with National Systems, Inc. (NSI) for the installation of a new bus washing machine within the Knoxville Area Transit's service building for an amount not to exceed a total cost of Two Hundred Ninety-Two Thousand, Two Hundred Seventy-Nine and 57/100 Dollars (\$292,279.57). (Requested by Operations and Efficiency)

11. RESOLUTIONS (CONTINUED):

Approved: R-165-09

- i. A Resolution authorizing the Mayor to execute an agreement with HFT Management, Inc. d/b/a Gateway Outdoor Advertising to market, sell, and secure advertising contracts for rental space on Knoxville Area Transit vehicles for an initial term of three years with the option to extend the term two additional one-year periods. (Requested by Operations and Efficiency)

Approved: R-166-09

- j. A Resolution authorizing the Mayor to request the Public Building Authority of the County of Knox and the City of Knoxville, Tennessee, to perform project management services for the Magnolia Avenue Facility Rehabilitation, Energy Upgrades and Improvements Project at a budgeted amount not to exceed \$2,007,000. (Requested by Operations and Efficiency)

Approved: R-167-09

- k. A Resolution authorizing the Mayor to request the Public Building Authority of the County of Knox and the City of Knoxville, Tennessee, to provide project management services for the project to expand the City of Knoxville's employee health center located at 1405 Loraine Street at a budgeted amount not to exceed \$67,770. (Requested by Department of Public Service)

Approved: R-168-09

- l. A Resolution authorizing submission of a Community Development Block Grant Recovery Funds Substantial Amendment to the 2008-2009 Action Plan for Housing and Community Development to the U.S. Department of Housing and Urban Development, and authorizing the Mayor to execute any associated documents and certifications. (Requested by Department of Community Development)

Approved: R-169-09

- m. A Resolution authorizing the Mayor to execute an amendment to Contract No. C-08-0223 with Vaughn & Melton, Inc. for the South Waterfront Public Improvement Project, River Road/Lincoln Street Public Improvements, for additional design services, to increase the contract price by \$220,000.00 for a new contract price of \$996,859.00, and to increase the project time by 214 days to December 31, 2009. (Requested by South Waterfront Development)

Approved: R-170-09

- n. A Resolution authorizing the Mayor to execute Change Order No. 2 to Contract No. C-08-0163 between the City of Knoxville and Vaughn & Melton, Inc. for the Westland Drive Bridge Replacement and Drainage Project to increase the contract price by \$61,700.00 for a new contract price of \$164,607.00 and to increase the contract time by 274 days to April 1, 2010. (Requested by Department of Engineering)

Approved: R-171-09

- o. A Resolution authorizing the Mayor to execute Change Order No. 1 to Contract No. C-09-0186 between the City of Knoxville and Southern Constructors, Inc. for the Gay Street Streetscapes Project, No. 08A-R-0449, to increase the contract price by \$334,565.51 for a new contract price of \$3,831,266.61. (Requested by Department of Engineering)

Approved: R-172-09

- p. A Resolution authorizing the Mayor to execute Change Order No. 1 to Contract No. C-09-0158 between the City of Knoxville and Design & Construction Services, Inc. for the 2009 Curb Cut Project to increase the contract price by \$39,202.18 for a new contract price of \$302,902.18. (Requested by Department of Engineering)

Approved: R-173-09

- q. A Resolution approving a tax increment financing amendment to the Historic Market Square Redevelopment and Urban Renewal Plan to support the restoration of real property located in the redevelopment area at 505 Market Street, commonly known as the Arnstein Building. (Requested by Department of Policy and Communications)

Approved: R-174-09

- r. A Resolution approving a tax increment financing amendment to the Central Business District West Redevelopment and Urban Renewal Plan to support the redevelopment of real property located at 501 – 517 Union Avenue, commonly known as the Daylight Building. (Requested by Department of Policy and Communications)

Approved: R-175-09

- “*” s. A Resolution granting a pension of \$64.16 per month to David W. Jones, an employee of the Knoxville General Government. (Requested by Pension Board)

Approved: R-176-09

- “*” t. A Resolution granting a pension of \$549.71 per month to Llew Ellen Luttrell, an employee of the Knoxville General Government. (Requested by Pension Board)

Approved: R-177-09

- “M” u. A Resolution honoring and expressing appreciation to Fred Charles “Charlie” Haun and wishing him all the best in his future endeavors. (Requested by Council)

12. ORDINANCES ON FIRST READING:

Approved on first reading

- a. An Ordinance to amend the capital budget and the operating budget both as approved by Ordinance O-115-08 for fiscal year 08-09 and to transfer surplus, excess, or unencumbered funds between various units and funds as reflected in the various funds and budgets of the City of Knoxville. (Requested by Department of Finance and Accountability)

Postponed to October 20, 2009

- b. 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)

Approved on first reading

- c. An Ordinance to amend Section 17-74 of the Knoxville City Code, entitled, "Traffic Violator School" so as to provide for the provision of such schools or courses consistent with the provisions of current state law. (Requested by Vice Mayor Becker)

Postponed two (2) weeks

- d. An Ordinance to rezone property located on the west side of Sisk Road, south of Pleasant Ridge Road from RP-1, Planned Residential District, at a density of 1-5 dwelling units per acre to RP-1, Planned Residential District, at a density up to 5.99 dwelling units per acre, Easterday Estates LLC, Applicant. (MPC Approved 12-1) (File No. 4-E-09-RZ) (Third District)

Approved: O-89-09

- e. An Emergency Ordinance appropriating the sum of \$1,000.00 from the Community Improvement (202) Fund and donating same to Fulton High School to be utilized toward the ongoing auditorium renovation project. (Requested by Vice Mayor Becker)

Approved: O-90-09

- f. An Emergency Ordinance appropriating the sum of \$300.00 from the Community Improvement (202) Fund and donating same to the Crutcher Memorial Youth Enrichment Center to be utilized toward their current program development needs. (Requested by Councilmember Booker)

Approved: O-91-09

- g. An Emergency Ordinance appropriating the sum of \$650.00 from the Community Improvement (202) Fund and donating same to Knoxville-Knox County Community Action Committee for the benefit of the Third Annual Beardsley Community Farm Festival. (Requested by Councilmembers Booker, Woodhull and Vice Mayor Becker)

12. ORDINANCES ON FIRST READING (CONTINUED):

Approved: O-92-09

- h. An Emergency Ordinance appropriating the sum of \$2,000.00 from the Community Improvement (202) Fund and donating same to the Knoxville-Knox County Community Action Committee, Office on Aging, to be utilized toward their Mobile Meals program. (Requested by Councilmember Hall)

Approved: O-93-09

- i. An Emergency Ordinance appropriating the sum of \$275.00 from the Community Improvement (202) Fund and donating same to Ijams Nature Center to improve signage and interpretation around the wildlife sanctuary. (Requested by Councilmember Woodhull)

13. PUBLIC FORUM:

Terry Faulkner – comments re: MPC

Jim Bletner – comments re: MPC

14. ADJOURNMENT: 10:20 p.m.