

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

**JUNE 16, 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, June 16, 2009.

Vice-Mayor Bob Becker was present and presiding officer in Mayor Bill Haslam's absence.

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, Bob Booker, 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 June 2, 2009 meeting. Councilmember Woodhull 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5-a. ITEMS WITHDRAWN (Indicated with "W")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 "")**

Councilmember Roddy made a motion to place resolutions 8a through 8h, and ordinances 12g through 12n on the consent agenda. Councilmember Booker seconded the motion.

Discussion ensued with the following persons addressing the motion: Councilmember Pelot; Charles Swanson, City Council Attorney; Councilmember Roddy; Vice-Mayor Becker; Councilmember Hultquist.

Attorney Swanson explained that to place items on the consent agenda it must have unanimous Council approval.

Councilmember Roddy then divided her motion into two motions as follows:

Councilmember Roddy amended her motion to place items 8a through 8h on the consent agenda. Councilmember Booker seconded the motion. By voice vote there were several “No” votes. The motion was denied due to required unanimous approval. The resolution will be heard under “Elections and Confirmations”.

Councilmember Roddy made a motion to place Community Improvement Ordinances 12g through 12n on the consent agenda. Councilmember Bailey seconded the motion. By voice vote there were several “no” votes. The motion was denied due to required unanimous approval. The ordinances will be heard at their regular place on the agenda. (See “Ordinances on First Reading”)

6. MAYOR’S REPORT

RE: CERTIFICATE OF COMPLIANCE – STEVEN C. SWAFFORD d/b/a K & K WINES & SPIRITS

- 6-a.** An application for renewal of a Certificate of Compliance for Steven C. Swafford d/b/a K&K Wines & Spirits, 5746 Western Avenue, Knoxville, Tennessee, 37921. (Requested by Department of Finance and Accountability)

Councilmember Hall made a motion to approve the Certificate of Compliance. Councilmember Woodhull seconded the motion. By unanimous voice vote the motion carried. The Certificate was approved.

RE: CERTIFICATE OF COMPLIANCE – JOHN CURRY, CURRY ENTERPRISES, LLC d/b/a WEST TOWN WINE & SPIRITS

- 6-b.** An application for renewal of a Certificate of Compliance for John Curry, Curry Enterprises, LLC d/b/a West Town Wine & Spirits, 7319 Kingston Pike, Knoxville, Tennessee, 37919. (Requested by Department of Finance and Accountability)

Councilmember Pelot made a motion to approve the Certificate of Compliance. Councilmember Woodhull seconded the motion. By unanimous voice vote the motion carried. The Certificate was approved.

Vice-Mayor Becker asked Dr. Bill Lyons to present the Mayor’s Report:

Dr. Lyons announced that the COK received the 2009 Tennessee Municipal League Achievement Award for Excellence in Green Leadership.

7. REPORTS OF COUNCIL MEMBERS OR COMMITTEES

- Councilmember Roddy and Councilmember Hultquist talked about the Committee they have been working on with MPC concerning Sustainable Development Incentives. Councilmember Frost and Mark Donaldson also commented on the committee
- Vice-Mayor Becker talked about items for possible discussion at a City Council dinner including the Consent Agenda and the Ten Year Plan.
- Vice-Mayor Becker announced that the next Audit Committee meeting will be held Thursday, June 25, 2009 at 4:00 p.m. in Room 460 of the City-County Building.
- Vice-Mayor Becker wished Law Director Debbie Poplin a very Happy Birthday today!

8. ELECTIONS AND CONFIRMATIONS

RE: EARL TAYLOR – FRED FORSTER – METROPOLITAN KNOXVILLE AIRPORT AUTHORITY

- 8-a.** A Resolution approving the appointment of Earl Taylor and the reappointment of Fred Forster to the Metropolitan Knoxville Airport Authority. (Requested by Mayor)

Councilmember Hultquist 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-178-09.

RE: JAMES C. MCSPADDEN – KNOXVILLE SOLICITATIONS BOARD

- 8-b.** A Resolution confirming the appointment of James C. McSpadden to serve as a member of the Knoxville Solicitations Board. (Requested by Mayor)

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-179-09.

RE: ROBYN McADOO – BOARD OF ZONING APPEALS

- 8-c.** A Resolution confirming the appointment of Robyn McAdoo to the Board of Zoning Appeals for the City of Knoxville. (Requested by Mayor)

Councilmember Hultquist 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-180-09.

8. ELECTIONS AND CONFIRMATIONS

RE: ROB McNUTT – CITIZENS BOARD FOR THE OPERATION OF THE PUBLIC ASSEMBLY FACILITIES

- 8-d.** A Resolution reappointing Rob McNutt to the Citizens Board for the operation of the Public Assembly Facilities. (Requested by Councilmember Hall)

Councilmember Hall 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-181-09.

RE: MARCUS “BLAKE” BLAKEMORE – CITIZENS BOARD FOR THE OPERATION OF THE PUBLIC ASEMBLY FACILITIES

- 8-e.** A Resolution reappointing Marcus “Blake” Blakemore to the Citizens Board for the operation of the Public Assembly Facilities. (Requested by Councilmember Woodhull)

Councilmember Woodhull 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-182-09.

RE: MARCUS “BLAKE” BLAKEMORE – PUBLIC PROPERTY NAMING COMMITTEE

- 8-f.** A Resolution appointing Marcus “Blake” Blakemore to serve as a member of the Public Property Naming Committee. (Requested by Councilmember Woodhull)

Councilmember Woodhull 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-183-09.

RE: CYNTHIA ANDRESEN – CITIZENS ADVISORY COMMITTEE TO THE KNOXVILLE AREA TRANSIT AUTHORITY

- 8-g.** A Resolution reappointing Cynthia Andresen to serve as a member of the Citizens Advisory Committee to the Knoxville Area Transit Authority. (Requested by Councilmember Hultquist)

Councilmember Hultquist 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-184-09.

RE: LAURENCE EATON – CITIZENS ADVISORY COMMITTEE TO THE KNOXVILLE AREA TRANSIT AUTHORITY

- 8-h.** A Resolution appointing Laurence Eaton to serve as a member of the Citizens Advisory Committee to the Knoxville Area Transit Authority. (Requested by Councilmember Frost)

Councilmember Frost 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-185-09.

9. ORDINANCES ON SECOND READING

RE: CAPITAL BUDGET AND THE OPERATING BUDGET AMENDMENTS – TRANSFER OF SURPLUS, EXCESS OR UNENCUMBERED FUNDS

- 9-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)

Councilmember Pelot made motion to approve the 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-94-09.

RE: CITY CODE AMENDMENT – CHAPTER 17 – TRAFFIC VIOLATOR SCHOOL

- 9-b.** 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)

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

Discussion ensued with the following persons addressing the motion: Don Wiser, retired Police Officer, in favor of ordinance; Councilmember Roddy; Law Director Debbie Poplin; Police Chief Sterling Owen; Councilmember Frost; Charles Swanson; Councilmember Bailey.

Upon roll call, Councilmembers bailey, Becker, Booker, Hall, Pelot and Woodhull voted "Aye". Councilmembers Frost, Hultquist and Roddy voted "Nay". The motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-95-09.

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

RE: APPEAL BY EASTERDAY ESTATES, LLC – VICTOR JERNIGAN DEVELOPMENT

- 10-a.** An Appeal by Easterday Estates, LLC of the Metropolitan Planning Commission's decision to deny a One Year Plan Amendment from Low Density Residential to Medium Density Residential for property located on the west side of Sisk Road, south of Pleasant Ridge Road. (MPC Denied 13-0) (File No. 4-C-09-PA) (Third District) (Consider with 12d.)

In conjunction with

- 12-d.** An Ordinance approving the request of Easterday Estates, LLC for a One Year Plan Amendment from Low Density Residential to Medium Density Residential for property located on the west side of Sisk Road, south of Pleasant Ridge Road, on appeal from a decision of the Metropolitan Planning Commission. (MPC Denied 13-0) (File No. 4-C-09-PA) (Third District) (Consider with 10a.)

Discussion ensued with the following persons addressing the appeal: Victor Jernigan, in favor of appeal; Vice-Mayor Becker; Tony Norman, 3520 Peachwood Road, in opposition to appeal; Councilmember Frost; Councilmember Roddy; Maggie Hughes, 5637 Bakerton Drive, in opposition to appeal; Lynn Redmon, in opposition to appeal; Councilmember Bailey; Charles Swanson; Councilmember Hall.

No motion was made by City Council.

The matter failed due to a lack of a motion.

11. RESOLUTIONS

RE: PUBLIC BUILDING AUTHORITY OF THE COUNTY OF KNOX AND THE CITY OF KNOXVILLE, TENNESSEE

- 11-a.** A Resolution authorizing the Mayor to execute an amendment to the agreement with the Public Building Authority of the County of Knox and the City of Knoxville, Tennessee, to perform project management services for City projects, to include general provisions concerning compliance with federal regulations when federal funding sources are used for a project. (Requested by Operations and Efficiency)

Councilmember Roddy 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-186-09.

RE: INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KNOXVILLE

- 11-b.** A Resolution authorizing the Industrial Development Board of the City of Knoxville to amend its Charter to increase the number of directors on its governing board. (Requested by Law 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-187-09.

RE: INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KNOXVILLE FOR THE DOWNTOWN CINEMA, INC.

- 11-c.** A Resolution authorizing the Industrial Development Board of the City of Knoxville for the Downtown Cinema, Inc. to amend its Charter to increase the number of directors on its governing board. (Requested by Law Department)

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 minutes as Resolution No. R-188-09.

RE: KNOXVILLE HABITAT FOR HUMANITY, INC. – NEIGHBORHOOD STABILIZATION PROGRAM

- 11-d.** A Resolution authorizing the Mayor to execute an agreement with Knoxville Habitat for Humanity, Inc. to provide \$300,000.00 in Neighborhood Stabilization Program funding to purchase and rehabilitate residential properties that have been abandoned and/or foreclosed to sell to low-income families. (Requested by Department of Community Development)

Councilmember Pelot 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-189-09.

RE: GILBERT D. GIDEON – 1146 MASSACHUSETTS AVENUE – HOMEMAKER PROGRAM

- 11-e.** A Resolution authorizing the Mayor to execute a quitclaim deed to Gilbert D. Gideon, for one parcel of property located at 1146 Massachusetts Avenue, CLT No. 081-OE-004, within the city limits of the City of Knoxville pursuant to the Homemaker Program for a contract sales price of \$15,000.00. (Requested by Department of Community Development)

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-190-09.

RE: PROPERTY ACQUISITION – 1715 WASHINGTON PIKE – 1717 WASHINGTON AVENUE – JOHN STEPHEN SCARBROUGH AND JACKALYN I. SCARBROUGH – 2008 SIDEWALK IMPROVEMENT PROJECT

- 11-f.** A Resolution authorizing the Mayor to execute all documents on behalf of the City of Knoxville necessary to acquire a fee simple interest and a temporary construction easement within a portion of the property located at 1715 Washington Pike, CLT #081D-D-037, and a fee simple interest and a temporary construction easement within a portion of the property located at 1717 Washington Pike, CLT #081D-D-036, from John Stephen Scarbrough and wife, Jackalyn I. Scarbrough for the 2008 Sidewalk Improvement Project, #08W-S-0455, for \$3,550.00. (Requested by Department of Engineering)

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-191-09.

RE: PROPERTY ACQUISITION – 1725 WASHINGTON PIKE – ANDREW C. LEWIS AND WIFE, MARYLOU LEWIS – 2008 SIDEWALK IMPROVEMENT PROJECT

- 11-g.** A Resolution authorizing the Mayor to execute all documents on behalf of the City of Knoxville necessary to acquire a fee simple interest and a temporary construction easement within a portion of the property located at 1725 Washington Pike, CLT #081D-D-035, from Andrew C. Lewis and wife, Marylou Lewis for the 2008 Sidewalk Improvement Project, #08W-S-0455, for \$700.00. (Requested by Department of Engineering)

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-192-09.

RE: CONDEMNATION – 810 S. CHESTNUT STREET – 815 S. CHESTNUT STREET-ESTATE OF MARY M. MAUGER – MARTIN LUTHER KING, JR. AVENUE DRAINAGE IMPROVEMENTS PROJECT

- 11-h.** A Resolution authorizing the acquisition by condemnation, if necessary, of two parcels of unimproved real property located at 810 S. Chestnut Street, CLT No. 082N-F-040, and 815 S. Chestnut Street, CLT No. 082N-K-003, owned by the Estate of Mary M. Mauger, for the Martin Luther King Jr. Avenue Drainage Improvements Project. (Requested by Department of Engineering)

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

Discussion ensued with Councilmember Roddy, Public Works Director Steve King, Councilmember Hultquist and Charles Swanson speaking.

By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-193-09.

RE: STATE OF TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION – 2531 MAPLE DRIVE

- 11-i.** A Resolution authorizing the Mayor to execute all documents necessary to accept a grant from the State of Tennessee Department of Environment and Conservation in the amount of \$50,000.00 to construct a greenway loop on City property located at 2531 Maple Drive, Knoxville, Tennessee, CLT#058K-D-007. (Requested by Department of Parks and Recreation)

Councilmember Frost 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-194-09.

RE: KNOXVILLE UTILITIES BOARD

- 11-j.** A Resolution authorizing the Mayor to execute a Memorandum of Understanding between the City of Knoxville and Knoxville Utilities Board to provide fire service computations for a period of three (3) years. (Requested by Department of Finance and Accountability)

Councilmember Pelot made a motion to approve the resolution. Councilmember Booker seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-195-09.

RE: MINNESOTA LIFE INSURANCE COMPANY – EMPLOYEE BASIC LIFE AND ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE

- 11-k.** A Resolution authorizing the Mayor to execute all documents necessary to enter into an agreement with Minnesota Life Insurance Company to provide employee basic life and accidental death and dismemberment insurance. (Requested by Department of Finance and Accountability)

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-196-09.

RE: PRUDENTIAL INSURANCE COMPANY OF AMERICA – EMPLOYEE LONG-TERM DISABILITY INSURANCE

- 11-l.** A Resolution authorizing the Mayor to execute all documents necessary to enter into an agreement with the Prudential Insurance Company of America to provide employee long-term disability insurance. (Requested by Department of Finance and Accountability)

Councilmember Pelot 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-197-09.

RE: DEPARTMENT OF ENERGY, UNITED STATES OF AMERICA – AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (CURBSIDE RECYCLING)

- 11-m.** A Resolution authorizing the Mayor to file a grant application with the Department of Energy, United States of America, to provide funding for energy efficiency and conservation projects under the American Recovery and Reinvestment Act of 2009 (ARRA), and if such application is approved, to authorize the Mayor to execute any and all documents to accept such a grant award. (Requested by Department of Policy & Communications)

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

Discussion ensued with the following persons speaking: Councilmember Hultquist; Councilmember Roddy; Dr. Bill Lyons; Dr. Bill Lyons; Stan Johnson, 2805 Woodbine Avenue; Vice-Mayor Becker; Madeline Rogero; Councilmember Bailey.

By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-198-09.

RE: STELLAR VISIONS AND SOUND, INC. – JULY 4, 2009 FESTIVITIES – WORLD FAIR PARK

- 11-n.** A Resolution authorizing the Mayor to execute an agreement with Stellar Visions and Sound, Inc. to provide and operate video and sound equipment for the City of Knoxville's July 4, 2009 festivities at World's Fair Park in a total amount not to exceed \$30,900.00. (Requested by Department of Special Events)

Councilmember Pelot 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-199-09.

RE: TENNESSEE DEPARTMENT OF TRANSPORTATION – MAINTENANCE OF STATE HIGHWAYS THROUGH MUNICIPALITIES

- 11-o.** A Resolution authorizing the Mayor to execute a contract with the Tennessee Department of Transportation for the maintenance of state highways through municipalities for the period July 1, 2008 through June 30, 2009. (Requested by Department of Public Service)

Councilmember Pelot 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-200-09.

RE: SOUTHEASTERN GLASS BUILDING, LLC

- 11-p.** A Resolution approving an amendment to the lease agreement between the City and Southeastern Glass Building, LLC. (Requested by Department of Policy & Communications)

Councilmember Frost 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-201-09.

12. ORDINANCES ON FIRST READING

RE: OPERATING BUDGET AMENDMENT – SAFETY CITY

- 12-a.** An Ordinance to amend the Operating Budget for Fiscal Year 08-09 relative to the construction of miniature buildings at Safety City. (Requested by Department of Finance and Accountability)

Councilmember Roddy 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: STREET CLOSURE – HONEYSUCKLE AVENUE – CHILLICOTHE STREET – KENNY A. & ALLEN SMART, APPLICANTS

- 12-b.** An Ordinance to close a portion of Honeysuckle Avenue between the west side of Chillicothe Street and the east side of the unnamed alley, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, Kenny A. & Allen Smart, Applicant. (MPC Approved 12-0-2) (File No. 5-A-09-SC) (Third District)

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

RE: STREET CLOSURE – MARION STREET NEAR BELLEAIRE AVENUE – KNOXVILEL HABITAT FOR HUMANITY

- 12-c.** An Ordinance to close a portion of Marion Street between Belleaire Avenue and the deadend, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, Knoxville Habitat for Humanity, Applicant. (MPC Approved 12-0-2) (File No. 5-B-09-SC) (Fifth District)

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

RE: REZONING REQUEST OF EASTERDAY ESTATES, LLC

- 12-e.** 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)

Councilmember Hall made a motion to approve the ordinance on first reading. Councilmember Bailey seconded the motion.

The following persons addressed the ordinance: Charles Swanson; Councilmember Hall; Mark Donaldson, MPC; Councilmember Frost; Tony Norman; Victor Jernigan; Councilmember Hultquist.

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

RE: REZONING REQUEST OF ROBERT L. SLUSHER

- 12-f.** An Ordinance to rezone property located on the northwest side of Chambliss Avenue, west of Lebanon Street from R-2, General Residential District, to O-1, Office, Medical, and Related Services District, Robert L. Slusher, Applicant. (MPC Approved 12-0-2) (File No. 5-C-09-RZ) (Second District)

Councilmember Pelot 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: COMMUNITY IMPROVEMENT (202) FUND – CASA OF EAST TENNESSEE

- 12-g.** An Emergency Ordinance appropriating the sum of \$500.00 from the Community Improvement (202) Fund and donating same to CASA of East Tennessee to be utilized toward the expense of training and monitoring volunteers/advocates for abused and neglected children. (Requested by Councilmember Pelot)

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-96-09.

RE: COMMUNITY IMPROVEMENT (202) FUND – LONSDALE UNITED FOR CHANGE

- 12-h** An Emergency Ordinance appropriating the sum of \$500.00 from the Community Improvement (202) Fund and donating same to Lonsdale United for Change to acquire certain learning aides for the benefit of Lonsdale Elementary School. (Requested by Vice Mayor Becker)

Councilmember Booker 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-97-09.

RE: COMMUNITY IMPROVEMENT (202) FUND – LONSDALE COMMUNITY DEVELOPMENT CORPORATION

- 12-i.** An Emergency Ordinance appropriating the sum of \$500.00 from the Community Improvement (202) Fund and donating same to the Lonsdale Community Development Corporation to be utilized toward expenses related to the Annual Community Homecoming Celebration. (Requested by Vice Mayor Becker)

Councilmember Booker 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-98-09.

RE: COMMUNITY IMPROVEMENT (202) FUND – EMERALD YOUTH FOUNDATION

- 12-j.** An Emergency Ordinance appropriating the sum of \$2,600.00 from the Community Improvement (202) Fund and donating same to the Emerald Youth Foundation to be designated toward the operating budget of The Flagship Ministry, JustLead. (Requested by Councilmembers Pelot, Hall and Vice Mayor Becker)

Councilmember Hall 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-99-09.

RE: COMMUNITY IMPROVEMENT (202) FUND – NORTHEAST YOUTH SPORTS

- 12-k.** An Emergency Ordinance appropriating the sum of \$1,800.00 from the Community Improvement (202) Fund and donating same to Northwest Youth Sports to be utilized toward needed improvements to the park, field house and concession areas. (Requested by Councilmember Hall)

Councilmember Hall 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-100-09.

RE: COMMUNITY IMPROVEMENT (202) FUND – IJAMS NATURE CENTER

- 12-l.** An Emergency Ordinance appropriating the sum of \$300.00 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 Booker)

Councilmember Booker 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-101-09.

RE: COMMUNITY IMPROVEMENT (202) FUND – KNOXVILLE-KNOX COUNTY COMMUNITY ACTION COMMITTEE, OFFICE ON AGING

- 12-m.** An Emergency Ordinance appropriating the sum of \$500.00 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 Booker)

Councilmember Booker 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-102-09.

RE: COMMUNITY IMPROVEMENT (202) FUND – UUNIK ACADEMY, INC.

12-n. An Emergency Ordinance appropriating the sum of \$500.00 from the Community Improvement (202) Fund and donating same to UUNIK Academy, Inc., as sponsorship support toward their annual read-a-thon event. (Requested by Councilmember Booker)

Councilmember Booker 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-103-09.

13. PUBLIC FORUM

Lynn Redmon, 5246 Oakhill Lane, discussed Pleasant Ridge Road improvements.

14. ADJOURNMENT

There being no further business to come before City Council, upon motion the meeting adjourned at 9:05 p.m.

Presiding Officer of the Council

Recorder