

MARKED

AGENDA FOR A REGULAR COUNCIL MEETING

JULY 14, 2009

7:00 PM

ORDER OF BUSINESS

1. **CALL TO ORDER:** Mayor Bill Haslam

2. **INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG:**
Councilman Barbara Pelot and Councilman Steve Hall

3. **ROLL CALL:** Bob Becker was absent as he was on his honeymoon

4. **APPROVAL OF MINUTES:** Minutes of June 30, 2009 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 - a. **ITEMS WITHDRAWN (Indicated with “W”)**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 “*”)**

6. MAYOR'S REPORT:

None.

7. REPORTS OF COUNCIL MEMBERS OR COMMITTEES:

- Councilmember Booker announced that his fraternity, Phi Beta Sigma, recently met in New Orleans to celebrate its 90th anniversary and that a local citizen, Jimmy Hammill, was elected the fraternity's president.
- Councilmember Pelot announced that the annual West Hills Community Picnic will be held July 20, 2009 beginning at 6:15 p.m. in West Hills Park at the gazebo.
- Councilmember Hultquist announced that the Joint City/County Task Force on Slope and Ridgetop Development is holding a series of 8 public meetings that began this week.
- Councilmember Hultquist announced that a meeting of the Transportation and Mobility Committee will take place July 16, 2009 at 3:00 p.m. at the Knoxville Area Chamber Office to discuss the recent trip to Charlotte, NC.
- Councilmember Hultquist announced that a briefing will be held July 20, 2009 at 5:30 p.m. in the Small Assembly Room of the City-County Building to discuss the Sustainable Development Program.

8. ELECTIONS AND CONFIRMATIONS:

APPROVED R-236-09

- a. A Resolution confirming the reappointments of David Dewhirst and John Sanders and the appointment of Carol Montgomery to the Downtown Design Review Board. (Requested by Mayor)

9. ORDINANCES ON SECOND READING:

APPROVED O-109-09

- a. An Ordinance to amend the Knoxville City Code, Section 19-63, to prohibit impeding sidewalk access in the Downtown North Redevelopment Zone and the Central Business Improvement District. (Requested by Department of Policy and Communications)

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

POSTPONED TWO (2) WEEKS

- a. An Appeal by Ioan Cocan of the Board of Zoning Appeals' decision to deny the request for a variance to reduce the north side yard setback from 12 feet to 10 feet (Knoxville City Code, Appendix B, Article IV, Section 2. E. 2. a.) as per site plan to add a two-story addition to a one-story residence in an R-1, Low Density Residential District, property located at 5616 Wallwood Road, Parcel 068KH025. (BZA Denied 4-0) (File No. 3-E-09-VA) (Fifth District) (Consider with 11m.)

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

POSTPONED FOUR (4) WEEKS

- b. An Appeal by Phyllis Severance of the Board of Zoning Appeals' decision to approve the request for variances to reduce the Martha Berry Drive front yard setback from 40 feet to 28 feet, reduce the Ridge Crest Drive front yard setback from 40 feet to 35 feet, and reduce the east side yard setback from 12.5 feet to 10 feet (Knoxville City Code, Appendix B, Article IV, Section 2c. E. 3. a. and 4. a.) as per site plan to construct a residence on a recorded lot in an R-1EN, Established Neighborhood District, property located at 1900 Martha Berry Drive, Parcel 058GA006. (BZA Approved 4-0) (File No. 6-A-09-VA) (Fourth District) (Consider with 11n.)

APPEAL APPROVED

- c. An Appeal by Robert A. Dew of the Board of Zoning Appeals' decision to deny the request for variance to increase the maximum accessory building height from 15 feet to 34 feet (Knoxville City Code, Appendix B, Article IV, Section 2. F.) as per site plan to construct a detached two-story garage in an R-1, Low Density Residential District, property located at 6719 Sherwood Drive, Parcel 121IA02701. (BZA Denied 4-0) (File No. 6-M-09-VA) (Second District) (Consider with 11o.)

POSTPONED TO AUGUST 25, 2009

- “P” d. An Appeal by Flenniken Housing, LP of the Metropolitan Planning Commission's decision to deny a Use on Review for multi-dwelling apartments in an O-1, Office, Medical, and Related Services District, property located on the east side of Maryville Pike, north side of Flenniken Avenue. (MPC Denied 12-1) (File No. 6-G-09-UR) (First District) (Consider with 11p.)

11. RESOLUTIONS:

APPROVED R-237-09

- a. A Resolution authorizing the Mayor to acquire, in fee simple, property located at 3112 Morris Avenue from Lester W. Mullins and wife, Anna L. Mullins, for the Loraine Street Public Works Complex Project, for \$48,000.00. (Requested by Department of Public Service)

APPROVED R-238-09

- b. A Resolution authorizing the Mayor to enter into a contract with the Tennessee Department of Transportation for the Papermill Bluff Greenway for an estimated project cost of \$542,000.00 to be funded by the American Recovery and Reinvestment Act (ARRA). (Requested by Department of Engineering)

11. RESOLUTIONS (CONTINUED):

APPROVED R-239-09

- c. A Resolution authorizing the Mayor to enter into a contract with the Tennessee Department of Transportation to resurface Whittle Springs Road from Cecil Avenue to Mineral Springs Road for an estimated project cost of \$198,917.00 to be funded by the American Recovery and Reinvestment Act (ARRA). (Requested by Department of Engineering)

APPROVED R-240-09

- d. A Resolution authorizing the Mayor to enter into a contract with the Tennessee Department of Transportation to resurface Woodland Avenue East from North Broadway to North Central Street for an estimated project cost of \$187,651.00 to be funded by the American Recovery and Reinvestment Act (ARRA). (Requested by Department of Engineering)

APPROVED R-241-09

- e. A Resolution authorizing the Mayor to file a grant application with the Tennessee Department of Agriculture to provide funding for the purchase and installation of trees in an amount not to exceed \$20,000.00, with a City match up to \$20,000.00, and if approved, to execute any and all documents necessary to accept such a grant. (Requested by Department of Public Service)

APPROVED R-242-09

- f. A Resolution authorizing the Mayor to file a grant application with the U.S. Department of Transportation and the Tennessee Department of Transportation in the amount of \$280,098.00, with a City match of up to \$31,122.00, to provide funding to KAT for discretionary transit grant assistance for the purchase of LIFT vans and related equipment, 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-243-09

- g. A Resolution authorizing the Mayor to apply for and accept a grant of \$2,050,754.00 from the Tennessee Department of Transportation for Knoxville Area Transit for operating assistance in Fiscal Year 2010. (Requested by Operations and Efficiency)

APPROVED R-244-09

- h. A Resolution authorizing the Mayor to enter into a contract with Michael Brady, Inc. for professional architectural design services for a new 360° firing range for an amount not to exceed \$25,000.00. (Requested by Police Department)

11. RESOLUTIONS (CONTINUED):

APPROVED R-245-09

- i. A Resolution authorizing the Mayor to file a grant application with the U.S. Department of Housing and Urban Development for Neighborhood Stabilization Program 2 funds in the amount of \$13,800,000.00 for the redevelopment of abandoned and foreclosed homes, and if such application is approved, authorizing the Mayor to accept such a grant award. (Requested by Department of Community Development)

APPROVED R-246-09

- j. A Resolution authorizing the Mayor to enter into a Memorandum of Understanding with Knox County regarding distribution of funds totaling \$259,410.88 under the Justice Assistance Grant Program, of which the City of Knoxville will receive \$116,735.00. (Requested by Police Department)

APPROVED R-247-09

- k. A Resolution authorizing the Mayor to execute any and all documents to accept a grant from Senior Service America, Inc. in the amount of \$491,441.00, with a City match up to \$64,419.00, to provide employment and training services for low-income senior citizens. (Requested by Department of Parks and Recreation)

APPROVED R-248-09

- l. A Resolution authorizing the Mayor to execute an agreement with Child and Family Tennessee, pursuant to a grant from the United States Department of Justice, Office of Violence Against Women, to provide for full-time intake services at the Family Justice Center, in the amount of \$65,812.00. (Requested by Police Department)

POSTPONED TWO (2) WEEKS

- m. A Resolution approving an appeal by Ioan Cocan of the Board of Zoning Appeals' decision to deny the request for a variance to reduce the north side yard setback from 12 feet to 10 feet (Knoxville City Code, Appendix B, Article IV, Section 2. E. 2. a.) as per site plan to add a two-story addition to a one-story residence in an R-1, Low Density Residential District, property located at 5616 Wallwood Road, Parcel 068KH025. (BZA Denied 4-0) (File No. 3-E-09-VA) (Fifth District) (Consider with 10a.)

11. RESOLUTIONS (CONTINUED):

POSTPONED FOUR (4) WEEKS

- n. A Resolution approving an appeal by Phyllis Severance of the Board of Zoning Appeals' decision to approve the request for variances to reduce the Martha Berry Drive front yard setback from 40 feet to 28 feet, reduce the Ridge Crest Drive front yard setback from 40 feet to 35 feet, and reduce the east side yard setback from 12.5 feet to 10 feet (Knoxville City Code, Appendix B, Article IV, Section 2c. E. 3. a. and 4. a.) as per site plan to construct a residence on a recorded lot in an R-1EN, Established Neighborhood District, property located at 1900 Martha Berry Drive, Parcel 058GA006. (BZA Approved 4-0) (File No. 6-A-09-VA) (Fourth District) (Consider with 10b.)

APPROVED R-249-09

- o. A Resolution approving an appeal by Robert A. Dew of the Board of Zoning Appeals' decision to deny a request for variance to increase the maximum accessory building height from 15 feet to 34 feet (Knoxville City Code, Appendix B, Article IV, Section 2. F.) as per site plan to construct a detached two-story garage in an R-1, Low Density Residential District, property located at 6719 Sherwood Drive, Parcel 121IA02701. (BZA Denied 4-0) (File No. 6-M-09-VA) (Second District) (Consider with 10c.)

POSTPONED TO AUGUST 25, 2009

- “P” p. A Resolution approving an appeal by Flenniken Housing, LP of the Metropolitan Planning Commission's decision to deny a Use on Review for multi-dwelling apartments in an O-1, Office, Medical, and Related Services District, property located on the east side of Maryville Pike, north side of Flenniken Avenue. (MPC Denied 12-1) (File No. 6-G-09-UR) (First District) (Consider with 10d.)

APPROVED R-250-09

- “M” q. A Resolution authorizing the City to submit a bid at a foreclosure sale of property located at 103 Mary Street, CLT #082-FF-019, and if deemed the highest bidder, authorizing the Mayor to execute all documents necessary to purchase the subject property for a total price not to exceed \$52,598.00. (Requested by Department of Community Development)

12. ORDINANCES ON FIRST READING:

APPROVED ON FIRST READING

- a. An Ordinance to amend Chapter 16, Article VII, Division 1, Sections 16-187 and 16-188 of the Knoxville City Code relating to pawnbrokers, junk dealers and related businesses. (Requested by Police Department)

12. ORDINANCES ON FIRST READING:

APPROVED ON FIRST READING

- b. An Ordinance to close a portion of Long Shot Lane from the northwest parcel lines of Parcels 057BH006 and 057BH085 to the dead end (cul-de-sac) subject to conditions, and authorizing the Mayor to issue quitclaim deeds to the adjacent property owners, MPM Development Company, LLC, Applicant. (MPC Approved 11-0-2) (File No. 6-B-09-SC) (Fifth District)

APPROVED ON FIRST READING

- c. An Ordinance to close Ski Lift Drive from Steamboat Lane to Long Shot Lane subject to conditions, and authorizing the Mayor to issue quitclaim deeds to the adjacent property owners, MPM Development Company, LLC, Applicant. (MPC Approved 11-0-2) (File No. 6-C-09-SC) (Fifth District)

APPROVED ON FIRST READING

- d. An Ordinance to close Steamboat Lane from the north end (cul-de-sac) to the south end (cul-de-sac) subject to conditions, and authorizing the Mayor to issue quitclaim deeds to the adjacent property owners, MPM Development Company, LLC, Applicant. (MPC Approved 11-0-2) (File No. 6-D-09-SC) (Fifth District)

APPROVED ON FIRST READING

- e. An Ordinance to change the street name of Bolling Lane to Forest Hills Boulevard located between the intersection of Bolling Lane and Forest Hills Boulevard and the dead end, Metropolitan Planning Commission, Applicant. (MPC Approved 11-0-2) (File No. 6-A-09-SNC) (Second District)

APPROVED ON FIRST READING

- f. An Ordinance to change the street name of Forest Hills Boulevard to Village Road located between the intersection of the present Village Road and Forest Hills Boulevard and the parking lot of Greentree Apartments, Metropolitan Planning Commission, Applicant. (MPC Approved 11-0-2) (File No. 6-B-09-SNC) (Second District)

APPROVED ON FIRST READING

- g. An Ordinance to rezone property located on the southeast side of Chambliss Avenue, northeast of N. Forest Park Boulevard from R-2, General Residential District, to O-1, Office, Medical, and Related Services District, Dona E. Diftler, Applicant. (MPC Approved 11-0-2) (File No. 6-A-09-RZ) (Second District)

13. PUBLIC FORUM:
Alonzo Montgomery
Jeremy Spears
Jason Ammons

14. ADJOURNMENT: 9:38 pm