

**MARKED**

**AGENDA FOR A REGULAR COUNCIL MEETING**

**SEPTEMBER 8, 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 Woodhull
  
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  - a. **ITEMS WITHDRAWN (Indicated with “W”)**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 “\*”)**

**6. MAYOR’S REPORT:**

- Mayor Haslam congratulated and recognized newly sworn in Fire Chief Stan Sharp.
- Outdoor movies begin this Thursday at dusk on Market Square
- Thank you to all who worked “Boomsday” and made it a huge success.

**7. REPORTS OF COUNCIL MEMBERS OR COMMITTEES:**

- Councilmember Pelot discussed the Minvilla groundbreaking that took place today and thanked Mayor Haslam for his leadership on this project that will be a home to the homeless.
- Councilmember Hultquist announced that a public meeting will be held as a follow-up to the “Parking in Front Yards” ordinance. The meeting will be held September 9 at 4:30 p.m. at the L. T. Ross Building.
- Councilmember Pelot announced that a forum for the Second District City Council Candidates will be held Wednesday evening at 7:30 - West High School.

**8. ELECTIONS AND CONFIRMATIONS:**

**Approved: R-301-09**

- a. A Resolution reappointing Richard Jantz to serve as a member of the Citizens Advisory Committee to the Knoxville Area Transit Authority. (Requested by Councilmember Pelot)

**9. ORDINANCES ON SECOND READING:**

None.

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

**Appeal Denied**

- 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 11r.)

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

**Appeal Approved**

- 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 11s.)

11. **RESOLUTIONS:**

**Approved: R-302-09**

- a. A Resolution issuing a Certificate of Compliance to Meg's Wine and Spirits relative to its application to the Tennessee Alcoholic Beverage Commission to renew its license to operate a liquor store in the City. (Requested by Department of Finance and Accountability)

**Approved: R-303-09**

- b. A Resolution issuing a Certificate of Compliance to Palace Package Store, Inc. relative to its application to the Tennessee Alcoholic Beverage Commission to renew its license to operate a liquor store in the City. (Requested by Department of Finance and Accountability)

**Postponed two (2) weeks**

- c. A Resolution approving the annual budget of the Central Business Improvement District for Fiscal Year 2009-2010. (Requested by Department of Policy and Communications)

**Approved: R-305-09**

- d. A Resolution authorizing the Mayor to enter into a contract with McCarter Enterprises, Inc. for the construction of an addition to the Fire Investigation Unit building at 336 East Caldwell for an amount not to exceed \$177,000.00. (Requested by Fire Department)

**Approved: R-306-09**

- e. A Resolution authorizing the Mayor to execute an agreement with Knox-Bradley Mechanical Contractors, Inc. to rebuild the fan hub and replace the fan shaft in the West Coliseum air handler for an amount not to exceed \$38,668.00. (Requested by Public Assembly Facilities)

**11. RESOLUTIONS (CONTINUED):**

**Approved: R-307-09**

- f. A Resolution authorizing the sale of six surplus decommissioned police cruisers and eight surplus Code 3 police light bars to the Whitley County, Kentucky Sheriff's Department at a price of \$2,500.00 per vehicle and \$80.00 per light bar. (Requested by Operations and Efficiency, Department of Fleet Services)

**Approved: R-308-09**

- g. 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 replacement and upgrade of an existing roof system at the West Haven Recreation Center at a budgeted amount not to exceed \$105,250.00. (Requested by Department of Public Service)

**Approved: R-309-09**

- h. A Resolution authorizing the Mayor to file an application with Tennessee Department of Environment and Conservation for a recycling rebate pursuant to T.C.A. § 68-211-825(b) in an amount not to exceed \$17,415.00, with a City match up to \$17,415.00, to be used for expenses associated with the operation of existing recycling drop-off centers. (Requested by Department of Public Service)

**Approved: R-310-09**

- i. A Resolution authorizing the Mayor to execute an agreement with Design & Construction Services, Inc. for the 2009 Roadway Safety Project in an amount not to exceed \$151,195.61. (Requested by Department of Engineering)

**Approved: R-311-09**

- j. A Resolution authorizing the Mayor to execute an agreement with Knoxville-Knox County Community Action Committee to provide \$400,000.00 in Community Development Block Grant funding for the Emergency Home Repair Program. (Requested by Department of Community Development)

**Approved: R-312-09**

- k. A Resolution authorizing the Mayor to execute an agreement with Neighborhood Housing, Inc. to provide \$68,500.00 in Community Development Block Grant funding for the Minor Home Repair Program, "Operation Backyard." (Requested by Department of Community Development)

**Approved: R-313-09**

- l. A Resolution authorizing the Mayor to execute an agreement with East Tennessee Community Design Center to provide \$72,000.00 in Community Development Block Grant funding for conceptual design and technical assistance for community improvement projects. (Requested by Department of Community Development)

**11. RESOLUTIONS (CONTINUED):**

**Approved: R-314-09**

- m. A Resolution authorizing the Mayor to execute an agreement with Knoxville's Community Development Corporation to provide \$500,000.00 in Neighborhood Stabilization Program funding to acquire and rehabilitate residential properties in the Mechanicsville area that have been abandoned and/or foreclosed to sell or rent to lower and moderate income families. (Requested by Department of Community Development)

**Approved: R-315-09**

- n. A Resolution authorizing the Mayor to execute an agreement with Knoxville's Community Development Corporation to provide \$869,000.00 in Neighborhood Stabilization Program funding for rehabilitation of the Old Eastport Elementary School as housing for low-income senior citizens. (Requested by Department of Community Development)

**Approved: R-316-09**

- o. A Resolution authorizing the Mayor to execute an agreement with Legal Aid of East Tennessee to provide \$108,000.00 in funding under the Homelessness Prevention and Rapid Rehousing Program, an American Recovery and Reinvestment Act program for support of the Homeless Prevention Project. (Requested by Department of Community Development)

**Approved: R-317-09**

- p. A Resolution authorizing the Mayor to execute an agreement with Knoxville-Knox County Community Action Committee to provide \$107,213.00 in funding under the Homelessness Prevention and Rapid Rehousing Program, a program funded by the American Recovery and Reinvestment Act for support of the Homeless Prevention Project. (Requested by Department of Community Development)

**Approved: R-318-09**

- q. A Resolution authorizing the Mayor to execute an agreement with the Volunteer Ministry Center, Inc. to provide \$27,018.00 in Emergency Shelter Grant funds for the operation of a Day Resource Center for homeless persons. (Requested by Department of Community Development)

**Denied**

- r. 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):**

**Appeal Approved**

- s. 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.)

**12. ORDINANCES ON FIRST READING:**

**Approved on first reading**

- a. An Ordinance to amend the Operating Budget for Fiscal Year 2009/2010 and the budget of the Capital Projects Fund for improvements to Morningside Park and Inskip Park. (Requested by Department of Finance and Accountability)

**Approved on first reading**

- b. An Ordinance to amend Chapter 26, Articles I through III of the Knoxville City Code regarding taxis, shuttles, and limousines. (Requested by Police Department)

**Reconsidered and Approved on first reading – As Amended**

- c. An Ordinance to close a portion of Ramsey Street from Western Avenue to Blackstock Avenue subject to conditions and authorizing the Mayor to issue quitclaim deeds to the adjacent property owners, Gary Mitchell, Applicant. (MPC Approved 12-0) (File No. 6-A-09-SC) (Sixth District) (Motion to Reconsider by Councilmember Frost)

**Approved on first reading**

- d. An Ordinance to rezone property located on the southeast side of W. Baxter Avenue, southwest of N. Central Street from I-2, Restricted Manufacturing and Warehousing District, to C-3, General Commercial District, Association of Ladies of Charity, Applicant. (MPC Approved 11-0) (File No. 8-B-09-RZ) (Fourth District)

**Approved: O-132-09**

- e. An Emergency Ordinance appropriating the sum of \$1,350.00 from the Community Improvement (202) Fund and donating same to South-Doyle High School to be utilized toward certain improvements for the baseball field. (Requested by Councilmembers Hall, Bailey, and Vice Mayor Becker)

**12. ORDINANCES ON FIRST READING (CONTINUED):**

**Approved: O-133-09**

- “M” f. An Emergency Ordinance to amend Ordinance No. O-125-80 entitled “An Ordinance to amend the property description contained in Section 1 of Ordinance No. O-60-80” so as to delete certain language from the property description reserving an easement for certain utilities. (Requested by Councilmember Pelot)

**13. PUBLIC FORUM:** None

**14. ADJOURNMENT:** 7:57 p.m.