

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

**NOVEMBER 3, 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, November 3, 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 Joe Bailey led in the "Pledge of Allegiance" to the Flag.

## **3. ROLL CALL**

Present: Joe Bailey, Bob Becker, Bob Booker, Rob Frost, Steve Hall, Joe Hultquist, Barbara Pelot, Marilyn Roddy and Chris Woodhull.

## **4. APPROVAL OF MINUTES**

Councilmember Bailey made a motion to approve the minutes from the October 20, 2009 City Council meeting. Vice-Mayor Becker 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### **5-a. ITEMS WITHDRAWN (Indicated with "W")**

Councilmember Frost made a motion to withdraw the following item from the agenda:

- 11-a.** A Resolution in memory of the late Robert A. Schmid and expressing City Council's condolences to his family upon the occasion of his passing. (Requested by Councilmember Frost)

Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The resolution was withdrawn.

### **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 “\*”)**

None.

**6. MAYOR’S REPORT**

- Knoxville’s 84<sup>th</sup> Annual Veterans Day Parade steps off at 10:45 a.m. on Veterans Day.
- The Neighborhood Sweep program, a pilot program of Public Service Neighborhood Codes Enforcement division, begins tomorrow in the Parkridge Neighborhood.
- There will be a third Creek Greenway Community Cleanup this Sunday from 10am until 4pm.

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

- Vice-Mayor Becker announced three different Community Development events:
  - 1) A public meeting on vacant properties will be held at 7:00 pm November 5 at the Cansler YMCA, 616 Jessamine Street
  - 2) A public hearing will be held on the annual 5 Year Plan – December 14, time and place TBA
  - 3) A Community Development working group has been addressing recent issues regarding the Homemakers Program
- Councilmember Pelot discussed attended the funeral of James “Big Jake” Kelcher.

**8. ELECTIONS AND CONFIRMATIONS**

**RE: ESTON WILLIAMS – KNOXVILLE UTILITIES BOARD OF COMMISSIONERS**

- 8-a.** A Resolution electing Eston Williams to the Knoxville Utilities Board of Commissioners. (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-365-09.

**RE: CLIFFORD RODGERS – BOARD OF THE PUBLIC BUILDING AUTHORITY**

- 8-b.** A Resolution confirming the appointment of Clifford Rodgers to the Board of the Public Building Authority. (Requested by Mayor)

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-366-09.

**RE: JOE PETRE – JEFFREY NASH – DOWNTOWN DESIGN REVIEW BOARD**

- 8-c.** A Resolution confirming the redesignation of Joe Petre and the appointment of Jeffrey Nash to the Downtown Design Review Board. (Requested by Mayor)

Councilmember Frost made a motion to approve the resolution. Councilmember Hall seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-367-09.

**9. ORDINANCES ON SECOND READING**

None.

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

**RE: APPEAL BY WAYNE E. CARMICHAEL – 115 E. OLDHAM AVENUE**

**10-a.** An Appeal by Wayne E. Carmichael of a decision of the Board of Zoning Appeals to uphold the administrative official's decision to deny placement of a new single wide mobile home in a space that has been vacant for more than six months (Article VI, Section E. 1. b.) in a legally pre-existing non-conforming mobile home park in a C-3/IH-1 (General Commercial District/Infill Housing Overlay District), property located at 115 E. Oldham Avenue. (BZA Denied 4-0) (File No. 8-A-09-VA) (Fifth District) (Consider with 11k.)

**IN CONJUNCTION WITH**

**11-k.** A Resolution approving an appeal by Wayne E. Carmichael of a decision of the Board of Zoning Appeals to uphold the administrative official's decision to deny placement of a new single wide mobile home in a space that has been vacant for more than six months (Article VI, Section E. 1. b.) in a legally pre-existing non-conforming mobile home park in a C-3/IH-1 (General Commercial District/Infill Housing Overlay District), property located at 115 E. Oldham Avenue. (BZA Denied 4-0) (File No. 8-A-09-VA) (Fifth District) (Consider with 10a.)

Discussion on the issue began with the following persons speaking: Wayne Carmichael, in favor of appeal; Mara Harvey, OLPNA, opposed to appeal; Vice-Mayor Becker; Gary Norman, Chief Building Official; Councilmember Roddy; Charles Swanson, City Council Attorney.

Vice-Mayor Becker made a motion to deny the appeal. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The appeal was denied therefore the resolution was denied.

**11. RESOLUTIONS**

**RE: METROPOLITAN PLANNING COMMISSION – 501 ARTHUR STREET**

**11-b.** A Resolution requesting and encouraging the Metropolitan Planning Commission to waive the usual fee for an application for a use-on-review for property located at 501 Arthur Street within the City of Knoxville. (Requested by Councilmember Woodhull and Vice-Mayor Becker)

Vice-Mayor Becker; Mike Elliott, restaurant owner at 501 Arthur Street; Councilmember Woodhull and Councilmember Pelot spoke.

Councilmember Woodhull 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-368-09.

**RE: INVESTMENT POLICY OF THE CITY OF KNOXVILLE PENSION BOARD**

- 11-c.** A Resolution amending and restating the Investment Policy of the City of Knoxville Pension Board. (Requested by Pension Board)

Discussion began with the following persons addressing the resolution: Councilmember Roddy; Councilmember Hultquist; Vice-Mayor Becker; Councilmember Pelot; Bud Gilbert, Pension Board Legal Counsel.

Vice-Mayor Becker made a motion to approve the resolution. Councilmember Woodhull seconded the motion. By voice vote the Council voted as follows on the motion to approve: Councilmembers Bailey, Becker, Booker, Frost, Hall, Pelot and Woodhull voted "Aye." Councilmembers Hultquist and Roddy voted "Nay." The motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-369-09.

**RE: SOUTHERN CONSTRUCTORS, INC. – GAY STREET STREETSCAPES PROJECT**

- 11-d.** A Resolution authorizing the Mayor to execute Change Order No. 3 to Contract No. C-09-0186 with Southern Constructors, Inc. for excavation services for the Gay Street Streetscapes Project to increase the contract price by \$161,541.86 for a new contract price of \$4,126,229.17. (Requested by Department of Engineering)

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-370-09.

**RE: DESIGN & CONSTRUCTION SERVICES, INC. – 2009 CURB CUT PROJECT**

- 11-e.** A Resolution authorizing the Mayor to execute Change Order No. 2 to Contract No. C-09-0158 with Design & Construction Services, Inc. for the 2009 Curb Cut Project to increase the contract price by \$9,218.38 for a new contract price of \$312,120.56, and to increase the time for completion by 60 calendar days to November 30, 2009. (Requested by Department of Engineering)

Vice-Mayor Becker 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-371-09.

**RE: WILBUR SMITH ASSOCIATES – PAPERMILL BLUFF GREENWAY PROJECT – AMERICAN RECOVERY AND REINVESTMENT ACT**

- 11-f.** A Resolution authorizing the Mayor to execute an agreement with Wilbur Smith Associates for professional engineering design, construction and inspection services for the Papermill Bluff Greenway Project for an amount not to exceed \$109,600.00 to be funded by the American Recovery and Reinvestment Act (ARRA). (Requested by Department of Engineering)

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-372-09.

**RE: METROPOLITAN MEDICAL RESPONSE SYSTEM – STATE OF TENNESSEE-KNOXVILLE-KNOX COUNTY EMERGENCY MANAGEMENT AGENCY – MASS CASUALTY**

- 11-g.** A Resolution authorizing the Mayor to execute any and all documents to accept a Metropolitan Medical Response System grant from the State of Tennessee in the amount of \$321,221.00 enabling the Knoxville-Knox County Emergency Management Agency to develop plans and training, purchase equipment and pharmaceuticals, and conduct exercises to prepare to respond to a potential mass casualty event. (Requested by Emergency Management Agency)

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-373-09.

**RE: TIME & PAY, INC. – K-TRANS MANAGEMENT, INC. d/b/a KNOXVILLE AREA TRANSIT**

- 11-h.** A Resolution authorizing the Mayor to execute an agreement with Time & Pay, Inc. to provide payroll and payroll tax preparation software and services for K-Trans Management, Inc. d/b/a Knoxville Area Transit. (Requested by Operations and Efficiency)

Councilmember Woodhull 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-374-09.

**RE: AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) – SENIOR SERVICE AMERICA, INC.**

- 11-i.** A Resolution authorizing the Mayor to execute any and all documents to accept a grant under the American Recovery and Reinvestment Act (ARRA) as a subgrantee/sponsor of the Senior Service America, Inc. program in the amount of \$30,000.00 to provide technology training services to low-income senior citizens. (Requested by Department of Parks and Recreation)

Councilmember Roddy 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-375-09.

**RE: METROPOLITAN PLANNING COMMISSION – WASHINGTON PIKE AND MURPHY ROAD**

- 11-j.** A Resolution requesting and encouraging the Metropolitan Planning Commission to give consideration to the zoning of certain parcels of property located within the general vicinity of the intersection of Washington Pike with Murphy Road, affording particular consideration to whether the Planned Commercial (PC-1) zoning designation is more appropriate for this property and, if so, taking any and all action necessary to implement this zoning modification. (Requested by Councilmember Frost)

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

Kevin Murphy thanked Council for their consideration.

By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-376-09.

**12. ORDINANCES ON FIRST READING**

**RE: ANNEXATION – ALKI LANE AND OWNBY LANE**

- 12-a.** An Ordinance to annex certain territory adjoining the bounds of the City of Knoxville, an area generally being described as a tract of land south of Alki Lane and approximately 160 feet southwest of the intersection of Ownby Lane and Alki Lane (2-11-09.AX), which property is to be incorporated into the limits of the City of Knoxville and to revise the boundary of Ward 51 of the City of Knoxville so as to include said area. (Requested by Mayor)

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: ANNEXATION – GINN DRIVE AND MALONEY ROAD**

- 12-b.** An Ordinance to annex certain territory adjoining the bounds of the City of Knoxville, an area generally being described as a tract of land east of Ginn Drive and approximately 685 feet northeast of the intersection of Maloney Road and Ginn Drive (3-11-09.AX), which property is to be incorporated into the limits of the City of Knoxville and to revise the boundary of Ward 25 of the City of Knoxville so as to include said area. (Requested by Mayor)

Councilmember Hultquist 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: ANNEXATION – SCHAAD ROAD AND TEDDY LANE**

- 12-c.** An Ordinance to annex certain territory adjoining the bounds of the City of Knoxville, an area generally being described as two tracts of land northwest of the intersection of Schaad Road and Teddy Lane (4-11-09.AX), which property is to be incorporated into the limits of the City of Knoxville and to revise the boundary of Ward 44 of the City of Knoxville so as to include said area. (Requested by Mayor)

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: ANNEXATION - WASHINGTON PIKE AND EDMONDSON LANE**

- 12-d.** An Ordinance to annex certain territory adjoining the bounds of the City of Knoxville, an area generally being described as a tract of land east of Washington Pike and approximately 425 feet north of the intersection of Edmondson Lane and Washington Pike (5-11-09.AX), which property is to be incorporated into the limits of the City of Knoxville and to revise the boundary of Ward 33 of the City of Knoxville so as to include said area. (Requested by Mayor)

Councilmember Frost 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: ANNEXATION – S. RUGGLES FERRY PIKE AND E. GOVERNOR JOHN SEVIER HIGHWAY**

- 12-e.** An Ordinance to annex certain territory adjoining the bounds of the City of Knoxville, an area generally being described as a tract of land north of S. Ruggles Ferry Pike and approximately 280 feet east of the intersection of E. Governor John Sevier Highway and S. Ruggles Ferry Pike (6-11-09.AX), which property is to be incorporated into the limits of the City of Knoxville and to revise the boundary of Ward 31 of the City of Knoxville so as to include said area. (Requested by Mayor)

Councilmember Frost 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: CITY CODE AMENDMENT – CHAPTER 11 – TIRE RECYCLING FACILITIES-FIRE PREVENTION STANDARDS**

- 12-f.** An Ordinance to amend Chapter 11, Article II of the Knoxville City Code, so as to require tire recycling facilities operating within the city limits of Knoxville to meet additional fire prevention safety standards. (Requested by Fire Department)

Councilmember Roddy made a motion to approve the ordinance on first reading. Councilmember Pelot seconded the motion.

Councilmember Roddy offered the changes highlighted in the following ordinance as amendment #1:

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF KNOXVILLE TO AMEND CHAPTER 11, ARTICLE II OF THE KNOXVILLE CITY CODE, SO AS TO REQUIRE TIRE RECYCLING FACILITIES OPERATING WITHIN THE CITY LIMITS OF KNOXVILLE TO MEET ADDITIONAL FIRE PREVENTION SAFETY STANDARDS.**

**WHEREAS**, tire recycling facilities maintain a large number of tires on their premises for use in the course of their business operations; and

**WHEREAS**, if these tires catch fire, these fires are extremely difficult to extinguish, as evidenced by a fire which occurred in Northeast Knoxville, in the Spring of 2009; and

**WHEREAS**, tire fires can also result in a number of environmental concerns for the community, including air pollution and oily discharges which can flow into nearby streams, ditches and waterways or can seep into the ground water; and

**WHEREAS**, the Council of the City of Knoxville has determined that it is in the public interest, safety, and welfare of the City of Knoxville to amend Chapter 11, Article II of the Code so as to require tire recycling facilities operating within the city limits of Knoxville to meet additional fire prevention safety standards.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KNOXVILLE:**

**SECTION 1:** Chapter 11, Article II, Section 11-22 of the Code of Ordinances is hereby amended by adding the following:

*13.9 Fire Protection for Tire Recycling Facilities.*

*13.9.1 Definitions.*

(1) Tire Recycling Facility means a facility whose purpose is the systemic collection, sorting, storage, **and shredding of waste tires.** ~~recapping or cleaning of waste tires to return them to commerce for use as commodities.~~ The term includes a facility that may use waste reduction, reuse or recycling equipment to process or convert waste tires into a beneficial product or productive use, including shredded tires.

(2) Facility means a building, shed, structure, or outside area used for the collection, storage, or processing of tires for reuse or disposal.

(3) Waste Tire means a tire that will no longer be used for the purpose for which it was originally intended. This includes tires that have been discarded.

*13.9.2* Tire Recycling Facilities are required to maintain the following fire protection features, in addition to any other requirements set forth in the currently adopted Fire Code:

(1) Either an approved supervised automatic and manual deluge fire sprinkler system or an approved supervised high expansion foam system shall be installed at the facility. Installation shall be in accordance with **NFPA 13.**

(2) Ground areas around facility where tires are stored, handled or used shall be kept free of weeds, trash, debris, or other unnecessary combustible materials.

(3) Shredded waste tires stored outdoors shall be separated into piles, ~~covered by a~~ each not larger than 2500 cubic feet, **if covered, must be of noncombustible structure construction.** Aisle widths between piles shall not be less than one-half the height of the pile or 20 ft, whichever is greater.

**SECTION 2:** If any section or sections of this Ordinance are held invalid, such invalidity shall not affect other provisions or sections of this Ordinance.

**SECTION 3:** This ordinance takes effect from and after its passage, the welfare of the City requiring it.

---

Presiding Officer of the Council

---

Recorder

Councilmember Pelot seconded the motion to amend.

Councilmember Hultquist and Councilmember Roddy briefly discussed the amendment. By unanimous voice vote Amendment #1 was approved.

By unanimous voice vote, the motion to approve the ordinance on first reading, as amended to include the changes outlined in the above captioned ordinance, was adopted. The ordinance was approved on first reading, as amended.

**RE CITY CODE AMENDMENT – ZONING REGULATIONS, ARTICLE II – TOWN CENTER ZONING**

- g. An Ordinance to amend the Knoxville City Code, Appendix B, “Zoning Regulations”, Article II, Definitions and Article IV, Section 3.12, TC-1 town center district, to change provisions relative to permitted and prohibited uses, height, parking, development plan requirements, administration and related ordinance provisions. (MPC Approved 11-0-1) (File No. 5-A-09-OA)

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

Discussion ensued with the following persons addressing the ordinance: Vice-Mayor Becker, Councilmember Frost; Councilmember Roddy; Charles Swanson, City Council Attorney; Councilmember Hultquist; Councilmember Pelot; Mark Donaldson, MPC Executive Director;

Vice-Mayor Becker made a motion to approve Amendment #1 to the ordinance as follows:

Page 4, Section D 4, Letter “c” – after the words “All drive-through Facilities” add the following language “as listed in letters a and b above”

Councilmember Bailey seconded the motion.

Discussion continued.

By unanimous voice vote the motion carried Amendment #1 was adopted.

Discussion continued with Councilmember Pelot; Councilmember Frost; Councilmember Bailey; Mark Donaldson; Councilmember Roddy; Vice-Mayor Becker; Councilmember Frost and Charles Swanson speaking.

Councilmember Frost made a motion to amend the ordinance to delete all of Section D 4. Drive-through facilities. Councilmember Roddy seconded the motion. Upon roll call, Councilmembers Becker, Frost, Hultquist, Roddy and Woodhull voted “Aye.” Councilmembers Bailey, Booker, Hall and Pelot voted “Nay.” The motion carried. Amendment #2 was adopted.

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

**RE: CITY CODE AMENDMENT – ZONING REGULATIONS, ARTICLE IV (HEAVY INDUSTRIAL DISTRICT) AND ARTICLE V (SIGNS, BILLBOARDS AND OTHER ADVERTISING STRUCTURES)**

- 12-h.** An Ordinance to amend the Knoxville City Code, Appendix B, “Zoning Regulations”, Article IV, Section 2.3.3, I-4 heavy industrial district; Article V, Section 10, Signs, billboards, and other advertising structures; and Article VII, Section 5.B.5., Effective date of approval, intended to correct certain discrepancies in the Knoxville City Code. (MPC Approved 11-0-1) (File No. 10-A-09-OA)

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

Vice-Mayor Becker, Law Director Debbie Poplin, Councilmember Frost and Public Works Director Steve King addressed the ordinance.

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

**RE: STREET CLOSURE – PARK VILLAGE ROAD NEAR FOX LONAS ROAD – W & L PROPERTIES, APPLICANT**

- 12-i.** An Ordinance to close a portion of Park Village Road between Fox Lonas Road and the southern property line of Parcel 004.02, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, W & L Properties, Applicant. (MPC Approved 12-0) (File No. 4-A-09-SC) (Second District)

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

**RE: STREET NAME CHANGE – E. STREET BETWEEN LANGFORD AVENUE AND PHILLIPS AVENUE TO EMPIRE STREET – CITY OF KNOXVILLE, APPLICANT**

- 12-j.** An Ordinance to change the street name of E Street between Langford Avenue and Phillips Avenue to Empire Street, City of Knoxville, Applicant. (MPC Approved 12-0) (File No. 8-A-09-SNC) (First District)

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

Councilmember Bailey stated that the name changes in this ordinance have been reviewed and approved by the Public Property Naming Committee.

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

**RE: STREET NAME CHANGE – LINCOLN STREET BETWEEN SEVIER AVENUE AND PHILLIPS AVENUE TO FOGGY BOTTOM STREET – CITY OF KNOXVILLE, APPLICANT**

- 12-k.** An Ordinance to change the street name of Lincoln Street between Sevier Avenue and Phillips Avenue to Foggy Bottom Street, City of Knoxville, Applicant. (MPC Approved 12-0) (File No. 8-B-09-SNC) (First District)

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

Councilmember Bailey stated that the name changes in this ordinance have been reviewed and approved by the Public Property Naming Committee.

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

**RE: CENTRAL CITY SECTOR PLAN AMENDMENT – JOHNSTON STREET, SOUTHWEST OF HEISKELL AVENUE**

- 12-l.** An Ordinance approving the request of the City of Knoxville for an amendment to the Central City Sector Plan from Commercial to Low Density Residential for property located on the southwest side of Johnston Street, southeast of Heiskell Avenue. (MPC Approved 11-0-1) (File No. 10-C-09-SP) (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 CITY OF KNOXVILLE – JOHNSTON STREET, SOUTHEAST OF HEISKELL AVENUE – INFILL HOUSING**

- 12-m.** An Ordinance to rezone property located on the southwest side of Johnston Street, southeast of Heiskell Avenue from C-1, Neighborhood Commercial District/IH-1, Infill Housing Overlay District, to R-1A, Low Density Residential District/IH-1, Infill Housing Overlay District, City of Knoxville, Applicant. (MPC Approved 11-0-1) (File No. 10-F-09-RZ) (Fifth District)

Vice-Mayor Becker 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 SHARON JOHNSON – MILLERTOWN PIKE AND LOVES CREEK ROAD**

- 12-n.** An Ordinance to rezone property located on the southeast side of Millertown Pike, northeast of Loves Creek Road from R-1A, Low Density Residential District, to C-3, General Commercial District, Sharon Johnson, Applicant. (MPC Approved 11-0-1) (File No. 10-C-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 HOLROB-CEDAR BLUFF, LLC**

- 12-o.** An Ordinance to rezone property located on the north side of Kingston Pike, east side of N. Cedar Bluff Road from A-1, General Agricultural District, and R-2, General Residential District, to PC-1, Retail and Office Park District, Holrob-Cedar Bluff, LLC, Applicant. (MPC Approved 11-0-1) (File No. 10-D-09-RZ) (Second District)

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

**RE: COMMUNITY IMPROVEMENT (202) FUND – LEGACY PARKS FOUNDATION**

- 12-p.** An Emergency Ordinance appropriating the sum of \$1,800.00 from the Community Improvement (202) Fund and donating same to Legacy Parks Foundation as financial contribution toward the Fountain City Skate Park Project. (Requested by Councilmembers Pelot, Hall, Booker, Woodhull, and Vice Mayor Becker)

Vice-Mayor Becker 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-142-09.

**RE: COMMUNITY IMPROVEMENT (202) FUND – AUSTIN-EAST HIGH SCHOOL**

- 12-q.** An Emergency Ordinance appropriating the sum of \$500.00 from the Community Improvement (202) Fund and donating same to Austin-East High School to be utilized toward re-sprigging the school's football field. (Requested by Councilmember Booker)

Councilmember Booker made a motion to approve the emergency ordinance. Vice-Mayor Becker and 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-143-09.

**RE: COMMUNITY IMPROVEMENT (202 FUND – CHRISTENBERRY ELEMENTARY SCHOOL**

**12-r.** An Emergency Ordinance appropriating the sum of \$550.00 from the Community Improvement (202) Fund and donating same to Christenberry Elementary School to be utilized as financial support toward the fourth grade class trip to the American Museum of Science and Energy. (Requested by Councilmembers Pelot, Hall, and Woodhull)

Councilmember Hall made a motion to approve the emergency ordinance. Councilmember Pelot and 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-144-09.

**RE: COMMUNITY IMPROVEMENT (202) FUND – GREEN MAGNET MATH AND SCIENCE ACADEMY**

**12-s.** An Emergency Ordinance appropriating the sum of \$500.00 from the Community Improvement (202) Fund and donating same to Green Magnet Math and Science Academy to be utilized toward certain needed improvements to the school's outdated playground facility. (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-144-09.

**13. PUBLIC FORUM**

None.

**14. ADJOURNMENT**

There being no further business to come before City Council, upon motion, the meeting adjourned at 8:25 p.m.

---

Presiding Officer of the Council

---

Recorder