



City Council

400 Main St, Suite 460

Knoxville, TN 37902
<http://knoxvilletn.gov>

Regular Meeting

~ Agenda ~

Tuesday, April 25, 2017

6:00 PM

City County Building: Main Assembly Room

ORDER OF BUSINESS

1. **CALL TO ORDER**
2. **INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **ROLL CALL**
4. **APPROVAL OF MINUTES**
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 - a. **ITEMS WITHDRAWN (Indicated with "W")**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 "*")**

11j-11n (Pensions) 12m-12r (202s)
6. **MAYOR'S REPORT**
7. **REPORTS OF COUNCIL MEMBERS OR COMMITTEES**
8. **ELECTIONS AND CONFIRMATIONS**
 - a. A Resolution appointing Ellen Lee to the Knox County Tax Equalization Board.
(Requested by Mayor Rogero)
9. **ORDINANCES ON SECOND READING**
 - a. An Ordinance amending Chapter 4, Article II of the Knoxville City Code so as to create a self-service beer permit and to establish regulations for the lawful use of dispensing equipment by permitted establishments so that customers have the ability to pour their own beer. (Requested by Beer Board Chair Palmer)

- b. An Ordinance amending Chapter 5, Article IV, Section 5-102 of the Knoxville City Code relative to keeping swine or poultry. (Requested by Councilmember Campen)
- c. An Ordinance to close a portion of Elizabeth Avenue from Sam Houston Street to the southwest property line of parcel 109 AF 009, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, Jason Stephens, Applicant. (MPC Approved 14-0-1) (File No. 3-A-17-SC) (First District) (Requested by Metropolitan Planning Commission)
- d. An Ordinance to close a portion of Pell Street from Taliwa Drive to the northern terminus, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, Jose and Casey Torres, Applicant. (MPC Approved 14-0-1) (File No. 3-B-17-SC) (First District) (Requested by Metropolitan Planning Commission)
- e. An Ordinance to close a portion of Abilene Place from N. Sixth Avenue to the eastern terminus, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, City of Knoxville, Applicant. (MPC Approved 15-0) (File No. 3-C-17-SC) (Fourth District) (Requested by Metropolitan Planning Commission)
- f. An Ordinance approving an amendment to the Southwest County Sector Plan from Neighborhood Commercial to General Commercial, property located on the southeast side of S. Northshore Drive, southwest of Wrights Ferry Road, Mary C. Kampas, Applicant. (MPC Approved 14-0-1) (File No. 3-B-17-SP) (Second District) (Requested by Metropolitan Planning Commission)
- g. An Ordinance to rezone property located on the southeast side of S. Northshore Drive, southwest of Wrights Ferry Road, from C-1 (Neighborhood Commercial) District to C-3 (General Commercial) District, Mary C. Kampas, Applicant. (MPC approved 14-0-1) (MPC File No. 3-B-17-RZ) (Second District) (Requested by Metropolitan Planning Commission)
- h. An Ordinance to rezone property located on the northwest side of Richmond Avenue, northeast of Buick Street, from R-1A (Low Density Residential) District to RP-1 (Planned Residential) District at a density up to 4.2 dwelling units per acre, Christine Duncan, Applicant. (MPC approved 14-0-1) (MPC File No. 12-C-16-RZ) (Third District) (Requested by Metropolitan Planning Commission)
- i. An Ordinance to rezone property located on the north side of Pleasant Ridge Road, east of Crestpark Road, from R-1 (Low Density Residential) District to RP-1 (Planned Residential) District at a density of up to 4 dwelling units per acre, W. Scott Williams & Associates, Applicant. (MPC approved 15-0) (MPC File No. 3-A-17-RZ) (Third District) (Requested by Metropolitan Planning Commission)
- j. An Ordinance to rezone property located on the southeast side of N. Middlebrook Pike, northeast of Henson Road, from I-2 (Restricted Manufacturing and Warehousing) District to C-6 (General Commercial Park) District, Smith/Seals LLC, Applicant. (MPC approved 14-0-1) (MPC File No. 3-F-17-RZ) (Second District) (Requested by Metropolitan Planning Commission)

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

- a. A Resolution approving an appeal by Christopher Salmons of the Board of Zoning Appeals' decision to approve several variances related to continued operation of an existing private day nursery in an O-1 (Office, Medical and Related Services) District, property located 1711 E. Magnolia Avenue. Shelli Glasgow – Nana's House, Applicant. (BZA File No. 3-G-17-VA) (BZA approved 5-0) (Sixth District) (Requested by Metropolitan Planning Commission)
- b. A Resolution approving an appeal by John Zimmerman - Northwest Community of the Metropolitan Planning Commission's decision to approve Helen Ross McNabb's request for a Use on Review for a behavioral health urgent care center (hospital) in an O-1 (Office, Medical, and Related Services) District, property located 3343 Dewine Road. (MPC File No. 3-L-17-UR) (MPC approved 15-0) (Third District) (Requested by Metropolitan Planning Commission)

11. RESOLUTIONS

- a. A Resolution authorizing the Mayor to execute an amendment to an agreement with Knoxville-Knox County Community Action Committee to provide an additional \$50,000.00 in Community Development Block Grant funding for the Emergency and Minor Home Repair Program and the Weatherization Health and Safety Program. (Requested by Community Development Department)
- b. A Resolution authorizing the Mayor to execute an agreement with Superior Pavement Marking, Inc. for the 2017 Citywide Crosswalk Safety Program in an amount not to exceed \$147,456.75. (Requested by Department of Engineering)
- c. A Resolution authorizing the Mayor to execute all documents on behalf of the City of Knoxville necessary to acquire property by purchase, or condemnation if necessary, in fee simple and for permanent drainage easements and temporary construction easements within four tracts of real property for a total amount not to exceed \$40,000.00 as part of the Neighborhood Drainage Project. (Requested by Department of Engineering)
- d. A Resolution authorizing the Mayor to execute all documents on behalf of the City of Knoxville necessary to acquire property, by purchase or condemnation if necessary, in fee simple and for temporary construction easements within three tracts of real property for a total amount not to exceed \$18,140.00 as part of the Pleasant Ridge at Wilson Sidewalk Project. (Requested by Department of Engineering)
- e. A Resolution authorizing the Mayor to execute all documents on behalf of the City of Knoxville necessary to acquire property by purchase or condemnation if necessary in fee simple and for a temporary construction easement within certain real property located at 4401 Chapman Highway from Smothers Properties for \$5,771.00, as part of the West Young High Pike Sidewalk Project. (Requested by Department of Engineering)
- f. A Resolution authorizing the Mayor to execute an easement agreement with Church Street United Methodist Church to allow a retaining wall to encroach within the S. Broadway right-of-way. (Requested by Department of Engineering)
- g. A Resolution authorizing the Mayor to execute an easement agreement with Central Street, LLC permitting encroachment into the N. Central Street right-of-way for the purpose of installing and maintaining an accessible entrance to the building located at 902 N. Central Street. (Requested by Department of Engineering)

- h. A Resolution authorizing the Mayor to enter into a Purchase and Sale Agreement with Knoxville Supreme Court, LLC to purchase and develop certain real property located at 719 Locust Avenue for a purchase price of \$2,600,000.00. (Requested by Office of Redevelopment)
- i. A Resolution authorizing the Mayor to execute any and all documents necessary to apply for and accept a grant award in the amount of \$300,000.00 from the U. S. Department of Justice, Office of Justice Programs, with no required local match, for funding of the Comprehensive Opioid Abuse Site-Based Program. (Requested by Knoxville Police Department)
- * j. A Resolution granting a pension of \$3,509.47 per month to Rita K. Arnett, survivor of William A. Arnett, a former employee of the Knoxville General Government. (Requested by Pension Board)
- * k. A Resolution granting a pension of \$561.66 per month to Amy S. Rhea, an employee of the former Knoxville City School System. (Requested by Pension Board)
- * l. A Resolution granting a pension of \$3,179.43 per month to Trevor A. Dunham, an employee of the Knoxville Police Department. (Requested by Pension Board)
- * m. A Resolution granting a pension of \$2,096.60 per month to Steven B. Harnden, an employee of the Knoxville General Government. (Requested by Pension Board)
- * n. A Resolution granting a pension of \$2,661.40 per month to Kimberly Scarborough, an employee of the Knoxville General Government. (Requested by Pension Board)

12. ORDINANCES ON FIRST READING

- a. An Emergency Ordinance to amend Ordinance No. O-84-01 to clarify the boundary description of the Tazewell Pike Neighborhood Conservation Overlay District. (Requested by Law Department)
- b. An Emergency Ordinance to amend Ordinance No. O-199-06 to clarify the boundary description of the Scenic Drive Area of Sequoyah Hills Neighborhood Conservation Overlay District. (Requested by Law Department)
- c. An Emergency Ordinance to amend Ordinance No. O-443-92 to clarify the boundary description of the Old North Knoxville Historic Overlay District. (Requested by Law Department)
- d. An Emergency Ordinance to amend Ordinance No. O-258-01 to clarify the boundary description of the Market Square Historic Overlay District. (Requested by Law Department)
- e. An Emergency Ordinance to amend Ordinance No. O-262-02 to clarify the boundary description of the Lyon's View Pike Historic Overlay District. (Requested by Law Department)
- f. An Emergency Ordinance to amend Ordinance No. O-253-08 to clarify the boundary description of the Gobbler's Knob Neighborhood Conservation Overlay District. (Requested by Law Department)
- g. An Emergency Ordinance to amend Ordinance No. O-437-00 to clarify the boundary description of the Fort Sanders Neighborhood Conservation Overlay District. (Requested by Law Department)

- h. An Emergency Ordinance to amend Ordinance No. O-479-02 to clarify the boundary description of the Fairmont Park Neighborhood Conservation Overlay District. (Requested by Law Department)
- i. An Emergency Ordinance to amend Ordinance No. O-327-97 to clarify the boundary description of the Edgewood Park City Historic Overlay District. (Requested by Law Department)
- j. An Emergency Ordinance to amend Ordinance No. O-390-91 to clarify the boundary description of the Mechanicsville Historic Overlay District. (Requested by Law Department)
- k. An Emergency Ordinance to amend Ordinance No. O-135-99 to clarify the boundary description of the Fourth and Gill Historic Overlay District. (Requested by Law Department)
- l. An Emergency Ordinance to amend Ordinance No. O-259-99 to clarify the boundary description of the Fourth and Gill Historic Overlay District. (Requested by Law Department)
- * m. An Emergency Ordinance appropriating the sum of \$365.00 from the Community Improvement (202) Fund and donating same to Bike Walk Tennessee serving as fiscal agent on behalf of the Open Streets Knoxville Event. (Requested by Councilmember Stair)
- * n. An Emergency Ordinance appropriating the sum of \$750.00 from the Community Improvement (202) Fund and donating same to East Tennessee Foundation to be utilized toward the Suffrage Coalition Project's efforts to construct a Burn Memorial. (Requested by Councilmembers Pavlis and Brown)
- * o. An Emergency Ordinance appropriating the sum of \$850.00 from the Community Improvement (202) Fund and donating same to Knoxville Children's Theatre, Inc. to be utilized toward staffing support of the Young Artists' Design Program. (Requested by Councilmembers Campen and Saunders)
- * p. An Emergency Ordinance appropriating the sum of \$750.00 from the Community Improvement (202) Fund and donating same to the Free Medical Clinic of America to be utilized toward ongoing free medical services for certain uninsured individuals. (Requested by Vice Mayor Grieve)
- * q. An Emergency Ordinance appropriating the sum of \$500.00 from the Community Improvement (202) Fund and donating same to West High School to be utilized toward the purchase of sheet music and piano accompaniments for the choir. (Requested by Vice Mayor Grieve)
- * r. An Emergency Ordinance appropriating the sum of \$1,050.00 from the Community Improvement (202) Fund and donating same to Knoxville Opera Company to be utilized toward the furtherance of certain efforts of their education & outreach programs. (Requested by Vice Mayor Grieve and Councilmembers Brown & Stair)

13. PUBLIC FORUM

14. ADJOURNMENT