



City Council

400 Main St, Suite 460

Regular Meeting

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

~ Agenda ~

Tuesday, August 15, 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 - a. ITEMS WITHDRAWN (Indicated with "W")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 "*")

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6. MAYOR'S REPORT
7. REPORTS OF COUNCIL MEMBERS OR COMMITTEES
8. ELECTIONS AND CONFIRMATIONS
 - a. A Resolution expressing support for the Mayor's appointments of Mackey Brownlee, Phyllis Burns, Jody Collins, Lisa Cyr, Wade Esau, Deidra Harper, Charles Houston, Raul Rangel, Josh Smith, Tommy Smith, Kira Frazier-Jones, and Mary Ann Stackhouse to the Business Advisory Council. (Requested by Mayor Rogero)
9. ORDINANCES ON SECOND READING

- a. An Ordinance amending Ordinance No. O-575-97 so as to adjust the salary of Councilmembers to \$2,000.00 per month, effective the third Saturday of December, 2019. (Requested by Councilmembers Pavlis, Palmer and Campen and Vice Mayor Grieve)
- b. An Ordinance appropriating the sum of \$2,500.00 from the General Fund and donating same to United Way of Greater Knoxville to sponsor "Give a Day Knoxville", a community wide volunteer initiative during the week of September 2 through September 8. (Requested by Mayor Rogero)
- c. An Ordinance appropriating the sum of \$7,500.00 from the General Fund and donating same to East Tennessee PBS toward events surrounding The Vietnam War: The East Tennessee Story. (Requested by Mayor Rogero)
- d. An Ordinance appropriating the sum of \$1,750.00 toward sponsorship of Ijams Nature Center's Symphony in the Park annual fundraiser. (Requested by Parks and Recreation Department)
- e. An Ordinance to appropriate the sum of \$1,000.00 from the Parks and Recreation Department's Grant and Benevolence fund and donate same toward the sponsorship of Legacy Parks Foundation's 2017 Legacy Luncheon. (Requested by Parks and Recreation Department)

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

11. RESOLUTIONS

- a. A Resolution honoring the memory of Jean Price Teague and to express City Council's condolences to her family upon the occasion of her passing. (Requested by Council)
- b. A Resolution authorizing the Mayor to execute an agreement with Volunteer Ministry Center to provide \$54,500.00 to support its provision of case management services at its Minvilla Manor and social services at its Resource Center and Bush Family Refuge. (Requested by Community Development Department)
- c. A Resolution authorizing the Mayor to execute an agreement with Southeastern Housing Foundation II, Inc. to provide \$75,000.00 to support case management and property management services at Flenniken Landing. (Requested by Community Development Department)
- d. A Resolution authorizing the Mayor to sign a Memorandum of Understanding with Knox County to accept \$19,600.00 as a subrecipient of the 2016 Homeland Security Grant in order to obtain satellite, phone, fax and data services and equipment maintenance for the mobile command post for the Knoxville-Knox County Emergency Management Agency. (Requested by Emergency Management Agency)
- e. A Resolution authorizing the Mayor to approve an agreement with Employee Network, Inc. for provision of an Employee Assistance Program at an estimated annual cost of approximately \$48,600.00. (Requested by Department of Employee Benefits and Risk Management)
- f. A Resolution authorizing the Mayor to execute an agreement with Charles Blalock & Sons, Inc. for an amount not to exceed \$1,894,599.20 for the Grainger Avenue Bridge Project. (Requested by Department of Engineering)

- g. 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 and damages for driveway access modification within 24 tracts of real property for a total amount not to exceed \$1,000,000.00 as part of the Magnolia Avenue Streetscape Project. (Requested by Department of Engineering)
- h. A Resolution authorizing the Mayor to amend Contract No. C-17-0320 with Superior Pavement Marking, Inc. for the 2017 Citywide Crosswalk Safety Program, increasing the contract amount by \$38,616.50 for a new contract total of \$186,073.25 and extending the date of completion. (Requested by Department of Engineering)
- i. A Resolution authorizing the Mayor to execute an agreement with Volkert, Inc. for construction engineering and inspection services for the Merchant Drive and Clinton Highway Intersection Improvements Project for an amount not to exceed \$196,047.04. (Requested by Department of Engineering)
- j. A Resolution authorizing the Mayor to execute an agreement with 1020 Digital LLC d/b/a CNX for wireless and telecommunications consultation services for the Small Cell Utility Program for an amount not to exceed \$198,420.00. (Requested by Department of Engineering)
- k. A Resolution authorizing the Mayor to sign a Memorandum of Understanding with Knox County to accept \$20,000.00 as a subrecipient of the 2016 Homeland Security Grant in order to purchase four mobile repeaters for the Knoxville Fire Department. (Requested by Knoxville Fire Department)
- l. A Resolution authorizing the Mayor to apply for and, if awarded, accept a grant from the Federal Transit Administration to provide funding in the total amount of \$6,384,000.00 to Knoxville Area Transit for Bus & Bus Infrastructure Program Assistance (Section 53396(b)) with a City match of up to \$1,596,000.00. (Requested by Knoxville Area Transit)
- m. A Resolution authorizing the Mayor to execute any and all documents necessary to apply for and, if awarded, accept a grant from the Federal Transit Administration to provide funding in the total amount of \$336,000.00 to Knoxville Area Transit for Bus & Bus Infrastructure Program Assistance (Section 5339(b)) with a City match of up to \$84,000.00. (Requested by Knoxville Area Transit)
- n. A Resolution authorizing the Mayor to execute any and all documents necessary to apply for and, if awarded, accept a grant from the Tennessee Department of Transportation and the Federal Transit Administration to provide funding in the amount of \$6,384,000.00 to Knoxville Area Transit for Congestion Mitigation and Air Quality Improvement (CMAQ) Grant Assistance, with a City match of up to \$1,596,000.00 to purchase electric buses and charging banks for Knoxville Area Transit. (Requested by Knoxville Area Transit)
- o. A Resolution authorizing the Mayor to execute any and all documents necessary to apply for and, if awarded, accept a grant from the Tennessee Department of Transportation and the Federal Transit Administration to provide funding in the amount of \$336,000.00 to Knoxville Area Transit for Congestion Mitigation and Air Quality Improvement (CMAQ) Grant Assistance, with a City match of up to \$84,000.00 to purchase alternative fuel technology support vehicles for Knoxville Area Transit. (Requested by Knoxville Area Transit)

- p. A Resolution authorizing the Mayor to execute any and all documents necessary to apply for and, if awarded, accept a grant from the Federal Transit Administration and the Tennessee Department of Transportation in the amount of \$676,874.25 for Knoxville Area Transit for Formula Bus and Bus Facilities Capital Grant Assistance (Section 5339) for fiscal year 2017, with a City match of \$75,208.25 for a total project amount of \$752,082.50. (Requested by Knoxville Area Transit)
- q. A Resolution authorizing the Mayor to execute any and all documents necessary to apply for and, if awarded, accept a grant from the Federal Transit Administration and the Tennessee Department of Transportation to provide funding in the amount of \$5,480,339.62 to Knoxville Area Transit for Formula Urbanized Area Transit Grant Assistance (Section 5307) for fiscal year 2017, with a City match of \$608,926.63. (Requested by Knoxville Area Transit)
- r. A Resolution supporting East Tennessee Human Resource Agency's (ETHRA) designation by the Federal Transit Administration as a direct recipient for a portion of the Urbanized Area Formula Grant Funds (5307 Funds) received by the City of Knoxville as this area's designated recipient and authorizing the Mayor and ETHRA to execute any and all documents necessary for ETHRA to file a grant application for \$323,540.00 of Fiscal Year 2017 5307 funds. (Requested by Mayor Rogero)
- s. A Resolution supporting Knoxville-Knox County Community Action Committee (Knox CAC) Transit's designation by the Federal Transit Administration as a direct recipient for a portion of the Urbanized Area Formula Grant Funds (5307 Funds) received by the City of Knoxville as this area's designated recipient and authorizing the Mayor and Knox CAC to execute any and all documents necessary for Knox CAC to file a grant application for \$909,575.00 of Fiscal Year 2017 5307 funds. (Requested by Mayor Rogero)
- t. A Resolution authorizing the Mayor to enter into a Defined Services Contract between the City of Knoxville, Knox County, and Young-Williams Animal Center of East Tennessee to promote the responsible care and welfare of animals with the City of Knoxville and Knox County each paying an amount not to exceed \$783,190.00. (Requested by Knoxville Police Department)
- u. A Resolution authorizing the Industrial Development Board of the City of Knoxville to negotiate and accept from Stockyard Lofts, LLC payments in Lieu of Ad Valorem Taxes with respect to property located at 215 Willow Avenue (CLT No. 095 HA 002) and 106 S. Central Street (CLT No. 095 HA 009), and finding that such payments are deemed to be in the furtherance of the public purposes of the Board as defined in the Tennessee Code Annotated Section 7-53-305. (Requested by Office of Redevelopment)
- v. A Resolution authorizing the Mayor to execute a Limited Use Agreement with 1921 Restaurant Group, Inc. d/b/a 19 Square Bar & Asian Kitchen for the use of a portion of the City right-of-way as an outdoor dining/patio area, located adjacent to the building at 19 Market Square. (Requested by Office of Redevelopment)
- w. A Resolution authorizing the Mayor to execute a Limited Use Agreement with The French Market for the use of a portion of the City right-of-way as an outdoor dining/patio area, including building a small deck on a portion of the sidewalk area, located adjacent to the building at 412 W. Clinch Avenue. (Requested by Office of Redevelopment)
- x. A Resolution authorizing the Mayor to execute a Limited Use Agreement with BCB Restaurant Group, LLC d/b/a Blue Coast Grill & Bar to maintain outdoor dining areas, a temporary deck, awnings, Juliet balconies, light fixtures, and an outward swinging door within the public right-of-way and/or on public property adjacent to the building located at 37 Market Square. (Requested by Office of Redevelopment)

- y. A Resolution authorizing the Mayor to execute a Limited Use Agreement to Nama, LLC to maintain a patio area, an overhead awning, and a blade sign within and/or projecting over the City-owned pedestrian way located adjacent to the building at 506 S. Gay Street. (Requested by Office of Redevelopment)
- z. A Resolution authorizing the Mayor to execute a Limited Use Agreement with Kaizen, LLC for use of a portion of the City right-of-way as an outdoor dining/patio area, including a deck and canopy on a portion of the sidewalk area, located adjacent to the building at 416 Clinch Avenue. (Requested by Office of Redevelopment)
- aa. A Resolution authorizing the Mayor to execute an agreement with Zagster, Inc. to design, implement, own, operate, maintain, and market bicycle sharing services on City real estate with no direct monetary payments or subsidies from the City. (Requested by Office of Sustainability)

12. ORDINANCES ON FIRST READING

- a. An Ordinance to change the street name of Brief Road between N. Broadway and Lynnwood Drive to "Jane Allen Drive", Glenn M. Allen, Applicant. (MPC Approved 14-0-1) (File No. 7-A-17-SNC) (Fourth District) (Requested by Metropolitan Planning Commission)
- b. An Ordinance to close a portion of an unnamed alley from the northwest corner of parcel 082 IA 025 and the northeast corner of parcel 082 IA 024, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, Travis Tillman, Applicant. (MPC Approved 14-0-1) (File No. 7-A-17-AC) (Fourth District) (Requested by Metropolitan Planning Commission)
- c. An Ordinance approving an amendment to the East City Sector Plan from Civic Institutional to General Commercial, property located on the northeast side of Riverside Drive, southeast of Holston Hills Road, Sycamore Sign Service, Applicant. (MPC Approved 14-0-1) (File No. 7-A-17-SP) (Sixth District) (Requested by Metropolitan Planning Commission)
- d. An Ordinance approving a One Year Plan amendment from Civic Institutional to General Commercial, property located on the northeast side of Riverside Drive, southeast of Holston Hills Road, Sycamore Sign Service, Applicant. (MPC Approved 14-0-1) (File No. 7-A-17-PA) (Sixth District) (Requested by Metropolitan Planning Commission)
- e. An Ordinance to rezone property located on the northeast side of Riverside Drive, southeast of Holston Hills Road, from A-1 (General Agricultural) District to C-3 (General Commercial) District, Sycamore Sign Service, Applicant. (MPC approved 14-0-1) (MPC File No. 7-A-17-RZ) (Sixth District) (Requested by Metropolitan Planning Commission)
- f. An Ordinance approving an amendment to the North City Sector Plan from Low Density Residential to Office, property located on the northeast side of Pratt Road, northwest of Cedar Lane, Urban Engineering, Inc. Applicant, (MPC Approved 14-0-1) (File No. 7-D-17-SP) (Fifth District) (Requested by Metropolitan Planning Commission)
- g. An Ordinance approving a One Year Plan amendment from Low Density Residential to Office, property located on the northeast side of Pratt Road, northwest of Cedar Lane, Urban Engineering, Inc., Applicant. (MPC Approved 14-0-1) (File No. 7-B-17-PA) (Fifth District) (Requested by Metropolitan Planning Commission)

- h. An Ordinance to rezone property located on the northeast side of Pratt Road, northwest of Cedar Lane, from R-1 (Low Density Residential) District to O-1 (Office, Medical, and Related Services) District, Urban Engineering, Inc., Applicant. (MPC approved 14-0-1) (MPC File No. 7-H-17-RZ) (Fifth District) (Requested by Metropolitan Planning Commission)
- i. An Ordinance approving an amendment to the West City Sector Plan from Low Density Residential, Slope Protection and Stream Protection to Office, Slope Protection and Stream Protection for property located on the east side of S. Northshore Drive, south of Walden Drive, Barry Byrd, Applicant, (MPC Approved 14-0-1) (File No. 7-G-17-SP) (Second District) (Requested by Metropolitan Planning Commission)
- j. An Ordinance approving a One Year Plan amendment from Low Density Residential to Office, property located on the east side of S Northshore Drive, south of Walden Drive, Barry Byrd, Applicant. (MPC Approved 14-0-1) (File No. 7-D-17-PA) (Second District) (Requested by Metropolitan Planning Commission)
- k. An Ordinance to rezone property located on the east side of S. Northshore Drive, south of Walden Drive, from O-3 (Office Park) & F-1 (Floodway) District to O-1 (Office, Medical, and Related Services) & F-1 (Floodway) District, Barry Byrd, Applicant. (MPC approved 14-0-1) (MPC File No. 7-K-17-RZ) (Second District) (Requested by Metropolitan Planning Commission)
- l. An Ordinance approving an amendment to the Northwest City Sector Plan from Low Density Residential to General Commercial on the north side and General Commercial to Low Density Residential on the south side, as indicated on the attached MPC Recommendation map, property located on the north side of Tillery Road, south of Clinton Highway, west of Wilson Road, Norwood Homeowners Association, Applicant, (MPC Approved 14-0-1) (File No. 7-I-17-SP) (Fifth District) (Requested by Metropolitan Planning Commission)
- m. An Ordinance approving a One Year Plan amendment from Low Density Residential to General Commercial on the north side and General Commercial to Low Density Residential on the south side, as indicated on the attached MPC Recommendation map, property located on the north side of Tillery Road, south of Clinton Highway, west of Wilson Road, Norwood Homeowners Association, Applicant. (MPC Approved 14-0-1) (File No. 7-E-17-PA) (Fifth District) (Requested by Metropolitan Planning Commission)
- n. An Ordinance to rezone property located on the northwest side of Millertown Pike, north side of North Mall Road, north of I-640, from SC-3 (Regional Shopping Center) District to RP-2 (Planned Residential) District at 35 DU/AC, Knoxville Partners, LLC, Applicant. (MPC approved 14-0-1) (MPC File No. 7-E-17-RZ) (Fourth District) (Requested by Metropolitan Planning Commission)
- o. An Ordinance to rezone property located on the south side of Asheville Highway, east of E. Governor John Sevier Highway, from C-3 (General Commercial) District to C-4 (Highway and Arterial Commercial) District, Rita Neubert Statewide Realty Inc., Applicant. (MPC approved 14-0-1) (MPC File No. 7-F-17-RZ) (Fourth District) (Requested by Metropolitan Planning Commission)
- P** p. An Ordinance to rezone property located on the east side of Midway Road, south side of Thorn Grove Pike, north side of I-40 from C-4 (Highway and Arterial Commercial) District to PC-2 (Retail and Distribution Park) District, Scannell Properties, LLC, Applicant. (MPC approved 15-0) (MPC File No. 7-I-17-RZ) (Fourth District) (Requested by Metropolitan Planning Commission)

- q. An Ordinance to rezone property located on the north side of Middlebrook Pike, west of Francis Road, from RP-1 (Planned Residential) to C-1 (Neighborhood Commercial), Thomas E Smith, Applicant (MPC approved 14-0-1) (MPC File No. 7-L-17-RZ) (Third District) (Requested by Metropolitan Planning Commission)
- * r. An Emergency Ordinance of the Council of the City of Knoxville appropriating the sum of \$300.00 from the Community Improvement (202) Fund and donating same to RiverHill Gateway Neighborhood Association to be utilized toward installation support of seven planter boxes on the north side of East Hill Avenue Bridge. (Requested by Councilmember Brown)

13. PUBLIC FORUM**14. ADJOURNMENT**