

Minutes of the Regular Meeting of the Council of the City of Knoxville

Tuesday, May 9, 2017

6:00 PM

City County Building: Main Assembly Room

1. CALL TO ORDER

The meeting was called to order at 6:00 PM by Mayor Madeline Rogero

2. <u>INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG</u>

Council Member Wallace gave the invocation, and Council Member Della Volpe led in the Pledge of Allegiance.

3. ROLL CALL

Attendee Name	Title	Status	Arrived
Madeline Rogero	Mayor	Present	
Daniel Brown	Sixth District	Present	
Mark Campen	Fifth District	Present	
Nick Della Volpe	Fourth District	Present	
Duane Grieve	Vice-Mayor, Second District	Present	
Brenda Palmer	Third District	Present	
Nick Pavlis	First District	Present	
Finbarr Saunders	At-Large Seat C	Present	
Marshall Stair	At-Large Seat B	Present	
George C. Wallace	At-Large Seat A	Present	

4. <u>APPROVAL OF MINUTES</u>

Motion to: approve the minutes from the April 25th, 2017 Regular Meeting of City Council.

RESULT: APPROVED [UNANIMOUS]

MOVER: Duane Grieve, Vice-Mayor, Second District

SECONDER: Nick Della Volpe, Fourth District

5. <u>ANNOUNCEMENTS AND EXTRAORDINARY MATTERS,</u> ADOPTION OF AGENDA

a. ITEMS WITHDRAWN (Indicated with "W")

None

b. ITEMS FOR POSTPONEMENT (Indicated with "P")

None

c. ITEMS REQUESTED TO BE ADDED BY MOTION (Indicated with "M")

None

d. CONSENT ITEMS (Indicated with "*")

Resolution No. R-144-2017

11-h A Resolution approving the issuance of a Certificate of Compliance to Breadbox #3481 relative to its application to the Tennessee Alcoholic Beverage Commission for a Retail Food Store Wine License.(Requested by Department of Finance)

RESULT: APPROVED [UNANIMOUS]

MOVER: Duane Grieve, Vice-Mayor, Second District

SECONDER: Nick Della Volpe, Fourth District

AYES: Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Resolution No. R-145-2017

11-i A Resolution approving the issuance of a Certificate of Compliance to Breadbox #3478 relative to its application to the Tennessee Alcoholic Beverage Commission for a Retail Food Store Wine License.(Requested by Department of Finance)

RESULT: APPROVED [UNANIMOUS]

MOVER: Duane Grieve, Vice-Mayor, Second District

SECONDER: Nick Della Volpe, Fourth District

AYES: Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Resolution No. R-146-2017

11-j A Resolution approving the issuance of a Certificate of Compliance to Breadbox #3476 relative to its application to the Tennessee Alcoholic Beverage Commission for a Retail Food Store Wine License.(Requested by Department of Finance)

RESULT: APPROVED [UNANIMOUS]

MOVER: Duane Grieve, Vice-Mayor, Second District

SECONDER: Nick Della Volpe, Fourth District

AYES: Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Resolution No. R-147-2017

11-k A Resolution approving the issuance of a Certificate of Compliance to Breadbox #3472 relative to its application to the Tennessee Alcoholic Beverage Commission for a Retail Food Store Wine License.(Requested by Department of Finance)

RESULT: APPROVED [UNANIMOUS]

MOVER: Duane Grieve, Vice-Mayor, Second District

SECONDER: Nick Della Volpe, Fourth District

Resolution No. R-148-2017

11-I A Resolution approving the issuance of a Certificate of Compliance to Breadbox #3470 relative to its application to the Tennessee Alcoholic Beverage Commission for a Retail Food Store Wine License.(Requested by Department of Finance)

RESULT: APPROVED [UNANIMOUS]

MOVER: Duane Grieve, Vice-Mayor, Second District

SECONDER: Nick Della Volpe, Fourth District

AYES: Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Ordinance No. O-85-2017

12-m An Emergency Ordinance appropriating the sum of \$300.00 from the Community Improvement (202) Fund and donating same to Ladies of Charity to be utilized toward food, clothing and financial support provided to those in need throughout the City of Knoxville.(Requested by Councilmember Della Volpe)

RESULT: APPROVED, EMERGENCY [UNANIMOUS]
MOVER: Duane Grieve, Vice-Mayor, Second District

SECONDER: Nick Della Volpe, Fourth District

AYES: Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Ordinance No. O-86-2017

12-n An Emergency Ordinance appropriating the sum of \$500.00 from the Community Improvement (202) Fund and donating same to Belle Morris Elementary School to be utilized toward the purchase of tent shade covering for the outdoor classroom.(Requested by Councilmember Della Volpe)

RESULT: APPROVED, EMERGENCY [UNANIMOUS]
MOVER: Duane Grieve, Vice-Mayor, Second District

SECONDER: Nick Della Volpe, Fourth District

AYES: Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Ordinance No. O-87-2017

12-o An Emergency Ordinance appropriating the sum of \$300.00 from the Community Improvement (202) Fund and donating same to Inskip Elementary School to be utilized toward the purchase of construction materials for a garden shed, garden tools and supplies.(Requested by Councilmember Campen)

RESULT: APPROVED, EMERGENCY [UNANIMOUS]
MOVER: Duane Grieve, Vice-Mayor, Second District

SECONDER: Nick Della Volpe, Fourth District

AYES: Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Ordinance No. O-88-2017

12-p An Emergency Ordinance appropriating the sum of \$500.00 from the Community Improvement (202) Fund and donating same to Fountain City Art Center, Inc. to be utilized toward roof repairs.(Requested by Councilmember Della Volpe)

RESULT: APPROVED, EMERGENCY [UNANIMOUS]
MOVER: Duane Grieve, Vice-Mayor, Second District

SECONDER: Nick Della Volpe, Fourth District

Ordinance No. O-89-2017

An Emergency Ordinance appropriating the sum of \$500.00 from the Community Improvement (202) Fund and donating same to Fountain City Art Center, Inc. to be utilized toward the purchase of materials for classes and tuition assistance for children and seniors.(Requested by Councilmember Pavlis)

RESULT: APPROVED, EMERGENCY [UNANIMOUS]
MOVER: Duane Grieve, Vice-Mayor, Second District

SECONDER: Nick Della Volpe, Fourth District

AYES: Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Ordinance No. O-90-2017

12-r An Emergency Ordinance appropriating the sum of \$1,000.00 from the Community Improvement (202) Fund and donating same to Legacy Parks Foundation acting as fiscal agent on behalf of The Bearden Council to be utilized toward a landscaping and infrastructure project at Everly Brothers Park.(Requested by Vice Mayor Grieve)

RESULT: APPROVED, EMERGENCY [UNANIMOUS]
MOVER: Duane Grieve, Vice-Mayor, Second District

SECONDER: Nick Della Volpe, Fourth District

AYES: Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Ordinance No. O-91-2017

12-s An Emergency Ordinance appropriating the sum of \$750.00 from the Community Improvement (202) Fund and donating same to Chilhowee Intermediate School to be utilized toward the purchase and installation of a new information sign.(Requested by Councilmembers Della Volpe and Brown)

RESULT: APPROVED, EMERGENCY [UNANIMOUS]
MOVER: Duane Grieve, Vice-Mayor, Second District

SECONDER: Nick Della Volpe, Fourth District

AYES: Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

6. MAYOR'S REPORT

Mayor Rogero remarked on the recent passing of former City Council Member Raleigh Wynn, Sr. She reflected on his life and work as an educator and coach in this community. The Mayor offered the City's condolences and sympathies to his family.

The Mayor announced the launching of a new informational website related to the City of Knoxville's update of its zoning code. The web address is www.recodeknoxville.com. The Mayor also announced the first community meeting related to the update to the zoning code for Thursday, May 18th, 2017 at 6:00pm at Central United Methodist Church. The consultants will be giving a presentation, and the public will have an opportunity to offer comments to City of Knoxville and Metropolitan Planning Commission staff.

The Mayor announced the next Open Streets Knoxville event for Sunday, May 21st, 2017 on Magnolia Avenue from 2:00pm to 6:00pm. The street closure will be from Randolph Street to Chestnut Street.

At this time, Mayor Rogero invited Kaye Graybeal, Historic Preservation Planner for the Knoxville-Knox County Metropolitan Planning Commission, to present the annual Preservation Report for 2016.

Kaye Graybeal presented her report to the Mayor and Council. Following this presentation, there was a discussion between Council Member Brown and Kaye Graybeal concerning Knoxville College and whether the buildings on its campus are protected from demolition on account of its historic designation.

7. REPORTS OF COUNCIL MEMBERS OR COMMITTEES

Council Member Pavlis announced the annual Vestival event at the Candoro building on Saturday, May 13, 2017 from 11:00am to 7:00pm.

8. ELECTIONS AND CONFIRMATIONS

Resolution No. R-149-2017

a. A Resolution confirming the appointment of Sam C. Bills to the City Pension Board.(Requested by Mayor Rogero)

RESULT: APPROVED [UNANIMOUS]

MOVER: Finbarr Saunders, At-Large Seat C

SECONDER: Duane Grieve, Vice-Mayor, Second District

AYES: Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

After announcing the vote result, Mayor Rogero recognized Dennis, who was present in the audience, for his service on the Pension Board. Council Member Saunders also recognized him for his service.

9. ORDINANCES ON SECOND READING

None

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

None

11. RESOLUTIONS

Resolution No. R-150-2017

a. A Resolution honoring the memory of James Thorniley Bletner and to express Council's condolences to his family upon the occasion of his passing.(Requested by Council)

RESULT: APPROVED [UNANIMOUS]

MOVER: Duane Grieve, Vice-Mayor, Second District

SECONDER: Finbarr Saunders, At-Large Seat C

AYES: Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Vice-Mayor Grieve read the resolution into the record.

Donna Bletner addressed Council on this matter.

Resolution No. R-151-2017

b. A Resolution recognizing May 12 as Myalgic Encephalomyelitis-Chronic Fatigue Syndrome Awareness Day.(Requested by Councilmember Saunders)

RESULT: APPROVED [UNANIMOUS]
MOVER: Finbarr Saunders, At-Large Seat C
SECONDER: Mark Campen, Fifth District

AYES: Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Council Member Saunders read the resolution into the record.

Cindy Shepler addressed Council on this matter.

Resolution No. R-152-2017

c. A Resolution authorizing the Mayor to execute an agreement with Bandit Lites, Inc., in an amount not to exceed \$145,587.14, to provide fly rail system removal and replacement at the Knoxville Civic Auditorium.(Requested by Finance Department)

RESULT: APPROVED [UNANIMOUS]
MOVER: Nick Della Volpe, Fourth District
SECONDER: Mark Campen, Fifth District

AYES: Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Resolution No. R-153-2017

d. A Resolution authorizing the Mayor to enter into Agreement No. 170048 with the State of Tennessee Department of Transportation for an amount not to exceed \$125,000.00 to install an additional southbound right turn lane on Lovell Road to serve westbound Parkside Drive traffic.(Requested by Department of Engineering)

RESULT: APPROVED [UNANIMOUS]

MOVER: Duane Grieve, Vice-Mayor, Second District

SECONDER: Brenda Palmer, Third District

AYES: Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Resolution No. R-154-2017

e. A Resolution authorizing the Mayor to execute an agreement with The Change Center to provide funding in the amount of \$40,651.00 for the purchase of roller skates.(Requested by Knoxville Police Department)

RESULT: APPROVED [UNANIMOUS]

MOVER: Duane Grieve, Vice-Mayor, Second District

SECONDER: Finbarr Saunders, At-Large Seat C

AYES: Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Resolution No. R-155-2017

f. A Resolution authorizing the Mayor to execute an agreement with Goodwill Industries -Knoxville, Inc. to provide all personnel, materials, equipment and supervision necessary to provide recycling maintenance, customer assistance and educational services at five (5) area locations throughout the City for an annual contract price not to exceed \$88,515.00.(Requested by Public Service Department)

RESULT: APPROVED [UNANIMOUS]
MOVER: Nick Della Volpe, Fourth District
SECONDER: Mark Campen, Fifth District

Discussion:

Vice-Mayor Grieve and David Brace, Senior Director of Public Works

Resolution No. R-156-2017

g. A Resolution authorizing the Mayor to execute an agreement with ChemPro Services, Inc. for the eradication of kudzu and further management of the southern bank of the Tennessee River for a total contract price of \$29,568.00.(Requested by Public Service Department)

RESULT: APPROVED [UNANIMOUS]
MOVER: Brenda Palmer, Third District
SECONDER: Finbarr Saunders, At-Large Seat C

AYES: Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Discussion:

Council Member Della Volpe and David Brace, Senior Director of Public Works

Andrew Wilson, 313 Lakewood Drive, spoke to the matter.

Resolutions 11-h through 11-l were approved on consent - see Section 5-d

12. ORDINANCES ON FIRST READING

Approved on First Reading

a. An Ordinance making and fixing the annual appropriations for the several departments, agencies, and funds of the City of Knoxville for the fiscal period beginning July 1, 2017 and ending June 30, 2018.(Requested by Finance Department)

RESULT: APPROVED ON FIRST READING [UNANIMOUS] Next: 5/23/2017 6:00 PM

MOVER: Finbarr Saunders, At-Large Seat C SECONDER: Brenda Palmer, Third District

AYES: Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Discussion:

Council Member Della Volpe

Approved on First Reading

b. An Ordinance to levy a tax of \$2.7257 per \$100 of assessed valuation on all taxable properties, real, personal and mixed, within the corporate limits of the City of Knoxville to provide sufficient revenues to fund the General Fund and Debt Service Fund operations and Debt Service obligations of the City of Knoxville for the fiscal period beginning July 1, 2017 and ending June 30, 2018.(Requested by Finance Department)

RESULT: APPROVED ON FIRST READING [UNANIMOUS] Next: 5/23/2017 6:00 PM

MOVER: Duane Grieve, Vice-Mayor, Second District

SECONDER: Finbarr Saunders, At-Large Seat C

Approved on First Reading

c. An Ordinance to amend Sections 2-450, 2-458, and 2-459 of the Knoxville City Code to adjust the City of Knoxville's Classification and Compensation Plans for General Government, Police, and Fire Employees.(Requested by Civil Service)

RESULT: APPROVED ON FIRST READING [UNANIMOUS] Next: 5/23/2017 6:00 PM

MOVER: Finbarr Saunders, At-Large Seat C SECONDER: Brenda Palmer, Third District

AYES: Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Discussion:

Council Member Della Volpe and Vicki Hatfield, Civil Service Director

Approved on First Reading

d. An Ordinance appropriating the sum of \$4,620.00 from the Save Our Sons Fund and donating to Bike Walk Knoxville to be utilized toward operational costs for supporting Open Streets on May 21, 2017.(Requested by Community Relations)

RESULT: APPROVED ON FIRST READING [UNANIMOUS] Next: 5/23/2017 6:00 PM

MOVER: Finbarr Saunders, At-Large Seat C SECONDER: Nick Della Volpe, Fourth District

AYES: Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Approved on First Reading

e. An Ordinance to close a portion of the right-of-way of Lake Avenue from Chi Phi Avenue (closed) to Terrace Avenue, subject to one condition, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, University of Tennessee, Applicant. (MPC Approved 13-0-2) (File No. 4-A-17-SC) (First District)(Requested by Metropolitan Planning Commission)

RESULT: APPROVED ON FIRST READING [UNANIMOUS] Next: 5/23/2017 6:00 PM

MOVER: Nick Pavlis, First District
SECONDER: Nick Della Volpe, Fourth District

AYES: Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Approved on First Reading

f. An Ordinance to close a portion of Terrace Avenue from the northeast corner of parcel 108CE028 to the southeast corner of parcel 108CE029, subject to one condition, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, University of Tennessee, Applicant. (MPC Approved 13-0-2) (File No. 4-B-17-SC) (First District) (Requested by Metropolitan Planning Commission)

RESULT: APPROVED ON FIRST READING [UNANIMOUS] Next: 5/23/2017 6:00 PM

MOVER: Nick Pavlis, First District

SECONDER: Finbarr Saunders, At-Large Seat C

Approved on First Reading

g. An Ordinance to amend the Knoxville City Code, Appendix B, "Zoning Regulations," regarding allowing indoor, climate-controlled, self-storage facilities as a use permitted on review in the O-1 (Office, Medical, and Related Services), C-2 (Central Business), and C-3 (General Commercial) Districts. (MPC approved 15-0) (File No. 3-A-17-OA)(Requested by Metropolitan Planning Commission)

RESULT: APPROVED ON FIRST READING [UNANIMOUS] Next: 5/23/2017 6:00 PM

MOVER: Finbarr Saunders, At-Large Seat C

SECONDER: Mark Campen, Fifth District

AYES: Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Approved on First Reading

h. An Ordinance to adopt the One Year Plan dated 2017 as prepared by the Metropolitan Planning Commission for the City of Knoxville. (MPC Approved 13-0-2) (File No. 3-A-17-OYP) (All Districts)(Requested by Metropolitan Planning Commission)

RESULT: APPROVED ON FIRST READING [UNANIMOUS] Next: 5/23/2017 6:00 PM

MOVER: Duane Grieve, Vice-Mayor, Second District

SECONDER: Finbarr Saunders, At-Large Seat C

AYES: Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Discussion:

Council Member Della Volpe and Dan Kelly, Deputy Director of the Knoxville-Knox County Metropolitan Planning Commission.

Approved on First Reading

i. An Ordinance approving an amendment to the North City Sector Plan from Mixed Use Special District (NC-15) to General Commercial, property located on the northeast side of Central Avenue Pike, southeast of Elyria Drive, Bob Hutchison, Applicant. (MPC Approved 13-0-2) (File No. 4-C-17-SP) (Fifth District)(Requested by Metropolitan Planning Commission)

RESULT: APPROVED ON FIRST READING [UNANIMOUS] Next: 5/23/2017 6:00 PM

MOVER: Mark Campen, Fifth District SECONDER: Nick Della Volpe, Nick Pavlis

AYES: Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Approved on First Reading

j. An Ordinance approving a One Year Plan amendment from Mixed Use Special District (NC-15) to General Commercial, property located on the northeast side of Central Avenue Pike, southeast of Elyria Drive, Bob Hutchison, Applicant. (MPC Approved 13-0-2) (File No. 4-A-17-PA) (Fifth District)(Requested by Metropolitan Planning Commission)

RESULT: APPROVED ON FIRST READING [UNANIMOUS] Next: 5/23/2017 6:00 PM

MOVER: Mark Campen, Fifth District SECONDER: Nick Della Volpe, Fourth District

Approved on First Reading

k. An Ordinance to rezone property located on the northeast side of Central Avenue Pike, southeast of Elyria Drive, from R-1 (Low Density Residential) to C-6 (General Commercial Park), Bob Hutchison, Applicant. (MPC approved 13-0-2) (MPC File No. 3-E-17-RZ) (Fifth District)(Requested by Metropolitan Planning Commission)

RESULT: APPROVED ON FIRST READING [UNANIMOUS] Next: 5/23/2017 6:00 PM

MOVER: Mark Campen, Fifth District SECONDER: Nick Pavlis, First District

AYES: Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Approved on First Reading

I. An Ordinance to rezone property located on the northwest side of Jennings Avenue, southwest of N Central Street, from C-3 (General Commercial) to C-2 (Central Business) District, subject to one condition, Stone Street Group, Applicant. (MPC approved 13-0-2) (MPC File No. 4-B-17-RZ) (Fourth District)(Requested by Metropolitan Planning Commission)

RESULT: APPROVED ON FIRST READING [UNANIMOUS] Next: 5/23/2017 6:00 PM

MOVER: Nick Della Volpe, Fourth District SECONDER: Finbarr Saunders, At-Large Seat C

AYES: Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Ordinances 12-m through 12-s were approved on consent - see Section 5-d

13. PUBLIC FORUM

Maurice Clark, Sr. 3601 Martin Luther King Jr. Ave

The meeting was closed at 6:56 PM

Following the public speaker's comments, Mayor Rogero spoke about a proposed Emerald Youth Foundation facility in the Lonsdale Community. She also addressed community input on the proposal.

14. <u>ADJOURNMENT</u>

	Presiding Officer of the Council
Recorder	