



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

Tuesday, November 7, 2017

6:00 PM

City County Building: Main Assembly Room

1. CALL TO ORDER

The meeting was called to order at 6:03 PM by Mayor Madeline Rogero

2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Council Member Brown gave an invocation, and Council Member Wallace 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. APPROVAL OF MINUTES

Motion to: approve the minutes of the October 24th, 2017 Regular Meeting of City Council

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

**5. ANNOUNCEMENTS AND EXTRAORDINARY MATTERS,
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a. ITEMS WITHDRAWN (Indicated with "W")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 "")**

Motion to: consider Ordinance 12-w after Ordinance 12-e

RESULT:	APPROVED [5 TO 4]
MOVER:	Daniel Brown, Sixth District
SECONDER:	Mark Campen, Fifth District
AYES:	Brown, Campen, Della Volpe, Stair, Wallace
NAYS:	Duane Grieve, Brenda Palmer, Nick Pavlis, Finbarr Saunders

At this time, Council Member Brown moved to consider Ordinance 12-w after Ordinance 12-e, and Council Member Campen seconded the motion. On roll-call vote, the motion carried five to four, and this ordinance was considered in this order.

Ordinance No. O-233-2017

- 12-x** An Emergency Ordinance of the Council of the City of Knoxville appropriating the sum of \$1,300.00 from the Community Improvement (202) Fund and donating same to the Veterans Heritage Site Foundation to be utilized toward installation of a stone entrance sign.(Requested by Vice Mayor Grieve and Councilmembers Della Volpe, Campen, and Brown)

RESULT:	APPROVED, EMERGENCY [UNANIMOUS]
MOVER:	Finbarr Saunders, At-Large Seat C
SECONDER:	Nick Della Volpe, Fourth District
AYES:	Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Ordinance No. O-234-2017

- 12-y** An Emergency Ordinance of the Council of the City of Knoxville appropriating the sum of \$1,000.00 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)

RESULT:	APPROVED, EMERGENCY [UNANIMOUS]
MOVER:	Finbarr Saunders, At-Large Seat C
SECONDER:	Nick Della Volpe, Fourth District
AYES:	Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

At this time, Mayor Rogero addressed the extra speakers that had signed up to speak against Ordinances 12-w and 12-f. Vice-Mayor Grieve and Council Member Palmer both suggested that the speakers gather to agree on who would speak against the ordinances.

6. MAYOR'S REPORT

Mayor Rogero reminded everyone that today is Election Day and there was still time to vote with polls closing at 8:00pm.

The Mayor announced the observance of Veterans Day for Friday, November 10th, 2017 with the annual parade up Gay Street at 10:45am. The Mayor recognized all the veterans present in the audience, including Council Members Brown and Saunders.

The Mayor recognized City staff who had been awarded as Employees of the Year for their respective Department and the overall winner for the City as well:

Bryan Berry, Policy and Redevelopment
Justin Bradley, 311
Karen Briggs, Parks and Recreation
Whitney Crowe, Employee Benefits, Risk, and Civil Service
Mark Elliott, Engineering
Tatia Harris, Community Relations and Mayor's Office
Brandon Littlejohn, Plans Review and Inspections
David Massey, Community Development
Tony Spoon, Fleet
Lewis Wisnant, Information Systems, who was not present at the meeting
Randy Martin, Public Service, and overall winner of Employee of the Year

The Mayor stated that Randy Martin works in the Urban Forestry division, and invited him to speak.

7. REPORTS OF COUNCIL MEMBERS OR COMMITTEES

Council Member Brown announced a meeting of the Tennessee Municipal League District 2 for Wednesday, December 13, 2017 from 10:00am to 12:00pm in the Small Assembly Room of the City County Building.

Council Member Stair announced that as part of its Walkability Speaker Series, Active Knox is hosting Jeff Randolph, a Greenville, South Carolina developer, at Bearden High School on Tuesday, November 14, 2017 at 6:00pm.

8. ELECTIONS AND CONFIRMATIONS

Resolution No. R-375-2017

- a. A Resolution confirming the nomination of Jim Johnson to serve as the Law Department representative to the Public Property Naming Committee. (Requested by Law Department)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Finbarr Saunders, At-Large Seat C
SECONDER:	Nick Della Volpe, Fourth District
AYES:	Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

9. ORDINANCES ON SECOND READING

Ordinance No. O-235-2017

- a. An Ordinance to amend Chapter 7.5, Article II, Section 7.5-86 of the Knoxville City Code relative to the correction of errors in ordinances, resolutions, and meeting minutes adopted by the Council.(Requested by Vice Mayor Grieve)

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

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

Referred to MPC

- a. An Ordinance approving an appeal by Gary Koontz to amend the One Year Plan from Medium Density Residential, Low Density Residential & Floodway to General Commercial & Floodway, property located on the west side of Central Avenue Pike, north of Callahan Drive, Gary Koontz, Applicant, on appeal from a decision of MPC. (MPC File No. 10-D-17-PA) (MPC denied 7-5) (Fifth District)(Requested by Metropolitan Planning Commission)

RESULT:	REFERRED TO MPC [UNANIMOUS]
MOVER:	Mark Campen, Fifth District
SECONDER:	Marshall Stair, At-Large Seat B
AYES:	Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Speaking in favor of the appeal:

Denise Howard, 3232 Tazewell Pike, Listing Agent with Realty Executives

Brandon Bolding, 3717 Henderson Rd, prospective buyer of this property

Gary Koontz, 3232 Tazewell Pike, appellant

Discussion:

Council Member Della Volpe, Gerald Green, Executive Director of the Knoxville-Knox County Metropolitan Planning Commission; Crista Cuccaro, Staff Attorney; Rob Frost, Special Counsel and Advisor to the City Council; Gary Koontz, Council Member Campen

Council Member Campen moved that, pursuant to Tennessee Code Annotated Section 13-3-304 (b)(2), the Metropolitan Planning Commission consider an amendment of the One Year Comprehensive Development Plan of the City of Knoxville to General Commercial and Floodway for properties located on the west side of Central Avenue Pike, north of Callahan Drive, in the City of Knoxville, known by its tax identification number of Parcel ID 057078, containing approximately 5.18 acres

Discussion:

Council Member Della Volpe

Council Member Della Volpe suggested amending the motion for the Metropolitan Planning Commission consider conditions, and Council Member Campen agreed to amend his motion.

Discussion:

Crista Cuccaro and Council Members Campen and Wallace

On unanimous voice vote, Council Member Campen's motion to refer the ordinance to the Metropolitan Planning Commission with consideration for conditions carried, and the ordinance was referred to the Metropolitan Planning Commission.

Referred to MPC

- b. An Ordinance to rezone property from R-2 (General Residential), A-1 (General Agricultural) & F-1 (Floodway) Districts to C-4 (Highway and Arterial Commercial) & F-1 (Floodway) Districts, property located on the west side of Central Avenue Pike, north of Callahan Drive, Gary Koontz, Applicant, on appeal from a decision of MPC. (MPC File No. 10-H-17-RZ) (MPC denied 7-5) (Fifth District)(Requested by Metropolitan Planning Commission)

RESULT:	REFERRED TO MPC [UNANIMOUS]
MOVER:	Mark Campen, Fifth District
SECONDER:	Duane Grieve, Vice-Mayor, Second District
AYES:	Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Council Member Campen moved to refer the ordinance to the Metropolitan Planning Commission for study and consider a conditional use on review if appropriate, and Vice-Mayor Grieve seconded the motion. On unanimous voice vote, the motion carried, and the ordinance was referred to the Metropolitan Planning Commission.

11. RESOLUTIONS

Defeated

- a. A Resolution respectfully requesting the Metropolitan Planning Commission to consider and make a recommendation to City Council regarding the possible change to the zoning classification of the properties in proximity to Midway Road and Interstate 40 from C-4 Highway and Arterial Commercial District to a Planned Development District, and, to the extent required, amending the One Year Comprehensive Development Plan and Zoning Plan for the City of Knoxville to amend the classification of all such property, if necessary.(Requested by Councilmember Nick Della Volpe)

RESULT:	DEFEATED [2 TO 7]
MOVER:	Nick Della Volpe, Fourth District
SECONDER:	Mark Campen, Fifth District
AYES:	Mark Campen, Nick Della Volpe
NAYS:	Brown, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Discussion:

Council Members Della Volpe, Palmer, and Wallace

On voice vote, the motion to approve the resolution failed.

Resolution No. R-376-2017

- b. A Resolution authorizing the Mayor to execute an agreement with Ronald Franks Construction Company, LLC for an amount not to exceed \$575,218.50 for the 2018 Sidewalk Replacement Project.(Requested by Department of Engineering)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Finbarr Saunders, At-Large Seat C
SECONDER:	Nick Della Volpe, Fourth District
AYES:	Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Resolution No. R-377-2017

- c. A Resolution authorizing the Mayor to execute a Limited Use Agreement with Orange Knoxville Cumberland, LLC to allow awnings on its proposed retail center and student housing project to encroach into the public right-of-way of Twenty-Second Street.(Requested by Department of Engineering)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Nick Pavlis, First District
SECONDER:	George C. Wallace, At-Large Seat A
AYES:	Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Resolution No. R-378-2017

- d. A Resolution authorizing the Mayor to execute an agreement with Pipkin & Associates, LLC for an amount not to exceed \$38,500.00 to provide appraisal services for the Sevier Avenue Improvements Project. (Requested by Office of Redevelopment and Department of Engineering)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	George C. Wallace, At-Large Seat A
SECONDER:	Nick Della Volpe, Fourth District
AYES:	Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Resolution No. R-379-2017

- e. A Resolution authorizing the Mayor to execute all documents on behalf of the City of Knoxville necessary to purchase property at 2001 Chapman Highway for \$6,525.00 from Margaret Wayland and Mary Mitchell Goodman as part of the Blount Avenue Streetscapes Project.(Requested by Office of Redevelopment and Engineering)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Nick Pavlis, First District
SECONDER:	Finbarr Saunders, At-Large Seat C
AYES:	Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Resolution No. R-380-2017

- f. A Resolution authorizing the Industrial Development Board of the City of Knoxville to negotiate and accept from 200 Jennings, LLC & Tyson Court LLC payments in lieu of ad valorem taxes with respect to real property located at 200 Jennings Avenue (CLT 094DP001) and 814 Tyson Street (CLT 094DP002) and finding that such payments are deemed to be in furtherance of the public purposes of the Industrial Development Board as defined in Tennessee Code Annotated 7-53-305.(Requested by Office of Redevelopment)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	George C. Wallace, At-Large Seat A
SECONDER:	Duane Grieve, Vice-Mayor, Second District
AYES:	Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

Discussion:

Council Member Della Volpe, Dawn Michelle Foster, Director of Redevelopment; Council Member Wallace, Joe Petre, Conversion Properties, Inc.; Mayor Rogero, Vice-Mayor Grieve, Council Member Brown, and Daniel Odle, Conversion Properties, Inc.

Resolution No. R-381-2017

- g. 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 to provide funding in the amount of \$225,000.00 to Knoxville Area Transit for IMPROVE Act Grant Assistance for fiscal year 2018, with a City match of up to \$75,000.00 to purchase and install three (3) replacement in-ground bus lifts. (Requested by Knoxville Area Transit)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Daniel Brown, Sixth District
SECONDER:	George C. Wallace, At-Large Seat A
AYES:	Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace

12. ORDINANCES ON FIRST READING

Approved on First Reading

- a. An Ordinance appropriating the sum of \$32,000.00 from Parks and Recreation Department funds and donating same to the non-profit Lakeshore Park organization to be utilized toward the continuing improvements to park buildings, grounds and public amenities.(Requested by Department of Parks and Recreation)

RESULT:	APPROVED ON FIRST READING [8 TO 0]	Next: 11/21/2017 6:00 PM
MOVER:	Duane Grieve, Vice-Mayor, Second District	
SECONDER:	Finbarr Saunders, At-Large Seat C	
AYES:	Brown, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace	
RECUSED:	Mark Campen	

Council Member Campen announced that he was recusing himself from this matter.

Approved on First Reading

- b. An Ordinance appropriating the sum of \$25,000.00 from the Knoxville Police Department's general fund and donating same to the Helen Ross McNabb Center for essential services of the Sexual Assault Center of East Tennessee.(Requested by Knoxville Police Department)

RESULT:	APPROVED ON FIRST READING [UNANIMOUS]	Next: 11/21/2017 6:00 PM
MOVER:	Brenda Palmer, Third District	
SECONDER:	Finbarr Saunders, At-Large Seat C	
AYES:	Brown, Campen, Della Volpe, Grieve, Palmer, Pavlis, Saunders, Stair, Wallace	

Approved on First Reading

- c. An Ordinance to amend Chapter 26, Article IV of the Knoxville City Code, regarding wreckers, to reflect a new charge for unlocking vehicles, to add a section regarding fees that may be charged for stolen vehicles towed to a wrecker company's lot, and to remove obsolete language. (Requested by Knoxville Police Department)

RESULT:	APPROVED ON FIRST READING [UNANIMOUS]	Next: 11/21/2017 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

- d. An Ordinance adopting the East Knox Community Plan which amends the 2010 East County Sector Plan and the General Plan 2033. MPC, Applicant, (MPC Approved 13-0) (File No. 7-A-17-CP) (Fourth District) (Requested by Metropolitan Planning Commission)

RESULT:	APPROVED ON FIRST READING [UNANIMOUS]	Next: 11/21/2017 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	

Speaking to the matter:

Bob Wolfenbarger, 8416 Kodak Rd, 8th District Preservation Association

Diette Crockett, 7801 Kodak Rd

Discussion:

Council Member Della Volpe

Approved on First Reading

- e. An Ordinance amending and adopting the Historic Design Guidelines for the existing Edgewood-Park City Historic District Zoning Overlay. (MPC approved 10-3) (File No. 9-A-17-OA) (Sixth District)(Requested by Metropolitan Planning Commission)

RESULT:	APPROVED ON FIRST READING [7 TO 2] Next: 11/21/2017 6:00 PM
MOVER:	Finbarr Saunders, At-Large Seat C
SECONDER:	Brenda Palmer, Third District
AYES:	Campen, Della Volpe, Grieve, Palmer, Saunders, Stair, Wallace
NAYS:	Daniel Brown, Nick Pavlis

Council Member Saunders moved to approve the ordinance, and Council Member Palmer seconded the motion.

Discussion:

Council Member Della Volpe, Kim Trent, Executive Director of Knox Heritage; and Vice-Mayor Grieve

Speaking against the ordinance:

Wade Myers, 2346 Woodbine Ave

Mike Anderson, 1730 Washington Ave

Discussion:

Council Member Brown, Gerald Green, Executive Director of the Knoxville-Knox County Metropolitan Planning Commission, Council Member Wallace,

Speaking against the ordinance:

Kennie Riffey, 2320 E Fifth Ave

On roll-call vote, Council Member Saunders's motion to approve the ordinance carried seven to two, and the ordinance was approved on first reading.

Approved on First Reading

12-w An Ordinance to rezone property from multiple zoning districts to multiple zoning districts with H-1 (Historic Overlay) and Design Guidelines, property bounded generally by or located on East Glenwood Avenue from I-40 to Spruce Street; Washington Avenue from the Standard Knitting Mill Complex to N. Chestnut Street; Jefferson, Woodbine, and E. Fifth Avenue; and from the Standard Knitting Mill Complex to N. Cherry Street. MPC, Applicant (MPC approved 10-3) (MPC File No. 9-L-17-RZ) (Sixth District) (Requested by Metropolitan Planning Commission)

RESULT:	APPROVED ON FIRST READING [6 TO 3]	Next: 11/21/2017 6:00 PM
MOVER:	Finbarr Saunders, At-Large Seat C	
SECONDER:	George C. Wallace, At-Large Seat A	
AYES:	Campen, Grieve, Palmer, Saunders, Stair, Wallace	
NAYS:	Daniel Brown, Nick Della Volpe, Nick Pavlis	

Council Member Saunders moved to approve the ordinance, and Council Member Wallace seconded the motion.

Speaking in favor the ordinance:

Kim Trent, 516 Carta Rd, Executive Director of Knox Heritage

Jennie Mezick, 2080 E Fifth Ave

Greta Schmoyer, 1717 E Glenwood Ave

Speaking against the ordinance:

Brandy Slaybaugh, 1618 Jefferson Ave

Dr. Sally Seraphin, 2331 Washington Ave

Jimmy Lee Duncan, Jr., 2421 E Fifth Ave

Discussion:

Council Member Della Volpe, Kaye Graybeal, Historic Preservation Planner for the Knoxville-Knox County Metropolitan Planning Commission; Council Members Brown and Saunders

On roll-call vote, Council Member Saunders's motion to approve the ordinance carried six to three, and the ordinance was approved on first reading.

At this time, Mayor Rogero announced a ten minute recess at approximately 8:20pm.

Mayor Rogero called the meeting back to order at approximately 8:32pm.

At this time, the regular order of business resumed with Ordinance 12-f

Approved on First Reading

- f. An Ordinance to amend Chapter 16 of the Knoxville City Code to add a new article entitled "Short Term Rentals" to establish regulations for short term rental units. (MPC approved 11-2) (File No. 5-C-17-OA)(Requested by Metropolitan Planning Commission)

RESULT:	APPROVED ON FIRST READING [7 TO 2] Next: 11/21/2017 6:00 PM
MOVER:	Finbarr Saunders, At-Large Seat C
SECONDER:	Mark Campen, Fifth District
AYES:	Brown, Campen, Palmer, Pavlis, Saunders, Stair, Wallace
NAYS:	Nick Della Volpe, Duane Grieve

Council Member Saunders moved to approve the ordinance, and Council Member Campen seconded the motion.

Discussion:

Mayor Rogero and Council Member Brown

Speaking in favor of the ordinance as proposed:

Kathy Foster, 6721 Deane Hill Dr

Lynne Randazzo, 1800 Jefferson Ave

Anne Langendorfer, 2921 Arbor Pl

Speaking against the ordinance as proposed:

Larry Silverstein 7808 Sheffield Dr, representing Community Forum

Sandy Gillespie, 4272 Holloway Dr, representing Kingston Pike/Sequoyah Hills Association

Dr. Phil Nordstrom, 5046 Ridgemont Dr

Discussion:

Vice-Mayor Grieve, Council Member Wallace, Gerald Green, Executive Director of the Knoxville-Knox County Metropolitan Planning Commission; Crista Cuccaro, Staff Attorney; Dr. Bill Lyons, Deputy to the Mayor and Chief Policy Officer; Council Member Della Volpe, Rob Frost, Special Counsel and Advisor to the City Council

Vice-Mayor Grieve moved to amend 2.3(a)(i) to exclude R-1 and R-1E zoning districts as districts where short term rental units are allowed.

Proposed language:

Division 2. Permit Types, Application, and Issuance, 3. Short Term Rental Unit Operating Permit Types, (a)(i), amended by insertion as indicated:

Generally. A Type 1 Operating Permit is available in Residential Districts, **except R-1 Low Density Residential District and R1-E Low Density Exclusive Residential District**, upon meeting the criteria in this article. A Type 1 Operating Permit can be issued only to an owner of the Short Term Rental Unit. The property where the Short Term Rental Unit is located must be the owner's principal residence, except in the instance of duplexes as further described in this section. A person can only hold one (1) Type 1 Operating Permit in the City of Knoxville. The Type 1 Operating Permit is available only to natural persons. The owner is not required to remain or be present at the Short Term Rental Unit during the Occupancy.

Discussion:

Council Member Pavlis

Mayor Rogero stated that Vice-Mayor Grieve's motion failed due to lack of a second.

Discussion:

Council Member Wallace

Vice-Mayor Grieve to amend Division 4, Operational Requirements, at Section 4.3, Maximum Occupancy, to allow a maximum occupancy of 8 transients, and Council Member Della Volpe seconded the motion.

Proposed language:

Division 4. Operational Requirements, 3. Maximum Occupancy, amended by insertion and striking out as indicated:

Maximum Occupancy. The number of Transients in a Short Term Rental Unit shall not exceed the sum of two (2) Transients per bedroom plus two (2) additional Transients; provided, however, that the maximum occupancy of the Short Term Rental Unit shall not exceed ~~42 persons~~ **8 Transients**, ~~including Transients and any other individuals residing in or otherwise using the Short Term Rental Unit.~~

Discussion:

Council Member Della Volpe, Vice-Mayor Grieve, Dr. Bill Lyons, Council Member Saunders, Peter Ahrens, Director of Plans Review and Inspections, and Council Member Wallace

On voice vote, Vice-Mayor Grieve's motion to amend the ordinance failed three to six, with Council Members Brown, Della Volpe, and Grieve voting "aye" and Council Members Campen, Palmer, Pavlis, Saunders, Stair, and Wallace voting "nay."

Vice-Mayor Grieve moved to amend Division 2, Permit Types, Applications, and Issuance, At Section 2.3 (a)(i), Type 1 Operating Permit, Owner Occupied, so that the owner is required to remain on the permitted premises during the transients' occupancy, and Council Member Della Volpe seconded the motion.

Proposed language:

Division 2. Permit Types, Application, and Issuance, 3. Short Term Rental Unit Operating Permit Types, (a)(i), amended by striking out and insertion as indicated:

Generally. A Type 1 Operating Permit is available in Residential Districts upon meeting the criteria in this article. A Type 1 Operating Permit can be issued only to an owner of the Short

Term Rental Unit. The property where the Short Term Rental Unit is located must be the owner's principal residence, except in the instance of duplexes as further described in this section. A person can only hold one (1) Type 1 Operating Permit in the City of Knoxville. The Type 1 Operating Permit is available only to natural persons. ~~The Owner is not required to~~ **shall remain or be present at the Short Term Rental Unit during the Transient Occupancy, except for occasional errands or occupational obligations, none of which shall require the Owner to be away from the Short Term Rental Unit for more than twelve (12) consecutive hours.**

Discussion:

Council Member Saunders, Dr. Bill Lyons, Peter Ahrens, Vice-Mayor Grieve, Jesse Mayshark, Director of Communications and Government Relations; Mayor Rogero, Council Members Palmer and Della Volpe

On voice vote, Vice-Mayor Grieve's motion to amend the ordinance failed two to seven, with Council Members Della Volpe and Grieve voting "aye" and Council Members Brown, Campen, Palmer, Pavlis, Saunders, Stair, and Wallace voting "nay."

Vice-Mayor Grieve moved to amend Division 4, Operational Requirements, to add a new Section 4.4, entitled parking Requirements, to add specifications for parking, as follows.

Proposed language:

Division 4, Operational Requirements, amended by insertion of a new section as indicated:

4.4 Parking Requirements. If off-street parking exists at the Short Term Rental Unit, it shall be used by the owner and all Transients for parking vehicles during an Occupancy.

Mayor Rogero stated that Vice-Mayor Grieve's motion failed due to lack of a second.

Vice-Mayor Grieve moved to amend Division 2, Permit Types, Application, and Issuance, at Section 2.2., Application, to add a new section 2.2.h., entitled Required Notification for Type 1 Operating Permits, which imposes notification requirements to certain neighbors, as follows, and Council Member Della Volpe seconded the motion.

Proposed language:

Division 2. Permit Types, Application, and Issuance, 2. Application, amended by insertion of a new section as indicated:

h. Required Notification for Type 1 Operating Permits. The Owner shall provide notice of their application for a Type 1 Operating Permit in the following ways:

i. By Mail: Within 48 hours of submitting the application for a Type 1 Operating Permit to the Business License & Tax Office, the Owner shall send a Neighborhood Notice form, supplied by the Business License & Tax Office, by first-class mail to the neighborhood association, if applicable, and all property owners whose property is adjacent to the property at which the Short Term Rental Unit is proposed.

ii. By Signage: Within 72 hours of submitting the application for a Type 1 Operating Permit to the Business License & Tax Office, the Owner shall post a Notification Sign, supplied by the Business License & Tax Office, in a conspicuous location in the front yard of the proposed Short Term Rental Unit.

Discussion:

Vice-Mayor Grieve, Council Member Della Volpe, Jesse Mayshark

At this time, Vice-Mayor Grieve agreed to split his motion to consider "h.i By Mail" first, and Council Member Della Volpe seconded the split motion.

Discussion:

Council Member Saunders and Wallace

On roll-call vote, Vice-Mayor Grieve's motion to amend the ordinance failed four to five, with Council Members Della Volpe, Grieve, Saunders, and Wallace voting "aye" and Council Members Brown, Campen, Palmer, Pavlis, and Stair voting "nay."

Vice-Mayor Grieve's motion to amend the ordinance "h.i By Signage" was neither considered nor taken up for a vote.

Discussion:

Council Members Wallace and Pavlis, Rob Frost, Council Member Della Volpe, Vice-Mayor Grieve, Mayor Rogero

Council Member Wallace moved to amend the ordinance so that operators operating non-owner occupied units in residential zones would have twelve months to end operations, and Council Member Pavlis seconded the motion.

Council Member Pavlis suggested an amendment to Council Member Wallace's motion to amend the ordinance so that these operators have a lifetime permit as long as ownership does not change. Both Council Members Pavlis and Wallace agreed to this change to the motion.

Discussion:

Council Member Stair, Dr. Bill Lyons, Council Member Pavlis, Mayor Rogero, Crista Cuccaro, Council Member Saunders

At this time, Council Member Pavlis withdrew his motion to amend the ordinance

Discussion:

Rob Frost, Peter Ahrens, Council Member Brown, Mayor Rogero, Vice-Mayor Grieve, Jesse Mayshark

On voice vote, Council Member Saunders's motion to approve the ordinance carried seven to two, with Council Members Brown, Campen, Palmer, Pavlis, Saunders, Stair, and Wallace voting "aye" and Council Members Della Volpe and Grieve voting "nay," and the ordinance was approved on first reading.

At the request of Council Member Palmer and without objection, Ordinances 12-s through 12-v were considered at this time.

Vice-Mayor Grieve was away for the vote on Ordinances 12-s through 12-v.

Approved on First Reading

12-s An Ordinance to rezone property located on the southeast side of Old Callahan Drive, northeast of Clinton Highway, from PC-1 (Retail and Office Park) District to C-3 (General Commercial) District, Arthur Seymour Jr., Applicant (MPC approved 12-0) (MPC File No. 10-F-17-RZ) (Third District)(Requested by Metropolitan Planning Commission)

RESULT:	APPROVED ON FIRST READING [8 TO 0]	Next: 11/21/2017 6:00 PM
MOVER:	Brenda Palmer, Third District	
SECONDER:	Nick Pavlis, First District	
AYES:	Brown, Campen, Della Volpe, Palmer, Pavlis, Saunders, Stair, Wallace	
AWAY:	Duane Grieve	

Discussion:

Council Member Della Volpe and Gerald Green, Executive Director of the Knoxville-Knox County Metropolitan Planning Commission

Council Member Della Volpe moved to amend the ordinance to add one condition: the MPC Staff recommendation, that no new access drive to Old Callahan Drive will be permitted. Access to the site must come from existing driveways to northeast and/or southwest.

Mayor Rogero stated that Council Member Della Volpe's motion failed due to lack of a second.

On unanimous voice vote, the motion to approve the ordinance carried, and the ordinance was approved on first reading.

Approved on First Reading

12-t An Ordinance approving the request of DDC Dowell Springs LLC for an amendment to the Northwest County Sector Plan from Office to General Commercial for property located on the west side of Dowell Springs Boulevard, north side of Middlebrook Pike. (MPC Approved 12-0) (File No. 10-A-17-SP) (Third District)(Requested by Metropolitan Planning Commission)

RESULT:	APPROVED ON FIRST READING [8 TO 0]	Next: 11/21/2017 6:00 PM
MOVER:	Brenda Palmer, Third District	
SECONDER:	Nick Pavlis, First District	
AYES:	Brown, Campen, Della Volpe, Palmer, Pavlis, Saunders, Stair, Wallace	
AWAY:	Duane Grieve	

Approved on First Reading

- 12-u** An Ordinance approving the request of DDC Dowell Springs LLC for an amendment to the One Year Plan from Office to General Commercial for property located on the west side of Dowell Springs Boulevard, north side of Middlebrook Pike. (MPC Approved 12-0) (File No. 10-A-17-PA) (Third District)(Requested by Metropolitan Planning Commission)

RESULT:	APPROVED ON FIRST READING [8 TO 0]	Next: 11/21/2017 6:00 PM
MOVER:	Brenda Palmer, Third District	
SECONDER:	Finbarr Saunders, At-Large Seat C	
AYES:	Brown, Campen, Della Volpe, Palmer, Pavlis, Saunders, Stair, Wallace	
AWAY:	Duane Grieve	

Approved on First Reading

- 12-v** An Ordinance to rezone property located on the west side of Dowell Springs Boulevard, north side of Middlebrook Pike, from O-1 (Office, Medical, and Related Services) District to PC-1 (Retail and Office Park) District, DDC Dowell Springs, LLC, Applicant (MPC approved 12-0) (MPC File No. 10-A-17-RZ) (Third District)(Requested by Metropolitan Planning Commission)

RESULT:	APPROVED ON FIRST READING [8 TO 0]	Next: 11/21/2017 6:00 PM
MOVER:	Brenda Palmer, Third District	
SECONDER:	Daniel Brown, Sixth District	
AYES:	Brown, Campen, Della Volpe, Palmer, Pavlis, Saunders, Stair, Wallace	
AWAY:	Duane Grieve	

Council Member Palmer left the meeting at approximately 10:24pm.

At this time, the regular order of business resumed with Ordinance 12-g

Approved on First Reading

- g.** An Ordinance to extend the time for compliance with conditions for closure of a portion of an unnamed alley from Twenty Second Street to S. Twenty First Street, Starboard Properties Four, LLC, Applicant, as approved by O-208-2016. (File No. 10-A-16-AC)(Requested by Law Department)

RESULT:	APPROVED ON FIRST READING [UNANIMOUS]	Next: 11/21/2017 6:00 PM
MOVER:	George C. Wallace, At-Large Seat A	
SECONDER:	Finbarr Saunders, At-Large Seat C	
AYES:	Brown, Campen, Della Volpe, Grieve, Pavlis, Saunders, Stair, Wallace	
ABSENT:	Brenda Palmer	

Approved on First Reading

- h. An Ordinance to close a portion of Hannah Avenue from Heins Street to the northwest terminus at I-40 right-of-way, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, A.G. Heins Company Inc., Applicant. (MPC Approved 13-0) (File No. 10-A-17-SC) (Sixth District)(Requested by Metropolitan Planning Commission)

RESULT:	APPROVED ON FIRST READING [UNANIMOUS]	Next: 11/21/2017 6:00 PM
MOVER:	Daniel Brown, Sixth District	
SECONDER:	Nick Pavlis, First District	
AYES:	Brown, Campen, Della Volpe, Grieve, Pavlis, Saunders, Stair, Wallace	
ABSENT:	Brenda Palmer	

Approved on First Reading

- i. An Ordinance to close a portion of Campbell Avenue from S. Kentucky Street to the eastern terminus at First Creek, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, Knoxville Utilities Board, Applicant. (MPC Approved 13-0) (File No. 10-B-17-SC) (Sixth District)(Requested by Metropolitan Planning Commission)

RESULT:	APPROVED ON FIRST READING [UNANIMOUS]	Next: 11/21/2017 6:00 PM
MOVER:	Daniel Brown, Sixth District	
SECONDER:	Nick Pavlis, First District	
AYES:	Brown, Campen, Della Volpe, Grieve, Pavlis, Saunders, Stair, Wallace	
ABSENT:	Brenda Palmer	

Approved on First Reading

- j. An Ordinance to close an unnamed alley from W. Glenwood Avenue to Harvey Street, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, Bob Whetsel, Applicant. (MPC Approved 13-0) (File No. 10-A-17-AC) (Fourth District)(Requested by Metropolitan Planning Commission)

RESULT:	APPROVED ON FIRST READING [UNANIMOUS]	Next: 11/21/2017 6:00 PM
MOVER:	Nick Della Volpe, Fourth District	
SECONDER:	Mark Campen, Fifth District	
AYES:	Brown, Campen, Della Volpe, Grieve, Pavlis, Saunders, Stair, Wallace	
ABSENT:	Brenda Palmer	

Approved on First Reading

- k. An Ordinance approving the request of Tim Hill, Hatcher-Hill EC, LLC for an amendment to the West City Sector Plan from Low Density Residential to General Commercial on the south side of Kingston Pike, east of Wellington Drive. (MPC Approved 13-0) (File No. 10-B-17-SP) (Second District)(Requested by Metropolitan Planning Commission)

RESULT:	APPROVED ON FIRST READING [UNANIMOUS]	Next: 11/21/2017 6:00 PM
MOVER:	Duane Grieve, Vice-Mayor, Second District	
SECONDER:	Finbarr Saunders, At-Large Seat C	
AYES:	Brown, Campen, Della Volpe, Grieve, Pavlis, Saunders, Stair, Wallace	
ABSENT:	Brenda Palmer	

Approved on First Reading

- I. An Ordinance approving the request of Tim Hill, Hatcher-Hill EC, LLC for an amendment to the One Year Plan from Office to General Commercial on the south side of Kingston Pike, east of Wellington Drive. (MPC Approved 13-0) (File No. 10-B-17-PA) (Second District)(Requested by Metropolitan Planning Commission)

RESULT:	APPROVED ON FIRST READING [UNANIMOUS]	Next: 11/21/2017 6:00 PM
MOVER:	Duane Grieve, Vice-Mayor, Second District	
SECONDER:	Nick Della Volpe, Fourth District	
AYES:	Brown, Campen, Della Volpe, Grieve, Pavlis, Saunders, Stair, Wallace	
ABSENT:	Brenda Palmer	

Approved on First Reading

- m. An Ordinance to rezone property located on the south side of Kingston Pike, east of Wellington Drive, from C-4 (Highway and Arterial Commercial) and O-3 (Office Park) District to C-3 (General Commercial) District, Tim Hill, Hatcher-Hill EC, LLC, Applicant (MPC approved 13-0) (MPC File No. 10-B-17-RZ) (Second District)(Requested by Metropolitan Planning Commission)

RESULT:	APPROVED ON FIRST READING [UNANIMOUS]	Next: 11/21/2017 6:00 PM
MOVER:	Duane Grieve, Vice-Mayor, Second District	
SECONDER:	Finbarr Saunders, At-Large Seat C	
AYES:	Brown, Campen, Della Volpe, Grieve, Pavlis, Saunders, Stair, Wallace	
ABSENT:	Brenda Palmer	

Approved on First Reading

- n. An Ordinance approving the request of Pro-Mark, Inc. for an amendment to the North City Sector Plan from Office to Light Industrial for property located on the northwest side of Anderson Road, northeast of Beverly Road. (MPC Approved 12-0) (File No. 10-E-17-SP) (Fourth District)(Requested by Metropolitan Planning Commission)

RESULT:	APPROVED ON FIRST READING [UNANIMOUS]	Next: 11/21/2017 6:00 PM
MOVER:	Nick Della Volpe, Fourth District	
SECONDER:	George C. Wallace, At-Large Seat A	
AYES:	Brown, Campen, Della Volpe, Grieve, Pavlis, Saunders, Stair, Wallace	
ABSENT:	Brenda Palmer	

Discussion:

Council Member Della Volpe and Gerald Green, Executive Director of the Knoxville-Knox County Metropolitan Planning Commission

Approved on First Reading

- o. An Ordinance approving the request of Pro-Mark, Inc. for an amendment to the One Year Plan from Office to Light Industrial for property located on the northwest side of Anderson Road, northeast of Beverly Road. (MPC Approved 12-0) (File No. 10-E-17-PA) (Fourth District)(Requested by Metropolitan Planning Commission)

RESULT:	APPROVED ON FIRST READING [UNANIMOUS]	Next: 11/21/2017 6:00 PM
MOVER:	Nick Della Volpe, Fourth District	
SECONDER:	Mark Campen, Fifth District	
AYES:	Brown, Campen, Della Volpe, Grieve, Pavlis, Saunders, Stair, Wallace	
ABSENT:	Brenda Palmer	

Approved on First Reading

- p. An Ordinance to rezone property located on the northwest side of Anderson Road, northeast of Beverly Road, from O-1 (Office, Medical, and Related Services) District to I-3 (General Industrial) District, subject to 2 conditions, Pro-Mark, Inc, Applicant (MPC approved 12-0) (MPC File No. 10-K-17-RZ) (Fourth District)(Requested by Metropolitan Planning Commission)

RESULT:	APPROVED ON FIRST READING [UNANIMOUS]	Next: 11/21/2017 6:00 PM
MOVER:	Nick Della Volpe, Fourth District	
SECONDER:	Mark Campen, Fifth District	
AYES:	Brown, Campen, Della Volpe, Grieve, Pavlis, Saunders, Stair, Wallace	
ABSENT:	Brenda Palmer	

Approved on First Reading

- q. An Ordinance to rezone property located on the northeast side of Old Broadway, southwest side of N. Broadway, northwest of Tazewell Pike, from SC-1 (Neighborhood Shopping Center) and C-3 (General Commercial) District to C-3 (General Commercial) District, Deanna Alexi and Chris Pollock, Applicants. (MPC approved 12-0) (MPC File No. 10-I-17-RZ) (Fourth District)(Requested by Metropolitan Planning Commission)

RESULT:	APPROVED ON FIRST READING [UNANIMOUS]	Next: 11/21/2017 6:00 PM
MOVER:	George C. Wallace, At-Large Seat A	
SECONDER:	Nick Della Volpe, Fourth District	
AYES:	Brown, Campen, Della Volpe, Grieve, Pavlis, Saunders, Stair, Wallace	
ABSENT:	Brenda Palmer	

Discussion:

Council Member Della Volpe and Gerald Green, Executive Director of the Knoxville-Knox County Metropolitan Planning Commission

Approved on First Reading

- r. An Ordinance to rezone property located on the east side of N. Broadway, southwest of Rennoc Road, from O-1 (Office, Medical, and Related Services) District to C-3 (General Commercial) District, Arthur Seymour Jr., Applicant (MPC approved 13-0) (MPC File No. 10-E-17-RZ) (Fourth District)(Requested by Metropolitan Planning Commission)

RESULT:	APPROVED ON FIRST READING [UNANIMOUS]
	Next: 11/21/2017 6:00 PM
MOVER:	Mark Campen, Fifth District
SECONDER:	Nick Della Volpe, Fourth District
AYES:	Brown, Campen, Della Volpe, Grieve, Pavlis, Saunders, Stair, Wallace
ABSENT:	Brenda Palmer

Ordinances 12-s through v were considered earlier in the meeting – see after Ordinance 12-f

Ordinance 12-w was considered earlier in the meeting – see after Ordinance 12-e

Ordinances 12-x and 12-y were approved on consent - see Section 5-d

13. PUBLIC FORUM

Billy Below

5611 Lon Roberts Dr

Anthony Hall

Did not provide address

14. ADJOURNMENT

The meeting was closed at 10:41 PM

Presiding Officer of the Council

Recorder