

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

JUNE 2, 2009 - 7:00 PM
Main Assembly Room, City-County Building

1. CALL TO ORDER

The Council of the City of Knoxville met in Regular Session at 7:00 p.m. in the Main Assembly Room of the City-County Building on Tuesday, June 2, 2009. Mayor Bill Haslam was present and presiding officer of the Council.

2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Councilmember Barbara Pelot led in the Invocation and Councilmember Joe Bailey led in the "Pledge of Allegiance" to the Flag.

3. ROLL CALL

The following City Council Members were present: Joe Bailey, Vice-Mayor Bob Becker, Bob Booker, Rob Frost, Steve Hall, Joe Hultquist, Barbara Pelot, Marilyn Roddy and Chris Woodhull.

4. APPROVAL OF MINUTES

Councilmember Roddy made a motion to approve the minutes from the City Council meeting May 19, 2009. Councilmember Becker seconded the motion. By unanimous voice vote the motion carried. The minutes were approved.

5. ANNOUNCEMENTS AND EXTRAORDINARY MATTERS, ADOPTION OF AGENDA

5-a. ITEMS WITHDRAWN (Indicated with "W")

None.

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

Councilmember Hall made a motion to postpone the following ordinance for two (2) weeks:

- 12-d.** An Ordinance to rezone property located on the west side of Sisk Road, south of Pleasant Ridge Road from RP-1, Planned Residential District, at a density of 1-5 dwelling units per acre to RP-1, Planned Residential District, at a density up to 5.99 dwelling units per acre, Easterday Estates LLC, Applicant. (MPC Approved 12-1) (File No. 4-E-09-RZ) (Third District)

Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The ordinance was postponed two (2) weeks.

**5-c. ITEMS REQUESTED TO BE ADDED BY MOTION
(Indicated with “M”)**

Councilmember Frost made a motion to place resolution 11u on the agenda by motion. Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The resolution was added to the agenda by motion. (See “Resolutions”).

5-d. CONSENT ITEMS (Indicated with “*”)

Councilmember Roddy made a motion to approve resolution 11s and 11t on the consent agenda. Vice-Mayor Becker seconded the motion. By unanimous voice vote the motion carried. The resolution was approved on consent. (See “Resolutions”).

6. MAYOR’S REPORT

- June 12, 2009 – 2:00 p.m. – Official re-opening of Interstate 40 – June 11, 2009 – 7:00 p.m. Fun Walk/Run on new portion of I-40.
- June 5, 2009 – will be First Friday in Downtown
- June 6, 2009 – Farmer’s Market on Market Square

7. REPORTS OF COUNCIL MEMBERS OR COMMITTEES

- Cm Bailey announced that on June 5, 2009 at 7:00 p.m. there will be a City of Knoxville softball game at Tyson Park – benefitting Second Harvest Food Bank.
- Vice-Mayor Becker announced that on June 11, 2009 at 5:00 p.m. there will be a City Council workshop on KAT Long Range Plan. (**Note: This date is incorrect – the KAT Long Range Plan workshop will be held July 9, 2009 at 5:00 p.m.**)
- Cm Pelot stated that she attended the GED Graduation ceremony and that it was a wonderful experience.
- Cm Roddy announced that the Knoxville Fire Dept. introduced their new arson dog, “Bailey” today at the Fire Department Training Center.

8. ELECTIONS AND CONFIRMATIONS

RE: VICE-MAYOR BOB BECKER – PUBLIC PROPERTY NAMING COMMITTEE

- 8-a.** A Resolution appointing Vice Mayor Bob Becker to serve as a member of the Public Property Naming Committee. (Requested by Councilmember Bailey)

Councilmember Bailey made a motion to approve the resolution. Councilmember Roddy seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-155-09.

RE: VICE-MAYOR BOB BECKER – CITY OF KNOXVILLE GOLF COURSE ADVISORY COMMITTEE

- 8-b.** A Resolution to appoint Vice Mayor Bob Becker to serve as a member of the City of Knoxville Golf Course Advisory Committee. (Requested by Councilmember Bailey)

Councilmember Bailey made a motion to approve the resolution. Councilmember Woodhull seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-156-09.

RE: BRENDA KAYE PALMER – KNOX COUNTY TAX EQUALIZATION BOARD

- 8-c.** A Resolution appointing Brenda Kaye Palmer to the Knox County Tax Equalization Board. (Requested by Mayor)

Councilmember Frost made a motion to approve the resolution. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-157-09.

SUSPENSION OF COUNCIL RULES

Councilmember Frost made a motion to suspend the rules of Council to move resolution 11u to the present place on the agenda. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried.

RE: FRED CHARLES “CHARLIE “ HAUN

- 11-u.** A Resolution honoring and expressing appreciation to Fred Charles “Charlie” Haun and wishing him all the best in his future endeavors. (Requested by Council)

Councilmember Pelot, Councilmember Frost and Mayor Haslam addressed the resolution.

Councilmember Pelot made a motion to approve the resolution. Councilmember Hultquist seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-177-09.

9. ORDINANCES ON SECOND READING

RE: BUDGET – ANNUAL APPROPRIATIONS

- 9-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, 2009 and ending June 30, 2010. (Requested by Department of Finance and Accountability)

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

Discussion ensued with the following persons addressing the ordinance: Vice-Mayor Becker; Bill Dockery, 4615 Holston Hills Road, KAT Lift appropriations; Joyce Marshall, 2017 McClain Drive, KAT Lift appropriations; John Buckley, 1025 Greenway, KAT Lift appropriations; Beth Doake, KAT lift appropriations; Lillian Burch, Disability Resource Center, KAT Lift appropriations; Jeanette Dyer, ERC, KAT Lift appropriations; Bryan Hilbert, KAT Lift appropriations; Councilmember Frost; Councilmember Roddy; Cindy McGinnis, KAT representative; Councilmember Woodhull; Mayor Haslam; Councilmember Hall; Councilmember Pelot; Sam Anderson; Councilmember Hultquist.

Vice-Mayor Becker made a motion to amend the ordinance to take one million dollars from the city’s fund balance and move it to KCDC for the Walter P. Taylor Project. Councilmember Hultquist seconded the motion.

Further discussion followed with Vice-Mayor Becker, Mayor Haslam; Larry Martin, Councilmember Frost, Councilmember Roddy and Dan Tiller (KCDC) speaking.

Councilmember Hultquist withdrew his second to the motion to amend.

Councilmember Booker then seconded the amendatory motion.

Upon roll call on the motion to amend, Councilmembers Becker, Booker, Hultquist and Woodhull voted “Aye.” Councilmembers Bailey, Frost, Hall, Pelot and Roddy voted “Nay”. The motion failed.

Vice-Mayor Becker then made a motion to amend the budget to take \$50,000 from the Knoxville Area Partnership appropriation and move that \$50,000 into the Inspections Department to fund a new zoning inspector position. Councilmember Hultquist seconded the motion.

Councilmember Roddy, Steve King, Director of Public Works and Councilmember Pelot addressed the motion.

Councilmember Hultquist withdrew his second to the motion.

No other second was made. The motion to amend failed due to a lack of a second to the motion.

Vice-Mayor Becker then made a motion to amend the ordinance to add the amended numbers given to Council by the administration. Councilmember Frost seconded the motion.

Jim York explained that the new numbers in the budget were not from the administration but mandated by the Federal Government.

By unanimous voice vote the motion to amend the budget to adopt the new numbers provided by the administration, was adopted.

By unanimous voice vote the motion to approve the original motion, as amended, was adopted. The budget was approved on second reading, as amended one time. The printed ordinance can be found attached to these minutes as Ordinance No. O-84-09.

RE: TAX LEVY

- 9-b.** An Ordinance to levy a tax 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, 2009 and ending June 30, 2010. (Requested by Department of Finance and Accountability)

Councilmember Roddy made a motion to approve the ordinance on second reading. Vice-Mayor Becker seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-85-09.

RE: CITY OF KNOXVILLE'S CLASSIFICATION AND COMPENSATION PLANS FOR GENERAL GOVERNMENT AND UNIFORMED EMPLOYEES

- 9-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 employees and uniformed members of the police and fire departments. (Requested by Civil Service)

Councilmember Pelot made a motion to approve the ordinance on second reading. Councilmember Booker seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-86-09.

RE: CITY CODE AMENDMENT -CERTIFICATE OF PUBLIC CONVENIENCE – TAXICABS, SHUTTLES AND LIMOUSINES

- 9-d.** An Ordinance amending Section 26-91(b) and deleting Section 26-94 of the Knoxville City Code so as to provide that the issuance of certificates of public convenience and necessity for taxis, shuttles and limousines will occur in January of each year instead of July and to extend the current certificates and registration stickers from June 30, 2009 until December 31, 2009. (Requested by Police Department)

Vice-Mayor Becker made a motion to approve the ordinance on second reading. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-87-09.

RE: FY 2010-2015 KNOXVILLE CAPITAL IMPROVEMENT PROGRAM – FY 2010 CAPITAL IMPROVEMENT BUDGET

- 9-e.** An Ordinance to approve and adopt the FY 2010-2015 Knoxville Capital Improvement Program, including the FY2010 Capital Improvement Budget. (MPC Approved 14-0) (File No. 5-A-09-OB)

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

Councilmember Roddy asked questions regarding the Knoxville Zoo renovation. Jim York, Finance Director, responded to Ms. Roddy's questions.

By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-88-09.

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

None.

11. RESOLUTIONS

RE: CHRISTIAN ACADEMY OF KNOXVILLE WARRIORS – 2009 TSSAA CLASS A/AA STATE SOCCER CHAMPIONSHIP

- 11-a.** A Resolution honoring and congratulating the Christian Academy of Knoxville Warriors for winning the 2009 TSSAA Class A/AA State Soccer Championship. (Requested by Council)

Councilmember Frost made a motion to approve the resolution. Vice-Mayor Becker seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-158-09.

RE: FARRAGUT HIGH SCHOOL ADMIRALS SOCCER TEAM – 2009 TSSAA CLASS AAA STATE SOCCER CHAMPIONSHIP

- 11-b.** A Resolution honoring and congratulating the Farragut High School Admirals soccer team for winning the 2009 TSSAA Class AAA State Soccer Championship. (Requested by Council)

Councilmember Pelot made a motion to approve the resolution. Vice-Mayor Becker seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-159-09.

RE: FARRAGUT HIGH SCHOOL ADMIRALS BASEBALL TEAM – 2009 TSSAA CLASS AAA STATE BASEBALL CHAMPIONSHIP

- 11-c.** A Resolution honoring and congratulating the Farragut Admirals baseball team for winning the 2009 TSSAA Class AAA State Baseball Championship. (Requested by Council)

Councilmember Frost made a motion to approve the resolution. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-160-09.

RE: CONVENIENT VOTING PILOT PROJECT

- 11-d.** A Resolution expressing City Council's willingness to participate in the convenient voting pilot project. (Requested by Vice Mayor Becker)

Vice-Mayor Becker made a motion to approve the resolution. Councilmember Roddy seconded the motion.

Councilmember Frost, Vice-Mayor Becker, Councilmember Bailey and Councilmember Hultquist addressed the resolution.

Councilmember Hultquist made a motion to postpone the resolution four (4) weeks. Councilmember Booker seconded the motion.

Vice-Mayor Becker addressed the amendatory motion.

Vice-Mayor Becker made a substitute motion to postpone the resolution two (2) weeks instead of four weeks. The motion failed due to a lack of a second to the motion.

Discussion ensued on the motion to postpone the resolution four (4) weeks. The following persons addressed the matter: Councilmember Hall; Councilmember Hultquist; Councilmember Roddy; Councilmember Pelot; Councilmember Booker; Councilmember Bailey; Vice-Mayor Becker.

By voice vote the Council voted as follows on the motion to postpone the resolution four (4) weeks: Councilmembers Bailey, Becker, Booker, Frost, Hall, Hultquist, Pelot and Woodhull voted "Aye". Councilmember Roddy voted "Nay". The motion carried. The resolution was postponed four (4) weeks.

RE: NATIONAL BUILDING SERVICE – SAFETY BUILDING

- 11-e.** A Resolution authorizing the Mayor to execute an agreement with National Building Service, in an amount not to exceed \$73,799.40, to provide janitorial services for the Safety Building. (Requested by Police Department)

Councilmember Roddy made a motion to approve the resolution. Vice-Mayor Becker seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-161-09.

RE: UNITED STATES DEPARTMENT OF TRANSPORTATION – TENNESSEE DEPARTMENT OF TRANSPORTATION – KNOXVILLE AREA TRANSIT (KAT) – FORMULA URBANIZED AREA TRANSIT GRANT ASSISTANCE

- 11-f.** A Resolution authorizing the Mayor to file a grant application with the United States Department of Transportation and the Tennessee Department of Transportation to provide funding in the amount of Four Million, Nine Hundred Twenty Thousand, Seven Hundred and Fifty-Two Dollars (\$4,920,752.00) to Knoxville Area Transit for Formula Urbanized Area Transit Grant Assistance (Section 5307) for fiscal year 2009, and if such application is approved, to authorize the Mayor to execute any and all documents to accept such a grant award. (Requested by Operations and Efficiency)

Vice-Mayor Becker made a motion to approve the resolution. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-162-09.

RE: UNITED STATES DEPARTMENT OF TRANSPORTATION – TENNESSEE DEPARTMENT OF TRANSPORTATION – KNOXVILLE AREA TRANSIT – 5309 DISCRETIONARY TRANSIT GRANT ASSISTANCE – DOWNTOWN TRANSIT CENTER PROJECT

- 11-g.** A Resolution authorizing the Mayor to file a grant application with the United States Department of Transportation and the Tennessee Department of Transportation in the amount of Six Million, Eight Hundred Fifty Thousand, Thirty-One Dollars (\$6,850,031.00) to provide funding to Knoxville Area Transit for Section 5309 Discretionary Transit Grant Assistance for fiscal years 2008-2009 for the Downtown Transit Center Project, and if such application is approved, to authorize the Mayor to execute any and all documents to accept such a grant award. (Requested by Operations and Efficiency)

Councilmember Pelot made a motion to approve the resolution. Vice-Mayor Becker seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-163-09.

RE: NATIONAL SYSTEMS, INC. (NSI) – BUS WASHING MACHING – KNOXVILLE AREA TRANSIT (KAT)

- 11-h.** A Resolution authorizing the Mayor to execute an agreement with National Systems, Inc. (NSI) for the installation of a new bus washing machine within the Knoxville Area Transit's service building for an amount not to exceed a total cost of Two Hundred Ninety-Two Thousand, Two Hundred Seventy-Nine and 57/100 Dollars (\$292,279.57). (Requested by Operations and Efficiency)

Vice-Mayor Becker made a motion to approve the resolution. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-164-09.

RE: HFT MANAGEMENT, INC. d/b/a GATEWAY OUTDOOR ADVERTISING – KNOXVILLE AREA TRANSIT (KAT)

- 11-i.** A Resolution authorizing the Mayor to execute an agreement with HFT Management, Inc. d/b/a Gateway Outdoor Advertising to market, sell, and secure advertising contracts for rental space on Knoxville Area Transit vehicles for an initial term of three years with the option to extend the term two additional one-year periods. (Requested by Operations and Efficiency)

Councilmember Bailey made a motion to approve the resolution. Councilmember Woodhull seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-165-09.

RE: PUBLIC BUILDING AUTHORITY OF THE COUNTY OF KNOX AND THE CITY OF KNOXVILLE, TENNESSEE – MAGNOLIA AVENUE FACILITY REHABILITATION, ENERGY UPGRADE AND IMPROVEMENTS PROJECT

- 11-j.** A Resolution authorizing the Mayor to request the Public Building Authority of the County of Knox and the City of Knoxville, Tennessee, to perform project management services for the Magnolia Avenue Facility Rehabilitation, Energy Upgrades and Improvements Project at a budgeted amount not to exceed \$2,007,000. (Requested by Operations and Efficiency)

Councilmember Pelot made a motion to approve the resolution. Councilmember Bailey seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-166-09.

RE: PUBLIC BUILDING AUTHORITY OF THE COUNTY OF KNOX AND THE CITY OF KNOXVILLE – CITY OF KNOXVILLE’S EMPLOYEE HEALTH CENTER – 1405 LORAIN STREET

- 11-k.** A Resolution authorizing the Mayor to request the Public Building Authority of the County of Knox and the City of Knoxville, Tennessee, to provide project management services for the project to expand the City of Knoxville’s employee health center located at 1405 Loraine Street at a budgeted amount not to exceed \$67,770. (Requested by Department of Public Service)

Vice-Mayor Becker made a motion to approve the resolution. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-167-09.

RE: COMMUNITY DEVELOPMENT BLOCK GRANT RECOVERY FUNDS SUBSTANTIAL AMENDMENT TO THE 2008 -2009 ACTION PLAN FOR HOUSING AND COMMUNITY DEVELOPMENT – U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

- 11-l.** A Resolution authorizing submission of a Community Development Block Grant Recovery Funds Substantial Amendment to the 2008-2009 Action Plan for Housing and Community Development to the U.S. Department of Housing and Urban Development, and authorizing the Mayor to execute any associated documents and certifications. (Requested by Department of Community Development)

Vice-Mayor Becker made a motion to approve the resolution. Councilmember Woodhull seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-168-09.

RE: VAUGHN & MELTON, INC. – SOUTH WATERFRONT PUBLIC IMPROVEMENT PROJECT – RIVER ROAD/LINCOLN STREET PUBLIC IMPROVEMENTS

- 11-m.** A Resolution authorizing the Mayor to execute an amendment to Contract No. C-08-0223 with Vaughn & Melton, Inc. for the South Waterfront Public Improvement Project, River Road/Lincoln Street Public Improvements, for additional design services, to increase the contract price by \$220,000.00 for a new contract price of \$996,859.00, and to increase the project time by 214 days to December 31, 2009. (Requested by South Waterfront Development)

Councilmember Hultquist made a motion to approve the resolution. Councilmember Bailey seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-169-09.

RE: VAUGHN & MELTON, INC. – WESTLAND DRIVE BRIDGE REPLACEMENT AND DRAINAGE PROJECT

- 11-n.** A Resolution authorizing the Mayor to execute Change Order No. 2 to Contract No. C-08-0163 between the City of Knoxville and Vaughn & Melton, Inc. for the Westland Drive Bridge Replacement and Drainage Project to increase the contract

price by \$61,700.00 for a new contract price of \$164,607.00 and to increase the contract time by 274 days to April 1, 2010. (Requested by Department of Engineering)

Councilmember Pelot made a motion to approve the resolution. Councilmember Bailey seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-170-09.

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

11-o. A Resolution authorizing the Mayor to execute Change Order No. 1 to Contract No. C-09-0186 between the City of Knoxville and Southern Constructors, Inc. for the Gay Street Streetscapes Project, No. 08A-R-0449, to increase the contract price by \$334,565.51 for a new contract price of \$3,831,266.61. (Requested by Department of Engineering)

Councilmember Bailey made a motion to approve the resolution. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-171-09.

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

11-p. A Resolution authorizing the Mayor to execute Change Order No. 1 to Contract No. C-09-0158 between the City of Knoxville and Design & Construction Services, Inc. for the 2009 Curb Cut Project to increase the contract price by \$39,202.18 for a new contract price of \$302,902.18. (Requested by Department of Engineering)

Vice-Mayor Becker made a motion to approve the resolution. Councilmember Booker seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-172-09.

RE: TAX INCREMENT FINANCING – HISTORIC MARKET SQUARE REDEVELOPMENT AND URBAN RENEWAL PLAN – ARNSTEIN BUILDING, 505 MARKET STREET

11-q. A Resolution approving a tax increment financing amendment to the Historic Market Square Redevelopment and Urban Renewal Plan to support the restoration of real property located in the redevelopment area at 505 Market Street, commonly known as the Arnstein Building. (Requested by Department of Policy and Communications)

Councilmember Pelot made a motion to approve the resolution. Councilmember Bailey seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-173-09.

RE: TAX INCREMENT FINANCING – CENTRAL BUSINESS DISTRICT WEST REDEVELOPMENT AND URBAN RENEWAL PLAN – 501 – 517 UNION AVENUE – DAYLIGHT BUILDING

11-r. A Resolution approving a tax increment financing amendment to the Central Business District West Redevelopment and Urban Renewal Plan to support the redevelopment of real property located at 501 – 517 Union Avenue, commonly known as the Daylight Building. (Requested by Department of Policy and Communications)

Councilmember Pelot made a motion to approve the resolution. Councilmember Bailey seconded the motion. By unanimous voice vote the motion carried. The printed resolution can be found attached to these minutes as Resolution No. R-174-09.

The following resolutions were approved unanimously on first and final reading under the consent agenda:

“*” s. **Approved: R-175-09**
A Resolution granting a pension of \$64.16 per month to David W. Jones, an employee of the Knoxville General Government. (Requested by Pension Board)

“*” t. **Approved: R-176-09**
A Resolution granting a pension of \$549.71 per month to Llew Ellen Luttrell, an employee of the Knoxville General Government. (Requested by Pension Board)

12. ORDINANCES ON FIRST READING

RE: CAPITAL BUDGET AND OPERATING BUDGET AMENDMENTS – TRANSFER SURPLUS, EXCESS OR UNENCUMBERED FUNDS

12-a. An Ordinance to amend the capital budget and the operating budget both as approved by Ordinance O-115-08 for fiscal year 08-09 and to transfer surplus, excess, or unencumbered funds between various units and funds as reflected in the various funds and budgets of the City of Knoxville. (Requested by Department of Finance and Accountability)

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

RE: PROPERTY TAX FREEZE PROGRAM FOR ELDERLY, LOW-INCOME TAXPAYERS

12-b. An Ordinance enacted pursuant to T.C.A. § 67-5-705 to implement a property tax freeze program for elderly, low-income taxpayers. (Requested by Councilmember Frost)

Councilmember Frost, Jim York, Councilmember Hultquist, Vice-Mayor Becker, Councilmember Hall and Mayor Haslam addressed the ordinance.

Councilmember Frost made a motion to postpone the ordinance to the second City Council meeting in October, 2009 (October 20, 2009). Vice-Mayor Becker seconded the motion. By unanimous voice vote the motion carried. The ordinance was postponed to the second City Council meeting in October, 2009.

RE: CITY CODE AMENDMENT – TRAFFIC VIOLATOR SCHOOL

12-c. An Ordinance to amend Section 17-74 of the Knoxville City Code, entitled, “Traffic Violator School” so as to provide for the provision of such schools or courses consistent with the provisions of current state law. (Requested by Vice Mayor Becker)

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

Discussion ensued with the following persons addressing the ordinance: Councilmember Roddy; Vice-Mayor Becker; Councilmember Frost; Mayor Haslam; Debbie Poplin, Law Director; Charles Swanson, City Council Attorney; Chief Gary Price, KPD; Don Wisner.

By voice vote on the motion to approve, Councilmembers Bailey, Becker, Booker, Hall, Hultquist, Pelot, Roddy and Woodhull voted “Aye.” Councilmember Frost voted “Nay”. The motion carried. The ordinance was approved on first reading.

RE: COMMUNITY IMPROVEMENT (2020 FUND – FULTON HIGH SCHOOL

- 12-e.** An Emergency Ordinance appropriating the sum of \$1,000.00 from the Community Improvement (202) Fund and donating same to Fulton High School to be utilized toward the ongoing auditorium renovation project. (Requested by Vice Mayor Becker)

Vice-Mayor Becker made a motion to approve the emergency ordinance. Councilmember Booker seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-89-09.

RE: COMMUNITY IMPROVEMENT (2020 FUND – CRUTCHER MEMORIAL YOUTH ENRICHMENT CENTER

- 12-f.** An Emergency Ordinance appropriating the sum of \$300.00 from the Community Improvement (202) Fund and donating same to the Crutcher Memorial Youth Enrichment Center to be utilized toward their current program development needs. (Requested by Councilmember Booker)

Councilmember Booker made a motion to approve the emergency ordinance. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-90-09.

RE: COMMUNITY IMPROVEMENT (202) FUND – KNOXVILLE-KNOX COUNTY COMMUNITY ACTION COMMITTEE

- 12-g.** An Emergency Ordinance appropriating the sum of \$650.00 from the Community Improvement (202) Fund and donating same to Knoxville-Knox County Community Action Committee for the benefit of the Third Annual Beardsley Community Farm Festival. (Requested by Councilmembers Booker, Woodhull and Vice Mayor Becker)

Vice-Mayor Becker made a motion to approve the emergency ordinance. Councilmember Booker seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-91-09.

RE: COMMUNITY IMPROVEMENT (202) FUND – KNOXVILLE-KNOX COUNTY COMMUNITY ACTION COMMITTEE, OFFICE ON AGING

- 12-h.** An Emergency Ordinance appropriating the sum of \$2,000.00 from the Community Improvement (202) Fund and donating same to the Knoxville-Knox County Community Action Committee, Office on Aging, to be utilized toward their Mobile Meals program. (Requested by Councilmember Hall)

Councilmember Hall made a motion to approve the emergency ordinance. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-92-09.

RE: COMMUNITY IMPROVEMENT (202) FUND – IJAMS NATURE CENTER

- 12-i.** An Emergency Ordinance appropriating the sum of \$275.00 from the Community Improvement (202) Fund and donating same to Ijams Nature Center to improve signage and interpretation around the wildlife sanctuary. (Requested by Councilmember Woodhull)

Councilmember Woodhull made a motion to approve the emergency ordinance. Councilmember Hultquist seconded the motion. By unanimous voice vote the motion carried. The printed ordinance can be found attached to these minutes as Ordinance No. O-93-09.

13. PUBLIC FORUM

Terry Faulkner – comments re: MPC
Jim Bletner – comments re: MPC

14. ADJOURNMENT

There being no further business to come before City Council, upon motion the meeting adjourned at 10:20 p.m.

Presiding Officer of the Council

Recorder