



CITY OF MEMPHIS

COUNCIL AGENDA

January 6, 2015

Public Session Tuesday, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

CALL TO ORDER by the Sergeant-at-Arms

INVOCATION

Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the Council Administrator of the Memphis City Council.

PLEDGE OF ALLEGIANCE

CALL OF ROLL by the Comptroller

APPROVAL OF PREVIOUS MEETING MINUTES (December 16, 2014)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS (None)

PUBLIC HEARINGS (None)

DIVISION OF PLANNING AND DEVELOPMENT

1. RESOLUTION establishing The Beale Street Tourism Development Authority.
Halbert This resolution is sponsored by Administration.
Chairman, Economic &
Tourism Committee

ACTION REQUESTED: Adopt the resolution

ZONING ORDINANCES – THIRD AND FINAL READING (None)



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CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING

2. **ORDINANCE** to amend Section 13-8-5 of the City of Memphis, Code of Ordinances to authorize the City to repair sewer infrastructure damaged by third parties and to seek reimbursement for such repair costs and resulting damages, up for **F I R S T** reading. Ordinance No. 5579 is sponsored by Councilman Jim Strickland.
- Hedgepeth
Chairman,
Public Works &
Transportation
Committee

ACTION REQUESTED: Adopt the ordinance on First reading

GENERAL ORDINANCE - SECOND READING (None)

ZONING ORDINANCE - FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

ENGINEERING

3. **RESOLUTION** approving final plat of ANGEL GREEN P.D.
- Case No. PD 14-305
Contract No. CR-5221

Resolution approves the final plat located on the southeast corner of I-240 and Shady Grove Road. Cost of the required improvements to be borne by the developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

ACTION REQUESTED: Adopt the resolution

NOTATIONS FROM OPD

4. **NOTATIONS** from Land Use Control Board that the following cases were heard and recommendation made requesting a date of public hearing:

A. Case No. PD 14-308cc – Kings Pointe P.D., 2nd Amendment

Located on the southeast corner of Riverdale Road and Kings Crown Drive, containing 14.97 acres of vacant land governed by King’s Pointe Planned Development, Amended (P.D. 00-314cc)

Applicant: Sal Krown Investments, LLC
Bray-Davis Firm, LLC (David Bray) – Representative

Request: Plan amendment to allow 220 units of townhomes and multi-family apartments, including a clubhouse and outdoor recreation amenities

LUCB and OPD recommendation: APPROVAL, with conditions

B. Case No. SUP 14-234

Located 340 feet north of the intersection of Shelby Drive and Kirby Parkway, containing 9.96 acres in the CMU-2 District

Applicant: Preston Byrd
Robert Cochran – Representative

Request: Allow an apartment community within a CMU-2 zoning district and to reduce the sites setback from 100 feet to 30 feet

LUCB and OPD recommendation: APPROVAL

C. Case No. SUP 14-236

Located at 1201 Winchester Road, east of Elvis Presley Boulevard, containing 1.34 acres in the Commercial Mixed Use-3 (CMU-3) District

Applicant: Rick Parvin
Keith Chapman – Representative

Request: Allow vehicle sales within a CMU-3 District

LUCB and OPD recommendation: APPROVAL, with conditions

D. Case No. SUP 14-239

Located at 4207 E. Chelsea, 350 feet west of Walter Street, containing 5.711 acres in the Residential-6 (R-6) District

Applicant: Tower Ventures V, LLC; TV6-W, LLC

SR Consulting, LLC (Cindy Reaves) – Representative

Request: Time extension to previously approved 120' CMCS tower

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: January 20, 2015

GENERAL ITEM

5. RESOLUTION approving an honorary street name change for Reverend Herbert E. Collins Davenport, Jr. This resolution is sponsored by Councilwoman Janis Fullilove.
Collins
Chairman,
Planning & Zoning
Committee

ACTION REQUESTED: Adopt the resolution



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MLGW FISCAL CONSENT

6. RESOLUTION approving Change No. 3 to Contract No. 11427, Audiolog Recorders Upgrade, with Carolina Recording System, in the funded amount of \$166,500.00. (This change is to renew the current contract for annual maintenance services covering the period November 1, 2015 through October 31, 2020. This renewal also allows MLGW to lock in for a fixed rate for annual maintenance for all audiolog products at a rate of \$33,300.00 annually.)
7. RESOLUTION approving Change No. 10 to Contract No. 10580, Service Agreement, with Motorola, Incorporated, in the funded amount of \$47,759.16. (This change is to renew the current contract for an additional one year term for annual maintenance and support services covering the period March 1, 2015 through February 28, 2016, with no increase from the previous year.)
8. RESOLUTION approving Change No. 3 to Contract No. 11474, Generator Preventative Maintenance Agreement, with Cummins Mid-South, LLC, in the funded amount of \$55,528.73. (This change is to renew the current contract for the third of four renewal terms covering the period January 21, 2015 through January 20, 2016, with no increase in rates from the previous year.)
9. RESOLUTION approving renewal of Cooperative Agreement No. 5447, Investigation of Water Resources, for the period of January 1, 2015 to December 31, 2015, stipulating that a sum of \$57,000 will be furnished by the Division and a like sum will be furnished by the United States Department of the Interior Geological Survey for continuation of the ground water data collection program in the Memphis area.
10. RESOLUTION approving Change No. 4 to Contract No. 9626, Data Processing/License Agreement, with Innovation Data Processing, Incorporated, in the funded amount of \$7,134.00. (This change is to renew the current contract for annual software maintenance, license and support services covering the period February 1, 2015 through January 31, 2016. This change reflects a 3.63% increase from the previous year due to an increase in annual maintenance costs.)



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REGULAR AGENDA

11. **APPOINTMENTS**

Flinn
Chairman, Personnel,
Intergovernmental
& Annexation
Committee

MEMPHIS AND SHELBY COUNTY AIRPORT AUTHORITY

Appointment

Jim Ethridge

MEMPHIS AND SHELBY COUNTY PLUMBING CODE BOARD

Reappointment

Carl A. Dunn

MEMPHIS PUBLIC LIBRARY AND INFORMATION CENTER BOARD OF TRUSTEES

Appointments

Dr. Robert Lemoyne Robinson
Reverend Brian Henderson

GENERAL ORDINANCES – THIRD AND FINAL READING

12. **ORDINANCE** to require approval for MLG&W contracts with other municipalities, particularly contracts involving collection of various municipal charges, up for **T H I R D** and **F I N A L** reading. (Held from 12/2; 12/16). Ordinance No. 5574 sponsored by Councilman Lee Harris.

Lowery,
Chairman
MLGW
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

13. **ORDINANCE** amending the Taxi Ordinance, up for T H I R D and F I N A L reading. Ordinance No. 5578 sponsored by Councilman Kemp Conrad and Councilman Myron Lowery.
Hedgepeth,
Chairman,
Public Works,
& Transportation
Committee

ACTION REQUESTED: Take whatever action Council deem advisable

14. **ORDINANCE** to set fourth Uniform Requirements for Transportation Network Services; to define Transportation Network Services, Applications, Companies, and Operators and to create Registration Provisions for Operators; and to provide for other related matters, up for T H I R D and F I N A L reading. (Held from 11/4; 11/18). Ordinance No. 5569 sponsored by Councilman Kemp Conrad and Co-sponsored by Councilman Myron Lowery.
Hedgepeth
Chairman,
Public Works &
Transportation
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION

15. RESOLUTION authorizing \$250,000.00 from the Reserve Fund or Storm Water Fund (if applicable), and an additional amount of \$250,000.00 from Shelby County Government to establish the Disaster Recovery Assistance Program. This resolution is sponsored by Councilman Harold Collins.
Harris
Chairman,
Budget
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES (None)

INFORMATION SERVICES (None)

LAW DIVISION (None)

MLGW DIVISION (None)

DIVISION OF PARK SERVICES

16. RESOLUTION to accept the University of Mississippi National Food Service Management Institute (NFSMI) Chefs Stay After School Program, a one-time award of a chef and all materials and supplies to conduct a one-hour culinary class at three (3) different community Centers. This resolution is sponsored by Parks & Neighborhoods.
Boyd
Chairman,
Parks
Committee

ACTION REQUESTED: Adopt the resolution

17. RESOLUTION to accept 300 free copies of the Peter Rabbit book, On Your Mark, Get Set, Hop!, staff resources and posters, from the National Recreation and Park Association (NRPA) on behalf of the Alliance for a Healthier Generation (The Alliance). This resolution is sponsored by Parks & Neighborhoods.
Boyd
Chairman,
Parks
Committee

ACTION REQUESTED: Adopt the resolution

18. RESOLUTION amending the Fiscal Year 2015 Operating Budget by accepting and appropriating up to \$75,947.81 in grant funds from United Way of Metropolitan Nashville, passed through the Division of Parks and Neighborhoods and Memphis Public Library and Information Center for Food Stamp Outreach for LINC/2-1-1. This resolution is sponsored by Parks and Neighborhoods.
Boyd
Chairman,
Parks
Committee

ACTION REQUESTED: Adopt the resolution

19. RESOLUTION appropriating \$29,000.00 in Contract Construction, funded by G.O. Bonds General, PK07114 for Improvements to Overton Park. This resolution is sponsored by Parks and Neighborhoods.
Boyd
Chairman,
Parks Committee

Council did include Parks Cover Line, CIP Project Number PK07114, as part of the FY 2015 Capital Improvement Program. The City of Memphis has entered into an agreement with the Overton Park Conservancy which provides for the use and payment of the current and future Capital Appropriation.

ACTION REQUESTED: Adopt the resolution

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS

20. RESOLUTION extending the moratorium on the issuance of sidewalk notices to property owners for damaged sidewalks for six months or sooner if the Administration returns with a process consistent with the Council’s wishes. This resolution is sponsored by Councilman Collins.
Hedgepeth
Chairman,
Public Works &

Transportation
Committee

ACTION REQUESTED: Adopt the resolution

21. RESOLUTION amending the FY 2015 Capital Improvement Budget by transferring an allocation and appropriating \$1,650,000.00 funded by Capital Pay Go-Sewer in Rehab Existing Sewers, Project Number SW02001 in install CIPP Annual 2015, Project Number SW02131 to repair and rehab existing damaged sanitary sewer pipe at various locations. This resolution is sponsored by Public Works.
Hedgepeth
Chairman,
Public Works
& Transporta-
tion Committee

ACTION REQUESTED: Adopt the resolution

22. RESOLUTION transferring \$100,000.00 from PW04007 (ADA Curb Ramps) to MATA as the 10% required local match for a \$1,000,000.00 New Freedom Grant awarded to MATA for the purpose of constructing ADA curb ramps. This resolution is sponsored by Public Works.
Hedgepeth
Chairman,
Public Works
& Transportation
Committee

ACTION REQUESTED: Adopt the resolution

GENERAL ITEMS (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT

ADD-ONS

23. RESOLUTION approving an honorary street name change for PH.
Consent

ACTION REQUESTED: Adopt the resolution

24. RESOLUTION requesting an audit by Segal of the Healthcare/OPEB funds, funded by up to \$70,000.00 from the healthcare fund. This resolution is sponsored by Councilman Jim Strickland.
Harris
Chairman,
Budget Committee

ACTION REQUESTED: Adopt the resolution

ACTION TAKEN BY COUNCIL ON THIS DATE

1. Held until January 20, 2015
2. Through 10 – Approved
11. Approved, with the exception of Jim Ethridge being held until January 20, 2015
12. Approved, as amended
13. & 14 – Held until January 20, 2015
15. Through 24 – Approved

ACTION TAKEN ON THE MINUTES OF DECEMBER 16, 2014 MEETING

Approved

ACTION TAKEN ON THE MINUTES OF ITEMS #20 & #24, FROM TONIGHT'S MEETING

Approved