



CITY OF MEMPHIS

COUNCIL AGENDA

April 10, 2007

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

PLEDGE OF ALLEGIANCE

CALL OF ROLL by the Comptroller

APPROVAL OF PREVIOUS MEETING MINUTES (March 20, 2007)

CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING (None)

GENERAL ORDINANCE - SECOND READING (None)

ZONING ORDINANCE - FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

ENGINEERING

1. RESOLUTION approving final plat of GEMSTONE PD, PART OF AREAS B & C, PHASE 10.

Case No. PD 99-380
Contract No. CR-5065

Resolution approving the final plat located east of Weaver Road, south of Holmes 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.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

2. RESOLUTION approving final plat of RUBY ESTATES SUBDIVISION, 1ST ADDITION.

Case No. S 06-028
Contract No. CR-5066

Resolution approves the final plat located eastern terminus of Ruby Creek Place. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

3. RESOLUTION approving final plat of WALNUT GROVE SUBDIVISION, RESUBDIVISION OF LOT 50.

Case No. S 06-061

Resolution approves the final plat located at the northwest corner of Waring Road and Minden Avenue. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

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 06-369 - GERMANTOWN ROAD HOTEL PLANNED DEVELOPMENT, AMENDED

Located on the east side of N. Germantown Parkway; +/-315 feet south of Timber Creek Road, containing 4.0 acres in the General Office (O-G) District

Applicants: B & H Hospitality, LLC
Bray-Davis Firm, LLC - Representative

Request: Planned development to allow a four (4)-story hotel and restaurant building within the Outline Plan

LUCB and OPD recommendation: APPROVAL, with conditions

B. Case No. PD 07-301

28.90 Located on the west of Jackson Avenue; south of Wales Avenue, containing acres in the Multiple Dwelling Residential (R-MM) & Multiple Dwelling Residential Flood Plain (R-ML {FP}) Districts

Applicant: Wilma Costa
Homer Branan - Representative

would Request: A planned development for commercial uses consisting of mini storage warehouse and an open air community market which include both a flea market and a farmer's market

LUCB and OPD recommendation: APPROVAL, with conditions

C. Case No. PD 07-304cc

Located on the north side of Manslick Road @ western terminus of Presmond Road, containing 6.53 acres in the Single Family Residential (R-S6) District

Applicant: Land Development Group
Daryl J. Lanksy - Representative

Request: A residential planned development consisting of 26 single family detached lots (minimum lot size = ± 4,094 square feet)

OPD recommendation: REJECTION

LUCB recommendation: APPROVAL, with conditions

D. Case No. PD 07-305(formerly Z 06-130) - HERNANDO ROAD PLANNED DEVELOPMENT

Located on the west side of Hernando Road; +/-40 feet north of Ferguson Road, containing 4.88 acres in the Multiple Dwelling Residential (R-MM) District

Applicant: Outdoor Management, LLC
Fisher & Arnold, Inc. - Representative

Request: Planned development to allow one half (1/2) acre lots for Light Industrial(I-L) District Business Park development within the Outline Plan

LUCB recommendation: APPROVAL, with conditions

OPD recommendation: HOLD for Thirty (30) Days

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: April 24, 2007

GENERAL ITEM

5. RESOLUTION approving temporary structures on the streets, April 28 - May 27, 2007, from 12:01 a.m. to 11:59 p.m., for the Memphis in May International Festival.

Sammons

ACTION REQUESTED: Adopt the resolution



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MLGW FISCAL CONSENT

6. RESOLUTION awarding Contract No. 11118, Roof Consultant, to Bigham Roof Consulting, in the funded amount of \$60,000.00.
7. RESOLUTION awarding Contract No. 11182, Pharmaceutical Claims Audit, to Stephen Consulting Services, LLC, in an estimated funded amount of \$30,000.00.
8. RESOLUTION awarding Contract No. 11207, 12-inch Water Main Replacement Bore and Jack Installation, to Memphis Road Boring Company, Inc., in the funded amount of \$32,354.40.
9. RESOLUTION approving Change No. 5 to Contract No. 10912, Carpet Cleaning and Maintenance, with Kenny Floor Covering, Inc., in the funded amount of \$41,978.16. (This renews the contract for the fourth and final term covering the period May 30, 2007 to May 29, 2008.)
10. RESOLUTION approving Change No. 1 to Contract No. 11063, Cable Treatment and Rejuvenation, with Utilx Corporation, in an estimated funded amount not to exceed \$500,000.00. (This renews the contract for the first term of four renewal terms covering the period March 1, 2007 to February 28, 2008.)
11. RESOLUTION approving Change No.1 to Contract No. 11078, Professional Claims Adjusting Services, with Horton & Associates, in an estimated funded amount of \$160,000.00. (This renews the contract for the first term of four renewal terms covering the period April 1, 2007 to March 31, 2008.)
12. RESOLUTION awarding contracts for trucks, vans and sedans, as follows:

Gossett Motor Cars.....	\$157,159.56
Crossroads Ford.....	<u>714,612.56</u>
Total:	\$871,772.12
13. RESOLUTION approving Change No. 2 to Contract No. 11041, Right-of-Way Mowing, with Bean and Prince Contractors, Inc., in an estimated funded amount of \$139,912.50. (This corrects Change No. 1 approved by the Board May 4, 2006, to include funds in the amount of \$800.00, and renews the contract for the second term of four renewal terms for the period July 3, 2007 to July 2, 2008.)



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APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

REGULAR AGENDA

14. APPOINTMENTS

Taylor

MEMPHIS AND SHELBY ELECTRICAL CODE BOARD

Reappointments

Ralph Gusmus

Phillip K. Lim, P.E.

GENERAL ORDINANCE - THIRD AND FINAL READING (None)

ENGINEERING DIVISION

15. RESOLUTION accepting grant funds in the amount of \$750,000.00 from the Tennessee Fast Track Infrastructure Development Program (FIDP) for the BNSF Railway Company FIDP Grant to be used to make drainage improvements that will support the track and pavement the expansion of the BNSF Tennessee Yard intermodal facility at Shelby Drive Avenue in southwest Memphis. Resolution also amends FY 2007 Operating Budget to establish and appropriate grant funds and matching funds in the amount of \$1,728,175.00.

Sammons

ACTION REQUESTED: Adopt the resolution

16. RESOLUTION accepting grant funds in the amount of \$750,000.00 from the Tennessee Fast Track Infrastructure Development Program (FIDP) for the Illinois Central Railroad Company FIDP Grant to be used to relocate utilities and the jet fuel line at Frank C. Pidgeon Industrial Park as part of the reconstruction of the Johnston Yard by Illinois Central Railroad Company. Resolution also amends FY 2007 Operating Budget to establish and appropriate grant funds and matching funds in the amount of \$1,764,885.00.

Sammons

ACTION REQUESTED: Adopt the resolution

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION

17. RESOLUTION amending the FY 2007 Operating Budget to accept a transfer of up to \$8,000,000.00 from Debt Service to the General Fund.

Chumney

ACTION REQUESTED: Adopt the resolution

DIVISION OF FIRE SERVICES

- 18. RESOLUTION appropriating \$99,523.00 in G. O. Bonds General in CIP Project FS04003 MDTs and Motorola Radio Repeaters for the purchase of software and peripherals to enhance the functionality of the Mobile Data Terminals (MDTs).

Sammons

ACTION REQUESTED: Adopt the resolution

- 19. RESOLUTION transferring an allocation of \$477.00 in G.O. Bonds from MDTs and M Radio Repeaters Project Number FS04003 and appropriating \$1,224,477.00 in G.O. Bonds to Replace and purchase 3 pumpers, Project Number FS03001, in the FY 2007 Budget.

CIP Sammons

ACTION REQUESTED: Adopt the resolution

DIVISION OF GENERAL SERVICES (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT

- 20. RESOLUTION authorizing the Division of Housing and Community Development to award \$752,000.00 in CIP funding to the Firestone Project for the purpose of infrastructure related activities.

Ware

ACTION REQUESTED: Adopt the resolution

DIVISION OF HUMAN RESOURCES (None)

LAW DIVISION (None)

DIVISION OF PARK SERVICES

- 21. RESOLUTION establishing Memphis as a Tree City USA.

McCormick

ACTION REQUESTED: Adopt the resolution

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS

- 22. RESOLUTION amending the FY 2007 Capital Improvement Budget by transferring a previous allocation and appropriating \$275,000.00 funded by Sewer Funds from Rehab Existing Sewers, project number SW02001 to Cured-In-Place-Pipe, project number SW02030, for a construction contract with Moore Construction Co., Inc.

Sammons

Director of Public Works recommends approval

ACTION REQUESTED: Adopt the resolution

ZONING ORDINANCE - THIRD AND FINAL READING (None)

DIVISION OF PLANNING & DEVELOPMENT

- 23. RESOLUTION approving a hotel waiver for the Hampton Inn on Humphrey's Center.

Lowery

ACTION REQUESTED: Adopt the resolution

PUBLIC HEARINGS

24. RESOLUTION approving a planned development located on the northeast corner of Pisgah Road and Latting Road, containing 16.310 acres in the Agricultural (AG), Agricultural Flood Plain (AG[FP]) and Floodway (FW) Districts.

Lowery

Case No. PD 05-372cc

Applicant: R. S. Harris
Michael J. Fahy, Prime Development Group, Inc. – Representative

Request: A planned development to create six single family detached lots (minimum lot size = 41,954 square feet)

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

27 NOTICES MAILED ON MARCH 23, 2007

25. RESOLUTION approving a street/alley closure located between Pisgah Road and Houston Levee Road, containing 1.08 acre in the Agricultural (AG) District.

Lowery

Case No. SAC 02-608

Applicant: Roy Hendrix
Ralph Smith, ETI Corp. – Representative

Request: Close & Vacate Street Right-of-Way

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

4 NOTICES MAILED ON MARCH 23, 2007

26. RESOLUTION approving a street/alley closure located on Roselawn Avenue at E. Crestwood Drive, containing 13,586 square feet in the Single Family Residential (R-S10) District.

Lowery

Case No. SAC 06-632

Applicants: Thomas R. & Patricia A. Morris
Frederick C. & Anne F. Reid

Request: Close and Vacate Alley Street Right-of-Way

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

34 NOTICES MAILED ON MARCH 23, 2007

PRESENTATIONS AND RECOGNITION OF VISITORS

27. RESOLUTION approving an honorary street name change of Kimball between Menager and Lyceum in honor of Pastor Leonard Dawson, Jr.

Ford & Taylor

ACTION REQUESTED: Adopt the resolution

28. RESOLUTION approving an honorary street name change on Pendleton Street, in honor of the former University of Memphis Tigers basketball Coach Larry Finch.

Brittenum

ACTION REQUESTED: Adopt the resolution

ADJOURNMENT