



# CITY OF MEMPHIS

## COUNCIL AGENDA

May 6, 2014

Public Session Tuesday, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

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### 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 (April 15, 2014)

### ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

### ITEMS HELD OR DROPPED FROM THE AGENDA

#### PRESENTATIONS AND RECOGNITION OF VISITORS

1. RESOLUTION congratulating the Memphis Fire Department on being awarded the "Career Fire-based EMS Service of the Year" Award by the Congressional Fire Services Institute.

Boyd

ACTION REQUESTED: Adopt the resolution

2. RESOLUTION congratulating the women of Zeta Phi Beta Sorority, Inc. – Alpha Eta Zeta Chapter on their 75<sup>th</sup> Anniversary.

Collins

ACTION REQUESTED: Adopt the resolution

- 3. RESOLUTION congratulating Snowden School’s Lady Greendogs for a successful 2013-2014 season.

Harris

ACTION REQUESTED: Adopt the resolution

**PUBLIC HEARINGS**

- 4. RESOLUTION approving a planned development located on both sides of Appling Farms Parkway, beginning +/-1,000’ west of Appling Road and continuing west ward +/- 4,500’ containing 14.93 acres in an area currently governed by the approved conditions for the Appling Farms Business Park (P.D. 04-385), Areas A-D.

Collins

Case No. PD 14-303

Applicant: Belz Investco GP (Ron Belz)  
SR Consulting (Cindy Reaves) – Representative

Request: Modify the permitted uses in Area A and B to reflect the Appling Farms Business Park (P.D. 04-385), Areas A-D

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deem advisable

**202 NOTICES WERE MAILED ON APRIL 25, 2014**

- 5. RESOLUTION approving a planned development located on the south side of Spottswood Avenue at Buck Street, containing 1.9 acres in the Single Family Residential-6 (R-6) with a P.D. Overlay (P.D. 90-346). (Held from 4/1)

Collins

Case No. PD 90-346

Applicant: Shepherd Construction, Bubba Shepherd  
SR Consulting (Cindy Reaves) – Representative

Request: Overturn the decision of the Land Use Control Board on February 13, 2014

LUCB and OPD recommendation: APPROVAL, with conditions for the review of the Site Plan

ACTION REQUESTED: Take whatever action Council deems advisable

**40 NOTICES WERE MAILED ON MARCH 21, 2014**

**DIVISION OF PLANNING AND DEVELOPMENT**

6. RESOLUTION approving a special use permit located at 4466 Elvis Presley, 1,785 feet north of Shelby Drive, containing 4.1 acres in the Commercial Mixed Use-1 (CMU-1) District.

Collins

Case No. SUP 14-201

Applicant: Penske Automotive Group  
Chris Bailey – Representative

Request: Addition of auto rental location in a shopping center

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

**No Opposition at LUCB; No Public Hearing Required**

7. RESOLUTION approving a special use permit located at 2700 Lamar Avenue, containing .39 acre in the CMU-3 District.

Collins

Case No. SUP 14-202

Applicant: Tower Ventures  
Lou Katzerman – Representative

Request: Construct a one hundred fifty foot (150') CMCS tower

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

**No Opposition at LUCB; No Public Hearing Required**

8. RESOLUTION approving a hotel/motel waiver for Hampton Inn, located at 5320 Poplar Avenue, Memphis, TN 38119.

Collins

Case No. HMW 14-03

ACTION REQUESTED: Adopt the resolution

**ZONING ORDINANCE – THIRD AND FINAL READING** (None)



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## CONSENT AGENDA

### GENERAL ORDINANCES - FIRST READING

9. **ORDINANCE** to appropriate the proceeds of the tax levy on the assessed values on all properties of every species within the city limits for general purposes for the Fiscal Year July 1, 2014 through June 30, 2015, up for F I R S T reading.

Harris

Ordinance No. 5547

ACTION REQUESTED: Adopt the ordinance on First reading

10. **ORDINANCE** to fix the Tax Rate of the City of Memphis for Fiscal Year 2015, up for F I R S T reading.

Harris

Ordinance No. 5548

ACTION REQUESTED: Adopt the ordinance on First reading

### GENERAL ORDINANCE - SECOND READING (None)

### ZONING ORDINANCE - FIRST READING (None)

### ZONING ORDINANCE - SECOND READING (None)

### ENGINEERING (None)

### NOTATIONS FROM OPD

11. **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 14-305 – Angel Green P.D.

Located on the southeast corner of Interstate 240 and Shady Grove Road, containing 7.36 acres in Single-Family Residential (R-15) District

Applicant: Greenbrier Partners, LLC  
The Renaissance Group – Representative

Request: Planned development for 21 lots for single-family dwellings

LUCB and OPD recommendation: APPROVAL, with conditions

B. Case No. SUP 14-204cc

Located on the northeast corner of Raleigh Millington and Duncan Roads, containing 44.47 acres in the CMU-2, CMU-2 (FP), R-8, RU-2 and RU-3 Districts

Applicant: Shelby County Government  
Lee Hinson, Deputy Administrator, Parks and Grounds  
Maintenance Department – Representative

Request: Cemetery

LUCB and OPD recommendation: APPROVAL, with conditions

**ACTION REQUESTED: Set a date of public hearing**

**SUGGESTED DATE: May 20, 2014**

**GENERAL ITEM**

12.  
Morrison

RESOLUTION approving an honorary street name change for Pastor Robert E. Jones.

ACTION REQUESTED: Adopt the resolution



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## MLGW FISCAL CONSENT

13. RESOLUTION awarding contract to Diamond International Trucks, for heavy equipment, in the amount of \$3,611,796.00.
14. RESOLUTION awarding contract to Stribling Equipment Company LLC, for the purchase of one industrial tractor and twelve hydraulic backhoe loaders, in the funded amount of \$792,675.00.
15. RESOLUTION awarding Contract No.11710, Mallory Reservoir Cleanout and Repair to SE (Southeastern) Diving Services, LLC., in the funded amount of \$95,000.00.
16. RESOLUTION awarding contract to Layne Christensen Company, for four deep well submersible pumps, in the funded amount of \$149,000.00.
17. RESOLUTION approving Change No. 5 to Contract No. 11470, Wireless Communication Services, with C Spire Wireless, to renew the current contract in the funded amount of \$98,000.00. (This change is to renew the current contract for the first of the two one-year renewals covering the period May 24, 2014 to May 23, 2015.)
18. RESOLUTION awarding a thirty-six month contract to Harcros Chemicals Incorporated, for the supply of sodium hypochlorite, in the amount of \$1,259,647.50.
19. RESOLUTION awarding Contract No. 11634. Substation Engineering Grounding to Mesa Associates, Incorporated, in the funded amount of \$75,000.00.
20. RESOLUTION approving ratification of contracts to NRG Technologies and to approve the award of Contract No. 11722 MAOP-Appian System Administration. This request is to ratify the approval, after the fact, of the following contracts: C1784 in the amount of \$17,680; C1796 in the amount of \$49,080; C1843 in the amount of \$49,880; and C1805 in the amount of \$49,600. The total amount of the contracts to be ratified is \$166,240. This request also includes the approval of Contract No. 11722 in the amount of \$63,600 for the installation of the software product and the administration of the system. The combined value of this request is \$229,840.00.
21. RESOLUTION awarding a thirty-six month blanket contract to Universal Scaffolding and Equipment, LLC, for underground primary cable, in the amount of \$14,114,271.00.

22. RESOLUTION awarding contract to Brighter Days and Nites, Inc., for reclosers, in the funded amount of \$961,700.00.
23. RESOLUTION awarding Contract No. 11669, Property and Boiler Insurance to Factory Mutual Insurance Company (FM Global), in the funded amount of \$1,036,542.00.
24. RESOLUTION approving Change No. 2 to Contract No. 10072, Online Summary and Reference Product, with Chicago-Soft, Ltd., in the funded amount of \$14,200.00. (This change is to renew annual software maintenance, license, and support for the period covering May 8, 2014 to May 7, 2017. This renewal reflects a 15% discount due to prepaid maintenance for a three year period.)



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## REGULAR AGENDA

25.  
Flinn

### APPOINTMENTS

#### MEMPHIS TRANSPORTATION COMMISSION

##### Reappointments

Scott C. Boucher

Lisa Gleaves

Jeffery D. Harris

Vincent B. Higgins

Kevin Kane

Tawanda Knight

#### SHELBY COUNTY MUNICIPAL SOLID WASTE PLANNING BOARD

##### Appointment

Carolyn Ann Benson

#### GENERAL ORDINANCES – THIRD AND FINAL READING (None)

#### ENGINEERING DIVISION (None)

#### EXECUTIVE DIVISION (None)

#### FINANCE & ADMINISTRATION

26.

RESOLUTION allocating and appropriating \$250,000.00 from the Midtown Corridor Study funds to the Memphis Rock and Soul Museum. (Held from 4/1)

Harris

ACTION REQUESTED: Adopt the resolution

**DIVISION OF FIRE SERVICES** (None)

**DIVISION OF GENERAL SERVICES** (None)

**DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT**

27. RESOLUTION approving Proposed Consolidated Plan, FY2015 Annual Action Plan and appropriating Federal Entitlement funds to the FY2015 Housing and Community Development Budget.

Brown

ACTION REQUESTED: Adopt the resolution

**DIVISION OF HUMAN RESOURCES**

28. RESOLUTION accepting a \$40,000.00 grant from CNCS and allocating these funds to hire a VISTA Coordinator for one (1) year. The VISTA Coordinator will work to ramp up and manage 20 AmeriCorps VISTA serving with the City of Memphis for a term of one year.

Flinn

ACTION REQUESTED: Adopt the resolution

**INFORMATION SERVICES** (None)

**LAW DIVISION** (None)

**MLGW DIVISION** (None)

**DIVISION OF PARK SERVICES** (None)

**DIVISION OF POLICE SERVICES** (None)

**DIVISION OF PUBLIC SERVICES** (None)

**DIVISION OF PUBLIC WORKS**

29. RESOLUTION amending the FY14 Capital Improvement Budget by transferring an allocation of \$200,000.00 in G.O. Bonds in STP Traffic Signalization Group, Project Number EN01043, to Traffic Calming Devices, Project Number EN01007, for the purpose of covering design costs for the installation of speed humps in various locations in the city. Resolution also appropriates \$200,000.00 funded by G.O. Bonds for Traffic Calming Devices, Project Number EN01007, for Architecture and Engineering fees.

Hedgepeth

ACTION REQUESTED: Adopt the resolution

**GENERAL ITEM**

30. RESOLUTION to establish a process to restore and create a more effective Civilian Law Enforcement Review Board.

Conrad

ACTION REQUESTED: Adopt the resolution

**APPEARANCE CARDS FOR PUBLIC SPEAKING**

**ADJOURNMENT**

**ADD-ON**

31. RESOLUTION accepting grant funds in the amount of \$31,200.00 and in-kind training materials valued at \$10,000.00 from the National Recreation and Parks Association (NRPA) Out-of-School Time Program.

Boyd

ACTION REQUESTED: Adopt the resolution

**ACTION TAKEN BY COUNCIL ON THIS DATE**

1. Through 4 – Approved
5. Dropped
6. & 7 – Approved
8. Held until May 20, 2014
9. & 10 – Approved
11. Public Hearing Set for May 20, 2014
12. Through 24 – Approved
25. Approved, as amended
26. Through 31 – Approved

**ACTION TAKEN ON THE MINUTES OF APRIL 18, 2014 MEETING**

Approved

**ACTION TAKEN ON THE MINUTES OF ITEM #31 & Special Item #3 (60 Day Moratorium for Code Enforcement to cease citations for sidewalk violations), FROM TONIGHT'S MEETING**

Approved