



CITY OF MEMPHIS

COUNCIL AGENDA

November 7, 2006

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 (October 17, 2006)

CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING

1. **ORDINANCE** to amend City of Memphis, Code of Ordinance, Chapter 33, so as to create the Grays Creek Sewer Service District 2, up for **F I R S T** reading.

Jones

Ordinance No. 5196

ACTION REQUESTED: Adopt the ordinance on First reading

GENERAL ORDINANCES - SECOND READING

2. **ORDINANCE** amending Chapter 2, Code of Ordinances, City of Memphis, So As To Establish A Living Wage, up for **S E C O N D** reading. (Held from 10/17/)

Brittenum

Ordinance No. 5185

ACTION REQUESTED: Adopt the ordinance on Second reading

3. **ORDINANCE** extending the boundaries of the City Limits of the City of Memphis by virtue of the provisions of Chapter 113 of the public acts of the general assembly of the State of Tennessee for 1955, as amended, by annexing Southeast Extended Annexation Area and assigning said area to a Council District, up for **S E C O N D** reading.

Ford

Ordinance No. 5191

ACTION REQUESTED: Adopt the ordinance on Second reading

4. **ORDINANCE** extending the boundaries of the City Limits of the City of Memphis by virtue of the provisions of Chapter 113 of the public acts of the general assembly of the State of Tennessee for 1955, as amended, by annexing Bridgewater Annexation Area 1 and assigning said area to a Council District, up for **S E C O N D** reading.

Ford

Ordinance No. 5192

ACTION REQUESTED: Adopt the ordinance on Second reading

5. **ORDINANCE** extending the boundaries of the City Limits of the City of Memphis by virtue of the provisions of Chapter 113 of the public acts of the general assembly of the State of Tennessee for 1955, as amended, by annexing Bridgewater Annexation Area 2 and assigning said area to a Council District, up for **S E C O N D** reading.

Ford

Ordinance No. 5193

ACTION REQUESTED: Adopt the ordinance on Second reading

- 6. **ORDINANCE** extending the boundaries of the City Limits of the City of Memphis by virtue of the provisions of Chapter 113 of the public acts of the general assembly of the State of Tennessee for 1955, as amended, by annexing Bridgewater Annexation Area 3 and assigning said area to a Council District, up for S E C O N D reading.

Ford

Ordinance No. 5194

ACTION REQUESTED: Adopt the ordinance on Second reading

- 7. **ORDINANCE** extending the boundaries of the City Limits of the City of Memphis by virtue of the provisions of Chapter 113 of the public acts of the general assembly of the State of Tennessee for 1955, as amended, by annexing Bridgewater Annexation Area 4 and assigning said area to a Council District, up for S E C O N D reading.

Ford

Ordinance No. 5195

ACTION REQUESTED: Adopt the ordinance on Second reading

ZONING ORDINANCES - FIRST READING (None)

ZONING ORDINANCES - SECOND READING

- 8. **ORDINANCE** rezoning the southwest corner of Goodlett Farms Parkway and Raleigh-LaGrange Road, containing .70 acre in the Multiple Dwelling Residential (R-ML) District, up for S E C O N D reading.

Peete

Ordinance No. 5189

Case No. Z 06-118cc

Applicant: Goodlett Farms Associates
Ronald Harkavy – Representative

Request: Planned Commercial (C-P) District

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Adopt the ordinance on Second reading

- 9. **ORDINANCE** rezoning +318 feet east of the intersection of Springer Road and Walnut Trace Drive, containing 5.97 acres in the Agricultural (AG) District, up for S E C O N D reading.

Peete

Ordinance No. 5190

Case No. Z 06-119

Applicant: Betty Christy

Request: Single Family Residential (R-S10) District

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on Second reading

ENGINEERING

- 10. **RESOLUTION** approving final plat of BINGHAMPTON ELEMENTARY SCHOOL S/D.

Resolution approves the final plat located on the south side of Sam Cooper Boulevard, east of Merton Street. Cost of the required improvements to be borne by the developer.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

- 11. **RESOLUTION** approving final plat of UNIVERSITY PLACE, PHASE 1, STREET AND DRAINAGE IMPROVEMENTS.

Contract No. CR-5043

Resolution approves the final plat located on the southeast corner of Crump Blvd. and Sommerville Street. Cost of the required improvements to be borne by the agency and the contractor. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

NOTATIONS FROM OPD

12. **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 06-334

Located on the southeast corner of Wolf River and Summer Avenue (U.S. Highway 70), containing 7.628 acres in the Highway Commercial (C-H) District

Applicant: 5325 Summer Avenue Properties, LLC
Brenda Solomito – Representative

Request: Planned development to create six lots for commercial/office uses

LUCB and OPD recommendation: APPROVAL, with conditions

B. Case No. UV 06-10

Located on the southwest corner of Carnes Avenue and Greer Street, containing 0.23 acre in the Duplex Residential (R-D) District

Applicant: Ralph and Betty Jones
Request: Neighborhood Convenience Store

LUCB recommendation: APPROVAL, with conditions

OPD recommendation: REJECTION

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: December 5, 2006

GENERAL ITEM

13. Mitchell RESOLUTION declaring November 12 – 18, 2006 as “Operating Room Nurses Week.”

ACTION REQUESTED: Adopt the resolution



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FISCAL CONSENT

EXECUTIVE DIVISION

14. RESOLUTION accepting grant funds in the amount of One Hundred Four Thousand, Three Hundred Forty Dollars (\$104,340.00) from the State of Tennessee Department of Labor and Workforce Development Division for WIA Title One Administration Services Grant. Resolution also amends FY 2007 Operating Budget to establish and appropriate grant funds.

Brittenum

ACTION REQUESTED: Adopt the resolution

15. RESOLUTION accepting grant funds in the amount of One Hundred Twenty-Two Thousand, One Hundred Six Dollars (\$122,106.00) from the State of Tennessee Department of Labor and Workforce Development Division for WIA Title One Adult Services Grant. Resolution also amends the FY 2007 Operating Budget to establish and appropriate grant funds.

Brittenum

ACTION REQUESTED: Adopt the resolution

16. RESOLUTION accepting grant funds in the amount of Eight Hundred Sixteen Thousand, Nine Hundred Sixty-One Dollars (\$816,961.00) from the State of Tennessee Department of Labor and Workforce Development for WIA Title One Youth Services Grant. Resolution also amends the FY 2007 Operating Budget to establish and appropriate grant funds.

Brittenum

ACTION REQUESTED: Adopt the resolution

DIVISION OF POLICE SERVICES

17. RESOLUTION accepting grant funds in the amount of \$197,816.62 from the State of Tennessee, Department of Transportation for the Governor's Highway Safety Office FY 07 Multiple Violations Grant to undertake police traffic highway safety projects. Resolution also amends the FY 2007 Operating Budget to establish and appropriate grant funds.

Chumney

ACTION REQUESTED: Adopt the resolution

18. RESOLUTION accepting grant funds in the amount of \$691,060.00 from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) for the 2006 COPS Technology Grant to augment public safety communications systems with an automated license plate recognition system. Resolution also amends the FY 2007 Operating Budget to establish and appropriate grant funds in the amount of \$691,060.00.

Chumney

ACTION REQUESTED: Adopt the resolution

19. RESOLUTION accepting grant funds in the amount of \$4,999.99 from the State of Tennessee, Department of Transportation for the Governor's Highway Safety Office High Visibility Law Enforcement Campaigns Grant to conduct law enforcement campaigns designed to reduce traffic violations and accidents. Resolution also amends the FY 2007 Operating Budget to establish and appropriate grant funds.

Chumney

ACTION REQUESTED: Adopt the resolution

20. RESOLUTION accepting grant funds in the amount of \$1,012,435.84 from the State of Tennessee, Department of Transportation for the Governor’s Highway Safety Office FY 2007 Alcohol Saturation Grant to undertake alcohol countermeasures highway safety projects. Resolution also amends the FY 2007 Operating Budget to establish and appropriate grant funds.

Chumney

ACTION REQUESTED: Adopt the resolution

21. RESOLUTION accepting grant funds in the amount of \$29,428.00 from the State of Tennessee, Department of Transportation for the Governor’s Highway Safety Office FY 07 Network Coordinator Grant to undertake police traffic highway safety projects. Resolution also amends the FY 2007 Operating Budget to establish and appropriate grant funds.

Chumney

ACTION REQUESTED: Adopt the resolution

22. RESOLUTION accepting grant funds in the amount of \$1,231,785.00 from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) 2006- Secure Our Schools to partially fund twenty-three new school resource officers and school safety equipment. Resolution also amends the FY 2007 Operating Budget to establish and appropriate grant funds.

Chumney

ACTION REQUESTED: Adopt the resolution

23. RESOLUTION accepting grant funds in the amount of \$1,175,202.00 from the U.S. Department of Justice, Office on Violence Against Women for the Arrest/Protection Order Grant to continue an inter-agency, inter-disciplinary program to encourage arrest policies and enforcement of protection orders in matters of domestic violence. Resolution also amends the FY 2007 Operating Budget to establish and appropriate grant funds in the amount of \$1,175,202.00.

Chumney

ACTION REQUESTED: Adopt the resolution



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MLGW FISCAL CONSENT

24. RESOLUTION awarding Contract No. 11143, Window Tinting at Netters Business Center, to Commercial Window Shield, in the funded amount of \$39,535.00.
25. RESOLUTION awarding Contract No. 11149, Blanket Contract for Geotechnical Investigation, to Hall Blake & Associates, Inc., in the funded amount of \$33,345.00
26. RESOLUTION awarding Contract No. 11164, Assessment of PCB Contamination, to Center for Toxicology and Environmental Health, LLC, in the funded amount of \$200,000.00.
27. RESOLUTION awarding Contract No. 11179, Business Objects Software License and Related Service Agreement, to Business Objects Americas, Inc., in the funded amount of \$27,543.92.
28. RESOLUTION approving Change No. 3 to Contract No. 10976, Line Clearance, with Bean and Prince Contractors, Inc., in an estimated funded amount of \$1,518,611.71. (This renews the contract for the second renewal term of four renewal terms covering the period 12/24/06 to 12/23/07.)
29. RESOLUTION awarding contract for radio-based supervisory control and data acquisition system to Bristol, Inc. in the amount of \$134,445.00.
30. RESOLUTION awarding contract for rotex punch press to Rotex Punch Company, Inc. in the amount of \$56,205.00.
31. RESOLUTION approving ratification of emergency Purchase Order No. 128963 for repair of two three-phase power transformers with VCTU Corporation, a subsidiary of Virginia Transformer Co., in the amount of \$295,628.00.
32. RESOLUTION awarding 36-month contract for flame resistant clothing to Tyndale Company in the amount of \$288,965.85.
33. RESOLUTION awarding contract for directional boring systems as follows:

Tiger Equipment, Inc.....	\$ 599,250.00
Vermeer Mid-South.....	<u>107,382.00</u>
Total.....	\$ 706,632.00



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APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

REGULAR AGENDA

34. APPOINTMENTS

Memphis & Shelby County Music Commission

Re-appointments

Preston S. Lamm
Antonia Parkinson
Artemis (Peppa) Williams

Appointments

Mance Aytchan

Memphis & Shelby County Depot Redevelopment Corporation

Appointment

Thomas C. Farnsworth, III

GENERAL ORDINANCE - THIRD AND FINAL READING

35. **ORDINANCE** establishing meeting dates for City Council Meetings in 2007, up for T H I R D and F I N A L reading.

Mitchell

Ordinance No. 5184

ACTION REQUESTED: Take whatever action Council deems advisable

ENGINEERING DIVISION (None)

FINANCE & ADMINISTRATION

36. RESOLUTION authorizing the issuance, sale and delivery of City of Memphis, Tennessee, General Improvement Refunding Bonds, Series 2006C, for the purpose of refunding certain outstanding bonds of the City of Memphis.

Sammons

ACTION REQUESTED: Adopt the resolution

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES

37. RESOLUTION approving the sale of property to Self-Tucker Properties, LLC, 0.826 acre located on the northwest corner of Linden Avenue and Driver Street for the sum of \$238,000.00.

Ford

ACTION REQUESTED: Adopt the resolution

- 38. RESOLUTION approving purchase of easement from Belz Investco, L.P., for \$60,000.00 for a proposed gas transmission line easement.

Ford

ACTION REQUESTED: Adopt the resolution

- 39. RESOLUTION approving the transfer of the City’s interest in a portion of a parcel owned by City of Memphis located at the northwest corner of South Third Street and South Parkway to the State of Tennessee for the State Route 14 (US 37) Bridges and Approaches over Ravine LM 9.51 and ICGRR LM 9.68 in Memphis Project, State Project N. 79023-2218-94, Federal Project No. BR-STP-14(37).

Ford

Resolution approves the transfer of the City’s interest in a portion of a parcel owned by City of Memphis to the State of Tennessee for the State Route 14 (US 37) Bridges and Approaches over Ravine LM 9.51 and ICGRR LM 9.68 in Memphis Project, State Project No. 79023-2218-94, Federal Project No. BR-STP-14(37). State of Tennessee is requesting the City to donate its interest in this parcel to the State of Tennessee. Per ordinance, resolution approval shall be deemed approval of the transfer to the State of Tennessee. Resolution also authorizes the Mayor to execute the necessary documents on behalf of the City of Memphis in connection with the transfer.

Director of General Services and City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT

- 40. RESOLUTION amending the FY 2007 Capital Improvement Budget by transferring an allocation of \$500,000.00 funded by G.O. Bonds-General from contract construction within HCD-Strategic Community Investment Funds Program, Project Number CD01022, to contract construction within HCD-James Road Project, Project Number CD01067. The resolution also appropriates \$500,000.00 funded by G.O. Bonds-General HCD-James Road Project, Project Number CD01067 for infrastructure construction costs.

Holt

ACTION REQUESTED: Adopt the resolution

DIVISION OF HUMAN RESOURCES (None)

LAW DIVISION (None)

DIVISION OF PARK SERVICES

- 41. RESOLUTION accepting an offer to purchase a portion of the City of Memphis owned property located between East Parkway, Central Avenue, Southern Avenue and Hollywood Street, commonly known as the Fairgrounds from the Salvation Army for the Kroc Center.

1st Reading
McCormick

Resolution accepts an offer from the Salvation Army desiring to acquire between 10 to 30 acres on said Fairgrounds to construct and operate a community center serving citizens of the surrounding neighborhoods and general community, known as the Kroc Center. Said center to be approximately 75,000 to 100,000 square feet in size and may include a gymnasium, aquatics, health, fitness and other facilities which shall further include, without limitation, community outreach programs. The amount of the offer is over \$20,000.00. Per Ordinance, the sale of the subject property is subject to the offer laying over a subsequent council meeting for a second and final reading, at the second reading additional bids may be made subject to an initial increase of \$500.00 plus additional increases in increments of \$50.00 or more, with said bids being further subject to the terms and conditions of the Real Estate Purchase Agreement.

Director of Park Services and City Attorney recommends approval

ACTION REQUESTED: Adopt the resolution

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS

- 42. RESOLUTION appropriating \$500,000.00 funded by G.O. Bonds – General for Blues Alley, Project Number PW01178 for the construction, architecture and engineering of Blues Alley.

Jones

Director of Public Works recommends approval

ACTION REQUESTED: Adopt the resolution

- 43. RESOLUTION appropriating \$50,000.00 funded by G.O. Bonds – General in Forest Hill/Irene/Walnut Grove, CIP Project Number PW01059 for the removal of the house from the proposed right-of-way at 824 Sanga Creek.

Jones

Director of Public Works and City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

ZONING ORDINANCES - THIRD AND FINAL READING

- 44. ORDINANCE rezoning the west side of Weaver Road; +103 feet south of Canary Lane, containing 17 acres in the Heavy Industrial (I-H) and Agricultural (AG) Districts, up for T H I R D and F I N A L reading.

Peete

Ordinance No. 5186
Case No. Z 06-120

Applicant: Sovereign Builders, LLC
SR Consulting, LLC – Cindy Reaves – Representative

Request: Single Family Residential (R-S6) District

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

151 NOTICES MAILED ON OCTOBER 27, 2006

- 45. ORDINANCE amending the Zoning Text and the Official Zoning Map, up for T H I R D and F I N A L reading.

Peete

Ordinance No. 5187
Case No. Z 06-117
(Companion Case: ZTA 06-002)

Applicant: Office of Planning and Development

Request: Revise the Official Zoning Map to Denote the Boundaries of the Medical Center Overlay (MO) District

LUCB recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

865 NOTICES MAILED ON OCTOBER 27, 2006

- 46. ORDINANCE amending the Zoning Text and the Official Zoning Map, up for T H I R D and F I N A L reading.

Peete

Ordinance No. 5188
Case No. ZTA 06-002
(Companion Case: Z 06-117)

Applicant: Office of Planning and Development

Request: Amend Section 26, Overlay District Regulations, to add a new district to be known as the Medical Center District – Those properties located within the boundaries of the attached map shall be regulated by this new district

LUCB recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

NO NOTICES WERE REQUIRED

DIVISION OF PLANNING & DEVELOPMENT (None)

PUBLIC HEARINGS

47. RESOLUTION approving a planned development located on the south side of Central Avenue; +177.33 feet west of Rosewell Cove, containing 1.68 acres. P.D. 94-358 and the Single Family Residential (R-S10) District. (Held from 10/17)

Peete Case No. PD 06-327

Applicants: John and Mark Duke
The Reaves Firm (Harvey Marcom) – Representative

Request: Amend the existing Planned Development to add two residential lots

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

35 NOTICES MAILED ON OCTOBER 6, 2006

48. RESOLUTION approving a planned development located on the north side of East Holmes Road; +/-2,700.00 feet west of Hacks Cross Road, containing 59.81 acres in the one-story brick and frame single family home, including a barn as an accessory structure in Agricultural (AG) District.

Peete Case No. PD 06-345cc

Applicant: HBT Investment, LLC
E.D.S., Inc. – Representative

Request: Planned development to allow one-hundred seventy (170) single family homes with minimum lot sizes of 10,000 square feet in area within the Outline Plan

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

216 NOTICES MAILED ON OCTOBER 20, 2006

49. RESOLUTION approving a planned development located on the west side of Pisgah Road, ±430 feet south of Graybourne Drive, containing 61 acres in the Agricultural (AG) District.

Peete Case No. PD 06-338cc

Applicant: Sparkle Creek Partners, LLC
Ron Harkavy – Representative

Request: 44-lot single-family residential development

LUCB recommendation: APPROVAL, with conditions

OPD recommendation: HOLD for redesign

ACTION REQUESTED: Take whatever action Council deems advisable

106 NOTICES MAILED ON OCTOBER 20, 2006

50. RESOLUTION approving a subdivision revocation located on the south side of Byron Drive, 143 feet east of Neely Road.

Peete

Case No. SR 06-901

Owner/Applicant: Amazing Grace Missionary Baptist Church

Request: Revoke the Byron Estates Subdivision for construction of a new church

OPD and LUCB recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

85 NOTICES MAILED ON OCTOBER 20, 2006

51. RESOLUTION approving a street/alley closure bounded by N. Main Street, Greenlaw Avenue, N. Second Street and Saffarans Avenue, containing 12,733 Square Feet =0.292 acre in the Vacant/High Density Residential (HDR) District.

Peete

Case No. SAC 06-609

Applicant: MLB-Uptown, LLC
SR Consulting, LLC – Cindy Reaves – Representative

Request: Close & Vacate Alley Right-Of-Way

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

10 NOTICES MAILED ON OCTOBER 27, 2006

52. RESOLUTION approving a street/alley closure beginning on the north side of Grove Avenue, proceeding northwardly +/-587.8 feet.

Peete

Case No. SAC 06-624

Applicant: Memphis Housing Authority

Request: Close & Vacate Street Right-Of-Way

OPD and LUCB recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

6 NOTICES MAILED ON OCTOBER 27, 2006

53. RESOLUTION approving a street/alley closure located between Grove Avenue and Central Avenue.

Peete

Case No. SAC 06-625

Applicant: Memphis Housing Authority

Request: Close & Vacate Street Right-Of-Way

OPD and LUCB recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

4 NOTICES MAILED ON OCTOBER 27, 2006

54. RESOLUTION approving a street/alley closure located between Camilla Street and Somerville Street.

Peete

Case No. SAC 06-626

Applicant: Memphis Housing Authority

Request: Close & Vacate Street Right-Of-Way

OPD and LUCB recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

6 NOTICES MAILED ON OCTOBER 27, 2006

55. RESOLUTION approving a special use permit located on the north side of Mitchell Road; +108.22 feet west of Weaver Road, containing 11.4 acres in the Heavy Industrial (I-H) and Heavy Industrial Floodplain (I-H[FP]) Districts. (Held from 10/03)

Peete Case No. SUP 06-209

Applicant: Twenty Three Thirty Seven Associates, LLC
Baker Donelson Bearman, etal (Buckner Wellford) –
Representative

Request: Automobile Dismantling and Recycling

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

40 NOTICES MAILED ON SEPTEMBER 22, 2006

PRESENTATIONS AND RECOGNITION OF VISITORS

56. RESOLUTION declaring November 13 – 20, 2006 as “Week of the Family.”

Jones

ACTION REQUESTED: Adopt the resolution

57. RESOLUTION approving an honorary street name change of Sax Road in honor of Mrs. Millie Tiller.

Ford, Lowery

&

Peete

ACTION REQUESTED: Adopt the resolution

ADJOURNMENT

ADD-ONS

58. RESOLUTION approving a special use permit located on the northside of Robertson Road, +930 feet east of Benjestown Road, containing 2,500 square feet leasehold in a 19-acre tract.
Peete Case No. SUP 06-220cc

Applicant: T-Mobile USA, Inc., on behalf of Global Signals, Inc.

Request: Increase in the approved height of a monopole cell tower from 150 to 160 feet, plus antenna height to accommodate an additional carrier

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

59. RESOLUTION approving final plat of VICTORIAN SUBDIVISION.
Consent Case No. S 06-025

Resolution approves the final plat located on Summer Avenue, north of Raleigh LaGrange. Cost of the required improvements to be borne by the developer.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

60. RESOLUTION accepting POPEYES OF MEMPHIS C-P and authorizing release of bond.
Consent Case No. Z 03-121
(Contract No. CR-4861)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the southeast side of Austin Peay Highway, 710.8 feet south of Joslyn Street. The standard improvement contract was approved on April 13, 2004. Resolution also authorizes the release of the letter of credit (No. MBL SB 36058) in the amount of \$31,000.00

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

ACTION TAKEN BY COUNCIL ON THIS DATE

- 1. Through 11 – Approved
- 12. Public Hearing Set for December 5, 2006
- 13. Through 45 – Approved
- 46. Approved, as amended
- 47. Held until November 21, 2006
- 48. Approved, as amended
- 49. Approved
- 50. Held until November 21, 2006
- 51. Through 54 – Approved
- 55. Approved, as amended
- 56. Through 60 – Approved

ACTION TAKEN ON THE MINUTES OF OCTOBER 17, 2006

Approved, as corrected and amended.(Item #25 – PD 06-333, was pulled from the minutes and several conditions were approved, as amended. This item was added to Nov. 7, 2006 Agenda for this purpose and assigned Special Item #3. Special Item#4 was set up to approve the Minutes on Special

Item #3, originally Item #25, PD 06-333, from the Minutes of Oct. 17, 2006. Item #34 – SUP 06-213cc from Sept. 5, 2006 Minutes, was held on September 19, 2006, until November 7, 2006. This Item was then added to the October 17, 2006 Minutes and was reconsidered and amended. The Minutes of Item #34 are to be added to November 7, 2006 Minutes)