

**MINUTES****REGULAR MEETING OF THE CITY COUNCIL****CITY OF MEMPHIS****October 17, 2006****3:30 P.M. SCHEDULED SESSION****3:55 P.M. MEETING COMMENCED**

**ROLL CALL:** Dedrick Brittenum, Joe Brown, Carol Chumney, Edmund Ford, Barbara Swearngen Holt, E. C. Jones, Myron Lowery, Tom Marshall, Scott McCormick, Rickey Peete, Brent Taylor and Chairman TaJuan Stout Mitchell  
Jack Sammons was absent

**THE MEETING WAS CALLED TO ORDER  
BY THE SERGEANT-AT-ARMS**

**INVOCATION**

The meeting was opened with prayer by Rev. H. Peter Brown from Mt. Lebanon Baptist Church. Councilman Brown presented Rev. Brown with a certificate naming him Chaplain of the day.

**The original of the ordinances, resolutions and documents relating to each item is filed in the office of Council Records and on microfilm in the office of Records Management, Room 2B-08. The original documents shall control in the event of any conflict between the description in these minutes and the original documents.**

30. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE LOCATED BETWEEN LINDEN AVENUE AND PONTOTOC STREET, CONTAINING 14,960 SQUARE FEET = 0.343 ACRE, WIDTH X LENGTH OF R.O.W. IS 50' X 299', STREET RIGHT-OF-WAY ~ SOUTH MAIN SPECIAL DISTRICT WITH HISTORIC PRESERVATION (HP) OVERLAY ON WEST HALF OF RIGHT-OF-WAY.**

Case No. SAC 06-610  
(Companion Case SCBID 06-003)

Applicant: Memphis Development A, LLC

Request: Close & Vacate Alley Street Right-Of-Way

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Peete

SECOND: Brown

AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, Marshall, McCormick, Peete and Chairman Mitchell  
Taylor did not cast a vote  
Sammons was absent

**APPROVED**

32. **RESOLUTION APPROVING A SOUTH CENTRAL BUSINESS IMPROVEMENT DISTRICT HOTEL LOCATED GENERALLY ON THE SOUTHWEST CORNER OF LINDEN AVENUE AND SECOND STREET, EXTENDING WEST TO MULBERRY AND SOUTH TO PONTOTOC AVENUE.**

Case No. SCBID 06-003  
(Companion Case SAC 06-610)

Applicant: Area Hotels LLC

Request: Council approval of a Site Plan for Hotel (Hilton Garden Inn) as required by the South Main District

OPD recommendation: APPROVAL

MOTION: Peete

SECOND: Brown

AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, Marshall, McCormick, Peete, Taylor and Chairman Mitchell  
Sammons was absent

**APPROVED**

**CONSENT AGENDA – Items 1-11, 35-39 and 44-48 may be acted upon by one motion. SEE PAGE 2031 FOR ROLL CALL**

1. **ORDINANCE ESTABLISHING MEETING DATES FOR CITY COUNCIL MEETINGS IN 2007, UP FOR S E C O N D READING.**

Ordinance No. 5184

**APPROVED**, on 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.**

Ordinance No. 5185

Held to November 7, 2006

3. **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 F I R S T READING.**

Ordinance No. 5189  
Case No. Z 06-118cc

**APPROVED**, on First reading

4. **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 F I R S T READING.**

Ordinance No. 5190  
Case No. Z 06-119

**APPROVED**, on First reading

5. **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 S E C O N D READING.**

Ordinance No. 5186  
Case No. Z 06-120

**APPROVED**, on Second reading

6. **ORDINANCE AMENDING THE ZONING TEXT AND THE OFFICIAL ZONING MAP, UP FOR S E C O N D READING.**

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

**APPROVED**, on Second reading

7. **ORDINANCE AMENDING THE ZONING TEXT AND THE OFFICIAL ZONING MAP, UP FOR S E C O N D READING.**

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

**APPROVED**, on Second reading

8. **RESOLUTION ACCEPTING LUNATI SEWER EXTENSION, AND AUTHORIZING RELEASE OF BOND.**

(Contract No. CR-4523)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located in the NS-9 sewer district, outside the present limits of the city of Memphis. The standard sewer extension contract was approved on December 21, 1999. Resolution also authorizes the release of the Letter of Credit (NoP-3240) in the amount of \$36,100.00.

City Engineer recommends approval

**APPROVED**

9. **RESOLUTION APPROVING FINAL PLAT OF SAMANA & KHAN SUBDIVISION.**

Case No. S 06-002

Resolution approves the final plat located at the intersection of Bartlett Road and Summer Avenue. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

**APPROVED**

10. **RESOLUTION APPROVING FINAL PLAT OF SUMMER COMMONS SUBDIVISION.**

Case No. S 06-014

Resolution approves the final plat located on the northwest corner of Summer Ave. and White Station. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

**APPROVED**

11. **NOTATIONS FROM THE LAND USE CONTROL BOARD THAT THE FOLLOWING CASES WERE HEARD AND RECOMMENDATION MADE REQUESTING A DATE OF PUBLIC HEARING:**

- A. Case No. PD 06-345cc – Stone Creek PD
- B. Case No. PD 06-338cc – The Enclave at Sparkle Creek, Phase 1, PD
- C. Case No. SR 06-901 – Byron Estates Subdivision
- D. Case No. SAC 06-601 – N. Main Street & Saffarans Avenue Alley
- E. Case No. SAC 06-624 – Camilla Street Closure
- F. Case No. SAC 06-625 – Somerville Street Closure
- G. Case No. SAC 06-626 - Grove Avenue Closure

Public Hearing Set for November 7, 2006**35. RESOLUTION ACCEPTING APPLING FARMS BUSINESS PARK PD, PHASE 2, ROAD DEDICATION, AND AUTHORIZING RELEASE OF BOND.**

Case No. PD 04-385  
(Contract No. CR-4991)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located north of I-40 between Appling Road and Charles Bryan Road. The standard improvement contract was approved on November 15, 2005. Resolution also authorizes the release of the certificate of deposit (No. 172750285) in the amount of \$104,100.00.

City Engineer recommends approval

**APPROVED****36. RESOLUTION APPROVING FINAL PLAT OF ERIC LITTLE SUBDIVISION.**

Case No. S 04-067cc  
Contract No. CR-5041

Resolution approves the final plat located on the south side of Pisgah Road, 4,320 feet east of Latting Woods 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. This action is subject to County approval.

City Engineer recommends approval

**APPROVED****37. RESOLUTION APPROVING FINAL PLAT OF GILLIAM SUBDIVISION.**

Case No. S 06-032

Resolution approves the final plat located on the west side of Old Allen Road, 305' south of Hawkins Mill Road. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

**APPROVED****38. RESOLUTION ACCEPTING HOUSTON LEVEE TRAILS P.D., FIRST ADDITION, SECOND AMENDMENT, PHASE 8, PART OF AREA A, AND AUTHORIZING RELEASE OF BOND.**

Case No. PD 00-350  
(Contract No. CR-4957)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the south side of Hwy 64, east of Houston Levee Road. The standard improvement contract was approved on July 5, 2005. Resolution also authorizes the release of the performance bond in the amount of \$40,000.00.

City Engineer recommends approval

**APPROVED****39. RESOLUTION APPROVING FINAL PLAT OF SHELBY PARK PD, PHASE 2.**

Case No. PD 03-361cc  
Contract No. CR-5042

Resolution approves the final plat located at the terminus of Mullins Station Road and Raleigh LaGrange. Cost of the required improvements to be borne by the Developer.

Resolution also authorizes the proper officials to execute the attached standard improvement contract. This action is subject to County approval.

City Engineer recommends approval

**APPROVED**

44. **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 F I R S T READING.**

Ordinance No. 5191

**APPROVED**, on First reading

45. **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 F I R S T READING.**

Ordinance No. 5192

**APPROVED**, on First reading

46. **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 F I R S T READING.**

Ordinance No. 5193

**APPROVED**, on First reading

47. **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 F I R S T READING.**

Ordinance No. 5194

**APPROVED**, on First reading

48. **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 F I R S T READING.**

Ordinance No. 5195

**APPROVED**, on First reading

**ROLL CALL CONSENT ITEMS**

MOTION: Marshall  
 SECOND: Peete  
 AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, Marshall, McCormick,

Peete and Chairman Mitchell  
 NAYS: Taylor  
 Sammons was absent

**APPROVED**, with the exception of Item #2 which will be held until November 7, 2006

**MLGW FISCAL CONSENT – Items 12, 13 & 42 were voted on separately**

12. **RESOLUTION AWARDDING CONTRACT NO. 11136, JANITORIAL SERVICES, TO FACILITIES MAINTENANCE EXPERTS, INC. FME), IN THE FUNDED AMOUNT OF \$109,932.08.**

MOTION: Holt  
 SECOND: Peete  
 AYES: Brittenum, Brown, Ford, Holt, Jones, Lowery, Marshall, McCormick, Peete, Taylor and Chairman Mitchell  
 NAYS: Chumney  
 Sammons was absent

**APPROVED**

13. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 10905, THIRD PARTY MEDICAL PLAN ADMINISTRATOR, WITH CLAIMS MANAGEMENT SERVICES, INC., TO EXTEND THE CURRENT CONTRACT FOR SIX (6) MONTHS BEGINNING NOVEMBER 1, 2006 TO APRIL 30, 2007, IN THE ESTIMATED FUNDED AMOUNT OF \$552,815.00.**

MOTION: Holt  
 SECOND: Peete  
 AYES: Brown, Chumney, Ford, Holt, Jones, Lowery, Marshall, McCormick, Peete, Taylor and Chairman Mitchell  
 Brittenum recused  
 Sammons was absent

**APPROVED**

42. **RESOLUTION APPROVING CHANGE NO. 7, WITH KELLY SERVICES, INC., FOR A PERIOD COVERING JUNE 05, 2006 TO JUNE 4, 2007 IN THE ESTIMATED FUNDED AMOUNT OF \$3,270,000.00 CHARGEABLE TO THE MLGW FISCAL YEAR 2006.**

MOTION: Holt  
 SECOND: Peete  
 AYES: Brittenum, Chumney, Ford, Holt, Lowery, Marshall, McCormick, Peete, Taylor and Chairman Mitchell  
 NAYS: Brown  
 Jones did not cast a vote  
 Sammons was absent

**APPROVED**, set up as Special Item #1

14. **ORDINANCE AMENDING ORDINANCE NO. 5014 TO DELETE THE SUNSET CLAUSE, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5183

MOTION: Marshall  
 SECOND: Jones  
 AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, Marshall, McCormick, Peete and Chairman Mitchell  
 NAYS: Taylor  
 Sammons was absent

**APPROVED**, as amended

26. **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.**

Case No. PD 06-327

Held to November 7, 2006

20. **ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY LIMITS OF THE CITY OF MEMPHIS AND TO ESTABLISH THE SERVICES TO BE DELIVERED AND THE PROJECTED TIMING OF THE SERVICES FOR THE PROPOSED SOUTHEAST EXTENDED ANNEXATION AREA.**

Held to November 21, 2006

21. **ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY LIMITS OF THE CITY OF MEMPHIS AND TO ESTABLISH THE SERVICES TO BE DELIVERED AND THE PROJECTED TIMING OF THE SERVICES FOR THE PROPOSED BRIDGEWATER ANNEXATION AREA.**

Held to November 21, 2006

15. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$35,475.00 FROM THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT DIVISION FOR WIA TITLE ONE INCUMBENT WORKER SERVICES GRANT. RESOLUTION ALSO AMENDS FY 2007 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS.**

MOTION: Brittenum

SECOND: Holt

AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, McCormick and Chairman Mitchell  
Marshall, Peete and Taylor did not cast a vote  
Sammons was absent

**APPROVED**

16. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$40,099.00 FROM THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT DIVISION FOR WIA TITLE ONE INCUMBENT WORKER SERVICES GRANT. RESOLUTION ALSO AMENDS FY 2007 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS.**

MOTION: Brittenum

SECOND: Holt

AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, McCormick and Chairman Mitchell  
Marshall, Peete and Taylor did not cast a vote  
Sammons was absent

**APPROVED**

17. **RESOLUTION APPROVING SALE OF PROPERTY TO HUNT-PHELAN, LLC, 1.060 ACRES LOCATED ON THE NORTH SIDE OF DRIVER PLACE, NORTH OF THE NORTH LINE OF LINDEN AVENUE, FOR THE SUM OF \$312,000.00.**

MOTION: Ford

SECOND: Holt

AYES: Brown, Chumney, Ford, Holt, Jones, Lowery, McCormick, Peete and Chairman Mitchell  
Brittenum recused  
Marshall and Taylor did not cast a vote

Sammons was absent

**APPROVED**

24. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE LOCATED ON COUNTRY CLUB LANE AT SOUTHERN AVENUE, CONTAINING 0.63 ACRE IN THE DUPLEX RESIDENTIAL (R-D) DISTRICT.** (Held from 09/19)

Case No. SAC 05-621

The Chairman recognized the following persons from the audience:

Kelvin Cowans, 3063 Radford Rd., Mphs, TN 38111  
 Flossie Ware, 5155 Melanie Creek Cv., Mphs, TN 38002  
 Kenneth T. Whalum, Jr., 3084 Southern Ave., Mphs, TN 38111

Applicant: Country Club Lane Property Owners Association  
 Harvey Marcom – Representative

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

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Peete

SECOND: Holt

NAYS: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, Marshall, McCormick,  
 Peete, Taylor and Chairman Mitchell  
 Sammons was absent

**FAILED**

18. **RESOLUTION APPROPRIATING \$19,325.00 IN CONTRACT CONSTRUCTION FOR CIP PROJECT NUMBER PK08010, HARDIN HALL CARPET, FUNDED BY G.O. BONDS GENERAL AND CHARGEABLE TO FISCAL YEAR 2007 CAPITAL IMPROVEMENTS BUDGET.**

MOTION: Brittenum – Pay for carpet out of the General Bond

SECOND: Holt

**SECOND WITHDRAWN**

MAIN MOTION: McCormick

SECOND: Marshall

AYES: Chumney, Ford, Holt, Jones, Lowery, Marshall, McCormick, Peete, Taylor and  
 Chairman Mitchell

NAYS: Brittenum and Brown  
 Sammons was absent

**APPROVED**

**Councilman Peete read a separate resolution that goes with Item #33 below. The vote below is for that resolution. It was set up as Special Item #3**

MOTION: Peete

SECOND: Brown

AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, Marshall, McCormick,  
 Peete and Chairman Mitchell  
 Taylor did not cast a vote  
 Sammons was absent

**APPROVED**, set up as Special Item #3, separate resolution that Peete read

33. **RESOLUTION APPROVING A SOUTH CENTRAL BUSINESS IMPROVEMENT DISTRICT APPEAL LOCATED SOUTHWEST OF BEALE STREET AND FRONT STREET.**

Case No. SCBID 06-06

Applicant: The Carlisle Corporation

Request: A special exception including specific requests for variations to allow greater building height, building width and to permit a tavern or cocktail lounge with greater than 125 seats to accommodate a 30 story, mixed use building

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Peete

SECOND: McCormick

**Mr. Carlisle, the applicant, came to the podium to request that this matter (Item #33) be considered as a joint appeal from the Land Use Control Board with the consent of the appellant and OPD to add a condition to the outline plan and to approve the site plan. David Wade, representing Waterford Plaza Association, the appellant, consented to the request and also Mary Baker from OPD consented to the request**

**Councilman Peete stated that I note that the appellant and OPD consent to the applicant's request and I move that this matter be considered a joint appeal by the applicant to add a condition which reads as follows: That the applicant shall provide no less than 575 on or off site parking spaces for the mixed use development and also move approval of the site plan**

**Alan Wade stated that now they have two appeals on the floor. Unless something happens to one of them, you will have to proceed on both of them. David Wade stated that with respect to our side of the appeal, my clients are willing to withdraw the appeal with the understanding that the cross appeal will be moved on.**

AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, Marshall, McCormick, Peete, Taylor and Chairman Mitchell  
Sammons was absent

**APPROVED**, as a joint appeal

19. **RESOLUTION INCLUDING THE LIBERTY BOWL STADIUM IMPROVEMENTS, CIP PROJECT NUMBER PK10001, AS PART OF THE FY 2007 CAPITAL IMPROVEMENT PROGRAM. THE LOWEST AND BEST BID, OUT OF FIVE BIDS RECEIVED ON SEPTEMBER 8, 2006, WAS SUBMITTED BY P.C. MOCK CONSTRUCTION, LLC IN THE AMOUNT OF \$3,349,300.00. AN UNENCUMBERED CONSTRUCTION APPROPRIATION IN THE AMOUNT OF \$657,656.00 EXISTS; CONSEQUENTLY. RESOLUTION SEEKS TO APPROPRIATE \$2,959,588.00 IN CONSTRUCTION FUNDS, FUNDED BY G.O. BONDS GENERAL, FOR THE CONSTRUCTION CONTRACT COMPOSED OF THE BID AMOUNT PLUS CONTINGENCY.**

MOTION: McCormick

SECOND: Chumney

AYES: Brittenum, Brown, Chumney, Holt, Jones, Lowery, Marshall, McCormick, Taylor and Chairman Mitchell  
Ford and Peete did not cast a vote  
Sammons was absent

**APPROVED**

22. **RESOLUTION REQUESTING THAT A STUDY AND COMPREHENSIVE PLAN AND REZONING OF THE RICHLAND NEIGHBORHOOD BE PREPARED BY THE OFFICE OF PLANNING AND DEVELOPMENT, WITH THE INTENT OF**

**PROTECTING THE CHARACTER OF THE RICHLAND NEIGHBORHOOD.** (Held from 10/03)

MOTION: Chumney  
 SECOND: McCormick  
 AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, Marshall, McCormick, Peete, Taylor and Chairman Mitchell  
 Sammons was absent

**APPROVED**

23. **RESOLUTION APPROVING A HOTEL WAIVER FOR THE RESIDENCE INN DOWNTOWN, LOCATED AT 110 MONROE AVENUE, MEMPHIS, TN. 38103.**

MOTION: Peete  
 SECOND: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, Marshall, McCormick, Peete, Taylor and Chairman Mitchell  
 Sammons was absent

**APPROVED**

25. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE SOUTHEAST CORNER OF HOUSTON LEVEE ROAD AND WALNUT GROVE ROAD, CONTAINING 35 ACRES AND IS CURRENTLY GOVERNED BY THE CONDITIONS OF THE WALNUT GROVE SOUTHEAST PLANNED DEVELOPMENT, P.D. 01-333CC (PLAT BOOK 196, PAGE 97).**

Case No. PD 06-321cc

Applicant: Mojo Indoor Soccer –Chris Talley  
 Ronald Harkavy – Representative

Request: A planned development amendment to permit an indoor recreational facility

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Peete  
 SECOND: Ford  
 AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, Marshall, McCormick, Peete, Taylor and Chairman Mitchell  
 Sammons was absent

**APPROVED**

27. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE EAST SIDE OF SOUTH PERKINS ROAD; +/-385 FEET SOUTH OF SOUTHERN AVENUE, CONTAINING 0.47 ACRE (20,473 SQ. FT.), THE ONE-STORY SPLIT-LEVEL WOOD FRAME SINGLE FAMILY HOME IS CURRENTLY GOVERNED BY SOUTH PERKINS PLANNED DEVELOPMENT, 3<sup>RD</sup> AMENDMENT.**

Case No. PD 06-333

Applicants: William & Linda Felts  
 SR Consulting, LLC (Cindy Reaves) – Representative

Request: Planned development amendment to allow limited retail commercial uses within the Outline Plan

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Peete  
 SECOND: Ford  
 AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, Marshall, McCormick, Peete, Taylor and Chairman Mitchell  
 Sammons did not cast a vote

**APPROVED**

28. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE SOUTHWEST CORNER OF WAYNOKA AVENUE AND HIGHLAND STREET, CONTAINING 15 ACRES IN THE SINGLE FAMILY RESIDENTIAL (R-S6) DISTRICT OVERLAID BY P.D.03-359.**

Case No. PD 06-341

Applicant: Trezevant Episcopal Home  
John Webb – Representative

Request: Amend Trezevant Manor/Allen Morgan Health Center P.D., Amended, P.D. 05-359 to increase the height of a permitted four story independent living facility to five and to add four stores of independent living units to the approved one story common facility

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Peete

SECOND: Ford

AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, Marshall, McCormick, Peete, Taylor and Chairman Mitchell  
Sammons was absent

**APPROVED**, as amended

29. **RESOLUTION APPROVING A PLANNED DEVELOPMENT, LOCATION IS BOUNDED BY E.H. CRUMP BOULEVARD AND I-240, CONTAINING 56 ACRES IN THE SINGLE FAMILY RESIDENTIAL DISTRICT.**

Case No. PD 06-344

Applicant: Memphis Housing Authority  
Tom Currell – Representative

Request: A mixed use redevelopment of the former Lamar Terrace public housing site

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Peete

SECOND: Holt

AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, Marshall, McCormick, Peete, Taylor and Chairman Mitchell  
Sammons was absent

**APPROVED**

31. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE LOCATED ON THE WEST SIDE OF N. SECOND STREET, SOUTH OF KEEL AVENUE.**

Case No. SAC 06-612

Applicant: Peter Eckel

Request: Close & Vacate Valley Street Right-Of-Way

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Peete

SECOND: Ford

AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, Marshall, McCormick, Peete and Chairman Mitchell  
Taylor did not cast a vote  
Sammons was absent

**APPROVED**40. **RESOLUTION DECLARING OCTOBER 19, 2006 AS, "MEDIATION DAY."**

MOTION: Marshall  
 SECOND: Brittenum  
 AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, Marshall, McCormick,  
 Peete, Taylor and Chairman Mitchell  
 Sammons was absent

**APPROVED**41. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$989,679.60 FROM THE STATE OF TENNESSEE FOR THE IN-SERVICE TRAINING PROGRAM FOR TRAINING FOR 1,908 COMMISSIONED OFFICERS. RESOLUTION ALSO AMENDS FY 2007 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS.**

MOTION: Chumney  
 SECOND: Holt  
 AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, Marshall, McCormick,  
 Peete, Taylor and Chairman Mitchell  
 Sammons was absent

**APPROVED**

MOTION: Marshall – Suspend the Rules for purpose of approving the minutes for Items 14,  
 17 & 41  
 SECOND: Ford

**APPROVED**, by unanimous voice vote, rules suspended

**MINUTES**

Approval of the Minutes of the regular meeting of October 17, 2006, for items 14, 17 & 41 only with the following motion:

MOTION: Marshall  
 SECOND: Holt  
 AYES: Brown, Chumney, Ford, Holt, Jones, Lowery, Marshall, McCormick, Peete,  
 Taylor and Chairman Mitchell  
 Brittenum did not cast a vote  
 Sammons was absent

**APPROVED**43. **RESOLUTION REQUESTING THE ADMINISTRATION KEEP DAVY CROCKETT GOLF COURSE OPEN UNTIL JUNE 30, 2007, WITH THE UNDERSTANDING THAT THE HOUSING AND COMMUNITY DEVELOPMENT DIVISION WILL WORK TO DEVELOP CONCRETE PLANS FOR DEVELOPMENT OF THE SURROUNDING AREA AND GOLF COURSE.**

Friendly Amendment: Change the word until to through

MOTION: Holt  
 MAIN MOTION: McCormick  
 SECOND: Jones  
 AYES: Brittenum, Brown, Ford, Holt, Jones, Lowery, Marshall, Peete, Taylor and  
 Chairman Mitchell  
 NAYS: McCormick

Chumney abstained  
Sammons was absent

**APPROVED**, as amended

**MINUTES**

Approval of the Minutes of the regular meeting of October 3, 2006 with the following motion:

MOTION: Chumney – I would like to change my vote on Item #43 to No

MAIN MOTION: Holt

SECOND: Brown

AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, Marshall, McCormick, Peete, Taylor and Chairman Mitchell  
Sammons was absent

**APPROVED**, as amended

34. **RESOLUTION APPROVING THE ELECTION OF CITY COUNCIL CHAIRMAN FOR 2007.**

MOTION: Mitchell – Nominate Tom Marshall

SECOND: Holt

MOTION: Taylor – Close Nomination

SECOND: Holt

MAIN MOTION: Mitchell

SECOND: Holt

AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, Marshall, McCormick, Peete, Taylor and Chairman Mitchell  
Sammons was absent

**APPROVED**

**Minutes Item #34 (SUP 06-213CC) approved at September 5, 2006 regular meeting, held from September 5, 2006 Minutes on September 19, 2006 until November 7, 2006 Minutes. Request was made to add to October 17, 2006 Minutes for the purpose of amending due to action taken by the County Commission.**

**INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:**

The Chairman recognized the following persons from the audience:

Vera Redwing Lewis, no address available

Steven Simmons, 2011 Rile, Mphs, TN

**ADJOURNED MEETING AT 6:55 P.M.**

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Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

\_\_\_\_\_  
CHAIRMAN

Attest:

\_\_\_\_\_  
Deputy Comptroller/Council Records