

MINUTES

REGULAR MEETING OF THE CITY COUNCIL

CITY OF MEMPHIS

November 19, 2013

3:30 P.M. SCHEDULED SESSION

3:32 P.M. MEETING COMMENCED

ROLL CALL: William Boyd, Joe Brown, Harold Collins, Kemp Conrad, Shea Flinn, Janis Fullilove, Wanda Halbert, Lee Harris, Reid Hedgepeth, Myron Lowery, Bill Morrison, Jim Strickland and Chairman Edmund H. Ford, Jr.

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

INVOCATION

The meeting was opened with prayer by Pastor George L. Parks, Jr. from Riverside Missionary Baptist Church. Councilman Collins presented Pastor Parks with a certificate naming him Chaplain of the day.

These minutes record the agenda items and the action taken by the Council on such items. The full text of the original of the ordinances, resolutions and supporting documents, including an audio recording of Council's deliberations are filed and maintained in the office of Council Records/Records Management, Room 2B-08. The original ordinances and/or resolutions adopted by the Council shall control in the event of any conflict between the description in these minutes and the original documents, ordinances and/or resolutions.

MINUTES

Approval of the Minutes of the regular meeting of November 5, 2013 with the following motion:

MOTION: Strickland
SECOND: Morrison
AYES: Boyd, Brown, Collins, Conrad, Harris, Hedgepeth, Lowery, Morrison, Strickland and Chairman Ford
Flinn, Fullilove and Halbert did not cast a vote

APPROVED

- 40. **ORDINANCE TO AMEND CHAPTER 15 OF THE CITY OF MEMPHIS, CODE OF ORDINANCES TO ADD ARTICLE III FOR THE PURPOSE OF ESTABLISHING A SUPPLEMENTAL RETIREMENT BENEFIT FOR SOLID WASTE MANAGEMENT EMPLOYEES, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5537

Held until December 3, 2013

- 58. **RESOLUTION AMENDING THE FY 2014 CIP BUDGET TO ALLOCATE AND TRANSFER \$300,000.00 TO THE DIVISION OF PUBLIC WORKS FOR THE PURCHASE OF UP TO SIX (6) COMMUNITY TRASH COMPACTORS PADS IN VARIOUS LOCATIONS IN DOWNTOWN MEMPHIS.**

Held until January 21, 2014

- 1. **RESOLUTION CONGRATULATING ANN C. WALL ON HER RETIREMENT AND RECOGNIZING HER FOR 44 YEARS OF SERVICE TO THE CITY OF MEMPHIS.**

Held until December 3, 2013

- 2. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE SOUTH SIDE OF ERNESTINE COVE; +/-279 FEET EAST OF COVINGTON PIKE, CONTAINING 32.43 ACRES IN THE CONSERVATION AGRICULTURE (CA) DISTRICT.**

Case No. SUP 13-221

Chairman Ford recognized the following person who spoke from the audience:

Jane Woods, 40 Meadow Oaks Lane, 38008

Applicant: TV6-W, LLC
Prime Development Group, Inc. – Representative

Request: Special Use Permit to allow a CMCS communications tower one-hundred sixty (160) feet in height with capacity to accommodate a maximum of six (6) flush-mount antennae

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Collins
 SECOND: Boyd
 AYES: Boyd, Brown, Collins, Conrad, Harris, Hedgepeth, Lowery, Morrison and Chairman Ford
 NAYS: Halbert and Strickland
 Flinn recused
 Fullilove did not cast a vote

APPROVED

- 3. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED AT 495 WATKINS STREET AT THE INTERSECTION OF WATKINS STREET AND AUTUMN ROAD, CONTAINING 19.06 ACRES IN THE EMP AND CMU-3 AND CMU-1 DISTRICTS. (HELD FROM 11/5)**

Case No. PD 13-324

Chairman Ford recognized the following person who spoke from the audience:
O’Rane M. Cornish, Sr., 3929 Getwell, Memphis, Tennessee, 38118

Applicant: Crosstown Art, LLC
SR Consulting, LLC (Cindy Reaves) – Representative

Request: Commercial/Retail Planned Development

LUCB and OPD recommendation: APPROVAL, with conditions

(Councilwoman Halbert made a motion to hold Item #3 for weeks. There was objection and a vote had to be taken)

(Special Item #1 – Halbert’s motion)

MOTION: Halbert
SECOND: Collins
AYE: Halbert
NAYS: Boyd, Flinn, Harris, Hedgepeth, Lowery, Morrison, Strickland and Chairman Ford
Conrad recused
Brown, Collins and Fullilove did not cast a vote

FAILED

MAIN MOTION: Collins
AYES: Boyd, Brown, Collins, Flinn, Harris, Hedgepeth, Lowery, Morrison, Strickland and Chairman Ford
NAY: Halbert
Conrad recused
Fullilove did not cast a vote

APPROVED

(Chairman Ford recognized Mr. & Mrs. Brown with Lifeline Success, who were visiting in the audience).

4. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE NORTHWEST CORNER OF ROCKDALE COVE AND MILLBRANCH ROAD, CONTAINING 0.51 ACRE IN THE COMMERCIAL MIXED USE (CMU-1) DISTRICT.**

Case No. SUP 13-219

Applicant: TV6-W, LLC
Tower Ventures, LLC – Representative

Request: Special Use Permit to allow a CMCS communications tower one-hundred sixty (160) feet in height with capacity to accommodate a maximum of six (6) flush-mount antennae

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Collins

SECOND: Strickland

AYES: Boyd, Collins, Conrad, Harris, Lowery, Morrison, Strickland and Chairman Ford
Flinn recused
Brown, Fullilove, Halbert and Hedgepeth did not cast a vote

APPROVED

CONSENT AGENDA – Items 5 – 11 & #63 may be acted upon by one motion: SEE PAGE FOR ROLL CALL

5. **JOINT ORDINANCE TO AMEND THE ORIGINAL TEXT OF THE 2012 ICC INTERNATIONAL CODE COUNCIL RESIDENTIAL CODE RELATED TO THE REQUIREMENTS FOR SEISMIC CONSTRUCTION ELEMENTS OF WOOD FRAME ONE AND TWO FAMILY DWELLINGS. THIS ORDINANCE WOULD ESTABLISH AN ALTERNATIVE PRESCRIPTIVE METHOD FOR MEETING THOSE STRUCTURAL SEISMIC REQUIREMENTS. IT WOULD ALSO ESTABLISH THE EFFECTIVE DATE FOR THESE AMENDMENTS AS OF DECEMBER 31, 2013 OR WHEN PASSED BY THE SECOND LEGISLATIVE BODY, WHICHEVER IS LATER, UP FOR F I R S T READING.**

Ordinance No. 5539

APPROVED, on First reading

6. **ORDINANCE TO AMEND ORDINANCE NO. 5430, CHAPTER 15, ARTICLE 1, SECTION 15-26.1, CITY CODE OF ORDINANCES, TO DECREASE THE MONTHLY PERMIT FEE FOR DUMPSTERS FROM \$500.00 TO \$200.00, UP FOR F I R S T READING.**

Ordinance No. 5540

APPROVED, on First reading

7. **ORDINANCE TO AMEND SECTION 1103.2.4 OF THE 2009 INTERNATIONAL BUILDING CODE THAT PROVIDES FOR THE OCCUPANCIES SPECIFIED WITHIN THE CITY OF MEMPHIS THAT WILL REQUIRE NEWLY CONSTRUCTED SINGLE FAMILY, DUPLEX AND TRIPLEX OCCUPANCIES WITHIN THE CITY OF MEMPHIS THAT RECEIVE CITY OR FEDERAL ASSISTANCE THROUGH THE DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT, MEMPHIS HOUSING AUTHORITY OR THE MEMPHIS LAND BANK, INC., MUST BE CONSTRUCTED WITH DESIGN FEATURES TO MAKE THEM VISITABLE FOR PERSONS WITH MOBILITY IMPAIRMENTS, UP FOR F I R S T READING.**

Ordinance No. 5541

APPROVED, on First reading

8. **ORDINANCE TO AMEND CHAPTER 16, ARTICLE V, OF THE CITY OF MEMPHIS, CODE OF ORDINANCES, TO UPDATE VARIOUS PROVISIONS REGARDING FOOD ESTABLISHMENTS, UP FOR F I R S T READING.**

Ordinance No. 5542

APPROVED, on First reading

9. **ORDINANCE REZONING 29 W. FAY STREET, CONTAINING 0.32 ACRE IN THE R6 DISTRICT, UP FOR S E C O N D READING.**

Case No. Z 13-08

Ordinance No. 5538

APPROVED, on Second reading

10. **RESOLUTION APPROVING FINAL PLAT OF JLT SUBDIVISION.**

Case No. S 13-005

Resolution approves the final plat located on Shelby Road and Tuggle Road. Cost of the required improvements to be borne by the developer.

APPROVED

11. **RESOLUTION approving final plat of I-55/HUDGINS ROAD P.D.**

Case No. PD 13-305

Contract No. CR-5205

Resolution approves the final plat located at Interstate 55 and Hudgins 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.

APPROVED

63. **RESOLUTION APPROVING FINAL PLAT OF BARRY/SHADY GROVE SUBDIVISION.**

Case No. S 12-003
Contract No. CR-5206

Resolution approves the final plat located at the northeast corner of Barry Road and Shady Grove Road. Cost of the required improvements to be borne by the developer.

APPROVED

ROLL CALL CONSENT ITEMS

MOTION: Strickland
SECOND: Morrison
AYES: Boyd, Brown, Collins, Conrad, Halbert, Harris, Lowery, Morrison, Strickland and Chairman Ford
Flinn, Fullilove and Hedgepeth did not cast a vote

APPROVED

MLGW FISCAL CONSENT – Items 12 - 38 may be acted upon by one motion:

12. **RESOLUTION AWARDDING CONTRACT NO. 11625, DOWNTOWN SMART GRID TO VENTYX, IN THE FUNDED AMOUNT OF \$860,834.00. (HELD FROM 11/5)**

APPROVED

13. **RESOLUTION AWARDDING CONTRACT NO. 11601, AUTOMATED CALL-OUT SYSTEM, TO ARCOS, INCORPORATED, IN THE FUNDED AMOUNT OF \$150,848.00.**

APPROVED

14. **RESOLUTION AWARDDING CONTRACT NO. 11640, LINE CLEARANCE TO ABC PROFESSIONAL TREE SERVICES, IN THE FUNDED AMOUNT OF \$8,937,980.33.**

APPROVED

15. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11516, TIRE AND TIRE REPAIR, WITH SOUTHERN TIRE, IN THE FUNDED AMOUNT OF \$181,615.00. (THIS CHANGE IS TO ADJUST THE ESTIMATED QUANTITIES OF TIRES, TIRE REPAIRS, AND TIRE SERVICES DUE TO REVISIONS TO INTERNAL TRANSPORTATION DEPARTMENT POLICY AND OPERATIONAL PROCEDURES RESULTING IN AN INCREASE IN THE CONTRACT VALUE. THESE OPERATIONAL PROCEDURES IMPACT THREE MAJOR AREAS OF TIRE MANAGEMENT: THE REPLACEMENT OF NEW AND RETREAD TIRES; TIRES ON BACKHOE EQUIPMENT; AND TRAILER TIRES. THE TERM ON THIS CONTRACT**

ENDS DECEMBER 31, 2013.)

APPROVED

16. **RESOLUTION AWARDING TWENTY-FOUR MONTH BLANKET CONTRACTS TO OLDHAM CONSTRUCTION COMPANY, INC., BARNHART CRANE AND RIGGING COMPANY AND INDUSTRIAL CRANE SERVICE, INC., FOR THE RENTAL OF CRANES WITH LIFT CAPACITIES RANGING FROM 100-600 TONS, IN THE FUNDED AMOUNT NOT TO EXCEED \$250,000.00.**

APPROVED

17. **RESOLUTION AWARDING CONTRACT TO M.T. DEASON COMPANY, INC. FOR THE PURCHASE OF FIFTEEN UNIVERSAL ELECTRO-FUSION PROCESSORS, IN THE FUNDED AMOUNT OF \$57,325.00.**

APPROVED

18. **RESOLUTION APPROVING CHANGE NO. 6 TO CONTRACT NO. 11070, UTILITY METER DATA APPLICATION, WITH AUTOMATED ENERGY, INC. (AEI), IN THE FUNDED ESTIMATED AMOUNT OF \$236,000.00. (THIS CHANGE IS TO EXTEND THE CURRENT CONTRACT FOR AN ADDITIONAL TWO YEAR TERM FOR THE PERIOD COVERING JANUARY 1, 2014 TO DECEMBER 31, 2015. IN ADDITION, THIS CHANGE IS ALSO TO INCREASE THE MONTHLY PER METER PRICE FROM \$15.00 TO \$22.50. THE SET-UP FEE WILL ALSO INCREASE FROM \$50 TO \$75 PER METER FOR EACH NEW METER ADDED TO THE SERVICE. THESE NEW COSTS REPRESENT THE FIRST INCREASE FROM THE INTRODUCTORY PRICING ESTABLISHED WHEN THE CONTRACT WAS EXECUTED IN 2006. FURTHER, THESE COSTS WERE NEGOTIATED DOWN FROM THE VENDOR'S HIGHER CURRENT MARKET PRICES. CUSTOMERS USING THE SERVICE PAY MONTHLY SUBSCRIPTION FEES TO RECOVER MLGW'S CONTRACT COST.)**

APPROVED

19. **RESOLUTION APPROVING CHANGE NO. 16 TO CONTRACT NO. 10569, INTERACTIVE VOICE RESPONSE SYSTEM, WITH AVAYA, INCORPORATED, IN THE FUNDED AMOUNT OF \$100,000.00. (THIS CHANGE IS TO INCREASE THE FUNDED AMOUNT OF THE CONTRACT TO COVER COSTS TO DEVELOP, MODIFY, AND/OR MAINTAIN THE INTERACTIVE VOICE RESPONSE (IVR) SYSTEM AND HARDWARE DUE TO NEW BUSINESS POLICIES AND RULES. THE TERM WILL REMAIN THROUGH JULY 16, 2014.)**

APPROVED

20. **RESOLUTION APPROVING CHANGE NO. 2 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 SECOND OF FOUR ANNUAL RENEWAL TERMS COVERING THE PERIOD JANUARY 21, 2014 THROUGH JANUARY 20, 2015 WITH NO INCREASE IN RATES.)

APPROVED

21. **RESOLUTION AWARDING CONTRACT NO. 11664, CNG FUELING STATION, 300 PEBBLES ROAD, TO CHRIS WOODS CONSTRUCTION COMPANY, INCORPORATED, IN THE FUNDED AMOUNT OF \$2,032,000.00. (JOZELLE BOOKER)**

APPROVED

22. **RESOLUTION AWARDING CONTRACT TO HOWARD INDUSTRIES, INC. FOR THE PURCHASE OF TWO PAD-MOUNTED GROUNDED-FRONT SMALL POWER TRANSFORMERS, IN THE FUNDED AMOUNT OF \$81,767.00.**

APPROVED

23. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11569, FOUNDATION INSTALLATION KRUGER TISSUE GROUP (KTG) TRANSMISSION LINE, WITH RELIABLE CONSTRUCTORS, INCORPORATED, IN THE FUNDED AMOUNT OF \$4,925.47. (THIS CHANGE IS TO RATIFY A FIELD CHANGE. DURING THE PROCESS OF PREPARING THE SITE TO INSTALL THE FOUNDATION, AN OLD ABANDONED UTILITY PIPE HAD TO BE REMOVED. THE FIELD CHANGE ORDER WAS REQUIRED, DUE TO MLGW'S INABILITY TO LEAVE THE SITE UNSECURED.)**

APPROVED

24. **RESOLUTION AWARDING CONTRACT TO BRENNTAG MID-SOUTH FOR A THIRTY-SIX MONTH SUPPLY OF SODIUM HEXAMETAPHOSPHATE, IN THE FUNDED AMOUNT OF \$1,340,560.20.**

APPROVED

25. **RESOLUTION AWARDING CONTRACT TO TESCO, INC., FOR THE PURCHASE OF TELECOMMUNICATION EQUIPMENT, IN THE FUNDED AMOUNT OF \$86,126.76.**

APPROVED

26. **RESOLUTION AWARDING CONTRACT TO LIGHTSPEED TECHNOLOGIES, INCORPORATED FOR THE PURCHASE OF TELECOMMUNICATION CONTROL SWITCH MODULES AND ACCESSORIES, IN THE FUNDED AMOUNT OF \$179,753.56.**

APPROVED

27. **RESOLUTION AWARDDING CONTRACT NO. 11655, CHOCTAW CNG GATE SECURITY MODIFICATIONS TO A & B CONSTRUCTION COMPANY, INCORPORATED, IN THE FUNDED AMOUNT OF \$163,623.00.**

APPROVED

28. **RESOLUTION AWARDDING TWELVE MONTH BLANKET CONTRACTS TO BRIGHTER DAYS AND NITES, INC., FOR VARIOUS WIRE AND CABLE, IN THE FUNDED AMOUNT OF \$202,962.65 AND UNIVERSAL SCAFFOLDING & EQUIPMENT, LLC, IN THE AMOUNT OF \$9,216.10.**

APPROVED

29. **RESOLUTION AWARDDING CONTRACT TO SUNRISE TECHNOLOGIES FOR A THIRTY-SIX MONTH SUPPLY OF PHOTO-ELECTRIC CELL RELAYS, IN THE FUNDED AMOUNT OF \$208,500.00.**

APPROVED

30. **.RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11476, INDUSTRIAL PSYCHOLOGY SERVICES, WITH LOPEZ AND ASSOCIATES, IN THE FUNDED AMOUNT OF \$26,900.00. (THIS CHANGE IS TO DEVELOP AND UPDATE HIRING AND PROMOTIONAL TESTS FOR MLGW'S CUSTOMER SERVICE DEPARTMENTS. THIS CHANGE INCLUDES CUSTOMER ACCOUNT AND RECORDS SELECTION PROGRAM ENHANCEMENT IN THE AMOUNT OF \$14,000.00 AND SERVICE DISPATCHER POSITION SELECTION PROGRAM ENHANCEMENTS IN THE AMOUNT OF \$12,900.00. THE TERM WILL REMAIN THROUGH MARCH 31, 2016.)**

APPROVED

31. **RESOLUTION AWARDDING CONTRACT NO. 11622, EMPLOYEE BENEFIT DENTAL PLAN, TO DELTA DENTAL OF TENNESSEE, IN THE FUNDED AMOUNT OF \$7,765,606.00.**

APPROVED

32. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11589, PROFESSIONAL SERVICE SUPPORT, WITH TEK SYSTEM, INCORPORATED, IN THE FUNDED AMOUNT OF \$699,163.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FIRST OF FOUR ANNUAL RENEWAL TERMS COVERING THE PERIOD JANUARY 1, 2014 THROUGH DECEMBER 31, 2014, WITH NO INCREASE IN RATES.)**

APPROVED

33. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11586, PROFESSIONAL SERVICE SUPPORT, WITH VACO MIDSOUTH, LLC, IN THE FUNDED AMOUNT OF \$868,136.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FIRST OF FOUR ANNUAL RENEWAL TERMS COVERING THE PERIOD JANUARY 1, 2014 THROUGH DECEMBER 31, 2014 WITH NO INCREASE IN RATES.)**

APPROVED

34. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11537, PROFESSIONAL SERVICE SUPPORT, WITH NEXTECH SOLUTIONS, IN THE FUNDED AMOUNT OF \$870,977.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FIRST OF FOUR ANNUAL RENEWAL TERMS COVERING THE PERIOD JANUARY 1, 2014 THROUGH DECEMBER 31, 2014 WITH NO INCREASE IN RATES.)**

APPROVED

35. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11590, PROFESSIONAL SERVICES SUPPORT, WITH CONCH TECHNOLOGIES INCORPORATED, IN THE FUNDED AMOUNT OF \$738,534.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FIRST OF FOUR ANNUAL RENEWAL TERMS COVERING THE PERIOD JANUARY 1, 2014 THROUGH DECEMBER 31, 2014 WITH NO INCREASE IN RATES.)**

APPROVED

36. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11591, PROFESSIONAL SERVICES SUPPORT WITH STRAGISTICS TECHNOLOGY, INCORPORATED, IN THE FUNDED AMOUNT OF \$910,395.20. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FIRST OF FOUR RENEWAL TERMS COVERING THE PERIOD JANUARY 1, 2014 THROUGH DECEMBER 31, 2014 WITH NO INCREASE IN RATES.)**

APPROVED

37. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11588, PROFESSIONAL SERVICES SUPPORT, WITH COOK SYSTEMS, IN THE FUNDED AMOUNT OF \$750,160.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FIRST OF FOUR RENEWAL TERMS COVERING THE PERIOD JANUARY 1, 2014 THROUGH DECEMBER 31, 2014 WITH NO INCREASE IN RATES.)**

APPROVED

38. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11587, PROFESSIONAL SERVICES SUPPORT, WITH ZYCRON, INCORPORATED, IN THE FUNDED AMOUNT OF \$820,103.83. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FIRST OF FOUR ANNUAL RENEWAL TERMS COVERING THE PERIOD JANUARY 1, 2014 THROUGH DECEMBER 31, 2014 WITH NO INCREASE IN RATES.)**

APPROVED

MLGW ROLL CALL CONSENT ITEMS

MOTION: Strickland
SECOND: Halbert
AYES: Boyd, Brown, Collins, Conrad, Flinn, Halbert, Harris, Hedgepeth, Strickland and
Chairman Ford
Fullilove, Lowery and Morrison did not cast a vote

APPROVED

39. **APPOINTMENTS**

MEMPHIS LANDMARKS COMMISSION

APPOINTMENT

CYNDY GRIVICH TUCKER

REAPPOINTMENTS

JOYCE COX
STANLEY E. HYLAND
KEITH S. KAYS

MEMPHIS STORMWATER BOARD

APPOINTMENT

ELIZABETH BURKS

MEMPHIS AND SHELBY COUNTY AIR POLLUTION CONTROL BOARD

APPOINTMENTS

DORIS F. BOYD
DOUGLAS B. DUGARD, JR.
DR. KARL J. PENSAK

MEMPHIS AND SHELBY COUNTY BOARD OF EQUALIZATION

REAPPOINTMENTS

C. HOWARD DAVIS
EDWARD D. SIMMONS, JR.
LILLIE M. WHITE

MEMPHIS AND SHELBY COUNTY BUILDING CODE ADVISORY BOARD

REAPPOINTMENT

ANTONIO R. BOLOGNA

MOTION: Flinn
SECOND: Strickland
AYES: Boyd, Brown, Collins, Flinn, Halbert, Hedgepeth, Lowery, Strickland
and Chairman Ford
Conrad, Fullilove, Harris and Morrison did not cast a vote

APPROVED

41. **RESOLUTION AMENDING THE 2014 CIP BUDGET BY ACCEPTING \$4,251,750.00 IN STP GRANT FUNDS AWARDED BY THE FEDERAL HIGHWAY ADMINISTRATION (THROUGH THE TENNESSEE DEPARTMENT OF TRANSPORTATION) TO THE DIVISION OF ENGINEERING AND ESTABLISHING FUNDING FOR THE STP ISOLATED TRAFFIC SIGNAL IMPROVEMENTS (GROUP 1), PROJECT NUMBER EN01049.**

MOTION: Hedgepeth
SECOND: Strickland
AYES: Boyd, Brown, Collins, Flinn, Halbert, Hedgepeth, Lowery, Strickland and
Chairman Ford
Conrad, Fullilove, Harris and Morrison did not cast a vote

APPROVED

42. **RESOLUTION AMENDING THE 2014 CIP BUDGET BY ACCEPTING \$3,785,500.00 IN STP GRANT FUNDS AWARDED BY THE FEDERAL HIGHWAY ADMINISTRATION (THROUGH THE TENNESSEE DEPARTMENT OF TRANSPORTATION) TO THE DIVISION OF ENGINEERING AND ESTABLISHING FUNDING FOR THE STP ISOLATED TRAFFIC SIGNAL IMPROVEMENTS (GROUP 2), PROJECT NUMBER EN01050.**

MOTION: Hedgepeth
 SECOND: Strickland
 AYES: Boyd, Brown, Collins, Conrad, Flinn, Halbert, Hedgepeth, Lowery, Strickland and Chairman Ford
 Fullilove, Harris and Morrison did not cast a vote

APPROVED

43. **RESOLUTION AMENDING THE FY 2014 CIP BUDGET BY ACCEPTING \$3,386,500.00 IN STP GRANT FUNDS AWARDED BY THE FEDERAL HIGHWAY ADMINISTRATION (THROUGH THE TENNESSEE DEPARTMENT OF TRANSPORTATION) TO THE DIVISION OF ENGINEERING AND ESTABLISHING FUNDING FOR THE STP ISOLATED TRAFFIC SIGNAL IMPROVEMENTS (GROUP 3), PROJECT NUMBER EN01051.**

MOTION: Hedgepeth
 SECOND: Strickland
 AYES: Boyd, Brown, Collins, Conrad, Flinn, Halbert, Harris, Hedgepeth, Lowery, Strickland and Chairman Ford
 Fullilove and Morrison did not cast a vote

APPROVED

44. **RESOLUTION APPROPRIATING \$669,667.00 FUNDED BY G.O. BONDS GENERAL FOR REPAIRS AT FIRE STATION 27 AND FIRE STATION 53.**

The Council of the City of Memphis did include Fire Station Repair, CIP Project Number FS02001 as part of the Fiscal Year 2014 Capital Improvement Program. Three bids were received on September 27, 2013, with the best complying bid submitted by Barnes and Brower, Inc., in the amount of \$620,062.00, plus contingency in the amount of \$49,605.00 for a total of \$669,667.00.

MOTION: Conrad
 SECOND: Hedgepeth
 AYES: Boyd, Brown, Collins, Conrad, Flinn, Halbert, Harris, Hedgepeth, Lowery, Strickland and Chairman Ford
 Fullilove and Morrison did not cast a vote

APPROVED

45. **JOINT CITY/COUNTY RESOLUTION REQUESTING APPROVAL OF THE SALE OF SURPLUS PROPERTY LOCATED AT 460 S. HIGHLAND, THAT WAS FORMERLY A PART OF THE MEMPHIS AND SHELBY COUNTY PUBLIC LIBRARY SYSTEM. (HELD FROM 10/15)**

MOTION: Boyd
 SECOND: Strickland
 AYES: Boyd, Brown, Collins, Conrad, Flinn, Hedgepeth, Strickland and Chairman Ford
 Harris recused
 Fullilove, Halbert, Lowery and Morrison did not cast a vote

APPROVED

46. **RESOLUTION ACCEPTING AND APPROPRIATING GREENPRINT SUBPLANNING FUNDS IN THE AMOUNT OF \$30,000.00 FROM SHELBY COUNTY GOVERNMENT THROUGH THE OFFICE OF SUSTAINABILITY TO THE FY 2014 BUDGET FOR THE DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT.**

MOTION: Brown
 SECOND: Boyd
 AYES: Boyd, Brown, Collins, Conrad, Flinn, Harris, Hedgepeth, Lowery and Chairman Ford
 Fullilove, Halbert, Morrison and Strickland did not cast a vote

APPROVED

47. **RESOLUTION AMENDING THE FY 2014 OPERATING BUDGET BY ACCEPTING AND APPROPRIATING THE EXPENDITURES AND REVENUES FOR THE LEAD HAZARD REDUCTION DEMONSTRATION GRANT IN THE AMOUNT OF \$3,000,000.00.**

MOTION: Brown
 SECOND: Boyd
 AYES: Boyd, Brown, Collins, Conrad, Flinn, Harris, Hedgepeth, Lowery and Chairman Ford
 Fullilove, Halbert, Morrison and Strickland did not cast a vote

APPROVED

48. **RESOLUTION REQUESTING THE CITY COUNCIL TO CONVENE AS A RATE MAKING BOARD AND APPROVE THE 2014 MEMPHIS LIGHT, GAS AND WATER DIVISION RATE ACTIONS.**

(Council Attorney Alan Wade explained that Item#48 was pertaining to (2) subjects, Water Rate Increase and TVA FCA Electric Tariff. Councilman Strickland made a motion, without objection, to divide the question and vote on these subjects separately).

(TVA FCA Electric Tariff Vote - #48)

MOTION: Lowery
 SECOND: Hedgepeth

AYES: Boyd, Brown, Collins, Conrad, Flinn, Harris, Hedgepeth, Lowery, Morrison, Strickland and Chairman Ford
Fullilove and Halbert did not cast a vote

APPROVED

(Water Rate Increase - #48)

MOTION: Lowery
SECOND: Hedgepeth
AYES: Boyd, Brown, Collins, Flinn, Hedgepeth, Lowery, Morrison and Chairman Ford
NAYS: Conrad, Harris and Strickland
Fullilove and Halbert did not cast a vote

APPROVED

49. **RESOLUTION APPROVING THE 2014 MEMPHIS LIGHT, GAS AND WATER DIVISION BUDGET.**

MOTION: Lowery
SECOND: Strickland
AYES: Boyd, Collins, Flinn, Harris, Hedgepeth, Lowery, Morrison and Chairman Ford
NAY: Strickland
Brown, Conrad, Fullilove and Halbert did not cast a vote

APPROVED

50. **RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF MEMPHIS, THROUGH ITS DIVISION OF PARKS AND NEIGHBORHOODS AND TV6-W, LLC. THE INITIAL TERM OF THE AGREEMENT IS FIVE (5) YEARS WITH THE OPTION TO RENEW FOR SEVEN (7) CONSECUTIVE FIVE (5) YEAR PERIODS.**

MOTION: Boyd
SECOND: Strickland
AYES: Boyd, Brown, Collins, Flinn, Halbert, Hedgepeth, Lowery, Morrison, Strickland and Chairman Ford
Conrad, Fullilove and Harris did not cast a vote

APPROVED

51. **RESOLUTION SEEKING ACCEPTANCE FOR DONATIONS OF VARIOUS ELECTRONICS AND SMALL APPLIANCES. ALL DONATIONS HAVE AN ESTIMATED VALUE OF \$1,920.71.**

MOTION: Conrad

SECOND: Strickland
AYES: Boyd, Brown, Collins, Conrad, Halbert, Harris, Hedgepeth, Lowery, Morrison,
Strickland and Chairman Ford
Flinn and Fullilove did not cast a vote

APPROVED

52. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$414,937.36 FROM THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION.**

MOTION: Conrad
SECOND: Halbert
AYES: Boyd, Brown, Collins, Conrad, Flinn, Halbert, Harris, Hedgepeth, Lowery,
Morrison, Strickland and Chairman Ford
Fullilove did not cast a vote

APPROVED

53. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$18,000.00 FROM THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION.**

MOTION: Conrad
SECOND: Strickland
AYES: Boyd, Brown, Collins, Conrad, Flinn, Halbert, Harris, Hedgepeth, Lowery,
Morrison, Strickland and Chairman Ford
Fullilove did not cast a vote

APPROVED

54. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$107,664.00 FROM THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION.**

MOTION: Conrad
SECOND: Halbert
AYES: Boyd, Brown, Collins, Conrad, Halbert, Harris, Hedgepeth, Lowery,
Morrison, Strickland and Chairman Ford
Flinn and Fullilove did not cast a vote

APPROVED

55. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$170,223.00 FROM THE U. S. DEPARTMENT OF JUSTICE, OFFICE OF JUVENILE AND DELINQUENCY PREVENTION.**

MOTION: Conrad
SECOND: Strickland

AYES: Boyd, Brown, Collins, Conrad, Halbert, Hedgepeth, Lowery, Morrison,
Strickland and Chairman Ford
Flinn, Fullilove and Harris did not cast a vote

APPROVED

56. **RESOLUTION ACCEPTING DONATED FUNDS IN THE AMOUNT OF \$100.00 FROM TWINZ-N-CONTROL, INC., FOR THE 2014 G.R.E.A.T. SUMMER CAMP PROGRAM. THIS RESOLUTION ALSO AMENDS THE FY 2014 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE DONATED FUNDS.**

MOTION: Conrad
SECOND: Boyd
AYES: Boyd, Brown, Collins, Conrad, Halbert, Harris, Hedgepeth, Lowery, Morrison,
Strickland and Chairman Ford
Flinn and Fullilove did not cast a vote

APPROVED

57. **RESOLUTION ACCEPTING DONATED FUNDS IN THE AMOUNT OF \$100.00 FROM WOLFCHASE HONDA FOR THE 2014 G.R.E.A.T. SUMMER CAMP PROGRAM. THIS RESOLUTION ALSO AMENDS THE FY 2014 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE DONATED FUNDS.**

MOTION: Conrad
SECOND: Boyd
AYES: Boyd, Brown, Collins, Conrad, Halbert, Harris, Hedgepeth, Lowery, Morrison,
Strickland and Chairman Ford
Flinn and Fullilove did not cast a vote

APPROVED

59. **RESOLUTION ACCEPTING TDOT FUNDS RELATED TO THE GRANT FOR STP 5, RESURFACING PROJECT. THE TOTAL GRANT AMOUNT IS \$8,672,900.00, OF WHICH \$6,938,320.00 (80%) ARE FEDERAL FUNDS AND \$1,734,580.00 (20%) ARE LOCAL FUNDS.**

MOTION: Hedgepeth
SECOND: Boyd
AYES: Boyd, Brown, Collins, Conrad, Halbert, Harris, Hedgepeth, Lowery, Morrison,
Strickland and Chairman Ford
Flinn and Fullilove did not cast a vote

APPROVED

60. **RESOLUTION ACCEPTING TDOT FUNDS RELATED TO THE GRANT FOR THE REPAIR OF BROOKS ROAD BRIDGE OVER DAYS CREEK. THE TOTAL GRANT AMOUNT IS \$815,000.00, OF WHICH \$652,000.00 (80%) ARE FEDERAL FUNDS AND \$163,000.00 (20%) ARE LOCAL FUNDS.**

MOTION: Hedgepeth
 SECOND: Strickland
 AYES: Boyd, Brown, Collins, Conrad, Halbert, Harris, Hedgepeth, Lowery, Morrison, Strickland and Chairman Ford
 Flinn and Fullilove did not cast a vote

APPROVED

61. **RESOLUTION ACCEPTING TDOT FUNDS RELATED TO THE GRANT FOR THE REPAIR OF 14 BRIDGES ON SAM COOPER. THE TOTAL GRANT AMOUNT IS \$5,333,000.00 OF WHICH \$4,266,400.00 (80%) ARE FEDERAL FUNDS AND \$1,066,600.00 (20%) ARE LOCAL FUNDS.**

MOTION: Hedgepeth
 SECOND: Boyd
 AYES: Boyd, Brown, Collins, Conrad, Halbert, Harris, Hedgepeth, Lowery, Morrison, Strickland and Chairman Ford
 Flinn and Fullilove did not cast a vote

APPROVED

62. **RESOLUTION ACCEPTING ADDITIONAL TDOT FUNDS RELATED TO THE GRANT FOR THE ELVIS PRESLEY BOULEVARD PROJECT. THIS AMENDMENT #2 ADDS AN ADDITIONAL \$297,397.00 IN FEDERAL FUNDS AND AN ADDITIONAL \$5,400,000.00 IN STATE FUNDS TO THE GRANT AMOUNT.**

MOTION: Hedgepeth
 SECOND: Boyd
 AYES: Boyd, Brown, Collins, Conrad, Halbert, Harris, Hedgepeth, Morrison, Strickland and Chairman Ford
 Flinn, Fullilove and Lowery did not cast a vote

APPROVED

(Special Item #2 – Councilman Lowery made a motion to approve Same Night Minutes for Item#12, from tonight’s meeting)

MOTION: Lowery
 SECOND: Boyd
 AYES: Boyd, Brown, Collins, Conrad, Halbert, Harris, Morrison, Strickland and Chairman Ford

Flinn, Fullilove, Hedgepeth and Lowery did not cast a vote

APPROVED

INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:

Chairman Ford recognized the following people who spoke from the audience:
Walter Broady, 4256 Ledbetter Cove, Memphis, Tennessee, 38109

ADJOURNED MEETING AT 5:42 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