

MINUTES**REGULAR MEETING OF THE CITY COUNCIL****CITY OF MEMPHIS****November 21, 2006****3:30 P.M. SCHEDULED SESSION****3:32 P.M. MEETING COMMENCED**

ROLL CALL: Dedrick Brittenum, Joe Brown, Carol Chumney, Edmund Ford, Barbara Swearengen 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 Elder Albert W. Ware from Faith Fellowship Church of God In Christ. Councilwoman Holt presented Elder Ware 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.

22. **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 T H I R D AND F I N A L READING.**

Ordinance No. 5191

Held until December 5, 2006

42. **RESOLUTION APPROVING A PLAN OF SERVICES FOR THE SOUTHEAST EXTENDED ANNEXATION AREA.**

Held until December 5, 2006

CONSENT AGENDA – Items 1-13 and # 47 - #49 may be acted upon by one motion. SEE PAGE 2058 FOR ROLL CALL

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 S E C O N D READING.**

Ordinance No. 5196

APPROVED, on Second reading

2. **ORDINANCE REZONING THE NORTHWEST CORNER OF RANGE LINE ROAD AND CORNING AVENUE, CONTAINING 13.5 ACRES IN THE PLANNED COMMERCIAL (C-P) DISTRICT, UP FOR F I R S T READING.**

Ordinance No. 5197
Case No. Z 06-123

APPROVED, on First reading

3. **ORDINANCE REZONING THE EAST SIDE OF MILLINGTON ROAD; ±125 FEET SOUTH OF THE INTERSECTION OF CINDY LANE, CONTAINING 4.4 ACRES IN THE LOCAL COMMERCIAL (C-L) DISTRICT, UP FOR F I R S T READING.**

Ordinance No. 5198
Case No. Z 06-124

APPROVED, on First reading

4. **RESOLUTION ACCEPTING HOUSTON LEVEE TRAILS PD, AREA "A", PUBLIC IMPROVEMENTS AND AUTHORIZING RELEASE OF BOND.**

(Contract No. CR-4965)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the west side of Houston Levee Road, south of U.S. Highway 64. The standard improvement contract was approved on August 16, 2005. Resolution also authorizes the release of the certificate of deposit in the amount of \$22,300.00.

City Engineer recommends approval

APPROVED

5. **RESOLUTION ACCEPTING MARKET OF RIVERDALE BEND, PHASE 2, PART OF AREA A AND AUTHORIZING RELEASE OF BOND.**

Case No. PD 97-311
(Contract No. CR-4438)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the north side of Winchester Road, 914 feet + east of Riverdale Road. The standard improvement contract was approved on June 1, 1999. Resolution also authorizes the release of the letter of credit in the amount of \$100,000.00.

City Engineer recommends approval

APPROVED

6. **RESOLUTION APPROVING FINAL PLAT OF TEMPLE ISRAEL SUP – CEMETARY.**

Case No. SUP 91-231

Resolution approves the final plat located north of Person Avenue, east of Hernando. Cost of the required improvements to be borne by the developer.

City Engineer recommends approval

APPROVED

7. **RESOLUTION APPROVING FINAL PLAT OF TRUSTMARK NATIONAL BANK C-P.**

Case No. Z 06-108

Resolution approves the final plat located on the northwest corner of Houston Levee and Macon Road. Cost of the required improvements to be borne by the developer.

City Engineer recommends approval

APPROVED

8. **RESOLUTION ACCEPTING GEMSTONE P.D., PHASE 4 AND AUTHORIZING RELEASE OF BOND.**

Case No. PD 99-380
(Contract No. CR-4971)

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 Holmes Road, 118 feet west of White Diamond Street. The standard improvement contract was approved on September 20, 2005. Resolution also authorizes the release of the Letter of Credit (No.S053366) in the amount of \$35,310.00.

City Engineer recommends approval

APPROVED

9. **RESOLUTION ACCEPTING GEMSTONE P.D., PHASE 5 AND AUTHORIZING RELEASE OF BOND.**

Case No. PD 99-380
(Contract No. CR-4972)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located 135 feet north of the terminus of Gemstone Way. The standard improvement contract was approved on September 20, 2005. Resolution also authorizes the release of the Letter of Credit (No.S053368) in the amount of \$25,000.00.

City Engineer recommends approval

APPROVED

10. **RESOLUTION ACCEPTING GEMSTONE P.D., PHASE 6 AND AUTHORIZING RELEASE OF BOND.**

Case No. PD 99-380
(Contract No. CR-4973)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown the final plat located on the south side of Holmes Road, east of Weaver Road. The standard improvement contract was approved on September 1, 2005. Resolution also authorizes the Letter of Credit (No.S053367) in the amount of \$18,900.00.

City Engineer recommends approval

APPROVED

11. **RESOLUTION ACCEPTING GEMSTONE P.D., PHASE 7 AND AUTHORIZING RELEASE OF BOND.**

Case No. PD 99-380
(Contract No. CR-4986)

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 Holmes Road, east of Weaver Road. The standard improvement contract was approved on November 15, 2005. Resolution also authorizes the release of the Letter of Credit (No.S053452) in the amount of \$18,900.00.

City Engineer recommends approval

APPROVED

12. **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 06-320
 - B. Case No. PD 06-346
 - C. Case No. PD 06-351cc – SHELBY WOODLANDS P.D., 3RD AMENDMENT
 - D. Case No. PD 06-352cc – GARDENS OF GRAYS HOLLOW II, PD
 - E. Case No. SAC 06-614 – STEPHERSON ROAD CLOSURE
 - F. Case No. SAC 06-615 – MILLER ROAD
 - G. Case No. SAC 06-620 – OLD HORN LAKE ROAD
 - H. Case No. SAC 06-621 – ALCY ROAD
 - I. Case No. SAC 06-622 – RIVERGATE ROAD
 - J. Case No. SAC 06-623 – MCFARLAND ROAD CLOSURE

Public Hearing Set for December 5, 2006

13. **RESOLUTION APPROVING TEMPORARY STRUCTURES FOR PINNACLE AIRLINE PILOT ASSOCIATION'S INFORMATIONAL PICKETING ON DECEMBER 5, 2006 AT DIVIDEND AND NONCONNAH BLVD.**

APPROVED

47. **RESOLUTION APPROVING FINAL PLAT OF ARNOLD ROAD INDUSTRIAL PARK PD, PHASE 1 (REVISED).**

Case No. PD 90-364
Contract No. CR-5044

Resolution approves the final plat located on the north side of Arnold Road, 346.76 feet west of Getwell Road. Cost of the required improvements to be borne by the developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

City Engineer recommends approval

APPROVED

48. **RESOLUTION APPROVING TEMPORARY STRUCTURES ON THE STREETS FROM 6:15 A.M. - 4:00 P.M., ON DECEMBER 2, 2006, FOR ST. JUDE CHILDREN'S RESEARCH HOSPITAL – GRIZZLIES HOUSE 5K.**

APPROVED

49. **RESOLUTION APPROVING TEMPORARY STRUCTURES ON THE STREETS FROM 6:30 A.M. - 4:00 P.M., ON DECEMBER 2, 2006, FOR ST. JUDE CHILDREN'S RESEARCH HOSPITAL – ST. JUDE MEMPHIS MARATHON.**

APPROVED

ROLL CALL CONSENT ITEMS

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

APPROVED

MLGW FISCAL CONSENT – Items 14 - 19 may be acted upon by one motion

- 14. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 10813, HEWLETT-PACKARD COMBINED SUPPORT AGREEMENT, WITH HEWLETT-PACKARD, INC., IN THE FUNDED AMOUNT OF \$1,857,875.91. (THIS ALLOWS THE PURCHASE OF A NEW FIVE YEAR DISCOUNTED SUPPORT AGREEMENT.)**

APPROVED

- 15. **RESOLUTION AWARDDING CONTRACT FOR ELECTRO FUSION FITTINGS TO M. T. DEASON IN THE AMOUNT OF \$45,226.50.**

APPROVED

- 16. **RESOLUTION AWARDDING CONTRACT FOR STEEL PIPE AND FITTINGS AS FOLLOWS:**

Consolidated Pipe and Supply.....	\$ 62,498.20
Red Man Pipe and Supply.....	<u>11,401.49</u>
Total.....	\$ 73,899.69

APPROVED

- 17. **RESOLUTION AWARDDING CONTRACT FOR A COMPLETE EMERGENCY RESPONSE AUDIO VISUAL SYSTEM TO NOLAN’S AUDIO VISUAL, INC. IN THE AMOUNT OF \$49,293.05.**

APPROVED

- 18. **RESOLUTION AWARDDING A 36-MONTH CONTRACT FOR CUSTOMER UTILITY BILL PAPER TO WORKFLOWONE IN THE AMOUNT OF \$320,463.00.**

APPROVED

- 19. **RESOLUTION APPROVING EXPEDITED PROCUREMENT REQUEST FOR CHANGE NO. 1 TO CONTRACT NO. 11168, MEDICAL SERVICES, WITH NURSEFINDERS, INC., WITH AN INCREASE IN THE ESTIMATED FUNDED AMOUNT OF \$51,128.00. (THIS EXTENSION IS NECESSARY TO EXTEND THE CURRENT NURSE AND MEDICAL ASSISTANT POSITIONS THROUGH FEBRUARY 28, 2007.)**

APPROVED

ROLL CALL MLGW FISCAL CONSENT ITEMS

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

APPROVED

- 39. **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 T H I R D AND F I N A L READING.**

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

MOTION: Peete

SECOND: Ford

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

APPROVED

40. **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 T H I R D AND F I N A L READING.**

Ordinance No. 5190

Case No. Z 06-119

Applicant: Betty Christy

Request: Single Family Residential (R-S10) District

LUCB and OPD recommendation: APPROVAL

MOTION: Peete

SECOND: Holt

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

APPROVED

28. **RESOLUTION APPROVING BUDGETS OF THE ELECTRIC, GAS AND WATER DIVISIONS FOR 2007 OPERATION AND MAINTENANCE EXPENSES AND CAPITAL EXPENDITURES.**

MOTION: Ford

SECOND: Peete

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

NAY: Brown
Sammons was absent

APPROVED

29. **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.**

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

Chairman Mitchell recognized the following person from the audience:
Mark Woodcock, 695 Jackson Avenue, Memphis, TN.

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

APPROVED

21. **ORDINANCE AMENDING CHAPTER 2, CODE OF ORDINANCES, CITY OF MEMPHIS, SO AS TO ESTABLISH A LIVING WAGE, UP FOR T H I R D AND F I N A L READING. (HELD FROM 10/17).**

Ordinance No. 5185

Chairman Mitchell recognized the following people from the audience:
Rev. Ellen Roberts, 1953 Foster, Memphis, TN. 38114
David Ciscel, 1950 Nelson, Memphis, TN. 38104
Earline W. Duncan, 166 Lawndale Dr., Memphis, TN. 38109
Bill Hawkins, 4000 Clearpool Circle, Memphis, TN. 38118

(Councilman McCormick offered a friendly amendment stating that hospitality, restaurants and hotels would be exempt from this living wage ordinance. Due to some objection to this amendment, a vote was taken)

(Special Item #1) – McCormick’s Friendly Amendment

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

APPROVED, Special Item #1

(Councilman Lowery offered a friendly amendment stating that city service contractors will be included in this living wage ordinance. This friendly amendment was accepted by Councilman Brittenum).

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

APPROVED, as amended

(The meeting recessed at 5:02 p.m. and reconvened at 5:07 p.m.)

20. **APPOINTMENTS**

CIVIL SERVICE COMMISSION

APPOINTMENT

Edward A. Bumpus

REAPPOINTMENT

Barbara Holmes
Gloria Thomas

MEMPHIS & SHELBY COUNTY AIRPORT AUTHORITY

APPOINTMENT

David C. Peck

MEMPHIS & SHELBY COUNTY MUSIC COMMISSION

APPOINTMENT

Larry Armstrong
James A. Crislip, Jr.
Patricia Hoy

REAPPOINTMENT

Jon Hornyak
Pat Kerr Tigrett

MEMPHIS & SHELBY COUNTY SPORTS AUTHORITY

APPOINTMENT

D.W. (Bill) McGaughey

REAPPOINTMENT

Patrick Carter
Van S. Weinberg

PUBLIC ART OVERSIGHT COMMITTEE

APPOINTMENT

Joseph Nelson
Beverly A. Perkins

REAPPOINTMENT

Sandra Burke

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

APPROVED

30. **RESOLUTION APPROPRIATING \$725,000.00 FOR IMPROVEMENTS AT VARIOUS COMMUNITY CENTERS.**

The Council of the City of Memphis did include Community Center Improvements, Project Number PK01024, as part of the Fiscal Year 2007 CIP Budget to make necessary

improvements and repairs at existing community centers and purchase Information Technology items.

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

APPROVED

41. A. **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 FROM 10/17)**
- B. **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 FROM 10/17)**

Chairman Mitchell recognized the following people from the audience:

Matthew Buyer, 1022 Coolidge Cove, 38018 ,41-B
 Rick Winchester, 692 Sanga Creek, Memphis, TN. 38119, 41-B
 Cathy Sheeks, 7755 Nesting Dove Lane, 38016, 41-B
 Frank Taylor, 2353 Beecham, 38016, 41-B
 Eroneus Shipp, 1550 Shadowlawn Blvd., Memphis, TN. 38016
 Christianne Bonner, 7436 Bakers Glenn Lane, 38018, 41-B
 Lois Bailey, 7020 Country Walk Dr., 38018, 41-B
 Ida Steinberg-Dye, 7437 Hunter Trail Cove, 38125, 41-A
 Danny Moses, 4515 Whispering Bend Dr., 38125, 41-A
 Barry Clay, 4250 Richwood Place, 38125, 41-A
 James McCarthy, 7680 Richmond Circle, 38125, 41-A
 Rufus Washington, 7659 Carter Creek Cove, 38125, 41-A
 LaRita Mitchell, 5038 Harvest Park Dr., 38125, 41-A
 Robert Jones, 7280 Greythorne, 38125, 41-A
 Rick Winchester, 6060 Poplar, Memphis, TN. 38119, 41-A

(After a lengthy discussion, Councilman Jones made a motion for the annexation of the Bridgewater and Southeast Extended Area be voted at tonight's meeting, but the actual annexation was not to take place until December 31, 2007).

(Special Item #2) – Jones's Motion

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

(Special Item #2 –FAILED)

(After more discussion of this item, Councilman Peete made a motion for this item to be sent back to LUCB on November 30, 2006 and come back before City Council in 2 weeks)

(Special Item#3) – Peete's Motion

MOTION: Peete
 SECOND: Taylor

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

(Special Item #3) – APPROVED, delayed until December 5, 2006

42. **RESOLUTION APPROVING A PLAN OF SERVICES FOR THE SOUTHEAST EXTENDED ANNEXATION AREA.**

Held until December 5, 2006

43. **RESOLUTION APPROVING A PLAN OF SERVICES FOR THE BRIDGEWATER ANNEXATION AREA 1.**

Held until December 5, 2006

44. **RESOLUTION APPROVING A PLAN OF SERVICES FOR THE BRIDGEWATER ANNEXATION AREA 2.**

Held until December 5, 2006

45. **RESOLUTION APPROVING A PLAN OF SERVICES FOR THE BRIDGEWATER ANNEXATION AREA 3.**

Held until December 5, 2006

46. **RESOLUTION APPROVING A PLAN OF SERVICES FOR THE BRIDGEWATER ANNEXATION AREA 4.**

Held until December 5, 2006

22. **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 T H I R D AND F I N A L READING.**

Ordinance No. 5191

Held until December 5, 2006

23. **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 T H I R D AND F I N A L READING.**

Ordinance No. 5192

Held until December 5, 2006

24. **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 T H I R D AND F I N A L READING.**

Ordinance No. 5193

Held until December 5, 2006

25. **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 T H I R D AND F I N A L READING.**

Ordinance No. 5194

Held until December 5, 2006

26. **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 OB THE STATE OF TENNESSEE FOR 1955, AS AMENDED, BY ANNEXING BRIDGEWATER ANNEXATION AREA 4 AND ASSIGNING SAID AREA TO A COUNCIL DISTRICT, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5195

Held until December 5, 2006

27. **RESOLUTION AMENDING THE FISCAL YEAR 2007 SPECIAL REVENUE FUND BUDGETS BY ACCEPTING AND APPROPRIATING \$80,000.00 IN FEDERAL GRANT FUNDS IN THE DIVISION OF ENGINEERING FOR TRANSPORTATION PLANNING ACTIVITIES.**

City Engineer recommends approval

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

APPROVED

31. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$215,991.00 FROM THE DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS FOR THE 2006 GANG RESISTANCE EDUCATION AND TRAINING (G.R.E.A.T.) GRANT TO IMPLEMENT GANG RESISTANCE EDUCATION AND TRAINING WITHIN THE MEMPHIS CITY SCHOOLS. RESOLUTION ALSO AMENDS FY 2007 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS.**

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

APPROVED

32. **RESOLUTION APPROPRIATES \$52,500.00 FOR FY 07 CIP PROJECT PS01015, CONVENTION CENTER IMPROVEMENTS. THIS APPROPRIATION FUNDS THE CAPITAL PURCHASE OF INDUSTRIAL RIDING SCRUBBERS AND SWEEPERS TO MAINTAIN THE CENTERS CLEANLINESS. THIS PURCHASE FURTHER IMPROVES THE CONVENTION CENTERS COMPETITIVE ADVANTAGE BOTH REGIONALLY AND NATIONALLY.**

MOTION: Jones
 SECOND: Holt

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

APPROVED

MINUTES

Approval of the Minutes of the regular meeting of November 7, 2006 with the following motion:

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

APPROVED

33. **RESOLUTION APPROPRIATING \$415,000.00 FUNDED BY G.O. BONDS GENERAL IN FURNITURE FIXTURE AND EQUIPMENT FOR THE WHITEHAVEN COMMUNITY LIBRARY, CIP PROJECT NUMBER LI01004 FOR THE COLLECTION OF MATERIALS FOR OPENING DAY.**

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

APPROVED

34. **RESOLUTION APPROPRIATING \$539,223.00 FUNDED BY G.O. BONDS GENERAL IN CURB, GUTTER AND SIDEWALKS GROUP 1 FY07, PROJECT NUMBER ST04042 FOR A CONSTRUCTION CONTRACT WITH FERRELL PAVING, INC., FOR THE INSTALLATION OF SIDEWALKS, CURBS AND GUTTERS AT VARIOUS LOCATIONS.**

Director of Public Works and City Engineer recommends approval

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

APPROVED

35. **RESOLUTION APPROPRIATING \$699,888.00 FUNDED BY G.O. BONDS GENERAL IN CHERRY BAYOU DRAINAGE RETROFIT, PROJECT NUMBER ST03067 FOR A CONSTRUCTION CONTRACT WITH FERRELL PAVING, INC., FOR THE DRAINAGE REPAIR.**

Director of Public Works and City Engineer recommends approval

MOTION: Jones
 SECOND: McCormick
 AYES: Brown, Chumney, Ford, Holt, Jones, Lowery, McCormick, Taylor and Chairman Mitchell

Brittenum, Marshall and Peete did not cast a vote
Sammons was absent

APPROVED

36. **RESOLUTION APPROPRIATING \$392,202.00 FUNDED BY G.O. BONDS GENERAL FOR SCHOOL SAFETY GROUP 3, PROJECT NUMBER PW04053 FOR A CONTRACT WITH GCM, INC., FOR THE INSTALLATION OF SIDEWALKS IN THE VICINITY OF SCHOOLS.**

Director of Public Works and City Engineer recommends approval

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

APPROVED

37. **RESOLUTION APPROPRIATING \$67,102.00 FUNDED BY SEWER FUNDS FOR RIVERDALE RAINES SEWER EXTENSION, PROJECT NUMBER SW01027 FOR THE EXTENSION OF SEWER TO A NEW DEVELOPMENT.**

Director of Public Works and City Engineer recommends approval

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

APPROVED

38. **RESOLUTION APPROPRIATING \$425,156.00 FUNDED BY G.O. BONDS GENERAL FOR ADA RAMPS 27, PROJECT NUMBER PW04052 FOR A CONTRACT WITH GCM, INC., FOR THE INSTALLATION OF ADA RAMPS AT VARIOUS LOCATIONS IN THE CITY.**

Director of Public Works and City Engineer recommends approval

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

APPROVED

50. **RESOLUTION ASKING THE SHELBY COUNTY COMMISSION'S NEEDS ASSESSMENT COMMITTEE TO MORE CLOSELY MONITOR GROWTH IN CITY OF MEMPHIS ANNEXATION RESERVE AREAS TO ENSURE MEMPHIS CITY SCHOOLS PROACTIVELY BUILD FACILITIES TO ACCOMMODATE THE K – 12 POPULATION.**

MOTION: Jones
SECOND: McCormick
AYES: Brown, Chumney, Ford, Holt, Jones, Lowery, McCormick, Taylor and Chairman Mitchell

Brittenum, Marshall and Peete did not cast a vote
Sammons was absent

APPROVED

INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:

ADJOURNED MEETING AT 7:10 P.M.

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

CHAIRMAN

Attest:

Deputy Comptroller/Council Records