

**MINUTES****REGULAR MEETING OF THE CITY COUNCIL****CITY OF MEMPHIS****December 19, 2006****3:30 P.M. SCHEDULED SESSION****3:45 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, Jack Sammons, Brent Taylor and Chairman TaJuan Stout Mitchell

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

**INVOCATION**

The meeting was opened with prayer by Pastor Gina Stewart from Christ Missionary Baptist Church. Brittenum presented Pastor Stewart with a certificate naming her 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.**

**24. PRESENTATION OF THE MEMPHIS CITY COUNCIL 2006 HUMANITARIAN AWARD.**

MOTION: Lowery  
SECOND: Brown

**APPROVED**, by unanimous voice vote

**CONSENT AGENDA – Items 1-7 may be acted upon by one motion. SEE PAGE 2086 FOR ROLL CALL**

1. **ORDINANCE AMENDING THE USE OF PUBLIC PROPERTY AND APPROVING IMPLEMENTATION OF AGREEMENT OF PURCHASE, SALE AND TRANSFER ENTERED INTO BY AND BETWEEN THE UNITED STATES POSTAL SERVICE, THE TENNESSEE BOARD OF REGENTS/STATE OF TENNESSEE AND THE CITY OF MEMPHIS. PROPERTY SHALL BE USED BY THE STATE FOR THE UNIVERSITY OF MEMPHIS CECIL C. HUMPHREYS SCHOOL OF LAW, UP FOR S E C O N D READING.**

Ordinance No. 5200

**APPROVED**

2. **ORDINANCE REZONING THE WEST SIDE OF N. SECOND STREET @MAHANNAH AVENUE, CONTAINING 9.88 ACRES IN THE HEAVY INDUSTRIAL (I-H) & HEAVY INDUSTRIAL FLOOD PLAIN (I-H[FP]) DISTRICTS, UP FOR F I R S T READING.**

Ordinance No. 5201  
Case No. Z 06-126

**APPROVED**

3. **ORDINANCE REZONING THE NORTH SIDE OF CLEMENTINE ROAD; +200 FEET WEST OF DARLENE STREET, CONTAINING 2.39 ACRES IN THE DUPLEX RESIDENTIAL (R-D) DISTRICT, UP FOR S E C O N D READING.**

Ordinance No. 5199

Case No. Z 06-125

**APPROVED**, on Second reading

4. **RESOLUTION APPROVING FINAL PLAT OF BENJESTOWN SUBDIVISION.**

Case No. S 06-004

Resolution approves the final plat located on the east side of Benjestown Road, north of Circle Road. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

**APPROVED**

5. **RESOLUTION APPROVING FINAL PLAT OF GARY SUBDIVISION.**

Case No. S 06-030cc

Resolution approves the final plat located between N. Brownsville Road and Covington Pike, 1,120' south of Austin Peay Highway. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

**APPROVED**

6. **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. S 06-056 – Colonial Grove Subdivision
- B. Case No. SAC 06-616 – Outland Road
- C. Case No. SAC 06-628 – Escape Alley Closure

Public Hearing Set for January 2, 2007

7. **RESOLUTION APPROVING TEMPORARY STRUCTURES ON THE STREETS, DECEMBER 28, 2006, FROM 2:30 P.M. UNTIL 6:00 P.M., FOR THE AUTO ZONE LIBERTY BOWL PARADE.**

**APPROVED**

**ROLL CALL CONSENT ITEMS**

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

**APPROVED**

**MLGW FISCAL CONSENT – Items 8-22 may be acted upon by one motion**

8. **RESOLUTION AWARDDING CONTRACT NO. 11150, DRILLED PIER INSTALLATION, TO MCKINNEY DRILLING COMPANY, IN THE FUNDED AMOUNT OF \$277,435.00.**

**APPROVED**

9. **RESOLUTION AWARDING CONTRACT NO. 11152, PHOTOVOLTAIC SYSTEM DESIGN AND INSTALLATION, TO ARC ELECTRIC COMPANY, INC., IN THE FUNDED AMOUNT OF \$359,959.00.**

**APPROVED**

10. **RESOLUTION AWARDING CONTRACT NO. 11159, NETTERS UPS/PDU MAINTENANCE SYSTEM, TO LIEBER GLOBAL SERVICES IN C/O COMPUTER ENVIRONMENT, IN THE FUNDED AMOUNT OF \$79,790.00.**

**APPROVED**

11. **RESOLUTION AWARDING CONTRACT NO. 11160, COMPUTER EQUIPMENT MAINTENANCE, TO MID-SOUTH COMPUTER SERVICES, IN THE ESTIMATED FUNDED AMOUNT OF \$127,236.00.**

**APPROVED**

12. **RESOLUTION APPROVING CHANGE NO. 6 TO CONTRACT NO. 10344, COMPUTER ASSOCIATES COMBINED PRODUCTS, WITH COMPUTER ASSOCIATES, INC., TO EXTEND THE EXISTING LICENSE AGREEMENT FOR AN ADDITIONAL THREE YEARS BEGINNING 2/27/07 AND ENDING ON 2/27/10, IN AN ESTIMATED FUNDED AMOUNT OF \$620,850.00. (EXTENSION IS NECESSARY DUE TO THE SOFTWARE LICENSE EXPIRING ON 2/27/07.)**

**APPROVED**

13. **RESOLUTION APPROVING EXPEDITED PROCUREMENT REQUEST FOR CHANGE NO. 2 TO CONTRACT NO. 10968, ELEVATOR UPGRADES, WITH KONE, INC., IN AN ESTIMATED FUNDED AMOUNT OF \$50,736 WITH AN INCREASE IN THE PRESENT MAINTENANCE AND HOURLY RATES. (THIS RENEWS THE CONTRACT FOR BOTH THE FIRST AND SECOND TERMS RETROACTIVE TO JULY 1, 2005 TO JUNE 30, 2007.)**

**APPROVED**

14. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11004, IMPLEMENTATION OF ORACLE HUMAN RESOURCES AND PAYROLL, WITH KBACE TECHNOLOGIES, INC., IN AN ESTIMATED FUNDED AMOUNT OF \$775,200. (THIS EXTENDS THE ON-SITE SERVICES OF KBACE TECHNOLOGIES, INC. UNTIL DECEMBER 31, 2007.)**

**APPROVED**

15. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11096, MOBILE SWEEPER CLEANING, WITH HORIZON OF MEMPHIS, INC., IN THE FUNDED AMOUNT OF \$70,386.96 WITHOUT AN INCREASE IN THE PRESENT MONTHLY CHARGES. (THIS RENEWS THE CONTRACT FOR A FIRST TERM BEGINNING MARCH 1, 2007 TO FEBRUARY 28, 2008).**

**APPROVED**

16. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 10993, DIAL TONE SERVICES, WITH US LEC OF TENNESSEE, INC., IN AN ESTIMATED FUNDED AMOUNT OF \$78,000.00. (THIS RENEWS THE CONTRACT FOR A FIRST RENEWAL TERM BEGINNING APRIL 23, 2007 TO APRIL 22, 2008.)**

**APPROVED**

17. **RESOLUTION AWARDING CONTRACT FOR THE PURCHASE OF PREPAID CARDS FOR 2005 ACHIEVEMENT GOALS FOR THE CONSTRUCTION AND MAINTENANCE DEPARTMENT TO SWIFT PREPAID SOLUTIONS, INC., IN THE AMOUNT OF \$30,432.00.**

**APPROVED**

- 18. **RESOLUTION APPROVING RATIFICATION OF EMERGENCY PURCHASE ORDER NO. 129470 FOR 36-MONTH SUPPLY OF FLUOROSILICIC ACID TO BRENNTAG MID-SOUTH, INC., IN THE AMOUNT OF \$1,128,710.00.**

**APPROVED**

- 19. **RESOLUTION APPROVING RATIFICATION OF EMERGENCY PURCHASE ORDER NO. 129503 FOR THE PURCHASE OF COMMUNICATION SYSTEM EQUIPMENT TO GAI-TRONICS CORPORATION, IN THE AMOUNT OF \$42,641.63.**

**APPROVED**

- 20. **RESOLUTION AWARDED CONTRACT FOR POLYCARBONATE GLOBES TO FORMED PLASTICS, INC. C/O VINCENT SALES, IN THE AMOUNT OF \$43,875.00.**

**APPROVED**

- 21. **RESOLUTION AWARDED CONTRACT FOR DUCTILE IRON PIPE TO U.S. PIPE AND FOUNDRY COMPANY, IN THE AMOUNT OF \$1,746,654.00.**

**APPROVED**

- 22. **RESOLUTION APPROVING RENEWAL OF COOPERATIVE AGREEMENT NO. 5447, WITH THE UNITED STATES DEPARTMENT OF INTERIOR GEOLOGICAL SURVEY, INVESTIGATION OF WATER RESOURCES, FOR THE PERIOD OF OCTOBER 1, 2006 TO SEPTEMBER 30, 2007, IN THE SUM OF \$55,000.00.**

**APPROVED**

**ROLL CALL MLGW FISCAL CONSENT ITEMS**

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

**APPROVED**

MOTION: Chumney – Move that we vote separately on Item #23

- 23. **RESOLUTION APPROVING THE SELECTION OF GALE JONES CARSON FOR THE POSITION OF DIRECTOR OF CORPORATE COMMUNICATION IN ACCORDANCE WITH SALARY NO. S-78788 IN THE AMOUNT OF \$126,006.40 ANNUALLY.**

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

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

54. **APPOINTMENT**

**Alcohol Commission**

**Reappointment**

Reginald French

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

**APPROVED** – This item was reconsidered (See Page 2091)

25. **APPOINTMENTS**

**Alcohol Commission**

Appointment

Ricky Middlebrook

Re-Appointments

William N. Cox, Sr.  
 Martavius D. Jones  
 Rev. Ella R. Mosby  
 Robert Wayne West

**Fire Department Board of Appeals**

Re-Appointment

Janet Smith-Haltom

**Memphis and Shelby County Air Pollution Board**

Appointments

Dr. Helen Broughton  
 Felicia K. Reeves

**Memphis and Shelby County Music Commission**

Appointment

Billy Gibson

**Solid Waste Planning Region Board**

Re-Appointment

Jerry Collins

MOTION: Marshall- Hold Rev. Ella Mosby’s appointment for two weeks

Without objection her appointment will be held for two weeks

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

**APPROVED**, with the exception of Rev. Mosby which will be held for two weeks

41. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE SOUTH SIDE OF SHELBY DRIVE; +100 FEET EAST OF SWINNEA ROAD, CONTAINING 9.55 ACRES IN THE LOCAL COMMERCIAL (C-L) DISTRICT.**

Case No. PD 06-349

Applicant: Shelby Railroad Service, Inc.  
Fisher & Arnold, Inc. – Representative

Request: A planned development to allow a railroad construction contractors office with associated equipment repair facilities and outdoor storage

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Lowery

SECOND: Jones

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

**APPROVED**

26. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$55,000.00 FROM THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT DIVISION FOR WIA TITLE ONE INCUMBENT WORKER SERVICES GRANTS. 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, Marshall, McCormick, Peete, Sammons, Taylor and Chairman Mitchell

**APPROVED**

53. **RESOLUTION SUPPORTING THE OPERATION OF A THEME PARK AND WATER PARK ON THE FORMER LIBERTYLAND PROPERTY, WITH JOYLAND AMUSEMENT PARK, INC.**

Chairman Mitchell recognized the following person from the audience:

Edmund Mackey, 2018 Walker Ave., Mphs, TN 38104

MOTION: Brittenum – Hold for two weeks until we have the final document

SECOND: Holt

AYES: Brittenum, Brown, Holt, Jones, Taylor and Chairman Mitchell

NAYS: Chumney, Ford, Lowery, Marshall, McCormick, Peete and Sammons

**FAILED**, set up as Special Item #3

MOTION: Marshall – Call for the question on the motion

No action was taken

MAIN MOTION: McCormick

SECOND: Peete

AYES: Chumney, Ford, Jones, Lowery, Marshall, McCormick, Peete and Sammons

NAYS: Brittenum, Holt and Chairman Mitchell

Brown and Taylor did not cast a vote

**APPROVED**

27. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$446,872.00 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.**

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

**APPROVED**

28. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$1,542,344.00 FROM THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT DIVISION FOR WIA TITLE ONE DISLOCATED 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, Marshall, McCormick, Peete, Sammons, Taylor and Chairman Mitchell

**APPROVED**

29. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$2,479,513.00 FROM THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT DIVISION FOR WIA TITLE ONE ADULT 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, Marshall, McCormick, Peete, Sammons, Taylor and Chairman Mitchell

**APPROVED**

30. **RESOLUTION APPROPRIATING \$500,000.00 IN G.O. BONDS GENERAL IN CIP PROJECT IS01007 REPLACE OBSOLETE EQUIPMENT. THIS PROJECT WILL PROVIDE FUNDS TO REPLACE OBSOLETE EQUIPMENT AND INCREASE STORAGE CAPACITY ON MANY OF THE CITY'S WORKSTATIONS AND SERVERS.**

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

**APPROVED**

MOTION: Taylor – Reconsider the approval of Mr. French to the Alcohol Commission  
 SECOND: Sammons  
 AYES: Chumney, Jones, Lowery, Marshall, McCormick, Sammons and Taylor  
 NAYS: Brittenum, Brown, Ford, Holt, Peete and Chairman Mitchell

**APPROVED**, set up as Special Item #3

MOTION: Taylor – Hold for two weeks  
 SECOND: Marshall  
 AYES: Chumney, Lowery, Marshall, McCormick, Sammons and Taylor  
 NAYS: Brown, Ford, Holt, Jones, Peete and Mitchell  
 Brittenum abstained

**FAILED**, set up as Special Item #4

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

**FAILED**, set up as Special Item #5

32. **RESOLUTION CANCELING TAXES IN THE AMOUNT OF \$6,483.60, FOR PROPERTY LOCATED AT 1433 UNION.**

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

**APPROVED**

33. **RESOLUTION INCLUDING MAJOR MODIFICATIONS/IMPROVEMENTS TO PROPERTY, CIP NUMBER GS01007 AS PART OF THE FISCAL YEAR 2007 CAPITAL IMPROVEMENT PROGRAM. RESOLUTION ALSO SEEKS TO APPROPRIATE \$558,000.00 IN CONSTRUCTION FUNDS, FUNDED BY G.O. BONDS GENERAL.**

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

**APPROVED**

34. **RESOLUTION TRANSFERRING AN ALLOCATION OF \$37,000.00 FUNDED BY G.O. BONDS GENERAL FROM IT IN PD02002, HICKORY HILL PRECINCT, TO PD04016, RELOCATE INTERNAL AFFAIRS BUREAU, AND APPROPRIATE SAID FUNDS.**

MOTION: Brittenum – Allocation be paid out of the General Fund  
 SECOND: Chumney

**SECOND WITHDRAWN**

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

**APPROVED**

31. **RESOLUTION APPROPRIATING \$1,048,000.00 FUNDED BY G.O. BONDS – GENERAL IN CIP PROJECT #GA05001, MANASSAS HIGH SCHOOL REPLACEMENT.**

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

**APPROVED**

49. **RESOLUTION APPROVING A SOUTH CENTRAL BUSINESS IMPROVEMENT DISTRICT APPEAL LOCATED ON THE WEST SIDE OF TENNESSEE STREET, 300 FEET NORTH OF G.E. PATTERSON STREET.**

Case No. SCBID 06-08

Chairman Mitchell recognized the following persons from the audience:

Patti C. Bowlan, One Commerce Square, Suite 2200, Mphs, TN 38103  
 Michael A. Robinson, 501 Montaigne Blvd., Mphs, TN 38103  
 Brenda Solomito, 10145 Mackwood Dr., Arlington, TN

MOTION: McCormick – Lay on the table for two weeks  
 SECOND: Chumney

Councilman McCormick amended the above motion with the following motion

MOTION: McCormick – Lay on the table until the first meeting in February  
 SECOND: Chumney  
 AYES: Brittenum, Chumney, Lowery, McCormick, Sammons and Chairman Mitchell  
 NAYS: Ford and Holt  
 Brown, Jones, Marshall, Peete and Taylor did not cast a vote

**APPROVED**, item held to February 6, 2006

35. **RESOLUTION AMENDING POLICE DIVISION CAPITAL ACQUISITION PROJECT, PD03004, FY 2007 TO REDUCE THE NUMBER OF POLICE UNMARKED CARS FROM 62 TO 45 AND ADD (10) PST CARS AND (7) CSI MINI-VANS.**

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

**APPROVED**

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

Ordinance No. 5197  
 Case No. Z 06-123

Applicant: Union Apartments, LP  
 Nathan Bicks – Representative

Request: Multiple Dwelling Residential (R-ML) District

LUCB and OPD recommendation: APPROVAL

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

**APPROVED**

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

Ordinance No. 5198

Case No. Z 06-124

Applicant: Union Apartments, LP  
Nathan Bicks – Representative

Request: Multiple Dwelling Residential (R-MM) District

LUCB and OPD recommendation: APPROVAL

MOTION: Lowery

SECOND: Jones

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

**APPROVED**

38. **RESOLUTION APPROVING A PLANNED DEVELOPMENT 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.** (Held from 11/07;12/05).

Case No. PD 06-334

Chairman Mitchell recognized the following person from the audience:

David Wade, 6410 Poplar Avenue, Mphs, TN 38119

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

MOTION: Lowery

SECOND: McCormick

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

**APPROVED**, as amended in Committee

39. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE SOUTH SIDE OF U.S. HIGHWAY 64; +2,100 FEET EAST OF GERMANTOWN PARKWAY, CONTAINING 1.83 ACRES AND IS GOVERNED BY THE CONDITIONS OF P.D. 94-330CC.**

Case No. PD 06-336

Applicant: Avis-Budget Group Inc.  
S R Consulting (Cindy Reaves) – Representative

Request: Automobile Rental

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Lowery

SECOND: Jones

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

**APPROVED**

40. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE SOUTHWEST CORNER OF PRINCETON AVENUE AND ERWIN DRIVE, CONTAINING 0.64 ACRE IN THE SINGLE FAMILY RESIDENTIAL (R-S10) DISTRICT.**

Case No. PD 06-340

Applicant: SEACAP Financial Inc.  
Bob King – Representative

Request: 3 Residential Lots

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Lowery

SECOND: Marshall

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

**APPROVED**, as amended in Committee

42. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE EAST SIDE OF HACKS CROSS ROAD; +100 FEET SOUTH OF HOLMES ROAD, CONTAINING 65.47 ACRES IN THE AGRICULTURAL (AG) DISTRICT.**

Case No. PD 06-350cc

Applicant: Beacon Ridge LLC  
Terry Dann/Danny Tabrizzi – Representative

Request: A maximum of 175 residential lots

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Lowery

SECOND: Holt

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

**APPROVED**, as amended in Committee

44. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE SOUTHEAST CORNER OF ELVIS PRESLEY BOULEVARD AND SHELBY DRIVE, CONTAINING 0.82 ACRE IN THE PLANNED COMMERCIAL (C-P) DISTRICT.**

Case No. SUP 06-214

Applicant: Avis Rent-A-Car  
SR Consulting, LLC – Cindy Reaves – Representative

Request: Automobile Rental Service

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Lowery

SECOND: Jones

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

**APPROVED**

45. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE EAST SIDE OF AUSTIN PEAY HIGHWAY; +1,500 FEET SOUTH OF YALE ROAD, CONTAINING 1.81 ACRES IN THE PLANNED COMMERCIAL (C-P) DISTRICT.**

Case No. SUP 06-215

Applicant: Avis Rent-A-Car  
SR Consulting, LLC – Cindy Reaves – Representative

Request: Automobile Rental Service

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Lowery

SECOND: Jones

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

**APPROVED**

43. **RESOLUTION APPROVING A PLANNED DEVELOPMENT TIME EXTENSION LOCATED ON THE NORTHWEST AND SOUTHWEST CORNERS OF HACKS CROSS ROAD AND TOURNAMENT DRIVE, CONTAINING 112.31 ACRES IN THE SINGLE FAMILY RESIDENTIAL (R-S15) DISTRICT OVERLAID BY P.D. 99-343CC.**

Case No. PD 06-354

Applicant: Clark & Clark  
ETI Corporation – Representative

Request: A planned development time extension to continue the previously approved office uses on this site and an amendment to permit additional office uses in Area “E” (specifically small, one-story, residential style office buildings)

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Lowery

SECOND: Holt

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

**APPROVED**, as amended in Committee

46. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE TIME EXTENSION BEGINNING ON THE NORTH SIDE OF CLEMENTINE ROAD AT ITS WESTERN TERMINUS AND PROCEEDING NORTHERLY 386.78 FEET THEREFROM.**

Case No. SAC 05-614

Applicant: ProUnited Realtors, LLC  
Brunell Gooden – Representative

Request: One (1) year time extension

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Lowery

SECOND: Jones

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

**APPROVED**

47. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE LOCATED AT BARKWOOD DRIVE; BETWEEN PERCY STREET AND JONETTA STREET, CONTAINING 50' X 1348' AND 10' X 157' (18,992 SQUARE FEET), IN THE SINGLE FAMILY DWELLING ~ SINGLE FAMILY RESIDENTIAL (R-S6) DISTRICT.**

Case No. SAC 06-619

Applicant: Jessie Hygrade & Bertha Brock

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

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Lowery

SECOND: McCormick

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

Brittenum, Brown, Marshall and Peete did not cast a vote

**APPROVED**

48. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE LOCATED IN THE ALLEY SOUTH OF POPLAR AVENUE; NORTH OF WASHINGTON AVENUE; EAST OF DANNY THOMAS BOULEVARD AND WEST OF HIGH STREET, CONTAINING 10,382 SQUARE FEET AND 570' X 16'/24' (LENGTH X WIDTH OF R.O.W.) IN THE ALLEY RIGHT-OF-WAY ~ CENTRAL BUSINESS (CBD) DISTRICT/MIXED USE (MU) DISTRICT .**

Case No. SAC 06-627

Applicant: WMC Investment Company  
Bryan A. Crisman – Representative

Request: Close & Vacate Alley Right-Of-Way

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Lowery

SECOND: Holt

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

Brittenum, Brown and Peete did not cast a vote

**APPROVED**

51. **RESOLUTION DIRECTING THE BUILDING OFFICIAL NOT TO ISSUE ANY BUILDING PERMITS FOR 3481 STEVE ROAD UNTIL ALL THE REQUIREMENTS, CONDITIONS AND AMENDMENTS FOR PD 05-367 ARE MET.**

MOTION: Lowery

SECOND: Marshall

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

Brittenum, Brown and Peete did not cast a vote

**APPROVED**

52. **RESOLUTION ESTABLISHING A MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS AND ISSUANCE OF PERMITS FOR BILLBOARDS WITHIN THE CORPORATE LIMITS OF THE CITY OF MEMPHIS UNTIL JUNE 30, 2007.**

Chairman Mitchell recognized the following persons from the audience:

Randall Swaney, 746 Pisgah Rd., Cordova, TN 38028  
David Wade, 6410 Poplar Avenue, Mphs, TN 38119

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

**APPROVED**

MOTION: Marshall – Suspend the Rules for the purpose of adding Item #55 to the agenda  
SECOND: Jones

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

55. **RESOLUTION THANKING HUCK FOR HIS UNPARALLED COMMITMENT TO THE MEMPHIS CITY COUNCIL.**

MOTION: Marshall  
SECOND: Holt

**APPROVED**, by unanimous voice vote. Set up as Special Item #7

50. **RESOLUTION RECOGNIZING CHAIRMAN TAJUAN STOUT MITCHELL FOR HER OUTSTANDING SERVICE TO THE COMMUNITY, AS A MEMBER OF THE MEMPHIS CITY COUNCIL.**

Chairman Mitchell recognized the following person from the audience:

Ike Griffith, 2030 Meadowview Lane, Mphs, TN 38116

MOTION: McCormick  
SECOND: Sammons

**APPROVED**, by unanimous voice vote

**MINUTES**

Approval of the Minutes of the regular meeting of December 5, 2006

MOTION: Holt  
SECOND: Jones

**APPROVED**, by unanimous voice vote

**MINUTES**

Approval of the Minutes of the regular meeting of December 19, 2006 for Item #38 only

MOTION: Taylor  
SECOND: McCormick

**APPROVED**, by unanimous voice vote

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

Chairman Mitchell recognized the following persons from the audience:

Walter Bruady, II, 4256 Ledbetter Cv., Mphs, TN 38109  
Betty Robinson, 843 Alaska St., Mphs, TN 38107

**ADJOURNED MEETING AT 7:00 P.M.**

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

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C H A I R M A N

Attest:

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