

MINUTES

REGULAR MEETING OF THE CITY COUNCIL

CITY OF MEMPHIS

June 17, 2014

3:30 P.M. SCHEDULED SESSION

3:30 P.M. MEETING COMMENCED

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

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

INVOCATION

The meeting was opened with prayer by Pastor Elmer Shelton from St. Stephen Baptist Church. Councilman Harris presented Rev. Shelton 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 June 3, 2014 with the following motion:

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

APPROVED

28. **ORDINANCE TO AMEND ARTICLE 5, SECTION 4-28-22, DEFERRED RETIREMENT OPTION PLAN (DROP), UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5549

Held until July 15, 2014

29. **ORDINANCE AUTHORIZING THE ISSUANCE OF CONTRACTUAL LICENSES, PERMITS AND/OR AUTHORIZATIONS FOR USE AND OCCUPATION OF THE STREETS, ALLEYS, THOROUGHFARES AND RIGHTS-OF-WAY OF THE CITY OF MEMPHIS FOR INSTALLATION AND USE OF FACILITIES FOR THE OPERATION OF FIBER OPTIC AND OTHER COMMUNICATIONS SYSTEMS AND PUBLIC UTILITIES AND ESTABLISHING REQUIREMENTS, TERMS, CONDITIONS, LIMITATIONS AND PROVISIONS FOR RECOVERY OF THE CITY'S COSTS INCURRED FOR THE CONSTRUCTION, MAINTENANCE, POLICING, MANAGEMENT OR REPAIR OF THE STREETS, ALLEYS, THOROUGHFARES AND RIGHTS-OF WAY OF THE CITY, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5551

Held until September 16, 2014

1. **RESOLUTION SUPPORTING THE FUTURE OF SOLAR ENERGY IN MEMPHIS.**

MOTION: Chairman Strickland

SECOND: Morrison

APPROVED, by unanimous voice vote

2. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE FOR MR. R.S. LEWIS, JR.**

MOTION: Ford

SECOND: Fullilove

APPROVED, by unanimous voice vote

25. **ORDINANCE ESTABLISHING THE FISCAL YEAR 2015 OPERATING BUDGET FOR THE CITY OF MEMPHIS, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5547

Chairman Strickland recognized the following persons who spoke from the audience:

Ted M. Beasley, 638 Jefferson Ave., Memphis, TN 38105

George Boyington, 1408 S. Parkway East, Memphis, TN 38106

Kim Grant Brown, 3024 Wetherby Cove N., Memphis, TN 38139

Kurt Clayton, 295 W. Central Park Dr. #4, Memphis, TN 38111

Meg Clifton, 1412 Glen Oaks Dr., Memphis, TN 38119

Tim Cook, 124 Brookfield Rd., Memphis, TN 38119
John Covey, 638 Jefferson Ave., Memphis, TN 38105
Bob Craddock, 655 S. Belvedere, Memphis, TN 38114
Walter Crews, 190 Ivy Brook Ln., Collierville, TN 38017
Rose Marie Fair, 1818 Latting Ln., Cordova, TN 38016
Andre Fowlkes, (address not legible), Memphis, TN 38111
Bobbi Gillis, 567 Magnolia Mound, Memphis, TN 38103
Mike Glenn, 330 Beale St., Memphis, TN 38103
Greg Glosson, 6393 Poplar Ave., Memphis, TN 38119
David Goodwin, Jr., 228 Ridgefield Rd., Memphis, TN 38111
Marshall Doddson, 3822 Summer Ave., Memphis, TN 38122
James R. Hays, 3828 S. Montclair, Memphis, TN 38111
Joe Hoing, 35 Blade Bay, Covington, TN 38326
Charlie Hubbard, 980 Chelsea Ave., Memphis, TN 38107
Eric Hughes, 325 Malvern, Memphis, TN 38104
Clyde Keenan, 6465 N. Quail Hollow, Memphis, TN 38120
Mike Lee, 638 Jefferson Ave., Memphis, TN 38105
Steve Lockwood (no address information given)
Stephanie Love (no address information given)
Debra Lovelace (no address information given)
Jim Maddox, 2262 Jefferson Ave., Memphis, TN 38104
Shawn Massey, 205 Red Bird Ln., Memphis, TN 38118
TaJuan Stout Mitchell, 3558 Acacia, Memphis, TN 38116
Elder Michael Steven Moore, 1636 Sydney St., Memphis, TN 38108
Dexter Muller, 22 N. Front St., Memphis, TN 38103
Tad Pierson, 343 Madison Ave., Memphis, TN 38103
Ebonee Powell (no address information given)
Mark Richardson, 638 Jefferson Ave., Memphis, TN 38105
Reba Russell, 3536 (address not legible), Memphis, TN 38111
J. C. Sherrod (no address information given)
Leioh Shodley, 22 N. Front St., Memphis, TN 38103
Rita Sides, 848 W. Green Lake, Hernando, MS 38632
Pastor Walter Smith (no address information given)
Barbara Taube, 8240 Brunswick Rd., Millington, TN 38053
Marian Thomas, 3925 Overton Crossing, Memphis, TN 38127
Danny Todd, 3740 Northcliffe, Memphis, TN 38128
Betsy Warren, 3539 Gillia Circle W., Memphis, TN 38135
Shep Wilbun (no address information given)
Jim Wilcox (address not legible)
William R. Wilkinson, 8798 Bell Forest Dr., Olive Branch, MS 38654
Michael R. Williams, 638 Jefferson Ave., Memphis, TN 38105
Francis Zachary, 5204 Lexington Club Cv., Memphis, TN 38117

MOTION: Halbert - Delay this budget decision tonight until we receive the requested information of the Administration that clearly dictates the fiscal operational impact of every capital spending per division

SECOND: Fullilove
 AYES: Boyd, Brown, Fullilove and Halbert
 NAYS: Conrad, Flinn, Ford, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland
 Collins was absent

FAILED, set up as Special Item #1

MOTION: Boyd – Restore \$42,000.00 back to Chemicals for the Park Commission
 SECOND: Lowery
 AYES: Boyd, Brown, Halbert and Lowery
 NAYS: Conrad, Flinn, Ford, Fullilove, Harris, Morrison and Chairman Strickland
 Hedgepeth abstained
 Collins was absent

FAILED, set up as Special Item #2

MOTION: Halbert – Restore the budget of the Memphis Music Commission for \$221,000.00. I am seeking the funds from the \$700,000.00 that is in the budget for Shelby County Assessor. Also, I would like to add \$42,000.00 for chemicals for the Park Commission from the \$700,000.00 that is in the budget for Shelby County Assessor
 SECOND: Fullilove
 AYES: Boyd, Brown, Ford, Fullilove, Halbert, Harris, Lowery and Morrison
 NAYS: Conrad, Flinn, Hedgepeth and Chairman Strickland
 Collins was absent

APPROVED, set up as Special Item #3

MAIN MOTION: Harris
 SECOND: Flinn
 AYES: Conrad, Flinn, Ford, Hedgepeth, Lowery, Morrison and Chairman Strickland
 NAYS: Boyd, Brown, Fullilove, Halbert and Harris
 Collins was absent

APPROVED, as amended, Operating Budget, minus the City Attorney's Office

CITY ATTORNEY'S BUDGET

MOTION: Harris – Reduce outside attorney line by \$500,000.00, reallocate \$366,000.00 and hire 3 attorneys at the fully loaded rate of \$122.00 per hour and return the balance to the tax payers
 SECOND: Fullilove
 AYES: Fullilove, Halbert and Harris
 NAYS: Boyd, Brown, Conrad, Flinn, Ford, Hedgepeth, Lowery and Morrison
 Chairman Strickland recused

Collins was absent

FAILED, set up as Special Item #5

MAIN MOTION: Harris
 SECOND: Morrison
 AYES: Boyd, Brown, Conrad, Flinn, Ford, Hedgepeth, Lowery and Morrison
 NAYS: Fullilove, Halbert and Harris
 Chairman Strickland recused
 Collins was absent

APPROVED, City Attorney's Budget, set up as Special Item #4

RECESSED AT 6:42 P.M. RECONVENED AT 6:55 P.M.

24. **RESOLUTION APPROVING THE CAPITAL ACQUISITION BUDGET AND THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEARS 2015-2019.**

MOTION: Fullilove – Hold Red Light Cameras for 2 weeks

Chairman Strickland stated that Red Light Cameras was another item number. No action was taken on Mrs. Fullilove's motion at this time.

MOTION: Harris – Send Foote Homes Project for 2,000,000.00 dollars back to committee and MHA Heritage Trails for \$550,000.00 back to committee
 SECOND: Fullilove
 AYES: Boyd, Fullilove, Halbert and Harris
 NAYS: Conrad, Flinn, Ford, Hedgepeth, Lowery, Morrison and Chairman Strickland
 Brown did not cast a vote
 Collins was absent

FAILED, set up as Special Item #6

MAIN MOTION: Harris
 SECOND: Morrison
 AYES: Boyd, Brown, Flinn, Ford, Fullilove, Hedgepeth, Lowery and Morrison
 NAYS: Conrad, Halbert, Harris and Chairman Strickland
 Collins was absent

APPROVED

Councilman Ford requested same night minutes for the Operating Budget without the City Attorney's Office and the CIP Budget. Attorney Wade recommended that they do the City Attorney's Budget and then vote on the Tax Rate. Chairman Strickland asked if there was any objection to having same night minutes for the City Attorney's Office. There was no objection.

26. **ORDINANCE TO FIX THE TAX RATE OF THE CITY OF MEMPHIS FOR FISCAL YEAR 2015, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5548

Attorney Wade stated that there were slight revisions in the Ordinance on Page 2.

MOTION: Harris
 SECOND: Fullilove
 AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland
 NAYS: Halbert
 Collins was absent

APPROVED, as amended

MOTION: Ford – Approve same night minutes for the Operating Budget, minus the City Attorney’s Office, the CIP Budget and the Tax Rate

Chairman Strickland asked if there was any objection to having same night minutes for items 24, 25 and 26. There was objection. A vote was taken below.

SECOND: Flinn
 AYES: Boyd, Brown, Conrad, Flinn, Ford, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland
 NAYS: Fullilove and Halbert
 Collins was absent

APPROVED, set up as Special Item #7

23. **RESOLUTION DIRECTING THE CITY TREASURER TO PREPARE TAX BILLS FOR THE VARIOUS UTILITIES AND CARRIERS UTILIZING THE LAST CERTIFIED ASSESSMENT AVAILABLE AS OF JUNE 30, 2014.**

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

APPROVED

Attorney Wade stated that we need to do same night minutes for item 23. Chairman Strickland asked if there was any opposition to having same night minutes. There was no opposition.

32. **RESOLUTION TO REDUCE THE CITY OF MEMPHIS HEALTHCARE COST BY ELIMINATING MEDICAL PREMIUM SUBSIDY TO POST-65 MEDICARE RETIREES AND REPLACE WITH CITY SPONSORED MEDIGAP, MEDICARE ADVANTAGE AND PART D COVERAGE; ELIMINATE MEDICAL PREMIUM SUBSIDY FOR PRE-65 RETIREES AND CONTINUE TO SUBSIDIZE POST-65 RETIREES WITH PARTIAL OR NO MEDICARE COVERAGE AND ELIGIBLE SURVIVING SPOUSE AND DEPENDENTS OF EMPLOYEES KILLED WHILE IN THE LINE OF DUTY. PROPOSED RATES TAKE INTO ACCOUNT A 57% INCREASE FOR ALL RETIREES AS WELL AS “ACCESS ONLY” PREMIUMS FOR POST-65 MEDICARE RETIREES AND PRE-65 MEDICARE ELIGIBLE RETIREES.**

DROPPED

33. **RESOLUTION TO REDUCE THE CITY OF MEMPHIS HEALTHCARE COST BY INCREASING THE SMOKER’S SURCHARGE TO \$120.00 PER MONTH PER FAMILY.**

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

Michael R. Williams, 638 Jefferson Ave., Memphis, TN 38105

MOTION: Harris
 SECOND: Boyd
 AYES: Conrad, Flinn, Ford, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland
 NAYS: Boyd, Brown, Fullilove and Halbert
 Collins was absent

APPROVED

34. **RESOLUTION ADJUSTING TOTAL PREMIUM RATES FOR THE ACTIVE POPULATION BY GROUP AND PLAN BY 57% TO ENSURE THE HCF FUND REVENUES COVER PROJECTED EXPENSES FOR FY15 AND RECOVER PRIOR YEAR DEFICITS.**

MOTION: Ford – 24% increase with an effective date of October 1, 2014
 SECOND: Hedgepeth
 AYES: Boyd, Brown, Conrad, Flinn, Ford, Halbert, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland
 Fullilove abstained
 Collins was absent

APPROVED, set up as Special Item #8

MAIN MOTION: Harris
 SECOND: Ford

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

APPROVED, as amended

Councilman Ford requested same night minutes for Item #34. Chairman Strickland asked if there was any objection. There was no objection.

35. **RESOLUTION TO REDUCE THE CITY OF MEMPHIS HEALTHCARE COST BY INTRODUCING A SPOUSAL CARVE-OUT.**

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

Michael R. Williams, 638 Jefferson Ave., Memphis, TN 38105
Kenneth Walcott, 638 Jefferson Ave., Memphis, TN 38105

MOTION: Harris
SECOND: Fullilove
AYES: Conrad, Flinn, Ford, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland
NAYS: Boyd, Brown, Fullilove and Halbert
Collins was absent

APPROVED

Chairman Strickland asked if there was any objection to having same night minutes on items 33, 34 and 35. There was no objection.

49. **RESOLUTION AUTHORIZING THE CORRECTION OF THE REALTY TAX ASSESSMENT FOR PARCEL 093-300-479Z (FORMERLY D93-300-479Z).**

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

APPROVED

50. **RESOLUTION TO DISPOSE OF SURPLUS PROPERTY WITH A VALUE EXCEEDING \$10,000.00.**

MOTION: Harris

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

APPROVED

51. **RESOLUTION AUTHORIZING GRANT ANTICIPATION INTER-FUND LOAN TO WORKFORCE INVESTMENT ACT FUND NOT TO EXCEED \$4,000,000.00.**

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

APPROVED

52. **RESOLUTION REQUESTING THAT THE WEIGHTS AND MEASURES PROGRAM BE ADDED TO THE PROPOSED FY2015 OPERATING BUDGET IN THE AMOUNT OF \$545,572.00 AND THAT THE ADMINISTRATION CONSIDER MOVING WEIGHTS AND MEASURES TO PUBLIC WORKS/CODE ENFORCEMENT TO CROSS TRAIN DURING THE NEXT YEAR TO ENSURE CONTINUED EQUITY AND FAIRNESS IN THE MARKETPLACE.**

MOTION: Harris
 SECOND: Fullilove
 AYES: Brown, Fullilove, Halbert and Lowery
 NAYS: Boyd, Conrad, Flinn, Ford, Hedgepeth, Morrison and Chairman Strickland
 Harris abstained
 Collins was absent

FAILED

53. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$37,500.00 FROM THE STATE OF TENNESSEE DEPARTMENT OF HUMAN SERVICES FOR CHILD SUPPORT NONCUSTODIAL PARENT EMPLOYMENT DEMONSTRATION PROGRAM.**

MOTION: Halbert
 SECOND: Boyd
 AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth,
 Lowery, Morrison and Chairman Strickland
 Collins was absent

APPROVED

Councilwoman Halbert requested same night minutes for item 53. Chairman Strickland asked if there was any opposition to having same night minutes for items 49, 50, 51 and 53. There was no opposition.

CONSENT AGENDA – Items 3-9 may be acted upon by one motion: SEE PAGE 2993 FOR ROLL CALL

3. **ORDINANCE TO AMEND CHAPTER 21 – MOTOR VEHICLES AND TRAFFIC – ARTICLE III OPERATION OF MOTOR VEHICLES GENERALLY, SECTION 21-123, PROCEDURE UPON APPROACH OF AUTHORIZED EMERGENCY VEHICLE TO MIRROR THE UPDATED TENN. CODE ANN §55-8-132, OPERATION OF VEHICLES AND STREETCARS ON APPROACH OF AUTHORIZED EMERGENCY VEHICLES TO CLARIFY THAT EXTRA CAUTION AROUND SOLID WASTE VEHICLES IS INCLUDED WITHIN THE REQUIREMENTS, UP FOR F I R S T READING.**

Ordinance No. 5555

APPROVED, on First reading

4. **ORDINANCE ESTABLISHING A RESIDENTIAL PARKING PERMIT PILOT PROGRAM NEAR OVERTON SQUARE FOR A ONE YEAR PERIOD, UP FOR S E C O N D READING. (Held from 6/3)**

Ordinance No. 5550

APPROVED, on Second reading

5. **ORDINANCE TO AMEND CHAPTER 25, CODE OF ORDINANCE, CITY OF MEMPHIS, SO AS TO LIMIT PARTICIPATION IN THE PENSION SYSTEM TO PARTICIPANTS WITH 10 OR MORE YEARS OF SERVICE AND CREATE A SEPARATE ACCOUNT (EQUAL TO THEIR EMPLOYEE CONTRIBUTIONS PLUS THE MULTIPLE EARNED AS OF JUNE 30, 2015) FOR PARTICIPANTS WITH LESS THAN 10 YEARS OF SERVICE, UP FOR S E C O N D READING.**

Ordinance No. 5552

APPROVED, on Second reading

6. **ORDINANCE TO AMEND CHAPTER 25, CODE OF ORDINANCES, CITY OF MEMPHIS, SO AS TO INCREASE THE CITY CONTRIBUTION ALLOWABLE UNDER SECTION 25-71 AND SECTION 25-171, SO AS TO TRANSFER TRANSFERRED PARTICIPANTS IN THE PENSION SYSTEM TO THE DEFINED CONTRIBUTION PLAN, UP FOR S E C O N D READING.**

Ordinance No. 5553

APPROVED, on Second reading

- 7. **ORDINANCE TO AMEND CHAPTER 25, CODE OF ORDINANCES, CITY OF MEMPHIS, SO AS TO ADOPT A DEFINED CONTRIBUTION PLAN, UP FOR S E C O N D READING.**

Ordinance No. 5554

APPROVED, on Second reading

- 8. **ORDINANCE REZONING THE WEST SIDE OF AYERS STREET; +/-278.93 FEET NORTH OF POPLAR AVENUE, CONTAINING 0.44 ACRE (19,192 SQ. FT.) IN THE RESIDENTIAL URBAN (RU-3) DISTRICT, UP FOR F I R S T READING.**

Case No. Z 14-101
 Companion Case SAC 14-602
 Ordinance No. 5556

APPROVED, on First reading

- 9. **NOTATION FROM LAND USE CONTROL BOARD THAT THE FOLLOWING CASE WAS HEARD AND RECOMMENDATION MADE REQUESTING A DATE OF PUBLIC HEARING:**

A. Case No. SUP 14-203cc

Public Hearing set for July 1, 2014

ROLL CALL CONSENT ITEMS

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

APPROVED

MLGW FISCAL CONSENT – Items 10-22 may be acted upon by one motion:

- 10. **RESOLUTION AWARDDING CONTRACT NO. 11679, MLGW GAS TRANSMISSION RIGHT-OF-WAY MOWING TO BEAN & PRINCE CONTRACTORS, INCORPORATED, IN THE FUNDED AMOUNT OF \$202,512.00.**

APPROVED

11. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11355, LINE CLEARANCE TO BEAN & PRINCE CONTRACTORS, INCORPORATED TO INCREASE THE CURRENT CONTRACT IN THE FUNDED AMOUNT OF \$1,000,000.00. (THIS CHANGE IS DUE TO EMERGENCY STORM RESTORATION EFFORTS WHICH RESULTED IN THE UTILIZING OF ADDITIONAL RESOURCES. THE ADDITIONAL FUNDS WILL ALLOW MLGW TO CONTINUE PLANNED, UNPLANNED CYCLE TRIMMING AND POTENTIAL STORM RESTORATION EFFORTS NEEDED THROUGH THE END OF THE TERM WHICH WILL REMAIN THROUGH JANUARY 24, 2015.)**

APPROVED

12. **RESOLUTION AWARDED CONTRACT NO. 11668, WIRELESS COMMUNICATION SERVICES AND DEVICES TO AT&T MOBILITY, IN THE FUNDED AMOUNT OF \$864,000.00.**

APPROVED

13. **RESOLUTION AWARDED SIXTY MONTH BLANKET CONTRACTS TO HOWARD INDUSTRIES, INC. IN THE AMOUNT OF \$11,019,023.79, UNIVERSAL SCAFFOLDING AND EQUIPMENT, LLC IN THE AMOUNT OF \$2,138,559.62, ERMCO C/O UTILITY SALES AGENCY IN THE AMOUNT OF \$2,225,475.50 AND CG POWER SYSTEMS USA, INC. IN THE AMOUNT OF \$2,353,583.51 FOR THE PURCHASE OF DISTRIBUTION TRANSFORMERS, TOTALING \$17,736,642.42.**

APPROVED

14. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11400, INTERNET SERVICE PROVIDER, WITH TW TELECOM, IN THE FUNDED AMOUNT OF \$22,200.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FIRST OF TWO RENEWAL TERMS COVERING THE PERIOD AUGUST 15, 2014 THROUGH AUGUST 14, 2015 IN THE FUNDED AMOUNT OF \$21,900.00 WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR. THE ADDITIONAL AMOUNT OF \$300.00 IS REQUESTED TO COVER ANY POTENTIAL LATE FEES.)**

APPROVED

15. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11460, AERATOR MAINTENANCE, WITH R.P. SERVICES, INCORPORATED, IN THE FUNDED AMOUNT OF \$216,428.43. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE THIRD OF FOUR RENEWAL TERMS COVERING THE PERIOD AUGUST 1, 2014 THROUGH JULY 31, 2015.)**

APPROVED

16. **RESOLUTION AWARDING CONTRACT TO BRUGG CABLES, LLC, FOR FIBER OPTIC GROUND WIRE, IN THE FUNDED AMOUNT OF \$280,838.49.**

APPROVED

17. **RESOLUTION AWARDING CONTRACT TO T. R. MILLER MILL COMPANY INC., FOR SOUTHERN YELLOW PINE POLES, IN THE FUNDED AMOUNT OF \$1,016,052.60.**

APPROVED

18. **RESOLUTION AWARDING CONTRACT NO. 11678, RISKMASTER REPLACEMENT, TO LEGAL FILES SOFTWARE, INCORPORATED, IN THE FUNDED AMOUNT OF \$63,474.00.**

APPROVED

19. **RESOLUTION AWARDING CONTRACT TO GRAYBAR ELECTRIC, FOR VIDEO EQUIPMENT, IN THE FUNDED AMOUNT OF \$111,491.05.**

APPROVED

20. **RESOLUTION APPROVING CHANGE NO. 7 TO CONTRACT NO. 9547, IBM MAINTENANCE, WITH INTERNATIONAL BUSINESS MACHINES, IN THE FUNDED AMOUNT OF \$247,668.95. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR ANNUAL SOFTWARE, MAINTENANCE, AND SUPPORT FOR IBM PRODUCTS: WEBSHERE MQ (MESSAGE QUEUE) Z/OS, ENTERPRISE COBOL Z/OS (OPERATING SYSTEM FOR IBM'S ZSERIES 900 SERVERS), Z/OS BASE, Z/OS DFSORT AND WEBSHERE MQ PROCESSORS. THIS RENEWAL IS FOR THE PERIOD COVERING JULY 1, 2014 THROUGH JUNE 30, 2015. MLGW IS REQUESTING CONTINUOUS MAINTENANCE OF THE ACQUIRED SYSTEM, WHICH CAN ONLY BE PERFORMED BY IBM.**

APPROVED

21. **RESOLUTION AWARDING CONTRACT TO VENTURE TECHNOLOGIES, FOR SECURITY FOUNDATION HARDWARE INFRASTRUCTURE REPLACEMENT, IN THE FUNDED AMOUNT OF \$57,432.60.**

APPROVED

- 22. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11090, SERENA MASTER LICENSE AGREEMENT, WITH SERENA SOFTWARE, INCORPORATED, IN THE FUNDED AMOUNT OF \$151,429.05. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR ANNUAL SOFTWARE, MAINTENANCE, AND SUPPORT SERVICES FOR THE PERIOD COVERING JULY 29, 2014 THROUGH JULY 28, 2017 WITH NO INCREASE IN RATES FROM THE PREVIOUS TERM IN THE FUNDED AMOUNT OF \$103,606.05. IN ADDITION, THIS CHANGE IS TO PURCHASE 10 ADDITIONAL LICENSES FOR THE SERENA CHANGEMAN TRACKER PRODUCT WHICH INCLUDES SOFTWARE, MAINTENANCE AND SUPPORT SERVICES IN THE FUNDED AMOUNT OF \$47,823.00 FOR THE PERIOD COVERING JULY 29, 2014 THROUGH JULY 28, 2017.)**

APPROVED

MLGW ROLL CALL CONSENT ITEMS

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

APPROVED

- 27. **APPOINTMENTS**

ALCOHOL COMMISSION

Appointment

Africa Gonzales-McCloy

ANIMAL SHELTER ADVISORY BOARD

Appointment

Taurus M. Bailey

Reappointment

Taurus M. Bailey

CITIZEN'S LAW ENFORCEMENT REVIEW BOARD

Appointments

Suzanne Baker
Floridia Jackson
Nathaniel Jones
Corliss Shaw

Reappointments

June P. Johnson
Ralph White

MEMPHIS AND SHELBY COUNTY AIRPORT AUTHORITY

Appointment

J. W. Gibson, II

MEMPHIS AREA TRANSIT AUTHORITY

Appointment

Roquita Coleman

Reappointment

Sean Healy

PENSION BOARD OF ADMINISTRATION

Appointment

Mark A. Bishop

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

APPROVED

30. **RESOLUTION APPROPRIATING \$25,245.00 IN G.O. BONDS IN CAPITAL PROJECT FS02027 EMA SIRENS, FOR THE REPLACEMENT OF SIRENS.**

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

APPROVED

31. **RESOLUTION APPROPRIATING \$560,565.00 FOR FIRE STATION REPAIR, AT FIRE STATIONS 15 @ 688 BREEDLOVE; FS 40 @ 2231 E. SHELBY DR. FOR PAVEMENT MODIFICATIONS, WITH THE LOWEST COMPLYING BID SUBMITTED BY A & B CONSTRUCTION, INC. CIP PROJECT NUMBER FS02001, WHICH IS PART OF THE FY14 CAPITAL IMPROVEMENT BUDGET FUNDED BY G.O. BONDS GENERAL.**

MOTION: Conrad
 SECOND: Boyd
 AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth,
 Lowery, Morrison and Chairman Strickland
 Collins was absent

APPROVED

36. **RESOLUTION ACCEPTING AND APPROPRIATING GRANT FUNDING IN THE AMOUNT OF \$51,900.00 FROM THE DEPARTMENT OF STATE, TENNESSEE STATE LIBRARY AND ARCHIVES FOR LIBRARY BOOKS AND MATERIALS FOR MEMPHIS PUBLIC LIBRARY & INFORMATION CENTER.**

MOTION: Boyd
 SECOND: Lowery
 AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth,
 Lowery, Morrison and Chairman Strickland
 Collins was absent

APPROVED

(ITEMS 37-40 WERE CALLED TOGETHER)

37. **RESOLUTION ACCEPTING DONATIONS IN THE AMOUNT OF \$25.00 FROM FOX MEADOWS LIQUORS AS AWARDED TO THE CITY OF MEMPHIS POLICE DEPARTMENT TO SUPPORT POLICE SERVICES' OPERATIONAL ACTIVITIES.**

APPROVED

38. **RESOLUTION ACCEPTING DONATIONS IN THE AMOUNT OF \$335.00 FROM CAROLYN BENDALL AS AWARDED TO THE CITY OF MEMPHIS POLICE DEPARTMENT TO SUPPORT POLICE SERVICES' COPS PROGRAM FOR OPERATIONAL ACTIVITIES.**

APPROVED

39. **RESOLUTION ACCEPTING DONATIONS IN THE AMOUNT OF \$1,386.54 FROM FRED'S INC. AS AWARDED TO THE CITY OF MEMPHIS POLICE DEPARTMENT TO SUPPORT POLICE SERVICES' OPERATIONAL ACTIVITIES.**

APPROVED

40. **RESOLUTION SEEKING ACCEPTANCE FOR POLICE SERVICES TO TRANSFER \$22,500.00 FROM ADMINISTRATIVE SERVICES TO INVESTIGATIVE SERVICES FOR CONSULTING SERVICES FOR THE SEXUAL ASSAULT KITS.**

APPROVED

MOTION: Conrad
SECOND: Morrison
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth,
Lowery, Morrison and Chairman Strickland
Collins was absent

APPROVED, items 37-40

41. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$400,000.00 FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION, FOR PERSONNEL COSTS AND EQUIPMENT.**

MOTION: Conrad
SECOND: Boyd
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth,
Lowery, Morrison and Chairman Strickland
Collins was absent

APPROVED

42. **RESOLUTION APPROVING AN ACCESS EASEMENT AGREEMENT WITH LAFARGE WEST, INC., AS APPROVED BY THE BOARD OF COMMISSIONERS OF THE MEMPHIS AND SHELBY COUNTY PORT COMMISSION ON SEPTEMBER 18, 2013.**

Contract No. CR-5213

MOTION: Hedgepeth

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

APPROVED

43. **RESOLUTION APPROPRIATING \$1,733,137.00 FUNDED BY G.O. BONDS-GENERAL FOR THE REPAVING OF VARIOUS STREETS THROUGHOUT THE CITY OF MEMPHIS.**

MOTION: Hedgepeth
 SECOND: Halbert
 AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth,
 Lowery, Morrison and Chairman Strickland
 Collins was absent

APPROVED

44. **RESOLUTION AWARDDING A GRANT OF \$50,000.00 TO CLEAN MEMPHIS A 501(C) (3) ORGANIZATION, FROM THE FY2014 STORMWATER PROGRAM OPERATING BUDGET FOR A SHARE OF THE COST TO IMPLEMENT A CLEAN WATER INITIATIVE FOR THE NONCONNAH AND DOWNTOWN DRAINAGE BASINS TO REMOVE WASTE AND DEBRIS THAT WOULD OTHERWISE ENTER THE STORM WATER SYSTEM THUS NEGATIVELY IMPACTING A VALUABLE NATURAL RESOURCE.**

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

APPROVED

45. **RESOLUTION AMENDING THE FY14 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION OF \$450,652.60 IN G.O. BONDS - IN TRAFFIC CALMING DEVICES, PROJECT NUMBER EN01007, TO SPEED HUMP INSTALLATION – GROUP 9, PROJECT NUMBER EN01048, FOR THE PURPOSE OF INSTALLING SPEED HUMPS IN VARIOUS LOCATIONS IN THE CITY AND APPROPRIATING \$450,652.60 FUNDED BY G.O. BONDS – FOR SPEED HUMP INSTALLATION GROUP 9, PROJECT NUMBER EN01048, FOR A CONSTRUCTION CONTRACT WITH CANTRELL CONSTRUCTION.**

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

APPROVED

46. **RESOLUTION AMENDING THE FY14 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION AND APPROPRIATING \$180,567.00 FOR THE REHABILITATION OF (29) EXISTING SANITARY SEWER MANHOLES LOCATED THROUGHOUT THE CITY.**

MOTION: Hedgepeth
SECOND: Boyd
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth,
Lowery, Morrison and Chairman Strickland
Collins was absent

APPROVED

47. **RESOLUTION APPROVING THE SALE OF CITY OWNED SURPLUS VACANT PARCEL AS DESCRIBED IN AND ACQUIRED BY WARRANTY DEED BT3717 IN JUNE OF 1990 LOCATED IN THE SHELBY COUNTY REGISTER OF DEEDS OFFICE. THE PARCEL IS LOCATED AT 0 DECATUR STREET IN MEMPHIS, SHELBY COUNTY, TENNESSEE ALSO KNOWN AS PARCEL #021029 00028, ACCORDING TO CITY ORDINANCE 2-291. THE PURCHASER IS THE ADJOINING PROPERTY OWNER.**

MOTION: Hedgepeth
SECOND: Boyd
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth,
Lowery, Morrison and Chairman Strickland
Collins was absent

APPROVED

48. **RESOLUTION AMENDING THE MASTER EQUIPMENT LEASE AND RELATED LEASE DOCUMENTS BETWEEN THE CITY OF MEMPHIS AND BANC OF AMERICA PUBLIC CAPITAL CORP TO ADD (30) THIRTY ADDITIONAL RED LIGHT CAMERA SYSTEMS.**

MOTION: Fullilove – Delay to July 15, 2014
SECOND: Halbert

MOTION WITHDRAWN

Chairman Strickland asked Councilwoman Fullilove if she would object to a compromise to exclude speed cameras and add 30 additional red light cameras. Councilman Strickland asked if there was any objection to the language. There was objection to the language.

Councilwoman Fullilove withdrew her motion to delay.

Friendly Amendment: Exclude speed cameras and 30 additional red light cameras

MOTION: Fullilove

APPROVED, set up as Special Item #10

Chairman Strickland asked if there was any objection to this language. There was no opposition.

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

APPROVED, as amended

MINUTES

Approval of the Minutes of the regular meeting of June 17, 2014 for Items 23, 24, 25, 26, 33, 34, 35, 49, 50, 51, and 53 only with the following motion:

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

APPROVED, set up as Special Item #11

INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:

Chairman Strickland recognized the following people who spoke from the audience:

Nancy Apple, 4592 St. Elmo, Memphis, TN 38128

Walter Broady, III, 4256 Ledbetter Cove, Memphis, TN 38109

ADJOURNED MEETING AT 9:48 P.M.

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

C H A I R M A N

Attest:

Deputy Comptroller/Council Records