



CITY OF MEMPHIS

COUNCIL AGENDA

January 20, 2015

Public Session Tuesday, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

CALL TO ORDER by the Sergeant-at-Arms

INVOCATION

Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the Council Administrator of the Memphis City Council.

PLEDGE OF ALLEGIANCE

CALL OF ROLL by the Comptroller

APPROVAL OF PREVIOUS MEETING MINUTES (January 6, 2015)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

1. RESOLUTION celebrating 100 years of Kiwanis International.
Strickland

ACTION REQUESTED: Adopt the resolution

2. RESOLUTION honoring Logan Guleff for his culinary achievements.
Strickland

ACTION REQUESTED: Adopt the resolution

PUBLIC HEARINGS

3. RESOLUTION approving a planned development located on the southeast corner of Riverdale Road and Kings Crown Drive, containing 14.97 acres of vacant land governed by King’s Pointe Planned Development, Amended (P.D. 00-314cc). This resolution is sponsored by the Office of Planning and Development.
Collins Chairman, Planning & Zoning Committee Case No. PD 14-308cc

Applicant: Sal Krown Investments, LLC
Bray-Davis Firm, LLC (David Bray) – Representative

Request: Plan amendment to allow 220 units of townhomes and multi-family apartments, including a clubhouse and outdoor recreation amenities

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

315 NOTICES WERE MAILED ON JANUARY 9, 2015

4. RESOLUTION approving a street/alley closure located on Coughlin Drive between Brooks Road and Stonebrook Avenue, containing 2.058 acres in the Employment (EMP) District. (Held from 4/15; 5/20; 10/7; 10/21; 11/18; 12/16) This resolution is sponsored by the Office of Planning and Development.
Collins Chairman, Planning & Zoning Committee Case No. SAC 13-605
Companion Case No. SD 13-701

Applicant: City of Memphis Engineering Division
Bill Wood, Pickering Firm – Representative

Request: Close and vacate a portion of Coughlin Drive Right-of-Way

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

26 NOTICES WERE RE-MAILED ON JANUARY 9, 2015

5. RESOLUTION approving a special use permit located 340 feet north of the intersection of Shelby Drive and Kirby Parkway, containing 9.96 acres in the CMU-2 District. This resolution is sponsored by the Office of Planning & Development.
Collins Chairman, Planning & Zoning Committee Case No. SUP 14-234

Applicant: Preston Byrd
Robert Cochran – Representative

Request: Allow an apartment community within a CMU-2 zoning district and to reduce the sites setback from 100 feet to 30 feet

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

143 NOTICES WERE MAILED ON JANUARY 9, 2015

6. RESOLUTION approving a special use permit located at 1201 Winchester Road, east of
Collins Elvis Presley Boulevard, containing 1.34 acres in the Commercial Mixed Use-3 (CMU-3)
Chairman, District. This resolution is sponsored by the Office of Planning and Development.
Planning & Zoning Case No. SUP 14-236
Committee

Applicant: Rick Parvin
Keith Chapman – Representative

Request: Allow vehicle sales within a CMU-3 District

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

38 NOTICES WERE MAILED ON JANUARY 9, 2015

7. RESOLUTION approving a special use permit located at 4207 E. Chelsea, 350 feet west
Collins of Walter Street, containing 5.711 acres in the Residential-6 (R-6) District. This
Chairman, resolution is sponsored by the Office of Planning and Development.
Planning & Zoning Case No. SUP 14-239
Committee

Applicant: Tower Ventures V, LLC; TV6-W, LLC
SR Consulting, LLC (Cindy Reaves) – Representative

Request: Time extension to previously approved 120' CMCS tower

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

159 NOTICES WERE MAILED ON JANUARY 9, 2015

DIVISION OF PLANNING AND DEVELOPMENT

8. RESOLUTION approving a street dedication located on Sandbrook and Stonebrook Avenues, containing 0.146 acre in the Employment (EMP) District. (Held from 4/15; 5/20; 10/7; 10/21; 11/18; 12/16). This resolution is sponsored by the Office of Planning and Development.

Collins
Chairman,
Planning & Zoning
Committee

Case No. SD 13-701
Companion Case No. SAC 13-605

Applicant: City of Memphis Engineering Division
Bill Wood, Pickering Firm – Representative

Request: Dedicate new street right-of-way in conjunction with the
closure of Coughlin Drive

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

9. RESOLUTION approving a street/alley closure located at the street right-of-way south of the intersection with Mimosa Street, containing 10,250 square feet in the Residential-6 (R-6) District. This resolution is sponsored by the Office of Planning and Development.

Collins
Chairman,
Planning & Zoning
Committee

Case No. SAC 14-609
(Sevier Street)

Applicant: Paul Kauerz and Deborah Buck
ETI Corporation (Forrest Owens) – Representative

Request: Close and vacate a portion of street right-of-way

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

10. RESOLUTION approving a hotel/motel waiver for King Signature Hotel located at
Collins 1471 E. Brooks Road, Memphis, TN 38116. This resolution is sponsored by the
Chairman, Office of Planning and Development.
Planning & Zoning
Committee

Case No. HMW 14-08

ACTION REQUESTED: Adopt the resolution

11. RESOLUTION establishing The Beale Street Tourism Development Authority.
Halbert This resolution is sponsored by Administration. (Held from 1/6)
Chairman, Economic &
Tourism Committee

ACTION REQUESTED: Adopt the resolution

12. RESOLUTION urges the Tennessee General Assembly and Governor Bill Haslam to
Collins encourage residential building growth within Shelby County with respect to the
Chairman, Seismic Codes in the International Building Code and the International Residential
Planning & Code regarding residential construction by amending the T. C. A. § 68-120-101 or
Zoning adopting by rule, by the Office of the State Fire Marshall. This resolution is sponsored
Committee by Councilman Reid Hedgepeth.

ACTION REQUESTED: Adopt the resolution

ZONING ORDINANCES – THIRD AND FINAL READING (None)



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CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING (None)

GENERAL ORDINANCE - SECOND READING

13. **ORDINANCE** to amend Section 13-8-5 of the City of Memphis, Code of Ordinances to authorize the City to repair sewer infrastructure damaged by third parties and to seek reimbursement for such repair costs and resulting damages, up for **S E C O N D** reading. Ordinance No. 5579 is sponsored by Administration.
- Hedgepeth
Chairman,
Public Works &
Transportation
Committee

ACTION REQUESTED: Adopt the ordinance on Second reading

ZONING ORDINANCE - FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

ENGINEERING

14. **RESOLUTION** approving final plat of HIGHLAND ROW P.D., PHASE 1.
Case No. PD 06-320
Contract No. CR-5222

Resolution approves the final plat located on the northwest corner of South Highland Street and Midland Avenue. Cost of the required improvements to be borne by the developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

ACTION REQUESTED: Adopt the resolution

NOTATION FROM OPD

15. **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 14-233

Located +/-614 feet east of Anderson Road at Gilleas Road, containing .168 acre in the R-6 District

Applicant: TV6W, LLC dba Tower Ventures
Mike Fahy – Representative

Request: Allow a 170 foot CMCS tower within a residential zoning district

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: February 3, 2015

GENERAL ITEM (None)



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FISCAL CONSENT AGENDA

16. RESOLUTION accepting a donation in the amount of \$644.86 from Fred's Super Dollar as awarded to the City of Memphis Police Department to support Police Services' operational activities. This resolution is sponsored by Police Services.
- Conrad
Chairman,
Public Safety &
Homeland Security
- ACTION REQUESTED: Adopt the resolution
17. RESOLUTION accepting and appropriating grant funds in the amount of \$13,487.00 from the Tennessee State Library and Archives for Teen Learning Lab equipment for the Memphis Public Library and Information Center.
- Boyd
Chairman,
Parks &
Neighborhoods
Committee
- ACTION REQUESTED: Adopt the resolution



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MLGW FISCAL CONSENT

18. RESOLUTION approving Change No. 3 to Contract No. 11495, Janitorial Services, with Mason Professional Cleaning Services, LLC, in the funded amount of \$189,103.12. (This change is to renew the current contract for the third of four renewal terms covering the period March 2, 2015 through March 1, 2016, with no increase in rates from the previous year. In addition, this change includes an increase in janitorial services, which includes buffing, stripping and waxing additional tile floors at the Millington Office in the funded amount of \$3,300.00. MLGW removed the carpet and replaced it with tile at this location.)
19. RESOLUTION awarding Contract No. 11761, Leak Pipeline Assessment Pilot Project, to Pure Technologies, LTD, in the funded amount of \$50,290.00.
20. RESOLUTION approving Change No. 1 to Contract No. 11640, Line Clearance, with ABC Professional Tree Services, in the funded amount of \$9,388,478.00. (This change is to renew the current contract for the first of four annual renewals for the period covering February 17, 2015 through February 16, 2016.)
21. RESOLUTION awarding a contract to Mercury Instruments, LLC, d/b/a Honeywell, for stand-alone cellular modem communication boxes, in the amount of \$1,142,994.00.
22. RESOLUTION approving Change No. 1 to Contract No. 11664, CNG Fueling Station, 300 Pebbles Road, with Chris Woods Construction Company, Incorporated, in the funded amount of \$26,246.80. (This change is to add a Flame Detection System at the South Service CNG Station, which is required by the City of Memphis Fire Department. In addition, this change is to extend the current contract for an additional six months through July 17, 2015. This extension will allow additional time for the development and approval of drawings, installation and inspection to complete the CNG Fueling Station.)
23. RESOLUTION awarding Contract No. 11733, McCord Rehabilitate Water Well 217, to Layne Christensen Company, in the funded amount of \$62,100.00.
24. RESOLUTION awarding a contract to Universal Scaffolding and Equipment, LLC, for control cable, in the amount of \$97,984.00.

25. RESOLUTION approving Change No. 3 to Contract No. 11370, Electronic Bill Presentment and Payment Services, with Fidelity National Information Services, Incorporated, in the funded amount of \$720,000.00. (This change is to extend the current contract for an additional one year term covering the period February 2, 2015 through February 1, 2016. In addition, this extension will allow time for MLGW to solicit proposals for an all-inclusive electronic bill payment system, which will be comprised of Internet, IVR, Customer-and Biller-Managed Autopay, and Bill Payment scheduling. A mobile payment module which will be accessible by smartphone, tablet, etc., will also be included as part of the new requirements.)

26. RESOLUTION approving Change No. 5 to Contract No. 11363, Graphical User Interface Replacement Software, with Rocket Software, in the funded amount of \$6,094.03. (This change is to renew the annual subscription for LegaSuite software support for the graphical user interface solution for the period covering January 1, 2015 through December 31, 2015.)

27. RESOLUTION awarding a contract to Thomas Consultants, Inc., for Novell Software maintenance, in the amount of \$331,533.02.

28. RESOLUTION approving Change No. 2 to Contract No. 11551, Video Production for Memphis Energized, with Media Source, Incorporated, in the funded amount of \$45,000.00. (This change is to renew the current contract for the second of four annual renewal terms for the period covering March 1, 2015 through February 28, 2016 with no increase from the previous year.)



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REGULAR AGENDA

29. **APPOINTMENTS**

Flinn

Chairman,
Personnel,

Intergovern-
mental

& Annexation
Committee

MEMPHIS AND SHELBY COUNTY AIRPORT AUTHORITY

Appointments

Jim Ethridge (Held from 1/6)

Pamela Z. Clary

MEMPHIS LANDMARKS COMMISSION

Appointment

Robert B. Norcross

GENERAL ORDINANCES – THIRD AND FINAL READING

30. **ORDINANCE** amending the Taxi Ordinance, up for T H I R D and F I N A L reading.
Hedgepeth, Ordinance No. 5578 sponsored by Councilman Kemp Conrad and Councilman Myron
Chairman, Lowery. (Held from 1/6)

Public Works,

& Transportation
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

31. **ORDINANCE** to set fourth Uniform Requirements for Transportation Network Services;
Hedgepeth to define Transportation Network Services, Applications, Companies, and Operators and
Chairman, to create Registration Provisions for Operators; and to provide for other related matters,
Public Works & up for T H I R D and F I N A L reading. (Held from 11/4; 11/18; 1/6). Ordinance No.
Transportation 5569 is sponsored by Councilman Kemp Conrad and Co-sponsored by Councilman
Committee Myron Lowery.

ACTION REQUESTED: Take whatever action Council deems advisable

32. **ORDINANCE** to amend Chapter 2, Code of Ordinances of the City of Memphis, so as to establish Community Advisory Councils, up for T H I R D and F I N A L reading. Held from 8/19; 9/16; 10/21; 11/18; 12/16). Ordinance No. 5557 is sponsored by Councilwoman Wanda Halbert.
Brown,
Chairman,
Housing &
Community
Development Committee

ACTION REQUESTED: Take whatever action Council deems advisable

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES (None)

INFORMATION SERVICES (None)

LAW DIVISION (None)

MLGW DIVISION (None)

DIVISION OF PARK SERVICES (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS

33. **RESOLUTION** amending the FY 2015 Capital Improvement Budget by transferring an allocation and appropriating funds in the amount of \$2,017,290.00 funded by G.O. Bonds-General (Storm Water) from Curb and Gutter-ST, Project Number ST04010, to Curb and Gutter at various locations, Project Number ST04048 for curb and gutter repairs at various locations. This resolution is sponsored by Public Works.
Hedgepeth
Chairman,
Public Works &
Transportation
Committee

ACTION REQUESTED: Adopt the resolution

34. RESOLUTION amending the FY 2015 Capital Improvement Budget by appropriating funds in the amount of \$1,783,134.75 funded by Federal Grants CIP and G.O. Bonds for construction in Poplar/Sweetbriar Interchange, Project Number PW01181, to widen Poplar Avenue Bridge and add an on ramp lane at the Poplar/Sweetbriar Interchange. This resolution is sponsored by Public Works.

Hedgepeth
Chairman,
Public Works &
Transportation
Committee

ACTION REQUESTED: Adopt the resolution

35. RESOLUTION amending the FY 2015 Capital Improvement Budget by appropriating funds in the amount of \$257,173.00, funded by G. O. Bonds General, CIP Project Number PD02004, for minor improvements to the following precincts: Appling Farms Station, Tillman Station, Ridgeway Station, Airways Station, Crump Station and Raines Station. This resolution is sponsored by Public Works.

Hedgepeth
Chairman,
Public Works &
Transportation
Committee

ACTION REQUESTED: Adopt the resolution

GENERAL ITEM

36. SELECTION of a candidate for the vacant District 7 position.

Lowery

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT

ADD-ON

37. RESOLUTION appropriating \$8,000,000.00 from the City's General Reserve Fund for the School Settlement. The funds so appropriated shall increase the City's General Fund Operating Budget to fiscal year ending June 30, 2015 and be added to the operating budget of the Mayor to implement the Settlement. This resolution is sponsored by Councilman Shea Flinn.

ACTION TAKEN BY COUNCIL ON THIS DATE

1. & 2 – Approved
3. Held until February 3, 2015
4. Held until March 17, 2015
5. Approved
6. Failed
7. Approved
8. Held until March 17, 2015
9. Approved
10. & 11 – Held until February 3, 2015
12. Through 14 – Approved
15. Public Hearing Set for February 3, 2015
16. Through 28 – Approved
29. Approved, as amended, Jim Ethridge was Withdrawn
30. Through 32 – Held until February 3, 2015
33. Through 37 – Approved

ACTION TAKEN ON THE MINUTES OF JANUARY 6, 2015 MEETING

Approved

ACTION TAKEN ON THE MINUTES OF ITEM #37, FROM TONIGHT'S MEETING

Approved