



# CITY OF MEMPHIS

## COUNCIL AGENDA

March 3, 2015

Public Session Tuesday, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

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### 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 (February 17, 2015)

### ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

### ITEMS HELD OR DROPPED FROM THE AGENDA

#### PRESENTATION AND RECOGNITION OF VISITORS

1. PRESENTATION of the City Council Humanitarian Award. (Held from 2/17)  
Strickland

#### PUBLIC HEARINGS

2. 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. (Held from 1/20; 2/3)  
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**

3. RESOLUTION approving a special use permit located at 4033 Raleigh Millington Road 254 +/- feet south of the south line of Tessland Avenue, containing 24.173 acres in the Residential Single-Family (R-8) District.

Collins  
Chairman,  
Planning &  
Zoning Committee

Case No. SUP 14-212cc

Applicant: Elaine Currie  
Delinor D. Smith – Smith Building Design & Associates, Inc. – Representative

Request: Cemetery

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

**177 NOTICES WERE MAILED ON FEBRUARY 20, 2015**

**DIVISION OF PLANNING AND DEVELOPMENT**

4. RESOLUTION approving a special use permit located at 1808 Chelsea Avenue; 287 feet west of McLean Street, containing 2.1 acres in the RU-3 District. This resolution is sponsored by the Office of Planning and Development.

Collins  
Chairman,  
Planning &  
Zoning Committee

Case No. SUP 14-237

Applicant: Rachael Wilborn and Roy Antoine  
Jerry Johnson – Representative

Request: Secondary material dealer

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

**No Opposition at LUCB; No Public Hearing Required**

5. RESOLUTION approving a special use permit located at 1780 Getwell Road, containing 2.21 acres in the Commercial Mixed Use-3 (CMU-3) District. This resolution is sponsored by the Office of Planning and Development. (Held from 2/17)  
Collins Chairman, Planning & Zoning Committee Case No. SUP 14-238

Applicant: Lee Nguyen

Request: To establish a used car sales facility

LUCB and OPD recommendation: APPROVAL, with (7) conditions

ACTION REQUESTED: Take whatever action Council deems advisable

**No Opposition at LUCB; No Public Hearing Required**

6. RESOLUTION approving a hotel/motel waiver for Microtel Inn and Suites located at 2423 N. Germantown Parkway, Memphis, TN 38016. This resolution is sponsored by the Office of Planning and Development.  
Collins Chairman, Planning & Zoning Committee Case No. HMW 14-07

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** (None)

**ZONING ORDINANCE - FIRST READING** (None)

**ZONING ORDINANCE - SECOND READING** (None)

### **ENGINEERING**

7. RESOLUTION approving final plat of HOUSTON LEVEE TRAILS P.D., 1<sup>ST</sup> ADDITION, 3<sup>RD</sup> AMENDMENT, PHASE 9.

Case No. PD 11-309  
Contract No. CR-5226

Resolution approves the final plat located on the east side of Houston Levee, south of Highway 64. 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

### **NOTATIONS FROM OPD**

8. **NOTATIONS** from Land Use Control Board that the following cases were heard and recommendation made requesting a date of public hearing:

- A. Case No. PD 15-301 – Speedway Store #100409

Located at 4069 and 4070 Lamar Avenue, containing 6.13 acres in the CMU-3 District

Applicant: Speedway, LLC  
Jonathan Woche, AICP – Representative

Request: Allow a convenience store with automobiles and tractor fueling sales within the CMU-3 Zoning District

LUCB and OPD recommendation: APPROVAL, with conditions

B. Case No. SUP 14-240

Located at 310 Union Avenue and 341 Monroe Avenue, approximately 200 feet west of Danny Thomas Boulevard, containing 1.71 acres in the South Central Business Improvement District (SCBID) and the Sports & Entertainment (SE) District

Applicant: Gopal (Sam) Govan  
Pickering Firm, Inc. – Harvey Matheny – Representative

Request: Proposed new hotel development

LUCB and OPD recommendation: APPROVAL, with conditions

**ACTION REQUESTED: Set a date of public hearing**

**SUGGESTED DATE: March 17, 2015**



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## MLGW FISCAL CONSENT

9. RESOLUTION approving Change No. 1 to Contract No. 11675, Professional Engineering Services for the Water Engineering and Operations Department, with SSR to, in the funded amount of \$350,000.00. (The initial term of the contract was for one year from the date of the Notice to Proceed with an option of four annual renewals. The Notice to Proceed for this contract was issued on January 7, 2015. This change establishes the 2015 design services projected funding. The term of this contract will remain through January 6, 2016.)
10. RESOLUTION approving an invoice payment request to DNV-GL dba KEMA, Incorporated, under Contract No. C1829, Joint Utilities Project Consulting Services, in the funded amount of \$2,131.93.
11. RESOLUTION awarding a thirty-six month contract to Maintstar, Incorporated, for support of Water Engineering & Operations' computerized maintenance management software, in the amount of \$42,316.09.
12. RESOLUTION approving Change No. 2 to Contract No. 11314, Armed Car Services, with Loomis Armored US, Incorporated, in the funded amount of \$133,000.00. (The initial term of the contract was for 60 months with options of automatic annual renewals. However, the MLGW Board of Commissioners at its December 17, 2009 meeting approved a resolution for this contract covering a 60-month term which ends February 28, 2015. This change is to extend the current contract term for an additional one year period in the funded amount of \$133,000.00 covering the period March 1, 2015 through February 28, 2016. To prevent a lapse in the armored car pick-up/deposit services, this change also approves, after the fact, the continuation of services from March 1, 2015 to March 17, 2015.)
13. RESOLUTION requesting approval of LMCG Investments, a small cap growth manager, to manage approximately \$7,000,000.00 for the benefit of The MLGW OPEB Trust Fund, as part of a reallocation.
14. RESOLUTION requesting approval of Channing Capital Management, a small cap value manager, to manage approximately \$7,000,000 for the benefit of the MLGW OPEB Trust Fund, as part of a reallocation.
15. RESOLUTION awarding a twenty-four month contract to Window Book, Incorporated, for software license renewal in the amount of \$23,874.00.



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## REGULAR AGENDA

16.

Flinn

Chairman,  
Personnel,  
Intergovern-  
mental &  
Annexation  
Committee

### APPOINTMENTS

#### MEMPHIS & SHELBY COUNTY CENTER CITY REVENUE FINANCE CORPORATION

##### Appointment

Bobbie S. Gillis

##### Re-Appointments

Marija Nelson  
Walter O. Person  
Carla Peacher-Ryan  
Brandy Johnson-Ward

#### GENERAL ORDINANCES – THIRD AND FINAL READING

17.

Hedgepeth  
Chairman,  
Public Works,  
& Transportation  
Committee

**ORDINANCE** amending the Taxi Ordinance, up for T H I R D and F I N A L reading. Ordinance No. 5578 sponsored by Councilman Kemp Conrad and Councilman Myron Lowery. (Held from 1/6; 1/20; 2/3; 2/17)

ACTION REQUESTED: Take whatever action Council deems advisable

18.

Hedgepeth  
Chairman,  
Public Works &  
Transportation  
Committee

**ORDINANCE** to set fourth Uniform Requirements for Transportation Network Services; to define Transportation Network Services, Applications, Companies, and Operators and to create Registration Provisions for Operators; and to provide for other related matters, up for T H I R D and F I N A L reading. Ordinance No. 5569 is sponsored by Councilman Kemp Conrad and Co-sponsored by Councilman Myron Lowery. (Held from 11/4; 11/18; 1/6; 1/20; 2/3; 2/17)

ACTION REQUESTED: Take whatever action Council deems advisable

19. **ORDINANCE** to establish the Beale Street Tourism Development Authority pursuant to Tennessee Code Annotated Section 7-69-1-1 and the Charter of the City of Memphis, Tennessee, up for T H I R D and F I N A L reading. Ordinance No. 5580 is sponsored by Councilman Kemp Conrad and Councilman Edmund Ford, Jr.  
Halbert  
Chairman,  
Economic  
Development &  
Tourism Committee

ACTION REQUESTED: Take whatever action Council deems advisable

**ENGINEERING DIVISION** (None)

**EXECUTIVE DIVISION** (None)

**FINANCE & ADMINISTRATION**

20. **RESOLUTION** to adopt Funding Policy for City of Memphis general employees. This resolution is sponsored by Administration.  
Strickland  
Chairman,  
Budget Committee

ACTION REQUESTED: Adopt the resolution

21. **RESOLUTION** to adopt Funding Policy for Memphis Library and Information Center employees. This resolution is sponsored by Administration.  
Strickland  
Chairman,  
Budget Committee

ACTION REQUESTED: Adopt the resolution

**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** (None)

GENERAL ITEM (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT

**ADD-ONS**

22. RESOLUTION approving final plat of TOURNAMENT CENTER P.D., PHASE 6.  
Consent Case No. PD 09-305  
Contract No. CR-5227

Resolution approves the final plat located on the north side of Tournament Drive; 1,475 feet west of Hacks Cross 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.

ACTION REQUESTED: Adopt the resolution

23. RESOLUTION to temporarily fund MATA \$4,500,000.00 to avoid consequences of a cash flow shortfall. This resolution is sponsored by Administration.  
Strickland  
Chairman,  
Budget Committee

ACTION REQUESTED: Adopt the resolution

24. RESOLUTION amending the FY 2015 Capital Improvement Budget by adding an additional \$1,500,000.00 in G.O. Bonds to be used for public infrastructure improvements in Whitehaven as part of the Southbrook Mall redevelopment project. This resolution is sponsored by Councilman Harold Collins and Councilwoman Janis Fullilove.  
Brown  
Chairman,  
Housing &  
Community  
Development  
Committee

ACTION REQUESTED: Adopt the resolution

**ACTION TAKEN BY COUNCIL ON THIS DATE**

1. Approved
2. Approved, as amended
3. Failed
4. Approved
5. Held until March 17, 2015
6. and 7 approved
8. Public Hearing set for March 17, 2015
9. Through 16 – Approved
17. and 18 – held until March 17, 2015
19. Approved, as amended
20. and 21 – Held until May 19, 2015
22. Through 24 – Approved

ADD-ONS

ACTION TAKEN ON THE MINUTES OF FEBRUARY 17, 2015

Approved

ACTION TAKEN ON THE MINUTES OF MARCH 3, 2015 FOR ITEM 23  
ONLY

Approved