

**MINUTES**

**REGULAR MEETING OF THE CITY COUNCIL**

**CITY OF MEMPHIS**

**February 3, 2015**

**3:30 P.M. SCHEDULED SESSION**

**3:30 P.M. MEETING COMMENCED**

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

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

**INVOCATION**

The meeting was opened with prayer by Father Anthony Clark from St. Augustine Catholic Church. Councilman Collins presented Father Clark 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 January 20, 2015 with the following motion:

**MOTION:** Ford  
**SECOND:** Hedgepeth  
**AYES:** B. Boyd, W. Boyd, Brown, Collins, Conrad, Ford, Fullilove, Hedgepeth, Morrison, Strickland and Chairman Lowery  
Flinn and Halbert did not cast a vote

**APPROVED**

1. **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)  
Case No. PD 14-308cc

Held until March 3, 2015

4. **RESOLUTION ESTABLISHING THE BEALE STREET TOURISM DEVELOPMENT AUTHORITY. THIS RESOLUTION IS SPONSORED BY ADMINISTRATION.** (Held from 1/6; 1/20)

**DROPPED**

11. **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)

Held until February 17, 2015

12. **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).

Held until February 17, 2015

20. **RESOLUTION THANKING CHARLIE WIRT FOR 64 YEARS OF SERVICE TO THE CITY OF MEMPHIS.**

MOTION: Lowery  
SECOND: Fullilove

**APPROVED**, by unanimous voice vote

2. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED +/-614 FEET EAST OF ANDERSON ROAD AT GILLEAS ROAD, CONTAINING 0.168 ACRE IN THE R-6 DISTRICT. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING & DEVELOPMENT.**

Case No. SUP 14-233

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

MOTION: Collins

SECOND: Strickland

AYES: B. Boyd, W. Boyd, Brown, Collins, Conrad, Ford, Fullilove, Hedgepeth,  
Morrison, Strickland and Chairman Lowery  
Flinn recused  
Halbert did not cast a vote

**APPROVED**

3. **RESOLUTION APPROVING A HOTEL/MOTEL WAIVER FOR KING SIGNATURE HOTEL LOCATED AT 1471 E. BROOKS ROAD, MEMPHIS, TN 38116. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.** (Held from 1/20)

Case No. HMW 14-08

MOTION: Brown

SECOND: B. Boyd

AYES: B. Boyd, W. Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Hedgepeth,  
Morrison, Strickland and Chairman Lowery  
Halbert did not cast a vote

**APPROVED**

**CONSENT AGENDA – Item 5 and 17 may be acted upon by one motion: SEE PAGE 3218 FOR ROLL CALL**

5. **RESOLUTION APPROVING FINAL PLAT OF SHELBY OAKS CORPORATE PARK M-L PHASE 12.**

Case No. Z-2762

Contract No. CR-5224

Resolution approving the final plat located on the northwest corner of Whitten Road and Raleigh-LaGrange 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.

**APPROVED**

17. **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 F I R S T READING. ORDINANCE NO. 5580 IS SPONSORED BY COUNCILMAN KEMP CONRAD AND COUNCILMAN EDMUND FORD, JR.**

**APPROVED**, on First reading

**ROLL CALL CONSENT ITEMS**

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

**APPROVED**

**MLGW FISCAL CONSENT – Items 6-9 may be acted upon by one motion:**

6. **RESOLUTION AWARDDING CONTRACT NO. 11724, JANITORIAL SERVICES FOR MLGW FACILITIES LOCATED AT THE NORTH SERVICE CENTER, MLGW UNIVERSITY, ELECTRIC SYSTEM OPERATIONS, NORTH COMMUNITY OFFICE, LAMAR COMMUNITY OFFICE, CHOCTAW, SHEAHAN PUMPING STATION, WATER ASSURANCE LABORATORY, AND THE NETTERS BUSINESS CENTER, TO SKB FACILITIES AND MAINTENANCE, IN THE FUNDED AMOUNT OF \$289,122.00.**

**APPROVED**

7. **RESOLUTION AWARDDING CONTRACT NO. 11725, JANITORIAL SERVICES FOR MLGW FACILITIES AT THE ADMINISTRATION BUILDING LOCATED AT 220 SOUTH MAIN STREET, AND THE DOWNTOWN CREDIT OFFICE LOCATED AT 245 SOUTH MAIN STREET, TO SKB FACILITIES AND MAINTENANCE, IN THE FUNDED AMOUNT OF \$132,299.50.**

**APPROVED**

8. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11489, CUSTOMER CARE CENTER (CCC) TELEPHONE SERVICE, WITH AT&T, IN THE FUNDED AMOUNT OF \$132,000.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE SECOND AND FINAL RENEWAL TERM FOR THE PERIOD COVERING AUGUST 16, 2015 THROUGH AUGUST 15, 2016, WITH NO INCREASE FROM THE PREVIOUS YEAR.)**

**APPROVED**

9. **RESOLUTION AWARDING A CONTRACT TO BRIGHTER DAYS AND NITES, INC., FOR AIR DISCONNECT SWITCHES, IN THE AMOUNT OF \$59,942.00.**

**APPROVED**

**MLGW ROLL CALL CONSENT ITEMS**

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

**APPROVED**

18. **RESOLUTION URGING SUPPORT OF INSURE TENNESSEE. THIS RESOLUTION IS SPONSORED BY COUNCILMAN BERLIN BOYD AND COUNCILMAN EDMUND FORD, JR.**

**Councilman B. Boyd requested same night minutes for this item. Chairman Lowery asked if there was any objection to having same night minutes. There was no objection.**

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

**APPROVED**

19. **RESOLUTION REQUESTING THE APPROVAL OF THE SALE OF CITY OWNED PROPERTY AS DESCRIBED IN AND ACQUIRED BY WARRANTY DEED ON SEPTEMBER 13, 1962. THE PROPERTY IS LOCATED AT 664 ST. JUDE PLACE IN MEMPHIS, SHELBY COUNTY, TENNESSEE ALSO KNOWN AS PARCEL #001130 00001. THE PROPOSED SALE IS TO ST. JUDE (ALSAC), AN ADJOINING PROPERTY OWNER. THIS RESOLUTION IS SPONSORED BY GENERAL SERVICES.**

**Councilman Hedgepeth requested same night minutes for this item. Chairman Lowery asked if there was any objection to having same night minutes. There was no objection.**

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

**APPROVED**

21. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$9,000.00 FROM THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT DIVISION FOR WIA YOUTH STATEWIDE PROGRAM. THIS RESOLUTION IS SPONSORED BY THE EXECUTIVE DIVISION.**

**Councilwoman Fullilove requested same night minutes for this item. Chairman Lowery asked if there was any objection to having same night minutes. There was no objection.**

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

**APPROVED**

22. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$75,000.00 FROM THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT DIVISION FOR WIA RAPID RESPONSE INCUMBENT WORKER PROGRAM. THIS RESOLUTION IS SPONSORED BY THE EXECUTIVE DIVISION.**

**Councilwoman Fullilove requested same night minutes for this item. Chairman Lowery asked if there was any objection to having same night minutes. There was no objection.**

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

**APPROVED**

10. **APPOINTMENT**

**MEMPHIS CONVENTION CENTER COMMISSION**

Lori Spicer Robertson

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

**APPROVED**

14. **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 T H I R D AND F I N A L READING. ORDINANCE NO. 5579 IS SPONSORED BY ADMINISTRATION.**

MOTION: Hedgepeth

SECOND: Ford

AYES: B. Boyd, W. Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Hedgepeth, Morrison, Strickland and Chairman Lowery  
Halbert did not cast a vote

**APPROVED**

15. **RESOLUTION APPROPRIATING \$400,000.00 FUNDED BY G.O. BONDS GENERAL IN CIP PROJECT #GA03025, BUS FACILITY IMPROVEMENTS, TO FUND THE LOCAL SHARE FOR BUS FACILITY IMPROVEMENTS AS PART OF THE FISCAL YEAR 2015 CAPITAL IMPROVEMENT BUDGET. THIS RESOLUTION IS SPONSORED BY MATA.**

MOTION: Hedgepeth

SECOND: B. Boyd

AYES: B. Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Hedgepeth, Morrison, Strickland and Chairman Lowery  
W. Boyd and Halbert did not cast a vote

**APPROVED**

16. **RESOLUTION APPROVING A LEASE AGREEMENT AND TEMPORARY EASEMENT WITH CENTER POINT TERMINAL COMPANY, LLC, AS APPROVED BY THE BOARD OF COMMISSIONERS OF THE MEMPHIS AND SHELBY COUNTY PORT COMMISSION, ON DECEMBER 17, 2014. THIS RESOLUTION IS SPONSORED BY PORT COMMISSION.**

Contract No. CR-5223

MOTION: Hedgepeth

SECOND: Strickland

AYES: B. Boyd, W. Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Hedgepeth, Morrison, Strickland and Chairman Lowery  
Halbert did not cast a vote

**APPROVED**

- 13. **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. ORDINANCE NO. 5557 IS SPONSORED BY COUNCILWOMAN WANDA HALBERT.** (Held from 8/19; 9/16; 10/21; 11/18; 12/16; 1/20).

MOTION: Halbert – Hold for 2 weeks

**Chairman Lowery stated that without objection, we will hold this item for 2 weeks to go back to Committee and the full agenda.**

Held until February 17, 2015

**MINUTES**

Approval of the Minutes of the regular meeting of February 3, 2015 for items 18, 19, 21 and 22 only with the following motion:

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

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

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

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

Walter Broady, III, 4256 Ledbetter Cove, Memphis, TN 38109  
 Lee Cochran, 179 Richbriar St., Memphis, TN 38120  
 Hayes Hora, 3575 Galloway Ave., Memphis, TN 38122

**ADJOURNED MEETING AT 4:19 P.M.**

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

\_\_\_\_\_  
CHAIRMAN

Attest:

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Deputy Comptroller/Council Records