

**MINUTES**

**REGULAR MEETING OF THE CITY COUNCIL**

**CITY OF MEMPHIS**

**February 17, 2015**

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

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

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

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

**INVOCATION**

The meeting was opened with prayer by Minister William Jones from Boulevard Church of Christ. Councilman Collins presented Minister Jones 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 February 3, 2015 with the following motion:**

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

**APPROVED**

**Councilman Flinn recognized Councilman Morrison's mother who was in the audience.**

**1. PRESENTATION OF THE CITY COUNCIL HUMANITARIAN AWARD.**

Held until March 3, 2015

- 20. 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 SPONSORED BY COUNCILMAN JIM STRICKLAND.** (Held from 6/17; 10/7; 10/21; 12/2).

**DROPPED**

- 21. 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)

Held until March 3, 2015

- 22. 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).

Held until March 3, 2015

- 23. 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; 2/3).

Held until March 17, 2015

- 2. RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED AT 1780 GETWELL ROAD, CONTAINING 2.21 ACRES IN THE COMMERCIAL MIXED USE-3 (CMU-3) DISTRICTS. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

Case No. SUP 14-238

Held until March 3, 2015

30. **RESOLUTION APPROPRIATING AND ALLOCATING \$23,712,452.00 FOR THE RALEIGH REDEVELOPMENT PROJECT.**

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

Kevin L. Brooks, 4732 Kenmar Cv., Memphis, TN 38128  
 Aaron Fowles, 3060 Scotland Rd., Memphis, TN 38128  
 Irwin Graham, 3110 S. Glengarry Rd., Memphis, TN 38128  
 Ray Jones, 6042 Kevin Dr., Memphis, TN 38135  
 Norma Lester, 3865 S. Lakewood Dr., Memphis, TN 38128  
 Faye Morrison, 5090 Wyndance Dr., Memphis, TN 38135

**Councilman Morrison 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: Morrison  
 SECOND: Ford  
 AYES: B. Boyd, W. Boyd, Collins, Flinn, Ford, Halbert, Hedgepeth, Morrison and  
 Chairman Lowery  
 NAYS: Strickland  
 Brown, Conrad and Fullilove were absent

**APPROVED**

28. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF THIRTY THOUSAND FIVE HUNDRED DOLLARS (\$30,500) FROM THE STATE OF TENNESSEE DEPARTMENT OF HUMAN SERVICES FOR CHILD SUPPORT NONCUSTODIAL PARENT EMPLOYMENT DEMONSTRATION PROGRAM.**

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

**APPROVED**

29. **RESOLUTION TO ACCEPT FROM AMERICORPS NATIONAL CIVILIAN COMMUNITY CORPS (NCCC) A CORPS TEAM OF APPROXIMATELY EIGHT (8) CORPS MEMBERS TO PERFORM SERVICE PROJECTS FOR THE CITY OF MEMPHIS, PRIMARILY WITHIN THE DIVISION OF PARKS AND NEIGHBORHOODS.**

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

**APPROVED**

31. **RESOLUTION URGING THE TENNESSEE GENERAL ASSEMBLY TO OPPOSE SENATE BILL 0123/HOUSE BILL 0603 TO PROHIBIT LOCAL GOVERNMENTS FROM PARTICIPATING IN COLLECTIVE BARGAINING AGREEMENTS WITH LABOR UNIONS OR OTHER EMPLOYEE ASSOCIATIONS.**

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

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

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

**APPROVED**

3. **RESOLUTION ADOPTING GREENPRINT 2015/2040, ALSO KNOWN AS THE MID-SOUTH REGIONAL GREENPRINT AND SUSTAINABILITY PLAN, A TRI-STATE PLAN FOR CONNECTING A NETWORK OF GREEN SPACE. ADOPTION DOES NOT CARRY FINANCIAL OR REGULATORY OBLIGATION. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

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

**APPROVED**

**CONSENT AGENDA – Items 4-6 may be acted upon by one motion: SEE PAGE 3229 FOR ROLL CALL**

4. **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 SECOND READING. ORDINANCE NO. 5580 IS SPONSORED BY COUNCILMAN KEMP CONRAD AND COUNCILMAN EDMUND FORD, JR.**

**APPROVED**, on Second reading

5. **RESOLUTION APPROVING FINAL PLAT OF WINCHESTER-RIVERDALE PD, PHASE 2, STREET IMPROVEMENTS.**

Contract No. CR-5225

Resolution approves the final plat located on the southeast corner of Winchester Road and Malco Way. 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**

6. **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 14-212cc

Public Hearing Set for March 3, 2015

**ROLL CALL CONSENT ITEMS**

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

**APPROVED**

**MLGW FISCAL CONSENT – Items 7-18 may be acted upon by one motion:**

7. **RESOLUTION REQUESTING APPROVAL OF PAYMENT OF AN INVOICE FROM TENNESSEE ONE CALL SYSTEM, INC., FOR ANNUAL MEMBERSHIP DUES FOR THE YEAR 2015, PLUS LOCATE REQUEST TICKETS, IN THE AMOUNT OF \$98,187.68.**

**APPROVED**

8. **RESOLUTION AWARDING CONTRACT NO. 11746, ADMINISTRATION BUILDING ADA RENOVATIONS, TO WAGNER GENERAL CONTRACTORS, INCORPORATED, IN THE FUNDED AMOUNT OF \$251,700.00.**

**APPROVED**

9. **RESOLUTION AWARDING A STRATEGIC ALLIANCE FOR STATIONARY BATTERIES AND CHARGERS TO SAFT AMERICA, INC. FOR A SIXTY MONTH PERIOD, BASED ON UNIT PRICES, IN AN AMOUNT NOT-TO-EXCEED \$2,900,000.00.**

**APPROVED**

10. **RESOLUTION AWARDING A CONTRACT TO TRINITY INDUSTRIES DE MEXICO S DE RL DE CV, D/B/A TRINITY FORMET, FOR FABRICATED STRUCTURAL STEEL, IN THE AMOUNT OF \$86,190.00.**

**APPROVED**

11. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11498, INTERNET SERVICE PROVIDER, WITH WINDSTREAM COMMUNICATIONS, IN THE FUNDED AMOUNT OF \$21,600.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FIRST OF TWO RENEWAL TERMS, FOR THE PERIOD COVERING MAY 1, 2015 THROUGH APRIL 30, 2016, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR.)**

**APPROVED**

12. **RESOLUTION AWARDING CONTRACT NO. 11696, FIREPROOFING, TO FIRE STOP TECHNOLOGIES, INCORPORATED, IN THE FUNDED AMOUNT OF \$228,325.00.**

**APPROVED**

13. **RESOLUTION REQUESTING APPROVAL OF RHUMLINE RUSSELL 1000 GROWTH POOLED INDEX FUND, A LARGE CAP GROWTH MANAGER, TO MANAGE APPROXIMATELY \$162,000,000.00, FOR BENEFIT OF THE MLGW RETIREMENT AND PENSION FUND, AS PART OF A REALLOCATION.**

**APPROVED**

14. **RESOLUTION REQUESTING APPROVAL OF RHUMLINE RUSSELL 1000 VALUE POOLED INDEX FUND, A LARGE CAP VALUE EQUITY MANAGER, TO MANAGE APPROXIMATELY \$44,000,000.00, FOR BENEFIT OF THE MLGW RETIREMENT AND PENSION FUND, AS PART OF A REALLOCATION.**

**APPROVED**

15. **RESOLUTION REQUESTING APPROVAL OF BRIDGEWAY CAPITAL MANAGEMENT, A LARGE CAP VALUE EQUITY MANAGER, TO MANAGE APPROXIMATELY \$50,000,000, FOR BENEFIT OF THE MLGW RETIREMENT AND PENSION FUND, AS PART OF A REALLOCATION.**

**APPROVED**

16. **RESOLUTION REQUESTING APPROVAL OF VULCAN VALUE PARTNERS, A LARGE CAP VALUE MANAGER, TO MANAGE APPROXIMATELY \$50,000,000.00, FOR BENEFIT OF THE MLGW RETIREMENT AND PENSION FUND, AS PART OF A REALLOCATION.**

**APPROVED**

17. **RESOLUTION AWARDED A TWENTY-FOUR MONTH CONTRACT TO UNIVERSAL SCAFFOLDING AND EQUIPMENT, LLC, FOR VARIOUS LUMINAIRES, IN THE AMOUNT OF \$3,367,962.50.**

**APPROVED**

18. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11574, COMMERCIAL AUTO INSURANCE FOR OUT-OF-STATE TRAVEL, WITH PETE MITCHELL AND ASSOCIATES, INCORPORATED, IN THE FUNDED AMOUNT OF \$105,431.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE SECOND OF FOUR RENEWAL TERMS COVERING THE PERIOD OF MARCH 14, 2015 THROUGH MARCH 13, 2016, WHICH REFLECTS A 0.05% DECREASE FROM THE PREVIOUS YEAR.)**

**APPROVED**

**MLGW ROLL CALL CONSENT ITEMS**

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

**APPROVED**

19. **APPOINTMENTS**

**MEMPHIS AND SHELBY COUNTY AIRPORT AUTHORITY**

Appointment

Darrell K. Thomas

**MEMPHIS AND SHELBY COUNTY ELECTRICAL CODE BOARD**

Appointment

Kevin Michael Combs

MOTION: Flinn

SECOND: Ford

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

**APPROVED**

24. **RESOLUTION APPROPRIATING \$600,000.00 FUNDED BY G.O. BONDS GENERAL IN CIP PROJECT #GA03024, RAIL FACILITY IMPROVEMENTS, TO FUND THE LOCAL SHARE FOR RAIL FACILITY IMPROVEMENTS AS PART OF THE FISCAL YEAR 2015 CAPITAL IMPROVEMENT BUDGET. THIS RESOLUTION IS SPONSORED BY MATA.**

MOTION: Hedgepeth

SECOND: Ford

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

**APPROVED**

25. **RESOLUTION TRANSFERRING AN ALLOCATION OF \$250,000.00 FROM CONTRACT CONSTRUCTION FUNDS TO ARCHITECTURE AND ENGINEERING IN CURB AND GUTTER-ST, PROJECT NUMBER ST04010. THIS RESOLUTION IS SPONSORED BY PUBLIC WORKS.**

MOTION: Hedgepeth

SECOND: Ford

AYES: W. Boyd, Collins, Flinn, Halbert, Hedgepeth, Morrison and Chairman Lowery

B. Boyd, Ford and Strickland did not cast a vote  
Brown, Conrad and Fullilove were absent

**APPROVED**

26. **RESOLUTION TRANSFERRING \$150,000.00 FROM THE FY2015 CIP BUDGET PROJECT #ST04038 STORM WATER POLLUTION – ST TO SHELBY FARMS FOR THE PURPOSE OF WATER QUALITY INITIATIVES AND EDUCATIONAL PROGRAM. THIS RESOLUTION IS SPONSORED BY PUBLIC WORKS.**

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

**APPROVED**

27. **RESOLUTION AMENDING THE FY 2015 CIP BUDGET BY TRANSFERRING AN ALLOCATION AND APPROPRIATING FUNDS IN THE AMOUNT OF \$2,567,739.00 FUNDED BY CAPITAL PAY GO-SEWER IN REHAB EXISTING SEWERS, PROJECT# SW02001 TO CIPP 15, 24, 30 INCH 5 AREAS 2014, PROJECT #SW02133 TO INSTALL CIPP LINER IN 5 AREAS ACROSS THE CITY. THIS RESOLUTION IS SPONSORED BY PUBLIC WORKS.**

MOTION: Hedgepeth  
SECOND: Ford  
AYES: B. Boyd, W. Boyd, Collins, Flinn, Ford, Halbert, Hedgepeth, Morrison, Strickland and Chairman Lowery  
Brown, Conrad and Fullilove were absent

**APPROVED**

**MINUTES**

Approval of the Minutes of the regular meeting of February 17, 2015 for items 28, 29, 30 and 31 only with the following motion:

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

**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

Paul Garner, 60 N. Willett St., Memphis, TN 38104

Michael Krause, 610 Poplar Ave., Memphis, TN 38105

**ADJOURNED MEETING AT 4:41 P.M.**

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

\_\_\_\_\_  
CHAIRMAN

Attest:

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