CITY OF MEMPHIS

COUNCIL AGENDA
May 1, 2012
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

PLEDGE OF ALLEGIANCE

CALL OF ROLL by the Comptroller

APPROVAL OF PREVIOUS MEETING MINUTES (April 17, 2012)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATION AND RECOGNITION OF VISITOR

1. RECOGNITION of Douglass K-8 school students for their participation in Douglassville City Government.

Harris

DIVISION OF PLANNING & DEVELOPMENT

2. RESOLUTION approving a special use permit located on the west side of Boston Street, 175 feet north of Midland Avenue, containing 0.17 acre in the Residential Urban (RU-1) District. (Held from 3/6; 3/20; 4/17)

Ford

Case No. SUP 11-224

Applicant: Jacob's Ladder, Inc.
Rev. Bill Marler – Representative

Request: Group Day Care and Playground

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

3. RESOLUTION approving a special use permit located on the northwest corner of Walnut Grove Road and Hayden Street, containing 0.73 acre in the Commercial Mixed Use-2 (CMU-2) District.

Ford Case No. SUP 12-205

Applicant: TV 6 Signal Source Tower, LLC (Billy Orgill/Craig Royal)
Prime Development Group – Mike Fahy – Representative

Request: Cellular Tower (160 feet tall – Stealth Design)

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

ZONING ORDINANCE – THIRD AND FINAL READING (None)

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CONSENT AGENDA

GENERAL ORDINANCES - FIRST READING

4. **ORDINANCE** to amend and supplement Section 14-4-36, Closing of Adjacent Streets and Sidewalks, up for F I R S T reading.

Hedgepeth — Ordinance No. 5448

ACTION REQUESTED: Adopt the ordinance on First reading

5. **ORDINANCE** to amend Chapter 25, Code of Ordinances, City of Memphis, so as to Increase Pension Benefits allowable under Section 25-95 and 25-195, up for F I R ST reading.

Strickland — Ordinance No. 5449

ACTION REQUESTED: Adopt the ordinance on First reading

6. **ORDINANCE** establishing the Fiscal Year 2013 Operating Budget for the City of Memphis, up for F I R S T reading.

Strickland — Ordinance No. 5450

ORDINANCE to appropriate the proceeds of the tax levy on the assessed values on all properties of every species within the city limits for general purposes for the Fiscal Year July 1, 2012 through June 30, 2013.

ACTION REQUESTED: Adopt the ordinance on First reading

7. **ORDINANCE** to fix the Tax Rate of the City of Memphis for Fiscal Year 2013, up for F I R S T reading.

Strickland — Ordinance No. 5451

ACTION REQUESTED: Adopt the ordinance on First reading

GENERAL ORDINANCE - SECOND READING (None)

ZONING ORDINANCE - FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

ENGINEERING

8. RESOLUTION approving final plat of TOURNAMENT CENTER P.D., PHASE 2 (APARTMENTS).

Case No. PD 09-305
Contract No. CR-5180

Resolution approves the final plat located on the north side of Tournament Drive, west of Hacks Cross. Cost of the required improvements to be borne by the developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

9. RESOLUTION approving final plat of THE GALLERIA OF MEMPHIS P.D., AMENDED, PHASE 13 (ROAD DEDICATION ONLY).

Case No. PD 04-312
Contract No. CR-5181

Resolution approves the final plat located at the terminus of Market Plaza Drive, west of Germantown Parkway. Cost of the required improvements to be borne by the developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

10. RESOLUTION approving final plat of KIRBY GATE WEST P.D., PHASE 1.

Case No. PD 11-316
Contract No. CR-5182

Resolution approves the final plat located on the north side of Quince Road, 951.32 feet west of Kirby Parkway. Cost of the required improvements to be borne by the developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

NOTATION FROM OPD

11. **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 12-207

Located on the northeast corner of Monroe Avenue and Claybrook Street, containing .89 acre in the Commercial Mixed Use-3 (CMU-3) District

Applicant: Gloria Hayden
McCaskill & Associates, Inc. – Tim McCaskill – Representative

Request: A Special Use Permit to allow a social service institution that will feed the needy in and around the medical district (soup kitchen)

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: May 15, 2012

GENERAL ITEM

12. Strickland & Boyd — RESOLUTION honoring the life of Hunter Lane Jr.

ACTION REQUESTED: Adopt the resolution

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MLGW FISCAL CONSENT

13. RESOLUTION awarding contracts for Cab and Chassis two-ton trucks to Diamond International Trucks in the amount of $774,768.00 and to Tag Truck Center in the amount of $154,825.00, for a total amount of $929,593.00.

14. RESOLUTION awarding contract for steel-utility service bodies to Aerial Truck Equipment Company in the amount of $168,301.00.

15. RESOLUTION approving payment of 2012 annual membership dues to Tennessee Valley Public Power Association in the amount of $50,613.40.

16. RESOLUTION awarding 12-month blanket contract for #477 Pelican Wire to Utilicor in the amount of $337,400.00.

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REGULAR AGENDA

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES

17. RESOLUTION accepting and appropriating $10,000.00 in additional Federal Grant funds from the Department of Homeland Security-FEMA for the Division of Fire Services for a total appropriation of $10,000.00.

Conrad

ACTION REQUESTED: Adopt the resolution

DIVISION OF GENERAL SERVICES

18. RESOLUTION to encumber an additional $328,242.00, CIP Project Number GS01007, Major Maintenance, funded by G.O. Bonds General for roof repairs at City Hall. This encumbrance is for Change Order #1 to cover abatement of the ceiling of the Hall of Mayors and the second floor ceiling over the Hall of Mayors, replacement of 128 skylight windows on the roof of Council Chambers and the Hall of Mayors and re-plastering the ceiling in the Hall of Mayors and the second floor ceiling.

Hedgepeth

ACTION REQUESTED: Adopt the resolution

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES (None)

INFORMATION SERVICES

19. RESOLUTION appropriating $2,859,588.00 for CIP Project Number IS01053, Treasury System Upgrade, which was approved by City Council in the FY 2012 CIP Budget.

Halbert

ACTION REQUESTED: Adopt the resolution

LAW DIVISION (None)

MLGW DIVISION

20. RESOLUTION respectfully requesting the MLGW Board of Commissioners review the existing policy and procedures related to utility theft, investigation and prosecution and report its findings and recommendations to the Memphis City Council within 60 days.

Fullilove

ACTION REQUESTED: Adopt the resolution

21. RESOLUTION respectfully requesting the MLGW Board of Commissioners review any existing policy and procedures related to testing and calibration of meters or if necessary, develop a program to test, calibrate, repair and replace meters on a regular basis and report its findings and recommendations to the Memphis City Council within 60 days.

Fullilove

ACTION REQUESTED: Adopt the resolution

PARK SERVICES

22. RESOLUTION approves completion of plans and specifications for the Wolf River Greenway – the phase between McLean Ave and Hollywood Street, CIP Project number PK07012, at an estimated construction cost of $979,000.00 funded by G.O. Bonds General. (Held from 4/17)

Boyd

ACTION REQUESTED: Adopt the resolution

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS

23. RESOLUTION amending the FY 2012 Capital Improvement Budget by transferring an allocation and appropriating $236,322.00 funded by G.O. Bonds-General (Storm Water) from Flood Control-ST, project number ST03059 to Marble Pump Station Outlet, project number ST03139 and for a contract with Chris-Hill Construction Co., LLC. (Held from 4/17).

Hedgepeth

ACTION REQUESTED: Adopt the resolution

24. RESOLUTION amending the FY 2012 Capital Improvement Budget by transferring an allocation of $25,031.00 funded by G.O. Bonds General (Storm Water) from Flood Control-ST, Project Number ST03059 to Workhouse Pump Station Electrical Enclosure, Project Number ST03147 to replace a temporary electrical service with a permanent installation. Resolution also appropriates $25,031.00 funded by G.O. Bonds General (Storm Water) in Workhouse Pump Station Electrical Enclosure, Project Number ST03147 for a contract with Shelby Electric Company, Inc.

Hedgepeth

ACTION REQUESTED: Adopt the resolution

GENERAL ITEMS (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT

ACTION TAKEN BY COUNCIL ON THIS DATE

1. Through 10 – Approved
11. Public Hearing Set for May 15, 2012
12. Through 24 - Approved

ACTION TAKEN BY COUNCIL ON THE MINUTES OF APRIL 17, 2012 MEETING

Approved