

MINUTES

REGULAR MEETING OF THE CITY COUNCIL

CITY OF MEMPHIS

August 7, 2012

3:30 P.M. SCHEDULED SESSION

3:30 P.M. MEETING COMMENCED

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

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

INVOCATION

The meeting was opened with prayer by Rev. Michael Love from Ascension Missionary Baptist Church. Councilman Ford presented Rev. Love 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 July 17, 2012 with the following motion:

MOTION: Ford
SECOND: Boyd
AYES: Boyd, Collins, Conrad, Ford, Fullilove, Halbert, Harris, Hedgepeth, Lowery, Strickland and Chairman Morrison
NAYS: Brown
Flinn was absent

APPROVED

1. **RESOLUTION THANKING TAJUAN STOUT MITCHELL FOR HER SERVICE TO THE CITY OF MEMPHIS.**

MOTION: Collins
 SECOND: Ford

APPROVED, by unanimous voice vote

2. **RESOLUTION THANKING STEVE ROSS FOR RECOGNIZING AND REVEALING ELECTION BALLOT INACCURACIES.**

MOTION: Strickland
 SECOND: Ford

APPROVED, by unanimous voice vote

3. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE SOUTH SIDE OF TOURNAMENT DRIVE; +/-1,800 FEET WEST OF HACKS CROSS ROAD, CONTAINING 22 ACRES IN AN AREA CURRENTLY GOVERNED BY THE APPROVED CONDITIONS FOR AREA B AND C (OFFICE USES) OF THE TOURNAMENT CENTER PLANNED DEVELOPMENT (P.D. 09-305). (Held from 7/17)**

Case No. PD 12-304

Applicant: Clark et.al (Ben Clark)
 ETI Corporation (Ralph Smith) – Representative

Request: Amendment to the planned development for multi-family development on the south side of Tournament Drive in Area B and C

LUCB and OPD recommendation: APPROVAL, with conditions

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

APPROVED, as amended

Councilman Harris presented certificates to College Interns. This was not an item on the agenda.

4. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE LOCATED ON THE NORTH SIDE OF NORTH PARKWAY, 232 FEET EAST OF THOMAS STREET, CONTAINING 4,337 SQUARE FEET.**

Case No. SAC 12-601

Applicant: MLB-Uptown, LLC

Request: Close and vacate Peyton Street right-of-way

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Hedgepeth

SECOND: Ford

AYES: Boyd, Brown, Collins, Conrad, Ford, Fullilove, Halbert, Harris, Hedgepeth, Lowery, Strickland and Chairman Morrison
Flinn was absent

APPROVED

5. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE LOCATED ON THE EAST SIDE OF MULBERRY STREET, 150.50 FEET NORTH OF PONTOTOC AVENUE, CONTAINING 583 SQUARE FEET.**

Case No. SAC 12-602

Applicant: Church of God in Christ, Inc.

Request: Close an existing alley 120 feet long by 5 feet wide

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Hedgepeth

SECOND: Ford

AYES: Boyd, Brown, Collins, Conrad, Ford, Fullilove, Halbert, Harris, Hedgepeth, Lowery, Strickland and Chairman Morrison
Flinn was absent

APPROVED, as amended

10. **ORDINANCE REZONING THE SOUTHWEST CORNER OF S. PERKINS ROAD AND KNIGHT ARNOLD ROAD, CONTAINING 10.92 ACRES IN THE COMMERCIAL MIXED USE (CMU-1) DISTRICT, UP FOR T H I R D AND F I N A L READING. (Held from 6/19) (This item was pulled from 7/3/2012 Minutes on 7/17/2012 and held until August 7, 2012).**

Case No. Z 12-101

Ordinance No. 5453

(Companion Case No. SUP 12-203)

Applicant: Village Plaza, Inc.
W. H. Porter Consultants, PLLC – Representative

Request: Commercial Mixed Use (CMU-2) District

LUCB and OPD recommendation: APPROVAL

MOTION: Hedgepeth

SECOND: Ford

AYES: Boyd, Brown, Conrad, Ford, Fullilove, Halbert, Harris, Hedgepeth, Lowery,
Strickland and Chairman Morrison
Collins did not cast a vote
Flinn was absent

APPROVED

6. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE SOUTHWEST CORNER OF S. PERKINS ROAD AND KNIGHT ARNOLD ROAD, CONTAINING 5,000 SQ. FT. TENANT SPACE IN THE COMMERCIAL MIXED USE (CMU-1) DISTRICT. (Held from 6/19) (This item was pulled from 7/3/2012 Minutes on 7/17/2012 and held until August 7, 2012).**

Case No. SUP 12-203
(Companion Case Z 12-101)

Applicant: Premier Pawn & Jewelry Shop
W. H. Porter Consultants, PLLC – Representative

Request: Special use permit to allow a pawn shop

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Hedgepeth

SECOND: Ford

AYES: Boyd, Brown, Ford, Harris and Lowery

NAYS: Collins, Conrad, Fullilove, Halbert, Hedgepeth, Strickland and Chairman Morrison
Flinn did not cast a vote

FAILED

7. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE SOUTH SIDE OF U.S. HIGHWAY 64; +2,292 FEET WEST OF COLLIERVILLE-ARLINGTON ROAD, CONTAINING 2.59 ACRES IN THE AGRICULTURAL (AG) DISTRICT CURRENTLY GOVERNED BY PD 07-328. (Held from 7/17)**

Case No. PD 12-308

Applicant: Billy May

McCaskill & Associates, Tim McCaskill – Representative

Request: A mixed use planned development consisting of commercial/office uses

LUCB and OPD recommendation: APPROVAL, with conditions

No Opposition at LUCB; No Public Hearing Required

MOTION: Hedgepeth

SECOND: Strickland

AYES: Boyd, Brown, Collins, Conrad, Ford, Fullilove, Harris, Hedgepeth, Strickland and Chairman Morrison
Halbert and Lowery did not cast a vote
Flinn was absent

APPROVED

- 8. **RESOLUTION AMENDING THE FY2013 CIP BY APPROPRIATING \$2,000,000.00 TO THE CENTER CITY DEVELOPMENT CORPORATION FOR THE PURPOSE OF FUNDING BLIGHT REMEDIATION WORK AT THE CHISCA HOTEL PROJECT.**

MOTON: Brown – Back to Committee

SECOND: Fullilove

Councilman Ford had objection to this item being sent back to Committee. The following vote below was taken.

AYES: Brown, Fullilove and Halbert

NAYS: Boyd, Collins, Conrad, Ford, Harris, Hedgepeth, Strickland and Chairman Morrison
Lowery did not cast a vote
Flinn was absent

FAILED

MAIN MOTION: Halbert

SECOND: Fullilove

AYES: Boyd, Collins, Ford, Fullilove, Harris, Hedgepeth, Lowery, Strickland and Chairman Morrison

NAYS: Brown and Conrad
Halbert did not cast a vote
Flinn was absent

APPROVED

9. **RESOLUTION AUTHORIZING THE CENTER CITY REVENUE FINANCE CORPORATION TO USE \$1,000,000.00 FROM ITS PILOT EXTENSION FUND AS A LOAN TO DOWNTOWN PARKING AUTHORITY TO BE USED TO ACQUIRE AND UNDERTAKE IMPROVEMENTS TO THE CHISCA GARAGE.**

MOTION: Conrad
SECOND: Ford
AYES: Boyd, Collins, Conrad, Ford, Fullilove, Harris, Hedgepeth, Lowery, Strickland and Chairman Morrison
NAYS: Brown
Halbert did not cast a vote
Flinn was absent

APPROVED

11. **ORDINANCE REZONING THE WEST SIDE OF JACK CARLEY AT W. TRIGG AVENUE, CONTAINING 20.63 ACRES IN THE CONSERVATION AGRICULTURE (CA) FLOOD PLAIN [FP] DISTRICT, UP FOR T H I R D AND F I N A L READING.**

Case No. Z 12-105
Ordinance No. 5465

Applicant: SCF Real Estate, LLC
Josh Lawhead – Representative

Request: Change the zoning to Heavy Industrial (I-H), (FP) District

LUCB and OPD recommendation: APPROVAL

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

APPROVED

CONSENT AGENDA – Items 12-17 may be acted upon by one motion: SEE PAGE 2316 FOR ROLL CALL

12. **ORDINANCE TO AMEND SECTION 2-73 OF THE CITY CODE OF ORDINANCES TO ESTABLISH THE CITY ATTORNEY’S OFFICE AS THE CITY’S CENTRALIZED REVENUE OFFICE FOR THE COLLECTION OF DELINQUENT CITY RECEIVABLES, JUDGMENTS, AND RELATED COURT COSTS, FEES, FINES AND AUTHORIZED CIVIL PENALTIES ON BEHALF OF THE CITY OF MEMPHIS, UP FOR F I R S T READING.**

Ordinance No. 5466

APPROVED, on First reading

- 13. **ORDINANCE TO AMEND TITLE 11 – VEHICLES AND TRAFFIC, CHAPTER 11-28, SECTION 11-28-3, OF THE CODE OF ORDINANCES (RIGHT-OF-WAY IN CROSSWALKS), UP FOR F I R S T READING.**

Ordinance No. 5467

APPROVED, on First reading

- 14. **ORDINANCE TO AMEND CHAPTER 25 OF THE CITY OF MEMPHIS, CODE OF ORDINANCES, TO INCREASE THE PENSION BENEFIT OF CERTAIN RETIREES OVER THE AGE OF SIXTY-FIVE, WITH AT LEAST TWENTY FIVE YEARS OF SERVICE, UP FOR F I R S T READING.**

Ordinance No. 5468

APPROVED, on First reading

- 15. **RESOLUTION ACCEPTS THE STANDARD IMPROVEMENT CONTRACT FOR PARK/HIGHLAND PD, AND AUTHORIZING RELEASE OF BOND.**

Case No. PD 10-310
(Contract No. CR-5169)

Resolution accepts the improvements and the dedication of public streets and easements as shown on the final plat located on the northeast corner of Park and Highland. The standard improvement contract was approved on July 5, 2011. Resolution also authorizes the release of the performance bond (No.015033196) in the amount of \$189,500.00.

City Engineer recommends approval

APPROVED

- 16. **RESOLUTION APPROVING FINAL PLAT OF RAGGIO SUBDIVISION, RESUBDIVISION OF LOT 2.**

Case No. S 11-002

Resolution approves the final plat, north of Poplar Ave., east of Tillman. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

APPROVED

17. **NOTATION FROM LAND USE CONTROL BOARD THAT THE FOLLOWING CASE WAS HEARD AND RECOMMENDATION MADE REQUESTING A DATE OF PUBLIC HEARING:**

A. Case No. PD 12-307 – McLemore-Fourth P.D.

Public Hearing set for August 21, 2012

ROLL CALL CONSENT ITEMS

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

APPROVED

MLGW FISCAL CONSENT – Items 18-31 may be acted upon by one motion:

18. **RESOLUTION AWARDDING CONTRACT NO. 11511, NETTERS RADIO TOWER AND SHELTER, TO SABRE COMMUNICATIONS CORPORATION, IN THE FUNDED AMOUNT OF \$161,357.00.**

APPROVED

19. **RESOLUTION AWARDDING CONTRACT FOR GAS FITTINGS TO CONSOLIDATED PIPE AND SUPPLY COMPANY IN THE AMOUNT OF \$449,588.30.**

APPROVED

20. **RESOLUTION AWARDDING CONTRACT FOR CONTROL CABLE TO BRIGHTER DAYS AND NITES IN THE AMOUNT OF \$250,426.50.**

APPROVED

21. **RESOLUTION AWARDDING 12-MONTH BLANKET CONTRACT FOR #2 TRIPLEX CABLE TO UTILICOR IN THE AMOUNT OF \$164,100.00.**

APPROVED

22. **RESOLUTION AWARDDING 12-MONTH BLANKET CONTRACT FOR 750 KCMIL CONDUCTOR CABLE TO MARMON UTILITY, LLC, FORMERLY KERITE, IN THE AMOUNT OF \$419,479.00.**

APPROVED

23. RESOLUTION AWARDDING 12-MONTH BLANKET CONTRACTS FOR FIVE ITEMS OF WIRE TO UTILICOR IN THE AMOUNT OF \$280,938.75 AND TO UNIVERSAL SCAFFOLDING & EQUIPMENT, LLC, IN THE AMOUNT OF \$614,652.55, FOR A TOTAL AMOUNT OF BOTH AWARDS BEING \$895,591.30.

APPROVED

24. RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 10927, PERPETUAL LICENSING AGREEMENT, WITH PITNEY BOWES SOFTWARE, INC., IN THE FUNDED AMOUNT OF \$29,871.00, FOR A NEW CONTRACT VALUE OF \$246,628.00. (THIS CHANGE IS TO RATIFY PAYMENT IN THE AMOUNT OF \$9,957.00 COVERING THE PERIOD APRIL 1, 2012 TO AUGUST 31, 2012. ALTHOUGH THIS AMOUNT WAS AVAILABLE AND ABSORBED IN THE CURRENT CONTRACT VALUE AT THE TIME OF PAYMENT, THE TERM EXPIRATION DATE WAS MARCH 31, 2012. THIS CHANGE IS ALSO TO RENEW THE CONTRACT FOR SOFTWARE MAINTENANCE AND SUPPORT SERVICES FOR THE PERIOD COVERING SEPTEMBER 1, 2012 TO AUGUST 31, 2013 WITH NO INCREASE FROM THE PREVIOUS YEAR).

APPROVED

25. RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 10346, DATABASE NAVIGATION EDITOR SOFTWARE PRODUCT, WITH ALLEN SYSTEM GROUP, INC., (ASG) IN THE FUNDED AMOUNT OF \$9,197.69, FOR A NEW CONTRACT VALUE OF \$189,493.45. (THIS CHANGE IS TO RENEW THE SOFTWARE MAINTENANCE, LICENSES, AND SUPPORT SERVICES IN THE FUNDED AMOUNT OF \$9,197.69 FOR THE PERIOD COVERING JULY 1, 2012 TO JUNE 30, 2013, WITH NO INCREASE FROM THE PREVIOUS YEAR. MLGW ACQUIRED THE SOFTWARE DATABASE QUERY TOOL THROUGH THE MLGW PROPOSAL SOLICITATION PROCESS. MLGW IS REQUESTING CONTINUOUS MAINTENANCE OF THE ACQUIRED SYSTEM, WHICH CAN ONLY BE PERFORMED BY ALLEN SYSTEM GROUP, INC.).

APPROVED

26. RESOLUTION AWARDDING CONTRACT FOR A SONET MULTIPLEXER TO GE MULTILIN US/GE DIGITAL ENERGY, IN THE AMOUNT OF \$60,494.70.

APPROVED

27. RESOLUTION INCREASING THE VALUE OF PURCHASE ORDER NO. 142336 ISSUED TO APAC TENNESSEE, INC., IN THE AMOUNT OF \$12,254.66 FOR #57 WASHED LIMESTONE GRAVEL, FOR A NEW PURCHASE ORDER VALUE OF \$61,754.66.

APPROVED

28. **RESOLUTION APPROVING CONTRACT BETWEEN MLGW AND TVA TO SUPPORT INDUSTRIAL RECRUITMENT, DEVELOPMENT AND EXPANSION OF BUSINESS AND INDUSTRY IN THE MEMPHIS/SHELBY COUNTY AREA, WHEREBY MLGW WILL PAY THE GREATER MEMPHIS CHAMBER \$80,000.00, PROVIDED THAT NO PART OF THIS FUNDING SHALL BE USED FOR LOBBYING PUBLIC OFFICIALS OR TO OPPOSE OR PROMOTE BALLOT INITIATIVES. TVA WILL REIMBURSE MLGW \$40,000.00.**

APPROVED

29. **RESOLUTION APPROVING AGREEMENT FOR AND PAYMENT OF MLGW'S ON-GOING COMMITMENT TO THE GREATER MEMPHIS CHAMBER IN THE AMOUNT OF \$175,000.00, TO FACILITATE ECONOMIC AND COMMUNITY DEVELOPMENT IN MEMPHIS AND SHELBY COUNTY, FOR THE PERIOD SEPTEMBER 1, 2011 THROUGH AUGUST 31, 2012, PROVIDED THAT NO PART OF THIS FUNDING SHALL BE USED FOR LOBBYING PUBLIC OFFICIALS OR TO OPPOSE OR PROMOTE BALLOT INITIATIVES.**

APPROVED

30. **RESOLUTION AWARDED CONTRACT NO. 11570, MLGW RENTAL EQUIPMENT INSURANCE COVERAGE, WITH MID-SOUTH INSURANCE OFFICE, INC., IN THE FUNDED AMOUNT OF \$47,250.00.**

APPROVED

31. **RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 11281, MAINTAINING MLGW ARCHIVAL DOCUMENTS, WITH VITAL RECORDS CONTROL, INC., IN THE FUNDED AMOUNT OF \$28,909.00, FOR A NEW CONTRACT VALUE OF \$142,625.00. (THIS CHANGE RENEWS THE CURRENT CONTRACT FOR THE FOURTH AND FINAL RENEWAL TERM, JULY 15, 2012 TO JULY 14, 2013, WITH NO INCREASE IN RATES).**

APPROVED

MLGW ROLL CALL CONSENT ITEMS

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

APPROVED

32. **ORDINANCE TO AMEND CHAPTER 2, CODE OF ORDINANCES, CITY OF MEMPHIS, SECTION 2-277, SUBSECTION C.4, TO INCREASE DISCRETIONARY SPENDING AMOUNTS FOR DIVISIONS FROM \$2,500 TO \$5,000, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5462

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

APPROVED

33. **ORDINANCE TO AMEND CHAPTER 2, SECTION 2-110 OF THE CITY OF MEMPHIS, CODE OF ORDINANCES, TO REMOVE SHELBY COUNTY FROM PARTICIPATION IN THE MEMPHIS AND SHELBY COUNTY CONVENTION CENTER COMMISSION AND TO CHANGE THE NAME AND MEMBERSHIP OF THE COMMISSION, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5463

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

APPROVED

34. **ORDINANCE TO AMEND THE CHARTER OF THE CITY OF MEMPHIS, THE SAME BEING CHAPTER 11 OF THE ACTS OF 1879, AS AMENDED PURSUANT TO THE PROVISIONS OF ARTICLE XI, SECTION OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT) AND THE ACTS OF 1915, CHAPTER 408 SO AS TO AUTHORIZE THE LEVY AND COLLECTION OF A ONE CENT GASOLINE TAX AND TO AUTHORIZE THE USE OF REVENUE DERIVED THEREFROM AND FOR BUDGET EXPENDITURES FOR PUBLIC TRANSPORTATION AND TO SUBMIT THIS PROPOSED REFERENDUM ORDINANCE TO THE QUALIFIED VOTERS OF THE CITY OF MEMPHIS AT THE FIRST GENERAL STATE ELECTION TO BE HELD NOVEMBER 6, 2012, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5464

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

Betty Anderson, 808 N. McLean Blvd., Memphis, TN 38107
 Cynthia Bailey, 2593 Pojest Dr., Apt. #1, Memphis, TN 38127
 Daniel Case, 244 N. Avalon St., Memphis, TN 38112
 Bennett Foster, 2489 Harvard Ave., Memphis, TN 38112
 William Hudson, Jr., 1370 Levee Rd., Memphis, TN 38108
 DEA Jones, 3503 Southland, Memphis, TN 38109
 Russell Jones, 3295 Woodhollow Dr., Apt. #22, Memphis, TN 38118
 Sandi Klink, 1633 Madison Ave., Memphis, TN 38104
 Johnnie Mosley, 1150 Pelican Ln., Memphis, TN 38109
 Tina Murphy, 6580 Poplar Ave., Memphis, TN 38138
 Josue Rodriguez, 128 Angelus, Memphis, TN 38104
 Marjorie E. Steakley, 4689 Summerlane Ave., Apt. #5, Memphis, TN 38118
 Emily Trenholm, 1548 Poplar Ave., Memphis, TN 38104
 Gilda J. Williams, 84 Autumn Branch Ln., Memphis, TN 38109
 Frances (last name not legible), 1456 Graham, Memphis, TN (zip code not legible)

MOTION: Strickland
 SECOND: Boyd
 AYES: Boyd, Collins, Ford, Fullilove, Halbert, Harris, Lowery and Chairman Morrison
 NAYS: Conrad, Hedgepeth and Strickland
 Brown did not cast a vote
 Flinn was absent

APPROVED

35. **RESOLUTION TO ACCEPT AND APPROPRIATE \$1,400,000.00 IN FEDERAL GRANT FUNDS FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE DIVISION OF ENGINEERING FOR THE TOTAL APPROPRIATION OF \$1,400,000.00.**

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

APPROVED

36. **RESOLUTION TO AMEND THE FY 2013 OPERATING BUDGET TO ACCEPT GRANT FUNDS FROM WELLS FARGO FOR LOCAL PRIORITY INITIATIVES.**

MOTION: Collins – Back to Committee, without objection

Chairman Morrison stated that without objection, this item will go back to Committee.

APPROVED, item sent back to Committee

- 37. **RESOLUTION AMENDING ORDINANCE#5450 (APPROPRIATION ORDINANCE) TO INCREASE THE FISCAL YEAR 2013 OPERATING BUDGET TO PROVIDE THE NECESSARY FUNDING FOR SERVICE PROVISION IN THE SOUTH CORDOVA ANNEXATION AREA.**

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

Chad Johnson, 485 Beale St., Memphis, TN 38103
 Rod Lobbins, 1172 Jessica Lauren, Memphis, TN 38134
 Michael Williams, 1784 Myrna, Memphis, TN 38117

MOTION: Harris – Strike 1 van from the budget, without objection

The Chairman stated that there was no objection.

MOTION: Hedgepeth – Hold for two weeks, without objection

NO ACTION WAS TAKEN ON THIS MOTION

MOTION: Boyd – Administration would work with AFSCME to come up with a plan and report back to Council in 45 days which will be the second Council Meeting in September, without objection

Vice Chairman Ford stated that there was no objection.

MAIN MOTION: Strickland
 SECOND: Ford
 AYES: Boyd, Collins, Conrad, Ford, Harris, Hedgepeth, Lowery and Strickland
 Brown, Fullilove, Halbert and Chairman Morrison did not cast a vote
 Flinn was absent

APPROVED, as amended. One van will be removed from the Budget. Also, Administration will report back to Council in 45 days

- 38. **RESOLUTION AMENDING THE FY2013 CIP BUDGET, TO ACCEPT AND APPROPRIATE GRANT FUNDS IN THE AMOUNT OF \$10,000.00 FROM NATIONAL RECREATION AND PARK ASSOCIATION (NRPA), SPRITE SPARKS PARK GRANT FOR IMPROVEMENTS TO JESSE TURNER PARK BASKETBALL COURT. NO MATCHING FUNDS ARE REQUIRED AND IMPROVEMENTS ARE TO BE COMPLETED BY DECEMBER 31, 2012. GRANT FUNDS TO BE INCLUDED AND EXPENDED FROM CIP PROJECT #PK01024, REC./AQUATIC FACILITIES MAJOR MAINTENANCE.**

MOTION: Boyd

SECOND: Strickland
AYES: Boyd, Brown, Collins, Conrad, Ford, Halbert, Harris, Lowery and Strickland
Fullilove, Hedgepeth and Chairman Morrison did not cast a vote
Flinn was absent

APPROVED

39. **RESOLUTION AMENDING THE FY2013 CAPITAL IMPROVEMENT BUDGET IN CIP PROJECT NUMBER GA01002, BEALE STREET LANDING BY TRANSFERRING AN ALLOCATION OF \$445,000.00 FROM CONTRACT CONSTRUCTION TO ARCHITECT/ENGINEERING. RESOLUTION ALSO SEEKS TO APPROPRIATE \$445,000.00 IN ARCHITECT/ENGINEERING AND \$9,300,000.00 IN CONTRACT CONSTRUCTION, FUNDED BY G.O. BONDS GENERAL.**

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

APPROVED

40. **RESOLUTION CREATING A COMMISSION TO DEVELOP A PROGRAM TO ENCOURAGE HOUSING DEVELOPMENT, REPAIRS AND RENOVATIONS IN BLIGHTED AREAS.**

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

APPROVED

43. **RESOLUTION TO CEASE FUNDING OF VEHICLE INSPECTIONS, EFFECTIVE JULY 1, 2013 AND TO ALLOW SHELBY COUNTY GOVERNMENT OR THE STATE OF TENNESSEE TO ASSUME RESPONSIBILITY FOR ADDRESSING AIR QUALITY ISSUES AND OPERATION OF THE I&M PROGRAM.**

Held until August 21, 2012

- 41. **RESOLUTION AMENDING THE FISCAL YEAR 2013 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION AND APPROPRIATING \$2,500,000.00 FUNDED BY G.O. BONDS (STORM WATER) FROM MAJOR DRAINAGE REHAB/REPLACE, PROJECT NUMBER ST03098, TO TRENCHLESS REHAB FY09, PROJECT NUMBER ST03114, FOR REHAB OF TRENCHLESS STORM WATER STRUCTURES AND FOR A CONSTRUCTION CONTRACT EXTENSION WITH MOORE CONSTRUCTION COMPANY, INC.**

MOTION: Strickland
 SECOND: Boyd
 AYES: Boyd, Brown, Conrad, Ford, Halbert and Strickland
 NAYS: Collins
 Fullilove, Harris, Hedgepeth, Lowery and Chairman Morrison did not cast a vote
 Flinn was absent

APPROVED

- 42. **RESOLUTION MODIFYING THE FISCAL YEARS 2013 CAPITAL IMPROVEMENT BUDGET BY CREATING MEPPi PUBLIC INFRASTRUCTURE, PROJECT NUMBER SW02103 AND ACCEPTING \$1,000,000.00 ON LOCAL SHARED REVENUE FROM SHELBY COUNTY TO SUPPORT THE DEVELOPMENT OF A MANUFACTURING FACILITY TO BE CONSTRUCTED BY MITSUBISHI ELECTRIC POWER PRODUCTS, INC. RESOLUTION ALSO AMENDS THE FISCAL YEAR 2013 CAPITAL IMPROVEMENT BUDGET BY ESTABLISHING AN ALLOCATION AND APPROPRIATING \$1,000,000.00 FUNDED BY LOCAL SHARED REVENUE FOR MEPPi PUBLIC INFRASTRUCTURE, PROJECT NUMBER SW02103.**

MOTION: Strickland
 SECOND: Boyd
 AYES: Boyd, Brown, Conrad, Ford, Halbert, Harris and Lowery
 NAYS: Collins
 Fullilove, Hedgepeth, Strickland and Chairman Morrison did not cast a vote
 Flinn was absent

APPROVED

INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:

Vice Chairman Ford recognized the following person who spoke from the audience:

Walter Broady, III, 4256 Ledbetter Cove, Memphis, TN 38109

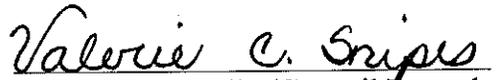
ADJOURNED MEETING AT 7:20 P.M.



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


CHAIRMAN

Attest:


Deputy Comptroller/Council Records