

Minutes of Items 52 and 54 of the  
Regular Meeting of the City Council  
City of Memphis

July 5, 2011

After the meeting was opened for the transaction of business and a quorum was declared present the Council considered the items on the agenda, including Items 52 and 54 to wit:

52. RESOLUTION amending the FY 2012 Capital Improvement Budget by transferring an allocation of \$2,604,001.00 funded by Federal Grant funds and \$651,000.00 funded by G. O. Bonds-General from STP Repaving, Project Number PW01199 to STP Repaving Group I, Project Number PW01200. Resolution also appropriates \$2,604,001.00 funded by Federal Grant funds and \$651,000.00 funded by G. O. Bonds-General in STP Repaving Group 1, Project Number PW01200 for a construction contract with APAC-Tennessee.

MOTION: Hedgepeth

SECOND: Strickland

AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison and Strickland

ABSTAIN:

NAYS: None

Lowery was absent.

54. RESOLUTION extending the Moratorium on the issuance of compensated dance permits by the Memphis Alcohol Commission and Permits Office, until October 4, 2011, applicable to all pending applications and all permits applied for, from and after the date of this resolution

MOTION: Boyd

SECOND: Fullilove

AYES: Boyd, Collins, Ford, Fullilove, Halbert, Hedgepeth, Morrison and Strickland

ABSTAIN:

NAYS: None.

Conrad and Flinn were recused.

Lowery was absent.

Brown did not vote.

Whereupon Fullilove moved that the minutes for the foregoing items be approved on the date the matter was approved. Strickland seconded the motion. The motion was called for a vote as follows:

AYES: Boyd, Brown, Conrad, Ford, Fullilove, Halbert and Morrison

RECUSED:

ABSTAIN:

NAYS: None.

Collins, Flinn, Hedgepeth and Strickland did not vote.

1

2

3

Lowery was absent.  
**APPROVED**

Chairman: Bill Morris

Date: 7-5-11

Attest:  
Valerie C. Snyper  
Deputy Comptroller/Council Records



**MINUTES**

**REGULAR MEETING OF THE CITY COUNCIL**

**CITY OF MEMPHIS**

**July 5, 2011**

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

**3:32 P.M. MEETING COMMENCED**

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

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

**INVOCATION**

The meeting was opened with prayer by Rev. Emily Matheny, from Christ United Methodist Church. Councilman Strickland presented Rev. Matheny with a certificate naming her 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 June 21, 2011 with the following motion:**

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

**APPROVED**, as amended

- 3. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE LOCATED ON THE EAST SIDE OF NORTH THIRD STREET, 181 FEET NORTH OF A.W. WILLIS AVENUE, CONTAINING 4,529 SQUARE FEET.**

Case No. SAC 10-606

Held until July 19, 2001

- 7. **RESOLUTION APPROVING A HOTEL WAIVER FOR UNION EXPRESS, LOCATED AT 42 S. CAMILLA STREET. (HELD FROM 6/21)**

Case No. HMW 11-11

Held until July 19, 2011

- 18. **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 06-332 – STEVE ROAD PLANNED DEVELOPMENT, AMENDED  
(Held from 4/19; 5/3)

Public Hearing held until September 6, 2011

- C. Case No. SE 11-001 – COTTON MILL APARTMENTS

Public Hearing held until August 16, 2011

- 1. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE OF THIRD STREET BETWEEN A.W. WILLIS AVENUE AND SAFFARANS STREET, IN HONOR OF STEFAN AND HESIA DIAMENT. (HELD FROM 6/7; 6/21)**

MOTION: Strickland  
SECOND: Ford

**APPROVED**, unanimous voice vote

- 2. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE OF ROCHESTER ROAD BETWEEN BROOKS ROAD AND MITCHELL ROAD IN HONOR OF THE LATE MRS. JOHNNIE MAE PETERS.**

MOTION: Ford  
SECOND: Strickland

**APPROVED**, unanimous voice vote

- 32. **RESOLUTION ESTABLISHING THE MEMPHIS LIGHT GAS AND WATER DIVISION IN LIEU OF TAX PAYMENT TO THE CITY OF MEMPHIS FOR FISCAL YEAR 2012. (GAS & ELECTRIC) (HELD FROM 6/7; 6/21).**

Held until July 19, 2011

- 4. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE LOCATED ON THE EAST SIDE OF GETWELL ROAD, 1,388 FEET SOUTH OF HOLMES ROAD, CONTAINING 3.14 ACRES.**

Case No. SAC 11-604

Applicant: Auto Dealers Exchange of Memphis, Incorporated

Request: Close and vacate Chad Lane to comply with Outline Plan Condition III.H of the Wiese Planned Development

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Ford

SECOND: Fullilove

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

**APPROVED**

- 5. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE BEGINNING AT A.W. WILLIS AVENUE TO A POINT 1,100 FEET SOUTH, CONTAINING 1.01 ACRES.**

Case No. SAC 11-607

Applicant: City of Memphis (John Cameron, City Engineer)

Request: Close unimproved public street right-of-way

LUCB and OPD recommendation: APPROVAL, with one condition

MOTION: Ford

SECOND: Fullilove

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

**APPROVED**

- 6. **RESOLUTION APPROVING A USE VARIANCE LOCATED ON THE NORTH SIDE CORNER OF TANT ROAD AND INTERSTATE 240, CONTAINING 3.2 ACRES IN THE SINGLE FAMILY RESIDENTIAL (R-S6) DISTRICT.**

Case No. UV 10-12

Held until July 19, 2011

- 8. **RESOLUTION ESTABLISHING A PUBLIC HEARING DATE OF JULY 19, 2011 FOR ADOPTING AN AMENDMENT TO THE COMMUNITY REDEVELOPMENT PLAN FOR THE UPTOWN AREA.**

Held until July 19, 2011

- 9. **RESOLUTION ESTABLISHING A PUBLIC HEARING DATE OF JULY 19, 2011 FOR AUTHORIZING THE MEMPHIS AND SHELBY COUNTY COMMUNITY REDEVELOPMENT AGENCY TO ISSUE NOT EXCEEDING IN AGGREGATE PRINCIPAL AMOUNT OF \$32,000,000.00 OF TAX INCREMENT BONDS OR NOTES OF THE AGENCY PURSUANT TO THE PROVISIONS OF THE COMMUNITY REDEVELOPMENT ACT OF 1998 TO FUND CERTAIN EXISTING DEBT AND/OR EXPENDITURES TO BE MADE WITH RESPECT TO LAND ACQUISITION, CONSTRUCTION AND REDEVELOPMENT ACTIVITIES IN CONNECTION WITH THAT CERTAIN COMMUNITY REDEVELOPMENT PLAN FOR THE UPTOWN AREA AS AMENDED; REDEVELOPMENT PROJECT ACTIVITIES TO BE LOCATED WITHIN THE COMMUNITY REDEVELOPMENT AREA AND FROM THE PROCEEDS OF IT NOT TO EXCEED \$32,000,000.00 TAX INCREMENT BONDS OR NOTES; AND PROVIDING AN EFFECTIVE DATE.**

Held until July 19, 2011

- 10. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE NORTHEAST CORNER OF HACKS CROSS ROAD AND PLAYERS CLUB PARKWAY, CONTAINING 2.83 ACRES IN AN AREA CURRENTLY GOVERNED BY CONDITIONS OF THE SOUTHWIND PLANNED DEVELOPMENT (PD 01-317CC), PLAT BOOK 209, PAGE 41.**

Case No. PD 11-301

Applicant: Americare  
Tetra Tech, Inc. – Representative

Request: A Planned Development amendment to permit an assisted living home for the elderly

LUCB and OPD recommendation: APPROVAL

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

**APPROVED**

- 11. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE SOUTHEAST CORNER OF WINCHESTER ROAD AND MALCO WAY, CONTAINING 4.5 ACRES IN THE CONSERVATION AGRICULTURAL (CA) DISTRICT.**

Case No. PD 11-307

Applicant: Winchester-Riverdale Holdings, LLC  
The Reaves Firm – Representative

Request: A Planned Development to permit Commercial Mixed Use-2 (CMU-2)

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Ford

SECOND: Conrad

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

**APPROVED**

- 12. **ORDINANCE REZONING THE EAST SIDE OF AIRWAYS BOULEVARD; +/-250 FEET SOUTH OF KILARNEY AVENUE, CONTAINING 58.74 ACRES IN THE RESIDENTIAL SINGLE FAMILY-15 (R-15) DISTRICT, UP FOR T H I R D AND F I N A L READING. (HELD FROM 6/7)**

Case No. Z 11-101  
Ordinance No. 5397

Applicant: William H. Thomas, Jr.  
SR Consulting, LLC (Cindy Reaves) – Representative

Request: Warehouse & Distribution (WD) District

LUCB and OPD recommendation: APPROVAL

MOTION: Ford

SECOND: Strickland

AYES: Boyd, Collins, Conrad, Halbert, Hedgepeth, Strickland and Co-Chairman Morrison

NAY: Ford  
Brown, Flinn and Fullilove did not cast a vote  
Chairman Lowery was absent

**APPROVED**

**(Councilman Brown made a motion to suspend the rules and amend the FY12 Budget, by adding the 4.6% pay reduction back in the Budget. After a brief discussion, Councilman Brown withdrew this motion and made a motion to review and amend the FY12 Budget in Executive Session in (2) weeks and by resolution, rescind the 4.6% pay cut and layoffs. This was seconded by Councilwoman Fullilove. Councilwoman Halbert added the layoffs as a friendly amendment).**

**CONSENT AGENDA – Items 13 - 18 may be acted upon by one motion: SEE PAGE 1917 FOR ROLL CALL**

13. **ORDINANCE TO AMEND THE CHARTER OF THE CITY OF MEMPHIS, SAME BEING CHAPTER 11 OF THE ACTS OF 1879, AS AMENDED, PURSUANT TO THE PROVISIONS OF ARTICLE 11, SECTION 9 OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT), SO AS TO REQUIRE A TWO THIRDS MAJORITY APPROVAL OF THE CITY COUNCIL IN ORDER TO INCREASE THE AD VALOREM TAX RATE IF THE INCREASE IS A HIGHER PERCENTAGE THAN THE RATE OF INFLATION AND TO SUBMIT THE PROPOSED REFERENDUM ORDINANCE TO THE QUALIFIED VOTERS OF THE CITY OF MEMPHIS AT THE FIRST GENERAL STATE ELECTION TO BE HELD NOVEMBER 8, 2012, UP FOR F I R S T READING.**

Ordinance No. 5408

**APPROVED**, on First reading

14. **ORDINANCE TO AMEND TITLE 2, ADMINISTRATION, OF THE CODE OF ORDINANCES OF MEMPHIS, TENNESSEE BY ESTABLISHING THE MEMPHIS ADVISORY COUNCIL FOR CITIZENSWITH DISABILITIES, UP FOR S E C O N D READING.**

Ordinance No. 5407

**APPROVED**, on Second reading

15. **ORDINANCE REZONING THE SOUTH SIDE OF ALCY ROAD; +/-188 FEET WEST OF ELVIS PRESLEY BOULEVARD, CONTAINING 0.25 ACRE IN THE RESIDENTIAL URBAN-3 (RU-3) DISTRICT, UP FOR F I R S T READING.**

Case No. Z 11-103

Ordinance No. 5409

**APPROVED**, on First reading

16. **RESOLUTION APPROVING FINAL PLAT OF MEMPHIS DRUM SHOP CAMPUS.**

Case No. PD 10-304

Resolution approves the final plat located between Nelson Avenue and Blythe Street.

City Engineer recommends approval

**APPROVED**

**17. RESOLUTION APPROVING FINAL PLAT OF PARK/HIGHLAND P.D.**

Case No. PD 10-310

Contract No. CR-5169

Resolution approves the final plat located on the northeast corner of Park Avenue and Highland Street. 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

**APPROVED**

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

B. Case No. SAC 11-605

Public Hearing Set for July 19, 2011

**ROLL CALL CONSENT ITEMS**

MOTION: Ford

SECOND: Strickland

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

**APPROVED**

**MLGW FISCAL CONSENT – Items 19 - 31 may be acted upon by one motion:**

**19. RESOLUTION AWARDDING CONTRACT NO. 11449, NORTH SERVICE CENTER GATE AND GATE HOUSE, TO SMS CONTRACTORS, INC., IN THE FUNDED AMOUNT OF \$210,800.00.**

**APPROVED**

**20. RESOLUTION AWARDDING CONTRACT NO. 11478, EXHAUST FAN REPLACEMENT AT NORTH SERVICE CENTER AND HICKORY HILL SERVICE CENTER, TO AIR TECHNICAL SERVICES, INC., IN THE FUNDED AMOUNT OF \$252,260.00.**

**APPROVED**

- 21. RESOLUTION APPROVING CHANGE NO. 5 TO CONTRACT NO. 11071, EMERGENCY STORM RESTORATION, WITH DAVIS H. ELLIOT COMPANY, INC., IN THE FUNDED AMOUNT OF \$207,497.35. (THIS CHANGE COVERS PAYMENT FOR WORK PERFORMED AS A RESULT OF THE APRIL 4, 2011 STORM).

**APPROVED**

- 22. RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 11437, EMERGENCY AID AGREEMENT, WITH STANDARD ELECTRIC COMPANY, IN THE FUNDED AMOUNT OF \$129,685.21. (THIS CHANGE COVERS PAYMENT FOR WORK PERFORMED AS A RESULT OF THE APRIL 4, 2011 STORM).

**APPROVED**

- 23. RESOLUTION AWARDDING CONTRACT FOR ONE TRACTOR AND MOWER TO MID-SOUTH AG EQUIPMENT, INC., IN THE AMOUNT OF \$50,745.00.

**APPROVED**

- 24. RESOLUTION AWARDDING CONTRACT FOR CHILLER R'NEWAL TO TRANE IN THE AMOUNT OF \$52,768.00.

**APPROVED**

- 25. RESOLUTION AWARDDING CONTRACT FOR TWO-TON AND FIVE-TON CAB AND CHASSIS TRUCKS, AS FOLLOWS:

Diamond International.....	\$815,065.00
Tag Truck Center.....	<u>73,500.00</u>
Total:	<u>\$888,565.00</u>

**APPROVED**

- 26. RESOLUTION AWARDDING CONTRACT NO. 11484, OVER-THE-PHONE INTERPRETER, TO UNIVERSE TECHNICAL TRANSLATION, INC., IN THE FUNDED AMOUNT OF \$126,848.00.

**APPROVED**

- 27. RESOLUTION AWARDDING CONTRACT NO. 11400, INTERNET SERVICE PROVIDER, TO TW TELECOM, INC., IN THE FUNDED AMOUNT OF \$66,600.00.

**APPROVED**

**AMOUNT OF \$112,000.00. (THIS CHANGE IS TO RATIFY PAYMENTS IN THE AMOUNT OF \$7,000.00 FOR THE PERIOD MARCH 1, 2011 TO JUNE 30, 2011, AND TO RENEW THE CONTRACT FOR A FIVE-YEAR PERIOD, MARCH 1, 2011 TO FEBRUARY 28, 2016, IN THE AMOUNT OF \$105,000.00).**

**APPROVED**

- 29. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11470, WIRELESS COMMUNICATIONS SERVICES, WITH CELLULAR SOUTH, FOR VOICE PLAN AND BLACKBERRY SERVICES, IN THE FUNDED AMOUNT OF \$71,400.00. (THIS CHANGE ADDS 100 CELL PHONES AND SERVICES WHICH WILL BE USED BY THE MLGW CUSTOMER SERVICE TECHNICIANS).**

**APPROVED**

- 30. **RESOLUTION RATIFYING EMERGENCY/EXPEDITED PURCHASES AND CONTRACT AWARDS FOR THE MATERIALS AND SUPPLEMENTAL CONSTRUCTION RESOURCES REQUIRED FOR THE RELOCATION OF 16" XXHP AND 22" HXP GAS HIGH-PRESSURE TRANSMISSION LINES LOCATED IN THE ROBCO LAKE LEVEE, IN THE AMOUNT OF \$1,743,543.93.**

**APPROVED**

- 31. **RESOLUTION APPROVING PAYMENT TO THE CITY OF MEMPHIS PUBLIC WORKS DEPARTMENT FOR ANNUAL SEWER DISCHARGE FEE FOR THE 2010 FILTER BACKWASH DISCHARGE FOR SIX WATER PUMPING STATIONS IN THE AMOUNT OF \$252,406.77.**

**APPROVED**

**MLGW ROLL CALL CONSENT ITEMS**

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

**APPROVED**

33. APPOINTMENTS

ALCOHOL COMMISSION

APPOINTMENTS

ERMA T. HAYSLETT  
BILLY POST

REAPPOINTMENTS

MARTAVIUS D. JONES  
JIMMIE KELLY  
ROBERT W. WEST

ECONOMIC DEVELOPMENT GROWTH ENGINE OF MEMPHIS AND SHELBY COUNTY (EDGE)

APPOINTMENTS

AL BRIGHT, JR.  
COUNCILMAN KEMP CONRAD  
MARK J. HALPERIN  
DEIDRE CARTER MALONE  
JACKSON W. MOORE  
JOHNNY B. MOORE, JR.

MEMPHIS CITY BEAUTIFUL COMMISSION

APPOINTMENTS

JOHN O. ALEXANDER  
DIXIE R. CRASE  
ANDREE GLENN  
KEN HALL  
LOU HENSLEE  
SYD LERNER  
ANDREW J. TRIPPEL  
JO BOONE-WILD

REAPPOINTMENTS

LEANDRE GIBSON  
DENI CARR REILLY  
DAMONE VIRGILIO  
ANNE C. WARING

**MEMPHIS AND SHELBY COUNTY CROSS CONNECTION BOARD**

**APPOINTMENT**

TYLER ZERWEKH

**MEMPHIS AND SHELBY COUNTY JOINT BOARD OF APPEALS**

**APPOINTMENTS**

DAVID CANUP  
FRED COLLIER  
ELLA J. DAVIS  
MICHAEL HARLESS  
BRIAN MANN  
OSCAR PRUITT  
JAMES THOMAS

**REAPPOINTMENTS**

JAMES BURKE  
DAVID DIXON  
JAMNU TAHILIANI  
GARY WAGONER  
DON WHITE

**MEMPHIS AND SHELBY COUNTY PORT COMMISSION**

**APPOINTMENTS**

MARK J. HALPERIN  
DEIDRE CARTER MALONE  
JOHNNY B. MOORE, JR.

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

**APPROVED**

34. **ORDINANCE TO AMEND TITLE 11 – VEHICLES AND TRAFFIC, CHAPTER 11-28 – PEDESTRIANS, OF THE CODE OF ORDINANCES OF MEMPHIS, TENNESSEE, UP FOR T H I R D AND F I N A L READING. (HELD FROM 6/7; 6/21).**

Ordinance No. 5401

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

**APPROVED**

35. **ORDINANCE TO AMEND CHAPTER 48, ARTICLE 1, OF THE CITY OF MEMPHIS, CODE OF ORDINANCES, SO AS TO PROVIDE FOR RESERVE HOUSING AND CODE ENFORCEMENT OFFICERS, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5404

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

**APPROVED**

36. **ORDINANCE TO AMEND CHAPTER 21, MOTOR VEHICLES AND TRAFFIC, ARTICLE X, VEHICLE EQUIPMENT AND LOADS, SECTION 338, WINDSHIELDS AND WINDOWS, OF THE CODE OF ORDINANCES OF MEMPHIS, TENNESSEE, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5405

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

**APPROVED**

37. **ORDINANCE AMENDING CHAPTER 39 – VEHICLES FOR HIRE, SECTION 48, RATES – OF THE CODE OF ORDINANCES OF MEMPHIS, TENNESSEE, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5406

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

**APPROVED**

38. **RESOLUTION APPROVES THE NOMINEES FOR APPOINTMENT TO THE ECONOMIC DEVELOPMENT GROWTH ENGINE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF MEMPHIS AND COUNTY OF SHELBY, TENNESSEE, THE MEMPHIS AND SHELBY COUNTY INDUSTRIAL DEVELOPMENT BOARD, THE DEPOT REDEVELOPMENT CORPORATION OF MEMPHIS AND SHELBY COUNTY AND THE MEMPHIS AND SHELBY COUNTY PORT COMMISSION.**

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

**APPROVED**

39. **RESOLUTION AUTHORIZING THE CITY PURCHASING AGENT TO DISPOSE OF ALL SURPLUS PERSONAL PROPERTY WITH A VALUE OF \$500.00 UP TO \$10,000.00, INCLUDING MOTOR VEHICLES THAT HAVE BEEN DECLARED SURPLUS AND UNFIT BY THE VARIOUS DIVISIONS.**

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

**APPROVED**

40. **RESOLUTION ACCEPTING AND APPROPRIATING \$994,200.00 IN STATE IN SERVICE GRANT FUNDS FROM THE STATE OF TENNESSEE FOR THE DIVISION OF FIRE SERVICES FOR A TOTAL APPROPRIATION OF \$994,200.00.**

MOTION: Strickland  
SECOND: Fullilove  
AYES: Boyd, Brown, Collins, Conrad, Ford, Fullilove, Halbert, Strickland and

Co-Chairman Morrison  
Flinn and Hedgepeth did not cast a vote  
Chairman Lowery was absent

**APPROVED**

41. **RESOLUTION APPROPRIATING \$215,958.00 FOR CONTRACT CONSTRUCTION FUNDED BY G.O. BONDS GENERAL CHARGEABLE TO THE FISCAL YEAR 2011 CAPITAL IMPROVEMENT BUDGET FOR FIRE STATION REPAIR.**

The Council of the City of Memphis did include Fire Station Repair, CIP Project Number FS02001 as part of the FY2011 Capital Improvement Budget.

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

**APPROVED**

42. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$321,221.00 FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY GRANT PROGRAM FOR THE DIVISION OF FIRE SERVICES – METROPOLITAN MEDICAL RESPONSE SYSTEM (MMRS) TO SUPPORT THE INTEGRATION OF EMERGENCY MANAGEMENT, HEALTH AND MEDICAL SYSTEMS INTO A COORDINATED RESPONSE TO MASS CASUALTY INCIDENTS CAUSED BY ANY HAZARD. RESOLUTION ALSO AMENDS THE FY2011 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS.**

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

**APPROVED**

43. **RESOLUTION ACCEPTING AND APPROPRIATING FY2011 ECONOMIC DEVELOPMENT INITIATIVE – SPECIAL PROJECT FUNDS IN THE AMOUNT OF \$200,000.00 FROM THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) TO THE FY2011 BUDGET FOR THE DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT.**

MOTION: Brown  
SECOND: Fullilove

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

**APPROVED**

44. **RESOLUTION AMENDING THE FY2011 OPERATING BUDGET BY APPROPRIATING REVENUES AND EXPENDITURES IN THE AMOUNT OF \$6,264,239.00 IN (CDBG) SUPPLEMENTAL DISASTER RECOVERY GRANT FUNDS TO THE FY2011 OPERATING BUDGET.**

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

**APPROVED**

45. **RESOLUTION APPROVING THE DIVISION OF PARK SERVICES TO ENCUMBER \$1,558,750.00 OF THE TOTAL APPROPRIATION APPROVED BY THE COUNCIL ON MAY 19, 2009 IN CONTRACT CONSTRUCTION IN COUNTRYWOOD PARK, CIP PROJECT NUMBER PK07088, FUNDED BY G.O. BONDS GENERAL FOR THE CONSTRUCTION OF THE COUNTRYWOOD PARK.**

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

**APPROVED**

46. **RESOLUTION ACCEPTING GRANT FUNDS FROM THE STATE OF TENNESSEE FOR FY2011 FOR THE INTERNET CRIMES AGAINST CHILDREN (ICAC) AWARD IN THE AMOUNT OF \$394,000.00. RESOLUTION ALSO AMENDS THE FY2011 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE \$394,000.00 IN GRANT FUNDS.**

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

**APPROVED**

47. **RESOLUTION ACCEPTING GRANT FUNDS FROM THE UNIVERSITY OF MEMPHIS FOR FY2011 DEPARTMENT OF JUSTICE AWARD – OPERATION SAFE COMMUNITY (OSC): DATA DRIVEN STRATEGIES TO REDUCE VIOLENT AND GANG CRIME IN THE AMOUNT OF \$323,083.00. RESOLUTION ALSO AMENDS THE FY2011 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE \$323,083.00 IN GRANT FUNDS.**

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

**APPROVED**

48. **RESOLUTION APPROPRIATING \$4,270,200.00 FUNDED BY SEWER FUNDS FOR SOUTH PLANT EXPANSION PROJECT, PROJECT NUMBER SW02033 FOR A CONTRACT WITH W. ROGERS COMPANY FOR THE CONSTRUCTION OF A NEW STRUCTURE, THE INSTALLATION OF THREE FINE BAR SCREENS AND OTHER APPURTENANCES AT THE MAXSON PLANT.**

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

**APPROVED**

49. **RESOLUTION APPROPRIATING \$1,100,000.00 TO REFURBISH SOLID WASTE MANAGEMENT VEHICLES FUNDED BY G.O. BONDS – GENERAL FOR SOLID WASTE MANAGEMENT CAPITAL ACQUISITION, PROJECT NUMBER PW05008.**

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

**APPROVED**

50. **RESOLUTION APPROPRIATING \$1,279,597.00 FUNDED BY SEWER FUNDS FOR SOUTH PLANT EXPANSION PROJECT, PROJECT NUMBER SW02033 FOR A CONTRACT WITH SAK CONSTRUCTION, LLC, FOR THE REHABILITATION OF THE 90 INCH SEWER LINE AND OTHER CONSTRUCTION REHABILITATION SERVICES AT THE MAXSON PLANT.**

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

**APPROVED**

52. **RESOLUTION AMENDING THE FY 2012 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION OF \$2,604,001.00 FUNDED BY FEDERAL GRANT FUNDS AND \$651,000.00 FUNDED BY G. O. BONDS-GENERAL FROM STP REPAVING, PROJECT NUMBER PW01199 TO STP REPAVING GROUP I, PROJECT NUMBER PW01200. RESOLUTION ALSO APPROPRIATES \$2,604,001.00 FUNDED BY FEDERAL GRANT FUNDS AND \$651,000.00 FUNDED BY G. O. BONDS-GENERAL IN STP REPAVING GROUP 1, PROJECT NUMBER PW01200 FOR A CONSTRUCTION CONTRACT WITH APAC-TENNESSEE.**

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

**APPROVED**

53. **RESOLUTION SETTING A DATE OF JULY 22, 2011 AND A TIME OF 8:00 A.M., CITY COUNCIL CHAMBERS, TO FILL VACANCY OF CITY COUNCIL DISTRICT 7 POSITION.**

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

**APPROVED**

54. **RESOLUTION EXTENDING THE ISSUANCE OF COMPENSATED DANCE PERMITS BY THE MEMPHIS ALCOHOL COMMISSION AND PERMITS OFFICE, UNTIL OCTOBER 4, 2011, APPLICABLE TO ALL PENDING APPLICATIONS AND ALL PERMITS APPLIED FOR, FROM AND AFTER THE DATE OF THIS RESOLUTION.**

MOTION: Boyd  
SECOND: Fullilove  
AYES: Boyd, Collins, Ford, Fullilove, Halbert, Hedgepeth, Strickland and Co-Chairman

Morrison  
Conrad and Flinn recused  
Brown did not cast a vote  
Chairman Lowery was absent

**APPROVED**

51. **CONSIDERATION OF THE FIRE IMPASSE COMMITTEE RECOMMENDATION.  
(HELD FROM 6/21)**

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

**APPROVED**, (without objection, Fire Impasse will be on July 19, 2011)

**(Councilwoman Fullilove made a motion to approve Same Night Minutes on items #52 & #54 from tonight's meeting)**

**(Special Item #1 – Same Night Minutes)**

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

**APPROVED**

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

Co-Chairman Morrison recognized the following people who spoke from the audience:  
Stephen Ross, 2007 Vinton, Memphis, Tennessee, 38104  
Steven Simmons, 781 Leath Street, Memphis, Tennessee, 38109

**ADJOURNED MEETING AT 7:15 P.M.**

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

  
CHAIRMAN



Attest:

*Valerie C. Grapes*  
Deputy Comptroller/Council Records



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