MINUTES

REGULAR MEETING OF THE CITY COUNCIL

CITY OF MEMPHIS

January 17, 2012

3:30 P.M. SCHEDULED SESSION

3:33 P.M. MEETING COMMENCED

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

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

INVOCATION

The meeting was opened with prayer by Pastor James M Quinn, Jr. from Progressive Life Church. Councilwoman Fullilove presented Pastor Quinn 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 3, 2012 with the following motion:

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

APPROVED, as amended, item #29 – City of Memphis Contract Agreement with Tri-State Youth Academy, Inc., was pulled and will be back on the Agenda on February 7, 2012.

3. **PRESENTATION RECOGNIZING RAPPER AND MOVIE STAR LIL' P-NUT. (HELD FROM 12/20)**

DROPPED

13. **ORDINANCE TO AMEND TITLE 6-BUSINESS LICENSES AND REGULATIONS-CHAPTER 6-88-WRECKERS AND TOWING OPERATORS, SECTION 6-88-15-PRIVATE PROPERTY TOW AUTHORIZATION FORMERLY CHAPTER 41-WRECKERS OR TOWING OPERATOR, OF THE CODE OF ORDINANCES, UP FOR T H I R D AND F I N A L READING. (HELD FROM 1/3)**

Ordinance No. 5431

Held until February 7, 2012

14. **RESOLUTION REGARDING THE ANNUAL SUGGESTED PENSION CONTRIBUTION. (HELD FROM 11/15; 12/06; 12/20; 1/3)**

Held until February 7, 2012

16. **RESOLUTION APPROVING A FIVE YEAR INITIAL CONTRACT TERM BETWEEN CITY OF MEMPHIS PARK SERVICES DIVISION AND MEMPHIS CITY SCHOOLS (MCS) FOR MANAGEMENT AND OPERATIONS OF HALLE FOOTBALL STADIUM. THE AGREEMENT HAS TWO 10 YEAR RENEWAL OPTIONS FOR A TOTAL OF 25 YEARS AND REQUIRES MCS TO COVER ALL OPERATIONS COSTS RELATED TO THE FOOTBALL STADIUM. MCS HAS OPERATED THE FACILITY SINCE THE EARLY 1970'S WITHOUT A FORMALIZED WRITTEN AGREEMENT. (HELD FROM 1/3).**

Held until July 17, 2012

1. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE FOR LEWIS DONELSON. (HELD FROM 1/3).**

Held until February 7, 2012

2. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE FOR MR. & MRS. ARNOLD PERL.**

MOTION: Conrad
SECOND: Ford

APPROVED, unanimous voice vote

4. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE WEST SIDE OF THOMAS STREET; +/-260 FEET NORTH OF ROYAL AVENUE, CONTAINING 68.561 ACRES IN THE HEAVY INDUSTRIAL (I-H) DISTRICT. (HELD FROM 1/3)**

Case No. SUP 11-219

Applicant: Worley Brothers Scrap Iron and Metals
SR Consulting, LLC (Cindy Reaves) – Representative

Request: Scrap metal and processor and wrecking, junk or salvage yard

LUCB and OPD recommendation: APPROVAL

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

APPROVED

5. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE SOUTH SIDE OF APPLING CENTER DRIVE, OPPOSITE OF APPLING WAY, CONTAINING 1.23 ACRES IN AN AREA CURRENTLY GOVERNED BY THE APPLING WAY PLANNED DEVELOPMENT.**

Case No. PD 11-319

Applicant: AT&T Wireless
Tony Stewart – Representative

Request: Cellular Tower

LUCB and OPD recommendation: APPROVAL, with conditions

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

APPROVED

6. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE WEST SIDE OF BERRYHILL ROAD; +/-1,275 FEET NORTH OF CHIMNEYROCK BOULEVARD, CONTAINING 7.31 ACRES IN THE CONSERVATION AGRICULTURE (CA) DISTRICT.**

Case No. SUP 11-218

Applicant: AT&T Wireless
Telecom Site Management, Inc. – Representative

Request: Special Use Permit to allow a cellular communications tower one-hundred fifty-four (154) feet in height with capacity to accommodate a minimum of four (4) antennae

LUCB and OPD recommendation: APPROVAL, with conditions

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

APPROVED

15. **RESOLUTION APPOINTING CITY OF MEMPHIS DIVISION DIRECTORS.**
(The votes for this item, were taken separately)

GEORGE LITTLE – CHIEF ADMINISTRATIVE OFFICER

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

APPROVED

HERMAN MORRIS, JR. – CITY ATTORNEY

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

APPROVED

JOHN CAMERON - ENGINEERING

MOTION: Collins
SECOND: Hedgepeth
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth,

Lowery, Strickland and Chairman Morrison

APPROVED

ROLAND MCELRATH - FINANCE

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

APPROVED

ALVIN BENSON – FIRE SERVICES

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

APPROVED

MARTHA LOTT – GENERAL SERVICES

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

APPROVED

ROBERT LIPSCOMB – HOUSING AND COMMUNITY DEVELOPMENT/MHA

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

APPROVED

QUINTIN ROBINSON – HUMAN RESOURCES

MOTION: Collins
SECOND: Fullilove
AYES: Boyd, Brown, Collins, Conrad, Ford, Fullilove, Halbert, Harris, Hedgepeth,

Lowery, Strickland and Chairman Morrison
Flinn did not cast a vote

APPROVED

BRENT NAIR – INFORMATION SERVICES

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

APPROVED

RICHARD COPELAND – PLANNING AND DEVELOPMENT

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

APPROVED

TONEY ARMSTRONG – POLICE SERVICES

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

APPROVED

JANET HOOKS – PUBLIC SERVICES

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

APPROVED

DWAN GILLIOM – PUBLIC WORKS

MOTION: Hedgepeth
SECOND: Brown

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

APPROVED

CONSENT AGENDA – Items 7 – 11 may be acted upon by one motion: SEE PAGE 2141 FOR ROLL CALL

7. **ORDINANCE TO AMEND THE CITY CHARTER SO AS TO REQUIRE THE MAYOR AND COUNCIL TO ADOPT A FIVE YEAR STRATEGIC BUSINESS PLAN AND A SIX YEAR CONSOLIDATED BUDGET THAT INCLUDES BOTH THE OPERATING AND CAPITAL BUDGETS FOR THE CITY AND TO SUBMIT THE PROPOSED ORDINANCE TO THE QUALIFIED VOTERS OF THE CITY OF MEMPHIS AT THE FIRST GENERAL STATE ELECTION TO BE HELD NOVEMBER 8, 2012, UP FOR S E C O N D READING.**

Ordinance No. 5437

APPROVED, on Second reading

8. **ORDINANCE TO AMEND ARTICLE VI, CHAPTER 36 OF THE CITY OF MEMPHIS, CODE OF ORDINANCES, TO INCREASE THE EXISTING HOTEL/MOTEL OCCUPANCY TAX TO 2.7%, UP FOR S E C O N D READING.**

Ordinance No. 5439

APPROVED, on Second reading

9. **ORDINANCE TO CONSOLIDATE THE DIVISIONS OF PUBLIC SERVICES AND COMMUNITY ENHANCEMENT WITH THE DIVISION OF PARK SERVICES, UP FOR S E C O N D READING.**

Ordinance No. 5440

APPROVED, on Second reading

10. **ORDINANCE REZONING THE SOUTH SIDE OF RAINES ROAD, 295 FEET EAST OF MARLIN ROAD, CONTAINING 0.34 ACRE IN THE RESIDENTIAL SINGLE FAMILY-10 (R-10) DISTRICT, UP FOR S E C O N D READING.**

Case No. Z 11-111
Ordinance No. 5438

APPROVED, on Second reading

11. **RESOLUTION APPROVING FINAL PLAT OF SOUTHEAST ELEMENTARY SCHOOL.**

Contract No. 5176

Resolution approves the final plat located on the northeast corner of Ridgeway Road and Belle Forest Drive. Cost of the required improvements to be borne by the Agency and the Contractor. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

City Engineer recommends approval

APPROVED

ROLL CALL CONSENT ITEMS

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

APPROVED

12. **APPOINTMENTS**

ALCOHOL COMMISSION

APPOINTMENT

JARED THOMAS JOHNSON

MEMPHIS AND SHELBY COUNTY BOARD OF ADJUSTMENT

APPOINTMENT

JIMMY BURDITT

REAPPOINTMENTS

OLLIETTE MURRY-DROBOT
ANDRE D. JONES
TIMOTHY D. RAINEY

MEMPHIS AND SHELBY COUNTY MUSIC COMMISSION

APPOINTMENT
MARY BEARD

REAPPOINTMENT

PAT KERR TIGRETT

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

APPROVED

17. **RESOLUTION APPROPRIATING $675,000.00 FOR FURNITURE, FIXTURES, EQUIPMENT AND INFORMATION TECHNOLOGY FOR CRUMP STATION, CIP PROJECT NUMBER PD04013, PART OF THE FY 2012 CAPITAL IMPROVEMENT BUDGET FUNDED BY G.O. BONDS GENERAL.**

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

APPROVED

INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:

Chairman Morrison recognized the following people who spoke from the audience:
Steven Simmons, 781 Leath Street, Memphis, Tennessee, 38105
Walter Broady, III, 4256 Ledbetter Cove, Memphis, Tennessee, 38109

ADJOURNED MEETING AT 5:30 P. M.

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

Edmund A. Ford, Jr.
CHAIRMAN

Attest:

Valerie C. Snipes
Deputy Comptroller/Council Records