

Minutes of Items 39 of the
Regular Meeting of the City Council
City of Memphis

November 20, 2012

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 Item 39 to wit:

39. RESOLUTION to award a grant in the amount of \$1,000,000.00 to Hattiloo Theater in support of the construction of the new Hattiloo Theater in Overton Square.

MOTION: Brown
SECOND: Ford
AYES: Brown, Boyd, Flinn, Ford, Fullilove, Harris, Lowery, Morrison, Strickland
ABSTAIN:
NAYS:
RECUSED:
Conrad and Hedgepeth did not vote
Collins and Halbert were absent

APPROVED

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

AYES: Brown, Boyd, Conrad, Flinn, Ford, Fullilove, Harris, Hedgepeth, Lowery, Morrison, Strickland
ABSTAIN:
NAYS: Collins
RECUSED:
Halbert was absent

APPROVED

Chairman: Bill Morrison

Date: 11-20-12

Attest:

Valerie C. Sripes

MINUTES
REGULAR MEETING OF THE CITY COUNCIL
CITY OF MEMPHIS

November 20, 2012

3:30 P.M. SCHEDULED SESSION

3:30 P.M. MEETING COMMENCED

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

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

(Councilman Strickland honored The Mid-South Food Bank with a presentation)

INVOCATION

The meeting was opened with prayer by Imam Wali Shaheed Masjid Al-Mu'minum from International Community of Muslim. Councilman Ford presented Mr. Al-Mu'minum with a certificate naming them 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 November 6, 2012 with the following motion:

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

Collins did not cast a vote
Halbert was absent

APPROVED

CONSENT AGENDA – Items 1 - 14 may be acted upon by one motion: SEE PAGE 2407 FOR ROLL CALL

1. **ORDINANCE AMENDING TITLE 6, BUSINESS LICENSES AND REGULATION, OF THE MEMPHIS, TENNESSEE, CODE OF ORDINANCES TO ADD CHAPTER 105, PROHIBITING WAGE THEFT, PROVIDING ADMINISTRATIVE PROCEDURES FOR WAGE THEFT, AND ALLOWING SHELBY COUNTY GOVERNMENT TO IMPOSE PENALTIES AGAINST THOSE EMPLOYERS FOUND GUILTY OF WAGE THEFT, UP FOR F I R S T READING.**

Ordinance No. 5478

APPROVED, on First reading

2. **JOINT ORDINANCE UPDATING THE MEMPHIS AND SHELBY COUNTY EXISTING BUILDING CODE BY ADOPTION OF INTERNATIONAL CODE COUNCIL 2012 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE WITH LOCAL AMENDMENTS, UP FOR F I R S T READING.**

Ordinance No. 5479

APPROVED, on First reading

3. **JOINT ORDINANCE UPDATING THE MEMPHIS AND SHELBY COUNTY RESIDENTIAL CODE BY ADOPTION OF THE INTERNATIONAL CODE COUNCIL 2012 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE WITH LOCAL AMENDMENTS, UP FOR F I R S T READING.**

Ordinance No. 5480

APPROVED, on First reading

4. **JOINT ORDINANCE UPDATING THE MEMPHIS AND SHELBY COUNTY FUEL GAS CODE BY ADOPTION OF THE 2009 EDITION OF THE INTERNATIONAL CODE COUNCIL FUEL GAS CODE WITH LOCAL AMENDMENTS, UP FOR F I R S T READING.**

Ordinance No. 5481

APPROVED, on First reading

5. **JOINT ORDINANCE UPDATING THE MEMPHIS AND SHELBY COUNTY PLUMBING CODE BY ADOPTION OF THE 2009 EDITION OF THE INTERNATIONAL CODE COUNCIL PLUMBING CODE WITH LOCAL AMENDMENTS, UP FOR F I R S T READING.**

Ordinance No. 5482

APPROVED, on First reading

6. **JOINT ORDINANCE UPDATING THE MEMPHIS AND SHELBY COUNTY ENERGY CONSERVATION CODE BY ADOPTION OF THE INTERNATIONAL CODE COUNCIL 2009 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE WITH LOCAL AMENDMENTS, UP FOR F I R S T READING.**

Ordinance No. 5483

APPROVED, on First reading

7. **JOINT ORDINANCE UPDATING THE MEMPHIS AND SHELBY COUNTY ELECTRICAL CODE BY ADOPTION OF THE 2008 NATIONAL ELECTRICAL CODE WITH LOCAL AMENDMENTS, UP FOR F I R S T READING.**

Ordinance No. 5484

APPROVED, on First reading

8. **JOINT ORDINANCE UPDATING THE MEMPHIS AND SHELBY COUNTY MECHANICAL CODE BY ADOPTION OF THE 2009 EDITION OF THE INTERNATIONAL CODE COUNCIL MECHANICAL CODE WITH LOCAL AMENDMENTS, UP FOR F I R S T READING.**

Ordinance No. 5485

APPROVED, on First reading

9. **ORDINANCE ADOPTING THE 2009 INTERNATIONAL FIRE CODE (PUBLISHED BY INTERNATIONAL CODE COUNCIL) WITH LOCAL AMENDMENTS, TO REPLACE THE CURRENTLY ADOPTED 2003 INTERNATIONAL FIRE CODE, TO BE THE ENFORCED DOCUMENT FOR FIRE AND LIFE SAFETY WITHIN THE CITY OF MEMPHIS. SEE EXISTING ORDINANCE NO. 5225, UP FOR F I R S T READING.**

Ordinance No. 5486

APPROVED, on First reading

10. **JOINT ORDINANCE UPDATING THE MEMPHIS AND SHELBY COUNTY BUILDING CODE BY ADOPTION OF CHAPTERS 14-25 AND CHAPTER 34 OF THE 2012 INTERNATIONAL CODE COUNCIL 2012 EDITION OF THE INTERNATIONAL BUILDING CODE AND CHAPTERS 1-13, 26-33 AND CHAPTER 35 OF THE 2009 EDITION OF THE INTERNATIONAL CODE COUNCIL INTERNATIONAL BUILDING CODE WITH LOCAL AMENDMENTS, UP FOR F I R S T READING.**

Ordinance No. 5487

APPROVED, on First reading

- 11. **ORDINANCE AMENDING CHAPTER 48 OF THE CITY OF MEMPHIS CODE OF ORDINANCES, BY ADDING SECTIONS 48-23 THRU 48-28 TO INCLUDE "PROPERTY REGISTRATION REQUIREMENTS" THAT WILL REQUIRE OWNERS OF REAL PROPERTIES, INCLUDING CONDOMINIUMS, TO MAINTAIN ON FILE WITH THE COUNTY REGISTER OR OTHER DESIGNEE OF THE CITY, AN ACCURATE NAME AND MAILING ADDRESS OF ONE OR MORE OF THE OWNERS FOR PURPOSES OF NOTICE AND SERVICE OF PROCESS AND TO REQUIRE REGISTRATION BY A MORTGAGEE OR MORTGAGEE'S AGENT UPON NOTICE OF DEFAULT OR VACANCY BY A MORTGAGOR REGARDING SINGLE FAMILY RESIDENTIAL REAL PROPERTY INCLUDING CONDOMINIUMS LOCATED IN THE MUNICIPAL BOUNDARIES OF THE CITY OF MEMPHIS, UP FOR S E C O N D READING.**

Ordinance No. 5477

APPROVED, on Second reading

- 12. **ORDINANCE REZONING THE NORTHWEST CORNER OF NEW FRAYSER BOULEVARD AND NEW ALLEN ROAD, CONTAINING 37.13 ACRES IN THE COMMERCIAL MIXED USE (CMU-3) DISTRICT, UP FOR S E C O N D READING.**

Ordinance No. 5476

Case No. Z 12-106

APPROVED, on Second reading

- 13. **RESOLUTION CANCELLING THE CONTRACT FOR CEDAR CREEK P.D. AND AUTHORIZING RELEASE OF BOND.**

Case No. PD 04-363cc

(Contract No. CR-5037)

Resolution cancels the standard improvement contract located on the south side of Latting Road, 2,476 feet east of Pisgah Road. The standard improvement contract was approved on September 19, 2006. Resolution also authorizes the release of the alternative bond in the amount of \$129,000.00. This action is subject to County approval

City Engineer recommends approval

APPROVED

- 14. **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 12-310cc – Caring Estates P.D.

Public Hearing Set for December 4, 2012

ROLL CALL CONSENT ITEMS

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

APPROVED

MLGW FISCAL CONSENT – Items 15 - 19 may be acted upon by one motion:

15. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11516, TIRE AND TIRE REPAIR SERVICE, WITH SOUTHERN TIRE MART, IN THE FUNDED AMOUNT OF \$774,987.50. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FIRST OF FOUR ANNUAL RENEWAL TERMS, JANUARY 1, 2013 THROUGH DECEMBER 31, 2013, WITH A 6.23% INCREASE FROM THE PREVIOUS YEAR).**

APPROVED

16. **RESOLUTION APPROVING AN AGREEMENT BETWEEN MLGW AND THE MEMPHIS CHAPTER OF THE U.S. GREEN BUILDING COUNCIL (USGBC), TO PROVIDE \$90,000.00 TO FUND A CONTINUATION OF A LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN (LEED) GRANT, TO BE ADMINISTERED BY THE MEMPHIS CHAPTER OF THE USGBC.**

APPROVED

17. **RESOLUTION AWARDED CONTRACT NO. 11532, MOBILE DATA COMMUNICATION, TO CALAMP WIRELESS NETWORKS CORPORATION, IN THE FUNDED AMOUNT OF \$2,284,879.46.**

APPROVED

18. **RESOLUTION AWARDED CONTRACT TO MUELLER COMPANY, LLC, FOR FIRE HYDRANTS, IN THE AMOUNT OF \$510,783.51.**

APPROVED

- 19. **RESOLUTION APPROVING CHANGE NO. 5 TO CONTRACT NO. 11232, MEDICAL INSURANCE PLAN, WITH CIGNA INSURANCE COMPANY, IN THE FUNDED AMOUNT OF \$11,804,688.00. (THIS CHANGE REFLECTS THE FOURTH AND FINAL RENEWAL TERM, JANUARY 1, 2013 TO DECEMBER 31, 2013, WITH A 7.3% PREMIUM INCREASE FROM THE PREVIOUS YEAR DUE TO COST SHARE, ANNUAL TREND, DEMOGRAPHIC ADJUSTMENT, AND TARGET LOSS RATIO).**

APPROVED

MLGW ROLL CALL CONSENT ITEMS

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

APPROVED

- 39. **RESOLUTION TO AWARD A GRANT IN THE AMOUNT OF \$1,000,000.00 TO HATTILOO THEATER IN SUPPORT OF THE CONSTRUCTION OF THE NEW HATTILOO THEATER AT OVERTON SQUARE.**

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

APPROVED

- 20. **APPOINTMENTS**

ALCOHOL COMMISSION

APPOINTMENT

Barry Chase

REAPPOINTMENTS

Eugene S. Bryan
Jared T. Johnson

MEMPHIS CONVENTION CENTER COMMISSION

APPOINTMENTS

Lee A. Jackson
Wayne Tabor

MEMPHIS PUBLIC LIBRARY AND INFORMATION CENTER

REAPPOINTMENT

David Williams

MEMPHIS YOUTH GUIDANCE COMMISSION

APPOINTMENTS

Adrienne L. Bailey
Ekundayo Bandele
Cheryl J. Beard
Dr. Carolyn D. Bibbs
Kenya Bradshaw
Reverend Althea E. Greene
Rabbi Micah D. Greenstein
Cynthia Ham
Saundra Hannah
Tomeka R. Hart
John D. Lovelace
Wain Rubenstein
Katy Spurlock
Regina D. Walker
Lisa N. Wheeler

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

APPROVED

21. **ORDINANCE TO AMEND TITLE 7 – ALCOHOLIC BEVERAGES, CHAPTER 7-8 – BEER AND LIGHT ALCOHOLIC BEVERAGES, ARTICLE 2 – LICENSE TO STORE, SELL, DISTRIBUTE OR MANUFACTURE, OF THE CODE OF ORDINANCES, CITY**

OF MEMPHIS, SO AS TO ALLOW OFF-PREMISE LICENSE HOLDERS TO CONDUCT BEER TASTINGS FOR SALES, PROMOTIONAL AND EDUCATIONAL PURPOSES, UP FOR T H I R D AND F I N A L READING. (HELD FROM 10/16; 11/6)

Ordinance No. 5472

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

APPROVED, as amended

22. **RESOLUTION APPROPRIATING \$1,000,000.00 IN G.O. BONDS GENERAL TO REPLACE OBSOLETE SOFTWARE AND EQUIPMENT FIVE YEARS AND OLDER, CIP PROJECT NUMBER IS01007.**

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

APPROVED

23. **RESOLUTION APPROPRIATING \$250,000.00 IN G.O. BONDS GENERAL TO REPLACE NARROW BAND RADIO EQUIPMENT, CIP PROJECT NUMBER IS01072.**

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

APPROVED

24. **RESOLUTION APPROPRIATING \$2,500,000.00 IN G.O. BONDS GENERAL TO CREATE THE NEW 311 CALL CENTER AND DESIGN AND IMPLEMENT CHOICESTAT A DATA WAREHOUSE TO HOLD DATA FROM SEVERAL SYSTEMS.**

MOTION: Conrad
 SECOND: Fullilove

Collins did not cast a vote
Halbert was absent

APPROVED

25. **RESOLUTION ADOPTING AMENDMENTS TO THE MEMPHIS LIGHT, GAS AND WATER DIVISION RETIREMENT AND PENSION SYSTEM, EFFECTIVE WITH EMPLOYEES HIRED JANUARY 1, 2014 AND AFTER.**

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

APPROVED

26. **RESOLUTION REQUESTING CITY COUNCIL TO CONVENE AS A RATE MAKING BOARD AND TO APPROVE THE 2013 MEMPHIS LIGHT, GAS AND WATER DIVISION RATE ACTIONS.**

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

APPROVED

27. **RESOLUTION APPROVING THE 2013 MEMPHIS LIGHT, GAS AND WATER DIVISION BUDGET.**

Chairman Morrison recognized the following person who spoke from the audience:
Bill Hawkins, 4000 Clearpool Circle, Memphis, Tennessee 38118

(Special Item #1 – Chairman Morrison made a motion to amend the MLGW Budget by increasing the smart meters from 6,000 to 60,000)

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

Hedgepeth did not cast a vote
Halbert was absent

APPROVED

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

APPROVED, as amended

28. **RESOLUTION APPROPRIATING \$6,737,544.00 IN G.O. BONDS GENERAL FOR CONSTRUCTION OF THE MPD TRAFFIC PRECINCT, WITH THE LOW COMPLYING BID FROM BARNES AND BROWER, INC., CIP PROJECT NUMBER PD02003.**

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

APPROVED

29. **RESOLUTION SEEKING ACCEPTANCE OF DONATIONS IN THE AMOUNT OF \$1,850.00 FROM MISCELLANEOUS DONORS AS AWARDED TO THE CITY OF MEMPHIS POLICE DEPARTMENT TO SUPPORT POLICE SERVICES OPERATIONAL ACTIVITIES.**

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

APPROVED

30. **RESOLUTION SEEKING ACCEPTANCE OF A DONATION IN THE AMOUNT OF \$1,000.00 FROM JAMES ALAN AND TAMRA C. POOL AS AWARDED TO THE CITY OF MEMPHIS POLICE DEPARTMENT SPECIAL OPERATIONS CANINE UNIT TO PURCHASE ONE (1) BULLET/STAB PROOF RESISTANT PROTECTIVE VEST FOR ONE CITY OF MEMPHIS POLICE SERVICES CANINE UNIT SERVICE DOG.**

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

APPROVED

31. **RESOLUTION APPROVING THE SALE OF CERTAIN PROPERTY IN THE PIGEON INDUSTRIAL PARK TO CAROLYN E. HARDY, TRUSTEE OF THE HARDY INVESTMENT TRUST AS APPROVED BY THE BOARD OF COMMISSIONERS OF THE MEMPHIS AND SHELBY COUNTY PORT COMMISSION ON SEPTEMBER 19, 2012.**

Contract No. CR-5193

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

APPROVED

32. **RESOLUTION TRANSFERRING AND APPROPRIATING \$14,900.00 IN G.O. BONDS GENERAL FOR SAFETY IMPROVEMENTS AT THE INTERSECTION OF SOUTH PERKINS AT OLD LAMAR, PROJECT NUMBER PW01217.**

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

APPROVED

33. **RESOLUTION TRANSFERRING AND APPROPRIATING \$10,300.00 FOR SAFETY IMPROVEMENTS AT THE INTERSECTION OF RALEIGH MILLINGTON-NEW ALLEN, PROJECT NUMBER PW01222.**

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

APPROVED

34. **RESOLUTION TRANSFERRING AND APPROPRIATING \$53,000.00 IN G.O. BONDS GENERAL FOR SAFETY IMPROVEMENTS AT THE INTERSECTION OF NEW ALLEN AND HAWKINS MILL, PROJECT NUMBER PW01241.**

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

APPROVED

35. **RESOLUTION TRANSFERRING AND APPROPRIATING \$27,408,000.00 FROM SEWER REVENUE BONDS TO SEWER FUNDS FOR PROJECTS INCLUDED IN THE FY 2013 SEWER FUND CAPITAL IMPROVEMENT BUDGET IN ORDER TO FUND THEM AT THE MOST ECONOMICAL COST.**

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

APPROVED

36. **RESOLUTION ADOPTING AN APPROVAL PROCESS FOR ALL ITEMS RELATED TO THE MAIN STREET TO MAIN STREET MULTIMODAL CONNECTOR PROJECT.**

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

APPROVED

37. **ELECTION OF THE 2013 COUNCIL CHAIRMAN.**

(Councilwoman Fullilove nominated Edmund Ford, Jr.)

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

NAY: Harris
Halbert was absent

APPROVED, Edmund Ford, Jr. will be the 2013 Council Chairman

38. **ELECTION OF THE 2013 COUNCIL VICE CHAIRMAN.**

(Councilman Lowery nominated Jim Strickland)

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

APPROVED, Jim Strickland will be the 2013 Council Vice Chairman

(Special Item #2 - Councilman Brown made a motion to approve Same Night Minutes for item #39, from tonight's meeting).

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

APPROVED

INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:

ADJOURNED MEETING AT 5:10 P.M.

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



CHAIRMAN

Attest:

Valerie C. Supes
Deputy Comptroller/Council Records

Minutes of Items 1, 36, 49, 50, 64 and 65 of the
Regular Meeting of the City Council
City of Memphis

December 4, 2012

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 1, 36, 49, 50, 64 and 65 to wit:

1. RESOLUTION approving a planned development located at 4965 Brunswick, on the southwest corner of Baylor Road and Brunswick Road, containing 4.61 acres in the Residential Single Family-10 (R-10) District.

MOTION: Ford

SECOND: Brown

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

ABSTAIN:

NAYS: Boyd and Harris

APPROVED

36. RESOLUTION awarding Contract No. 11548, MSS ERP Replacement System, to Rolta International, in the funded amount of \$31,199,068.00.

MOTION: Fullilove

SECOND: Strickland

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

ABSTAIN:

NAYS:

RECUSED: Harris

APPROVED

49. RESOLUTION accepting grant funds in the amount of \$2,202,300.00 from the State of Tennessee Department of Labor and Workforce Development Division for WIA Title I Grant Adult Program.

MOTION: Halbert

SECOND: Fullilove

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

ABSTAIN:

NAYS: None

APPROVED

50. RESOLUTION accepting grant funds in the amount of \$2,357,830.00 from the State of Tennessee Department of Labor and Workforce Development Division for WIA Title I Grant for the Dislocated Worker.

MOTION: Halbert

SECOND: Fullilove

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

ABSTAIN:

NAYS: None

APPROVED

64. RESOLUTION approving final calculation and distribution of MLGW Electric system payments in lieu of taxes for fiscal year ending June 30, 2013.

MOTION: Fullilove

SECOND: Strickland

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

ABSTAIN:

NAYS: None

APPROVED

65. RESOLUTION approving final calculation and distribution of MLGW Gas system payments in lieu of taxes for fiscal year ending June 30, 2013.

MOTION: Fullilove

SECOND: Strickland

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

ABSTAIN:

NAYS: None

APPROVED

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

AYES: Brown, Collins, Conrad, Flinn, Ford, Halbert, Lowery, Morrison and Strickland

NAYS: None.

ABSTAIN: None.

RECUSED: None

Boyd, Fullilove, Harris and Hedgepeth did not vote.

APPROVED

Chairman: Bill Morrison

Date: 12.4.12

2419
~~2417~~

Attest:

Valerie C. Snyser
Deputy Comptroller/Council Records

