



CITY OF MEMPHIS

COUNCIL AGENDA

February 15, 2011

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 (February 1, 2011)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATION AND RECOGNITION OF VISITORS

1. RESOLUTION honoring the Greater Memphis Black Chamber of Commerce.
Collins

ACTION REQUESTED: Adopt the resolution

PUBLIC HEARINGS

2. RESOLUTION approving a special use permit located on the east side of Bartlett Road; 1,125.9 feet north of Pleasant View Road, containing 11.44 acres in the Residential Townhouse (R-TH) District.

Ford

Case No. SUP 10-223

Applicant: Muslim Community Center, Inc.
SR Consulting, LLC (Cindy Reaves) – Representative

Request: Recreation Field

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

128 NOTICES MAILED ON FEBRUARY 4, 2011

3. RESOLUTION approving a street/alley closure located at the Alley traversing the rear property lines of Lamar Avenue and Vesey Street between Kyle Street and Rozelle Street, approximately 1975 sq. ft.

Ford

Case No. SAC 10-605

Applicant: Sertsu Woldelibanos
Jerry Johnson – Representative

Request: Close and vacate an existing alley

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

79 NOTICES MAILED ON FEBRUARY 4, 2011

DIVISION OF PLANNING & DEVELOPMENT

4. RESOLUTION approving a hotel waiver for the Governors Inns & Suites located at 2490 Mt. Moriah Road.

Ford

Case No. HMW 11-07

ACTION REQUESTED: Adopt the resolution

5. RESOLUTION approving a use variance located on the east side of Bender Road; +/-304 feet east of Millbranch Road, containing 4.187 acres in the Single Family Residential (R-S10) District.

Ford

Case No. UV 10-14

Applicant: Joe E. & Elise F. Scott
SR Consulting, LLC – Cindy Reaves – Representative

Request: A use variance to permit the operation of an appliance repair and sales shop

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

6. RESOLUTION approving a special use permit located on the northwest corner of U.S. Highway 78 (Lamar Ave.) and Willett Street, containing 0.26 acre in the Local Commercial (C-L) District (Converted to Commercial Mixed Use (CMU-1) District on January 1, 2011)

Ford

Case No. SUP 10-225

Applicant: TV6-W, LLC/Tower Ventures V, LLC
Michael Fahy – Representative

Request: Cell Tower (100' Height)

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 (None)

GENERAL ORDINANCES - SECOND READING (None)

ZONING ORDINANCES - FIRST READING (None)

ZONING ORDINANCES - SECOND READING

7. **ORDINANCE** rezoning the southwest corner of Jackson Avenue and Hemingway Street, containing 0.3070 acre in the Single Family Residential (R-S6) District, up for **S E C O N D** reading.

Ford

Case No. Z 10-114
Ordinance No. 5392

Applicant: David Throng

Request: Local Commercial (C-L) District

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on Second reading

8. **ORDINANCE** rezoning the south side of E. Raines Road; +/-617 feet west of Marlin Road, containing 0.27 acre in the Multiple Dwelling Residential (R-ML) District, up for **S E C O N D** reading.

Ford

Case No. Z 10-118
Ordinance No. 5393

Applicant: Bryan Williams
Tim McCaskill – Representative

Request: Change the zoning to General Office (O-G) District

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on Second reading

ENGINEERING

9. RESOLUTION accepting MEMPHIS HOMEBUILDERS PD, PH. 1 ROAD IMPROVEMENTS, and authorizing release of bond.
(Contract No. CR-5156)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the southeast corner of N. Germantown Pkwy and Walnut Run Road. The standard improvement contract was approved on April 21, 2010. Resolution also authorizes the release of the letter of credit in the amount of \$91,200.00.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

NOTATIONS FROM OPD (None)

NOTATIONS from Land Use Control Board that the following cases were heard and recommendation made requesting a date of public hearing:

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE:



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MLGW FISCAL CONSENT

10. RESOLUTION awarding 12-month contract to Griffin Pipe Products Company for ductile iron pipe, in the amount of \$1,065,016.00.
11. RESOLUTION approving payment of 2011 annual membership dues, plus locate request tickets, to Tennessee One-Call System, Inc., in the amount of \$80,239.36.
12. RESOLUTION approving Change No. 3 to Contract No. 11070, Utility Meter Data Application, with Automated Energy, Inc. (AEI), in the funded amount of \$36,000.00, for a new contract amount of \$143,750.00. (This change covers a one-year extension, January 1, 2011 to December 31, 2011, to continue to provide the web-based meter data analysis product "Load Profiler" but marketed by MLGW as "Meter Intelligence").
13. RESOLUTION approving an agreement between MLGW and TVA whereby MLGW will provide \$56,000.00 in funding to TVA's Comprehensive Services Program and TVA will match with an additional \$56,000.00. (MLGW's \$56,000.00 funding is reimbursable through federal Energy Efficiency and Conservation Block Grant (EECBG) funding, in accordance with the City of Memphis' EECBG proposal, which was accepted by the Department of Energy on September 21, 2009).
14. RESOLUTION approving the renewal of Contract No. 10991 between MLGW and ANR Pipeline Company in the amount of \$647,000.00, approximately. The contract term is for one winter season (November-March), effective November 1, 2011, and ending March 31, 2012.
15. RESOLUTION approving Contract No. 11481 between MLGW and Texas Gas Transmission, LLC, in the amount of \$544,000.00, approximately. MLGW is reducing an existing contract with ANR Pipeline by the equivalent amount. The contract term is for one winter season (November-March), effective November 1, 2011, and ending March 31, 2012.
16. RESOLUTION approving renewal of Cooperative Agreement No. 5447, Investigation of Water Resources, with the U. S. Geological Survey, U. S. Department of the Interior, for the period January 1, 2011 to December 31, 2011, in the amount of \$57,000.00. (MLGW will provide \$57,000.00 and the U. S. Geological Survey, U. S. Department of the Interior will provide \$57,000.00).
17. RESOLUTION approving payment of annual pipeline safety inspection fee to the Tennessee Regulatory Authority in the amount of \$78,000.00.
18. RESOLUTION awarding Contract No. 11462, Electronic Board Agenda Solution, to IQM2 Government Solutions, Inc., in the funded amount of \$153,090.00.

19. RESOLUTION approving exercise of option to extend contract with Tech Plus, Inc., for an additional 12-month period, March 3, 2011 through March 2, 2012, for the rental of wide format copier/plotter/scanner devices, in the amount of \$132,248.00.
20. RESOLUTION awarding 60-month blanket contract to Thomas Consultants, Inc. for computer equipment not to exceed \$3,839,176.50.



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REGULAR AGENDA

21.
Collins

APPOINTMENT

Memphis and Shelby County New Arena Public Building Authority

Appointment

Sonji Miller Branch (Joint Appointment)

GENERAL ORDINANCE -THIRD AND FINAL READING (None)

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES

22. RESOLUTION to amend Fire Service's Capital Improvement Budget request to replace the original request (in part) with eight alternative response vehicles at a cost of \$500,000.00.

Strickland

ACTION REQUESTED: Adopt the resolution

DIVISION OF GENERAL SERVICES (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES (None)

INFORMATION SERVICES (None)

LAW DIVISION (None)

MLGW DIVISION (None)

PARK SERVICES

- 23. RESOLUTION requesting approval to sell a portion of L.E. Brown Park located at 617 South Orleans to the Memphis Housing Authority for the development of the Cleaborn Homes HOPE VI Project. Said resolution is also requesting approval for the City to purchase acreage from the MHA to make the park whole.

Boyd

ACTION REQUESTED: Adopt the resolution

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS

- 24. RESOLUTION amending the FY11 Capital Improvement Budget by transferring an allocation and appropriating \$45,144.00 funded by Federal Grant Funds from American Recovery and Reinvestment Act from ARRA Repaving, project number PW01198 to ARRA Repaving Group-5, project number PW01207 and for a construction contract with APAC-Tennessee.

Hedgepeth

ACTION REQUESTED: Adopt the resolution

- 25. RESOLUTION amending the FY11 Capital Improvement Budget by transferring an allocation and appropriating \$95,482.00 funded by Federal Grant Funds from American Recovery and Reinvestment Act from ARRA Repaving, project number PW01198 to ARRA Repaving Group-2, project number PW01204 and for a construction contract with Lehman Roberts.

Hedgepeth

ACTION REQUESTED: Adopt the resolution

- 26. RESOLUTION amending the FY11 Capital Improvement Budget by transferring an allocation and appropriating \$144,144.00 funded by Federal Grant Funds from American Recovery and Reinvestment Act from ARRA Repaving, project number PW01198 to ARRA Repaving Group-3 project number PW01205 and for a construction contract with APAC-Tennessee.

Hedgepeth

ACTION REQUESTED: Adopt the resolution

- 27. RESOLUTION amending the FY11 Capital Improvement Budget by transferring an allocation and appropriating \$228,410.00 funded by Federal Grant Funds from American Recovery and Reinvestment Act from ARRA Repaving, project number PW01198 to ARRA Repaving Group-4, project number PW01206 and for a construction contract with Lehman Roberts.

Hedgepeth

ACTION REQUESTED: Adopt the resolution

28. RESOLUTION amending the FY11 Capital Improvement Budget by transferring an allocation and appropriating \$2,756,387.00 funded by Federal Grant Funds and \$689,097.00 funded by GO Bonds-General from STP Repaving-project number PW01199 to STP Repaving Group 2, project number PW01201 and for a construction contract with APAC-Tennessee.

Hedgepeth

ACTION REQUESTED: Adopt the resolution

GENERAL ITEM (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT

ADD-ONS

29. RESOLUTION congratulating Jack Eaton on his induction into the Tennessee Sports Hall of Fame.

Strickland
& Collins

ACTION REQUESTED: Adopt the resolution

30. RESOLUTION authorizing The Mayor of the City of Memphis to execute any and all documents necessary to make application to the Tennessee Department of Economic and Community Development Program grant funds in behalf of Mitsubishi Electric Power Products, Inc. This grant application requires no City of Memphis matching funds.

Conrad

ACTION REQUESTED: Adopt the resolution

31. APPEAL of Landmarks Case #11-072 located at 1769 Overton Park Avenue.

Ford

ACTION REQUESTED: Adopt the resolution

ACTION TAKEN BY COUNCIL ON THIS DATE

1. Through 3 – approved
4. Approved, as amended
5. Held to March 1, 2011
6. Through 21 – Approved
22. Held to March 1, 2011
23. Through 30 – Approved
31. Not approved nor rejected, because City Council voted to take no action on the appeal

ACTION TAKEN ON THE MINUTES OF FEBRUARY 1, 2011

Approved

ACTION TAKEN ON THE MINUTES OF FEBRUARY 15, 2011 FOR ITEMS 12, 13 AND 30 ONLY

Approved