



CITY OF MEMPHIS

COUNCIL AGENDA

March 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 (March 1, 2011)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS (None)

PUBLIC HEARINGS

1. RESOLUTION approving a street/alley closure beginning 300 feet south of Key Avenue between Neil Street and Scott Street, containing 6,012 square feet.

Ford

Case No. SAC 10-603

Applicant: John Powell

Request: Close an existing alley

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

29 NOTICES MAILED ON MARCH 4, 2011

2. RESOLUTION approving a special use permit located on the south side of Yale Road; +/-335.87 feet east of Covington Pike, containing 0.79 acre in the Planned Commercial (C-P) District.

Ford

Case No. SUP 10-230

Applicant: Arnett-Maddox Ice, LLC
Prime Development Group – Michael Fahy – Representative

Request: Retail Ice Vending Machine

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

62 NOTICES MAILED ON MARCH 4, 2011

DIVISION OF PLANNING & DEVELOPMENT

3. RESOLUTION approving a hotel waiver for Courtyard by Marriott located at 3076 Kirby Road. (Held from 3/1)

Ford

Case No. HMW 11-08

ACTION REQUESTED: Adopt the resolution

ZONING ORDINANCES – THIRD AND FINAL READING (None)



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CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING

4. **ORDINANCE** to amend Chapter 16, Article V, of the City of Memphis Code of Ordinances, so as to allow Self-Contained Mobile Food Preparation Vehicles to operate in the City of Memphis, up for F I R S T reading.

Ford

Ordinance No. 5394

ACTION REQUESTED: Adopt the ordinance on First reading

GENERAL ORDINANCES - SECOND READING (None)

ZONING ORDINANCES - FIRST READING (None)

ZONING ORDINANCES - SECOND READING (None)

ENGINEERING

5. **RESOLUTION** approving final plat of EAST RAINES ROAD AT PACE ROAD COMMERCIAL SUBDIVISION.

Case No. S 10-021

Resolution approves the final plat located at the corner of East Raines Road and Pace Road. Cost of the required improvements to be borne by the developer.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

6. **RESOLUTION** accepting WILSON STREET CLOSURE and authorizing release of bond.

Contract No. (CR-4974)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the northeast corner of Wilson Street and East McLemore Avenue. The standard improvement contract was approved on September 20, 2005. Resolution also authorizes the release of the performance bond in the amount of \$212,200.00.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

7. RESOLUTION approving final plat of WOODLAND HILLS II, P.D., PHASE 4, (WOODLAND LAKE DRIVE ROAD DEDICATION).

Case No. PD 08-324cc
Contract No. CR-5167

Resolution approves the final plat located on Woodland Lake Drive at Walnut Grove Road. Cost of the required improvements to be borne by the developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract. This action is subject to County approval.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

8. RESOLUTION approving final plat of WOODLAND HILLS II, P.D., PHASE 5, (WOODLAND LAKE DRIVE ROAD DEDICATION).

Case No. PD 08-324cc
Contract No. CR-5168

Resolution approves the final plat located west of Trinity Road, south of Woodland Trace Lane. Cost of the required improvements to be borne by the developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract. This action is subject to County approval.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

NOTATIONS FROM OPD (None)



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MLGW FISCAL CONSENT

9. RESOLUTION approving Change No. 6 to Contract No. 11061, Wireless Telephone Services, with AT&T Mobility in the funded amount of \$118,101.02. (This change increases the contract value in the amount of \$66,434.36 to fulfill the current term. In addition, this extends the current contract for a 60-day period, April 3, 2011 to June 1, 2011, in the amount of \$51,666.66 to allow time for a new contract to be executed).
10. RESOLUTION approving the selection of Cohen & Steers, a preferred equity investment manager, to manage approximately \$32,000,000.00 for benefit of the MLGW Retirement and Pension Fund.
11. RESOLUTION approving Change No. 5 to Contract No. 11220, Temporary Services, with Kelly Services, Inc., in the funded amount of \$218,006.00. (This change increases the contract value to meet the 2011 estimated temporary service needs totaling \$645,206.00, of which \$218,006.00 is being requested. The remaining \$427,200.00 will be absorbed from the current contract amount).
12. RESOLUTION awarding contract for Novell maintenance and new software licenses to Novell, Inc., in the amount of \$314,859.43.
13. RESOLUTION awarding 60-month blanket contract for Wonderware software support to Insource Software Solutions, Inc., in an amount not to exceed \$117,487.10



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REGULAR AGENDA

14. **APPOINTMENTS**

Collins

Memphis and Shelby County Center City Commission

Re-appointment

Stuart C. McGehee

Minority Business Development and Oversight Commission

Appointment

Kevin Brewer

GENERAL ORDINANCES -THIRD AND FINAL READING (None)

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION

15. RESOLUTION amending the FY2011 Operating Budget by accepting funds in the amount of \$14,500.00 for the Office of Youth Services and Community Affairs Southern Heritage Classic College Fair and the annual Christmas Basket Giveaway.

Morrison

ACTION REQUESTED: Adopt the resolution

FINANCE & ADMINISTRATION

16. RESOLUTION amending the FY 2011 Operating Budget by transferring the currently available appropriations from Capital Outlay of \$1,000,000.00 in General Fund expenditures to be used to establish two (2) loan fund programs for existing and new M/W/SBEs.

Conrad

ACTION REQUESTED: Adopt the resolution

DIVISION OF FIRE SERVICES

17. 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. (Held from 2/15; 3/1)

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

18. RESOLUTION requesting approval of the best complying bid of \$464,500.00 from Zellner Construction Services. Three (3) bids were received on February 4, 2011 for the Skate Park Project. The resolution also amends the FY 2011 Capital Improvement Budget by transferring funds of \$117,000.00 from Recreation Facilities Improvements, CIP Project Number PK01024 to Skate Park, CIP Project Number PK07098 in Construction. Project total cost is contingency of \$557,000.00. Administration requests to transfer and appropriate \$117,000.00 funded by G.O. Bonds General.

Boyd

ACTION REQUESTED: Adopt the resolution

19. RESOLUTION requesting approval for continuation of plans and specifications for the taking of bids at an estimated construction cost of \$750,000.00 for Charjean Park.

Boyd

The Council of the City of Memphis did include Charjean Park, located at Ketchum and Crosby Roads, CIP Project Number PK07089, as part of the Fiscal Year 2011 Capital Budget. Resolution states the Administration is required to present a preliminary design to the appropriate Council Committee.

ACTION REQUESTED: Adopt the resolution

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS

20. RESOLUTION appropriating \$10,000.00 funded by G.O. Bonds General in Raleigh Millington-New Allen, Project Number PW01222 for a construction contract being administered by the State of Tennessee Department of Transportation. Resolution also states that any future Local Government Investment Pool expenditures for this project be allocated and appropriated with the source of funds being Local Government Investment Pool earnings.

Hedgepeth

ACTION REQUESTED: Adopt the resolution

GENERAL ITEMS

21. RESOLUTION supporting the establishment of a regular part-time employment classification.

Fullilove

ACTION REQUESTED: Adopt the resolution

22. RESOLUTION to hold all Planning and Zoning cases for 2 weeks when the applicant(s) are not present.

Ford

ACTION REQUESTED: Adopt the resolution

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT

ADD-ONS

23. RESOLUTION to amend and appropriate FY2011 Operating Budget to include federal funding for Shelter Plus Care Grant Program, Project Number TN0111C4J011002 implemented by SHIELD, Inc., in the amount of \$196,416.00.

Brown

ACTION REQUESTED: Adopt the resolution

24. RESOLUTION to amend and appropriate FY2011 Operating Budget to include federal funding for Shelter Plus Care Grant Program, Project Number TN0024C4J011003 implemented by Case Management, in the amount of \$318,240.00.

Brown

ACTION REQUESTED: Adopt the resolution

25. RESOLUTION to amend and appropriate FY2011 Operating Budget to include federal funding for Shelter Plus Care Grant Program, Project Number TN0016C4J011003 implemented by Friends for Life SPC, in the amount of \$131,856.00.

Brown

ACTION REQUESTED: Adopt the resolution

26. **ORDINANCE** to redistrict all Council Districts and to assign newly annexed areas, if any, to Council Districts so that all such districts will remain as equal as practicable and all such districts will comply with the injunction decree issued by United States District Judge Jerome Turner, pertaining to Voting Rights Acts Remedies, up for F I R S T reading.

Consent

Ordinance No. 5395

ACTION REQUESTED: Adopt the ordinance on First reading

ACTION TAKEN BY COUNCIL ON THIS DATE

1. Approved
2. Held until April 5, 2011
3. Through 5 – Approved
6. Held until April 5, 2011
7. Through 16 – Approved
17. Held until April 5, 2011
18. Through 26 – Approved

ACTION TAKEN ON THE MINUTES OF MARCH 1, 2011 MEETING

Approved

ACTION TAKEN ON THE MINUTES OF ITEMS #9, #23, #24 & #25 FROM TONIGHT'S MEETING

Approved