



CITY OF MEMPHIS

COUNCIL AGENDA

September 4, 2012

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 (August 21, 2012)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

1. RESOLUTION congratulating Logan Guleff on his invitation to the White House Kids' State Dinner resulting from his win of the "Healthy Lunchtime Challenge."

Strickland

ACTION REQUESTED: Adopt the resolution

DIVISION OF PLANNING & DEVELOPMENT

2. RESOLUTION approving a special use permit located on the northwest corner of Whitney Avenue and Range Line Road, containing 4.58 acres in the Residential Single Family (R-10) District.

Ford

Case No. SUP 12-216

Applicant: Telepak, Inc. (d/b/a CSpire)
Faulk and Foster (Belinda Bodie) – Representative

Request: Special use permit to allow a communications tower one-hundred fifty (150) feet in height of concealed canister design with capacity to accommodate a minimum of four (4) antennae

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

ZONING ORDINANCES – THIRD AND FINAL READING (None)



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CONSENT AGENDA

GENERAL ORDINANCES - FIRST READING (None)

GENERAL ORDINANCES - SECOND READING

3. **ORDINANCE** amending Chapter 21, Code of Ordinances, City of Memphis, so as to establish an Environmental Fee, up for S E C O N D reading. **(Second reading held to September 4, 2012 via e-mail on June 7, 2012)**

Hedgepeth

Ordinance No. 5456

ACTION REQUESTED: Adopt the ordinance on Second reading

4. **ORDINANCE** amending Chapter 21, Code of Ordinances, City of Memphis, so as to establish a Motor Vehicle Inspection Fee, up for S E C O N D reading. **(Second reading held to September 4, 2012 via e-mail on June 7, 2012)**

Hedgepeth

Ordinance No. 5461

ACTION REQUESTED: Adopt the ordinance on Second reading

5. **ORDINANCE** to amend Chapter 9-60 (Litter Control) of the City of Memphis Code of Ordinances to add Vehicle Impoundment for Illegal Dumping, up for S E C O N D reading.

Hedgepeth

Ordinance No. 5469

ACTION REQUESTED: Adopt the ordinance on Second reading

6. **ORDINANCE** to amend Chapter 9 of the City of Memphis Code of Ordinances to include Nondiscrimination Based upon National Origin, Ethnicity, Age, and Disability, up for S E C O N D reading.

Collins

Ordinance No. 5470

ACTION REQUESTED: Adopt the ordinance on Second reading

7. **ORDINANCE** to amend Chapter 9-58 (Tire Business and Tire Hauler Registration) of the City of Memphis Code of Ordinances to add Vehicle Impoundment for Illegal Dumping, up for S E C O N D reading.

Hedgepeth

Ordinance No. 5471

ACTION REQUESTED: Adopt the ordinance on Second reading

ZONING ORDINANCES - FIRST READING (None)

ZONING ORDINANCES - SECOND READING (None)

ENGINEERING (None)

NOTATION FROM OPD

8. **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 12-311 – Calvary Rescue Mission P.D.

Located on the southeast side of South Third Street (U.S. Highway 61) and Lucerne Place, containing 3.32 acres in the Residential Urban (RU-3) and Commercial Mixed Use (CMU-1) Districts

Applicant: Calvary Rescue Mission
SR Consulting, LLC – Representative

Request: Planned development to allow a philanthropic institution for homeless men, including 108 beds, education and training center, dining hall and supportive services

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: September 18, 2012



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MLGW FISCAL CONSENT

9. RESOLUTION awarding Contract No. 11518, McCord Well 206 Steel Liner, to Layne Christensen Company, in the funded amount of \$53,800.00.
10. RESOLUTION approving Change No. 1 to Contract No. 11474, Generator Preventative Maintenance Agreement, with Cummins Mid-South, LLC, in the funded amount of \$61,569.03. (This change renews the contract for the first of four annual renewal terms, January 21, 2013 through January 20, 2014, with no increase in rates).
11. RESOLUTION awarding contract for stationary refrigerated automatic samplers to Western Tennessee Waterworks in the amount of \$69,223.00.
12. RESOLUTION approving payment of invoice from the Tennessee Department of Environment and Conservation for the annual facility maintenance fee for public water systems in the amount of \$124,017.95.
13. RESOLUTION awarding 12-month blanket contract to WESCO Distribution, Inc. for underground fittings in the amount of \$619,450.10.



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REGULAR AGENDA

14.
Collins

APPOINTMENTS

DIRECTOR OF FINANCE

Appointment

Brian Collins

MEMPHIS CITY BEAUTIFUL COMMISSION

Reappointments

Jake E. Allen, Jr.

Valesa S. J. Wells

MEMPHIS AND SHELBY COUNTY DOWNTOWN PARKING AUTHORITY

Joint Appointment

Donnell R. Cobbins, Jr.

GENERAL ORDINANCES – THIRD AND FINAL READING

15.
Strickland

ORDINANCE to amend Section 2-73 of the City Code of Ordinances to establish the City Attorney's Office as the City's Centralized Revenue Office for the Collection of delinquent city receivables, judgments, and related court costs, fees, fines and authorized civil penalties on behalf of the City of Memphis, up for T H I R D and F I N A L reading.

Ordinance No. 5466

ACTION REQUESTED: Take whatever action Council deems advisable

16.
Conrad

ORDINANCE to amend Title 11 – Vehicles and Traffic, Chapter 11-28, Section 11-28-3, of the Code of Ordinances (Right-Of-Way in Crosswalks), up for T H I R D and F I N A L reading.

Ordinance No. 5467

ACTION REQUESTED: Take whatever action Council deems advisable

17. **ORDINANCE** to amend Chapter 25 of the City of Memphis, Code of Ordinances, to increase the Pension Benefit of Certain Retirees over the age of Sixty-Five, with at least Twenty Five Years of Service, up for T H I R D and F I N A L reading.

Strickland

Ordinance No. 5468

ACTION REQUESTED: Take whatever action Council deems advisable

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION

18. RESOLUTION appropriating \$200,000.00 funded by G.O. Bonds General in CIP Project Number GA03005, Rail Facility Improvements for MATA, to fund the local share for the purchase of rail facility improvements in Fiscal Year 2013 as part of the Fiscal Year 2013 Capital Improvement Budget.

Hedgepeth

ACTION REQUESTED: Adopt the resolution

19. RESOLUTION appropriating \$2,314,602.00 funded by G.O. Bonds General in CIP Project Number GA03018, Preventive Maintenance for MATA, to fund costs for maintenance of capital assets in Fiscal Year 2013 as part of the Fiscal Year 2013 Capital Improvement Budget.

Hedgepeth

ACTION REQUESTED: Adopt the resolution

20. RESOLUTION appropriating \$45,000.00 funded by G.O. Bonds General in CIP Project Number GA03022, Advanced Public Transportation System for MATA, to fund the local share for advanced public transportation systems as part of the Fiscal Year 2013 Capital Improvement Budget.

Hedgepeth

ACTION REQUESTED: Adopt the resolution

21. RESOLUTION appropriating \$33,000.00 funded by G.O. Bonds General in CIP Project Number GA03001, Service Vehicles for MATA, to fund the local share for the purchase of service vehicles in Fiscal Year 2013 as part of the Fiscal Year 2013 Capital Improvement Budget.

Hedgepeth

ACTION REQUESTED: Adopt the resolution

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT

22. RESOLUTION to acknowledge and accept the donation of the Shelby County Government's interest in the Mid South Coliseum and the Liberty Bowl Memorial Stadium and to dissolve the Memphis and Shelby County Coliseum Board.

Brown

ACTION REQUESTED: Adopt the resolution

DIVISION OF HUMAN RESOURCES (None)

INFORMATION SERVICES (None)

LAW DIVISION (None)

MLGW DIVISION (None)

PARK SERVICES (None)

DIVISION OF POLICE SERVICES

23. RESOLUTION accepting grant funds in the amount of \$1,341,600.00 from the State of Tennessee for the In-Service Training Program for training of 2,236 commissioned officers. Resolution also amends the FY 2013 Operating Budget to establish and appropriate grant funds.

Conrad

ACTION REQUESTED: Adopt the resolution

DIVISION OF PUBLIC SERVICES

24. RESOLUTION amending the FY 2013 Operating Budget to restore funding in the amount of \$264,626.00 to the Second Chance Program.

Strickland

ACTION REQUESTED: Adopt the resolution

DIVISION OF PUBLIC WORKS

25. RESOLUTION approving a permanent easement agreement with Nucor Steel Memphis, Inc., as approved by the Board of Commissioners of the Memphis and Shelby County Port Commission on May 16, 2012.

Hedgepeth

Contract No. CR-5192

ACTION REQUESTED: Adopt the resolution

GENERAL ITEM (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT

ACTION TAKEN BY COUNCIL ON THIS DATE

1. Approved
2. Held until September 18, 2012
3. & 4 – Held until the 1st Meeting in January 2013
5. Dropped
6. Approved
7. Dropped
8. Public Hearing Set for September 18, 2012
9. Through 14 – Approved
15. Held until September 18, 2012
16. Through 23 – Approved, as amended
24. Approved, as amended
25. Approved

ACTION TAKEN BY COUNCIL ON THE MINUTES OF AUGUST 21, 2012 MEETING

Approved

ACTION TAKEN BY COUNCIL ON THE MINUTES OF ITEMS #14, #23 & #24 FROM TONIGHT'S MEETING

Approved