



CITY OF MEMPHIS

COUNCIL AGENDA

March 18, 2014

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

Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the Council Administrator of the Memphis City Council.

PLEDGE OF ALLEGIANCE

CALL OF ROLL by the Comptroller

APPROVAL OF PREVIOUS MEETING MINUTES (March 4, 2014)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATION AND RECOGNITION OF VISITORS (None)

PUBLIC HEARINGS (None)

DIVISION OF PLANNING AND DEVELOPMENT

1. RESOLUTION approving a planned development located on the southeast corner of B. F. Goodrich Boulevard and Pidgeon Roost Road, containing 4.50 acres in the Employment (EMP) District.

Collins

Case No. PD 14-301

Applicant: Spirit of '76 Fireworks, LLC

Colliers International – Representative

Request: Planned development to allow warehouse, distribution and wholesale of fireworks within an existing warehouse storage building

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

- 2. RESOLUTION approving a street/alley closure located at the southern terminus of S. Front Street between E. Georgia Avenue and W. Carolina Avenue, containing 0.466 acre in the Bluffview Residential (BR) Residential District.

Collins

Case No. SAC 14-601

Applicants: CityMark Construction & Development, LLC & South Junction Partners
SR Consulting, LLC – Representative

Request: Close and vacate public right-of-way

LUCB and OPD recommendation: APPROVAL, with five (5) conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

ZONING ORDINANCE – THIRD AND FINAL READING

- 3. ORDINANCE to delete a portion of Quince Road Residential Corridor, located on the north side of Quince Road @ Ridgeway Road, containing 3.58 acres in the Commercial Mixed Use (CMU-2) District, up for T H I R D and F I N A L reading.

Collins

Case No. RC 13-402

Ordinance No. 5546

Applicant(s): Balmoral Shopping Center, LLC

Request: Delete a portion of Quince Road Residential Corridor

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

78 NOTICES WERE MAILED ON MARCH 7, 2014



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CONSENT AGENDA

GENERAL ORDINANCE- FIRST READING (None)

GENERAL ORDINANCE - SECOND READING (None)

ZONING ORDINANCE - FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

ENGINEERING

4. RESOLUTION approving contract time extension for DAVENPORT P.D.
Case No. PD 04-371
(Contract No. CR-5063)

Resolution approves the extension of time from April 14, 2008 to April 14, 2017.
The project is located on the northeast corner of Tchulahoma Road and Holmes Road.

ACTION REQUESTED: Adopt the resolution

5. RESOLUTION accepting KROC CENTER P.D. and authorizing release of bond.
Case No. PD 07-306
(Contract No. CR-5157)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the east side of East Parkway South, 391 feet south of Central Avenue . The standard improvement contract was approved on May 11, 2010. Resolution also authorizes the release of the performance bond in the amount of \$88,900.00.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

6. RESOLUTION accepting TOURNAMENT CENTER P.D. (APARTMENTS), PHASE 2 and authorizing release of bond.

Case No. PD 09-305
(Contract No. CR-5180)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on Tournament Drive, west of Hacks Cross. The standard improvement contract was approved on May 1, 2012. Resolution also authorizes the release of the Cashier's Check in the amount of \$130,600.00.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

NOTATIONS FROM OPD

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

- A. Case No. PD 90-346 – Spottswood Village P.D.

Located on the south side of Spottswood Avenue at Buck Street, containing 1.9 acres in the Single Family Residential-6 (R-6) with a P.D. Overlay (P.D. 90-346)

Applicant: Shepherd Construction, Bubba Shepherd
SR Consulting (Cindy Reaves) – Representative

Request: Overturn the decision of the Land Use Control Board on
February 13, 2014

LUCB and OPD recommendation: APPROVAL, with conditions for the review
of the Site Plan

- B. Case No. PD 14-302 – Shelby Drive Office Park P.D.

Located at 1440 E. Shelby Drive; +/- 1000 feet east of Faronia Road, containing 0.09 acre in an area currently governed by the Shelby Drive Office Park P.D.

Applicant: Justin Ford, Sr.
Neeraj Kumar – Representative

Request: Funeral Services

LUCB and OPD recommendation: APPROVAL

C. Case No. SUP 13-230cc

Located on Raleigh LaGrange Road, 1,165 feet east of Monterey Road, containing 4.5 acres in the Conservation Agriculture (CA) District

Applicant: TV6 Signal Source Tower, LLC c/o Tower Ventures, LLC
Michael Fahy – Representative

Request: Proposal to construct a one hundred fifty foot (150') CMCS Tower

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: April 1, 2014

GENERAL ITEM

8. Conrad RESOLUTION approving an honorary street name change for Mr. and Mrs. A. L. Burns.

ACTION REQUESTED: Adopt the resolution



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MLGW FISCAL CONSENT

9. RESOLUTION awarding contracts for light duty vehicles to Country Ford, in the amount of \$125,640.00 and to AutoNation Ford Memphis, in the amount of \$561,723.00.
10. RESOLUTION awarding contract to AutoNation Ford Memphis for light duty CNG (compressed natural gas) vehicles, in the amount of \$784,279.00.
11. RESOLUTION approving payment of invoice from Tennessee One Call System, Inc., for the 2014 annual membership dues plus locate request tickets, in the amount of \$92,165.27.
12. RESOLUTION approving payment of invoice from Tennessee Regulatory Authority, for the TRA inspection fee for 2013, in the amount of \$78,000.00.
13. RESOLUTION approving payment of invoice from Tennessee Valley Public Power Association, for the 2014 annual membership dues, in the amount of \$51,021.89.
14. RESOLUTION approving Change No. 7 to Contract No. 11320, Local Dial Tone Services with Windstream Communications, in the funded amount of \$66,300.00. (This change is to extend the current contract term for the period covering April 1, 2014 to October 1, 2014 to solicit proposals and select a vendor. In the event a new vendor is selected, this extension will allow time for a transition period from the current provider to the new provider. The current term ends March 31, 2014.)
15. RESOLUTION approving the selection of the investment consultant for the benefit of the MLGW Retirement and Pension Fund in the amount of \$175,000 annually under contract #11599.



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REGULAR AGENDA

GENERAL ORDINANCE – THIRD AND FINAL READING

16. **ORDINANCE** to expand the class of contracts covered under the Prevailing Wage Ordinance, align the City of Memphis Prevailing Wage Ordinance with State Level Prevailing Wage requirements and amend Section 5-4-12(A) and 5-4-12(F-1) (Prevailing Wage), up for T H I R D and F I N A L reading. (Held from 1/7; 1/21)
- Halbert Ordinance No. 5543

ACTION REQUESTED: Take whatever action Council deems advisable

ENGINEERING DIVISION

17. RESOLUTION accepting and appropriating \$22,376.10 in local private funds for the purpose of funding a professional services contract to establish a “Railroad Quiet Zone” along Poplar Avenue.
- Strickland

ACTION REQUESTED: Adopt the resolution

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES (None)

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)

DIVISION OF PARK SERVICES (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS (None)

GENERAL ITEM

18. RESOLUTION supporting a proposed amendment to the Tennessee State Implementation Plan removing the requirement for conducting a Vehicle Emissions Testing Program in Shelby County.

Strickland

ACTION REQUESTED: Adopt the resolution

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT

ADD-ONS

19. RESOLUTION accepting grant funds in the amount of \$46,476.00 from the State of Tennessee Department of Labor and Workforce Development Division for WIA Title I Incentive Program.

Halbert

ACTION REQUESTED: Adopt the resolution

20. RESOLUTION accepting grant funds in the amount of \$60,550.00 from the State of Tennessee Department of Labor and Workforce Development Division for WIA Title I Rapid Response Program.

Halbert

ACTION REQUESTED: Adopt the resolution

ACTION TAKEN BY COUNCIL ON THIS DATE

1. Dropped
2. Through 6 - Approved
7. Public Hearing Set for April 1, 2014
8. Through 15 – Approved
16. Held until April 1, 2014
17. Through 20 – Approved

ACTION TAKEN BY COUNCIL ON THE MINUTES OF MARCH 4, 2014 MEETING

Approved

ACTION TAKEN BY COUNCIL ON THE MINUTES OF ITEMS #12, #17, #19 & #20 FROM TONIGHT'S MEETING

Approved