



CITY OF MEMPHIS

COUNCIL AGENDA

November 6, 2007

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 (October 16, 2007)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING

1. **JOINT ORDINANCE** of the Council of the City of Memphis and Board of the County Commissioners of Shelby, Tennessee enacted pursuant to the Community Redevelopment Act of 1998; providing for the creation of a Redevelopment Trust Fund pursuant to Section 21 of the Act; authorizing the proper officials of the City to do all things deemed necessary and advisable in connection with the creation of the Redevelopment Trust Fund; and providing an effective date, up for F I R S T reading.

Brittenum

Ordinance No. 5240

ACTION REQUESTED: Adopt the ordinance on First reading

GENERAL ORDINANCES - SECOND READING

2. **ORDINANCE** amending the Code of Ordinances of Memphis, Tennessee Chapter 20, Miscellaneous Offenses and Provisions to add Article VII – Graffiti Vandalism, up for S E C O N D reading.

Sammons

Ordinance No. 5238

ACTION REQUESTED: Adopt the ordinance on Second reading

3. **ORDINANCE** amending Chapter 33, Code of Ordinances, to adjust Volumetric Wastewater Fees, up for S E C O N D reading.

Sammons

Ordinance No. 5239

ACTION REQUESTED: Adopt the ordinance on Second reading

ZONING ORDINANCES - FIRST READING

4. **JOINT ORDINANCE** amending the Memphis and Shelby County Subdivision Regulations, adopted by the Shelby County Board of Commissioners and the City Council of the City of Memphis on December 19, 1983, being Ordinance and Resolution No. 3352, so as to make certain changes therein by revising the requirements for Location of Septic Tank Disposal Field Beds on Unsewered Lots, up for F I R S T reading.

Lowery

Ordinance No. 5241
Case No. STA 07-001cc

Applicant: Office of Planning & Development

Request: Subdivision Text Amendment as follows: Amend Sections 301.3: PRELIMINARY PLAN REQUIREMENTS and 505.3: ON SITE SYSTEMS to revise requirements for location of septic tank disposal field beds on unsewered lots

Recommendation: Adopt the ordinance on First reading

5. **ORDINANCE** amending the Zoning Text Amendment on Nonconforming Uses, up for F I R S T reading.

Lowery

Ordinance No. 5242
Case No. ZTA 07-002cc

Applicant: Office of Planning & Development

Request: Amend Section (B) (6) 16-116-2(F) to specify that cessation of use date to loss of license or permit for 365 consecutive days terminates a nonconforming use

LUCB and OPD recommendation: Adopt the ordinance on First reading

ZONING ORDINANCES - SECOND READING (None)

ENGINEERING (None)

6. **NOTATIONS FROM OPD**

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 07-329cc – The Village of Riveredge-II P.D.

Located on the southeast corner of Bazeberry Road and Forest Hill-Irene Road, containing 1.36 acres in the Agricultural (AG) District

Applicant: Boyle Investment Company
Fisher & Arnold, Inc. – Representative

Request: Planned development to allow four (4) single family homes with a minimum lot size of 4,000 square feet in area within the Outline Plan

LUCB and OPD recommendation: APPROVAL, with conditions

B. Case No. PD 07-330 – Getwell American Way P.D.

Located on the east side of Getwell Road; +257 feet south of American Way, containing 11.97 acres in the Highway Commercial (C-H) District

Applicant: Watson-Taylor Management, Inc.
ETI Corporation – Representative

Request: Mini-Storage warehouse facility with indoor/outdoor vehicle storage and an automobile rental/leasing office

LUCB and OPD recommendation: APPROVAL, with conditions

C. Case No. SUP 07-217

Located on the northwest side of Austin Peay Highway; 1,100 feet northeast of Lakehurst Drive, containing 8.92 acres in the Single Family Residential (RS-10) District

Applicant: Raleigh Assembly of God

Request: Group Shelter Use

LUCB and OPD recommendation: APPROVAL, with conditions

D. Case No. UV 07-07cc

Located on the south side of Highway 70; opposite Doe Hollow Drive intersection, containing 5.00 acres in the Agricultural (AG) District

Applicant: Richard Moser (d.b.a. Jacksonhouse Plumbing)

Request: Use variation for an office/workshop for plumbing contractor

LUCB recommendation: APPROVAL, with conditions

OPD recommendation: REJECTION

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: November 20, 2007



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MLGW FISCAL CONSENT

7. RESOLUTION awarding Contract No. 11186, MLGW Environmental Abatement Services, to General Construction Services in the funded amount of \$1,950,000.00
8. RESOLUTION awarding Contract No. 11213, Meter Data Management System, to Itron, Inc. in an estimated funded amount of \$475,653.30.
9. RESOLUTION approving Change No. 2 to Contract No. 11009, MLGW Utility Payment Centers, with CheckFree Corporation in an estimated funded amount of \$250,000.00. (This renews the contract for the second term, retroactive to October 3, 2007 through October 2, 2008.)
10. RESOLUTION approving Change No. 2 to Contract No. 11051, Roof Maintenance, with B Four Plieed, Inc. in an estimated funded amount of \$60,000.00. (This renews the contract for the second term, January 1, 2008 through December 31, 2008.)
11. RESOLUTION approving Change No. 1 to Contract No. 11112, Generator Preventative Maintenance Agreement, with Cummins Mid-South, LLC, in the funded amount of \$55,897.11. (This renews the contract for the first term, retroactive to October 1, 2007 through September 30, 2008.)
12. RESOLUTION awarding contract for three manhole shoring boxes to Trench Safety and Supply, Inc. in the amount of \$38,908.00.
13. RESOLUTION awarding 36-month contract for servers to Thomas Consultants, Inc. in the amount of \$1,834,107.29.
14. RESOLUTION awarding contract for mini excavator to Tiger Equipment, Inc. in the amount of \$80,993.00.
15. RESOLUTION awarding 12-month contract for luminaries to American Electric c/o Ruffin & Associates in the amount of \$1,081,292.85.
16. RESOLUTION approving payment to the Tennessee Valley Public Power Association in the amount of \$43,465.53 for 2005 membership dues.
17. RESOLUTION approving payment to the Tennessee Municipal Electric Power Association in the amount of \$25,023.34 for 2007-2008 membership dues.
18. RESOLUTION approving the employment of Charles E. Carpenter to provide legal services on an as-needed basis at agreed upon hourly rates.
19. RESOLUTION approving the employment of Crowell & Moring, LLP, to provide legal services on an as-needed basis at agreed upon hourly rates.
20. RESOLUTION approving the employment of Norman P. Hagemeyer to provide legal services on an as-needed basis at agreed upon hourly rates.
21. RESOLUTION awarding contract for hazardous materials/chemical outdoor storage buildings to New Pig Corporation in the amount of \$59,705.03.
22. RESOLUTION amending Purchase Order No. 124065 with Xerox covering 36-month rental of a Docucolor 6060 Copier System in the amount of \$70,004.11, for a total amount of \$468,539.97.

23. RESOLUTION approving contribution of up to \$250,000.00 per year for five years beginning in 2006 Budget to implement a Regional Groundwater Study of the Sparta Sands and Memphis Sands in Mississippi, Arkansas and Tennessee, approved by the MLGW Board at meeting held April 21, 2005.



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REGULAR AGENDA

24. **APPOINTMENTS**

Memphis Youth Guidance Commission

Appointments

James Q. Bacchus
Joseph Eberle, III
Robert Lemoyne Robinson
Mary Singer
Katherine Smythe Thinnis

Memphis and Shelby County Center City Commission

Appointment

Florence J. Raines

Memphis and Shelby County Community Redevelopment Agency

Appointment

Deborah Daniels

Memphis and Shelby County Industrial Development Board

Reappointment

Mary Singer

GENERAL ORDINANCES - THIRD AND FINAL READING

25. **ORDINANCE** amending Chapter 4, Article III, of the Code of Ordinances to update and amend regulations regarding the Sale of Beer for Off-Premise Consumption, up for T H I R D and F I N A L reading. (Held from 10/16)

Sammons

Ordinance No. 5223

26. **ORDINANCE** amending Chapter 21 of the Code of Ordinances so as to establish a standard for use of Biodiesel Fuels, up for T H I R D and F I N A L reading.

Brittenum

Ordinance No. 5224

ACTION REQUESTED: Take whatever action Council deems advisable

27. **ORDINANCE** amending Chapter 14 of the Memphis City Code of Ordinances to adopt the 2003 Edition of the International Fire Code and attached amendments as the Fire Code for the City of Memphis, up for T H I R D and F I N A L reading.

Lowery

Ordinance No. 5225

ACTION REQUESTED: Take whatever action Council deems advisable

28. **ORDINANCE** amending the Joint Existing Building Code of Memphis and Shelby County, as last adopted by the Shelby County Board of Commissioners in Joint Ordinance No. 295 on June 6, 2005 and by the Council of the City of Memphis in Ordinance No. 5124 on September 6, 2005, so as to make certain changes as hereinafter set out and establish an effective date therefore, up for T H I R D and F I N A L reading.
Lowery Ordinance No. 5226

ACTION REQUESTED: Take whatever action Council deems advisable

29. **ORDINANCE** amending the Joint Electric Code of Memphis and Shelby County, as last adopted by the Shelby County Board of Commissioners in Joint Ordinance No. 297 on June 6, 2005 and by the Council of the City of Memphis in Ordinance No. 5123 on September 6, 2005, so as to make certain changes as hereinafter set out and establish an effective date therefore, up for T H I R D and F I N A L reading.
Lowery Ordinance No. 5227

ACTION REQUESTED: Take whatever action Council deems advisable

30. **ORDINANCE** amending the Joint Mechanical Code of Memphis and Shelby County, as last adopted by the Shelby County Board of Commissioners in Joint Ordinance No. 299 on June 6, 2005 and by the Council of the City of Memphis in Ordinance No. 5121 on September 6, 2005, so as to make certain changes as hereinafter set out and establish an effective date therefore, up for T H I R D and F I N A L reading.
Lowery Ordinance No. 5228

ACTION REQUESTED: Take whatever action Council deems advisable

31. **ORDINANCE** amending the Joint Fuel Gas Code of Memphis and Shelby County, as last adopted by the Shelby County Board of Commissioners in Joint Ordinance No. 298 on June 6, 2005 and by the Council of the City of Memphis in Ordinance No. 5125 on September 6, 2005, so as to make certain changes as hereinafter set out and establish an effective date therefore, up for T H I R D and F I N A L reading.
Lowery Ordinance No. 5229

ACTION REQUESTED: Take whatever action Council deems advisable

32. **ORDINANCE** amending the Joint Plumbing Code of Memphis and Shelby County, as last adopted by the Shelby County Board of Commissioners in Joint Ordinance No. 300 on June 6, 2005 and by the Council of the City of Memphis in Ordinance No. 5120 on September 6, 2005, so as to make certain changes as hereinafter set out and establish an effective date therefore, up for T H I R D and F I N A L reading.
Lowery Ordinance No. 5230

ACTION REQUESTED: Take whatever action Council deems advisable

33. **ORDINANCE** amending the Joint Building Code of Memphis and Shelby County, as last adopted by the Shelby County Board of Commissioners in Joint Ordinance No. 296 on June 6, 2005 and by the Council of the City of Memphis in Ordinance No. 5122 on September 6, 2005, so as to make certain changes as hereinafter set out and establish an effective date therefore, up for T H I R D and F I N A L reading.
Lowery Ordinance No. 5231

ACTION REQUESTED: Take whatever action Council deems advisable

34. **ORDINANCE** amending the Charter of the City of Memphis, same being Chapter 11 of the Acts of 1879 as amended, pursuant to the provisions of Article 11, Section 9 of the Constitution of the State of Tennessee Home Rule Amendment so as to provide for the recall of a Memphis City Council Member and to submit the proposed Ordinance to the Qualified Voters of the City of Memphis at the First General State Election to be held November 4, 2008, up for T H I R D and F I N A L reading.
Taylor Ordinance No. 5232

ACTION REQUESTED: Take whatever action Council deems advisable

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION

- 35. INITIAL RESOLUTION to issue Sanitary Sewerage System Revenue Bonds, Series 2007, of the City of Memphis, Tennessee for the purpose of financing improvements, additions and extension to the City’s Sanitary Sewerage System.

Chumney

ACTION REQUESTED: Adopt the resolution

- 36. SERIES RESOLUTION authorizing the issuance of Sanitary Sewerage System Revenue Bonds, Series 2007, of the City of Memphis, Tennessee for the purpose of financing improvements, additions and extensions to the City’s Sanitary Sewerage System.

Chumney

ACTION REQUESTED: Adopt the resolution

DIVISION OF FIRE SERVICES

- 37. RESOLUTION appropriating \$192,500.00 in G.O. Bonds from the Fiscal Year 2008 CIP Budget to purchase Airmask System Units and Accessories for the Division of Fire Services.

Sammons

ACTION REQUESTED: Adopt the resolution

- 38. RESOLUTION appropriating \$192,500.00 in G.O. Bonds from the Fiscal Year 2008 CIP Budget to purchase Fire Fighting Turnouts/Fire Protective Ensemble for the Division of Fire Services.

Sammons

ACTION REQUESTED: Adopt the resolution

- 39. RESOLUTION appropriating \$299,759.00 in G.O. Bonds from the Fiscal Year 2008 CIP Budget to purchase “Lifeshirts” and Associated Equipment for the Division of Fire Services.

Sammons

ACTION REQUESTED: Adopt the resolution

DIVISION OF GENERAL SERVICES

- 40. RESOLUTION accepting an offer to purchase City-owned property identified as Parcel Numbers 079-061-00193 & 079-061-00196. Vacant property located in Memphis, Shelby County, Tennessee lying east of Elvis Presley Boulevard and south of Shelby Drive known as part of the Wooten Estate, originally acquired by the City under Instrument No. T3-0903 as a 75.45 acre tract, less and except 16.462 acres conveyed by the City to MLGW under Instrument No. DD-0615, the remainder to be conveyed by this agreement and being 58.98 acres, more or less, as more described in Exhibit “A” attached hereto and by this reference made part thereof. The amount of the offer is \$193,200.00. Per ordinance, the sale of the subject parcel is subject to the offer laying over for a future Council meeting for an increase of bid. Resolution approval on the second reading, after opening to the floor for an increase in the offer shall be deemed as approval of sale. Resolution also authorizes the Mayor to execute the necessary documents in connection with the sale.

1st Reading
Sammons

Director of General Services recommends approval

ACTION REQUESTED: Adopt the resolution

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES (None)

LAW DIVISION (None)

MLGW DIVISION (None)

DIVISION OF PARK SERVICES

41. RESOLUTION approving exceptions for events outside of established park hours.
McCormick

ACTION REQUESTED: Adopt the resolution

42. RESOLUTION requesting the State Building Commission grant the National Civil Rights Museum an additional 90 day extension of the current lease in order for the City of Memphis Parks Division to study and report on, including the National Civil Rights Museum in the City of Memphis Museum System and the necessary steps for the National Civil Rights Museum to obtain National Park designation.

Brittenum

ACTION REQUESTED: Adopt the resolution

DIVISION OF POLICE SERVICES

43. RESOLUTION accepting grant funds in the amount of \$992,515.64 from the State of Tennessee Department of Transportation Governor's Highway Safety Office for the FY08 Alcohol Saturation Patrols/Roadside Sobriety Checkpoints Grant Program to conduct saturation patrols and checkpoints prioritized around Memphis' top ten crash sites and report enforcement activities related to saturation patrols and checkpoints. Resolution also amends FY 2008 Operating Budget to establish and appropriate grant funds.

Sammons

ACTION REQUESTED: Adopt the resolution

44. RESOLUTION accepting grant funds in the amount of \$196,816.55 from the State of Tennessee Department of Transportation Governor's Highway Safety Office for the FY08 Multiple Violations Grant Program to conduct high-visibility multiple violations enforcement patrols targeting high crash sites; high volume traffic time frames; and peak impaired driving hours based on Shelby County DUI statistics. Resolution also amends FY 2008 Operating Budget to establish and appropriate grant funds.

Sammons

ACTION REQUESTED: Adopt the resolution

45. RESOLUTION accepting grant funds in the amount of \$108,290.16 from the State of Tennessee Department of Transportation Governor's Highway Safety Office for the FY08 Comprehensive Alcohol Risk Reduction (C.A.R.D.) Grant Program to execute enhanced enforcement activities conducted in conjunction with select holidays and national campaigns. Resolution also amends FY 2008 Operating Budget to establish and appropriate grant funds.

Sammons

ACTION REQUESTED: Adopt the resolution

46. RESOLUTION accepting grant funds in the amount of \$149,535.00 from the Department of Justice Office of Justice Programs for the 2007 Gang Resistance Education and Training (G.R.E.A.T.) Grant to implement Gang Resistance Education and Training within the Memphis City Schools. Resolution also amends FY 2008 Operating Budget to establish and appropriate grant funds.

Sammons

ACTION REQUESTED: Adopt the resolution

- 47. RESOLUTION accepting grant funds in the amount of \$14,999.92 from the State of Tennessee Department of Transportation Governor’s Highway Safety Office for the FY08 Network Coordinator Grant Program to strengthen state safety initiatives on the local level and to achieve community support for the initiatives through 16 law enforcement network organizations across the state. Resolution also amends FY 2008 Operating Budget to establish and appropriate grant funds.

Sammons

ACTION REQUESTED: Adopt the resolution

- 48. RESOLUTION appropriating \$150,000.00 funded by G.O. Bonds General from Architecture and Engineering in the Hickory Hill Precinct in CIP #PD02002 to Contract Construction in the Police Real Time Crime Center, CIP #PD04017 for Improvements to the space designated for the Police Real Time Center.

Sammons

ACTION REQUESTED: Adopt the resolution

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS

- 49. RESOLUTION appropriating \$974,237.00 funded by Sewer Funds for Highland/Getwell PM & FM, Project Number SW02070 for a construction contract with Nelson, Inc.

Sammons

Director of Public Works recommends approval

ACTION REQUESTED: Adopt the resolution

- 50. RESOLUTION adjusting Additional Treatment Charge for City of Memphis Sewer Fees.

Sammons

Director of Public Works recommends approval

ACTION REQUESTED: Adopt the resolution

ZONING ORDINANCES -THIRD AND FINAL READING

- 51. **ORDINANCE** rezoning the northeast corner of N. Second Street & Keel Avenue; South side of Chelsea Avenue; +/-91.221 feet east of N. Second Street; Southwest corner of N. Third Street & Chelsea Avenue and the East side of N. Third Street; +/-73.39 feet south of Chelsea Avenue, containing 0.859 acre (37,418 sq. ft.) in the Mixed Use (MU) & Neighborhood Center (NC) Overlay Districts, up for T H I R D and F I N A L reading.

Lowery

Ordinance No. 5233
Case No. Z 07-112

Applicant: MLB-Uptown, LLC
SR Consulting, LLC – Representative

Request: High Density Residential (HDR) District

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

74 NOTICES MAILED ON OCTOBER 26, 2007

- 52. **ORDINANCE** rezoning the southeast corner of N. Fourth Street & Chelsea Avenue, including the Southwest corner of N. Fifth Street and Chelsea Avenue, containing 0.635 acre (27,660 sq. ft.), in the Neighborhood Center (NC) Overlay District, up for T H I R D and F I N A L reading.

Lowery

Ordinance No. 5234
Case No. Z 07-113

Applicant: MLB-Uptown, LLC
SR Consulting, LLC – Representative

Request: Moderate-Density Residential (MDR) District

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

84 NOTICES MAILED ON OCTOBER 26, 2007

53. **ORDINANCE** rezoning the east side of Sycamore View Road; +/-50 feet north of Resources Drive, containing 1.52 acres in the Single Family Residential (R-S8) District, up for T H I R D and F I N A L reading.

Lowery

Ordinance No. 5235
Case No. Z 07-111

Applicant: Kenneth D. Hunt
Fisher & Arnold, Inc. – Representative

Request: Planned Commercial (C-P) District, including retail sales, installation and service of mobile communications and security equipment

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

38 NOTICES MAILED ON OCTOBER 26, 2007

54. **ORDINANCE** amending the Memphis and Shelby County Zoning Map to reflect changes in the Flood Plain (FP) Overlay and Floodway (FW) Districts as required by changes in the flood maps issued by FEMA effective September 28, 2007, up for T H I R D and F I N A L reading.

Lowery

Ordinance No. 5236
Case No. Z 07-116cc

Applicant: Memphis & Shelby County Office of Planning & Development
Mary L. Baker – Representative

Request: Amend various sections of the Memphis & Shelby County Zoning Ordinance incorporating by reference the Federal Insurance Rate Maps dated September 28, 2007

OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

NO NOTICES WERE REQUIRED

55. **ORDINANCE** amending Section 26 of the Memphis and Shelby County Zoning Ordinance “Overlay District Regulations, Flood Plain (FP) District” to reflect changes in the text as requested by FEMA through the National Flood Insurance Program State Coordination, up for T H I R D and F I N A L reading.

Lowery

Ordinance No. 5237
Case No. ZTA 07-001cc

Applicant: Memphis & Shelby County Office of Planning & Development
Mary L. Baker – Representative

Request: Amend various sections of the Memphis & Shelby County Zoning Ordinance adding the model FEMA floodplain management measures

OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

NO NOTICES WERE REQUIRED

DIVISION OF PLANNING & DEVELOPMENT (None)

PUBLIC HEARINGS

56. RESOLUTION approving a street/alley closure located between Virginia Avenue and CSX Railroad, containing 21, 600 square feet and 60' X 360' Length X Width of R.O.W., in the South Main (SM) District.

Lowery

Case No. SAC 07-611

Applicant: Patrick Lawrence
Chris Thornton – Representative

Request: Close & Vacate Alley Street Right-Of-Way

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

19 NOTICES MAILED ON OCTOBER 26, 2007

57. RESOLUTION approving a street/alley closure between Holmes Street and Highland Street containing 2.2 acres in the Duplex Residential (R-D) District.

Lowery

Case No. SAC 07-612

Applicant: Chickasaw Country Club
Homer Branan – Representative

Request: Close and Vacate Street Right-of-Way

LUCB and OPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

35 NOTICES MAILED ON OCTOBER 26, 2007

58. RESOLUTION approving a special use permit located on the south side of Monroe Avenue; +/-362 feet west of Willett Street, containing 0.15 acre (6,835 sq. ft.), in the Multiple Family Residential (R-MH) District.

Lowery

Case No. SUP 07-210

Applicants: John & Juanita Gheens

Request: Special use permit to allow a single office in a residential structure

OPD recommendation: APPROVAL, with conditions

LUCB recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

52 NOTICES MAILED ON OCTOBER 26, 2006

59. JOINT RESOLUTION of the City of Memphis, Tennessee and the County of Shelby, amending the Memphis and Shelby County Community Redevelopment Agency (CRA) Strategic Plan/CRA Workable Program.

Brittenum

ACTION REQUESTED: Take whatever action Council deems advisable

60. JOINT RESOLUTION of the City of Memphis, Tennessee and the County of Shelby, finding of conditions necessary for Community Redevelopment for The University Neighborhood Development Corporation (UNDC)/Highland ROW Area.

Brittenum

ACTION REQUESTED: Take whatever action Council deems advisable

61. JOINT RESOLUTION of the City of Memphis, Tennessee and the County of Shelby, adopting a Community Redevelopment Plan for the University Neighborhood Development Corporation (UNDC)/Highland ROW Area.

Brittenum

ACTION REQUESTED: Take whatever action Council deems advisable

PRESENTATIONS AND RECOGNITION OF VISITORS (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT

ADD-ONS

6. NOTATIONS FROM OPD

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

Consent

E. Case No. PD 07-326

Located on the north side of Park Avenue; +1,276 feet east of Estate Drive, containing 3.73 acres in the Single Family Residential (R-S10) District

Applicant: Makowsky, Ringel, Greenberg, LLC
Ronald Harkavy – Representative

Request: A maximum of 202 residential apartments in a 4-story building with attached parking

LUCB and OPD recommendation: REJECTION

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: November 20, 2007

62. RESOLUTION accepting GALLERIA OF MEMPHIS P.D., PHASE 6 and authorizing release of bond.

Consent

Case No. PD 04-312
(Contract No. CR-4908)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the northwest corner of Bellevue Parkway and Germantown Parkway. The standard improvement contract was approved on November 23, 2004. Resolution also authorizes the release of the performance bond in the amount of \$849,000.00.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

63. RESOLUTION accepting GARDENS OF GRAYS HOLLOW and authorizing release of bond.

Consent

Case No. PD 04-325cc
(Contract No. CR-4960)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the south side of Walnut Grove Road at Grays Creek. The standard improvement contract was approved on July 5, 2005. Resolution also authorizes the release of the letter of credit in the amount of \$144,000.00. This action is subject to County approval.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

64. RESOLUTION approving final plat of RIDGEWAY TRACE P.D.

Consent

Case No. PD 90-312

ADD-ONS

Resolution approves the final plat located west of Ridgeway Road, between Poplar Avenue and Park Avenue. Cost of the required improvements to be borne by the developer.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

- 65. RESOLUTION approving final plat of THOMAS COUNTRY P.D., PHASE 1, AREA B.
Consent Case No. PD 06-348
Contract No. CR-5098

Resolution approves the final plat located on Houston Levee at Pisgah 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.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

- 66. ORDINANCE to establish Meeting Dates for City Council Meetings in 2008, up for F I R S T reading.
Consent Ordinance No. 5243

ACTION REQUESTED: Adopt the ordinance on First reading

- 67. RESOLUTION accepting GARDENS OF GRAYS HOLLOW SEWER EXTENSION and authorizing release of bond.
Consent (Contract No. CR-5018)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the south side of Walnut Grove Road at Grays Creek. The standard improvement contract was approved on July 11, 2006. Resolution also authorizes the release of the letter of credit in the amount of \$400,000.00.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

- 68. RESOLUTION approving final plat of EPPY WHITE SUBDIVISION.
Consent Case No. S 07-003

Resolution approves the final plat located on the northside of Poplar Avenue, west of Mendenhall. Cost of the required improvements to be borne by the developer.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

- 69. RESOLUTION approving final plat of APPLING FARMS BUSINESS PARK P.D., PHASE 2A STREET IMPROVEMENTS.
Consent Case No. PD 04-385
Contract No. CR-5099

Resolution approves the final plat located north of I-40 between Appling Road and Charles Bryan Road.

ADD-ONS

Cost of the required improvements to be borne by the developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

- 70. RESOLUTION renaming Poplar Avenue from LaFayette to Holmes Road in honor of Charlie McVean.

Consent

ACTION REQUESTED: Adopt the resolution

- 71. RESOLUTION approving final plat of BELWIN CENTER C-P, PHASE 8.

Consent

Case No. Z 95-143
Contract No. CR-5100

Resolution approves the final plat located on the north side of Winchester Road, east of Elvis Presley Boulevard. Cost of the required improvements to be borne by the developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

- 72. RESOLUTION accepting NEW WARFORD P.D., PHASE 1 and authorizing release of bond.

Consent

Case No. PD 00-370
(Contract No. CR-4898)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the southwest corner of Cypress Road and New Warford Road. The standard improvement contract was approved on October 19, 2004. Resolution also authorizes the release of the letter of credit in the amount of \$168,000.00.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

- 73. RESOLUTION commending Dr. Benjamin L. Hooks on being named a recipient of the Presidential Medals of Freedom Award, the nation's highest civil honor.

Consent

ACTION REQUESTED: Adopt the resolution

- 74. **ORDINANCE** providing for the creation of the Division of Community Enhancement for the purpose of addressing blight within the City of Memphis, up for F I R S T reading.

Consent

Ordinance No. 5244

ACTION REQUESTED: Adopt the ordinance on First reading

- 75. APPOINTMENT

Taylor

Memphis, Light, Gas & Water Division – President

Jerry Collins

ADD-ONS

76. RESOLUTION approving MLGW to award \$90,373.38 for claims settlement contracts.
Marshall

ACTION REQUESTED: Adopt the resolution

ACTION TAKEN BY COUNCIL ON THIS DATE

1. Through 4 – Approved
5. Held for further discussion
6. A – D – Public Hearing Set for November 20, 2007
6. E – Public Hearing Set for December 18, 2007
7. Approved
8. Sent Back to Committee on November 20, 2007
9. Through 25 – Approved
26. Approved, as amended
27. Through 39 – Approved
40. Approved, on First reading
41. Approved
42. Dropped
43. Through 52 – Approved
53. Approved, as amended
54. Through 56 – Approved
57. Approved, as amended
58. Failed
59. Through 61 – Approved, as amended
62. Through 76 – Approved

ACTION TAKEN ON THE MINUTES OF OCTOBER 16, 2007 MEETING

Approved

ACTION TAKEN ON THE MINUTES OF ITEM #27, FROM NOVEMBER 6, 2007 MEETING

Approved