

MINUTES

REGULAR MEETING OF THE CITY COUNCIL

CITY OF MEMPHIS

December 2, 2014

3:30 P.M. SCHEDULED SESSION

3:30 P.M. MEETING COMMENCED

ROLL CALL: William Boyd, Joe Brown, Harold Collins, Kemp Conrad, Shea Flinn, Edmund Ford, Jr., Janis Fullilove, Wanda Halbert, Lee Harris, Reid Hedgepeth, Myron Lowery, Bill Morrison and Chairman Jim Strickland.

**THE MEETING WAS CALLED TO ORDER
BY SERGEANT-AT-ARMS**

INVOCATION

The meeting was opened with prayer by Pastor Andy Rambo from First United Methodist Church. Councilman Lowery presented Pastor Rambo with a certificate naming him Chaplain of the day.

These minutes record the agenda items and the action taken by the Council on such items. The full text of the original of the ordinances, resolutions and supporting documents, including an audio recording of Council’s deliberations are filed and maintained in the office of Council Records/Records Management, Room 2B-08. The original ordinances and/or resolutions adopted by the Council shall control in the event of any conflict between the description in these minutes and the original documents, ordinances and/or resolutions.

- 2. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED AT 4127 SUMMER AVENUE (SOUTHWEST CORNER OF SUMMER AVENUE AND VAUGHN ROAD), CONTAINING 0.28 ACRE IN THE RESIDENTIAL SINGLE FAMILY (R-6) DISTRICT.**
Case No. SUP 14-232
(Companion Case Z 14-104)

Held until December 16, 2014

- 5. **ORDINANCE REZONING THE SOUTHWEST CORNER OF SUMMER AVENUE AND VAUGHN ROAD, CONTAINING 0.28 ACRE IN THE RESIDENTIAL SINGLE FAMILY (R-6) DISTRICT, UP FOR T H I R D AND F I N A L READING.**
Case No. Z 14-104
Ordinance No. 5575

(Companion Case SUP 14-232)

Held until December 16, 2014

40. **ORDINANCE TO AMEND ARTICLE 5, SECTION 4-28-22, DEFERRED RETIREMENT OPTION PLAN (DROP), UP FOR T H I R D AND F I N A L READING.** (Held from 6/17; 10/7; 10/21)

Ordinance No. 5549

Held until February 17, 2015

41. **JOINT ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF MEMPHIS AND THE BOARD OF COMMISSIONERS FOR SHELBY COUNTY TENNESSEE AMENDING THE 2012 MEMPHIS AND SHELBY COUNTY RESIDENTIAL CODE, AS ADOPTED BY REFERENCE IN THE 2012 MEMPHIS AND SHELBY COUNTY BUILDING CODE AND AS LOCALLY AMENDED, RELATING TO SEISMIC DESIGN AND CONSTRUCTION ELEMENTS OF ONE AND TWO FAMILY DWELLINGS, UP FOR T H I R D AND F I N A L READING.** (Held from 11/04)

Ordinance No. 5570

DROPPED

44. **ORDINANCE TO REQUIRE APPROVAL FOR MLG&W CONTRACTS WITH OTHER MUNICIPALITIES, PARTICULARLY CONTRACTS INVOLVING COLLECTION OF VARIOUS MUNICIPAL CHARGES, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5574

Held until December 16, 2014

Chairman Strickland asked if there was any objection to adding on Item #58, (Consent Agenda) PD 14-314 setting a date of public hearing for December 16, 2014. There was no objection. See Item #58 under the Consent Agenda.

1. **RESOLUTION THANKING FIRE DIRECTOR ALVIN BENSON, FOR HIS SERVICE TO THE COMMUNITY AS HE RETIRES FROM CITY OF MEMPHIS GOVERNMENT.**

MOTION: Halbert

SECOND: Morrison

APPROVED, by unanimous voice vote

52. **APPOINTMENT**

DIRECTOR OF FIRE SERVICES

Appointment

Michael P. Putt

Councilman Flinn requested same night minutes for this item. Chairman Strickland asked if there was any objection to having same night minutes. There was no objection.

MOTION: Flinn

SECOND: Morrison

AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland

APPROVED

- 3. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE NORTHEAST CORNER OF RALEIGH LAGRANGE ROAD AND APPLING ROAD, CONTAINING 2.10 ACRES IN THE PD DISTRICT.**

Case No. PD 14-316cc

Applicant: TV6-W, LLC
Lou Katzerman – Representative

Request: 170’ CMCS Tower

LUCB and OPD recommendation: APPROVAL, with conditions

No Opposition at LUCB; No Public Hearing Required

MOTION: Collins

SECOND: Fullilove

AYES: Boyd, Brown, Collins, Ford, Fullilove, Halbert, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland
Flinn recused
Conrad did not cast a vote

APPROVED

- 4. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED AT 8790 WALNUT GROVE ROAD, CONTAINING 1.62 ACRES IN THE CONSERVATION AGRICULTURE (CA) DISTRICT.**

Case No. PD 14-319

Applicant: First Tennessee Bank National Association
Forrest Owens – ETI Corporation – Representative

Request: To amend the uses in the Walnut Grove/Sanga Planned Development

(PD 97-346) to allow for additional office uses

LUCB and OPD recommendation: APPROVAL, with conditions

No Opposition at LUCB; No Public Hearing Required

MOTION: Collins
SECOND: Morrison
AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth,
Lowery, Morrison and Chairman Strickland
Conrad did not cast a vote

APPROVED

MINUTES

Approval of the Minutes of the regular meeting of November 18, 2014 with the following motion:

MOTION: Flinn – Reconsider Item #33 from the Minutes of November 18, 2014
SECOND: Hedgepeth

Chairman Strickland asked if there was any objection to pulling this item off the minutes. There was no objection.

MAIN MOTION: Ford
SECOND: Boyd
AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth,
Lowery, Morrison and Chairman Strickland
Conrad did not cast a vote

APPROVED, as amended. Item #33 was pulled from the Minutes

Chairman Strickland recognized the following persons who spoke from the audience:

Chuck Thomas, (no address) Primacy Parkway, Memphis, TN 38109
Regina Whitley, 1468 Vance St., Memphis, TN 38104

Councilman Flinn requested same night minutes for this item. Chairman Strickland asked if there was any objection to having same night minutes. There was no objection.

MOTION: Flinn – Move Item #33 (Ordinance No. 5551) to incorporate changes
SECOND: Hedgepeth
AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery,
Morrison and Chairman Strickland
NAYS: Harris
Conrad did not cast a vote

APPROVED, set up as Special Item #1

CONSENT AGENDA – Items 6-9, 56 & 58 may be acted upon by one motion: SEE PAGE 3156 FOR ROLL CALL

6. **ORDINANCE TO AMEND CHAPTER 21 – MOTOR VEHICLES AND TRAFFIC, ARTICLE III, OPERATION OF MOTOR VEHICLES GENERALLY, TO ADD A NEW SECTION ESTABLISHING DRIVING RULES IN THE PRESENCE OF SOLID WASTE COLLECTION VEHICLES, UP FOR S E C O N D READING.**

Ordinance No. 5576

APPROVED, on Second reading

7. **JOINT ORDINANCE AMENDING THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE AS ADOPTED BY THE CITY OF MEMPHIS ON AUGUST 10, 2010 AND BY SHELBY COUNTY ON AUGUST 9, 2010, AS AMENDED, TO REVISE AND ENHANCE THE JOINT ZONING AND SUBDIVISION REGULATIONS AS RECOMMENDED BY THE MEMPHIS AND SHELBY COUNTY OFFICE OF PLANNING AND DEVELOPMENT AND THE LAND USE CONTROL BOARD, UP FOR S E C O N D READING.**

Case No. ZTA 14-001

Ordinance No. 5577

APPROVED, on Second reading

8. **RESOLUTION APPROVING FINAL PLAT OF WINCHESTER HACKS CROSS ROAD DEVELOPMENT, PHASE 40.**

Case No. PD 06-342cc

Resolution approves the final plat located south of Winchester road on the eastside of Centennial Drive. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

APPROVED

9. **RESOLUTION APPROVING FINAL PLAT OF ENTERPRISE RENTAL CENTER (1885 BROOKS ROAD).**

Contract No. CR-5219

Resolution approves the final plat located on the southeast corner of Brooks Road and Cazassa 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.

APPROVED

56. **ORDINANCE AMENDING THE TAXI ORDINANCE, UP FOR F I R S T READING.**
Ordinance No. 5078

APPROVED, on First reading

58. **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 14-318 – Kirby Gate West P.D.

Public Hearing Set for December 16, 2014

ROLL CALL CONSENT ITEMS

MOTION: Ford
SECOND: Morrison
AYES: Boyd, Brown, Collins, Ford, Fullilove, Halbert, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland
Conrad and Flinn did not cast a vote

APPROVED

MLGW FISCAL CONSENT – Items 10-39 may be acted upon by one motion:

10. **RESOLUTION AWARDED THIRTY-SIX MONTH CONTRACTS TO LEHMAN-ROBERTS IN THE AMOUNT OF \$194,497.00, STANDARD CONSTRUCTION COMPANY IN THE AMOUNT OF \$475,405.00, AND APAC-TENNESSEE IN THE AMOUNT OF \$388,620.00, FOR THE PURCHASE OF ASPHALT.**

APPROVED

11. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11491, SYSTEM FURNITURE, WITH STAPLES, IN THE FUNDED AMOUNT OF \$264,450.00. (THIS CHANGE RENEWS THE CURRENT CONTRACT FOR THE SECOND OF FOUR RENEWAL TERMS COVERING THE PERIOD JANUARY 23, 2015 TO JANUARY 22, 2016 WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR IN THE FUNDED AMOUNT OF \$264,450.00.)**

APPROVED

12. **RESOLUTION APPROVING CHANGE NO. 12 TO CONTRACT NO. 10765, PRIVATE LABEL SERVICE AGREEMENT, WITH ACLARA TECHNOLOGIES, LLC, IN THE FUNDED AMOUNT OF \$2,297,780.00. (THIS CHANGE IS TO EXPAND THE SCOPE OF SERVICES AND EXTEND THE CURRENT CONTRACT, WHICH ENDS DECEMBER 31, 2014, TO AN ADDITIONAL FIVE YEAR TERM COVERING THE PERIOD JANUARY 1, 2015 THROUGH DECEMBER 31, 2019, WITH THE OPTION OF TWO ADDITIONAL ONE YEAR RENEWALS. THIS CHANGE REFLECTS A 3% INCREASE ALLOWING MLGW CUSTOMERS WITH ENHANCED INFORMATION ON UTILITY USE, COST AND SAVINGS OPTIONS THROUGH MLGW'S MY ACCOUNT AS WELL AS ACCESS TO CUSTOMER SERVICE CHANNELS.)**

APPROVED

13. **RESOLUTION AWARDING A TWENTY-FOUR MONTH CONTRACT TO BORDER STATES, FOR INSTRUMENT TRANSFORMERS, IN THE AMOUNT OF \$143,902.06.**

APPROVED

14. **RESOLUTION APPROVING CHANGE NO. 12 TO CONTRACT NO. 10562, PBX/ACD SYSTEM, WITH BLACK BOX NETWORK SERVICES, IN THE FUNDED AMOUNT OF \$153,518.00. (THIS CHANGE IS TO PRODUCE CUSTOM FEATURES AND TOOLS FOR THE EXISTING OPENScape CONTACT CENTER V8.0 APPLICATION. THIS CHANGE IS ALSO TO INCREASE THE NUMBER OF LICENSES OF EXISTING PRODUCTS TO COVER SUPERVISORS IN OTHER CUSTOMER CARE DEPARTMENTS; TO SETUP PERSONAL AUTOMATIC GREETINGS TO PRECLUDE AGENTS FROM SPEAKING SAME GREETING MULTIPLE TIMES A DAY; TO ALLOW MANAGEMENT TO EXTRACT AND READ CHAT DIALOGUES WHEN A DISPUTE IS RAISED BY A CUSTOMER; AND TO PROVIDE AN ALERT NOTIFICATION WHEN A CUSTOMER'S CHAT OR E-MAIL ARRIVES TO MIRROR VOICE NOTIFICATION CAPABILITIES.)**

APPROVED

15. **RESOLUTION REQUESTING APPROVAL TO EXERCISE AN OPTION TO RENEW PURCHASE ORDER NUMBER 146925 WITH ELSTER AMERICAN METER COMPANY LLC IN THE AMOUNT OF \$937,112.25, AND PURCHASE ORDER NUMBER 146927 WITH ROMET INTERNATIONAL LIMITED IN THE AMOUNT OF \$686,321.00, FOR THE FINAL TWELVE MONTH PERIOD FOR GAS METERS.**

APPROVED

16. **RESOLUTION AWARDING TWENTY-FOUR MONTH CONTRACTS TO MILBANK MANUFACTURING IN THE AMOUNT OF \$210,866.27 AND THE DURHAM COMPANY IN THE AMOUNT OF \$437,880.73, FOR ELECTRIC METER SOCKETS AND PEDESTALS.**

APPROVED

17. **RESOLUTION AWARDING TWENTY-FOUR MONTH CONTRACTS TO WESCO DISTRIBUTION IN THE AMOUNT OF \$236,060.00, LANDIS & GYR, INC. IN THE AMOUNT OF \$30,000.00, AND BORDER STATES IN THE AMOUNT OF \$706,176.00, FOR ELECTRIC METERS.**

APPROVED

18. **RESOLUTION APPROVING A SINGLE SOURCE AWARD FOR CONTRACT NO. 11759, CHOCTAW CNG COMPRESSOR REBUILD, TO VARITECH, INCORPORATED, IN THE FUNDED AMOUNT OF \$92,867.78.**

APPROVED

19. **RESOLUTION AWARDING CONTRACT NO. 11727, 2015 EXTERNAL CORROSION DIRECT ASSESSMENT (ECDA) INSPECTION/SURVEY FOR MLGW'S NATURAL GAS PIPELINE, TO SOUTHERN CROSS PIPELINE INTEGRITY SERVICES, LLC, IN THE FUNDED AMOUNT OF \$189,700.00.**

APPROVED

20. **RESOLUTION AWARDING THE PURCHASE OF A PORTABLE STEEL TRUCK SCALE, TO G. T. MICHELLI COMPANY, INC., IN THE AMOUNT OF \$43,375.00.**

APPROVED

21. **RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 11413, SURVEYING SERVICES, WITH BENCHMARK-OLLAR SURVEYING, IN THE FUNDED AMOUNT OF \$144,381.00. (THIS IS THE FOURTH AND FINAL RENEWAL TERM COVERING THE PERIOD OF JANUARY 19, 2015 THROUGH JANUARY 18, 2016. THIS RENEWAL REFLECTS A 3% INCREASE IN RATES FROM THE PREVIOUS YEAR DUE TO AN INCREASE IN OPERATING COSTS.)**

APPROVED

22. **RESOLUTION AWARDING A TWELVE MONTH CONTRACT TO BRIGHTER DAYS AND NITES, INC., FOR 600V CLASS POWER CABLE IN-DUCT, IN THE AMOUNT OF \$116,848.00.**

APPROVED

23. **RESOLUTION AWARDING A TWENTY-FOUR MONTH CONTRACT TO UNIVERSAL SCAFFOLD & EQUIPMENT LLC, FOR METER PEDESTALS, IN THE AMOUNT OF \$415,713.24.**

APPROVED

24. **RESOLUTION AWARDING A TWENTY-FOUR MONTH CONTRACT TO UNIVERSAL SCAFFOLDING AND EQUIPMENT, LLC, FOR CABLE, IN THE AMOUNT OF \$954,318.00.**

APPROVED

25. **RESOLUTION AWARDING A TWELVE MONTH CONTRACT TO BRIGHTER DAYS AND NITES, INC., FOR 500 KCMIL WIRE, IN THE AMOUNT OF \$261,491.00.**

APPROVED

26. **RESOLUTION APPROVING CHANGE NO. 7 TO CONTRACT NO. 11279, THIRD PARTY ADMINISTRATOR FOR WORKERS' COMPENSATION, WITH BRENTWOOD SERVICES ADMINISTRATORS, INCORPORATED, IN THE FUNDED AMOUNT OF \$30,000.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE SIXTH AND FINAL RENEWAL TERM FOR THE PERIOD COVERING JANUARY 1, 2015 THROUGH DECEMBER 31, 2015 WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR.**

APPROVED

27. **RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 11465, CONTRACT SECURITY SERVICES, WITH CDA, INCORPORATED, IN THE FUNDED AMOUNT OF \$2,944,716.72. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FOURTH AND FINAL RENEWAL TERM COVERING THE PERIOD JANUARY 1, 2015 TO DECEMBER 31, 2015, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR.)**

APPROVED

28. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11499, TEMPORARY SERVICE FOR GENERAL LABOR, WITH PRIDESTAFF, IN THE FUNDED AMOUNT OF \$860,206.60. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE THIRD OF FOUR RENEWAL TERMS COVERING THE PERIOD JANUARY 4, 2015 THROUGH JANUARY 3, 2016 IN THE FUNDED AMOUNT OF \$807,541.00 WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR. IN ADDITION, MLGW IS REQUESTING THE APPROVAL OF CONTINGENCY FUNDS IN THE AMOUNT OF \$52,665.60 FOR UNEXPECTED VACANCIES FOR A TOTAL FUNDED AMOUNT OF \$860,206.60.)**

APPROVED

29. **RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 11500, TEMPORARY SERVICE FOR CLERICAL SUPPORT, WITH KELLY SERVICES, IN THE FUNDED AMOUNT OF \$574,087.40. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE THIRD OF FOUR RENEWAL TERMS COVERING THE PERIOD JANUARY 4, 2015 THROUGH JANUARY 3, 2016 IN THE FUNDED AMOUNT OF \$471,689.00, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR. IN ADDITION, MLGW IS REQUESTING THE APPROVAL OF CONTINGENCY FUNDS IN THE AMOUNT OF \$102,398.40 FOR UNEXPECTED VACANCIES FOR A TOTAL FUNDED AMOUNT OF \$574,087.40.)**

APPROVED

30. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11472, HEALTHCARE ADMINISTRATION, WITH CIGNA CORPORATION, IN THE ESTIMATED FUNDED AMOUNT OF \$106,997,672.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR AN ADDITIONAL TWO YEAR TERM COVERING THE PERIOD JANUARY 1, 2015 THROUGH DECEMBER 31, 2016.)**

APPROVED

31. **RESOLUTION AWARDDING CONTRACT NO.11670, WORKERS' COMPENSATION BROKERING TO WILLIS OF TENNESSEE, INCORPORATED, IN THE FUNDED AMOUNT OF \$495,000.00.**

APPROVED

32. **RESOLUTION APPROVING CHANGE NO. 6 TO CONTRACT NO. 11179, BUSINESS OBJECTS SOFTWARE LICENSE AND RELATED SERVICE AGREEMENT, WITH SAP PUBLIC SERVICES, INCORPORATED, IN THE FUNDED AMOUNT OF \$31,813.21. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR ANNUAL SOFTWARE MAINTENANCE FOR THE SAP BUSINESS OBJECTS WEB INTELLIGENCE SOFTWARE COVERING THE PERIOD NOVEMBER 4, 2014 THROUGH NOVEMBER 3, 2015, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR. MLGW IS REQUESTING CONTINUOUS MAINTENANCE OF THE ACQUIRED SYSTEM, WHICH CAN ONLY BE PERFORMED BY SAP PUBLIC SERVICES, INCORPORATED.)**

APPROVED

33. **RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 10927, PERPETUAL LICENSING AGREEMENT, WITH PITNEY BOWES SOFTWARE, INCORPORATED, IN THE FUNDED AMOUNT OF \$100,855.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR SOFTWARE MAINTENANCE AND SUPPORT SERVICES COVERING THE PERIOD SEPTEMBER 1, 2014 THROUGH AUGUST 31, 2017. THIS CHANGE INCLUDES AN UPGRADE FROM THE CURRENT DOC1 VERSION 4 TO ENGAGEONE, WHICH IS REPLACING DOC1.**

THE ENGAGEONE PRODUCT WILL HAVE THE SAME CAPABILITIES AS THE DOC1 VERSION 4 BUT WILL HAVE CAPABILITIES FOR FUTURE EXPANSION. THIS RENEWAL ALLOWS MLGW TO LOCK IN A 2% INCREASE COMPARED TO THE COMPANY'S STANDARD 5% INCREASE FOR THE SECOND AND THIRD YEAR. MLGW IS REQUESTING CONTINUOUS MAINTENANCE OF THE ACQUIRED SYSTEM, WHICH CAN ONLY BE PERFORMED BY PITNEY BOWES.)

APPROVED

34. **RESOLUTION APPROVING CHANGE NO. 5 TO CONTRACT NO. 10908, MOBILE DATA, WITH VENTYX, INCORPORATED, IN THE FUNDED AMOUNT OF \$161,363.59. (THIS CHANGE IS TO RENEW ANNUAL SOFTWARE MAINTENANCE, LICENSE AND SUPPORT SERVICES FOR MOBILE DISPATCHING SYSTEM, MOBILE MAPPING, STREET LEVEL ROUTING THROUGH CUSTOMER INFORMATION SYSTEM (CIS) COVERING THE PERIOD JANUARY 1, 2015 THROUGH DECEMBER 31, 2015, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR. THIS RENEWAL ALSO REFLECTS A CHANGE IN SERVICES TO REMOVE THE BILLGEN PRODUCT, WHICH VENTYX ASSIGNED AND SOLD TO ANOTHER FIRM (HANSON TECHNOLOGIES), RESULTING IN A REDUCTION IN PRICE FROM THE PREVIOUS YEAR. THIS PRODUCT WILL NOW BE PROVIDED UNDER CONTRACT NO. 11754. MLGW IS REQUESTING CONTINUOUS MAINTENANCE OF THE ACQUIRED SYSTEM, WHICH CAN ONLY BE PERFORMED BY VENTYX, INCORPORATED.)**

APPROVED

35. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11589, PROFESSIONAL SERVICES SUPPORT, WITH TEK SYSTEMS, INCORPORATED, IN THE FUNDED AMOUNT OF \$847,688.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE SECOND OF FOUR ANNUAL RENEWAL TERMS COVERING THE PERIOD JANUARY 1, 2015 THROUGH DECEMBER 31, 2015 WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR.)**

APPROVED

36. **RESOLUTION APPROVING THE ASSIGNMENT OF CONTRACT NO. 11752, SOFTWARE LICENSE AND SERVICES AGREEMENT, TO HANSEN TECHNOLOGIES FROM VENTYX, INCORPORATED IN THE FUNDED AMOUNT OF \$47,720.03. (THIS SERVICE WAS PREVIOUSLY PROVIDED BY VENTYX, INCORPORATED, WHICH WAS AWARDED UNDER CONTRACT NO. 10908 MOBILE DATA SOLUTIONS. VENTYX, INCORPORATED HAS DISCONTINUED PROVIDING SOFTWARE LICENSE AND SUPPORT SERVICES FOR BILLGEN AND HAS ASSIGNED THIS PORTION OF THE WORK TO HANSEN TECHNOLOGIES. THE TERM OF THIS CONTRACT IS FOR THE PERIOD COVERING JANUARY 1, 2015 THROUGH DECEMBER 31, 2015 IN THE FUNDED AMOUNT OF \$47,720.03.**

THIS IS A SOLE SOURCE AWARD AND HANSEN TECHNOLOGIES IS THE ONLY FIRM WHO CAN PROVIDE THIS SERVICE FOR THE SOFTWARE.)

APPROVED

37. **RESOLUTION AWARDED CONTRACT TO KONICA MINOLTA BUSINESS SOLUTIONS FOR A FORTY-EIGHT MONTH RENTAL OF TWO DIGITAL BLACK AND WHITE COPIER/PRINTER SYSTEMS, IN THE AMOUNT OF \$481,728.00.**

APPROVED

38. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11543, ENVIRONMENTAL ABATEMENT SERVICES, WITH GENERAL CONSTRUCTION SERVICES, INCORPORATED, IN THE FUNDED AMOUNT OF \$6,000,000.00. (THIS CHANGE IS TO ADD ADDITIONAL FUNDS IN THE FUNDED AMOUNT OF \$250,000.00 FOR UNPLANNED ENVIRONMENTAL EMERGENCY RESPONSE WORK AT VARIOUS MLGW FACILITIES TO MEET REGULATORY REQUIREMENTS. IN ADDITION, THIS CHANGE IS ALSO TO RENEW THE CURRENT CONTRACT FOR THE SECOND OF FOUR ANNUAL RENEWAL TERMS COVERING THE PERIOD JANUARY 1, 2015 THROUGH DECEMBER 31, 2015 IN THE FUNDED AMOUNT OF \$5,750,000.00.)**

APPROVED

39. **RESOLUTION AWARDED A CONTRACT TO MSM SOLUTIONS, FOR A BARCODE SYSTEM, IN THE AMOUNT OF \$71,430.25.**

APPROVED

MLGW ROLL CALL CONSENT ITEMS

MOTION: Conrad
 SECOND: Lowery
 AYES: Boyd, Collins, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland
 Brown and Conrad did not cast a vote

APPROVED

53. **RESOLUTION ESTABLISHING MAXIMUM ELECTRIC EQUIVALENCY PAYMENT AND DISTRIBUTION TO THE CITY AND OTHER TAXING JURISDICTION IN SHELBY COUNTY FOR FISCAL YEAR 2015.**

Councilman Lowery requested same night minutes for this item. Chairman Strickland asked if there was any objection to having same night minutes. There was no objection.

MOTION: Lowery
 SECOND: Boyd
 AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth,
 Lowery and Chairman Strickland
 Morrison did not cast a vote

APPROVED

54. **RESOLUTION ESTABLISHING MAXIMUM GAS EQUIVALENCY PAYMENT AND DISTRIBUTION TO THE CITY AND OTHER TAXING JURISDICTION IN SHELBY COUNTY FOR FISCAL YEAR 2015.**

Councilman Lowery requested same night minutes for this item. Chairman Strickland asked if there was any objection to having same night minutes. There was no objection.

MOTION: Lowery
 SECOND: Boyd
 AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth,
 Lowery, Morrison and Chairman Strickland

APPROVED

55. **RESOLUTION APPROVING THE ECONOMIC IMPACT PLAN FOR GRACELAND ECONOMIC DEVELOPMENT AREA.**

MOTION: Harris – Shorten the proposal to 10 years

MOTION FAILED, for lack of a second

MOTION: Halbert
 SECOND: Brown
 AYES: Boyd, Brown, Collins, Conrad, Flinn, Fullilove, Hedgepeth, Lowery, Morrison
 and Chairman Strickland
 NAYS: Harris
 Ford abstained
 Halbert did not cast a vote

APPROVED

57. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$450,000.00 FROM THE STATE OF TENNESSEE OFFICE OF CRIMINAL JUSTICE PROGRAMS FOR THE PROCESSING OF SEXUAL ASSAULT KITS.**

MOTION: Conrad
 SECOND: Flinn
 AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth,

Lowery, Morrison and Chairman Strickland

APPROVED

43. **ORDINANCE TO AMEND CHAPTER 25 OF THE CITY OF MEMPHIS CODE OF ORDINANCES, GOVERNING THE CITY PENSION SYSTEM TO PROVIDE A 2016 CASH BALANCE PLAN AND A 2016 DEFINED CONTRIBUTION PLAN, UP FOR T H I R D AND F I N A L READING. [New hires only]**

Ordinance No. 5573

Chairman Strickland recognized the following persons who spoke from the audience:

Carol Carlson, 477 Bruins Trace, Cordova, TN 38018
 Thomas Malone, 5150 Stage Rd., Memphis, TN 38134
 Danny Todd, 3740 Northcliffe Dr., Memphis, TN 38128
 Fran Triplett, 3616 Northwood Dr., Memphis, TN 38111
 Michael R. Williams, 638 Jefferson, Memphis, TN 38105
 Robert Zachar, 7051 Old Brownsville Rd., Arlington, TN 38002

Friendly Amendment: No same night minutes

MOTION: Flinn

Friendly Amendment accepted by Councilwoman Halbert

Councilman Conrad called for the question

MOTION: Halbert – Amend the ordinance to provide a 2016 cash balance plan and a 2016 defined contribution plan (Hybrid Plan) grandfathering employees with seven and one half years of service without seed money and non-grandfathered employees get the “A + B” scenario. Specifically, amend the language in Section 25-211 to include transferred participants with less than seven and one half years of service and those hired January 1, 2016

SECOND: Conrad

AYES: Boyd, Conrad, Flinn, Ford, Halbert, Hedgepeth, Morrison and Chairman Strickland

NAYS: Brown, Collins, Fullilove, Harris and Lowery

APPROVED, set up as Special Item #2. The amended ordinance will be considered in Executive Committee on December 16, 2014

MOTION: Flinn – Hold for 2 weeks in Committee to see the written ordinance

SECOND: Morrison

Chairman Strickland asked if there was any objection to holding the item for two weeks. There was no objection. Item will be held for two weeks.

42. **ORDINANCE TO AMEND CHAPTER 25 OF THE CITY OF MEMPHIS CODE OF ORDINANCES, TO LIMIT PARTICIPATION IN THE CITY PENSION SYSTEM 1978 PLAN TO PARTICIPANTS WITH 10 OR MORE YEARS OF SERVICE AND CREATE A SEPARATE ACCOUNT FOR PARTICIPANTS WITH LESS THAN 10 YEARS OF SERVICE EQUAL TO THEIR EMPLOYEE CONTRIBUTIONS PLUS THE MULTIPLE EARNED AS OF JUNE 30, 2015, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5571

MOTION: Strickland – Is there any objection to holding this item

SECOND: Halbert

Councilman Lowery objected

MOTION: Lowery – New Hires Only, hired after January 1, 2016

SECOND: Collins

AYES: Brown, Collins, Fullilove, Harris and Lowery

NAYS: Boyd, Conrad, Flinn, Halbert, Morrison and Chairman Strickland
Ford and Hedgepeth abstained

FAILED, set up as Special Item #3

MAIN MOTION: Flinn – Hold for 2 weeks

Chairman Strickland asked if there was any objection to holding this item for two weeks. There was no objection.

Held until December 16, 2014

45. **RESOLUTION AMENDING THE FY2015 OPERATING BUDGET BY TRANSFERRING \$1,000,000.00 FROM THE RESERVE FUND TO THE POLICE OPERATING BUDGET TO FUND AN ADDITIONAL POLICE RECRUIT CLASS IN FY2015.**

MOTION: Strickland

SECOND: Halbert

AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland

APPROVED

46. **RESOLUTION AMENDING THE FY2015 BUDGET TO ALLOCATE \$1,500,000.00 IN UNALLOCATED MIXED DRINK REVENUE IN GENERAL FUND TO THE MPD BUDGET, TO BE USED FOR THE TESTING OF THE SEXUAL ASSAULT KIT BACKLOG.**

Chairman Strickland requested same night minutes for this item. There was no objection.

Friendly Amendment: Round the amount up to 1.6 million

MOTION: Conrad

Chairman Strickland stated to Councilman Conrad that this money could not come from the mixed drink revenue fund. The 1.5 million is all that's in the fund.

MOTION: Strickland

SECOND: Ford

AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Halbert, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland
Fullilove did not cast a vote

APPROVED

47. **RESOLUTION TO ACCEPT AND APPROPRIATE FUNDING IN THE AMOUNT OF \$50,340.00 FROM UNITED WAY OF THE MID-SOUTH THROUGH MEMPHIS LIBRARY FOUNDATION AS REIMBURSEMENT FOR THE DATABASE MANAGER'S SALARY IN THE LINC/2-1-1 DEPARTMENT.**

MOTION: Boyd

SECOND: Collins

AYES: Boyd, Brown, Collins, Flinn, Ford, Halbert, Harris, Hedgepeth, Lowery and Chairman Strickland
Conrad, Fullilove and Morrison did not cast a vote

APPROVED

48. **RESOLUTION SEEKING APPROVAL FOR THE CONTINUATION OF PLANS AND SPECIFICATIONS AND TAKING OF BIDS FOR WOLF RIVER GREENWAY IMPROVEMENTS AT AN ESTIMATED CONSTRUCTION OF COST OF \$1,650,000.00.**

MOTION: Boyd

SECOND: Ford

AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland
Conrad did not cast a vote

APPROVED

49. **RESOLUTION APPROVING RESIDENTIAL PERMIT PARKING ON MONROE AVE. BETWEEN COOPER STREET AND COX STREET.**

Chairman Strickland recognized the following persons who spoke from the audience:

George Collier, 2183 Monroe Ave., Memphis, TN 38104

Kelly English, 2146 Monroe Ave., Memphis, TN 38104
 Shannon Toon, 2181 Monroe Ave., Memphis, TN 38104

MOTION: Conrad – Pilot Residential Permit parking zone for 40% of the north side of Monroe beginning at Cox and moving eastward and 100% of the south side of Monroe
 SECOND: Morrison
 AYES: Conrad, Flinn, Ford, Fullilove, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland
 NAYS: Boyd, Brown, Collins and Halbert

APPROVED, set up as Special Item #4

MAIN MOTION: Hedgepeth
 SECOND: Boyd
 AYES: Conrad, Flinn, Ford, Fullilove, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland
 NAYS: Boyd, Brown, Collins and Halbert

APPROVED, as amended

50. **RESOLUTION SEEKING TO PROVIDE GRANT FUNDS FOR THE IMPLEMENTATION OF A CLEAN PATHWAYS INITIATIVE TO ADDRESS ISSUES SUCH AS BLIGHT, LITTER AND ILLEGAL DUMPING AROUND SCHOOLS AND TO REDUCE POVERTY AND CRIME WITHIN THE CITY LIMITS. THE GRANT FUNDS WILL BE PROVIDED FROM THE SEWER, STORMWATER AND GENERAL FUNDS. EACH FUND WILL CONTRIBUTE \$50,000.00 EACH.**

MOTION: Boyd
 SECOND: Morrison
 AYES: Boyd, Brown Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Lowery, Morrison and Chairman Strickland
 Harris and Hedgepeth did not cast a vote

APPROVED

51. **RESOLUTION AMENDING THE FY2015 O&M BUDGET TO APPROPRIATE \$500,000.00 FROM THE RESERVE FUND TO COVER EXPENSES OF HIRING A MINIMUM OF 250 CHILDREN. THE SAME AMOUNT WILL BE FUNDED IN FY 2016, 2017 AND 2018 FOR A TOTAL AMOUNT OF \$2,000,000.00 FOR THE SUMMER YOUTH EMPLOYMENT PROGRAM.**

MOTION: Halbert – 2 million dollars for this summer

Chairman Strickland asked if there was any objection to adding 2 million for this summer. There was no objection.

MAIN MOTION: Strickland
 SECOND: Morrison
 AYES: Collins, Conrad, Flinn, Ford, Halbert, Harris, Lowery, Morrison and Chairman Strickland
 Boyd, Brown, Fullilove and Hedgepeth did not cast a vote

APPROVED, as amended

MINUTES

Approval of the Minutes of the regular meeting of December 2, 2014 for Items 46, 52, 53, 54, 57 & Special Item #1, with the following motion:

MOTION: Fullilove
 SECOND: Morrison
 AYES: Boyd, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Lowery, Morrison, and Chairman Strickland
 Brown and Hedgepeth did not cast a vote

APPROVED, set up as Special Item #5

INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:

Chairman Strickland recognized the following people who spoke from the audience:

- Walter Broady, III, 4256 Ledbetter Cove, Memphis, TN 38109
- Lee Cochran, 179 Richbriar St., Memphis, TN 38120
- Ms. Taylor, P.O. Box 897, Memphis, TN 38101
- Minister Suhkara Yahweh, 870 E. McLemore Avenue, Memphis, TN 38126

ADJOURNED MEETING AT 7:14 P.M.

Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

CHAIRMAN

Attest:

Deputy Comptroller/Council Records