

MINUTES

REGULAR MEETING OF THE CITY COUNCIL

CITY OF MEMPHIS

December 7, 2004

3:30 P.M. SESSION

ROLL CALL: Carol Chumney, Edmund H. Ford, Barbara Swearengen Holt, Janet Hooks, E. C. Jones, Myron Lowery, Tom Marshall, Scott McCormick, TaJuan Stout Mitchell, Rickey Peete, Jack Sammons, Brent Taylor and Chairman Joe Brown

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

INVOCATION

The meeting was opened with prayer by Pastor Marcellus Howard from Breath of Life 7th Day Adventist Church. Councilwoman Hooks presented Pastor Howard with a certificate naming him Chaplain of the day.

The original of the ordinances, resolutions and documents relating to each item is filed in the office of Council Records and on microfilm in the office of Records Management, Room 2B-08. The original documents shall control in the event of any conflict between the description in these minutes and the original documents.

38. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE NORTHWEST SIDE OF AUSTIN PEAY HIGHWAY; +1,270 FEET NORTHWEST OF COLEMAN ROAD, CONTAINING 3.09 ACRES IN THE PLANNED COMMERCIAL (C-P) DISTRICT.**

Case No. SUP 04-220

Applicant: Mike’s Autoplex (Mike Karel)
Nathan Bicks – Representative

Request: Motor Vehicles Sales

LUCB recommendation: APPROVAL, with conditions

OPD recommendation: REJECTION

No Opposition at LUCB; No Public Hearing Required
(Since the Opposition present did not reside within the 500 foot notification radius)

MOTION: Peete
SECOND: McCormick
AYES: Chumney, Ford, Holt, Hooks, Jones, Lowery, Marshall, McCormick, Mitchell, Peete, Sammons, Taylor and Chairman Brown

APPROVED, as amended

39. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE NORTH SIDE OF COTTONWOOD ROAD; +/-78.20 FEET EAST OF KNIGHT ROAD, CONTAINING 4.18 ACRES IN THE SINGLE FAMILY RESIDENTIAL (R-S6) DISTRICT.**(Held from 11/9)

Case No. PD 04-336

Applicant: Katrina Walker
Universal Design Group – Representative

Request: Planned development to permit a three (3) story seventy-six (76) unit independent living facility, including associated accessory uses within the Outline Plan

LUCB and OPD recommendation: REJECTION

MOTION: Peete

SECOND: McCormick

AYES: Chumney, Ford, Holt, Hooks, Jones, Lowery, Marshall, McCormick, Mitchell, Peete, Sammons, Taylor and Chairman Brown

APPROVED

45. **RESOLUTION ADOPTING THE NEW HEALTH CARE PLAN FOR THE CITY OF MEMPHIS.**

MOTION: Marshall

SECOND: Holt

AYES: Chumney, Ford, Holt, Hooks, Jones, Marshall, McCormick, Mitchell, Peete, Sammons and Chairman Brown

NAYS: Lowery and Taylor

APPROVED

36. **ORDINANCE REZONING THE EAST SIDE OF WHITTEN ROAD; +1,366 FEET NORTH OF MACON ROAD, CONTAINING 0.39 ACRE IN THE SINGLE FAMILY RESIDENTIAL (R-S8) DISTRICT, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5086
Case No. Z 04-133cc

Applicant: Ken and Lauren Zimmerman

Request: Local Commercial (C-L) District

LUCB and OPD recommendation: APPROVAL

MOTION: Peete

SECOND: Holt

AYES: Chumney, Ford, Holt, Hooks, Jones, Lowery, Marshall, McCormick, Mitchell, Peete, Sammons, Taylor and Chairman Brown

APPROVED

40. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE EAST SIDE OF MENDENHALL ROAD; +124 FEET NORTH OF PRINCETON AVENUE, CONTAINING 1.459 ACRES IN THE SINGLE FAMILY RESIDENTIAL (R-S6) DISTRICT. (Held from 11/9;11/23)**

Case No. PD 04-353

Applicant: Sovereign Builders, LLC
SR Consulting, LL – Cindy Reaves – Representative

Request: A planned development to permit 10 single family detached lots with a minimum of lot size of 4,876 square feet within the plan

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Peete

SECOND: Holt

AYES: Chumney, Ford, Holt, Hooks, Jones, Lowery, Marshall, McCormick, Mitchell, Peete, Sammons, Taylor and Chairman Brown

APPROVED, as amended

41. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE SOUTHEAST CORNER OF KATE BOND ROAD AND REESE ROAD AT I-240, CONTAINING 19.63 ACRES IN THE SINGLE FAMILY RESIDENTIAL (R-S8) DISTRICT.**

Case No. PD 04-345

Chairman Brown recognized the following persons from the audience:

Lori Calvery, 7845 Deer Trail Lane, Mphs, TN 38133
 Tina Davidson, 3540 Van Eaton Ln., Mphs, TN 38133
 Connie Laisle, 7883 Bland Ln., Mphs, TN 38133
 Donna Leech, 7897 Bland Ln., Mphs, TN 38133
 Charlie Wetmore, 2576 Jeffries Cove, Mphs, TN 38133

Applicant: William H. Thomas
 ETI (Ralph Smith) – Representative

Request: Area A – 12 acres – Multi-Family
 Area B - 7.63 acres – Commercial Uses

LUCB and OPD recommendation: REJECTION

MOTION: Peete – Delete billboards from the application
 SECOND: McCormick
 AYES: Chumney, Ford, Hooks, Jones, Marshall, McCormick, Mitchell, Peete and Taylor
 NAYS: Holt, Lowery and Sammons
 Brown did not cast a vote

APPROVED, Special Item #1, billboards deleted

MAIN MOTION: Peete
 SECOND: Mitchell
 AYES: Ford, Holt, Hooks, Lowery, Mitchell, Peete, Sammons and Taylor
 NAYS: Jones, Marshall and McCormick
 Chumney abstained
 Brown did not cast a vote

APPROVED, as amended

37. **RESOLUTION APPROVING A USE VARIANCE LOCATED ON THE SOUTHWEST CORNER OF MOSBY AVENUE AND MANASSAS AVENUE, CONTAINING 0.46 ACRE IN THE MODERATE DENSITY RESIDENTIAL (MDR) DISTRICT.**(Held from 11/23)

Case No. UV 04-11

Applicant: Sonja R. Hester

Request: Renovate a vacant apartment building to accommodate 7, 2-bedroom units

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

MOTION: Peete
 SECOND: Holt
 AYES: Chumney, Ford, Holt, Hooks, Jones, Lowery, McCormick, Mitchell, Peete, and Taylor

APPROVED

CONSENT AGENDA – Items 1 – 4 & 44 may be acted upon by one motion. SEE PAGE 1453 FOR ROLL CALL

1. **JOINT ORDINANCE READOPTING #5028AM, ADOPTED BY THE SHELBY COUNTY BOARD OF COMMISSIONERS ON MAY 28, 2004 AND THE COUNCIL OF THE CITY OF MEMPHIS ON JULY 6, 2004; SO AS TO MAKER CERTAIN TECHNICAL AND FORMATTING CORRECTIONS THEREIN, UP FOR F I R S T READING.**

Ordinance No. 5087
 Case No. ZTA 03-002cc

APPROVED, on First reading

2. **ORDINANCE REZONING THE EAST SIDE OF HIGHWAY 61; +350 FEET NORTH OF HORN LAKE ROAD AND DIRECTLY ACROSS FROM THE INTERSECTION OF LEVI ROAD, CONTAINING 15.26 ACRES, IN THE MULTIPLE FAMILY RESIDENTIAL (R-ML) DISTRICT, UP FOR S E C O N D READING.**

Ordinance No. 5088
 Case No. Z 04-134

APPROVED, on Second reading

3. **ORDINANCE REZONING THE EAST SIDE OF HIGHWAY 61; +200 FEET NORTH OF HORN LAKE ROAD AND +600 FEET SOUTH OF LEVI ROAD, CONTAINING 4.39 ACRES IN THE MULTIPLE FAMILY RESIDENTIAL (R-ML) DISTRICT, UP FOR S E C O N D READING.**

Ordinance No. 5089
 Case No. Z 04-135

APPROVED, on Second reading

4. **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 04-359 – Lamar/Davidson Road Planned Development
 B. Case No. PD 04-363cc – Cedar Creek Planned Development
 C. Case No. PD 04-366 – Christie Stonescapes Planned Development
 D. Case No. SR 04-903 – Woodland Hills Planned Development, Ph. 1, (PD 92-323cc)
 E. Case No. UV 04-13

Public Hearing Set for December 21, 2004

44. **RESOLUTION DECLARING DECEMBER 11, 2004 AS “ORANGE MOUND PROGRESSIVE CLUB DAY.”**

APPROVED

ROLL CALL CONSENT ITEMS

MOTION: Holt
 SECOND: Mitchell
 AYES: Chumney, Ford, Holt, Hooks, Lowery, Mitchell and Taylor
 Brown, Jones, Marshall, McCormick, Peete and Sammons did not cast a vote

APPROVED**MLGW FISCAL CONSENT AGENDA - Items 5-21 & 46 may be acted upon by one motion**

5. **RESOLUTION APPROVING RENEWAL NO. 2 TO CONTRACT NO. 10878, INFORMATION SERVICES SUPPORT, WITH KC MANAGEMENT GROUP IN AN ESTIMATED FUNDED AMOUNT OF \$276,000.00.**

APPROVED

6. **RESOLUTION APPROVING RENEWAL NO. 2 TO CONTRACT NO. 10879, INFORMATION SERVICES SUPPORT, WITH COMPUTER HORIZONS CORPORATION IN AN ESTIMATED FUNDED AMOUNT OF \$309,960.00.**

APPROVED

7. **RESOLUTION APPROVING RENEWAL NO. 2 TO CONTRACT NO. 10880, INFORMATION SERVICES SUPPORT, WITH SCIENCE APPLICATIONS INTERNATIONAL CORPORATION IN AN ESTIMATED FUNDED AMOUNT OF \$456,560.00.**

APPROVED

8. **RESOLUTION APPROVING RENEWAL NO. 2 TO CONTRACT NO. 10881, INFORMATION SERVICES SUPPORT, WITH COOK SYSTEMS INTERNATIONAL, INC. IN AN ESTIMATED FUNDED AMOUNT OF \$456,560.00.**

APPROVED

9. **RESOLUTION APPROVING RENEWAL NO. 2 TO CONTRACT NO. 10883, INFORMATION SERVICES SUPPORT, WITH CIBER, INC. IN AN ESTIMATED FUNDED AMOUNT OF \$929,760.00.**

APPROVED

10. **RESOLUTION AWARDED CONTRACT FOR COMPUTER EQUIPMENT TO TRINITY TECHNOLOGIES, INC. IN THE AMOUNT OF \$2,468,215.00 APPROXIMATELY.**

Held to December 21, 2004

11. **RESOLUTION AWARDED CONTRACT FOR METER TEST BOARD TO WATTHOUR ENGINEERING COMPANY, INC. IN THE AMOUNT OF \$41,150.00.**

APPROVED

12. **RESOLUTION AWARDED CONTRACT FOR PAPER PRODUCTS TO INDUSTRIAL SALES COMPANY OF MEMPHIS IN THE AMOUNT OF \$200,749.21, APPROXIMATELY.**

APPROVED

13. **RESOLUTION AWARDED 36-MONTH CONTRACT FOR 15.5 KV VOLTAGE CIRCUIT BREAKERS TO S & C ELECTRIC COMPANY C/O CURTIS H. STOUT OF TENNESSEE IN THE AMOUNT OF \$386,995.00, APPROXIMATELY.**

APPROVED

14. **RESOLUTION AWARDING CONTRACT FOR CONCRETE STANDARDS AS FOLLOWS:**

Stress Crete c/o Curtis H. Stout of Tennessee.....	\$1,764,113.00 (approximately)
Southern Sales and Services Company, Inc.....	<u>578,884.00</u> (approximately)
Total:	\$2,342,997.00 (approximately)

APPROVED

15. **RESOLUTION AWARDING CONTRACT FOR CRAWLER DOZER TO TIGER EQUIPMENT, INC. IN THE AMOUNT OF \$168,686.00.**

APPROVED

16. **RESOLUTION AWARDING 36-MONTH CONTRACT FOR PHOTO-ELECTRIC CELL RELAYS TO UTILICOR IN THE AMOUNT OF \$273,600.00, APPROXIMATELY.**

APPROVED

17. **RESOLUTION AWARDING CONTRACT FOR 38' GALVANIZED STEEL EXPRESSWAY POLES TO UNION METAL CORPORATION C/O ROSS & ASSOCIATES IN THE AMOUNT OF \$73,000.00.**

APPROVED

18. **RESOLUTION AWARDING CONTRACT FOR 15' TRUSS-TYPE GALVANIZED STEEL SUPPORT BRACKETS TO STREET AND AREA LIGHTING COMPANY, INC. C/O JOHN J. AERTKER, JR. COMPANY. INC. IN THE AMOUNT OF \$77,000.00.**

APPROVED

19. **RESOLUTION APPROVING SALARIES S-74943 AND S-75125 THROUGH S-75127 FOR EXISTING EMPLOYEES.**

APPROVED

20. **RESOLUTION APPROVING RENEWAL OF COOPERATIVE AGREEMENT NO. 5447, INVESTIGATION OF WATER RESOURCES, WITH THE UNITED STATES DEPARTMENT OF THE INTERIOR GEOLOGICAL SURVEY, IN THE AMOUNT OF \$50,000.00, FOR THE PERIOD OF 10/1/04 TO 9/30/05.**

APPROVED

21. **RESOLUTION AWARDING CONTRACT FOR WATER METERS AS FOLLOWS:**

AMCO Water Metering Systems.....	\$ 469,500.00 (approximately)
Neptune Technology Group.....	1,761,000.00 (approximately)
Badger Meters, Inc.....	<u>995,313.04</u> (approximately)
Total:	\$3,225,813.04 (approximately)

APPROVED

46. **RESOLUTION APPROVING CHANGE ORDER NO. 1 TO CONTRACT NO. 10817, MANAGED PRESCRIPTION DRUG PROGRAM, WITH EXPRESS SCRIPTS, INC. IN THE FUNDED AMOUNT OF \$10,000,000.00.(Held from 11/23)**

APPROVED

ROLL CALL MLGW FISCAL CONSENT ITEMS

MOTION: Hooks
 SECOND: Jones
 AYES: Chumney, Ford, Holt, Hooks, Jones, Lowery, Mitchell, Peete and Taylor
 Brown, Marshall, McCormick and Sammons did not cast a vote

APPROVED, with the exception of Item #10, which is held to December 21, 2004

47. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$993,500.00 FROM THE DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING FOR THE COPS TECHNOLOGY PROGRAM. RESOLUTION ALSO AMENDS FY 2005 OPERATING BUDGET TO APPROPRIATE GRANT FUNDS.**

MOTION: Peete
 SECOND: Jones
 AYES: Chumney, Ford, Holt, Hooks, Jones, Lowery, McCormick, Mitchell, Peete, and Taylor
 Brown, Marshall and Sammons did not cast a vote

APPROVED

22. **RESOLUTION ACCEPTING \$983,391.61 IN FUNDS FROM THE TENNESSEE DEPART OF LABOR & WORKFORCE DEVELOPMENT TO PROVIDE TRAINING AND SERVICES UNDER THE WORKFORCE INVESTMENT ACT (WIA DISLOCATED WORKER SERVICES 2005). RESOLUTION ALSO AMENDS THE FISCAL YEAR 2005 OPERATING BUDGET TO APPROPRIATE GRANT FUNDS.**

MOTION: McCormick
 SECOND: Peete
 AYES: Chumney, Ford, Holt, Hooks, Jones, McCormick, Mitchell, Peete, Taylor and Chairman Brown
 Lowery, Marshall and Sammons did not cast a vote

APPROVED

23. **RESOLUTION ACCEPTING \$315,601.95 IN FUNDS FROM THE TENNESSEE DEPARTMENT OF LABOR & WORKFORCE DEVELOPMENT TO PROVIDE TRAINING AND SERVICES UNDER THE WORKFORCE INVESTMENT ACT (WIA ADMIN SERVICES 2005). RESOLUTION ALSO AMENDS THE FISCAL YEAR 2005 OPERATING BUDGET TO APPROPRIATE GRANT FUNDS.**

MOTION: McCormick
 SECOND: Jones
 AYES: Chumney, Ford, Holt, Hooks, Jones, Lowery, McCormick, Mitchell, Peete, Taylor and Chairman Brown
 Marshall and Sammons did not cast a vote

APPROVED

42. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE EAST SIDE OF ROCKYFORD ROAD; +1,081.06 FEET NORTH OF OLD BROWNSVILLE ROAD, CONTAINING 154.6 ACRES IN THE AGRICULTURAL (AG) AND AGRICULTURAL FLOOD PLAIN (AG[FP]) DISTRICTS.**

Case No. PD 04-362cc

Applicant: First Capital Investments, LLC
 Charles Goforth, Barge Waggoner Summer & Cannon – Representatives

Request: Planned development to permit 295 Single Family Detached lots with a minimum lot size of 10,000 square feet within the plan

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Peete
 SECOND: Holt
 AYES: Chumney, Ford, Holt, Hooks, Jones, Lowery, McCormick, Mitchell, Peete and
 Chairman Brown
 Marshall, Sammons and Taylor did not cast a vote

APPROVED, as amended

24. **RESOLUTION ACCEPTING \$1,857,025.92 IN FUNDS FROM THE TENNESSEE DEPART OF LABOR & WORKFORCE DEVELOPMENT TO PROVIDE TRAINING AND SERVICES UNDER THE WORKFORCE INVESTMENT ACT (WIA ADULT SERVICES 2005). RESOLUTION ALSO AMENDS THE FISCAL YEAR 2005 OPERATING BUDGET TO APPROPRIATE GRANT FUNDS.**

MOTION: McCormick
 SECOND: Jones
 AYES: Chumney, Ford, Holt, Hooks, Jones, Lowery, Marshall, McCormick, Mitchell,
 Peete and Chairman Brown
 Sammons and Taylor did not cast a vote

APPROVED

33. **RESOLUTION INCLUDING THE STABLE FOR THE MOUNTED UNIT, CIP PROJECT NUMBER PD04006, AS PART OF THE CAPITAL IMPROVEMENT BUDGET. THE ADMINISTRATION REQUESTS TO AMEND THE FY05 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING \$122,668.00 FROM THE HELIPORT FACILITY, CIP PROJECT NUMBER PD04005 TO THE STABLE FOR THE MOUNTED UNIT, CIP PROJECT NUMBER PD04006 AND TRANSFERRING \$177,332.00 FROM EXPAND VEHICLE STORAGE, CIP PROJECT NUMBER PD04001 TO THE STABLE FOR THE MOUNTED UNIT, CIP PROJECT NUMBER PD04006. THE ADMINISTRATION ALSO REQUESTS TO APPROPRIATE \$300,000.00 FUNDED BY G.O. BONDS GENERAL, CIP PROJECT NUMBER PD04006 FOR THE STABLE FOR THE MOUNTED UNIT.**

MOTION: Peete
 SECOND: Jones
 AYES: Ford, Holt, Hooks, Jones, Lowery, Marshall, McCormick, Mitchell, Peete,
 Taylor and Brown
 NAYS: Chumney
 Sammons did not cast a vote

APPROVED

25. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$35,000.00 FROM THE DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE URBAN SEARCH AND RESCUE PROGRAM. RESOLUTION ALSO AMENDS FY 2005 OPERATING BUDGET TO APPROPRIATE GRANT FUNDS.**

MOTION: Taylor
 SECOND: Jones
 AYES: Chumney, Ford, Holt, Hooks, Jones, Lowery, Marshall, McCormick, Mitchell,
 Peete, Taylor and Chairman Brown
 Sammons did not cast a vote

APPROVED

26. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$938,035.00 FROM THE DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE URBAN SEARCH AND RESCUE PROGRAM.**

RESOLUTION ALSO AMENDS FY 2005 OPERATING BUDGET TO APPROPRIATE GRANT FUNDS.

MOTION: Taylor
 SECOND: Jones
 AYES: Chumney, Holt, Hooks, Jones, Lowery, Marshall, McCormick, Mitchell, Peete,
 Taylor and Chairman Brown
 Ford and Sammons did not cast a vote

APPROVED

27. **RESOLUTION APPROPRIATING \$1,230,000.00 FOR THE PURCHASE PRICE OF REAL PROPERTY CONTAINING APPROXIMATELY 21.8 ACRES LOCATED ON THE WEST SIDE OF APPLING ROAD, SOUTH OF FLETCHER CREEK AND NORTH OF THE INTERSECTION OF PATE ROAD AND APPLING ROAD, PLUS THE ESTIMATED COSTS FOR CLOSING AT \$5,000.00, ENVIRONMENTAL STUDIES \$7,500.00 AND ENGINEERING REPORTS \$17,000.00 FOR A TOTAL OF \$1,259,500.00 FROM G.O. BONDS GENERAL IN THE FY 2005 CAPITAL IMPROVEMENT BUDGET, CIP PROJECT NUMBER PS01009, MOTOR VEHICLE INSPECTION STATION IS TO BE CREDITED FOR \$629,750.00 AND CIP PROJECT NUMBER PS01010, ANIMAL SHELTER IS TO BE CREDITED FOR \$629,750.00. THE SUBJECT PROPERTY PROVIDES BOTH THE CONVENIENT LOCATION AND THE ACREAGE NEEDED FOR THE PUBLIC SERVICES MOTOR VEHICLE INSPECTION STATION AND ANIMAL SHELTER PROJECTS.(HELD FROM 11/23)**

Directors of General Services and Public Services and City Engineer recommends approval

MOTION: Jones
 SECOND: Holt
 AYES: Chumney, Ford, Holt, Hooks, Jones, Lowery, Marshall, McCormick, Mitchell,
 Taylor and Chairman Brown
 Peete and Sammons did not cast a vote

APPROVED

28. **RESOLUTION APPROVING SALE OF PROPERTY TO ANR PIPELINE COMPANY, SAID PROPERTY BEING A PORTION OF THE SAME PROPERTY CONVEYED TO THE CITY OF MEMPHIS, FOR THE USE AND BENEFIT OF MLGW BY DEED OF RECORD AS DESCRIBED IN THE REGISTER'S OFFICE OF SHELBY COUNTY, TENNESSEE IN THE REGISTER'S OFFICIAL RECORD BOOK UNDER INSTRUMENT NO. 04162693, FOR AND IN CONSIDERATION OF \$65,500.00.**

MOTION: Jones
 SECOND: Holt
 AYES: Chumney, Ford, Holt, Hooks, Jones, Marshall, McCormick, Mitchell, Peete,
 Taylor and Chairman Brown
 Lowery and Sammons did not cast a vote

APPROVED

29. **RESOLUTION APPROPRIATING FUNDS FOR THE PURCHASE OF REAL PROPERTY CONTAINING APPROXIMATELY 4 ACRES LOCATED ON THE EAST SIDE OF PLEASANT HILL ROAD, SOUTH OF PLEASANT RUN ROAD AND NORTH OF HOLMES ROAD, IN THE AMOUNT OF \$314,300.00 FROM G. O. BONDS GENERAL.**

Resolution appropriates \$298,000.00 for the purchase price, plus the estimated costs for closing \$5,000.00, environmental studies \$3,500.00, and survey engineering reports \$7,800.00 for a total of \$314,300.00, from G.O. Bonds General, in the FY 2005 Capital Improvement Budget, CIP Project Number FS 02014, South 78 Annexation (Now Fire Station 57), is to be credited for \$314,300.00. The subject property provides both the convenient location and a usable size of the needed Fire Station 57.

Director of General Services, Director of Fire Services, and City Engineer recommend approval

MOTION: Jones
 SECOND: Holt
 AYES: Chumney, Ford, Holt, Hooks, Jones, Marshall, McCormick, Mitchell, Peete,
 Taylor and Chairman Brown
 Lowery and Sammons did not cast a vote

APPROVED

30. **RESOLUTION ACCEPTING AN OFFER TO PURCHASE PROPERTY OWNED BY CITY LOCATED AT 6091 WALNUT GROVE ROAD, FORMER FIRE STATION #44, CONTAINING APPROXIMATELY 2.06 ACRES, MORE OR LESS, IN THE AMOUNT OF \$547,000.00.**

Resolution approves an Offer to Purchase City property located at 6091 Walnut Grove Road, former Fire Station #44. Said offer is in the amount of \$547,000.00 from Baptist Memorial Hospital. Said property contains approximately 2.06 acres, more or less. Per ordinance, the sale of the subject property is NOT subject to the offer laying over for a second reading to allow for an increase of the offer. Resolution approval on the first reading shall be deemed as approval of sale. Resolution also authorizes the Mayor to execute the necessary documents, on behalf of the City of Memphis, in connection with the sale.

Director of General Services recommends approval

MOTION: Jones
 SECOND: Peete
 AYES: Chumney, Ford, Holt, Hooks, Jones, Marshall, McCormick, Mitchell, Peete,
 Taylor and Chairman Brown
 Lowery and Sammons did not cast a vote

APPROVED

31. **RESOLUTION TO ACCEPT GRANT FUNDS IN THE AMOUNT OF \$893,718.00 FROM THE DEPARTMENT OF JUSTICE, OFFICE OF VIOLENCE AGAINST WOMEN, FOR THE GRANTS TO ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS PROGRAM. RESOLUTION ALSO AMENDS FY 2005 OPERATING BUDGET TO APPROPRIATE GRANT FUNDS.**

MOTION: Taylor
 SECOND: Jones
 AYES: Chumney, Ford, Holt, Hooks, Jones, Marshall, McCormick, Peete, Taylor and
 Chairman Brown
 Lowery, Mitchell and Sammons did not cast a vote

APPROVED

32. **RESOLUTION AMENDS THE FY 2005 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING IN PK01008, HICKORY HILL COMMUNITY CENTER, ALLOCATION AND APPROPRIATION AMOUNTS OF \$6,912.00 FROM ARCHITECT ENGINEERING AND \$25,609.00, TOTAL AMOUNT OF \$32,521.00 FROM OTHER COST TO CONTRACT CONSTRUCTION TO CONSTRUCT A HICKORY HILL PARK AND COMMUNITY CENTER SIGN AT 3910 RIDGEWAY ROAD, FUNDED BY G.O. BONDS – GENERAL.**

MOTION: McCormick
 SECOND: Jones
 AYES: Chumney, Ford, Holt, Hooks, Marshall, McCormick, Mitchell, Peete,
 Taylor and Chairman Brown
 Jones, Lowery and Sammons did not cast a vote

APPROVED

34. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$1,158,015.00 FROM THE DEPARTMENT OF HOMELAND SECURITY TRANSPORTATION SECURITY ADMINISTRATION PROGRAM. RESOLUTION ALSO AMENDS FY 2005 OPERATING BUDGET TO APPROPRIATE GRANT FUNDS.**

MOTION: Chumney
 SECOND: Jones
 AYES: Chumney, Ford, Holt, Hooks, Jones, Marshall, McCormick, Mitchell, Peete, Taylor and Chairman Brown
 Lowery and Sammons did not cast a vote

APPROVED

35. **RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH R.H.A. CORPORATION FOR THE EXCHANGE AND CONVEYANCE OF PROPERTY, AS APPROVED BY THE BOARD OF COMMISSIONERS OF THE MEMPHIS AND SHELBY COUNTY PORT COMMISSION ON AUGUST 27, 2004.**

Contract No. CR-4910

MOTION: Chumney
 SECOND: Jones
 AYES: Chumney, Ford, Holt, Hooks, Jones, Marshall, McCormick, Mitchell, Peete, Taylor and Chairman Brown
 Lowery and Sammons did not cast a vote

APPROVED

43. **RESOLUTION APPROVING A HOTEL WAIVER OF A SPECIAL USE PERMIT FOR THE LAQUINTA INN AND SUITES LOCATED AT 6069 MACON COVE.**

MOTION: Peete
 SECOND: Holt
 AYES: Chumney, Ford, Holt, Hooks, Jones, Marshall, McCormick, Mitchell, Peete, Sammons, Taylor and Chairman Brown
 Lowery did not cast a vote

APPROVED

MINUTES

Approval of the Minutes of the regular meeting of November 23, 2004

MOTION: Mitchell
 SECOND: Holt
 AYES: Chumney, Ford, Holt, Hooks, Jones, Marshall, McCormick, Mitchell, Peete, Taylor and Sammons
 Lowery and Sammons did not cast a vote

APPROVED

INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:

Chairman Brown recognized the following persons from the audience:

David Dortch, 6167 Gray Oak Ave., Mphs, TN 38115
 Earline Duncan, 166 Lawndale Drive, Mphs, TN 38109
 Eddie Houston, Jr., 4574 Newton Dr., Mphs, TN 38109
 Allan Lummus, 894 Sheridan, Mphs, TN 38107
 Alma Morris, 981 Alaska St., Mphs, TN 38107
 Barbara Smith, 4544 Princeton, Mphs, TN 38117

ADJOURNMENT

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

C H A I R M A N

Attest:

Deputy Comptroller/Council Records