

MINUTES

REGULAR MEETING OF THE CITY COUNCIL

CITY OF MEMPHIS

December 18, 2012

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, Reid Hedgepeth, Myron Lowery, Jim Strickland and Chairman Bill Morrison. Lee Harris was absent.

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

Councilwoman Fullilove and Councilwoman Halbert read a resolution into the record for Memphis Police Officer Martoiya Lang who was killed in the line of duty on December 14, 2012.

INVOCATION

The meeting was opened with a moment of silence led by Councilman Myron Lowery.

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.

MINUTES

Approval of the Minutes of the regular meeting of December 4, 2012 with the following motion:

MOTION: Ford – Pull and drop item #54 from the Minutes of December 4, 2012
SECOND: Strickland
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Lowery, Strickland and Chairman Morrison

Hedgepeth did not cast a vote
Harris was absent

APPROVED, as amended. Item #54 pulled and dropped from the Minutes of December 4, 2012

23. **ORDINANCE TO AMEND CHAPTER 9-60 (LITTER CONTROL) OF THE CITY OF MEMPHIS CODE OF ORDINANCES TO ADD VEHICLE IMPOUNDMENT FOR ILLEGAL DUMPING, UP FOR T H I R D AND F I N A L READING. (HELD FROM 11/6)**

Ordinance No. 5474

Held until January 8, 2013

24. **ORDINANCE TO AMEND CHAPTER 9-58 (TIRE BUSINESS AND TIRE HAULER REGISTRATION) OF THE CITY OF MEMPHIS CODE OF ORDINANCES TO ADD VEHICLE IMPOUNDMENT FOR ILLEGAL DUMPING, UP FOR T H I R D AND F I N A L READING. (Held from 11/6)**

Ordinance No. 5475

Held until January 8, 2013

25. **ORDINANCE TO AMEND CABLE FRANCHISE ORDINANCE NO. 5331 TO BE CONSISTENT WITH COUNCIL'S AUTHORITY AND INTENT, UP FOR T H I R D AND F I N A L READING. (Held from 10/2; 11/6; 12/4)**

Ordinance No. 5473

Held until January 8, 2013

26. **ORDINANCE AMENDING TITLE 6, BUSINESS LICENSES AND REGULATION, OF THE MEMPHIS, TENNESSEE, CODE OF ORDINANCES TO ADD CHAPTER 105, PROHIBITING WAGE THEFT, PROVIDING ADMINISTRATIVE PROCEDURES FOR WAGE THEFT, AND ALLOWING SHELBY COUNTY GOVERNMENT TO IMPOSE PENALTIES AGAINST THOSE EMPLOYERS FOUND GUILTY OF WAGE THEFT, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5478

Held until January 8, 2013

38. **RESOLUTION CLOSING WHITEHAVEN GOLF COURSE FOR THE WINTER MONTHS, INCREASING GOLF CART RENTAL FEES AND ESTABLISHING A NON-SHELBY COUNTY USER FEE. (Held from 11/6; 12/4)**

Held until January 22, 2013

1. **PRESENTATION OF THE 2012 CITY COUNCIL HUMANITARIAN AWARD, TO LEWIS R. DONELSON, III.**

MOTION: Conrad
SECOND: Strickland

APPROVED, by unanimous voice vote

2. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE FOR MR. WILLIAM GANDY, SR.**

MOTION: Halbert
SECOND: Ford

APPROVED, by unanimous voice vote

3. **RESOLUTION APPROVING THE RULES OF PROCEDURES AND REGULATIONS ADOPTED BY THE MEMPHIS TRANSPORTATION COMMISSION.**

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

APPROVED

4. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED AT 426 UNION AVENUE; NORTHWEST CORNER OF UNION AVENUE AND LAUDERDALE STREET, CONTAINING .957 ACRES IN SPORTS AND ENTERTAINMENT DISTRICT.**

Case No. PD 12-316

Applicant: Enterprise Rent-A-Car
Solomito Land Planning (Brenda Solomito) – Representative

Request: Expand existing Enterprise Rent-A-Car agency by expanding lot Area and constructing a new building

LUCB and OPD recommendation: APPROVAL, with conditions

No Opposition at LUCB; No Public Hearing Required

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

APPROVED

- 5. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE EAST SIDE OF OLD ALLEN ROAD; +/-754 FEET NORTHEAST OF NEW ALLEN ROAD, CONTAINING .49 ACRE IN THE RESIDENTIAL SINGLE FAMILY-10 (RS-10) DISTRICT.**

Case No. SUP 12-221

Applicant: Tower Ventures V, LLC/TV6-W, LLC
Lou Katzerman – Representative

Request: To construct a one hundred seventy foot (170') CMCS tower at
3298 Old Allen Road

LUCB and OPD recommendation: APPROVAL, with conditions

No Opposition at LUCB; No Public Hearing Required

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

APPROVED

CONSENT AGENDA – Items 6-8 and 46-48 may be acted upon by one motion: SEE PAGE 2444 FOR ROLL CALL

- 6. **ORDINANCE TO AMEND TITLE 7 – ALCOHOLIC BEVERAGES, CHAPTER 7-8 – BEER AND LIGHT ALCOHOLIC BEVERAGES, ARTICLE 2 – LICENSE TO STORE, SELL, DISTRIBUTE OR MANUFACTURE, OF THE CODE OF ORDINANCES, CITY OF MEMPHIS, SO AS TO CREATE A CATERER’S PERMIT, UP FOR F I R S T READING.**

Ordinance No. 5490

APPROVED, on First reading

- 7. **ORDINANCE TO AMEND NO. 4934, OF THE CITY CODE OF ORDINANCES, CHAPTER 2, ARTICLE III, DIVISION 4, PUBLIC ART – PUBLIC ART PROGRAM FOR THE CITY OF MEMPHIS, UP FOR S E C O N D READING.**

Ordinance No. 5488

APPROVED, on Second reading

8. **ORDINANCE TO ESTABLISH MEETING DATES FOR CITY COUNCIL MEETINGS IN 2013, UP FOR S E C O N D READING.**

Ordinance No. 5489

APPROVED, on Second reading

46. **JOINT ORDINANCE AMENDING THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, AS ADOPTED BY THE CITY OF MEMPHIS AUGUST 10, 2012 AND BY SHELBY COUNTY AUGUST 9, 2012, 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 F I R S T READING.**

Case No. ZTA 12-002
Ordinance No. 5491

APPROVED, on First reading

47. **JOINT ORDINANCE AND RESOLUTION AMENDING THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE TO MAKE CERTAIN CHANGES IN THE MAP AND TO COMPLY WITH REGULATIONS OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, UP FOR F I R S T READING.**

Case No. Z 12-107
Ordinance No. 5492

APPROVED, on First reading

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

- A. Case No. SAC 12-606
- B. Case No. SAC 12-607

Public Hearing set for January 8, 2013

ROLL CALL CONSENT ITEMS

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

APPROVED

MLGW FISCAL CONSENT – Items 9-22 may be acted upon by one motion:

9. **RESOLUTION AWARDING THREE-MONTH CONTRACT TO STANDARD CONSTRUCTION COMPANY FOR APPROXIMATELY 1,000 TONS OF WINTER ASPHALT MIX, IN AN APPROXIMATE AMOUNT OF \$62,000.00.**

APPROVED

10. **RESOLUTION AWARDING 24-MONTH BLANKET CONTRACTS FOR INSTRUMENT TRANSFORMERS TO HD SUPPLY UTILITIES IN THE AMOUNT OF \$3,333.30 AND UTILICOR IN THE AMOUNT OF \$141,261.46, FOR A TOTAL AMOUNT OF \$144,594.76**

APPROVED

11. **RESOLUTION AWARDING 24-MONTH BLANKET CONTRACTS FOR ELECTRIC METERS TO WESCO DISTRIBUTION IN THE AMOUNT OF \$135,870.00, LANDIS & GYR, INC. IN THE AMOUNT OF \$21,200.00 AND UTILICOR IN THE AMOUNT OF \$733,200.00 FOR A TOTAL AMOUNT \$890,270.00.**

APPROVED

12. **RESOLUTION APPROVING CHANGE NO. 7 TO CONTRACT NO. 10863, BLUE PUMPKIN SOFTWARE LICENSE SUPPORT SERVICES, WITH VERINT, INC., IN THE AMOUNT OF \$658,863.75. (THIS CHANGE IS TO UPGRADE EXISTING WORKFORCE MANAGEMENT (WFM)/CUSTOMER FEEDBACK (CF) SOFTWARE APPLICATIONS; INCREASE CUSTOMER FEEDBACK (CF) LICENSES; INSTALL WORKFORCE MANAGEMENT AND DESKTOP AND PROCESS ANALYTICS (DISCOVERY AND ADHERENCE TOOLS); DATA MIGRATION; TO ACTIVATE MULTI MEDIA FORECASTING AND SCHEDULING FEATURES; AND TRAINING AND SUPPORT.)**

APPROVED

13. **RESOLUTION APPROVING CHANGE NO. 11 TO CONTRACT NO. 10562, PBX/ACD SYSTEM, WITH BLACK BOX NETWORK SERVICES, IN THE FUNDED AMOUNT OF \$48,429.10 FOR A NEW CONTRACT AMOUNT OF \$2,151,123.96. (THIS CHANGE IS TO UPGRADE FROM THE OPENScape CONTACT CENTER V7.0 APPLICATION TO THE OPENScape CONTACT CENTER V8.0. IN ADDITION, THIS CHANGE IS TO MODIFY THE CTI APPLICATIONS ON NEW MLGW PROVIDED SERVERS WHICH WILL MIGRATE DATA FROM V7.0 DATABASE TO V8.0 DATABASE. THIS UPGRADE WILL ALLOW MLGW TO DEVELOP AND ACTIVATE THE CALL DIRECTOR APPLICATION IN AN EFFORT TO SPEAK TO CUSTOMERS IN THE ESTIMATED WAIT TIME ALONG WITH OTHER PERTINENT INFORMATION.)**

APPROVED

14. **RESOLUTION APPROVING CHANGE NO. 10 TO CONTRACT NO. 10332, ABB SOFTWARE MAINTENANCE, WITH ABB POWER TRAINING & DEVELOPMENT COMPANY, INC., IN THE FUNDED AMOUNT OF \$135,119.00. (THIS CHANGE IS TO RENEW SOFTWARE MAINTENANCE, LICENSES, AND SUPPORT RENEWAL FEES FOR THE PERIOD COVERING JANUARY 1, 2013 TO DECEMBER 31, 2013. IN ADDITION, THIS CHANGE INCLUDES A 0.42% INCREASE IN PRICE FROM THE PREVIOUS YEAR. THE INCREASE IS DUE TO ABB'S 2013 PRICING MODEL. MLGW IS REQUESTING CONTINUOUS MAINTENANCE OF THE ACQUIRED SYSTEM, WHICH CAN ONLY BE PERFORMED BY ABB POWER TRAINING & DEVELOPMENT COMPANY, INC.)**

APPROVED

15. **RESOLUTION AWARDED CONTRACT TO BUCKEYE MOUNTAIN FOR GLOBAL POSITIONING SYSTEM (GPS) HANDHELD DEVICES, IN THE AMOUNT OF \$69,810.00.**

APPROVED

16. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11324, IN-SERVICE WOOD POLE INSPECTION, WITH OSMOSE UTILITIES SERVICES, INC., IN THE FUNDED AMOUNT NOT TO EXCEED \$600,000.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE THIRD OF FOUR RENEWAL TERMS COVERING THE PERIOD JANUARY 1, 2012 TO DECEMBER 31, 2012. IN ADDITION, THIS RENEWAL REFLECTS A 0.75% PRICE INCREASE FROM THE PREVIOUS YEAR.)**

APPROVED

17. **RESOLUTION AWARDED CONTRACT NO. 11594, POWERPLAN MAINTENANCE AGREEMENT TO POWERPLAN, INC. IN THE FUNDED AMOUNT OF \$851,309.00.**

APPROVED

18. **RESOLUTION AWARDED A 12-MONTH BLANKET CONTRACT TO THOMAS CONSULTANTS, INC. FOR NOVELL SOFTWARE MAINTENANCE, IN THE AMOUNT OF \$315,916.43.**

APPROVED

19. **RESOLUTION AWARDED CONTRACT NO. 11595, TELVENT MAINTENANCE AGREEMENT, TO TELVENT, IN THE FUNDED AMOUNT OF \$700,000.00.**

APPROVED

20. **RESOLUTION AWARDED CONTRACT NO. 11593, ORACLE MAINTENANCE AGREEMENT, TO ROLTA INTERNATIONAL, IN THE FUNDED AMOUNT OF \$1,296,654.00.**

APPROVED

- 21. **RESOLUTION AWARDING CONTRACT NO. 11551, VIDEO PRODUCTION FOR MEMPHIS ENERGIZED, TO MEDIA SOURCE IN THE FUNDED AMOUNT OF \$50,000.00.**

APPROVED

- 22. **RESOLUTION AWARDING A 60-MONTH CONTRACT TO PITNEY BOWES FOR RENTAL OF A SHIPPING AND RECEIVING SOLUTION, IN THE AMOUNT OF \$98,940.00.**

APPROVED

MLGW ROLL CALL CONSENT ITEMS

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

APPROVED

- 36. **RESOLUTION SEEKING APPROVAL FROM THE MEMPHIS CITY COUNCIL TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE SHELBY COUNTY OFFICE OF TRUSTEE FOR THE COLLECTION OF CURRENT AND DELINQUENT AD VALOREM TAXES OWED TO THE CITY OF MEMPHIS.**

MOTION: Fullilove – Hold for 2 weeks
 SECOND: Brown
 AYES: Brown, Collins, Fullilove, Halbert and Lowery
 NAYS: Boyd, Conrad, Flinn, Ford, Hedgepeth, Strickland and Chairman Morrison
 Harris was absent

FAILED. Set up as Special Item #1

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

APPROVED

39. **RESOLUTION ACCEPTING GRANT FUNDS FROM THE GOVERNOR'S HIGHWAY SAFETY OFFICE (GHSO) OF THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$15,000.00. RESOLUTION ALSO AMENDS THE FY 2013 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE \$15,000.00 IN GRANT FUNDS FOR FY 2013.**

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

Chairman Morrison stated that without objection, we will have same night minutes

APPROVED

40. **RESOLUTION ACCEPTING GRANT FUNDS FROM THE GOVERNOR'S HIGHWAY SAFETY OFFICE (GHSO) OF THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$107,029.42 FOR COMPREHENSIVE ALCOHOL RISK REDUCTION (C.A.R.D.). RESOLUTION ALSO AMENDS FY 2013 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE \$107,029.42 IN GRANT FUNDS FOR FY 2013.**

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

Chairman Morrison stated that without objection, we will have same night minutes

APPROVED

41. **RESOLUTION ACCEPTING GRANT FUNDS FROM THE GOVERNOR'S HIGHWAY SAFETY OFFICE (GHSO) OF THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$398,472.98 FOR ALCOHOL SATURATION PATROLS. RESOLUTION ALSO AMENDS FY 2013 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE \$398,472.98 IN GRANT FUNDS FOR FY 2013.**

MOTION: Conrad
SECOND: Strickland
AYES: Boyd, Conrad, Ford, Halbert, Hedgepeth, Lowery, Strickland and Chairman
Morrison

Brown, Collins, Flinn and Fullilove did not cast a vote
Harris was absent

Chairman Morrison stated that without objection, we will have same night minutes

APPROVED

- 49. **RESOLUTION ACCEPTING FUNDS FROM THE CENTER CITY REVENUE FINANCE CORPORATION FOR THE MAIN STREET MULTIMODAL CONNECTOR IN THE AMOUNT OF \$311,704.00 AND APPROPRIATING THOSE FUNDS.**

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

Chairman Morrison stated that without objection, we will have same night minutes

APPROVED

- 50. **RESOLUTION ACCEPTING FUNDS FROM THE CHARLES MCVEAN AND HYDE FAMILY FOUNDATION FOR THE MAIN STREET MULTIMODAL CONNECTOR IN THE AMOUNT OF \$650,000.00 AND APPROPRIATING THOSE FUNDS TO PROJECT NUMBER PW04090 FOR THE DESIGN OF THE HARAHAH BRIDGE TRAIL.**

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

Chairman Morrison stated that without objection, we will have same night minutes

APPROVED

- 27. **JOINT ORDINANCE UPDATING THE MEMPHIS AND SHELBY COUNTY EXISTING BUILDING CODE BY ADOPTION OF INTERNATIONAL CODE COUNCIL 2012 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE WITH LOCAL AMENDMENTS, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5479

MOTION: Ford
 SECOND: Hedgepeth

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

APPROVED

28. **JOINT ORDINANCE UPDATING THE MEMPHIS AND SHELBY COUNTY RESIDENTIAL CODE BY ADOPTION OF THE INTERNATIONAL CODE COUNCIL 2012 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE WITH LOCAL AMENDMENTS, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5480

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

APPROVED

29. **JOINT ORDINANCE UPDATING THE MEMPHIS AND SHELBY COUNTY FUEL GAS CODE BY ADOPTION OF THE 2009 EDITION OF THE INTERNATIONAL CODE COUNCIL FUEL GAS CODE WITH LOCAL AMENDMENTS, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5481

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

APPROVED

30. **JOINT ORDINANCE UPDATING THE MEMPHIS AND SHELBY COUNTY PLUMBING CODE BY ADOPTION OF THE 2009 EDITION OF THE INTERNATIONAL CODE COUNCIL PLUMBING CODE WITH LOCAL AMENDMENTS, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5482

MOTION: Ford
SECOND: Boyd

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

APPROVED

31. **JOINT ORDINANCE UPDATING THE MEMPHIS AND SHELBY COUNTY ENERGY CONSERVATION CODE BY ADOPTION OF THE INTERNATIONAL CODE COUNCIL 2009 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE WITH LOCAL AMENDMENTS, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5483

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

APPROVED

32. **JOINT ORDINANCE UPDATING THE MEMPHIS AND SHELBY COUNTY ELECTRICAL CODE BY ADOPTION OF THE 2008 NATIONAL ELECTRICAL CODE WITH LOCAL AMENDMENTS, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5484

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

APPROVED

33. **JOINT ORDINANCE UPDATING THE MEMPHIS AND SHELBY COUNTY MECHANICAL CODE BY ADOPTION OF THE 2009 EDITION OF THE INTERNATIONAL CODE COUNCIL MECHANICAL CODE WITH LOCAL AMENDMENTS, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5485

MOTION: Ford
SECOND: Boyd
AYES: Boyd, Conrad, Ford, Halbert, Hedgepeth, Lowery, Strickland and Chairman Morrison

Brown, Collins, Flinn and Fullilove did not cast a vote
Harris was absent

APPROVED

- 34. **ORDINANCE ADOPTING THE 2009 INTERNATIONAL FIRE CODE (PUBLISHED BY INTERNATIONAL CODE COUNCIL) WITH LOCAL AMENDMENTS, TO REPLACE THE CURRENTLY ADOPTED 2003 INTERNATIONAL FIRE CODE, TO BE THE ENFORCED DOCUMENT FOR FIRE AND LIFE SAFETY WITHIN THE CITY OF MEMPHIS. SEE EXISTING ORDINANCE NO. 5225, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5486

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

APPROVED

- 35. **JOINT ORDINANCE UPDATING THE MEMPHIS AND SHELBY COUNTY BUILDING CODE BY ADOPTION OF CHAPTERS 14-25 AND CHAPTER 34 OF THE 2012 INTERNATIONAL CODE COUNCIL 2012 EDITION OF THE INTERNATIONAL BUILDING CODE AND CHAPTERS 1-13, 26-33 AND CHAPTER 35 OF THE 2009 EDITION OF THE INTERNATIONAL CODE COUNCIL INTERNATIONAL BUILDING CODE WITH LOCAL AMENDMENTS, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5487

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

APPROVED

- 37. **RESOLUTION ADOPTING THE 2013 STATE LEGISLATIVE AGENDA.**

MOTION: Strickland – Remove #7 from the resolution
 SECOND: Hedgepeth
 AYES: Hedgepeth, Lowery and Strickland
 NAYS: Boyd, Collins, Ford, Halbert and Chairman Morrison

Brown, Conrad, Flinn and Fullilove did not cast a vote
Harris was absent

FAILED. Set up as Special Item #2

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

APPROVED

42. **RESOLUTION APPROPRIATING \$70,000.00 IN G.O. BOND FUNDS FOR THE PURCHASE OF TWO VIDEO EDIT SYSTEMS, FOR THE MEMPHIS PUBLIC LIBRARY AND INFORMATION CENTER'S TELEVISION STATION, WYPL TV-18.**

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

APPROVED

43. **RESOLUTION TO CEASE FUNDING FOR ANY STAND-ALONE SIGNS FOR BIKE LANES.** (Held from 12/4)

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

APPROVED

44. **RESOLUTION TO SELL CITY-OWNED PROPERTY, LOCATED AT 4122 BARTON, TO ALPHA MEMPHIS EDUCATION FOUNDATION, INC., FOR THE AMOUNT OF \$1.00.**

MOTION: Hedgepeth
SECOND: Ford
AYES: Boyd, Collins, Ford, Halbert, Hedgepeth, Lowery, Strickland and Chairman Morrison

Brown, Conrad, Flinn and Fullilove did not cast a vote
Harris was absent

APPROVED

- 45. **RESOLUTION APPROVING THE AMENDMENT TO AGRICULTURAL LEASE AGREEMENT WITH ENSLEY BOTTOMS FARM, LLC, AS APPROVED BY THE BOARD OF COMMISSIONERS OF THE MEMPHIS AND SHELBY COUNTY PORT COMMISSION, ON OCTOBER 17, 2012.**

Contract No. CR-5194

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

APPROVED

MINUTES

Approval of the Minutes of the regular meeting of December 18, 2012 for Items 39, 40, 41, 49 and 50 with the following motion:

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

APPROVED. Set up as Special Item #3

INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:

Chairman Morrison recognized the following person who spoke from the audience

Lee Cochran, 179 Richbriar St., Memphis, TN 38120
 Steven Simmons, 781 Leath St., Memphis, TN 38107

ADJOURNED MEETING AT 5:48 P.M.



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