



CITY OF MEMPHIS

COUNCIL AGENDA

August 6, 2013

Public Session Tuesday, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

CALL TO ORDER by the Sergeant-at-Arms

INVOCATION

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

PLEDGE OF ALLEGIANCE

CALL OF ROLL by the Comptroller

APPROVAL OF PREVIOUS MEETING MINUTES (July 16, 2013)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATION AND RECOGNITION OF VISITORS

1. Strickland PRESENTATION of certificates to law school interns.

PUBLIC HEARINGS (None)

DIVISION OF PLANNING AND DEVELOPMENT (None)

ZONING ORDINANCES – THIRD AND FINAL READING (None)



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CONSENT AGENDA

GENERAL ORDINANCES - FIRST READING (None)

GENERAL ORDINANCES - SECOND READING

2. **ORDINANCE** establishing a Revenue Manager for the Finance Division, up for S E C O N D reading.

Ford

Ordinance No. 5529

ACTION REQUESTED: Adopt the ordinance on Second reading

3. **ORDINANCE** to amend Chapter 33, Article IV, of the City of Memphis Code of Ordinances, to clarify Enforcement Authority for the Stormwater Program, up for S E C O N D reading.

Hedgepeth

Ordinance No. 5530

ACTION REQUESTED: Adopt the ordinance on Second reading

4. **ORDINANCE** to allow “kiosk” type multi-space parking meters for on street public parking, up for S E C O N D reading.

Hedgepeth

Ordinance No. 5531

ACTION REQUESTED: Adopt the ordinance on Second reading

ZONING ORDINANCE - FIRST READING

5. **JOINT ORDINANCE** amending the Memphis and Shelby County Unified Development Code as adopted by the City of Memphis August 10, 2010 and by Shelby County 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 F I R S T reading.

Collins

Case No. ZTA 13-003

Ordinance No. 5532

Applicant: Memphis and Shelby County Office of Planning and Development
Josh Whitehead, AICP, Planning Director – Representative

Request: Adopt amendments to the Memphis and Shelby County Unified Development Code

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on First reading

ZONING ORDINANCES - SECOND READING (None)

ENGINEERING

- 6. RESOLUTION accepting WINDSOR VIEW SUBDIVISION, and authorizing release of bond.

Case No. S 10-012
(Contract No. CR-5172)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat, located on the northside of Windsor Rd, and southside of Holmes Rd., west of Tulane Rd. The standard improvement contract was approved on August 2, 2011. Resolution also authorizes the release of Magna Bank Letter of Credit, No. 5000000224-700, dated September 21, 2011 in the amount of \$937,000.00 and the Liberty Mutual Insurance Company performance bond No. 013124333, dated July 12, 2011 in the amount of \$1,303,800.00.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

NOTATIONS FROM OPD

- 7. NOTATION from Land Use Control Board that the following case was heard and recommendation made requesting a date of public hearing:

A. Case No. SAC 13-604

Located on the west half of Texas Street, generally between East Carolina Avenue and Railroad Avenue, containing 0.178 acre in the Bluffview Residential (BR) District

Applicant: Henry Turley Company
PowersHill Design, LLC (Nisha Powers and/or Steve Hill) – Representatives

Request: Close and vacate the west half of Texas Street beginning at East Carolina Avenue and extending south approximately 310.00'

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: August 20, 2013



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MLGW FISCAL CONSENT

8. RESOLUTION awarding a contract to Consolidated Pipe and Supply Company, Inc., for the purchase of self-loading coil pipe trailers in the amount of \$78,206.00.
9. RESOLUTION awarding Contract No. 11467, Construct Washwater Recovery Tank at the Palmer Pumping Station to Barnes and Brower, Incorporated, in the funded amount of \$1,553,713.00.
10. RESOLUTION awarding contracts to Royal Switchgear Manufacturing Company in the amount of \$51,800.00 and Alstom Grid, Inc. in the amount of \$62,000.00 for air disconnect switches.
11. RESOLUTION awarding a thirty-six month blanket contract for metal coatings to M & D Coatings, Inc., in the amount of \$100,270.00.
12. RESOLUTION awarding a twelve month blanket contract to T. R. Miller Mill Company, Inc., in the amount of \$1,318,783.60 for southern yellow pine poles.
13. RESOLUTION amending Purchase Order Number 137910 to 1Source Office Facility and Supply formerly Memphis Chemical and Janitorial Supply for paper products. This amendment is to increase the contract value in the amount of \$128,125.00 to replenish inventory to cover Division needs from September 3, 2013 to the end of the contract term on October 20, 2014. Actual quantities needed have exceeded the numbers estimated at the time of the original bid. The new contract value is \$463,975.00.
14. RESOLUTION approving a transfer of funds from the Common Fund to the OPEB Trust, with a settlement at year-end to equal the 2013 Annual OPEB Cost, in an estimated amount of \$17,853,893.00.
15. RESOLUTION approving payment of an invoice from Platts for the annual subscription services funded in the amount of \$32,700.02. The annual subscription service is used by Energy Resources Area of Memphis Light, Gas and Water as a necessary instrument in the transaction of daily gas purchases. It supplies market and industry information as well as daily and monthly price indices used in MLGW gas transactions.
16. RESOLUTION awarding a contract to Varitech, Inc., for a cascade CNG (Compressed Natural Gas) storage assembly, in the amount of \$87,770.00.

17. RESOLUTION approving Change No. 1 to Contract No. 11570, MLGW Rental Equipment Insurance Coverage, with Mid-South Insurance Office, Incorporated, in the funded amount of \$49,613.00. (This change is to renew the current contract for an additional one year term for the period covering August 24, 2013 to August 23, 2014. This change reflects a 5% increase from the previous year due to the overall market place and the risk involved with this risk. The new contract value is \$96,863.00.)
18. RESOLUTION approving Change No. 3 to Contract No. 10140, PDSFAST Software License, with Software Engineering of America, in the funded amount of \$35,652.00. (This change is to renew annual software maintenance, license, and support. The term of this renewal period covers October 1, 2013 to September 30, 2016 with no increase from the previous year. MLGW is requesting approval of continuous maintenance of the acquired system, which can only be performed by Software Engineering of America.)



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REGULAR AGENDA

19.
Flinn

APPOINTMENTS

FIRE DEPARTMENT BOARD OF APPEALS

Reappointment

Janet Smith-Haltom

MINORITY BUSINESS DEVELOPMENT AND OVERSIGHT COMMISSION

Appointments

Shante K. Avant
Christopher M. Hearn
Marcel C. Hill
Clarence R. Scott

Reappointments

Anita Black
Judith Black Moore

GENERAL ORDINANCE – THIRD AND FINAL READING

20. **ORDINANCE** to amend Ordinance No. 5460, to allow the Maximum Local Option Sales Tax be levied in the City of Memphis and to submit this proposed Referendum Ordinance to the qualified voters of the City of Memphis, at a special election to be held by September 30, 2013, up for T H I R D and F I N A L reading. (Held from 3/5; 4/2; 7/2;7/16)

Flinn &
Strickland

Ordinance No. 5495

ACTION REQUESTED: Take whatever action Council deems advisable

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION

- 21. RESOLUTION to set the sales tax referendum to allocate money in the amount of \$27,000,000.00 for Pre-Kindergarten Programs and property tax decrease in the amount of \$20,000,000.00. (Held from 2/5; 3/5; 4/2; 7/2;7/16)

Strickland

ACTION REQUESTED: Adopt the resolution

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT

DIVISION OF HUMAN RESOURCES (None)

INFORMATION SERVICES (None)

LAW DIVISION (None)

MLGW DIVISION (None)

DIVISION OF PARK SERVICES (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS

- 22. RESOLUTION authorizing the Mayor to enter into a Lease/Purchase Agreement to acquire new parking meter equipment, in the Downtown and the Medical District.

Hedgepeth

ACTION REQUESTED: Adopt the resolution

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT

ADD-ONS

23. RESOLUTION accepting \$14,939,000.00 in TIGER IV Grant funds from the Federal Highway Administration (FHWA); \$2,000,000.00 in TDOT state funds; and \$1,000,000.00 in CIP funds from Shelby County Government for Construction and Architectural & Engineering costs associated with the Main Street to Main Street Multimodal Connector grant funded project.

Hedgepeth

ACTION REQUESTED: Adopt the resolution

24. RESOLUTION to amend the FY2014 Budget allocation of \$2.1 million to EDGE (Grants & Agencies) by (1) Appropriating and transferring \$379,040.00 to MATA for bus routes (2) Appropriating and transferring \$90,000.00 to MATA for trolley service; (3) Appropriating and transferring \$1,630,960.00 to EDGE.

Halbert

ACTION REQUESTED: Adopt the resolution

25. RESOLUTION establishing a four month moratorium on demolition of structures listed in the National Registry of Historic Places.

Fullilove

ACTION REQUESTED: Adopt the resolution

ACTION TAKEN BY COUNCIL ON THIS DATE

1. No vote required
2. Through 6 – Approved
7. Public Hearing set for August 20, 2013
8. Through 19 – Approved
20. and 21 - Approved, as amended
22. Through 24 – Approved
25. Held until August 20, 2013

ACTION TAKEN ON THE MINUTES OF JULY 16, 2013

Approved

ACTION TAKEN ON THE MINUTES OF AUGUST 6, 2013 FOR ITEMS 20, 21, 23 AND 24 ONLY:

Approved