



# CITY OF MEMPHIS

## COUNCIL AGENDA - **REVISED**

January 5, 2016

Public Session Tuesday, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

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### 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 (December 15, 2015)

### ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

### ITEMS HELD OR DROPPED FROM THE AGENDA

#### PRESENTATIONS AND RECOGNITION OF VISITORS

1. RESOLUTION approving an honorary street name change of S. Perkins, in honor of Officer Sean Bolton. This resolution is sponsored by Councilman Hedgepeth. (Held from 12/15)  

ACTION REQUESTED:     Adopt the resolution
2. RESOLUTION approving an honorary street name change for Clifford Stockton. This resolution is sponsored by Councilman Kemp Conrad and Councilwoman Patrice Robinson.

ACTION REQUESTED: Adopt the resolution

- 3. RESOLUTION thanking Senator Lee Harris for his service to the City of Memphis. This resolution is sponsored by Councilman Kemp Conrad.

ACTION REQUESTED: Adopt the resolution

**PUBLIC HEARINGS**

- 4. RESOLUTION approving a planned development located on the northeast corner of Ridgeway Road and Nonconnah Parkway. This resolution is sponsored by the Office of Planning and Development. (Held from 12/1; 12/15) Case No. PD 02-303  
Colvett  
Chairman,  
Planning & Zoning  
Committee

Appellant: Thomas Edward Settles

Request: Overturn the decision of the Land Use Control Board on September 10, 2015 deleting Condition 2 relating to the requirement to reinstall landscaping along the south property line

LUCB recommendation: DELETE the condition from consideration

OPD recommendation: APPROVAL of the condition

ACTION REQUESTED: Take whatever action Council deems advisable

**5 NOTICES WERE MAILED ON NOVEMBER 20, 2015**

**DIVISION OF PLANNING AND DEVELOPMENT**

- 5. RESOLUTION approving a special use permit located on the northeast corner of Jackson Avenue and N. Front Street, containing 1.07 acres in the Mixed Use (MU) District. This resolution is sponsored by the Office of Planning and Development. (Held from 9/1; 11/3; 12/15) Case No. SUP 15-213  
Colvett  
Chairman,  
Planning &  
Zoning Committee

Applicant: Front Street Group, LLC  
Brenda Solomito Basar – Representative

Request: Allow an extended stay hotel and retail component

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

**No Opposition at LUCB; No Public Hearing Required**

6. RESOLUTION approving a special use permit located on the SE corner of Brooks and Colvett McCorkle, Parcel ID 07700500001C, containing 1.70 acres in the Commercial Mixed Use (CMU-3) District. This resolution is sponsored by the Office of Planning and Development. (Held from 12/1; 12/15)  
Chairman, Planning & Zoning Committee

Case No. SUP 15-216

Applicant: RS Harris, LLC  
Phil Schechtman – Representative

Request: To allow tractor trailer servicing and a trailer drop yard

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

**No Opposition at LUCB; No Public Hearing Required**

7. RESOLUTION approving a street/alley closure beginning at the west right of way line of Quince Road, said point of beginning being some 769.50 feet to the southeast of the southern terminus of The Willows Place; and then extending to the west along the centerline of Knight Arnold Road a distance of 213.52 feet, containing 0.57 acre in the Residential Urban-2 (RU-2 District.. This resolution is sponsored by the Office of Planning and Development.  
Chairman, Planning & Zoning Committee

Case No. SAC 15-624

Applicant: Wills and Wills, LP (Walter Wills)  
Fisher and Arnold Engs., Inc. (David Baker) – Representative

Request: Abandon the undeveloped portion of Knight Arnold Road beginning on the west side of Quince Road and extending westward a distance of 213.52 feet

LUCB recommendation: APPROVAL

OPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

**No Opposition at LUCB; No Public Hearing Required**

**ZONING ORDINANCE – THIRD AND FINAL READING** (None)



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## CONSENT AGENDA

**GENERAL ORDINANCE - FIRST READING** (None)

**GENERAL ORDINANCE - SECOND READING** (None)

**ZONING ORDINANCE - FIRST READING** (None)

**ZONING ORDINANCE - SECOND READING** (None)

### **ENGINEERING**

8. RESOLUTION approving final plat of MD 1 SUBDIVISION.

Case No. S 15-002

Contract No. CR-5236

Resolution approves the final plat located on the north side of Moriarity Road, west of Germantown Parkway. 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

### **NOTATION FROM OPD**

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

- A. Case No. PD 15-317 – Colonial Country Club P.D.

Located at the existing terminus of Countrywood Parkway, south of Interstate 40, containing 163 acres including 48 acres of open space in the Conservation Agriculture (CA) and Residential Urban (RU-3) Districts.

Applicant: Jim Russell  
Dalhoff Thomas Design Studio – Representative

Request: Planned development consisting of two development options that include single-family homes, apartments, senior housing, townhomes and cabin-style guest homes

LUCB and OPD recommendation: APPROVAL, with conditions

**ACTION REQUESTED: Set a date of public hearing**

**SUGGESTED DATE: January 19, 2016**

**GENERAL ITEM**

10. RESOLUTION approving and honorary street name change for Margaret and Hugo Dixon. This resolution is sponsored by Councilman Kemp Conrad.

ACTION REQUESTED: Adopt the resolution



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## MLGW FISCAL CONSENT

11. RESOLUTION approving Change No. 6 to Contract No. 11500, Temporary Service for Clerical Support, with Kelly Services, in the funded amount of \$770,389.00. (This change is to renew the current contract for the fourth and final renewal term covering the period January 4, 2016 through December 31, 2016, with no increase in rates from the previous year. In addition, MLGW is requesting the approval of contingency funds for unexpected emergencies in the amount of \$103,896.00, for a total funded amount of \$770,389.00.)  
(Held from 12/1; 12/15)
12. RESOLUTION approving Change No. 4 to Contract No. 11499, Temporary Service for General Labor, with Pridestaff, in the funded amount of \$983,092.60. (This change is to renew the current contract for the fourth and final renewal term covering the period January 4, 2016 through December 31, 2016, 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 \$983,092.60.) (Held from 12/1; 12/15)
13. RESOLUTION awarding a thirty-six month contract to Fullen Dock and Warehouse, Inc., for crushed limestone, in the estimated amount of \$1,900,370.77.
14. RESOLUTION approving Change No. 4 to Contract No. 11495, Janitorial Services, with Mason Professional Cleaning Services, LLC, in the funded amount of \$189,103.12. (This change is to renew the current contract for the fourth and final renewal term covering the period March 2, 2016 through March 1, 2017, with no increase in rates from the previous year.)
15. RESOLUTION approving Change No. 1 to Contract No. 11725, Janitorial Services, with SKB Facilities and Maintenance, in the funded amount of \$132,299.50. (This change is to renew the current contract for the first of four annual renewal terms for the period covering February 23, 2016 through February 22, 2017, with no increase in rates from the previous year.)
16. RESOLUTION approving Change No. 1 to Contract No. 11724, Janitorial Services, with SKB Facilities and Maintenance, in the funded amount of \$289,122.00. (This change is to renew the current contract for the first of four annual renewal terms for the period covering February 23, 2016 through February 22, 2017, with no increase in rates from the previous year.)

17. RESOLUTION approving Change No. 1 to Contract No. 11560, Professional Design Services for Fabrication and Repair Shop Design, with The Crump Firm, Incorporated, in the funded amount not-to-exceed \$1,000,000.00. (This contract was awarded at the October 21, 2015 MLGW Board Meeting, based on approved rates in the funded amount not-to-exceed amount of \$1,300,000.00. The incorrect contract award amount was provided on the budget template by the requestor. The amount should have been \$2,300,000.00. This change is to amend the contract value by adding an additional \$1,000,000.00.)
18. RESOLUTION awarding a contract to Scruggs Equipment Company, Inc., for the purchase of a hydro excavator truck, in the amount of \$287,180.00.
19. RESOLUTION awarding a contract to Brighter Days and Nites, Inc., for conservation kits, in the amount of \$68,250.00.
20. RESOLUTION requesting approval of renewal of the Lease Agreement dated October 1, 2010, for property located at 5791 Summer Trees, between Belz Investco GP and Memphis, Light, Gas and Water Division, for the second five-year term, as amended, to reduce the base rental rate for the renewal period from \$7.00 per square foot to \$6.19 per square foot.
21. RESOLUTION requesting advanced approval to assist in expediting the material requisition necessary to repair structures on MLGW's wood pole transmission system that were found during recent inspections. It is important to have all materials in stock and available by the first quarter of 2016 so that the system work can be completed during the off-peak season. The total anticipated cost of these items shall not exceed \$245,000.
22. RESOLUTION approving Change No. 1 to Contract No. 11538, Geographic Information System (GIS) Data Capture Software and Support, with GEO-Jobe Consultants, in the estimated funded amount of \$70,000.00. (This change will provide MLGW the ability to manage Atmospheric Corrosion Survey Cycle and Gas Leak Survey Cycle independently, leveraging the same custom software tool. The contract term will remain through August 26, 2018.)
23. RESOLUTION awarding a twelve month contract to Border States, for conch wire, in the amount of \$153,798.48.
24. RESOLUTION approving Change No. 5, to Contract No. 9626, Data Processing/License Agreement, with Innovation Data Processing, Incorporated, in the funded amount of \$7,384.00. (This change is to renew the current contract for annual software maintenance, license, and support services covering the period February 1, 2016 through January 31, 2017.)
25. RESOLUTION approving Change No. 1 to Contract No. 11680, Satori Software Agreement, with Satori Software Company, in the funded amount of \$22,269.00. (This software uses USPS approved functionalities and assists with report filing with USPS. This change is to renew the current contract for annual software licensing, main frame, and support services for the Customer Information System Billing and Mailing Environment covering the period October 31, 2015 through October 31, 2016.)



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## REGULAR AGENDA

**GENERAL ORDINANCES – THIRD AND FINAL READING** (None)

**ENGINEERING DIVISION** (None)

**EXECUTIVE DIVISION** (None)

**FINANCE & ADMINISTRATION** (None)

**DIVISION OF FIRE SERVICES** (None)

**DIVISION OF GENERAL SERVICES** (None)

**DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT** (None)

**DIVISION OF HUMAN RESOURCES** (None)

**INFORMATION SERVICES** (None)

**LAW DIVISION** (None)

**MLGW DIVISION** (None)

**DIVISION OF PARKS AND NEIGHBORHOODS** (None)

**DIVISION OF POLICE SERVICES** (None)

**DIVISION OF PUBLIC WORKS**

26. RESOLUTION appropriating \$998,287.96 in G.O. Bonds General for street repaving of various streets throughout the City of Memphis. The resolution is sponsored by Public Works.
- Hedgepeth  
Chairman,  
Public Works &  
Transportation

Committee

ACTION REQUESTED: Adopt the resolution

27. RESOLUTION transferring construction funds from SW02001 and appropriating construction funds for SW02118 from sewer rehab in the amount of \$408,172.00. This resolution is sponsored by Public Works.  
Hedgepeth  
Chairman,  
Public Works &  
Transportation  
Committee

ACTION REQUESTED: Adopt the resolution

28. RESOLUTION authorizing a Loan Agreement with the Closed Loop Fund in an amount not to exceed \$5,250,000.00 to fund the expansion of the Residential Curbside Recycling Program through the purchase of up to 105,000 recycling carts. This is a 0% interest loan through the Closed Loop Fund. This resolution is sponsored by Public Works.  
Hedgepeth  
Chairman,  
Public Works &  
Transportation  
Committee

ACTION REQUESTED: Adopt the resolution

**GENERAL ITEM**

29. RESOLUTION vetoing report and recommendation of MLGW/IBEW Impasse Committee approving last best offer of MLGW.  
Fullilove

ACTION REQUESTED: Adopt the resolution

**APPEARANCE CARDS FOR PUBLIC SPEAKING**

**ADJOURNMENT**

**ADD-ONS**

30. RESOLUTION seeking to classify the Deputy Fire Chief (of Planning and Administration) as an appointed position and exempt from Civil Service. This resolution is sponsored by Human Resources and Fire Services.  
Spinosa  
Chairman,  
Personnel &  
Intergovernmental  
Committee

ACTION REQUESTED: Adopt the resolution

31. Appointment of Chief Operating Officer – Doug McGowen  
Spinosa

ACTION REQUESTED: No recommendation

32. Appointment of Chief Financial Officer – Brian Collins  
Spinosa

ACTION REQUESTED: No recommendation

33. Appointment of Chief Communications Officer – Ursula Madden  
Spinosa

ACTION REQUESTED: No recommendation

34. Appointment of City Attorney/Chief Legal Officer – Bruce McMullen  
Spinosa

ACTION REQUESTED: No recommendation

35. Appointment of Chief Human Resources Officer – Alexandria Smith  
Spinosa

ACTION REQUESTED: No recommendation

36. Appointment of Director of Fire Services – Gina Sweat  
Spinosa

ACTION REQUESTED: No recommendation

37. Appointment of Director of General Services – Antonio Adams  
Spinosa

ACTION REQUESTED: No recommendation

**ADD-ONS**

38. Appointment of Director of Housing and Community Development – Paul Young  
Spinosa

ACTION REQUESTED: No recommendation

39. Appointment of Director of Division of Planning and Development – Rick Copeland  
Spinosa

ACTION REQUESTED: No recommendation

40. Appointment of Director of Public Works – Robert Knecht  
Spinosa

ACTION REQUESTED: No recommendation

41. Appointment of Director of Libraries – Keenon McCloy  
Spinosa

ACTION REQUESTED: No recommendation

42. Appointment of Executive Director of Workforce Investment Network – Kevin Woods  
Spinosa

ACTION REQUESTED: No recommendation

43. Appointment of Director of Information Technology – Brent Nair  
Spinosa

ACTION REQUESTED: No recommendation

44. RESOLUTION approving the Directors of the principal administrative divisions of  
Spinosa the City nominated by the Mayor and amends the FY 2016 Budget Ordinance to set  
Chairman the salaries of said Directors. This resolution is sponsored by Administration.

Personnel & Inter-  
governmental  
Committee

ACTION REQUESTED: Adopt the resolution

45.  
Spinosa  
Chairman,  
Personnel &  
Intergovern-  
mental  
Committee

**APPOINTMENT**

**BEALE STREET TOURISM AUTHORITY**

Appointment

J. Terence Patterson

**ADD-ONS**

46. RESOLUTION regarding an Opt Out process for Smart Meters. This resolution is sponsored by Councilman Berlin Boyd, Councilman Edmund Ford, Jr., and Councilwoman Janis Fullilove.

Robinson  
Chairman,  
MLGW  
Committee

ACTION REQUESTED: Adopt the resolution

47. RESOLUTION approving the conveyance of Handy Park from Memphis Housing Authority (“MHA”) to City of Memphis. This resolution is sponsored by Parks and Neighborhoods.

Swearngen  
Chairman,  
Parks &  
Neighborhoods  
Committee

ACTION REQUESTED: Adopt the resolution

**ACTION TAKEN BY COUNCIL ON THIS DATE**

1. Held until January 19, 2016
2. Through 4 – Approved
5. Held until January 19, 2016
6. Approved, as amended
7. Failed
8. Approved
9. Public Hearing Set for January 19, 2016
10. Through 28 – Approved
29. Failed
30. Through 35 – Approved
36. Approved, as amended
37. Through 43 – Approved
44. Approved, as amended
45. Through 47 – Approved

**ACTION TAKEN ON THE MINUTES OF DECEMBER 15, 2015 MEETING**

Approved

**ACTION TAKEN ON THE MINUTES OF ITEMS # 30 thru #44 and ITEM #47 FROM TONIGHT’S MEETING**

Approved