



CITY OF MEMPHIS

COUNCIL AGENDA

January 7, 2014

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 (December 17, 2013)

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 for Judge W. Otis Higgs, Jr.
Halbert

ACTION REQUESTED: Adopt the resolution

PUBLIC HEARING

2. RESOLUTION approving an appeal located on the southwest corner of Walnut Grove Road and Wychewood Cove.

Collins

Case No. S 11-015

Appellant: Jack Culp, TT and J Properties

Request: Overturn the decision of the Land Use Control Board on 10/10/13 which rejected a request to reduce the minimum front yard building setback on Lot 1 along Walnut Grove Road from 115 to 100 feet

LUCB and OPD recommendation: REJECTION of the building setback reduction

ACTION REQUESTED: Take whatever action Council deems advisable

12 NOTICES MAILED ON DECEMBER 23, 2013

DIVISION OF PLANNING AND DEVELOPMENT

3. RESOLUTION approving a street/alley closure located at the intersection of Wisconsin Avenue and Arkansas Street, containing .32 acre in the IH District.

Collins

Case No. SAC 13-606

Applicant: Henry Cooper
David Porter – Representative

Request: Close and vacate public right-of-way

LUCB and OPD recommendation: Approval, with conditions

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

4. **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 F I R S T reading.

Collins

Case No. ZTA 13-004

Ordinance No. 5544

Applicant: Memphis and Shelby County Office of Planning & 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 ORDINANCE - SECOND READING (None)

ENGINEERING

5. RESOLUTION approving final plat of Highway 385 Planned Development.

Case No. PD 12-313cc

Resolution approves the final plat located on Hacks Cross, north of Highway 385. Cost of the required improvements to be borne by the developer. This action is subject to County approval.

ACTION REQUESTED: Adopt the resolution

NOTATION FROM OPD

6. **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 13-615 – Carroll Avenue

Located on the east side of Danny Thomas Blvd.; +/-324.43 feet north of Poplar Avenue, containing 0.635 acre in the High Density Residential (HDR) and Mixed Use (MU) Districts

Applicant: ALSAC-St. Jude/Memphis Foods, LLC
The Reaves Firm, Inc. – Representative

Request: Close and vacate public right-of-way

LUCB and OPD recommendation: APPROVAL, with five (5) conditions

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: January 21, 2014



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MLGW FISCAL CONSENT

7. RESOLUTION approving Change No. 2 to Contract No. 11495, Janitorial Services with Mason Professional Cleaning Services LLC, in the funded amount of \$185,803.12. (This change is to provide housekeeping/janitorial services, window cleaning, carpet cleaning and floor maintenance at various MLGW facilities. This change is also to renew the current contract for the second of four renewal terms covering the period March 2, 2014 to March 1, 2015 with no increase in rates from the previous year.)
8. RESOLUTION approving Change No. 2 to Contract No. 11502, Grounds Maintenance Well Lots with Bean and Prince Contractors Incorporated, in the funded amount of \$67,599.14. (This change is to provide mowing and trimming at current and future MLGW well lots and to renew the contract for the second of four renewal terms for the period covering May 17, 2014 to May 16, 2015. This change reflects no increase in rates from the previous year.)
9. RESOLUTION approving Change No. 3 to Contract No. 11486, Grounds Maintenance & Landscaping Services with Landscape Workshop, in the funded amount of \$80,896.50. (This change is for mowing and to maintain grounds and landscaping at the following MLGW locations: 1) Administration Building located at 220 South Main Street; 2) Beale Street Landing located at 245 South Main Street; 3) 136 Linden Street; and 4) Netters Building located at 1665 Whitten Road. This is to renew the current contract for the third of four renewal terms for the period covering May 4, 2014 to May 3, 2015.) (Jozelle Booker)
10. RESOLUTION approving Change No. 1 to Contract No. 11564, Grounds Maintenance with Vanderbilt Landscaping, in the funded amount of \$495,719.25. (This change is to renew the contract for the first of four renewal terms for the period covering May 12, 2014 to May 11, 2015, in the funded amount of \$495,719.25. This change reflects no increase in rates from the previous year.)
11. RESOLUTION ratifying the extension of the termination dates and award values of Purchase Order Numbers 147906 in the amount of \$26,000.00, and 147908 in the amount of \$10,350.00, to NESCO Sales and Rentals.
12. RESOLUTION awarding Contract No. 11641, Variable Frequency Drive Replacement to Shelby Electric Company, in the funded amount of \$456,550.00.

13. RESOLUTION approving renewal of Cooperative Agreement No. 5447, Investigation of Water Resources, for the period of January 1, 2014 to December 31, 2014, stipulating that a sum of \$57,000 will be furnished by the Division and a like sum will be furnished by the United States Department of the Interior Geological Survey for continuation of the ground water data collection program in the Memphis area.
14. RESOLUTION awarding a thirty-six month blanket contract for metal coatings to Sandblasting & Special Coating, Inc., in the amount of \$299,365.10.
15. RESOLUTION approving the revisions of the Memphis Light, Gas and Water Division Debt Management Policy.
16. RESOLUTION approving the law firm of Ogletree, Deakins, Nash, Smoak & Stewart, P.C. be employed, on an "as needed" basis, at the following hourly rates: Shareholder - \$230; Associates - \$200; and Paralegals - \$100.
17. RESOLUTION awarding a contract to Venture Technologies for a Corporate Network Upgrade, in the amount of \$1,025,758.45.
18. RESOLUTION awarding a contract to Thomas Consultants, Inc. for Novell Software maintenance, in the amount of \$337,845.66.
19. RESOLUTION approving Change No. 6 to Contract No. 11250, Waste Management Services with Tradebe, to extend the current contract in the funded amount of \$125,000.00. (The final term of this contract ends December 31, 2013. To prevent a lapse in the provision of these needed services, this change is being requested to extend the current contract for the period January 1, 2014 to December 31, 2014.)
20. RESOLUTION awarding Contract No. 11573, Capleville LNG Optimization Study to CHI Engineering, in the funded amount, not-to-exceed \$195,000.00.



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REGULAR AGENDA

21. Flinn **APPOINTMENTS**

MEMPHIS & SHELBY COUNTY COMMUNITY REDEVELOPMENT AGENCY

Reappointment

Shawn Thomas

METRO ALARM REVIEW BOARD

Reappointment

Clyde Venson

GENERAL ORDINANCES – THIRD AND FINAL READING

22. **ORDINANCE** amending Chapter 21, Code of Ordinances, City of Memphis, so as to establish an Environmental Fee, up for T H I R D and F I N A L reading. (Held from 9/4; 1/8; 3/5; 3/19; 5/7; 7/16; 9/3; 12/3)

Hedgepeth

Ordinance No. 5456

ACTION REQUESTED: Take whatever action Council deems advisable

23. **ORDINANCE** to expand the class of contracts covered under the Prevailing Wage Ordinance, align the City of Memphis Prevailing Wage Ordinance with State Level Prevailing Wage requirements and amend Section 5-4-12(A) and 5-4-12(F-1) (Prevailing Wage), up for T H I R D and F I N A L reading.

Halbert

Ordinance No. 5543

ACTION REQUESTED: Take whatever action Council deems advisable

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION

- 24. RESOLUTION authorizing the acquisition by the City of Memphis of interests in Autozone Park, requesting financing by the Memphis Center City Revenue Finance Corporation of the acquisition price, authorizing leases to and from such Corporation and to Memphis Redbirds, LLC, authorizing related transactions, and otherwise providing with respect to the foregoing, and amending the Debt Management Policy and Procedures of the City with respect to transactions with the Corporation.(Held from 12/3 ;12/9; 12/17)

Ford

ACTION REQUESTED: Adopt the resolution

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES

- 25. RESOLUTION accepting and appropriating grant funds in the amount of \$281,693.00 from the Department of Homeland Security Grant Program to the Division of Fire Services – Metropolitan Medical Response System (MMRS) to support the integration of emergency management, health and medical systems into a coordinated response system.

Conrad

ACTION REQUESTED: Adopt the resolution

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 PARK SERVICES

- 26. RESOLUTION amending the FY2014 Operating Budget by accepting and appropriating \$51,643.31 in grant funds passed through the Division of Parks and Neighborhoods/Memphis Public Library and Information Center for advertising LINC/2-1-1 Services.

Boyd

ACTION REQUESTED: Adopt the resolution

27. RESOLUTION accepting and appropriating grant funds from Friends of the Library for the reimbursement of salary for an Online Book Store Manager in the amount of \$13,322.77.

Boyd

ACTION REQUESTED: Adopt the resolution

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS (None)

GENERAL ITEMS (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT

ADD-ON

28. RESOLUTION accepting grant funds in the amount of \$30,000.00 from the State of Tennessee Department of Human Services for Child Support Noncustodial Parent Employment Demonstration Program.

Halbert

ACTION REQUESTED: Adopt the resolution

ACTION TAKEN BY COUNCIL ON THIS DATE

1. & 2 – Approved
3. Approved, as amended
4. Through 20 – Approved
21. Approved
22. Held until February 4, 2014
23. Held until January 21, 2014
24. Approved, as amended
25. Through 28 – Approved

ACTION TAKEN BY COUNCIL ON THE MINUTES OF DECEMBER 17, 2013 MEETING

Approved

ACTION TAKEN BY COUNCIL ON THE MINUTES OF ITEM #28, FROM TONIGHT'S MEETING

Approved