



# CITY OF MEMPHIS

## COUNCIL AGENDA

May 17, 2005

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**

**PLEDGE OF ALLEGIANCE**

**CALL OF ROLL by the Comptroller**

**APPROVAL OF PREVIOUS MEETING MINUTES (May 3, 2005)**

## **CONSENT AGENDA**

### **GENERAL ORDINANCE - FIRST READING** (none)

### **GENERAL ORDINANCES - SECOND READING**

1. **ORDINANCE** establishing the fiscal 2006 Operating Budget for the City of Memphis, up for S E C O N D reading.

Mitchell

Ordinance No. 5104

**ORDINANCE** appropriating the proceeds of the tax levy on the assessed values on all properties of every species within the City limits for general purposes for the Fiscal Year July 1, 2005 through June 30, 2006, inclusive, together with all collections from privileges, licenses, fees, fines, permits, charges, requests, transfers from non-budget accounts, earnings, refunds, and all other items constituting the revenue receipts of the City of Memphis for the Fiscal Year July 1, 2005 through June 30, 2006, inclusive, to provide the manner in which monies may be transferred from one fund to another and to provide the standard code or designations under which the appropriations are to be administered and accounting control maintained.

ACTION REQUESTED: Adopt the ordinance on Second reading

2. **ORDINANCE** to fix the Tax Rate of the City of Memphis for Fiscal Year 2006, up for S E C O N D reading.

Mitchell

Ordinance No. 5105

ACTION REQUESTED: Adopt the ordinance on Second reading

### **ZONING ORDINANCE - FIRST READING**

3. **ORDINANCE** rezoning the Rozelle-Annesdale Neighborhood bounded by the L & N Railroad to the north, the MoPac Railroad to the west, the Southern Railroad to the south and McLean Boulevard to the east, containing ½ square miles in Multiple Districts, up for F I R S T reading.

Peete

Ordinance No. 5106

Case No. Z 05-107

Applicant: Memphis & Shelby County Division of Planning & Development

Request: Adopt the proposed ordinance amendments

LUCB and OPD recommendation: Adopt the ordinance on First reading

**ZONING ORDINANCES - SECOND READING**

- 4. **ORDINANCE** rezoning the north side of Washington Avenue; +/-141.5 feet west of Cleveland Street, containing 0.23 acre in the Parking (P) District, up for S E C O N D reading.

Peete

Ordinance No. 5102  
Case No. Z 05-105

Applicant: ALDI, Inc. – TN.

Request: Highway Commercial (C-H) District

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on Second reading

- 5. **ORDINANCE** rezoning the southeast corner of Thomas (U.S. Highway 51) and Carrolton Avenue, containing 0.81 acre in the Single Family Residential (R-S6) District, up for S E C O N D reading.

Peete

Ordinance No. 5103  
Case No. Z 05-103

Applicant: Glen Ray Thomas

Request: Planned Commercial (C-P) District

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Adopt the ordinance on Second reading

**ENGINEERING** (none)

**NOTATIONS FROM OPD**

- 6. **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 96-315cc – Southwind Planned Development, Part of Parcel 7

Located on the north side of Tournament Drive, 150 feet west of Windemere Lane

Appellant: St. Regis Development Group, LLC

Request: Overturn the decision of the Memphis/Shelby County Land Use Control Board on March 10, 2005 in which the Board rejected a site plan for 11 lots for single-family detached dwellings

LUCB recommendation: REJECTION

OPD recommendation: APPROVAL, with conditions

- B. Case No. PD 04-357cc – The Woodlands of Cordova Planned Development

Located on the east side of Dexter Road; ±602 feet north of Rainsong Cove, containing 15.10 acres in the Agricultural (AG) District

Applicant: Joe Woods  
Ronald Harkavy – Representative

Request: Single Family Residences; gated community; 64 residences

LUCB and OPD recommendation: APPROVAL, with conditions

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

**SUGGESTED DATE:** June 7, 2005



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## FISCAL CONSENT

### EXECUTIVE DIVISION

7. RESOLUTION accepting \$5,940.00 in Incumbent Workers' Training Funds from the State of Tennessee Department of Labor and Workforce Development to provide Training Services under the Workforce Investment Act for Local Workforce Investment Area – 13. Resolution also amends the FY 2005 Operating Budget to establish and appropriate grant funds.

Jones

ACTION REQUESTED: Adopt the resolution

### DIVISION OF HOUSING & COMMUNITY DEVELOPMENT

8. RESOLUTION authorizing the sale of City owned vacant land at 500 Sixth Street, in North Memphis to Lizzie Jones in the amount of \$1.00 for replacement housing.

Holt

Director of Housing & Community Development recommends approval

ACTION REQUESTED: Adopt the resolution

### DIVISION OF PUBLIC WORKS

9. RESOLUTION amending the Capital Improvement Budget by transferring an allocation and appropriating \$4,806.00 in G.O. Bonds from Miscellaneous Intersections, Project Number PW01024 to Ridgeway Center Intersection, Project Number PW01159 for a construction contract with Tri-State Guardrail & Sign Co., Inc.

Hooks

Director of Public Works and City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution



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## MLGW FISCAL CONSENT

10. RESOLUTION approving Change No. 10 to Contract No. 10784, Construction of Underground Distribution System, with A & L Underground, Inc. in an estimated funded amount of \$2,150,000.00. (This extends the contract beginning May 1, 2005 through June 30, 2005. The current contract expires April 30, 2005 for the second term). (Held from 4/19; 5/3)
11. RESOLUTION approving Change No. 4 to Contract No. 10803, Data Processing Equipment Maintenance, with Mid-South Computer Services in an estimated funded amount of \$99,800.00, based on unit price adjustment. (This renews the contract for maintenance support for the third term, retroactive to 1/1/05 to 12/31/05.)
12. RESOLUTION approving Change No. 1 to Contract No. 10977, Tires and Tire Service, with Southern Tire Mart, LLC in an estimated funded amount of \$538,329.53, based on unit volume of work. (This renews the contract for the first term, 6/12/05 to 6/11/06.)
13. RESOLUTION approving Change No. 1 to Contract No. 10987, Helicopter Herbicide Spraying, with Helicopter Applicators, Inc. in an estimated funded amount of \$206,955.00. (This increases the quantity of acres for providing helicopter and/or ground herbicide spraying services for MLGW transmission lines on approximately 1,400 acres.)
14. RESOLUTION approving Change No. 1 to Contract No. 10999, GPS Cellular Services, with Nextel Communications in the funded amount of \$51,470.00. (This renews the contract for the first term, 4/1/05 to 4/1/06, and includes an additional 20 hand-held GPS monitoring devices and fees.)
15. RESOLUTION approving Change No. 1 to Contract No. 11001, Janitorial Services, with Kimco Corporation in the funded amount of \$48,247.07. (This adds funds to the contract value due to work performed during the period 12/31/04 to 2/6/05.)
16. RESOLUTION approving Change No. 3 to Contract No. 11011, North Service Center Roofing Projects, with B Four Plieed, Inc. in the funded amount of \$41,161.00. (This covers emergency roof repairs at Mallory Pumping Station to prevent slipping on oil and water pools.)
17. RESOLUTION canceling contract for one full-size pickup truck with Chuck Hutton Company and awarding contract to General Truck Sales and Services, Inc. in the amount of \$25,277.43.
18. RESOLUTION awarding contract for disk storage hardware to Carotek, Inc. in the amount of \$290,240.36.
19. RESOLUTION awarding contract for air compressors and generators to Scruggs Equipment Company, Inc. in the amount of \$44,994.00.
20. RESOLUTION awarding Emergency Procurement Request for Contract No. 11047, Highway 70 to Lamb Road to Memphis-Arlington Road Water Extension, to Mills and Sons, Inc. in the funded amount not to exceed \$207,625.37 to complete the work it was performing as a sub-contractor under Contract No. 10784 with A & L Underground, Inc.



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### APPEARANCE CARDS FOR PUBLIC SPEAKING

### ITEMS HELD OR DROPPED FROM THE AGENDA

## REGULAR AGENDA

### PRESENTATIONS AND RECOGNITION OF VISITORS (none)

### GENERAL ORDINANCE - THIRD AND FINAL READING

21. **ORDINANCE** to amend Chapter 33, Code of Ordinances, City of Memphis, so as to clarify permit requirements for the discharge of hauled waste and to regulate the discharge of wastewater by food establishments, up for **T H I R D** and **F I N A L** reading

Hooks

Ordinance No. 5099

ACTION REQUESTED: Take whatever action Council deems advisable

### EXECUTIVE DIVISION (none)

### FINANCE & ADMINISTRATION (none)

### DIVISION OF FIRE SERVICES

22. **RESOLUTION** accepting grant funds in the amount of \$892,000.00 from the U.S. Department of Homeland Security Federal Emergency Management Agency for the Urban Search and Rescue Program. Resolution also amends the FY 2005 Operating Budget to establish and appropriate grant funds.

Sammons

ACTION REQUESTED: Adopt the resolution

23. **RESOLUTION** appropriating \$1,009,929.00 for the purchase of three (3) pumpers, chargeable to Fiscal Year 2005 Capital Improvement Budget.

Sammons

ACTION REQUESTED: Adopt the resolution

24. **RESOLUTION** requesting for the continuation of the plans and specifications and taking of bids at an estimated cost of \$2,300,000.00, funded by G.O. Bonds General.

Sammons

Resolution did include Fire Station #3, CIP Project Number FS02009 as part of the FY 2005 Capital Improvement Program

ACTION REQUESTED: Adopt the resolution

25. **RESOLUTION** appropriating \$1,672,671.00 for the purchase of three (3) aerial trucks chargeable to Fiscal Year 2005 Capital Improvement Budget.

Sammons

ACTION REQUESTED: Adopt the resolution

- 26. RESOLUTION appropriating \$3,146,092.00 in G.O. Bonds for Personal Protective Equipment, Project Number FS04001 for purchase of protective clothing under a contract with Total Fire, Inc.

Sammons

Resolution transferring allocations of \$104,345.00 in G.O. Bonds from Replace Pumpers, Project Number FS03001 and \$188,791.00 in G.O. Bonds from Replace Aerial Trucks, Project Number FS03002 and \$153,185.00 in G.O. Bonds from Wolfchase Fire Station, to Personal Protective Equipment, Project Number FS04001.

ACTION REQUESTED: Adopt the resolution

**DIVISION OF GENERAL SERVICES** (none)

**DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT**

- 27. RESOLUTION amending the FY 2005 Capital Improvement Budget by appropriating \$500,000.00 funded by G.O. Bonds General within Project Number CD01056 for land acquisition and remediation purposes.

Holt

Resolution amending the FY 2005 Capital Improvement Budget by transferring an allocation of \$800,000.00 funded by G.O. Bonds from MHA-Uptown Hurt Village, Project Number CD01014, to MHA-Auction Street Acquisition, CD01056 for land acquisition and remediation purposes.

The resolution will amend the FY 2005 Capital Improvement Budget by transferring appropriations of \$300,000.00 funded by G.O. Bonds from MHA-Uptown Hurt Village, Project Number CD01014, to MHA-Auction Street Acquisition, CD01056 for land acquisition and remediation purposes.

ACTION REQUESTED: Adopt the resolution

**DIVISION OF HUMAN RESOURCES** (none)

**LAW DIVISION**

- 28. RESOLUTION accepting grant funds in the amount of \$75,000.00 from the National Conference of Black Mayors for the Metropolitan Urban Demonstration Project to promote seatbelt usage among African-American drivers. Resolution also amends the FY 2005 Operating Budget to establish and appropriate grant funds.

Sammons

ACTION REQUESTED: Adopt the resolution

**DIVISION OF PARK SERVICES** (none)

**DIVISION OF POLICE SERVICES**

- 29. RESOLUTION requesting for the continuation of the plans and specifications and taking of bids at a combined estimated cost of \$3,240,000.00, funded by G.O. Bonds General.

Sammons

Council did include the Search/Rescue Warehouse at an estimated cost of \$2,700,000.00, CIP Project Number FS04006 and the Police Academy Expansion at an estimated cost of \$540,000.00, CIP Project Number PD01004 as part of the FY2005 Capital Improvement Program.

ACTION REQUESTED: Adopt the resolution

**DIVISION OF PUBLIC SERVICES** (none)

**DIVISION OF PUBLIC WORKS**

- 30. RESOLUTION allocating and appropriating \$210,259.00 in G.O. Bonds for a Riverwalk-Ashburn Coppock Park/Martyrs Park, Project Number GA01007 for a construction contract with Riverfront Development Corporation in the amount of \$595,820.00.

Hooks

Director of Public Works and City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

- 31. RESOLUTION appropriating \$6,360,200.00 in North Plant Sludge Disposal, Project Number SW02009 for construction contract with W. L. Hailey and Company, Inc.

Hooks

Resolution amending the Capital Improvement Budget by transferring an allocation of \$453,393.00 in Sewer Funds from Rehab Existing Sewers, Project Number SW02001 to North Plant Sludge Disposal, Project Number SW02009.

Director of Public Works recommends approval

ACTION REQUESTED: Adopt the resolution

- 32. RESOLUTION amending the Capital Improvement Budget by transferring an allocation and appropriating \$1,571,408.00 in Sewer Funds from Rehabilitation of Existing Sewers, Project Number SW02001 to Sewer Line Replacement Various Locations, Project Number SW02026 for construction contract with Scott Contractors, Inc.

Hooks

Director of Public Works recommends approval

ACTION REQUESTED: Adopt the resolution

**ZONING ORDINANCES - THIRD AND FINAL READING**

- 33. **ORDINANCE** rezoning the west side of U.S. Highway 61; +126 feet south of Fairway Avenue, containing 0.376 acre in the Single Family Residential (R-S6) District, up for T H I R D and F I N A L reading. (Held from 5/3)

Peete

Ordinance No. 5096  
Case No. Z 04-137

Applicant: Diane Boyd

Request: Local Commercial (C-L) District

LUCB and OPD recommendation: APPROVAL of Rezoning to General Office (O-G) District

ACTION REQUESTED: Take whatever action Council deems advisable

**41 NOTICES MAILED ON APRIL 22, 2005**

- 34. **ORDINANCE** rezoning the northeast corner of Watkins Street and Monroe Avenue, containing 1.038 acres in the Multiple-Family Residential (R-MH) District, up for T H I R D and F I N A L reading. (Held from 5/3)

Peete

Ordinance No. 5098  
Case No. Z 05-101

Applicant: Pete Shoptaw, E. Webster Haining Co.

Request: General Office (O-G) District

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

**68 NOTICES MAILED ON APRIL 22, 2005**

35. **ORDINANCE** rezoning the northwest corner of S. Fourth Street and Walker Avenue, containing 0.189 acre in the Multiple Family Residential (R-MM) District, up for T H I R D and F I N A L reading.

Peete

Ordinance No. 5100  
Case No. Z 04-136

Applicant: Mija Paik  
Monice Tate – Representative

Request: Commercial Neighborhood (C-N) District

LUCB and OPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

**81 NOTICES MAILED ON MAY 6, 2005**

36. **ORDINANCE** approving a street name change, extending east/west line of N. Parkway; between N. Front Street and 3<sup>rd</sup> Street, up for T H I R D and F I N A L reading.

Peete

Ordinance No. 5101  
Case No. SNC 05-802

Applicant: St. Jude  
David McKee – Representative

Request: Change Name to Shadyac Avenue

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

**3 NOTICES MAILED ON MAY 6, 2005**

**DIVISION OF PLANNING & DEVELOPMENT** (none)

**PUBLIC HEARINGS**

37. **RESOLUTION** approving a planned development located on the northwest corner of Ford Road and McFarland Road, containing 15.057 acres in the Single Family Residential (R-S8 & R-S6) District. (Held from 5/3)

Peete

Case No. PD 05-302

Applicant: Carlton W. Orange  
Pickering Firm, Inc. ( Steve Canizarp) – Representative

Request: A planned development to create 73 single family residential lots with a minimum lot size of 6,600 square feet

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

**89 NOTICES MAILED ON APRIL 22, 2005**

38. **RESOLUTION** approving a planned development located on the east side of South Perkins Road; +/-440 feet south of Southern Avenue; containing 0.47 acre in the Single Family Residential (R-S10) District.

Peete

Case No. PD 05-304

Applicants: William & Linda Felts  
SR Consulting, LLC (Cindy Reaves) – Representative

Request: Planned development amendment to allow limited retail commercial uses within the Outline Plan

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

**31 NOTICES MAILED ON MAY 6, 2005**

39. RESOLUTION approving a planned development located on the north side of Park Avenue; +383.69 feet west of Mt. Moriah, containing 1.16 acres currently governed by P.D. 94-314.

Peete

Case No. PD 05-312

Applicant: John & Glenda Roebuck  
David Leake – Representative

Request: Amend the P.D. to permit a real estate office with auction as a permitted use

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

**69 NOTICES MAILED ON MAY 6, 2005**

40. RESOLUTION approving a planned development Located on the north and south side of English Towne Drive; +/-725 feet west of Covington Pike, containing 8.03 acres, currently governed by Hidden Woods and English Towne Planned Developments.

Peete

Case No. PD 05-315

Applicants: McCarthy & Wagner Properties, LLC  
SR Consulting, LLC (Cindy Reaves) – Representative

Request: Planned development amendment to add three (3) parcels to allow uses by right in accordance with the General Office (O-G) District, including service businesses and contractor’s offices with indoor storage within the Outline Plan

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

**14 NOTICES MAILED ON MAY 6, 2005**

41. RESOLUTION approving an appeal located on the northwest corner of Perkins Road and Greenbrier Road, containing 2.0 acres in the Single family dwelling – Single Family Residential (R-S10) District. (Held from 5/3)

Peete

Case No. S 04-078

Appellant: The Perkins-Shady Grove Neighborhood

Request: 6 Lot Preliminary Plat Preliminary Plat. The Perkins-Shady Grove Neighborhood Association is making this appeal due to their concerns that the approved subdivision will contribute to the existing drainage problems in the area

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

**12 NOTICES MAILED ON APRIL 22, 2005**

42. RESOLUTION approving street/alley closure located ±153 feet west of Mississippi Boulevard; between Jennette Street and Saxon Avenue, containing ± 5,422 Square Feet in Single Family Residential (R-S6) and College-University (C-U) Districts. (Held from 5/3)

Peete

Case No. SAC 04-613

Applicant: Evening Star Missionary Baptist Church  
Monice Hagler Tate – Representative

Request: Close & Vacate Alley Right-Of-Way

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

61 NOTICES MAILED ON APRIL 22, 2005

ADJOURNMENT

**ADD-ONS**

**May 17, 2005**

**Page 12**

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

Consent

C. Case No. PD 05-318 – Aviations Facilities – North Planned Development

Located on the north side of Winchester Road; extending +/-1,754.60 feet east of Bishops Bridge Road, containing 23.0 acres in the Multiple Dwelling Residential (R-MM) and Local Commercial (C-L) Districts

Applicant: Memphis & Shelby County Airport Authority  
Farris, Mathews, Branam, PLLC (Homer Branam, III) – Representative

Request: Planned development to allow a new aircraft hangar and testing facility, including associated airport operations within the Outline Plan

LUCB and OPD recommendation: APPROVAL, with conditions

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

**SUGGESTED DATE: June 7, 2005**

43. RESOLUTION approving final plat of AUDUBON PARK PLACE P.D.

Consent

Case No. PD 04-324

Resolution approves the final plat located on the south side of Park Avenue, east of Cherry Road. Cost of the required improvements to be borne by the developer.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

44. RESOLUTION approving final plat of HUDGINS ROAD DEDICATION.

Consent

Case No. SD 04-703

Resolution approves the final plat located at the terminus of Hudgins Road, north of the TN/MS state line. Cost of the required improvements to be borne by the developer.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

45. RESOLUTION approving final plat of LAURELWOOD SHOPPING CENTER, SECTION 1, SC-1.

Consent

Resolution approves the final plat located on the west side of Perkins Street Ext., and the north side of Poplar Avenue. Cost of the required improvements to be borne by the developer.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

46. RESOLUTION approving final plat of HIGHLAND POINT SUBDIVISION.

Consent

Case No. S 04-042cc

Contract No. CR-4941

Resolution approves the final plat located at the terminus of Huntington Oak Drive, south of U.S. Highway 64. Cost of the required improvements to be borne by the developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract. This action is subject to County approval.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

- 47. RESOLUTION approving final plat of SUNSET LAKES SUBDIVISION, 1<sup>ST</sup> ADDITION.  
Consent

Case No. S 02-035cc  
Contract No. CR-4942

Resolution approves the final plat located on the east side of Old Covington Pike, north and south of Meegan Drive. Cost of the required improvements to be borne by the developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract. This action is subject to County approval.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

- 48. RESOLUTION approving final plat of WIESE COMMERCIAL – INDUSTRIAL P.D., AMENDED, PHASE 4, AREA A.  
Consent

Case No. PD 98-355cc  
Contract No. CR-4944

Resolution approves the final plat located on the south side of Holmes Road, 1800 feet east of Getwell Road. 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

- 49. RESOLUTION approving the ASSIGNMENT, ASSUMPTION AND GUARANTEE OF CONTRACT PERFORMANCE for COSTCO WHOLESALE P.D., and releasing old bond.  
Consent

Contract No. CR-4586AM

Resolution approves the Assignment, Assumption and Guarantee of Contract Performance located within the City of Memphis. Resolution also authorizes the proper officials to execute the attached Assignment, Assumption and Guarantee of Contract Performance and authorizes release of initial performance bond in the amount of \$42,900.00.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

- 50. RESOLUTION approving the SUPPLEMENTAL AGREEMENT #1 TO LOWE’S HOME CENTERS, P.D.  
Consent

Case No. PD 95-312  
Contract No. CR-4586AM

Resolution approves the Supplemental Agreement #1 located on the west side of Perkins Road, between Sam Cooper Blvd. and Summer Avenue. Cost of the required improvements to be borne by the developer. Resolution also authorizes the proper officials to execute the attached Supplemental Agreement #1.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

51. RESOLUTION approving final plat of RIVERPOINT PD.  
Consent

Case No. PD 04-367  
Contract No. CR-4945

Resolution approves the final plat located on the east side of Island Place East, south of Mud Island Drive. 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

52. RESOLUTION establishing and appropriating the sum of \$299,979.00 in litigation fees and expenses funded by G.O. Bonds General, chargeable to the FY2005 Capital Improvement Budget and credited to Convention Center, CIP Project Number PS02003.  
Marshall

ACTION REQUESTED: Adopt the resolution

53. **ORDINANCE** to amend Chapter 25, Code of Ordinances, City of Memphis, so as to Increase Pension Benefits allowable under Section 25-95 and 25-195, up for F I R S T reading.  
Consent

Ordinance No. 5107

ACTION REQUESTED: Adopt the ordinance on First reading

54. RESOLUTION approving an increase to the inter-divisional loan between the electric division and the telecommunications sub-division by \$6 million, from \$32 million to \$38 million, in order to provide for or facilitate funding to Memphis Network.  
Brown

55. RESOLUTION approving temporary structures on the streets, May 28, 2005, from 9:00 a.m. until 1:00 p.m., for Early Grove Baptist Church 103<sup>rd</sup> Anniversary Picnic.  
Sammons

ACTION REQUESTED: Adopt the resolution

56. RESOLUTION urging the Governor and the Tennessee General Assembly to explore all revenue enhancing measures and ensure adequate health coverage funds.  
Chumney

ACTION REQUESTED: Adopt the resolution

57. **ORDINANCE** amending Chapter 21, Code of Ordinances, City of Memphis, to establish a new article to be known as Traffic Control Photographic System, up for First reading.  
Lowery

Ordinance No. 5108

ACTION REQUESTED: Adopt the ordinance on First reading

**ACTION TAKEN BY COUNCIL ON THIS DATE**

- 1. Through 5 –Approved
- 6. Public Hearing Set for June 7, 2005
- 7. Through 9 – Approved
- 10. Dropped

- 11. Through 32 – Approved
- 33. Held until June 7, 2005
- 34. Approved
- 35. Failed
- 36. Through 40 – Approved
- 41. Dropped
- 42. Through 51 – Approved
- 52. Approved, as amended
- 53. Approved
- 54. Failed
- 55. Approved
- 56. Approved, as amended
- 57. Approved

**ACTION TAKEN ON THE MINUTES OF MAY 3, 2005**

Approved