



CITY OF MEMPHIS

COUNCIL AGENDA

October 3, 2006

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 (September 19, 2006)

CONSENT AGENDA

GENERAL ORDINANCES - FIRST READING

1. **ORDINANCE** establishing meeting dates for City Council Meetings in 2007, up for F I R S T reading.

Mitchell

Ordinance No. 5184

ACTION REQUESTED: Adopt the ordinance on First reading

2. **ORDINANCE** amending Chapter 2, Code of Ordinances, City of Memphis, So As To Establish A Living Wage, up for F I R S T reading.

Brittenum

Ordinance No. 5185

ACTION REQUESTED: Adopt the ordinance on First reading

GENERAL ORDINANCE - SECOND READING

3. **ORDINANCE** amending Ordinance No. 5014 to delete the Sunset Clause, up for S E C O N D reading.

Brittenum

Ordinance No. 5183

ACTION REQUESTED: Adopt the ordinance on Second reading

ZONING ORDINANCES - FIRST READING

4. **ORDINANCE** rezoning the west side of Weaver Road; +103 feet south of Canary Lane, containing 17 acres in the Heavy Industrial (I-H) and Agricultural (AG) Districts, up for F I R S T reading.

Peete

Ordinance No. 5186

Case No. Z 06-120

Applicant: Sovereign Builders, LLC
SR Consulting, LLC – Cindy Reaves – Representative

Request: Single Family Residential (R-S6) District

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on First reading

5. **ORDINANCE** amending the Zoning Text and the Official Zoning Map, up for F I R S T reading.

Peete

Ordinance No. 5187
Case No. Z 06-117
(Companion Case: ZTA 06-002)

Applicant: Office of Planning and Development

Request: Revise the Official Zoning Map to Denote the Boundaries of the Medical Center Overlay (MO) District

LUCB recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on First reading

6. **ORDINANCE** amending the Zoning Text and the Official Zoning Map, up for F I R S T reading.

Peete

Ordinance No. 5188
Case No. ZTA 06-002
(Companion Case: Z 06-117)

Applicant: Office of Planning and Development

Request: Amend Section 26, Overlay District Regulations, to add a new district to be known as the Medical Center District – Those properties located within the boundaries of the attached map shall be regulated by this new district

LUCB recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on First reading

ZONING ORDINANCE - SECOND READING (None)

ENGINEERING

7. **RESOLUTION** accepting PIGOTT’S GREENBRIAR SUBDIVISION, and authorizing release of bond.

Case No. S 04-078
(Contract No. CR-4976)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the northwest corner of Perkins Road and Greenbriar Drive, The standard improvement contract was approved on September 20, 2005. Resolution also authorizes the release of the Letter of Credit (No. 5100000262-3) in the amount of \$67,400.00.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

8. **RESOLUTION** approving final plat of ANDOVER DRIVE SUBDIVISION.

Case No. S 05-027

Resolution approves the final plat located on the westside of Andover Drive, south of Gull Road. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

9. RESOLUTION approving final plat of KENDALL’S PLACE SUBDIVISION.
Case No. S 06-009

Resolution approves the final plat located to the north of Sandpiper Ave., between Trezevant and Rangeline. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

10. RESOLUTION approving final plat of TEMPLE ISRAEL S.U.P. – CEMETERY.
Case No. SUP 91-231

Resolution approves the final plat located north of Person Ave, east of Hernando. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

NOTATIONS FROM OPD

11. 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 06-321cc – WALNUT GROVE SOUTHEAST PLANNED DEVELOPMENT, 2ND AMENDMENT

Located on the southeast corner of Houston Levee Road and Walnut Grove Road, containing 35 acres and is currently governed by the conditions of the Walnut Grove Southeast Planned Development, P.D. 01-333CC (Plat Book 196, Page 97)

Applicant: Mojo Indoor Soccer –Chris Talley
Ronald Harkavy – Representative

Request: A planned development amendment to permit an indoor recreational facility

LUCB and OPD recommendation: APPROVAL, with conditions

- B. Case No. PD 06-327 – CENTRAL COURT P.D. AMENDED

Located on the south side of Central Avenue; +177.33 feet west of Rosewell Cove, containing 1.68 acres. P.D. 94-358 and the Single Family Residential (R-S10) District

Applicants: John and Mark Duke
The Reaves Firm (Harvey Marcom) – Representative

Request: Amend the existing Planned Development to add two residential lots

LUCB and OPD recommendation: APPROVAL, with conditions

- C. Case No. PD 06-333 – SOUTH PERKINS PLANNED DEVELOPMENT 4TH AMENDMENT

Located on the east side of South Perkins Road; +/-385 feet south of Southern Avenue, containing 0.47 acre (20,473 sq. ft.), the one-story split-level wood frame single family home is currently governed by South Perkins Planned Development, 3rd Amendment

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

D. Case No. PD 06-341 – TREZEVANT MANOR PLANNED DEVELOPMENT
2ND AMENDMENT

Located on the southwest corner of Waynoka Avenue and Highland Street, containing 15 acres in the Single Family Residential (R-S6) District overlaid by P.D.03-359

Applicant: Trezevant Episcopal Home
John Webb – Representative

Request: Amend Trezevant Manor/Allen Morgan Health Center P.D., Amended, P.D. 05-359 to increase the height of a permitted four story independent living facility to five and to add four stores of independent living units to the approved one story common facility

LUCB and OPD recommendation: APPROVAL, with conditions

E. Case No. PD 06-344

Location is bounded by E.H. Crump Boulevard and I-240, containing 56 acres in the Single Family Residential District

Applicant: Memphis Housing Authority
Tom Currell – Representative

Request: A mixed use redevelopment of the former Lamar Terrace public housing site

LUCB and OPD recommendation: APPROVAL, with conditions

F. Case No. SAC 06-610 – MULBERRY STREET CLOSURE

Located between Linden Avenue and Pontotoc Street, containing 14,960 square feet = 0.343 acre, Width X Length of R.O.W. is 50' X 299', Street right-of-way ~ South Main Special District with Historic Preservation (HP) Overlay on west half of right-of-way

Applicant: Memphis Development A, LLC

Request: Close & Vacate Alley Street Right-Of-Way

LUCB and OPD recommendation: APPROVAL, with conditions

G. Case No. SAC 06-612 – KEEL AVENUE ALLEY CLOSURE

Located on the west side of N. Second Street, South of Keel Avenue

Applicant: Peter Eckel

Request: Close & Vacate Valley Street Right-Of-Way

LUCB and OPD recommendation: APPROVAL, with conditions

H. Case No. SCBID 06-06 – ONE BEALE

Located southwest of Beale Street and Front Street

Applicant: The Carlisle Corporation

Request: A special exception including specific requests for variations to allow greater building height, building width and to permit a tavern or cocktail lounge with greater than 125 seats to accommodate a 30 story, mixed use building

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: October 17, 2006

GENERAL ITEMS

12. RESOLUTION proclaiming October 8, 2006, "National Children's Day".
Chumney

ACTION REQUESTED: Adopt the resolution



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MLGW FISCAL CONSENT

13. RESOLUTION awarding Contract No. 11127, Laboratory Information Management System, to Lablite, Inc., in the funded amount of \$73,500.00.
14. RESOLUTION approving Change No. 1 to Contract No. 11046, Emergency Generator and Tank for Morton Station, with Tri-State Armature & Electric Works, Inc., in the funded amount of \$34,439.00. (This allows increase in the contract value due to increased cost for the 1500 KVA transformer, control wire, 5KV conductors and new cable tray system for control wiring in the basement).
15. RESOLUTION amending Purchase Order No. 121390 with M & S Concrete for concrete standards, in the amount of \$160,000.00, for a total amount of \$704,300.00.
16. RESOLUTION amending Purchase Order No. 121391 with CPI Concrete for concrete standards, in the amount of \$120,000.00, for a total amount of \$491,682.50.
17. RESOLUTION awarding contract for non-excavatable flowable fill to Lone Star Industries, in the amount of \$575,410.00.
18. RESOLUTION awarding contract for capacitor banks to Stuart C. Irby, in the amount of \$42,838.95.
19. RESOLUTION awarding contract for SONET Multiplexer to General Electric, in the amount of \$193,462.00.
20. RESOLUTION awarding contract for polyethylene jacketed cable to AFL Telecommunications, LLC, in the amount of \$113,760.00.
21. RESOLUTION awarding contract for air compressors to Scruggs Equipment Company, Inc., in the amount of \$59,992.00.
22. RESOLUTION awarding contract for high voltage circuit breakers to Siemens PT & D, Inc. c/o Utility Sales Agency, Inc., in the amount of \$352,950.00.
23. RESOLUTION awarding contract for forklift trucks as follows:

Barloworld Handling.....	\$ 27,350.00
Shaw Material Handling Systems.....	24,817.00
Grady W. Jones Company.....	<u>33,500.00</u>
Total.....	\$ 85,667.00
24. RESOLUTION amending Purchase Order No. 123325 with American Electric Lighting for luminaries, in the amount of \$1,289,554.72, for a total amount of \$1,922,501.44
25. RESOLUTION approving payment of invoice from Trans-Cycle Industries, Inc. for the removal and disposal of polychlorinated biphenyl (PCB) capacitors in the amount of \$41,895.00.
26. RESOLUTION approving payment of invoice from Waste Management for the removal and disposal of polychlorinated biphenyl (PCB) network protectors in the amount of \$44,760.50.



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APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

REGULAR AGENDA

GENERAL ORDINANCE - THIRD AND FINAL READING (None)

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION

27. RESOLUTION terminating ARAMARK Sports and Entertainment Services, Inc. ("ARAMARK") concessionaire services at the Pyramid Arena. Resolution also appropriates \$400,000.00 for the City's share for ARAMARK termination payment per Pyramid Concessions Agreement.

Brittenum

ACTION REQUESTED: Adopt the resolution

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES

28. RESOLUTION approving purchase of property from Marlyn P. Wyman and Milton Wyman, Trustees of the Marlyn P. Wyman Living Trust, 11.964 acres located on the east side of Deadfall Road, approximately 1241.23 feet south of the south line of Gotley Road, for the sum of \$144,000.00.

Ford

ACTION REQUESTED: Adopt the resolution

29. RESOLUTION approving purchase of easement from Graves C. Leggett and wife, Frances M. Leggett, 20.764 acres located on the southeast corner of Millington-Arlington Road and Donnell Road, for the sum of \$377,000.00.

Ford

ACTION REQUESTED: Adopt the resolution

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT

30. RESOLUTION accepting the transfer of tax delinquent parcel 007015-00022; 007013-00014; 007018-00002; 007018-00005; 007018-00006 from Shelby County, Tennessee for further transfer to St. Patrick's Housing, Inc.

Holt

ACTION REQUESTED: Adopt the resolution

31. RESOLUTION accepting the transfer of tax delinquent parcel 00107500000110 from Shelby County, Tennessee for further transfer to the Memphis Housing Authority for the Uptown Redevelopment Project.

Holt

ACTION REQUESTED: Adopt the resolution

- 32. RESOLUTION amending the FY 2007 Capital Improvement Budget by transferring an allocation and appropriating \$2,711,721.00 funded by G.O. Bonds-General in Contract Construction within MHA-Dixie Homes, project CD01033.

Holt

Resolution amends the FY 2007 Capital Improvement Budget by transferring an allocation of \$988,279.00 funded by G.O. Bonds-General from Land Acquisition within MHA-Dixie Homes, project CD01033, to Architecture and Engineering.

ACTION REQUESTED: Adopt the resolution

- 33. RESOLUTION amending the FY 2007 Capital Improvement Budget by transferring an allocation and appropriating \$52,800.00 funded by G.O. Bonds-General in Architecture and Engineering within Uptown/Hope VI, project CD01008.

Holt

Resolution amends the FY 2007 Capital Improvement Budget by transferring an allocation and appropriating \$30,402.00 funded by G.O. Bonds-General from Land Acquisition within Uptown/Hope VI, project CD01008 and \$22,398.00 funded by G.O. Bonds-General from contract construction.

ACTION REQUESTED: Adopt the resolution

DIVISION OF HUMAN RESOURCES (None)

LAW DIVISION (None)

DIVISION OF PARK SERVICES

- 34. RESOLUTION accepting grant funds in the amount of \$71,224.80 from the State of Tennessee Department of Transportation for the Covington Pike/Warford Enhancement Grant to install landscaping at the interchange of I-240 and Covington Pike and I-240 and Warford. Resolution also amends the FY 2007 Operating Budget to establish and appropriate grant funds.

McCormick

ACTION REQUESTED: Adopt the resolution

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS (None)

- 35. RESOLUTION amending the FY 2007 Capital Improvement Budget by transferring a previous allocation and appropriating \$982,916.00 funded by Sewer Funds from Service to Unsewered Areas, project number SW03001 to Shaeffer Drive Sewer Extension, project number SW03009 to provide service to an unsewered subdivision.

Jones

Director of Public Works and City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

ZONING ORDINANCE - THIRD AND FINAL READING

- 36. ORDINANCE rezoning the southeast corner of Summer Avenue (U.S. Hwy. 70) and north of Wolf River, containing 19.12 acres in the Agricultural Flood Plain (AG[FP]) District, up for T H I R D and F I N A L reading.

Peete

Ordinance No. 5182
Case No. Z 06-114

Applicant: Scenic Outdoors, LLC

Request: Light Industrial Flood Plain (AG[FP]) District

LUCB and OPD recommendation: APPROVAL, of Light Industrial Flood Plain

ACTION REQUESTED: Take whatever action Council deems advisable

16 NOTICES MAILED ON SEPTEMBER 22, 2006

DIVISION OF PLANNING & DEVELOPMENT

37. RESOLUTION requesting that a study and comprehensive plan and rezoning of the Richland neighborhood be prepared by the Office of Planning and Development, with the intent of protecting the character of the Richland neighborhood.

Chumney

ACTION REQUESTED: Adopt the resolution

38. RESOLUTION accepting grant funds in the amount of \$50,000.00 from the State of Tennessee Historical Commission for the Memphis Landmarks Survey Grant to create new design guidelines for a minimum of three existing Landmarks Districts. Resolution also amends FY 2007 Operating Budget to establish and appropriate grant funds and matching funds in the amount of \$33,333.00.

Peete

ACTION REQUESTED: Adopt the resolution

39. RESOLUTION approving a special use permit located on the northwest side of Austin Peay Highway; +140.69 feet southwest of Lakehurst Dr., containing 5.7 acres in the Single Family Residential (R-S10) District.

Peete

Case No. SUP 06-210

Applicant: Volunteers of America
SGB Architects, Bob Goza – Representative

Request: Residential Home for the Aged

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

40. RESOLUTION approving a use variance located on the southwest corner of Highland Avenue and Autumn Avenue, containing 0.29 acre in the Duplex Residential (R-D) District.

Peete

Case No. UV 06-09

Applicant: Dr. Timothy W. Kutas
Professional Inspectors Group, Inc. (Gerry Patrikios) – Representative

Request: Dental Office

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

41. RESOLUTION approving a hotel waiver for Value Place Hotel located on the south side of Shelby Oaks Drive, north of I-40.

Peete

ACTION REQUESTED: Adopt the resolution

PUBLIC HEARINGS

42. RESOLUTION approving a subdivision appeal located on the northside of Grove Park Circle; beginning 370 feet west of Grove Park, containing 1.01 acres in the Single Family Residential (R-S10) District. (Held from 1/17;3/21; 4/11)

Peete

Case No. S 05-032

Appellant: David M. Dunlap

Request: Appeal to overturn the action of the Land Use Control Board approving the 2 Lot Preliminary Plat for the Resubdivision of Lot 127, Laurelwood Subdivision

LUCB and OPD recommendation: APPROVAL, with three (3) conditions and one (1) design modification

ACTION REQUESTED: Take whatever action Council deems advisable

21 NOTICES MAILED ON JANUARY 6, 2006

43. RESOLUTION approving a planned development located on the southwest side of Lamar Avenue (U.S. 78) at Dunn Avenue, containing 13.5 acres in the Highway Commercial (C-H) District.(Held from 9/19)

Peete

Case No. PD 06-313

Applicant: Lamar Crossing Development, LLC
The Reaves Firm, Inc. - Representative

Request: Planned development to allow +/-35,000 square feet of retail space and one-hundred twenty (120) multi-family apartments within the Outline Plan

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

142 NOTICES MAILED ON SEPTEMBER 8, 2006

44. RESOLUTION approving a planned development located on the north side of Raleigh-LaGrange Road, +/-150 feet northwest of Chiswood Street, containing 7.86 in the vacant tract regulated by Phase III of Raintree Village Planned Development (P.D. 90-318) which permits Planned Commercial (C-P) uses.

Peete

Case No. PD 06-326

Applicant: Eagle Sales Company, Inc.
Ollar Surveying Company – Representative

Request: Amend Phase III to permit use by a single wholesale/office establishment

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

103 NOTICES MAILED ON SEPTEMBER 22, 2006

45. RESOLUTION approving a planned development located on the northwest corner of Cazassa Road and September Avenue, containing 0.92 acre in the Highway Commercial (C-H) District.

Peete

Case No. PD 06-329

Applicant: Trinity Christian Center of Santa Ann
Butch Porter, W.H. Porter Consultants, PPLC – Representative

Request: A planned development for a radio broadcasting studio with a 142 foot antenna

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

30 NOTICES MAILED ON SEPTEMBER 22, 2006

46. RESOLUTION approving a planned development located on the south side of Shelby Drive ±1,380 feet east of the intersection of Swinnea Road, containing 2.0 acres in the Single-Family Residential (R-S8) District.

Peete

Case No. PD 06-331

Applicant: Nathaniel Partee

Request: Planned development for a motor freight terminal

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

16 NOTICES MAILED ON SEPTEMBER 22, 2006

47. RESOLUTION approving a planned development located on the east side of Germantown Parkway; +700 feet north of Dexter Road, containing .10 acre in Parcel B of the Cordova Center Planned Development (PD 06-335).

Peete

Case No. PD 06-335

Applicant: Christian Mission Concerns of TN., Inc.
LDR, LLC (Bob Ginn) – Representative

Request: Amend Parcel B to permit automobile rental/leasing at a specific location

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

9 NOTICES MAILED ON SEPTEMBER 22, 2006

48. RESOLUTION approving a special use permit located on the north side of Mitchell Road; +108.22 feet west of Weaver Road, containing 11.4 acres in the Heavy Industrial (I-H) and Heavy Industrial Floodplain (I-H[FP]) Districts.

Peete

Case No. SUP 06-209

Applicant: Twenty Three Thirty Seven Associates, LLC
Baker Donelson Bearman, etal (Buckner Wellford) – Representative

Request: Automobile Dismantling and Recycling

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

40 NOTICES MAILED ON SEPTEMBER 22, 2006

49. RESOLUTION approving a street/alley closure located between Georgia Avenue and West Carolina Avenue, containing 6,502 square feet in the Bluffview Residential (R-B) District.

Peete

Case No. SAC 06-618

Applicant: Georgia Riverside, LLC

Request: Close and Vacate Street/Alley Right-of-Way

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

15 NOTICES MAILED ON SEPTEMBER 22, 2006

50. RESOLUTION approving a planned development located on the southside of Walnut Grove Road; +193 feet east of Goodlett Road, containing 3.63 acres in the Single Family Residential (R-S10) District.

Peete

Case No. PD 06-310

Applicant: Crawford McDonald, Sr. & Jr.
Homer Branan – Representative

Request: A planned development to create six (6) single family lots (minimum lot size 20,498 square feet)

LUCB and OPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

32 NOTICES MAILED ON SEPTEMBER 22, 2006

51. RESOLUTION approving a planned development located on the north side of Interstate 240; +/-825 feet south of Steve Road, containing 4.0 acres in the Agricultural (AG) and Flood Plain (FP) Districts.

Peete

Case No. PD 06-332

Applicant: William H. Thomas, Jr.
Fisher & Arnold, Inc. – Representative

Request: Planned development amendment for an expansion of Area ‘B’ of the original Outline Plan to allow mini-storage warehouses, including an off-premise advertising (billboard) sign within the Outline Plan

LUCB and OPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

15 NOTICES MAILED ON SEPTEMBER 22, 2006

GENERAL ITEMS

52. RESOLUTION instructing the Industrial Development Board to immediately amend their Charter of Incorporation with the State of Tennessee to require approval from the Memphis City Council before granting any payments in lieu of taxes, effective September 1, 2006.(Held from 5/16;6/6;6/20;8/1;8/15;9/19).

Brittenuum

ACTION REQUESTED: Adopt the resolution

53. RESOLUTION instructing the Memphis Center City Revenue Finance Corporation to immediately amend their Charter of Incorporation with the State of Tennessee to require approval from the Memphis City Council before granting any payments in lieu of taxes, effective September 1, 2006. (Held from 5/16;6/6;6/20;8/1;8/15;9/19).

Brittenuum

ACTION REQUESTED: Adopt the resolution

54. RESOLUTION amending the incorporation resolution of the Health, Education and Housing Facilities Board. (Held from 5/16;6/6;6/20;8/1;8/15;9/19).

Brittenuum

ACTION REQUESTED: Adopt the resolution

55. RESOLUTION amending the Permanent Rules of Procedure of the Memphis City Council by adding the Audit Committee as a Standing Committee. (Held from 9/19)

Brittenum

ACTION REQUESTED: Adopt the resolution

56. RESOLUTION instructing the Industrial Development Board to immediately take whatever action is necessary to effectuate changes as outlined in the attached document, effective January 1, 2007.

Brittenum

ACTION REQUESTED: Adopt the resolution

PRESENTATIONS AND RECOGNITION OF VISITORS

57. RESOLUTION approving an Honorary Street Name Change for Reverend B. L. Bess.

Ford

ACTION REQUESTED: Adopt the resolution

58. RESOLUTION declaring October 3, 2006 as “Sue Fortune Appreciation Day”.

Jones

ACTION REQUESTED: Adopt the resolution

ADJOURNMENT

ADD-ONS

- 59. RESOLUTION accepting BARRY FARMS P.D., PHASE 5, PART OF PARCEL C, and authorizing release of bond.

Consent

Case No. PD 90-314cc
(Contract No. CR-4412)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the west side of Hacks Cross Road, 1,067.67 feet north of Meadow Vale Drive. The standard improvement contract was approved on March 16, 1999. Resolution also authorizes the release of the performance bonds in the amount of \$200,300.00. This action is subject to County approval.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

- 60. RESOLUTION accepting the standard improvement contract for THE ENCLAVE AT SPARKLE CREEK, PD., PHASE 1, and authorizing the release of bond.

Consent

Case No. PD 02-302cc
(Contract No. CR-4990)

Resolution cancels the standard improvement contract located on the west side of Pisgah Road, south of Humphrey Road. The standard improvement contract was approved on November 15, 2005. Resolution also authorizes the release of the Letter of Credit (No.S053454) in the amount of \$9,000.00.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

- 61. RESOLUTION approving standard TRAFFIC SIGNAL MODIFICATION contract for AMERICAN WAY and FARRISVIEW BLVD TRAFFIC SIGNAL MODIFICATION.

Consent

Contract No. 5040

Resolution approves the standard traffic signal modification located at American Way and Farrisview Blvd. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard traffic Signal Modification contract.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

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

- I. Case No. SCBID 06-003 – J O PATTERSON PLACE – HILTON GARDEN INN (Companion Case SAC 06-610)

Location is generally the southwest corner of Linden Avenue and Second Street, extending west to Mulberry and south to Pontotoc Avenue

Applicant: Area Hotels LLC

Request: Council approval of a Site Plan for Hotel (Hilton Garden Inn) as required by the South Main District

ADD-ONS

OPD recommendation: APPROVAL

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: October 17, 2006

- 62. RESOLUTION requesting that The Memphis and Shelby County Crime Commission and Deloitte and Berkshire separately analyze the Mayor’s crime fighting plan current police operations, make independent recommendations, and review the City’s finances to determine the costs associated with the plan.

Mitchell

ACTION REQUESTED: Adopt the resolution

- 63. RESOLUTION requesting that the Riverfront Development Corporation present within 90 days, a detailed proposal for the relocation of the Grand Carousel to Mud Island River Park.

McCormick

ACTION REQUESTED: Adopt the resolution

ACTION TAKEN BY COUNCIL ON THIS DATE

- 1. Through 10 – Approved
- 11. Public Hearing set for October 17, 2006
- 12. Through 36 – Approved
- 37. Held to October 17, 2006
- 38. Approved, as amended
- 39. Through 41 – Approved
- 42. Held to January 16, 2007
- 43. Through 45 – Approved
- 46. Failed
- 47. Approved
- 48. Held to November 7, 2006
- 49. Approved, as amended
- 50. Withdrawn
- 51. Approved
- 52. Through 54 – Dropped
- 55. Approved
- 56. Approved, as amended
- 57. Through 63 – Approved

ACTION TAKEN ON THE MINUTES OF SEPTEMBER 19, 2006

Approved