

MINUTES

REGULAR MEETING OF THE CITY COUNCIL

CITY OF MEMPHIS

January 2, 2007

3:30 P.M. SCHEDULED SESSION

4:00 P.M. MEETING COMMENCED

ROLL CALL: Dedrick Brittenum, Joe Brown, Carol Chumney, Edmund Ford, Barbara Swearengen Holt, E. C. Jones, Myron Lowery, Scott McCormick, Rickey Peete, Jack Sammons, Brent Taylor and Chairman Tom Marshall

**THE MEETING WAS CALLED TO ORDER
BY THE SERGEANT-AT-ARMS**

INVOCATION

The meeting was opened with prayer by Dr. Christopher B. Davis, Sr., from St. Paul Baptist Church. Councilman Peete presented Dr. Davis with a certificate naming him Chaplain of the day.

The original of the ordinances, resolutions and documents relating to each item is filed in the office of Council Records and on microfilm in the office of Records Management, Room 2B-08. The original documents shall control in the event of any conflict between the description in these minutes and the original documents.

(The recorder usually used to record the meetings malfunctioned before this meeting started. This meeting was recorded on a regular tape recorder).

35. ORDINANCE REZONING THE NORTH SIDE OF CLEMENTINE ROAD; +200 FEET WEST OF DARLENE STREET, CONTAINING 2.39 ACRES IN THE DUPLEX RESIDENTIAL (R-D) DISTRICT, UP FOR T H I R D AND F I N A L READING

Ordinance No. 5199
Case No. Z 06-125

Held until January 16, 2007

CONSENT AGENDA – Items 1-8 & #39 & #40 may be acted upon by one motion. SEE PAGE 2103 FOR ROLL CALL

1. ORDINANCE PROVIDING FOR THE TRANSFER OF THE PERMITS DEPARTMENT FROM THE FINANCE DIVISION TO THE LAW DIVISION PURSUANT TO SECTION 8 OF THE HOME RULE AMENDMENT TO THE CHARTER OF THE CITY OF MEMPHIS, UP FOR F I R S T READING.

Ordinance No. 5203

APPROVED, on First reading

2. ORDINANCE AMENDING THE TEXT OF THE SUBDIVISION REGULATIONS, UP FOR F I R S T READING.

Ordinance No. 5202
Case No. STA 06-001cc

APPROVED, on First reading

3. **ORDINANCE REZONING THE WEST SIDE OF N. SECOND STREET @ MAHANNAH AVENUE, CONTAINING 9.88 ACRES IN THE HEAVY INDUSTRIAL (I-H) & HEAVY INDUSTRIAL FLOOD PLAIN (I-H[FP]) DISTRICTS, UP FOR S E C O N D READING.**

Ordinance No. 5201
Case No. Z 06-126

APPROVED, on Second reading

4. **RESOLUTION ACCEPTING LOST CREEK P.D, SEWER EXTENSION AND AUTHORIZING RELEASE OF BOND.**

(Contract No. CR-4981)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on Dexter Grove Cove, 442 feet southwest of Appling Road. The standard improvement contract was approved on October 11, 2005. Resolution also authorizes the release of the letter of credit (No. P002563) in the amount of \$33,600.00.

City Engineer recommends approval

APPROVED

5. **RESOLUTION ACCEPTING BUCKINGHAM FARMS P.D., PART OF PARCEL 'O', PHASE 28 AND AUTHORIZING RELEASE OF BOND.**

Case No. PD 95-310cc
(Contract No. CR-4959)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the north side of East Shelby Drive, 521.03 feet west of Meadow Cliff Drive. The standard improvement contract was approved on July 5, 2005. Resolution also authorizes the release of the certificate of deposit in the amount of \$58,000.00. This action is subject to County approval.

City Engineer recommends approval

APPROVED

6. **RESOLUTION ACCEPTING OLD OAKS SUBDIVISION AND AUTHORIZING RELEASE OF BOND.**

Case No. S 05-059cc
(Contract No. CR-4996)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on Montorey Road, east of Red-Hooker Road. The standard improvements contract was approved on February 21, 2006. Resolution also authorizes the release of the letter of credit (No. S063048) in the amount of \$31,800.00.

City Engineer recommends approval

APPROVED

7. **RESOLUTION APPROVING ENGINEERING PLANS OF MACON ROAD SEWER OUTFALL (LEE LINE FARMS P.D.)**

Contract No. CR-5045

Resolution approves the engineering plans located on the north side of Macon Road, 570 feet ± west of Houston Levee Road. Cost of the required improvements to be borne by the developer. Resolution also authorizes the proper officials to execute the attached standard sewer extension contract.

City Engineer recommends approval

APPROVED**8. NOTATION FROM LAND USE CONTROL BOARD THAT THE FOLLOWING CASE WAS HEARD AND RECOMMENDATION MADE REQUESTING A DATE OF PUBLIC HEARING:**

A. Case No. PD 06-348 – Thomas Country P.D., Amended

Public Hearing Set for January 16, 2007

**39. RESOLUTION APPROVING FINAL PLAT OF MICROTEL INNS AND SUITES.
Contract No. CR-5046**

Resolution approves the final plat located on south Second Street. 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

APPROVED**40. RESOLUTION APPROVING THE SUPPLEMENTAL AGREEMENT #1 TO COUNTRYSIDE ACRES SUBDIVISION, SECTION A, RESUBDIVISION LOTS 1-6 (S-96-035).**

Contract No. CR-4833AM

Resolution approves the Supplemental Agreement #1 located on the north side of Christine Road, south of Christine Circle. 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

APPROVED**ROLL CALL CONSENT ITEMS**

MOTION: Sammons

SECOND: Peete

AYES: Brittenum, Chumney, Ford, Holt, Jones, Lowery, McCormick, Peete, Sammons,
Taylor and Chairman Marshall
Brown did not cast a vote

APPROVED**MLGW FISCAL CONSENT – Items 9 - 16 may be acted upon by one motion****9. RESOLUTION APPROVING AN EXPEDITED PROCUREMENT REQUEST FOR CHANGE NO. 1 TO CONTRACT NO. 11053, ARMORED CAR SERVICES, WITH DUNBAR ARMORED CAR SERVICES, IN THE FUNDED AMOUNT OF \$46,748.40 WITH NO INCREASE IN SERVICE RATES. (THIS RENEWS THE CONTRACT FOR THE FIRST TERM BEGINNING DECEMBER 19, 2006 UNTIL DECEMBER 18, 2007.)****APPROVED****10. RESOLUTION AWARDDING CONTRACT FOR UNINTERRUPTIBLE POWER SOURCE AND DC POWER SYSTEM TO COMPUTER AC, INC. IN THE AMOUNT OF \$146,468.00.****APPROVED**

- 11. **RESOLUTION AMENDING PURCHASE ORDER NO. 123567 WITH AMERICAN METER FOR 630-750 GAS METERS IN THE AMOUNT OF \$136,692.00.**

APPROVED

- 12. **RESOLUTION AMENDING PURCHASE ORDER NO. 123568 WITH DRESSER ROOTS METERS AND INSTRUMENTS FOR 1500 CFH, 3000 CCF AND 5000 CCF GAS METERS IN THE AMOUNT OF \$32,425.00.**

APPROVED

- 13. **RESOLUTION AWARDDING CONTRACT FOR ACSR WIRE TO STUART C. IRBY IN THE APPROXIMATE AMOUNT OF \$412,000.00.**

APPROVED

- 14. **RESOLUTION AMENDING PURCHASE ORDER NO. 123971 WITH SOUTHERN SALES AND SERVICE COMPANY, INC., C/O SKYCAST, FOR CONCRETE STANDARDS IN THE AMOUNT OF \$1,222,920.31.**

APPROVED

- 15. **RESOLUTION AMENDING PURCHASE ORDER NO. 123966 WITH STRESSCRETE, C/O CURTIS H. STOUT OF TENNESSEE FOR CONCRETE STANDARDS IN THE AMOUNT OF \$948,726.01.**

APPROVED

- 16. **RESOLUTION AMENDING PURCHASE ORDER NO. 123325 WITH AMERICAN ELECTRIC LIGHTING FOR LUMINARIES IN THE AMOUNT OF \$796,284.00.**

APPROVED

ROLL CALL MLGW FISCAL CONSENT ITEMS

MOTION: Holt
 SECOND: Peete
 AYES: Brittenum, Chumney, Ford, Holt, Jones, Lowery, McCormick, Peete, Sammons,
 Taylor and Chairman Marshall
 Brown did not cast a vote

APPROVED

- 17. **APPOINTMENTS**

ALCOHOL COMMISSION

REAPPOINTMENT

REV. ELLA R. MOSBY (HELD FROM DECEMBER 19, 2006) – (WITHDRAWN)

FIRE DEPARTMENT BOARD OF APPEALS

REAPPOINTMENTS

RONALD A. FULLER
CHARLES GORDON NEVELS, III

MEMPHIS & SHELBY COUNTY AIRPORT AUTHORITY

REAPPOINTMENT

RUBY R. WHARTON

MOTION: Sammons
SECOND: McCormick
AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, McCormick, Peete, Sammons, Taylor and Chairman Marshall

APPROVED, with the exception of Rev. Ella Mosby being Withdrawn

41. **APPOINTMENT**

ALCOHOL COMMISSION

APPOINTMENT

JIMMIE D. KELLY

MOTION: Taylor
SECOND: Ford
AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, McCormick, Peete, Sammons, Taylor and Chairman Marshall

APPROVED

18. **ORDINANCE AMENDING THE USE OF PUBLIC PROPERTY AND APPROVING IMPLEMENTATION OF AGREEMENT OF PURCHASE, SALE AND TRANSFER ENTERED INTO BY AND BETWEEN THE UNITED STATES POSTAL SERVICE, THE TENNESSEE BOARD OF REGENTS/STATE OF TENNESSEE AND THE CITY OF MEMPHIS. PROPERTY SHALL BE USED BY THE STATE FOR THE UNIVERSITY OF MEMPHIS CECIL C. HUMPHREYS SCHOOL OF LAW, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5200

Chairman Marshall recognized the following person from the audience:
Virginia McLean, 3838 Poplar, Memphis, TN. 38111

MOTION: Peete
SECOND: McCormick
AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, McCormick, Peete, Sammons, Taylor and Chairman Marshall

APPROVED

19. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF FORTY-FIVE THOUSAND, NINE HUNDRED THIRTY-FIVE DOLLARS (\$45,935.00) FROM THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT DIVISION FOR WIA TITLE ONE INCUMBENT WORKER SERVICES GRANT. RESOLUTION ALSO AMENDS FY 2007 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS.**

MOTION: Brittenum
SECOND: Peete
AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, McCormick, Peete, Sammons, Taylor and Chairman Marshall
Lowery did not cast a vote

APPROVED

20. **RESOLUTION TO AMEND THE FY 2007 OPERATING BUDGET ORDINANCE #5166 TO PROVIDE THE SERVICES NECESSARY IN ACCORDANCE WITH THE BERRYHILL ANNEXATION AREA.**

MOTION: Sammons
 SECOND: McCormick
 AYES: Brittenum, Chumney, Ford, Holt, Jones, Lowery, McCormick, Peete, Sammons, Taylor and Chairman Marshall
 NAY: Brown

APPROVED

21. **RESOLUTION TO AMEND THE FY 2007 OPERATING BUDGET ORDINANCE #5166 TO PROVIDE THE SERVICES NECESSARY IN ACCORDANCE WITH THE SOUTHWIND ANNEXATION AREA.**

MOTION: Sammons
 SECOND: McCormick
 AYES: Brittenum, Chumney, Ford, Holt, Jones, Lowery, McCormick, Peete, Sammons, Taylor and Chairman Marshall
 NAY: Brown

APPROVED

22. **RESOLUTION ACCEPTING AN OFFER TO PURCHASE CITY OWNED PROPERTY LOCATED ON THE WEST SIDE OF BARTON BETWEEN ESSEX AND EAST PERSON; BEING APPROXIMATELY 20' X 115' AND CONTAINS 2,300 SQUARE FEET MORE OR LESS. THE AMOUNT OF THE OFFER IS \$460.00.**

Resolution accepts an offer from Bobby Barr to purchase property located in the City of Memphis, County of Shelby and State of Tennessee. Said property was acquired by the City of Memphis in Tax Sale #5, Chancery Court Cause #9413-3, as Exhibit #3153 on March 29, 1990 for delinquent taxes. The Shelby County, Tennessee Assessor's Office has identified the property as Ward 035, Block 088, Parcel 012, Lot 272 and as described in deed recorded in Book 731, Page 71. Said property formerly known for address purposes as 1635 Barton, measures 20' x 115' and contains 2,300 square feet, more or less. Per ordinance, the sale of the subject parcel is NOT subject to the offer laying over for a future Council meeting for an increase of bid. Therefore, resolution approval shall be deemed approval of sale. Resolution also authorizes the Mayor to execute the necessary documents in connection with the sale.

Director of General Services recommends approval

MOTION: Holt
 SECOND: Peete
 AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, McCormick, Peete, Sammons, Taylor and Chairman Marshall

APPROVED

23. **RESOLUTION INCREASING FY 2007 ALLOCATION BY \$1,000,000.00 IN GS01010, ADA FACILITY COMPLIANCE AND APPROPRIATES \$2,080,000.00, ADA FACILITY COMPLIANCE FOR REMEDIATION OF CITY FACILITIES UNDER THE TERMS OF THE SETTLEMENT AGREEMENT BETWEEN THE CITY OF MEMPHIS AND THE FEDERAL GOVERNMENT DEPARTMENT OF JUSTICE.**

MOTION: Holt
 SECOND: Peete
 AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, McCormick, Peete, Sammons, Taylor and Chairman Marshall

APPROVED

24. **RESOLUTION AUTHORIZES THE DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT TO AWARD \$494,200.00 IN FUNDING TO DESIGNATED 501 (C) 3 ORGANIZATIONS FOR THE PURPOSE OF COMMUNITY INITIATIVES, COMMUNITY DEVELOPMENT AND BUSINESS/ECONOMIC DEVELOPMENT ACTIVITIES.**

MOTION: Holt
 SECOND: Ford
 AYES: Brittenum, Brown, Ford, Holt, Jones, Lowery, McCormick, Sammons, Taylor and Chairman Marshall
 NAY: Chumney
 Peete did not cast a vote

APPROVED

25. **RESOLUTION EXEMPTING PERSONS EMPLOYED AS POLICE OFFICERS, AFTER THE EFFECTIVE DATE OF THE ORDINANCE, FROM THE RESIDENCY PROVISIONS OF THE MEMPHIS CITY CHARTER.**

(Councilwoman Holt made a motion requesting that the residency requirement be removed for the next 2 classes)

(Special Item#2 – Holt’s Motion)

MOTION: Holt
 SECOND: Brown
 AYES: Brittenum, Brown, Ford, Holt and Peete
 NAYS: Chumney, Jones, Lowery, McCormick, Sammons, Taylor and Chairman Marshall

(Special Item #2 – FAILED)

(Councilman Brittenum offered a friendly amendment requesting that there be a 2 yr. Sunset Provision on the residency requirement and there be a Local Preference in Memphis. Councilman Peete offered a friendly amendment stating that they must live in the Shelby County area).

MAIN MOTION: Sammons
 SECOND: McCormick
 AYES: Brittenum, Chumney, Jones, Lowery, McCormick, Peete, Sammons, Taylor and Chairman Marshall
 NAYS: Brown, Ford and Holt

APPROVED, as amended

26. **RESOLUTION EXEMPTING PERSONS EMPLOYED AS PARAMEDICS, AFTER THE EFFECTIVE DATE OF THE ORDINANCE, FROM THE RESIDENCY PROVISIONS OF THE MEMPHIS CITY CHARTER.**

MOTION: Sammons
 SECOND: Peete
 AYES: Brittenum, Chumney, Jones, Lowery, McCormick, Peete, Sammons, Taylor and Chairman Marshall
 NAYS: Brown, Ford and Holt

APPROVED, as amended

27. **RESOLUTION EXEMPTING EMPLOYEES OF THE EMERGENCY MANAGEMENT AGENCY FROM THE RESIDENCY PROVISIONS OF THE MEMPHIS CITY CHARTER.**

MOTION: Sammons
 SECOND: McCormick

AYES: Brittenum, Brown, Chumney, Ford, Jones, Lowery, McCormick, Peete,
Sammons, Taylor and Chairman Marshall
Jones did not cast a vote

APPROVED, as amended

28. **RESOLUTION EXEMPTING EMPLOYEES OF THE BARTLETT LIBRARY FROM THE RESIDENCY PROVISIONS OF THE MEMPHIS CITY CHARTER.**

MOTION: Sammons
SECOND: McCormick
AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, McCormick, Peete,
Sammons, Taylor and Chairman Marshall

APPROVED, as amended

29. **RESOLUTION ACCEPTS AND APPROPRIATES INSURANCE PROCEEDS AS LOCAL OTHER FUNDS IN THE AMOUNT OF \$184,000.00 IN CIP PROJECT #GA01003, RIVERFRONT PARK IMPROVEMENTS FOR THE EXECUTION OF CERTAIN REPLACEMENT PROJECTS.**

MOTION: McCormick
SECOND: Taylor
AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, McCormick, Peete,
Sammons, Taylor and Chairman Marshall

APPROVED

30. **RESOLUTION APPROPRIATING \$506,766.00 FUNDED BY G.O. BONDS GENERAL FOR ADA CURB RAMPS 28, PROJECT NUMBER PW04054 FOR A CONTRACT WITH DIXIELAND CONTRACTORS, INC., FOR THE INSTALLATION OF ADA RAMPS AT VARIOUS LOCATIONS IN THE CITY.**

Director of Public Works and City Engineer recommends approval

MOTION: Jones
SECOND: McCormick
AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, McCormick, Peete,
Sammons, Taylor and Chairman Marshall

APPROVED

31. **RESOLUTION APPROPRIATING \$68,103.00 FUNDED BY SEWER FUNDS FOR 3258 OLD ALLEN ROAD SEWER EXTENSION, PROJECT NUMBER SW03013 FOR A CONSTRUCTION CONTRACT WITH MILLS & SONS, INC., TO PROVIDE SERVICE TO AN UNSEWERED RESIDENCE.**

Director of Public Works and City Engineer recommends approval

MOTION: Jones
SECOND: McCormick
AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, McCormick, Peete,
Sammons, Taylor and Chairman Marshall

APPROVED

32. **RESOLUTION APPROPRIATING \$172,000.00 FUNDED BY G.O. BOND FUNDS TO BE DEPOSITED IN THE LOCAL GOVERNMENT INVESTMENT POOL ACCOUNT FOR HOLMES STREET BRIDGE OVER CSX RR, PROJECT NUMBER PW 02015.**

MOTION: Jones
SECOND: Sammons

AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, McCormick, Peete, Sammons, Taylor and Chairman Marshall

APPROVED

33. **RESOLUTION APPROPRIATING \$213,000.00 FUNDED BY G.O. BONDS GENERAL IN NONCONNAH/MT. MORIAH CULVERT, PROJECT NUMBER ST03081 FOR A NEGOTIATED CONTRACT WITH THE UNITED STATES CORPS OF ENGINEERS FOR THE CONSTRUCTION OF MT. MORIAH CULVERT.**

Director of Public Works recommends approval

MOTION: Jones
 SECOND: McCormick
 AYES: Brittenum, Chumney, Ford, Holt, Jones, Lowery, McCormick, Peete, Sammons, Taylor and Chairman Marshall
 Brown did not cast a vote

APPROVED

34. **RESOLUTION APPROPRIATING \$1,846,790.00 FUNDED BY SEWER REVENUE BONDS IN SEWER LINE REPLACEMENT SERVICE, PROJECT NUMBER SW02067 FOR SEWER LINE REPLACEMENT AT VARIOUS LOCATIONS.**

Director of Public Works recommends approval

MOTION: Jones
 SECOND: Sammons
 AYES: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, McCormick, Peete, Sammons, Taylor and Chairman Marshall

APPROVED

36. **RESOLUTION APPROVING AN APPEAL LOCATED ON THE EAST SIDE OF COLONIAL ROAD; +545.6 FEET SOUTH OF COLE ROAD, CONTAINING 43,298 SQUARE FEET (0.994 ACRE) IN THE SINGLE FAMILY RESIDENTIAL (R-S10) DISTRICT.**

Case No. S 06-056

Chairman Marshall recognized the following people from the audience:

Joe Getz, 4850 Cole, Memphis, TN. 38117
 Betty Wittenberg, 347 Clawson Cove, Memphis, TN. 38117
 Robert Tvedt, 364 Clawson Cove, Memphis, TN. 38117

Applicant: Brad Rainey Homes, Inc.
 SR Consulting, LLC – Cindy Reaves – Representative

Request: 3 Lot Preliminary Plat

LUCB and OPD recommendation: APPROVAL, with conditions

(Councilwoman Holt made a motion requesting (3) houses be approved with entrance to Colonial only). Aye Vote represented the Appellant, Nay Vote represented the Motion.

(Special Item #3)

MOTION: Holt
 SECOND: McCormick
 AYES: Chumney, McCormick, Sammons, Taylor and Chairman Marshall
 NAYS: Brittenum, Brown, Holt and Lowery
 Ford and Jones abstained
 Peete recused

(Special Item #3 – FAILED)**(Councilman Sammons offered a Friendly Amendment requesting (2) houses with entrance to Colonial only. This was seconded by Councilwoman Chumney).**

MAIN MOTION: Lowery
 SECOND: McCormick
 AYES: Brittenum, Chumney, McCormick, Sammons, Taylor and
 Chairman Marshall
 NAYS: Brown, Holt and Lowery
 Ford and Jones abstained
 Peete recused

APPROVED, as amended

37. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE LOCATED ON OUTLAND ROAD @ LAMAR AVENUE, LENGTH X WIDTH OF R.O.W. VARIES 15'/245' X 750' FEET AND AREA OF R.O.W. IS 38,625 SQUARE FEET IN THE STREET RIGHT-OF-WAY ~ SINGLE FAMILY RESIDENTIAL (R-S6) DISTRICT.**

Case No. SAC 06-616

Applicant: BNSF Railroad

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

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Lowery
 SECOND: McCormick
 AYES: Brittenum, Brown, Chumney, Ford, Holt, Lowery, McCormick, Sammons, Taylor and Chairman Marshall
 Jones did not cast a vote
 Peete recused

APPROVED

38. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE LOCATED ON THE WEST SIDE OF THIRD STREET; +141.98 FEET NORTH OF UNION AVENUE, CONTAINING 2,404 SQUARE FEET AND THE LENGTH X WIDTH OF R.O.W. IS 16' X 150' IN THE ALLEY RIGHT-OF-WAY ~ SPORTS AND ENTERTAINMENT (SE) DISTRICT.**

Case No. SAC 06-628

Applicant: Jadora Partners and Metro Hotels
Nathan Bicks – Representative

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

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Lowery
 SECOND: McCormick
 AYES: Brittenum, Brown, Chumney, Ford, Holt, Lowery, McCormick, Sammons, Taylor and Chairman Marshall
 Jones did not cast a vote
 Peete recused

APPROVED**(Councilman Taylor made a motion for the Minutes of Item#41- Jimmie D. Kelly's appointment to the Alcohol Commission, be approved at tonight's meeting).**

(Special Item #1 – Minutes of Item#41)

MOTION: Taylor
SECOND: McCormick
AYES: Brittenum, Chumney, Ford, Holt, Lowery, McCormick, Sammons, Taylor and Chairman Marshall
Brown, Jones and Peete did not cast a vote

APPROVED

MINUTES

Approval of the Minutes of the regular meeting of December 19, 2006

MOTION: Sammons
SECOND: McCormick
AYES: Brittenum, Chumney, Ford, Holt, Lowery, McCormick, Taylor and Chairman Marshall
Brown, Jones, Peete and Sammons did not cast a vote

APPROVED

INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:

Chairman Marshall recognized the following people from the audience:

- Alma Morris, 981 Alaska St., Memphis, TN. 38107
- Steven Simmons, 2011 Rile, Memphis, TN. 38109
- Walter Broady, III, 4256 Ledbetter Cove, Memphis, TN. 38109

ADJOURNED MEETING AT 7:15 P.M.

Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

CHAIRMAN

Attest:

Deputy Comptroller/Council Records

