

MINUTES
REGULAR MEETING OF THE CITY COUNCIL
CITY OF MEMPHIS

March 4, 2014

3:30 P.M. SCHEDULED SESSION

3:30 P.M. MEETING COMMENCED

ROLL CALL: William Boyd, Joe Brown, Harold Collins, Kemp Conrad, Shea Flinn, Edmund Ford, Jr., Janis Fullilove, Wanda Halbert, Lee Harris, Reid Hedgepeth, Myron Lowery, Bill Morrison and Chairman Jim Strickland.

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

INVOCATION

The meeting was opened with prayer by Rev. Gregory C. Stokes, Sr., from Greater Paradise Baptist Church. Councilman Brown presented Rev. Stokes with a certificate naming him Chaplain of the day.

These minutes record the agenda items and the action taken by the Council on such items. The full text of the original of the ordinances, resolutions and supporting documents, including an audio recording of Council's deliberations are filed and maintained in the office of Council Records/Records Management, Room 2B-08. The original ordinances and/or resolutions adopted by the Council shall control in the event of any conflict between the description in these minutes and the original documents, ordinances and/or resolutions.

MINUTES

Approval of the Minutes of the regular meeting of February 18, 2014 with the following motion:

MOTION: Ford
SECOND: Morrison
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Morrison and Chairman Strickland
Hedgepeth and Lowery did not cast a vote

APPROVED

(Councilman Harris made a motion to vote separately on the \$1,000,000.00 for the Rape Kits for item#20. This was seconded by Councilwoman Fullilove).

(Special Item #1 – Rape Kits)

MOTION: Harris
SECOND: Fullilove
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland

APPROVED

20. **RESOLUTION AMENDING THE FY 2014 BUDGET FOR MID-YEAR CLEAN-UP TO ADJUST FOR UNANTICIPATED EXPENDITURES.**

MAIN MOTION: Harris
SECOND: Fullilove
AYES: Boyd, Brown, Conrad, Flinn, Ford, Halbert, Hedgepeth, Lowery, Morrison and Chairman Strickland
NAYS: Fullilove and Harris
Collins did not cast a vote

APPROVED, as amended

1. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE GENERALLY LOCATED BETWEEN GERMANTOWN ROAD ON THE WEST AND HACKS CROSS ROAD ON THE EAST; TWO SECTIONS. THE EAST-WEST SECTION BEGINS SOME 2,400’ WEST OF HACKS CROSS ROAD AND EXTENDS WESTWARD FROM THAT POINT A DISTANCE OF 455’. THE NORTH-SOUTH SECTION IS LOCATED SOME 2,949’ EAST OF GERMANTOWN ROAD AND EXTENDS NORTHWARD FROM THAT POINT A DISTANCE OF 700’, CONTAINING 1.049 ACRES IN AREA G OF THE CALLIS CUT-OFF P.D. AND AREA D OF THE TOURNAMENT CENTER PLANNED DEVELOPMENT. (HELD FROM 2/18)**

Case No. SAC 13-614

Applicant: Fieldstone Apartments III, LLC (Michael Lightman)
Parker, Estes, and Associates - Representative

Request: Close & Vacate Street Right-Of-Way

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Collins
SECOND: Fullilove
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth, Morrison and Chairman Strickland

Lowery did not cast a vote

APPROVED

CONSENT AGENDA – Items 2 - 5 may be acted upon by one motion: SEE PAGE 2900 FOR ROLL CALL

2. **ORDINANCE TO DELETE A PORTION OF QUINCE ROAD RESIDENTIAL CORRIDOR, LOCATED ON THE NORTH SIDE OF QUINCE ROAD @ RIDGEWAY ROAD, CONTAINING 3.58 ACRES IN THE COMMERCIAL MIXED USE (CMU-2) DISTRICT, UP FOR S E C O N D READING.**

Case No. RC 13-402
Ordinance No. 5546

APPROVED, on Second reading

3. **RESOLUTION APPROVING FINAL PLAT OF CARTER HILL SUBDIVISION.**

Case No. S 08-005

Resolution approves the final plat located at the northeast corner of New Raleigh Road and James Road. Cost of the required improvements to be borne by the developer.

APPROVED

4. **RESOLUTION APPROVING FINAL PLAT OF UPTOWN REDEVELOPMENT ALLEY IMPROVEMENTS.**

Contract No. CR-5209

Resolution approves the final plat located south of Chelsea Avenue, north of Mill Avenue, east of N. Second Street and west of Seventh Street. Cost of the required improvements to be borne by the agency and the contractor. Resolution also authorizes the proper officials to execute the attached standard improvement contract

APPROVED.

5. **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 13-605 – (COUGHLIN DRIVE) (Held from 12/3)

Public Hearing held until April 15, 2014

ROLL CALL CONSENT ITEMS

MOTION: Ford
 SECOND: Morrison
 AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth,
 Morrison and Chairman Strickland
 Lowery did not cast a vote

APPROVED

18. **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; 1/7; 2/4)**
 Ordinance No. 5456

Held until May 20, 2014

19. **ORDINANCE APPROVING INSTALLATION OF INDIVIDUAL WATER METERS ON ALL NEW CONSTRUCTED APARTMENT COMPLEXES, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5545

Held until April 1, 2014

MLGW FISCAL CONSENT – Items 6 -16 may be acted upon by one motion:

6. **RESOLUTION APPROVING CHANGE NO. 9 TO CONTRACT NO. 10580, SERVICE AGREEMENT, WITH MOTOROLA INCORPORATED, IN THE FUNDED AMOUNT OF \$47,759.16. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR AN ADDITIONAL ONE YEAR TERM COVERING THE PERIOD MARCH 1, 2014 TO FEBRUARY 28, 2015 WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR. MLGW IS REQUESTING APPROVAL OF CONTINUOUS MAINTENANCE OF THE ACQUIRED SYSTEM, WHICH CAN ONLY BE PERFORMED BY MOTOROLA INCORPORATED.)**

APPROVED

7. **RESOLUTION APPROVING CHANGE NO. 11 TO CONTRACT NO. 10332, ABB SOFTWARE MAINTENANCE, WITH ABB POWER TRAINING AND DEVELOPMENT COMPANY, INCORPORATED, IN THE FUNDED AMOUNT OF \$115,393.00. (THIS CHANGE IS TO RENEW SOFTWARE MAINTENANCE, LICENSES, AND SUPPORT RENEWAL FEES FOR THE DMS SOFTWARE COVERING THE PERIOD JANUARY 1, 2014 THROUGH DECEMBER 31, 2014, REFLECTING A 3% INCREASE FROM THE PREVIOUS YEAR DUE TO BUSINESS OPERATING COST. THE FEDERAL APPLICATION HAS BEEN DISCONTINUED**

AND IS NO LONGER PROVIDED BY THIS CONTRACT. THIS REDUCTION IN SERVICES REPRESENTS A 15% DECREASE IN THE CONTRACT COSTS.)

APPROVED

8. **RESOLUTION AWARDING CONTRACT TO WHITLOW ELECTRIC SERVICE CO., INC. FOR GALVANIZED TRANSMISSION TOWER STEEL, IN THE AMOUNT OF \$57,973.88.**

APPROVED

9. **RESOLUTION APPROVING PAYMENT OF 2014 ANNUAL MEMBERSHIP DUES, TO AMERICAN GAS ASSOCIATION, IN THE AMOUNT OF \$60,045.00.**

APPROVED

10. **RESOLUTION APPROVING THE SELECTION OF THE UNDERWRITER/SENIOR MANAGER AND CO-MANAGERS IN CONNECTION TO THE PROPOSED ISSUANCE OF SERIES 2014 ELECTRIC SYSTEM REVENUE BONDS AND THE SERIES 2014 WATER SYSTEM REVENUE BONDS.**

APPROVED

11. **RESOLUTION APPROVING CHANGE NO. 6 TO CONTRACT NO. 11292, CASHIERING SYSTEM REPLACEMENT, WITH SYSTEM INNOVATORS, IN THE FUNDED AMOUNT OF \$47,610.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR ANNUAL SOFTWARE MAINTENANCE AND SUPPORT SERVICES FOR THE PERIOD COVERING MARCH 1, 2014 TO FEBRUARY 28, 2015. MLGW IS REQUESTING CONTINUOUS MAINTENANCE OF THE ACQUIRED SYSTEM, WHICH CAN ONLY BE PERFORMED BY SYSTEM INNOVATORS.)**

APPROVED

12. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11332, SHORT & LONG TERM DISABILITY, TO UNUM GROUP, TO EXTEND THE CURRENT CONTRACT IN THE FUNDED AMOUNT OF \$1,040,326.53. (THIS CHANGE IS TO EXTEND THE CURRENT CONTRACT TO JUNE 30, 2014 TO ALLOW TIME TO COMPLETE EVALUATIONS OF PROPOSALS RECEIVED AND VENDOR SELECTION FOR A NEW CONTRACT, WHICH PROPOSALS WERE RECEIVED ON JANUARY 31, 2014. IN THE EVENT A NEW VENDOR IS SELECTED, THIS EXTENSION WILL ALLOW TIME FOR A TRANSITION PERIOD FROM THE CURRENT PROVIDER TO THE NEW PROVIDER. THE CURRENT TERM ENDS**

APRIL 1, 2014.)

APPROVED

13. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11333, GROUP TERM, VOLUNTARY LIFE AND ACCIDENTAL DEATH AND DISMEMBERMENT, TO UNUM GROUP, TO EXTEND THE CURRENT CONTRACT IN THE FUNDED AMOUNT OF \$1,040,326.53. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR A 90 DAY TERM FOR THE PERIOD COVERING APRIL 1, 2014 TO JUNE 30, 2014. IN THE EVENT A NEW VENDOR IS SELECTED, THIS EXTENSION WILL ALLOW TIME FOR A TRANSITION PERIOD FROM THE CURRENT PROVIDER TO THE NEW PROVIDER. THE CURRENT TERM ENDS APRIL 1, 2014.)**

APPROVED

14. **RESOLUTION AWARDING CONTRACT TO VENTURE TECHNOLOGIES FOR A FIREWALL INSTALLATION PROJECT, IN THE AMOUNT OF \$103,706.72.**

APPROVED

15. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11531, CUSTOMER SATISFACTION SURVEY, WITH RENEE ENTERPRISES, IN THE FUNDED AMOUNT OF \$33,774.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE SECOND OF FOUR RENEWAL TERMS COVERING THE PERIOD APRIL 1, 2014 THROUGH MARCH 31, 2015, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR.)**

APPROVED

16. **RESOLUTION AWARDING A FORTY-EIGHT MONTH CONTRACT TO KONICA MINOLTA BUSINESS SOLUTIONS USA, INC. FOR RENTAL OF COPIER/PRINTER MULTI-FUNCTION DEVICES, IN THE AMOUNT OF \$607,920.00.**

APPROVED

MLGW ROLL CALL CONSENT ITEMS

MOTION: Lowery
SECOND: Morrison
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Harris, Lowery, Morrison

and Chairman Strickland
Halbert and Hedgepeth did not cast a vote

APPROVED

17. **APPOINTMENTS**

ALCOHOL COMMISSION

REAPPOINTMENTS

ERMA J. HAYSLETT
BILLY POST

CIVIL SERVICE COMMISSION

APPOINTMENT

EDWARD L. VAUGHN

ECONOMIC DEVELOPMENT GROWTH ENGINE OF MEMPHIS AND SHELBY COUNTY (EDGE)

REAPPOINTMENT

LARRY C. JACKSON

MEMPHIS AND SHELBY COUNTY NEW ARENA PUBLIC BUILDING AUTHORITY

REAPPOINTMENT

Kevin Kane

MOTION: Flinn
SECOND: Hedgepeth
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth,
Lowery, Morrison and Chairman Strickland

APPROVED

21. **RESOLUTION TO ESTABLISH A PUBLIC HEARING AND APPROVE THE RALEIGH SPRINGS URBAN RENEWAL PLAN.**

MOTION: Brown
SECOND: Fullilove
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth,

Lowery, Morrison and Chairman Strickland

APPROVED

22. **RESOLUTION EXPANDING THE SCOPE OF PROGRAMS COVERED BY THE TUITION REIMBURSEMENT PROGRAM AND SETTING FORTH NEW TUITION REIMBURSEMENT LIMITS PER EMPLOYEE.**

MOTION: Flinn

SECOND: Hedgepeth

AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland

APPROVED

23. **RESOLUTION WAIVING THE FEE FOR SOUTH CORDOVA RESIDENTS FROM THE SCHEDULE OF FEES FOR STREET LIGHTING SERVICE FOR THE CITY OF MEMPHIS UNTIL SUCH TIME THAT STREET LIGHTS HAVE BEEN INSTALLED IN THE AREA. (HELD FROM 2/4)**

MOTION: Lowery

SECOND: Boyd

AYES: Boyd

NAYS: Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Lowery, Morrison and Chairman Strickland
Harris abstained
Brown and Hedgepeth did not cast a vote

FAILED

24. **RESOLUTION TO APPROVE THE REVISED 2014 STREET LIGHT SCHEDULE OF FEES.**

MOTION: Lowery

(This item FAILED, due to the lack of a SECOND)

25. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$13,404.00 FOR THE PURPOSE OF CONTINUING THE FEDERAL HIGH INTENSITY DRUG TRAFFICKING AREA PROGRAM (HIDTA).**

MOTION: Conrad

SECOND: Morrison

AYES: Boyd, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth, Morrison and Chairman Strickland
Boyd and Lowery did not cast a vote

APPROVED

26. **RESOLUTION AMENDING THE FY 2014 SOLID WASTE BUDGET TO ALLOCATE AND TRANSFER \$300,000.00 TO THE DIVISION OF PUBLIC WORKS FOR THE PURCHASE OF UP TO SIX (6) COMMUNITY TRASH COMPACTORS PADS IN VARIOUS LOCATIONS IN DOWNTOWN MEMPHIS. (HELD FROM 11/19; 1/21; 2/18)**

Chairman Strickland recognized the following person who spoke from the audience:
Carly Knight, 107 S. Front Street, Memphis, Tennessee, 38103

MOTION: Hedgepeth
SECOND: Flinn
AYES: Boyd, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth, Lowery and Morrison
NAYS: Brown, Collins and Chairman Strickland

APPROVED

27. **RESOLUTION IN SUPPORT OF BRINGING TO AN END THE ONGOING DISPUTE BETWEEN KELLOGG WORKERS AT THE KELLOGG MEMPHIS PRODUCTION FACILITY AND THE KELLOGG COMPANY AND TO END THE LOCKOUT OF KELLOGG WORKERS.**

MOTION: Halbert
SECOND: Fullilove
AYES: Brown, Collins, Fullilove, Halbert, Harris and Lowery
Boyd, Conrad, Flinn, Morrison and Chairman Strickland abstained
Ford and Hedgepeth did not cast a vote

APPROVED

(Councilwoman Fullilove made a motion to approve Same Night Minutes for Items #20 & #21 from tonight's meeting – Special Item #2)

MOTION: Fullilove
SECOND: Morrison
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Harris, Lowery, Morrison and Chairman Strickland
Halbert and Hedgepeth did not cast a vote

APPROVED

INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:

Chairman Strickland recognized the following people who spoke from the audience:

Walter Broady, 4256 Ledbetter Cove, Memphis, Tennessee, 38109
Trence Jackson, 3035 Directors Row, Memphis, Tennessee, 38131
Kevin Bradshaw, 3035 Directors Row, Memphis, Tennessee, 38131

ADJOURNED MEETING AT 5:21 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