

**MINUTES****REGULAR MEETING OF THE CITY COUNCIL****CITY OF MEMPHIS****June 20, 2006****3:30 P.M. SCHEDULED SESSION****3:53 P.M. MEETING COMMENCED**

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

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

**INVOCATION**

The meeting was opened with prayer by Councilwoman Barbara Swearengen Holt.

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.

29. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE SOUTH SIDE OF EAST MCLEMORE AVENUE; BETWEEN NEPTUNE STREET AND COLLEGE STREET, CONTAINING 4 ACRES IN THE COLLEGE UNIVERSITY (C-U) AND MULTIPLE DWELLING RESIDENTIAL (R-MM) DISTRICTS.**

Case No. PD 06-315

Held to July 11, 2006

32. **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)

Held to August 1, 2006

33. **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)

Held to August 1, 2006

34. **RESOLUTION AMENDING THE INCORPORATION RESOLUTION OF THE HEALTH, EDUCATION AND HOUSING FACILITIES BOARD.** ( Held from 5/16;6/6)

Held to August 1, 2006

**Chairman Mitchell recognized students from East High School**

**CONSENT AGENDA – Items 1-4 & 36-39 may be acted upon by one motion. SEE PAGE 1920 FOR ROLL CALL**

1. **ORDINANCE REZONING THE SOUTHWEST CORNER OF WOLF RIVER AND INTERSTATE 240, CONTAINING 19.697 ACRES IN THE AGRICULTURAL (AG) & AGRICULTURAL FLOOD PLAIN (AG{FP}) DISTRICTS, UP FOR F I R S T READING.**

Ordinance No. 5173  
Case No. Z 05-104

**APPROVED**, on First reading

2. **ORDINANCE REZONING THE SOUTH SIDE OF MACON ROAD; +475 FEET WEST OF HOUSTON LEVEE ROAD, CONTAINING 1.34 ACRES IN THE AGRICULTURAL (AG) DISTRICT, UP FOR S E C O N D READING.**

Ordinance No. 5172  
Case No. Z 06-109cc

**APPROVED**, on Second reading

3. **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 01-334cc – Shelby Woodlands P.D.
- B. Case No. PD 05-374cc – Page-Porter P.D.
- C. Case No. PD 06-311 – Flagship Condominiums P.D.
- D. Case No. PD 06-312cc – Forest Hill Plaza P.D.
- E. Case No. PD 06-314cc – Lee Line Farms P.D., 2<sup>nd</sup> Amendment
- F. Case No. SAC 03-612 – Bingham St., Princeton Ave., Autumn Ave. Alley & Princeton Ave. Alley Time Extension
- G. Case No. SAC 04-612 – Wells Avenue Time Extension
- H. Case No. SAC 06-606 – Kansas Street Closure
- J. Case No. SUP 06-206cc – CMCS Tower at 11804 Macon Road

Public Hearing Set for July 11, 2006

- I. Case No. SAC 06-608 – Hospital Street (Back to Committee on 7/11/06)

4. **RESOLUTION APPROVING TEMPORARY STRUCTURES ON THE STREETS FOR THE BEALE STREET MERCHANTS ASSOCIATION- FOURTH OF JULY RED, WHITE AND BLUES CELEBRATION, JULY 2, 2006 FROM 7:00 A.M. THROUGH JULY 4, 2006 AT 8:00 A.M.**

**APPROVED**, by majority, except Peete and Brown who recused themselves

36. **RESOLUTION APPROVING FINAL PLAT OF THE GROVE AT SHELBY FARMS PD, PHASE 2.**

Case No. PD 94-337

Resolution approves the final plat located at the corner of Trinity Road and Raleigh LaGrange. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

**APPROVED**

37. **RESOLUTION APPROVING FINAL PLAT OF ROBERTA S. BELL SUBDIVISION.**

Case No. S 06-001

Resolution approves the final plat located on the northside of Holmes Road west of Hillbrook Road. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

**APPROVED**

38. **RESOLUTION APPROVING FINAL PLAT OF UPTOWN REDEVELOPMENT SUBDIVISION 10 A.**

Case No. S 05-058

Resolution approves the final plat located on the northside of Main Street, south of Keel. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

**APPROVED**

39. **RESOLUTION APPROVING FINAL PLAT OF CLEVELAND-LARKIN PLANNED DEVELOPMENT.**

Case No. PD 05-364

Contract No. CR-5017

Resolution approves the final plat located on the eastside of North Claybrook, north of Poplar Avenue. 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**

**ROLL CALL CONSENT ITEMS**

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

**APPROVED**, by majority, with the exception of Peete and Brown who recused on Item #4 only

**MLGW FISCAL CONSENT – Items 5-9 may be acted upon by one motion**

5. **RESOLUTION AWARDED CONTRACT NO. 11110, COURIER SERVICES, TO EXPRESS COURIER, INC., IN AN ESTIMATED FUNDED AMOUNT OF \$142,783.51.**

**APPROVED**

6. **RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 10924, PROFESSIONAL INVESTIGATING SERVICES, WITH CDA, INC., IN THE FUNDED AMOUNT OF \$301,076.84. (THIS RENEWS THE CONTRACT FOR THE THIRD TERM OF FOUR RENEWAL TERMS FOR THE PERIOD AUGUST 1, 2006 TO JULY 31, 2007.)**

**APPROVED**

- 7. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11040, SURVEYING SERVICES, WITH OLLAR SURVEYING COMPANY, IN AN ESTIMATED FUNDED AMOUNT OF \$183,786.63. (THIS RENEWS THE CONTRACT FOR THE FIRST RENEWAL TERM OF FOUR RENEWAL TERMS FOR THE PERIOD JULY 19, 2006 TO JULY 18, 2007.)**

**APPROVED**

- 8. **RESOLUTION AWARDDING CONTRACT FOR EXPANSION AND UPGRADE OF MLGW'S TELECOMMUNICATIONS SYSTEM TO COLEMAN TECHNOLOGIES, INC. IN THE AMOUNT OF \$231,709.50.**

**APPROVED**

- 9. **RESOLUTION APPROVING EXPEDITED PROCUREMENT REQUEST FOR CHANGE NO. 1 TO CONTRACT NO. 10908, SUPPLY CONTRACT, WITH MOBILE DATA SOLUTIONS, IN THE FUNDED AMOUNT OF \$191,912.23. (THIS PROVIDES ADDITIONAL FUNDS FOR SUPPORT AND MAINTENANCE AND PCR 2399--STREET LEVEL ROUTING AND MOBILE MAPPING.)**

**APPROVED**

**ROLL CALL MLGW FISCAL CONSENT ITEMS**

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

**APPROVED**

- 30. **RESOLUTION APPROVING A SUBDIVISION APPEAL LOCATED EAST OF EAST SHORE DRIVE AND NORTH OF DES ARC ROAD, OPPOSITE THE TERMINUS OF BOWERS ROAD, CONTAINING 19.20 ACRES IN THE SINGLE FAMILY DWELLING ~ SINGLE FAMILY RESIDENTIAL (R-S10) DISTRICT.**

Case No. S 05-089

Chairman Mitchell recognized the following persons from the audience:

Jeff Lawson, 4968 East Shore Dr., Mphs, TN 38109  
 Jim Strickland, 44 N. Second St., Mphs, TN 38103

Applicant/Appellant: Harold W. Krag, III

Request: Appeal to overturn action of the Land Use Control Board which rejected the forty-nine (49) lot preliminary plat for the proposed Shore Drive Subdivision

LUCB and OPD recommendation: REJECTION

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

**FAILED**

31. **RESOLUTION APPROVING A SUBDIVISION APPEAL LOCATED ON THE SOUTHWEST CORNER OF COLE ROAD AND COLONIAL ROAD, CONTAINING 28,749 SQUARE FEET (0.66ACRE) IN THE SINGLE FAMILY DWELLING ~ SINGLE FAMILY RESIDENTIAL (R-S10) DISTRICT.**

Case No. S 06-007

Chairman Mitchell recognized the following person from the audience:

Joe Getz, 4850 Cole, Mphs, TN 38117

Equitable Owner/Applicant: Elizabeth Norman

Request: Two (2) Lot Preliminary Plat appeal to overturn action of the Land Use Control Board which rejected a two (2) lot preliminary plat subdivision located at 305 Colonial Road

LUCB and OPD recommendation: REJECTION

MOTION: Sammons – Hold 2 weeks

SECOND: Jones

MOTION WITHDRAWN

MAIN MOTION: Peete

SECOND: Ford

NAYS: Brittenum, Brown, Chumney, Ford, Holt, Jones, Lowery, Marshall, McCormick, Peete, Sammons and Chairman Mitchell  
Taylor was absent

**FAILED**

10. **APPOINTMENTS**

**Civilian Law Enforcement Review Board**

Appointments

Shirley Gholston Key  
Harry 'Josh' Randle

**MATA Board**

Re-appointments

Karl Birkholz  
Mattie P. Carter  
Vicki V. Carayiannis (Cloud)  
E. Ray Holt  
Fred Johnson  
John R. Walker

**Memphis & Shelby County Air Pollution Board**

Appointment

Joel Barns

Re-appointments

John A. Bossier  
Amado X. Freire  
Phil G. Coop

Carol Tsangarakis

**Memphis & Shelby County Depot Redevelopment Corporation**

Re-appointments

Larry D. Cox  
Albert Crawford  
James B. Jalenak

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

**APPROVED**

11. **ORDINANCE AMENDING CHAPTER 25, ARTICLE II, SECTION 25-2 OF THE CODE OF ORDINANCES REGARDING PENSION AND RETIREMENT BOARD OF ADMINISTRATION, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5168

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

**APPROVED**

12. **ORDINANCE AMENDING CHAPTER 25, ARTICLE III, SECTION 25-31 OF THE CODE OF ORDINANCES REGARDING INVESTMENT OF TRUST FUND, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5169

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

**APPROVED**

13. **ORDINANCE AMENDING PREVIOUS ORDINANCE 4388, CODIFIED AS CITY CODE, CHAPTER 2, DIVISION 5, SECTION 2-325, ET SEQ., SO AS TO REVISE SECTION 2-331(A) (SUNSET CLAUSE) TO ALLOW SAID CHAPTER 2, DIVISION 5 TO REMAIN IN FULL AND EFFECT UNTIL JUNE 30, 2009, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5171

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

**APPROVED**, as amended

14. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$533,750.00 FROM THE STATE OF TENNESSEE FOR THE IN-SERVICE TRAINING PROGRAM FOR IN-SERVICE TRAINING FOR 1,525 FIRE SERVICES PERSONNEL. RESOLUTION ALSO AMENDS FY 2006 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS.**

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

**APPROVED**

15. **RESOLUTION REQUESTING CITY COUNCIL'S APPROVAL FOR AN AGREEMENT TO BE EXECUTED BETWEEN THE CITY OF MEMPHIS, TENNESSEE, THROUGH ITS DIVISION OF PARK SERVICES AND THE ASSOCIATION FOR THE STUDY OF NEGRO LIFE AND HISTORY (TROOPS) FOR ARMY PARK AND NAVY PARK TO BE DEVELOPED, MAINTAINED, AND OPERATED AS FITTING MEMORIALS FOR UNSUNG AFRICAN AMERICAN CIVIL WAR HEROES. THE RESOLUTION ALSO STATES THAT THE SUBJECT AGREEMENT WILL TAKE EFFECT UPON THE SIGNATURE OF THE MAYOR OF THE CITY OF MEMPHIS.**

Chairman Mitchell recognized the following person from the audience:

Arthur L. Webb, 1801 S. Parkway E., Mphs, TN 38114

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

**APPROVED**

16. **RESOLUTION APPROPRIATING \$297,000.00 IN FIXTURES & EQUIPMENT FUNDED BY G. O. BONDS GENERAL FOR THE HICKORY HILL POLICE PRECINCT, CIP #PD02002.**

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

**APPROVED**

17. **RESOLUTION APPROPRIATING FUNDING FOR VICE NARCOTICS UNIT SPECIAL FUNDS FOR FISCAL YEAR 2007 IN THE AMOUNT OF \$3,788,585.00.**

MOTION: Brittenum – Increase the amount to the Drug Court to twice that amount  
 \$150,000.00  
 SECOND: Peete

**NO ACTION WAS TAKEN**

MOTION: Brittenum – Out of this 3,788,585.00, \$150,000.00 of that money be designated to the Drug Court operated by presiding Judge Dwyer and that it come out of the drug seizure funds (Another \$75,000.00)

SECOND: Marshall

MOTION WITHDRAWN

MOTION: Sammons – Send the discussion of drug funds back to the Budget Committee

SECOND: Holt

WITHOUT OBJECTION, the discussion of the drug funds will be sent back to the Budget Committee for further discussion

MAIN MOTION: Chumney

SECOND: Jones

AYES: Ford, Holt, Jones, Lowery, Marshall, McCormick, Peete, Sammons and Chairman Mitchell

Brittenum and Chumney abstained

Brown did not cast a vote

Taylor was absent

APPROVED, as it is presented

35. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE FOR DR. WILLIAM AND DIANNE YOUNG.** (Held from 6/6)

MOTION: Holt

SECOND: Peete

APPROVED, by unanimous voice vote

18. **RESOLUTION APPROPRIATING \$1,500,000.00 IN G.O. BOND FUNDS TO MEMPHIS BIOWORKS FOUNDATION, INC. AS A GRANT FOR CAPITAL IMPROVEMENTS THAT WILL ENHANCE THE ECONOMIC DEVELOPMENT OF THE MEMPHIS MEDICAL CENTER AREA.**

MOTION: Sammons

SECOND: Brown, Chumney, Ford, Holt, Jones, Lowery, McCormick, Peete, Sammons and Chairman Mitchell

Brittenum and Marshall did not cast a vote

Taylor was absent

APPROVED

19. **RESOLUTION APPROPRIATING \$275,000.00 FOR CIP PROJECT PS02018 CONVENTION CENTER UPGRADES TO FUND NUMEROUS IMPROVEMENTS TO THE FACILITY TO MAINTAIN ITS COMPETITIVE ADVANTAGE BOTH REGIONALLY AND NATIONALLY.**

MOTION: Sammons

SECOND: Holt

AYES: Brown, Chumney, Holt, Jones, McCormick, Peete, Sammons and Chairman Mitchell

Brittenum, Ford, Lowery and Marshall

Taylor was absent

APPROVED

20. **RESOLUTION APPROPRIATING \$233,169.00 FUNDED BY G.O. BOND FUNDS FOR STREET LIGHTING, PROJECT NUMBER PW01093 FOR THE INSTALLATION AND REPLACEMENT OF CITY OWNED STREET LIGHT POLES AND EQUIPMENT ON EXPRESSWAYS.**

Director of Public Works recommends approval

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

**APPROVED**

21. **RESOLUTION AMENDING THE FY 2006 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING A PREVIOUS ALLOCATION OF \$1,853,561.00 FUNDED BY SEWER FUNDS FROM REHAB EXISTING SEWERS, PROJECT NUMBER SW02001 TO CURED-IN-PLACE-PIPE, PROJECT NUMBER SW02030, FOR A CONSTRUCTION CONTRACT WITH SPINIELLO COMPANIES.**

Chairman Mitchell recognized the following person from the audience:

Dorothy Crook, 485 Beale St., Mphs, TN 38103

Director of Public Works recommends approval

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

**APPROVED**

22. **RESOLUTION AMENDING THE FY 2006 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING A PREVIOUS ALLOCATION OF \$1,875,126.00 FUNDED BY SEWER FUNDS FROM REHAB EXISTING SEWERS, PROJECT NUMBER SW02001 TO CURED-IN-PLACE-PIPE, PROJECT NUMBER SW02030, FOR A CONSTRUCTION CONTRACT WITH INSITUFORM TECHNOLOGIES, INC.**

Director of Public Works recommends approval

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

**APPROVED**

23. **RESOLUTION AMENDING THE FISCAL YEAR 2006 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING A PREVIOUS ALLOCATION OF \$2,670,163.00 FUNDED BY G.O. BONDS – GENERAL FROM DRAINAGE, CIP PROJECT NUMBER ST03006 TO BLACK BAYOU/NORMAL, CIP PROJECT NUMBER ST03025, FOR A CONSTRUCTION CONTRACT WITH B & C CONSTRUCTION CO., INC. FOR DRAINAGE REPAIR.**

Director of Public Works and City Engineer recommends approval

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

**APPROVED**

- 24. **ORDINANCE REZONING THE NORTHWEST CORNER OF MACON ROAD AND HOUSTON LEVEE ROAD, CONTAINING 2.0 ACRES IN THE AGRICULTURAL (AG) DISTRICT, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5170  
Case No. Z 06-108cc

Applicant: Trustmark National Bank  
Davis Engineering – Representative

Request: Planned Commercial (C-P) District

LUCB and OPD recommendation: APPROVAL, with conditions

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

**APPROVED**

- 25. **RESOLUTION APPROVING A MOTEL/HOTEL SUP WAIVER FOR WINGATE INN, LOCATED AT 2270 N. GERMANTOWN PARKWAY.**

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

**APPROVED**

- 26. **RESOLUTION APPROVING A HOTEL WAIVER FOR WYNDHAM GARDEN HOTEL, LOCATED AT 300 N. 2<sup>ND</sup> STREET, MEMPHIS, TN. 38015.**

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

**APPROVED**

- 27. **RESOLUTION APPROVING A HOTEL SUP WAIVER FOR HOLIDAY INN, LOCATED AT 2490 MT. MORIAH.**

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

**APPROVED**

28. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE SOUTH SIDE OF FIRESTONE AVENUE @ MOREHEAD STREET CONTAINING 18.50 ACRES IN THE HEAVY INDUSTRIAL (I-H) & LIGHT INDUSTRIAL (I-L) DISTRICTS.**

Case No. PD 05-384

Applicant: Memphis Housing Authority  
ETI – Representative

Request: A planned development to permit 130 residential lots consisting of single family homes and townhouses

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Peete

SECOND: Holt

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

**APPROVED**, as amended in Committee

40. **RESOLUTION REQUESTING THE REINSTATEMENT OF VAN TRANSPORTATION FOR THE TWELVE SENIOR CITIZENS FORMERLY PROVIDED VAN SERVICE TO LEWIS SENIOR CENTER AND ORANGE MOUND COMMUNITY SERVICE CENTER TO AND FROM THEIR HOMES EFFECTIVE JULY 1, 2006. RESOLUTION FURTHER REQUESTS THAT THE 5-MILE LIMIT WILL CONTINUE TO BE ENFORCED FOR ALL OTHER SENIOR CITIZENS REQUIRING TRANSPORTATION SERVICES EFFECTIVE JULY 1, 2006. ALL NEW USERS OF THE VAN SERVICE MUST LIVE WITHIN A FIVE-MILE RADIUS OF THE RESPECTIVE CENTERS.**

MOTION: McCormick

SECOND: Jones

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

**APPROVED**

41. **AMEND THE FISCAL YEAR 2007 BUDGET PURSUANT TO SECTION 867.2 REWARDS TO ESTABLISH A REWARD FUND IN THE AMOUNT OF \$100,000.00, THAT AMOUNT NOT TO BE TAKEN FROM PREVIOUSLY DESIGNATED 2007 O&M OR CIP FUNDS.**

MOTION: Brittenum

SECOND: Holt

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

**APPROVED**, set up as Special Item #1

## **MINUTES**

Approval of the Minutes of the regular meeting of June 6, 2006 with the following motion:

MOTION: Peete – Separate HCD Budget from the minutes

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

**APPROVED**, HCD portion only, set up as Special Item #3 (**This is the re-vote count**)

MOTION: Brittenum – Separate MCS Budget from the minutes  
 SECOND: Brown  
 AYES: Brown, Chumney, Holt, Lowery, McCormick, Peete and Chairman Mitchell  
 NAYS: Jones  
 Brittenum recused  
 Ford, Marshall and Sammons did not cast a vote  
 Taylor was absent

**APPROVED**, MCS portion only, set up as Special Item #4

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

**APPROVED**, as amended

**INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:**

Chairman Mitchell recognized the following person from the audience:

4732 Kenmar Cove, Mphs, TN 38128

**ADJOURNED MEETING AT 6:40 P.M.**

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

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 C H A I R M A N

Attest:

\_\_\_\_\_  
 Deputy Comptroller/Council Records