

February 16, 2016

## MINUTES

### REGULAR MEETING OF THE CITY COUNCIL

#### CITY OF MEMPHIS

**FEBRUARY 16, 2016**

#### 3:30 P.M. SCHEDULED SESSION

#### 3:33 P.M. MEETING COMMENCED

**ROLL CALL:** Berlin Boyd, Joe Brown, Frank Colvett, Jr., Edmund Ford, Jr., Janis Fullilove, Reid Hedgepeth, Martavius Jones, Worth Morgan, Bill Morrison, Patrice Robinson, Philip Spinosa, Jr. and Jamita Swearngen. Chairman Kemp Conrad was absent.

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

#### INVOCATION

The meeting was opened with prayer by Pastor Orlester Johnson, from Greater Faith Tabernacle Ministries. Councilwoman Fullilove presented Pastor Johnson 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 2, 2016 with the following motion:

**MOTION:** Jones  
**SECOND:** Morrison  
**AYES:** Brown, Colvett, Fullilove, Hedgepeth, Jones, Morgan, Morrison, Spinosa, Swearngen and Vice Chairman Ford  
 Boyd and Robinson did not cast a vote  
 Chairman Conrad was absent

February 16, 2016

**APPROVED**

1. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE NORTHEAST CORNER OF JACKSON AVENUE AND N. FRONT STREET, CONTAINING 1.07 ACRES IN THE MIXED USE (MU) DISTRICT. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT. (HELD FROM 9/1; 11/3; 12/15; 1/5; 1/19)**

Case No. SUP 15-213

Held until March 1, 2016

2. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE SE CORNER OF BROOKS AND MCCORKLE, PARCEL ID 07700500001C, CONTAINING 1.70 ACRES IN THE COMMERCIAL MIXED USE (CMU-3) DISTRICT. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT. (HELD FROM 12/1; 12/15) (THIS ITEM WAS PULLED FROM THE 01/15/16 MINUTES AND PLACED BACK ON THIS AGENDA).**

Case No. SUP 15-216

Applicant: RS Harris, LLC  
Phil Schechtman – Representative

Request: To allow tractor trailer servicing and a trailer drop yard

LUCB and OPD recommendation: APPROVAL

MOTION: Colvett

SECOND: Boyd

AYES: Boyd, Brown, Colvett, Fullilove, Hedgepeth, Morgan, Robinson, Spinosa, Swearengen and Vice Chairman Ford

NAYS: Jones and Morrison  
Chairman Conrad was absent

**APPROVED**

3. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED AT 2119 CHELSEA AVENUE(PARCEL ID 041043 00001), CONTAINING 0.15 ACRE IN THE COMMERCIAL MIXED USE-3 (CMU-3) DISTRICT. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT. (HELD FROM 2/2).**

Case No. SUP 15-221

Applicant: Marvin Coleman  
McCaskill & Associates, Inc. – Tim McCaskill – Representative

February 16, 2016

Request: A Special Use Permit to allow the sale of fuel efficient late model vehicles in the Commercial Mixed Use-3 (CMU-3) zoning district

LUCB recommendation: APPROVAL, with conditions

OPD recommendation: REJECTION

MOTION: Colvett

SECOND: Boyd

AYES: Boyd, Brown, Colvett, Fullilove, Hedgepeth, Morrison, Robinson, Swearingen and Vice Chairman Ford

NAYS: Jones, Morgan and Spinosa  
Chairman Conrad was absent

**APPROVED**

4. **RESOLUTION APPROVING STREET/ALLEY CLOSURES LOCATED AT ECHLES STREET BETWEEN SPOTTSWOOD AVENUE AND SOUTHERN AVENUE, LOGGINS AVENUE BETWEEN ECHLES STREET AND HOUSTON STREET, ALLEY 'A' BETWEEN LOGGINS AVENUE AND ALLEY 'B', ALLEY 'B' BETWEEN ECHLES STREET AND HOUSTON STREET, CONTAINING 1.08 ACRES, 0.24 ACRE, 0.11 ACRE AND 0.15 ACRE IN THE CAMPUS MASTER PLAN-1 (CMP-1) DISTRICT. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING & DEVELOPMENT.**

Case Nos. SAC 15-611,  
SAC 15-612, SAC 15-613  
and SAC 15-614

Applicant: The University of Memphis  
Tony Poteet – Representative

Request: To vacate four sections of public right-of-ways in the Campus Master Plan-1 (CMP-1) district

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Colvett

SECOND: Morgan

AYES: Boyd, Brown, Colvett, Fullilove, Hedgepeth, Jones, Morgan, Morrison, Robinson, Spinosa, Swearingen and Vice Chairman Ford  
Chairman Conrad was absent

**APPROVED**

February 16, 2016

5. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED AT 5172 S. THIRD STREET, CONTAINING 0.2333 ACRE IN THE COMMERCIAL MIXED USE (CMU-3) DISTRICT. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING & DEVELOPMENT.**

Case No. SUP 15-225

**(Vice Chairman Ford made a motion for this applicant to come back before City Council, in (1) year, without objection).**

Applicant: Mr. Antonio Linzey  
David Bray; The Bray Firm – Representative

Request: To allow a used auto sales establishment

LUCB recommendation: APPROVAL

OPD recommendation: REJECTION

MOTION: Colvett

SECOND: Boyd

AYES: Boyd, Brown, Colvett, Fullilove, Hedgepeth, Morrison, Robinson, Spinoso, Swearngen and Vice Chairman Ford

NAY: Jones  
Morgan did not cast a vote  
Chairman Conrad was absent

**APPROVED,** as amended

6. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED AT 2016 PENDLETON STREET (PARCEL ID 059021 00001), CONTAINING 3.47 ACRES (LEASE AREA 65' X 65'), IN THE INSTITUTIONALLY-USED PROPERTY WITHIN A RESIDENTIAL SINGLE FAMILY-6 (R-6) DISTRICT. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING & DEVELOPMENT.**

Case No. SUP 16-01

Applicant: St. Matthews Missionary Baptist Church/Tower Assets Newco  
IX. LLC-Tower Venture  
Lou Katzerman – Representative

Request: A Special Use Permit to allow the construction of a 160' tall, flush mount, Commercial Mobile Communications Service (CMCS) Tower

LUCB and OPD recommendation : APPROVAL, with conditions

February 16, 2016

MOTION: Colvett  
 SECOND: Morgan  
 AYES: Boyd, Brown, Colvett, Fullilove, Hedgepeth, Jones, Morgan, Morrison,  
 Robinson, Spinosa, Swearingen and Vice Chairman Ford  
 Chairman Conrad was absent

**APPROVED**

7. **ORDINANCE REZONING THE NORTHEAST, SOUTHEAST AND SOUTHWEST CORNERS OF NEW ALLEN ROAD AND NEW FRAYSER BOULEVARD, CONTAINING 178 ACRES IN THE RESIDENTIAL SINGLE FAMILY(R-6), RESIDENTIAL URBAN (RU-2) AND (RU-3) AND COMMERCIAL MIXED USE (CMU 1) DISTRICTS, UP FOR T H I R D AND F I N A L READING. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING & DEVELOPMENT.**

Case No. Z 15-104  
 Ordinance No. 5609

Applicant: Belz Investco, GP  
 Burch-Porter-Johnson, PLLC – Representative

Request: Employment (EMP) District

LUCB and OPD recommendation: APPROVAL

MOTION: Colvett  
 SECOND: Boyd  
 AYES: Boyd, Brown, Colvett, Fullilove, Hedgepeth, Jones, Morgan, Morrison, Robinson,  
 Spinosa, Swearingen and Vice Chairman Ford  
 Chairman Conrad was absent

**APPROVED**

**CONSENT AGENDA – Item #8 & #32 may be acted upon by one motion: SEE PAGE 3642 FOR ROLL CALL**

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

A. **CASE NO. PD 16-01 – NORTH HOLLYWOOD PLANNED DEVELOPMENT**

**Public Hearing Set for March 1, 2016**

February 16, 2016

**32. RESOLUTION APPROVING THE FINAL PLAT OF BEARWATER PARK SUBDIVISION, 1<sup>ST</sup> AMENDMENT, PHASE 2. THIS RESOLUTION IS SPONSORED BY CITY ENGINEERING.**

Case No. S 14-006  
Contract No. CR-5237

Resolution approving the final plat located on the east side of Third Street, north of Caldwell Avenue. Cost of the required improvement to be borne by the Agency and the Contractor. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

City Engineer recommends approval

**APPROVED**

**ROLL CALL CONSENT ITEMS**

MOTION: Morrison  
SECOND: Boyd  
AYES: Boyd, Brown, Colvett, Fullilove, Jones, Morgan, Robinson, Spinosa, Swearengen and Vice Chairman Ford  
Hedgepeth and Morrison did not cast a vote  
Chairman Conrad was absent

**APPROVED**

**MLGW FISCAL CONSENT AGENDA – Items 9 - 24 may be acted upon by one motion:**

**9. RESOLUTION AWARDED CONTRACT NO. 11775, ROOF MAINTENANCE, TO DAKOTA CORPORATION, D/B/A JESSIE BRYANT ROOFING, BASED ON APPROVED UNIT PRICES, IN THE FUNDED AMOUNT, NOT-TO-EXCEED \$65,000.00. (HELD FROM 2/2).**

**APPROVED**

**10. RESOLUTION APPROVING PAYMENT OF AN INVOICE FROM TENNESSEE ONE CALL SYSTEM, INC., FOR ANNUAL MEMBERSHIP DUES FOR THE YEAR 2016 PLUS LOCATE REQUEST TICKETS, IN THE AMOUNT OF \$101,514.80. (HELD FROM 2/2).**

**APPROVED**

**11. RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11647, BLANKET CONTRACT DRILLED PIER FOUNDATION, WITH RELIABLE CONSTRUCTORS, INCORPORATED, IN THE FUNDED AMOUNT NOT-TO-EXCEED \$165,890.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE SECOND OF FOUR**

February 16, 2016

**ANNUAL RENEWAL TERMS COVERING THE PERIOD FEBRUARY 5, 2016 THROUGH FEBRUARY 4, 2017. THIS RENEWAL REFLECTS A 1.88% INCREASE IN RATES FROM THE PREVIOUS YEAR DUE TO AN INCREASE IN MATERIAL AND EQUIPMENT COSTS. IN ADDITION, THIS AMOUNT INCLUDES POTENTIAL EMERGENCY PROJECTS.) (HELD FROM 2/2).**

**APPROVED**

12. **RESOLUTION AWARDING CONTRACT NO. 11817, HIGH VOLUME OUTAGE CALL MANAGEMENT, TO WEST NOTIFICATIONS, INCORPORATED, D/B/A TWENTY FIRST CENTURY COMMUNICATIONS, IN THE FUNDED AMOUNT OF \$2,222,200.00. (HELD FROM 2/2).**

**APPROVED**

13. **RESOLUTION AWARDING A CONTRACT TO W. R. GRACE & COMPANY, FOR MOLECULAR SIEVE AND SUPPORT BALLS, IN THE AMOUNT OF \$58,920.00. (HELD FROM 2/2).**

**APPROVED**

14. **RESOLUTION APPROVING PAYMENT OF AN INVOICE FROM THE CITY OF MEMPHIS PUBLIC WORKS DEPARTMENT FOR THE ANNUAL SEWER DISCHARGE FEE, FOR THE 2014 FILTER BACKWASH DISCHARGE FOR SEVEN WATER PUMPING STATIONS, IN THE AMOUNT OF \$413,687.17. (HELD FROM 2/2).**

**APPROVED**

15. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11715, IN-SERVICE WOOD POLE TRUSS RESTORATION SYSTEM, WITH OSMOSE UTILITIES SERVICES, INCORPORATED, BASED ON AGREED TO RATES, IN THE FUNDED AMOUNT OF \$600,000.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FIRST OF FOUR ANNUAL RENEWAL TERMS FOR THE PERIOD COVERING DECEMBER 4, 2015 THROUGH DECEMBER 3, 2016.) (HELD FROM 2/2).**

**APPROVED**

16. **RESOLUTION AWARDING A CONTRACT TO BRIGHTER DAYS AND NITES, INC., FOR CONTROLS, IN THE AMOUNT OF \$79,904.00. (HELD FROM 2/2).**

**APPROVED**

February 16, 2016

17. **RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 11476, INDUSTRIAL PSYCHOLOGY SERVICES, WITH LOPEZ AND ASSOCIATES, IN THE FUNDED AMOUNT OF \$42,000.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR A THREE YEAR TERM FOR THE PERIOD COVERING APRIL 1, 2016 THROUGH MARCH 31, 2019, WITH NO INCREASE FROM THE PREVIOUS YEARS.) (HELD FROM 2/2).**

**APPROVED**

18. **RESOLUTION GRANTING MLGW THE APPROVAL TO MAKE A PAYMENT OF FOR A LITIGATION SETTLEMENT, IN THE AMOUNT OF \$59,962.50. (SAME NIGHT MINUTES REQUESTED) (HELD FROM 2/2).**

**APPROVED**

19. **RESOLUTION APPROVING PAYMENT OF AN INVOICE FROM THE AMERICAN GAS ASSOCIATION FOR THE 2016 ANNUAL MEMBERSHIP DUES, IN THE AMOUNT OF \$59,600.00.**

**APPROVED**

20. **RESOLUTION APPROVING THE AMENDMENT OF PURCHASE ORDER NUMBER 1504076 TO SENSIT TECHNOLOGIES, FOR MULTIPLE GAS DETECTORS. (ON SEPTEMBER 16, 2015, THE BOARD OF LIGHT, GAS AND WATER COMMISSIONERS APPROVED A CONTRACT FOR THE PURCHASE OF THIRTY-EIGHT MULTIPLE GAS DETECTORS IN THE AMOUNT OF \$1,656.00 EACH AND ONE HUNDRED SIXTY SEVEN MULTIPLE GAS DETECTORS IN THE AMOUNT \$1,256.00 WHICH REFLECTS A \$400 CREDIT EACH FOR THE RETURN OF MLGW'S EXISTING ONE HUNDRED SIXTY SEVEN UNITS FOR A TOTAL OF TWO HUNDRED FIVE MULTIPLE GAS DETECTORS. SUBSEQUENTLY, IT WAS DETERMINED THAT THE CORRECT NUMBER BEING RETURNED WAS 154. THEREFORE, THE RESULTING BALANCE IS \$5,200.00 FOR THE DIFFERENCE. PLUS A \$250 HANDLING AND PALLETIZING CHARGE BRINGING BALANCE DUE TO \$5,450.00. THE NEW CONTRACT VALUE AMOUNTS TO \$278,130.00.)**

**APPROVED**

21. **RESOLUTION REQUESTING APPROVAL OF CORRY CAPITAL ADVISORS (CCA BLACK FUND), A LIFE SETTLEMENT FUND MANAGER, TO MANAGE \$2,750,000 FOR THE BENEFIT OF THE MLGW OPEB TRUST FUND, AS PART OF A REALLOCATION.**

**APPROVED**

February 16, 2016

22. **RESOLUTION REQUESTING APPROVAL OF VIDA CAPITAL MANAGEMENT (VIDA LONGEVITY FUND), A LIFE SETTLEMENT FUND MANAGER, TO MANAGE \$2,750,000 FOR THE BENEFIT OF THE MLGW OPEB TRUST FUND, AS PART OF A REALLOCATION.**

**APPROVED**

23. **RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 11574, COMMERCIAL AUTO INSURANCE FOR OUT-OF-STATE TRAVEL, WITH PETE MITCHELL AND ASSOCIATES, INCORPORATED, IN THE FUNDED AMOUNT OF \$115,465.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE THIRD OF FOUR RENEWAL TERMS COVERING THE PERIOD MARCH 14, 2016 THROUGH MARCH 13, 2017 IN THE AMOUNT OF \$106,825.00. THIS RENEWAL REFLECTS A 1.32% PREMIUM RATE INCREASE FOR 2016 IN THE AMOUNT OF \$1,431.00. IN ADDITION, THIS RENEWAL REFLECTS A PREMIUM FOR FOUR ADDITIONAL VEHICLES IN THE AMOUNT OF \$7,209.00 FOR A TOTAL FUNDED AMOUNT OF \$115,465.00. LASTLY, THIS CHANGE REFLECTS AN EXPANSION OF SCOPE TO ALLOW MLGW TO PROVIDE EMERGENCY OUT-OF-STATE COVERAGE ON AN AS- NEEDED BASIS ANYWHERE IN THE UNITED STATES.)**

**APPROVED**

24. **RESOLUTION APPROVING CHANGE NO. 6 TO CONTRACT NO. 10070, REMOTE PRINTER CONTROL PRODUCT, WITH MACRO 4, IN THE FUNDED AMOUNT OF \$18,224.00. (THIS CHANGE IS TO RENEW THE ANNUAL SOFTWARE MAINTENANCE, LICENSES, AND SUPPORT SERVICES FOR THE PERIOD COVERING MARCH 31, 2016 THROUGH MARCH 30, 2017. MACRO'S CORPORATE PRICING MODEL DICTATES AN ANNUAL 18% MAINTENANCE AND SUPPORT SERVICES FEES; HOWEVER, MLGW'S CONTRACT LIMITS THE MAINTENANCE AND SUPPORT SERVICES FEES TO 10% OF THE COST OF THE RENEWAL REFLECTS A 10% INCREASE FROM THE PREVIOUS YEAR, DUE TO UPDATES AND PRODUCT ENHANCEMENTS TO THE SOFTWARE. MLGW IS REQUESTING CONTINUOUS MAINTENANCE OF THE ACQUIRED SYSTEM, WHICH CAN ONLY BE PERFORMED BY MACRO 4.)**

**APPROVED**

**MLGW ROLL CALL FISCAL CONSENT ITEMS**

MOTION; Robinson  
 SECOND: Morrison  
 AYES: Boyd, Colvett, Fullilove, Hedgepeth, Jones, Morgan, Morrison, Robinson,  
 Spinosa, Swearngen and Vice Chairman Ford  
 Brown did not cast a vote  
 Chairman Conrad was absent

February 16, 2016

**APPROVED**

**APPOINTMENT**

**REGIONAL SOLID WASTE PLANNING BOARD**

**APPOINTMENT**

ROBERT KNECHT

MOTION: Spinosa

SECOND: Fullilove

AYES: Boyd, Brown, Colvett, Fullilove, Hedgepeth, Jones, Morgan, Morrison, Robinson, Spinosa, Swearngen and Vice Chairman Ford  
Chairman Conrad was absent

**APPROVED**

34. **RESOLUTION URGING BOTH TENNESSEE STATE LEGISLATIVE BODIES TO VOTE AGAINST HOUSE BILL 1674 AND SENATE BILL 1621, WHICH SET TROUBLING PRECEDENT IN UNDERMINING LOCAL GOVERNMENTS' COMPELLING INTERESTS IN THIS ARENA. THIS RESOLUTION IS SPONSORED BY COUNCILMAN BOYD, COUNCILMAN FORD AND COUNCILMAN JONES.**

MOTION: Spinosa

SECOND: Boyd

AYES: Boyd, Brown, Fullilove, Hedgepeth, Jones, Morgan, Morrison, Robinson, Spinosa, Swearngen and Vice Chairman Ford  
Colvett did not cast a vote  
Chairman Conrad was absent

**APPROVED**

35. **RESOLUTION APPROVING THE MID-YEAR CLEAN-UP RESOLUTION. THIS RESOLUTION IS SPONSORED BY FINANCE DIVISION.**

MOTION: Spinosa

SECOND: Morrison

AYES: Boyd, Brown, Colvett, Fullilove, Hedgepeth, Jones, Morgan, Morrison, Robinson, Spinosa, Swearngen and Vice Chairman Ford  
Chairman Conrad was absent

**APPROVED**

February 16, 2016

26. **ORDINANCE AMENDING THE RESIDENTIAL PARKING PERMIT PILOT PROGRAM NEAR OVERTON SQUARE MAKING THE PROGRAM PERMANENT, UP FOR T H I R D AND F I N A L READING. ORDINANCE NO. 5610 IS SPONSORED BY ENGINEERING AND COUNCILMAN WORTH MORGAN.**

Vice Chairman Ford recognized the following person who spoke from the audience:  
George Collier, 2183 Monroe Avenue, Memphis, Tennessee, 38104

MOTION: Morgan  
SECOND: Hedgepeth  
AYES: Boyd, Brown, Colvett, Fullilove, Hedgepeth, Jones, Morgan, Morrison, Robinson, Spinosa, Swearngen and Vice Chairman Ford  
Chairman Conrad was absent

**APPROVED**

27. **MLGW DIVISION PLANS TO ISSUE TAX-EXEMPT SERIES 2016 GAS SYSTEM REVENUE BONDS IN AN ORIGINAL AGGREGATED PRINCIPAL AMOUNT OF NOT TO EXCEED \$40,000,000 FOLLOWING COMPLETION OF THE DIVISION'S 2015 AUDITED FINANCIAL STATEMENTS (ANTICIPATED TO BE JUNE 2016). THE DIVISION INTENDS TO USE A PORTION OF THE PROCEEDS OF THE BONDS TO REIMBURSE THE DIVISION FOR COSTS INCURRED PRIOR TO THE ISSUANCE OF THE BONDS. UNDER FEDERAL TAX LAW, IN ORDER FOR THE PROCEEDS OF TAX-EXEMPT BONDS TO BE USED TO REIMBURSE THE DIVISION FOR PRIOR EXPENDITURES, THE DIVISION AND THE CITY MUST DECLARE THEIR OFFICIAL INTENT TO REIMBURSE THE DIVISION FOR PRIOR EXPENDITURES WITH PROCEEDS OF THE BONDS. THIS RESOLUTION WILL CONSTITUTE SUCH DECLARATION OF OFFICIAL INTENT AND WILL ALLOW THE DIVISION TO UTILIZE A PORTION OF THE BOND PROCEEDS TO REIMBURSE THE DIVISION FOR CAPITAL EXPENDITURES INCURRED ON OR AFTER THE DATE THAT IS SIXTY DAYS PRIOR TO THE APPROVAL DATE OF THIS RESOLUTION BY THE CITY. THIS RESOLUTION IS SPONSORED BY MLGW DIVISION. (HELD FROM 2/2)**

Vice Chairman Ford recognized the following people who spoke from the audience:  
Jimmie Franklin, 487 Highland, Memphis, Tennessee, 38122  
Donna Bohannon, 5343 Sea Isle, Memphis, Tennessee, 38119  
Bill Hawkins, 4000 Clearpool Circle, Memphis, Tennessee, 38118

MOTION; Robinson  
SECOND: Spinosa  
AYES: Boyd, Colvett, Hedgepeth, Jones, Morgan, Morrison, Robinson, Spinosa and Vice Chairman Ford  
NAYS: Brown, Fullilove and Swearngen  
Chairman Conrad was absent

February 16, 2016

**APPROVED**, as amended

28. **MLGW DIVISION PLANS TO ISSUE TAX-EXEMPT SERIES 2016 WATER SYSTEM REVENUE BONDS IN AN ORIGINAL AGGREGATED PRINCIPAL AMOUNT OF NOT TO EXCEED \$30,000,000 FOLLOWING COMPLETION OF THE DIVISION'S 2015 AUDITED FINANCIAL STATEMENTS (ANTICIPATED TO BE JUNE 2016). THE DIVISION INTENDS TO USE A PORTION OF THE PROCEEDS OF THE BONDS TO REIMBURSE THE DIVISION FOR COSTS INCURRED PRIOR TO THE ISSUANCE OF THE BONDS. UNDER FEDERAL TAX LAW, IN ORDER FOR THE PROCEEDS OF TAX-EXEMPT BONDS TO BE USED TO REIMBURSE THE DIVISION FOR PRIOR EXPENDITURES, THE DIVISION AND THE CITY MUST DECLARE THEIR OFFICIAL INTENT TO REIMBURSE THE DIVISION FOR PRIOR EXPENDITURES WITH PROCEEDS OF THE BONDS. THIS RESOLUTION WILL CONSTITUTE SUCH DECLARATION OF OFFICIAL INTENT AND WILL ALLOW THE DIVISION TO UTILIZE A PORTION OF THE BOND PROCEEDS TO REIMBURSE THE DIVISION FOR CAPITAL EXPENDITURES INCURRED ON OR AFTER THE DATE THAT IS SIXTY DAYS PRIOR TO THE APPROVAL DATE OF THIS RESOLUTION BY THE CITY. THIS RESOLUTION IS SPONSORED BY MLGW DIVISION. (HELD FROM 2/2)**

Vice Chairman Ford recognized the following people who spoke from the audience:

Donna Bohannon, 5343 Sea Isle, Memphis, Tennessee, 38119

Bill Hawkins, 4000 Clearpool Circle, Memphis, Tennessee, 38118

MOTION: Robinson

SECOND: Morrison

AYES: Boyd, Colvett, Hedgepeth, Jones, Morgan, Morrison, Robinson, Spinosa,  
Swearengen and Vice Chairman Ford

NAY: Fullilove

Brown did not cast a vote

Chairman Conrad was absent

**APPROVED**, as amended

29. **MLGW DIVISION PLANS TO ISSUE TAX-EXEMPT SERIES 2016 ELECTRIC SYSTEM REVENUE BONDS IN AN ORIGINAL AGGREGATED PRINCIPAL AMOUNT OF NOT TO EXCEED \$40,000,000 FOLLOWING COMPLETION OF THE DIVISION'S 2015 AUDITED FINANCIAL STATEMENTS (ANTICIPATED TO BE JUNE 2016). THE DIVISION INTENDS TO USE A PORTION OF THE PROCEEDS OF THE BONDS TO REIMBURSE THE DIVISION FOR COSTS INCURRED PRIOR TO THE ISSUANCE OF THE BONDS. UNDER FEDERAL TAX LAW, IN ORDER FOR THE PROCEEDS OF TAX-EXEMPT BONDS TO BE USED TO REIMBURSE THE DIVISION FOR PRIOR EXPENDITURES, THE DIVISION AND THE CITY MUST DECLARE THEIR OFFICIAL INTENT TO REIMBURSE THE DIVISION FOR PRIOR EXPENDITURES WITH PROCEEDS OF THE BONDS. THIS RESOLUTION WILL CONSTITUTE SUCH DECLARATION OF OFFICIAL INTENT AND WILL ALLOW**

February 16, 2016

**THE DIVISION TO UTILIZE A PORTION OF THE BOND PROCEEDS TO REIMBURSE THE DIVISION FOR CAPITAL EXPENDITURES INCURRED ON OR AFTER THE DATE THAT IS SIXTY DAYS PRIOR TO THE APPROVAL DATE OF THIS RESOLUTION BY THE CITY. THIS RESOLUTION IS SPONSORED BY MLGW DIVISION. (HELD FROM 2/2)**

MOTION: Robinson  
 SECOND: Hedgepeth  
 AYES: Boyd, Colvett, Hedgepeth, Jones, Morgan, Morrison, Robinson, Swearingen and Vice Chairman Ford  
 NAY: Fullilove  
 Brown and Spinosa did not cast a vote  
 Chairman Conrad was absent

**APPROVED**, as amended

30. **RESOLUTION REQUESTING AN ADDITIVE CHANGE ORDER, IN THE AMOUNT OF \$150,000.00, TO AN EXISTING CONSTRUCTION CONTRACT (CONTRACT AMOUNT \$1,870,456.00) PROVIDING A COMPLETE AND COMPREHENSIVE REPAIR FOR REWINDING FOUR 750 HORSEPOWER INDUCTION ELECTRIC MOTORS LOCATED AT GAYOSO PUMP STATION, 35 WEST SAFFARANS FOR FLOOD CONTROL. THIS CHANGE ORDER WILL REBABBIT THE MOTOR BEARINGS AND PUMP BEARINGS FOR THE INDUCTION MOTORS TO ENSURE CONTINUED OPERATION. THIS RESOLUTION IS SPONSORED BY PUBLIC WORKS DIVISION.**

MOTION: Hedgepeth  
 SECOND: Morrison  
 AYES: Boyd, Colvett, Fullilove, Hedgepeth, Jones, Morgan, Morrison, Robinson, Spinosa, Swearingen and Vice Chairman Ford  
 Brown did not cast a vote  
 Chairman Conrad was absent

**APPROVED**

31. **RESOLUTION AMENDING THE FISCAL YEAR 2016 OPERATING IMPROVEMENT BUDGET BY HEDGEPEETH ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$112,673.00 FROM THE TENNESSEE DEPARTMENT OF ENVIRONMENT & CONSERVATION TO HELP FUND THE PURCHASE OF UP TO 4,368 HUNDRED 96-GALLON SINGLE STREAM RECYCLING CARTS. THIS RESOLUTION IS SPONSORED BY PUBLIC WORKS DIVISION.**

MOTION: Hedgepeth  
 SECOND: Boyd  
 AYES: Boyd, Colvett, Fullilove, Hedgepeth, Jones, Morgan, Morrison, Robinson,

February 16, 2016

Spinosa, Swearengen and Vice Chairman Ford  
Brown did not cast a vote  
Chairman Conrad was absent

**APPROVED**

**(Councilwoman Fullilove made a motion to suspend the rules and add Item #36 to the Agenda, without objection).**

36. **RESOLUTION ESTABLISHING A TASK FORCE WHICH SHOULD CONSIST OF REPRESENTATIVES FROM THE CITY COUNCIL, COUNTY COMMISSION, ECONOMIC DEVELOPMENT GROWTH ENGINE, MEMPHIS REGIONAL CHAMBER, SHELBY COUNTY SCHOOL BOARD, PRIVATE INDUSTRY, AND LABOR TO MEET, STUDY AND DEVELOP A COMPREHENSIVE PLAN FOR AN ALL-INCLUSIVE ECONOMY. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN FULLILOVE.**

Vice Chairman Ford recognized the following person who spoke from the audience:  
Shea Flinn, 2893 Arawata Lane, Memphis, Tennessee, 38111

**(Councilman Boyd made a motion to change the language in this resolution, for the timeline of the task force to commence, report on and conclude its study be 30 days instead of 90 days).**

**(Special Item #1)**

MOTION: Boyd  
SECOND: Robinson  
AYES: Boyd, Colvett, Jones, Swearengen and Vice Chairman Ford  
NAYS: Brown, Fullilove, Morgan, Morrison, Robinson and Spinosa  
Hedgepeth did not cast a vote  
Chairman Conrad was absent

**(Special Item #1 – FAILED)**

**(Vice Chairman Ford made a motion for this item to be Sent Back to Executive Session for discussion).**

**(Councilman Morrison made an amendment to Ford’s motion, stating that he wanted all parties that are involved in this task force, to be included in this meeting).**

**(Councilwoman Fullilove wanted this item Sent Back to Public Services and Neighborhood Committee) – Special Item #2)**

**(After further discussion of this item, Councilwoman Fullilove withdrew her motion and Councilman Morrison withdrew his amendment to Vice Chairman Ford’s motion).**

February 16, 2016

**(Councilman Jones objected to this item being Sent Back to Executive Session and wanted it Sent Back to Economic Development, Tourism & Technology Committee (Boyd's Committee).**

**Special Item #3**

MOTION: Jones  
 SECOND: Swearengen  
 AYES: Brown, Jones, Swearengen and Vice Chairman Ford  
 NAYS: Colvett, Fullilove, Morgan, Morrison, Robinson and Spinosa  
 Boyd and Hedgepeth did not cast a vote  
 Chairman Conrad was absent

**(Special Item #3 – FAILED)**

**(After more discussion of Item#36 , Council decided to vote on this resolution, without any amendments).**

MAIN MOTION: Fullilove  
 SECOND: Morrison  
 AYES: Brown, Colvett, Fullilove, Morgan, Morrison, Robinson, Spinosa, Swearengen and Vice Chairman Ford  
 Boyd, Hedgepeth and Jones did not cast a vote  
 Chairman Conrad was absent

**APPROVED**

**(Councilwoman Fullilove made a motion to approve Same Night Minutes for Items #2, #18, #33, & #34 from tonight's Meeting).**

**(Special Item #4)**

MOTION: Fullilove  
 SECOND: Morrison  
 AYES: Brown, Colvett, Fullilove, Morgan, Morrison, Robinson, Spinosa, Swearengen and Vice Chairman Ford  
 Boyd, Hedgepeth and Jones did not cast a vote  
 Chairman Conrad was absent

**APPROVED**

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

Vice Chairman Ford recognized the following people who spoke from the audience:  
 Minister Suhkara Yahweh, 870 E. McLemore Avenue, Memphis, Tennessee, 38106

February 16, 2016

Bill Hawkins, 4000 Clearpool Circle, Memphis, Tennessee, 38118  
Fran Triplett, 3616 Northwood Drive, Memphis, Tennessee, 38111  
Walter Broady, 4256 Ledbetter Cove, Memphis, Tennessee, 38109

**ADJOURNED MEETING AT 6:15 P.M.**

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

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CHAIRMAN

Attest:

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Deputy Comptroller/Council Records