



BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

AGENDA

Monday, January 12, 2015

*Commissioner Justin J. Ford, Chairman
Commissioner Terry Roland, Chairman Pro Tempore
Commissioner Walter Bailey, Jr.
Commissioner Steve Basar*

*Commissioner George B. Chism, Sr.
Commissioner Eddie S. Jones, Jr.
Commissioner Reginald Milton
Commissioner David Reaves*

*Commissioner Mark Billingsley
Commissioner Willie F. Brooks, Jr.
Commissioner Melvin Burgess*

*Commissioner Heidi Shafer
Commissioner Van D. Turner, Jr.*

WQOX – 88.5 FM http://www.mcsk12.net/flash/memphis_8080.mov

Live streaming <http://www.shelbycountyttn.gov/index.aspx?NID=1218>

3:00 PM

COMMISSION CONVENES

1/9/2015 15:54PM

CALL TO ORDER

Chairman Justin J. Ford

OPENING OF THE COMMISSION

Deputy Sheriff

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

**Approval of Minutes of Previous Session
December 8, 2014**

**Announcement for Appearance Cards for Public
Speaking/Public Comment Pursuant to Rule # 14(b)**

CONSENT AGENDA

Resolutions of Memorial, Sympathy and Commendation

- 1. Special resolution honoring Streets Ministries for exemplary service to the community. Sponsored Commissioner Heidi Shafer.**

Zoning and Subdivisions

Reports and/or Resolutions for Standing Committees

CHISM
Chairman, Public
Works Committee

- 2. Resolution approving a contract between Shelby County Government and Allen & Hoshall, Inc. for providing engineering services for sewer and drain piping repair at 140 Adams Avenue. This item requires expenditure of FY15 County Capital Improvement Program Funds in the amount of \$70,480.00 and appropriates said funds. Sponsored by Commissioner George Chism.**

CHISM
Chairman, Public
Works Committee

- 3. Resolution approving a contract between Shelby County Government and John Pruett Architects for providing architectural services by assessing American with Disabilities Act (ADA) accessibility compliance at various County facilities. This item requires expenditure of County Capital Improvement Program Funds in the amount of \$21,500.00 and appropriates said funds. Sponsored by Commissioner George Chism.**

CHISM
Chairman, Public
Works Committee

- 4. Resolution approving the conveyance of a parcel of land 7,797 square feet (0.179 ACRES) in size, located on the southwest corner of Tate Avenue and McKinley Street, back to the City of Memphis, without monetary consideration; and to authorize the County Mayor to execute a quit claim deed conveying said parcel of land back to the City of**

**Memphis for proper disposal. Sponsored by
Commissioner George Chism.**

CHISM
Chairman, Public
Works Committee

- 5. Resolution approving the purchase of three custom fire engine pumpers and one rescue truck in the amount of \$2,038,419.00 from Ferrara Fire Apparatus, Inc. for the Shelby County Fire Department. This item requires the expenditure of Fire Service Funds and authorized debt in the amount of \$2,038,419. Sponsored by Commissioner George Chism.**

CHISM
Chairman, Public
Works Committee

- 6. A resolution approving a contract with Smith Seckman Reid, Inc. for construction, engineering, and inspection services for the Congestion Management and Air Quality Program through the Tennessee Department of Transportation in the amount of \$1,027,067.00. This item requires an expenditure of Federal through State Grant Funds in the amount of \$1,027,067.00. No County Funds required. Sponsored by Commissioner George Chism.**

CHISM
Chairman, Public
Works Committee

- 7. A resolution approving a contract with Pickering Firm, Inc. for construction, engineering, and inspection services for the Congestion Management and Air Quality Program through the Tennessee Department of Transportation in the amount of \$787,882.00. This item requires an expenditure of Federal through State Grant Funds in the amount of \$787,882.00. No County Funds required. Sponsored by Commissioner George Chism.**

CHISM
Chairman, Public
Works Committee

- 8. A resolution approving a contract with Shelby Electric Company, Inc. for installation of a new traffic signal system at Poplar Avenue and International Place Drive under the Congestion Management and Air Quality Program through the Tennessee Department of Transportation in the amount of \$266,435.00 and an extra work allowance in the amount of \$20,000.00 for a total amount of \$286,435.00. This item requires an expenditure of Federal through State Grant Funds in the amount of \$286,435.00. No County Funds requires.**

Sponsored by Commissioner George Chism.

CHISM
Chairman, Public
Works Committee

- 9. A resolution approving a contract with Gannett Fleming Project Development Corporation for upgrades of traffic signal systems for the Congestion Management and Air Quality Program through the Tennessee Department of Transportation in the amount of \$617,327.00 and an extra work allowance in the amount of \$43,213.00 for a total amount of \$660,540.00. This item requires an expenditure of Federal through State Grant Funds in the amount of \$660,540.00. No County Funds requires. Sponsored by Commissioner George Chism.**

CHISM
Chairman, Public
Works Committee

- 10. A resolution approving a contract with Gannett Fleming Project Development Corporation for upgrades of traffic signal systems for the Congestion Management and Air Quality Program through the Tennessee Department of Transportation in the amount of \$1,109,876.00 and an extra work allowance in the amount of \$77,691.00 for a total amount of \$1,187,567.00. This item requires an expenditure of Federal through State Grant Funds in the amount of \$1,187,567.00. No County Funds requires. Sponsored by Commissioner George Chism.**

CHISM
Chairman, Public
Works Committee

- 11. A resolution approving a contract with Gannett Fleming Project Development Corporation for upgrades of traffic signal systems for the Congestion Management and Air Quality Program through the Tennessee Department of Transportation in the amount of \$1,511,096.00 and an extra work allowance in the amount of \$105,777.00 for a total amount of \$1,616,873.00. This item requires an expenditure of Federal through State Grant Funds in the amount of \$1,616,873.00. No County Funds requires. Sponsored by Commissioner George Chism.**

BAILEY
Chairman, Hospitals &
Health Committee

12. Resolution to amend the FY15 Operating Budget in the amount of \$23,600.00 and the Position Control Budget in the amount of \$5,384.00 and to appropriate said funds awarded as a sub-award from the National Association of County and City Health Officials (NACCHO), for the provision of reducing disparities in breastfeeding through Peer and Professional Support Project for the period of January 15, 2015 through June 30, 2015. This item requires Fiscal Year 2015 expenditure of grant funds in the amount of \$23,600.00. Sponsored by Commissioner Walter Bailey, Jr.

BASAR
Chairman, Economic
Development and
Tourism Committee

13. Resolution to approve an agreement to recoup the cost of providing improvements, facilities and service to GMF – Madison Tower, LLC and its sole member, GMF – preservation of affordability Corp, a Tennessee Not For Profit Corporation as required by Applicable Tax Exemption Statute, T.C.A. §67-5-207, et seq., at an amount of five dollars (\$5) per unit per month. Sponsored by Commissioner Reginald Milton.

JONES
Chairman, Community
Services Committee

14. Resolution amending the FY 2015 Operating Budget to expend grant funds from the Plough Foundation for the Shelby County Division of Community Services to provide direct services to victims of elder abuse. This item requires expenditure and appropriation of grant funds in the amount of \$100,348.00. Sponsored by Commissioner Eddie Jones.

TURNER
Chairman, General
Government
Committee

15. Resolution amending the Rules and Regulations and Bylaws of the Shelby County Beer Board to remove the publication requirement, remove the residency requirement for applicants, and require the removal of members missing three (3) meetings within a twelve (12) month period. Sponsored by Commissioner Terry Roland.

JONES
Chairman, Delinquent
Tax Property
Committee

16. A resolution approving the conveyance of one unimproved parcel of County owned delinquent tax property to Neighborhood Christian Centers, Inc., a Tennessee Not-For-Profit Corporation, for nominal consideration; and to authorize the Shelby County Mayor to execute a quit claim deed. Sponsored by Commissioner Eddie Jones.

JONES
Chairman, Delinquent
Tax Property
Committee

17. A resolution approving the conveyance of one unimproved parcel of County owned delinquent tax property to Church of God Outreach Ministries New Vision Inc., a Tennessee Not-For-Profit Corporation, for nominal consideration; and to authorize the Shelby County Mayor to execute a quit claim deed. Sponsored by Commissioner Eddie Jones.

JONES
Chairman, Delinquent
Tax Property
Committee

18. Resolution approving the sale of thirty-nine County owned delinquent tax parcels, acquired from various Shelby County Trustee tax sales to identified purchasers at various prices collectively totaling \$98,450.00, pursuant to the sale provisions of Tennessee Code Annotated, Section 67-5-2507, and authorizing the Shelby County Mayor to execute quit claim deeds. Sponsored by Commissioner Eddie Jones.

Approval of the Consent Agenda

REGULAR AGENDA

Elections, Appointments, and Confirmations

Ordinances

BAILEY
Chairman, Hospitals &
Health Committee

19. **ORDINANCE - FIRST READING** - An ordinance amending the Shelby County Air Code Section 3-16 entitled "Open Burning" to meet the requirement recently adopted by the Tennessee Legislature and the Tennessee Air Pollution Control Board and placed in the Certificate of Exemption (COE) issued to Shelby County on May 14, 2014, under the provisions of the Tennessee Air Quality Act, T.C.A. 68-201-115 (e), to authorize an expedited process to

BAILEY
Chairman, Hospitals &
Health Committee

- grant waivers from open burning regulations.
Sponsored by Commissioner Walter Bailey, Jr.
20. **ORDINANCE - FIRST READING** - Ordinance by the Board of County Commissioners of Shelby County, Tennessee to amend Chapter 14.5 of the Code of Ordinances of Shelby County, Tennessee to set the Annual Emission Fee for stationary sources for emissions released in calendar year 2013 and to adjust Title V permit fees beginning in 2013.
Sponsored by Commissioner Walter Bailey, Jr.

ROLAND
Chairman, Land Use,
Planning,
Transportation &
Codes Committee

21. **ORDINANCE - THIRD READING (AMENDED)** - A Joint Ordinance amending the Memphis and Shelby County Unified Development Code as adopted by the City of Memphis August 10, 2010 and Shelby County on August 9, 2010, to revise and enhance the joint zoning and subdivision regulations by amending regulations pertaining to fireworks, private clubs, group living, cell towers, gas stations, car lots, temporary use permits, side setbacks for existing buildings, parking for restaurants, fencing, outdoor seating for restaurants in the S.C.B.I.D. District, hotels and vehicle service and repair in the Uptown District, permissible building materials in the Midtown and University Districts, number of holds by the Land Use Control Board and Board of Adjustment, planned developments, subdivision phasing, setback encroachments, nonconforming landscaping, rooming houses, terminology, cross references and other provisions of the code, being case No. ZTA 14-001 CC. Sponsored by Commissioner Terry Roland.

TURNER
Chairman, General
Government
Committee

22. **ORDINANCE - FIRST READING** - Ordinance by the Board of Commissioners of Shelby County, Tennessee to amend Ordinance No. 343, adopted on August 27, 2007, entitled "Ordinance setting a term limit for the appointment of members to Shelby County Boards, authorities and Commissions and County appointees to joint City/County entities of two consecutive terms or ten consecutive years whichever is longer, "to strike the term limits established for board members who serve on joint City/County boards. Sponsored by Commissioner Mark Billingsley.

(AMENDED IN JANUARY 7, 2015 COMMITTEE MEETING)

Zoning and Subdivisions

ROLAND
Chairman, Land Use,
Planning,
Transportation &
Codes Committee

23. CASE NO: SUP 14-230 CO

APPLICANT: Verizon Wireless

**LOCATION: West side of Hines Road;
approximately 1440 feet south of Cuba-Millington
Road**

**REQUEST: A Special Use Permit to establish a 190'
cell tower**

RECOMMENDATIONS:

**Memphis & Shelby County Office of Planning &
Development:**

Approval with conditions

**Memphis & Shelby County Land Use Control
Board:**

Approval with conditions

Reports and/or Resolutions for Standing
Committees

BASAR
Chairman, Economic
Development and
Tourism Committee

24. **Resolution of the Board of County Commissioners
of Shelby County, Tennessee requesting the
execution of an Interlocal Agreement with the City
of Memphis and supporting the City of Memphis
Development of the Fairgrounds Tourism
Development Zone. Sponsored by Commissioner
Eddie Jones. (DEFERRED IN DECEMBER 8, 2014
COMMISSION MEETING)**

TURNER
Chairman, General
Government
Committee

25. **Resolution approving the Election of Notaries
Public for appointment and/or reappointment for
Shelby County, Tennessee. Sponsored by
Commissioner Melvin Burgess.**

Announcements/Statements

Adjournment

- 26. Adjournment to Monday, January 26, 2015, at 3:00 p.m.**