



CITY OF MEMPHIS

COUNCIL REGULAR MEETING AGENDA

Tuesday, November 3, 2020, 3:30 p.m.

Conducted by Electronic/Telephonic Means

Official Recording of Meeting will be available on
City Council's Website

https://www.memphistn.gov/government/city_council

CALL TO ORDER by the Sergeant-at-Arms

INVOCATION

Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the Council Administrator of the Memphis City Council.

PLEDGE OF ALLEGIANCE

CALL OF ROLL by the Comptroller

APPROVAL OF PREVIOUS MEETING MINUTES (October 20, 2020)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATION AND RECOGNITION OF VISITORS (None)

COMMUNITY ORGANIZATION SPOTLIGHT (None)

PUBLIC HEARINGS (None)

DIVISION OF PLANNING AND DEVELOPMENT

1. RESOLUTION approving a special use permit located at 590 East Raines Road, containing 0.26 acre in the Commercial Mixed Use – 1 District. This resolution is sponsored by the Office of Planning and Development. (Held from 10/6; 10/20)

Colvett
Chairman,
Planning &
Zoning

Case No. SUP 20-07

Committee

Applicant: Negotiable Taxes, Inc.
David Bray of the Bray Firm – Representative

Request: Special use permit for vehicle sales

LUCB and OPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

2.
Colvett
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a special use permit located at 5050 Summer Avenue, containing +/-0.7 acres in the Commercial Mixed Use – 3 (CMU-3) District. This resolution is sponsored by the Office of Planning and Development.

Case No. SUP 20-09

Applicant: Jaromirski Bruno/Rafat Khmous
McCaskill and Associates, Inc. – Representative

Request: To allow a commercial surface parking lot for a period not to exceed fifteen (15) years

LUCB recommendation: APPROVAL, with conditions

OPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

3.
Colvett
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a special use permit located at parts of 4704 Yale Road, containing 1.7 acres in the Commercial Mixed Use – 2 District. This resolution is sponsored by the Office of Planning and Development.

Case No. SUP 20-10

Applicant: Estacado Interests
Devan Pharis of Estacado Interests – Representative

Request: 1) A special use permit for a convenience store with gas sales
2) The amendment of the Raleigh Plaza Shopping Center General Plan to remove the prohibition of “filling stations”

OPD recommendation: REJECTION

LUCB recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

4.
Colvett
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a special use permit located at parts of 3372 Austin Peay Highway, containing 67 acres (whole parcel) in the Commercial Mixed Use – 2 District. This resolution is sponsored by the Office of Planning and Development.

Case No. SUP 20-13

Applicant: City of Memphis
Mary Claire Borys of the Division of HCD – Representative

Request: To permit vehicle service

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

ZONING ORDINANCE- THIRD AND FINAL READING (None)



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CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING (None)

GENERAL ORDINANCE - SECOND READING

5. **ORDINANCE** amending Chapter 12 of the City of Memphis Code of Ordinances, so as to update the Code of Ordinances related to sidewalks, up for **S E C O N D** reading. Ordinance No. 5764 is sponsored by Councilwoman Easter-Thomas.

Smiley
Chairman,
Public Works,
Solid Waste,
Transportation
& General
Services Committee

ACTION REQUESTED: Adopt the ordinance on Second reading

ZONING ORDINANCE – FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

NOTATION FROM OPD

NOTATION from the Land Use Control Board that the following case was heard and recommendation made requesting a date of public hearing:

6. A. Case No. PD 20-11 – PYRAMID USED CARS

Located at the SW corner of S Third Street and Gilbert Avenue and NE corner of S Third Street and Lucerne Place; containing +/-1.686 acres in the Commercial Mixed Use – 1 (CMU-1) and Residential Urban – 3 (RU-3) Districts.

Applicant: Pyramid Used Cars, Inc – Brian Bowman
Farris Bobango Branan PLC – Homer Branan – Representative

Request: Motor vehicle sales and service planned development

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: November 17, 2020

ENGINEERING DIVISION

7. RESOLUTION accepting JB HUNT (4640 S. MENDENHALL RD) and authorizing release of the bond.

(Contract No. CR-5305)

Resolution approves the public improvements located at the intersection of East Shelby Drive and South Mendenhall Road in the Northeast corner lot in the City of Memphis, Tennessee. Resolution also authorizes the release of Performance Bond No. 107070485 in the amount of \$258,300.00 held as a security for the standard improvement contract.

ACTION REQUESTED: Adopt the resolution



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FISCAL CONSENT AGENDA

8. RESOLUTION accepting, allocating, and appropriating grant funds in the amount of \$9,035.00 from the State of Tennessee, Office of the Secretary of State, TN State Library and Archives (TSLA). All Council Districts. This resolution is sponsored by Library Services. **(Request for same night minutes)**



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MLGW FISCAL CONSENT

9. RESOLUTION awarding Contract No. 12101, Credit Information Services to Experian, in the funded amount of \$451,278.00.
10. RESOLUTION to approve and ratify Contract No. 12235, Jaspersoft Reporting Software to TIBCO, in the amount not to exceed \$70,500. (The term of this software subscription is for 3 years from the date of June 1, 2019.)
11. RESOLUTION approving Change No. 3 to Contract No. 11976, Large Directional Drilling with Alliance Utilities, Incorporated, in the estimated funded amount of \$1,181,960.00. (This change is to renew the current contract for the third of four annual renewal terms for the period covering January 1, 2021 through December 31, 2021 in the amount of \$2,290,500.00; of which \$1,108,540.00 will be absorbed in the current contract value, based on estimated quantities, with no increase in rates from the previous year.)
12. RESOLUTION approving Change No. 3 to Contract No. 11945, Weld Testing and Inspection Services with AIT Inspection Services, in the funded amount of \$7,000.00. (This change is to renew the current contract for the third of four annual renewal terms for the period covering January 1, 2021 through December 31, 2021 in the amount of \$44,625.00; of which \$37,625.00 will be absorbed in the current contract value, with no increase in rates from the previous year.)
13. RESOLUTION awarding Contract No.12188, Gas Leak Survey to Heath Consultants, Inc., in the funded amount of \$1,062,034.00.
14. RESOLUTION awarding Contract No.12187, Pole Inspection to Osmose Utilities Services, Inc., in the funded amount of \$5,153,760.00.
15. RESOLUTION awarding Contract No. 12173, No. 3 Filter Media Installation, to Landmark Construction General Contractor Inc., in the funded amount of \$159,162.00.
16. RESOLUTION approving Change No. 2 to Contract No. 12062, Environmental Abatement Services with General Construction Services, Incorporated in the funded amount of \$1,000,000.00. (This change is to renew the current contract for the second of four annual

renewal terms covering the period January 1, 2021 through December 31, 2021, with no increase in rates from the previous term.)

17. RESOLUTION approving Change No. 2 to Contract No. 12034, Environmental Abatement Services with Northwest Contracting Services, Incorporated, in the funded amount of \$3,000,000.00. (This change is to renew the current contract for the second of four annual renewal terms covering the period January 1, 2021 through December 31, 2021, with no increase in rates from the previous term.)
18. RESOLUTION amending Purchase Order Number 7020002 for paper lead cable, three single conductor to Universal Scaffold and Equipment, to cover the period from December 20, 2019 through December 20, 2022, for an additional amount of \$3,751,293.00.
19. RESOLUTION awarding Contract No. 12159, Online Training Provider, to Skillsoft Corporation, in the funded amount of \$64,069.70.
20. RESOLUTION awarding Contract No. 12216, UPS/PDU Electric Operations Maintenance, to Electronic Power Systems, Inc., in the funded amount of \$129,822.00.



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REGULAR AGENDA

21.

Carlisle
Chairman,
Personnel
Committee

APPOINTMENTS

MEMPHIS ALCOHOL COMMISSION

Appointment

Claudette Boyd

CIVILIAN LAW ENFORCEMENT REVIEW BOARD

Appointments

Michael Lonesome-Etnyre
Asia Diggs Meador

MEMPHIS AND SHELBY COUNTY BUILDING CODE AUTHORITY

Appointments

Carlos Fifer
Meghan Medford

GENERAL ORDINANCES– THIRD AND FINAL READING

22.

Canale
Chairman,
Government
Affairs &
Annexation
Committee

ORDINANCE amending Chapter 2, Article I, Section 2-10-10, Subsection B, to require the Board of Ethics to establish an online portal to require Lobbyists to register annually and to file their state mandated disclosure statements with the City of Memphis, up for T H I R D and F I N A L reading. Ordinance No. 5752 is sponsored by Councilman Morgan and Councilman Carlisle. (Held from 6/16;7/7;7/21; 9/1: 9/15; 10/6; 10/20)

ACTION REQUESTED: Take whatever action Council deems advisable

23. **ORDINANCE** amending and restating Chapter 25 of the City of Memphis, Code of Ordinances Governing the City Pension System, up for T H I R D and F I N A L reading. Ordinance No. 5763 is sponsored by the Administration. (Held from 10/20)

Carlisle
Chairman,
Personnel
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION

24. RESOLUTION appropriating \$2,863,363.56 of assigned fund balance for the purpose of meeting contractually obligated Capital Expenditures for improvements to FedEx Forum. This resolution is sponsored by Executive and Finance Divisions.

Jones
Chairman,
Budget
Committee

ACTION REQUESTED: Adopt the resolution

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES (None)

INFORMATION SERVICES (None)

LAW DIVISION (None)

LIBRARY SERVICES (None)

MLGW DIVISION (None)

DIVISION OF PARKS AND NEIGHBORHOODS (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS

25. RESOLUTION accepting \$15,000,000.00 from the Tennessee Department of Environment and Conservation Clean Water State Revolving Loan Fund, SRF 2021-451, CIP Project #SW05001 for the City-wide sewer collection system assessment and rehabilitation program. All Council Districts. This

Jones
Chairman,
Budget

Committee resolution is sponsored by Public Works Division.

ACTION REQUESTED: Adopt the resolution

26. RESOLUTION transferring and appropriating construction funds in the amount of \$1,616,303.00 to rehabilitate a flood control pump station on North Second Street near Marble Avenue funded by 95% Storm Water Revenue Bonds and 5% Sewer Capital PAY-GO. (District 7, Super District 9). This resolution is sponsored by Public Works Division.

Smiley
Chairman,
Public Works,
Solid Waste,
Transportation
& General
Services
Committee

ACTION REQUESTED: Adopt the resolution

27. RESOLUTION transferring and appropriating construction funds in the amount of \$80,403.00 to rehabilitate a flood control pump station on North Second Street near Marble Avenue funded by 95% Storm Water Revenue Bonds and 5% Sewer. (District 7, Super District 9). This resolution is sponsored by Public Works Division.

Smiley
Chairman,
Public Works,
Solid Waste,
Transportation
& General
Services Committee

ACTION REQUESTED: Adopt the resolution

28. RESOLUTION removing the FY2021 Capital PAY GO funding source of \$30,000,000.00 and replace it with an allocation and appropriation of \$115,000,000.00 Revenue Bond Sewer Assessment and Rehab Project #SW05001. (All Council Districts). This resolution is sponsored by Public Works Division.

Smiley
Chairman,
Public Works,
Solid Waste,
Transportation
& General
Services
Committee

ACTION REQUESTED: Adopt the resolution

GENERAL ITEM (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT