



CITY OF MEMPHIS

COUNCIL REGULAR MEETING AGENDA

Tuesday, July 21, 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 (July 7, 2020)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATION AND RECOGNITION OF VISITORS

1. RESOLUTION approving an honorary street name change of Alice Drive between East Raines Road and Shelby Drive for Bishop William S. Wright, Sr. This resolution is sponsored by Councilman Ford.

ACTION REQUESTED: Adopt the resolution

COMMUNITY ORGANIZATION SPOTLIGHT (None)

PUBLIC HEARINGS

2.
Colvett
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a special use permit located at 1883 Lamar Avenue, containing +/-0.63 acres in the Commercial Mixed Use- 3 (CMU-3) & Glenview Historic Districts. This resolution is sponsored by the Office of Planning and Development.

Case No. SUP 19-41

Applicant: CGIENT LLC Series/Verizon Wireless
Sam Tiwana, Kaizen Realty (CGIENT LLC Rep.) and
Jerry Gingerich, Terra Consulting Group, Ltd. (Verizon
Wireless Rep) – Representatives

Request: To allow a 135-foot CMCS (Cell) Tower

LUCB recommendation: REJECTION
OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

163 NOTICES WERE MAILED ON JULY 10, 2020

3.
Colvett
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a planned development located at the Southwest corner of Quince Road and Lynnfield Road, containing 4.20 acres currently governed by Quince/Lynnfield Planned Development (PD 99-362). This resolution is sponsored by the Office of Planning and Development.

Case No. PD 99-362

Appellant: Balmoral Neighborhood Association
Appellee: SE Industrial Investments, LLC

Request: Appeal the decision of the Land Use Control Board for a Major Modification approved on February 13th, 2020 to allow a three (3) story office building with associated accessory uses

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

40 NOTICES WERE MAILED ON JULY 10, 2020

DIVISION OF PLANNING AND DEVELOPMENT

4.
Colvett
Chairman,
Planning &
Zoning

RESOLUTION approving a special use permit located on the Northeast corner of Camilla Street and Union Avenue; containing +/-3.1 acres in the Medical District Overlay, CMU-3 District. This resolution is sponsored by the Office of Planning and Development.

Case No. SUP 20-06

Committee

Applicant: Union Express, Inc./Kings Court, LLC
Harvey Matheny – Pickering Firm (Representative)

Request: To allow a 4-story, dual brand hotel

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)



CITY OF MEMPHIS

COUNCIL REGULAR MEETING AGENDA

Tuesday, July 21, 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

CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING

5. **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 F I R S T reading. Ordinance No. 5752 is sponsored by Councilman Morgan and Councilman Carlisle. (Held from 6/16; 7/7)

ACTION REQUESTED: No recommendation

GENERAL ORDINANCE - SECOND READING

6. **ORDINANCE** rescinding Referendum Ordinance No. 5744 Amending Article 27, Section 190 of the Charter of the City of Memphis, Same Being Chapter 11 of the Acts of 1879, as amended, and relative to amendments thereto Pursuant to the Provisions of Article 11, Section 9 of the Constitution of the State of Tennessee (Home Rule Amendment) to allow specified personnel employed with the Divisions of Police and Fire Services to reside within 50 miles from the City of Memphis, up for S E C O N D reading. Ordinance No. 5756 is sponsored by Councilwoman Easter-Thomas.

ACTION REQUESTED: Adopt the ordinance on Second reading

ZONING ORDINANCES – FIRST READING

7. **ORDINANCE** rezoning certain parcels adjacent to Lamar between Bellevue and Prescott, in the Commercial Mixed Use-3 District, up for F I R S T reading. This ordinance is sponsored by the Office of Planning and Development.

Colvett
Chairman,
Planning &
Zoning
Committee

Case No. Z 20-04
Ordinance No. 5757

Applicant: Memphis Office of Comprehensive Planning
Ashley Cash – Representative

Request: Comprehensive Rezoning of Lamar between Bellevue and

Prescott

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on First reading

8. **ORDINANCE** rezoning the Southwest corner of E. Shelby Drive and Malone Road, containing 10.04 acres in the Conservation Agriculture (CA) and Commercial Mixed Use (CMU-1) Districts, up for F I R S T reading. This ordinance is sponsored by the Office of Planning and Development

Colvett
Chairman,
Planning &
Zoning
Committee

Case No. Z 20-06
Ordinance No. 5758

Applicant: Galaxy Development Corporation
Prime Development Group, Inc. (PDG, Inc.) – Representative

Request: Employment (EMP) District

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on First reading

ZONING ORDINANCES - SECOND READING

9. **ORDINANCE** rezoning 4195 E. Shelby Drive, containing +/-30.016 acres in the Conservation Agriculture (CA) District, up for S E C O N D reading. This ordinance is sponsored by the Office of Planning and Development.

Colvett
Chairman,
Planning &
Zoning
Committee

Case No. Z 20-01
Ordinance No. 5753

Applicant: CLP, LLC
Cindy Reaves, SR Consulting – Representative

Request: Employment (EMP)

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on Second reading

10. **ORDINANCE** rezoning the Northwest corner of East Holmes Road and Malone Road; containing 40.80 acres in the Conservation Agriculture (CA) and Conservation Agriculture Flood Plain (CA{FP}) Districts, up for S E C O N D reading. This ordinance is sponsored by the Office of Planning and Development.

Colvett
Chairman,
Planning &
Zoning
Committee

Case No. Z 20-02
Ordinance No. 5754

Applicant: Alice Langford, et al/PDC, TN/FL, LLC
The Reaves Firm, Inc. – Representative

Request: Employment (EMP) & Employment Flood Plain (EMP{FP})
Districts

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on Second reading

11. Colvett
Chairman,
Planning &
Zoning
Committee

ORDINANCE rezoning north of Ketchum Road, east of Imogene Street, south of Dwight Road, and west of Pendleton Street; containing +/-66 acres in the Residential Single-Family -6 (R-6) and Residential Urban -1 (RU-1) Districts, up for S E C O N D reading. This ordinance is sponsored by the Office of Planning and Development.

Case No. Z 20-03
Ordinance No. 5755

Applicant: Memphis Shelby County Airport Authority/Ketchum Airport
Investors, LLC – Bradleigh Kaaber
Brittenuum Law, PLLC – Dedrick Brittenuum Jr. – Representative

Request: Employment (EMP)

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on Second reading

NOTATIONS FROM OPD

NOTATIONS from the Land Use Control Board that the following cases were heard and recommendation made requesting a date of public hearing:

12. A. Case No. SUP 19-29 – VEHICLE SALES

Located at 3240 North Watkins Street and 1812 Thrift Avenue, containing 0.4 acres in the Commercial Mixed Use-1 District.

Applicant: Otubo Godfrey
Mahmoud Ghassemi of Ghassemi and Assoc., LLC (Representative)

Request: Special use permit for vehicle sales

LUCB and OPD recommendation: REJECTION

B. Case No. PD 20-02 – SOUTH IRVIN PLANNED DEVELOPMENT

Located at 5455 South Irvin Drive, containing +/-0.367 acres in the Residential

Single-Family – 10 (R-10) District.

Applicant: Worldwide Property HUB, LLC/Kyle Sledd
McCaskill & Associates, Inc. – Tim McCaskill (Representative)

Request: Two-lot residential single-family planned development

LUCB recommendation: REJECTION
OPD recommendation: APPROVAL, with conditions

C. Case No. SAC 20-03, SAC 20-04, SAC 20-05, SAC 20-06, SAC 20-07, SAC 20-08
SAC 20-09, SAC 20-10, SAC 20-11, SAC 20-12, SAC 20-13, SAC 20-14
SAC 20-15, and SAC 20-16 – RIGHT-OF-WAY CLOSURES AND
VACATIONS

Located North of Ketchum Road, East of Imogene Street, South of Dwight Road, and West of Pendleton Street in the Residential Single-Family – 6 (R-6) and Residential Urban – 1 (RU-1) Districts.

Applicant: Memphis Shelby County Airport Authority/ Ketchum Airport Investors, LLC – Bradleigh Kaaber
Brittenuum Law, PLLC – Dedrick Brittenuum, Jr (Representative)

Request: Close and vacate the following public rights-of-way within the subject property: Crosby Street, Barrymore Street, Dawnwood Cove, Judith Cove, Long Street, Jolson Avenue, Canter Avenue, Labelle Street, Lola Avenue, Byrd Avenue, Durby Street, Alvin Street, Stanfill Avenue, and Nott Avenue

LUCB and OPD recommendation: APPROVAL, with conditions

D. Case No. PD 93-328 CORRESPONDENCE – THE MARKS PD

Located East of 2324 Germantown Parkway, behind the Shogun restaurant, containing +/-3.368 acres PD 93-328 approved conditions; regulated more recently by PD 97-364.

Appellant: Ralph Fagan

Request: Overturn a decision of the Land Use Control Board

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Set a date of public hearing
SUGGESTED DATE: August 4, 2020

ENGINEERING DIVISION (NONE)



CITY OF MEMPHIS

COUNCIL REGULAR MEETING AGENDA

Tuesday, July 21, 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

FISCAL CONSENT AGENDA

(NONE)



CITY OF MEMPHIS

COUNCIL REGULAR MEETING AGENDA

Tuesday, July 21, 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

MLGW FISCAL CONSENT

13. RESOLUTION approving Change No. 5 to Contract No. 11874, Courier Services with Express Courier International, Inc., in the funded amount of \$139,095.32. (This change is to renew the current contract for the fourth and final annual renewal term covering the period September 6, 2020 through September 5, 2021, with no increase in rates from the previous year.)
14. RESOLUTION awarding a thirty-six month purchase order for repair and fabrication of substation equipment to Patterson Welding Service, in the approximate amount of \$300,000.00.
15. RESOLUTION approving Position No. 05698 – Computer Software Specialist 3 in the amount of \$96,026.



CITY OF MEMPHIS

COUNCIL REGULAR MEETING AGENDA

Tuesday, July 21, 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

REGULAR AGENDA

APPOINTMENT

16.

Carlisle
Chairman,
Personnel
Committee

DIRECTOR OF PARKS AND NEIGHBORHOODS

Appointment

Carey Nixon (Nick) Walker, Jr.

GENERAL ORDINANCE – THIRD AND FINAL READING (None)

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION

17.

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

RESOLUTION requesting approval for a Cooperative Agreement on the use of Accela Software System. (All Council Districts). This resolution is sponsored by Memphis and Shelby County Division of Planning and Development and Engineering Division.

ACTION REQUESTED: Adopt the resolution

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES

18.

Swearingen
Chairman,
Public Safety
& Homeland
Security
Committee

RESOLUTION appropriating \$4,000,000.00 CIP FY21 funds by G.O. Bonds for Project #FS02029 New Contract Construction for Fire Station #5. (District 7, Super District 8). This resolution is sponsored by Fire Services.

ACTION REQUESTED: Adopt the resolution

19. RESOLUTION appropriating \$555,625.00 in G.O. Bonds for Project #FS04014, Fire Fighting Turnouts/Fire Protective Ensemble. (All Council Districts). This resolution is sponsored by Fire Services.

Swarengen
Chairman,
Public Safety
& Homeland
Security Committee

ACTION REQUESTED: Adopt the resolution

20. RESOLUTION appropriating \$48,375.00 in G.O. Bonds for Project #FS04012, for Personal Protective Equipment Self-contained Breathing Apparatus and Accessories. (All Council Districts). This resolution is sponsored by Fire Services.

Swarengen
Chairman,
Public Safety
& Homeland
Security Committee

ACTION REQUESTED: Adopt the resolution

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

21. RESOLUTION allocating and appropriating \$3,870,000.00 for Project #LI01030- New Frayser Library for expenditure. (District 7, Super District 8). This resolution is is sponsored by Library Services.

Easter-Thomas
Chairman,
Public Services,
Arts, Youth
Initiatives,
Libraries &
Neighborhoods
Committee

ACTION REQUESTED: Adopt the resolution

MLGW DIVISION

22. EIGHTH SUPPLEMENTAL RESOLUTION supplementing the Electric System Revenue Obligations Master Resolution authorizing the Issuance and Sale of Not to Exceed \$160,000,000.00 principal amount of Electric System Revenue Bonds, Series 2020. This resolution is sponsored by MLGW Division.

Morgan
Chairman,
MLGW
Committee

ACTION REQUESTED: Adopt the resolution

23. NINTH SUPPLEMENTAL RESOLUTION supplementing the Electric System Revenue Obligations Master Resolution authorizing the Issuance and Sale of Not to Exceed \$53,000,000.00 principal amount of Electric System Revenue Refunding Bonds, Series 2020 (Federally Taxable). This resolution is sponsored by MLGW Division.

Morgan
Chairman,
MLGW

Committee

ACTION REQUESTED: Adopt the resolution

24. Morgan
Chairman,
MLGW
Committee
FOURTH SUPPLEMENTAL RESOLUTION supplementing the Water System Revenue Obligations Master Resolution authorizing the Issuance and Sale of Not to Exceed \$75,000,000.00 principal amount of Water System Revenue Bonds, Series 2020. This resolution is sponsored by MLGW Division.

ACTION REQUESTED: Adopt the resolution

25. Morgan
Chairman,
MLGW
Committee
THIRD SUPPLEMENTAL RESOLUTION supplementing the Gas System Revenue Obligations Master Resolution authorizing the Issuance and Sale of Not to Exceed \$70,000,000.00 principal amount of Gas System Revenue Bonds, Series 2020. This resolution is sponsored by MLGW Division.

ACTION REQUESTED: Adopt the resolution

DIVISION OF PARKS AND NEIGHBORHOODS (None)

DIVISION OF POLICE SERVICES

26. Swearingen
Chairman,
Public Safety
& Homeland
Security
Committee
RESOLUTION requesting the Administration to re-implement COACT Units as an addition to Community Policing Programs of the Memphis Police Department. This resolution is sponsored by Councilwoman Swearingen.

ACTION REQUESTED: Adopt the resolution

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS

27. Smiley
Chairman,
Public Works,
Solid Waste,
Transportation
& General
Services
Committee
RESOLUTION appropriating \$424,522.00 – change order FY2021 CIP Budget funded by Capital PAY GO Storm Water, Project #ST03200 for the electrical rehabilitation of the Ensley Pumping System. (District 6, Super District 8). This resolution is sponsored by Public Works Division.

ACTION REQUESTED: Adopt the resolution

GENERAL ITEM

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT