



CITY OF MEMPHIS

COUNCIL REGULAR MEETING AGENDA

Tuesday, August 18, 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 (August 4, 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 HEARING

1. RESOLUTION approving a planned development located at 3398 Graves Road (north of Colvett Winchester, east of Graves and west of McCorkle), containing +/-9.814 acres in the Chairman, Residential Single – Family -10 (R-10) District. This resolution is sponsored by the Planning & Office of Planning and Development.
Zoning
Committee

Case No. PD 20-04

Applicant: Shelby County Board of Education/Made in Memphis. LLC
 Glankler Brown, PLLC – R. Hunter Humphreys and Mart T. Jobe Jr. – Representative

Request: Limited light industrial uses with the intent of operating a 3D printing and production operation which would create customizable jewelry, collectibles and other memorabilia with an ancillary vocational/technical training facility

LUCB recommendation: APPROVAL, with conditions

OPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

111 NOTICES WERE MAILED ON AUGUST 7, 2020

DIVISION OF PLANNING AND DEVELOPMENT

2.
 Colvett
 Chairman,
 Planning &
 Zoning
 Committee

RESOLUTION approving a planned development located at 3206 Broad Avenue, 602 Malcomb Street, 606 Malcomb Street, 610 Malcomb Street and 3195 Summer Avenue, containing 0.6 acre and 2.3 acres in the Commercial Mixed Use -1 District. This resolution is sponsored by the Office of Planning and Development. (Held from 8/4) Case No. PD 20-05

Applicant: Alliance Health Services
 Tim McCaskill of McCaskill and Associates, Inc. – Representative

Request: Planned development to permit a social service institution

LUCB and OPD recommendation: APPROVAL, with conditions

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 1177 & 1183 Minna Place, (South side of Minna Place; +/-500 feet west of Lamar Avenue), containing 0.41 acre (+/-18,000 sq. ft.), in the Office General (OG) District. This resolution is sponsored by the Office of Planning and Development. Case No. SUP 20-05

Applicant: Aspen, LLC
 Neeraj Kumar – Representative

Request: Special Permit to allow surface parking to serve an adjacent office building

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

4.
Colvett
Chairman,
Planning &
Zoning
Committee

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

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

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

203 NOTICES WERE MAILED ON AUGUST 7, 2020



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CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING (None)

GENERAL ORDINANCES - SECOND 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 **S E C O N D** reading. Ordinance No. 5752 is sponsored by Councilman Morgan and Councilman Carlisle. (Held from 6/16; 7/7;7/21)

Canale
Chairman,
Government
Affairs &
Annexation
Committee

ACTION REQUESTED: No recommendation

6. **ORDINANCE** amending Chapters 2 and 12 of the City of Memphis, Code of Ordinances so as to update the Code of Ordinances related to street, park and place names up for **S E C O N D** reading. Ordinance No. 5759 is sponsored by Councilwoman Easter-Thomas.

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

ACTION REQUESTED: Adopt the ordinance on Second reading

7. **ORDINANCE** amending Chapter 30, Article III of the Code of Ordinances, City of Memphis, by amending the last paragraph in Section 30-39, as it now appears and substituting a new paragraph of Section 30-39, to require persons eligible for the Police Reserve Program be reviewed by internal audit annually and shall require documentation of the number of duty hours worked annually, up for **S E C O N D** reading. Ordinance No. 5760 is sponsored by Councilman Carlisle.

Carlisle
Chairman,
Personnel
Committee

ACTION REQUESTED: Adopt the ordinance on Second reading

ZONING ORDINANCES – FIRST READING (None)

ZONING ORDINANCES - SECOND READING (None)

NOTATIONS FROM OPD (None)

ENGINEERING DIVISION

8. RESOLUTION approving the final plat for ART LOFTS-POPLAR AVENUE.
Case No. PD 18-39
Contract No. CR-5333

Resolution approves the final plat located on the southwest corner of Poplar Avenue and Rembert Street in the City of Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract and accept Performance Bond No. GS542000099 in the amount of \$83,300.00 on behalf of the City of Memphis.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

9. RESOLUTION approving final plat for HOLMES/MINERAL WELLS PD, PHASE 16, PART OF PARCEL A (Proposed Warehouse/Distribution Facility).
Case No. PD 98-351cc
Contract No. CR-5334

Resolution approves the final plat located on the southwest corner lot of the Global Drive and Distriplex Farms Drive in the City of Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract and accept in lieu of bond the Wells Fargo Bank Cashier's Check No. 6695203422 in the amount of \$66,000.00 on behalf of the City of Memphis.

ACTION REQUESTED: Adopt the resolution

10. RESOLUTION approving the engineering plans for MIDTOWN MONTESSORI.
Contract No. CR-5335

Resolution approves the engineering plans located on the northeast corner of Poplar Avenue and Garland Street intersection in the City of Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract and accept the Commercial Bank and Trust Company Certificate of Deposit No. 153885 in the amount of \$37,200.00 on behalf of the City of Memphis.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

11. RESOLUTION accepting WISEACRE BREWERY, PHASE 1 and authorizing release of the bond.

Resolution approves accepting the public improvements with the City of Memphis as shown on the engineering plans located on the northwest corner lot in the Abel Street and Butler Avenue intersection in the City of Memphis, Tennessee. Resolution also authorizes the release of Performance Bond No. 107094868 in the amount of \$65,300.00 held as security for the standard improvement contract.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

GENERAL ITEM

12. RESOLUTION approving an honorary street name change of Union Avenue between South Belvedere Blvd and South McLean Blvd for Reverend Dr. Steve Montgomery. This resolution is sponsored by Councilman Ford Canale.

ACTION REQUESTED: Adopt the resolution



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FISCAL CONSENT AGENDA

13. RESOLUTION to accept and appropriate grant funds in the amount of \$60,136.00 from the Shelby County Districts Attorney General's office through the Department of Justice (G016) All Council Districts. This resolution is sponsored by Police Services. **(Request for same night minutes)**
14. RESOLUTION to accept and appropriate grant funds in the amount of \$35,992.00 from the Shelby County Sheriff's Office (G017) All Council Districts. This resolution is sponsored by Police Services. **(Request for same night minutes)**
15. RESOLUTION to accept and appropriate grant funds in the amount of \$9,823,624.00 from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) (G018) All Council Districts. This resolution is sponsored by Police Services. **(Request for same night minutes)**
16. RESOLUTION to accept and appropriate grants funds in the amount of \$197,000.00, to provide overtime training, equipment, and supplies to aid in the investigation for internet crimes against children. (G024) All Council Districts. This resolution is sponsored by the Police Services. **(Request for same night minutes)**
17. RESOLUTION to accept and appropriate grant funds in the amount of \$10,000.00 from Maddie's Fund for the MAS foster program. All Council Districts. This resolution is sponsored by MAS. **(Request for same night minutes)**
18. RESOLUTION to accept and appropriate grant funds in the amount of \$2,000.00 FY2021, from Adopt-A-Pet for MAS COVID-19 pet parent relief program. This resolution is sponsored by MAS. All Council Districts. **(Request for same night minutes)**
19. RESOLUTION to accept and appropriate grant funds in the amount of \$25,000.00 FY2021, from ASPCA for MAS to fund COVID-19 pet parent relief program. This resolution is sponsored by MAS. All Council Districts. **(Request for same night minutes)**
20. RESOLUTION to accept and appropriate grants in the amount of \$15,000.00 FY2021, from Petco Foundation for lifesaving programming. This resolution is sponsored by MAS, All Council Districts. **(Request for same night minutes)**

21. RESOLUTION to accept and appropriate \$4,250.00 FY 2021, PK90087, from TN Arts Commission for professional services in support of an updated archway at Gaston Park. (G020) Council District 6. This resolution is sponsored by Park Services. **(Request for same night minutes)**
22. RESOLUTION to accept and appropriate \$2,300.00 FY2021, PK90086, from TN Arts Commission for art programming opportunities in neighborhood parks, Wilson, Howze, Gaston, and Southside Parks. (G022) Council Districts 3,5,6 Super Districts 8 and 9. This resolution is sponsored by Park Services. **(Request for same night minutes)**
23. RESOLUTION to accept and appropriate \$4,000.00 FY 2021, PK90073, from Best Buy Foundation for virtual programming support. (G021) All Council Districts. This resolution is sponsored by Park Services. **(Request for same night minutes)**
24. RESOLUTION to accept and appropriate \$12,574.00 from the Tennessee Department of Agriculture for professional service to plant trees in McFarland Park, District 4, Super District 9. This resolution is sponsored by Park Services. **(Request for same night minutes)**
25. RESOLUTION to accept and appropriate \$75,000.00 from Community Foundation of Memphis to support enhanced COVID-19 testing for the uninsured and those with limited access. (T016) All Council Districts. This resolution is sponsored by the Executive Division. **(Request for same night minutes)**
26. RESOLUTION to accept and appropriate \$1,330,941.80 in grant funds FY2021, to the Division of Housing and Community Development Affordable Housing Program account. (G025) All Council Districts. This resolution is sponsored by Housing & Community Development Division. **(Request for same night minutes)**



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MLGW FISCAL CONSENT

27. RESOLUTION awarding a purchase order under Contract No. 12166, VMware SLED Consulting and Learning Credits to Thomas Consultants, Incorporated, in the funded amount of \$91,569.07.
28. RESOLUTION awarding Contract No. 12134, UAV Flight Inspection of Overhead Electric Lines to Allen & Hoshall, Inc., in the funded amount of \$195,250.00.
29. RESOLUTION approving Change No. 1 to Contract No. 12183, Synergi Gas Modeling software renewal with DNV-GL Noble Denton USA, LLC, in the funded amount of \$57,512.41. (This change is to ratify and renew maintenance and support services for the period covering August 1, 2020 through July 31, 2021 in the amount of \$26,853.41. In addition, this change is to purchase additional licenses in the amount of \$30,659.00. The total funded amount of this ratification, renewal, and change is \$57,512.41. MLGW is requesting continuous maintenance, which can only be performed by DNV-GL Noble Denton USA, LLC.)
30. RESOLUTION awarding Contract No. 12182, Synergi Gas Model Build to DNV GL Noble Denton USA, LLC, in the funded not-to-exceed amount of \$150,000.00.
31. RESOLUTION awarding Contract No. 12135, LIMS Replacement Project to Ethosoft, Inc., in the funded amount of \$222,850.00.
32. RESOLUTION approving Change No. 4 to Contract No. 11914, MLGW Utility Payment Centers with FirsTech, Incorporated, in the funded amount of \$285,000.00. (This change is to renew the current contract for fourth and final annual renewal term for the period covering November 15, 2020 through November 14, 2021, with no increase in fees from the previous year. In addition, this change is to expand the service scope to include language which specifies the vendor will accept payments from reputable national retail chains and pay day loan lenders are excluded.)
33. RESOLUTION approving Change No. 3 to Contract No. 11996, Operator Qualification Training with Veriforce, LLC, in the funded amount of \$34,699.00. (This change is to renew annual software maintenance, licenses, and support services for the period covering February 14, 2021 through February 13, 2022 in the funded amount of \$29,700.00, with no increase in rates from the previous year. In addition, this change is to add the Veriforce Compliance Management application to track, manage and report on OQ qualifications for MLGW's contractors including

TDOT drug and alcohol testing requirements in the funded amount of \$4,999.00. The total funded amount of this renewal and change is \$34,699.00.)

34. RESOLUTION awarding a purchase order to Advance Cutting Systems for retrofit of a plasma cutting system, in the amount of \$110,950.00.
35. RESOLUTION approving Change No. 1 to Contract No. 12060, DOT Drug and Alcohol Testing with Mid-South Drug Testing, Inc., in the funded amount of \$125,000.00. (This change is to renew the current contract for the first of four annual renewal terms covering the period September 15, 2020 through September 14, 2021, with no increase in rates from the initial term.)
36. RESOLUTION approving Change No. 2 to Contract No. 12031, MLGW Background Check with Data Facts, Incorporated, in the funded amount of \$50,000.00. (This change is to renew the current contract for the second of four annual renewal terms for the period covering October 1, 2020 through September 30, 2021, with no increase in rates from the previous term.)
37. RESOLUTION awarding Contract No. 12120, Trash Removal Services to BFI Waste Services, LLC, d/b/a Republic Services of Memphis, in the funded not-to-exceed amount of \$145,316.44.



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REGULAR AGENDA

38.

Carlisle
Chairman,
Personnel
Committee

APPOINTMENTS

BLIGHT AUTHORITY OF MEMPHIS

Appointment

James M. Harvey, Jr.

Reappointment

Kathy Cowan

CIVILIAN LAW ENFORCEMENT REVIEW BOARD

Appointments

James E. Kirkwood

Albert Morris, Jr. M.D.

HEALTH, EDUCATIONAL AND HOUSING FACILITY BOARD

Reappointment

Katie Shotts

MEMPHIS AREA TRANSIT AUTHORITY

Appointment

Edward H. Stephens, III

GENERAL ORDINANCE – THIRD AND FINAL READING (None)

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES

39. Swarengen
Chairman,
Public Safety
& Homeland
Security
Committee

RESOLUTION accepting and appropriating \$183,963.64, for 2020 Assistance to Firefighters Grant Program – Covid-19 Supplemental (AFG-S) grant funds from the U.S. Department of Homeland Security for personal protective equipment to prevent, prepare for and respond to coronavirus. This resolution is sponsored by Fire Services.

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 (None)

MLGW DIVISION (None)

DIVISION OF PARKS AND NEIGHBORHOODS

40. Logan
Chairman,
Parks &
Environment
Committee

RESOLUTION transferring, allocating and appropriating funds, in the amount of \$479,515.00, for Leftwich Tennis Center Improvements PK03005. This resolution is sponsored by Parks and Neighborhoods Division.

ACTION REQUESTED: Adopt the resolution

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS (None)

GENERAL ITEM

41. RESOLUTION encouraging the United State Congress to include and financially support public transit in future Coronavirus Relief legislation. This resolution is sponsored by Councilman Smiley.
- Canale
Chairman,
Government
Affairs & Annexation
Committee

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT