



# CITY OF MEMPHIS

## COUNCIL REGULAR MEETING AGENDA

Tuesday, January 26, 2021, 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](https://www.memphistn.gov/government/city_council)

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### 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 (January 5, 2021)

### ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

### ITEMS HELD OR DROPPED FROM THE AGENDA

**PRESENTATIONS AND RECOGNITION OF VISITORS** (None)

**COMMUNITY ORGANIZATION SPOTLIGHT** (None)

**PUBLIC HEARING** (None)

**DIVISION OF PLANNING AND DEVELOPMENT**

1.  
Canale  
Chairman,  
Planning  
& Zoning  
Committee

RESOLUTION approving a street and alley closure located on part of Autumn Avenue east of Lipford Street and north of Sam Cooper Boulevard; containing 5042 square feet in the Residential – 6 District. This resolution is sponsored by the Division of Planning and Development. (Held from 1/5)

Case No. SAC 20-21

Applicant: MVS Real Estate Mid Town, LLC  
John Behnke of Spire Enterprises – Representative

Request: Physical closure of part of the Autumn Avenue right-of-way east of Lipford Street and north of Sam Cooper Boulevard

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

**No Opposition at LUCB; No Public Hearing Required**

2.  
Canale  
Chairman,  
Planning  
& Zoning  
Committee

RESOLUTION approving a special use permit located at 2369 Covington Pike; containing +/-2.66 acres in the Commercial Mixed Use – 3 (CMU-3) District. This resolution is sponsored by the Division of Planning and Development.

Case No. SUP 20-14

Applicant: Auggie TXTN, LLC/ Robert Taylor  
Angela Taylor – Representative

Request: To allow used motor vehicle sales

LUCB and DPD 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

3. RESOLUTION approving an Honorary Street Name of N Highland Street between Galloway Avenue and Shirlwood Avenue for Father Nicholas Vieron. This resolution is sponsored by Councilman Canale.

ACTION REQUESTED: Adopt the resolution

**GENERAL ORDINANCE- FIRST READING** (None)

**GENERAL ORDINANCES - SECOND READING**

4. **ORDINANCE** amending the City of Memphis Code of Ordinances Chapter 21, Traffic and Vehicles, Article III, Operation of Vehicles generally to add Section 21-135 to be entitled "Non-Driver Participation in Drag Racing and Reckless Driving Exhibitions", to set penalties for violations, and for other purposes, up for S E C O N D reading. Ordinance No. 5771 is sponsored by Councilman Canale.

Warren  
Chairman,  
Public Safety  
& Homeland  
Security  
Committee

ACTION REQUESTED: Adopt the ordinance on Second reading

5. **ORDINANCE** amending Memphis Code of Ordinances Chapter 22, Noise, Section 22-12 to add Subsection 22-12 (B) regarding Muffler Noise Violations and Penalties, up for S E C O N D reading. Ordinance No. 5774 is sponsored by Councilman Canale.

Warren  
Chairman,  
Public Safety  
& Homeland  
Security  
Committee

ACTION REQUESTED: Negative recommendation during Committee

6. **ORDINANCE** amending the City of Memphis Code of Ordinances Chapter 21, Traffic and Vehicles, Article X, Vehicle Equipment and Loads to add Subsection 21-335 (B) and Section 21-336 (B) regarding Muffler Violations and Penalties, up for S E C O N D reading. Ordinance No. 5775 is sponsored by Councilman Canale.

Warren  
Chairman,  
Public Safety  
& Homeland  
Security  
Committee

ACTION REQUESTED: Negative recommendation during Committee

**ZONING ORDINANCE – FIRST READING**

7.  
Canale  
Chairman,  
Planning  
& Zoning  
Committee

**ORDINANCE** zoning the North side of East Holmes Street approximately 923 feet east of the centerline of Lamar Avenue; containing +/-4.89 acres in the Conservation Agriculture (CA) District, up for F I R S T reading. This Ordinance is sponsored by the Division of Planning and Development.

Case No. Z 20-11  
Ordinance No. 5776

Applicant: David Couch  
Cindy Reaves, SR Consulting, LLC – Representative

Request: Heavy Industrial (IH) District

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on First reading

**ZONING ORDINANCES - SECOND READING**

8.  
Canale  
Chairman,  
Planning  
& Zoning  
Committee

**ORDINANCE** amending the Memphis and Shelby County Unified Development Code as adopted by the City of Memphis August 10, 2010, and by Shelby County August 9, 2010 as amended, to revise and enhance the Joint Zoning and Subdivision regulations as recommended by the Memphis and Shelby County Office of Planning and Development and the Land Use Control Board. This text amendment affects all property within the City of Memphis and unincorporated Shelby County, up for S E C O N D reading. This Ordinance is sponsored by the Division of Planning and Development.

Case No. ZTA 20-01  
Ordinance No. 5772

Applicant: Memphis and Shelby County Office of Planning and Development  
Josh Whitehead, Zoning Administrator – Representative

Request: Adopt amendments to the Memphis and Shelby County Unified Development Code

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on Second reading

9.  
Canale  
Chairman,  
Planning  
& Zoning  
Committee

**ORDINANCE** rezoning certain parcels adjacent to Summer between: Holmes and Sevier, and Novarese and Stratford, in the Commercial Mixed Use – 3 District, up for S E C O N D reading. This Ordinance is sponsored by the Division of Planning and Development.

Case No. Z 20-10  
Ordinance No. 5773

Applicant: Department of Comprehensive Planning of the Division  
of Planning and Development  
Ashley Cash – Representative

Request: Comprehensive Rezoning of Summer between: 1) Holmes and Sevier  
and 2) Novarese and Stratford

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on Second reading

**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:

- 10. A. Case No. PD 20-17 – BHW ESTATES PLANNED DEVELOPMENT

Located at 3681 Hawkins Mill Road, containing +/-12.95 acres located in the  
Residential Single-Family – 6 (R-6) District.

Applicant: Paul O. Brantley Sr. / Debra Hogue Brantley  
Delinor Smith, Smith Building Design & Assoc., Inc. – Representative

Request: Multi-use veteran’s facility providing multifamily dwelling  
units with supportive programs and services including an  
on-site private community center planned development

LUCB and DPD recommendation: APPROVAL, with conditions

**ACTION REQUESTED: Set a date of public hearing**

**SUGGESTED DATE: February 2, 2021**

**ENGINEERING DIVISION**

- 11. RESOLUTION approving the final plat for COLONY SUBDIVISION (Re-subdivision  
of Lots 15 & 16) S 19-27. **(Request for Same Night Minutes)**

Contract No. CR-5353

Resolution approves the final plat located at 1325 and 1343 Hayne Road  
in the City of Memphis. Cost of improvements to be borne by the Developer.  
Resolution also authorizes to accept the Letter of Credit #2574683-1127 in  
the amount of \$186,000.00.

ACTION REQUESTED: Adopt the resolution

12. RESOLUTION approving a Supplemental Agreement #1 to VELO at SHELBY FARMS.

Contract No. CR-5313AM

Resolution approves the Supplemental Agreement located at 7620 Raleigh LaGrange Road and Hester Road. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached Supplemental Agreement #1.

ACTION REQUESTED: Adopt the resolution

13. RESOLUTION approving the Public Improvements of SPEEDWAY #7175 (4302 E. SHELBY DRIVE).

(Contract No. CR-5302)

Resolution approves the Public Improvements located on the Northwest corner of Malone Road and East Shelby Drive intersection. Resolution also authorizes the release of Performance Bond #285059878 in the amount of \$65,700.00.

ACTION REQUESTED: Adopt the resolution



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## FISCAL CONSENT AGENDA

14. RESOLUTION seeking acceptance of a donation in the amount of \$1,000.00 From 901 Parkinson's Fighters, to the Memphis Police Boxing Gym. This resolution is sponsored by Police Service. **(Request for Same Night Minutes)**
  
15. RESOLUTION to accept funds in the amount of \$216,000.00 from the Memphis Fire Department Foundation for the RADA program from January 1, 2021 to March 31, 2021. This resolution is sponsored by Fire Service. **(Request for Same Night Minutes)**



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## MLGW FISCAL CONSENT

16. RESOLUTION awarding a purchase order to Thomas Consultants, Inc. for Microsoft window server licenses in the amount of \$76,890.00
17. RESOLUTION approving Position number 04634 - Supervisor Purchasing. (**REQUESTING SAME NIGHT MINUTES.**)
18. RESOLUTION approving Change No. 1 to Contract No. 12079, External Corrosion Direct Assessment of MLGW's Gas Pipeline to Mears Group, Inc., in the funded amount of \$197,400.00. (This change is to realign the contract start date and renew the current contract for the period covering Feb 1, 2021 through Jan 31, 2022.)
19. RESOLUTION awarding a purchase order to G & W Electric Company; for three phase pole mount vacuum reclosers in the amount of \$532,760.00.
20. RESOLUTION awarding Contract No.12214, Roof Maintenance to Dakota Corporation dba Jessie Bryant Roofing, in the funded amount of \$84,125.00.





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## REGULAR AGENDA

21.

Carlisle  
Chairman,  
Personnel  
Committee

### APPOINTMENTS

#### MEMPHIS CONVENTION CENTER COMMISSION

##### Appointments

John McKissack  
Thomas Midgley

#### GENERAL ORDINANCES– THIRD AND FINAL READING

22.

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

**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 T H I R D and F I N A L reading. Ordinance No. 5764 is sponsored by Councilwoman Easter-Thomas. (Held from 11/17;12/01;12/15;1/5)

**ACTION REQUESTED:** Take whatever action Council deems advisable

23.

Colvett  
Chairman,  
Executive  
Session

**ORDINANCE** adopting and enacting a New Code of Ordinances of the City of Memphis, Tennessee; Providing for the repeal of certain Ordinances not included Therein; providing for the manner of amending such Code; and providing when such Code and this Ordinance shall become effective, up for T H I R D and F I N A L reading. Ordinance No. 5769 is sponsored by Councilwoman Robinson.

**ACTION REQUESTED:** Take whatever action Council deems advisable

24.

Ford  
Chairman,  
Economic  
Development,  
Technology  
& Tourism  
Committee

**ORDINANCE** designating qualified public use facility, creation of the One Beale Tourism Development Zone Tourism surcharge and otherwise providing with respect to the foregoing, up for T H I R D and F I N A L reading. Ordinance No. 5770 is sponsored by the Administration.

**ACTION REQUESTED:** Take whatever action Council deems advisable

**CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS** (None)

**ENGINEERING DIVISION** (None)

**EXECUTIVE DIVISION** (None)

**FINANCE & ADMINISTRATION**

25. RESOLUTION transferring \$175,000.00 of appropriated funding from IS01073-311 Ford CRM Business Intelligence to IS01087-Account Reconciliation Management. This resolution is sponsored by the Finance and IS Divisions.

Chairman,  
Economic  
Development,  
Technology  
& Tourism  
Committee

ACTION REQUESTED: Adopt the resolution

**DIVISION OF FIRE SERVICES** (None)

**DIVISION OF GENERAL SERVICES**

26. RESOLUTION approving the sale of City owned parcel known as 563 Hampton Place Parcel ID #025011 00004, Memphis, Tennessee 38126; Revenue to be received. This resolution is sponsored by General Services.

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

ACTION REQUESTED: Adopt the resolution

**DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT** (None)

**DIVISION OF HUMAN RESOURCES** (None)

**INFORMATION TECHNOLOGY** (None)

**LAW DIVISION** (None)

**LIBRARY SERVICES** (None)

**MLGW DIVISION** (None)

**DIVISION OF PARKS AND NEIGHBORHOODS**

27. RESOLUTION appropriating \$1,700,000.00 from FY21 CIP Project #PK01032 for the new Ed Rice Community Center. This resolution is sponsored by Parks and Neighborhoods.

Logan  
Chairman,  
Parks &  
Environment

ACTION REQUESTED: Adopt the resolution

Committee

**DIVISION OF POLICE SERVICES** (None)

**DIVISION OF PUBLIC SERVICES** (None)

**DIVISION OF PUBLIC WORKS**

28. RESOLUTION requesting to appropriate additional funds in the amount of \$34,000.00 to an existing construction contract Project Title STP Group 5 Resurfacing, Project #PW01254. This resolution is sponsored by Public Works Division.

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

ACTION REQUESTED: Adopt the resolution

29. RESOLUTION transferring and appropriating construction funds in the amount of \$2,750,000.00 FY21-CIP Project #SW21201 to repair/rehab existing damaged sanitary sewer pipes using CIPP process at various locations. This resolution is sponsored by Public Works Division.

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

ACTION REQUESTED: Adopt the resolution

30. RESOLUTION transferring and appropriating construction funds in the amount of \$550,000.00 FY21 CIP Project #ST03220 to repair/rehab existing damaged storm drain pipes using CIPP process at various locations. 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**

31. RESOLUTION to create and fund an Anti-Violent Crime Task Force for the City of Memphis. This resolution is sponsored by Councilman Warren. (Held from 12/01; 12/15; 1/5)

Warren  
Chairman,  
Public Safety  
& Homeland  
Security  
Committee

ACTION REQUESTED: Adopt the resolution

**APPEARANCE CARDS FOR PUBLIC SPEAKING**

**ADJOURNMENT**