



CITY OF MEMPHIS

COUNCIL REGULAR MEETING AGENDA

Tuesday, March 2, 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

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 (February 16, 2021)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATION AND RECOGNITION OF VISITORS

1. INTRODUCTION of the Memphis Youth City Council.
2. PRESENTATION of the winner of the Celebrating Black History Student Speech Competition. This presentation is sponsored by Councilman Smiley.

PUBLIC HEARING (None)

DIVISION OF PLANNING AND DEVELOPMENT

3. RESOLUTION approving a planned development located at 3897 and 3901 Spottswood Avenue; containing +/-0.92 acres (expansion area) in the Residential Single Family – 6 (R-6) District. This resolution is sponsored by the Division of Planning and Development.
Canale
Chairman,
Planning
& Zoning
Committee
Case No. PD 20-20

Applicant: Tiger Estates, LLC
W.H. Porter Consultants PLLC – Tim Dagastino – Representative

Request: Expansion of the Spottswood Village PD (single family residential)

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

4. 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 T H I R D and F I N A L reading. This Ordinance is sponsored by the Division of Planning and Development.
Canale
Chairman,
Planning
& Zoning
Committee
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: Take whatever action Council deems advisable

28 NOTICES WERE MAILED ON FEBRUARY 5, 2021



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CONSENT AGENDA

GENERAL ORDINANCE- FIRST READING (None)

GENERAL ORDINANCE - SECOND READING (None)

ZONING ORDINANCE – FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

NOTATION FROM OPD (None)

ENGINEERING DIVISION

5. RESOLUTION approving the final plat for ALLENTOWN MANUFACTURE HOME VILLAGE (Allentown-South PD, Phase II) PD 06-322.

Contract No. CR – 5360

Resolution approving the final plat located at 4690 Raleigh Millington Road, Approximately 1,240 linear ft southeast of the New Allen Road intersection on the east side of Raleigh Millington Road intersection in the City of Memphis. Cost of improvements to be borne by the Developer. Resolution also authorizes to accept the Performance Bond No. CT025611 in the amount of \$153,200.00.

ACTION REQUESTED: Adopt the resolution



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FISCAL CONSENT AGENDA

(NONE)



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MLGW FISCAL CONSENT

6. RESOLUTION approving Change No. 1 to Contract No. 12262, HP-UX Support with Abtech Technologies, Inc. in the funded amount of \$42,000.00. (This change is to ratify and renew the current contract for the first of four annual renewal terms for the period covering February 3, 2021 through February 2, 2022, with no increase in rates from the initial term.)
7. RESOLUTION approving Change No. 1 to Contract No. 12263, Panaya Software As A Service (SAAS) with Panaya, Incorporated to change the current contract in the funded amount of \$21,000.00. (This change is to purchase 60 additional User Licenses (ORACLE Vendor Driven Impact Analysis in support of Oracle EBS 12.2 Upgrade for a seven-month term for the period covering April 1, 2021 through October 31, 2021.)
8. RESOLUTION approving Change No. 2 to Contract No. 12093, Printing Equipment Maintenance with Mitchell Graphic Repair dba MGR, Incorporated, in the funded amount of \$48,113.00. (This change is to renew the current contract for maintenance and support services for a twenty-four-month renewal term for the period covering June 3, 2021 through June 2, 2023. MLGW is requesting continuous maintenance, which can only be performed by Mitchell Graphic Repair dba MGR, Incorporated.)
9. RESOLUTION approving Change No. 1 to Contract No. 12261, Utility Bill Folder/Inserter Equipment and Software Maintenance with Bell and Howell, LLC in the funded amount of \$251,808.00. (This change is to renew the current contract for equipment and software maintenance for a forty-eight-month renewal term for the period covering April 9, 2021 through April 8, 2025. MLGW is requesting approval of continuous maintenance, which can only be performed by Bell and Howell, LLC.)
10. RESOLUTION awarding Contract No. 12228, 12" PE LFG De-commissioning to Action Environmental, in the funded amount of \$124,000.00.
11. RESOLUTION ratifying the approval, after the fact, of a payment of \$194,580.00 to Barnhardt Crane and Rigging for rental of cranes used during the emergency replacement of tower #739.
(Request for Same Night Minutes)



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REGULAR AGENDA

12.

Carlisle

Chairman,

Personnel,

Governmental

Affairs

Committee

APPOINTMENTS

HEALTH, EDUCATIONAL, HOUSING, AND FACILITY BOARD

Appointment

Sheleah Harris

MEMPHIS ANIMAL SERVICES

Appointment

Shea Flinn

Reappointment

Jacquelyn Johns

MEMPHIS AREA TRANSIT AUTHORITY

Appointment

Anton Mack

MEMPHIS HOUSING AUTHORITY

Appointment

Shelia Terrell

GENERAL ORDINANCES– THIRD AND FINAL READING

13. **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. (Held from 1/26; 2/2; 2/16)

Colvett
Chairman,
Executive
Session

ACTION REQUESTED: Take whatever action Council deems advisable

14. **SUBSTITUTE ORDINANCE** of the City of Memphis to amend the City of Memphis Code of Ordinances Chapter 21, Motor Traffic and Vehicles, Article III, Operation of Vehicles generally to add Section 21-134 to be entitled “Non-Driver Participation in Drag Racing and Reckless Driving Exhibitions”, to set penalties for violations and for other purposes, up for T H I R D and F I N A L reading. Ordinance No. 5771 is sponsored by Councilman Canale, Councilman Logan and Councilman Warren. (Held from 2/2; 2/16)

Warren
Chairman,
Public
Safety &
Homeland
Security
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

15. **SUBSTITUTE ORDINANCE** of the City of Memphis to amend the City of Memphis Code of Ordinances Chapter 21, Motor Traffic and Vehicles, Article X, Vehicle Equipment and Loads, to amend Section 21-350(c) and Section 21-350(f) regarding Mufflers Noise, up for T H I R D and F I N A L reading. Ordinance No. 5774 is sponsored by Councilman Canale. (Held from 2/2; 2/16)

Warren
Chairman,
Public Safety
& Homeland
Security
Committee

ACTION REQUESTED: Negative recommendation during Committee

16. **SUBSTITUTE ORDINANCE** of the City of Memphis to amend the City of Memphis Code of Ordinances, Chapter 21, Motor Traffic and Vehicles, Article X, Vehicle Equipment and Loads to add Subsections 21-335(B) and Section 21-336(B) regarding Muffler Violations and Penalties, up for T H I R D and F I N A L reading. Ordinance No. 5775 is sponsored by Councilman Canale. (Held from 2/2; 2/16)

Warren
Chairman,
Public Safety
& Homeland
Security
Committee

ACTION REQUESTED: Negative recommendation during Committee

17. **ORDINANCE** to amend City of Memphis, Code of Ordinances Chapter 5 “Animals and Fowl” to create Article V to restrict the "Retail Sale of Dogs and Cats at Pet Stores”, up for T H I R D and F I N A L reading. Ordinance No. 5777 is sponsored by Councilman Morgan, Councilman Warren and the Administration.

Easter-Thomas
Chairman,
Public Services,
Neighborhoods &
Youth Services
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

18. **ORDINANCE** to amend City of Memphis, Code of Ordinances, Chapter 33, Division IV, to modify Section 33-62 related to the Sewer Development Fee, up for T H I R D and F I N A L reading. Ordinance No. 5778 is sponsored by Public Works Division.

Smiley
Chairman,
Public Works,
Solid Waste &

ACTION REQUESTED: Take whatever action Council deems advisable

General Services
Committee

19. **ORDINANCE** to amend City of Memphis Code of Ordinances, Chapter 33, Division IV, to modify Section 33-65 related to the Sewer Extension Fee, up for T H I R D and F I N A L reading. Ordinance No 5779 is sponsored by Public Works Division.

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

ACTION REQUESTED: Take whatever action Council deems advisable

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION

20. **APPROVAL** of an Economic Impact Plan for the Downtown Mobility Authority and otherwise providing with respect to the foregoing. This resolution is sponsored by the Administration.

Ford
Chairman,
Economic
Development
& Tourism
Committee

ACTION REQUESTED: Adopt the resolution

21. **RESOLUTION** authorizing approval of the use of Pilot Extension Fund for payment of indebtedness or cost with respect to the purchase of 100 North Main and preconstruction cost and the cost of the development or redevelopment of parking on the 100 North Main site by the Downtown Mobility Authority and a portion of the cost of development of a parking garage by the Downtown Mobility Authority as a part of the redevelopment of the Snuff District, and otherwise providing with respect to the foregoing. This resolution is sponsored by the Administration.

Colvett
Chairman,
Executive
Session

ACTION REQUESTED: No recommendation during Committee

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES (None)

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

22. RESOLUTION adopting the City of Memphis Division of Parks and Neighborhoods' Master Plan, a guide for the next decade of parks-related operations and development. This resolution is sponsored by the Division of Parks and Neighborhoods.

Logan
Chairman,
Parks &
Environment
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS (None)

GENERAL ITEM

23. RESOLUTION amending the Memphis City Council Community Grant Program for FY2022. This resolution is sponsored by Councilman Jones and Councilman Smiley.

Morgan
Chairman,
Budget
Committee

ACTION REQUESTED: Adopt the resolution

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT