



CITY OF MEMPHIS

COUNCIL REGULAR MEETING AGENDA

Tuesday June 15, 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 Chief of Staff of the Memphis City Council.

PLEDGE OF ALLEGIANCE

CALL OF ROLL by the Comptroller

APPROVAL OF PREVIOUS MEETING MINUTES (June 1, 2021)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

1. RESOLUTION commemorating Juneteenth 2021 within the City of Memphis and spotlighting Memphians whose community-driven actions embody the spirit of the occasion. This resolution is sponsored by Councilwoman Easter-Thomas.

ACTION REQUESTED: Adopt the resolution.

PUBLIC HEARINGS

2.
Canale
Chairman,
Planning
& Zoning
Committee

RESOLUTION approving an amendment to the Tanglewood Place Planned Development at 795 Tanglewood Street and one adjacent parcel, known as PD 21-09. District 4 and Super District 8. This resolution is sponsored by the Division of Planning and Development.

Case No. PD 21-09

Applicant: Ella Residential, LLC, and WO SFR, LLC.
Tim McCaskill of McCaskill and Associates
(Representative)

Request: Commercial Planned Development

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

Request will be made for this item to be held until July 6, 2021.

DIVISION OF PLANNING AND DEVELOPMENT

3.
Canale
Chairman,
Planning
& Zoning
Committee

RESOLUTION approving a special use permit located at 2906 Old Austin Peay Highway; containing 0.27 acre in the Commercial Mixed Use – 3 District. This resolution is sponsored by the Division of Planning and Development. (Held from 3/16; 4/6)

Case No. SUP 20-16

Applicant: Fredrick Sengstacke of the Octopus Group, Inc.
Fredrick Sengstacke – Representative

Request: Special use permit for vehicle sales

LUCB recommendation: APPROVAL, with conditions

DPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

No Public Hearing Required

Request will be made for this item to be held until July 6, 2021.

4.
Canale
Chairman,
Planning
& Zoning
Committee

RESOLUTION approving an abandonment of paper Meda Street south of York; located nearest to 2197 Central Ave in District 10 and Super District 8. This resolution is sponsored by the Division of Planning and Development.

Case No. SAC 21-05

Applicant: City of Memphis/City Construction & Development, LLC
Cory Brady, PLA, AICP – Representative

Request: Abandonment of paper Meda Street south of York

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Public Hearing Not Required

No Opposition at LUCB; No Public Hearing Required

Request will be made for this item to be held until July 6, 2021.



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CONSENT AGENDA

GENERAL ORDINANCE- FIRST READING (None)

GENERAL ORDINANCES - SECOND READING

5. **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 Division 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. (Held from 5/4; 6/1)

Canale
Chairman,
Planning
& Zoning
Committee

Case No. ZTA 21-01
Ordinance No. 5784

Applicant: Office of the Shelby County Mayor
Alex Hensley, Special Asst. to Mayor Lee Harris – Representative

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

LUCB and DPD recommendation: APPROVAL

Held until July 6, 2021

ZONING ORDINANCE – FIRST READING

6. **ORDINANCE** approving a new historic overlay district located in the area roughly bound by Cypress Creek to the north, University & Springdale Streets to the east, North Parkway & Jackson Avenue to the South, and Watkins Street to the west; containing +/- 880 acres in the Historic (H) Overlay District up for **F I R S T** reading. Council Districts 5 & 7 and Super Districts 8 & 9. This Ordinance is sponsored by the Division of Planning and Development.

Canale
Chairman,
Planning
& Zoning
Committee

Case No. VEHD
Ordinance No. 5789

Applicant: Andy Kitsinger and Suzy Askew
Andy Kitsinger and Suzy Askew – Representatives

Request: Historic (H) Overlay District

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on First reading

ZONING ORDINANCE - SECOND READING

7.
Canale
Chairman,
Planning
& Zoning
Committee

ORDINANCE approving a new historic overlay district located in the area roughly bound by Autumn Avenue to the North, North Claybrook Street to the East, Poplar Avenue to the South, and Interstate 240 to the West; containing +/-81.30 acres in the Historic (H) Overlay District up for S E C O N D reading. This Ordinance is sponsored by the Division of Planning and Development. (Held from 5/18; 6/1)

Case No. CTHD
Ordinance No. 5783

Applicant: Jennifer Amido and Crosstown Memphis Comm. Development Corp.
Jennifer Amido and Anna Joy Tamayo – Representatives

Request: Historic (H) Overlay District

LUCB and DPD recommendation: APPROVAL

Request will be made for this item to be heard on July 6, 2021 for Third and Final Reading.

ZONING ORDINANCE- THIRD AND FINAL READING (None)

NOTATION FROM DPD

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

A. Case No. PD 21-14 – MEMPHIS AUTO AUCTION PD

Located +/- 1100 south of Winchester Road on the east and west sides of Prescott Road; containing +/-43.01 acres of the Residential Single-Family – 8 (R-8) and PD 18-28.

Applicant: Wilson Nelda D Spousal Access Trust and KE Investments /
KE Investments
Cory Brady of Integrated Land Solutions, PLLC (Representative)

Request: Expansion of an auto auction facility planned development

LUCB and DPD recommendation: APPROVAL WITH CONDITIONS

ACTION REQUESTED: Public Hearing Not Required

SUGGESTED DATE: Request will be made for this item to be heard on July 6, 2021.

ENGINEERING DIVISION

9. RESOLUTION approving the final plat for WOODLAND HILLS II PD, PHASE 14, PD 19-09, (COUNTY)

Contract No. CR-5373

Resolution approves the final plat located approximately 800 linear feet west of Woodland Trace Lane, north of Trinity Road in the present limits of unincorporated Shelby County. Cost of required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract and accept Financial Federal Letter of Credit No. 233A in the amount of \$39,600.00 in lieu of bond.

ACTION REQUESTED: Adopt the resolution

10. RESOLUTION approving public improvement plans of 20255 HOSPITALITY HUB

Contract No. CR-5374

Resolution approves the public improvement plans located at 590 North Washington Avenue in the City of Memphis. Cost of required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract and accept the Cashier's Check in the amount of \$72,400.00 in lieu of bond.

ACTION REQUESTED: Adopt the resolution

11. RESOLUTION accepting ENGLISH TOWNE C-P, LOT 3, PART OF TRACT 3 and authorizing release of bond.

(Contract No. CR-5296)

Resolution approves the public improvements as reflected on the final plat and located on the south side of Stage Road, approximately 1,545.50 linear feet east of Stage Road and Covington Pike intersection, in the City of Memphis, Tennessee. Resolution also authorizes the release of Cash Bond in the amount of \$93,900.00.

ACTION REQUESTED: Adopt the resolution

GENERAL ITEMS (None)



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FISCAL CONSENT AGENDA

12. RESOLUTION seeking the approval to accept (\$60,000) for the MPLOY Youth Summer Program from the Cummins Grant Agreement for the next 3 years. The youth summer program will receive (\$20,000) over the next 3 summers (FY22, FY23, FY24). This resolution is sponsored by The Office of Youth. **(Request for same night minutes)**



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MLGW FISCAL CONSENT

13. RESOLUTION approving Change No. 1 to Contract No. 12032, Electronic Bill Presentment and Payment Services with Fidelity Information Services, LLC (FIS Global), in the funded not-to-exceed amount of \$77,483.00. (This change is to ratify and expand the scope of work to adhere and comply with the National Automated Clearing House Association ("NACHA") new WEB Debit Account Validation Rule with a fraudulent transaction detection system to screen WEB debits based on agreed upon rates not-to-exceed the amount of \$77,483.00 effective March 19, 2021. The contract term will remain through August 31, 2023.)
14. RESOLUTION approving Change No. 5 to Contract No. 11914, MLGW Utility Payment Centers with FirsTech, Incorporated, in the funded amount of \$317,109.00. (This change is to extend the current contract for an additional six months through May 14, 2022 to allow time to secure a new contract for authorized pay agents and to build the new vendor system interface with the Customer Information System (CIS) application. In addition, this change is to increase the contract value in the funded amount with no increase in fees from the previous year, due to an increase of in-person payments made at authorized pay agents' locations and the addition of additional authorized pay agents.)
15. RESOLUTION approving Change No. 1 to Contract No. 12166, VMWare SLED Consulting and Learning Credits with Thomas Consultants, Inc., in the funded amount of \$590,257.20. (This change is to renew the current contract term for the period covering September 14, 2021 through September 13, 2022 in the amount of \$84,906.23 for TAM support. In addition, this change is to add funding to the current contract value in the amount of \$505,350.97 to upgrade Desktop Team Support and NSX TAS upgrades to assist with virtual firewalls and load balancers. The vendor will continue to provide annual maintenance and support services.)
16. RESOLUTION awarding Contract No.12209, courier services to Express Courier International, Inc. d/b/a LSO Final Mile, in the funded amount of \$150,166.17.
17. RESOLUTION awarding Contract No.12277, Drilled Pier Installation to Chris-Hill Construction Company, in the funded amount of \$967,415.00.

18. RESOLUTION approving Change No. 1 to Contract No. 12192, Professional Engineering Services for Gas Engineering with Energy Land & Infrastructure, LLC, in the funded amount of \$50,000.00. (This change is to ratify and renew the current contract for the first of four annual renewal terms for the period covering June 17, 2021 through June 16, 2022, based on agreed upon rates.)
19. RESOLUTION awarding Contract No.12248, Morton HSP Motor and VFD Replacement to Barnes and Brower, Incorporated, in the funded amount of \$1,249,537.00.
20. RESOLUTION awarding Contract No.12258, Shaw #2 VFD Replacement to Barnes and Brower, Incorporated, in the funded amount of \$693,694.00.
21. RESOLUTION awarding a purchase order to Brighter Days and Nites, Inc. for steel transmission monopole structures, in the amount of \$97,944.00.
22. RESOLUTION awarding a purchase order to Phenix Technologies, Inc. for a dielectric personal protection equipment (PPE) testing lab system, in the amount of \$539,720.00.
23. RESOLUTION awarding a purchase order to Trench Limited for the purchase of current limiting reactors, in the amount of \$118,080.00.
24. RESOLUTION awarding a purchase order to Engineered Sealing Components, LLC, for a substation capacitor bank, in the amount of \$95,565.25.
25. RESOLUTION approving Change No. 1 to Contract No. 12024, Employee Dental Plan with Cigna Health and Life Insurance Company, in the funded amount of \$2,815,464.00. (This change is to renew the current contract for first of two annual renewals covering the period January 1, 2022 through December 31, 2022 with an overall 5.50% increase in rates which includes quoted rate of 1.5% commissions and a rate cap of 4.0%. The original dental RFP was for a five-year term for the period covering January 1, 2019 through December 31, 2023. The first three years are at a flat guarantee rate (same rate for three years) and a rate cape of +5.5 for years two and three. The 1.5% commission is paid to Stanley Blue Group (Broker) as outlined in the contract. The Division's annual contribution will be \$10.00 per active employee per month. Active employees will pay the balance of the monthly premium. The retirees will pay 100% of their premium.)



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REGULAR AGENDA

BUDGET ITEMS

26. **ORDINANCE** appropriating the proceeds of the tax levy on the assessed values on all properties of every species within the City limits for general purposes for the Fiscal Year July 1, 2021 through June 30, 2022, up for T H I R D and final reading. Ordinance No. 5785 is sponsored by Finance Division. (Held from 6/1)
- Morgan
Chairman,
Budget
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

27. **ORDINANCE** fixing the Tax Rate of the City of Memphis for Fiscal Year 2022, up for T H I R D and final reading. Ordinance No. 5786 is sponsored by Finance Division. (Held from 6/1)
- Morgan
Chairman,
Budget
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

28. **RESOLUTION** approving the Capital Acquisition Budget and The Capital Improvement Program for Fiscal Years 2022 – 2026. This resolution is sponsored by Finance Division. (Held from 5/4; 6/1)
- Morgan
Chairman,
Budget
Committee

ACTION REQUESTED: Adopt the resolution

APPOINTMENTS (None)

GENERAL ORDINANCES THIRD AND FINAL READING

29. **ORDINANCE** amending the City of Memphis Code of Ordinances Chapter 9 “Health and Safety” Section 56 “Garbage Collection and Disposal” regarding landlords or property owners, up for T H I R D and FINAL reading. Ordinance No. 5788 is sponsored by Councilman Smiley.
- Smiley
Chairman,
Public Works,
Solid Waste &
General Services
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

30. **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; 5/18; 6/1)

Held until July 6, 2021

31. **ORDINANCE** protecting public health and the environment, preserve the Memphis Sand Aquifer, and promote environmental justice, up for T H I R D and F I N A L reading. Ordinance No. 5782 is sponsored by Councilman Warren and Councilman Ford. (Held from 4/20; 5/4; 5/18; 6/1)

Held until July 6, 2021

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION

FINANCE & ADMINISTRATION

32. RESOLUTION authorizing the issuance of not to exceed (\$150,000,000) General Obligation Bonds and Bond Anticipation Notes of the City of Memphis, TN. All Council Districts. This resolution is sponsored by the Finance Division.

ACTION REQUESTED: Adopt the resolution

33. RESOLUTION authorizing the issuance, sale, and delivery of a note not to exceed (\$210,000,000) aggregate principal amount of the City of Memphis, General Improvement Refunding Bonds, Series 2021. All Council Districts. This resolution is sponsored by the Finance Division.

ACTION REQUESTED: Adopt the resolution

DIVISION OF FIRE SERVICES

34. RESOLUTION transferring an allocation in the amount of (\$500,000.00) from FY21 Fire Station Improvement Cover to Security/Cameras and appropriating in G.O. Bonds project # FS02034, Security/Cameras. All Council Districts. This resolution is sponsored by Fire Services.

ACTION REQUESTED: Adopt the resolution

35. RESOLUTION appropriating (\$80,000.00) to FS02011 Replace Fire Station # 43 for Furniture, Fixtures, and Equipment. District 3, Super District 8. This resolution is sponsored by Fire Services.

Warren
Chairman,
Public Safety
& Homeland
Security
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF GENERAL SERVICES

36. RESOLUTION requesting approval of the sale of City owned surplus property known as 689 Saxon Avenue, Parcel ID # 025036 000111 Memphis, TN 38126. District 6, Super District 8. This resolution is sponsored by the General Services Division.

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

ACTION REQUESTED: Adopt the resolution

37. RESOLUTION requesting approval of the sale of City owned surplus property known as 1475 Gabay Street, Parcel # 034038 00007 Memphis, TN. 38106. District 6, Super District 8. This resolution is sponsored by the General Services Division.

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

ACTION REQUESTED: Adopt the resolution

38. RESOLUTION transferring (\$750,000.00) from CIP project #GS21101 FY21 Major Mod (roofing) to CIP project #GS20101 FY20 Major Mod (roofing) earmarked for the Memphis Zoo Hippo Barn Enclosure. District 5, Super District 9. This resolution is sponsored by the General Services Division.

Smiley
Chairman,
Public Works,
Solid Waste &
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 (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS (None)

GENERAL ITEMS (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT