



# CITY OF MEMPHIS

## COUNCIL REGULAR MEETING AGENDA

Tuesday July 6, 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 Chief of Staff of the Memphis City Council.*

### PLEDGE OF ALLEGIANCE

### CALL OF ROLL by the Comptroller

### APPROVAL OF PREVIOUS MEETING MINUTES (June 15, 2021)

### ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

### ITEMS HELD OR DROPPED FROM THE AGENDA

#### PRESENTATION AND RECOGNITION OF VISITORS

1. RESOLUTION honoring and recognizing Jaylen Lyndon Hunter as he takes on the lead role as Young Simba in Broadway Disney's *The Lion King*. This resolution is sponsored by Councilman Canale.

ACTION REQUESTED: Adopt the resolution.

#### PUBLIC HEARINGS

2. RESOLUTION approving an amendment to the Tanglewood Place Planned Development at 795 Tanglewood Street and one adjacent parcel. This resolution is sponsored by the Division of Planning and Development. (Held from 6/15)

Canale  
Chairman,  
Planning

Case No. PD 21-09

& Zoning  
Committee

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**

**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; 5/4)

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 Opposition at LUCB; No Public Hearing Required**

4.  
Canale  
Chairman,  
Planning  
& Zoning  
Committee

RESOLUTION approving the abandonment of paper Meda Street south of York located approximately 305.9 feet north of 2197 Central Ave. This resolution is sponsored by the Division of Planning and Development. (Held from 6/15)

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**

5.  
Canale  
Chairman,  
& Zoning  
Planning  
Committee

RESOLUTION approving the Memphis Auto Auction Planned Development at the subject property located +/- 1100 feet south of Winchester Road on the east and west sides of Prescott Road. This resolution is sponsored by the Division of Planning and Development. (Held from 6/15)

Case No. PD 21-14

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: Take whatever action Council deems advisable

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

6.  
Canale  
Chairman,  
Planning  
& Zoning  
Committee

RESOLUTION approving a special use permit at the subject property located at the block bound by South Front Street, Peabody Place, South Main Street, and Beale Street. This resolution is sponsored by the Division of Planning and Development.

Case No. SUP 21-11

Applicant: Downtown Memphis Commission  
Allen & Hoshall – Representative

Request: To allow a parking garage

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**

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 T H I R D and F I N A L reading. This Ordinance is sponsored by the Division of Planning and Development. (Held from 5/18; 6/1; 6/15)

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

ACTION REQUESTED: Take whatever action Council deems advisable



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## CONSENT AGENDA

### GENERAL ORDINANCE- FIRST READING (None)

### GENERAL ORDINANCES - SECOND READING

8. Smiley  
Chairman,  
Public Works,  
Solid Waste &  
General Services  
Committee
- ORDINANCE** to amend the City of Memphis Code of Ordinances Chapter 15 “Garbage, Trash, Refuse and Solid Waste” Article I, Division 4 “Disposal and Removal of Personal Property” regarding landlords or property owners, up for S E C O N D reading. All Council Districts. Ordinance No. 5790 is sponsored by Councilman Smiley, Councilwoman Robinson, Councilman Warren, Councilwoman Easter-Thomas, Councilman Jones, and Councilwoman Logan.

ACTION REQUESTED: Adopt the ordinance on Second reading

### ZONING ORDINANCE – FIRST READING (None)

### ZONING ORDINANCE - SECOND READING

9. 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 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)

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

ACTION REQUESTED: Adopt the ordinance on Second reading

10.  
Canale  
Chairman,  
Planning  
& Zoning  
Committee

**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 S E C O N D reading. This Ordinance is sponsored by the Division of Planning and Development.

Case No. VEHD  
Ordinance No. 5789

Applicant: Vollintine Evergreen Community Association (VECA)  
Andy Kitsinger and Suzy Askew – Representatives

Request: Historic (H) Overlay District

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on Second reading

**NOTATIONS FROM DPD**

11. **NOTATIONS 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 21-03 – SUNNY PINES PLANNED DEVELOPMENT

Located at 751 St. Paul Avenue containing 1.00 acre in the Residential Urban – 3.

Applicant: Ryan Fleming of Jules Verne, LLC  
Tim McCaskill of McCaskill and Associates, Inc. (Representative)

Request: Special use permit for a planned development

LUCB recommendation: REJECTION

DPD recommendation: APPROVAL, with conditions

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

**SUGGESTED DATE: July 20, 2021**

B. Case No. PD 21-05 – CORO VISTA PLANNED DEVELOPMENT

Located at 1560 Drew Road and an adjacent parcel containing 20.00 acre in the Residential – 6 and Residential – 10.

Applicant: Coro Vista, LLC  
Brenda Solomito of Solomito Land Planning (Representative)

Request: Special use permit for a planned development

LUCB and DPD recommendation: APPROVAL, with conditions

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

**SUGGESTED DATE: July 20, 2021**

C. Case No. PD 21-11 – M-TOWN PLANNED DEVELOPMENT

Located at 771 and 775 Tanglewood St. containing 0.20 acres in the Residential Urban – 1 (Historic) within the Midtown District Overlay.

Applicant: M-Town Properties, LLC  
Brenda Solomito of Solomito Land Planning (Representative)

Request: Special use permit for a planned development

LUCB and DPD recommendation: APPROVAL, with conditions

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

**SUGGESTED DATE: July 20, 2021**

D. Case No. SAC 21-01 – ST. NICK DRIVE SUBDIVISION

Located at 584 and 585 St. Nick Rd. containing 900 square feet in the Residential – 10.

Applicant: Christian Turner  
Brett Kyle (Representative)

Request: Physical closure of part of St. Nick Rd.

LUCB and DPD recommendation: REJECTION

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

**SUGGESTED DATE: July 20, 2021**

**ENGINEERING DIVISION**

12. RESOLUTION approving the engineering plans entitled AMAZON DELIVERY CENTER - DNA-4 (3140 VICTORY RIDGE COVE) TRAFFIC SIGNAL

Contract No. CR-5376

Resolution approves the final Improvement Plans located at the West End of Victory Ridge Cove in the City of Memphis, Tennessee. 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 Western Surety Company Bond in the amount of \$68,800.00.

ACTION REQUESTED: Adopt the resolution

13. RESOLUTION approving the engineering plans entitled MEMPHIS TERMINAL LHOIST NORTH AMERICA OF MISSOURI, INC.

Contract No. CR-5377

Resolution approves the final Improvement Plans located at 1151 Channel Avenue in the City of Memphis, Tennessee 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 Western Surety Company Bond in the amount of \$75,700.00.

ACTION REQUESTED: Adopt the resolution

14. RESOLUTION accepting DAVENPORT PD and authorizing release of bond.

(Contract No. CR-5268)

Resolution approves accepting the public improvements located on the Northeast corner of Tchulahoma Road and Holmes Road in the City of Memphis, Tennessee as indicated on the final plat entitled Davenport PD. Resolution also authorizes the release of Letter of Credit in the amount of \$25,000.00.

ACTION REQUESTED: Adopt the resolution

**GENERAL ITEMS** (None)





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## FISCAL CONSENT AGENDA

15. RESOLUTION to accept a donation of software platform to track Friends of the Library memberships and volunteer activities. Estimated monetary value of the Hands on Connect software is (\$7,880.00). This resolution is sponsored by Library Services. **(Request for same night minutes)**
16. RESOLUTION to accept, allocate and appropriate grant funds in the amount of (\$6,100.00) for the City of Memphis, Memphis Public Library & Information Center from the State of Tennessee Office of the Secretary of State. Tennessee State Library and Archives. This resolution is sponsored by Library Services **(Request for Same night minutes)**
17. RESOLUTION to accept a donation of (2) 2021 Ford Expeditions from the Memphis Fire Department Foundation with an estimated cost of (\$98,902.00) to be used by EMS RADAR program. This resolution is sponsored by Fire Services. **(Request for same night minutes)**
18. RESOLUTION to accept and appropriate grant funding in the amount of (\$800) from the State of Tennessee for In-Service Training for (1) employee. This resolution is sponsored by Fire Services **(Request for same night minutes)**



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## MLGW FISCAL CONSENT

19. Resolution approving Change No. 2 to Contract No. 11793, Over-the-Phone Language Interpreter Service with Universe Technical Translation, Incorporated. (This change is to extend the current contract for a one-year term for the period covering August 1, 2021 through July 31, 2022. In addition, this change is to increase the current contract value in the funded amount of \$132,000.00, which includes a 2% annual inflation rate as approved in the contract. These changes are due to the service usage and call volume increasing by various areas at the Division and the community offices' COVID-19 Restrictions.)
20. Resolution approving Change No. 3 to Contract No. 11594, PowerPlan Maintenance Agreement with PowerPlan, Incorporated, in the funded amount of \$1,671,850.78. (This change is to renew maintenance licenses for a five- year period covering December 19, 2021 through December 18, 2026 in the amount of \$1,387,142.62. In addition, this change is to extend the PowerPlan Advanced Support (AMS) term for the period covering September 30, 2021 through December 18, 2026 in the amount of \$273,420.49 to align the start and end date for both support packages. Lastly, MLGW is paying a pro-rated amount of \$11,287.67 to align the PowerPlan Advanced Support (AMS) term from September 30, 2021 through December 18, 2026. The annual escalation rate fee shall not exceed 3% each year for both support packages. MLGW is also requesting continuous maintenance of the acquired system, which can only be performed by PowerPlan, Incorporated.)
21. Resolution approving Change No. 2 to Contract No. 12265 (formerly Purchase Order No. 50107968), Autodesk with DLT Solutions, LLC, in the funded amount of \$106,627.80. (This change is to add 20 Autodesk Software licenses for Substation Engineering. In addition, this contract will now no longer have an annual renewal term and instead will have a three-year subscription term to align the contract start and end dates with the existing enterprise agreement with DLT. The contract value will increase in the funded amount of \$106,627.80. The contract term will remain through April 26, 2024. MLGW is requesting continuous maintenance of the acquired software, which can only be performed by DLT Solutions, LLC.)
22. Resolution awarding a twenty-four-month purchase order to Mac Papers for customer utility bill envelopes, in the amount of \$381,585.36.
23. Resolution awarding Contract No. 12247, Gas Transmission ROW Mowing and Tree Trimming to ABC Professional Tree Services, Inc. in the funded amount of \$663,400.00.

24. Resolution awarding Contract No. 12198, Electric Underground Distribution, Splicing and Trenchless Construction to Standard Electric Company, in the funded amount of \$69,744,720.35.
25. Resolution awarding a thirty-six-month purchase order to Harcros Chemicals, Inc. for fluorosilicic acid, in the amount of \$951,240.60.
26. Resolution awarding a purchase order to IAC Supply Solutions, Inc. for replacement of 750 kVA transformers, in the amount of \$76,284.00.
27. Resolution awarding Contract No. 12227, High Volume Outage Call Management to Intrado Corporation, in the funded amount of \$2,500,000.00.
28. Resolution approving Change No. 1 to Contract No. 11817, High Volume Outage Call Management with Intrado Interactive Services Corporation, in the funded amount of \$300,000.00. (This change is to extend the current contract through August 31, 2021, with no increase in the current rates, to allow time to secure a new contract.)
29. Resolution awarding a purchase order to Brighter Days and Nites, Inc. for drain valves and actuators, in the amount of \$124,790.00.
30. Resolution approving Change No. 2 to Contract No. 12017, Security Automation Installation and Service Agreement with Access Control Integration, Inc., in the funded amount of \$100,000.00. (This change is to ratify and renew the current contract for the second of three additional one-year terms covering the period of July 10, 2021 through July 9, 2022. This renewal also includes changes in the product line due to discontinued products by the manufacturer.)
31. Resolution giving contract authority to settle claims by and against MLGW in the amount of up to \$550,000.00 through a commitment to acquire certain maintenance services over a period of ten years. **(Request for Same Night Minutes)**



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## REGULAR AGENDA

### APPOINTMENTS (None)

### GENERAL ORDINANCES THIRD AND FINAL READING

32. **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; 6/15)

Colvett  
Chairman,  
Executive  
Session

ACTION REQUESTED: Take whatever action Council deems advisable

33. **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; 6/15)

Smiley  
Chairman,  
Public Works,  
Solid Waste &  
General Services

ACTION REQUESTED: Take whatever action Council deems advisable

34. **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; 3/2; 5/4)

Warren  
Chairman,  
Public  
Safety &  
Homeland  
Security  
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

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

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES (None)

35. RESOLUTION approving the sale of 223 Dixie Road Parcel ID #075010 00011  
Smiley Memphis, Tennessee 38109.

Chairman,

Public Works,

Solid Waste &

General Services

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