



CITY OF MEMPHIS

COUNCIL REGULAR MEETING AGENDA

Tuesday July 20, 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 (July 6, 2021)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATION AND RECOGNITION OF VISITORS

1. RESOLUTION approving an Honorary Street Name Change of Joubert Street between Kansas and Riverside in honor of The Temprees. This resolution is sponsored by Councilwoman Johnson.

ACTION REQUESTED: Adopt the resolution.

2. RESOLUTION honoring and congratulating Rachel Heck for being named the *NCAA Individual Champion* at Stanford University and the *2021 Annika Award Winner* as the nation's top female college golfer. This resolution is sponsored by Councilman Canale.

ACTION REQUESTED: Adopt the resolution.

PUBLIC HEARINGS

3.
Canale
Chairman,
Planning
& Zoning
Committee

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; 7/6)

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

4.
Canale
Chairman,
Planning
& Zoning
Committee

RESOLUTION approving the Sunny Pines Planned Development at 751 St. Paul Avenue. This resolution is sponsored by the Division of Planning and Development.

Case No. PD 21-03

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: Take whatever action Council deems advisable

78 NOTICES WERE MAILED ON JULY 12, 2021

5.
Canale
Chairman,
Planning
& Zoning
Committee

RESOLUTION approving the Coro Vista Planned Development at 1560 Drew Road and an adjacent parcel. This resolution is sponsored by the Division of Planning and Development.

Case No. PD 21-05

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: Take whatever action Council deems advisable

80 NOTICES WERE MAILED ON JULY 12, 2021

6.
Canale
Chairman,
Planning
& Zoning
Committee

RESOLUTION approving the M-Town Planned Development at 771 and 775 Tanglewood St.
This resolution is sponsored by the Division of Planning and Development.

Case No. PD 21-11

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: Take whatever action Council deems advisable

79 NOTICES WERE MAILED ON JULY 12, 2021

DIVISION OF PLANNING AND DEVELOPMENT

7.
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; 7/6)

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 Opposition at LUCB; No Public Hearing Required

8.
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. (Held from 7/6)

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

9.
Canale
Chairman,
Planning
& Zoning
Committee

RESOLUTION approving a planned development for property located at the west side of Elvis Presley Boulevard between E. Holmes Road and Scaife Road. This resolution is sponsored by the Division of Planning and Development.

Case No. PD 21-18

Applicant: BLP File Studios, LLC
Dedrick Brittenum of Brittenum Law, PLLC (Representative)

Request: Planned development to allow a film studios mixed-use plan with associated accessory structures and uses

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

10.
Canale
Chairman,
Planning
& Zoning
Committee

RESOLUTION approving the Vasquez Clean Up, LLC. Planned Development at the subject property located at 3969 and 3975 Geraldus Avenue. This resolution is sponsored by the Division of Planning and Development.

Case No. PD 21-13

Applicant: Guadalupe Vasquez
Varonica Cooper / Brandi Price – Cooper Law Firm (Representative)

Request: Commercial cleaning business 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

ZONING ORDINANCE- THIRD AND FINAL READING

11.
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; 7/6)

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

12.
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 T H I R D and F I N A L 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: Take whatever action Council deems advisable

13.
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 **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 5/4; 6/1; 7/6)

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: Take whatever action Council deems advisable



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CONSENT AGENDA

GENERAL ORDINANCE- FIRST READING

14. **ORDINANCE** to amend, Chapter 33, Article I, Article II, Divisions 1 Through 4, Article III, Divisions 1 through 4, to delete Article II, Divisions 5 and 6, and to create a new Article IV, Divisions 1 through 6 of the City of Memphis Code of Ordinances, to update, permit, and discharge associated requirements for industrial and other users of the city's sewer system in accordance with federal and state regulations, and to provide for protection of the city's publicly owned treatment works including the sanitary sewer collection system, up for F I R S T reading. Ordinance No. 5793 is sponsored by Councilman Carlisle.

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

15. **SUBSTITUTE ORDINANCE** to amend the City of Memphis Code of Ordinances, Chapter 16 "Health and Sanitation", to protect public health and the environment, preserve the Memphis Sand Aquifer, and promote environmental justice, up for F I R S T reading. Ordinance No. 5794 is sponsored by Councilman Warren.

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

ACTION REQUESTED: Adopt the ordinance on First reading

GENERAL ORDINANCES - SECOND READING (None)

ZONING ORDINANCE – FIRST READING

16. **ORDINANCE** amending Ordinance No. 5367 of the Code of Ordinances, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development Code, so as to make certain changes in the use districts provided in said ordinance, up for F I R S T reading. This Ordinance is sponsored by the Division of Planning and Development.

Canale
Chairman,
Planning
& Zoning
Committee

Case No. Z 21-05
Ordinance No. 5791

Applicant: Bobalu, LLC
Dedrick Brittenum of Brittenum Law, PLLC (Representative)

Request: Residential Single-Family – 6 (R-6)

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on First reading

17.
Canale
Chairman,
Planning
& Zoning
Committee

ORDINANCE amending Chapter 8.5 of Ordinance No. 5367 of the Code of Ordinances, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development Code, to delete a section of the Central Avenue Residential Corridor, up for F I R S T reading. This Ordinance is sponsored by the Division of Planning and Development.

Case No. RC 21-05
Ordinance No. 5792

Applicant: Bobalu, LLC
Dedrick Brittenum of Brittenum Law, PLLC (Representative)

Request: Residential corridor deletion at 3535 Central Avenue

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Adopt the ordinance on First reading

ZONING ORDINANCE - SECOND READING (None)

NOTATIONS FROM DPD

18. **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 21-20 – 35 CENTRAL PLANNED DEVELOPMENT**

Located at 3535 Central Ave containing +/-2.46 acres in the Residential Urban – 3, University District Overlay, and Residential Corridor Overlay.

Applicant: Bobalu, LLC
Dedrick Brittenum of Brittenum Law, PLLC (Representative)

Request: Mixed use planned development

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: August 17, 2021

ENGINEERING DIVISION

19. RESOLUTION accepting PORTER-LEATH EARLY CHILDHOOD ACADEMY 2 and authorizing release of bond.

(Contract No. CR-5320)

Resolution approves accepting the public improvements as reflected on the final engineering plan located at 3060 Baskin Street, northeast corner lot in the Baskin/Whitney Avenue intersection in the City of Memphis, Tennessee. Resolution also authorizes the release of Performance Bond NO. 107076501 in the amount of \$90,900.00.

ACTION REQUESTED: Adopt the resolution

GENERAL ITEMS (None)

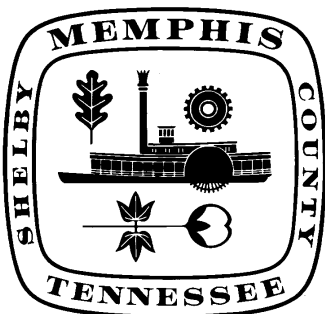


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FISCAL CONSENT AGENDA

(NONE)



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MLGW FISCAL CONSENT

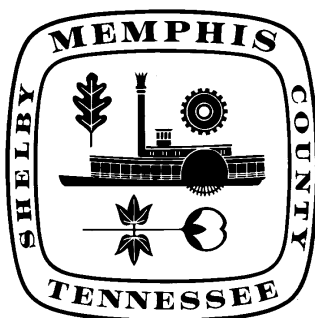
20. Resolution approving Change No. 1 to Contract No. 11922, Corporate Backup Hardware with Thomas Consultants, Incorporated to ratify and renew the current contract in the funded amount of \$46,390.40. (This change is to ratify and renew annual maintenance for the current contract for the period covering June 28, 2021 through June 27, 2022.)
21. Resolution awarding Contract No. 12308, B2GNow Maintenance Software Service Agreement to B2GNow, in the funded amount of \$102,636.00
22. Resolution approving Change No. 2 to Contract No. 11595, Telvent Maintenance Agreement with Schneider Electric Smart Grid Solutions, LLC (formerly Telvent USA, LLC), in the funded amount of \$239,700.00. (This change is to renew the current contract for maintenance and support services for a three-year term for the period covering January 1, 2022 through December 31, 2024, which reflects a 53% decrease in rates from the previous term. In addition, this change is to add an Enterprise License Agreement (ELA) for ArcFM Solutions. MLGW is requesting continuous maintenance of the acquired system, which can only be performed by Schneider Electric Smart Grid Solutions, LLC.)
23. Resolution approving Change No. 1 to Contract No. 12304 (Formerly Purchase Order #7015763), Veeam Backup and Replication Enterprise Plus Annual Production with Logicalis, Inc., in the funded amount of \$88,211.55. (This change is to renew annual maintenance for Veeam software support and maintenance services and to co-term Veeam license agreements 02249375, 02407580 and 0235760 for the periods covering November 13, 2021 through November 12, 2022. MLGW will have cost savings of 4.67% by co-termining the license agreements to synchronize renewal dates.)
24. Resolution approving a position for a Pipeline Integrity Engineer 3.
25. Resolution approving Change No. 3 to Contract No. 12023, Aerial Patrol of Gas Transmission Right-of-Way with Tennessee Helicopter Services, Inc., in the funded amount of \$60,000.00. (This change is to renew the current contract for the third of four annual renewal terms for the period covering August 29, 2021 through August 28, 2022, with no increase in rates from the previous year.)

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26. Resolution awarding Contract No. 12194, NERC Professional Engineering Compliance Consultant to Guidehouse, Inc., in the funded amount of \$1,074,508.44.

27. Resolution approving Change No. 6 to Contract No. 11427, Audio-log Recorders Upgrade with Carolina Recording System, in the funded amount of \$51,276.39. (This change is to extend the current contract for a one year term for the period covering November 1, 2021 through October 31, 2022, with a 3% increase in rates due to inflation. This extension is needed to continue the transition from the Audio-log Voice Recording System to the Genesys Media Server application for voice recording on the Genesys IVR system.)
28. Resolution approving Change No. 1 to Contract No. 11954, Basic Long Distance with AT&T Corporation, in the funded amount of \$68,629.94. (This change is to renew the current contract for the first of two annual renewal terms for the period covering January 1, 2022 through December 31, 2022 in the amount of \$40,630.92 which includes 10% for contingency funds for any unforeseen services. In addition, this change is to increase the current contract value in the amount of \$27,999.02 due to the increased long distance demand from dialing into Zoom calls during the COVID-19 Pandemic.)
29. Resolution awarding a purchase order to Travis Pattern & Foundry, Inc., for replacement fittings, in the amount of \$141,974.65.
30. Resolution awarding Contract No. 12280, South Service Center Re-paving to Lehman-Roberts Company in the funded amount of \$774,389.50.
31. Resolution awarding Contract No. 12281, Hickory Hill Service Center Re-paving to A and B Construction Company, Inc. in the funded amount of \$522,448.12.
32. Resolution awarding a twenty-four month purchase order to M & H Valve Company, for fire hydrants, in the amount of \$1,133,406.40.



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REGULAR AGENDA

APPOINTMENTS

33. **MEMPHIS AND SHELBY COUNTY BUILDING CODE AUTHORITY**

Carlisle

Chairman,
Personnel &

Governmental
Affairs

Committee

Reappointment

Antonio Bologna

MEMPHIS AND SHELBY COUNTY BOARD OF ADJUSTMENT

Reappointments

Mary Baker

Timothy Rainey

GENERAL ORDINANCES THIRD AND FINAL READING

34. **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; 7/6)

Colvett
Chairman,
Executive
Session

ACTION REQUESTED: Take whatever action Council deems advisable

35. **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 T H I R D and F I N A L reading. Ordinance No. 5790 is sponsored by Councilman Smiley, Councilwoman Robinson, Councilman Warren, Councilwoman Easter-Thomas, Councilman Jones, and Councilwoman Logan.

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

ACTION REQUESTED: Take whatever action Council deems advisable

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CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION

36. RESOLUTION to transfer an allocation of \$75,000 from PK20100-Parks Coverline to GA01031-Play Yard Renovation and appropriate same. This resolution is sponsored by the Finance Division.

Easter-Thomas
Chairman,
Public Service,
Arts, Libraries, &
Youth Initiatives
Committee

ACTION REQUESTED: No recommendation from Council

DIVISION OF FIRE SERVICES

37. RESOLUTION to accept funding from Tennessee Department of Environment and Conservation Volkswagen Diesel Settlement Environmental Mitigation Trust (VW Settlement) Medium and Large Truck Grant Program in the amount of (\$999,779.29) to be used for partial funding for the purchase of medium and large trucks. This resolution is sponsored by Fire Services.

Warren
Public Safety &
Chairman,
Homeland
Security
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF GENERAL SERVICES

38. RESOLUTION requesting the approval of the sale City owned property known as 1925 Union Ave Memphis TN, 38104; Parcel ID #016052 00029, 016052 00028, & 016052 00022: The former Union Avenue Police Precinct. This resolution is sponsored by General Services.

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)

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DIVISION OF PARKS AND NEIGHBORHOODS (None)

DIVISION OF POLICE SERVICES

39. RESOLUTION to accept, allocate and appropriate grant funds in the amount of (\$52,000.00) from the Shelby County Sheriff's Office to finance the City's work to reduce violent crime in Shelby County, Tennessee through collaborative federal, state, and local criminal justice efforts. This resolution is sponsored by Police Services.

Warren
Chairman,
Public Safety &
Homeland
Security
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS

40. RESOLUTION appropriating \$1,000,000.00 in G. O. Bonds – to LED Traffic Signal Replacement, Project Number EN01096. This resolution is sponsored by the Division of Public Works.

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

ACTION REQUESTED: Adopt the resolution

41. RESOLUTION amending the FY22 Capital Improvement Budget by transferring an allocation and appropriating \$590,000.00 in G.O. Bonds – from Traffic Signals, Project Number EN22100, to Traffic Signal, Fixtures, and Furniture, Project Number EN01109, for the purchase of traffic signal equipment needed for Emergency Maintenance and Construction throughout FY22. This resolution is sponsored by the Division of Public Works.

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

ACTION REQUESTED: Adopt the resolution

42. RESOLUTION amending the FY22 Capital Improvement Budget by transferring an allocation and appropriation of \$1,350,000.00 in G.O. Bonds – from the Traffic Calming Devices Coverline EN22200, to Speed Hump Installation Group 12, Project Number EN01099. This resolution is sponsored by the Division of Public Works.

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

ACTION REQUESTED: Adopt the resolution

GENERAL ITEMS (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT