



CITY OF MEMPHIS

COUNCIL REGULAR MEETING AGENDA

Tuesday August 3, 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 20, 2021)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATION AND RECOGNITION OF VISITORS (None)

PUBLIC HEARINGS

1. RESOLUTION approving the Sunny Pines Planned Development at 751 St. Paul Avenue.
This resolution is sponsored by the Division of Planning and Development. (Held from 7/20)

Canale
Chairman,
Planning
& Zoning
Committee

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

2.
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. (Held from 7/20)

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

DIVISION OF PLANNING AND DEVELOPMENT

3.
Canale
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving the Avanti Planned Development at the subject property located at 1427 North Germantown Parkway. This resolution is sponsored by the Division of Planning and Development.

Case No. PD 21-24

Applicant: OWS Partnership
SR Consulting LLC – Representative

Request: Amendment to allow a car wash

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,

RESOLUTION approving a special use permit at the subject property located at 3521 Lamar Avenue. This resolution is sponsored by the Division of Planning and Development.

Planning &
Zoning
Committee

Case No. SUP 21-12

Applicant: Aman Devji
Neeraj Kumar – Representative

Request: To upgrade an existing gas station that does not lie at the intersection of two collectors, one collector, and one arterial street or two arterials.

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

5.
Canale
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a special use permit at the subject property located at 3543 Covington Pike. This resolution is sponsored by the Division of Planning and Development.

Case No. SUP 21-15

Applicant: James Wright, LLC
Carmichael Johnson – Representative

Request: To allow for a new Office Building

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 for a planned development at 3046 Sharpe Ave. This resolution is sponsored by the Division of Planning and Development.

Case No. PD 21-25

Applicant: Cedric Peete / Kaycey Hobson
Delinor Smith of Smith Building Design and Associates, Inc.
– Representative

Request: Special use permit for a 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

7.
Canale
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a special use permit for a planned commercial development at 2977 Broad Ave. This resolution is sponsored by the Division of Planning and Development.

Case No. PD 21-15

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

Request: Special use permit for a planned commercial development

LUCB recommendation: APPROVAL, with conditions

DPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

ZONING ORDINANCE- THIRD AND FINAL 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 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; 7/20)

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 (None)

GENERAL ORDINANCES - SECOND READING

9. Smiley
Chairman,
Public Works,
Solid Waste &
General Services
Committee
- 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 **S E C O N D** reading. All Council Districts. Ordinance No. 5793 is sponsored by the Division of Public Works.

ACTION REQUESTED: Adopt the ordinance on Second reading

10. Smiley
Chairman,
Public Works,
Solid Waste &
General Services
Committee
- 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 **S E C O N D** reading. All Council Districts. Ordinance No. 5794 is sponsored by Councilman Warren.

ACTION REQUESTED: Adopt the ordinance on Second reading

ZONING ORDINANCE – FIRST READING (None)

ZONING ORDINANCE - SECOND READING

11. Canale
Chairman,
Planning
& Zoning
Committee
- 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 **S E C O N D** reading. District 5, Super District 9. This Ordinance is sponsored by the Division of Planning and Development.

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 Second reading

12.
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 S E C O N D reading. District 5, Super District 9. 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 Second reading

NOTATIONS FROM DPD (None)

ENGINEERING DIVISION

13. RESOLUTION accepting GREEN DOT PUBLIC SCHOOLS PHASE 4- ROSS ROAD WIDENING and authorizing release of bond.

(Contract No. CR-5325)

Resolution approves accepting the public improvements as reflected on the final engineering plan located along Ross Road north of the Raines Road and Ross intersection approximately 775 linear feet in the City of Memphis, Tennessee. Resolution also authorizes the release of Performance Bond No. 4428344 in the amount of \$276,400.00.

ACTION REQUESTED: Adopt the resolution

14. RESOLUTION accepting plat and improvements for CORDOVA RIDGE PD, PHASE 12/ SHELBY COUNTY, TN (09-302CC) and release of bond.

(Contract No. CR-5338)

Resolution accepts the final plat and improvements located approximately 810 linear feet east of N. Houston Levee and Macon Road intersection on the south side of Macon Road within the present limits of the unincorporated area of Shelby County, Tennessee. Resolution also authorizes the release of the Certificate of Deposit in the amount of \$5,000.00.

ACTION REQUESTED: Adopt the resolution

15. RESOLUTION accepting plat and improvements for WOODLAND HILLS II PD, PART OF AREAS 4, 5, & 6 and release of bond.

(Contract No. CR-5366)

Resolution accepts the final plat and improvements located 800 linear feet west of Woodland Trace Lane, north of Trinity Road within the present limits of Shelby County. Resolution also authorizes the release of the Federal Financial Company Bond in the amount of \$125,000.00.

ACTION REQUESTED: Adopt the resolution

16. RESOLUTION accepting plat and improvements for HOLMES/MINERAL WELLS PD, PHASE 16, PART OF PARCEL A and release cash bond held as security.

(Contract No. CR-5334)

Resolution accepts the final plat and improvements located on the southwest corner lot of the Global Drive and Distriplex Farms Drive in the City of Memphis. Resolution also authorizes the release Cash Bond in the amount of \$66,000.00 held as security for project.

ACTION REQUESTED: Adopt the resolution

GENERAL ITEMS (None)



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FISCAL CONSENT AGENDA

17. RESOLUTION to accept, allocate, and appropriate grant funds in the amount of \$1,192,500.00 from the State of Tennessee, Office of the Secretary of State Tennessee State Library and Archives. All Council Districts. This resolution is sponsored by Library Services. **(Request for same night minutes)**
18. RESOLUTION to accept and appropriate grant funds from the Department of Health and Human Services in the amount of 3,900,000.00 to be used for improving health literacy. All Council Districts. This resolution is sponsored by Fire Services. **(Request for same night minutes)**
19. RESOLUTION to accept funds in the amount of \$2,750.00 from Kiwanis Club to support 2021 Summer Camps. All Council Districts. This resolution is sponsored by Parks Services. **(Request for same night minutes)**



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MLGW FISCAL CONSENT

20. RESOLUTION approving Change No. 1 to Contract No. 12309 (Formerly Purchase Order #7021873, 7023165, and 7024934), Veritas NetBackup Maintenance with Thomas Consultants, Inc., in the funded amount of \$165,951.58. (This change is to ratify and renew annual maintenance for Veritas NetBackup Platform Base software licenses, maintenance, and support services for the period covering August 11, 2021 through September 30, 2022.)
21. RESOLUTION awarding a purchase order to MSM Solutions, for mobile handheld computers, in the amount of \$112,720.05.
22. RESOLUTION approving the position for a Computer Software Specialist 3.
23. RESOLUTION awarding Contract No. 12186, Family Medical Leave Act to Unum Group, in the funded amount of \$77,568.00.
24. RESOLUTION approving Contract No. 12313 between Memphis Light, Gas and Water Division and ANR Pipeline Company, in the amount of approximately \$5,000,000, for four years, effective April 1, 2022 and ending March 31, 2026.
25. RESOLUTION approving Change No. 7 to Contract No. 10614, Bloomberg Data License and Maintenance Agreement with Bloomberg, L.P. in the funded not-to-exceed amount of \$73,200.00. (This change is to renew the current contract for bi-annual software maintenance, licenses, and support services for an additional two-year term covering the period September 2, 2021 through September 1, 2023, which can only be performed by Bloomberg, L.P.)
26. RESOLUTION approving Change No. 4 to Contract No. 11982, Rental Equipment Insurance Coverage with Clay and Land Insurance, Incorporated, in the funded amount of \$23,000.00. (This change is to renew the current contract for the fourth and final annual renewal term for the period covering August 24, 2021 through August 23, 2022, with no increase in rates from the previous renewal.)
27. RESOLUTION awarding a purchase order to Engineered Sealing Components, LLC, for polyvinyl chloride (PVC) conduit, in the amount of \$318,925.70.

28. RESOLUTION awarding a purchase order to Stribling Equipment LLC, for a diesel powered crawler tractor with a blade, in the amount of \$116,895.84.
29. RESOLUTION awarding a twenty-four month purchase order to Automotive Tool Group, for fiber optic ground wire (OPGW), in the amount of \$555,012.00.
30. RESOLUTION awarding a purchase order to Howard Industries, Inc., for three phase overhead distribution transformers, in the amount of \$403,629.00.



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REGULAR AGENDA

APPOINTMENTS

31. **MEMPHIS ALCOHOL COMMISSION**
Carlisle
Chairman,
Personnel &
Governmental
Affairs
Committee
- Reappointment
Jared Johnson

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; 7/6; 7/20)

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

33. Smiley
RESOLUTION approving the sale of 1068 E. Mosby Avenue – Parcel ID #020089 00027 Memphis, Tennessee 38105. District 7, Super District 8. This resolution is

Chairman,
Public Works,
Solid Waste &
General Services
Committee

sponsored by 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

34. RESOLUTION requesting a comprehensive traffic study of incorporated parts of
Smiley Cordova. Districts 1 & 2, Super District 9. This resolution is sponsored by Councilmen
Chairman, Carlisle, Colvett, and Smiley.
Public Works,

ACTION REQUESTED: Adopt the resolution

Solid Waste &
General Services
Committee

GENERAL ITEMS

35. RESOLUTION exempting a proposed gas station and convenience store located at
Canale 3597 Winchester Road. District 3, Super District 8. This resolution is sponsored by
Chairman, Councilwoman Logan.
Planning

ACTION REQUESTED: Adopt the resolution

& Zoning
Committee

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT