



CITY OF MEMPHIS

COUNCIL REGULAR MEETING AGENDA

Tuesday August 17, 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 (August 3, 2021)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATION AND RECOGNITION OF VISITORS

1. RESOLUTION recognizing Jessica Ramsey for her participation in the Tokyo 2020 Olympic Games. All Council Districts. This resolution is sponsored by Councilman Jones.

ACTION REQUESTED: Adopt the resolution

PUBLIC HEARINGS

2. 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; 8/3)

Canale
Chairman,
Planning
& Zoning

Case No. PD 21-03

Committee

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

3.
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; 8/3)

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

4.
Canale
Chairman,
Planning
& Zoning
Committee

RESOLUTION approving the 35 Central Planned Development at the subject property located at 3535 Central Avenue (southeast corner of Central and Highland). This resolution is sponsored by the Division of Planning and Development.

Case No. PD 21-20

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

Request: Mixed use planned development

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

96 NOTICES WERE MAILED ON AUGUST 6, 2021

DIVISION OF PLANNING AND DEVELOPMENT

5.
Canale
Chairman,
Planning &
Zoning
Committee

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. (Held from 8/3)

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

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. (Held from 8/3)

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. (Held from 8/3)

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

8.
Canale
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving the Vada Planned Development located at the east side of Charles Bryan Road and north of Elmore Road. This resolution is sponsored by the Division of Planning and Development.

Case No. PD 21-22

Applicant: Ernest S. & Catherine L. Long/Eddie Kircher Construction
W.H. Porter Consultants, PLLC – Representative

Request: Planned development to allow twenty-three (23) lots for construction of new side yard houses

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

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 **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; 8/3)

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

10.
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 T H I R D and F I N A L 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: Take whatever action Council deems advisable

11.
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 T H I R D and F I N A L 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: Take whatever action Council deems advisable



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CONSENT AGENDA

GENERAL ORDINANCE- FIRST READING

12. **ORDINANCE** to amend the Unified Development Code to Create a Well Head Overlay Protection District for the City of Memphis, up for F I R S T reading. All Council Districts. Ordinance No. 5795 is sponsored by Councilmen Ford, Smiley, and Colvett.

Colvett,
Chairman
Executive
Session

ACTION REQUESTED: Adopt the ordinance on First reading

GENERAL ORDINANCES - SECOND READING

ZONING ORDINANCE – FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

NOTATIONS FROM DPD (None)

ENGINEERING DIVISION

13. **RESOLUTION** accepting plat and improvements for 200 GERMANTOWN PARKWAY PD (PD-16-13) and release of the Cash Bond.

(Contract No. CR-5260)

Resolution accepts the final plat and improvements located east of Germantown Parkway at Smythe Road in the City of Memphis. Resolution also authorizes the release of the Cash Bond in the amount of \$294,700.00.

ACTION REQUESTED: Adopt the resolution

GENERAL ITEMS (None)



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FISCAL CONSENT AGENDA

(NONE)



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MLGW FISCAL CONSENT

14. RESOLUTION awarding a Purchase Order to Technologent for Splunk Enterprise license subscription renewals in the amount of \$630,000.00
15. RESOLUTION awarding Contract No. 12307, Assessing MLGW Assessment Center Candidate to Alignmark, LLC in the funded amount of \$138,600.00.
16. RESOLUTION awarding Contract No. 12288, Gas Matrix Utility Landscaping to Enlightenment, Inc. dba ASP Facility Maintenance in the funded amount of \$398,448.00.
17. RESOLUTION awarding a Purchase Order to LightSpeed Technologies, Inc. for multiprotocol label switching (MPLS) network expansion equipment in the amount of \$365,230.00.
18. RESOLUTION awarding a Purchase Order to Summit Truck Group, for Class 8 Cab / Crew Cab & Chassis in the amount of \$694,284.00.
19. RESOLUTION awarding a Purchase Order to Summit Truck Group, for 6-ton cab and chassis tractors in the amount of \$314,055.00.
20. RESOLUTION awarding a Purchase Order to Elster American Meter Company, for gas smart meters, in the amount of \$1,097,520.00.



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REGULAR AGENDA

APPOINTMENTS

21. MUNICIPAL SOLID WASTE PLANNING BOARD

Carlisle

Chairman, Appointment

Personnel &

Governmental Darius Jones

Affairs

Committee Reappointment

Philip Davis

GENERAL ORDINANCES THIRD AND FINAL READING

22. **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; 8/3)

ACTION REQUESTED: Take whatever action Council deems advisable

23. **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 T H I R D and F I N A L reading. All Council Districts. Ordinance No. 5793 is sponsored by the Division of Public Works.

ACTION REQUESTED: Take whatever action Council deems advisable

24. **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 T H I R D and F I N A L reading. All Council Districts. Ordinance No. 5794 is sponsored by Councilman Warren.

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 (None)

DIVISION OF FIRE SERVICES

25. RESOLUTION to accept and appropriate Interagency Hazardous Materials Public Sector Training and Planning Grant Program funds from USDOT-Pipeline and Hazardous Materials Safety Administration in the amount of \$120,000.00 to be used for large scale pipeline training prop. All Council Districts. This resolution is sponsored by Fire Services.

Warren
Chairman,
Public Safety
& Homeland
Security
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF GENERAL SERVICES

26. RESOLUTION approving the sale of a city owned property known as 2451 Brooklyn Avenue Memphis, TN 38114, Parcel ID #061014 00010. District 4, Super District 8. 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

27. RESOLUTION to cease any movement of Tennessee Valley Authority’s proposed plan to relocate coal ash to District 3 and urge TVA to not dump within MLGW’s service delivery area. All Council Districts. This resolution is sponsored by Councilmembers Canale, Carlisle, Colvett, Ford, Johnson, Morgan, Robinson, Smiley, and Warren.
Robinson
Chairman,
MLGW
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF PARKS AND NEIGHBORHOODS

(None)

DIVISION OF POLICE SERVICES

28. RESOLUTION to transfer and appropriate funds to renovate the existing MPD Radio Maintenance Facility on Flicker St., Project Number PD04029. District 5, Super District 9. 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

29. RESOLUTION to transfer and appropriate construction funds in the amount of \$452,545.00 from Project #PW04103 (Walker Ave. Streetscape, Phase 2) to Project #PW01147 (Malone and Holmes to Shelby) for the construction of sidewalks, curb and gutter, pavement, and landscaping. District 3, Super District 8. 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

30. RESOLUTION authorizing the Memphis and Shelby County Division of Planning and Development to perform a review of the City’s Landmarks Districts. All Council Districts. This resolution is sponsored by Councilman Morgan.
Canale
Chairman,
Planning
& Zoning
Committee

ACTION REQUESTED: Adopt the resolution

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT