



CITY OF MEMPHIS

COUNCIL REGULAR MEETING AGENDA

Tuesday September 21, 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 (September 7, 2021)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

1. RESOLUTION approving an Honorary Street Name Change of East Raines Road between Riverdale Road and Ross Road for Dr. Tonya Lyons. This resolution is sponsored by Councilman Smiley. **(Request for same night minutes)**

PUBLIC HEARINGS (None)

DIVISION OF PLANNING AND DEVELOPMENT

ZONING ORDINANCE- THIRD AND FINAL READING

2. **ORDINANCE** amending the Memphis and Shelby County Unified Development Code as adopted by the City of Memphis August 10, 2010, and by Shelby County Canale

Chairman,
Planning
& Zoning
Committee

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; 8/17)

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

3.
Colvett,
Chairman
Executive
Session

ORDINANCE to amend the Unified Development Code to Create a Well Head Overlay Protection District for the City of Memphis, up for T H I R D and F I N A L reading. All Council Districts. This Ordinance is sponsored by Councilmen Ford, Smiley, and Colvett.

Case No. ZTA 21-03
Ordinance No. 5795

Applicant: Memphis City Council
Josh Whitehead, Zoning Administrator – 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 ORDINANCES- FIRST READING

4. **JOINT ORDINANCE** amending the Memphis and Shelby County Building Code, so as to adopt the 2021 Edition of ICC International Building Code and local amendments, including certain appendices in the ICC Building Code to replace an outdated Building Code and setting applicable fees for permits and inspections, up for F I R S T reading. Ordinance No. 5799 is sponsored by the Division of Planning and Development.
- Canale
Chairman,
Planning &
Zoning
Committee

ACTION REQUESTED: Adopt the ordinance on First reading

5. **JOINT ORDINANCE** amending the Memphis and Shelby County Existing Building Code, so as to adopt the 2021 Edition of the ICC International Existing Building Code and local amendments, up for F I R S T reading. Ordinance No. 5800 is sponsored by the Division of Planning and Development.
- Canale
Chairman,
Planning &
Zoning
Committee

ACTION REQUESTED: Adopt the ordinance on First reading

6. **JOINT ORDINANCE** amending the Memphis and Shelby County Residential Code so as to adopt the 2021 Edition of the ICC International Residential Code and local amendments, up for F I R S T reading. Ordinance No. 5801 is sponsored by the Division of Planning and Development.
- Canale
Chairman,
Planning &
Zoning
Committee

ACTION REQUESTED: Adopt the ordinance on First reading

7. **JOINT ORDINANCE** amending the Memphis and Shelby County Building Code so as to adopt the 2021 Edition of the International Energy Conservation Code and local amendments, up for F I R S T reading. Ordinance No. 5802 is sponsored by the Division of Planning and Development.
- Canale
Chairman,
Planning &
Zoning
Committee

ACTION REQUESTED: Adopt the ordinance on First reading

8. **JOINT ORDINANCE** amending the Joint Electrical Code of Memphis and Shelby County, so as to adopt the 2020 Edition of the National Electrical Code with local
- Canale

Chairman,
Planning &
Zoning
Committee

amendments and setting applicable fees for permits and inspections, up for F I R S T reading. Ordinance No. 5803 is sponsored by the Division of Planning and Development.

ACTION REQUESTED: Adopt the ordinance on First reading

9.
Canale
Chairman,
Planning &
Zoning
Committee

JOINT ORDINANCE amending the Memphis and Shelby County Plumbing Code so as to adopt the 2021 Edition of the ICC International Plumbing Code and local amendments to replace an outdated Plumbing Code and setting applicable fees for permits and inspections up for F I R S T reading. Ordinance No. 5804 is sponsored by the Division of Planning and Development.

ACTION REQUESTED: Adopt the ordinance on First reading

10.
Canale
Chairman,
Planning &
Zoning
Committee

JOINT ORDINANCE amending the Memphis and Shelby County Mechanical Code so as to adopt the 2021 Edition of the ICC International Mechanical Code and local amendments to replace an outdated Mechanical Code and setting applicable fees for permits and inspections, up for F I R S T reading. Ordinance No. 5805 is sponsored by the Division of Planning and Development.

ACTION REQUESTED: Adopt the ordinance on First reading

11.
Canale
Chairman,
Planning &
Zoning
Committee

JOINT ORDINANCE amending the Memphis and Shelby County Fuel Gas Code, so as to adopt the 2021 Edition of the ICC International Fuel Gas Code and local amendments to replace an earlier outdated fuel gas code and setting applicable fees for permits and inspections, up for F I R S T reading. Ordinance No. 5806 is sponsored by the Division of Planning and Development.

ACTION REQUESTED: Adopt the ordinance on First reading

GENERAL ORDINANCE - SECOND READING (None)

ZONING ORDINANCES – FIRST READING

12.
Canale
Chairman,
Planning &
Zoning
Committee

ORDINANCE approving a Zoning Text Amendment initiated by the Zoning Administrator of the Memphis and Shelby County Division of Planning and Development, up for F I R S T reading. All Council Districts. Ordinance No. 5796 is sponsored the Division of Planning and Development.

Case No. ZTA 21-02
Ordinance No. 5796

Applicant: Josh Whitehead, Zoning Administrator
Josh Whitehead, Zoning Administrator – Representative

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

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on First reading

13.
Canale
Chairman,
Planning &
Zoning
Committee

ORDINANCE amending Ordinance No. 5267 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 resolution is sponsored by the Division of Planning and Development.

Case No. Z 21-11
Ordinance No. 5797

Applicant: Division of Planning and Development
John Zeanah, Director – PLLC (Representative)

Request: Remove certain properties from the Commercial Mixed Use 3 (CMU-3), Employment (EMP), Residential Urban 1 (RU-1) and Residential Urban (RU-3) districts and place them within the Mixed Use (MU), Commercial Mixed Use 2 (CMU-2), Commercial Mixed Use 1 (CMU-1), Residential Urban 1 (RU-1), Residential Urban 3 (RU-3) and Residential Urban 4 (RU-4) districts

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on First reading

14.
Canale
Chairman,
Planning &
Zoning
Committee

ORDINANCE amending Ordinance No. 5267 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 resolution is sponsored by the Division of Planning and Development.

Case No. Z 21-12
Ordinance No. 5798

Applicant: MIM, LLC
Dedrick Brittenum, Jr (Representative)

Request: Rezoning of +/- 1.037 acres from Residential Single-Family – 6 (R-6) to Commercial Mixed Use 3 (CMU-3)

LUCB recommendation: APPROVAL
DPD recommendation: REJECTION

ACTION REQUESTED: Adopt the ordinance on First reading

ZONING ORDINANCE - SECOND READING (None)

NOTATIONS FROM DPD

15. **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 21-30 – ANNESDALE MANSION PLANNED DEVELOPMENT**

Location: 1325 Lamar Avenue

Applicant: Ken Robinson / Leslie Murphy
Kate Haywood (Representative)

Request: To allow an office, retail, overnight accommodation, and indoor and outdoor events planned development

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: October 5, 2021

ENGINEERING DIVISION

16. RESOLUTION to accept final plat and public improvements for BUTLER & FRONT SUBDIVISION (S-18-04) and Release the Performance Bond in the amount of \$44,000.00.

(Contract No. CR-5249)

Resolution accepts the final plat and improvements located on the northwest corner of Butler Avenue and South Front in the City of Memphis. Resolution also authorizes the release of the Great American Insurance Performance Bond in the amount of \$44,000.00.

ACTION REQUESTED: Adopt the resolution

GENERAL ITEMS (None)



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FISCAL CONSENT AGENDA

17. RESOLUTION accepting grant funds of \$40,000.00 from Shelby County Commission via Local Initiatives Support Corporation to support Ruth Tate and Orange Mound Senior Center. Council District 4, and 6, Super District 8. This resolution is sponsored by Park Services. **(Request for same night minutes)**
18. RESOLUTION to accept and appropriate State ICAC CESF FY22 grant funds in the amount of \$100,000.00 from the State of Tennessee, Office of Criminal Justice Programs. This award will be used for Internet Crimes Against Children (ICAC) overtime, supplies, and equipment. All Council Districts. This resolution is sponsored by Polices Services **(Request for same night minutes)**
19. RESOLUTION to accept, allocate, and appropriate grant funding in the amount of \$103,500.00 from the Mid-South Emergency Planning Coalition. This resolution is sponsored by Fire Services. All Council Districts and Super Districts. **(Request for same night minutes)**



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MLGW FISCAL CONSENT

20. RESOLUTION awarding Contract No. 12266, Weco Electric Meter Testing Application to Radian Research, Inc. in the funded amount of \$405,985.82.
21. RESOLUTION approving Change No. 1 to Contract No. 12154, Surveying Services with Ollar Surveying Company, LLC in the funded amount of \$145,446.00
22. RESOLUTION approving Change No. 3 to Contract No. 12183, Synergi Gas Modeling Software Renewal with DNV-GL Noble Denton USA, LLC, in the funded amount of \$6,913.63.
23. RESOLUTION approving Change No. 1 to Contract No. 12103, Worker's Compensation Stop Loss Brokering with Willis of Tennessee, Incorporated, in the funded amount of \$324,535.00.



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REGULAR AGENDA

APPOINTMENTS

24. **PENSION BOARD OF ADMINISTRATION**

Carlisle

Chairman,

Personnel &

Governmental
Affairs

Committee

Appointment

Cleo Griffin

MEMPHIS AND SHELBY COUNTY AIRPORT AUTHORITY

Reappointment

Gregory Fletcher

GENERAL ORDINANCES THIRD AND FINAL READING

25. **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; 8/17; 9/7)

ACTION REQUESTED: Take whatever action Council deems advisable

26. **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. (Held from 8/17)

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

27. RESOLUTION to appropriate FY22 CIP Funds in the amount of (\$4,500,000.00) for
Jones Midtown Area Connector BRT Project #GAO3028 for the Memphis Area Transit Authority.
Chairman, All Council Districts. This resolution is sponsored by MATA.
Transportation
Committee

ACTION REQUESTED: Adopt the resolution

28. RESOLUTION to appropriate FY22 CIP Funds in the amount of (\$1,000,000.00) for
Jones Transit Vision Project #GAO302 for the Memphis Area Transit Authority. All Council
Chairman, Districts. This resolution is sponsored by MATA.
Transportation
Committee

ACTION REQUESTED: Adopt the resolution

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES

29. RESOLUTION to appropriate FFE in the amount of (\$139,244.00) in FS02011, Replace Fire
Warren Station 43 for dehumidifiers. Districts 3 & 7, Super District 8. This resolution is sponsored
Chairman, by Fire Services.
Public Safety
& Homeland
Security
Committee

ACTION REQUESTED: Adopt the resolution

30. RESOLUTION transferring an allocation of Contract Construction in the amount of
Warren (\$115,000.00) in FS02008, Fire Station 11 Renovations to A/E in FS02008, Fire
Chairman, Station 11 Renovations and appropriating. District 5, Super District 9. This resolution
Public Safety is sponsored by Fire Services.
& Homeland
Security
Committee

ACTION REQUESTED: Adopt the resolution

31. RESOLUTION to accept, allocate and appropriate funding in the amount of (\$236,500.00)
Warren from Shelby County 911 Emergency Communications Districts for Healthcare Navigator
Chairman, renovations. CIP Project #FS20104. All Council Districts. This resolution is sponsored
Public Safety by Fire Services.
& Homeland
Security
Committee

ACTION REQUESTED: Adopt the resolution

32. RESOLUTION to accept, allocate and appropriate funding in the amount of (\$314,000.00)
Warren from the Memphis Fire Department Foundation for Healthcare Navigator renovations. CIP
Chairman, Project #FS20104, FY22. All Council Districts. This resolution is sponsored by Fire Services.

Public Safety
& Homeland
Security
Committee

ACTION REQUESTED: Adopt the resolution

33.
Warren
Chairman,
Public Safety
& Homeland
Security
Committee

RESOLUTION transferring an allocation in the amount of (\$35,000.00) from FS22100, FY22 Fire Station Improvement Cover to FS22101, Opticom Infrared System and appropriate funds. All Council Districts. This resolution is sponsored by Fire Services.

ACTION REQUESTED: Adopt the resolution

DIVISION OF GENERAL SERVICES

34.
Smiley
Chairman,
Public Works,
Solid Waste &
General Services
Committee

RESOLUTION requesting approval of the sale of City owned parcels located at 0 Auction and 472 N. Third. District 6, Super District 8. This resolution is sponsored by General Services.

ACTION REQUESTED: Adopt the resolution

35.
Smiley
Chairman,
Public Works,
Solid Waste &
General Services
Committee

RESOLUTION requesting the approval sale to transfer (10) City-owned parcels to the Shelby County Board of Education. District 6, Super District 8. This resolution is sponsored by General Services.

ACTION REQUESTED: Adopt the resolution

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT

DIVISION OF HUMAN RESOURCES (None)

INFORMATION TECHNOLOGY (None)

LAW DIVISION (None)

LIBRARY SERVICES (None)

MLGW DIVISION (None)

DIVISION OF PARKS AND NEIGHBORHOODS

36.
Logan
Chairman,
Parks &
Environment
Committee

RESOLUTION to allocate and appropriate funds in the amount of (\$600,000.00) for Tennis Major Maintenance Project #PK03004, FY22. District 7 & 4, Super Districts 8 & 9. This resolution is sponsored by the Division of Parks and Neighborhoods.

ACTION REQUESTED: Adopt the resolution

37. RESOLUTION to appropriate funds in the amount of (\$500,000.00) for Repair and Repaving of the cart paths at Audubon Golf Course, CIP Project #PK06017. District 5, Super District 9. This resolution is sponsored by the Division of Parks and Neighborhoods.

Logan
Chairman,
Parks &
Environment
Committee

ACTION REQUESTED: Adopt the resolution

38. RESOLUTION to allocate and appropriate funds in the amount of (\$200,000.00) for Lichterman Nature Center Major Maintenance, CIP Project #PK08037. District 2, Super District 9. This resolution is sponsored by the Division of Parks and Neighborhoods.

Logan
Chairman,
Parks &
Environment
Committee

ACTION REQUESTED: Adopt the resolution

39. RESOLUTION to appropriate funds in the amount of (\$250,000.00) for improvements and to address major maintenance issues at the Memphis Zoo, CIP Project #PK09002. District 5, Super District 9. This resolution is sponsored by the Division of Parks and Neighborhoods.

Logan
Chairman,
Parks &
Environment
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF POLICE SERVICES

40. RESOLUTION to appropriate funds for the City of Memphis Division of Police Services CIP Project #PD02013, FY18 Police Academy Renovation totaling (\$1,074,200.00). Districts 7, Super District 8. This resolution is sponsored by Fire Services.

Warren
Chairman,
Public Safety
& Homeland
Security
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS

41. RESOLUTION to transfer and appropriate construction funds in the amount of (\$2,000,000.00) to perform various on-call drainage repairs citywide, CIP Project #ST02009. All Council Districts. This resolution is sponsored by the Public Works Division.

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

ACTION REQUESTED: Adopt the resolution

GENERAL ITEM

42. RESOLUTION establishing a Metropolitan Government Charter Commission, authorizing the Mayor to appoint members; establishing a vetting process; requesting the County Commission adopt a similar resolution; amending the FY22 Operating Budget; appropriating funds. All Council Districts. This resolution is

Carlisle
Chairman,
Personnel &

Governmental sponsored by Councilmembers Carlisle and Smiley.
Affairs
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT