



CITY OF MEMPHIS

COUNCIL AGENDA

Tuesday November 16, 2021

Public Session, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

If You Are In Need Of A Special Accommodation While Attending The Meeting, Please Alert The Council Staff.

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 (November 2, 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 S. Lauderdale Street between Beale Street and Dr. Martin Luther King, Jr. Avenue for Roby Williams. This resolution is sponsored by Councilman Martavius Jones.
2. RESOLUTION honoring Adrian Maclin for receiving the Music Teacher of Excellence award at the 2021 Country Music Awards. This resolution is sponsored by Councilwoman Logan and Councilman Colvett.
3. RESOLUTION approving an Honorary Street Name Change of Peabody Place between Front Street and South Main Street extending down South Main Street between Peabody

Place and Beale Street for Lyman Aldrich. This resolution is sponsored by Chairman Colvett. (Held from 10/19; 11/2)

PUBLIC HEARINGS (None)

DIVISION OF PLANNING AND DEVELOPMENT

4. 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; 8/17; 9/7; 10/5; 11/2)

Canale
Chairman,
Planning &
Zoning
Committee

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

5. RESOLUTION approving a special use permit for the subject property located at 3744 Sturgeon Avenue. This resolution is sponsored by the Division of Planning and Development. (Held from 11/2)

Canale
Chairman,
Planning &
Zoning
Committee

Case No. SUP 21-18

Applicant: Dr. Tonya Walker-Barnes
Dr. Tonya Walker-Barnes (Representative)

Request: Special permit to allow a group day care home for five (5) to twelve (12) children

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

6. RESOLUTION approving a special use permit for the subject property located at 3114 Jackson Avenue. This resolution is sponsored by the Division of Planning and

Canale

Chairman,
Planning &
Zoning
Committee

Development.

Case No. SUP 21-24

Applicant: Alpha-Omega Veterans Services, Inc.
Cordell Walker, Executive Director (Representative)

Request: Special permit to allow a social service institution to allow a program of supportive services for military veterans.

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 the subject property located at 575 Phelan Avenue. This resolution is sponsored by the Division of Planning and Development.

Case No. SUP 21-25

Applicant: Orora Packaging Solutions/ SE Industrial Investments, LLC
SR Consulting, LLC (Cindy Reaves) (Representative)

Request: Special permit to allow a social service institution for a neighborhood resource and coordination center for military veterans.

LUCB and DPD recommendation: APPROVAL, with conditions

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 planned development for property located at the east side of Horn Lake Road; +/- 732 feet north of Levi Road. This resolution is sponsored by the Division of Planning and Development.

Case No. PD 21-31

Applicant: Kim Hill Group, LLC
Renaissance Group, LLC (Representative)

Request: Planned development to allow construction of sixty-two (62) new single-family attached units of two-family homes and townhomes.

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; 8/17; 9/21; 10/5; 11/2)

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. 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 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 10/19; 11/2)

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: Take whatever action Council deems advisable

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 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. Z 21-10
Ordinance No. 5810

Applicant: Sarah Holmes et al./TPA Ventures
Dedrick Brittenum, Jr (Representative)

Request: Employment (EMP)

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable



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CONSENT AGENDA

GENERAL ORDINANCES- FIRST READING (None)

GENERAL ORDINANCE - SECOND READING

12. Smiley
Chairman,
Public Works,
Solid Waste &
General Services
Committee
- ORDINANCE** to amend Ordinance No. 5708 of the City of Memphis Code of Ordinances known as the “Housing Code” or the “2015 International Property Maintenance Code, as amended for Memphis, TN (IPMC)”. To Update and or Add provisions related to Mold, Lead, Fee Schedule, Trees, Inoperable Vehicles, and Condemnation, up for S E C O N D reading. Ordinance No. 5811 is sponsored by the Public Works Division.

ACTION REQUESTED: Adopt the ordinance on Second reading

ZONING ORDINANCE – FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

NOTATIONS FROM DPD (None)

ENGINEERING DIVISION

13. RESOLUTION approving the final plat for CR-5183 IRENE WOODS, PH 1, PART OF LOT 7 (PD 08-331CC) and authorizing release of the bond.

(Contract No. CR-5183)

Resolution accepts the final improvements located on the east side of Forest Hill-Irene, north of Shelby Drive within the present limits of Shelby County, Tennessee. Resolution also authorizes the release of the Hartford Fire Company Performance Bond in the amount of \$1,637,000.00.

ACTION REQUESTED: Adopt the resolution

GENERAL ITEMS (None)



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FISCAL CONSENT AGENDA

14. RESOLUTION to accept reimbursement funding from FEMA in the amount of (\$4,328.17) from the US Department of Homeland Security for Tropical Cyclone Nicholas Alert. All Council Districts. This resolution is sponsored by Fires Services (**Request for same night minutes**)
15. RESOLUTION to accept reimbursement funding from FEMA in the amount of (\$6,674.87) from the US Department of Homeland Security for Tropical Cyclone Sam Alert. All Council Districts. This resolution is sponsored by Fire Services (**Request for same night minutes**)
16. RESOLUTION to accept, allocate and appropriate grant funds in the amount of (\$210,000.00) from the Universal Service Administrative Company Federal Communications Commission to be used to purchase Technology Services and Equipment. All Council Districts. This resolution is sponsored by Library Services. (**Request for same night minutes**)
17. RESOLUTION accepting grant funds of (\$75,000.00) from International Paper Foundation for "Lit Meets Rec" literacy programming at Community Centers. Grant Project # PK90106. All Council Districts. This resolution is sponsored by Memphis Parks (**Request for same night minutes**)
18. RESOLUTION accepting grant funds of (\$2,500.00) from Marlowes Incorporated for the purpose of youth programming. Grant Project # PK90105. All Council Districts. This resolution is sponsored by Memphis Parks. (**Request for same night minutes**)
19. RESOLUTION to accept, allocate and appropriate funds in the amount of (\$110,880.00) from the Memphis Library Foundation to the City of Memphis, Memphis Public Library & Information Center. The funds will support the salaries of bilingual part-time employees. All Council Districts. This resolution is sponsored by Library services. (**Request for same night minutes**)



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MLGW FISCAL CONSENT

20. RESOLUTION awarding Contract No. 12338, Rethinking the Community Offices to Southern Growth Studio in the funded amount of \$75,000.00.
21. RESOLUTION approving Change No. 4 to Contract No. 12009, Professional Information Services (IS) Support Services with VACO Memphis, LLC, in the funded amount of \$1,622,480.00. (This change is to renew the current contract for the fourth and final annual renewal term for the period covering January 1, 2022 through December 31, 2022, with no increase in rates from the previous year.)
22. RESOLUTION approving Change No. 4 to Contract No. 12007, Professional Information Services (IS) Support Services with Stragistics Technology, Incorporated, in the funded amount of \$1,796,287.36. (This change is to renew the current contract for the fourth and final annual renewal term for the period covering January 1, 2022 through December 31, 2022, with no increase in rates from the previous year.)
23. RESOLUTION approving Change No. 4 to Contract No. 12010, Professional Information Services (IS) Support Services with Nextech Solutions, LLC., in the funded amount of \$1,863,401.60. (This change is to renew the current contract for the fourth and final annual renewal term for the period covering January 1, 2022 through December 31, 2022, with no increase in rates from the previous year.)
24. RESOLUTION approving Change No. 4 to Contract No. 12008, Professional Information Services (IS) Support Services with CTD Staffing, LLC., in the funded amount of \$1,818,500.00. (The change is to renew the current contract for the fourth and final annual renewal term for the period covering January 1, 2022 through December 31, 2022, with no increase in rates from the previous year.)
25. RESOLUTION approving Change No. 4 to Contract No. 12012, Professional Information Services (IS) Support Services with Cook Systems International, Incorporated, in the funded amount of \$1,760,305.84. (This change is to renew the current contract for the fourth and final annual renewal term for the period covering January 1, 2022 through December 31, 2022, with no increase in rates from the previous year.)
26. RESOLUTION approving Change No. 4 to Contract No. 11951, Professional Information Services (IS) Support Services with Ciber - an HTC Global Company, in the funded amount of

\$1,635,288.00. (This change is to renew the current contract for the fourth and final annual renewal term for the period covering January 1, 2022 through December 31, 2022, with no increase in rates from the previous year.)

27. RESOLUTION approving Change No. 4 to Contract No. 12011, Professional Information Services (IS) Support Services with Conch Technologies, Incorporated, in the funded amount of \$1,680,488.00. (This change is to renew the current contract for the fourth and final annual renewal term for the period covering January 1, 2022 through December 31, 2022, with no increase in rates from the previous year.)
28. RESOLUTION awarding a purchase order to Thomas Gallaway Corporation, d/b/a Technologist, for a virtual backup system in the amount of \$506,345.28.
29. RESOLUTION Resolution ratifying and approving payment of an invoice for purchase of water from the City of Germantown during an MLGW Emergency Crisis beginning on February 18, 2021 through February 23, 2021, in the funded amount of \$76,555.87.
30. RESOLUTION awarding a purchase order to American Innovations LTD for Pipeline Compliance Systems (PCS) Axis software licenses in the amount of \$113,900.00.
31. RESOLUTION approving Contract No. 12342 University of Memphis, on behalf of the Herff College of Engineering's Center for Applied Earth Science and Engineering Research (CAESER) for the ratification, renewal, change and authorization to pay for services, maintenance, and support of the current contract in the funded amount of \$300,000.00.
32. RESOLUTION awarding Contract No. 12238, Electric Substation Construction and Maintenance Services to RMS Energy Company, LLC, in the funded amount of \$4,006,575.00.
33. RESOLUTION approving Change No. 3 to Contract No. 12013, MLGW Water Engineering & Operations Generator Maintenance and Repair with Cummins Incorporated, in the funded amount of \$100,000.00. (This change is to renew the current contract for the third of four annual renewal terms for the period January 9, 2022 through January 8, 2023, with no increase in rates from the previous term.)
34. RESOLUTION approving Change No. 1 to Contract No. 11880, 457 Deferred Compensation Consultant with AndCo Consulting, LLC, formerly The Bogdahn Group, in the funded amount of \$42,000.00. (This change is to extend the current contract for an additional year for the period covering January 1, 2022 through December 31, 2022. The extension is needed due to the 457 (b) Plan going through a plan acquisition (Mass Mutual and Empower) and MLGW will need the expertise of a consultant.)
35. RESOLUTION awarding a purchase order to Experitec, Inc., for gas regulators in the amount of \$56,487.76.



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REGULAR AGENDA

APPOINTMENTS

36. **MEMPHIS AND SHELBY COUNTY FILM AND TELEVISION COMMISSION**
Carlisle
Chairman,
Personnel &
Governmental
Affairs
Committee
- Appointment
Richard A. Ross

GENERAL ORDINANCES THIRD AND FINAL READING

37. **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; 9/21; 10/5; 10/19; 11/2)

ACTION REQUESTED: Take whatever action Council deems advisable

38. **SUBSTITUTE ORDINANCE** to regulate the use of city streets and rights of way by public utilities including oil and gas pipeline companies, up for T H I R D and F I N A L reading. Ordinance No. 5807 is sponsored by Councilmen Smiley, Carlisle, and Warren. (Held from 11/2)
- Smiley
Chairman,
Public Works,
Solid Waste &
General Services
Committee
- ACTION REQUESTED: Take whatever action Council deems advisable

39. **ORDINANCE** adopting the 2021 Edition of the International Code Council International Fire Code including certain appendices in that code, and other local amendments, and amending Chapter 9-36 of the City of Memphis, Code of Ordinances, up for T H I R D and F I N A L reading. Ordinance No. 5808 is sponsored by Fire Services.
- Warren
Chairman,
Public Safety
& Homeland
Security
Committee
- ACTION REQUESTED: Take whatever action Council deems advisable

40. **ORDINANCE** to amend Chapter 9-40, Code of Ordinances, City of Memphis, so as to adjust Inspection Fee Schedules to reflect changes relative to the adoption of the 2021 Edition of the International Code Council International Fire Code including certain appendices in that code, and other local amendments, up for T H I R D and F I N A L reading. Ordinance No. 5809 is sponsored by Fire Services.

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

41. **RESOLUTION** adopting Shelby County Hazards Mitigation Plan. 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 (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES (None)

INFORMATION TECHNOLOGY (None)

LAW DIVISION (None)

LIBRARY SERVICES (None)

MLGW DIVISION

42. **RESOLUTION** to approve the 2022 Electric, Gas and Water Operations and Capital Budget. This resolution is sponsored by MLGW Division.

Robinson
Chairman,
MLGW
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF PARKS AND NEIGHBORHOODS

43. RESOLUTION approving Management Agreement between the City of Memphis through its Division of Parks and Neighborhoods and Oasis of Hope, Inc. to manage, operate, and program the Bickford Community Center. District 7, Super District 8. 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 (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS (None)

GENERAL ITEMS

44. 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 sponsored by Councilmembers Carlisle and Smiley. (Held from 9/21)

Carlisle
Chairman,
Personnel &
Governmental
Affairs
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

(Request will be made to hold this item until 1/18/2022)

45. SELECTION of the 2022 Council Chairman.

46. SELECTION of the 2022 Council Vice Chairman.

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT