



CITY OF MEMPHIS

COUNCIL AGENDA

Tuesday January 4, 2022

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 (December 21, 2021)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

1. PRESENTATION of the 2021 Memphis City Council Humanitarian Award.
2. RESOLUTION approving an Honorary Street Name Change of Westmont Road between Castlewood Avenue and Western Park Drive for Coach Shirley McCray. District 6, Super District 8. This resolution is sponsored by Chairwoman Swearengen.
3. RESOLUTION approving an Honorary Street Name Change of Highland Street between Central Avenue and Southern Avenue for Jimi Jamison. District 5, Super District 9. This resolution is sponsored by Councilman Morgan.

PUBLIC HEARINGS (None)

DIVISION OF PLANNING AND DEVELOPMENT

4.
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; 8/17; 9/7; 10/5; 11/2; 11/16)

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.
Canale
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a special use permit at the subject property located at 2961 Winchester Road. This resolution is sponsored by the Division of Planning and Development.

Case No. SUP 21-31

Applicant: 2012- A Pedigo Trust
The Reaves Firm (Representative)

Request: To allow a commercial surface parking lot on a site underneath a TVA easement

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

RESOLUTION approving the Los Medicos Planned Development located at the east side of Covington Pike; +/- 628.31 feet north of Stage Road. This resolution is sponsored by the Division of Planning and Development.

Case No. PD 21-40

Committee

Applicant: Medicos General, PLLC
The Bray Firm (Representative)

Request: Planned development to allow Office General (OG)
District land uses, including medical offices

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 the Tyler Hills Planned Development at the subject property located on the east side of Old Covington Pike and at the terminus of Maiden Grass, Sunset Lake, and Waterdance. This resolution is sponsored by the Division of Planning and Development.

Case No. PD 21-41

Applicant: Liberty Rents
The Bray Firm (Representative)

Request: 92-lot residential single-family 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 (None)



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CONSENT AGENDA

GENERAL ORDINANCES- FIRST READING

8. **REFERENDUM ORDINANCE** amending Article 27, Section 190 of the charter of the City of Memphis, same being Chapter 11 of the Acts of 1879, as amended, and relative amendments thereto pursuant to the provisions of Article 11 Section 9 of the constitution of the state of Tennessee (home rule amendment) to allow specified personnel employed with the divisions of Police and Fire Services to reside within 50 miles from the city of Memphis, up for F I R S T reading. Ordinance No. 5814 is sponsored by Councilman Morgan and Councilman Canale. (Held from 12/21)

Warren
Chairman,
Public Safety
& Homeland
Security
Committee

ACTION REQUESTED: Negative recommendation

9. **ORDINANCE** to amend Chapter 9-12- Air Pollution Control of the City of Memphis, Codes of Ordinances to add The Shelby County Air Code, up for F I R S T reading. Ordinance No. 5817 is sponsored by the Division of Public Works.

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

ACTION REQUESTED: Adopt the ordinance on First reading

GENERAL ORDINANCE - SECOND READING

10. **ORDINANCE** for designation of qualified public use facility, creation of the Peabody Hotel Tourism Development Zone, Tourism Surcharge, and otherwise providing with to the foregoing, up for S E C O N D reading. Ordinance No. 5815 is sponsored by the Downtown Memphis Commission and Center City Revenue Finance Corporation.

Ford
Chairman,
Economic
Development
& Tourism
Committee

ACTION REQUESTED: Adopt the ordinance on Second reading

11. **ORDINANCE** renaming Fourth Street between Union Avenue and E.H. Crump Boulevard as Ida B. Wells-Barnett Street, up for S E C O N D reading. Ordinance No. 5816 is sponsored by Councilmembers Easter-Thomas, Canale, Carlisle, Colvett, Ford, Johnson, Jones, Logan Morgan, Robinson, Swearingen, Smiley, and Warren.

Canale
Chairman,
Planning &
Zoning

Committee

ACTION REQUESTED: Adopt the ordinance on Second reading

ZONING ORDINANCE – FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

NOTATIONS FROM DPD (None)

ENGINEERING DIVISION

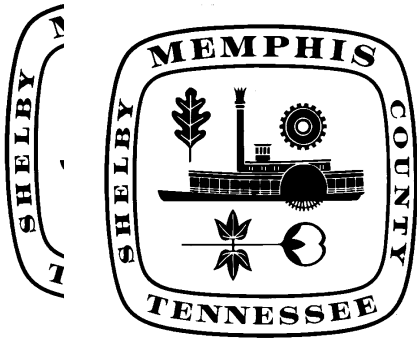
12. RESOLUTION approving the engineering plans entitled SANITARY SEWER EXTENSION (ELVIS PRESLEY BLVD AND EAST SHELBY DRIVE) **(Request for Same Night Minutes)**

Contract No. CR-5392

Resolution approves the engineering plans as reflected on the engineering plans and located at Elvis Presley Blvd and East Shelby Drive in the City of Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the standard improvement contract and accept the Arch Insurance Company Performance Bond No. SU1178778 in the amount of \$74,000.00 on behalf of the City.

ACTION REQUESTED: Adopt the resolution

GENERAL ITEMS (None)



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FISCAL CONSENT AGENDA

13. RESOLUTION accepting grant funds of \$5,000.00 from BlueCross BlueShield of Tennessee Community Trust for water safety instruction. All Council Districts. This resolution is sponsored by Memphis Parks (**Request for same night minutes**)
14. RESOLUTION to accept in-kind donation in the equivalent of \$5,300.00 of aquatics water safety supplies from LeBonheur Children's Hospital. All Council Districts. This resolution is sponsored by Memphis Parks. (**Request for same night minutes**)



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MLGW FISCAL CONSENT

15. RESOLUTION approving the execution of Contract No. 12325 between MLGW and the City of Germantown for the sale to Germantown providing certain MLGW water infrastructure assets within the previously annexed area by Germantown, for a purchase price of \$58,588.65. (Held from 12/7; 12/21)
16. RESOLUTION approving Change No. 3 to Contract No. 12035, Environmental Consulting and Remediation Services with BH&M Environmental Consultants, Incorporated in the funded amount of \$7,500,000.00. (This change is to renew the current contract for the third of four annual renewal terms for the period covering April 8, 2022 through April 7, 2023, with no increase in rates from the previous item.)
17. RESOLUTION awarding Contract No. 12217, Consultant Risk Management Audit to Willis Towers Watson Southeast, Inc., in the funded amount of \$666,500.00.
18. RESOLUTION awarding Contract No. 12286, MLGW Utility Payment Centers to FirsTech, Inc., in the funded amount of \$310,000.00.
19. RESOLUTION awarding a purchase order to Universal Scaffolding and Equipment, LLC., for control cable in the amount of \$425,028.00.



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REGULAR AGENDA

APPOINTMENTS

20. **MEMPHIS CITY BEAUTIFUL COMMISSION**

Carlisle
Chairman,
Personnel &
Governmental
Affairs
Committee

Appointment

Erin Kathleen Midgley

21. **DEPUTY CITY COURT CLERK**

Carlisle
Chairman,
Personnel &
Governmental
Affairs
Committee

Appointment

Calvin Williams

(Held from 12/7; 12/21)

GENERAL ORDINANCE THIRD AND FINAL READING

22. **ORDINANCE** to amend Chapter 25-200, Section 1 of the City of Memphis Code of Ordinances governing the city's pension system to allow certain individuals to extend participation in the Deferred Retirement Option Plan, up for T H I R D and F I N A L reading. Ordinance No. 5813 is sponsored by the Administration.

Carlisle
Chairman,
Personnel &
Governmental
Affairs
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES (None)

INFORMATION TECHNOLOGY (None)

LAW DIVISION (None)

LIBRARY SERVICES (None)

MLGW DIVISION

DIVISION OF PARKS AND NEIGHBORHOODS (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS (None)

GENERAL ITEMS

23.
Ford
Chairman,
Economic
Development
& Tourism
Committee

RESOLUTION approving the Lease Amendment agreement between the Memphis and Shelby County Port Commission and Memphis Industrial Scrap Recycling, LLC as approved by the EDGE Port of Board on 8/18/2021. District 6, Super District 8. This resolution is sponsored by the Memphis and Shelby County Port Commission

ACTION REQUESTED: Adopt the resolution

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT