



# CITY OF MEMPHIS

## COUNCIL AGENDA

Tuesday April 5, 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.*

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### 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 (March 22, 2022)

### ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

### ITEMS HELD OR DROPPED FROM THE AGENDA

#### PRESENTATION AND RECOGNITION OF VISITORS

1. PERFORMANCE by the Cordova High School Choir.
2. Presentation from Mr. Nakia and Mrs. Queen Coleman and Memphis Office of Youth Services in recognition of Autism Awareness Month.
3. RESOLUTION honoring Nakia and Queen Coleman for partnering with the City of Memphis in bringing awareness to autism and the I Am Included program. All Council Districts. This resolution is sponsored by Councilman Smiley.

- 4. RESOLUTION honoring Ms. Cynthia Daniels and her contributions to the City of Memphis. All Council Districts. This resolution is sponsored by Councilwoman Logan.
- 5. RESOLUTION commemorating Africa In April Cultural Awareness Festival on 35 years of history and culture. All Council Districts. This resolution is sponsored by the Memphis City Council.

**PUBLIC HEARINGS**

- 6. RESOLUTION approving a special use permit at the subject property located at 3788 Raleigh Millington Rd. This resolution is sponsored by the Division of Planning and Development.

Johnson  
Chairman,  
Planning  
& Zoning  
Committee

Case No. SUP 22-01

Applicant: True Love Missionary Baptist Church C/O Bishop TL Murden  
Lou Katzerman, TVT II, LLC – Tower Ventures (Representative)

Request: To allow a 150-foot Monopole Communications (CMCS) Tower

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

**151 NOTICES WERE MAILED ON MARCH 25, 2022**

- 7. RESOLUTION approving Cindy Reaves’ appeal on behalf of Ari Investments, LLC and reversing the decision of the Memphis & Shelby County Land Use Control Board to reject a major modification to the Tournament Trails Center Planned Development to permit an apartment complex at 3581 Tournament Dr. S. and two adjacent parcels. This resolution is sponsored by the Division of Planning and Development.

Johnson  
Chairman,  
Planning  
& Zoning  
Committee

Case No. MJR 21-45  
(PD 94-356 CORRES)

Appellant: Cindy Reaves of SR Consulting, LLC on behalf of Ari Investments, LLC  
Appellee: Land Use Control Board

Request: Appeal to permit an apartment complex

LUCB recommendation: REJECTION

DPD recommendation: NONE

ACTION REQUESTED: Take whatever action Council deems advisable

**51 NOTICES WERE MAILED ON MARCH 25, 2022**

DIVISION OF PLANNING AND DEVELOPMENT (None)

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; 1/4)
- Logan  
Chairman,  
Public Safety  
& Homeland  
Security  
Committee

ACTION REQUESTED: Negative recommendation

### GENERAL ORDINANCE - SECOND READING

### ZONING ORDINANCE – FIRST READING

### ZONING ORDINANCE - SECOND READING

9. **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. This Ordinance is sponsored by the Division of Planning and Development.
- Johnson  
Chairman,  
Planning  
& Zoning  
Committee

Case No. Z 22-01

Ordinance No. 5821

Applicant: Knauf Insulation, Inc./Scannell Properties  
Dedrick Brittenum of Brittenum Law, PLLC – Representative

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

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on Second reading

NOTATIONS FROM DPD (None)

ENGINEERING DIVISION

10. RESOLUTION approving the final plat entitled STAYAPT SUITES. **(Request for Same Night Minutes)**

Contract No. CR-5399

Resolution accepts the final plat located in the present limits of the City of Memphis, 400 linear feet southwest of the Dexter Road and Chickering Lane intersection in Memphis, Tennessee. Cost of required improvements to be borne by the Developer. Resolution also authorizes the Liberty Mutual Insurance Company Performance Bond No. 674216251 in the amount of \$75,900.00 in lieu of bond.

ACTION REQUESTED: Adopt the resolution

11. RESOLUTION accepting public improvements for STONE CREEK PHASE 2 (PD-06-345CC) [CR-5344] and authorizing release of bond. **(Request for Same Night Minutes)**

(Contract No. CR-5344)

Resolution accepts public improvements, as indicated on the plat and located in the present limits of Shelby County, approximately 850 linear feet of the Grand Pines Drive/Holmes Road intersection in Shelby County, Tennessee. Resolution also authorizes the release of the Evolve Bank and Trust Letter of Credit No. 550731 in the amount of \$200,200.00 held as security for the contract.

ACTION REQUESTED: Adopt the resolution

12. RESOLUTION accepting public improvements for STONE CREEK PHASE 2 (PD-06-345CC) [CR-5070] and authorizing release of bond. **(Request for Same Night Minutes)**

(Contract No. CR-5070)

Resolution accepts public improvements located in the present limits of Shelby County, east of Hacks Cross Road, south of Shelby Drive in the Shelby County, Tennessee. Resolution also authorizes the release of the Renasant Bank Letter of Credit No. 2926 in the amount of \$27,000.00 held as security for the contract.

ACTION REQUESTED: Adopt the resolution

13. RESOLUTION accepting public improvements for TPA GROUP WAREHOUSE-HOLMES & AIRWAYS PROJECT [CR-5342] and authorizing release of bond.  
**(Request for Same Night Minutes)**

(Contract No. CR-5342)

Resolution approves accepting the public improvements within the present limits of the City of Memphis, as shown on the engineering plans and located on the southeast corner of the Holmes Road and Airways Boulevard intersection in Memphis, Tennessee. Resolution also authorizes the release of XL Specialty Insurance Co. Performance Bond No. US00100628SU20A in the amount of \$230,000.00 held as security for the Standard Improvement Contract.

ACTION REQUESTED: Adopt the resolution

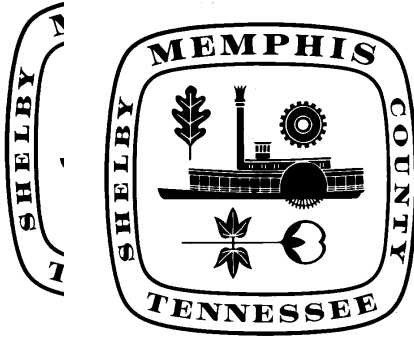
14. RESOLUTION accepting public improvements for POLO GROUNDS NORTH PD AREA F PHASE 7 [CR-5276] and authorizing release of bond.

(Contract No. CR-5276)

Resolution accepts public improvements in the present limits of the City of Memphis, located at the intersection of South Germantown Road and Winchester Road, in Memphis, Tennessee. Resolution also authorizes the release of the Liberty Mutual Performance Bond No. 019065716 in the amount of \$96,500.00 held as security for the contract.

ACTION REQUESTED: Adopt the resolution

**GENERAL ITEMS** (None)



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## FISCAL CONSENT AGENDA

15. RESOLUTION accepting grant funds in the amount of (\$12,750.00) from USA Swimming Foundation for swim lessons Project #PK90109. All Council Districts. This resolution is sponsored by Memphis Parks. **(Request for same night minutes)**
  
16. RESOLUTION to accept in-kind donation in the amount of (\$100,000.00) from the U.S. Soccer Foundation and Dicks Sporting Goods for installation of soccer-mini-pitch at Cunningham Community Center. District,1 Super District 9. This resolution is sponsored by Memphis Parks. **(Request for same night minutes)**



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## MLGW FISCAL CONSENT

17. RESOLUTION awarding a purchase order to Engineered Sealing Components for electric smart meters in the amount of \$308,000.00.
18. RESOLUTION approving the agreement of the on-going commitment to local economic and community development and research with the Greater Memphis Chamber, in the funded amount of \$175,000. (This agreement will be for services to be rendered by the Greater Memphis Chamber for the period January 1, 2022 through December 31, 2022.)
19. RESOLUTION approving a contract between MLGW and TVA to support industrial recruitment, development and expansion of business and industry in the Memphis/Shelby County area and payment to the Greater Memphis Chamber. The total funded amount of the contract is \$80,608.00 of which TVA reimburses MLGW \$40,304.00.
20. RESOLUTION approving the payment of an invoice from the American Public Gas Association for the 2022 Annual Membership Dues Renewal, in the amount of \$57,000.00.
21. RESOLUTION approving Change No. 4 to Contract No. 11800, InfoWater Hydraulic Model Implementation Services with Innovyze, LLC, in the funded amount of \$11,940.00. (This change is to renew annual license, maintenance, and support services for the Water Modeling Software for the period covering May 15, 2022 through May 14, 2023. Innovyze, Incorporated is the sole owner, developer, and distributor of the InfoWater Software Package. MLGW is requesting continuous maintenance of the acquired system, which can only be performed by Innovyze, Incorporated.)
22. RESOLUTION awarding Contract No. 12343, Chemical Containment and Tank Installation at Water Pumping Stations to Chris-Hill Construction Company, LLC, in the funded amount of \$2,372,210.00.
23. RESOLUTION approving Change No. 18 to Contract No. 9955, Partial Funding of Pollution Control-Ground Water Quality Control Program with Memphis & Shelby County Health Department, to authorize the annual fee payment in the funded amount of \$142,188.20. (This change is based on fiscal year 2021 data, covering January 1, 2021 through December 31, 2021, with an increase in meters from 257,942 to 258,524 from the previous year.).



24. RESOLUTION approving Change No. 16 to Contract No. 10793, Professional Portfolio Software with Advent Software, Incorporated, in the funded amount of \$34,398.35. (This change is to renew the current contract for an additional year for the period covering May 11, 2022 through May 10, 2023, which reflects a 3% increase in rates from the previous term. MLGW is requesting approval of continuous maintenance support of the acquired system, which can only be performed by Advent Software, Incorporated.)
25. RESOLUTION awarding a purchase order to Brighter Days and Nites, Inc., for gas regulators in the amount of \$783,838.50.
26. RESOLUTION awarding a purchase order to Automotive Tool Group for polyvinyl chloride (PVC) conduit in the amount of \$311,250.00.



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## REGULAR AGENDA

**APPOINTMENTS** (None)

**GENERAL ORDINANCE THIRD AND FINAL READING**

27. Swearingen  
Chairman,  
Executive  
Session
- ORDINANCE** to amend the Memphis City Council meeting dates for 2022, up for **T H I R D** and **F I N A L** reading. Ordinance No. 5820 is sponsored by Chairwoman Swearingen.
- 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** (None)

**DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT**

28. Colvett  
Chairman,  
Housing &  
Community  
Development  
Committee
- RESOLUTION** to amend a previously appropriated allocation of Department of Treasury funding in amount of (\$5,507,654.13) and to appropriate an additional allocation of (\$15,570,982.96) for the Division of Housing and Community Development Emergency Rental and Utility Assistance in response to the pandemic. All Council Districts. This resolution is sponsored by the Division of Housing and Community Development.
- ACTION REQUESTED:** Adopt the resolution

29. RESOLUTION amending and appropriating the sum of (\$755,453.18) chargeable to the  
Colvett FY22 Budget by appropriating funds to the Division of Housing and Community  
Chairman, Development. All Council Districts. This resolution is sponsored by the Division of  
Housing & Community Development.  
Development  
Committee

ACTION REQUESTED: Adopt the resolution

**DIVISION OF HUMAN RESOURCES** (None)

**INFORMATION TECHNOLOGY** (None)

**LAW DIVISION** (None)

**LIBRARY SERVICES**

30. RESOLUTION to accept, allocate, and appropriate grant funding in the amount of (\$33,964.00)  
Carlisle for the Memphis Public Library and Information Center’s LINC 211 to be used for Professional  
Chairman, Fees, Grants and Awards from the United Way of Greater Nashville. This resolution is sponsored  
Public Services, by Library Services.  
Arts,  
Youth Initiatives,  
Libraries &  
Neighborhoods  
Committee

ACTION REQUESTED: Adopt the resolution

**MEMPHIS PARKS** (None)

**MLGW DIVISION** (None)

**DIVISION OF POLICE SERVICES** (None)

**DIVISION OF PUBLIC SERVICES** (None)

**DIVISION OF PUBLIC WORKS** (None)

**GENERAL ITEMS**

31. RESOLUTION to amend the Memphis City Council Community Grant Program for  
Jones FY23. All Council Districts. This resolution is sponsored by Councilman Jones.  
Chairman, (Request for same night minutes)  
Budget  
Committee

ACTION REQUESTED: Adopt the resolution

32. RESOLUTION requesting an increase in pay for City of Memphis retirees. All Council  
Jones Districts. This resolution is sponsored by Councilwoman Robinson and Councilman Canale.  
Chairman,  
Budget  
Committee

ACTION REQUESTED: Adopt the resolution

**SNM**

33. 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; 11/16; 1/18)

Easter-  
Thomas,  
Chairman,  
Personnel &  
Governmental  
Affairs  
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

**APPEARANCE CARDS FOR PUBLIC SPEAKING**

**ADJOURNMENT**