



**CITY COUNCIL
MEETING AGENDA
September 27, 2022
3:30 p.m.**

**Council Chambers, Lobby 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.*

Super District 8-3. Chairman Martavius Jones

Super District 8-1. Vice Chairman JB Smiley, Jr.

District 1. Rhonda Logan

District 2. Frank Colvett, Jr.

District 3. Patrice J. Robinson

District 4. Teri Dockery

District 5. Worth Morgan

District 6. Edmund Ford, Sr.

District 7. Michalyn Easter-Thomas

Super District 8-2. Cheyenne Johnson

Super District 9-1. Chase Carlisle

Super District 9-2. J. Ford Canale

Super District 9-3. Dr. Jeff Warren

ORDER OF BUSINESS

I. CALL TO ORDER by the Sergeant-at-Arms

II. 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.

III. PLEDGE OF ALLEGIANCE

IV. CALL OF ROLL by the Comptroller

V. APPROVAL OF PREVIOUS MEETING MINUTES (September 13, 2022)

VI. ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

VII. ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

1. RESOLUTION recognizing Walter Casey for 42 years of service at Lester Community Center. This Resolution is sponsored by Councilmen Canale, Carlisle, and Warren.
2. RESOLUTION recognizing Alice Davis for 42 years of service at Lester Community Center. This Resolution is sponsored by Councilmen Canale, Carlisle, and Warren.

PUBLIC HEARINGS (None)

DIVISION OF PLANNING AND DEVELOPMENT

3. RESOLUTION pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a Planned Development at the subject property located at 4601 Hutton Way. This Resolution is sponsored by the Division of Planning and Development.
Johnson
Chairman,
Planning
& Zoning
Committee

Case No. PD 22-18

Applicant: Hutton Henry, LLC
Cory Brady – Integrated Land Solutions, PLLC (Representative)

Request: Planned Development to regulate the development of a vehicle sales campus at the existing Chuck Hutton Toyota automotive dealership and surrounding lots established as the Hutton Subdivision (PB 244 PG 30).

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

4. RESOLUTION approving the closure of an east-west public alley located approximately 148.5 feet north of the intersection of the north line of Court Avenue with the east line of North Fourth Street. This Resolution is sponsored by the Division of Planning and Development.
Johnson
Chairman,
Planning
& Zoning
Committee

Case No. SAC 22-02

Applicant: Townsend Development
Cindy Reaves, SR Consulting, LLC (Representative)

Request: Close and vacate the public right-of-way of an east-west public alley located between N. Fourth St. and Court Ave. and terminates 89± sq. ft. east of N. Fourth St.

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)

CONSENT AGENDA

GENERAL ORDINANCE- FIRST READING (None)

GENERAL ORDINANCE - SECOND READING (None)

ZONING ORDINANCE – FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

5. **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 to authorize a zoning use district reclassification for land located at 3595 Arnold Road - south side of Arnold Road +/-1,259 feet west of Getwell Road by taking the land out of the Residential Urban – 3 (RU-3) Use District and including it in the Employment (EMP) Use District, 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 22-04
Ordinance No. 5834

Applicant: Jonathan Whitman

Request: Rezoning of +/-33.8 acres from Residential Urban – 3 (RU-3) to Employment (EMP)

LUCB and DPD recommendation: REJECTION

ACTION REQUESTED: Adopt the Ordinance on Second reading

6. **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 to authorize a zoning use district reclassification for land located at 5481 Davidson Road by taking the land out of the Conservation Agriculture (CA) use district and including it in the Employment (EMP) use district, 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 22-05
Ordinance No. 5835

Applicant: Cedarwoods Farms LLC./ Tom McCrary – Scannell Properties

Request: Rezoning of +/-52.46 acres from Conservation Agriculture (CA) to Employment (EMP)

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the Ordinance on Second reading

NOTATIONS FROM DPD (None)

ENGINEERING DIVISION

7. RESOLUTION approving the final plat for VADA SUBDIVISION and accepting Bond as security. **(Request for Same Night Minutes)**

Contract No. CR-5427

Resolution approves the final plat in the present limits of the City of Memphis, as reflected on the plat and located on the east side of Charles Bryan Road approximately 200 north feet of Elmore Road in Memphis Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts Performance Bond No. 8201254-977264 in the amount of \$100,200.00 as security for the project.

ACTION REQUESTED: Adopt the Resolution

8. RESOLUTION accepting public improvements for PINNACLE BANK (155 ROZELLE) [CR-5275] and authorizes the release of bond. **(Request for Same Night Minutes)**

(Contract No. CR-5275)

Resolution approves accepting the public improvements in the present limits of the City of Memphis, and located on the southwest corner of Union Avenue and Rozelle Street in Memphis, Tennessee. Resolution also accepts the release of the Pinnacle Bank Letter of Credit No. 600774950 in the amount of \$44,200.00 as held as security.

ACTION REQUESTED: Adopt the Resolution

GENERAL ITEMS (None)

FISCAL CONSENT AGENDA

9. RESOLUTION accepting and appropriating the sum of (\$75,000.00) funded by National Endowment for the Arts, for the National Endowment for the Arts grant to support the Memphis Heritage Trail: Arts Collab. All Council Districts. This Resolution is sponsored by the Division of Housing and Community Development. **(Request for Same Night Minutes)**
10. RESOLUTION seeking acceptance of funds from the State of Tennessee in the amount of (\$1,495,200.00) specifically for the In-Service Training Program of 1,869 Commissioned Officers. All Council Districts. This Resolution is sponsored by Police Services. **(Request for Same Night Minutes)**
11. RESOLUTION to accept (\$4,921,000.00) in pledge donations from the University of Memphis, Auxiliary Service Foundation, from private donors and a (\$50,000.00) donation from Grinder Tabor Grinder and Fleming Architects in support of the construction of the new Leftwich Tennis Center, CIP project PK03005. Council District 5, Super District 9, This Resolution is sponsored by the Administration. **(Request for Same Night Minutes)**

MLGW FISCAL CONSENT

Chair: Patrice Robinson, Vice Chair: Chase Carlisle

12. RESOLUTION approving Change No. 6 to Contract No. 11462, Electronic Board Agenda Solution with Granicus (formerly Accela, Incorporated), in the funded amount of \$39,866.19. (This change is to renew the current contract for annual software maintenance, fees, and support services for the period covering November 1, 2022, through October 31, 2023.)
13. RESOLUTION approving Change No. 7 to Contract No. 11752, Software License and Services Agreement with HansenCIS to renew the current contract in the funded amount of \$169,719.91. (This change is to renew the current contract for annual maintenance, license and support services for the period covering January 1, 2023, through December 31, 2025.)
14. RESOLUTION awarding a purchase order to LightSpeed Technologies, Inc., for multiprotocol label switching (MPLS) network expansion equipment in the amount of \$469,769.00.
15. RESOLUTION approving plans to issue tax-exempt obligations in an original aggregated principal amount of not to exceed \$50,000,000. (The Division intends to use all or a portion of the proceeds of the obligations to reimburse the Division for costs incurred prior to the issuance of the obligations. Under federal tax law, in order for the proceeds of tax-exempt obligations to be used to reimburse the Division for prior expenditures, the Division and the City must declare their official intent to reimburse the Division for prior expenditures with proceeds of the obligations. This resolution will constitute such declaration of official intent and will allow the Division to utilize all or a portion of the proceeds from the obligations to reimburse the Division for capital expenditures incurred on or after the date that is sixty days prior to the approval date of this Resolution by the City.)
16. RESOLUTION awarding Contract No. 12371, System Furniture to Office Interiors in the funded amount of \$1,500,000.00.
17. RESOLUTION approving Change No. 2 to Contract No. 12281, Hickory Hill Service Center Repaving with A & B Construction Company, Inc., to change the current contract in the funded amount of \$218,634.55. (The contract term will remain through January 14, 2023.)
18. RESOLUTION to approve the law firm of Stephanie Green Cole to be employed on an as needed basis at the hourly rates not exceeding \$300.00 as Partner for legal services rendered concerning legal matters uniquely related to the utility industry.

REGULAR AGENDA

APPOINTMENTS

19. **MEMPHIS & SHELBY COUNTY AIR POLLUTION BOARD**

Easter-

Thomas Appointment

Chairman,

Personnel & Gideon Sarpong

Governmental

Affairs **MEMPHIS & SHELBY COUNTY DOWNTOWN MOBILITY AUTHORITY**

Committee

Appointment

Queen Titile’ Keskesa

GENERAL ORDINANCE THIRD AND FINAL READING (None)

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION

20. RESOLUTION to amend the Fiscal Year 2023 CIP budget by accepting and appropriating Railroad Safety Improvement funds in the amount of (\$1,380,533.75) from the TN Department of Transportation (TDOT) for Traffic Signal Improvements at various locations along Riverside Drive, Project #EN01114. District 6, Super District 8. This Resolution is sponsored by the Engineering Division.

Smiley

Chairman, **ACTION REQUESTED:** Adopt the Resolution

Public Works,

Solid Waste &

General

Services

Committee

Smiley

Chairman,

Public Works,

Solid Waste &

General

Services

Committee

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES

22. RESOLUTION establishing CIP Project #GS23101 Modification (Roofing) by transferring funds from FY23 allocations in the amount of (\$3,405,031.00) for roof renovations. All Council Districts. This Resolution is sponsored by General Services.

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

ACTION REQUESTED: Adopt the Resolution

23. RESOLUTION establishing FY23 Major Modification (Electric) by transferring funds in the amount of (\$540,500.00) to replace generators and overhead doors at various Fire Stations, Project #GS23102. All Council Districts. This Resolution is sponsored by General Services.

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

ACTION REQUESTED: Adopt the Resolution

24. RESOLUTION establishing CIP Project Funds in the amount of (\$161,000.00) for Modification Plumbing for pool filtration system replacement at Ed Rice, Lester, and Willow Community Centers, Project #GS23103. Districts 5 & 7, Super Districts 8 & 9. This Resolution is sponsored by General Services.

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

ACTION REQUESTED: Adopt the Resolution

25. RESOLUTION establishing CIP Project #GS23104 in the amount of (\$2,162,719.00) Major Modification (HVAC) replacement/and or upgrades. All Council Districts. This Resolution is sponsored by General Services.

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

ACTION REQUESTED: Adopt the Resolution

26. RESOLUTION establishing CIP Project #GS23105 in the amount of (\$235,750.00) for Major Modification (Carpentry). Districts 5 & 7, Super Districts 8 & 9. This Resolution is sponsored by General Services.

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

ACTION REQUESTED: Adopt the Resolution

27. RESOLUTION establishing CIP Project #GS23106 in the amount of (\$1,495,000.00) Major Modification (Asphalt). District 7, Super District 8. This Resolution is sponsored by General Services.

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

ACTION REQUESTED: Adopt the Resolution

28. RESOLUTION appropriating FY23 allocation in the amount of (\$1,000,000.00) Project #GS22107, contingency for emergency repairs. All Council Districts. This Resolution is sponsored by General Services.

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

ACTION REQUESTED: Adopt the Resolution

29. RESOLUTION requesting approval to donate City owned property located at 1099 S. Wellington Street, Memphis, TN Parcel I.D. #013047 00022. District 6, 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

30. RESOLUTION approving proposed consolidated plan FY23 Annual Action Plan and appropriating Federal Entitlement Funds in the amount of (\$13,845,328.00) to the FY23 Housing and Community Development Budget. All Council Districts. This Resolution is sponsored by the Division of Housing and Community Development.

Colvett
Chairman,
Housing &
Community
Development

ACTION REQUESTED: Adopt the Resolution

DIVISION OF HUMAN RESOURCES (None)

INFORMATION TECHNOLOGY (None)

LAW DIVISION (None)

LIBRARY SERVICES (None)

MLGW DIVISION (None)

MEMPHIS PARKS

31. RESOLUTION to allocate and appropriate funds for the Lester Community Center Replacement in the amount of (\$4,000,000.00), Project #PK01036. District 5, Super District 9. This Resolution is sponsored by Memphis Parks.
Warren
Chairman,
Memphis
Parks
Committee
ACTION REQUESTED: Adopt the Resolution

32. RESOLUTION to allocate and appropriate funds for Tennis Major Maintenance in the amount of (\$750,000.00), Project #PK03004. Districts 4 & 5, Super Districts 8 & 9. This Resolution is sponsored by Memphis Parks.
Warren
Chairman,
Memphis
Parks
Committee
ACTION REQUESTED: Adopt the Resolution

33. RESOLUTION to allocate and appropriate funds for Douglass Park Splash Pad in the amount of (\$1,200,000.00), Project #PK04018. District 7, Super District 8. This Resolution is sponsored by Memphis Parks.
Warren
Chairman,
Memphis
Parks
Committee
ACTION REQUESTED: Adopt the Resolution

34. RESOLUTION to allocate and appropriate funds in the amount of (\$4,000,000.00) for Audubon Golf Course Redesign and Construction, Project #PK06018. District 5, Super District 9. This Resolution is sponsored by Memphis Parks.
Warren
Chairman,
Memphis
Parks
Committee
ACTION REQUESTED: Adopt the Resolution

35. RESOLUTION to allocate and appropriate funds in the amount of (\$300,000.00) for Ida B. Wells Memorial, Project #PK07126. District 6, Super District 8. This Resolution is sponsored by Memphis Parks.
Warren
Chairman,
Memphis
Parks
Committee
ACTION REQUESTED: Adopt the Resolution

36. RESOLUTION to allocate and appropriate funds in the amount of (\$1,000,000.00) for Improvements to the Wolf River Greenway-Phase 6, Project #PK07127. District 7, Super District 8. This Resolution is sponsored by Memphis Parks.

Warren
Chairman,
Memphis
Parks
Committee

ACTION REQUESTED: Adopt the Resolution

37. RESOLUTION to allocate and appropriate funds in the amount of (\$500,000.00) for Lichterman Nature Center Major Maintenance, Project #PK08037. District 2, Super District 9. This Resolution is sponsored by Memphis Parks.

Warren
Chairman,
Memphis
Parks
Committee

ACTION REQUESTED: Adopt the Resolution

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

Warren
Chairman,
Memphis
Parks
Committee

ACTION REQUESTED: Adopt the Resolution

39. RESOLUTION to appropriate funds in the amount of (\$350,000.00) for Park Cover Line Architecture/Engineering Fees, Project #PK23101. All Council Districts. This Resolution is sponsored by Memphis Parks.

Warren
Chairman,
Memphis
Parks
Committee

ACTION REQUESTED: Adopt the Resolution

40. RESOLUTION to allocate and appropriate funds in the amount of (\$600,000.00) for Sports Lighting Installation, Project #PK23102. Districts 1,4, & 7, Super Districts 8 & 9. This Resolution is sponsored by Memphis Parks.

Warren
Chairman,
Memphis
Parks
Committee

ACTION REQUESTED: Adopt the Resolution

41. RESOLUTION to appropriate funds in the amount of (\$2,150,000.00) for Miscellaneous Park Improvements, Project #PK23103. All Council Districts. This Resolution is sponsored by Memphis Parks.

Warren
Chairman,
Memphis
Parks
Committee

ACTION REQUESTED: Adopt the Resolution

42. RESOLUTION to appropriate Furniture Fixtures & Equipment (FFE) Funds in the amount of (\$400,000.00) for Community Center Park Furniture Fixtures and Equipment, Project #PK23104. All Council Districts. This Resolution is sponsored by Memphis Parks.

Warren
Chairman,
Memphis
Parks
Committee

ACTION REQUESTED: Adopt the Resolution

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS

43. RESOLUTION to transfer and appropriate construction funds in the amount of (\$845,830.00) to fund the repair of Humphreys Blvd Bridge over Sweetbriar Creek; Wingwall replacement; ST Bridge repairs, Project #ST17110. District 2, Super District 9. This Resolution is sponsored by the Public Works Division.

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

ACTION REQUESTED: Adopt the Resolution

DIVISION OF SOLID WASTE (None)

GENERAL ITEMS

44. RESOLUTION requesting approval to lease premises to Jason Chrestman for the purpose of hay cutting, approximately 330 acres. District 6, Super District 8. This Resolution is sponsored by Memphis and Shelby County Port Commission.

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

ACTION REQUESTED: Adopt the Resolution

45. RESOLUTION requesting approval for the second amendment to lease agreement between the Port Commission and Wepfer Marine, Inc. District 6, Super District 8. This Resolution is sponsored by Memphis and Shelby County Port Commission.

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

ACTION REQUESTED: Adopt the Resolution

46. RESOLUTION requesting approval for the second amendment to lease agreement between the Port Commission and Maxim Crane Works, LP. District 6, Super District 8. This Resolution is sponsored by Memphis and Shelby County Port Commission.
Smiley
Chairman,
Public Works,
Solid Waste & **ACTION REQUESTED:** Adopt the Resolution
General
Services
Committee

47. RESOLUTION appropriating funds for Project #GS23300 Convention Center Coverline in the amount of (\$400,000.00). District 6, Super District 8. This Resolution is sponsored by the Memphis Management Group.
Smiley
Chairman,
Public Works,
Solid Waste & **ACTION REQUESTED:** Adopt the Resolution
General
Services
Committee

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT