



# CITY OF MEMPHIS

## COUNCIL REGULAR MEETING AGENDA

Tuesday, October 20, 2020, 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](https://www.memphistn.gov/government/city_council)

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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 Council Administrator of the Memphis City Council.*

### PLEDGE OF ALLEGIANCE

### CALL OF ROLL by the Comptroller

### APPROVAL OF PREVIOUS MEETING MINUTES (October 6, 2020)

### ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

### ITEMS HELD OR DROPPED FROM THE AGENDA

#### PRESENTATION AND RECOGNITION OF VISITORS

1. RESOLUTION designating October as Breast Cancer Awareness Month and recognizing Susan G. Komen Memphis Mid-South. This resolution is sponsored by Vice Chairman Colvett.

ACTION REQUESTED: Adopt the resolution

#### COMMUNITY ORGANIZATION SPOTLIGHT (None)

**PUBLIC HEARINGS** (None)

**DIVISION OF PLANNING AND DEVELOPMENT**

2.  
Colvett  
Chairman,  
Planning &  
Zoning  
Committee

RESOLUTION approving a special use permit located at 590 East Raines Road, containing 0.26 acre in the Commercial Mixed Use – 1 District. This resolution is sponsored by the Office of Planning and Development. (Held from 10/6)

Case No. SUP 20-07

Applicant: Negotiable Taxes, Inc.  
David Bray of the Bray Firm – Representative

Request: Special use permit for vehicle sales

LUCB and OPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

**No Opposition at LUCB; No Public Hearing Required**

3.  
Colvett  
Chairman,  
Planning &  
Zoning  
Committee

RESOLUTION approving a special use permit located at 580 Belt Line Street, 584 Belt Line Street, 579 Boston Street, 2638 Southern Avenue and 2650 Southern Avenue, containing 0.9 acre in the Commercial Mixed Use – 1 and Residential Urban – 1 Districts. This resolution is sponsored by the Office of Planning and Development. (Held from 10/6)

Case No. SUP 20-08

Applicants: Ameen Ozrail and Ziad Ozra  
Tim McCaskill of McCaskill and Associates – Representative

Request: Special use permit for a convenience store with gas sales

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

**No Opposition at LUCB; No Public Hearing Required**

4.  
Colvett  
Chairman,  
Planning &  
Zoning  
Committee

RESOLUTION approving a special use permit located at 3169 Kirby Parkway, containing +/- 9.61 acres in the Residential Urban – 3 (RU-3) District. This resolution is sponsored by the Office of Planning and Development.

Case No. SUP 20-11

Applicant: TV6 Argus Towers, LLC (Towers Ventures)  
Lou Katzerman, Tower Ventures – Representative

Request: To allow a 160-foot Monopole Communications (CMCS) Tower

LUCB and OPD recommendation; APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

**No Opposition at LUCB; No Public Hearing Required**

5.  
Colvett  
Chairman,  
Planning &  
Zoning  
Committee

RESOLUTION approving a special use permit located at part of 2939 South Third Street and part of 2920 New Horn Lake Road, containing 7 acres in the Employment and Heavy Industrial District. This resolution is sponsored by the Office of Planning and Development. Case No. SUP 20-12

Applicant: Abdallah Ayesh  
Tim Dagastino of W. H. Porter Consultants, PLLC – Representative

Request: Special use permit for a truck stop and gas pumps

LUCB recommendation: REJECTION

OPD recommendation: APPROVAL, with conditions

**No Opposition at LUCB; No Public Hearing Required**

6.  
Colvett  
Chairman,  
Planning &  
Zoning  
Committee

RESOLUTION approving a street/alley closure located west of Pond Street and +/-170 feet south of East McLeMore Avenue, containing +/-1,591 square feet in the Residential Single-Family – (R-6) District. This resolution is sponsored by the Office of Planning and Development. Case No. SAC 20-17

Applicant: Covenant Restoring Ministries  
Construction Code Consultants – Evelyn Royston – Representative

Request: Close and vacate a portion of public right-of-way that is part of an east-west public alley

LUCB and OPD 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**

7.  
Colvett  
Chairman,  
Planning  
& Zoning

ORDINANCE rezoning 580 and 584 Belt Line Street, containing 0.2 acres located in the Residential Urban – 1 District, up for T H I R D and F I N A L reading. This Ordinance is sponsored by the Office of Planning and Development. (Held from 10/6)

Case No. Z 20-08

Committee

Ordinance No. 5762

Applicant: Ameen Ozrail and Ziad Ozrail  
Tim McCaskill and Associates, Inc. – (Representative)

Request: Commercial Mixed Use – 1

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

**46 NOTICES WERE MAILED ON SEPTEMBER 25, 2020**



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## CONSENT AGENDA

### GENERAL ORDINANCE - FIRST READING

8. **ORDINANCE** amending Chapter 12 of the City of Memphis Code of Ordinances, so as to update the Code of Ordinances related to sidewalks, up for F I R S T reading. Ordinance No. 5764 is sponsored by Councilwoman Easter-Thomas.
- Smiley  
Chairman,  
Public Works,  
Solid Waste,  
Transportation  
& General  
Services Committee
- ACTION REQUESTED: Adopt the ordinance on First reading

### GENERAL ORDINANCE - SECOND READING

ZONING ORDINANCE – FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

NOTATION FROM OPD (None)

### ENGINEERING DIVISION

9. **RESOLUTION** accepting OPEN ARMS CARE MOSAIC SUBDIVISION. LOTS 1 & 2 and authorizing release of the bond.
- Resolution approves accepting the public improvements with the City of Memphis as shown on the engineering plans located on the east of Reese Road and Kate Bond intersection on the southeast side of Reese Road in the City of Memphis, Tennessee. Resolution also authorizes the release of the Bancorp South Bank Letter of Credit No. 161000986028 in the amount of \$76,100.00 held as security for the standard improvement contract.
- ACTION REQUESTED: Adopt the resolution
10. **RESOLUTION** accepting OPEN ARMS CARE SUBDIVISION, LOTS 2 & 3 (Old Dexter Road) and authorizing release of bond.

Resolution approves accepting the public improvements with the City of Memphis as shown on the engineering plans located on the northeast corner of Old Dexter Road and Dexter Lane in the City of Memphis, Tennessee. Resolution also authorizes the release of Performance Bond No. SU1155093 in the amount of \$82,500.00 held as security for the standard improvement contract.

ACTION REQUESTED: Adopt the resolution

11. RESOLUTION accepting THE OAKS AT DEXTER PD (PD-04-332) and authorizing release of the bond.

Resolution approves accepting the public improvements with the City of Memphis as shown on the final plat located on the south of Dexter Road, west of Germantown Parkway in the City of Memphis, Tennessee. Resolution also authorizes the release of Performance Bond No. 104145537 in the amount of \$79,200.00 held as security for the standard improvement contract.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

12. RESOLUTION approving the engineering plans AEROTROPOLIS PD, PHASE 2, RDX AMERICAN WAY FACILITY.

Case No. CR-5341

Resolution approves the engineering plans located at 4590 & 4594 American Way, approximately 850 linear feet southwest of the S. Perkins Road intersection in City of Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract and accept Performance Bond No. 5424252 in the amount of \$110,800.00 on behalf of the City of Memphis.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

13. RESOLUTION approving the engineering plans TPA GROUP WAREHOUSE- HOLMES & AIRWAYS PROJECT.

Case No. CR-5342

Resolution approves the engineering plans located on the southeast corner lot in the Holmes Road and Airways Boulevard intersection 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 attached standard improvement contract and accept Performance Bond No. US00100628SU20A in the amount of \$230,000.00 on behalf of the City of Memphis.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution



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## FISCAL CONSENT AGENDA

14. RESOLUTION to accept, allocate and appropriate grant funds in the amount of \$33,964.00 for professional fees grants & awards from the United Way of Greater Nashville for the Memphis Public Library and Information Center's LINC211 SNAP outreach. This resolution is sponsored by Library Services. **(Request for same night minutes)**
15. RESOLUTION to accept a donation of a trash dumpster awarded to the Memphis Police Division estimated value of \$150.00 from Republic Services. This resolution is sponsored by MPD. **(Request for same night minutes)**
16. RESOLUTION to accept a donation in the amount of \$500.00 from 901 Parkinson's Fighters to the Memphis Police Division to be used to fund MPD Boxing Gym operational activities. This resolution is sponsored by MPD. **(Request for same night minutes)**





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## MLGW FISCAL CONSENT

17. RESOLUTION awarding a purchase order to Panaya, Inc. for Software As A Service (SAAS) software upgrade, in the funded amount of \$60,000.00.
18. RESOLUTION awarding the approval of Change No. 2 to Contract No. 11966, MLGW Network Upgrade and Enhancement with Converge One, Incorporated (formerly Venture Technologies, Incorporated), in the funded amount of \$577,285.29. (This change is to ratify and renew the current contract for the second of four annual renewal terms for the period covering September 27, 2020 through September 26, 2021 with a decrease in rates from the previous term. This decrease in rates is due to less equipment being replaced in the contract term.)
19. RESOLUTION awarding Contract No. 12168, External Auditing Services to Clifton Larson Allen, LLP, in the funded amount of \$889,200.00.
20. RESOLUTION awarding Contract No. 12151, Line Clearance Minor to ABC Professional Tree Services, Incorporated, in the funded amount of \$30,040,152.24.
21. RESOLUTION awarding Contract No. 12180, Engineering Services for Water Engineering to HDR Engineering, Inc., in the funded amount not-to-exceed \$1,500,000.00.
22. RESOLUTION awarding Contract No.12213, ABB Tropos Maintenance Services to Hitachi ABB Power Grids in the funded not-to-exceed amount of \$1,000,000.00.
23. RESOLUTION awarding Contract No.12137, Fiber Management and Monitoring System to Top Engineering Plus, in the funded amount not-to-exceed \$216,837.50.
24. RESOLUTION awarding a purchase order to Automotive Tool Group for the purchase of laptop diagnostic tools, in the funded amount of \$57,314.61.
25. RESOLUTION awarding a purchase order to Brighter Days and Nites, Inc. for 12" coated steel pipe and 12" carbon steel ball valves, in the amount of \$219,422.00.
26. RESOLUTION awarding a purchase order to Gray Manufacturing Company, Inc. for the purchase of a mobile vehicle lift, in the funded amount of \$109,232.00.

27. RESOLUTION awarding Purchase orders to AutoNation Ford Memphis in the funded amount of \$22,617.96 and MHC Ford Memphis in the funded amount of \$51,801.00 for the purchase of light duty vans.
28. RESOLUTION awarding a purchase order to Brighter Days and Nites, Inc. for automated and control switches, in the amount of \$1,040,750.00.
29. RESOLUTION awarding Contract No. 12172, Network Video Recording Systems Replacements to G4S Secure Integration, LLC, in the funded amount of \$674,043.58.
30. RESOLUTION approving Change No. 1 to Contract No. 12091, Janitorial Services with SKB Facilities and Maintenance in the funded amount of \$760,661.30. (This change is to ratify and expand the scope to include seven full-time supplemental day workers to provide disinfecting services due to the COVID-19 Pandemic, for the period covering April 1, 2020 through February 22, 2021 in the amount of \$165,432.10. This change is also to renew the current contract for the first of four annual renewal terms for the period covering February 23, 2021 through February 22, 2022 in the funded amount of \$595,229.20, with no increase in rates from the initial term.)
31. RESOLUTION approving Change No. 4 to Contract No. 11855, Janitorial Services with SKB Facilities and Maintenance, in the funded amount of \$298,046.64. (This change is to ratify and expand the scope to include three full-time supplemental day workers to provide disinfecting services due to the COVID-19 Pandemic, for the period covering April 1, 2020 through March 1, 2021 in the amount of \$70,792.80. This change is also to renew the current contract for the fourth and final annual renewal term for the period covering March 2, 2021 through March 1, 2022 in the funded amount of \$227,253.84, with no increase in rates from the previous term.)
32. RESOLUTION approving Change No. 4 to Contract No. 11894, Grounds Maintenance - Well Lots with Turf Doctors L&LM, LLC, in the funded amount of \$69,441.40. (This change is to renew the current contract for the fourth and final annual renewal term for the period covering May 17, 2021 through May 16, 2022, with no increase in rates from the previous year.)



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## REGULAR AGENDA

33.

Carlisle  
Chairman,  
Personnel  
Committee

### APPOINTMENTS

#### MEMPHIS CIVIL SERVICE COMMISSION

##### Appointments

Mark Allen  
Robert L. Mebane  
John B. Turner, Jr.  
LaTanyia S. Walker

#### MEMPHIS LANDMARKS COMMISSION

##### Appointments

Joyce Selina Love  
Margot Ferster Payne

#### MEMPHIS AND SHELBY COUNTY BUILDING CODE ADVISORY BOARD

##### Appointments

Ian C. Engstrom  
Carter Hord  
Andre D. Jones

#### GENERAL ORDINANCES– THIRD AND FINAL READING

34.

Canale  
Chairman,  
Government  
Affairs &  
Annexation  
Committee

**ORDINANCE** amending Chapter 2, Article I, Section 2-10-10, Subsection B, to require the Board of Ethics to establish an online portal to require Lobbyists to register annually and to file their state mandated disclosure statements with the City of Memphis, up for T H I R D and F I N A L reading. Ordinance No. 5752 is sponsored by Councilman Morgan and Councilman Carlisle. (Held from 6/16;7/7;7/21; 9/1: 9/15; 10/6)

ACTION REQUESTED: Take whatever action Council deems advisable

35. **ORDINANCE** amending and restating Chapter 25 of the City of Memphis, Code of Ordinances Governing the City Pension System, up for T H I R D and F I N A L reading. Ordinance No. 5763 is sponsored by the Administration.

Carlisle  
Chairman,  
Personnel  
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

**CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS** (None)

**ENGINEERING DIVISION**

36. RESOLUTION amending the FY2021 CIP Budget by accepting Congestion Mitigation and Air Quality (CMAQ) grant funds and establishing funding for the Covington Pike Signal System Project (EN01106), in the amount of \$3,250,000.00. This resolution is sponsored by Engineering Division.

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

ACTION REQUESTED: Adopt the resolution

**EXECUTIVE DIVISION** (None)

**FINANCE & ADMINISTRATION** (None)

**DIVISION OF FIRE SERVICES**

37. RESOLUTION requesting the appropriation of funds allocated in FY21 to FS02011, Fire Station 43 in the amount of \$103,128.88 for Information Technology funded by G.O. Bonds. This resolution is sponsored by Fire Services.

Swearingen  
Chairman,  
Public Safety  
& Homeland  
Security  
Committee

ACTION REQUESTED: Adopt the resolution

38. RESOLUTION accepting and appropriating 2019 Fire Prevention and Safety Grant Program funds from the U.S. Department of Homeland Security in the amount of \$38,011.43 to be used to train fire personnel to the TN State Certified Fire Investigator 1 level. This resolution is sponsored by Fire Services.

Swearingen  
Chairman,  
Public Safety  
& Homeland  
Security  
Committee

ACTION REQUESTED: Adopt the resolution

39. RESOLUTION transferring an allocation of \$185,000.00 from FS21100 FY21 Fire Station Improvement Cover to FS02034 Security Cameras and appropriate. This resolution is sponsored by Fire Services.

Swearingen  
Chairman,  
Public Safety  
& Homeland  
Security

ACTION REQUESTED: Adopt the resolution

Committee

**DIVISION OF GENERAL SERVICES**

40. RESOLUTION establishing a repair and infrastructure restoration project for the Beale Street Entertainment District Unit (EDU) police station, in the amount of \$100,000.00.

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

This resolution is sponsored by General Services Division.

ACTION REQUESTED: Adopt the resolution

**DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT** (None)

**DIVISION OF HUMAN RESOURCES** (None)

**INFORMATION SERVICES** (None)

**LAW DIVISION** (None)

**LIBRARY SERVICES** (None)

**MLGW DIVISION** (None)

**DIVISION OF PARKS AND NEIGHBORHOODS** (None)

**DIVISION OF POLICE SERVICES**

41. RESOLUTION to amend the FY2021 Operating budget to accept a reimbursement in the amount not to exceed \$22,000.00 from the FBI for expenditures by MPD Homicide Violent Crime Unit. This resolution is sponsored by Police Services.

Swearingen  
Chairman,  
Public Safety  
& Homeland  
Security  
Committee

ACTION REQUESTED: Adopt the resolution

**DIVISION OF PUBLIC SERVICES** (None)

**DIVISION OF PUBLIC WORKS** (None)

**GENERAL ITEM** (None)

**APPEARANCE CARDS FOR PUBLIC SPEAKING**

**ADJOURNMENT**