



CITY OF MEMPHIS

COUNCIL REGULAR MEETING AGENDA

Tuesday, January 5, 2021, 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

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 (December 15, 2020)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS (None)

COMMUNITY ORGANIZATION SPOTLIGHT (None)

PUBLIC HEARING (None)

DIVISION OF PLANNING AND DEVELOPMENT

1.
Colvett
Chairman,
Planning
& Zoning
Committee

RESOLUTION approving a planned development located at 795 Tanglewood Street and one adjacent parcel, containing 1.2 acres in the Residential – 6 District. This resolution is sponsored by the Office of Planning and Development.

Case No. PD 20-13

Applicant: 795 Tanglewood, LLC
Tim McCaskill of McCaskill and Associates – Representative

Request: Planned residential development with reduced minimum lot size and building setbacks

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

2.
Colvett
Chairman,
Planning
& Zoning
Committee

RESOLUTION approving a planned development located generally along York Street South of Central Avenue, west of Cooper Street, and east of Tanglewood Street; containing +/-5.52 acres in the Employment (EMP), Commercial Mixed Use – 1 (CMU-1), and Residential Urban – 1 Historic (RU-1(H)) Districts. This resolution is sponsored by the Office of Planning and Development.

Case No. PD 20-15

Applicant: Cooper York Development Company, Inc., RE&D Investments, LLC and Scott Industries, Inc./ RE&D Investments, LLC
Brittenu Law – Dedrick Brittenu, Jr. – Representative

Request: Mixed use (retail, office, multifamily, parking garage, etc.) planned development

LUCB and OPD recommendation: APPROVAL, with conditions

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 street and alley closure located on part of Autumn Avenue east of Lipford Street and north of Sam Cooper Boulevard; containing 5042 square feet in the Residential – 6 District. This resolution is sponsored by the Office of Planning and Development.

Case No. SAC 20-21

Applicant: MVS Real Estate Mid Town, LLC
John Behnke of Spire Enterprises – Representative

Request: Physical closure of part of the Autumn Avenue right-of-way east of Lipford Street and north of Sam Cooper Boulevard

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 (None)



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CONSENT AGENDA

GENERAL ORDINANCE- FIRST READING – (INCLUDING ITEMS #29 & #30)

4. Swearingen
Chairman,
Public Safety
& Homeland
Security
Committee
- ORDINANCE** amending the City of Memphis Code of Ordinances Chapter 21, Traffic and Vehicles, Article III, Operation of Vehicles generally to add Section 21-135 to be entitled “Non-Driver Participation in Drag Racing and Reckless Driving Exhibitions”, to set penalties for violations, and for other purposes, up for F I R S T reading. Ordinance No. 5771 is sponsored by Councilman Canale.
- ACTION REQUESTED: Adopt the ordinance on First reading

GENERAL ORDINANCES - SECOND READING

5. Robinson
Chairman,
Executive
Session
- 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 S E C O N D reading. Ordinance No. 5769 is sponsored by Councilwoman Robinson.
- ACTION REQUESTED: Adopt the ordinance on Second reading
6. Ford
Chairman,
Economic
Development,
Technology
& Tourism
Committee
- ORDINANCE** designating qualified public use facility, creation of the One Beale Tourism Development Zone Tourism surcharge and otherwise providing with respect to the foregoing, up for S E C O N D reading. Ordinance No. 5770 is sponsored by the Administration.
- ACTION REQUESTED: Adopt the ordinance on Second reading

ZONING ORDINANCES – FIRST READING

7.
Colvett
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 Office 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 F I R S T reading. This Ordinance is sponsored by the Office of Planning and Development.

Case No. ZTA 20-01
Ordinance No. 5772

Applicant: Memphis and Shelby County Office of Planning and Development
Josh Whitehead, Zoning Administrator – Representative

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

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on First reading

8.
Colvett
Chairman,
Planning
& Zoning
Committee

ORDINANCE rezoning certain parcels adjacent to Summer between: Holmes and Sevier, and Novarese and Stratford, in the Commercial Mixed Use – 3 District, up for F I R S T reading. This Ordinance is sponsored by the Office of Planning and Development.

Case No. Z 20-10
Ordinance No. 5773

Applicant: Department of Comprehensive Planning of the Division of Planning and Development
Ashley Cash – Representative

Request: Comprehensive Rezoning of Summer between: 1) Holmes and Sevier and 2) Novarese and Stratford

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on First reading

ZONING ORDINANCE - SECOND READING (None)

NOTATION FROM OPD (None)

ENGINEERING DIVISION (None)



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FISCAL CONSENT AGENDA

9. RESOLUTION accepting and appropriating grant funds in the amount of \$75,000.00 from International Paper Foundation for "Lit meets Rec" Literacy programming (Project #PK90091) at all Community Centers. All Councils Districts. This resolution is sponsored by Park Services. **(Request for Same Night Minutes)**
10. RESOLUTION accepting and appropriating grant funds in the amount of \$5,000.00 from International Paper Foundation for "MEMFeast" program supplies (Project #PK90092). All Council Districts. This resolution is sponsored by Park Services. **(Request for Same Night Minutes)**
11. RESOLUTION accepting and appropriating grant funds in the amount of \$25,000.00 from ASPCA for MAS to fund COVID-19 pet parent relief programs and /or shelter lifesaving (Project #GR90065). All Council Districts. This resolution is sponsored by MAS. **(Request for Same Night Minutes)**
12. RESOLUTION accepting and appropriating grant funds in the amount of \$20,000.00 from the Corporation for National and Community Service for the VISTA program (Project #GR90094). All Council Districts. This resolution is sponsored by the Human Resources Division. **(Request for Same Night Minutes)**



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MLGW FISCAL CONSENT

13. RESOLUTION approving Change No. 4 to Contract No. 11822, CardConnect (formerly Ignite Payments, LLC) in the funded amount of \$840,000.00. (This change is to ratify and add additional funding for the period covering June 1, 2020 through December 31, 2020.)
14. RESOLUTION approving Change No. 9 to Contract No. 10741, Laser Disk Document Storage, with Jack Henry and Associates, Incorporated, a division of Profitstars, in the funded amount of \$55,470.00. (This change is to renew annual software maintenance, license and support services for Spoolview and Synergy for a three-year term covering the period July 1, 2021 through June 30, 2024. Also, this change is to add annual software release services and training and upgrade services. MLGW is requesting approval of these acquired services, which can only be provided by Jack Henry and Associates, Incorporated.)
15. RESOLUTION awarding Contract No.12202, Network Maintenance to ConvergeOne, in the funded amount of \$1,266,796.60.
16. RESOLUTION approving Change No. 4 to Contract No. 11887, Gas Matrix Utility Landscaping with Enlightenment, Incorporated dba APS Facility Maintenance in the funded amount of \$300,000.00. (This change is to renew the current contract for the fourth and final annual renewal term for the period covering February 14, 2021 through February 13, 2022, with no increase in rates from the previous year.)
17. RESOLUTION approving Change No. 7 to Contract No. 11582, Programmable Logic Controller (PLC) Maintenance with Logical Systems, LLC, based on approved rates, in the funded amount of \$35,000.00. (This change is to ratify and renew the current contract for annual maintenance and support programming services for MLGW's Capleville Liquefied Natural Gas (LNG) Plant, covering the period January 4, 2021 through January 3, 2022. This renewal reflects an annual 1% increase in pricing from the previous renewal term. MLGW is requesting approval of continuous maintenance of the acquired system, which can only be performed by Logical Systems, LLC.)

18. RESOLUTION awarding Contract No. 12219, CDL Roadway to Lehman Roberts Company, in the funded amount of \$779,137.50.



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REGULAR AGENDA

19.
Carlisle
Chairman,
Personnel
Committee

APPOINTMENTS

MEMPHIS CONVENTION CENTER COMMISSION

Reappointments

Calvin Anderson
Douglas Browne
Natasha Langston

MEMPHIS AND SHELBY COUNTY LAND USE CONTROL BOARD

Reappointments

Scott Fleming
Mary Sharp

MEMPHIS AREA TRANSIT AUTHORITY

Reappointments

Justice Janice Holder (Ret.)
Martin Lipinski
Shelia Williams

HEALTHCARE OVERSIGHT COMMITTEE

Appointment

Cameron Stephens

GENERAL ORDINANCES– THIRD AND FINAL READING

20. **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 **T H I R D** and **F I N A L** reading. Ordinance No. 5764 is sponsored by Councilwoman Easter-Thomas. (Held from 11/17;12/01;12/15)
Smiley
Chairman,
Public Works,
Solid Waste,
Transportation
& General
Services Committee
ACTION REQUESTED: Take whatever action Council deems advisable

21. **SUBSTITUTE ORDINANCE** amending Title 3, Chapter 16 in the City of Memphis, Code of Ordinances, City Employee Occupational Health Program, establishing an updated Occupational Safety and Health Program Plan, up for **T H I R D** and **F I N A L** reading. Ordinance No. 5765 is sponsored by Human Resources Division.
Carlisle
Chairman,
Personnel
Committee
ACTION REQUESTED: Take whatever action Council deems advisable

22. **ORDINANCE** amending Chapter 2, Section 2-22-7 of the City of Memphis, Code of Ordinances to modify Engineering Administration Fees, up for **T H I R D** and **F I N A L** reading. Ordinance No. 5766 is sponsored by Engineering Division.
Smiley
Chairman,
Public Works,
Solid Waste,
Transportation
& General
Services Committee
ACTION REQUESTED: Take whatever action Council deems advisable

23. **ORDINANCE** amending Title 11, Section 11-16-21 of the City of Memphis, Code of Ordinances to reduce the default City Speed Limit to 25 mph, up for **T H I R D** and **F I N A L** reading. Ordinance No. 5767 is sponsored by Engineering Division.
Smiley
Chairman,
Public Works,
Solid Waste,
Transportation
& General
Services Committee
ACTION REQUESTED: Take whatever action Council deems advisable

24. **ORDINANCE** establishing the City Council meeting dates for 2021, up for **T H I R D** and **F I N A L** reading. Ordinance No. 5768 is sponsored by Councilwoman Robinson.
Robinson
Chairman,
Executive
Session
ACTION REQUESTED: Take whatever action Council deems advisable

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION

25. RESOLUTION appropriating FY21 CIP funds in the amount of \$73,660.00 for MATA Smiley New Operations and Maintenance Facility #GA03023. This resolution is sponsored by the Administration.

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

ACTION REQUESTED: Adopt the resolution

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES

26. RESOLUTION accepting and appropriating Hazard Mitigation Grant Program funds in the amount of \$238,350.00 with a City match of 12% in the amount of \$34,050.00 to be used for a back-up generator at the Office of Emergency Management. This resolution is sponsored by Fire Services.

Swarengen
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 (None)

DIVISION OF PARKS AND NEIGHBORHOODS (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS (None)

GENERAL ITEMS

27. RESOLUTION to create and fund an Anti-Violent Crime Task Force for the City of Memphis. This resolution is sponsored by Councilman Warren. (Held from 12/01; 12/15)
Swearengen
Chairman,
Public Safety &
Homeland
Security
Committee
ACTION REQUESTED: Adopt the resolution
28. RESOLUTION approving certain routes for parades and races and exempting said routes from the notice requirement pursuant to Ordinance No. 5675. This resolution is sponsored by the Administration.
Smiley
Chairman,
Public Works,
Solid Waste,
Transportation
& General
Services
Committee
ACTION REQUESTED: Adopt the resolution

GENERAL ORDINANCES- FIRST READING - (CONTINUED)

29. ORDINANCE amending Memphis Code of Ordinances Chapter 22, Noise, Section 22-12 to add Subsection 22-12 (B) regarding Muffler Noise Violations and Penalties, up for F I R S T reading. Ordinance No. 5774 is sponsored by Councilman Canale.
Swearengen
Chairman,
Public Safety
& Homeland
Security
Committee
ACTION REQUESTED: Negative recommendation during Committee
30. ORDINANCE amending the City of Memphis Code of Ordinances Chapter 21, Traffic and Vehicles, Article X, Vehicle Equipment and Loads to add Subsection 21-335 (B) and Section 21-336 (B) regarding Muffler Violations and Penalties, up for F I R S T reading. Ordinance No. 5775 is sponsored by Councilman Canale.
Swearengen
Chairman,
Public Safety
& Homeland
Security
Committee
ACTION REQUESTED: Negative recommendation during Committee

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT