



# CITY OF MEMPHIS

## COUNCIL REGULAR MEETING AGENDA

Tuesday, February 16, 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](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 (February 2, 2021)

### ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

### ITEMS HELD OR DROPPED FROM THE AGENDA

#### PRESENTATION AND RECOGNITION OF VISITORS

1. RESOLUTION thanking the Travelodge by Wyndham and the Hospitality Hub for their service to the City of Memphis during the COVID-19 pandemic. This resolution is sponsored by Councilman Warren.

ACTION REQUESTED: Adopt the resolution

#### PUBLIC HEARING

2. RESOLUTION approving a planned development located at 3681 Hawkins Mill Road, containing +/-12.95 acres located in the Residential Single-Family – 6 (R-6) District. This resolution is sponsored by the Division of Planning and Development. (Held from 2/2)
- Canale  
Chairman,

Planning &  
Zoning  
Committee

Case No. PD 20-17

Applicant: Paul O. Brantley Sr. / Debra Hogue Brantley  
Delinor Smith, Smith Building Design & Assoc., Inc. –  
Representative

Request: Multi-use veteran’s facility providing multifamily dwelling  
units with supportive programs and services including an  
on-site private community center planned development

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

**179 NOTICES WERE MAILED ON JANUARY 29, 2021**

**DIVISION OF PLANNING AND DEVELOPMENT** (None)

**ZONING ORDINANCE- THIRD AND FINAL READING** (None)



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## CONSENT AGENDA

### GENERAL ORDINANCES- FIRST READING (None)

### GENERAL ORDINANCES - SECOND READING

3. **ORDINANCE** to amend City of Memphis, Code of Ordinances Chapter 5 "Animals and Fowl" to create Article V to restrict the "Retail Sale of Dogs and Cats at Pet Stores", up for **S E C O N D** reading. Ordinance No. 5777 is sponsored by Councilman Morgan, Councilman Warren and the Administration.
- Easter-Thomas  
Chairman,  
Public Services,  
Neighborhoods &  
Youth Services  
Committee
- ACTION REQUESTED: No Recommendation

4. **ORDINANCE** to amend City of Memphis, Code of Ordinances, Chapter 33, Division IV, to modify Section 33-62 related to the Sewer Development Fee, up for **S E C O N D** reading. Ordinance No. 5778 is sponsored by Public Works Division.
- Smiley  
Chairman,  
Public Works,  
Solid Waste &  
General Services  
Committee
- ACTION REQUESTED: Adopt the ordinance on Second reading

5. **ORDINANCE** to amend City of Memphis Code of Ordinances, Chapter 33, Division IV, to modify Section 33-65 related to the Sewer Extension Fee, up for **S E C O N D** reading. Ordinance No 5779 is sponsored by Public Works Division.
- Smiley  
Chairman,  
Public Works,  
Solid Waste,  
& General Services  
Committee
- ACTION REQUESTED: Adopt the ordinance on Second reading

### ZONING ORDINANCE – FIRST READING (None)

### ZONING ORDINANCE - SECOND READING (None)

### NOTATION FROM OPD (None)

**ENGINEERING DIVISION**

6. RESOLUTION accepting O'REILLY AUTO PARTS-PLEASANT SYCAMORE COMMERCIAL PD and authorizing release of bond.

Resolution approves accepting the public improvements as shown on the engineering plans located approximately 400 linear feet west of Pleasant View Road and Sycamore View Road Intersections. Resolution also authorizes the release of the Bank of Bartlett Letter of Credit No. 5501219 in the amount of \$94,400.00 in lieu of bond.

ACTION REQUESTED: Adopt the resolution

7. RESOLUTION approving the final plat entitled AVERY GROVE PD.

Case No. PD 18-47  
Contract No. CR-5354

Resolution approves the final plat located at the southwest corner lot in the Roberta Drive and Avery Avenue Intersections on the south side of Avery Avenue in the City of Memphis. Cost of the improvements to be borne by the Developer. Resolution also authorizes to accept the Performance Bond No. GM-202696 in the amount of \$67,800.00.

ACTION REQUESTED: Adopt the resolution

8. RESOLUTION approving the final plat entitled THE DOMINO'S VILLAGE.

Case No. BOA 19-93  
Contract No. CR-5355

Resolution approves the final plat located at 361 North 3<sup>rd</sup> Street bounded by Third Street, Jackson Avenue, Second Street and Overton Avenue in the City of Memphis. Cost of the improvements to be borne by the Developer. Resolution also authorizes to accept the Performance Bond No. 107356931 in the amount of \$130,200.00.

ACTION REQUESTED: Adopt the resolution

9. RESOLUTION approving the engineering plans entitled THE UNIVERSITY OF TENNESSEE HEALTH SCIENCE CENTER COLLEGE OF DENTISTRY.

Contract No. CR-5356

Resolution approves the engineering plans located at 875 Union Avenue southeast corner lot in the Union Avenue and Dunlap Street Intersections in the City of Memphis. Cost of the improvements to be borne by the Developer. Resolution also authorizes to accept the Performance Bond No. 015212325 in the amount of \$77,300.00.

ACTION REQUESTED: Adopt the resolution

GENERAL ITEM

10. RESOLUTION approving an Honorary Street Name Change of Mickey Drive between East Raines Road and Lehr Drive for Reverend Dr. Uliasea Little, Jr. This resolution is sponsored by Councilman Smiley. **(Request for same night minutes)**

ACTION REQUESTED: Adopt the resolution



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## FISCAL CONSENT AGENDA

11. RESOLUTION accepting a grant in the amount of \$26,000.00 from the National Recreation and Park Association, for soccer lighting at Gaisman Park. District 5, Super District 9. This resolution is sponsored by Parks and Neighborhoods Division. **(Request for same night minutes)**
  
12. RESOLUTION accepting funding in the amount of \$218,400.00 from the Memphis Fire Department Foundation, for the RADAR program from April 1, 2021 to June 30, 2021, to reduce non-emergency calls. All Council Districts and Super Districts. This resolution is sponsored by Fire Services. **(Request for same night minutes)**
  
13. RESOLUTION accepting reimbursement in the amount of \$258,051.09 from the US Department of Homeland Security-FEMA, for Tropical Cyclone Laura. All Council Districts and Super Districts. This resolution is sponsored by Fire Services. **(Request for same night minutes)**



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## MLGW FISCAL CONSENT

14. RESOLUTION approving Position No. 07073 - Planning Engineer 3.
15. RESOLUTION authorizing the execution of a contract with Public Energy Authority of Kentucky (PEAK) for the purchase of natural gas.
16. RESOLUTION authorizing the execution of a contract with Public Energy Authority of Kentucky (PEAK) for a new industrial sales program to purchase natural gas, as well as acknowledging PEAK will issue gas supply revenue bonds to fund the purchase of the supply of the natural gas.



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## REGULAR AGENDA

### GENERAL ORDINANCES– THIRD AND FINAL READING

17. **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 T H I R D and F I N A L reading. Ordinance No. 5769 is sponsored by Councilwoman Robinson. (Held from 1/26; 2/2)
- Colvett  
Chairman,  
Executive  
Session
- ACTION REQUESTED: Take whatever action Council deems advisable
18. **SUBSTITUTE ORDINANCE** of the City of Memphis to amend the City of Memphis Code of Ordinances Chapter 21, Motor Traffic and Vehicles, Article III, Operation of Vehicles generally to add Section 21-134 to be entitled “Non-Driver Participation in Drag Racing and Reckless Driving Exhibitions”, to set penalties for violations and for other purposes, up for T H I R D and F I N A L reading. Ordinance No. 5771 is sponsored by Councilman Canale, Councilman Logan and Councilman Warren. (Held from 2/2)
- Warren  
Chairman,  
Public  
Safety &  
Homeland  
Security  
Committee
- ACTION REQUESTED: Take whatever action Council deems advisable
19. **SUBSTITUTE ORDINANCE** of the City of Memphis to amend the City of Memphis Code of Ordinances Chapter 21, Motor Traffic and Vehicles, Article X, Vehicle Equipment and Loads, to amend Section 21-350(c) and Section 21-350(f) regarding Mufflers Noise, up for T H I R D and F I N A L reading. Ordinance No. 5774 is sponsored by Councilman Canale. (Held from 2/2)
- Warren  
Chairman,  
Public Safety  
& Homeland  
Security  
Committee
- ACTION REQUESTED: Negative recommendation during Committee
20. **SUBSTITUTE ORDINANCE** of the City of Memphis to amend the City of Memphis Code of Ordinances, Chapter 21, Motor Traffic and Vehicles, Article X, Vehicle Equipment and Loads to add Subsections 21-335(B) and Section 21-336(B) regarding Muffler Violations and Penalties, up for T H I R D and F I N A L reading. Ordinance No. 5775 is sponsored by Councilman Canale. (Held from 2/2)
- Warren  
Chairman,  
Public Safety  
& Homeland  
Security  
Committee
- ACTION REQUESTED: Negative recommendation during Committee

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

**ENGINEERING DIVISION**

21. RESOLUTION amending the FY21 CIP Budget by transferring an allocation and appropriating \$362,000.00 in G.O. Bonds from Traffic Signals, Project Number EN21100 and Traffic Signal Furniture, Fixtures and Equipment (FY21), Project Number EN01104 to Traffic Signal Improvements to the Intersection of Crump at Danny Thomas, Project Number EN01105, for a Construction Contract with McCrory Electric. This resolution is sponsored by Engineering Division.

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

ACTION REQUESTED: Adopt the resolution

**EXECUTIVE DIVISION** (None)

**FINANCE & ADMINISTRATION** (None)

**DIVISION OF FIRE SERVICES** (None)

**DIVISION OF GENERAL SERVICES**

22. RESOLUTION transferring \$1,510,915.00 appropriated funding from six completed General Services projects to CD0110-Raleigh Vehicle Repair Shop and \$156,329.00 available Capital Acquisition funding from GS0219C to GS0221C. This resolution is sponsored by General Services Division.

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

ACTION REQUESTED: Adopt the resolution

**DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT**

23. RESOLUTION to appropriate \$4,000,000.00 of G.O. Bond allocations in the FY2021 Capital Improvement Program Budget for the Fairgrounds Redevelopment Phase II. This resolution is sponsored by the Division of Housing and Community Development.

Johnson  
Housing &  
Community  
Development  
Committee

ACTION REQUESTED: Adopt the resolution

**DIVISION OF HUMAN RESOURCES** (None)

**INFORMATION TECHNOLOGY** (None)

**LAW DIVISION** (None)

**LIBRARY SERVICES** (None)

**MLGW DIVISION**

24. RESOLUTION approving MLGW’s Debt Management Policy Revisions. This resolution is sponsored by MLGW Division.

Robinson  
Chairman,  
MLGW  
Committee

ACTION REQUESTED: Adopt the resolution

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

**DIVISION OF POLICE SERVICES** (None)

**DIVISION OF PUBLIC SERVICES** (None)

**DIVISION OF PUBLIC WORKS** (None)

**GENERAL ITEM**

25. RESOLUTION encouraging all City of Memphis government agencies to support American and local manufacturers. This resolution is sponsored by Councilman Carlisle, Councilman Canale, Chairman Colvett, Councilwoman Johnson and Councilman Warren.

Colvett  
Chairman,  
Executive  
Session

ACTION REQUESTED: Adopt the resolution

**APPEARANCE CARDS FOR PUBLIC SPEAKING**

**ADJOURNMENT**