



CITY OF MEMPHIS

COUNCIL AGENDA

Tuesday May 24, 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.

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 (May 10, 2022)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

PERFORMANCE by African Jazz Ensemble honoring the country of Ghana.

1. PRESENTATION of the 2022 Memphis Youth City Council.
2. RESOLUTION honoring Ms. Cynthia Daniels on her contributions to the City as founder of Memphis Black Restaurant Week. This resolution is sponsored by Councilwoman Logan.
3. RESOLUTION honoring Victor I. Walker in achieving the honor of Eagle Scout and earning the prestigious National Medal for Outdoor Achievement. This resolution is sponsored by Chairwoman Swearengen.

- 4. RESOLUTION approving an Honorary Street Name Change of Union Ave between South 2nd Street and South Front Street for legendary radio personality Bobby O'Jay. District 6, Super District 8. This resolution is sponsored by Councilwoman Easter-Thomas. (**Request for Same Night Minutes**)

PUBLIC HEARINGS (None)

DIVISION OF PLANNING AND DEVELOPMENT

- 5. RESOLUTION approving the Pure Academy Planned Development at the subject property located at 4815, 4825, and 4847 Amey Road and 748 Wilson Road. This resolution is sponsored by the Division of Planning and Development.

Johnson
Chairman,
Planning &
Zoning
Committee

Case No. PD 22-06

Applicant: John and Tammy Golwen
Joel Johnson, B. Taylor Gray, and John Golwen– Representative

Request: Planned development to allow PURE Academy (education facility with classrooms, athletic field, dorm, etc.)

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

Opposition at LUCB; No Public Hearing Required

ZONING ORDINANCE- THIRD AND FINAL READING (None)



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CONSENT AGENDA

GENERAL ORDINANCES- FIRST READING (None)

GENERAL ORDINANCES - SECOND READING

6. Swearingen
Chairman,
Executive
Session
- REFERENDUM ORDINANCE** to amend, pursuant to Article XI, § 9 of the Constitution of the State of Tennessee (Home Rule Amendment), provisions of the Charter of the City of Memphis, the same being Chapter 11 of the Acts of 1879, as amended, relative to partisan elections for the offices of Mayor and City Council members and to repeal all provisions of the City's Charter inconsistent with this amendment, up for S E C O N D reading. Ordinance No. 5824 is sponsored by Councilman Jones.

ACTION REQUESTED: Adopt the ordinance on Second reading

7. Smiley
Chairman,
Public Works,
Solid Waste &
General Services
Committee
- ORDINANCE** amending Ordinance No. 5459 of the Code of Ordinances of the City of Memphis, Tennessee so as to make certain changes with regard to permitted days of operation for breweries with tasting rooms, up for S E C O N D reading. Ordinance No. 5825 is sponsored by the Division of Public Works.

ACTION REQUESTED: Adopt the ordinance on Second reading

8. Robinson
Chairman,
MLGW
Committee
- ORDINANCE** to amend the Code of Ordinances relative to the dollar limitations on Memphis Light Gas and Water Division contracts and salaries that require approval by the Memphis City Council before execution, up for S E C O N D reading. Ordinance No. 5826 is sponsored by MLGW.

ACTION REQUESTED: Adopt the ordinance on Second reading

9. Jones
Chairman,
Budget
Committee
- ORDINANCE** to appropriate the proceeds of the tax levy on the assessed values on all properties of every species within the city limits of general purposes for the fiscal year July 1, 2022 through June 30, 2023, inclusive, together with all collections from privileges, licenses, fees, fines, permits, charges, revenue receipts of the City of Memphis for the Fiscal Year July 1, 2022 through June 30, 2023, inclusive, to provide the manner in which

monies may be transferred from one fund to another and to provide the standard code or designations under which the appropriations are to be administered and accounting control maintained, up for S E C O N D reading. Ordinance No. 5827 is sponsored by the Finance Division.

ACTION REQUESTED: Adopt the ordinance on Second reading

- 10. **ORDINANCE** fixing the Tax Rate of the City of Memphis for Fiscal Year 2023, up for S E C O N D reading. Ordinance No. 5828 is sponsored by the Finance Division.

Jones
Chairman,
Budget
Committee

ACTION REQUESTED: Adopt the ordinance on Second reading

ZONING ORDINANCE – FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

NOTATIONS FROM DPD (None)

ENGINEERING DIVISION

- 11. RESOLUTION approving the engineering plans for DMC MOBILITY CENTER. **(Request for Same Night Minutes)**

Contract No. CR-5401

Resolution approves engineering plans within the present limits of the City of Memphis and located at the northwest corner of South Main and Beale Street in Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts the Travelers Casualty and Surety Company of America Performance Bond No. 107599434 in the amount of \$186,500.00 as security for the project.

ACTION REQUESTED: Adopt the resolution

- 12. RESOLUTION approving the final plat for MEMPHIS AUTO AUCTION P.D. 3RD AMENDMENT PHASE I (PRESCOTT ROAD) **(Request for Same Night Minutes)**

Contract No. CR-5402

Resolution approves the final plat in the present limits of the City of Memphis and located on the east and west sides of Prescott Rd. approximately 1,000 ft. south of Winchester in Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts the Independent Bank Letter of Credit No. 1636871-1141 in the amount of \$214,400.00 in lieu of bond.

ACTION REQUESTED: Adopt the resolution

GENERAL ITEMS (None)



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FISCAL CONSENT AGENDA

13. RESOLUTION to approve and accept in kind donation valued at (\$14,000.00) from the Friends of City Beautiful, One Tree Planted, and Origins Cosmetics Company for the installation of 28 trees at McFarland and Winridge Parks. Council Districts 3 & 4, Super District 8. This resolution is sponsored by Memphis Parks. **(Request for Same Night Minutes)**



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MLGW FISCAL CONSENT

(NONE)



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REGULAR AGENDA

APPOINTMENTS

14.

Easter-
Thomas
Chairman,
Personnel &
Governmental
Affairs
Committee

CITY OF MEMPHIS INFORMATION TECHNOLOGY DIVISION DIRECTOR

Appointment

Wendy Harris

GENERAL ORDINANCES THIRD AND FINAL READING

15.

Ford
Chairman,
Economic
Development
& Tourism
Committee

JOINT ORDINANCE of the City of Memphis and County of Shelby County, Tennessee enacted pursuant to the Community Redevelopment Act of 1998 and the Uniformity in Tax Increment Finance Act of 2012, Providing for the establishment of the South Memphis/Soulsville Redevelopment Trust Fund, up for T H I R D and F I N A L reading. Ordinance No. 5822 is sponsored by the Community Redevelopment Agency.

ACTION REQUESTED: Take whatever action Council deems advisable

16.

Swearingen
Chairman,
Executive
Session

REFERENDUM ORDINANCE to amend, pursuant to Article XI, § 9 of the Constitution of the State of Tennessee (Home Rule Amendment), provisions of the Charter of the City of Memphis, the same being Chapter 11 of the Acts of 1879, as amended, relative to the qualifications and number of terms any person may serve in any elected office of the City of Memphis and to repeal all provisions of the City's Charter inconsistent with this amendment, up for T H I R D and F I N A L reading. Ordinance No. 5823 is sponsored by Councilman Jones.

ACTION REQUESTED: Take whatever action Council deems advisable

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION

(None)

EXECUTIVE DIVISION

17. RESOLUTION requesting City Council approval for the acceptance and expenditure of \$25,000.00 from Petco Love for MAS to fund lifesaving programming. Resolution also amends FY23 Operating Budget to establish and appropriate \$25,000.00 in grant funds. District 1, Super District 9. This resolution is sponsored by Memphis Animal Arts, Libraries, & Services.
Carlisle
Chairman,
Public Service,
Youth Initiatives
Committee

ACTION REQUESTED: Adopt the resolution

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES

18. RESOLUTION to allocate and appropriate funding in the amount of (\$159,619.00) from TN Department of Environment & Conservation Volkswagen Diesel Settlement Environmental Mitigation Trust. Medium and Large Truck Grant Program. All Council Districts. This resolution is sponsored by Fire Services.
Logan
Chairman,
Public Safety
& Homeland
Security
Committee

ACTION REQUESTED: Adopt the resolution

19. RESOLUTION to allocate and appropriate funding in the amount of (\$177,217.50) from TN Department of Environment & Conservation Volkswagen Diesel Settlement Environmental Mitigation Trust. Medium and Large Grant Program. All Council Districts. This resolution is sponsored by Fire Services.
Logan
Chairman,
Public Safety
& Homeland
Security
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF GENERAL SERVICES (None)

20. RESOLUTION requesting the approval of the sale of a City owned parcel in the amount of \$2,225.00 located at 0 North Hollywood, Memphis, Shelby County, Tennessee and further described as Parcel ID #042050 00031. District 7, Super District 8. This resolution is sponsored by General Services. (Held from 5/10)
Smiley
Chairman,
Public Works,
Solid Waste &
General Services
Committee

ACTION REQUESTED: Adopt the resolution

21. RESOLUTION requesting the approval of the sale of a City owned parcel in the amount of \$3,500.00 located at 1617 Sydney Street (38108), Memphis, Shelby County, Tennessee and further described as Parcel ID #043023 00324. District 7, Super District 8. This resolution is sponsored by General Services. (Held from 5/10)
Smiley
Chairman,
Public Works,
Solid Waste &
General Services
Committee

ACTION REQUESTED: Adopt the resolution

22. RESOLUTION requesting approval of the sale of City owned property located at 1200 N. Smiley Parkway Ave Memphis, TN 38104, formerly known as the Frame Shop, Parcel #02109800016, Memphis, TN 38104. District 7, Super District 8. This resolution is sponsored by General Services. (Held from 4/19; 5/10)

Chairman,
Public Works,
Solid Waste &
General Services
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES (None)

INFORMATION TECHNOLOGY (None)

LAW DIVISION (None)

LIBRARY SERVICES (None)

MEMPHIS PARKS (None)

MLGW DIVISION

23. RESOLUTION to (i) approve the receipt of payment from Memphis Light, Gas and Water to the City of Memphis of (1) \$1.19 million in street utility cut impact fees for utility cuts made by MLGW during 2020 and 2021, plus (2) up to \$4.7 million dollars in additional utility cut permit fees (“Permit Fees”) and other impact fees (“Diminution in Value Fees”) under the City Engineer’s Procedures for Street Utility Cuts and/or Right of Way Procedures, payable in lump sum payments, installments or per cut electronic payments at the discretion of the SVP, CAO, CFO and Secretary-Treasurer, and (ii) ratify the previous payment of \$729,860.00 in Permit Fees to the City of Memphis by MLGW. All Council Districts. This resolution is sponsored by MLGW.

Robinson
Chairman,
MLGW
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS

24. RESOLUTION accepting additional funding from the proceeds for the sale of property in the amount of \$3,389,950.00 in CIP Project Number GS01049-Coke Facility-Adaptive Reuse. District 4, Super District 8. This resolution is sponsored by the Division of Public Works. **(Request for Same Night Minutes)**

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

ACTION REQUESTED: No recommendation

GENERAL ITEMS

25. RESOLUTION of the Memphis City Council amending the FY22 budget to proclaim June 19, 2022 (Juneteenth Independence Day) as a paid holiday within the City of Memphis. All Council Districts. This resolution is sponsored by Councilwoman Easter-Thomas.

Easter-Thomas
Chairman,
Personnel &
Governmental
Affairs

ACTION REQUESTED: Adopt the resolution

26. RESOLUTION approving the recommendation of the 2022 IBEW Impasse Committee that the last best offer of the IBEW be approved and that the last best offer of the IBEW be added to the FY23 Operating Budget. All Council Districts. This resolution is sponsored by IBEW Impasse Committee.

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT