



**CITY COUNCIL
MEETING AGENDA
October 11, 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 27, 2022)

VI. ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

VII. ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

1. RESOLUTION commemorating October as Hindu American Awareness and Appreciation Month. This Resolution is sponsored by Councilman Warren.
2. RESOLUTION honoring Ms. Davina Jones and her contributions to the City of Memphis. This Resolution is sponsored by Councilwoman Dockery.
3. RESOLUTION celebrating Harrison’s Memorial Chapel Inc. for 100 years of service. This Resolution is sponsored by Councilwoman Dockery.
4. RESOLUTION designating December 7, 2022 as Pramukh Swami Maharaj Day in the City of Memphis. This Resolution is sponsored by Councilwoman Dockery.

PUBLIC HEARINGS (None)

DIVISION OF PLANNING AND DEVELOPMENT

5. 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. **(Held from 9/27)**
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)

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 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 T H I R D and F I N A L reading. This Ordinance is sponsored by the Division of Planning and Development.

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: Take whatever action Council deems advisable

7. **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 T H I R D and F I N A L 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: Take whatever action Council deems advisable

CONSENT AGENDA

GENERAL ORDINANCE- FIRST READING (None)

GENERAL ORDINANCE - SECOND READING (None)

ZONING ORDINANCE – FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

NOTATIONS FROM DPD (None)

ENGINEERING DIVISION

8. RESOLUTION approving the final plat for COLONIAL COUNTRY CLUB P.D. PART OF AREA 1, PHASE 1 and accepting bond as security. **(Request for Same Night Minutes)**

Contract No. CR-5428

Resolution approves the final plat in the present limits of the City of Memphis, as reflected on the plat and located on the northern terminus of Countrywood Parkway in Memphis Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts Performance Bond No. 2336661 in the amount of \$289,900.00 as security for the project.

ACTION REQUESTED: Adopt the Resolution

9. RESOLUTION approving the engineering plans for MINERAL WELLS II and accepting bond as security. **(Request for Same Night Minutes)**

Contract No. CR-5429

Resolution approves the engineering plans within the present limits of the City of Memphis, and located at 5633 Mineral Wells Road in Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts Performance Bond No. 14249125 in the amount of \$228,400.00 as security for the project.

ACTION REQUESTED: Adopt the Resolution

- 10. RESOLUTION accepting public improvements for 4840 HOLMES ROAD [CR-5309] and authorizes the release of bond. (Request for Same Night Minutes)

(Contract No. CR-5309)

Resolution approves accepting the public improvements in the present limits of the City of Memphis, and located at the intersection of East Holmes Road and Pleasant Hill Road (northwest corner lot) in Memphis, Tennessee. Resolution also accepts the release of the Pinnacle Bank Letter of Credit No. 90452202 in the amount of \$66,700.00, as held as security.

ACTION REQUESTED: Adopt the Resolution

- 11. RESOLUTION accepting public improvements for RENASANT BANK - 5575 POPLAR [CR-5331] and authorizes the release of bond. (Request for Same Night Minutes)

(Contract No. CR-5331)

Resolution approves accepting the public improvements in the present limits of the City of Memphis, and located at 5575 Poplar Avenue in Memphis, Tennessee. Resolution also accepts the release of the Travelers Performance Bond No. 107187765 in the amount of \$144,900.00 as held as security.

ACTION REQUESTED: Adopt the Resolution

- 12. RESOLUTION accepting public improvements for SINGLETON-AUSTIN PEAY COMMERCIAL PD (PD 17-02) [CR-5336] and authorizes the release of bond. (Request for Same Night Minutes)

(Contract No. CR-5336)

Resolution approves accepting the public improvements in the present limits of the City of Memphis, and located approximately 892 linear feet northeast of Singleton Parkway and Austin Peay Highway intersection in Memphis, Tennessee. Resolution also accepts the release of the First Horizon Letter of Credit No. 7441 in the amount of \$230,200.00 as held as security.

ACTION REQUESTED: Adopt the Resolution

- 13. RESOLUTION approving Supplemental Agreement #1 for CR-5384 – 7 VANCE CIVIL PLANS PHASE 1. (Request for Same Night Minutes)

(Contract No. CR-5384)

Resolution approves Supplemental Agreement #1 extending the project three hundred sixty-five days, through October 10, 2023. Existing Performance Bond will remain in place and Liability Insurance has been renewed to cover extension.

ACTION REQUESTED: Adopt the Resolution

- 14. RESOLUTION approving Supplemental Agreement #1 to CR-5426 – CLARKE ROAD INDUSTRIAL. (Request for Same Night Minutes)

(Contract No. CR-5373)

Resolution approves Supplemental Agreement #1 replacing existing Cash Bond with Simmons Bank, Letter of Credit No. 69762474 for a matching amount of \$134,000.00. Cash Bond to be released back to its provider, TriGate Capital, Inc.

ACTION REQUESTED: Adopt the Resolution

GENERAL ITEMS (None)

FISCAL CONSENT AGENDA

15. RESOLUTION to accept, allocate, and appropriate grant funds in the amount of (\$450,000.00) from Kresge Foundation passed through to Innovate Memphis for City of Memphis' initiative to improve transportation and mobility planning and project delivery. All Council Districts. This Resolution is sponsored by the Division of Planning and Development. (Request for Same Night Minutes)

MLGW FISCAL CONSENT

Chair: Patrice Robinson, Vice Chair: Chase Carlisle

16. RESOLUTION approving Change No. 2 to Contract No. 12304 (Formerly Purchase Order #7015763), Veeam Backup and Replication Enterprise Plus Annual Production with Logicalis, Inc., in the funded amount of \$100,539.40. (This change is to renew annual maintenance for Veeam software support and maintenance services and to co-term Veeam license agreement 2521483 for the period covering November 13, 2022, through November 14, 2023.)
17. RESOLUTION approving Change No. 1 to Contract No. 12038, Group Term, Voluntary Life and Accidental Death and Dismemberment with UNUM Insurance Company in the estimated funded amount of \$8,460,000.00. (This change is to renew the current contract for the first and final renewal covering a 24-months period from January 1, 2023, through December 31, 2024).
18. RESOLUTION approving Change No. 1 to Contract No. 12037, Short and Long Term Disability with UNUM Insurance Company in the estimated funded amount of \$10,292,000.00. (This change is to renew the current contract for the first and final renewal covering a 24-months period from January 1, 2023, through December 31, 2024).
19. RESOLUTION approving Change No. 2 to Contract No. 12024, MLGW Employee Dental Plan with Cigna Health and Life Insurance Company in the funded amount of \$2,795,345.00. (This change is to renew the current contract for the second and final annual renewal covering the period January 1, 2023, through December 31, 2023).
20. RESOLUTION approving the execution of Contract No. 12398 between Memphis Light, Gas and Water Division and Texas Gas Transmission, LLC, in the amount of \$47,000,000.00 approximately. (This contract will be for 201,225 MMBtu/day during the winter season and 52,558 MMBtu/day during the summer. This contract is an extension to our No-Notice Service transportation agreement and includes a Discount Letter. The contract term is for three years, effective November 1, 2023, and ending October 31, 2026).
21. RESOLUTION awarding Contract No. 12386 (solicited under Contract No.12302), Substation Engineering Services (Substation) to Allen & Hoshall, Inc., in the funded not-to-exceed amount of \$300,000.00.
22. RESOLUTION awarding Contract No. 12302, Substation Engineering Services (Protection) to Fisher & Arnold, Inc. in the funded not-to-exceed amount of \$300,000.00.
23. RESOLUTION awarding a purchase order to Rush Truck Centers of Tennessee for the purchase of six-yard and ten-yard dump trucks in the amount of \$346,721.00.

24. RESOLUTION awarding Contract to Cooper Power Systems-Eaton for the purchase of network protectors for a sixty (60) month period in the amount of \$3,265,618.13.

REGULAR AGENDA

APPOINTMENTS (None)

GENERAL ORDINANCE THIRD AND FINAL READING (None)

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION

25. RESOLUTION to transfer and appropriate G.O. Bond funding in the amount of
Smiley (\$685,000.00) for safety improvements. Project #EN01112. All Council Districts.
Chairman, This Resolution is sponsored by the Engineering Division.
Public Works,
Solid Waste & **ACTION REQUESTED:** Adopt the Resolution
General
Services
Committee

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES

26. RESOLUTION approving a five (5) year lease for the use of right-of-way on the west
Smiley side of Wagner Place, consisting of eleven (11) parking spaces in Memphis,
Chairman, TN 38103. District 6, Super District 8. This Resolution is sponsored by General
Public Works, Services.
Solid Waste &
General **ACTION REQUESTED:** Adopt the Resolution
Services
Committee

27. RESOLUTION requesting approval to sell City owned property for (\$33,400.00)
Smiley known as 0 Peach Avenue, 0.22 acre. Parcel I.D. #020066 00027. District 5, Super
Chairman, District 9. This Resolution is sponsored by General Services.
Public Works,
Solid Waste & **ACTION REQUESTED:** Adopt the Resolution
General
Services
Committee

28. RESOLUTION to appropriate the sum of (\$400,000.00) in other project cost to
 Smiley implement the FY23 Urban Art Plan, CIP Project #EN23301 funded by G.O. Bonds.
 Chairman, This Resolution is sponsored by General Services.
 Public Works,
 Solid Waste & **ACTION REQUESTED:** Adopt the Resolution
 General
 Services
 Committee

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES (None)

INFORMATION TECHNOLOGY (None)

LAW DIVISION (None)

LIBRARY SERVICES (None)

MLGW DIVISION (None)

MEMPHIS PARKS

29. RESOLUTION to approve expenditures in the amount of \$200,000.00 for renovation
 Warren of the Little Red School House. District 5, Super District 9. This Resolution is sponsored
 Chairman, by Memphis Parks.
 Memphis
 Parks **ACTION REQUESTED:** Adopt the Resolution
 Committee

DIVISION OF POLICE SERVICES

30. RESOLUTION requesting the Memphis Police Department to enforce the curfews of
 Logan the Child Curfew Act of 1995 and work with the City of Memphis Administration on
 Chairman, a proposal to open one or more curfew centers in the City of Memphis. All Council
 Public Safety & Homeland Districts. This Resolution is sponsored by Councilwoman Logan.
 Security **ACTION REQUESTED:** Adopt the Resolution
 Committee

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS

DIVISION OF SOLID WASTE (None)

GENERAL ITEMS

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT