



CITY OF MEMPHIS

COUNCIL REGULAR MEETING AGENDA

Tuesday, September 1, 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

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 (August 18, 2020)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATION AND RECOGNITION OF VISITORS (None)

COMMUNITY ORGANIZATION SPOTLIGHT (None)

PUBLIC HEARING

1. RESOLUTION appealing a planned development located at the Southwest corner of Quince Road and Lynnfield Road, containing 4.20 acres currently governed by Quince/Lynnfield Planned Development (PD 99-362). This resolution is sponsored by the Office of Planning and Development. (Held from 7/21; 8/4)
Colvett
Chairman,
Planning &
Zoning
Committee
Case No. PD 99-362

Appellant: Balmoral Neighborhood Association
Appellee: SE Industrial Investments, LLC

Request: Appeal the decision of the Land Use Control Board for a Major Modification approved on February 13th, 2020 to allow a three (3) story office building with associated accessory uses

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

40 NOTICES WERE MAILED ON JULY 10, 2020

DIVISION OF PLANNING AND DEVELOPMENT (None)

ZONING ORDINANCES- THIRD AND FINAL READING

2.
Colvett
Chairman,
Planning &
Zoning
Committee

ORDINANCE rezoning certain parcels adjacent to Lamar between Bellevue and Prescott, in the Commercial Mixed Use-3 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 8/18)

Case No. Z 20-04
Ordinance No. 5757

Applicant: Memphis Office of Comprehensive Planning
Ashley Cash – Representative

Request: Comprehensive Rezoning of Lamar between Bellevue and

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

203 NOTICES WERE MAILED ON AUGUST 7, 2020

3.
Colvett
Chairman,
Planning &
Zoning
Committee

ORDINANCE rezoning the Southwest corner of E. Shelby Drive and Malone Road, containing 10.04 acres in the Conservation Agriculture (CA) and Commercial Mixed Use (CMU-1) Districts, 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.

Case No. Z 20-06
Ordinance No. 5758

Applicant: Galaxy Development Corporation
Prime Development Group, Inc. (PDG, Inc.) – Representative

Request: Employment (EMP) District

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

33 NOTICES WERE MAILED ON AUGUST 7, 2020



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CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING

4. **ORDINANCE** creating the Walk Tourism Development Zone Tourism Surcharge and otherwise providing with respect to the foregoing, up for F I R S T reading. Ordinance No. 5761 is sponsored by the Administration.
- Ford
Chairman,
Economic
Development,
Technology &
Tourism
Committee
- ACTION REQUESTED: Adopt the ordinance on First reading

GENERAL ORDINANCE - SECOND READING (None)

ZONING ORDINANCE – FIRST READING

5. **ORDINANCE** rezoning 580 and 584 Belt Line Street, containing 0.2 acres located in the Residential Urban – 1 District, up for F I R S T reading. This Ordinance is sponsored by the Office of Planning and Development.
- Colvett
Chairman,
Planning
& Zoning
Committee
- Case No. Z 20-8
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: Adopt the ordinance on First reading

ZONING ORDINANCE - SECOND READING (None)

NOTATION FROM OPD

NOTATION from the Land Use Control Board that the following case was heard and recommendation made requesting a date of public hearing:

6. A. Case No. PD 20-07 – STRATFORD PLANNED DEVELOPMENT

Located at 0, 674, and 680 Stratford Road, containing +/-1.36 acres in the Residential Urban – 1 (RU-1) District.

Applicant: Jim Reedy – Memphis Investment Properties, LLC.
Arthur Nave (Representative)

Request: Commercial Planned Development

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: September 15, 2020

ENGINEERING DIVISION

7. RESOLUTION approving the final plat for SINGLETON-AUSTIN PEAY COMMERCIAL PD (PD 17-02).

Contract No. CR-5336

Resolution approves the final plat located approximately 892 linear feet Northeast of Singleton Parkway and Austin Peay Highway 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 the First Horizon Bank Letter of Credit No. 7441 in the amount of \$230,200.00 in lieu of bond on behalf of the City of Memphis.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

8. RESOLUTION approving the engineering plans for STONEBRIAR PD, PHASE 11 (CITY-COUNTY).

Contract No. CR-5337

Resolution approves the engineering plans located on the south side of the Meadowbriar Trail and Meadowbriar Cove 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 the Pinnacle Bank Letter of Credit No. 90546307 in the amount of \$25,900.00 in lieu of bond on behalf of the City of Memphis.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

9. RESOLUTION approving the final plat for CORDOVA RIDGE PD, PH. 12/SHELBY COUNTY, TN (09-302CC).

Contract No. CR-5338

Resolution approves the final plat located approximately 810 linear feet east of the N. Houston Levee Road and Macon Road intersection on the South side of Macon Road 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 the Bank of Fayette County Certificate of Deposit in the amount of \$5,000.00 in lieu of bond on behalf of the City of Memphis.

ACTION REQUESTED: Adopt the resolution

10. RESOLUTION approving the engineering plans for FREEDOM PREPARATORY ACADEMY MIDDLE HIGH SCHOOL.

Contract No. CR-5339

Resolution approves engineering plans located at 817 Brownlee 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. 41392117 in the amount of \$99,200.00 in lieu of bond on behalf of the City of Memphis.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution



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FISCAL CONSENT AGENDA

11. RESOLUTION approving the acceptance of grant funds in the amount of \$35,000.00 from the U.S. Soccer Foundation and to appropriate these funds for improvements to soccer mini pitches at Willow, Bert Ferguson, and Gaisman Parks. (Districts 5, 2, and Super District 9). This resolution is sponsored by Parks Services. **(Request for same night minutes)**



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MLGW FISCAL CONSENT

12. RESOLUTION awarding a contract to Mac Papers, Inc., for #9 utility bill return envelopes, in the amount of \$87,000.00.
13. RESOLUTION awarding a contract to Siemens Industry, Inc. for PSSE (Power Systems Simulation for Engineering) software licenses, in the amount of \$91,800.00.
14. RESOLUTION approving Change No. 4 to Contract No. 10699, Title Plant Access Agreement with Fidelity National Financial (Formerly Fidelity National Title Group) in the funded amount of \$105,000.00. (This change is to renew the current contract for a five-year period covering March 1, 2021 through February 28, 2026 with no increase in rates from the previous renewal.)
15. RESOLUTION awarding Contract No.12175. Locksmith Services, to Quality Safe and Lock Company, Inc., in the amount of \$50,000.00.



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REGULAR AGENDA

16.

Carlisle
Chairman,
Personnel
Committee

APPOINTMENTS

BLIGHT AUTHORITY OF MEMPHIS

Reappointment

Emily Trenholm

CIVILIAN LAW ENFORCEMENT REVIEW BOARD

Reappointments

Dr. David Acey
Nick Bragorgos
Sandeep Pednekar
Dr. June Chinn-Jointer

GENERAL ORDINANCES – THIRD AND FINAL READING

17.

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)

ACTION REQUESTED: Take whatever action Council deems advisable

18.

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

ORDINANCE amending Chapters 2 and 12 of the City of Memphis, Code of Ordinances so as to update the Code of Ordinances related to street, park and place names up for T H I R D and F I N A L reading. Ordinance No. 5759 is sponsored by Councilwoman Easter-Thomas.

ACTION REQUESTED: Take whatever action Council deems advisable

19. **ORDINANCE** amending Chapter 30, Article III of the Code of Ordinances, City of Memphis, by amending the last paragraph in Section 30-39, as it now appears and substituting a new paragraph of Section 30-39, to require persons eligible for the Police Reserve Program be reviewed by internal audit annually and shall require documentation of the number of duty hours worked annually, up for T H I R D and F I N A L reading. Ordinance No. 5760 is sponsored by Councilman Carlisle.

Carlisle
Chairman,
Personnel
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION

20. **AMENDED and RESTATED MASTER RESOLUTION** authorizing the issuance, sale and payment of bonds secured by revenues of the Sanitary Sewerage System of the City of Memphis, Tennessee for the purpose of financing or refinancing certain costs of the Sanitary Sewerage System of the City of Memphis, Tennessee; and amending, restating and replacing the master resolution for the Sanitary Sewerage System adopted on February 24, 1981, as amended (in its entirety), and resolutions in conflict with this amended and restated master resolution. (All Council Districts). This resolution is sponsored by Finance Division. **(Request for same night minutes)**

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

ACTION REQUESTED: Adopt the resolution

21. **RESOLUTION** authorizing the issuance of not to exceed \$140,000,000.00 Sanitary Sewerage System Revenue Bonds of the City of Memphis, for the purpose of financing the cost of various improvements, additions and extensions to the Sanitary Sewerage System of the City of Memphis, Tennessee. (All Council Districts). This resolution is sponsored by Finance Division. **(Request for same night minutes)**

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

ACTION REQUESTED: Adopt the resolution

22. **RESOLUTION** authorizing the issuance of not to exceed \$158,000,000.00 aggregate principal amount of Sanitary Sewerage System Revenue and Revenue Refunding Bonds, Series 2020B, of the City of Memphis, Tennessee {the “City”}, of which the refunding portion shall not exceed \$18,000,000.00 in total aggregate principal amount, for the purpose of financing various improvements, additions and extensions to the City’s Sanitary Sewerage System and Refunding all or a portion of the City’s Sanitary Sewerage System Revenue Refunding Bonds, Series 2013 and Sanitary Sewerage System Revenue Bonds, Series 2010B. (All Council Districts). This resolution is sponsored by Finance Division. **(Request for same night minutes)**

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

ACTION REQUESTED: Adopt the resolution

23. RESOLUTION authorizing the issuance of not to exceed \$156,000,000.00 Sanitary Sewerage System Revenue Bonds of the City of Memphis, Tennessee, pursuant to the Local Government Public Obligations Act of 1986, being Title 9, Chapter 21, of the Tennessee Code Annotated, for the purpose of financing the cost of various improvements, additions, and extensions to the Sanitary Sewerage System of the City of Memphis. (All Council Districts). This resolution is sponsored by Finance Division. **(Request for same night minutes)**

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

ACTION REQUESTED: Adopt the resolution

24. RESOLUTION authorizing the issuance of not to exceed \$156,000,000.00 aggregate principal amount of a series of Sanitary Sewerage System Revenue Bonds of the City of Memphis, Tennessee for the purpose of financing, improvements, additions, and extensions to the City’s Sanitary Sewerage System. (All Council Districts). This resolution is sponsored by Finance Division. **(Request for same night minutes)**

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

ACTION REQUESTED: Adopt the resolution

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT

25. RESOLUTION urging Tennessee Congressional leaders to improve the equity and effectiveness in the Community Development Block Grant Award Allocation formula to restore the needed funds to better support the City of Memphis. This resolution is sponsored by Councilman Carlisle.

Johnson
Chairman,
Housing &
Community
Development
Committee

ACTION REQUESTED: Adopt the resolution

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 (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS (None)

GENERAL ITEMS

26. RESOLUTION approving the Youth Services Training Program. This resolution is sponsored by Councilwoman Easter-Thomas. **(Request for same night minutes)**
Robinson
Chairman,
Executive
(Held from 8/18)

Session ACTION REQUESTED: Adopt the resolution

27. RESOLUTION authorizing approval of the use of pilot rents for payments of indebtedness with respect to redevelopment of The Walk and otherwise providing with respect to the foregoing. This resolution is sponsored by the Administration.
Ford
Chairman,
Economic
Development,
Technology &
Tourism
Committee

ACTION REQUESTED: Adopt the resolution

28. RESOLUTION encouraging Governor Bill Lee to suspend eviction proceedings for the duration of the COVID-19 pandemic. This resolution is sponsored by Councilwoman Logan.
Canale
Chairman,
Governmental
Affairs &
Annexation
Committee

ACTION REQUESTED: Adopt the resolution

29. RESOLUTION authorizing a Pocket Park by extending the Temporary Partial Street Restriction of Mimosa Street at Highland Street for twelve months. This resolution is sponsored by Councilman Canale and Councilman Warren.
Smiley
Chairman,
Public Works,
Solid Waste,
Transportation
& General
Services
Committee

ACTION REQUESTED: Adopt the resolution

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT