



# CITY OF MEMPHIS

## COUNCIL AGENDA

January 7, 2020

Public Session Tuesday, 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.*

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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 (December 17, 2019)

### ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

### ITEMS HELD OR DROPPED FROM THE AGENDA

**PRESENTATIONS AND RECOGNITION OF VISITORS** (None)

**PUBLIC HEARING** (None)

### **DIVISION OF PLANNING AND DEVELOPMENT**

1. RESOLUTION approving a special use permit located at 2405 Elvis Presley, containing +/-0.88 acre in the Commercial Mixed Use – 3 (CMU – 3) District. This resolution is sponsored by the Office of Planning and Development. (Held from 12/17)
- Colvett  
Chairman,  
Planning &  
Zoning

Case No. SUP 19-31

Committee

Applicant: Above and Beyond Auto, Inc.  
David Bray, The Bray Firm – Representative

Request: Auto Sales

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 special use permit located within the block bounded by Adams Avenue, Poplar Avenue, and North Second Street, containing +/- 1.57 acres in the Central Business District (CBD). This resolution is sponsored by the Office of Planning and Development.

Case No. SUP 19-36

Applicant: City of Memphis, NCE Realty, and Capital Group, LLC  
Memphis Hotel Venture LLC  
Kimley-Horn and Associates, Inc. – Jarmon Peregoy- Representative

Request: To allow a hotel

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

**No Opposition at LUCB; No Public Hearing Required**

3.  
Chairman,  
Planning &  
Zoning  
Committee

RESOLUTION approving a planned development located at 3605 Carnes Avenue, resolution is sponsored by the Office of Planning and Development.

Case No. PD 19-19

Applicant: Petrauskas Capital LLC & Raymond Sharkus  
Laurynas Petrauskas – Representative

Request: 7-lot residential single-family 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**

4.  
Colvett  
Chairman,  
Planning &  
Zoning

RESOLUTION approving a street and alley closure located on the Public right of way of Wagner, 100 feet north of the north line of Jack Tucker to Union Avenue, containing +/-0.04 acres in the Central Business District (CBD) and Historic Overlay (H) Districts. This resolution is sponsored by the Office of Planning and Development.

Case No. SAC 19-10

Committee

Applicant: One Union Place Condominium Association Inc.  
Greg Marcom, The Reaves Firm, Inc. – Representative

Request: Abandon the excess public right-of-way of Wagner adjacent  
to the side of 35 Union

LUCB and OPD recommendation: APPROVAL, with conditions

**No Opposition at LUCB; No Public Hearing Required**

**ZONING ORDINANCE- THIRD AND FINAL READING**

5.  
Colvett  
Chairman,  
Planning &  
Zoning  
Committee

**ORDINANCE** rezoning the west side of West Dodd Road; +/-208.75 feet South of West Road, containing 5.60 acres in the Heavy Industrial (IH) 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.

Case No. Z 19-04  
Ordinance No. 5745

Applicant: Ms. Ola Richardson  
Ms. Ola Richardson – Representative

Request: Conservation Agriculture (CA) District

LUCB and OPD recommendation: APPROVAL

**ACTION REQUESTED:** Take whatever action Council deems advisable

**34 NOTICES WERE MAILED ON DECEMBER 26, 2019**



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## CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING (None)

GENERAL ORDINANCE - SECOND READING (None)

ZONING ORDINANCE – FIRST READING (None)

ZONING ORDINANCE - SECOND READING

ENGINEERING (None)

NOTATION FROM OPD (None)

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

**ACTION REQUESTED:** Set a date of public hearing

**SUGGESTED DATE:**



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## FISCAL CONSENT AGENDA

6. RESOLUTION accepting and appropriating grant funds in the amount of \$17,500.00 from International Paper Foundation. The funds will be used for "Lit Meets Rec" literacy programming at community centers. This resolution is sponsored by Parks Division. **(Request for same night minutes)**
7. RESOLUTION accepting a Dodge Ram Truck with a value of \$37,000.00 from Shelby County Government to be used by the City of Memphis Office of Emergency Management for hazardous material clean-up response as well as carry the emergency tornado siren activation equipment. This resolution is sponsored by Fire Services. **(Request for same night minutes)**
8. RESOLUTION accepting a reimbursement funding in the amount of \$769,656.69 from the US Department of Homeland Security for expenses incurred for Hurricane Dorian. This resolution is sponsored by Fire Services. **(Request for same night minutes)**
9. RESOLUTION accepting a reimbursement funding in the amount of \$11,375.06 from the US Department of Homeland Security for expenses incurred for Hurricane Dorian. This resolution is sponsored by Fire Services. **(Request for same night minutes)**



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## MLGW FISCAL CONSENT

10. RESOLUTION awarding a purchase order to Unistar Sparco Computers, Inc., for the purchase of maintenance and support for ApplicationXtender software, in the amount of \$59,889.00.
11. RESOLUTION approving Change No. 5 to Contract No. 11090, Serena Master License Agreement with MicroFocus (formerly Serena Software, Inc.), in the funded amount of \$174,751.68. (This change is to renew the current contract for annual software maintenance and support services for three years for the period covering July 29, 2020 through July 28, 2023 in the funded amount of \$174,751.68 or \$58,250.56 annually. This renewal reflects a 3% increase in rates for a three year renewal from the previous renewal based an increase in license quantities. MLGW is requesting continuous maintenance of the acquired system, which can only be performed by MicroFocus (formerly Serena Software, Incorporated).
12. RESOLUTION approving Change No. 10 to Contract No. 10908, Mobile Data with ABB Enterprise Software, Incorporated, in the funded amount of \$240,367.31. (This change is to ratify and renew annual software maintenance, license, and support services for the Mobile Dispatching System, Mobile Mapping, and Street Level Routing through the Customer Information System (CIS) covering the period January 1, 2020 through December 31, 2020. This renewal reflects a 1.81% increase from the previous renewal based on the Consumer Pricing Index (CPI). MLGW is requesting continuous maintenance of the acquired system, which can only be performed by ABB Enterprise Software, Incorporated.)
13. RESOLUTION awarding a strategic alliance purchase order to Alstom Grid, LLC, for high voltage instrument transformers and power line carrier equipment, in an amount not to exceed \$605,000.00 for a 60-month period with the option to renew two additional single year terms.
14. RESOLUTION approving Change No. 1 to Contract No. 11912, 10 MBPS Ethernet – Netters/Arlington with AT&T, in the funded amount of \$23,785.44. (This change is to renew the current contract term for 24 months covering the period July 22, 2020 through July 21, 2022, with no increase in rates from the original term. MLGW is requesting continuous service of the acquired system, which can only be performed by AT&T due to AT&T having proprietary rights to the software.)
15. RESOLUTION approving Change No. 1 to Contract No. 11896, Internet Service Provider with Windstream Enterprise, in the funded amount of \$55,200.00. (This change is to renew the current contract term for 24 months covering the period May 1, 2020 through April 30, 2022, with no increase in rates from the original term. MLGW is requesting continuous service of the acquired system, which can only be performed by Windstream Enterprise.)

16. RESOLUTION awarding a purchase order to Heatec, Inc., for a regeneration gas heater, in the amount of \$165,654.00.
17. RESOLUTION awarding a thirty-six month purchase order to T. R. Miller Mill Company, Inc., for various sizes of southern yellow pine poles, in the amount of \$2,712,976.34



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## REGULAR AGENDA

18.

Carlisle

Chairman,  
Personnel

Committee

### APPOINTMENTS

#### MEMPHIS BOARD OF ETHICS

##### Appointment

Karen R. Williams

#### MEMPHIS AREA TRANSIT AUTHORITY

##### Appointment

Michelle Robinson McKissack

##### Reappointments

Robert Clark

Michael Fulton

#### CIVIL SERVICE COMMISSION

##### Reappointment

Stephen Biller

#### MEMPHIS & SHELBY COUNTY DOWNTOWN MEMPHIS COMMISSION

##### Reappointments

Benjamin Orgel

Cheryl Pesce



**ECONOMIC DEVELOPMENT GROWTH ENGINE BOARD**

**Reappointments**

Johnny Moore  
Al Bright  
Mark J. Halperin

**GENERAL ORDINANCE – THIRD AND FINAL READING** (None)

**ENGINEERING DIVISION** (None)

**EXECUTIVE DIVISION** (None)

**FINANCE & ADMINISTRATION**

19. RESOLUTION authorizing the redemption of previously sold delinquent 2015 property tax receivables in an amount not exceeding \$1,500,000.00. This resolution is sponsored by Finance Division.  
Jones  
Chairman,  
Budget  
Committee  
ACTION REQUESTED: Adopt the resolution

20. RESOLUTION authorizing the redemption of previously sold delinquent 2016 property tax receivables in an amount not exceeding \$1,600,000.00. This resolution is sponsored by Finance Division.  
Jones  
Chairman,  
Budget  
Committee  
ACTION REQUESTED: Adopt the resolution

**DIVISION OF FIRE SERVICES**

21. RESOLUTION recognizing a certain position as appointed and exempt from Civil Services and to clarify the status of the employee. This resolution is sponsored by Fire Division.  
Carlisle  
Chairman,  
Personnel  
Committee  
ACTION REQUESTED: Adopt the resolution

**DIVISION OF GENERAL SERVICES**

22. RESOLUTION transferring allocations in the amount of \$345,000.00 from CIP Project Number GS20101 Major Mod (Roofing) to CIP Project Number CD01101. This resolution is sponsored by General Services Division.  
Smiley  
Chairman,  
Public Works,  
Solid Waste,  
Transportation &  
General Services  
Committee  
ACTION REQUESTED: Adopt the resolution

**DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT** (None)

**DIVISION OF HUMAN RESOURCES** (None)

**INFORMATION SERVICES** (None)

**LAW DIVISION** (None)

**MLGW DIVISION** (None)

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

**DIVISION OF POLICE SERVICES** (None)

**DIVISION OF PUBLIC SERVICES** (None)

**DIVISION OF PUBLIC WORKS**

23. RESOLUTION transferring and appropriating construction funds in the amount of \$731,390.00 to repair the roof on a flood control pump station at Cypress Creek. This resolution is sponsored by Public Works Division.

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

ACTION REQUESTED: Adopt the resolution

24. RESOLUTION transferring and appropriating construction funds in the amount of \$2,750,000.00 to repair and rehab existing damaged sanitary sewer pipe using CIPP process at various locations. This resolution is sponsored by Public Works Division.

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

ACTION REQUESTED: Adopt the resolution

25. RESOLUTION amending funding sources for the purpose of funding the Clean Pathways Initiative Program – Lifeline to Success and Freedom From Unnecessary Negative (FFUN), 501(c) 3 Organizations in the amount of \$300,000.00. This resolution is sponsored by Public Works Division.

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

ACTION REQUESTED: Adopt the resolution

**GENERAL ITEMS** (None)

**APPEARANCE CARDS FOR PUBLIC SPEAKING**

**ADJOURNMENT**