



CITY OF MEMPHIS

COUNCIL AGENDA

October 18, 2016

Public Session Tuesday, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

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 (October 4, 2016)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATION AND RECOGNITION OF VISITORS

1. RESOLUTION proclaiming October as Black Energy Awareness Month. This resolution is sponsored by Councilwoman Robinson.

ACTION REQUESTED: Adopt the resolution

PUBLIC HEARING

2. RESOLUTION approving a planned development located on the north side of Callis Cutoff Road; +/- 2,500 feet east of Germantown Road, containing 14.03 acres and is governed by the approved conditions of the Callis Cutoff Planned Development (P.D. 95- 365). This resolution is sponsored by the Office of Planning & Development.
Colvett
Chairman,
Planning &
Zoning
- Case No. PD 16-08

Committee

Applicant: Lightman Realty Company (Michael Lightman)
SR Consulting – (Cindy Reaves) – Representative
Request: Amend the conditions of Area G to permit multiple family residential development

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

129 NOTICES WERE MAILED ON OCTOBER 7, 2016

DIVISION OF PLANNING AND DEVELOPMENT

3.
Colvett
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a special use permit located at 1720 E. Holmes Road (Parcel ID 079093 00050C), containing 0.615 +/- Acre in the Commercially used property within the Commercial Mixed Use-1 (CMU-1) zoning district. This resolution is sponsored by the Office of Planning & Development.

Case No. SUP 16-15

Applicant: Southern Security Federal Credit Union/Jay Shiek
David Bray- Representative
Request: Special Use Permit to allow auto sales at the former Southern Security Credit Union
LUCB and OPD 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

4.
Colvett
Chairman,
Planning &
Zoning
Committee

ORDINANCE amending the Memphis and Shelby County Unified Development Code as adopted by the City of Memphis on August 10, 2010 and by Shelby County on August 9, 2010, as amended, to revise and enhance the Joint Zoning and Subdivision regulations as recommended by the Memphis and Shelby County Office of Planning & Development and the Land Use Control Board. This text amendment affects all property within the City of Memphis and unincorporated Shelby County, up for T H I R D and F I N A L reading. This ordinance is sponsored by the Office of Planning & Development.

Case No. ZTA 16-001
Ordinance No. 5629

Applicant: Memphis and Shelby County Office of Planning and Development
Josh Whitehead, Planning Director – Representative

Request: Adopt amendments to the Memphis and Shelby County Unified
Development Code

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable



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CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING (None)

GENERAL ORDINANCES - SECOND READING (None)

ZONING ORDINANCE - FIRST READING (None)

ZONING ORDINANCE - SECOND READING

5. **ORDINANCE** rezoning 163 North Evergreen Street-West side of N. Evergreen St.; +/- 152' south of Poplar Ave., containing 0.159 acre in the Commercial Mixed Use -3 (CMU-3) District, up for S E C O N D reading. This Ordinance is sponsored by the Office of Planning and Development.
- Colvett,
Chairman,
Planning &
Zoning
Committee
- Case No. Z 16-04
Ordinance No. 5633

Applicant: Steve and Kathleen Williams

Request: Residential Urban-3 (RU-3) District

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the Ordinance on Second reading

ENGINEERING

6. **RESOLUTION** approving engineering plans of METHODIST UNIVERSITY HOSPITAL TRAFFIC SIGNAL MODIFICATION.

Contract No. CR-5249

Resolution approving the engineering plans located at the intersection of Eastmoreland Avenue and Bellevue Street. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

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:

7. A. Case No. S.A.C. 16-14 – RIGHT-OF-WAY (ROW) VACATION

Located on the west entrance of Roane Road from Shady Grove Road; containing 90' X 50' in the Single-Family Residential-10 (R-10) District.

Applicant: William M & Kathleen R Poston
Byron Fisher- Representative

Request: ROW Vacation

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: November 1, 2016



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FISCAL CONSENT AGENDA

8. RESOLUTION to accept a donation of two (2) Netclocks, installation, and configuration from Shelby County 911 District with an estimated value of \$20,725.00 to be used for dependable, accurate, master time source for all servers and computers within Fire Services. This resolution is sponsored by Fire Services.

Morgan
Chairman,
Public Safety
& Homeland
Security
Committee

ACTION REQUESTED: Adopt the resolution

9. RESOLUTION seeking acceptance of a donation in the amount of \$100.00 from Ms. Emma J. Phillips as awarded to the City of Memphis Police Department to support Police Services' operational activities. This resolution is sponsored by Police Services

Morgan
Chairman,
Public Safety
& Homeland
Security
Committee

ACTION REQUESTED: Adopt the resolution

10. RESOLUTION seeking acceptance of donations in the amount of \$200.00 from B & P Beauty Supply 2 as awarded to the City of Memphis Police Department to support Police Services' operational activities. This resolution is sponsored by Police Services.

Morgan
Chairman,
Public Safety
& Homeland
Security
Committee

ACTION REQUESTED: Adopt the resolution



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MLGW FISCAL CONSENT

11. RESOLUTION awarding Contract No. 11875, System Furniture, to Staples Contract & Commercial, Incorporated, operating as Business Interiors by Staples, in the funded amount of \$1,537,080.00.
12. RESOLUTION awarding Contract No. 11895, Street Light Construction for the Southwind/Windyke Annexation, to Standard Electric Company, Incorporated, in the funded amount of \$361,798.45 based on unit prices.
13. RESOLUTION awarding a thirty-six month contract to Patterson Welding Service, for repair and fabrication of substation equipment, in the approximate amount of \$300,000.00.
14. RESOLUTION approving Change No. 3 to Contract No. 11489, Customer Care Center (CCC) Telephone Service, with AT&T to ratify the continued use of services and to extend the term of the current contract in the funded amount of \$50,000.00. (The initial term of the contract was for a 36 month period from the date of the Notice to Proceed with two annual renewal options. The term of this contract ended August 15, 2016 and AT&T has continued to provide services to MLGW. Proposals were solicited and received for a new contract (11682) to replace this contract. However, contract negotiations are not complete. In addition, AT&T recently informed MLGW the equipment to be installed under the new contract will not arrive until early 2017. Therefore, this change is to ratify the continued use of the services provided under Contract 11489 since the expiration of the term and to extend the contract for six months covering the period August 16, 2016 to February 15, 2017.)
15. RESOLUTION approving a Contract of Sale for purchase of property from Grace Church of God in Christ, for the expansion of the North Service Center, located at 982 Meagher Street, in the amount of \$81,000.00.



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REGULAR AGENDA

16.
Spinosa
Chairman,
Personnel,
Intergovern-
mental &
Annexation
Committee

Appointments

FIRE DEPARTMENT BOARD OF APPEALS

Appointment

Rodney Hubbard

MEMPHIS & SHELBY COUNTY FILM & TELEVISION COMMISSION

Appointments

Kevin Brooks

Morgan Jon Fox

MEMPHIS & SHELBY COUNTY NEW ARENA PUBLIC BUILDING AUTHORITY

Appointment

Wes Kraker

MEMPHIS & SHELBY COUNTY SPORTS AUTHORITY

Appointment

Rodney Douglas

MEMPHIS ANIMAL SHELTER ADVISORY BOARD

Appointments

Jennifer Daniel

Mary-Marsha Riley

Beth Spencer

MEMPHIS CITY BEAUTIFUL COMMISSION

Appointments

Christine Grandberry
Grace Ulhorn
Paige Wallace

Reappointments

Drew Daniel
Rebecca Jane Edwards
Michelle Smith

MEMPHIS HOUSING AUTHORITY

Appointment

Mary Sharp

PENSION BOARD OF ADMINISTRATION

Appointment

Ted Davis

Reappointments

Rowena Adams
Paula Polite

MEMPHIS AREA TRANSIT BOARD

Reappointments

John Vergos
Sheila Williams

WASTEWATER HEARING AUTHORITY

Reappointment

Kenneth Roberts

GENERAL ORDINANCES – THIRD AND FINAL READING

17. **ORDINANCE** to amend the Code of Ordinances of the City of Memphis, Section 20-28 Panhandling to add additional restrictions, up for T H I R D and F I N A L reading. Ordinance No.5628 is sponsored by Councilman Morgan.

Morgan
Chairman,
Public Safety
& Homeland
Security
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

18. **ORDINANCE** to amend Chapter 25, Code of Ordinances, City of Memphis, so as to amend section 25-200 of the 1978 Plan to add Subparagraph (H) to allow for limited suspension of the DROP program by qualifying participants, up for T H I R D and F I N A L reading. Ordinance No. 5630 is sponsored by Human Resources Division.

Spinosa
Chairman,
Personnel,
Intergovern-
mental &
Annexation
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

19. **ORDINANCE** to add Article VII, Chapter 36, Section 36-130 of the City of Memphis, Code of Ordinance to establish Rules and Operation, Registration and Regulation of short term rentals in Memphis, up for T H I R D and F I N A L reading. Ordinance No. 5631 is sponsored by Councilman Ford.

Boyd
Chairman,
Economic
Development
& Tourism
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

20. **ORDINANCE** to amend Part I, Article VI, Division 5 of the Code of Ordinances known as the “Equal Business Opportunity Program;” consistent with certain findings of the 2016 “Minority and Women Business Enterprise Procurement Program” disparity study and legal analysis report and other data relative to the business opportunities available to minority and women owned business in the Memphis Metropolitan Statistical Area (MSA) up for T H I R D and F I N A L reading. Ordinance No. 5632 is sponsored by Finance Division.

Boyd
Chairman,
Economic
Development
& Tourism
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES

21. **RESOLUTION** to transfer an allocation from Fire Station Repair FS02001 to Fire Station Repair Cover Line FS17100 and transfer an allocation from Fire Station Repair Cover Line to Fire Station 24, 37, 59 Alteration (17101) and appropriate funds in the amount of \$447,728.00. This resolution is sponsored by Fire Services.

Morgan
Chairman,
Public Safety

& Homeland
Security
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF GENERAL SERVICES (None)

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

22. RESOLUTION appropriating \$200,000.00 in G.O. Bonds – for Railroad Quiet Zone, Hedgepeth Chairman, Public Works, Transportation & General Services Committee

Project Number EN01074 to provide payment to Norfolk Southern Railroad. This resolution is sponsored by the Division of Engineering.

ACTION REQUESTED: Adopt the resolution

23. Hedgepeth Chairman, Public Works, Transportation & General Services Committee

RESOLUTION requesting the approval of the sale of a City-owned parcel in the amount of \$200.00 acquired by Warranty Deed on March 8, 2004, as recorded in Instrument #0038374, located in the Shelby County Register of Deeds office. The parcel is located at 659 Provine Avenue in Memphis, Shelby County, Tennessee also known as Parcel #014006 00050. The proposed sale is to an adjoining property owner who owns the parcels on both sides of subject property. This resolution is sponsored by General Services.

ACTION REQUESTED: Adopt the resolution

GENERAL ITEM

24. Boyd Chairman, Economic Development

RESOLUTION to approve the Economic Impact Plan for the University District – Highland Strip as required by TCA § 7-53-312. This resolution is sponsored by EDGE- Economic Development Growth Engine for Memphis & Shelby County.

ACTION REQUESTED: Adopt the resolution

& Tourism
Committee

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT

ADD-ONS

25. RESOLUTION to accept one SkyCop Camera Solution, compatible with existing MPD equipment, to be installed on V&E Greenline McLean and Mignon at the request of Morgan Chairman, Public Safety & Homeland Security Committee. Vollintine Evergreen Community Association (VECA), who gave the necessary funds. The items are being donated by the Memphis/Shelby County Law Enforcement Foundation. The cumulative total donation is \$7,322.75. This resolution is sponsored by Police Services.

Fiscal Consent

ACTION REQUESTED: Adopt the resolution

26. RESOLUTION to accept two SkyCop Camera Solutions, compatible with existing MPD equipment, to be installed in Chickasaw Gardens. The items are being donated by Morgan Chairman, Public Safety & Homeland Security Committee. Memphis/Shelby County Law Enforcement Foundation. The cumulative total donation is \$14,436.18. This resolution is sponsored by Police Services.

Fiscal Consent

ACTION REQUESTED: Adopt the resolution

27. RESOLUTION to accept two SkyCop Camera Solutions, compatible with existing MPD equipment, to be installed on the Chi Omega Foundation parking lot at the request of Morgan Chairman, Public Safety & Homeland Security Committee. Chi Omega Foundation, who gave the necessary funds. The items are being donated by the Memphis/Shelby County Law Enforcement Foundation. The cumulative total donation is \$11,960.00. This resolution is sponsored by Police Services.

Fiscal Consent

ACTION REQUESTED: Adopt the resolution

28. RESOLUTION requesting approval by Council to accept, allocate, and appropriate \$51,900.00 in grant funds from the Department of State, Tennessee State Library passed through Division of Library Service, Memphis Public Library and Information Center for the purchase of books. This resolution is sponsored by Memphis Public Library and Information Center Services.

Fiscal Consent

ACTION REQUESTED: Adopt the resolution

29. RESOLUTION to accept, allocate and appropriate \$267,476.00 from the Center City Revenue Finance Corporation to be used for construction costs for the Main Street to Main Street Multimodal Connector Project; PW04090 and PW04093. This resolution is sponsored by Public Works Division.

Fiscal Consent

ACTION REQUESTED: Adopt the resolution

Fiscal Consent

ADD-ONS CONT.

30. RESOLUTION appropriating \$25,000.00 to cover the cost of printing, mailing or
Conrad otherwise disseminating an explanation of Referendum Ordinance No. 5622 and its
Chairman, potential benefits to the City of Memphis. This resolution is sponsored by Chairman
Executive Conrad.
Session

ACTION REQUESTED: Adopt the resolution

ACTION TAKEN BY COUNCIL ON THIS DATE

1. Dropped
2. Approved, as amended
3. Held until November 1, 2016
4. Approved, as amended
5. Through 17 – Approved
18. Held until November 1, 2016
19. & 20 – Approved, as amended
21. Through 30 – Approved

ACTION TAKEN BY COUNCIL ON THE MINUTES OF OCTOBER 4, 2016 MEETING

Approved

**ACTION TAKEN BY COUNCIL ON THE MINUTES OF ITEMS #25, #26, #27, #29 & #30
FROM TONIGHT'S MEETING**

Approved