



**CITY COUNCIL
MEETING AGENDA
September 10, 2024
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 8-1. Chairman JB Smiley, Jr.
Super District 9-2. Vice Chairman J. Ford Canale
District 1. Rhonda Logan
District 2. Jerri Green
District 3. Pearl Eva Walker
District 4. Jana Swearengen-Washington
District 5. Philip Spinosa
District 6. Edmund Ford, Sr.
District 7. Michalyn Easter-Thomas
Super District 8-2. Janika White
Super District 8-3. Yolanda Cooper-Sutton
Super District 9-1. Chase Carlisle
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 (August 20, 2024)

VI. ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

VII. ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

1. RESOLUTION recognizing and honoring Mr. Marcus Ross and Mr. Diamond Holder as Good Samaritans. This Resolution is sponsored by the Memphis City Council.
2. RESOLUTION honoring the 8th Anniversary of Operation Taking Back 901. This Resolution is sponsored by Councilwoman Easter-Thomas.

PUBLIC HEARINGS

3. RESOLUTION pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a special use permit at the subject property located at 7801 Fischer Steel Road. This Resolution is sponsored by the Division of Planning and Development.

Canale
Chairman,
Planning
& Zoning
Committee

Case No. PD 24-07

Applicant: Memphis-Shelby County Schools
Cory Brady, Integrated Land Solutions (Representative)

Request: New planned development to allow a new high school

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: No Recommendation

Opposition at LUCB; Public Hearing Required

37 NOTICES WERE MAILED ON AUGUST 7, 2024

4. RESOLUTION pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a special use permit at the subject property located at 3745 Outland Road. This Resolution is sponsored by the Division of Planning and Development. (Held from 8/20)

Canale
Chairman,
Planning
& Zoning
Committee

Case No. SUP 24-09

Applicant: ALIEX, LLC/New Development, LLC
David Bray, The Bray Firm (Representative)

Request: Special use permit to allow a convenience store with gasoline sales

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: No Recommendation

No opposition at LUCB; Public Hearing Required

42 NOTICES WERE MAILED ON AUGUST 7, 2024

5. RESOLUTION pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a modification to a special use permit at the subject property located at 1925 Union Avenue. This Resolution is sponsored by the Division of Planning and Development. **(Held from 8/20)**

Canale
Chairman,
Planning
& Zoning
Committee

Case No. MJR 24-20
(SUP 21-39 CORRES.)

Applicant: EP3 Developers, LLC
Kimley-Horn and Associates, Inc. (Representative)

Request: Major modification to allow a drive-through restaurant
and a time extension for SUP 21-39

LUCB and DPD recommendation: REJECTION

ACTION REQUESTED: No Recommendation

Opposition at LUCB; Public Hearing Required

124 NOTICES WERE MAILED ON AUGUST 7, 2024

DIVISION OF PLANNING AND DEVELOPMENT

6. RESOLUTION approving the closure of an east-west public alley located between 3775 Longfellow Road and 3760 Whittier Road. This Resolution is sponsored by the Division of Planning and Development.

Canale
Chairman,
Planning
& Zoning
Committee

Case No. SAC 24-03

Applicant: Jose Carrera
David Bray, The Bray Firm (Representative)

Request: Close and vacate alley between 3775
Longfellow Road and 3760 Whittier Road

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: No Recommendation

No opposition at LUCB; No Public Hearing Required

7.
Canale
Chairman,
Planning
& Zoning
Committee

RESOLUTION pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a special use permit at the subject property located at 5050 Summer Avenue. This Resolution is sponsored by the Division of Planning and Development.

Case No. SUP 24-12

Applicant: Cesar Flores, Flores Auto Sales and Repair, LLC
Ray West, Ray West Designs (Representative)

Request: Special use permit to allow vehicle sales (used)

LUCB recommendation: APPROVAL

DPD recommendation: REJECTION

ACTION REQUESTED: No Recommendation

No opposition at LUCB; No Public Hearing Required

8.
Canale
Chairman,
Planning
& Zoning
Committee

RESOLUTION pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a special use permit at the subject property located at 4471 South Third Street. This Resolution is sponsored by the Division of Planning and Development.

Case No. SUP 24-15

Applicant: Fayez 3rd Inc.
The Bray Firm (Representative)

Request: Special use permit to allow a convenience store with gas pumps

LUCB and DPD recommendation: REJECTION

ACTION REQUESTED: No Recommendation

No opposition at LUCB; No Public Hearing Required

9. RESOLUTION pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a special use permit at the subject property located at 3306 Overton Crossing. This Resolution is sponsored by the Division of Planning and Development.

Canale
Chairman,
Planning
& Zoning
Committee

Case No. SUP 24-16

Applicant: Memphis Business Academy
Self + Tucker Architects (Representative)

Request: Special use permit to allow lighted athletic fields

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: No Recommendation

No opposition at LUCB; No Public Hearing Required

10. RESOLUTION pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a special use permit at the subject property located at 1656 Arkansas Street. This Resolution is sponsored by the Division of Planning and Development.

Canale
Chairman,
Planning
& Zoning
Committee

Case No. SUP 24-24

Applicant: Bertha Shipp
Cindy Reaves, SR Consulting (Representative)

Request: To allow a group day care home

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: No Recommendation

No opposition at LUCB; No Public Hearing Required

11. RESOLUTION pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a planned development at the subject property located at 4701 Boeingshire Drive. This Resolution is sponsored by the Division of Planning and Development. **(Held from 8/20)**

Canale
Chairman,
Planning
& Zoning
Committee

Case No. PD 23-29

Applicant: Dolphin Construction, Inc.
The Bray Firm (Representative)

Request: Planned development amendment for 11 residential lots in Area II-B of the previously entitled Summers Planned Development

LUCB recommendation: REJECTION

DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: No Recommendation

Opposition at LUCB; No Public Hearing Required

ZONING ORDINANCE - THIRD AND FINAL READING

12. **ZONING ORDINANCE** amending Ordinance No. 5367 of Code of Ordinance, 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 1351 Williams Avenue by taking the land out of the Employment (EMP) Use District and including it in the Heavy Industrial (IH) 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.

Canale
Chairman,
Planning
& Zoning
Committee

Case No. Z 24-04
Ordinance No. 5914

Applicant: Richardson Oilseed Products
Cindy Reaves, SR Consulting (Representative)

Request: Rezoning of +/-6.2 acres from Employment (EMP) to Heavy Industrial (IH)

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING (None)

GENERAL ORDINANCE - SECOND READING

13. **ORDINANCE** to amend Title 6, Chapter 92 of the Code of Ordinances for the City of Memphis, to Extend the Sunset Clause for the Equal Business Opportunity Program, up for S E C O N D reading. Ordinance No. 5916 is sponsored by the Administration.

Smiley
Chairman,
Executive
Session

ACTION REQUESTED: Adopt the Ordinance on Second reading

ZONING ORDINANCE - FIRST READING (None)

ZONING ORDINANCE - SECOND READING

14. **ZONING ORDINANCE** amending Ordinance No. 5367 of Code of Ordinance, 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 3230 Commercial Parkway on the east side of Elvis Presley Boulevard, +/- 208 feet north of Commercial Parkway Road by taking the land out of the Residential Single-Family – 15 (R-15) Use District and including it in the Commercial Mixed Use – 1 (CMU-1) District, up for S E C O N D reading. This Ordinance is sponsored by the Division of Planning and Development. **(Held from 8/20)**

Canale
Chairman,
Planning
& Zoning
Committee

Case No. Z 24-06
Ordinance No. 5915

Applicant: Yaaqob Al Shugga
David Bray, The Bray Firm (Representative)

Request: Rezoning of +/-20,265 square feet from Residential Single-Family – 15 (R-15) to Commercial Mixed Use – 1 (CMU-1) located at 3230 Commercial Parkway

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

NOTATIONS FROM DPD (None)

ENGINEERING DIVISION

- 15. RESOLUTION approving the engineering plans for ELMORE ROAD FORCE MAIN EXTENSION and accepting bond. (Request for Same Night Minutes)

Contract No. CR-5461

Resolution approves the engineering plans in the present limits of Memphis, as shown on the engineering plans, located at 4825 Elmore Road in Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts the Travelers Casualty and Surety Company, Performance Bond No. 108061314 in the amount of \$70,700.00 as security for the project.

ACTION REQUESTED: Adopt the Resolution

- 16. RESOLUTION approving the engineering plans for 666 RIVERSIDE DRIVE (ASPR) and accepting bond. (Request for Same Night Minutes)

Contract No. CR-5462

Resolution approves the engineering plans in the present limits of Memphis, as shown on the engineering plans, located at 666 Riverside Drive in Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts the Commercial Bank & Trust Letter of Credit No. 807 in the amount of \$82,400.00 in lieu of bond as security for the project.

ACTION REQUESTED: Adopt the Resolution

- 17. RESOLUTION accepting public improvements for GLIDE XPRESS CAR WASH [CR#5404] and releasing bond. (Request for Same Night Minutes)

(Contract No. CR-5404)

Resolution accepts public improvements for a development within the present limits of the City of Memphis, and located at 1470 Germantown Parkway in Memphis, Tennessee. Resolution also releases the U.S. Specialty Insurance Company Performance Bond No. 1001054258 in the amount of \$92,100.00, held as project security.

ACTION REQUESTED: Adopt the Resolution

18. RESOLUTION accepting public improvements for CHICK-FIL-A #4993 – AUSTIN PEAY [CR#5430B] and releasing bond. (Request for Same Night Minutes)

(Contract No. CR-5430B)

Resolution accepts public improvements for a development within the present limits of the City of Memphis, and located at 3565 Austin Peay Highway in Memphis, Tennessee. Resolution also releases the Liberty Mutual Performance Bond No. 016237799 in the amount of \$55,600.00, held as project security.

ACTION REQUESTED: Adopt the Resolution

GENERAL ITEMS (None)

FISCAL CONSENT AGENDA

19. RESOLUTION to accept and appropriate funds from the Fire Museum of Memphis in the amount of \$150,000.00 for the salary and benefits of the Executive Director of the Fire Museum of Memphis. All Council Districts. This Resolution is sponsored by Fire Services. (Request for Same Night Minutes)

20. RESOLUTION accepting a donation of \$2,000.00 in the form of a virtual gift card from Target Store D332 on behalf of the City of Memphis Police Department to support the COP's Memphis Youth Crime Watch Program and Raines Station's Future Leaders of Tomorrow Program. All Council Districts. This Resolution is sponsored by Police Services. (Held from 8/20) (Request for Same Night Minutes)

MLGW FISCAL CONSENT

Chair: Philip Spinosa, Vice Chair: Pearl Eva Walker

21. RESOLUTION approving a second, one-year option to renew purchase order number 7032425 to Siemens Industry, Inc., purchase order number 7032426 to ABB Inc., and purchase order number 7032427 to Mitsubishi Electric Power Products, Inc. for medium voltage power circuit breakers, with a total increase in funds of \$5,000,000.00.
22. RESOLUTION approving Change No. 1 to Contract No. 12446 (solicited under Contract No. 12407), Environmental Abatement Services with Northwest Contracting Services, Inc. to increase the current contract in the funded amount of \$1,500,000.00.
23. RESOLUTION awarding Contract No. 12531 (solicited under Contract No. C2729), RedHat Enterprise Service License and Support Subscription to TechnoLogyx, Inc. in the funded amount of \$209,246.60.
24. RESOLUTION awarding purchase order for transformers N-75KVA to MVA Power Inc. in the amount of \$166,230.72.
25. RESOLUTION awarding purchase order for steel poles to Brighter Days and Nites in the amount of \$243,326.25.
26. RESOLUTION awarding purchase order for cable 3/C to Universal Scaffold and Equipment in the amount of \$1,017,333.00.
27. RESOLUTION awarding purchase order to Automotive Tool Group for conduit polyvinyl chloride (PVC) 5" in the amount of \$495,000.00.
28. RESOLUTION awarding Contract No. 12532 (solicited under Contract No. C2716), Video Management and Hardware Maintenance to Convergent Technologies in the funded amount of \$350,000.00.
29. RESOLUTION approving Change No. 1 to Contract No. 12107, Elevator Maintenance with United Elevator Services, LLC to increase the current contract in the funded amount of \$42,950.00.
30. RESOLUTION awarding Contract No. 12523 (formerly C2740), Fire Alarm Notification Device Upgrade to Johnson Controls in the funded not-to-exceed amount of \$243,486.24.
31. RESOLUTION awarding Contract No. 12533 (solicited under Contract No. C2688), Division Copier Fleet to Konica Minolta Business Solutions U.S.A, Inc. in the funded not-to-exceed amount of \$617,489.00. **(Request for Same Night Minutes)**

REGULAR AGENDA

APPOINTMENTS (None)

GENERAL ORDINANCE -THIRD AND FINAL READING (None)

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES

32. Swearingen-Washington Chairman, Public Works, Solid Waste & General Services Committee

RESOLUTION appropriating FY25 allocations, in the amount of \$1,500,000.00 for CIP Project Number GS01049 Coke Facility. District 4, Super District 8. This Resolution is sponsored by the Administration.

ACTION REQUESTED: Adopt the Resolution

33. Swearingen-Washington Chairman, Public Works, Solid Waste & General Services Committee

RESOLUTION appropriating FY25 allocations, in the amount of \$100,000.00 for CIP Project Number GS20170, 170 North Main Modifications. District 7, Super District 8. This Resolution is sponsored by the Administration.

ACTION REQUESTED: Adopt the Resolution

34. Swearingen-Washington Chairman, Public Works, Solid Waste & General Services Committee

RESOLUTION appropriating FY25 allocations, in the amount of \$500,000.00 for CIP Project Number GS22201 City Hall Improvements. District 7, Super District 8. This Resolution is sponsored by the Administration.

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)

MLGW DIVISION (None)

MEMPHIS PARKS

35. RESOLUTION to approve the allocation of funds of \$250,000.00 for FY2025 CIP Project Warren Chairman, Memphis Parks Committee
Number PK09002, Contract Construction, Memphis Zoo Major Maintenance. District 5, Super District 9. This Resolution is sponsored by the Administration.
ACTION REQUESTED: Adopt the Resolution

36. RESOLUTION to approve the allocation of funds of \$500,000.00 for FY2025 CIP Project Warren Chairman, Memphis Parks Committee
Number PK08039, Botanic Garden Infrastructure, Contract Construction. District 5, Super District 9. This Resolution is sponsored by the Administration.
ACTION REQUESTED: Adopt the Resolution

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS (None)

DIVISION OF SOLID WASTE (None)

GENERAL ITEM (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT