



CITY

OF MEMPHIS

COUNCIL AGENDA

March 1, 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 (February 16, 2016)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

1. RESOLUTION declaring March to be Cerebral Palsy Awareness Month in the city of Memphis, in honor of Kim Tutt and all Memphians affected by CP. This resolution is sponsored by Councilman Boyd.

ACTION REQUESTED: Adopt the resolution

2. RESOLUTION congratulating and honoring Boo Mitchell for winning the 2016 Record

of the Year Grammy. This resolution is sponsored by Councilwoman Swearengen.

ACTION REQUESTED: Adopt the resolution

March 1, 2016

Page 2

PUBLIC HEARING

3. RESOLUTION approving a planned development located on the northwest quadrant of I-Colvett 40 and Hollywood, containing 20.82 acres, vacant land in the Commercial Mixed-Use-3 Chairman, (CMU-3) zoning district. This resolution is sponsored by the Office of Planning & Development.
Planning & Development.
Zoning Case No. PD 16-01
Committee

Applicant: Patel Manherlal T Living Trust/Hospitality Builders of America, Inc.
Scot Woodard – Representative

Request: Planned development in North Memphis to allow uses of convenience store with gas pumps, hotel, retail, restaurant with drive-thru lane and truck washing

LUCB recommendation: REJECTION

OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

28 NOTICES WERE MAILED ON FEBRUARY 19, 2016

DIVISION OF PLANNING AND DEVELOPMENT

4. RESOLUTION approving a special use permit located on the northeast corner of Jackson Avenue and N. Front Street, containing 1.07 acres in the Mixed Use (MU) District. This resolution is sponsored by the Office of Planning & Development.
(Held from 9/1; 11/3; 12/15; 1/5; 1/19; 2/16)
Case No. SUP 15-213
Colvett
Chairman,
Planning &
Zoning
Committee

Applicant: Front Street Group, LLC
Brenda Solomito Basar – Representative

Request: Allow an extended stay hotel and retail component

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

5. RESOLUTION approving a special use permit located at 139 Vance Avenue (Parcel IDs
Colvett 002120 00008C, 002120 00007, 002120 00006), containing 0.87± acre, vacant property
Chairman, is used as parking within the South Main (SM) Zoning District. This resolution is

March 1, 2016

Page 3

Planning & sponsored by the Office of Planning & Development.
Zoning
Committee

Case No. SUP 16-04

Applicant: Henry & Cheri Rudner/NPH Investments
Cory Brady – Representative

Request: A Special User Permit to allow a hotel within the South Central
Business Improvement District

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 (None)

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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 (None)

ENGINEERING

6. RESOLUTION correcting clerical error on previous actions taken by City Council on 1/5/16 on the final plat of MD1 Subdivision.

Case No. S 15-002
(Contract No. CR-5236)



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FISCAL CONSENT AGENDA

7. RESOLUTION accepting funding in the amount of \$9,975.00, from Tennessee State Library and Archives (TSLA) for Memphis Public Library & Information Center for the 2016 Library Services and Technology Act to Purchase Tablets for Library Programs. This resolution is sponsored by Parks and Neighborhoods Division and Memphis Public Library and Information Center.
- Fullilove
Chairman,
Public Services,
Neighborhoods
& Libraries
Committee
- ACTION REQUESTED:** Adopt the resolution

8. RESOLUTION amending the FY 2016 Operating Budget by accepting and appropriating \$12,090.00 in grant funds from United Way of Metropolitan Nashville passed through Division of Parks and Neighborhoods and Memphis Public Library and Information Center for LINC/2-1-1 Operations and Personnel. This resolution is sponsored by Parks and Neighborhoods Division and Memphis Public Library and Information Center.
- Fullilove
Chairman,
Public Services,
Neighborhoods
& Libraries
Committee
- ACTION REQUESTED:** Adopt the resolution

Resolution corrects a clerical error that omitted “the preliminary plan for which was approved by the Memphis and Shelby County Land Use Control Board on April 9, 2015, on the first resolution of approval for the final plat on MD1 Subdivision.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

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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REGULAR AGENDA

GENERAL ORDINANCE – THIRD AND FINAL READING

9. **ORDINANCE** to amend Chapter 2, Code of Ordinances of the City of Memphis, so as to establish Community Advisory Councils, up for **T H I R D** and **F I N A L** reading. Ordinance No. 5557 is sponsored by Councilman Ford. (Held from 8/19; 9/16; 10/21; 11/18; 12/16; 1/20; 2/3; 2/17; 3/17; 4/21; 5/5; 6/2; 6/23; 7/21; 10/20; 12/15).

Brown
Chairman,
Housing &
Community
Development
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION

10. RESOLUTION accepting grant funds in the amount of \$35,495.06 from the Community Foundation, to support the Mayor's transition cost for Public Relations and Conference & Event Services. This resolution is sponsored by Executive Division.

Ford
Chairman,
Budget
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF FIRE SERVICES

11. RESOLUTION accepting a LowCode nurse dispatch software purchased by Shelby County Government, under a Public Health Grant with an estimated value of \$70,800.00. 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)

March 1, 2016

Page 7

DIVISION OF HUMAN RESOURCES (None)

INFORMATION SERVICES (None)

LAW DIVISION (None)

MLGW DIVISION (None)

DIVISION OF PARKS AND NEIGHBORHOODS (None)

DIVISION OF POLICE SERVICES

12. RESOLUTION accepting grant funds in the amount of \$1,995,000.00 from the

Morgan New York County District Attorney's Office (DANY). This resolution is
Chairman, sponsored by Police Services.
Public Safety
& Homeland ACTION REQUESTED: Adopt the resolution
Security Committee

DIVISION OF PUBLIC WORKS

13. RESOLUTION approving an amendment to the Exclusive Archery Rights
Hedgepeth Memorandum Agreement with TWRA dated April 23, 2001, as approved by the
Chairman, Board of Commissioners of the Memphis and Shelby County Port Commission on
Public Works & October 15, 2014. This resolution is sponsored by the Port Commission. (Held from
Transportation 3/17; 5/19; 6/2; 7/7; 8/4; 9/15; 10/20; 1/19)
Committee Contract No. CR-5228

ACTION REQUESTED: Adopt the resolution

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT

March 1, 2016

Page 7

ADD-ONS

14. **ORDINANCE** amending Chapter 25 of the City of Memphis Code of Ordinances,
Consent Governing the City Pension System, up for F I R S T reading. Ordinance No. 5611 is sponsored by Councilman Spinosa.

ACTION REQUESTED: Adopt the ordinance on First reading

15. **ORDINANCE** amending Chapter 21, Article VII of the City of Memphis, Code of Ordinances by Amending Section 21-248, Memphis Police Central Records Charges and Fees, up for F I R S T reading. Ordinance No. 5612 is sponsored by Police Services.

ACTION REQUESTED: Adopt the ordinance on First reading

16. **RESOLUTION** including In-Car Video/GPS/Body Cameras, CIP Project Number PD04022 as part of the Police Division Fiscal Year 2016 Capital Improvement Program. The City of Memphis has entered into an agreement with Insight Public Sector, Inc. and with Taser International, Inc. to provide equipment, software, warranty, support, training, PSA and cloud storage. It is necessary to appropriate \$3,380,000.00 funded by G.O. Bonds General and \$1,500,000.00 funded by Capital Pay Go, in Information Technology expense category, CIP Project PD04022. This resolution is sponsored by Police Services.

ACTION REQUESTED: Adopt the resolution

17. **RESOLUTION** accepting grant funds in the amount of \$75,000.00 from the State of Tennessee Department of Labor and Workforce Development Division for WIA Incumbent Worker Program. This resolution is sponsored by WIN.

Economic
Development
& Tourism
Committee

ACTION REQUESTED: Adopt the resolution

18. RESOLUTION accepting \$8,000.00 in grant funds from the National Recreation and Park Association (NRPA) to pilot the Active Living Every Day (ALED) program by engaging at least 60 seniors participating in senior programs at community and/or senior centers. Resolution also amends the FY 2016 Operating budget by \$8,000.00.
This resolution is sponsored by Park Services.

ACTION REQUESTED: Adopt the resolution

March 1, 2016

Page 8

ADD-ONS

19. RESOLUTION approving a hotel/motel waiver for Memphis Hotel PropCO LLC, located at 110 Monroe Avenue. This resolution is sponsored by the Office of Planning & Development.
Case No. HMW 16-01

Zoning
Committee ACTION REQUESTED: Adopt the resolution

20. RESOLUTION re-allocating FY 2016 Capital Acquisition surpluses to aid in the purchase of additional equipment and replace vehicles in the amount or \$842,436.00,
Project #GS0216A-G. This resolution is sponsored by General Services.

Hedgepeth
Chairman,
Public Works,
Transportation &
General Services
Committee ACTION REQUESTED: Adopt the resolution

21. RESOLUTION requesting that HUD consider an immediate delay in the abatement actions currently under way for Residents at Tulane and Warren Apartments and the creation of a staged transition plan that allows relocation of the residents in an orderly way. This resolution is sponsored by Councilman Brown, Councilwoman Fullilove, Councilman Jones and Councilwoman Robinson.

ACTION REQUESTED: Adopt the resolution

22. RESOLUTION designating and approving various uses and purposes for the City's Park known as Overton Park. This resolution is sponsored by Councilman Boyd, Councilman Brown, Councilman Ford, Councilwoman Fullilove, Councilman Hedgepeth, Councilman Jones, Councilman Spinosa, Councilman Morrison and Councilwoman Robinson.

ACTION REQUESTED: Adopt the resolution

ACTION TAKEN BY COUNCIL ON THIS DATE

1. This item was read into the Records
2. Approved
3. Held until April 19, 2016
4. Failed
5. Through 8 –Approved
9. Held until March 15, 2016
10. Through 12 – Approved
13. Held until May 3, 2016
14. Through 21 – Approved
22. Approved, as amended

March 1, 2016

Page 9

ACTION TAKEN BY COUNCIL ON THE MINUTES OF FEBRUARY 16, 2016 MEETING

Approved

**ACTION TAKEN BY COUNCIL ON THE MINUTES OF ITEMS #16, #17, #18,
#19, #20, #21,
& #22 FROM TONIGHT'S MEETING**

Approved