

October 01, 2024

## MINUTES

### MEETING OF THE CITY COUNCIL

#### CITY OF MEMPHIS

October 01, 2024

#### 3:30 P.M. SCHEDULED SESSION

#### 4:20 P.M. MEETING COMMENCED

**ROLL CALL:** J. Ford Canale, Yolanda Cooper-Sutton, Michalyn Easter-Thomas, Edmund Ford, Sr., Jerri Green, Rhonda Logan, Jana Swearengen-Washington, Pearl Eva Walker, Jeff Warren, Janika White, and Chairman JB Smiley, Jr. Chase Carlisle and Philip Spinosa were absent.

#### **THE MEETING WAS CALLED TO ORDER BY SERGEANT-AT-ARMS**

#### INVOCATION

The meeting was opened with a prayer by Mr. Kelcey Johnson member of the Presbytery of the Midsouth; Past President of the Downtown Clergy Association.

Chairman Smiley led the Pledge of Allegiance.

Councilwoman Cooper-Sutton thanked Mr. Kelcey Johnson member of the Presbytery of the Midsouth; Past President of the Downtown Clergy Association.

**These minutes record the agenda items and the action taken by the Council on such items. The full text of the original ordinances, resolutions, and supporting documents, including an audio recording of Council's deliberations, is filed and maintained in the Office of Council Records/Records Management, Room 2B-08. The original ordinances and/or resolutions adopted by the Council shall control in the event of any conflict between the description in these minutes and the original documents, ordinances, and/or resolutions.**

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Approval of the Minutes of the regular meeting on September 24, 2024, with the following motion:

MOTION: Canale  
 SECOND: Swearengen-Washington  
 AYES: Canale, Cooper-Sutton, Easter-Thomas, Ford, Green, Logan, Swearengen-Washington, Walker, Warren, White, and Chairman Smiley.  
 Carlisle and Spinosa were absent.

**APPROVED**

2. **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. (HELD FROM 9/10)**

**CASE NO. PD 24-07**

Held until November 12, 2024

5. **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 T H I R D AND F I N A L READING. THIS ORDINANCE IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT. (HELD FROM 8/20. 9/10)**

**CASE NO. Z 24-06  
 ORDINANCE NO. 5915**

Held until November 12, 2024

3. **RESOLUTION APPROVING THE RIGHT-OF-WAY VACATION OF LAFAYETTE PLACE LOCATED BETWEEN EAST GOODWYN STREET AND LAFAYETTE STREET. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT. (HELD FROM 12/19; 1/9; 3/19; 4/23; 8/6)**

**CASE NO. SAC 23-04**

Held until December 03, 2024

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4. **RESOLUTION APPROVING THE RIGHT-OF-WAY VACATION OF LOMBARDY ROAD BETWEEN SOUTHS FENWICK ROAD AND CHEROKEE DRIVE. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT. (HELD FROM 12/19; 1/9; 3/19; 4/23; 8/6)**

CASE NO. SAC 23-05

Held until December 03, 2024

1. **RESOLUTION RECOGNIZING THE CONTRIBUTIONS OF COMMUNITY ORGANIZATIONS AND CELEBRATING NATIONAL GOOD NEIGHBOR DAY. THIS RESOLUTION IS SPONSORED BY CHAIRMAN SMILEY.**

MOTION: Chairman Smiley

SECOND: Ford

AYES: Canale, Cooper-Sutton, Easter-Thomas, Ford, Green, Logan, Swearengen-Washington, Walker, Warren, White, and Chairman Smiley.  
Carlisle and Spinosa were absent.

**APPROVED**

**CONSENT AGENDA – Items #6-#8 were acted upon by one motion; See page 7587 Roll Call Consent Items.**

6. **ORDINANCE TO AMEND ORDINANCE 5910 TO RENAME THE LINCOLN PARK PAVILION IN HONOR OF HAZEL MOORE AS THE HAZEL MOORE PAVILION IN THE CITY OF MEMPHIS, UP FOR S E C O N D READING. ORDINANCE NO. 5917 IS SPONSORED BY COUNCILWOMAN SWEARENGEN-WASHINGTON.**

**APPROVED, on Second Reading**

7. **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 ON THE EAST SIDE OF WARING ROAD SOUTH OF SAM COOPER BOULEVARD BY TAKING THE LAND OUT OF THE RESIDENTIAL SINGLE-FAMILY – 6 (R-6), RESIDENTIAL SINGLE-FAMILY – 15 (R-15), AND USE DISTRICT AND INCLUDING IT IN THE EMPLOYMENT (EMP) USE DISTRICTS AND INCLUDING IT IN THE RESIDENTIAL URBAN – 1 (RU-1) USE DISTRICT, UP FOR F I R S T READING. THIS ORDINANCE IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

CASE NO. Z 24-05  
ORDINANCE NO. 5918

**APPROVED, on First Reading**

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8. **RESOLUTION ACCEPTING TERMINATION OF PUBLIC IMPROVEMENTS FOR SANITARY SEWER EXTENSION (ELVIS PRESLEY BOULEVARD AND EAST SHELBY DRIVE) [CR#5392] AND RELEASING BOND. (REQUEST FOR SAME NIGHT MINUTES)**

(CONTRACT NO. CR-5392)

**APPROVED**

**ROLL CALL CONSENT AGENDA ITEMS:**

MOTION: Swearingen-Washington

SECOND: Warren

AYES: Canale, Cooper-Sutton, Easter-Thomas, Ford, Green, Swearingen-Washington, Walker, Warren, and White.

Logan and Chairman Smiley did not cast a vote.

Carlisle and Spinosa were absent.

**APPROVED**

**MLGW FISCAL CONSENT AGENDA - ITEMS #9 - #16 may be acted upon by one motion:**

9. **RESOLUTION REQUESTING THE APPROVAL OF THE BOARD TO AUTHORIZE PAYMENT IN THE AMOUNT UP TO \$330,000.00 AS MATCHING FUNDS WITH TVAS COMMUNITY CARE FUNDS TO BE DISTRIBUTED TO A LOCAL 501(C)(3) ORGANIZATION FOR UTILITY BILL ASSISTANCE. (REQUEST FOR SAME NIGHT MINUTES)**

**APPROVED**

10. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 12465 (SOLICITED UNDER CONTRACT NO. 12433), PROFESSIONAL SERVICES IS/IT WITH COOK SYSTEMS TO INCREASE AND RENEW THE CURRENT CONTRACT IN THE FUNDED AMOUNT OF \$3,420,676.80.**

**APPROVED**

11. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 12433, PROFESSIONAL SERVICES IS/IT WITH 1LINK TECHNOLOGY, LLC TO INCREASE AND RENEW THE CURRENT CONTRACT IN THE FUNDED AMOUNT OF \$3,142,161.20.**

**APPROVED**

12. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 12466 (SOLICITED UNDER CONTRACT NO. 12433), PROFESSIONAL SERVICES IS/IT WITH CTD STAFFING TO INCREASE AND RENEW THE CURRENT CONTRACT IN THE FUNDED AMOUNT OF \$3,370,194.80.**

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**APPROVED**

13. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 12467 (SOLICITED UNDER CONTRACT NO. 12433), PROFESSIONAL SERVICES IS/IT WITH NEXTECH SOLUTIONS TO INCREASE AND RENEW THE CURRENT CONTRACT IN THE FUNDED AMOUNT OF \$3,176,661.28.**

**APPROVED**

14. **RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 11595, TELVENT MAINTENANCE AGREEMENT WITH SCHNEIDER ELECTRIC SMART GRID SOLUTIONS, LLC (FORMERLY TELVENT USA, LLC) TO RENEW THE CURRENT CONTRACT IN THE FUNDED AMOUNT OF \$264,060.06.**

**APPROVED**

15. **RESOLUTION APPROVING A SECOND, ONE-YEAR OPTION TO EXTEND PURCHASE ORDER NUMBER 7046271 TO MANSFIELD OIL COMPANY OF GAINESVILLE, INC. FOR UNLEADED AND DIESEL FUEL IN THE AMOUNT OF \$6,391,555.44. THE UNLEADED GASOLINE AND DIESEL FUEL IS NEEDED TO FUEL MLGW'S FLEET.**

**APPROVED**

16. **RESOLUTION AWARDED CONTRACT NO. 12534, TRANSPORTATION UNIFORMS TO CINTAS CORPORATION NO. 2 IN THE FUNDED NOT-TO-EXCEED AMOUNT OF \$309,101.99.**

**APPROVED**

**ROLL CALL MLGW FISCAL CONSENT ITEMS:**

MOTION: Walker

SECOND: Warren

AYES: Canale, Cooper-Sutton, Easter-Thomas, Ford, Green, Logan, Swearingen-Washington, Walker, and Warren.

White and Chairman Smiley did not cast a vote.

Carlisle and Spinosa were absent.

**APPROVED**

17. **POLICE ADVISORY & REVIEW COMMITTEE**

**APPOINTMENT**

**ERSKINE MCCREIGHT**

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MOTION: Easter-Thomas  
 SECOND: Warren  
 AYES: Canale, Cooper-Sutton, Easter-Thomas, Ford, Green, Logan, Swearingen-Washington, Walker, Warren, and White.  
 Chairman Smiley did not cast a vote.  
 Carlisle and Spinosa were absent.

**APPROVED**

18. **RESOLUTION REQUESTING THE MEMPHIS CENTER CITY REVENUE FINANCE CORPORATION TO ISSUE ITS ECONOMIC DEVELOPMENT REVENUE BOND IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$16,000,000.00 AND TO LOAN THE PROCEEDS THEREOF TO THE CITY OF MEMPHIS, TENNESSEE, FOR THE PURPOSE OF FUNDING A PORTION OF THE PROJECT AND FOR THE OTHER PURPOSES SET FORTH HEREIN, CONSENTING TO THE TERMS REGARDING THE ISSUANCE, SALE AND DELIVERY OF THE ECONOMIC DEVELOPMENT REVENUE BOND AND AUTHORIZING THE CITY OF MEMPHIS, TENNESSEE, TO ACCEPT SUCH BORROWING FROM THE MEMPHIS CENTER CITY REVENUE FINANCE CORPORATION FOR THE PURPOSES SET FORTH HEREIN. AUTHORIZING THE PREPARATION, EXECUTION AND DELIVERY OF A TRUST INDENTURE, A LOAN AGREEMENT, A BOND PURCHASE AGREEMENT AND ALL OTHER NECESSARY AGREEMENTS AND DOCUMENTS WITH RESPECT TO THE FINANCING; AND AUTHORIZING CERTAIN OTHER MATTERS AND ALL NECESSARY ACTIONS WITH RESPECT TO THE FOREGOING. DISTRICT 7 AND SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY THE ADMINISTRATION.**

MOTION: Green  
 SECOND: Swearingen-Washington  
 AYES: Canale, Cooper-Sutton, Easter-Thomas, Ford, Green, Logan, Swearingen-Washington, Walker, Warren, White, and Chairman Smiley.  
 Carlisle and Spinosa were absent.

**APPROVED**

19. **RESOLUTION APPROVING THE USE OF \$2,500,000.00 COMPOUNDED INTEREST EARNED ON THE PROCEEDS OF ACCELERATE MEMPHIS BONDS TO FUND THE TRAFFIC ENGINEERING CAMERA MESH PROJECT NUMBER GA07011. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY THE ADMINISTRATION.**

MOTION: Canale  
 SECOND: Warren  
 AYES: Canale, Cooper-Sutton, Easter-Thomas, Ford, Green, Swearingen-Washington, Walker, Warren, and Chairman Smiley.  
 Logan and White did not cast a vote.  
 Carlisle and Spinosa were absent.

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**APPROVED**

20. **RESOLUTION AMENDING AND APPROPRIATING PILOT PROCEEDS FROM THE HEALTH EDUCATIONAL AND HOUSING FACILITY BOARD OF THE CITY OF MEMPHIS, TENNESSEE UP TO BUT NOT TO EXCEED \$1,500,000.00 CHARGEABLE TO THE FY2025 BUDGET BY APPROPRIATING FUNDS TO THE DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT AFFORDABLE HOUSING PROGRAM ACCOUNT. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY THE ADMINISTRATION.**

MOTION: Logan

SECOND: Warren

AYES: Canale, Cooper-Sutton, Easter-Thomas, Ford, Logan, Swearingen-Washington, Walker, Warren, and White.

Green and Chairman Smiley did not cast a vote.

Carlisle and Spinosa were absent.

**APPROVED**

19. **RESOLUTION APPROVING THE USE OF \$2,500,000.00 COMPOUNDED INTEREST EARNED ON THE PROCEEDS OF ACCELERATE MEMPHIS BONDS TO FUND THE TRAFFIC ENGINEERING CAMERA MESH PROJECT NUMBER GA07011. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY THE ADMINISTRATION.**

MOTION: Swearingen-Washington

SECOND: Cooper-Sutton

AYES: Canale, Cooper-Sutton, Easter-Thomas, Ford, Green, Swearingen-Washington, Walker, Warren, and White.

Logan and Chairman Smiley did not cast a vote.

Carlisle and Spinosa were absent.

**APPROVED, as amended**

21. **RESOLUTION ACCEPTING INSURANCE PROCEEDS, IN CIP PROJECT NUMBER GS24107— CONTINGENCIES, TOTALING \$4,239.39 FOR DAMAGE SUFFERED AT 281 EAST PARKWAY NORTH, INCREASING ALLOCATIONS BY SAID AMOUNT AND APPROPRIATING THESE FUNDS IN CONTRACT CONSTRUCTION. DISTRICT 5, SUPER DISTRICT 9. THIS RESOLUTION IS SPONSORED BY THE ADMINISTRATION.**

MOTION: Swearingen-Washington

SECOND: Warren

AYES: Canale, Cooper-Sutton, Easter-Thomas, Ford, Green, Swearingen-Washington, Walker, Warren, and Chairman Smiley.

Logan and White did not cast a vote.

Carlisle and Spinosa were absent.

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**APPROVED**

26. **RESOLUTION REQUESTING THE MEMPHIS CENTER CITY REVENUE FINANCE CORPORATION TO ISSUE ITS ECONOMIC DEVELOPMENT REVENUE BOND IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$30,000,000.00 AND TO LOAN THE PROCEEDS THEREOF TO THE CITY OF MEMPHIS, TENNESSEE, FOR THE PURPOSE OF FUNDING A PORTION OF THE PROJECT AND FOR THE OTHER PURPOSES SET FORTH HEREIN, CONSENTING TO THE TERMS REGARDING THE ISSUANCE, SALE, AND DELIVERY OF THE ECONOMIC DEVELOPMENT REVENUE BOND AND AUTHORIZING THE CITY OF MEMPHIS, TENNESSEE, TO ACCEPT SUCH BORROWING FROM THE MEMPHIS CENTER CITY REVENUE FINANCE CORPORATION FOR THE PURPOSES SET FORTH HEREIN, AUTHORIZING THE PREPARATION, EXECUTION AND DELIVERY OF A TRUST INDENTURE, A LOAN AGREEMENT, A BOND PURCHASE AGREEMENT AND ALL OTHER NECESSARY AGREEMENTS AND DOCUMENTS WITH RESPECT TO THE FINANCING; AND AUTHORIZING CERTAIN OTHER MATTERS AND ALL NECESSARY ACTIONS WITH RESPECT TO THE FOREGOING. DISTRICT 7 AND SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY THE ADMINISTRATION. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Green

SECOND: Cooper-Sutton

AYES: Cooper-Sutton, Easter-Thomas, Ford, Green, Swarengen-Washington, Walker, Warren, White, and Chairman Smiley.  
Canale and Logan did not cast a vote.  
Carlisle and Spinosa were absent.

**APPROVED**

27. **RESOLUTION TO APPROVE AND ACCEPT \$1,500,000.00 IN TOURISM SURCHARGE REVENUE FUNDS FOR THE CENTER CITY REVENUE FINANCE CORPORATION TO BE USED AS EARNST MONEY AND FOR ANTICIPATED CLOSING COSTS RELATED TO THE PURCHASE OF THE SHERATON HOTEL. DISTRICT 7, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY THE ADMINISTRATION. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Green

SECOND: Warren

AYES: Cooper-Sutton, Easter-Thomas, Ford, Green, Swarengen-Washington, Walker, Warren, White, and Chairman Smiley.  
Canale and Logan did not cast a vote.  
Carlisle and Spinosa were absent.

**APPROVED**

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**28. RESOLUTION APPROVING TRANSFER OF THE CITY'S ACQUIRED INTERESTS IN THE SHERATON HOTEL TO MEMPHIS CENTER CITY DEVELOPMENT CORPORATION. DISTRICT 7, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY THE ADMINISTRATION. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Green

SECOND: Warren

AYES: Cooper-Sutton, Easter-Thomas, Ford, Green, Swearingen-Washington, Walker, Warren, White, and Chairman Smiley.  
Canale and Logan did not cast a vote.  
Carlisle and Spinosa were absent.

**APPROVED**

**22. RESOLUTION REQUESTING QUARTERLY UPDATES FROM EACH DIVISION AND DEPARTMENT OF THE CITY OF MEMPHIS ON CIP AND OPERATING STATUS. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY COUNCILMEMBERS SPINOSA, COOPER-SUTTON, FORD, GREEN, SWEARENGEN-WASHINGTON, WALKER, AND WARREN.**

MOTION: Swearingen-Washington

SECOND: Warren

AYES: Cooper-Sutton, Easter-Thomas, Ford, Green, Swearingen-Washington, Walker, Warren, White, and Chairman Smiley.  
Canale and Logan did not cast a vote.  
Carlisle and Spinosa were absent.

**APPROVED**

**24. RESOLUTION TO TRANSFER CONTRACT CONSTRUCTION ALLOCATION OF \$4,000,000.00 FROM FIRE STATION IMPROVEMENT COVERLINE PROJECT NUMBER FS24100 AND APPROPRIATE FUNDS TO CONTRACT CONSTRUCTION COST FOR EXTRACTION INSTALL PROJECT NUMBER FS23103, GENDER SEPARATION PROJECT NUMBER FS25002 AND FIRE STATION 38 RENOVATIONS PROJECT NUMBER FS25005. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY THE ADMINISTRATION. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Swearingen-Washington

SECOND: Green

AYES: Cooper-Sutton, Easter-Thomas, Ford, Green, Swearingen-Washington, Walker, Warren, White, and Chairman Smiley.  
Canale and Logan did not cast a vote.  
Carlisle and Spinosa were absent.

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**APPROVED**

23. **RESOLUTION APPROVING A 5-YEAR LEASE FOR THE USE OF THE RIGHT-OF-WAY ON THE SOUTH SIDE OF LT. GEORGE W. LEE AVENUE, CONSISTING OF 6 PARKING SPACES IN MEMPHIS, TENNESSEE 38103. DISTRICT 7, SUPER DISTRICT 9. THIS RESOLUTION IS SPONSORED BY THE ADMINISTRATION. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Swearingen-Washington  
 SECOND: Warren  
 AYES: Easter-Thomas, Ford, Green, Logan, Swearingen-Washington, Walker, Warren, White, and Chairman Smiley.  
 Canale and Cooper-Sutton did not cast a vote.  
 Carlisle and Spinosa were absent.

**APPROVED**

25. **RESOLUTION TO ACCEPT AND APPROPRIATE FEDERAL NATIONAL PARK SERVICE, CERTIFIED LOCAL GOVERNMENT FUNDS PASSED THROUGH THE TENNESSEE HISTORICAL COMMISSION FOR CITY OF MEMPHIS LANDMARKS COMMISSIONER AND STAFF'S TRAINING. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY THE ADMINISTRATION. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Swearingen-Washington  
 SECOND: Easter-Thomas  
 AYES: Easter-Thomas, Ford, Green, Logan, Swearingen-Washington, Walker, Warren, White, and Chairman Smiley.  
 Canale and Cooper-Sutton did not cast a vote.  
 Carlisle and Spinosa were absent.

**APPROVED**

**(Special Item #1 – Approval of Same Night Minutes for Items #8, #9, #23, #24, #25, #26, #27, & #28 from tonight's meeting.)**

MOTION: Swearingen-Washington  
 SECOND: Warren  
 AYES: Easter-Thomas, Ford, Green, Swearingen-Washington, Warren, White, and Chairman Smiley.  
 Canale, Cooper-Sutton, Logan, and Walker did not cast a vote.  
 Carlisle and Spinosa were absent.

**APPROVED**

**Chairman Smiley recognized the following person(s) who spoke from the audience:**

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Joan Harp, 178 S. Grove Park., Memphis, Tennessee 38117

Kenyatta Hardin, 4763 Browning Ave., Memphis, Tennessee 38114

**MEETING ADJOURNED AT 5:20 P.M.**

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Upon the statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

\_\_\_\_\_  
CHAIRMAN

\_\_\_\_\_  
Deputy Comptroller/Council Records