



**CITY COUNCIL
MEETING AGENDA
October 15, 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 (October 1, 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 October as National Domestic Violence Awareness Month. This Resolution is sponsored by Councilwoman Swearingen-Washington.
2. RESOLUTION honoring Breast Cancer Awareness Month. This Resolution is sponsored by Councilwoman Cooper-Sutton.
3. RESOLUTION recognizing the Month of October as Principals Month. This Resolution is sponsored by Councilwoman Easter-Thomas.
4. RESOLUTION approving an Honorary Street Name Change on Scott Street between Mimosa Avenue and Nathan Avenue for Terry Don Douglas, Sr. District 5, Super District 9. This Resolution is sponsored by Councilman Spinosa.

PUBLIC HEARINGS

5. RESOLUTION pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a planned development amendment at the subject property located at 3086 Coscia Street. This Resolution is sponsored by the Division of Planning and Development.

Canale
Chairman,
Planning
& Zoning
Committee

Case No. PD 24-05

Applicant: Memphis Wrecking Co.
Lew Wardlaw – Martin, Tate, Morrow & Marston, P.C. (Representative)

Request: Amendment to the Frayser Business Center PD to allow expansion of an existing construction debris landfill and recycling center

LUCB and DPD recommendation: REJECTION

ACTION REQUESTED: No Recommendation

Opposition at LUCB; Public Hearing Required

79 NOTICES WERE MAILED ON SEPTEMBER 9, 2024

DIVISION OF PLANNING AND DEVELOPMENT

6. 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 2895 Poplar Avenue. This Resolution is sponsored by the Division of Planning and Development.

Canale
Chairman,
Planning
& Zoning
Committee

Case No. SUP 24-35

Applicant: Huang Guokang
The Bray Firm, David Bray (Representative)

Request: To allow a drive-thru restaurant in the Transit Overlay District

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 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)**

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

8.
Canale
Chairman,
Planning
& Zoning
Committee

RESOLUTION approving the closure of a portion of Jackson Avenue and Lauderdale Street between North Third Street and Interstate 40. This Resolution is sponsored by the Division of Planning and Development. **(Held from 8/6)**

Case No. SAC 24-04

Applicant: American Lebanese Syrian Associated Charities (St. Jude)
Josh Whitehead of Burch, Porter, & Johnson (Representative)

Request: To close and vacate a portion of Jackson Avenue and Lauderdale Street south of North Third Street

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: No Recommendation

No opposition at LUCB; No Public Hearing Required

9. RESOLUTION approving the closure of the entirety of St. Jude Place between Danny Thomas Boulevard and Lane Avenue. This Resolution is sponsored by the Division of Planning and Development. **(Held from 8/6)**

Canale
Chairman,
Planning
& Zoning
Committee

Case No. SAC 24-05

Applicant: American Lebanese Syrian Associated Charities (St. Jude)
Josh Whitehead of Burch, Porter, & Johnson (Representative)

Request: To close and vacate a portion of St. Jude Place east
of Danny Thomas Boulevard

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: No Recommendation

No opposition at LUCB; No Public Hearing Required

ZONING ORDINANCE - THIRD AND FINAL READING (None)

CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING (None)

GENERAL ORDINANCE - SECOND READING (None)

ZONING ORDINANCE - FIRST READING (None)

ZONING ORDINANCE - SECOND READING

10. **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 Employment (EMP) Use Districts and including it in the Residential Urban – 1 (RU-1) Use District, up for S E C O N D reading. This Ordinance is sponsored by the Division of Planning and Development.

Case No. Z 24-05
Ordinance No. 5918

Applicant: James & Karen Street Revocable Living Trust
Cindy Reaves, SR Consulting (Representative)

Request: Rezoning of +/-2.02 acres from the Residential Single-Family – 6 (R-6), Residential Single-Family – 15 (R-15), and Employment (EMP) to Residential Urban – 1 (RU-1)

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: No Recommendation

NOTATION FROM DPD (None)

ENGINEERING DIVISION

- 11. RESOLUTION approving the engineering plans for GENESIS OF WOLFCHASE and accepting bond as security. (Request for Same Night Minutes)

Contract No. CR-5463

Resolution approves the engineering plans within the present limits of the City of Memphis, and located at 7695 US Highway 64, in Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts the Performance Bond No. 108109230 in the amount of \$95,200.00 as project security.

ACTION REQUESTED: Adopt the Resolution

- 12. RESOLUTION approving the engineering plans for PEACHTREE DEVELOPMENT and accepting bond as security. (Request for Same Night Minutes)

Contract No. CR-5464

Resolution approves the engineering plans within the present limits of the City of Memphis, and located at 3180 Steele Street, in Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts Cashier’s Check No. 1326963 in the amount of \$101,400.00 in lieu of bond as project security.

ACTION REQUESTED: Adopt the Resolution

- 13. RESOLUTION accepting public improvements for FUTURE LOT 2, SOUTH OF RAINES EXPRESS SUBDIVISION [CR#5449] and releasing bond. (Request for Same Night Minutes)

(Contract No. CR-5449)

Resolution accepts public improvements for a development within the present limits of the City of Memphis, located at 4271 Mendenhall Road, in Memphis, Tennessee. Resolution also releases the Performance Bond No. NTN1112, in the amount of \$101,900.00, held as project security.

ACTION REQUESTED: Adopt the Resolution

GENERAL ITEMS (None)

FISCAL CONSENT AGENDA

14. RESOLUTION to accept and appropriate funds from the State of Tennessee in the amount of \$1,600.00 for In-Service training. All Council Districts. This Resolution is sponsored by Police Services. **(Request for Same Night Minutes)**

MLGW FISCAL CONSENT

Chair: Philip Spinosa, Vice Chair: Pearl Eva Walker

15. RESOLUTION approving a Lease Agreement with Apexus 6400 Shelby L.P. for approximately 15,000 square feet of warehouse space located at 6400 Shelby View Drive in the total funded amount of \$374,592.00. **(Request for Same Night Minutes)**
16. RESOLUTION approving Change No. 2 to Contract No. 12302, Substation Engineering Services (Protection) with Fisher & Arnold, Incorporated to renew the current contract in the funded not-to-exceed amount of \$850,000.00.
17. RESOLUTION approving Change No. 6 to Contract No. 12183, Synergi Gas Modeling Software Renewal with DNV-GL Noble Denton USA, LLC to ratify and renew the current contract in the funded amount of \$39,449.09.
18. RESOLUTION awarding Contract No. 12540 Master Asphalt Paving Program (Section 2), to VuCon, LLC., in the Funded Amount of \$6,860,922.33. **(Request for Same Night Minutes)**
19. RESOLUTION awarding Contract No. 12512. Master Asphalt Paving Program (Section 1 & 3), to Lehman Roberts Company, in the Funded Amount of \$9,412,639.00. **(Request for Same Night Minutes)**
20. RESOLUTION awarding a sixty-month purchase order to Tate Computer Systems, Inc. for desktop and laptop equipment in the amount of \$2,501,460.50.
21. RESOLUTION approving Change No. 10 to Contract No. 10927, Perpetual Licensing Agreement with Precisely Software, Incorporated (previously Pitney Bowes Software, Incorporated) to increase the contract value in the funded amount of \$189,187.20.

REGULAR AGENDA

APPOINTMENTS

22. **MEMPHIS & SHELBY COUNTY GROUNDWATER QUALITY CONTROL BOARD**
 Easter-
 Thomas Appointments
 Chairman,
 Personnel & Heather Holtz
 Governmental
 Affairs Jason Simpson
 Committee

GENERAL ORDINANCES -THIRD AND FINAL READING

23. **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 T H I R D and F I N A L reading. Ordinance No. 5917 is sponsored by Councilwoman Swearengen-Washington.
 Smiley
 Chairman,
 Executive
 Session

ACTION REQUESTED: Take whatever action Council deems advisable

24. **ORDINANCE** to amend City of Memphis, Code of Ordinances, Chapter 33, Article II, Division IV, to codify the existing 2017 Sewer Policy that precludes the extension of sanitary sewer infrastructure and acceptance of additional flow to the Memphis Sewer System from Residential, Commercial, and Industrial developments in Unincorporated Shelby County, up for T H I R D and F I N A L reading. Ordinance No. 5882 is sponsored by the Administration. (Held from 10/24; 2/6; 3/5; 4/9; 8/6)
 Swearengen-
 Washington,
 Chairman,
 Public Works,
 Solid Waste &
 General Services
 Committee

ACTION REQUESTED: Take whatever action Council deems advisable

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES (None)

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 (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS (None)

DIVISION OF SOLID WASTE (None)

GENERAL ITEMS

25. RESOLUTION to allocate and appropriate \$5,000,000.00 to the Chelsea Avenue
Carlisle Greenline. District 7, Super District 8. The Resolution is sponsored by
Chairman, Councilwoman Easter-Thomas.
Budget
Committee **ACTION REQUESTED:** Adopt the Resolution

26. RESOLUTION to transfer \$1,000,000.00 from the Accelerate Memphis Program.
Carlisle All Council Districts. The Resolution is sponsored by Councilwoman
Chairman, Swearingen-Washington.
Budget
Committee **ACTION REQUESTED:** Adopt the Resolution

27. RESOLUTION to prioritize fleet service repairs for Memphis Police and Fire
White Department Vehicles. All Council Districts. This Resolution is sponsored by
Chairman, Councilmembers Green and Spinosa.
Public Safety
& Homeland **ACTION REQUESTED:** Adopt the Resolution
Security
Committee

28. RESOLUTION to amend the insurance fund disbursement process to directly allocate proceeds for the repair and replacement of first responder vehicles. All Council Districts. This Resolution is sponsored by Councilmembers Green and Spinosa.

White
Chairman,
Public Safety
& Homeland
Security
Committee

ACTION REQUESTED: Adopt the Resolution

29. **ORDINANCE** to amend the Code of Ordinances of the City of Memphis pertaining to contracts and salaries of the Memphis Light, Gas and Water Division to decrease the limits of contracts and salaries or compensation for employees or others requiring City Council approval. Ordinance No. 5897 was sponsored by Chairman Smiley, Councilwomen Green, Logan, Swarengen-Washington, and Walker.

Smiley
Chairman,
Executive
Session

ACTION REQUESTED: Per Ordinance 5897, this Ordinance is up for Review the second meeting in October

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT