



**CITY COUNCIL
MEETING AGENDA
February 7, 2023
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 8-3. Chairman Martavius Jones
Super District 8-1. Vice Chairman JB Smiley, Jr.
District 1. Rhonda Logan
District 2. Frank Colvett, Jr.
District 3. Patrice J. Robinson
District 4. Jana Swearengen-Washington
District 5. Worth Morgan
District 6. Edmund Ford, Sr.
District 7. Michalyn Easter-Thomas
Super District 8-2. Cheyenne Johnson
Super District 9-1. Chase Carlisle
Super District 9-2. J. Ford Canale
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 (January 24, 2023)

VI. ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

VII. ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

1. PRESENTATION of the 2022 Memphis City Council Humanitarian Award.
2. RESOLUTION honoring New Hope Christian Academy. This Resolution is sponsored by Councilwoman Easter-Thomas.

PUBLIC HEARINGS (None)

DIVISION OF PLANNING AND DEVELOPMENT

3. RESOLUTION pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a special use permit for a hotel at 122 S. Main St. This Resolution is sponsored by the Division of Planning and Development.
 (Held from 12/20; 1/10; 1/24)

Johnson
 Chairman,
 Planning
 & Zoning
 Committee

Case No. SUP 22-30

Applicant: S Main 122, LLC
 Will Garavelli (Representative)

Request: Special use permit for a hotel

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

4. RESOLUTION pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a special use permit for a bar at 1482 E. Shelby Dr. This Resolution is sponsored by the Division of Planning and Development.

Johnson
 Chairman,
 Planning
 & Zoning
 Committee

Case No. SUP 22-28

Applicant: Live Entertainment, LLC
 John Hawkins (Representative)

Request: Special use permit for a bar

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

5. 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 5505 Malone Road. This Resolution is sponsored by the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. PD 22-22

Applicant: Jacqueline Jenkins
Brenda Solomito-Basar, Solomito Land Planning (Representative)

Request: Planned Development to permit limited EMP uses

LUCB and DPD 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)

CONSENT AGENDA

GENERAL ORDINANCE- FIRST READING (None)

GENERAL ORDINANCES - SECOND READING

6. **ORDINANCE** to amend the Code of Ordinances of the City of Memphis, Chapter 2-16., City Real Property Management, to require any contracts for the modification of city-owned property leased to any nonprofits unaffiliated with the City of Memphis, with a cost in excess of \$1,000,000.00 be presented to the Memphis City Council for review and approval, up for S E C O N D reading. Ordinance No. 5845 is sponsored by Chairman Jones, Ford, Johnson, Logan, Swearengen-Washington, and Warren.

Ford
Chairman,
Economic
Development,
Tourism &
Technology
Committee

ACTION REQUESTED: Adopt the Ordinance on Second reading

7. **ORDINANCE** renaming South Second Street between Beale Street and G.E. Patterson Avenue as Representative Barbara Cooper Street, up for S E C O N D reading. Ordinance No. 5846 is sponsored by the Memphis City Council.

Johnson
Chairman,
Planning
& Zoning
Committee

ACTION REQUESTED: Adopt the Ordinance on Second reading

ZONING ORDINANCE – FIRST READING

8. **ORDINANCE** amending Ordinance No. 5367 of Code of Ordinances, 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 4225 Getwell Road. By taking the land out of the Residential Single-Family – 8 (R-8) Use District and including it in the Employment (EMP) Use District, up for F I R S T reading. This Ordinance is sponsored by the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. **ZTA 22-12**
Ordinance No. 5847

Applicant: Hometown Disposal LLC
Brenda Solomito-Basar

Request: Rezoning of +/- .25 acres from Residential
Single-Family – 8 (R-8) to Employment (EMP)

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the Ordinance on First reading

ZONING ORDINANCE - SECOND READING

9. **JOINT ORDINANCE** amending the Memphis and Shelby County Unified Development Code as adopted by the City of Memphis August 10, 2010, and by Shelby County August 9, 2010, as amended, to revise and enhance the joint zoning and subdivision regulations as recommended by the Memphis and Shelby County Division of Planning & Development and the Land Use Control Board, up for **S E C O N D** reading. This Ordinance is sponsored by the Division of Planning and Development.
 (Held from 1/24)

Johnson
 Chairman,
 Planning
 & Zoning
 Committee

Case No. ZTA 22-01CC
 Ordinance No. 5844

Applicant: Division of Planning and Development
 Brett Ragsdale, Zoning Administrator

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

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the Ordinance on Second reading

NOTATIONS FROM DPD (None)

ENGINEERING DIVISION

10. **RESOLUTION** accepting public improvements for MORNING WOODS PD, PHASE 2 PARCEL 1 (PD-99-330) [CR-5312] and authorizes release of bond. (Request for Same Night Minutes)

Contract No. CR-5312

Resolution accepting public improvements within the present limits of the City of Memphis, in Memphis, Tennessee. Resolution releases the cash bond in the amount of \$122,200.00.

ACTION REQUESTED: Adopt the Resolution

GENERAL ITEMS (None)

FISCAL CONSENT AGENDA

11. RESOLUTION to accept grant funds in the amount of (\$35,000.00) from the TN Highway Safety Office (THSO) through the TN Department of Safety and Homeland Security. All Council Districts. This Resolution is sponsored by Police Services. **(Request for Same Night Minutes)**

12. RESOLUTION to accept, appropriate an allocation of grant funds in the amount of (\$100,000.00) from Living Cities for the establishment of Contractor's University. All Council Districts. This Resolution is sponsored by the Finance Division. **(Request for Same Night Minutes)**

MLGW FISCAL CONSENT

Chair: Patrice Robinson, Vice Chair: Worth Morgan

13. RESOLUTION approving Change No. 1 to Contract No. 12341, Overhead Storage Tank Painting for Arlington-LNG with G & L Tank Sandblasting and Coatings, LLC to change the scope of work in the not-to-exceed amount of \$100,000.00. (The term of the contract will remain through September 30, 2024).
14. RESOLUTION approving Change No. 1 to Contract No. 12240, Overhead Water Storage Tank Painting Inspections with Mid-South Tank Consultants to expand the scope and increase the current contract value in the funded not-to-exceed amount of \$251,700.00. (The term of the contract will remain for the period covering September 20, 2021, through September 19, 2026).
15. RESOLUTION approving Change No. 19 to Contract No. 9955, Partial Funding of Pollution Control-Ground Water Quality Control Program with Memphis & Shelby County Health Department, to authorize the annual fee payment in the funded amount of \$141,512.25. (This change is based on fiscal year 2022 data, covering January 1, 2022, through October 31, 2022, with a decrease in meters from 258,524 to 257,295 from the previous year).
16. RESOLUTION approving Change No. 20 to Contract No. 11292, Cashiering System Replacement with System Innovators to renew the current contract in the funded amount of \$49,471.24. (This change is for the period covering May 1, 2023, through April 30, 2024).

REGULAR AGENDA

APPOINTMENTS (None)

GENERAL ORDINANCES THIRD AND FINAL READING

17. **ORDINANCE** supplementing and amending the 2021 Memphis Municipal Code of Ordinances of the City of Memphis, Tennessee relative to Animals and Horse Drawn Carriages; providing for the repeal of certain ordinances not included herein; and providing when such amendments to the Code and this Ordinance shall become effective, up for T H I R D and F I N A L reading. Ordinance No. 5843 is sponsored by Councilman Carlisle.

Swearengen-
Washington
Chairman,
Public Services,
Art,
Youth Initiative,
Libraries &
Neighborhoods
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION

18. **RESOLUTION** to reallocate and appropriate \$2,000,000.00 to the Works, Inc to assist in the completion of the Peach Tree Senior Development. District 7, Super District 8. This Resolution is sponsored by Canale, Carlisle, Easter-Thomas, Ford, Johnson, Jones, Logan, Smiley, Swearengen-Washington, and Warren.

Ford
Chairman,
Economic
Development,
Tourism &
Technology
Committee

ACTION REQUESTED: Adopt the Resolution

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT

19. RESOLUTION to transfer funds in the amount of (\$451,027.45) from The Affordable Housing contribution from unassigned fund balance into the Memphis Housing Trust Fund in support of the continuance of affordable housing activity in the City of Memphis. All Council Districts. This Resolution is sponsored by Housing and Community Development. **(Held from 1/10; 1/24)**

Colvett
Chairman,
Housing &
Community
Development
Committee

ACTION REQUESTED: Adopt the Resolution

DIVISION OF HUMAN RESOURCES (None)

INFORMATION TECHNOLOGY (None)

LAW DIVISION (None)

LIBRARY SERVICES (None)

MLGW DIVISION (None)

MEMPHIS PARKS

20. RESOLUTION establishing a Parks Restoration Fund and reallocating and reappropriating (\$500,000.00) from FY23 CIP budget. District 6, Super District 8. This Resolution is sponsored by Councilmembers Jones and Carlisle.

Warren
Chairman,
Memphis
Parks
Committee

ACTION REQUESTED: No Recommendation

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS (None)

DIVISION OF SOLID WASTE (None)

GENERAL ITEMS (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT