



**CITY COUNCIL
MEETING AGENDA**

May 16, 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 (May 2, 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 2023 Memphis Youth City Council.
2. RESOLUTION recognizing May as Mental Health Awareness Month. This Resolution is sponsored by Councilwoman Logan.
3. RESOLUTION honoring Andre D. Newsom for his leadership and service as band director at Whitehaven High School. This Resolution is sponsored by the Memphis City Council.
4. RESOLUTION honoring Reginald Tucker for the outstanding work in his redevelopment initiatives and work with children within the Orange Mound Community. This Resolution is sponsored by Councilwoman Swearngen-Washington.
5. RESOLUTION honoring Malvin Massey, Jr. for his contributions to the Memphis Music Community. This Resolution is sponsored by Councilwoman Swearngen-Washington.

PUBLIC HEARINGS (None)

DIVISION OF PLANNING AND DEVELOPMENT

6. Johnson
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 110 Byfield Drive. This Resolution is sponsored by the Division of Planning and Development. (Held from 4/25)

Case No. PD 23-05

Applicant: Thornton Realty and Property Solutions
Delinor Smith, Smith Building Design and Associates (Representative)

Request: Planned Development to include Retail Shopping Center use that is permitted in CMU-1, where the current zoning is Residential – 6 (R-6)

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

7. **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 on the extreme northwest of the subject property located at 0 Malone Road of approximately 3.18 acres by taking the land out of the Conservation Agriculture (CA) Use District and including it in the Employment (EMP) 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.

Case No. Z 23-05
Ordinance No. 5867

Applicant: Allen Daniel(Estate of)/Josh Whitehead, Burch, Porter, & Johnson, PLLC
Josh Whitehead, Burch, Porter, & Johnson, PLLC (Representative)

Request: Rezoning of +/-3.18 acres from Conservation Agriculture (CA)
to Employment (EMP)

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

CONSENT AGENDA

GENERAL ORDINANCES- FIRST READING

8. **ORDINANCE** to make minimally necessary changes to certain Council Districts established by Ordinance No. 5833 to enhance the relative population dispersion among all such districts and to insure that all such districts will continue to comply with the injunction decree issued by United States District Judge Jerome Turner pertaining to Voting Rights Act remedies, up for F I R S T reading. Ordinance No. 5870 is sponsored by Councilmembers Canale, Carlisle and Colvett.

ACTION REQUESTED: Adopt the Ordinance on First reading

GENERAL ORDINANCE - SECOND READING

9. **ORDINANCE** to revise and change certain Council Districts due to population changes reflected in the 2020 Federal Census so that all such districts will remain as equal as practical, up for S E C O N D reading. Ordinance No. 5869 is sponsored by Councilwoman Easter-Thomas and Chairman Jones.

ACTION REQUESTED: Adopt the Ordinance on Second reading

ZONING ORDINANCE – FIRST READING

10. **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 Johnson Chairman, Planning & zoning Committee, Shelby County Unified Development Code, to authorize a zoning use district reclassification for land located at the northwest corner of Airways Boulevard and East Person Avenue by taking the land out of the Commercial Mixed Use–1 (CMU-1) 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.

Case No. Z 23-06
Ordinance No. 5871

Applicant: R & D Ventures, LLC and Sixteen Ninety Nine Airways/Haroon Haimed Cindy Reaves for SR Consulting, LLC (Representative)

Request: Rezoning of +/-0.873 acres from Commercial Mixed Use – 1 (CMU-1) to Employment (EMP)

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the Ordinance on First reading

ZONING ORDINANCE - SECOND READING (None)

NOTATIONS FROM DPD (None)

ENGINEERING DIVISION

11. RESOLUTION approving engineering plans for LEGENDS PARK SENIOR BUILDING and accepting bond as security. (Request for Same Night Minutes)

Contract No. CR-5439

Resolution approves engineering plans in the present limits of the City of Memphis, as shown on the engineering plans and located north of Delmar Ave, between Ayers Street and Decatur Street, in Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts the Liberty Mutual Insurance Company Performance Bond No. 016235267 in the amount of \$145,300.00 held as security for the project.

ACTION REQUESTED: Adopt the Resolution

- 12. RESOLUTION approving engineering plans for ALLIANCE CRISIS CENTER FOR WELLBEING and accepting bond as security. (Request for Same Night Minutes)

Contract No. CR-5440

Resolution approves engineering plans in the present limits of the City of Memphis, as shown on the engineering plans located at 3195 Summer Avenue, in Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts the Liberty Mutual Insurance Company Performance Bond No. 015220017 in the amount of \$89,600.00 as security for the project.

ACTION REQUESTED: Adopt the Resolution

- 13. RESOLUTION approving engineering plans for LINCOLN SUBDIVISION and accepting bond as security. (Request for Same Night Minutes)

Contract No. CR-5441

Resolution approves engineering plans in the present limits of the City of Memphis, as shown on the engineering plans located at 667 Richmond Avenue, in Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts the Patriot Bank Letter of Credit No. 307006139 in the amount of \$258,900.00, in lieu of bond, as security for the project.

ACTION REQUESTED: Adopt the Resolution

GENERAL ITEMS (None)

FISCAL CONSENT AGENDA

14. RESOLUTION to accept, allocate, and appropriate additional grant funds in the amount of (\$285,364.00) from the State of TN, office of the Secretary of State Tennessee State Library and Archives. All Council Districts. This Resolution is sponsored by Library Services. (Request for Same Night Minutes)

MLGW FISCAL CONSENT

Chair: Patrice Robinson, Vice Chair: Worth Morgan

(NONE)

REGULAR AGENDA

APPOINTMENTS

15. **MEMPHIS PUBLIC LIBRARY & INFORMATION CENTER BOARD OF TRUSTEES**

Easter-

Thomas

Chairman,

Personnel &
Governmental

Affairs

Committee

Appointments

Stephanie Cage

Stephanie Ivey

Lonnie Robinson

Reappointments

Beverly Jordan-Vann

Keenon McCloy

Cami Fields

MEMPHIS & SHELBY COUNTY SPORTS AUTHORITY BOARD

Appointment

Kenneth (Ken) Moody

GENERAL ORDINANCES THIRD AND FINAL READING

16.

Logan

Chairman,

Public Safety
& Homeland

Security

Committee

ORDINANCE to amend the Code of Ordinances of Memphis, Tennessee, Chapter 41 Wreckers or Towing Operators, to allow impounded vehicles to be stored on private storage lots, up for T H I R D and F I N A L reading. Ordinance No. 5868 is sponsored by the Administration.

ACTION REQUESTED: Take whatever action Council deems advisable

17. **ORDINANCE** to amend the Code of Ordinances of the City of Memphis, Tennessee, Chapter 6, to define Entertainment Transportation Vehicles, and to provide for the licensing and regulation of the same, up for T H I R D and F I N A L reading. Ordinance No. 5861 is sponsored by Councilman Canale. **(Held from 4/25)**

Canale
Chairman,
Transportation
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

18. **ORDINANCE** to amend the Code of Ordinance of the City of Memphis, Chapter 2-16., City Real Property, Management, to require any contracts for the exterior modification of city-owned property that is leased to any unaffiliated nonprofit organization, with a cost in excess of \$3,000,000.00, be presented to the Memphis City Council for approval, up for T H I R D and F I N A L reading. Ordinance No. 5863 is sponsored by Councilmembers Jones, Ford, Johnson, Logan, Swearngen-Washington, and Warren. **(Held from 4/25; 5/2)**

Jones
Chairman,
Executive
Session

ACTION REQUESTED: Take whatever action Council deems advisable

19. **ORDINANCE** renaming South Second Street between Beale Street and G.E. Patterson Avenue as Representative Barbara Cooper Street, up for T H I R D and F I N A L reading. Ordinance No. 5846 is sponsored by the Memphis City Council. **(Held from 2/21; 3/7; 3/21; 4/25; 5/2)**

Johnson
Chairman,
Planning
& Zoning
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

240 NOTICES WERE MAILED ON FEBRUARY 28, 2023

20. **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 the Administration. **(Held from 2/7; 3/7; 3/21; 4/11; 4/25; 5/2)**

Swearngen-
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 (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 (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT