

March 19, 2024

MINUTES

MEETING OF THE CITY COUNCIL

CITY OF MEMPHIS

March 19, 2024

3:30 P.M. SCHEDULED SESSION

3:37 P.M. MEETING COMMENCED

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

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

INVOCATION

The meeting was opened with a prayer by Dr. Rosalyn Nichols, from Freedom Chapel Christian Church.

Chairman Smiley led the Pledge of Allegiance.

Councilwoman Walker thanked Dr. Rosalyn Nichols, from Freedom Chapel Christian Church.

Councilwoman Easter-Thomas recognized Reverend O.C. Collins, Jr.

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.

March 19, 2024

Approval of the Minutes of the regular meeting on March 05, 2024, with the following motion:

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

APPROVED

4. **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 3545 SOUTH THIRD STREET. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT. (HELD FROM 2/20; 3/5)**

CASE NO. SUP 23-26

Held until April 9, 2024

6. **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)**

CASE NO. SAC 23-04

Held until April 23, 2024

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

CASE NO. SAC 23-05

Held until April 23, 2024

8. **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 2491 JOY LANE. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

CASE NO. SUP 23-28

Held until April 9, 2024

9. **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 391 WESTERN PARK DRIVE. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING**

March 19, 2024

AND DEVELOPMENT. (HELD FROM 2/20; 3/5)

CASE NO. SUP 23-36

Held until April 9, 2024

10. **ZONING 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 OF LAND MUNICIPALLY ADDRESSED AS 3549, 3555, AND 3561 FULLER ROAD FROM THE RESIDENTIAL SINGLE FAMILY – 6 (R-6) 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. (HELD FROM 12/19; 1/9; 1/23; 2/20; 3/5)**

**CASE NO. Z 23-13
ORDINANCE NO. 5890**

Held until April 9, 2024

18. **RESOLUTION AWARDING PURCHASE ORDER TO WESCO DISTRIBUTION, INC., IN THE AMOUNT OF \$792,000.00 FOR ELECTRIC SMART METERS.**

Held until April 9, 2024

19. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 12333, HIGH-SPEED COLOR PRODUCTION DIGITAL PRINTING PRESS, TO KONICA MINOLTA BUSINESS SOLUTIONS USA, INCORPORATED, TO RATIFY AND EXTEND PURCHASE ORDER #7003484 UNDER CONTRACT NO. 12333, IN THE FUNDED AMOUNT OF \$81,132.48.**

Held until April 9, 2024

20. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 12334, HIGH-SPEED BLACK AND WHITE PRODUCTION DIGITAL PRINTING PRESS TO KONICA MINOLTA BUSINESS SOLUTIONS INC, INCORPORATED, TO RATIFY AND EXTEND PURCHASE ORDER #7014995 UNDER CONTRACT NO. 12334, IN THE FUNDED AMOUNT OF \$143,075.86.**

Held until April 9, 2024

21. **RESOLUTION APPROVAL OF CHANGE NO. 1 TO CONTRACT NO. 12389, LED STREETLIGHT CONVERSION TO AMERESCO, INC., IN THE FUNDED AMOUNT OF \$10,000,000.00.**

Held until April 9, 2024

22. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 12358, PROFESSIONAL ENGINEERING SERVICES FOR WATER ENGINEERING, TO BARGE DESIGN SOLUTIONS, INC., IN THE FUNDED AMOUNT OF \$260,000.00.**

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Held until April 9, 2024

23. **RESOLUTION AWARDING CONTRACT NO.12473. WIRELESS FIRSTNET SERVICES, TO AT&T MOBILITY, IN THE FUNDED AMOUNT OF \$2,317,939.14.**

Held until April 9, 2024

24. **RESOLUTION AWARDING CONTRACT NO. 12449, ON-CALL BORING TO MEMPHIS ROAD BORING COMPANY, INC., IN THE FUNDED AMOUNT OF \$5,853,000.00.**

Held until April 9, 2024

25. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 12286, MLGW UTILITY PAYMENT CENTERS, TO FIRSTECH, INCORPORATED, IN THE FUNDED AMOUNT OF \$211,520.00.**

Held until April 9, 2024

26. **RESOLUTION AWARDING A THIRTY-SIX MONTH PURCHASE ORDER FOR DUCTILE IRON PIPE TO ENFINITY SUPPLY, LLC IN THE AMOUNT OF \$901,598.19.**

Held until April 9, 2024

27. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 12411 FOR ON-CALL CONSULTING SERVICES, TO BARGE DESIGN SOLUTIONS, INC., IN THE FUNDED AMOUNT OF \$300,000.00.**

Held until April 9, 2024

28. **RESOLUTION AWARDING CONTRACT NO.12483, SURVEY ADMINISTRATION SOLUTIONS, TO KORN FERRY, IN THE FUNDED AMOUNT NOT-TO-EXCEED \$395,189.00.**

Held until April 9, 2024

29. **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; 5/16; 6/13; 7/25; 8/8; 8/22; 11/21; 2/6; 3/5)**

Held until April 9, 2024

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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 1230 NORTH WATKINS STREET. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT. (HELD FROM 2/6)**

CASE NO. PD 23-25

Withdrawn

1. **RESOLUTION COMMEMORATING THE MONTH OF MARCH AS HOUSE OF MTENZI MUSEUM MONTH. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN WALKER.**

MOTION: Walker

SECOND: Swearengen-Washington

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

APPROVED

2. **RESOLUTION HONORING THE LIFE OF MR. BRIAN THOMAS CLAY. DISTRICT 4, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN SWEARENGEN-WASHINGTON.**

MOTION: Swearengen-Washington

SECOND: Spinosa

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

APPROVED

3. **RESOLUTION HONORING WOMEN IN MEMPHIS WHOSE MERITORIOUS DILIGENCE MAKES OUR COMMUNITY BETTER THROUGH THEIR REMARKABLE ACHIEVEMENTS IN CELEBRATING WOMEN'S HISTORY MONTH. DISTRICT 2, SUPER DISTRICT 9. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN GREEN.**

MOTION: Green

SECOND: Spinosa

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

APPROVED

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CONSENT AGENDA – Items #11- #17 were acted upon by one motion; See page 7344 Roll Call Consent Items.

11. **ORDINANCE TO PERMANENTLY RENAME SOUTH HOLLYWOOD STREET BETWEEN UNION AVENUE AND SOUTHERN AVENUE FOR GLENN ROGERS, SR., UP FOR F I R S T READING. ORDINANCE NO. 5900 IS SPONSORED BY THE MEMPHIS CITY COUNCIL.**

APPROVED, on First Reading

12. **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, UP FOR S E C O N D READING. ORDINANCE NO. 5897 IS SPONSORED BY CHAIRMAN SMILEY, COUNCILWOMEN GREEN, LOGAN, SWEARENGEN-WASHINGTON, AND WALKER.**

APPROVED, on Second Reading

13. **JOINT ZONING ORDINANCE AMENDING THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE AS ADOPTED BY THE CITY OF MEMPHIS ON AUGUST 10, 2010, AND BY SHELBY COUNTY ON AUGUST 9, 2010 TO REVISE AND ENHANCE THE JOINT ZONING AND SUBDIVISION REGULATIONS BY REVISING PROVISIONS REGARDING SOLAR ENERGY SYSTEMS, UP FOR F I R S T READING. THIS ORDINANCE IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

**CASE NO. ZTA 24-01
ORDINANCE NO. 5898**

APPROVED, on First Reading

14. **ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF THE CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTING ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED 3343 WINCHESTER ROAD, ON THE SOUTHWEST CORNER OF WINCHESTER ROAD AND NEW TCHULAHOMA ROAD BY TAKING THE LAND OUT OF THE RESIDENTIAL SINGLE-FAMILY – 8 (R-8) USE DISTRICT AND INCLUDING IT IN COMMERCIAL MIXED USE-1 (CMU-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 24-02
ORDINANCE NO. 5899**

APPROVED, on First Reading

March 19, 2024

15. **NOTATION FROM THE LAND USE CONTROL BOARD THAT THE FOLLOWING CASE WAS HEARD AND RECOMMENDATION MADE REQUESTING DATE OF PUBLIC HEARING:**

A. SAC 23-08 – ALLEY CLOSURE BETWEEN NORTH MAIN STREET AND SECOND STREET

APPROVED

16. **RESOLUTION APPROVING ENGINEERING PLANS FOR MEMPHIS BLUES VILLAGE PHASE IV AND RELEASING BOND. (REQUEST FOR SAME NIGHT MINUTES)**

CONTRACT NO. CR-5454

APPROVED

17. **RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS FOR (CRA) NORTH FRONT STREET INFRASTRUCTURE IMPROVEMENTS [CR-5381] AND RELEASING BOND. (REQUEST FOR SAME NIGHT MINUTES)**

(CONTRACT NO. CR-5381)

APPROVED

ROLL CALL CONSENT AGENDA ITEMS:

MOTION: Canale

SECOND: Carlisle

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

APPROVED

30. **RESOLUTION TO AMEND THE FY2024 OPERATING BUDGET BY ACCEPTING AND APPROPRIATING THE EXPENDITURES AND REVENUES FOR THE LEAD HAZARD REDUCTION DEMONSTRATION 2023 GRANT (\$5,000,000.00) THAT INCLUDES FUNDING FOR THE HEALTH HOMES INITIATIVE (\$700,000.00) IN THE TOTAL AMOUNT OF (\$5,700,000.00). ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY THE ADMINISTRATION.**

MOTION: Canale

SECOND: Spinosa

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

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APPROVED, Same Night Minutes

31. RESOLUTION APPROVING THE ANNUAL SALARY FOR THE VICE PRESIDENT OF CORPORATE COMMUNICATIONS IN THE AMOUNT OF \$200,000.00. (REQUEST FOR SAME NIGHT MINUTES)

MOTION: Spinosa

SECOND: Carlisle

AYES: Canale, Carlisle, Easter-Thomas, Ford, Spinosa, Walker, Warren, and White.

NAYS: Cooper-Sutton, Swearngen-Washington, and Chairman Smiley.

Green did not cast a vote.

Logan was absent.

APPROVED, as amended

32. RESOLUTION TO ESTABLISH THE MEMPHIS CITY COUNCIL COMMUNITY GRANT PROGRAM FOR FY25. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY CHAIRMAN SMILEY AND VICE CHAIRMAN CANALE.

MOTION: Carlisle

SECOND: Canale

AYES: Canale, Carlisle, Cooper-Sutton, Easter-Thomas, Ford, Spinosa, Swearngen-Washington, Walker, Warren, White, and Chairman Smiley.

Green did not cast a vote.

Logan was absent.

APPROVED

(Special Item #1 – Approval of Same Night Minutes for Items #16, #17, #30, #31 and #32, from tonight’s meeting.)

MOTION: Canale

SECOND: Spinosa

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

Logan was absent.

APPROVED

MEETING ADJOURNED AT 4:32 P.M.



March 19, 2024

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

CHAIRMAN

Deputy Comptroller/Council Records