

MINUTES

MEETING OF THE CITY COUNCIL

CITY OF MEMPHIS

September 26, 2023

3:30 P.M. SCHEDULED SESSION

3:50 P.M. MEETING COMMENCED

ROLL CALL: J. Ford Canale, Chase Carlisle, Frank Colvett, Edmund Ford, Sr., Cheyenne Johnson, Rhonda Logan, Worth Morgan, Patrice Robinson, JB Smiley, Jr., Jana Swearengen-Washington, Jeff Warren, and Chairman Martavius Jones. Michalyn Easter-Thomas was absent.

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

INVOCATION

The meeting was opened with a prayer by Rev. Joel Nichols of Redeemed Church.

Chairman Jones led the Pledge of Allegiance.

Chairman Jones thanked Rev. Joel Nichols of Redeemed Church.

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.

September 26, 2023

Approval of the Minutes of the regular meeting on August 22, 2023, with the following motion:

MOTION: Logan
 SECOND: Swearengen-Washington
 AYES: Canale, Carlisle, Colvett, Ford, Johnson, Logan, Morgan, Robinson,
 Smiley, Swearengen-Washington, and Chairman Jones.
 Warren did not cast a vote.
 Easter-Thomas was absent.

APPROVED, as amended

(Councilman Carlisle moved to pull Item #8, related to Council FY24 Grant Allocations, from previous meeting minutes without objection.)

1. **RESOLUTION APPROVING THE APPEAL OF ROBERT GORDON ON BEHALF OF MIDTOWNMEMPHIS.ORG SEEKING TO OVERTURN THE ACTION OF THE MEMPHIS AND SHELBY COUNTY LAND USE CONTROL BOARD APPROVING SPECIAL EXCEPTION TO SECTION 8.4.9 TO ALLOW FOUR (4) STORIES IN HEIGHT AT THE SUBJECT PROPERTY LOCATED AT 34, 40, 42, AND 48 S. MCLEAN BLVD.**

CASE NO. SE 23-01

Held until October 10, 2023

4. **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 4747 GETWELL ROAD. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT. (HELD FROM 4/25; 7/11; 7/25; 8/22)**

CASE NO. PD 22-21

Held until October 10, 2023

13. **ORDINANCE TO AMEND CHAPTER 41 - WRECKERS OR TOWING OPERATORS OF THE CODE OF ORDINANCES OF MEMPHIS, TENNESSEE, SO AS TO UPDATE FEES PRESCRIBED, UP FOR T H I R D AND F I N A L READING. ORDINANCE NO. 5876 IS SPONSORED BY COUNCILMAN CANALE. (HELD FROM 7/11; 7/25; 8/8; 8/22; 9/12)**

Held until October 10, 2023

(Councilman Carlisle moved to add Item #17 replacing Item #8, pulled from the previous meeting minutes, without objection.)

September 26, 2023

17. **RESOLUTION TO AMEND THE COUNCIL FY24 GRANT ALLOCATIONS. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY THE BUDGET COMMITTEE. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Carlisle

SECOND: Swearingen-Washington

AYES: Canale, Carlisle, Colvett, Johnson, Logan, Morgan, Robinson,
Smiley, Swearingen-Washington, and Chairman Jones.

Ford and Warren did not cast a vote.

Easter-Thomas was absent.

APPROVED, as amended

2. **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 4409 SOUTH THIRD STREET. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

CASE NO. PD 23-07

MOTION: Johnson

SECOND: Carlisle

AYES: Canale, Carlisle, Ford, Johnson, Logan, Morgan, Robinson,
Smiley, Swearingen-Washington, Warren, and Chairman Jones.

Colvett did not cast a vote.

Easter-Thomas was absent.

APPROVED

3. **RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A SPECIAL USE PERMIT FOR A BAR AT 1607 GETWELL ROAD. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

CASE NO. SUP 23-18

MOTION: Johnson

SECOND: Canale

AYES: Canale, Carlisle, Ford, Johnson, Logan, Morgan, Robinson,
Smiley, Swearingen-Washington, Warren, and Chairman Jones.

Colvett did not cast a vote.

Easter-Thomas was absent.

APPROVED

September 26, 2023

CONSENT AGENDA – Item #5, was acted upon by one motion; See page 7159 Roll Call Consent Items.

5. **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 DEVELOPMENT IN UNINCORPORATED SHELBY COUNTY, UP FOR F I R S T READING. ORDINANCE NO. 5882 IS SPONSORED BY THE ADMINISTRATION.**

APPROVED, on First Reading

ROLL CALL CONSENT AGENDA ITEM:

MOTION: Swearengen-Washington

SECOND: Warren

AYES: Ford, Johnson, Logan, Robinson, Smiley, Swearengen-Washington, Warren, and Chairman Jones.

Canale, Carlisle, Colvett, and Morgan did not cast a vote.

Easter-Thomas was absent.

APPROVED

FISCAL CONSENT AGENDA - Items #6- #8, may be acted upon by one motion:

6. **RESOLUTION TO ACCEPT GRANT FUNDS IN THE AMOUNT OF (\$144,877.00) FROM THE SHELBY COUNTY GOVERNMENT THROUGH THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY POLICE SERVICES. (REQUEST FOR SAME NIGHT MINUTES)**

APPROVED

7. **RESOLUTION TO ACCEPT GRANT FUNDS IN THE AMOUNT OF (\$300,000.00) FROM TENNESSEE HIGHWAY SAFETY OFFICE (THSO) THROUGH THE TENNESSEE DEPARTMENT OF SAFETY AND HOMELAND SECURITY. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY POLICE SERVICES. (REQUEST FOR SAME NIGHT MINUTES)**

APPROVED

8. **RESOLUTION TO ACCEPT GRANT FUNDS IN THE AMOUNT OF (\$100,000.00) FROM TENNESSEE HIGHWAY SAFETY OFFICE (THSO) THROUGH THE TENNESSEE DEPARTMENT OF SAFETY AND HOMELAND SECURITY. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY POLICE SERVICES. (REQUEST FOR SAME NIGHT MINUTES)**

APPROVED

ROLL CALL FISCAL CONSENT AGENDA ITEMS:

MOTION: Robinson
SECOND: Canale
AYES: Canale, Ford, Johnson, Logan, Robinson, Swearngen-Washington, Warren, and Chairman Jones.
Carlisle, Colvett, Morgan, and Smiley did not cast a vote.
Easter-Thomas was absent.

APPROVED

MLGW FISCAL CONSENT AGENDA - ITEMS #9 - #11 may be acted upon by one motion:

9. **RESOLUTION APPROVING IT RATIFY THE EMERGENCY AWARD OF CONTRACT NO. 12422, 115 KV TRANSMISSION PIPELINE CORROSION AND LEAK REPAIR (EMERGENCY) TO W.A. CHESTER, LLC BASED ON AGREED UPON RATES IN THE NOT-TO-EXCEED AMOUNT OF \$350,000.00.**

APPROVED

10. **RESOLUTION AWARDDING CONTRACT NO. 12418, COMBINED MEDICAL AND PHARMACY TO CIGNA HEALTH AND LIFE INSURANCE COMPANY, IN THE FUNDED AMOUNT OF \$279,847,772.00.**

APPROVED

11. **RESOLUTION AWARDDING CONTRACT NO. 12427, DENTAL INSURANCE COVERAGE TO CIGNA HEALTH AND LIFE INSURANCE COMPANY IN THE FUNDED AMOUNT OF \$8,176,110.00.**

APPROVED

ROLL CALL MLGW FISCAL CONSENT ITEMS

MOTION: Robinson
SECOND: Canale
AYES: Canale, Carlisle, Ford, Johnson, Logan, Morgan, Robinson, Smiley, Swearngen-Washington, Warren, and Chairman Jones.
Colvett did not cast a vote.
Easter-Thomas was absent.

APPROVED

September 26, 2023

14. **RESOLUTION APPROPRIATING THE SUM OF (\$1,800,000.00) FUNDED BY G.O. BONDS CHARGEABLE TO THE FY2024 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET FOR THE HISTORIC MELROSE SCHOOL REVITALIZATION. DISTRICT 4, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY THE ADMINISTRATION. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Carlisle

SECOND: Warren

AYES: Canale, Carlisle, Ford, Johnson, Logan, Morgan, Robinson, Smiley, Swearingen-Washington, Warren, and Chairman Jones.
Colvett did not cast a vote.
Easter-Thomas was absent.

APPROVED

15. **RESOLUTION TO AMEND THE AMERICAN RESCUE PLAN ACT (ARPA) TO ALLOCATE \$2,211,232.00 TO THE CITY OF MEMPHIS ADMINISTRATION FOR THE CREATION OF A PILOT PROGRAM. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY COUNCILMEMBERS ROBINSON, CANALE, CARLISLE, COLVETT, FORD, JOHNSON, JONES, LOGAN, MORGAN, SMILEY, SWEARENGEN-WASHINGTON, AND WARREN. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Robinson

SECOND: Canale

AYES: Canale, Carlisle, Ford, Johnson, Logan, Morgan, Robinson, Smiley, Swearingen-Washington, Warren, and Chairman Jones.
Colvett did not cast a vote.
Easter-Thomas was absent.

APPROVED

16. **RESOLUTION TO ALLOCATE \$500,000.00 TO THE WHITEHAVEN STEM PROJECT. DISTRICT 3, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY COUNCILMEMBERS ROBINSON, CARLISLE, FORD, MORGAN, SMILEY, AND JONES. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Carlisle

SECOND: Warren

AYES: Canale, Ford, Johnson, Logan, Morgan, Robinson, Smiley, Swearingen-Washington, Warren, and Chairman Jones.
Carlisle and Colvett did not cast a vote.
Easter-Thomas was absent.

APPROVED

12. **HEALTH, EDUCATION HOUSING FACILITY BOARD**

Appointment

Howard Eddings, Jr.

MEMPHIS PUBLIC LIBRARY AND INFORMATION CENTER BOARD OF TRUSTEES

Appointment

Ben Jabbour

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

Joe B. Kent, 511 Flamingo Rd., Memphis, Tennessee 38117

MOTION: Johnson

SECOND: Warren

AYES: Canale, Carlisle, Colvett, Ford, Johnson, Robinson, Smiley, Warren, and
Chairman Jones.

ABSTAIN: Logan and Swearngen-Washington.

Morgan did not cast a vote.

Easter-Thomas was absent.

APPROVED

Councilman Colvett moved to suspend the rules to add Item #4, without objection.

4. **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 4747 GETWELL ROAD. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT. (HELD FROM 4/25; 7/11; 7/25; 8/22)**

CASE NO. PD 22-21

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

Cheryle Harper, 3648 Faulkner, Memphis, Tennessee 38118

September 26, 2023

MOTION: Colvett
SECOND: Swearengen-Washington
AYES: Canale, Carlisle, Colvett, Ford, Johnson, Logan, Morgan, Robinson, Smiley, Swearengen-Washington, Warren, and Chairman Jones.
Easter-Thomas was absent.

APPROVED, as amended

(Special Item #1 – Approval of same night minutes for Items #6- #8, #14- #17 from tonight’s meeting.)

MOTION: Smiley
SECOND: Carlisle
AYES: Canale, Carlisle, Colvett, Ford, Johnson, Logan, Robinson, Smiley, Swearengen-Washington, Warren, and Chairman Jones.
Morgan did not cast a vote.
Easter-Thomas was absent.

APPROVED

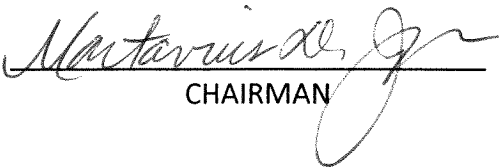
Chairman Jones recognized the following person(s) who spoke from the audience:


- Leisa Hall, 1204 Margaret Rd., Memphis, Tennessee 38109
- Joe B. Kent, 511 Flamingo Rd., Memphis, Tennessee 38117
- Walter Broady, 4256 Ledbetter Cv., Memphis, Tennessee 38109

MEETING ADJOURNED AT 4:45 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