



**CITY COUNCIL
MEETING AGENDA
September 26, 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 (September 12, 2023)

VI. ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

VII. ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATION AND RECOGNITION OF VISITORS (None)

PUBLIC HEARING

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.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. SE 23-01

Applicant: Robert Gordon

Appellee: Land Use Control Board

Request: Overturn a decision of the Land Use Control Board

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

Opposition at LUCB; Public Hearing Required

20 NOTICES WERE MAILED ON SEPTEMBER 8, 2023

DIVISION OF PLANNING AND DEVELOPMENT

2.
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 4409 South Third Street. This Resolution is sponsored by the Division of Planning and Development.

Case No. PD 23-07

Applicant: Kirby Carter
Delinor Smith (Representative)

Request: To allow the use of a food truck, enclosed seating area, and a shipping container in the Commercial Mixed Use 3 (CMU-3) Zoning District and the continued use of a billboard as the principal use.

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No opposition at LUCB; No Public Hearing Required

3.
Johnson
Chairman,
Planning
& Zoning
Committee

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

Applicant: Adriana Parra
David Bray of the Bray Firm (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

4. 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 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

Applicant: Willie Smith Jr.
Brenda Solomito Basar, Solomito Land Planning (Representative)

Request: Planned Development to allow limited number of CMU-1 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

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.

Smiley
Chairman,
Public Works,
Solid Waste &
General Services
Committee

ACTION REQUESTED: Adopt the Ordinance on First Reading

GENERAL ORDINANCE - SECOND READING (None)

ZONING ORDINANCE - FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

NOTATIONS FROM DPD (None)

ENGINEERING DIVISION (None)

GENERAL ITEMS (None)

FISCAL CONSENT AGENDA

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)
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)
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)

MLGW FISCAL CONSENT

Chair: Patrice Robinson, Vice Chair: Worth Morgan

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.
10. RESOLUTION awarding Contract No. 12418, Combined Medical and Pharmacy to Cigna Health and Life Insurance Company, in the funded amount of \$279,847,772.00.
11. RESOLUTION awarding Contract No. 12427, Dental Insurance Coverage to Cigna Health and Life Insurance Company in the funded amount of \$8,176,110.00.

REGULAR AGENDA

APPOINTMENTS

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

Easter-

Thomas Appointment

Chairman,

Personnel & Howard Eddings, Jr.

Governmental

Affairs **MEMPHIS PUBLIC LIBRARY AND INFORMATION CENTER BOARD OF TRUSTEES**

Committee

Appointment

Ben Jabbour

GENERAL ORDINANCE THIRD AND FINAL READING

13. **ORDINANCE** to amend Chapter 41 - Wreckers or Towing Operators of the Code

Logan

Chairman,

Public Safety & Homeland

Security

Committee

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)

THIS ORDINANCE WILL NOT BE HEARD UNTIL OCTOBER 10TH.

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 ITEM (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT