

MINUTES

REGULAR MEETING OF THE CITY COUNCIL

CITY OF MEMPHIS

January 21, 2020

3:30 P.M. SCHEDULED SESSION

3:36 P.M. MEETING COMMENCED

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

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

INVOCATION

The meeting was opened with prayer by Rev. Elartrice Ingram, Jr., from Middle Baptist Church. Councilman Ford presented Rev. Ingram with a certificate naming him Chaplain of the Day.

These minutes record the agenda items and the action taken by the Council on such items. The full text of the original of the ordinances, resolutions and supporting documents, including an audio recording of Council's deliberations are 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.

Approval of the Minutes of the regular meeting of January 7, 2020 with the following motion:

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

APPROVED

- 1. RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE OF NORTH TREZEVANT STREET BETWEEN FRAYSER BLVD AND POINT CHURCH AVENUE**

FOR CHRISTINE ANDERSON GRANDBERRY. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN LOGAN.

MOTION: Logan
SECOND: Jones

APPROVED, unanimous voice vote

2. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE OF SOUTH LAUDERDALE STREET BETWEEN ROSEWOOD AVENUE AND JACKLYN AVENUE FOR PASTOR FRAGIE L. MCLEOD. THIS RESOLUTION IS SPONSORED BY CHAIRWOMAN ROBINSON.**

MOTION: Robinson
SECOND: Colvett

APPROVED, unanimous voice vote

3. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE OF MARLIN ROAD BETWEEN EAST RAINES ROAD AND FARONIA ROAD FOR LARRY DODSON. THIS RESOLUTION IS SPONSORED BY COUNCILMAN JONES.**

MOTION: Jones
SECOND: Robinson

APPROVED, unanimous voice vote

4. **LOVE OF THE TRUTH INTERNATIONAL – DISTRICT 1, COUNCILMEMBER RHONDA LOGAN.**

(Karl Ward and Teresa Ward gave a presentation to the City Council)

(Chairwoman Robinson introduced (3) City Council Youth Members)

5. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED WITHIN THE BLOCKS BOUNDED BY UNION AVENUE, DANNY THOMAS BOULEVARD, BEALE STREET, AND SOUTH FOURTH STREET, CONTAINING +/-10.4 ACRES IN THE SPORTS AND ENTERTAINMENT DISTRICT. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

Case No. PD 19-24

Applicant: Union Row LB, LLC/Kimley-Horn & Associates
MFA – Representative

Request: Mixed Use Planned Development

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Colvett
 SECOND: Canale
 AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearngen, Warren and Chairwoman Robinson

APPROVED, as amended

FISCAL CONSENT AGENDA – Item #10 may be acted upon by one motion:

- 10. **RESOLUTION ACCEPTING FUNDS IN THE AMOUNT OF \$35,000.00 FROM FEDERAL EXPRESS TO SPONSOR THE “WE MEAN BUSINESS” SYMPOSIUM BY THE OFFICE OF BUSINESS DIVERSITY AND COMPLIANCE FOR FY2020. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF BUSINESS DIVERSITY & COMPLIANCE. (REQUEST FOR SAME NIGHT MINUTES)**

ROLL CALL FISCAL CONSENT ITEM

MOTION: Colvett
 SECOND: Canale
 AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearngen, Warren and Chairwoman Robinson

APPROVED

MLGW FISCAL CONSENT AGENDA – Items #11 - #16 may be acted upon by one motion:

- 11. **RESOLUTION AWARDING CONTRACT NO. 12126, TREND MICRO ENTERPRISE SUPPORT (2019-2020) TO UNICO TECHNOLOGY, LLC, IN THE FUNDED AMOUNT OF \$70,175.00.**

APPROVED

- 12. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11930, TEMPORARY SERVICES FOR GENERAL LABORER WITH MILLENNIUM SEARCH, LLC, IN THE FUNDED AMOUNT OF \$1,554,521.00. (THIS CHANGE IS TO RATIFY AND RENEW THE CURRENT CONTRACT FOR THE THIRD OF FOUR ANNUAL RENEWAL TERMS COVERING THE PERIOD JANUARY 1, 2020 THROUGH DECEMBER 31, 2020, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR.)**

APPROVED

- 13. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11891, TEMPORARY SERVICES FOR CLERICAL SUPPORT WITH KELLY SERVICES, IN THE FUNDED AMOUNT OF \$799,774.00. (THIS CHANGE IS TO RATIFY AND RENEW THE CURRENT CONTRACT FOR THE THIRD OF FOUR ANNUAL**

RENEWAL TERMS COVERING THE PERIOD JANUARY 1, 2020 THROUGH DECEMBER 31, 2020, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR.)

APPROVED

14. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11931, TEMPORARY SERVICES FOR SKILLED CRAFTSMAN WITH PRIDESTAFF, INCORPORATED, IN THE FUNDED AMOUNT OF \$98,305.00. (THIS CHANGE IS TO RATIFY AND RENEW THE CURRENT CONTRACT FOR THE THIRD OF FOUR ANNUAL RENEWAL TERMS COVERING THE PERIOD JANUARY 19, 2020 THROUGH JANUARY 18, 2021, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR.)**

APPROVED

15. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11934, 10 MBPS ETHERNET – CAPLEVILLE PLANT WITH AT&T, IN THE FUNDED AMOUNT OF \$23,785.44. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT TERM FOR 24 MONTHS COVERING THE PERIOD DECEMBER 1, 2020 THROUGH NOVEMBER 30, 2022 IN THE FUNDED AMOUNT OF \$23,785.44, WITH NO INCREASE IN RATES FROM THE ORIGINAL TERM. MLGW IS REQUESTING CONTINUOUS SERVICE OF THE ACQUIRED SYSTEM, WHICH CAN ONLY BE PERFORMED BY AT&T DUE TO AT&T HAVING PROPRIETARY RIGHTS TO THE SOFTWARE.)**

APPROVED

16. **RESOLUTION AWARDED CONTRACT NO. 12109, ADMINISTRATION BUILDING FIRE PUMP INSTALLATION TO BARNES AND BROWER, INCORPORATED, IN THE FUNDED AMOUNT OF \$676,779.00.**

APPROVED

ROLL CALL MLGW FISCAL CONSENT ITEMS

MOTION: Colvett
 SECOND: Canale
 AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swarengen, Warren and Chairwoman Robinson

APPROVED

CONSENT AGENDA – Items #6 - #9 may be acted upon by one motion: See Page 5347 for Roll Call Consent Items.

6. RESOLUTION ACCEPTING 240 MADISON- THE HICKMAN BUILDING AND AUTHORIZING RELEASE OF THE PERFORMANCE BOND.

(Contract No. CR-5270)

Resolution approves the public improvements located on the northwest corner of Madison Avenue and Fourth Street, in the City of Memphis, Tennessee. Resolution also authorizes the release of the performance bond in the amount of \$89,600.00 held as security for the standard improvement contract.

City Engineer recommends approval

APPROVED

7. RESOLUTION APPROVING THE ENGINEERING PLANS FOR O'REILLY AUTO PARTS – PLEASANT SYCAMORE COMMERCIAL PD.

Contract No. CR-5315

Resolution approves the engineering plans located approximately 400 linear feet west of Pleasant View Road and Sycamore View Road in the City of Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract and accept the Bank of Bartlett Letter of Credit No. 5501219 in the amount of \$94,400.00 on behalf of the City of Memphis.

City Engineer recommends approval

APPROVED

8. RESOLUTION APPROVING THE SEWER PLANS FOR GARDENS OF GRAYS HOLLOW II SEWER IMPROVEMENTS.

Case No. (PD 02-356CO)

Contract No. CR-5316

Resolution approves the sewer plans located south of Walnut Grove, west of Grays Creek, outside the City of Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract and accept the First National Bank and Trust Letter of Credit No. 4507 in the amount of \$178,200.00 on behalf of the City of Memphis.

City Engineer recommends approval

APPROVED

9. **NOTATIONS FROM THE LAND USE CONTROL BOARD THAT THE FOLLOWING CASES WERE HEARD AND RECOMMENDATION MADE REQUESTING A DATE OF PUBLIC HEARING:**

- A. CASE NO. SUP 19-38 – CMCS (CELL) TOWER SPECIAL USE PERMIT
- B. CASE NO. PD 19-15 – MASSEY ROAD PLANNED DEVELOPMENT, 2ND AMENDMENT

Public Hearing Set for February 4, 2020

ROLL CALL CONSENT ITEMS

MOTION: Colvett
 SECOND: Canale
 AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearingen, Warren and Chairwoman Robinson

APPROVED

17. **APPOINTMENTS**

PENSION BOARD OF ADMINISTRATION

Appointments

Markus D. Smith
Carolyn Benson

MEMPHIS CIVIL SERVICE COMMISSION

Reappointments

Jeffrey Land
Laurice Smith

(Held until February 4, 2020)

MEMPHIS & SHELBY COUNTY DOWNTOWN MEMPHIS COMMISSION

Reappointment

Deni Reilly

CHIEF OPERATING OFFICER

Reappointment

Doug McGowen

CHIEF COMMUNICATIONS OFFICER

Reappointment

Ursula Madden

CHIEF FINANCIAL OFFICER

Reappointment

Shirley Ford

CHIEF HUMAN RESOURCES OFFICER

Reappointment

Alexandria Smith

CITY ATTORNEY/CHIEF LEGAL OFFICER

Appointment

Jennifer Sink

DIRECTOR OF DIVISION OF POLICE SERVICES

Reappointment

Michael Rallings

DIRECTOR OF FIRE SERVICES

Reappointment

Gina Sweat

CITY ENGINEER

Reappointment

Manny Belen

DIRECTOR OF GENERAL SERVICES

Reappointment

Antonio Adams

DIRECTOR OF HOUSING AND COMMUNITY DEVELOPMENT

Reappointment

Paul Young

DIRECTOR OF LIBRARIES

Reappointment

Keenon McCloy

DIRECTOR OF THE DIVISION OF PLANNING AND DEVELOPMENT

Reappointment

John Zeanah

DIRECTOR OF PUBLIC WORKS

Reappointment

Robert Knecht

DIRECTOR OF DIVISION OF SOLID WASTE

Reappointment

Albert Lamar

DIRECTOR OF INFORMATION SERVICES

Appointment

Kim Bailey

DEPUTY CITY COURT CLERK

Appointment

Walter Person

23. **DEPUTY CITY COURT CLERK**

Appointment

Vallai Wooten

(Councilman Morgan made a motion to hold the appointments for Jeffrey Land and Laurice Smith, until February 4, 2020 without objection).

(Special Item #1 – Councilman Jones made a motion to vote separately on the Chief Operating Officer and the City Attorney/Chief Legal Officer appointments).

MOTION: Jones
SECOND: Swarengen
AYES: Easter-Thomas, Jones, Logan, Smiley and Swarengen
NAYS: Canale, Carlisle, Colvett, Ford, Johnson, Morgan, Warren and Chairwoman Robinson

(Special Item #1 – FAILED)

(Special Item #2 – Councilwoman Swarengen made a motion to hold Item #17 until February 4, 2020).

MOTION: Swarengen
SECOND: Jones
AYES: Easter-Thomas, Johnson, Jones, Logan, Smiley and Swarengen
NAYS: Canale, Carlisle, Colvett, Ford, Morgan, Warren and Chairwoman Robinson

(Special Item #2 – FAILED)

(Special Item #3 – Councilman Carlisle made a motion to approve Same Night Minutes for Item #17).

MOTION: Carlisle
SECOND: Warren

AYES: Canale, Carlisle, Colvett, Ford, Johnson, Morgan, Warren and Chairwoman
Robinson
NAYS: Jones, Logan and Swearengen
Easter-Thomas and Smiley abstained

(Special Item #3 – APPROVED)

MAIN MOTION: Carlisle
SECOND: Warren
AYES: Canale, Carlisle, Colvett, Ford, Johnson, Morgan, Warren and
Chairwoman Robinson
NAYS: Jones and Swearengen
Easter-Thomas, Logan and Smiley abstained

APPROVED, as amended – Jeffrey Land and Laurice Smith appointments are being held until
February 4, 2020

Chairwoman woman recognized the following person who spoke from the audience:

Maurice Spivey, 4133 Mountain Terrace, Memphis, Tennessee, 38127

18. **RESOLUTION TRANSFERRING AN ALLOCATION IN THE AMOUNT OF \$150,000.00 FROM THE FIRE SERVICES COVER LINE TO CONTRACT CONSTRUCTION FROM FY20 FOR FS23 AND FS24 CORNICE REPAIR PROJECT #FS20103. FUNDING FOR THIS PROJECT WILL BE FROM CIP PROJECT NUMBER #FS20103, FUNDED BY G.O. BONDS GENERAL. THIS RESOLUTION IS SPONSORED BY FIRE SERVICES.**

MOTION: Swearengen
SECOND: Colvett
AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan,
Smiley, Swearengen, Warren and Chairwoman Robinson

APPROVED

19. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$25,733.79 FROM FIREHOUSE SUBS PUBLIC SAFETY FOUNDATION, INC. THE GRANT REQUIRES A MATCH IN THE AMOUNT OF \$14,238.99. THIS RESOLUTION IS SPONSORED BY FIRE SERVICES.**

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

APPROVED

- 20. **RESOLUTION APPROPRIATING \$4,084,622.02 FROM FIRE EMS FUND BALANCE IN SPECIAL REVENUE FUND 0250 FOR PURCHASES TO INCREASE EMS RESPONSE VEHICLES AND ENHANCE PRE-HOSPITAL CARDIAC/THERAPY TREATMENT. THIS RESOLUTION IS SPONSORED BY FIRE SERVICES. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Swearngen

SECOND: Warren

AYES: Canale, Carlisle, Colvett, Easter-Thomas, Johnson, Jones, Logan, Morgan, Smiley, Swearngen, Warren and Chairwoman Robinson
Ford did not cast a vote

APPROVED

- 21. **RESOLUTION TRANSFERRING AN ALLOCATION IN THE AMOUNT OF \$2,000,000.00 FROM FS1 CONSTRUCTION FS02031 TO MFD HEADQUARTERS CONSTRUCTION FS02029 AND APPROPRIATES AN ADDITIONAL \$4,000,000.00 FOR MFD HEADQUARTERS CONSTRUCTION FS02029, AS PART OF THE CAPITAL IMPROVEMENT BUDGET FUNDED BY G.O. BONDS GENERAL. THIS RESOLUTION IS SPONSORED BY FIRE SERVICES. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Swearngen

SECOND: Morgan

AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearngen, Warren and Chairwoman Robinson

APPROVED

- 24. **RESOLUTION TRANSFERRING \$1,100,979.00 OF ALLOCATED FUNDING FROM THE SOUTHBROOK MALL INFRASTRUCTURE PROJECT #PW04114 TO THREE NEW PROJECTS: GA01026-PUBLIC SERVICE CORPS (\$590,979.00); GS01048-CHILLER AT AUTOZONE (\$300,000.00); AND PW04121-HOLIDAY LIGHTS (\$210,000.00). THIS RESOLUTION IS SPONSORED BY EXECUTIVE DIVISION. (REQUEST FOR SAME NIGHT MINUTES)**

(Councilman Smiley made a motion to only approve same night minutes for the Chiller at AutoZone, without objection).

MOTION: Smiley

SECOND: Colvett

AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearngen, Warren and Chairwoman Robinson

APPROVED

22. **RESOLUTION APPROVING THE 2020 INCREASE IN ELECTRIC REVENUES OF 4.2% TO BE EFFECTIVE WITH METERS READ ON CYCLE 1 OF THE JULY 2020 REVENUE MONTH ON A NON-PRORATED BASIS, THE 2021 INCREASE IN ELECTRIC REVENUES OF 1.5% TO BE EFFECTIVE WITH METERS READ ON CYCLE 1 OF THE JANUARY 2021 REVENUE MONTH ON A NON-PRORATED BASIS, AND THE 2022 INCREASE IN ELECTRIC REVENUES OF 1.5% TO BE EFFECTIVE WITH METERS READ ON CYCLE 1 OF THE JANUARY 2022 REVENUE MONTH ON A NON-PRORATED BASIS. THIS RESOLUTION IS SPONSORED BY MLG&W DIVISION. (HELD FROM 11/19;12/3)**

(Special Item #4 – Councilman Smiley offered a Substitute Resolution and added (3) conditions. Councilman Warren made a motion to add an amendment to the Substitute Resolution, but after further discussion of this item, he withdrew his motion).

MOTION: Smiley
 SECOND: Warren
 AYES: Canale, Easter-Thomas, Ford, Jones, Logan, Smiley, Swearingen and Warren
 NAYS: Carlisle, Colvett, Johnson, Morgan and Chairwoman Robinson

(Special Item #4 – APPROVED)

MAIN MOTION: Morgan
 SECOND: Colvett
 AYES: Canale, Carlisle, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Warren and Chairwoman Robinson
 NAY: Colvett
 Swearingen abstained

APPROVED, as amended

(Chairwoman Robinson made a motion to add Item #25 to the Agenda, without objection).

25. **RESOLUTION APPROVING THE 2020 ELECTRIC DIVISION OPERATIONS AND CAPITAL BUDGET. THIS RESOLUTION IS SPONSORED BY MLG&W DIVISION. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Jones
 SECOND: Morgan
 AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearingen and Warren
 Chairwoman Robinson did not cast a vote

APPROVED

(Special Item #5 - Councilman Colvett made a motion to approve Same Night Minutes for Items #10, #17, #20, #21, #22, #23, #24 & #25, from tonight's meeting).

MOTION: Colvett
 SECOND: Carlisle
 AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Smiley, Swearngen, Warren and Chairwoman Robinson

APPROVED – (Item #17 - Jeffrey Land & Laurie Smith Reappointments are being held until February 4, 2020 and Item #24 – the minutes were only approved for the Chiller at AutoZone)

Chairwoman Robinson recognized the following people who spoke from the audience:

- Donna Bohannon, 5343 Sea Isle, Memphis, Tennessee, 38119
- Trudy Stamps, 1801 Whatling Street, Cordova, Tennessee, 38016
- Joe Kent, 5114 Flamingo, Memphis, Tennessee, 38117
- Casio Montez, 50B N, Fifth, Memphis, Tennessee, 38127
- Walter Broady, 4256 Ledbetter Cove, Memphis, Tennessee, 38109

ADJOURNED MEETING AT 6:35 P.M.

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

Patrice J. Robinson
 CHAIRMAN

Attest:

Valerie C. Snipes
 Deputy Comptroller/Council Records

