

Same Night Minutes of Items
10, 12, 26, 27, 28, 39, 40, 41, 42, 44, 45, 46
of the Regular Meeting of the City Council
City of Memphis

June 15, 2021

After the meeting was opened for the transaction of business and a quorum was declared present, the Council considered the items on the agenda, including items

10, 12, 26, 27, 28, 39, 40, 41, 42, 44, 45, 46
to wit:

10. RESOLUTION approving public improvement plans of 20255
HOSPITALITY HUB
Contract No. CR-5374

Resolution approves the public improvement plans located at 590 North Washington Avenue in the City of Memphis. Cost of required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract and accept the Cashier's Check in the amount of \$72,400.00 in lieu of bond.

ACTION REQUESTED: Adopt the resolution

MOTION: Council Member Carlisle

SECOND: Council Member Easter-Thomas

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

ABSTAIN:

NAYS:

RECUSED:

Did not vote:

Was absent:

APPROVED

12. RESOLUTION seeking the approval to accept (\$60,000) for the MPLOY Youth Summer Program from the Cummins Grant Agreement for the next 3 years. The youth summer program will receive (\$20,000) over the next 3 summers (FY22, FY23, FY24). This resolution is sponsored by The Office of Youth. **(Request for same night minutes)**

MOTION: Council Member Carlisle

SECOND: Council Member Robinson

28.
Morgan
Chairman,
Budget
Committee

APPROVED

A RESOLUTION approving the Capital Acquisition Budget and The Capital Improvement Program for Fiscal Years 2022 – 2026. This resolution is sponsored by Finance Division. **(Request for Same Night Minutes)**

ACTION REQUESTED: Adopt the resolution

MOTION: Council Member Carlisle

SECOND: Council Member Jones

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

ABSTAIN: Morgan

NAYS:

RECUSED:

Did not vote:

Was absent:

39.
Morgan
Chairman,
Budget
Committee
SNM

APPROVED

A resolution to allocate and appropriate \$2,600,000 in City Council Community Grant funds to non-profit agencies for FY22. **All Council Districts.** This resolution is submitted by the Finance Committee. **(Request for Same Night Minutes)**

ACTION REQUESTED: Adopt the resolution

MOTION: Council Member Morgan

SECOND: Council Member Carlisle

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

ABSTAIN:

NAYS: Morgan

RECUSED:

Did not vote:

Was absent:

40.
Morgan
Chairman,
Budget
Committee
SNM

APPROVED

A resolution establishing the Certified Tax Rate for the City of Memphis and declaring the amount of the certified rate for the City of Memphis to the provision of Tennessee Code Annotated, 67-5-1701, et seq. **All Council Districts.** This resolution is sponsored by the Administration. **(Request for Same Night Minutes)**

ACTION REQUESTED: Adopt the resolution

MOTION: Council Member Morgan

Parks &
Environment
Committee
SNM

Liberty Bowl Memorial Stadium and Fairgrounds. **District 4, Super District 8.** This resolution is sponsored by the Administration. **(Request for Same Night Minutes)**

ACTION REQUESTED: Adopt the resolution

MOTION: Council Member Logan

SECOND: Council Member Robinson

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

ABSTAIN:

NAYS:

RECUSED:

Did not vote:

Was absent:

APPROVED

45.
Canale
Chairman,
Planning and
Zoning
Committee
SNM

A resolution to provide clarity and allow for an exemption request on the 245-day moratorium for the construction and opening of all new gas stations and used tire shops. **All Council Districts.** This resolution is sponsored by Councilwoman Logan. **(Request for Same Night Minutes)**

ACTION REQUESTED: Adopt the resolution

MOTION: Council Member Canale

SECOND: Council Member Swearingen

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

ABSTAIN:

NAYS:

RECUSED:

Did not vote:

Was absent:

APPROVED

46.
Canale
Chairman,
Planning and
Zoning
Committee
SNM

A resolution requesting an exemption for a “smoke shop” regarding the 273-day moratorium on the issuance of permits for tobacco shops, head shops, smoke shops, and vape shops. **All Council Districts.** This resolution was submitted to Planning and Zoning Committee. **(Request for Same Night Minutes)**

ACTION REQUESTED: Adopt the resolution

MOTION: Council Member Canale

SECOND: Council Member Robinson

AYES: Canale, Easter-Thomas, Ford, Johnson, Jones, Logan, Robinson, Smiley, Swearingen, and Colvett

ABSTAIN:

NAYS: Carlisle

RECUSED:
Did not vote: Morgan, Warren
Was absent:

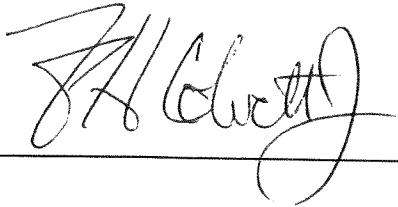
APPROVED

Whereupon **Swearengen** moved that the minutes for the foregoing item be approved on the date the matter was approved and Warren seconded the motion. The motion was called for a vote as follows:

ACTION REQUESTED: Adopt the resolution

MOTION: Council Member Swearengen
SECOND: Council Member Warren
AYES: Canale, Carlisle, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Robinson, Smiley, Swearengen, Warren and Colvett
ABSTAIN:
NAYS:
RECUSED:
Did not vote:
Was absent:

APPROVED

Chairman:  _____

Date: 6/15/2021

Attest: 
Deputy Comptroller/Council

CITY OF MEMPHIS
NOTICE OF REGULAR MEETING OF THE
MEMPHIS CITY COUNCIL

Tuesday, June 15, 2021, 3:30 P.M.

Due to the declarations of a State of Emergency by the President of the United States and the Mayor of Memphis relating to the COVID-19 Pandemic, the Council has determined that it is necessary that the meeting be disseminated by electronic or other means of communication in order to protect the health, safety, and welfare of the public, City employees, Council staff, and Members of the Council.

IN ACCORDANCE WITH TENNESSEE GOVERNOR BILL LEE'S EXECUTIVE ORDER 78, THE MEETING WILL BE OPEN AND ACCESSIBLE TO THE PUBLIC BY PROVIDING REAL-TIME, LIVE AUDIO OR VISUAL ACCESS TO THE PUBLIC.

Below this Notice of Meeting are instructions on how members of the public may electronically access the meeting and/or a recording of the meeting and how the public may provide written comments concerning any agenda item or any other matter prior to the meeting.

INSTRUCTIONS TO VIEW THE JUNE 15, 2021 MEMPHIS CITY COUNCIL COMMITTEE AND REGULAR MEETING

Take notice, the Memphis City Council will meet on **Tuesday, June 15, 2021 at 9:00 a.m.** to hold Committee meetings, and **3:30 p.m.** to hold the Regular meeting.

In accordance with Tennessee Governor Bill Lee's Executive Order 78, the meeting(s) will be open and accessible to the public by providing real-time, live audio or visual access to the public. Due to COVID-19 health, safety, and welfare concerns, the public is not permitted to attend the meeting(s) in-person. Instead, the public is permitted to participate in the meeting(s) in the following manner: (I) Electronically, via live-stream, (II) by Radio, via 88.5 FM (WQOX), (III) Electronically, via digital archive, and (IV) Electronically, via YouTube.

A. Electronically, via live-stream

To view the Tuesday, June 15, 2021 Memphis City Council meeting electronically, via live-stream, follow the steps below:

(Regarding the Committee meetings)

- (1) Access the internet,
- (2) Go to the Memphis City Council's "Watch Public Meetings Online" page at <https://www.memphistn.gov/government/city-council/watch-public-meetings-online/>
- (3) At 9:00 a.m., click on the June 15, 2021 Memphis City Council meeting,
- (4) Begin viewing the June 15, 2021 Memphis City Council Committee meetings electronically via live-stream,
- (5) Click on the June 15, 2021 "Agenda" tab to view the agenda documents,

(Regarding the Regular meeting)

- (1) Access the internet,

(2) Go to the Memphis City Council's "Watch Public Meetings Online" page at <https://www.memphistn.gov/government/city-council/watch-public-meetings-online/>

(3) At 3:30 p.m., click on the June 15, 2021 Memphis City Council meeting,

(4) Begin viewing the June 15, 2021 Memphis City Council Regular meeting electronically via live-stream,

(5) Click on the June 15, 2021 "Agenda" tab to view the agenda documents

B. Radio, via 88.5 FM (WQOX)

To listen to the Tuesday, June 15, 2021 Memphis City Council meeting by radio, via 88.5 FM (WQOX), follow the steps below:

(Regarding the Regular meeting)

(1) Access a radio with FM-capabilities,

(2) At 3:30 p.m., turn the radio dial to 88.5 FM (WQOX),

(3) Begin listening to the June 15, 2021 Memphis City Council Regular meeting by radio via 88.5 FM (WQOX),

(4) Note: Committee meetings are not broadcast via radio

C. Electronically, via digital archive

To view the Tuesday, June 15, 2021 Memphis City Council meeting electronically, via digital archive, follow the steps below:

(Regarding the Committee meetings archive)

(1) Access the internet **after** the June 15, 2021 Memphis City Council meeting,

(2) Go to the Memphis City Council's "Watch Public Meeting Online" page at <https://www.memphistn.gov/government/watch-public-meetings-online/>

(3) Scroll down to the "City Council Committee Meetings" section,

(4) Select your choice of City Council Committees, at which point you will find the most recent meeting for that committee for June 15, 2021; press play,

(5) Begin viewing the June 15, 2021 Memphis City Council Committee meeting(s) electronically via digital archive,

(6) Click on the June 15, 2021 "Agenda" tab to view the agenda documents,

(7) Click on the June 15, 2021 "Minutes" tab to view the meeting minutes,

(Regarding the Regular meeting archive)

(1) Access the internet **after** the June 15, 2021 Memphis City Council meeting,

(2) Go to the Memphis City Council's "Archived Videos" page at https://www.memphistn.gov/government/city_council/watch_public_meetings_online/city_council_archived_videos

(3) Press play on the June 15, 2021 "City Council Full Meeting" tab,

(4) Begin viewing the June 15, 2021 Memphis City Council Regular meeting electronically via digital archive,

(5) Click on the June 15, 2021 "Agenda" tab to view the agenda documents,

(6) Click on the June 15, 2021 "Minutes" tab to view the meeting minutes

D. Electronically, via YouTube

To view the Tuesday, June 15, 2021 Memphis City Council meeting electronically, via YouTube, follow the steps below:

(Regarding the Committee meetings)

(1) Access the internet,

(2) Go to <https://www.youtube.com/c/MemphisCityCouncil/featured>

(3) At 9:00 a.m., click on the June 15, 2021 Memphis City Council Committee meeting,

(4) Begin viewing the June 15, 2021 Memphis City Council Committee meeting electronically via YouTube,

(Regarding the Regular meeting)

- (1) Access the internet,
- (2) Go to <https://www.youtube.com/c/MemphisCityCouncil/featured>
- (3) At 3:30 p.m., click on the June 15, 2021 Memphis City Council meeting,
- (4) Begin viewing the June 15, 2021 Memphis City Council Regular meeting electronically via YouTube

*A link to the June 15, 2021 Committee agenda can be found, [here](#).

**A link to the June 15, 2021 Regular Meeting agenda can be found, [here](#).

***A link to the June 15, 2021 Committee Documents can be found, [here](#).

****A link to the June 15, 2021 Regular Meeting Documents can be found, [here](#).

*****A link to **all** June 15, 2021 - and prior - agendas/documents can be found, [here](#).

Note: Public comments may be submitted to the Memphis City Council. Members of the public wishing to submit public comment cards on items discussed on the City Council Agenda may do so. Public Comments related to Committee items will be held until the item is held for a vote before the full Council in the Regular Meeting. The Comment Cards will be read prior to Council Debate on the item. To submit your public comment, [click here](#). For more information, call **(901) 636-6786**.

Thank you for your patience during this time. We look forward to continuing our work on your behalf as a thirteen-member council working to make Memphis a safe, healthy, and prosperous city for all.

With earnest appreciation,



Chairman Frank Colvett, Jr.

MINUTES
MEETING OF THE CITY COUNCIL
CITY OF MEMPHIS
June 15, 2021

3:30 P.M. SCHEDULED SESSION

3:33 P.M. MEETING COMMENCED

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

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

INVOCATION

The meeting was opened with telephonic prayer by Bishop Andrew Jackson, Sr., Founder and Pastor Emeritus of Faith Temple Ministries Church. Councilwoman Easter-Thomas led the Pledge of Allegiance. Councilwoman Patrice Robinson thanked Bishop Andrew Jackson, Sr. for being the 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 June 1, 2021 with the following motion:

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

APPROVED

- 2. **RESOLUTION APPROVING AN AMENDMENT TO THE TANGLEWOOD PLACE PLANNED DEVELOPMENT AT 795 TANGLEWOOD STREET AND ONE ADJACENT PARCEL, KNOWN AS PD 21-09. DISTRICT 4 AND SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

Case No. PD 21-09

Applicant: Ella Residential, LLC, and WO SFR, LLC.
Tim McCaskill of McCaskill and Associates
(Representative)

Request: Commercial Planned Development

LUCB and DPD recommendation: APPROVAL, with conditions

Held until July 6, 2021

- 3. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED AT 2906 OLD AUSTIN PEAY HIGHWAY; CONTAINING 0.27 ACRE IN THE COMMERCIAL MIXED USE – 3 DISTRICT. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT. (HELD FROM 3/16; 4/6)**

Case No. SUP 20-16

Applicant: Fredrick Sengstacke of the Octopus Group, Inc.
Fredrick Sengstacke – Representative

Request: Special use permit for vehicle sales

LUCB recommendation: APPROVAL, with conditions

DPD recommendation: REJECTION

Held until July 6, 2021

- 4. **RESOLUTION APPROVING AN ABANDONMENT OF PAPER MEDA STREET SOUTH OF YORK; LOCATED NEAREST TO 2197 CENTRAL AVE IN DISTRICT 10 AND SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

Case No. SAC 21-05

Applicant: City of Memphis/City Construction & Development, LLC
Cory Brady, PLA, AICP – Representative

Request: Abandonment of paper Meda Street south of York

LUCB and DPD recommendation: APPROVAL, with conditions

Held until July 6, 2021

- 5. **ORDINANCE AMENDING THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE AS ADOPTED BY THE CITY OF MEMPHIS AUGUST 10, 2010, AND BY SHELBY COUNTY AUGUST 9, 2010 AS AMENDED, TO REVISE AND ENHANCE THE JOINT ZONING AND SUBDIVISION REGULATIONS AS RECOMMENDED BY THE MEMPHIS AND SHELBY COUNTY DIVISION OF PLANNING AND DEVELOPMENT AND THE LAND USE CONTROL BOARD. THIS TEXT AMENDMENT AFFECTS ALL PROPERTY WITHIN THE CITY OF MEMPHIS AND UNINCORPORATED SHELBY COUNTY, UP FOR S E C O N D READING. THIS ORDINANCE IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT. (HELD FROM 5/4; 6/1)**

Case No. ZTA 21-01
Ordinance No. 5784

Applicant: Office of the Shelby County Mayor
Alex Hensley, Special Asst. to Mayor Lee Harris – Representative

Request: Adopt amendments to the Memphis and Shelby County Unified Development Code

LUCB and DPD recommendation: APPROVAL

Held until July 6, 2021

- 7. **ORDINANCE APPROVING A NEW HISTORIC OVERLAY DISTRICT LOCATED IN THE AREA ROUGHLY BOUND BY AUTUMN AVENUE TO THE NORTH, NORTH CLAYBROOK STREET TO THE EAST, POPLAR AVENUE TO THE SOUTH, AND INTERSTATE 240 TO THE WEST; CONTAINING +/-81.30 ACRES IN THE HISTORIC (H) OVERLAY DISTRICT UP FOR S E C O N D READING. THIS ORDINANCE IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT. (HELD FROM 5/18; 6/1)**

Case No. CTHD
Ordinance No. 5783

Applicant: Jennifer Amido and Crosstown Memphis Comm. Development Corp.
Jennifer Amido and Anna Joy Tamayo – Representatives

Request: Historic (H) Overlay District

LUCB and DPD recommendation: APPROVAL

Held until July 6, 2021

- 30. **ORDINANCE ADOPTING AND ENACTING A NEW CODE OF ORDINANCES OF THE CITY OF MEMPHIS, TENNESSEE; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE, UP FOR T H I R D AND F I N A L READING. ORDINANCE NO. 5769 IS SPONSORED BY COUNCILWOMAN ROBINSON. (HELD FROM 1/26; 2/2; 2/16; 5/18; 6/1)**

Held until July 6, 2021

- 31. **ORDINANCE PROTECTING PUBLIC HEALTH AND THE ENVIRONMENT, PRESERVE THE MEMPHIS SAND AQUIFER, AND PROMOTE ENVIRONMENTAL JUSTICE, UP FOR T H I R D AND F I N A L READING. ORDINANCE NO. 5782 IS SPONSORED BY COUNCILMAN WARREN AND COUNCILMAN FORD. (HELD FROM 4/20; 5/4; 5/18; 6/1)**

Held until July 6, 2021

- 1. **RESOLUTION COMMEMORATING JUNETEENTH 2021 WITHIN THE CITY OF MEMPHIS AND SPOTLIGHTING MEMPHIANS WHOSE COMMUNITY-DRIVEN ACTIONS EMBODY THE SPIRIT OF THE OCCASION. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN EASTER-THOMAS.**

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

APPROVED

- 26. **ORDINANCE APPROPRIATING THE PROCEEDS OF THE TAX LEVY ON THE ASSESSED VALUES ON ALL PROPERTIES OF EVERY SPECIES WITHIN THE CITY LIMITS FOR GENERAL PURPOSES FOR THE FISCAL YEAR JULY 1, 2021 THROUGH JUNE 30, 2022, UP FOR T H I R D AND FINAL READING. ORDINANCE NO. 5785 IS SPONSORED BY FINANCE DIVISION. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED, As Amended

- 27. **ORDINANCE FIXING THE TAX RATE OF THE CITY OF MEMPHIS FOR FISCAL YEAR 2022, UP FOR T H I R D AND FINAL READING. ORDINANCE NO. 5786 IS SPONSORED BY FINANCE DIVISION. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED, As Amended

- 28. **RESOLUTION APPROVING THE CAPITAL ACQUISITION BUDGET AND THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEARS 2022 – 2026. THIS RESOLUTION IS SPONSORED BY FINANCE DIVISION. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED, As Amended

- 29. **ORDINANCE AMENDING THE CITY OF MEMPHIS CODE OF ORDINANCES CHAPTER 9 “HEALTH AND SAFETY” SECTION 56 “GARBAGE COLLECTION AND DISPOSAL” REGARDING LANDLORDS OR PROPERTY OWNERS, UP FOR T H I R D AND FINAL READING. ORDINANCE NO. 5788 IS SPONSORED BY COUNCILMAN SMILEY.**

WITHDRAWN

(Special Item #1A – Councilman Jones made a motion to suspend the rules for the purposes of hearing the motion to give notice of a tax increase.)

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

FAILED

FISCAL CONSENT AGENDA

- 12. **RESOLUTION SEEKING THE APPROVAL TO ACCEPT (\$60,000) FOR THE MPLOY YOUTH SUMMER PROGRAM FROM THE CUMMINS GRANT AGREEMENT FOR THE NEXT 3 YEARS. THE YOUTH SUMMER PROGRAM WILL RECEIVE (\$20,000) OVER THE NEXT 3 SUMMERS (FY22, FY23, FY24). THIS RESOLUTION IS SPONSORED BY THE OFFICE OF YOUTH. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED

- 40. **RESOLUTION ESTABLISHING THE CERTIFIED TAX RATE FOR THE CITY OF MEMPHIS AND DECLARING THE AMOUNT OF THE CERTIFIED RATE FOR THE CITY OF MEMPHIS TO THE PROVISION OF TENNESSEE CODE ANNOTATED, 67-5-1701, ET SEQ. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY THE FINANCE DIVISION. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED, As Amended

- 41. **RESOLUTION AUTHORIZING THE CITY TREASURER TO PREPARE 2021 TAX BILLS FOR THE VARIOUS UTILITIES AND CARRIERS UTILIZING THE LAST CERTIFIED ASSESSMENT OF STATE ASSESSED PROPERTIES (SAP). ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY THE FINANCE DIVISION. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED

42. **RESOLUTION REQUESTING EXECUTION OF PREMIUM PAY FROM ARPA FUNDING. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY THE FINANCE DIVISION. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED

39. **RESOLUTION TO ALLOCATE AND APPROPRIATE \$2,600,000 IN CITY COUNCIL COMMUNITY GRANT TO NON-PROFIT AGENCIES FOR FY22. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY THE FINANCE DIVISION. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED, As Amended

44. **RESOLUTION APPROVING AMENDMENT AND EXTENSION OF CONTRACT NO. 28131 BETWEEN THE CITY OF MEMPHIS THROUGH ITS DIVISION OF PARKS AND NEIGHBORHOODS AND GLOBAL SPECTRUM, L.P. TO MANAGE AND OPERATE THE LIBERTY BOWL MEMORIAL STADIUM AND FAIRGROUNDS. DISTRICT 4, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PARKS AND NEIGHBORHOODS. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED

45. **RESOLUTION TO PROVIDE CLARITY AND ALLOW FOR AN EXEMPTION REQUEST ON THE 245-DAY MORATORIUM FOR THE CONSTRUCTION AND OPENING OF ALL NEW GAS STATIONS AND USED TIRE SHOPS. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN LOGAN. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED

- 46. **RESOLUTION REQUESTING AN EXEMPTION FOR A “SMOKE SHOP” REGARDING THE 273-DAY ON THE ISSUANCE OF PERMITS FOR TOBACCO SHOPS, HEAD SHOPS, SMOKE SHOPS, AND VAPE SHOPS. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY COUNCILMAN CANALE. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED

CONSENT AGENDA – Items #6, #9, #10, #11 and #43 may be acted upon by one motion: See Page 6087 for Roll Call Consent Items.

- 6. **ORDINANCE APPROVING A NEW HISTORIC OVERLAY DISTRICT LOCATED IN THE AREA ROUGHLY BOUND BY CYPRESS CREEK TO THE NORTH, UNIVERSITY & SPRINGDALE STREETS TO THE EAST, NORTH PARKWAY & JACKSON AVENUE TO THE SOUTH, AND WATKINS STREET TO THE WEST; CONTAINING +/- 880 ACRES IN THE HISTORIC (H) OVERLAY DISTRICT UP FOR FIRST READING. COUNCIL DISTRICTS 5 & 7 AND SUPER DISTRICTS 8 & 9. THIS ORDINANCE IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

APPROVED

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

- A. Case No. PD 21-14 – MEMPHIS AUTO AUCTION PD

APPROVED

- 9. **RESOLUTION APPROVING THE FINAL PLAT FOR WOODLAND HILLS II PD, PHASE 14, PD 19-09. (COUNTY)**

APPROVED

- 10. **RESOLUTION APPROVING PUBLIC IMPROVEMENT PLANS OF 20255 HOSPITALITY HUB. (REQUEST FOR SAME NIGHT MINUTES)**

Contract No. CR-5374

APPROVED

- 11. **RESOLUTION ACCEPTING ENGLISH TOWNE C-P, LOT 3, PART OF TRACT 3 AND AUTHORIZING RELEASE OF BOND.**

Contract No. CR-5296

APPROVED

- 43. **ORDINANCE TO AMEND THE CITY OF MEMPHIS CODE OF ORDINANCES CHAPTER 15 "GARBAGE, TRASH, REFUSE AND SOLID WASTE" ARTICLE I, DIVISION 4 "DISPOSAL AND REMOVAL OF PERSONAL PROPERTY" REGARDING LANDLORDS OR PROPERTY OWNERS, UP FOR F I R S T READING. ALL COUNCIL DISTRICTS. ORDINANCE NO. 5790 IS SPONSORED BY COUNCILMAN SMILEY, COUNCILWOMAN ROBINSON, COUNCILMAN WARREN, COUNCILWOMAN EASTER-THOMAS, COUNCILMAN JONES, AND COUNCILWOMAN LOGAN.**

APPROVED

ROLL CALL CONSENT AGENDA ITEMS

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

APPROVED

MLGW FISCAL CONSENT AGENDA -ITEMS 13-25, may be acted upon by one motion:

- 13. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 12032, ELECTRONIC BILL PRESENTMENT AND PAYMENT SERVICES WITH FIDELITY INFORMATION SERVICES, LLC (FIS GLOBAL), IN THE FUNDED NOT-TO-EXCEED AMOUNT OF \$77,483.00. (THIS CHANGE IS TO RATIFY AND EXPAND THE SCOPE OF WORK TO ADHERE AND COMPLY WITH THE NATIONAL AUTOMATED CLEARING HOUSE ASSOCIATION ("NACHA") NEW WEB DEBIT ACCOUNT VALIDATION RULE WITH A FRAUDULENT TRANSACTION DETECTION SYSTEM TO SCREEN WEB DEBITS BASED ON AGREED UPON RATES NOT-TO-EXCEED THE AMOUNT OF \$77,483.00 EFFECTIVE MARCH 19, 2021. THE CONTRACT TERM WILL REMAIN THROUGH AUGUST 31, 2023.)**

APPROVED

14. **RESOLUTION APPROVING CHANGE NO. 5 TO CONTRACT NO. 11914, MLGW UTILITY PAYMENT CENTERS WITH FIRSTECH, INCORPORATED, IN THE FUNDED AMOUNT OF \$317,109.00. (THIS CHANGE IS TO EXTEND THE CURRENT CONTRACT FOR AN ADDITIONAL SIX MONTHS THROUGH MAY 14, 2022 TO ALLOW TIME TO SECURE A NEW CONTRACT FOR AUTHORIZED PAY AGENTS AND TO BUILD THE NEW VENDOR SYSTEM INTERFACE WITH THE CUSTOMER INFORMATION SYSTEM (CIS) APPLICATION. IN ADDITION, THIS CHANGE IS TO INCREASE THE CONTRACT VALUE IN THE FUNDED AMOUNT WITH NO INCREASE IN FEES FROM THE PREVIOUS YEAR, DUE TO AN INCREASE OF IN-PERSON PAYMENTS MADE AT AUTHORIZED PAY AGENTS' LOCATIONS AND THE ADDITION OF ADDITIONAL AUTHORIZED PAY AGENTS.)**

APPROVED

15. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 12166, VMWARE SLED CONSULTING AND LEARNING CREDITS WITH THOMAS CONSULTANTS, INC., IN THE FUNDED AMOUNT OF \$590,257.20. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT TERM FOR THE PERIOD COVERING SEPTEMBER 14, 2021 THROUGH SEPTEMBER 13, 2022 IN THE AMOUNT OF \$84,906.23 FOR TAM SUPPORT. IN ADDITION, THIS CHANGE IS TO ADD FUNDING TO THE CURRENT CONTRACT VALUE IN THE AMOUNT OF \$505,350.97 TO UPGRADE DESKTOP TEAM SUPPORT AND NSX TAS UPGRADES TO ASSIST WITH VIRTUAL FIREWALLS AND LOAD BALANCERS. THE VENDOR WILL CONTINUE TO PROVIDE ANNUAL MAINTENANCE AND SUPPORT SERVICES.)**

APPROVED

16. **RESOLUTION AWARDED CONTRACT NO.12209, COURIER SERVICES TO EXPRESS COURIER INTERNATIONAL, INC. D/B/A LSO FINAL MILE, IN THE FUNDED AMOUNT OF \$150,166.17.**

APPROVED

17. **RESOLUTION AWARDED CONTRACT NO.12277, DRILLED PIER INSTALLATION TO CHRIS-HILL CONSTRUCTION COMPANY, IN THE FUNDED AMOUNT OF \$967,415.00.**

APPROVED

18. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 12192, PROFESSIONAL ENGINEERING SERVICES FOR GAS ENGINEERING WITH ENERGY LAND & INFRASTRUCTURE, LLC, IN THE FUNDED AMOUNT OF \$50,000.00. (THIS CHANGE IS TO RATIFY AND RENEW THE CURRENT CONTRACT FOR THE FIRST OF FOUR ANNUAL RENEWAL TERMS FOR THE PERIOD COVERING JUNE 17, 2021 THROUGH JUNE 16, 2022, BASED ON AGREED UPON RATES.)**

APPROVED

19. **RESOLUTION AWARDING CONTRACT NO.12248, MORTON HSP MOTOR AND VFD REPLACEMENT TO BARNES AND BROWER, INCORPORATED, IN THE FUNDED AMOUNT OF \$1,249,537.00.**

APPROVED

20. **RESOLUTION AWARDING CONTRACT NO.12258, SHAW #2 VFD REPLACEMENT TO BARNES AND BROWER, INCORPORATED, IN THE FUNDED AMOUNT OF \$693,694.00.**

APPROVED

21. **RESOLUTION AWARDING A PURCHASE ORDER TO BRIGHTER DAYS AND NITES, INC. FOR STEEL TRANSMISSION MONOPOLE STRUCTURES, IN THE AMOUNT OF \$97,944.00.**

APPROVED

22. **RESOLUTION AWARDING A PURCHASE ORDER TO PHENIX TECHNOLOGIES, INC. FOR A DIELECTRIC PERSONAL PROTECTION EQUIPMENT (PPE) TESTING LAB SYSTEM, IN THE AMOUNT OF \$539,720.00.**

APPROVED

23. **RESOLUTION AWARDING A PURCHASE ORDER TO TRENCH LIMITED FOR THE PURCHASE OF CURRENT LIMITING REACTORS, IN THE AMOUNT OF \$118,080.00.**

APPROVED

24. **RESOLUTION AWARDING A PURCHASE ORDER TO ENGINEERED SEALING COMPONENTS, LLC, FOR A SUBSTATION CAPACITOR BANK, IN THE AMOUNT OF \$95,565.25.**

APPROVED

25. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 12024, EMPLOYEE DENTAL PLAN WITH CIGNA HEALTH AND LIFE INSURANCE COMPANY, IN THE FUNDED AMOUNT OF \$2,815,464.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR FIRST OF TWO ANNUAL RENEWALS COVERING THE PERIOD JANUARY 1, 2022 THROUGH DECEMBER 31, 2022 WITH AN OVERALL 5.50% INCREASE IN RATES WHICH INCLUDES QUOTED RATE OF 1.5% COMMISSIONS AND A RATE CAP OF 4.0%. THE ORIGINAL DENTAL RFP WAS FOR A FIVE-YEAR TERM FOR THE PERIOD COVERING JANUARY 1, 2019 THROUGH DECEMBER 31, 2023. THE FIRST THREE YEARS ARE AT A FLAT GUARANTEE RATE (SAME RATE**

FOR THREE YEARS) AND A RATE CAPE OF +5.5 FOR YEARS TWO AND THREE. THE 1.5% COMMISSION IS PAID TO STANLEY BLUE GROUP (BROKER) AS OUTLINED IN THE CONTRACT. THE DIVISION'S ANNUAL CONTRIBUTION WILL BE \$10.00 PER ACTIVE EMPLOYEE PER MONTH. ACTIVE EMPLOYEES WILL PAY THE BALANCE OF THE MONTHLY PREMIUM. THE RETIREES WILL PAY 100% OF THEIR PREMIUM.)

ROLL CALL MLGW FISCAL CONSENT ITEMS

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

APPROVED

32. **RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED (\$150,000,000) GENERAL OBLIGATION BONDS AND BOND ANTICIPATION NOTES OF THE CITY OF MEMPHIS, TN. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY THE FINANCE DIVISION.**

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

APPROVED

33. **RESOLUTION AUTHORIZING THE ISSUANCE, SALE, AND DELIVERY OF A NOTE NOT TO EXCEED (\$210,000,000) AGGREGATE PRINCIPAL AMOUNT OF THE CITY OF MEMPHIS, GENERAL IMPROVEMENT REFUNDING BONDS, SERIES 2021. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY THE FINANCE DIVISION.**

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

APPROVED

34. **RESOLUTION TRANSFERRING AN ALLOCATION IN THE AMOUNT OF (\$500,000.00) FROM FY21 FIRE STATION IMPROVEMENT COVER TO SECURITY/CAMERAS AND APPROPRIATING IN G.O. BONDS PROJECT # FS02034,**

SECURITY/CAMERAS. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY FIRE SERVICES.

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

APPROVED

35. **RESOLUTION APPROPRIATING (\$80,000.00) TO FS02011 REPLACE FIRE STATION # 43 FOR FURNITURE, FIXTURES, AND EQUIPMENT. DISTRICT 3, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY FIRE SERVICES.**

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

APPROVED

36. **RESOLUTION REQUESTING APPROVAL OF THE SALE OF CITY OWNED SURPLUS PROPERTY KNOWN AS 689 SAXON AVENUE, PARCEL ID # 025036 000111 MEMPHIS, TN 38126. DISTRICT 6, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY THE GENERAL SERVICES DIVISION.**

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

APPROVED

37. **RESOLUTION REQUESTING APPROVAL OF THE SALE OF CITY OWNED SURPLUS PROPERTY KNOWN AS 1475 GABAY STREET, PARCEL # 034038 00007 MEMPHIS, TN. 38106. DISTRICT 6, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY THE GENERAL SERVICES DIVISION.**

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

APPROVED

38. **RESOLUTION TRANSFERRING (\$750,000.00) FROM CIP PROJECT #GS21101 FY21 MAJOR MOD (ROOFING) TO CIP PROJECT #GS20101 FY20 MAJOR MOD (ROOFING) EARMARKED FOR THE MEMPHIS ZOO HIPPO BARN ENCLOSURE. DISTRICT 5, SUPER DISTRICT 9. THIS RESOLUTION IS SPONSORED BY THE GENERAL SERVICES DIVISION.**

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

APPROVED

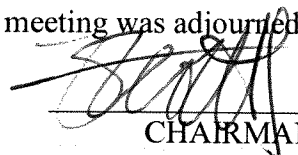
(Special Item #2 – Vice Chairwoman Swearengen made a motion to approve same night minutes for Items #10, #12, #26-#28, #39-#42, and Items #44-#46 from tonight’s meeting.)

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

APPROVED

MEETING ADJOURNED AT 4:43 p.m.

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


CHAIRMAN

Attest:

Valerie C. Smyke
Deputy Comptroller/Council Records

