

Same Night Minutes of Items
43, 44, 45, 46, 48
of the Regular Meeting of the City Council
City of Memphis

July 20, 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

43, 44, 45, 46, 48

to wit:

43. An additive change order to appropriate additional contract construction funds in the amount of (\$181,564.00) for project # PW01064 streetscape and improvement for Elvis Presley Blvd from Commercial Parkway to Winchester. **District 3 & 6, Super District 8.** This resolution is sponsored by the Division of Public Works. **(Request for same night minutes)**

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

SNM

ACTION REQUESTED: Adopt the resolution

MOTION: Council Member Smiley

SECOND: Council Member Swearngen

AYES: Canale, Easter-Thomas, Johnson, Robinson, Smiley, Swearngen, Warren and Colvett

ABSTAIN:

NAYS:

RECUSED:

Did not vote: Carlisle, Ford, Jones, Logan, Morgan

Was absent:

44. A RESOLUTION to transfer and appropriate construction funds in the amount of (\$271,019.41) for project # PW18100, (PW20103) FY20, CIP Resurfacing Group 2 Asphalt Paving. **All Council Districts.** This resolution is sponsored by the Division of Public Works. **(Request for same night minutes)**

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

SNM

ACTION REQUESTED: Adopt the resolution

MOTION: Council Member Smiley

SECOND: Council Member Johnson

AYES: Canale, Easter-Thomas, Johnson, Robinson, Smiley, Swearngen, Warren and Colvett

ABSTAIN:

NAYS:

RECUSED:

Did not vote: Carlisle, Ford, Jones, Logan, Morgan

Was absent:

APPROVED

45.
Smiley
Chairman,
Public Works,
Solid Waste &
General
Services
Committee
SNM

A RESOLUTION to transfer and appropriate construction funds in the amount of (\$566,194.90) for project# PW17100, FY20, CIP Resurfacing Group 1 Asphalt Paving. **All Council Districts.** This resolution is sponsored by the Division of Public Works. **(Request for same night minutes)**

ACTION REQUESTED: Adopt the resolution

MOTION: Council Member Smiley

SECOND: Council Member Canale

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

ABSTAIN:

NAYS:

RECUSED:

Did not vote: Carlisle, Ford, Jones, Morgan

Was absent:

APPROVED

46.
Smiley
Chairman,
Public Works,
Solid Waste &
General
Services
Committee
SNM

A RESOLUTION for the Fiscal year 2022, CIP project # PW22103 in the amount of (\$6,500,000) for the paving operations performed by Public Works or directly by Street Maintenance department. **All Council Districts.** This resolution is sponsored by the Division of Public Works. **(Request for same night minutes)**

ACTION REQUESTED: Adopt the resolution

MOTION: Council Member

SECOND: Council Member

AYES: Canale, Ford, Johnson, Logan, Robinson, Smiley, Swearingen, Warren and Colvett

ABSTAIN:

NAYS:

RECUSED:

Did not vote: Carlisle, Easter-Thomas, Jones, Morgan

Was absent:

APPROVED

48.
Canale
Chairman,
Planning &
Zoning
Committee
SNM

A RESOLUTION authorizing the Memphis and Shelby County Division of Planning and Development to proceed with the submittal of an application for rezoning certain properties in or adjacent to CMU-3 zoning districts in selected areas throughout the City of Memphis. All Council Districts. This resolution is sponsored by Councilwoman Logan. (Request for same night minutes)

ACTION REQUESTED: Adopt the resolution

MOTION: Council Member Carlisle

SECOND: Council Member Warren

AYES: Canale, Carlisle, Easter-Thomas, Logan, Morgan, Robinson, Swearingen, Warren and Colvett

ABSTAIN:

NAYS: Johnson, Jones, Smiley

RECUSED:

Did not vote: Ford

Was absent:

APPROVED

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

ACTION REQUESTED: Adopt the resolution

MOTION: Council Member Swearingen

SECOND: Council Member Carlisle

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

ABSTAIN:

NAYS:

RECUSED:

Did not vote: Ford, Johnson

Was absent: Morgan

APPROVED

Chairman: _____

Date: 7/20/2021

Valerie C. Sropis
Attest:
Deputy Comptroller/Council

**MINUTES
MEETING OF THE CITY COUNCIL
CITY OF MEMPHIS**

July 20, 2021

3:30 P.M. SCHEDULED SESSION

3:34 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 Swarengen, Jeff Warren and Chairman Frank Colvett, Jr.

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

INVOCATION

The meeting was opened with a prayer by Rev. Willie Boyd, Jr., the Senior Pastor at Martin Memorial Temple CME Church.

Councilman Edmund Ford, Sr. led the Pledge of Allegiance.

Vice Chairwoman Jamita Swarengen thanked Rev. Willie Boyd, Jr., 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 July 06, 2021 with the following motion:

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

APPROVED

- 4. **RESOLUTION APPROVING THE SUNNY PINES PLANNED DEVELOPMENT AT 751 ST. PAUL AVENUE. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

CASE NO. PD 21-03

Applicant: Ryan Fleming of Jules Verne, LLC
 Tim McCaskill of McCaskill and Associates, Inc. (Representative)

Request: Special use permit for a planned development

LUCB recommendation: REJECTION

DPD recommendation: APPROVAL, with conditions

Held until August 03, 2021

- 5. **RESOLUTION APPROVING THE CORO VISTA PLANNED DEVELOPMENT AT 1560 DREW ROAD AND AN ADJACENT PARCEL. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

CASE NO. PD 21-05

Applicant: Coro Vista, LLC
 Brenda Solomito of Solomito Land Planning (Representative)

Request: Special use permit for a planned development

LUCB and DPD recommendation: APPROVAL, with conditions

Held until August 03, 2021

- 13. **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 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 5/4; 6/1; 7/6)**

CASE NO. ZTA 21-01
ORDINANCE NO. 5784

Held until August 03, 2021

- 34. **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; 6/15; 7/6)**

Held until August 03, 2021

- 1. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE OF JOUBERT STREET BETWEEN KANSAS AND RIVERSIDE IN HONOR OF THE TEMPRES. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN JOHNSON.**

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

APPROVED

- 2. **RESOLUTION HONORING AND CONGRATULATING RACHEL HECK FOR BEING NAMED THE *NCAA INDIVIDUAL CHAMPION* AT STANFORD UNIVERSITY AND THE *2021 ANNIKA AWARD WINNER* AS THE NATION'S TOP FEMALE COLLEGE GOLFER. THIS RESOLUTION IS SPONSORED BY COUNCILMAN CANALE.**

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

APPROVED

- 3. **RESOLUTION APPROVING AN AMENDMENT TO THE TANGLEWOOD PLACE PLANNED DEVELOPMENT AT 795 TANGLEWOOD STREET AND ONE ADJACENT PARCEL. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT. (HELD FROM 6/15; 7/6)**

CASE NO. PD 21-09

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

NAYS: Canale, Carlisle, and Ford
ABSTAIN: Smiley

APPROVED

6. **RESOLUTION APPROVING THE M-TOWN PLANNED DEVELOPMENT AT 771 AND 775 TANGLEWOOD ST. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

CASE NO. PD-21-11

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

APPROVED

8. **RESOLUTION APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY LOCATED AT THE BLOCK BOUND BY SOUTH FRONT STREET, PEABODY PLACE, SOUTH MAIN STREET, AND BEALE STREET. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT. (HELD FROM 7/6)**

CASE NO. SUP 21-11

Applicant: Downtown Memphis Commission
Allen & Hoshall – Representative

Request: To allow a parking garage

LUCB and DPD recommendation: APPROVAL, with conditions

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

APPROVED

9. **RESOLUTION APPROVING A PLANNED DEVELOPMENT FOR PROPERTY LOCATED AT THE WEST SIDE OF ELVIS PRESLEY BOULEVARD BETWEEN E. HOLMES ROAD AND SCAIFE ROAD. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

CASE NO. PD 21-18

Applicant: BLP File Studios, LLC
Dedrick Brittenum of Brittenum Law, PLLC (Representative)

Request: Planned development to allow a film studios mixed-use plan with associated accessory structures and uses

LUCB and DPD recommendation: APPROVAL, with conditions

MOTION: Canale

SECOND: Johnson

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

APPROVED, as amended

- 10. **RESOLUTION APPROVING THE VASQUEZ CLEAN UP, LLC. PLANNED DEVELOPMENT AT THE SUBJECT PROPERTY LOCATED AT 3969 AND 3975 GERALDUS AVENUE. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

CASE NO. PD 21-13

Applicant: Guadalupe Vasquez
Varonica Cooper / Brandi Price – Cooper Law Firm (Representative)

Request: Commercial cleaning business planned development

LUCB and DPD recommendation: APPROVAL, with conditions

MOTION: Canale

SECOND: Smiley

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

APPROVED

- 7. **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; 5/4; 7/6)**

CASE NO. SUP 20-16

MOTION: Canale

SECOND: Johnson

(Special Item #1 – Motion to remand Item #7 back to LUCB.)

MOTION: Carlisle

SECOND: Smiley

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

APPROVED

(Special Item #2 – Motion to suspend the rules to add item #48 regarding rezoning.)

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

APPROVED

48. **RESOLUTION AUTHORIZING THE MEMPHIS AND SHELBY COUNTY DIVISION OF PLANNING AND DEVELOPMENT TO PROCEED WITH THE SUBMITTAL TO AN APPLICATION FOR REZONING CERTAIN PROPERTIES IN OR ADJACENT TO CMU-3 ZONING DISTRICTS IN SELECTED AREAS THROUGHOUT THE CITY OF MEMPHIS. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED

11. **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 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 5/18; 6/1; 6/15; 7/6)**

CASE NO. CTHD
 ORDINANCE NO. 5783

MOTION: Canale
 SECOND: Smiley

(Special Item #3 - Motion to include a 20 years Sunset Provision if item #11 passes.)

MOTION: Morgan

SECOND: Warren

MOTION WITHDRAWN

MAIN MOTION

AYES: Canale, Carlisle, Easter-Thomas, Johnson, Logan, Robinson, Smiley,
Swearengen, Warren and Chairman Colvett

ABSTAIN: Morgan
Jones did not cast a vote.

APPROVED, as amended

- 12. **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 T H I R D AND F I N A L READING. THIS ORDINANCE IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

CASE NO. VEHD
ORDINANCE NO. 5789

MOTION: Easter-Thomas
SECOND: Warren

Chairman Colvett recognized the following people who spoke from the audience:

- Stephanie Walker, 786 N. McNeil St., Memphis, Tennessee, 38107
- Karen Edwards, 1887 S. Rainbow Dr., Memphis, Tennessee, 38107
- Suzy Askew, 1875 Jackson Ave., Memphis, Tennessee, 38107
- Natasha Strong, 839 Stonewall St., Memphis, Tennessee, 38107
- Austin Rowe, 910 Hawthorne St., Memphis, Tennessee, 38107
- Renate Rosenthal, 2107 Hallwood Dr., Memphis, Tennessee, 38107
- Belinda Campbell, 1966 Greenview Cir., Memphis, Tennessee, 38107
- Mary Wilder, 672 N. Idlewild St., Memphis, Tennessee, 38107

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

APPROVED

- 38. **RESOLUTION REQUESTING THE APPROVAL OF THE SALE CITY OWNED PROPERTY KNOWN AS 1925 UNION AVE MEMPHIS TN, 38104; PARCEL ID #016052 00029, 016052 00028, & 016052 00022: THE FORMER UNION AVENUE**

POLICE PRECINCT. THIS RESOLUTION IS SPONSORED BY GENERAL SERVICES.

Vice-Chairwoman Swearingen read one comment card:

Natasha Strong, 839 Stonewall Street, Memphis, Tennessee 38107

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

APPROVED

43. **RESOLUTION IS AN ADDITIVE CHANGE ORDER TO APPROPRIATE ADDITIONAL CONTRACT CONSTRUCTION FUNDS IN THE AMOUNT OF \$181,564.00 FOR STREET-SCAPE AND IMPROVEMENT FOR ELVIS PRESLEY BLVD FROM COMMERCIAL PARKWAY TO WINCHESTER. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PUBLIC WORKS. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED

44. **RESOLUTION TO TRANSFER AND APPROPRIATE CONSTRUCTION FUNDS IN THE AMOUNT OF \$271,019.41 FOR PROJECT #PW18100, (PW20103) FY20, CIP RESURFACING GROUP 2 ASPHALT PAVING. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PUBLIC WORKS. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED

45. **RESOLUTION TO TRANSFER AND APPROPRIATE CONSTRUCTION FUNDS IN THE AMOUNT OF \$566,194.90 FOR PROJECT #PW17100, FY20, CIP RESURFACING**

GROUP 1 ASPHALT PAVING. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PUBLIC WORKS. (REQUEST FOR SAME NIGHT MINUTES)

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

APPROVED

46. **RESOLUTION FOR THE FY22, CIP PROJECT #PW22103 IN THE AMOUNT OF \$6,500,000.00 FOR THE PAVING OPERATIONS PERFORMED BY PUBLIC WORKS OR DIRECTLY BY STREET MAINTENANCE DEPARTMENT. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PUBLIC WORKS. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED

47. **RESOLUTION APPROVING THE PHYSICAL CLOSURE OF PART OF ST. NICK RD., ADJACENT TO 584 AND 585 ST. NICK RD, APPROXIMATELY 200' NORTH OF POPLAR AVENUE. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

WITHDRAWN

CONSENT AGENDA – Items #14 - #19 may be acted upon by one motion: See Page 6124 for Roll Call Consent Items.

14. **ORDINANCE TO AMEND, CHAPTER 33, ARTICLE I, ARTICLE II, DIVISIONS 1 THROUGH 4, ARTICLE III, DIVISIONS 1 THROUGH 4, TO DELETE ARTICLE II, DIVISIONS 5 AND 6, AND TO CREATE A NEW ARTICLE IV, DIVISIONS 1 THROUGH 6 OF THE CITY OF MEMPHIS CODE OF ORDINANCES, TO UPDATE, PERMIT, AND DISCHARGE ASSOCIATED REQUIREMENTS FOR INDUSTRIAL AND OTHER USERS OF THE CITY'S SEWER SYSTEM IN ACCORDANCE WITH FEDERAL AND STATE REGULATIONS, AND TO PROVIDE FOR PROTECTION OF THE CITY'S PUBLICLY OWNED TREATMENT WORKS INCLUDING THE SANITARY SEWER COLLECTION SYSTEM, UP FOR F I R S T READING. ORDINANCE NO. 5793 IS SPONSORED BY THE DIVISION OF PUBLIC WORKS.**

APPROVED

15. **SUBSTITUTE ORDINANCE TO AMEND THE CITY OF MEMPHIS CODE OF ORDINANCES, CHAPTER 16 “HEALTH AND SANITATION”, TO PROTECT PUBLIC HEALTH AND THE ENVIRONMENT, PRESERVE THE MEMPHIS SAND AQUIFER, AND PROMOTE ENVIRONMENTAL JUSTICE, UP FOR F I R S T READING. ORDINANCE NO. 5794 IS SPONSORED BY COUNCILMAN WARREN.**

APPROVED

16. **ORDINANCE AMENDING ORDINANCE NO. 5367 OF THE CODE OF ORDINANCES, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, SO AS TO MAKE CERTAIN CHANGES IN THE USE DISTRICTS PROVIDED IN SAID ORDINANCE, UP FOR F I R S T READING. THIS ORDINANCE IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

CASE NO. Z 21-05
ORDINANCE NO. 5791

APPROVED

17. **ORDINANCE AMENDING CHAPTER 8.5 OF ORDINANCE NO. 5367 OF THE 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 DELETE A SECTION OF THE CENTRAL AVENUE RESIDENTIAL CORRIDOR, UP FOR F I R S T READING. THIS ORDINANCE IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

CASE NO. RC 21-05
ORDINANCE NO. 5792

APPROVED

18. **NOTATIONS 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 21-20 – 35 CENTRAL PLANNED DEVELOPMENT

Public Hearing date set for August 17, 2021

APPROVED

19. **RESOLUTION ACCEPTING PORTER-LEATH EARLY CHILDHOOD ACADEMY AND AUTHORIZING RELEASE OF BOND.**

Contract No. CR-5320

APPROVED

ROLL CALL CONSENT ITEMS

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

APPROVED

MLGW FISCAL CONSENT AGENDA -ITEMS #20-#32, may be acted upon by one motion:

20. RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11922, CORPORATE BACKUP HARDWARE WITH THOMAS CONSULTANTS, INCORPORATED TO RATIFY AND RENEW THE CURRENT CONTRACT IN THE FUNDED AMOUNT OF \$46,390.40. (THIS CHANGE IS TO RATIFY AND RENEW ANNUAL MAINTENANCE FOR THE CURRENT CONTRACT FOR THE PERIOD COVERING JUNE 28, 2021 THROUGH JUNE 27, 2022.)

APPROVED

21. RESOLUTION AWARDDING CONTRACT NO. 12308, B2GNOW MAINTENANCE SOFTWARE SERVICE AGREEMENT TO B2GNOW, IN THE FUNDED AMOUNT OF \$102,636.00

APPROVED

22. RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11595, TELVENT MAINTENANCE AGREEMENT WITH SCHNEIDER ELECTRIC SMART GRID SOLUTIONS, LLC (FORMERLY TELVENT USA, LLC), IN THE FUNDED AMOUNT OF \$239,700.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR MAINTENANCE AND SUPPORT SERVICES FOR A THREE-YEAR TERM FOR THE PERIOD COVERING JANUARY 1, 2022 THROUGH DECEMBER 31, 2024, WHICH REFLECTS A 53% DECREASE IN RATES FROM THE PREVIOUS TERM. IN ADDITION, THIS CHANGE IS TO ADD AN ENTERPRISE LICENSE AGREEMENT (ELA) FOR ARCFM SOLUTIONS. MLGW IS REQUESTING CONTINUOUS MAINTENANCE OF THE ACQUIRED SYSTEM, WHICH CAN ONLY BE PERFORMED BY SCHNEIDER ELECTRIC SMART GRID SOLUTIONS, LLC.)

APPROVED

23. RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 12304 (FORMERLY PURCHASE ORDER #7015763), VEEAM BACKUP AND REPLICATION ENTERPRISE PLUS ANNUAL PRODUCTION WITH LOGICALIS, INC., IN THE FUNDED AMOUNT OF \$88,211.55. (THIS CHANGE IS TO RENEW ANNUAL MAINTENANCE FOR VEEAM SOFTWARE SUPPORT AND MAINTENANCE SERVICES AND TO CO-TERM VEEAM LICENSE AGREEMENTS 02249375, 02407580 AND 0235760 FOR THE PERIODS COVERING NOVEMBER 13, 2021 THROUGH NOVEMBER 12, 2022. MLGW WILL HAVE COST SAVINGS OF 4.67% BY CO-TERMING THE LICENSE AGREEMENTS TO SYNCHRONIZE RENEWAL DATES.)

APPROVED

24. RESOLUTION APPROVING A POSITION FOR A PIPELINE INTEGRITY ENGINEER 3.

APPROVED

25. RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 12023, AERIAL PATROL OF GAS TRANSMISSION RIGHT-OF-WAY WITH TENNESSEE HELICOPTER SERVICES, INC., IN THE FUNDED AMOUNT OF \$60,000.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE THIRD OF FOUR ANNUAL RENEWAL TERMS FOR THE PERIOD COVERING AUGUST 29, 2021 THROUGH AUGUST 28, 2022, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR.)

APPROVED

26. RESOLUTION AWARDDING CONTRACT NO. 12194, NERC PROFESSIONAL ENGINEERING COMPLIANCE CONSULTANT TO GUIDEHOUSE, INC., IN THE FUNDED AMOUNT OF \$1,074,508.44.

APPROVED

27. RESOLUTION APPROVING CHANGE NO. 6 TO CONTRACT NO. 11427, AUDIO-LOG RECORDERS UPGRADE WITH CAROLINA RECORDING SYSTEM, IN THE FUNDED AMOUNT OF \$51,276.39. (THIS CHANGE IS TO EXTEND THE CURRENT CONTRACT FOR A ONE YEAR TERM FOR THE PERIOD COVERING NOVEMBER 1, 2021 THROUGH OCTOBER 31, 2022, WITH A 3% INCREASE IN RATES DUE TO INFLATION. THIS EXTENSION IS NEEDED TO CONTINUE THE TRANSITION FROM THE AUDIO-LOG VOICE RECORDING SYSTEM TO THE GENESYS MEDIA SERVER APPLICATION FOR VOICE RECORDING ON THE GENESYS IVR SYSTEM.)

APPROVED

28. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11954, BASIC LONG DISTANCE WITH AT&T CORPORATION, IN THE FUNDED AMOUNT OF \$68,629.94. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FIRST OF TWO ANNUAL RENEWAL TERMS FOR THE PERIOD COVERING JANUARY 1, 2022 THROUGH DECEMBER 31, 2022 IN THE AMOUNT OF \$40,630.92 WHICH INCLUDES 10% FOR CONTINGENCY FUNDS FOR ANY UNFORESEEN SERVICES. IN ADDITION, THIS CHANGE IS TO INCREASE THE CURRENT CONTRACT VALUE IN THE AMOUNT OF \$27,999.02 DUE TO THE INCREASED LONG DISTANCE DEMAND FROM DIALING INTO ZOOM CALLS DURING THE COVID-19 PANDEMIC.)**

APPROVED

29. **RESOLUTION AWARDING A PURCHASE ORDER TO TRAVIS PATTERN & FOUNDRY, INC., FOR REPLACEMENT FITTINGS, IN THE AMOUNT OF \$141,974.65.**

APPROVED

30. **RESOLUTION AWARDING CONTRACT NO. 12280, SOUTH SERVICE CENTER RE-PAVING TO LEHMAN-ROBERTS COMPANY IN THE FUNDED AMOUNT OF \$774,389.50.**

APPROVED

31. **RESOLUTION AWARDING CONTRACT NO. 12281, HICKORY HILL SERVICE CENTER RE-PAVING TO A AND B CONSTRUCTION COMPANY, INC. IN THE FUNDED AMOUNT OF \$522,448.12.**

APPROVED

32. **RESOLUTION AWARDING A TWENTY-FOUR MONTH PURCHASE ORDER TO M & H VALVE COMPANY, FOR FIRE HYDRANTS, IN THE AMOUNT OF \$1,133,406.40.**

APPROVED

ROLL CALL MLGW FISCAL CONSENT ITEMS

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

APPROVED

33. **APPOINTMENTS**

MEMPHIS AND SHELBY COUNTY BUILDING CODE AUTHORITY

Reappointment

ANTONIO BOLOGNA

MEMPHIS AND SHELBY COUNTY BOARD OF ADJUSTMENT

Reappointments

MARY BAKER
TIMOTHY RAINEY

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

APPROVED

- 35. **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 T H I R D AND F I N A L READING. ORDINANCE NO. 5790 IS SPONSORED BY COUNCILMAN SMILEY, COUNCILWOMAN ROBINSON, COUNCILMAN WARREN, COUNCILWOMAN EASTER-THOMAS, COUNCILMAN JONES, AND COUNCILWOMAN LOGAN.**

MOTION: Johnson
SECOND: Canale

(Special Item #4 - Motion to enforce a 90 days delay in the implementation of Ordinance #5790.)

MOTION WITHDRAWN

MAIN MOTION

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

APPROVED

36. **RESOLUTION TO TRANSFER AN ALLOCATION OF \$75,000 FROM PK20100-PARKS COVERLINE TO GA01031-PLAY YARD RENOVATION AND APPROPRIATE SAME. THIS RESOLUTION IS SPONSORED BY THE FINANCE DIVISION.**

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

APPROVED

37. **RESOLUTION TO ACCEPT FUNDING FROM TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION VOLKSWAGEN DIESEL SETTLEMENT ENVIRONMENTAL MITIGATION TRUST (VW SETTLEMENT) MEDIUM AND LARGE TRUCK GRANT PROGRAM IN THE AMOUNT OF (\$999,779.29) TO BE USED FOR PARTIAL FUNDING FOR THE PURCHASE OF MEDIUM AND LARGE TRUCKS. THIS RESOLUTION IS SPONSORED BY FIRE SERVICES. READING.**

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

APPROVED

39. **RESOLUTION TO ACCEPT, ALLOCATE AND APPROPRIATE GRANT FUNDS IN THE AMOUNT OF (\$52,000.00) FROM THE SHELBY COUNTY SHERIFF’S OFFICE TO FINANCE THE CITY’S WORK TO REDUCE VIOLENT CRIME IN SHELBY COUNTY, TENNESSEE THROUGH COLLABORATIVE FEDERAL, STATE, AND LOCAL CRIMINAL JUSTICE EFFORTS. THIS RESOLUTION IS SPONSORED BY POLICE SERVICES.**

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

APPROVED

40. **RESOLUTION APPROPRIATING \$1,000,000.00 IN G. O. BONDS – TO LED TRAFFIC SIGNAL REPLACEMENT, PROJECT NUMBER EN01096. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PUBLIC WORKS.**

MOTION: Smiley

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

APPROVED

41. **RESOLUTION AMENDING THE FY22 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION AND APPROPRIATING \$590,000.00 IN G.O. BONDS – FROM TRAFFIC SIGNALS, PROJECT NUMBER EN22100, TO TRAFFIC SIGNAL, FIXTURES, AND FURNITURE, PROJECT NUMBER EN01109, FOR THE PURCHASE OF TRAFFIC SIGNAL EQUIPMENT NEEDED FOR EMERGENCY MAINTENANCE AND CONSTRUCTION THROUGHOUT FY22. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PUBLIC WORKS.**

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

APPROVED

42. **RESOLUTION AMENDING THE FY22 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION AND APPROPRIATION OF \$1,350,000.00 IN G.O. BONDS – FROM THE TRAFFIC CALMING DEVICES COVERLINE EN22200, TO SPEED HUMP INSTALLATION GROUP 12, PROJECT NUMBER EN01099. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PUBLIC WORKS.**

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

APPROVED

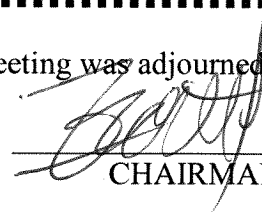
(Special Item #4 – Vice Chairwoman Swearengen made a motion to approve same night minutes for Items #43 - #45, and Items #48 from tonight's meeting.)

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

APPROVED

MEETING ADJOURNED AT 7:05 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. Snyser
Deputy Comptroller/Council Records

