

Same Night Minutes of Items  
**21, 22, 48, 49, 51, 52, 53, 54, 55, 56**  
of the Regular Meeting of the City Council  
City of Memphis

October 5, 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

**21, 22, 48, 49, 51, 52, 53, 54, 55, 56**  
to wit:

21. RESOLUTION approving the engineering plans entitled 7 VANCE CIVIL PLANS – PHASE 1.  
(Contract No. CR-5384)

ACTION REQUESTED: Adopt the resolution

MOTION: Council Member Jones

SECOND: Council Member Swearengen

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

ABSTAIN:

NAYS:

RECUSED: Carlisle

Did not vote:

Was absent: Canale, Logan

**APPROVED**

22. RESOLUTION approving the engineering plans entitled ALOFT HOTEL.  
(Contract No. CR-5385)

ACTION REQUESTED: Adopt the resolution

MOTION: Council Member Jones

SECOND: Council Member Swearengen

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

ABSTAIN:

NAYS:

RECUSED: Carlisle

Did not vote:

Was absent: Canale, Logan

**APPROVED**

48.  
Canale  
Chairman,  
Planning &  
Zoning  
Committee  
SNM

A RESOLUTION requesting an exemption for a smoke shop at 1379 Lamar Avenue. District 6, Super District 8. This resolution is sponsored by the Division of Planning and Development. **(Request for same night minutes)**

ACTION REQUESTED: Adopt the resolution

MOTION: Council Member Morgan

SECOND: Council Member Swearingen

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

ABSTAIN: Carlisle

NAYS: Warren

RECUSED:

Did not vote:

Was absent: Canale, Logan

**APPROVED**

49.  
Canale  
Chairman,  
Planning &  
Zoning  
Committee  
SNM

A RESOLUTION requesting an exemption for a smoke shop at 7041 Stage Road. District 1, Super District 9. This resolution is sponsored by the Division of Planning and Development. **(Request for same night minutes)**

ACTION REQUESTED: Adopt the resolution

MOTION: Council Member Morgan

SECOND: Council Member Warren

AYES: Easter-Thomas, Ford, Johnson, Jones, Morgan, Smiley, Swearingen, and Colvett

ABSTAIN: Carlisle

NAYS: Robinson, Warren

RECUSED:

Did not vote:

Was absent: Canale, Logan

**APPROVED**

51.  
Smiley  
Chairman,

A RESOLUTION transferring FY2022 allocations in the amount of (\$4,900,000.00) from GS22200- FY2022 Major Mod-City Hall, a cover line, to CIP project # GS22201- OCH Exterior Cladding and appropriating

Public Works,  
Solid Waste &  
General  
Services  
Committee  
**SNM**

transferred funds. Council District 6, Super District 8. This resolution is sponsored by General Services. **(Request for same night minutes)**

ACTION REQUESTED: Adopt the resolution

MOTION: Council Member Smiley

SECOND: Council Member Johnson

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

ABSTAIN:

NAYS:

RECUSED:

Did not vote:

Was absent: Canale, Logan

### **APPROVED**

52.  
Smiley  
Chairman,  
Public Works,  
Solid Waste &  
General  
Services  
Committee  
**SNM**

A RESOLUTION appropriating FY2022 allocations, in the amount of (\$1,000,000.00) in CIP project # GS01049 Coke Facility-Adaptive Reuse. Council District 4, Super District 8. This resolution is sponsored by General Services. **(Request for same night minutes)**

ACTION REQUESTED: Adopt the resolution

MOTION: Council Member Smiley

SECOND: Council Member Swearingen

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

ABSTAIN:

NAYS:

RECUSED:

Did not vote:

Was absent: Canale, Logan

### **APPROVED**

53.  
Smiley  
Chairman,  
Public Works,  
Solid Waste &  
General

A RESOLUTION establishing CIP project # GS22107 Major Mod (Contingency) by transferring FY 2022 allocations in the amount of (\$2,670,350.00) from CIP project # GS22100-FY2022 Major Modification, a cover line and appropriating transferred funds. All Council Districts. This resolution is sponsored by General Services. **(Request for same night minutes)**

Services  
Committee  
**SNM**

**ACTION REQUESTED:** Adopt the resolution

**MOTION:** Council Member Smiley

**SECOND:** Council Member Johnson

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

**ABSTAIN:**

**NAYS:**

**RECUSED:**

Did not vote:

Was absent: Canale, Logan

**APPROVED**

54.  
Morgan  
Chairman,  
Budget  
Committee  
**SNM**

A RESOLUTION to Amend the Fiscal Year 2022 Enterprise Funds Budgets. All Council Districts. This resolution is sponsored by the Finance Division. **(Request for same night minutes)**

**ACTION REQUESTED:** Adopt the resolution

**MOTION:** Council Member Morgan

**SECOND:** Council Member Carlisle

**AYES:** Carlisle, Easter-Thomas, Ford, Johnson, Jones, Robinson, Smiley, Swearengen, Warren and Colvett

**ABSTAIN:**

**NAYS:**

**RECUSED:**

Did not vote: Morgan

Was absent: Canale, Logan

**APPROVED**

55.  
Logan  
Chairman,  
Parks &  
Environment  
Committee  
**SNM**

A RESOLUTION to appropriate funds for Miscellaneous Park Improvements PK22103 in the amount of (\$1,400,000.00). Council Districts 1,2,3,4,5,6,7, Super District 8, 9. This resolution is sponsored by the Division of Parks and Neighborhoods. **(Request for same night minutes)**

**ACTION REQUESTED:** Adopt the resolution

**MOTION:** Council Member Jones

**SECOND:** Council Member Warren

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

**APPROVED**

56. Easter-Thomas  
 Chairman,  
 Public  
 Services, Art,  
 Youth  
 Initiatives,  
 Libraries &  
 Neighborhoods  
 Committee  
SNM

A RESOLUTION to accept, allocate and appropriate grant funds in the amount of (\$33,964.00) for professional fees, grant & awards from the United Way of Greater Nashville for the Memphis Public Library and Information Center's LINC211 SNAP outreach. All Council Districts. This resolution is sponsored by the Library Division. **(Request for same night minutes)**

ACTION REQUESTED: Adopt the resolution

MOTION: Council Member Easter-Thomas

SECOND: Council Member Swearengen

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

ABSTAIN:

NAYS:

RECUSED:

Did not vote:

Was absent: Canale, Logan

**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: Easter-Thomas, Ford, Johnson, Jones, Morgan, Robinson, Smiley, Swearengen, Warren and Colvett

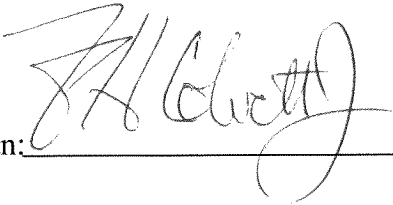
ABSTAIN:

NAYS:

RECUSED: Carlisle

Did not vote:  
Was absent:

**APPROVED**

Chairman:  \_\_\_\_\_

Date: 10/5/2021

Attest:   
Deputy Comptroller/Council

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

**October 05, 2021**

**3:30 P.M. SCHEDULED SESSION**

**3:36 P.M. MEETING COMMENCED**

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

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

**INVOCATION**

The meeting was opened with a prayer by Rev. Frank E. Ray of New Salem Missionary Baptist Church.

Councilman Jones led the Pledge of Allegiance.

Chairman Colvett thanked Rev. Frank E. Ray 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 September 21, 2021 with the following motions:

**(Special Item #1 - Councilman Ford made a motion to substitute the resolution for item #46 from September 21, 2021 Minutes to clarify language on September 21, 2021 Minutes).**

MOTION: Ford  
SECOND: Robinson

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

**APPROVED**

**(Special Item #2 – Councilman Carlisle made a motion to approve the minutes as amended).**

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

**APPROVED**, as amended

- 1. **RESOLUTION HONORING DR. THOMAS E. MOTLEY, M.D. FOR HIS RECORD OF PROFESSIONAL EXCELLENCE WITHIN THE MEMPHIS COMMUNITY. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN SWEARENGEN.**

Held until October 19, 2021, without objection

- 2. **RESOLUTION APPROVING THE ANNESDALE MANSION PLANNED DEVELOPMENT AT THE SUBJECT PROPERTY LOCATED AT 1325 LAMAR AVENUE. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

CASE NO. PD 21-30

Applicant: Ken Robinson / Leslie Murphy  
Kate Haywood (Representative)

Request: To allow an office, retail, overnight accommodation, and indoor and outdoor events planned development

LUCB and DPD recommendation: APPROVAL, with conditions

Held until October 19, 2021, without objection

- 5. **RESOLUTION APPROVING THE CLOSURE OF A SECTION OF MICHIGAN STREET BETWEEN EAST VIRGINIA AVENUE AND EAST E. H. CRUMP BOULEVARD. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

CASE NO. SAC 21-06

Applicant: Shelby Electric Co.  
Allen & Hoshall – Representative



Request: Close and vacate right-of-way of a section of Michigan Street located between East Virginia Avenue and East E. H. Crump Boulevard.

LUCB and DPD recommendation: APPROVAL, with conditions

Held until October 19, 2021, without objection

38. **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; 7/20; 8/3; 8/17; 10/05)**

Held until October 19, 2021, without objection

39. **RESOLUTION TO ALLOCATE \$1,000,000.00 FROM THE AMERICAN RESCUE PLAN ACT TO FUND SHOTRX MEMPHIS' VACCINATION INITIATIVES WITHIN THE CITY OF MEMPHIS. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN SWEARENGEN.**

Held until October 19, 2021, without objection

40. **RESOLUTION TO ALLOCATE \$3,000,000.00 FROM THE AMERICAN RESCUE PLAN ACT TO FUND GROCERY STORE INITIATIVES WITHIN NORTH MEMPHIS. THIS RESOLUTION IS SPONSORED BY COUNCILMEMBERS CARLISLE, EASTER-THOMAS, AND JOHNSON.**

Held until October 19, 2021, without objection

41. **RESOLUTION TO ALLOCATE \$3,000,000.00 FROM THE AMERICAN RESCUE PLAN ACT TO BUILD A SATELLITE HUB FOR THE HOMELESS. THIS RESOLUTION IS SPONSORED BY COUNCILMEMBERS CANALE, EASTER-THOMAS, JOHNSON, LOGAN, ROBINSON, AND WARREN.**

Held until October 19, 2021, without objection

42. **RESOLUTION TO ALLOCATE \$6,000,000.00 FROM THE AMERICAN RESCUE PLAN ACT TO RESPOND TO THE NEGATIVE ECONOMIC IMPACTS DUE TO COVID-19 THIS RESOLUTION IS SPONSORED BY COUNCILMEMBERS ROBINSON AND JONES.**

Held until October 19, 2021, without objection

- 3. **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. (HELD FROM 7/20; 8/3; 8/17; 10/05)**

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 November 02, 2021, without objection

- 6. **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; 7/20; 8/3; 8/17; 10/05)**

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 November 02, 2021, without objection

- 18. **NOTATIONS from the Land Use Control Board that the following case was heard and recommendation made requesting a date of public hearing:**

Case No. PD 21-17 – MURRAY FARMS PLANNED DEVELOPMENT

Location: Northwest corner of Applling City Cove and Murray Farms Road

Applicant: Tennessee Westminster Corporation

Homer Branan – Farris Bobango Branan, PLC (Representative)

Request: Industrial planned development

LUCB and DPD recommendation: REJECTION

Held until November 02, 2021, without objection

4. **RESOLUTION APPROVING A SPECIAL USE PERMIT FOR A PLANNED COMMERCIAL DEVELOPMENT AT 2977 BROAD AVE. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT. (HELD FROM 8/3; 8/17; 9/7; 10/05)**

CASE NO. PD 21-15

Applicant: MVS Real Estate Mid Town, LLC  
John Behnke (Representative)

Request: Special use permit for a planned commercial development

LUCB and DPD recommendation: APPROVAL, with conditions

DPD recommendation: REJECTION

MOTION: Morgan  
SECOND: Warren

**(Chairman Colvett recognized the following people to speak from the audience):**

Mr. John Binky  
Attorney Detric Brittenum

**(Vice Chairwoman Swearingen read 5 public comment cards for item #4):**

Joan Laney, 2529 Yale Avenue, Memphis, Tennessee 38112  
William M Vaughan III, 2529 Yale Avenue, Memphis, Tennessee 38112  
Ceasar Lomo, 3100 Princeton Avenue, Memphis, Tennessee 38112  
Kristin Fox-Trautman, 510 Tillman Street, Suite 110, Memphis, Tennessee 38112  
Noah Gray, 3807 Highland Park Place, Memphis, Tennessee 38111

**(Chairman Colvett made a motion to hold for one month (November 02, 2021 Meeting); without objection).**

Held until November 02, 2021, without objection

**CONSENT AGENDA – Items #7 - #24, #50 may be acted upon by one motion: See Page 6241 Roll Call Consent Items.**

7. **JOINT ORDINANCE AMENDING THE MEMPHIS AND SHELBY COUNTY BUILDING CODE, SO AS TO ADOPT THE 2021 EDITION OF ICC INTERNATIONAL BUILDING CODE AND LOCAL AMENDMENTS, INCLUDING CERTAIN APPENDICES IN THE ICC BUILDING CODE TO REPLACE AN OUTDATED BUILDING CODE AND SETTING APPLICABLE FEES FOR PERMITS AND INSPECTIONS, UP FOR SECOND READING. ORDINANCE NO. 5799 IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

APPROVED, on second reading

8. **JOINT ORDINANCE AMENDING THE MEMPHIS AND SHELBY COUNTY EXISTING BUILDING CODE, SO AS TO ADOPT THE 2021 EDITION OF THE ICC INTERNATIONAL EXISTING BUILDING CODE AND LOCAL AMENDMENTS, UP FOR SECOND READING. ORDINANCE NO. 5800 IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

APPROVED, on second reading

9. **JOINT ORDINANCE AMENDING THE MEMPHIS AND SHELBY COUNTY RESIDENTIAL CODE SO AS TO ADOPT THE 2021 EDITION OF THE ICC INTERNATIONAL RESIDENTIAL CODE AND LOCAL AMENDMENTS, UP FOR SECOND READING. ORDINANCE NO. 5801 IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

APPROVED, on second reading

10. **JOINT ORDINANCE AMENDING THE MEMPHIS AND SHELBY COUNTY BUILDING CODE SO AS TO ADOPT THE 2021 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE AND AND LOCAL AMENDMENTS, UP FOR SECOND READING. ORDINANCE NO. 5802 IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

APPROVED, on second reading

11. **JOINT ORDINANCE AMENDING THE ELECTRICAL CODE OF MEMPHIS AND SHELBY COUNTY BUILDING CODE SO AS TO ADOPT THE 2020 EDITION OF THE NATIONAL ELECTRICAL CODE WITH LOCAL AMENDMENTS AND SETTING APPLICABLE FEES FOR PERMITS AND INSPECTIONS, UP FOR SECOND READING. ORDINANCE NO. 5803 IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

APPROVED, on second reading

12. **JOINT ORDINANCE AMENDING THE MEMPHIS AND SHELBY COUNTY PLUMBING CODE SO AS TO ADOPT THE 2021 EDITION OF THE ICC**

**INTERNATIONAL PLUMBING CODE AND LOCAL AMENDMENTS TO REPLACE AN OUTDATED PLUMBING CODE AND SETTING APPLICABLE FEES FOR PERMITS AND INSPECTIONS UP FOR SECOND READING. ORDINANCE NO. 5804 IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

**APPROVED**, on second reading

- 13. **JOINT ORDINANCE AMENDING THE MEMPHIS AND SHELBY COUNTY MECHANICAL CODE SO AS TO ADOPT THE 2021 EDITION OF THE ICC INTERNATIONAL MECHANICAL CODE AND LOCAL AMENDMENTS TO REPLACE AN OUTDATED MECHANICAL CODE AND SETTING APPLICABLE FEES FOR PERMITS AND INSPECTIONS, UP FOR SECOND READING. ORDINANCE NO. 5805 IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

**APPROVED**, on second reading

- 14. **JOINT ORDINANCE AMENDING THE MEMPHIS AND SHELBY COUNTY FUEL GAS CODE, SO AS TO ADOPT THE 2021 EDITION OF THE ICC INTERNATIONAL FUEL GAS CODE AND LOCAL AMENDMENTS TO REPLACE AN EARLIER OUTDATED FUEL GAS CODE AND SETTING APPLICABLE FEES FOR PERMITS AND INSPECTIONS, UP FOR SECOND READING. ORDINANCE NO. 5806 IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

**APPROVED**, on second reading

- 15. **ORDINANCE APPROVING A ZONING TEXT AMENDMENT INITIATED BY THE ZONING ADMINISTRATOR OF THE MEMPHIS AND SHELBY COUNTY DIVISION OF PLANNING AND DEVELOPMENT, UP FOR SECOND READING. ALL COUNCIL DISTRICTS. ORDINANCE NO. 5796 IS SPONSORED THE DIVISION OF PLANNING AND DEVELOPMENT.**

CASE NO. ZTA 21-02  
ORDINANCE NO. 5796

Applicant: Josh Whitehead, Zoning Administrator  
Josh Whitehead, Zoning Administrator – Representative

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

LUCB and DPD recommendation: APPROVAL

**APPROVED**, on second reading

- 16. **ORDINANCE AMENDING ORDINANCE NO. 5267 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 SECOND READING. THIS ORDINANCE IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

CASE NO. Z 21-11  
ORDINANCE NO. 5797

Applicant: Division of Planning and Development  
John Zeanah, Director – PLLC (Representative)

Request: Remove certain properties from the Commercial Mixed Use 3 (CMU-3), Employment (EMP), Residential Urban 1 (RU-1) and Residential Urban (RU-3) districts and place them within the Mixed Use (MU), Commercial Mixed Use 2 (CMU-2), Commercial Mixed Use 1 (CMU-1), Residential Urban 1 (RU-1), Residential Urban 3 (RU-3) and Residential Urban 4 (RU-4) districts

LUCB and DPD recommendation: APPROVAL

**APPROVED**, on second reading

- 17. **ORDINANCE AMENDING ORDINANCE NO. 5267 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 SECOND READING. THIS ORDINANCE IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

CASE NO. Z 21-12  
ORDINANCE NO. 5798

Applicant: MIM, LLC  
Dedrick Brittenum, Jr (Representative)

Request: Rezoning of +/- 1.037 acres from Residential Single-Family – 6 (R-6) to Commercial Mixed Use 3 (CMU-3)

LUCB recommendation: APPROVAL  
DPD recommendation: REJECTION

**APPROVED**, on second reading

- 19. **RESOLUTION APPROVING THE FINAL PLAT ENTITLED UTHSC ORLEANS STATION.**

(CONTRACT NO. CR-5382)

**APPROVED**

- 20. **RESOLUTION APPROVING THE ENGINEERING PLANS ENTITLED THE WALK – BUILDING.**

(CONTRACT NO. CR-5383)

**APPROVED**

- 21. **RESOLUTION APPROVING THE ENGINEERING PLANS ENTITLED 7 VANCE CIVIL PLANS – PHASE 1. (REQUEST FOR SAME NIGHT MINUTES)**

(CONTRACT NO. CR-5384)

**APPROVED**

- 22. **RESOLUTION APPROVING THE ENGINEERING PLANS ENTITLED ALOFT HOTEL. (REQUEST FOR SAME NIGHT MINUTES)**

(CONTRACT NO. CR-5385)

**APPROVED**

- 23. **RESOLUTION APPROVING THE ENGINEERING PLANS ENTITLED KIRBY-RICHARDSON COMMERCIAL CENTER (KIRBY-WHITTEN BUSINESS CENTER LOTS 16-20).**

(CONTRACT NO. CR-5386)

**APPROVED**

- 24. **RESOLUTION APPROVING THE FINAL PLAT ENTITLED HOLMES AND MINERAL WELLS PD, 1<sup>ST</sup> AMENDMENT PARCELS A1 AND C PHASE 17.**

(CONTRACT NO. CR-5387)

**APPROVED**

- 50. **ORDINANCE TO REGULATE THE USE OF CITY STREETS AND RIGHTS OF WAY BY PUBLIC UTILITIES INCLUDING OIL AND GAS PIPELINE COMPANIES, UP FOR F I R S T READING. ALL COUNCIL DISTRICTS. ORDINANCE NO. 5807 IS SPONSORED BY COUNCILMEN SMILEY, CARLISLE, AND WARREN.**

**APPROVED**, on first reading

**ROLL CALL CONSENT AGENDA ITEMS**

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

**APPROVED**

48. **RESOLUTION REQUESTING AN EXEMPTION FOR A SMOKE SHOP AT 1379 LAMAR AVENUE. DISTRICT 6, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Morgan  
SECOND: Vice Chairwoman Swearengen  
AYES: Easter-Thomas, Ford, Johnson, Jones, Morgan, Robinson, Smiley, Swearengen, and Chairman Colvett  
NAY: Warren  
ABSTAIN: Carlisle  
Canale and Logan were absent

**APPROVED**

49. **RESOLUTION REQUESTING AN EXEMPTION FOR A SMOKE SHOP AT 7041 STAGE ROAD. DISTRICT 1, SUPER DISTRICT 9. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT. (REQUEST FOR SAME NIGHT MINUTES)**

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

**APPROVED**

51. **RESOLUTION TRANSFERRING FY22 ALLOCATIONS IN THE AMOUNT OF (\$4,900,000.00) FROM GS22200 – FY22 MAJOR MOD – CITY HALL, A COVER LINE, TO CIP PROJECT #GS22201- OCH EXTERIOR CLADDING AND APPROPRIATING TRANSFERRED FUNDS. DISTRICT 6, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY GENERAL SERVICES (REQUEST FOR SAME NIGHT MINUTES)**

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

**APPROVED**

52. **RESOLUTION APPROPRIATING FY22 ALLOCATIONS IN THE AMOUNT OF (\$1,000,000.00) IN CIP PROJECT #GS01049 – COKE FACILITY-ADAPTIVE REUSE.**



**COUNCIL DISTRICT 4, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY GENERAL SERVICES. (REQUEST FOR SAME NIGHT MINUTES)**

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

**APPROVED**

53. **RESOLUTION ESTABLISHING CIP PROJECT #GS22107 – MAJOR MOD (CONTINGENCY) BY TRANSFERRING FY22 ALLOCATIONS IN THE AMOUNT OF (\$2,670,350.00) FROM CIP PROJECT #GS22100- FY22 MAJOR MODIFICATION, A COVER LINE AND APPROPRIATING TRANSFERRED FUNDS. THIS RESOLUTION IS SPONSORED BY GENERAL SERVICES. (REQUEST FOR SAME NIGHT MINUTES)**

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

**APPROVED**

54. **RESOLUTION TO AMEND THE FISCAL YEAR 2022 ENTERPRISE FUNDS BUDGETS. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY THE FINANCE DIVISION. (REQUEST FOR SAME NIGHT MINUTES)**

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

**APPROVED**

55. **RESOLUTION TO APPROPRIATE FUNDS FOR MISCELLANEOUS PARK IMPROVEMENTS #PK22103 IN THE AMOUNT OF (\$1,400,000.00). ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PARKS AND NEIGHBORHOODS. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Jones  
 SECOND: Warren  
 AYES: Carlisle, Easter-Thomas, Ford, Jones, Morgan, Robinson, Smiley,

Swearengen, Warren, and Chairman Colvett  
 Johnson did not cast a vote.  
 Canale and Logan were absent.

**APPROVED**

56. **RESOLUTION TO ACCEPT, ALLOCATE, AND APPROPRIATE GRANT FUNDS IN THE AMOUNT OF (\$33,964.00) FOR PROFESSIONAL FEES, GRANTS, & AWARDS FROM THE UNITED WAY OF GREATER NASHVILLE FOR THE MEMPHIS PUBLIC LIBRARY AND INFORMATION CENTER'S LINC211 SNAP OUTREACH. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY THE LIBRARY DIVISION. (REQUEST FOR SAME NIGHT MINUTES)**

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

**APPROVED**

**MLGW FISCAL CONSENT AGENDA -ITEMS #25-#36, may be acted upon by one motion:**

25. **RESOLUTION APPROVING CHANGE NO. 5 TO CONTRACT NO. 11462, ELECTRONIC BOARD AGENDA SOLUTION WITH GRANICUS (FORMERLY ACCELA, INCORPORATED) IN THE FUNDED AMOUNT OF \$39,821.52. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR ANNUAL SOFTWARE MAINTENANCE, FEES, AND SUPPORT SERVICES FOR THE PERIOD COVERING NOVEMBER 1, 2021 THROUGH OCTOBER 31, 2022.)**

**APPROVED**

26. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 12262, HP-UX SUPPORT WITH ABTECH TECHNOLOGIES, INC. IN THE FUNDED AMOUNT OF \$82,905.00. (THIS CHANGE TO RENEW THE CURRENT CONTRACT FOR THE SECOND OF FOUR ANNUAL RENEWAL TERMS FOR THE PERIOD COVERING FEBRUARY 3, 2022 THROUGH FEBRUARY 2, 2023, WITH NO INCREASE IN RATES FROM THE PREVIOUS TERM. IN ADDITION, THIS CHANGE IS TO ADD EIGHT HP-UX HPE SERVERS WHICH INCLUDES 7X24, 4-HOUR HARDWARE SUPPORT FOR THE PERIOD COVERING NOVEMBER 1, 2021 THROUGH FEBRUARY 2, 2023.)**

**APPROVED**

27. **RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 12324, EXPRESS SUITE SUPPORT SERVICES WITH INTELLIUM, INCORPORATED IN THE FUNDED AMOUNT OF \$28,246.35. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR INTELLIUM EXPRESS SUITE SERVER AND EXPRESS CLIENT SOFTWARE**

**SUPPORT SERVICES FOR A THREE-YEAR TERM FOR THE PERIOD COVERING NOVEMBER 1, 2021 THROUGH OCTOBER 31, 2024.)**

**APPROVED**

28. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 12263, PANAYA SOFTWARE AS A SERVICE (SAAS) WITH PANAYA, INCORPORATED TO RENEW THE CURRENT CONTRACT IN THE FUNDED AMOUNT OF \$225,000.00. (THIS CHANGE IS TO ADD THE RELEASE DYNAMIX (RDX) PLATFORM TO THE CURRENT CONTRACT FOR A THREE-YEAR PERIOD COVERING NOVEMBER 1, 2021 THROUGH OCTOBER 31, 2024.)**

**APPROVED**

29. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 12121, IDENTITY MANAGER SUPPORT WITH CONCENSUS CONSULTING, LLC, D/B/A CONCENSUS TECHNOLOGIES, IN THE FUNDED AMOUNT OF \$30,000.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE SECOND OF FOUR ANNUAL RENEWAL TERMS FOR THE PERIOD COVERING NOVEMBER 1, 2021 THROUGH OCTOBER 31, 2022 WITH NO INCREASE IN RATES FROM THE PREVIOUS TERM.)**

**APPROVED**

30. **RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 11996, OPERATOR QUALIFICATION TRAINING WITH VERIFORCE, LLC, IN THE FUNDED AMOUNT OF \$34,699.00. (THIS CHANGE IS TO RENEW ANNUAL SOFTWARE MAINTENANCE, LICENSES, AND SUPPORT SERVICES FOR THE PERIOD COVERING FEBRUARY 14, 2022 THROUGH FEBRUARY 13, 2023, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR.)**

**APPROVED**

31. **RESOLUTION TO RATIFY THE APPROVAL AFTER THE FACT OF PURCHASE ORDER NO.(S) 7025314 AND 7026127 TO CONSOLIDATED PIPE IN THE TOTAL AMOUNT OF \$263,132.00 FOR GAS PIPE.**

**APPROVED**

32. **RESOLUTION AUTHORIZING MLGW TO PURCHASE FUEL FROM MANSFIELD OIL COMPANY OF GAINESVILLE, INC. VIA A COMBINED FUEL CONTRACT SOLICITED AND EXECUTED BY THE CITY OF MEMPHIS ON BEHALF OF MEMPHIS LIGHT, GAS AND WATER DIVISION AND THE CITY OF MEMPHIS. (IT IS ESTIMATED THAT MLGW WILL PURCHASE FUEL NOT-TO-EXCEED \$12,000,000.00 DURING THE CONTRACT PERIOD. THE CITY OF MEMPHIS AND MEMPHIS LIGHT, GAS AND WATER DIVISION MAY TERMINATE THE CONTRACT WITHOUT CAUSE BY GIVING THIRTY DAYS WRITTEN NOTICE. THE TERM OF THIS AUTHORIZATION TO PURCHASE FROM CITY OF MEMPHIS**

**CONTRACT NUMBER 38439 IS FROM EXECUTION DATE THROUGH JUNE 1, 2022 WITH THE OPTION TO EXTEND TWO ADDITIONAL ONE-YEAR PERIODS.)**

**APPROVED**

- 33. **RESOLUTION AWARDING CONTRACT NO. 12296, ELECTRIC OPERATIONS SITE DRAINAGE TO A & B CONSTRUCTION COMPANY, INC. IN THE FUNDED AMOUNT OF \$262,176.00.**

**APPROVED**

- 34. **RESOLUTION AWARDING CONTRACT NO. 12303, NEW RAPID ROLL UP DOORS TO RYTEC CORPORATION IN THE FUNDED AMOUNT OF \$154,595.00.**

**APPROVED**

- 35. **RESOLUTION APPROVING CHANGE NO. 6 TO CONTRACT NO. 11562 PROFESSIONAL ENGINEERING SERVICES FOR CENTRAL SUPPORT SERVICES WITH SMITH SECKMAN REID, INCORPORATED (SSR), IN THE FUNDED AMOUNT OF \$150,000.00. (THIS CHANGE IS TO INCREASE THE CURRENT CONTRACT VALUE DUE TO UNANTICIPATED DESIGN AND CONSTRUCTION ADMINISTRATION WORK NEEDED FOR EMERGENCY DAMAGE REPAIRS TO THE MLGW ADMINISTRATION BUILDING GARAGE.)**

**APPROVED**

- 36. **RESOLUTION APPROVING CHANGE NO. 17 TO CONTRACT NO. 11292, CASHIERING SYSTEM REPLACEMENT WITH SYSTEM INNOVATORS IN THE FUNDED AMOUNT OF \$80,716.69. (THIS CHANGE IS TO RENEW ANNUAL HARDWARE, SOFTWARE MAINTENANCE, AND SUPPORT SERVICES FOR INOVAH, PCI PA-DSS, ORACLE BS A/R, AND EMV (EUROPAY, MASTERCARD, VISA) THIRD PARTY MAINTENANCE FOR THE PERIOD COVERING JANUARY 1, 2022 THROUGH DECEMBER 31, 2022, WHICH REFLECTS A 4% RATE INCREASE FROM THE PREVIOUS RENEWAL. MLGW IS REQUESTING CONTINUOUS MAINTENANCE OF THE ACQUIRED SYSTEMS, WHICH CAN ONLY BE PERFORMED BY SYSTEM INNOVATORS AND AN AUTHORIZED THIRD-PARTY PROVIDER.)**

**APPROVED**

**ROLL CALL MLGW FISCAL CONSENT AGENDA ITEMS**

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

**APPROVED**

37. **APPOINTMENTS**

**MEMPHIS ALCOHOL COMMISSION**

Reappointment

BARRY CHASE

MOTION: Carlisle

SECOND: Jones

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

**APPROVED**

43. **RESOLUTION TO ACCEPT, ALLOCATE, AND APPROPRIATE ASSISTANCE TO FIREFIGHTERS GRANT (AFG) PROGRAM FUNDS FROM THE DEPARTMENT OF HOMELAND SECURITY IN THE AMOUNT OF (\$327,272.73) TO BE USED FOR THE PURCHASE OF VEHICLES FOR THE HEALTHCARE NAVIGATOR PROGRAM. THIS RESOLUTION IS SPONSORED BY FIRE SERVICES.**

MOTION: Warren

SECOND: Robinson

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

**APPROVED**

44. **RESOLUTION TO AMEND THE SEWER FY22 CIP BUDGET BY TRANSFER OF AN ALLOCATION IN THE AMOUNT OF (6,000,000.00) FROM CAPITAL PAY-GO TO FEDERAL GRANTS (WIFIA LOAN) AND APPROPRIATE FUNDS FORM CONSTRUCTION OF THE T.E. MAXSON LAGOON 2A RENOVATION-PACKAGE 1 IN SLUDGE DISPOSAL/EARTH COMPLEX, PROJECT NUMBER #SW02006. DISTRICT 6, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY THE PUBLIC WORKS DIVISION.**

MOTION: Smiley

SECOND: Warren

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

**APPROVED**

- 45. **RESOLUTION APPROVING LEASE AMENDMENT AGREEMENT WITH ENSLEY BOTTOMS FARM, LLC. DISTRICT 6, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY THE MEMPHIS AND SHELBY COUNTY PORT COMMISSION.**

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

**APPROVED**

- 46. **RESOLUTION APPROVING LEASE AMENDMENT AGREEMENT WITH MAXIM CRANE WORKS, LP. DISTRICTS 6, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY THE MEMPHIS AND SHELBY COUNTY PORT COMMISSION.**

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

**APPROVED**

- 47. **RESOLUTION APPROVING LEASE AMENDMENT AGREEMENT WITH WEPFER MARINE, INC. DISTRICT 6, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY THE MEMPHIS AND SHELBY COUNTY PORT COMMISSION.**

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

**APPROVED**

**(Special Item #3– Vice Chairwoman Swearingen made a motion to approve same night minutes for Items #21, #22, #48, #49, #51 - #56, from tonight’s meeting).**

MOTION: Vice Chairwoman Jamita Swearingen  
 SECOND: Warren  
 RECUSED: Carlisle  
 AYES: Easter-Thomas, Ford, Johnson, Jones, Morgan, Robinson, Smiley,

Swearengen, Warren, and Chairman Colvett  
Canale and Logan were absent.

**APPROVED**

**(Councilman Morgan read a public comment card submitted by Dennis Lynch on behalf of the Sierra Club).**

**(Vice Chairwoman Swearengen read one comment card from the following person):**

Joe Kent, 5111 Flamingo Road, Memphis, TN 38117


**(Councilman Jones requested a moment of silence in honor of Former Councilwoman Barbara Swearengen-Ware).**

**MEETING ADJOURNED AT 4:47 p.m.**

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

  
\_\_\_\_\_  
CHAIRMAN

Attest:

  
\_\_\_\_\_  
Deputy Comptroller/Council Records

