

Same Night Minutes of Items
11, 17, 18
of the Regular Meeting of the City Council
City of Memphis

January 18, 2022

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

11, 17, 18
to wit:

11. RESOLUTION approving the first amendment to Contract No. 11769, parking lease, at the request of the State of Tennessee and the City of Memphis, between MLGW and the State of Tennessee to provide for a reduction in the number of parking spaces leased by the State from MLGW on the upper floors of Beale Street Landing Garage from 412 to 21, to reduce the monthly rent payment from \$5,000, and modify the expiration date of the lease term from September 30, 2029 to May 31, 2022, or such later date as the City of Memphis complete renovations on its Shopper's Garage. **(Request for Same Night Minutes)**

MOTION: Jones

SECOND: Colvett

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

ABSTAIN:

NAYS:

RECUSED: Morgan

Did not vote:

Was absent:

APPROVED

17. Jones
Chairman,
Budget
Committee
SNM
- RESOLUTION to amend the Council FY 22 grant allocations. **All Council Districts.** This resolution is sponsored by Councilman Ford. **(Request for same night minutes)**

MOTION: Jones

SECOND: Colvett

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

ABSTAIN:

NAYS:

RECUSED:

Did not vote: Carlisle

Was absent:

APPROVED

18. RESOLUTION to allocate and appropriate FY 22 funds in the amount of (\$2,420,000.00) for the New Frayser Library, project # L101030. **Council District 7, Super District 8.** This resolution is sponsored by the Administration. **(Request for Same Night Minutes)**

Carlisle
Chairman,
Public
Services, Arts,
Youth
Initiatives,
Libraries &
Neighborhoods
Committee
SNM

MOTION: Morgan

SECOND: Jones

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

ABSTAIN:

NAYS:

RECUSED:

Did not vote: Carlisle

Was absent:

APPROVED

Whereupon **Jones** 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:

SECOND:

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

ABSTAIN:

NAYS:


RECUSED:

Did not vote: Carlisle

Was absent:

APPROVED

Chairman: 


Attest:
Deputy Comptroller/Council

Date: 1/18/2022

MINUTES

MEETING OF THE CITY COUNCIL

CITY OF MEMPHIS

January 18, 2022

3:30 P.M. SCHEDULED SESSION

3:37 P.M. MEETING COMMENCED

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

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

INVOCATION

The meeting was opened with a prayer by Rosalyn Nichols from Freedoms Chapel Christian Church.

Chairwoman Swarengen led the Pledge of Allegiance.

Councilwoman Swarengen thanked Rosalyn Nichols 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 January 04, 2022 with the following motion:

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

APPROVED

- 1. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE OF AYERS STREET BETWEEN N. PARKWAY AND POPLAR AVENUE FOR BISHOP HENRY M. WILLIAMSON, SR. DISTRICT 7, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY CHAIRWOMAN SWEARENGEN.**

Held until February 01, 2022, without objection

- 2. **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; 10/5; 11/2)**

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 March 01, 2022, without objection

- 16. **RESOLUTION ESTABLISHING A METROPOLITAN GOVERNMENT CHARTER COMMISSION, AUTHORIZING THE MAYOR TO APPOINT MEMBERS; ESTABLISHING A VETTING PROCESS; REQUESTING THE COUNTY COMMISSION ADOPT A SIMILAR RESOLUTION; AMENDING THE FY22 OPERATING BUDGET; APPROPRIATING FUNDS. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY COUNCILMEMBERS CARLISLE AND SMILEY. (HELD FROM 9/21; 11/16)**

Held until April 05, 2022, without objection

CONSENT AGENDA – Items #4 - #6 may be acted upon by one motion: See Page 6388 Roll Call Consent Items.

- 4. **ORDINANCE ADDING A METHOD OF PAYMENT PROVISION AND DEFINING COMMERCIAL PROPERTY TO CHAPTER 41, CITY CODE OF ORDINANCES, WRECKERS, AND TOWING OPERATORS, UP FOR F I R S T READING. ORDINANCE NO. 5818 IS SPONSORED BY COUNCILMAN JONES.**

ORDINANCE NO. 5818

APPROVED, on first reading

- 5. **ORDINANCE TO AMEND CHAPTER 9-12- AIR POLLUTION CONTROL OF THE CITY OF MEMPHIS, CODES OF ORDINANCES TO ADD THE SHELBY COUNTY AIR CODE, UP FOR S E C O N D READING. ORDINANCE NO. 5817 IS SPONSORED BY THE DIVISION OF PUBLIC WORKS.**

ORDINANCE NO. 5817

APPROVED, on second reading

- 6. **ORDINANCE FOR DESIGNATION OF QUALIFIED PUBLIC USE FACILITY, CREATION OF THE PEABODY HOTEL TOURISM DEVELOPMENT ZONE, TOURISM SURCHARGE, AND OTHERWISE PROVIDING WITH TO THE FOREGOING, UP FOR S E C O N D READING. ORDINANCE NO. 5815 IS SPONSORED BY THE DOWNTOWN MEMPHIS COMMISSION AND CENTER CITY REVENUE FINANCE CORPORATION. (HELD FROM 1/4)**

ORDINANCE NO. 5815

APPROVED, on second reading

ROLL CALL CONSENT AGENDA ITEMS

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

APPROVED

MLGW FISCAL CONSENT AGENDA -ITEMS #7-#12, may be acted upon by one motion:

- 7. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 12079, EXTERNAL CORROSION DIRECT ASSESSMENT OF MLGW'S GAS PIPELINE TO MEARS GROUP, INC., IN THE FUNDED AMOUNT OF \$111,000.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR SECOND OF FOUR ANNUAL RENEWAL TERMS FOR THE PERIOD COVERING FEBRUARY 1, 2022 THROUGH JANUARY 31, 2023 OF WHICH \$90,480.00 WILL BE ABSORBED IN THE CURRENT CONTRACT VALUE, WHICH REFLECTS A 2% INCREASE IN RATES FROM THE PREVIOUS YEAR.**

APPROVED

- 8. **RESOLUTION AWARDDING CONTRACT NO. 12315, NEW CANADA ROAD 24" MAIN TO ENSCOR, LLC, IN THE FUNDED AMOUNT OF \$3,484,714.22.**

APPROVED

9. **RESOLUTION AWARDING A PURCHASE ORDER TO AUTOMOTIVE TOOL GROUP FOR POLYVINYL CHLORIDE (PVC) CONDUIT, IN THE AMOUNT OF \$1,219,500.00.**

APPROVED

10. **RESOLUTION AWARDING A PURCHASE ORDER TO THE LILLY COMPANY FOR THE PURCHASE OF DIESEL-POWERED FORKLIFTS, IN THE AMOUNT OF \$251,457.00.**

APPROVED

11. **RESOLUTION APPROVING THE FIRST AMENDMENT TO CONTRACT NO. 11769, PARKING LEASE, AT THE REQUEST OF THE STATE OF TENNESSEE AND THE CITY OF MEMPHIS, BETWEEN MLGW AND THE STATE OF TENNESSEE TO PROVIDE FOR A REDUCTION IN THE NUMBER OF PARKING SPACES LEASED BY THE STATE FROM MLGW ON THE UPPER FLOORS OF BEALE STREET LANDING GARAGE FROM 412 TO 21, TO REDUCE THE MONTHLY RENT PAYMENT FROM \$5,000, AND MODIFY THE EXPIRATION DATE OF THE LEASE TERM FROM SEPTEMBER 30, 2029 TO MAY 31, 2022, OR SUCH LATER DATE AS THE CITY OF MEMPHIS COMPLETE RENOVATIONS ON ITS SHOPPER'S GARAGE. (REQUEST FOR SAME NIGHT MINUTES)**

APPROVED

12. **RESOLUTION REQUESTING THE APPROVAL OF THE BOARD TO AUTHORIZE PAYMENT IN THE TOTAL AMOUNT UP TO \$500,000.00, TO BE DESIGNATED FOR UTILITY BILL ASSISTANCE TO HELP OFFSET PROJECTED INCREASES IN WINTER BILLS AS FOLLOWS: 1) PLUS ONE (MIFA) - \$200,000.00; 2) NEIGHBORHOOD CHRISTIAN CENTER (UTILITY BILL ASSISTANCE) - \$200,000.00; 3) MID-SOUTH FOOD BANK - \$50,000.00; 4) UNITED WAY OF THE MID-SOUTH - \$25,000.00; AND 5) MID-SOUTH COVID-19 REGIONAL FUND - \$25,000.00. (THE TENNESSEE VALLEY AUTHORITY (TVA) HAS CREATED A COVID COMMUNITY CARE FUND PROVIDING MATCHING GRANT FUNDS FROM TVA TO BE DISTRIBUTED TO ONE OR MORE LOCAL 501(C)(3) ORGANIZATIONS TO MEET NEEDS IN THE COMMUNITY DURING THE EVOLVING CRISIS.)**

APPROVED

ROLL CALL MLGW FISCAL CONSENT AGENDA ITEMS

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

APPROVED

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; 10/5; 11/2; 11/16; 1/4)

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 recommendation: APPROVAL, with conditions

DPD recommendation: REJECTION

(Chairwoman Swearengen recognized the following people to speak from the audience)

- Vaughan Dewar, 2368 Circle Avenue, Memphis, Tennessee 38112
- Justin Pearson, 1110 Starling Road, Memphis, Tennessee 38109
- Charles Beleaky, 995 Echles Street, Memphis, Tennessee 38111
- Jessica Mason Mosley, 2593 Hale Avenue, Memphis, Tennessee 38112
- Justin Merrick, 258 North Merton Street, Memphis, Tennessee 38111
- Pat Brown, 1524 Eastmoreland Avenue, Memphis, Tennessee 38104
- Paul Klein, 1841 Black Bear Circle East, Memphis, Tennessee 38016
- Kathy Temple, 1536 Tayner Street, Memphis, Tennessee 38108
- Megan Lomo, 3100 Princeton Avenue, Memphis, Tennessee 38112
- Iris Mercado, 2547 McAdoo Avenue, Memphis, Tennessee 38112(absent)

MOTION: Colvett

SECOND: Smiley

AYES: Johnson, Jones, Robinson, Smiley, and Chairwoman Swearengen.

NAYS: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Logan, Morgan, and Warren.

FAILED

- 13. **ORDINANCE RENAMING FOURTH STREET BETWEEN UNION AVENUE AND E.H. CRUMP BOULEVARD AS IDA B. WELLS-BARNETT STREET, UP FOR T H I R D AND F I N A L READING. ORDINANCE NO. 5816 IS SPONSORED BY COUNCILMEMBERS EASTER-THOMAS, CANALE, CARLISLE, COLVETT, FORD, JOHNSON, JONES, LOGAN, MORGAN, ROBINSON, SWEARENGEN, SMILEY, AND WARREN.**

ORDINANCE NO. 5816

(Chairwoman Swearengen recognized the following person to speak from the audience)

Dr. LaSimba Gray, 70 Island Place, Memphis, Tennessee 38103

MOTION: Easter-Thomas

SECOND: Smiley

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

APPROVED

- 17. **RESOLUTION TO AMEND THE COUNCIL FY22 GRANT ALLOCATIONS. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY COUNCILMAN FORD. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Vice Chairman Jones

SECOND: Colvett

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

APPROVED

- 18. **RESOLUTION TO ALLOCATE AND APPROPRIATE FY22 FUNDS IN THE AMOUNT OF (\$2,420,000.00) FOR THE NEW FRAYSER LIBRARY, PROJECT #LL01030. DISTRICT 7, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY LIBRARY SERVICES. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Morgan

SECOND: Vice Chairman Jones

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

APPROVED

- 14. **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; 7/20; 8/3; 8/17; 9/7; 9/21; 10/5; 10/19; 11/2; 11/16)**

ORDINANCE NO. 5769

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

APPROVED

- 15. **RESOLUTION TO ACCEPT VOTE 70, INC. DONATION OF THE EQUALITY TRAILBLAZERS MONUMENT. DISTRICT 6, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY COUNCILMEMBERS ROBINSON, WARREN, CANALE, CARLISLE, FORD, JOHNSON, JONES, LOGAN AND SMILEY.**

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

APPROVED

(Chairwoman Swearingen recognized the following people to speak from the audience)

Justin Pearson, 1110 Starling Road, Memphis, Tennessee 38109
Joe Kent, 5111 Flamingo Road, Memphis, Tennessee 38117
Paul Klein, 1841 Black Bear Circle East, Memphis, Tennessee 38016
Jessica Mosley (jessicabmmosley@gmail.com) – Comments read by Vice Chairman Jones

(Special Item #1 – Vice Chairman Jones made a motion to approve same night minutes for Items #11, #17 , and #18 from tonight’s meeting).

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

APPROVED

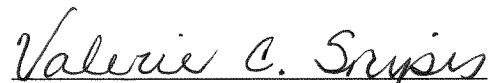
MEETING ADJOURNED AT 5:07 p.m.



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


CHAIRMAN

Attest:


Deputy Comptroller/Council Records