



**CITY COUNCIL
MEETING AGENDA
February 21, 2023
3:30 p.m.**

**Council Chambers, Lobby Floor
City Hall - 125 North Main Street
Memphis, Tennessee 38103-2017**

*If You Are In Need Of A Special Accommodation While
Attending The Meeting, Please Alert The Council Staff.*

- Super District 8-3.** Chairman Martavius Jones
- Super District 8-1.** Vice Chairman JB Smiley, Jr.
- District 1.** Rhonda Logan
- District 2.** Frank Colvett, Jr.
- District 3.** Patrice J. Robinson
- District 4.** Jana Swearengen-Washington
- District 5.** Worth Morgan
- District 6.** Edmund Ford, Sr.
- District 7.** Michalyn Easter-Thomas
- Super District 8-2.** Cheyenne Johnson
- Super District 9-1.** Chase Carlisle
- Super District 9-2.** J. Ford Canale
- Super District 9-3.** Dr. Jeff Warren

ORDER OF BUSINESS

I. CALL TO ORDER by the Sergeant-at-Arms

II. INVOCATION

Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the Chief of Staff of the Memphis City Council.

III. PLEDGE OF ALLEGIANCE

IV. CALL OF ROLL by the Comptroller

V. APPROVAL OF PREVIOUS MEETING MINUTES (February 7, 2023)

VI. ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

VII. ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

1. RESOLUTION Honoring the Life of Community Builder Ms. Georgia ‘Mother’ King, a Woman of Achievement. This Resolution is sponsored by Councilmembers Easter-Thomas, Jones, Logan, Robinson, Swearengen-Washington, Ford, Smiley, Johnson, Carlisle, Canale, and Warren.
2. RESOLUTION to honor Desiree Robinson founder of Cozy Corner for being inducted into the Barbecue Hall of Fame. This Resolution is sponsored by Councilwoman Swearengen-Washington.
3. RESOLUTION to Commemorate Orange Mound Grill and its long-standing success and resilience in the City of Memphis. This Resolution is sponsored by Councilwoman Swearengen-Washington.
4. RESOLUTION approving an Honorary Street Name Change of Park Avenue from Pendleton Street to Haynes Street for Kennedy “King” McKinney. District 4, Super District 8. This Resolution is sponsored by Councilmen Canale and Smiley. (Request for Same Night Minutes)

- 5. RESOLUTION approving an Honorary Street Name Change of Democrat Road between Business Park Drive and Lamb Place for Shannon Brown. District 3, Super District 8. This Resolution is sponsored by Councilmembers Carlisle and Robinson.
- 6. RESOLUTION approving an Honorary Street Name Change of South Lauderdale Street between Madison Avenue and Monroe Avenue for Dr. Floyd N. Tyler, Jr. District 6, Super District 8. This Resolution is sponsored by Councilman Carlisle.
- 7. RESOLUTION thanking Officer Tina Shaw for her service to the City of Memphis. All Council Districts. This Resolution is sponsored by Chairman Jones.

PUBLIC HEARINGS (None)

DIVISION OF PLANNING AND DEVELOPMENT

8. RESOLUTION pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a special use permit for a hotel at 122 S. Main St. This Resolution is sponsored by the Division of Planning and Development.
 (Held from 12/20; 1/10; 1/24; 2/7)

Johnson
 Chairman,
 Planning
 & Zoning
 Committee

Case No. SUP 22-30

Applicant: S Main 122, LLC
 Will Garavelli (Representative)

Request: Special use permit for a hotel

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

9.
Johnson
Chairman,
Planning
& Zoning
Committee

RESOLUTION pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a special use permit for a bar at 1482 E. Shelby Dr. This Resolution is sponsored by the Division of Planning and Development.
(Held from 2/7)

Case No. SUP 22-28

Applicant: Live Entertainment, LLC
John Hawkins (Representative)

Request: Special use permit for a bar

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

10.
Johnson
Chairman,
Planning
& Zoning
Committee

RESOLUTION pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving an amendment to a planned residential development at 7524, 7530, 7556, and 7580 Raleigh-LaGrange Rd. and an adjacent parcel. This Resolution is sponsored by the Division of Planning and Development.

Case No. PD 22-25

Applicant: Crews Investment Holdings, LLC
Mike Hammond of Kimley-Horn and Associates, Inc. (Representative)

Request: Amendment to a planned residential development

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

ZONING ORDINANCE- THIRD AND FINAL READING (None)

11. **JOINT 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 & Development and the Land Use Control Board, 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 1/24)**

Case No. ZTA 22-01CC
Ordinance No. 5844

Applicant: Division of Planning and Development
Brett Ragsdale, Zoning Administrator

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

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

CONSENT AGENDA

GENERAL ORDINANCE- FIRST READING (None)

GENERAL ORDINANCES - SECOND READING

12. **ORDINANCE** to establish a procedure for the Memphis Police Department to conduct an annual independent review of the Police Training Academy and all training techniques, up for S E C O N D reading. Ordinance No. 5848 is sponsored by Councilmembers Carlisle, Canale, and Smiley.

Logan
Chairman,
Public Safety
& Homeland
Security
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

13. **ORDINANCE** amending the City of Memphis Code of Ordinances Vehicle and Traffic Code to clarify appropriate methods of enforcement of traffic violations, up for S E C O N D reading. Ordinance No. 5849 is sponsored by Councilwomen Easter-Thomas and Logan.

Logan
Chairman,
Public Safety
& Homeland
Security
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

14. **ORDINANCE** to Amend the City of Memphis Code of Ordinances, Chapter 21, Motor Traffic and Vehicles, Article 1, General Provisions and Definitions, to Require the Division of Police Services to use Only Appropriately Marked Law Enforcement Vehicles to Conduct Traffic Stops, up for S E C O N D reading. Ordinance No. 5850 is sponsored by Councilwoman Logan.

Logan
Chairman,
Public Safety
& Homeland
Security
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

15. **ORDINANCE** to establish a Public Safety Reporting Protocol in regard to the disposition by the Memphis Police Department of Recommendations by the Civilian Law Enforcement Review Board (CLERB) to the Memphis Police Department regarding CLERB's disposition of complaints involving police misconduct, the use of deadly force by police officers and deaths and injuries of persons occurring while in police custody, up for S E C O N D reading. Ordinance No. 5851 is sponsored by Councilmembers Smiley, Canale, and Carlisle.

Logan
Chairman,
Public Safety
& Homeland
Security
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

16. **ORDINANCE** to establish an Independent Review Process of Memphis Police Department Incidents involving the use of Excessive, Unnecessary and, or Deadly Force by Police Officers and Deaths or Serious Injuries of Persons Occurring while in Police Custody, up for S E C O N D reading. Ordinance No. 5852 is sponsored by Councilmembers Smiley, Carlisle, and Logan.

Logan
Chairman,
Public Safety
& Homeland
Security
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

17. **ORDINANCE** to Amend the City of Memphis Code of Ordinances Relating to Public Safety for the City of Memphis Law Enforcement to Collect and Regularly Report Data Regarding Traffic Stops, Arrests, Use of Force, and Complaints, up for S E C O N D reading. Ordinance No. 5853 is sponsored by The Memphis City Council.

Logan
Chairman,
Public Safety
& Homeland
Security
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

ZONING ORDINANCES – FIRST READING

18. **ORDINANCE** amending Ordinance No. 5367 of 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 authorize a zoning use district reclassification for land located at the northwest corner of Kilarney Avenue and Airways Boulevard – +/-1,363 feet north of Tennessee state border line by taking the land out of the Residential Single-Family – 8 (R-8) use district and including it in the Employment (EMP) and Conservation Agriculture (CA) use district, up for F I R S T reading. This Ordinance is sponsored by the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. Z 22-10
Ordinance No. 5854

Applicant: Memphis and Shelby County Airport Authority / Memphis Airways Investors, LLC
Dedrick Brittenum, Jr. of Brittenum Law PLLC and
Josh Whitehead, AICP of Burch, Porter, Johnson, PLLC
(Representatives)

Request: Rezoning from Residential Single-Family – 8 (R-8) to +/-48.13 acres Employment (EMP) and +/-9.87 acres Conservation Agriculture (CA) Districts.

LUCB and DPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

19. **ORDINANCE** amending Ordinance No. 5367 of 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 authorize a zoning change from Residential Single-Family – 10 to Commercial Mixed Use – 1 at 2245 Frayser Blvd., up for F I R S T reading. This Ordinance is sponsored by the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. Z 23-01
Ordinance No. 5855

Applicant: Legacy of Legends Community Development Corporation
David Bray of the Bray Firm (Representative)

Request: Zoning change from Residential Single-Family – 10 to
Commercial Mixed Use – 1 District.

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

ZONING ORDINANCE - SECOND READING

20. **ORDINANCE** amending Ordinance No. 5367 of 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 authorize a zoning use district reclassification for land located at 4225 Getwell Road. By taking the land out of the Residential Single-Family – 8 (R-8) Use District and including it in the Employment (EMP) Use District, up for S E C O N D reading. This Ordinance is sponsored by the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. Z 22-12
Ordinance No. 5847

Applicant: Hometown Disposal LLC
Brenda Solomito-Basar

Request: Rezoning of +/- .25 acres from Residential
Single-Family – 8 (R-8) to Employment (EMP)

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the Ordinance on Second reading

NOTATIONS FROM DPD (None)

ENGINEERING DIVISION

21. RESOLUTION approving engineering plans for HARMONY AT MORNING GROVE – MORNING WOODS P.D. PHASE 4 and accepts bond as security. (Request for Same Night Minutes)

Contract No. CR-5436

Resolution approves engineering plans within the present limits of the City of Memphis, as indicated on the engineering plans and located at 9525 US Highway 64, in Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts The Hanover Insurance Company Performance Bond No. 10971315 in the amount of \$150,800.00 as security for the project.

ACTION REQUESTED: Adopt the Resolution

22. RESOLUTION accepting public improvements for STONEBRIAR PD PHASE 11 [CR-5337] and authorizes release of bond. (Request for Same Night Minutes)

(Contract No. CR-5337)

Resolution accepts public improvements in the present limits of Shelby County as shown on the engineering plans, located on the south side of Meadowbriar Trail and Meadowbriar Cove intersection in Shelby County, Tennessee. Resolution also authorizes release of Pinnacle Bank Letter of Credit No. 90546307 in the amount of \$25,900.00.

ACTION REQUESTED: Adopt the Resolution

GENERAL ITEMS (None)

FISCAL CONSENT AGENDA

(NONE)

MLGW FISCAL CONSENT

Chair: Patrice Robinson, Vice Chair: Worth Morgan

23. RESOLUTION awarding Contract No. 12417, VMWare on Dell to Thomas Gallaway Corporation dba Technologent in the amount of \$1,732,939.10.
24. RESOLUTION approving Change No. 5 to Contract No. 11997, Commercial Auto Insurance for Out-of-State Travel with Pete Mitchell and Associates, Incorporated to extend the current contract in the funded amount of \$137,091.00. (The extension is for the period covering March 14, 2023, through March 13, 2024).
25. RESOLUTION approving Change No. 2 to Contract No. 12187, Pole Inspection with Osmose Utilities Services, Incorporated to ratify and renew the current contract in the funded amount of \$1,200,000.00. (This change is for the second of four annual renewal terms for the period covering February 15, 2023, through February 14, 2024).
26. RESOLUTION approving Change No. 7 to Contract No. 11841, Professional Engineering Services for Central Support Services with CCS Group, Incorporated to extend the current contract in the amount not-to-exceed amount of \$200,000.00. (This change is to extend the current contract term for 24 months; will end on March 11, 2025).

REGULAR AGENDA

APPOINTMENTS

27. **MEMPHIS & SHELBY CO. DOWNTOWN MEMPHIS COMMISSION**

Easter-Thomas
Chairman,
Personnel & Governmental Affairs
Committee

Appointment

Lauran Stimac

MEMPHIS & SHELBY CO. DOWNTOWN MOBILITY AUTHORITY

Appointment

Michael Chance

GENERAL ORDINANCES THIRD AND FINAL READING

28. **ORDINANCE** to amend the Code of Ordinances of the City of Memphis, Chapter 2-16., City Real Property Management, to require any contracts for the modification of city-owned property leased to any nonprofits unaffiliated with the City of Memphis, with a cost in excess of \$1,000,000.00 be presented to the Memphis City Council for review and approval, up for T H I R D and F I N A L reading. Ordinance No. 5845 is sponsored by Chairman Jones, Ford, Johnson, Logan, Swearengen-Washington, and Warren.

Ford
Chairman,
Economic Development,
Tourism & Technology
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

29. **ORDINANCE** renaming South Second Street between Beale Street and G.E. Patterson Avenue as Representative Barbara Cooper Street, up for T H I R D and F I N A L reading. Ordinance No. 5846 is sponsored by the Memphis City Council.

Johnson
Chairman,
Planning & Zoning
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION

30. RESOLUTION approving a lease agreement with B&G Partnership for land
Ford situated on Presidents Island. District 6, Super District 8. This Resolution is
Chairman, sponsored by the Memphis and Shelby County Port Commission.
Economic
Development & Tourism **ACTION REQUESTED:** Adopt the Resolution

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES

31. RESOLUTION requesting the approval for the sale of a 0.121-acre city owned parcel
Smiley located on Baltimore Avenue, Memphis, TN, and further described as Parcel
Chairman, ID #029074 0043. District 4, Super District 8. This Resolution is sponsored by
Public Works, General Services.
Solid Waste &
General Services **ACTION REQUESTED:** Adopt the Resolution
Committee

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES (None)

INFORMATION TECHNOLOGY (None)

LAW DIVISION (None)

LIBRARY SERVICES (None)

MLGW DIVISION (None)

MEMPHIS PARKS

32. RESOLUTION establishing a Parks Restoration Fund and reallocating and reappropriating
Warren (\$500,000.00) from FY23 CIP budget. District 6, Super District 8. This Resolution is
Chairman, sponsored by Councilmembers Jones and Carlisle. (Held from 2/7)
Memphis
Parks **ACTION REQUESTED:** No Recommendation
Committee

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS (None)

DIVISION OF SOLID WASTE (None)

GENERAL ITEMS (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT