

Same Night Minutes of Items
38
of the Regular Meeting of the City Council
City of Memphis

May 2, 2023

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

38

to wit:

38. RESOLUTION amending Housing and Community Development's FY2023
Colvett Federal Budget by appropriating the expenditures and revenues for the 2022
Chairman, Low Income Housing Energy Assistance Program funding. All Council
Housing & Districts. This resolution is sponsored by the Division of Housing and
Community Development. (Request for Same Night Minutes)
Development
Committee
SNM ACTION REQUESTED: Adopt the Resolution

MOTION: Council Member Colvett

SECOND: Council Member Robinson

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

ABSTAIN:

NAYS:

RECUSED:

Did not vote: Morgan

Was absent: Easter-Thomas

APPROVED

Whereupon Smiley 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 Smiley

SECOND: Council Member Carlisle

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

ABSTAIN:

NAYS:

May 2, 2023

MINUTES
MEETING OF THE CITY COUNCIL
CITY OF MEMPHIS
May 2, 2023

3:30 P.M. SCHEDULED SESSION

4:21 P.M. MEETING COMMENCED

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

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

INVOCATION

The meeting was opened with a prayer by Reverend Paul McLain, Associate Rector of Calvary Episcopal Church.

Chairman Jones led the Pledge of Allegiance.

Councilman Colvett thanked Reverend Paul McLain, Associate Rector of Calvary Episcopal Church.

These minutes record the agenda items and the action taken by the Council on such items. The full text of the original ordinances, resolutions, and supporting documents, including an audio recording of Council's deliberations is 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.

May 2, 2023

MOTION: Swearengen-Washington

SECOND: Smiley

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

APPROVED

3. **RESOLUTION HONORING THE REDISTRICTING COMMITTEE MEMBERS FOR THEIR EXEMPLARY WORK AND CONTRIBUTIONS BY SERVING ON THE 2022-2023 MEMPHIS CITY COUNCIL REDISTRICTING COMMITTEE. THIS RESOLUTION IS SPONSORED BY COUNCILMEMBERS EASTER-THOMAS AND JOHNSON.**

MOTION: Easter-Thomas

SECOND: Johnson

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

APPROVED

4. **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 N. FRONT STREET AND A.W. WILLIS AVENUE BY TAKING THE LAND OUT OF THE HEAVY INDUSTRIAL (IH) USE DISTRICT AND INCLUDING IT IN THE MIXED USE (MU) USE 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. Z 23-03

ORDINANCE NO. 5864

MOTION: Johnson

SECOND: Carlisle

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

APPROVED, on Third and Final Reading

May 2, 2023

8. **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 ON THE EXTREME NORTHWEST OF THE SUBJECT PROPERTY LOCATED AT 0 MALONE ROAD OF APPROXIMATELY 3.18 ACRES BY TAKING THE LAND OUT OF THE CONSERVATION AGRICULTURE (CA) 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.**

**CASE NO. Z 23-05
ORDINANCE NO. 5867**

APPROVED, on Second Reading

Chairman Jones recognized the following person(s) who spoke from the audience:

Lisa D Bennett, 4321 Royal Palace Cove., Memphis, Tennessee 38128

ROLL CALL CONSENT AGENDA ITEMS:

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

APPROVED

Chairman Jones recessed the meeting for five minutes

MLGW FISCAL CONSENT AGENDA - ITEMS #9 - #30 may be acted upon by one motion:

9. **RESOLUTION AWARDING A PURCHASE ORDER TO ENGINEERED SEALING COMPONENTS FOR ELECTRIC SMART METERS IN THE AMOUNT OF \$1,052,702.16.**

APPROVED

10. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 12352, SMITH DRIVING TO SMITH SYSTEM, INCORPORATED, TO EXPAND THE CONTRACT SCOPE AND INCREASE THE CURRENT CONTRACT VALUE IN THE FUNDED AMOUNT OF \$202,000.00.**

APPROVED

May 2, 2023

18. RESOLUTION AWARDING CONTRACT NO. 12403 (SOLICITED UNDER CONTRACT NO. 12346), MLGW UTILITY RELOCATIONS FOR STREET IMPROVEMENT PROJECT (WATER) TO ALLEN & HOSHALL, INCORPORATED IN THE FUNDED AMOUNT NOT-TO-EXCEED \$500,000.00.

APPROVED

19. RESOLUTION AWARDING CONTRACT NO. 12402 (SOLICITED UNDER CONTRACT NO. 12346), MLGW UTILITY RELOCATIONS FOR STREET IMPROVEMENT PROJECT (GAS) TO ALLEN & HOSHALL, INCORPORATED IN THE FUNDED AMOUNT NOT-TO-EXCEED \$500,000.00.

APPROVED

20. RESOLUTION AWARDING CONTRACT NO. 12346, MLGW UTILITY RELOCATIONS FOR STREET IMPROVEMENT PROJECT (ELECTRIC) TO ALLEN & HOSHALL, INCORPORATED IN THE FUNDED AMOUNT NOT-TO-EXCEED \$500,000.00.

APPROVED

21. RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 12286, MLGW UTILITY PAYMENT CENTERS WITH FIRSTECH, INCORPORATED TO RENEW THE CURRENT CONTRACT IN THE FUNDED AMOUNT OF \$297,009.00.

APPROVED

22. RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 12060, DOT DRUG AND ALCOHOL TESTING WITH MID-SOUTH DRUG TESTING, INCORPORATED TO RENEW THE CURRENT CONTRACT IN THE FUNDED AMOUNT OF \$125,000.00.

APPROVED

23. RESOLUTION APPROVING THE LAW FIRM OF GLANKLER BROWN, PCCC, TO BE EMPLOYED ON AN AS NEEDED BASIS AT THE FOLLOWING HOURLY RATES: PARTNERS/MEMBERS - \$300 – \$350; ASSOCIATES - \$225 - \$300; AND PARALEGAL/ASSISTANTS - \$175 - 220.

APPROVED

24. RESOLUTION APPROVING THE LAW FIRM OF HARRIS, SHELTON, HANOVER, WALSH, PLLC, TO BE EMPLOYED ON AN AS NEEDED BASIS AT THE FOLLOWING HOURLY RATES: PARTNERS/MEMBERS - \$300 - \$350; ASSOCIATES - \$200 - \$250.

APPROVED

May 2, 2023

38. **RESOLUTION AMENDING HOUSING AND COMMUNITY DEVELOPMENT'S FY23 FEDERAL BUDGET BY APPROPRIATING THE EXPENDITURES AND REVENUES FOR THE 2022 LOW INCOME HOUSING ENERGY ASSISTANCE PROGRAM FUNDING. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Colvett

SECOND: Robinson

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

APPROVED

31. **MEMPHIS LANDMARKS COMMISSION**

Appointment

Michael Winter

PUBLIC ART OVERSIGHT COMMITTEE

Appointment

Kate Roberts

MOTION: Johnson

SECOND: Smiley

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

APPROVED

May 2, 2023

(Special Item #1 – Approval of same night minutes for Item #38, from tonight’s meeting.)

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

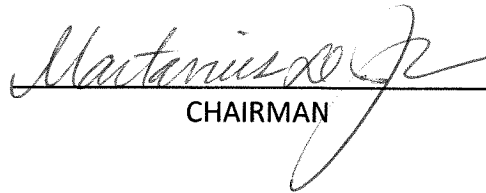
APPROVED

Chairman Jones recognized the following person(s) who spoke from the audience:

- Male Atkins, 62 N Main St., Memphis, Tennessee 38103
- Vincent Springgs III, 440 N. McNeil., Memphis, Tennessee 38112
- Amber Sherman, 6070 N. Belle Grove Cv., Memphis, Tennessee 38115
- Lj Abraham, 199 S. McLean Blvd., Memphis, Tennessee 38104
- Lucci Cherum, 3160 Spottswood Ave., Memphis, Tennessee 38111
- Gilbert Barnes Carter III, 37 West Waldorf Ave., Memphis, Tennessee 38109
- Beth Hoffberg, 717 S Riverside Dr., Memphis, Tennessee 38103
- Charles Todd, 787 Alice Ave., Memphis, Tennessee 38106

MEETING ADJOURNED AT 6:06 p.m.

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


CHAIRMAN

Valerie C. Snipes
Deputy Comptroller/Council Records