



**CITY COUNCIL
MEETING AGENDA**

June 27, 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 (June 13, 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 and legacy of the “Mother of Memphis’ Environmental Movement,” Mrs. Doris Bradshaw. This Resolution is sponsored by Councilwoman Easter-Thomas.
2. RESOLUTION honoring Deborah Northcross for her role in the desegregation of Memphis City Schools. This Resolution is sponsored by Councilwoman Swearngen-Washington.
3. RESOLUTION honoring the Whitten Brothers Hardware Store for serving the Memphis community since 1929. This Resolution is sponsored by Councilmembers Swearngen-Washington and Smiley.

PUBLIC HEARINGS

(None)

DIVISION OF PLANNING AND DEVELOPMENT

4. RESOLUTION approving the conversion of a public street (Wychewood Cove) located south of Walnut Grove Road to a private street. This Resolution is sponsored by the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. MJR 23-09

Applicant: Lewis Smith
Tim McCaskill for the Reaves Firm (Representative)

Request: Conversion of a public street (Wychewood Cove) to a private street

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

5. **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, to authorize a zoning use district reclassification for land located at the northwest corner of Airways Boulevard and East Person Avenue by taking the land out of the Commercial Mixed Use–1 (CMU-1) Use District and including it in the Employment (EMP) 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 23-06
Ordinance No. 5871

Applicant: R & D Ventures, LLC and Sixteen Ninety Nine Airways/Haroon Haimed
Cindy Reaves for SR Consulting, LLC (Representative)

Request: Rezoning of +/-0.873 acres from Commercial Mixed Use – 1 (CMU-1) to Employment (EMP)

LUCB and DPD recommendation: APPROVAL

CONSENT AGENDA

GENERAL ORDINANCES- FIRST READING (None)

GENERAL ORDINANCES - SECOND READING

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

ORDINANCE to amend the Code of Ordinances of the City of Memphis, Tennessee, Chapter 15, Tire Business and Tire Hauler Regulation, to provide further requirements for Tire Business Retailers regarding the storage and hauling of tires, up for S E C O N D reading. Ordinance No. 5875 is sponsored by the Councilmembers Logan, Swearingen-Washington, Carlisle, Easter-Thomas, Ford, Johnson, and Smiley.

ACTION REQUESTED: Adopt the Ordinance on Second reading

7. Logan
Chairman,
Public Safety
& Homeland
Security
Committee

ORDINANCE to amend Chapter 41 - Wreckers or Towing Operators of the Code of Ordinances of Memphis, Tennessee, so as to update fees prescribed, up for S E C O N D reading. Ordinance No. 5876 is sponsored by Councilman Canale.

ACTION REQUESTED: Adopt the Ordinance on Second reading

8. Logan
Chairman,
Public Safety
& Homeland
Security
Committee

REFERENDUM ORDINANCE to amend the Charter of the City of Memphis, same being Chapter 11 of the Acts of 1879 as amended, pursuant to Article XI, § 9 of the Constitution of the State of Tennessee (Home Rule Amendment), so as to provide provisions for the regulation of deadly weapons, up for S E C O N D reading. Ordinance No. 5877 is sponsored by Councilmembers Smiley, Warren, Canale, Easter-Thomas, Ford, Jones, Logan, Morgan, Robinson, Smiley, and Swearingen-Washington.

ACTION REQUESTED: Adopt the Ordinance on Second reading

ZONING ORDINANCE – FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

NOTATIONS FROM DPD (None)

ENGINEERING DIVISION

- 9. RESOLUTION accepting public improvements for CHICK-FIL-A #4615 (SUMMER AVE.) [CR-5343] and releasing bond. (Request for Same Night Minutes)

(Contract No. CR-5343)

Resolution accepts public improvements within the present limits of the City of Memphis and located at 4649 Summer Avenue in Memphis, Tennessee. Resolution also authorizes release of the Performance Bond in the amount of \$98,000.00 held as security.

ACTION REQUESTED: Adopt the Resolution

- 10. RESOLUTION accepting public improvements for CAPTAIN D’s SITE ON GETWELL AT SHELBY DRIVE [CR#5390] and releasing bond. (Request for Same Night Minutes)

(Contract No. CR-5390)

Resolution accepts public improvements within the present limits of the City of Memphis and located at 4735 Getwell Road in Memphis, Tennessee. Resolution also authorizes release of the Performance Bond in the amount of \$68,100.00 held as security.

ACTION REQUESTED: Adopt the Resolution

- 11. RESOLUTION accepts public improvements for VA RESOURCE CENTER AND CARE COORDINATION [CR-5425] and releasing the cash bond held as security. (Request for Same Night Minutes)

(Contract No. CR-5425)

Resolution accepts public improvements within the present limits of the City of Memphis, and located at the southeast corner of Mississippi Blvd and Phelan Ave. in Memphis, Tennessee. Resolution also authorizes release of the cash bond in the amount of \$54,200.00 held as security.

ACTION REQUESTED: Adopt the Resolution

GENERAL ITEMS

(None)

FISCAL CONSENT AGENDA

(None)

MLGW FISCAL CONSENT

Chair: Patrice Robinson, Vice Chair: Worth Morgan

12. RESOLUTION awarding Contract No. 12421, Cross Connection Control Surveys to Mid-South Engineering Consultants, LLC., in the funded amount of \$2,099,250.00.
13. RESOLUTION approving Change No. 1 to Contract No. 12360 (solicited under Contract No. 12292), Professional Engineering Services for Water Engineering to HDR Engineering, Incorporated. This change is to renew the current contract for the first and second of four annual renewal terms for the period covering October 13, 2023, through October 12, 2025, in the funded not-to-exceed amount of \$4,000,000.00.
14. RESOLUTION approving the ratification of Purchase Order Number 7025167 to Hawkins, Inc., formerly Vertex Chemical Corporation, for sodium hypochlorite, in the additional amount of \$1,592,000.00.
15. RESOLUTION awarding a purchase order to Rush Truck Centers of Tennessee for two-ton cab and chassis, in the funded amount of \$939,978.00.
16. RESOLUTION awarding a purchase order to Stribling Equipment, LLC., for backhoe tractors, in the funded amount of \$1,364,859.00.

REGULAR AGENDA

BUDGET

17. **ORDINANCE** of the City of Memphis, Tennessee adopting the Annual Budget and Tax Rate for the Fiscal Year Beginning July 1, 2023 and ending June 30, 2024, up for T H I R D and F I N A L reading. Ordinance No. 5872 is sponsored by the Finance Division.

Carlisle
Chairman,
Budget
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

18. **RESOLUTION** for City Treasurer to Prepare 2023 Tax Bills for State Assessed Properties. All Council Districts. This Resolution is sponsored by the Finance Division.

Carlisle
Chairman,
Budget
Committee

ACTION REQUESTED: Adopt the Resolution

APPOINTMENTS (None)

GENERAL ORDINANCES THIRD AND FINAL READING

19. **ORDINANCE** to make minimally necessary changes to certain Council Districts established by Ordinance No. 5833 to enhance the relative population dispersion among all such districts and to insure that all such districts will continue to comply with the injunction decree issued by United States District Judge Jerome Turner pertaining to Voting Rights Act remedies, up for T H I R D and F I N A L reading. Ordinance No. 5870 is sponsored by Councilmembers Canale, Carlisle and Colvett.

Jones
Chairman,
Executive
Session

ACTION REQUESTED: Take whatever action Council deems advisable

20. **ORDINANCE** to Amend Chapter 25-Pension and Retirement System of the City of Memphis, up for T H I R D and F I N A L reading. Ordinance No. 5873 is sponsored by the Administration.

Easter-
Thomas
Chairman,
Personnel &
Governmental
Affairs
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

21. **ORDINANCE** transferring the Division of Traffic Violations Bureau from the City Court Clerk's Office and reinstating the Division of Traffic Violations Bureau as a separate division within the Division of Finance and Administration to be supervised by a Deputy Director appointed by the Mayor and approved by the Memphis City Council and eliminating the Office of City Court Clerk as an elected office of the City of Memphis, up for T H I R D and F I N A L reading. Ordinance No. 5874 is sponsored by Councilmembers Canale, Carlisle and Smiley.

Easter-Thomas
Chairman,
Personnel & Governmental Affairs
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS

22. RESOLUTION to raise the tax rate by \$0.29 for FY24. All Council Districts. This Resolution is sponsored by Chairman Jones.

Carlisle
Chairman,
Budget
Committee

ACTION REQUESTED: No Recommendation

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION

23. RESOLUTION to allocate and appropriate \$150,000.00 of American Rescue Plan Act funds for a Shelby County Environmental Court Indigent Fund. All Council Districts. This Resolution is sponsored by Councilmembers Logan and Easter-Thomas. **(Held from 6/13)**

Carlisle
Chairman,
Budget
Committee

ACTION REQUESTED: Adopt the Resolution

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES

24. RESOLUTION requesting the City of Memphis to transfer its ownership rights and interest in five (5) parcels located in District 6 to the Blight Authority Memphis/Memphis Metropolitan Land Bank Authority. District 6, Super District 8. This Resolution is sponsored by General Services.

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

ACTION REQUESTED: Adopt the Resolution

25. RESOLUTION requesting the approval to sell city-owned property known as 1417 Smiley Nicholas Street Memphis, TN. 38107, Parcel I.D. #039019 00007. District 7, Super District 8. This Resolution is sponsored by General Services.

Chairman,
Public Works,
Solid Waste & General Services
Committee

ACTION REQUESTED: Adopt the Resolution

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT

26. RESOLUTION to accept the appropriation and allocation of ERA2 funding through the Department of Treasury in the amount of (\$1,380,585.65) for the Division of HCD efforts to develop affordable housing in response to the pandemic.

Colvett
Chairman,
Housing & Community
Development
Committee

All Council Districts. This Resolution is sponsored by the Division of Housing and Community Development.

ACTION REQUESTED: Adopt the Resolution

DIVISION OF HUMAN RESOURCES (None)

INFORMATION TECHNOLOGY (None)

LAW DIVISION (None)

LIBRARY SERVICES (None)

MLGW DIVISION (None)

MEMPHIS PARKS (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS

27. RESOLUTION to transfer and appropriate construction funds to Sewer Emergency Repairs, Project No. SW23202 for emergency sewer line repairs. All Council Districts. This Resolution is sponsored by the Division of Public Works.

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

ACTION REQUESTED: Adopt the Resolution

28. RESOLUTION for additional funds request for the second year of an existing three-year contract to transfer and appropriate additional construction funds for Project Smiley No. SW22201-Install CIPP Annual 2022 to repair/rehab existing damaged sanitary sewer pipes using CIPP process at various locations. All Council Districts. This Resolution is sponsored by the Division of Public Works.

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

ACTION REQUESTED: Adopt the Resolution

29. RESOLUTION for additional funds request for the second year of an existing three-year contract to transfer and appropriate additional construction funds for Storm Water CIPP 2022, Project No. ST03222, to repair/rehab existing damaged storm drainpipes using CIPP process at various locations. All Council Districts. This Resolution is sponsored by the Division of Public Works.

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

ACTION REQUESTED: Adopt the Resolution

30. RESOLUTION to transfer, allocate and appropriate construction funds under construction PW23200 Sidewalk Repairs. All Council Districts. This Resolution is sponsored by the Division of Public Works.

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

ACTION REQUESTED: Adopt the Resolution

31. RESOLUTION to provide grant funding in the amount of (\$100,000.00) from the FY23 Storm Water Program Operating Budget for clean water initiative and environmental book clubs for 2nd and 3rd grade students. All Council Districts. This Resolution is sponsored by the Division of Public Works.

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

ACTION REQUESTED: Adopt the Resolution

DIVISION OF SOLID WASTE (None)

GENERAL ITEMS (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT