Same Night Minutes of Items
15, 16, 17, 18, 19, 20, 21, 50, 51, 52, 53, 54
of the Regular Meeting of the City Council
City of Memphis

October 19, 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
15, 16, 17, 18, 19, 20, 21, 50, 51, 52, 53, 54
to wit:

15. A RESOLUTION to accept grant funds in the amount of ($20,000.00) from Tennessee Highway Safety Office (THSO) through the Tennessee Department of Safety and Homeland Security. All Council Districts. This resolution is sponsored by Police Services. **(Request for same night minutes)**

ACTION REQUESTED: Adopt the resolution

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

APPROVED

16. A RESOLUTION to accept grants funds in the amount of ($100,000.00) from Tennessee Highway Safety Office (THSO) through the Tennessee Department of Safety and Homeland Security. All Council Districts. This resolution is sponsored by Police Services. **(Request for same night minutes)**

ACTION REQUESTED: Adopt the resolution

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

ABSTAIN:
NAYS:
RECUSED:
Did not vote:
Was absent:

APPROVED

17. A RESOLUTION to accept grant funds in the amount of ($300,000.00) from Tennessee Highway Safety Office (THSO) through the Tennessee Department of Safety and Homeland Security. All Council Districts. This resolution is sponsored by Police Services. **(Request for same night minutes)**

ACTION REQUESTED: Adopt the resolution

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

APPROVED

18. A RESOLUTION accepting grant funds of ($3,000.00) from Tennessee Professional Golf Association for turf hitting mat at the Links at Whitehaven. Council District 6, Super District 8. This resolution is sponsored by Park Services. **(Request for same night minutes)**

ACTION REQUESTED: Adopt the resolution

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

APPROVED

19. A RESOLUTION accepting grant funds in the amount of (1,000.00) from Ironman Foundation for program supplies at the Douglas Community Center, Council District 7, Super District 8 This resolution is sponsored by Park Services. **(Request for same night minutes)**

ACTION REQUESTED: Adopt the resolution

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

APPROVED

20. A RESOLUTION accepting grant funds from the US Department of Homeland Security over a three-year period for the 2020 SAFER grant in the amount of ($10,795,984.20) and appropriating FY22 proceeds in the amount of ($1,216,939.95) All Council Districts. This resolution is sponsored by Fire Services. **(Request for same night minutes)**

ACTION REQUESTED: Adopt the resolution

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

APPROVED

21. A RESOLUTION to accept grant funds in the amount of ($2,000,000.00) from the U.S. Department of Justice, Office of Justice Programs, for the Federal FY20 Sexual Assault Kit Initiative (SAK) All Council Districts. This resolution is sponsored by Police Services. **(Request for same night minutes)**

ACTION REQUESTED: Adopt the resolution

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

APPROVED

50. Smiley Chairman, Public works, Solid Waste & General Services Committee
SNM

A RESOLUTION to formally accept ($150,000.00) from Shelby County Government for the Division of Public Works to fund a feasibility study for the widening of Holmes Road, CIP project # PW01087. District 3, & 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 Carlisle
AYES: Canale, Carlisle, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Robinson, Smiley, Swearengen, Warren and Colvett
ABSTAIN:
NAYS:
RECUSED:
Did not vote:
Was absent:

APPROVED

51. Johnson Chairman,

A RESOLUTION to receive and appropriate a HOME American Rescue Program Funding allocation from the U.S. Department of Housing and Urban Development in the amount of ($13,545,982.00) to the FY2022

Housing and Community Development Committee
SNM

Housing and Community Development's Federal budget. District 6, Super District 8. This resolution is sponsored by the Division of Housing and Development. **(Request for same night minutes)**

ACTION REQUESTED: Adopt the resolution

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

APPROVED

52.
Johnson
Chairman, Housing and Community Development Committee
SNM

A RESOLUTION appropriating the sum of ($2,000,000.00) funded by GO Bonds chargeable to the FY2022 Capital Improvement budget for the South City Project. CIP project # CD1030. District 6, Super District 8. This resolution is sponsored by the Division of Housing and Development. **(Request for same night minutes)**

ACTION REQUESTED: Adopt the resolution

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

APPROVED

53.
Morgan
Chairman, Budget Committee

A RESOLUTION to amend the Council FY 22 grant allocations. All Council Districts. This resolution is sponsored by Councilman Carlisle.

ACTION REQUESTED: Adopt the resolution

SNM

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

APPROVED

54.
Morgan
Chairman,
Budget
Committee
SNM

A RESOLUTION to designate and appropriate $19,750,000 in City Council Initiatives of ARPA Funds. All Council Districts. This resolution is sponsored by Councilmembers Carlisle, Ford, Canale, Colvett, Easter-Thomas, Johnson, Jones, Logan, Morgan, Robinson, Smiley, Swearengen, and Warren. **(Request for same night minutes)**

ACTION REQUESTED: Adopt the resolution

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

APPROVED

Whereupon **Swearengen** moved that the minutes for the foregoing item be approved on the date the matter was approved and Easter-Thomas seconded the motion. The motion was called for a vote as follows:

ACTION REQUESTED: Adopt the resolution

MOTION: Council Member Swearengen
SECOND: Council Member Easter-Thomas
AYES: Canale, Carlisle, Easter-Thomas, Ford, Johnson, Jones, Logan, Morgan, Robinson, Swearengen, Warren and Colvett
ABSTAIN:
NAYS:

RECUSED:
Did not vote: Smiley
Was absent:

APPROVED

Chairman: _____

Attest: Valerie C. Snyder
Deputy Comptroller/Council

Date: 10/19/2021

MINUTES

MEETING OF THE CITY COUNCIL

CITY OF MEMPHIS

October 19, 2021

3:30 P.M. SCHEDULED SESSION

3:45 P.M. MEETING COMMENCED

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

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

INVOCATION

The meeting was opened with a prayer by Pastor E. Marcel Jones of Cummings Street Missionary Baptist Church.

Chairman Colvett led the Pledge of Allegiance.

Councilman Jones thanked Pastor E. Marcel Jones 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.

Chairman Colvett requested a moment of silence to honor the life of Former U.S. Secretary of State, Colin Powell.

Approval of the Minutes of the regular meeting of October 05, 2021 with the following motion:

MOTION: Vice Chairwoman Swearengen
SECOND: Canale

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

APPROVED

2. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE OF PEABODY PLACE BETWEEN FRONT STREET AND SOUTH MAIN STREET EXTENDING DOWN SOUTH MAIN STREET BETWEEN PEABODY PLACE AND BEALE STREET FOR LYMAN ALDRICH. THIS RESOLUTION IS SPONSORED BY CHAIRMAN COLVETT.**

Held until November 02, 2021, without objection

6. **RESOLUTION APPROVING THE CLOSURE OF PART OF HINDMAN AVENUE, AN EAST-WEST PUBLIC STREET LOCATED IMMEDIATELY EAST OF THE INTERSECTION OF THE EAST LINE OF HENDERSON STREET WITH THE WEST LINE OF HINDMAN AVENUE. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

CASE NO. SAC 21-07

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

Request: Close and vacate public right-of-way of an east-west public street

LUCB and DPD recommendation: APPROVAL, with conditions

Held until November 02, 2021, without objection

7. **RESOLUTION APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY LOCATED AT 2531 N. WATKINS ST.THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

CASE NO. SUP 21-17

Applicant: Vertical Bridge Landco, LLC
Kristi Eskew, VB BTS, LLC c/o Cellective Solutions – Representative

Request: To allow a 105-foot Monopole Communications (CMCS) Tower

LUCB and DPD recommendation: APPROVAL, with conditions

Held until November 02, 2021, without objection

8. **ORDINANCE APPROVING A ZONING TEXT AMENDMENT INITIATED BY THE ZONING ADMINISTRATOR OF THE MEMPHIS AND SHELBY COUNTY DIVISION OF PLANNING AND DEVELOPMENT, UP FOR T H I R D AND F I N A L 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

Held until November 02, 2021, without objection

9. **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

Held until November 02, 2021, without objection

10. **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

Held until November 02, 2021, without objection

31. **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)**

Held until November 02, 2021, without objection

4. **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. (HELD FROM 10/5)**

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

Withdrawn

40. **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 FROM 10/5)

Withdrawn

41. **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 FROM 10/5)**

Withdrawn

42. **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 FROM 10/5)**

Withdrawn

43. **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 FROM 10/5)**

Withdrawn

1. **RESOLUTION DESIGNATING OCTOBER AS BREAST CANCER AWARENESS MONTH. THIS RESOLUTION IS SPONSORED BY CHAIRMAN COLVETT.**

(Chairman Colvett recognized Elizabeth Ennis with the American Cancer Society to spotlight October, 2021, as Breast Cancer Awareness Month.

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

APPROVED

3. **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 FROM 10/5)**

(Vice Chairwoman Swearengen and Councilman Jones honored Dr. Thomas E. Motley, M.D. for his outstanding contribution within the Memphis, Tennessee Community.

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

APPROVED

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. (HELD FROM 10/5)**

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

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

Cole Bryant, 96 East E.H. Crump Blvd., Memphis, Tennessee 38106
Dr. Lynette Williams, 5175 Horn Lake Road, Memphis, Tennessee 38109
David Upton, 1910 Madison Avenue, Memphis, Tennessee 38104
Isaac Herron, 788 South Main Street, Memphis, Tennessee 38103

(Councilman Ford made a motion to hold item #5 until November 2nd to allow the applicant and opposing business owners time to collaboration; without objection.

Held until November 02, 2021, without objection

FISCAL CONSENT AGENDA – Items #15 - #21 may be acted upon by one motion: See Page 6264 Roll Call Fiscal Consent Items.

15. **RESOLUTION TO ACCEPT GRANT FUNDS IN THE AMOUNT OF ($20,000.00) FROM TENNESSEE HIGHWAY SAFETY OFFICE (THSO) THOUGH THE TENNESSEE DEPARTMENT OF SAFETY AND HOMELAND SECURITY. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY POLICE SERVICES (REQUEST FOR SAME NIGHT MINUTES)**

APPROVED

16. **RESOLUTION TO ACCEPT GRANTS FUNDS IN THE AMOUNT OF ($100,000.00) FROM TENNESSEE HIGHWAY SAFETY OFFICE (THSO) THROUGH THE TENNESSEE DEPARTMENT OF SAFETY AND HOMELAND SECURITY. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY POLICE SERVICES. (REQUEST FOR SAME NIGHT MINUTES)**

APPROVED

17. **RESOLUTION TO ACCEPT GRANT FUNDS IN THE AMOUNT OF ($300,000.00) FROM TENNESSEE HIGHWAY SAFETY OFFICE (THSO) THROUGH THE TENNESSEE DEPARTMENT OF SAFETY AND HOMELAND SECURITY. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY POLICE SERVICES. (REQUEST FOR SAME NIGHT MINUTES)**

APPROVED

18. **RESOLUTION ACCEPTING GRANT FUNDS OF ($3,000.00) FROM TENNESSEE PROFESSIONAL GOLF ASSOCIATION FOR TURF HITTING MAT AT THE LINKS AT WHITEHAVEN COUNCIL DISTRICT 6, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY PARK SERVICES. (REQUEST FOR SAME NIGHT MINUTES)**

APPROVED

19. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF (1,000.00) FROM IRONMAN FOUNDATION FOR PROGRAM SUPPLIES AT THE DOUGLAS COMMUNITY CENTER, COUNCIL DISTRICT 7, SUPER DISTRICT 8 THIS RESOLUTION IS SPONSORED BY PARK SERVICES. (REQUEST FOR SAME NIGHT MINUTES)**

APPROVED

20. **RESOLUTION ACCEPTING GRANT FUNDS FROM THE US DEPARTMENT OF HOMELAND SECURITY OVER A THREE-YEAR PERIOD FOR THE 2020 SAFER GRANT IN THE AMOUNT OF ($10,795,984.20) AND APPROPRIATING FY22 PROCEEDS IN THE AMOUNT OF ($1,216,939.95) ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY FIRE SERVICES (REQUEST FOR SAME NIGHT MINUTES)**

APPROVED

21. **RESOLUTION TO ACCEPT GRANT FUNDS IN THE AMOUNT OF ($2,000,000.00) FROM THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, FOR THE FEDERAL FY20 SEXUAL ASSAULT KIT INITIATIVE (SAK) ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY POLICE SERVICES. (REQUEST FOR SAME NIGHT MINUTES)**

APPROVED

ROLL CALL FISCAL CONSENT AGENDA ITEMS

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

APPROVED

50. **RESOLUTION TO FORMERLY ACCEPT $150,000.00 FROM SHELBY COUNTY GOVERNMENT FOR THE DIVISION OF PUBLIC WORKS TO FUND A FEASIBILITY STUDY FOR THE WIDENING OF HOLMES ROAD. COUNCIL DISTRICTS 3 AND 6, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY GENERAL SERVICES. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED

51. **RESOLUTION TO RECEIVE AND APPROPRIATE A HOME AMERICAN RESCUE PROGRAM FUNDING JOHNSON ALLOCATION FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN THE AMOUNT OF ($13,545,982.00) TO THE FY2022 HOUSING AND COMMUNITY DEVELOPMENT'S FEDERAL BUDGET. DISTRICT 6, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF HOUSING AND DEVELOPMENT. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED

52. **RESOLUTION APPROPRIATING THE SUM OF ($2,000,000.00) FUNDED BY GO BONDS CHARGEABLE TO THE FY22 CAPITAL IMPROVEMENT BUDGET FOR THE SOUTH CITY PROJECT. CIP PROJECT #CD01030. DISTRICT 6, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF HOUSING AND DEVELOPMENT. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Johnson
SECOND: Warren

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

APPROVED

53. **RESOLUTION TO AMEND THE COUNCIL FY 22 GRANT ALLOCATIONS. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY COUNCILMAN CARLISLE. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED

54. **RESOLUTION TO DESIGNATE AND APPROPRIATE $19,750,000.00 IN CITY COUNCIL INITIATIVES OF ARPA FUNDS. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY COUNCILMEMBERS CARLISLE, FORD, CANALE, COLVETT, EASTER-THOMAS, JOHNSON, JONES, LOGAN, MORGAN, ROBINSON, SMILEY, SWEARENGEN, AND WARREN. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED, as amended

11. **ORDINANCE ADOPTING THE 2021 EDITION OF THE INTERNATIONAL CODE COUNCIL INTERNATIONAL FIRE CODE INCLUDING CERTAIN APPENDICES IN THAT CODE, AND OTHER LOCAL AMENDMENTS, AND AMENDING CHAPTER 9-36 OF THE CITY OF MEMPHIS, CODE OF ORDINANCES, UP FOR F I R S T READING. ORDINANCE NO. 5808 IS SPONSORED BY FIRE SERVICES.**

APPROVED, on first reading

12. **ORDINANCE TO AMEND CHAPTER 9-40, CODE OF ORDINANCES, CITY OF MEMPHIS, SO AS TO ADJUST INSPECTION FEE SCHEDULES TO REFLECT CHANGES RELATIVE TO THE ADOPTION OF THE 2021 EDITION OF THE INTERNATIONAL CODE COUNCIL INTERNATIONAL FIRE CODE INCLUDING CERTAIN APPENDICES IN THAT CODE, AND OTHER LOCAL AMENDMENTS, UP FOR F I R S T READING. ORDINANCE NO. 5809 IS SPONSORED BY FIRE SERVICES.**

APPROVED, on first reading

13. **ORDINANCE TO REGULATE THE USE OF CITY STREETS AND RIGHTS OF WAY BY PUBLIC UTILITIES INCLUDING OIL AND GAS PIPELINE COMPANIES, UP FOR S E C O N D READING. ALL COUNCIL DISTRICTS. ORDINANCE NO. 5807 IS SPONSORED BY COUNCILMEN SMILEY, CARLISLE, AND WARREN.**

APPROVED, on second reading

14. **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, SO AS TO MAKE CERTAIN CHANGES IN THE USE DISTRICTS PROVIDED IN SAID ORDINANCE, UP FOR F I R S T READING. THIS ORDINANCE IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

CASE NO. Z 21-10
ORDINANCE NO. 5810

APPROVED, on first reading

ROLL CALL CONSENT AGENDA ITEMS

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

APPROVED

MLGW FISCAL CONSENT AGENDA -ITEMS #22-#29, may be acted upon by one motion:

22. **RESOLUTION AUTHORIZING EXECUTION OF CONTRACT NO. 12290, INTERLOCAL AGREEMENT BETWEEN MLGW AND THE TOWN OF ARLINGTON FOR STORM WATER USER FEE BILLING SERVICES WITHIN THE CORPORATE LIMITS OF THE TOWN OF ARLINGTON, TN.**

APPROVED

23. **RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 11594, POWERPLAN MAINTENANCE AGREEMENT WITH POWERPLAN, INCORPORATED, IN THE FUNDED AMOUNT OF $464,769.00. (THIS CHANGE IS TO ADD TO THE CURRENT CONTRACT VALUE FOR IMPLEMENTATION SERVICES TO UPGRADE THE MLGW POWER PLAN SOFTWARE FROM THE CURRENT VERSION V2021.1 TO V2021.2 AND TO ADD INTEGRATED CUSTOMER ASSESSMENT (ICA) RECOMMENDATION TRAINING FOR THE PERIOD COVERING JANUARY 1, 2022 THROUGH DECEMBER 31, 2022. IN ADDITION, THE UPGRADE IS TO ADD A TEST SCRIPTS & TEST MANAGEMENT TOOL AND FIXED ASSET END USER TRAINING. MLGW IS ALSO REQUESTING**

CONTINUOUS MAINTENANCE OF THE ACQUIRED SYSTEM, WHICH CAN ONLY BE PERFORMED BY POWERPLAN, INCORPORATED.)

APPROVED

24. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11933, IVR REPLACEMENT WITH DIRAD TECHNOLOGIES, IN THE FUNDED AMOUNT OF $4,384,271.84. (THIS CHANGE IS TO INCREASE THE CURRENT CONTRACT IN THE AMOUNT OF $418,918.62 DUE TO CHANGES IN OUR COMMUNITY OFFICES THAT NECESSITATED ADDITIONAL FEATURES BE INCORPORATED INTO THE INTERACTIVE VOICE RESPONSE (IVR) SYSTEM DURING THE COVID-19 PANDEMIC TO BETTER COMMUNICATE WITH CUSTOMERS. ALSO, THIS CHANGE IS TO ADD 16 ADDITIONAL FEATURES IN THE AMOUNT OF $893,949.57 THROUGH OCTOBER 5, 2022. IN ADDITION, THIS CHANGE IS TO EXTEND THE ANNUAL MAINTENANCE AND SUPPORT FROM OCTOBER 6, 2022 THROUGH OCTOBER 5, 2027 IN THE AMOUNT OF $3,071,403.65. THE TOTAL FUNDED AMOUNT OF THIS INCREASE, CHANGE AND EXTENSION ARE $4,384,271.84. MLGW IS ALSO REQUESTING CONTINUOUS MAINTENANCE OF THE ACQUIRED SYSTEM, WHICH CAN ONLY BE PERFORMED BY DIRAD TECHNOLOGIES.)**

APPROVED

25. **RESOLUTION AWARDING CONTRACT NO. 12223, ERGONOMICS PROGRAM TO THE INSTITUTE OF HEALTH & HUMAN PERFORMANCE DBA BIOKINETIX IN THE FUNDED AMOUNT OF $115,000.00.**

APPROVED

26. **RESOLUTION RATIFYING AND AWARDING CONTRACT NO. 12310, ADMINISTRATION BUILDING GARAGE STRUCTURAL REPAIRS TO ZELLNER CONSTRUCTION SERVICES, LLC IN THE FUNDED AMOUNT OF $1,934,600.00.**

APPROVED

27. **RESOLUTION AWARDING CONTRACT NO. 12177, SUBSTATION ROOF REPLACEMENT TO B-FOUR PLIED, INC. IN THE FUNDED AMOUNT OF $526,973.00.**

APPROVED

28. **RESOLUTION APPROVING A RATE CHANGE FOR THE LAW FIRM OF OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C. ON AN "AS NEEDED" BASIS, AT THE FOLLOWING HOURLY RATES: SHAREHOLDER - $300 AND ASSOCIATES - $250.**

APPROVED

29. **RESOLUTION APPROVING AN AMENDED RATE SCHEDULE FOR THE LAW FIRM OF BUTLER SNOW, LLP AT THE FOLLOWING HOURLY RATE RANGES: SPECIAL: $500, PARTNER I: $350-$375, PARTNER II: $300-$345, ASSOCIATE I: $270-$295, ASSOCIATE II: $230-$265, AND PARALEGAL: $175.**

APPROVED

ROLL CALL MLGW FISCAL CONSENT AGENDA ITEMS

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

APPROVED

30. **APPOINTMENTS**

MEMPHIS CONVENTION CENTER COMMISSION

Appointment

ISABEL GONZALEZ WHITAKER

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

APPROVED

32. **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 T H I R D AND F I N A L READING. ORDINANCE NO. 5799 IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

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

Smiley did not cast a vote.

APPROVED

33. **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 LOCALAMENDMENTS, UP FOR T H I R D AND F I N A L READING. ORDINANCE NO. 5800 IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

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

APPROVED

34. **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 T H I R D AND F I N A L READING. ORDINANCE NO. 5801 IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

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

APPROVED

35. **JOINT ORDINANCE AMENDING THE MEMPHIS AND SHELBY COUNTY BUILDING CODE SO AS TO ADOPT THE 2021 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE AND LOCAL AMENDMENTS, UP FOR T H I R D AND F I N A L READING. ORDINANCE NO. 5802 IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

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

APPROVED

36. **JOINT ORDINANCE AMENDING THE JOINT ELECTRICAL CODE OF MEMPHIS AND SHELBY COUNTY, 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 T H I R D AND F I N A L READING. ORDINANCE NO. 5803 IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

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

APPROVED

37. **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 T H I R D AND F I N A L READING. ORDINANCE NO. 5804 IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

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

APPROVED

38. **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 T H I R D AND F I N A L READING. ORDINANCE NO. 5805 IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

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

APPROVED

39. **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 T H I R D AND F I N A L READING. ORDINANCE NO. 5806 IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

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

APPROVED

44. **RESOLUTION TO ALLOCATE AND APPROPRIATE 2021 REDUCING DIESEL EMISSIONS FOR A HEALTHIER TN FUNDS FROM THE TN DEPARTMENT OF ENVIRONMENT AND CONSERVATION IN THE AMOUNT OF ($205,000.00) TO BE USED FOR PARTIAL FUNDING FOR THE PURCHASE OF FOUR (4) AMBULANCES WITH IDLE MITIGATION SYSTEMS. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY FIRE SERVICES.**

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

APPROVED

45. **RESOLUTION APPROPRIATING ($400,000.00) FOR #GS22300 CONVENTION CENTER COVERLINE FOR CONTINUED IMPROVEMENTS AND ENHANCEMENTS. DISTRICT 7, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY THE GENERAL SERVICES.**

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

APPROVED

46. **RESOLUTION TO APPROPRIATE FFE FUNDS FOR #PK22101 COMMUNITY CENTER, PARK FURNITURE FIXTURES AND EQUIPMENT IN THE AMOUNT OF ($200,000.00). ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PARKS AND NEIGHBORHOODS.**

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

APPROVED

47. **RESOLUTION TO APPROPRIATE FUNDS PARK COVER LINE ARCHITECTURE/ ENGINEERING FEES #PK22102 IN THE AMOUNT OF ($200,000.00). ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PARKS AND NEIGHBORHOODS.**

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

APPROVED

48. **RESOLUTION TO APPROPRIATE CONSTRUCTION FUNDS FOR SPORTS LIGHTING INSTALLATION #PK22104 IN THE AMOUNT OF ($200,000.00). DISTRICTS 2 AND 4, SUPER DISTRICTS 8 AND 9. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PARKS AND NEIGHBORHOODS.**

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

APPROVED

49. **RESOLUTION TO SET A MINIMUM HOURLY PAY RATE FOR EDGE PILOT PROJECTS. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY COUNCILMAN JONES.**

MOTION: Ford
SECOND: Canale

(Councilman Jones made a motion to hold the item).

(Chairman Colvett asked to hear from the comment cards before entertaining a second to Councilman Jones' motion to hold).

(The following people spoke from the audience):

Joe Kent, 5111 Flamingo Road, Memphis, Tennessee 38117
Brandy Higginbottom, 6571 Stockport Cove, Memphis, Tennessee 38141(Did not appear when called by Chairman Colvett).

(The motion to hold was again vocalized by Councilman Jones, seconded by Councilman Smiley; with objection).

(Chairman Colvett recognized Councilmembers Warren, Jones, Carlisle, Morgan, Smiley, Canale, Johnson, and Logan who spoke on item #49.(See audio for complete discussion).

(Special Item #1 – Chairman Colvett requested to vote on Councilman Jones motion to hold; YES vote to hold for 2 weeks and a NO vote placed it on the floor).

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

FAILED

(Councilman Jones requested to withdraw the hold and hear the item in 2 weeks in a Committee Meeting; Chairman Colvett consulted Attorney Wade; The request to withdraw the hold by Councilman Jones was not permissible).

(Chairman Colvett requested to vote on Main Motion as follows);

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

FAILED

(Special Item #2 – Vice Chairwoman Swearengen made a motion to approve same night minutes for Items #15 - #21, #50 - #54, from tonight's meeting).

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

APPROVED

(One comment card presented for held item #4):

Martha Davis, 1307 Agnes Pl, Memphis, Tennessee, 38104

MEETING ADJOURNED AT 5:55 p.m.

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

CHAIRMAN

Attest:

Valerie C. Snipes

Deputy Comptroller/Council Records