

Same Night Minutes of Items

1, 7, 8, 17, 18, 19, 20, 21

of the Regular Meeting of the City Council

City of Memphis

July 26, 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 **1, 7, 8, 17, 18, 19, 20, 21**

to wit:

1. RESOLUTION approving an Honorary Street Name Change of North Morrison between Madison Avenue and Court Avenue for Mark Flanagan. District 5, Super District 9. This resolution is sponsored by Councilman Warren. (Request for Same Night Minutes)

MOTION: Warren

SECOND: Jones

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

ABSTAIN:

NAYS:

RECUSED:

Did not vote:

Was absent: Easter-Thomas, Smiley

APPROVED

7. RESOLUTION approving the engineering plans for ST. JUDE PRIVATE STORM AND SANITARY SEWER RELOCATION and accepting bond as security. (Request for Same Night Minutes)

Contract No. CR-5415

Resolution approves engineering plans within the present limits of the City of Memphis and located at 262 Danny Thomas Place in Memphis Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also accepts Performance Bond No. 107652094 in the amount of \$63,400.00 as security for the project.

ACTION REQUESTED: Adopt the resolution

MOTION: Carlisle

SECOND: Morgan

AYES: Canale, Carlisle, Colvett, Ford, Johnson, Jones, Morgan, Robinson, Warren, and Swearengen

ABSTAIN:

NAYS:

RECUSED:

Did not vote:

Was absent: Easter-Thomas, Smiley

APPROVED

8. **RESOLUTION** accepting public improvements for WOODLAND HILLS II PD, PHASE 14, PD 19-09 CO (COUNTY) [CR-5375] and authorizing release of the bond. (Request for Same Night Minutes)

(Contract No. CR-5375)

Resolution approves accepting the public improvements located in the present limits of Shelby County, approximately 800 linear feet west of Woodland Trace Lane, north of Trinity Road in Shelby County, Tennessee. Resolution also authorizes the release of Financial Federal Letter of Credit No. 234A in the amount of \$39,600.00 held as security.

ACTION REQUESTED: Adopt the resolution

MOTION: Carlisle

SECOND: Morgan

AYES: Canale, Carlisle, Colvett, Ford, Johnson, Jones, Morgan, Robinson, Warren, and Swearengen

ABSTAIN:

NAYS:

RECUSED:

Did not vote:

Was absent: Easter-Thomas, Smiley

APPROVED

17. Resolution to appropriate (\$323,00.00) of G.O Bond funds to Project # GA01032-Mud Island North Gate Renovation. District 7, Super District 8. Sponsored by Administration. (Request for Same Night Minutes)

Warren,
Chairman
Parks &
Environment
Committee
SNM

ACTION REQUESTED: Adopt the resolution

MOTION: Warren

SECOND: Morgan

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

ABSTAIN:

NAYS:
 RECUSED:
 Did not vote:
 Was absent: Easter-Thomas, Smiley

APPROVED

18. Resolution to amend the Memphis City Council Community Grant Program for FY23. All Council Districts. Sponsored by Councilwoman Johnson. (Request for Same Night Minutes)

Jones,
 Chairman
 Budget
 Committee
SNM

ACTION REQUESTED: Adopt the resolution

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

APPROVED

19. Resolution approving a litigation settlement and authority to pay in the amount of \$1,500,000. All Council Districts. Sponsored by MLGW Division. (Request for Same Night Minutes)

Robinson,
 Chairman,
 MLG&W
 Committee
SNM

ACTION REQUESTED: Adopt the resolution

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

APPROVED

20. Resolution requesting approval to purchase Real Property in the amount of (\$600,000.00) located at 61 S. McLean Blvd, Memphis, TN 38104 for a Public Safety Recruiting Center. District 5, Super District 9. Requested by Administration. (Request for Same Night Minutes)

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

ACTION REQUESTED: Adopt the resolution

MOTION: Warren

SNM

SECOND: Morgan

AYES: Canale, Carlisle, Colvett, Ford, Johnson, Jones, Logan, Morgan, Warren, Robinson and Swearingen

ABSTAIN:

NAYS:

RECUSED:

Did not vote:

Was absent: Easter-Thomas, Smiley

APPROVED21.
Swearingen,
Chairman
Executive
Committee

Resolution requiring parking by owners of tractor trailer trucks to conform to the City Code of Ordinances and the Office of Code Enforcement and the Division of Planning & Development to diligently enforce the same. All Council Districts. Sponsored by Councilwoman Swearingen, Robinson, Logan, Ford, Warren, Jones, Carlisle and Johnson. (Request for Same Night Minutes)

ACTION REQUESTED: Adopt the resolution

MOTION: Swearingen

SECOND: Carlisle

AYES: Canale, Carlisle, Colvett, Ford, Johnson, Jones, Logan, Morgan, Robinson, Warren, and Swearingen

ABSTAIN:

NAYS:

RECUSED:

Did not vote:

Was absent: Easter-Thomas, Smiley

APPROVEDWhereupon **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, Carlisle, Ford, Johnson, Jones, Logan, Robinson, Warren, and Swearingen

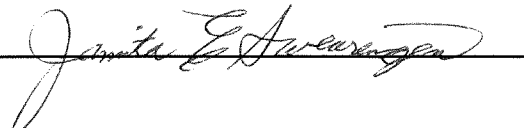
ABSTAIN:

NAYS:

RECUSED:

Did not vote: Colvett, Morgan

Was absent: Easter-Thomas, Smiley

APPROVEDChairman: 

Attest: *Valerie C. Snipes*
Deputy Comptroller/Council

Date: 07/26/2022

July 26, 2022

MINUTES

MEETING OF THE CITY COUNCIL

CITY OF MEMPHIS

July 26, 2022

3:49 P.M. MEETING RECONVENED

**The July 12, 2022, MEETING WAS CALLED TO ORDER
BY SERGEANT-AT-ARMS**

After the meeting was re-opened for the transaction of business and a quorum was declared present, Chairwoman Swearengen entertained a motion to adjourn the July 12, 2022 City Council Meeting. Councilmember Jones moved to adjourn the July 12, 2022, City Council Meeting, Seconded by Councilmember Warren, without objection.

3:30 P.M. SCHEDULED SESSION

3:50 P.M. 07/26/2022 MEETING COMMENCED

**The July 26, 2022, MEETING WAS CALLED TO ORDER
BY SERGEANT-AT-ARMS**

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

INVOCATION

The meeting was opened with a prayer by Father Ben Bradshaw of St. Michael Catholic Church.

Chairwoman Swearengen led the Pledge of Allegiance.

Councilman Colvett thanked Father Ben Bradshaw of St. Michael Catholic Church.

July 26, 2022

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

APPROVED, as amended

3. **RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A PLANNED DEVELOPMENT AT THE SUBJECT PROPERTY LOCATED AT 4867 GETWELL ROAD AND 0 HOLMES ROAD. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT. CASE NO. PD 22-13**

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

APPROVED

4. **RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A PLANNED DEVELOPMENT AT THE SUBJECT PROPERTY LOCATED AT 4429 AND 4439 CLARKE ROAD. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT. CASE NO. PD 22-14**

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

APPROVED

CONSENT AGENDA – Items #5 - #8 were acted upon by one motion; See page 6629 Roll Call Consent Items.

5. **ORDINANCE ADOPTING A COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY AND RESILIENCY (C-PACER) PROGRAM WITHIN THE CITY OF MEMPHIS, TENNESSEE, UP FOR F I R S T READING. ORDINANCE NO. 5832 IS SPONSORED BY EDGE AND THE DIVISION OF PLANNING AND DEVELOPMENT.**

APPROVED, on first reading

July 26, 2022

and Chairwoman Swearengen.
Easter-Thomas and Smiley were absent.

APPROVED

MLGW FISCAL CONSENT AGENDA -ITEMS #9- #12 may be acted upon by one motion:

9. RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 12309, VERITAS NETBACKUP MAINTENANCE WITH THOMAS CONSULTANTS, INC., IN THE FUNDED AMOUNT OF \$194,895.62. (THIS CHANGE IS TO RENEW ANNUAL MAINTENANCE FOR VERITAS NETBACKUP PLATFORM BASE SOFTWARE LICENSES, MAINTENANCE, AND SUPPORT SERVICES FOR THE I6000 TAPE LIBRARY FOR THE PERIOD COVERING OCTOBER 1, 2022, THROUGH SEPTEMBER 30, 2023, IN THE AMOUNT OF \$166,034.64, WITH A 0.05% INCREASE IN RATES FROM THE PREVIOUS TERM DUE TO LICENSE AND MAINTENANCE SUPPORT. THE COST WAS NOT NEGOTIATED SINCE IT WAS A VERY MINIMAL COST THAT WAS ACCEPTED BY THE END USER. IN ADDITION, THIS CHANGE IS TO RATIFY AND EXPAND THE SCOPE OF THE CONTRACT TO INCLUDE ANNUAL MAINTENANCE FOR THE FOLLOWING BACKUP APPLIANCES: 1) TWO NETBACKUP APPLIANCE 5240 (SUPPORT AND STORAGE UNITS THAT BACKUP AND RESTORE DATA FOR THE MLGW DATA BACKUP SYSTEMS) IN THE AMOUNT OF \$11,381.10 FOR THE PERIOD COVERING JUNE 29, 2022, THROUGH SEPTEMBER 30, 2023; AND 2) TWO ESS 24MO REN NB APP5240 103TB 4 1GB (HARDWARE MAINTENANCE FOR 24 MONTHS FOR NETBACKUP APPLIANCE 5240. MLGW HAS TWO BIG HARDWARE UNITS WITH HARD DRIVE STORAGE IN THEM TO HOLD DATA.) IN THE AMOUNT OF \$17,479.88 FOR THE PERIOD COVERING JUNE 29, 2022, THROUGH SEPTEMBER 30, 2023

APPROVED

10. RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11723, EMS/SCADA, WITH OPEN SYSTEMS INTERNATIONAL (OSI), INC., IN THE FUNDED AMOUNT OF \$686,500.00. (THIS CHANGE IS TO INCREASE THE CONTRACT VALUE TO INCLUDE THE FOLLOWING: 1) PROFESSIONAL SERVICES TO ASSIST IN IMPLEMENTING DISTRIBUTION AUTOMATION (\$300,000.00); 2) SCADA POINT EXPANSION FOR DISTRIBUTION AUTOMATION IMPLEMENTATION (\$226,000.00); 3) OPEN NET IMPLEMENTATION FOR REAL TIME POWER FLOW ANALYSIS (\$130,500.00); AND 4) TRAINING CREDITS FOR REAL TIME LOAD FLOW ANALYSIS AND EMS/SCADA SUPPORT (\$30,000.00).

APPROVED

11. RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 12204, DISTRIBUTION AUTOMATION STRATEGIC ASSESSMENT, ROAD MAPPING AND MASTER PLAN WITH BURNS AND MCDONNELL IN THE FUNDED AMOUNT OF \$10,750.00. (THIS CHANGE IS TO RATIFY, EXTEND, AND CHANGE THE CONTRACT VALUE. IN ADDITION, THIS CHANGE IS TO EXPAND THE SCOPE OF THE CONTRACT TO INCLUDE THE FOLLOWING: 1) WIRELESS COMMUNICATION PRIVATE LTE NETWORK (PLTE) TOTAL COST OF OWNERSHIP (TCO) STUDY AND 2) CHANGE

July 26, 2022

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

APPROVED

19. **RESOLUTION APPROVING A LITIGATION SETTLEMENT AND AUTHORITY TO PAY IN THE AMOUNT OF \$1,500,000.00. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY MLGW. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED

20. **RESOLUTION REQUESTING APPROVAL TO PURCHASE REAL PROPERTY IN THE AMOUNT OF (\$600,000.00) LOCATED AT 61 S. MCLEAN BLVD, MEMPHIS, TN 38104 FOR A PUBLIC SAFETY RECRUITING CENTER. DISTRICT 5, SUPER DISTRICT 9. THIS RESOLUTION IS SPONSORED BY THE PUBLIC WORKS DIVISION. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED

21. **RESOLUTION REQUESTING PARKING BY OWNERS OF TRACTOR TRAILER TRUCKS TO COMPLY WITH THE CITY CODE OF ORDINANCES AND THE OFFICE OF CODE ENFORCEMENT AND THE DIVISION OF PLANNING & DEVELOPMENT TO DILIGENTLY ENFORCE THE SAME. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY CHAIRWOMAN SWEARENGEN AND COUNCILMEMBERS ROBINSON, LOGAN, FORD, WARREN, JONES, AND JOHNSON. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Chairwoman Swearingen
 SECOND: Carlisle
 AYES: Canale, Carlisle, Colvett, Ford, Johnson, Jones, Logan, Morgan, Robinson, Warren,

July 26, 2022

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

APPROVED

16. **RESOLUTION TO TRANSFER, ALLOCATE AND APPROPRIATE CONSTRUCTION FUNDS IN THE AMOUNT OF (\$500,000.00) UNDER CONSTRUCTION PROJECT #ST04049 FOR CURB AND GUTTER REPAIRS AT VARIOUS LOCATIONS. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PUBLIC WORKS.**

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

APPROVED

(Special Item #1 - Councilman Jones moved to approve same night minutes for Items #1, #7 - #8, #17 - #21 from tonight's meeting.)

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

APPROVED

Chairwoman Swearingen recognized the following person(s) who spoke from the audience:

Susan Moresi, 1967 Wood Chase Cv., Memphis, Tennessee 38016
Rachel Bauer, 755 University St., Memphis, Tennessee 38107
Shanon Mourning, 10226 Sterling Ridge Dr., Memphis, Tennessee 38018
Darn Jones, 5195 Kimbark Forest, Memphis, Tennessee 38104
Brandy Price, 65710 Stockport Cv., Memphis, Tennessee 38141
Reasal Catron, 6543 Bald Oak Dr., Memphis, Tennessee 38141
Joe B Kent, 511 Flamingo Rd., Memphis, Tennessee 38117