



**CITY COUNCIL
MEETING AGENDA**

April 25, 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 (April 11, 2023)

VI. ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

VII. ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

PRESENTATION OF THE FISCAL YEAR 2024 BUDGET BY MAYOR JIM STRICKLAND.

1. RESOLUTION recognizing Asian American & Pacific Islander Heritage Month. This Resolution is sponsored by Chairman Jones.
2. RESOLUTION condemning anti-Hindu bigotry and Hinduphobia. This Resolution is sponsored by Councilmembers Warren and Colvett.

PUBLIC HEARINGS (None)

DIVISION OF PLANNING AND DEVELOPMENT

3. RESOLUTION pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a special use permit at the subject property located at 400 W. Levi Road. This Resolution is sponsored by the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. SUP 23-03

Applicant: John E. Thomas/Tiesha Hayes
Tiesha Hayes (Representative)

Request: To allow a Special Use Permit to allow a childcare center

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

4. RESOLUTION pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a special use permit at the subject property located at 2292 Park Avenue. This Resolution is sponsored by the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. SUP 23-08

Applicant: Luis Melendez and Carlos Zelaya
David Bray (Representative)

Request: Special Use Permit to allow vehicle repair in the CMU-1 Zoning District

DPD recommendation: REJECTION

LUCB recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

5. 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 4747 Getwell Road. This Resolution is sponsored by the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. PD 22-21

Applicant: Willie Smith Jr.
Brenda Solomito Basar, Solomito Land Planning (Representative)

Request: Planned Development to allow limited number of CMU-1 uses

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

Opposition at LUCB; No Public Hearing Required

6. RESOLUTION pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a special use permit for a planned commercial development at 2453 Elvis Presley Blvd. This Resolution is sponsored by the Division of Planning and Development.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. PD 23-06

Applicant: Falaq Investment and Development, LLC
Timbo’s Construction, Inc. (Representative)

Request: Special use permit for a planned commercial development

LUCB and DPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

Opposition at LUCB; No Public Hearing Required

7. Johnson
Chairman,
Planning
& Zoning
Committee

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 707 Adams Ave. This Resolution is sponsored by the Division of Planning and Development. **(Held from 4/11)**

Case No. PD 23-04

Applicant: Regents Park QOZB I, LLC
Cindy Reaves, SR Consulting, LLC (Representative)

Request: Amendment to the Adams Orleans PD to add Event Center as an allowed use

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

8. Johnson
Chairman,
Planning
& Zoning
Committee

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 110 Byfield Drive. This Resolution is sponsored by the Division of Planning and Development.

Case No. PD 23-05

Applicant: Thornton Realty and Property Solutions
Delinor Smith, Smith Building Design and Associates (Representative)

Request: Planned Development to include Retail Shopping Center use that is permitted in CMU-1, where the current zoning is Residential – 6 (R-6)

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)

CONSENT AGENDA

GENERAL ORDINANCE- FIRST READING (None)

GENERAL ORDINANCES - SECOND READING

- 9. **ORDINANCE** to amend Title 6, Chapter 92, to extend the sunset clause for the Equal Business Opportunity Program, up for S E C O N D reading. Ordinance No. 5866 is sponsored by the Administration.
 Carlisle
 Chairman,
 Budget
 Committee
ACTION REQUESTED: Adopt the Ordinance on Second reading

ZONING ORDINANCE – FIRST READING

- 10. **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 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 23-05
Ordinance No. 5867

Applicant: Allen Daniel(Estate of)/Josh Whitehead, Burch, Porter, & Johnson, PLLC
Josh Whitehead, Burch, Porter, & Johnson, PLLC (Representative)

Request: Rezoning of +/-3.18 acres from Conservation Agriculture (CA) to Employment (EMP)

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the Ordinance on First reading

ZONING ORDINANCE - SECOND READING

11. **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 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 23-03
Ordinance No. 5864

Applicant: Ashaif Enterprises, LLC/ Ashaif Enterprises, LLC
Cindy Reaves on behalf of SR Consulting, LLC (Representative)

Request: Rezoning of +/-0.506 acres from Heavy Industrial (IH) to Mixed Use (MU)

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the Ordinance on Second reading

12. **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 5591 Pidgeon Roost Road 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.

Johnson
Chairman,
Planning
& Zoning
Committee

Case No. Z 23-04
Ordinance No. 5865

Applicant: David Crouch
David Crouch / SR Consulting (Representative)

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

LUCB and DPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the Ordinance on Second reading

NOTATIONS FROM DPD (None)

ENGINEERING DIVISION (None)

GENERAL ITEMS (None)

FISCAL CONSENT AGENDA

13. RESOLUTION to accept reimbursement funding in the amount of (\$126,463.06) from the US Department of Homeland Security for Tropical Cyclone Ian. All Council Districts. This Resolution is sponsored by Fire Services. (Request for Same Night Minutes)
14. RESOLUTION to accept reimbursement funding in the amount of (\$422,194.26) from the US Department of Homeland Security for Kentucky Floods. All Council Districts. This Resolution is sponsored by Fire Services. (Request for Same Night Minutes)
15. RESOLUTION to approve and accept in-kind donation in the value of (\$150,000.00) from Nancy Lieberman Charities, for outdoor basketball court renovation at Pierotti Park/Raleigh Community Center. District 1, Super District 9. This Resolution is sponsored by Memphis Parks. (Request for Same Night Minutes)
16. RESOLUTION accepting grant funds of (\$10,000.00) from Literacy Mid-South for “Passport to Literacy” literacy programming at Raleigh Community Center. District 1, Super District 9. This Resolution is sponsored by Memphis Parks. (Request for Same Night Minutes)
17. RESOLUTION to accept grant funds in the amount of (\$502,981.00) from Shelby County Government through the BJA FY22 Edward Byrne Memorial Justice Assistance Grant Program. All Council Districts. This Resolution is sponsored by Police Services. (Request for Same Night Minutes)

MLGW FISCAL CONSENT

Chair: Patrice Robinson, Vice Chair: Worth Morgan

(NONE)

REGULAR AGENDA

APPOINTMENTS

18. **MEMPHIS CIVIL SERVICE COMMISSION**

Easter-Thomas
Chairman,
Personnel & Governmental
Affairs
Committee

Appointments

Jayniece Harris

Chris Williams

MEMPHIS & SHELBY COUNTY DOWNTOWN MEMPHIS COMMISSION

Appointment

Surayyah Hasan

MEMPHIS CONVENTION CENTER COMMISSION

Reappointment

Douglas Browne

MEMPHIS AREA TRANSIT AUTHORITY

Reappointments

Anton Mack

Edward Stephens, III

GENERAL ORDINANCES THIRD AND FINAL READING

19. **ORDINANCE** to rename White Station Library as the Officer Geoffrey Redd Library, up for T H I R D and F I N A L reading. Ordinance No. 5860 is sponsored by the Memphis City Council.

Swearingen-Washington
Chairman,
Public Services, Art,
Youth Initiative,
Libraries & Neighborhoods
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

20. **ORDINANCE** to amend the Code of Ordinances of the City of Memphis, Tennessee, Chapter 6, to define Entertainment Transportation Vehicles, and to provide for the licensing and regulation of the same, up for T H I R D and F I N A L reading. Ordinance No. 5861 is sponsored by Councilman Canale.

Canale
Chairman,
Transportation
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

21. **REFERENDUM ORDINANCE** Amending the Charter of the City of Memphis to Modify the Existing Qualifications for Mayor and the City Council Members of the City of Memphis, up for T H I R D and F I N A L reading. Ordinance No. 5862 is sponsored by Councilmembers Smiley, Carlisle, Canale, Colvett, Johnson, Jones, Logan, Robinson and Warren.

Easter-
Thomas
Chairman,
Personnel &
Governmental
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

22. **ORDINANCE** to amend the Code of Ordinance of the City of Memphis, Chapter 2-16., City Real Property, Management, to require any contracts for the exterior modification of city-owned property that is leased to any unaffiliated nonprofit organization, with a cost in excess of \$3,000,000.00, be presented to the Memphis City Council for approval, up for T H I R D and F I N A L reading. Ordinance No. 5863 is sponsored by Councilmembers Jones, Ford, Johnson, Logan, Swearingen-Washington, and Warren.

Jones
Chairman,
Executive
Session

ACTION REQUESTED: Take whatever action Council deems advisable

23. **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. (Held from 2/21; 3/7; 3/21)

Johnson
Chairman,
Planning
& Zoning
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

240 NOTICES WERE MAILED ON FEBRUARY 28, 2023

24. **ORDINANCE** supplementing and amending the 2021 Memphis Municipal Code of Ordinances of the City of Memphis, Tennessee relative to Animals and Horse Drawn Carriages; providing for the repeal of certain ordinances not included herein; and providing when such amendments to the Code and this Ordinance shall become effective, up for T H I R D and F I N A L reading. Ordinance No. 5843 is sponsored by Councilman Carlisle. (Held from 2/7; 3/7; 3/21; 4/11)

Swearingen-
Washington
Chairman,
Public Services,
Art,
Youth Initiative,
Libraries & Neighborhoods
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES (None)

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

25. RESOLUTION to allocate and appropriate funds for McFarland Park Splash Pad, Warren Project #PK04019. District 4, Super District 8. This Resolution is sponsored by Chairman, Memphis Parks Committee
ACTION REQUESTED: Adopt the Resolution

26. RESOLUTION to allocate and appropriate funds for Crockett Park, Project #PK07128. District 7, Super District 8. This Resolution is sponsored by Memphis Parks Committee
ACTION REQUESTED: Adopt the Resolution

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS (None)

DIVISION OF SOLID WASTE

27. RESOLUTION to accept the recommendations of the Blight and Illegal Dumping Task Force. All Council Districts. This Resolution is sponsored by Councilwoman Logan, Smiley
Chairman, Canale, Easter-Thomas, Johnson, Jones, Smiley, Swearingen-Washington, and Public Works, Warren.
Solid Waste &
General **ACTION REQUESTED:** Adopt the Resolution
Services
Committee

GENERAL ITEMS (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT