



**CITY COUNCIL  
MEETING AGENDA  
November 7, 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 (October 24, 2023)**

**VI. ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING**

**VII. ITEMS HELD OR DROPPED FROM THE AGENDA**

**PRESENTATIONS AND RECOGNITION OF VISITORS**

1. RESOLUTION approving an Honorary Street Name Change on Marechalneil Street between Park Avenue and Spottswood Avenue for Bishop E. Lynn Brown. District 4, Super District 8. This Resolution is sponsored by Councilwoman Johnson.
2. RESOLUTION declaring November 13th through 19th as National Apprenticeship Week in the City of Memphis. This Resolution is sponsored by Councilman Canale.

**PUBLIC HEARING** (None)

**DIVISION OF PLANNING AND DEVELOPMENT**

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 7057 Shelby Drive. This Resolution is sponsored by the Division of Planning and Development.

Johnson  
Chairman,  
Planning  
& Zoning  
Committee

Case No. PD 23-20

Applicant: Focal Point Investment, LLC  
Dedrick Brittenum, Brittenum Law (Representative)

Request: Amendment to The Villages of Bennington PD to allow self-service storage

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 planned development at the subject property located at 5111 Sanderlin Avenue. This Resolution is sponsored by the Division of Planning and Development.

Johnson  
Chairman,  
Planning  
& Zoning  
Committee

Case No. PD 23-21

Applicant: RCM DEVCO LLC/ David Lewis  
Josh Whitehead - Burch, Porter & Johnson, PLLC (Representative)

Request: New mixed-use planned development

DPD recommendation: APPROVAL, with conditions

LUCB recommendation: APPROVAL, with conditions, as amended

**ACTION REQUESTED:** Take whatever action Council deems advisable

**Opposition at LUCB; No Public Hearing Required**

5. RESOLUTION approving an alley closure west of Bellevue Boulevard between Madison Avenue and Monroe Avenue. This Resolution is sponsored by the

Johnson  
Chairman,  
Planning  
& Zoning  
Committee

Division of Planning and Development.

Case No. SAC 23-03

Applicant: Tim McCaskill  
Marty Regan (Representative)

Request: Close and vacate the alley west of S. Bellevue Boulevard between Madison Avenue and Monroe Avenue.

LUCB and DPD recommendation: APPROVAL, with conditions

**ACTION REQUESTED:** Take whatever action Council deems advisable

**No 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 planned development at the subject property located at 3337 Overton Crossing St. This Resolution is sponsored by the Division of Planning and Development. (Held from 7/11; 8/8; 8/22; 9/12; 10/24)

Johnson  
Chairman,  
Planning  
& Zoning  
Committee

Case No. PD 23-09

Applicant: Cash America Central, Inc.  
SR Consulting, LLC (Representative)

Request: New planned development and outline plan conditions to allow the expansion of an existing pawn shop at 3337 Overton Crossing St.

LUCB recommendation: APPROVAL, with conditions

DPD recommendation: REJECTION

**ACTION REQUESTED:** Take whatever action Council deems advisable

**Opposition at LUCB; No Public Hearing Required**

**ZONING ORDINANCE- THIRD AND FINAL READING**

7. **ZONING 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 south side of Cornell St. between Felts Station Rd. and Thomas St. by taking the land out of the Residential Urban – 3 (RU-3) Use District and including it in the Heavy Industrial (IH) 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.

Johnson  
Chairman,  
Planning  
& Zoning  
Committee

Case No. Z 23-11  
Ordinance No. 5886

Applicant: Marcino Pigram  
David Bray of the Bray Firm (Representative)

Request: Rezoning of +/- 0.5 acres from Residential Urban – 3  
(RU-3) to Heavy Industrial (IH)

DPD recommendation: REJECTION

LUCB recommendation: APPROVAL

**ACTION REQUESTED:** Take whatever action Council deems advisable

# CONSENT AGENDA

**GENERAL ORDINANCE - FIRST READING** (None)

**GENERAL ORDINANCE - SECOND READING**

8. **ORDINANCE** amending Ordinance 5551 and Ordinance 5734 relative to Smart City Fiber Access Systems, establishing criteria for qualification as Smart City Fiber Access Systems, defining Smart City Fiber Access Systems, and authorizing for qualifying Smart City Fiber Access Systems alternative requirements, terms, conditions, limitations, and provisions for recovery of the City’s cost incurred, for the construction, maintenance, policing, management or repair of the streets, alleys, thoroughfares, and rights-of-way of the city, up for S E C O N D reading. Ordinance No. 5887 is sponsored by the Administration.

Jones  
Chairman,  
Executive  
Session

**ACTION REQUESTED:** No recommendation

**ZONING ORDINANCE - FIRST READING**

9. **ZONING 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 1106 Colonial Road by taking the land out of the Residential Single Family – 10 (R-10) Use District and including it in the Residential Single Family – 8 (R-8) 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 23-09  
Ordinance No. 5889

Applicant: Church of Christ at White Station, Inc.  
David G. Bray of the Bray Firm (Representative)

Request: Rezoning of +/-11.604 acres from Residential Single Family – 10 (R-10)  
to Residential Single Family – 8 (R-8)

LUCB and DPD recommendation: APPROVAL

**ACTION REQUESTED:** Adopt the Ordinance on First Reading

**ZONING ORDINANCE - SECOND READING**

10. **ZONING ORDINANCE** amending Ordinance No. 5367 of Code of Ordinances, City of Johnson Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis Chairman, and Shelby County Unified Development Code, to delete a section of the South Parkway Planning East Residential Corridor Overlay, up for S E C O N D reading. This Ordinance is sponsored & Zoning by the Division of Planning and Development. Committee

Case No. RC 23-01  
Ordinance No. 5888

Applicant: Alhrouh Osama and Jaber Said  
David Bray of the Bray Firm (Representative)

Request: Residential corridor overlay deletion at 1560 South Parkway East

LUCB and DPD recommendation: APPROVAL, with conditions

**ACTION REQUESTED:** Adopt the Ordinance on Second Reading

**NOTATION FROM DPD**

11. **NOTATION** from the Land Use Control Board that the following case was heard and recommendations made requesting a date of public hearing:

A. **Case No. PD 23-14 – ROCKY POINT ROAD PLANNED DEVELOPMENT**

Located at 8851 Rocky Point Road

Applicant: Patrick Ardis  
David Bray of the Bray Firm (Representative)

Request: 128-lot single-family residential planned development

LUCB and DPD recommendation: APPROVAL, with conditions

**ACTION REQUESTED:** Set a date of public hearing

**SUGGESTED DATE:** November 21, 2023



**ENGINEERING DIVISION**

12. RESOLUTION accepting public improvements for MURRAY FARMS BUSINESS PARK PHASE I [CR#5422] and releasing bond held as security. (Request for Same Night Minutes)

(Contract No. CR-5422)

Resolution accepts public improvements in the present limits of the City of Memphis, as reflected on the plat and located at the extension of Murray Farms Road, west of Appling City Cove in Memphis, Tennessee. Resolution also accepts the release of the BancorpSouth Letter of Credit No. 316001105610 in the amount of \$208,400.00 as security.

**ACTION REQUESTED:** Adopt the Resolution

**GENERAL ITEMS** (None)

## FISCAL CONSENT AGENDA

13. RESOLUTION accepting grant funds in the amount of (\$40,000.00) from Tennessee Commission on Aging and Disability. All Council Districts. This Resolution is sponsored by Memphis Parks. **(Request for Same Night Minutes)**
  
14. RESOLUTION authorizing and providing for the financing of the construction of a Wastewater Facilities project, in the amount of (\$39,636,000.00) including authorizing the execution of applications, contractual agreements, and other necessary documents, and making certain representations, certifications, and pledges of certain revenue in connection with such financing. Project Number SW05001. All Council Districts. This Resolution is sponsored by Public Works Division. **(Request for Same Night Minutes)**

## MLGW FISCAL CONSENT

Chair: Patrice Robinson, Vice Chair: Worth Morgan

15. RESOLUTION approving the execution, delivery and performance of an Amendment to the Natural Gas Supply Agreement with the Municipal Gas Authority of Georgia, for the sale and purchase of natural gas, and other documents respecting the natural gas prepayment transaction.
16. RESOLUTION approving Change No. 5 to Contract No. 12013, MLGW Water Engineering & Operations Generator Maintenance and Repair with Cummins, Incorporated (This change is to extend the current contract for one year in the funded amount of \$24,760.00, which reflects a 5% increase from the previous renewal due to increases in material costs.) in the funded amount of \$50,000.00.
17. RESOLUTION approving Change No. 1 to Contract No. 12385 (solicited under Contract No. 12302), Substation Engineering Services (Transmission) with Allen & Hoshall, Incorporated (This change is to renew the current contract for the first of four annual renewal terms for the period covering December 14, 2023 through December 13, 2024) in the funded not-to-exceed amount of \$300,000.00.
18. RESOLUTION approving Change No. 1 to Contract No. 12386 (solicited under Contract No. 12302), Substation Engineering Services (Substation) with Allen & Hoshall, Incorporated (This change is to renew the current contract for the first of four annual renewal terms for the period covering December 5, 2023 through December 4, 2024) in the funded not-to-exceed amount of \$300,000.00.
19. RESOLUTION approving Change No. 1 to Contract No. 12302, Substation Engineering Services (Protection) with Fisher & Arnold, Incorporated (This change is to renew the current contract for the first of four annual renewal terms for the period covering November 21, 2023 through November 20, 2024) in the funded not-to-exceed amount of \$500,000.00.
20. RESOLUTION awarding a purchase order to Automotive Tool Group for connectors in the amount of \$264,220.00
21. RESOLUTION awarding a twenty-four month blanket purchase order to Mueller Company LLC., for fire hydrants in the amount of \$2,055,725.28.

# REGULAR AGENDA

**APPOINTMENTS** (None)

**GENERAL ORDINANCES THIRD AND FINAL READING**

22. **REFERENDUM ORDINANCE** to amend, pursuant to Article XI, § 9 of the Constitution of the State of Tennessee (Home Rule Amendment), provisions of the Charter of the City of Memphis, the same being Chapter 11 of the Acts of 1879, as amended, relative to partisan elections for the Offices of the Mayor and City Council Members and to repeal all provisions of the City’s Charter inconsistent with this Amendment, up for T H I R D and F I N A L reading. Ordinance No. 5883 is sponsored by Chairman Jones.

Easter-Thomas Chairman, Personnel & Governmental Affairs Committee

**ACTION REQUESTED:** Take whatever action Council deems advisable

23. **REFERENDUM ORDINANCE** to amend, pursuant to Article XI, § 9 of the Constitution of the State of Tennessee (Home Rule Amendment), provisions of the Charter of the City of Memphis, the same being Chapter 11 of the Acts of 1879, as amended, relative to application of City Charter Referendum Ordinance No. 1794 to city municipal elections, up for T H I R D and F I N A L reading. Ordinance No. 5884 is sponsored by Councilmembers Smiley, Johnson, Logan, and Warren.

Easter-Thomas Chairman, Personnel & Governmental Affairs Committee

**ACTION REQUESTED:** Take whatever action Council deems advisable

24. **ORDINANCE** to create a Police Advisory and Review Committee, up for T H I R D and F I N A L reading. Ordinance No. 5885 is sponsored by the Administration.

Logan Chairman, Public Safety & Homeland Security Committee

**ACTION REQUESTED:** Take whatever action Council deems advisable

25. **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 T H I R D and F I N A L reading. Ordinance No. 5876 is sponsored by Councilman Canale. (Held from 7/11; 7/25; 8/8; 8/22; 9/12; 9/26; 10/10; 10/24)

Logan Chairman, Public Safety & Homeland Security 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 (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS (None)

DIVISION OF SOLID WASTE (None)

GENERAL ITEM (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT