



**CITY COUNCIL  
MEETING AGENDA  
November 21, 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 (November 7, 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 Flip My Life TV, a nonprofit organization in Memphis. This Resolution is sponsored by Councilman Colvett.

**PUBLIC HEARING**

2. 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 8851 Rocky Point Road. This Resolution is sponsored by the Division of Planning and Development.

Johnson  
Chairman,  
Planning  
& Zoning  
Committee

Case No. PD 23-14

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:** Take whatever action Council deems advisable

**Opposition at LUCB; Public Hearing Required**

**71 NOTICES WERE MAILED ON NOVEMBER 15, 2023**

**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 2977 Broad Avenue. This Resolution is sponsored by the Division of Planning and Development.

Johnson  
Chairman,  
Planning  
& Zoning  
Committee

Case No. PD 23-24

Applicant: Broad Arts, LLC  
Josh Whitehead of Burch, Porter & Johnson, PLLC (Representative)

Request: Special use permit for a planned commercial development

LUCB and DPD recommendation: APPROVAL, with conditions

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

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

4.  
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 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; 11/7)

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**

5.  
Johnson  
Chairman,  
Planning  
& Zoning  
Committee

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 1560 South Parkway East. This Resolution is sponsored by the Division of Planning and Development.

Case No. SUP 23-14

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

Request: New Special Use Permit to allow a convenience store (without gas sales)

LUCB and DPD recommendation: APPROVAL, with conditions

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

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

**ZONING ORDINANCES- THIRD AND FINAL READING**

6. **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 delete a section of the South Parkway East Residential Corridor Overlay, 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. RC 23-01  
Ordinance No. 5888

Applicant: Alhroust 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:** Take whatever action Council deems advisable

**78 NOTICES WERE MAILED ON OCTOBER 24, 2023**

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. (Held from 11/7)

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)

LUCB recommendation: APPROVAL

DPD recommendation: REJECTION

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

**44 NOTICES WERE MAILED ON OCTOBER 25, 2023**

# CONSENT AGENDA

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

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

**ZONING ORDINANCE - FIRST READING**

8. **ZONING ORDINANCE** amending Ordinance No. 5367 of Code of Ordinances, City of Johnson Chairman, 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 Planning & Zoning Committee Use District, up for F I R S T reading. This Ordinance is sponsored by the Division of Planning and Development.

Case No. Z 23-13  
Ordinance No. 5890

Applicant: Fleet Equipment, LLC  
Cindy Reaves of SR Consulting, LLC (Representative)

Request: Rezoning of +/-0.538 acres from Residential Single-Family – 6 (R-6) to Employment (EMP)

LUCB recommendation: APPROVAL

DPD recommendation: REJECTION

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

**ZONING ORDINANCE - SECOND 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 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 23-09  
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 Second Reading

**NOTATION FROM DPD** (None)

**ENGINEERING DIVISION**

10. RESOLUTION approving the final plat for WHITTEN I/40, PHASE 25 FINAL PLAT RE-RECORD (WITH CIVIL PLANS) QUIKTRIP #7154 and accepting bond as security. (Request for Same Night Minutes)

Contract No. CR-5450

Resolution approves the final plat in the present limits of the City of Memphis, as reflected on the plat and located at 1709 Whitten Road in Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also approves acceptance of the Performance Bond No. 9340734 in the amount of \$85,300.00 as security for the project.

**ACTION REQUESTED:** Adopt the Resolution

11. RESOLUTION approving Supplemental Agreement #1 for CR-5423 – GLIDE XPRESS CAR WASH – 7555 US HIGHWAY 64. (Request for Same Night Minutes)

(Contract No. CR-5423)

**ACTION REQUESTED:** Adopt the Resolution



GENERAL ITEMS (None)

## FISCAL CONSENT AGENDA

12. RESOLUTION to accept grant funds in the amount of (\$10,000.00) from Best Friends Animal Society. All Council Districts. This Resolution is sponsored by Memphis Animal Services. (Request for Same Night Minutes)
13. RESOLUTION to accept grant funds in the amount of (\$571,527.00) from Shelby County Government through BJA FY23 Edward Byrne Memorial Justice Assistance Grant Program. All Council Districts. This Resolution is sponsored by Police Services. (Request for Same Night Minutes)
14. RESOLUTION to allocate and appropriate (\$3,250,000.00) in City Council Community Grant funds to nonprofit agencies for FY24. All Council Districts. This Resolution is sponsored by the Budget Committee. (Request for Same Night Minutes)

## MLGW FISCAL CONSENT

Chair: Patrice Robinson, Vice Chair: Worth Morgan

15. RESOLUTION approving Change No. 9 to Contract No. 10927, Perpetual Licensing Agreement with Precisely Software, Incorporated (previously Pitney Bowes Software, Incorporated) to change and increase the contract value in the funded amount of \$100,000.00.
16. RESOLUTION approving Change No. 3 to Contract No. 12244, Smartsheet with Smartsheet, Incorporated, in the funded amount of \$720,677.63. (This change is to renew, change, and increase the contract value in the amount of \$851,489.97 of which \$130,812.34 will be absorbed in the current contract value. The scope of the contract is changing to add 300 Enterprise Plan plus Pro Support-Licensed users and to add Smartsheet Advance-Platinum (up to 999 connected users) in the amount of \$821,970.00. The change is also due to software and license name changes; these products replace the 300 Premier Plan-Licensed Users and WorkApps Collaborator (Pack - 251 to 1,000). In addition, this change is to renew Smartsheet University All Access Upgrade in the amount of \$29,519.97 for the period covering January 24, 2024 through January 23, 2027.)
17. RESOLUTION approving Change No. 11 to Contract No. 10741, Laser Disk Document Storage with Jack Henry and Associates, Incorporated, a division of Profitstars, to increase the contract value in the funded amount of \$13,956.35.
18. RESOLUTION approving Change No. 3 to Contract No. 12295, Oracle Maintenance and Support with Mythics, Incorporated to ratify a payment authorization and change the current contract in the funded amount of \$668,284.96.
19. RESOLUTION approving Change No. 10 to Contract No. 11296, Enterprise GIS Software Selection and Installation with Environmental System Research Institute (ESRI) to expand the scope and increase the current contract in the funded amount of \$616,000.00.
20. RESOLUTION approving Change No. 1 to Contract No. 12180, Engineering Services for Water Engineering with HDR Engineering, Incorporated to renew the current contract in the funded amount of \$650,000.00.
21. RESOLUTION approving Change No. 3 to Contract No. 12343, Chemical Containment and Tank Installation at Water Pumping Stations with Chris-Hill Construction Company, LLC., to ratify, extend, expand the scope and increase the current contract value in the amount of \$145,820.00.

22. RESOLUTION approving Change No. 1 to Contract No. 12190, Professional Engineering Services for Gas Engineering and Operations with CHI Engineering, in the funded amount of \$100,000.00. (This change is to renew the current contract for the third of four annual renewal terms for the period covering December 23, 2023 through December 22, 2024 in the funded amount of \$220,000.00, based on agreed upon rates which include an average increase of 4.9%. The increase is due to salary increases, insurance costs, a challenging labor market, and other overhead expenses.)
23. RESOLUTION awarding Contract No. 12424, Water Production Well Drilling to National Water Services, LLC., in the funded amount of \$7,130,300.90.
24. RESOLUTION to approve renewal of Cooperative Agreement No. 5447, Investigation of Water Resources for a period of January 1, 2024 to December 31, 2025, stipulating that a sum of \$689,000 will be furnished by the Division and a sum of \$174,000 will be furnished by the United States Department of Interior Geological Survey for continuation of the ground water data collection program in the Memphis Area.
25. RESOLUTION approving Change No. 21 to Contract No. 11292, Cashiering System Replacement with System Innovators (This renewal is to renew the current contract for the period covering January 1, 2024 through December 31, 2024) in the funded amount of \$87,303.17.

# REGULAR AGENDA

**APPOINTMENTS** (None)

**GENERAL ORDINANCES THIRD AND FINAL READING**

26. **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 T H I R D and F I N A L reading. Ordinance No. 5887 is sponsored by the Administration.

**ACTION REQUESTED:** No recommendation

27. **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. **(Held from 11/7)**

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

28. **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. **(Held from 11/7)**

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

29. **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. **(Held from 4/25; 5/16; 6/13; 7/25; 8/8; 8/22)**

**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**

30. RESOLUTION to accept, allocate and appropriate Port Security Grant Program funds from the Department of Homeland Security Operations Safety in the amount of (\$526,580.00) to be used to replace Class B Firefighting foam. All Council Districts. This Resolution is sponsored by the Administration.  
Logan  
Chairman,  
Public Safety  
& Homeland  
Security  
Committee  
**ACTION REQUESTED:** Adopt the Resolution

31. RESOLUTION to accept supplemental grant funding in the amount of (\$158,477.00) from the US Department of Homeland Security FEMA, for the annual sustainment of TN Task Force 1. All Council Districts. This Resolution is sponsored by the Administration.  
Logan  
Chairman,  
Public Safety  
& Homeland  
Security  
Committee  
**ACTION REQUESTED:** Adopt the Resolution

**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**

32. RESOLUTION authorizing the Council to hold a public hearing at which it will convene as a Ratemaking Board to consider the application of the MLGW Board of Commissioners for rate increases and changes to the present electric rate tariffs. All Council Districts. This Resolution is sponsored by the MLGW Administration.  
Robinson  
Chairman,  
MLGW  
Committee

**ACTION REQUESTED:** Adopt the Resolution

**The MLGW Operations & Capital Budget and the Electric Rate Increase Resolutions will be on the December 5, 2023 Agenda.**

33. RESOLUTION approving an Asset Purchase Agreement for the acquisition of a 600MHz license issued by the Federal Communications Commission to Bluewater Wireless II, L.P., with FCC call sign WRBV764, covering the counties of Shelby TN, Tipton TN, and Crittenden AR, in the amount of Twenty-Seven Million Dollars (\$27,000,000.00). All Council Districts. This Resolution is sponsored by the MLGW Administration.  
Robinson  
Chairman,  
MLGW  
Committee

**ACTION REQUESTED:** Adopt the Resolution

**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**

34. SELECTION of the 2024 Council Chair.

35. SELECTION of the 2024 Council Vice Chair.

**APPEARANCE CARDS FOR PUBLIC SPEAKING**

**ADJOURNMENT**