

January 09, 2024

MINUTES

MEETING OF THE CITY COUNCIL

CITY OF MEMPHIS

January 09, 2024

3:30 P.M. SCHEDULED SESSION

4:30 P.M. MEETING COMMENCED

ROLL CALL: J. Ford Canale, Chase Carlisle, Yolanda Cooper-Sutton, Michalyn Easter-Thomas, Edmund Ford, Sr., Jerri Green, Rhonda Logan, Philip Spinosa, Jana Swearengen-Washington, Pearl Eva Walker, Jeff Warren, Janika White and Chairman JB Smiley, Jr.

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

INVOCATION

The meeting was opened with a prayer by Pastor Jim Harbin of Raleigh Community Church of Christ.

Chairman Smiley led the Pledge of Allegiance.

Councilwoman Logan thanked Pastor Jim Harbin of Raleigh Community Church of Christ.

These minutes record the agenda items and the action taken by the Council on such items. The full text of the original ordinances, resolutions, and supporting documents, including an audio recording of Council's deliberations, is 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.

January 09, 2024

Approval of the Minutes of the regular meeting on December 19, 2023, with the following motion:

Chairman Smiley recognized the following person(s) who spoke from the audience:

Virginia McLean, 3838 Poplar Ave., Memphis, Tennessee 38111

MOTION: Canale

SECOND: Carlisle

AYES: Canale, Carlisle, Easter-Thomas, Ford, Green, Logan, Spinosa,
Swearngen-Washington, Walker, Warren, White, and Chairman Smiley.

ABSTAIN: Cooper-Sutton

APPROVED

1. **RESOLUTION APPROVING THE RIGHT-OF-WAY VACATION OF LAFAYETTE PLACE LOCATED BETWEEN E. GOODWYN STREET AND LAFAYETTE STREET. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT. (HELD FROM 12/19)**

CASE NO. SAC 23-04

Held until March 19, 2024

2. **RESOLUTION APPROVING THE RIGHT-OF-WAY VACATION OF LOMBARDY ROAD BETWEEN S. FENWICK ROAD AND CHEROKEE DRIVE. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT. (HELD FROM 12/19)**

CASE NO. SAC 23-05

Held until March 19, 2024

19. **ORDINANCE TO AMEND CHAPTER 2, ARTICLE II, SECTION 2-19 OF THE CODE OF ORDINANCES OF THE CITY OF MEMPHIS, TO CREATE HEALTH BENEFITS FOR ELECTED OFFICIALS, UP FOR T H I R D AND F I N A L READING. ORDINANCE NO. 5895 IS SPONSORED BY CHAIRMAN JONES.**

Held until February 06, 2024

3. **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 5516 RAINES ROAD BY TAKING THE LAND OUT OF THE RESIDENTIAL SINGLE-FAMILY – 6 (R-6) USE DISTRICT AND INCLUDING IT IN THE EMPLOYMENT (EMP) 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.**

**CASE NO. Z 23-12
ORDINANCE NO. 5894**

January 09, 2024

MOTION: Canale

SECOND: Carlisle

AYES: Canale, Carlisle, Cooper-Sutton, Easter-Thomas, Ford, Green, Logan, Spinosa, Swearingen-Washington, Walker, Warren, White, and Chairman Smiley.

APPROVED

4. **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 OF LAND MUNICIPALLY ADDRESSED AS 3549, 3555, AND 3561 FULLER ROAD FROM THE RESIDENTIAL SINGLE FAMILY – 6 (R-6) USE DISTRICT AND INCLUDING IT IN THE EMPLOYMENT (EMP) 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 12/19)**

**CASE NO. Z 23-13
ORDINANCE NO. 5890**

Councilwoman Cooper-Sutton moved to Hold Item #4, without objection.

Held until January 23, 2024

CONSENT AGENDA – Items #5 and #6 were acted upon by one motion; See page 7269 Roll Call Consent Items.

5. **NOTATION FROM THE LAND USE CONTROL BOARD THAT THE FOLLOWING CASE WAS HEARD AND RECOMMENDATION MADE REQUESTING A DATE OF PUBLIC HEARING:**

A. CASE NO. PD 23-25 – MEMPHIS URBAN WOOD PLANNED DEVELOPMENT

APPROVED

6. **RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS FOR HOLMES AND MINERAL WELLS PD, 1ST AMENDMENT, PARCELS A1 AND C PHASE 17 [CR-5387] AND RELEASING BOND. (REQUEST FOR SAME NIGHT MINUTES)**

(CONTRACT NO. CR-5387)

APPROVED

Chairman Smiley recognized the following person(s) who spoke from the audience:

Lenora Pipkin, 1328 N. Willett St., Memphis, Tennessee 38108

Stephanie Walker, 786 N McNeil, Memphis, Tennessee 38107

January 09, 2024

ROLL CALL CONSENT AGENDA ITEMS:

MOTION: Swearengen-Washington

SECOND: Carlisle

AYES: Canale, Carlisle, Ford, Green, Logan, Spinosa, Swearengen-Washington, Walker, Warren, White, and Chairman Smiley.

NAYS: Cooper-Sutton and Easter-Thomas.

APPROVED

FISCAL CONSENT AGENDA - Items #7 - #11 may be acted upon by one motion:

7. RESOLUTION TO ACCEPT GRANT FUNDS IN THE AMOUNT OF (\$400,000.00) FROM THE UNITED STATES DEPARTMENT OF JUSTICE OFFICE OF JUSTICE PROGRAMS FOR THE FY23 MATTHEW SHEPARD & JAMES BYRD, JR HATE CRIMES PROGRAMS. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY POLICE SERVICES. (REQUEST FOR SAME NIGHT MINUTES)

APPROVED

8. RESOLUTION TO ACCEPT GRANT FUNDS IN THE AMOUNT OF (\$250,000.00) FROM THE UNITED STATES DEPARTMENT OF JUSTICE OFFICE OF COMMUNITY ORIENTED POLICING SERVICES FOR THE FY23 LAW ENFORCEMENT AGENCY DE-ESCALATION GRANT PROGRAM. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY POLICE SERVICES. (REQUEST FOR SAME NIGHT MINUTES)

APPROVED

9. RESOLUTION TO ACCEPT GRANT FUNDS IN THE AMOUNT OF (\$250,000.00) FROM THE UNITED STATES DEPARTMENT OF JUSTICE PROGRAMS FOR THE BJA FY23 COLLABORATIVE CRISIS RESPONSE AND INTERVENTION TRAINING PROGRAM. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY POLICE SERVICES. (REQUEST FOR SAME NIGHT MINUTES)

APPROVED

10. RESOLUTION TO ACCEPT GRANT FUNDS IN THE AMOUNT OF (\$200,000.00) FROM THE STATE OF TENNESSEE DEPARTMENT OF COMMERCE & INSURANCE FOR THE TN LAW ENFORCEMENT HIRING TRAINING RECRUITMENT GRANT PROGRAM. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY POLICE SERVICES. (REQUEST FOR SAME NIGHT MINUTES)

APPROVED

January 09, 2024

11. **RESOLUTION TO ACCEPT GRANT FUNDS IN THE AMOUNT OF (\$2,000,000.00) FROM THE UNITED STATES DEPARTMENT OF JUSTICE PROGRAMS FOR THE FY23 BODY WORN CAMERA POLICY & IMPLEMENTATION PROGRAM. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY POLICE SERVICES. (REQUEST FOR SAME NIGHT MINUTES)**

APPROVED

ROLL CALL FISCAL CONSENT AGENDA ITEMS:

MOTION: Swearingen-Washington

SECOND: Warren

AYES: Canale, Carlisle, Cooper-Sutton, Easter-Thomas, Ford, Green, Logan, Spinosa, Swearingen-Washington, Walker, Warren, White, and Chairman Smiley.

APPROVED

MLGW FISCAL CONSENT AGENDA - ITEMS #12 - #18 may be acted upon by one motion:

12. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 12202, NETWORK MAINTENANCE WITH CONVERGEONE, INC., (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE THIRD OF FOUR ANNUAL RENEWAL TERMS FOR THE PERIOD COVERING FEBRUARY 15, 2024 THROUGH FEBRUARY 14, 2025) IN THE FUNDED AMOUNT OF \$1,110,072.11.**

APPROVED

13. **RESOLUTION APPROVING THE RATIFICATION OF PURCHASE ORDER NUMBER 7046157 TO BRIGHTER DAYS AND NITES, INC., FOR S-1 AND S-2 ELECTRIC PEDESTALS IN THE AMOUNT OF \$1,466,000.00.**

APPROVED

14. **RESOLUTION APPROVING THE RATIFICATION OF PURCHASE ORDER NUMBER 7046271 TO MANSFIELD OIL COMPANY OF GAINESVILLE, INC., FOR UNLEADED AND DIESEL FUEL IN THE AMOUNT OF \$7,098,669.56.**

APPROVED

15. **RESOLUTION APPROVING THE RATIFICATION OF PURCHASE ORDER NUMBER 7051332 TO AUTONATION FORD MEMPHIS FOR TEN, ONE-TON CAB AND CHASSIS TRUCKS WITH SERVICE BODIES IN THE AMOUNT OF \$634,907.60.**

APPROVED

January 09, 2024

16. **RESOLUTION APPROVING THE RATIFICATION OF PURCHASE ORDER NUMBER 7045929 TO STUART C. IRBY COMPANY FOR ARM APITONG DEAD-ENDS 96” IN THE AMOUNT OF \$347,500.00.**

APPROVED

17. **RESOLUTION APPROVING THE RATIFICATION OF PURCHASE ORDER NUMBER 7016142 TO ANIXTER, INC., FOR #2 TRIPLEX CABLE FOR AN ADDITIONAL AMOUNT OF \$8,395.89.**

APPROVED

18. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 12186, FAMILY MEDICAL LEAVE ACT WITH UNUM GROUP TO RATIFY AND RENEW THE CURRENT CONTRACT IN THE FUNDED AMOUNT OF \$140,550.00.**

APPROVED

ROLL CALL MLGW FISCAL CONSENT ITEMS:

MOTION: Spinosa

SECOND: Warren

AYES: Canale, Carlisle, Easter-Thomas, Ford, Green, Logan, Spinosa,
Swearingen-Washington, Walker, Warren, White, and Chairman Smiley.
Cooper-Sutton did not cast a vote.

APPROVED

22. **CITY ATTORNEY/CHIEF LEGAL OFFICER**

Appointment

Tannera Gibson

MOTION: Canale

SECOND: Warren

AYES: Canale, Carlisle, Cooper-Sutton, Easter-Thomas, Ford, Green, Logan, Spinosa,
Swearingen-Washington, Walker, Warren, White, and Chairman Smiley.

APPROVED, (REQUEST FOR SAME NIGHT MINUTES)

January 09, 2024

23. **DIRECTOR OF FIRE SERVICES**

Reappointment

Gina Sweat

MOTION: Canale

SECOND: Spinosa

AYES: Canale, Carlisle, Cooper-Sutton, Easter-Thomas, Ford, Green, Logan, Spinosa, Swarengen-Washington, Walker, Warren, White, and Chairman Smiley.

APPROVED, (REQUEST FOR SAME NIGHT MINUTES)

24. **DIRECTOR OF INFORMATION SERVICES**

Appointment

Eric Keane

Chairman Smiley recognized the following person(s) who spoke from the audience:

Pamela Moses, 2383 Jackson Ave., Memphis, Tennessee 38108

MOTION: Canale

SECOND: Warren

AYES: Canale, Carlisle, Cooper-Sutton, Easter-Thomas, Ford, Green, Logan, Spinosa, Swarengen-Washington, Walker, Warren, White, and Chairman Smiley.

APPROVED, (REQUEST FOR SAME NIGHT MINUTES)

25. **RESOLUTION APPROVING MATERIAL TERMS OF DEVELOPMENT COMMITMENT OF BLUE SUEDE NETWORKS, LLC TO DESIGN, BUILD, OPERATE AND MAINTAIN A CITYWIDE FIBER-TO-THE-PREMISES NETWORK IN THE CITY OF MEMPHIS PURSUANT TO SUBSTITUTE ORDINANCE NO. 5887. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY THE ADMINISTRATION. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Canale

SECOND: Spinosa

AYES: Canale, Carlisle, Cooper-Sutton, Easter-Thomas, Ford, Green, Logan, Spinosa, Swarengen-Washington, Walker, Warren, White, and Chairman Smiley.

APPROVED

January 09, 2024

20. **RESOLUTION TO CREATE A CITY OF MEMPHIS FLEET TASK FORCE TO PROVIDE RECOMMENDATIONS TO THE DIVISION OF GENERAL SERVICES AND CITY COUNCIL FOR IMPLEMENTATION OF BEST PRACTICES FOR THE MAINTENANCE AND PROCUREMENT OF THE CITY OF MEMPHIS' FLEET. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY COUNCILMAN CARLISLE.**

MOTION: Swearingen-Washington

SECOND: Spinosa

AYES: Canale, Carlisle, Cooper-Sutton, Easter-Thomas, Ford, Green, Logan, Spinosa, Swearingen-Washington, Walker, Warren, White, and Chairman Smiley.

APPROVED

21. **RESOLUTION TRANSFERRING ALLOCATION FROM \$3,000,000.00 FROM MUD ISLAND RIVER PARK CONTRACT CONSTRUCTION TO FURTHER CAPITAL IMPROVEMENTS TO TOM LEE PARK. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY THE ADMINISTRATION.**

(Councilwoman Easter-Thomas stated she recused from this item and was not present for the discussion.)

Councilman Carlisle moved to table Item #21, without objection.

Tabled

(Special Item #1 – Approval of same night minutes for Items #6 - #11, and #22 - #25, from tonight's meeting.)

MOTION: Canale

SECOND: Carlisle

AYES: Canale, Carlisle, Cooper-Sutton, Easter-Thomas, Ford, Green, Logan, Spinosa, Swearingen-Washington, Warren, White, and Chairman Smiley.
Walker did not cast a vote.

APPROVED

Chairman Smiley recognized the following person(s) who spoke from the audience:

Joe B. Kent, 511 Flamingo Rd., Memphis, Tennessee 38117

Dennis Ostraw, 719 Hawthorne St., Memphis, Tennessee 38107

Marciano Pigram, 0 Cornell St., Memphis, Tennessee 38127

Sharon Mourning, 10226 Starling Ridge Dr., Cordova, Tennessee 38018

Joshua Adams, 1000 S Cooper St., Memphis, Tennessee 38104

Adam Nelson, 1624 Faxon Ave., Memphis, Tennessee 38112

Trinity Williams, 2000 N Parkway, Memphis, Tennessee 38112

Richard Massey, 3615 Central Ave., Memphis, Tennessee 38111

January 09, 2024

- Brandon Washington, 2000 N Parkway, Memphis, Tennessee 38112
- Ebonee Hodges, 6935 Raleigh-Lagrange, Cordova, Tennessee 38018
- Jaleesa Monroe, 4628 Benoit Dr., Memphis, Tennessee 38141
- Jelesia Boyd, 5258 Quince Rd., Memphis, Tennessee 38117
- Shirley Anderson 4180 Mill Branch #7, Memphis, Tennessee 38116
- Amber Sherman, 6070 N Belle Grove Cv., Memphis, Tennessee 38115
- Walter Broady, 4256 Ledbetter Cv., Memphis, Tennessee 38109

MEETING ADJOURNED AT 6:33 p.m.



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

CHAIRMAN

Deputy Comptroller/Council Records