

January 23, 2024

MINUTES

MEETING OF THE CITY COUNCIL

CITY OF MEMPHIS

January 23, 2024

3:30 P.M. SCHEDULED SESSION

3:39 P.M. MEETING COMMENCED

ROLL CALL: J. Ford Canale, 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. Chase Carlisle was absent.

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

INVOCATION

The meeting was opened with a prayer by Pastor James Brodnax of Embassy of Faith Ministries.

Chairman Smiley led the Pledge of Allegiance.

Councilwoman Logan thanked Pastor James Brodnax of Embassy of Faith Ministries.

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 23, 2024

Approval of the Minutes of the regular meeting on January 09, 2024, with the following motion:

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

APPROVED

Chairman Smiley requested a moment of silence for Sara Lewis.

Councilman Warren spoke in honor of Sara Lewis.

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 2868 MORNING SUN ROAD. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

CASE NO. PD 23-26

Held until February 06, 2024

5. **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; 1/9)**

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

Held until February 20, 2024

24. **DIRECTOR OF DIVISION OF POLICE SERVICES**

Reappointment

Cerelyn "CJ" Davis

Mayor Paul Young requested to table Item #24.

The motion to table was approved by acclamation, without objection.

January 23, 2024

TABLED

1. **RESOLUTION RECOGNIZING LIEUTENANT CLARENCE D. HAWKINS FOR HIS RETIREMENT FROM THE MEMPHIS POLICE DEPARTMENT AFTER OVER 38 YEARS OF SERVICE. THIS RESOLUTION IS SPONSORED BY THE MEMPHIS CITY COUNCIL.**

MOTION: Canale

SECOND: White

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

APPROVED

2. **RESOLUTION RECOGNIZING NATALYN JONES FOR HER EXCEPTIONAL CONTRIBUTIONS TO MARINE MAMMAL SCIENCE AS ONE OF THE FEW BLACK WOMEN IN THE FIELD. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN SWEARENGEN-WASHINGTON.**

MOTION: Spinosa

SECOND: Swearingen-Washington

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

APPROVED

4. **RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A CONVENIENCE STORE WITH GAS SALES IN THE COMMERCIAL MIXED USE – 1 (CMU-1) DISTRICT. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

CASE NO. SUP 23-31

MOTION: Canale

SECOND: Walker

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

NAY: Logan

Swearingen-Washington did not cast a vote.
Carlisle was absent.

APPROVED

January 23, 2024

CONSENT AGENDA – Items #6 - #10 and #30, were acted upon by one motion; See page 7289 Roll Call Consent Items.

6. NOTATIONS FROM THE LAND USE CONTROL BOARD THAT THE FOLLOWING CASES WERE HEARD AND RECOMMENDATION MADE REQUESTING DATES OF PUBLIC HEARING:

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

PUBLIC HEARING SET FOR FEBRUARY 6, 2024

B. **SUP 23-26 – TOWING SERVICE WITHOUT AN IMPOUND LOT**

PUBLIC HEARING SET FOR FEBRUARY 20, 2024

APPROVED

7. RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS FOR WOODLAND HILLS II PD, PHASE 16, PART OF AREA 7 [CR- 5430A] AND RELEASING BOND. (REQUEST FOR SAME NIGHT MINUTES)

(CONTRACT NO. CR-5430A)

APPROVED

8. RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS FOR GARDENS OF GRAY’S HOLLOW PD, PHASE 2, [CR- 5396] AND RELEASING BOND. (REQUEST FOR SAME NIGHT MINUTES)

(CONTRACT NO. CR-5396)

APPROVED

9. RESOLUTION APPROVING SUPPLEMENTAL AGREEMENT #1 FOR 220 SOUTH CLAYBROOK STREET APARTMENTS [CR-5434]. (REQUEST FOR SAME NIGHT MINUTES)

(CONTRACT NO. CR-5434)

APPROVED

10. RESOLUTION APPROVING SUPPLEMENTAL AGREEMENT #1 FOR HARMONY AT MORNING GROVE- MORNING WOODS PD PHASE 4 [CR-5436]. (REQUEST FOR SAME NIGHT MINUTES)

(CONTRACT NO. CR-5436)

APPROVED

30. ORDINANCE TO ESTABLISH MEMPHIS COUNCIL MEETING DATES FOR 2024, UP FOR F I R S T READING. ORDINANCE NO. 5896 IS SPONSORED BY CHAIRMAN SMILEY, JR. (REQUEST ADD-ON FOR FIRST READING)

January 23, 2024

APPROVED

ROLL CALL CONSENT AGENDA ITEMS:

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

APPROVED

FISCAL CONSENT AGENDA - Items #11 - #13 may be acted upon by one motion:

11. RESOLUTION TO ACCEPT GRANT FUNDS IN THE AMOUNT OF (\$48,752.00) FROM THE HYDE FAMILY FOUNDATION FOR DATA COLLECTION SOFTWARE. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY MEMPHIS PARKS. (REQUEST FOR SAME NIGHT MINUTES)

APPROVED

12. RESOLUTION TO ACCEPT GRANT FUNDS IN THE AMOUNT OF (\$38,160.05) FROM BLUECROSS BLUESHIELD OF TENNESSEE FOR REPAIRS TO DAVID CARNES PARK. DISTRICT 3, SUPER DISTRICT THIS RESOLUTION IS SPONSORED BY MEMPHIS PARKS. (REQUEST FOR SAME NIGHT MINUTES)

APPROVED

13. RESOLUTION TO ACCEPT A PRIVATE DONATION GRANT FUNDS IN THE AMOUNT OF (\$20,000.00) FROM HOLLYWOOD FEED IN SUPPORT OF THE MUD ISLAND DOG PARK. DISTRICT 7, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY MEMPHIS PARKS. (REQUEST FOR SAME NIGHT MINUTES)

APPROVED

Councilwoman Easter-Thomas recused herself from Item #13.

ROLL CALL FISCAL CONSENT AGENDA ITEMS:

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

January 23, 2024

APPROVED

MLGW FISCAL CONSENT AGENDA - ITEMS #14 - #16 may be acted upon by one motion:

14. **RESOLUTION AWARDDING CONTRACT NO. 12454, ALLEN AERATOR REHABILITATION TO GRINDER, TABER & GRINDER, INC., IN THE FUNDED AMOUNT OF \$2,886,242.22. (REQUEST FOR SAME NIGHT MINUTES)**

APPROVED

15. **RESOLUTION AWARDDING CONTRACT NO. 12461, MCCORD DPC INSTALLATION TO CONSOLIDATED ELECTRICAL SERVICES, INC., IN THE FUNDED AMOUNT OF \$474,875.00 (REQUEST FOR SAME NIGHT MINUTES)**

APPROVED

16. **RESOLUTION AWARDDING CONTRACT NO. 12445, LICHTERMAN PUMPING STATION – ELECTRICAL HVAC ENCLOSURE AND DOCK EXTENSION TO GRINDER, TABER & GRINDER, INC., IN THE FUNDED AMOUNT OF \$440,331.06.**

APPROVED

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

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

ROLL CALL MLGW FISCAL CONSENT ITEMS:

MOTION: Spinosa

SECOND: Swearngen-Washington

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

APPROVED

25. **RESOLUTION TO ACCEPT GRANT FUNDS IN THE AMOUNT OF (\$118,000.00) FROM THE TENNESSEE DEPARTMENT OF HEALTH FOR PROJECT DIABETES YEAR 3 FOR THE IMPLEMENTATION OF HEALTH PROMOTION EFFORTS THROUGHOUT THE MEMPHIS AREA. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY THE ADMINISTRATION. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Warren

SECOND: Swearngen-Washington

AYES: Canale, Cooper-Sutton, Easter-Thomas, Ford, Green, Logan, Spinosa,

January 23, 2024

Swearingen-Washington, Walker, Warren, White, and Chairman Smiley.
Carlisle was absent.

APPROVED

26. **RESOLUTION TO ACCEPT GRANT FUNDS IN THE AMOUNT OF (\$2,756,574.40) IN ADDITIONAL GRANT FUNDS TO REPAIR 14 BRIDGES SAM COOPER, PROJECT PW01253. DISTRICTS 2 AND 5, SUPER DISTRICT 9. THIS RESOLUTION IS SPONSORED BY THE ADMINISTRATION. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Swearingen-Washington

SECOND: Spinosa

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

APPROVED

27. **DIRECTOR OF DIVISION OF SOLID WASTE**

Reappointment

Philip Davis

MOTION: Easter-Thomas

SECOND: Warren

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

APPROVED

28. **DIRECTOR OF PARKS AND NEIGHBORHOODS**

Reappointment

Carey N. Walker

Councilwoman Easter-Thomas recused herself from Item #13.

MOTION: Spinosa

SECOND: Logan

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

January 23, 2024

RECUSED: Easter-Thomas
Carlisle was absent.

APPROVED

29. **RESOLUTION REQUESTING THE CITY OF MEMPHIS PERMITS OFFICE PROMULGATE A SET OF RULES, REGULATIONS, AND PROCEDURES TO BE OBSERVED BY LICENSED WRECKER OWNERS AND OPERATORS OPERATING IN THE CITY OF MEMPHIS. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY COUNCILMAN CANALE. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED

31. **RESOLUTION TO OVERRIDE THE MAYOR'S VETO OF ORDINANCE NO. 5893. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY THE MEMPHIS CITY COUNCIL. (REQUEST FOR SAME NIGHT MINUTES)**

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

APPROVED

23. **CHIEF HUMAN RESOURCES OFFICER**

Appointment

Fonda Fouché

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

January 23, 2024

APPROVED, (REQUEST FOR SAME NIGHT MINUTES)

22. **CHIEF COMMUNICATIONS OFFICER**

Appointment

Penelope Huston

MOTION: Canale

SECOND: Warren

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

APPROVED, (REQUEST FOR SAME NIGHT MINUTES)

21. **DIRECTOR OF THE DIVISION OF PLANNING AND COMMUNITY DEVELOPMENT**

Reappointment

John Zeanah

MOTION: Swearengen-Washington

SECOND: Cooper-Sutton

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

APPROVED, (REQUEST FOR SAME NIGHT MINUTES)

20. **DIRECTOR OF LIBRARIES**

Reappointment

Keenon McCloy

MOTION: Easter-Thomas

SECOND: Spinoso

AYES: Canale, Cooper-Sutton, Easter-Thomas, Ford, Green, Logan, Spinoso,
Swearengen-Washington, Walker, Warren, White, and Chairman Smiley.
Carlisle was absent.

January 23, 2024

APPROVED, (REQUEST FOR SAME NIGHT MINUTES)

19. **DIRECTOR OF HOUSING AND COMMUNITY DEVELOPMENT**

Reappointment

Ashley Cash

MOTION: Easter-Thomas

SECOND: Green

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

APPROVED, (REQUEST FOR SAME NIGHT MINUTES)

18. **CITY ENGINEER**

Reappointment

Manny Belen

MOTION: Easter-Thomas

SECOND: Cooper-Sutton

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

APPROVED, (REQUEST FOR SAME NIGHT MINUTES)

17. **DIRECTOR OF MEMPHIS ANIMAL SERVICES**

Appointment

Ty Coleman

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

Joan Harp, 178 S. Grove Park Rd., Memphis, Tennessee 38117

MOTION: Easter-Thomas

January 23, 2024

SECOND: Cooper-Sutton

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

APPROVED

(Special Item #1 – Approval of Same Night Minutes for Items #7- #23, 25- #28, & #31, from tonight’s meeting.)

MOTION: Canale

SECOND: Spinosa

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

RECUSED: Easter-Thomas
Carlisle was absent.

APPROVED

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

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

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

Reasal Catron, 5087 Breckenwood Dr., Memphis, Tennessee 38127

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

Trinity Williams, 2000 N Parkway, Memphis, Tennessee 38112

Amber Sherman, 6070 N Belle Grove Cv., Memphis, Tennessee 38115

MEETING ADJOURNED AT 5:15 p.m.

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

CHAIRMAN

Deputy Comptroller/Council Records