



**CITY COUNCIL
MEETING AGENDA**

March 5, 2024

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 8-1. Chairman JB Smiley, Jr.
Super District 9-2. Vice Chairman J. Ford Canale
District 1. Rhonda Logan
District 2. Jerri Green
District 3. Pearl Eva Walker
District 4. Jana Swearengen-Washington
District 5. Philip Spinosa
District 6. Edmund Ford, Sr.
District 7. Michalyn Easter-Thomas
Super District 8-2. Janika White
Super District 8-3. Yolanda Cooper-Sutton
Super District 9-1. Chase Carlisle
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 (February 20, 2024)

VI. ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

VII. ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATION AND RECOGNITION OF VISITORS

1. RESOLUTION honoring Lisa Waddell for educational achievements and recognitions. District 4, Super District 8. This Resolution is sponsored by Councilwoman Swearingen-Washington.
2. RESOLUTION honoring Savoyd Beard for his musical accomplishments. District 4, Super District 8. This Resolution is sponsored by Councilwoman Swearingen-Washington.
3. RESOLUTION approving an Honorary Street Name Change on Dallas Street from Carnes Avenue to Park Avenue for Judge Earnestine Hunt Dorse. District 4, Super District 8. This Resolution is sponsored by Councilwoman Swearingen-Washington.

PUBLIC HEARING

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 3545 South Third Street. This Resolution is sponsored by the Division of Planning and Development. **(Held from 2/20)**

Canale
Chairman,
Planning
& Zoning
Committee

Case No. SUP 23-26

Applicant: Al Moore
Al Moore, Moore Towing and Recovery (Representative)

Request: Allow towing service without an impound lot in the Commercial Mixed Use – 3 (CMU-3) District

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

Opposition at LUCB; Public Hearing Required

32 NOTICES WERE MAILED ON JANUARY 31, 2024

DIVISION OF PLANNING AND DEVELOPMENT

5. 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 3925 Chelsea Avenue. This Resolution is sponsored by the Division of Planning and Development.

Canale
Chairman,
Planning
& Zoning
Committee

Case No. SUP 23-42

Applicant: Pure Youth Athletics Alliance/John Golwen
Bass, Berry & Sims PLC (Representative)

Request: New special use permit for a dormitory and lighted recreation field

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No opposition at LUCB; No Public Hearing Required

6.
Canale
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 391 Western Park Drive. This Resolution is sponsored by the Division of Planning and Development. **(Held from 2/20)**

Case No. SUP 23-36

Applicant: Musleh Hefdallah
David Bray, The Bray Firm (Representative)

Request: Special use permit to allow a convenience store with gas sales in the Commercial Mixed Use – 3 (CMU-3) District

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No opposition at LUCB; No Public Hearing Required

7.
Canale
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 2426 Lamar Avenue. This Resolution is sponsored by the Division of Planning and Development. **(Held from 2/20)**

Case No. SUP 24-01

Applicant: Jim Song
David Baker, Fisher Arnold (Representative)

Request: To allow a drive-thru restaurant in the CMU-1 zoning district

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

8. **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; 1/23; 2/20)**

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: Take whatever action Council deems advisable

44 NOTICES WERE MAILED ON DECEMBER 12, 2023

CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING (None)

GENERAL ORDINANCE - SECOND READING (None)

ZONING ORDINANCE - FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

NOTATION FROM DPD

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

A. **SAC 23-08 – ALLEY CLOSURE BETWEEN NORTH MAIN STREET AND SECOND STREET**

Located at a segment of North November 6th Street from Jefferson Avenue to its north terminus and close and vacate the unnamed alley between North Main Street and Second Street. The total alley closure is +/- 0.267 acres (11,607 sq. ft.)

Applicant: Brett Roler, Downtown Memphis Commission (DMC)
Christine Donhardt – The Reaves Firm, Inc. (Representative)

Request: Right-of-way vacation

LUCB and DPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Set a date of public hearing with the Memphis City Council

SUGGESTED DATE: April 9, 2024

ENGINEERING DIVISION

10. RESOLUTION accepting public improvements for MADISON AND DIANA MIXED USE [CR-5446] and releasing bond. (Request for Same Night Minutes)

(Contract No. CR-5446)

Resolution accepts public improvements in present limits of the City of Memphis, as shown on the plans and located at 2041 Madison Avenue, in Memphis, Tennessee. Resolution also releases the SureTec Insurance Company Performance Bond No. 4467990 in the amount of \$42,100.00.

ACTION REQUESTED: Adopt the Resolution

11. RESOLUTION accepting public improvements for LUCKY SELF-STORAGE – 325 G. E. PATTERSON AVENUE [CR-5412] and releasing bond as security. (Request for Same Night Minutes) (Held from 2/20)

(Contract No. CR-5412)

Resolution accepts public improvements within the present limits of the City of Memphis, and located at G. E. Patterson Avenue, in Memphis, Tennessee. Resolution also authorizes release of the Performance Bond No. 0247406 in the amount of \$75,000.00 held as project security.

ACTION REQUESTED: Adopt the Resolution

GENERAL ITEMS (None)

FISCAL CONSENT AGENDA

(NONE)

MLGW FISCAL CONSENT

Chair: Philip Spinosa, Vice Chair: Pearl Eva Walker

12. RESOLUTION approving Change No. 1 to Contract No. 12424, Water Well Production Drilling with National Water Services, LLC to expand the scope and increase the current contract value in the funded amount of \$4,640,640.00.
13. RESOLUTION approving Change No. 2 to Contract No. 12266, WECO Electric Meter Testing Application with Radian Research, Inc. to increase the current contract value in the funded amount of \$22,743.00.
14. RESOLUTION approving Change No. 1 to Contract No. 11913, Distribution Engineering Analysis Software with CYME International T & D to ratify, renew, expand the scope and increase the current contract value in the funded amount of \$215,303.98.
15. RESOLUTION Change No. 2 to Contract No. 12339, Janitorial Services to Mason's Professional Cleaning Services, LLC to renew the current contract in the funded amount of \$1,150,393.04.
16. RESOLUTION approving Change No. 2 to Contract No. 12298, Janitorial Services to Mason's Professional Cleaning Services, LLC to ratify and renew the current contract in the funded amount of \$271,318.50.

REGULAR AGENDA

APPOINTMENTS

GENERAL ORDINANCES THIRD AND FINAL READING

17. Swaengen- Washington, Chairman, Public Works, Solid Waste & General Services Committee

ORDINANCE to amend City of Memphis, Code of Ordinances, Chapter 33, Article II, Division IV, to codify the existing 2017 Sewer Policy that precludes the extension of sanitary sewer infrastructure and acceptance of additional flow to the Memphis Sewer System from Residential, Commercial, and Industrial developments in Unincorporated Shelby County, up for T H I R D and F I N A L reading. Ordinance No. 5882 is sponsored by the Administration. **(Held from 10/24; 2/6)**

ACTION REQUESTED: Take whatever action Council deems advisable

18. Ford Chairman, Transportation Committee

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; 11/21; 2/6)**

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

19. Swaengen- Washington, Chairman, Public Works, Solid Waste & General Services Committee

RESOLUTION requesting the City of Memphis accept \$1,000.00 and transfer its ownership rights and interest to a parcel located at 32 W. Davant Street, Parcel #050037 00016 to the Blight Authority Memphis/Memphis Metropolitan Land Bank Authority. District 6, Super District 8. This Resolution is sponsored by the Administration.

ACTION REQUESTED: Adopt the Resolution

20. Swearingen-Washington Chairman, Public Works, Solid Waste & General Services Committee
 RESOLUTION requesting the City of Memphis transfer 2 parcels, Parcel #059088 00047 and Parcel #059088 00048 to Memphis-Shelby County Board of Education in Memphis, Shelby County, Tennessee. District 4, Super District 8. This Resolution is sponsored by the Administration.
ACTION REQUESTED: Adopt the Resolution

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

21. Warren Chairman, Memphis Parks Committee
 RESOLUTION transferring and appropriating funds in the amount of \$250,000.00 for GA07002 to GA07009 Riverfront Park Improvement and Major Maintenance. District 7, Super District 8. This Resolution is sponsored by the Administration.
ACTION REQUESTED: Adopt the Resolution

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS

22. Swearingen-Washington Chairman, Public Works, Solid Waste & General Services Committee
 RESOLUTION to transfer and appropriate additional construction funds in the amount of \$800,000.00 from the FY24 Bridge Repair Coverline, Project Number PW24400 to Project FY24 Bridge Repairs (Project Number is currently in process) to repair bridges at various locations on Walnut Grove, Raines Road, Getwell, and S. Parkway. Districts 2, 3, 4, & 6, Super Districts 8 & 9. This Resolution is sponsored by the Administration.
ACTION REQUESTED: Adopt the Resolution

23. RESOLUTION to transfer and appropriate construction funds in the amount of \$500,000.00 from ST Bridge Repair, Project Number ST03216 to FY24 Bridge Repairs Project Number ST-TBD for construction funds to repair bridges at various locations within the City. All Council Districts. This Resolution is sponsored by the Administration.

Swarengen-
Washington
Chairman,
Public Works,
Solid Waste &
General Services
Committee

ACTION REQUESTED: Adopt the Resolution

24. RESOLUTION amending the FY24 CIP Budget by accepting Safe Streets and Roads for All (SS4A) funding from the US Department of Transportation (USDOT) and appropriating \$640,000.00 to establish funding for the Comprehensive Safety Action Plan (EN90033). All Council Districts. This Resolution is sponsored by the Administration.

Swarengen-
Washington
Chairman,
Public Works,
Solid Waste &
General Services
Committee

ACTION REQUESTED: Adopt the Resolution

DIVISION OF SOLID WASTE (None)

GENERAL ITEMS (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT