

July 11, 2023

**MINUTES**  
**MEETING OF THE CITY COUNCIL**  
**CITY OF MEMPHIS**  
**July 11, 2023**

**3:30 P.M. SCHEDULED SESSION**

**3:35 P.M. MEETING COMMENCED**

**ROLL CALL:** J. Ford Canale, Chase Carlisle, Frank Colvett, Michalyn Easter-Thomas, Edmund Ford, Sr., Cheyenne Johnson, Rhonda Logan, Worth Morgan, Patrice Robinson, JB Smiley, Jr., Jana Swearengen-Washington, Jeff Warren, and Chairman Martavius Jones.

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

**INVOCATION**

The meeting was opened with a prayer by Pastor James Earl Kirkwood of Ambassadors for Christ Fellowship Church.

Chairman Jones led the Pledge of Allegiance.

Councilwoman Robinson thanked Pastor James Earl Kirkwood of Ambassadors for Christ Fellowship Church.

**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.**

July 11, 2023

Approval of the Minutes of the regular meeting on June 27, 2023, with the following motion:

MOTION: Swearengen-Washington  
 SECOND: Carlisle  
 AYES: Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Logan, Swearengen-Washington, Warren, and Chairman Jones.  
 Canale, Morgan, Robinson and Smiley did not cast a vote.

**APPROVED**

19. **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 until July 25, 2023

23. **RESOLUTION TO AMEND THE CITY OF MEMPHIS PROPOSED FY24 CAPITAL IMPROVEMENT BUDGET. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN LOGAN.**

Held until July 25, 2023

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 707 ADAMS AVE. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT. (HELD FROM 4/11; 4/25)**

**CASE NO. PD 23-04**

Withdrawn

1. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE ON LYNNFIELD ROAD BETWEEN QUINCE ROAD AND PARK AVENUE FOR MR. FRED D. GRINDER. THIS RESOLUTION IS SPONSORED BY COUNCILMAN WARREN. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Colvett  
 SECOND: Warren  
 AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Logan, Robinson, Smiley, Swearengen-Washington, Warren, and Chairman Jones.  
 Morgan did not cast a vote.

**APPROVED**

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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 3337 OVERTON CROSSING ST. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

**CASE NO. PD 23-09**

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

April Bobo, 8280 Chimneyrock Blvd., Memphis, Tennessee 38116

Held until August 8, 2023

3. **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 2115 SYCAMORE VIEW ROAD. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

**CASE NO. SUP 23-04**

MOTION: Johnson

SECOND: Warren

AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Logan, Robinson, Smiley, Swearngen-Washington, Warren, and Chairman Jones.  
Morgan did not cast a vote.

**APPROVED, as amended**

4. **RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A SPECIAL USE PERMIT FOR A SOLAR FARM AT THE WEST SIDE OF GETWELL ROAD BEGINNING ABOUT 209' SOUTH OF SHELBY DR. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

**CASE NO. SUP 23-10**

MOTION: Johnson

SECOND: Swearngen-Washington

AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Logan, Robinson, Smiley, Swearngen-Washington, Warren, and Chairman Jones.  
Morgan did not cast a vote.

**APPROVED, as amended**

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5. **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 4747 GETWELL ROAD. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT. (HELD FROM 4/25)**

CASE NO. PD 22-21

Held until July 25, 2023

**CONSENT AGENDA – Item #7, were acted upon by one motion; See page 7069 Roll Call Consent Items.**

7. **RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS FOR OVERTON GATEWAY NORTH [CR-5283] AND RELEASING BOND. (REQUEST FOR SAME NIGHT MINUTES)**

(CONTRACT NO. CR-5283)

**ROLL CALL CONSENT AGENDA ITEM:**

MOTION: Carlisle

SECOND: Swearingen-Washington

AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Logan, Morgan, Robinson, Smiley, Swearingen-Washington, Warren, and Chairman Jones.

**APPROVED**

**MLGW FISCAL CONSENT AGENDA - ITEMS #8 - #16 may be acted upon by one motion:**

8. **RESOLUTION AWARDING CONTRACT NO. 12425, PURE STORAGE BACKUP EXPANSION TO THOMAS GALLAWAY CORPORATION DBA TECHNOAGENT IN THE FUNDED AMOUNT OF \$989,272.50.**

**APPROVED**

9. **RESOLUTION AWARDING CONTRACT NO. 12423, PURE STORAGE FLASH ARRAY XL170(S) TO THOMAS GALLAWAY CORPORATION DBA TECHNOAGENT IN THE FUNDED AMOUNT OF \$8,109,596.69.**

**APPROVED**

10. **RESOLUTION AWARDING CONTRACT NO. 12429, LINE CLEARANCE - AREA 3 (SOLICITED UNDER CONTRACT NO. 12420) TO ABC PROFESSIONAL TREE SERVICES, INC. IN THE FUNDED AMOUNT OF \$78,916,006.72.**

**APPROVED**

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11. RESOLUTION AWARDED CONTRACT NO. 12428, LINE CLEARANCE - AREA 2 (SOLICITED UNDER CONTRACT NO. 12420) TO LEWIS TREE SERVICE, INC. IN THE FUNDED AMOUNT OF \$68,677,649.74.

APPROVED

12. RESOLUTION AWARDED CONTRACT NO. 12420, LINE CLEARANCE - AREA 1 TO W.A KENDALL AND COMPANY DBA KENDALL VEGETATION SERVICES IN THE FUNDED AMOUNT OF \$80,053,213.60.

APPROVED

13. RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 12251, AERATOR MAINTENANCE WITH R. P. SERVICES, INCORPORATED TO RENEW THE CURRENT CONTRACT. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE SECOND OF FOUR ANNUAL RENEWAL TERMS FOR THE PERIOD COVERING AUGUST 25, 2023, THROUGH AUGUST 24, 2024) IN THE FUNDED AMOUNT OF \$312,120.00.

APPROVED

14. RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 12359 (SOLICITED UNDER CONTRACT NO. 12292), PROFESSIONAL ENGINEERING SERVICES FOR WATER ENGINEERING WITH FISHER ARNOLD (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FIRST AND SECOND OF FOUR ANNUAL RENEWAL TERMS FOR THE PERIOD COVERING OCTOBER 3, 2023, THROUGH OCTOBER 2, 2025) IN THE FUNDED NOT-TO-EXCEED AMOUNT OF \$760,000.00.

APPROVED

15. RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 12292, PROFESSIONAL ENGINEERING SERVICES FOR WATER ENGINEERING WITH ALLEN & HOSHALL. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FIRST AND SECOND OF FOUR ANNUAL RENEWAL TERMS FOR THE PERIOD COVERING SEPTEMBER 29, 2023, THROUGH SEPTEMBER 28, 2025) IN THE FUNDED NOT-TO-EXCEED AMOUNT OF \$760,000.00.

APPROVED

16. RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 12193, GROUNDS MAINTENANCE AND LANDSCAPING SERVICE WITH ROTOLO CONSULTANTS, INCORPORATED TO RENEW THE CURRENT CONTRACT IN THE FUNDED AMOUNT OF \$262,471.23.

APPROVED

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

Glenda Hicks, 3090 Wood Thrush Memphis, Tennessee 38134

Elizabeth Dierssen, 370 South Reese Memphis, Tennessee 38111

Andrew Woods, 7283 Abercrombie Ln., Memphis, Tennessee 38119

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

**ROLL CALL MLGW FISCAL CONSENT ITEMS**

MOTION: Robinson

SECOND: Carlisle

AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Logan, Robinson, Smiley, Swearngen-Washington, Warren, and Chairman Jones.  
Morgan did not cast a vote.

**APPROVED**

24. **RESOLUTION ACCEPTING A GRANT IN THE AMOUNT OF \$102,639,945.00 FROM THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION'S (TDEC) DEPLOYMENT OF STATE OF TENNESSEE AMERICAN RESCUE PLAN (ARP) FISCAL RECOVERY FUND DOLLARS SUPPORTING WASTEWATER, DRINKING WATER, AND GROUNDWATER PROJECTS. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF SOLID WASTE. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Smiley

SECOND: Warren

AYES: Canale, Carlisle, Colvett, Easter-Thomas, Johnson, Robinson, Smiley, Swearngen-Washington, Warren, and Chairman Jones.  
Ford, Logan, and Morgan did not cast a vote.

**APPROVED**

17. **MEMPHIS LIGHT GAS & WATER COMMISSION, NON-VOTING COUNTYWIDE ADVISORY MEMBER**

Appointment

John R. Butler

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

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

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MOTION: Easter-Thomas

SECOND: Carlisle

AYES: Canale, Carlisle, Easter-Thomas, Ford, Robinson, Smiley, Swearingen-Washington, Warren, and Chairman Jones.  
Colvett, Johnson, Logan, and Morgan did not cast a vote.

**APPROVED**

18. **ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF MEMPHIS, TENNESSEE, CHAPTER 15, TIRE BUSINESS AND TIRE HAULER REGULATION, TO PROVIDE FURTHER REQUIREMENTS FOR TIRE BUSINESS RETAILERS REGARDING THE STORAGE AND HAULING OF TIRES, UP FOR T H I R D AND F I N A L READING. ORDINANCE NO. 5875 IS SPONSORED BY COUNCILMEMBERS LOGAN, SWEARENGEN-WASHINGTON, CARLISLE, EASTER-THOMAS, FORD, JOHNSON, AND SMILEY.**

MOTION: Smiley

SECOND: Warren

AYES: Canale, Carlisle, Easter-Thomas, Johnson, Logan, Morgan, Robinson, Smiley, Swearingen-Washington, Warren, and Chairman Jones.  
Colvett and Ford did not cast a vote.

**APPROVED, on Third and Final Reading, as amended**

20. **REFERENDUM ORDINANCE TO AMEND THE CHARTER OF THE CITY OF MEMPHIS, SAME BEING CHAPTER 11 OF THE ACTS OF 1879 AS AMENDED, PURSUANT TO ARTICLE XI, § 9 OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT), SO AS TO PROVIDE PROVISIONS FOR THE REGULATION OF DEADLY WEAPONS, UP FOR T H I R D AND F I N A L READING. ORDINANCE NO. 5877 IS SPONSORED BY COUNCILMEMBERS SMILEY, WARREN, CANALE, CARLISLE, EASTER-THOMAS, FORD, JONES, LOGAN, MORGAN, ROBINSON, AND SWEARENGEN-WASHINGTON.**

MOTION: Smiley

SECOND: Warren

AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Morgan, Robinson, Smiley, Swearingen-Washington, Warren, and Chairman Jones.  
Logan did not cast a vote.

**APPROVED, on Third and Final Reading, as amended**

21. **ORDINANCE TO AMEND CHAPTER 25-PENSION AND RETIREMENT SYSTEM OF THE CITY OF MEMPHIS, UP FOR T H I R D AND F I N A L READING. ORDINANCE NO. 5873 IS SPONSORED BY THE ADMINISTRATION. (HELD FROM 6/27)**

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MOTION: Robinson  
 SECOND: Carlisle  
 AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Robinson, Smiley, Swearingen-Washington, Warren, and Chairman Jones.  
 Logan and Morgan did not cast a vote.

Councilman Carlisle requested Item #21 be added to the Same Night Minutes, without objection.

**APPROVED, on Third and Final Reading, as amended**

22. **ORDINANCE SUPPLEMENTING AND AMENDING THE 2021 MEMPHIS MUNICIPAL CODE OF ORDINANCES OF THE CITY OF MEMPHIS, TENNESSEE RELATIVE TO ANIMALS AND HORSE DRAWN CARRIAGES: PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED HEREIN; AND PROVIDING WHEN SUCH AMENDMENTS TO THE CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE, UP FOR T H I R D AND F I N A L READING. ORDINANCE NO. 5843 IS SPONSORED BY THE ADMINISTRATION. (HELD FROM 2/7; 3/7; 3/21; 4/11; 4/25; 5/2; 5/16)**

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

Suzy Hollenbach, 5243 Laurie Ln., Memphis, Tennessee 38120

MOTION: Swearingen-Washington  
 SECOND: Warren  
 AYES: Canale, Colvett, Easter-Thomas, Ford, Johnson, Morgan, Robinson, Smiley, Swearingen-Washington, Warren, and Chairman Jones.  
 Carlisle and Logan did not cast a vote.

**APPROVED, on Third and Final Reading, as amended**

**(Special Item #1 – Approval of same night minutes for Items #1, #7, #21, and #24 from tonight’s meeting.)**

MOTION: Swearingen-Washington  
 SECOND: Warren  
 AYES: Canale, Carlisle, Colvett, Easter-Thomas, Ford, Johnson, Robinson, Swearingen-Washington, Warren, and Chairman Jones.  
 Logan, Morgan, and Smiley did not cast a vote.

**APPROVED**



July 11, 2023

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

Niquavius Ninley, 868 N. Evergreen Memphis, Tennessee 38107

Nate Flipp, Stonebrook Cir., Memphis, Tennessee 38011

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

Karen McGee, 755 Bollington Memphis, Tennessee 30106

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


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

Walter Broady, 4256 Ledbetter Cv., Memphis, Tennessee 38109

**MEETING ADJOURNED AT 5:35 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

