

July 25, 2023

MINUTES

MEETING OF THE CITY COUNCIL

CITY OF MEMPHIS

July 25, 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, Patrice Robinson, JB Smiley, Jr., Jana Swearengen-Washington, Jeff Warren, and Chairman Martavius Jones. Worth Morgan was absent.

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

INVOCATION

The meeting was opened with a prayer by Minister Eric Wright of Easthaven Church of Christ.

Chairman Jones led the Pledge of Allegiance.

Councilwoman Robinson thanked Minister Eric Wright of Easthaven 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.

July 25, 2023

Approval of the Minutes of the regular meeting on July 11, 2023, with the following motion:

MOTION: Smiley

SECOND: Carlisle

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

APPROVED

3. **RESOLUTION HONORING GEORGE FOSTER FOR HIS CIVIC ENGAGEMENT. THIS RESOLUTION IS SPONSORED BY COUNCILMEMBER SMILEY.**

Held until August 08, 2023

12. **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 FROM 7/11)**

Held until August 08, 2023

13. **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)**

Held until August 08, 2023

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; 7/11)**

Case No. PD 22-21

Held until August 22, 2023

July 25, 2023

1. **RESOLUTION HONORING THE LIFE AND LEGACY OF REVEREND ALEXANDER GLADNEY, SR. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN EASTER-THOMAS.**

MOTION: Easter-Thomas

SECOND: Swearngen-Washington

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

APPROVED

2. **RESOLUTION HONORING ARI MORRIS FOR HIS MUSICAL TALENTS AND CONTRIBUTIONS TO THE STAX MUSIC ACADEMY. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN SWEARENGEN-WASHINGTON.**

MOTION: Swearngen-Washington

SECOND: Chairman Jones

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

APPROVED

4. **RESOLUTION COMMEMORATING THE FIRST YEAR OF THE MEMPHIS CITY COUNCIL HBCU SCHOLARSHIP PROGRAM AND HONORING THE REVIEW COMMITTEE FOR THEIR HARD WORK AND SERVICE. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY CHAIRMAN JONES.**

MOTION: Jones

SECOND: Smiley

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

APPROVED

Councilman Carlisle moved to suspend the rules to recognize an Item being introduced on the floor, without objection.

July 25, 2023

30. RESOLUTION HONORING DR. JEFFERY WARREN.

MOTION: Canale

SECOND: Carlisle

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

APPROVED

CONSENT AGENDA – Items #6- #10 and #29, were acted upon by one motion; See page 7088 Roll Call Consent Items.

6. **REFERENDUM ORDINANCE AMENDING THE CHARTER OF THE CITY OF MEMPHIS, SAME BEING CHAPTER 11 OF THE ACTS OF 1879, PURSUANT TO THE PROVISIONS OF ARTICLE 11, SECTION 9 OF THE CONSTITUTION OF THE STATE OF TENNESSEE HOME RULE AMENDMENT SO AS TO RE-ESTABLISH THE OFFICE OF CITY COURT CLERK AS AN ELECTED OFFICE OF THE CITY OF MEMPHIS, UP FOR F I R S T READING. ORDINANCE NO. 5878 IS SPONSORED BY CHAIRMAN JONES.**

APPROVED, on First Reading

7. **REFERENDUM ORDINANCE AMENDING ARTICLE 27, SECTION 190 OF THE CHARTER OF THE CITY OF MEMPHIS, SAME BEING CHAPTER 11 OF THE ACTS OF 1879, PURSUANT TO THE PROVISIONS OF ARTICLE 11, SECTION 9 OF THE CONSTITUTION OF THE STATE OF TENNESSEE HOME RULE AMENDMENT SO AS TO REQUIRE ALL PERSONS EMPLOYED BY THE CITY OF MEMPHIS TO LIVE WITHIN SHELBY COUNTY, TENNESSEE, UP FOR F I R S T READING. ORDINANCE NO. 5879 IS SPONSORED BY CHAIRMAN JONES.**

APPROVED, on First 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 FOR LAND LOCATED AT 5420 KNIGHT ARNOLD ROAD BY TAKING THE LAND OUT OF THE RESIDENTIAL SINGLE-FAMILY – 6 USE DISTRICT AND INCLUDING IT IN THE COMMERCIAL MIXED USE - DISTRICT, KNOWN AS CASE NUMBER Z 23-7. UP FOR F I R S T READING. THIS ORDINANCE IS SPONSORED BY THE DIVISION OF PLANNING AND DEVELOPMENT.**

**CASE NO. 23-07
ORDINANCE NO. 5880**

APPROVED, on First Reading

July 25, 2023

9. **NOTATIONS** from the Land Use Control Board that the following cases were heard and recommendations made requesting a date of public hearing:

- A. Case No. MJR 23-13 (PD 94-356 CC CORRES) – TOURNAMENT TRAILS CENTER PLANNED DEVELOPMENT

APPROVED

10. **RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS FOR CLARKE ROAD INDUSTRIAL AND RELEASING BOND HELD AS SECURITY. (REQUEST FOR SAME NIGHT MINUTES)**

CONTRACT NO. (CR-5426)

APPROVED

29. **RESOLUTION TO AMEND THE MEMPHIS CITY COUNCIL GRANT PROGRAM FOR FY24. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY CHAIRMAN JONES. (REQUEST TO ADD TO THE CONSENT AGENDA WITH SAME NIGHT MINUTES)**

APPROVED

ROLL CALL CONSENT AGENDA ITEM:

MOTION: Carlisle

SECOND: Robinson

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

APPROVED

15. **RESOLUTION TO TRANSFER FURNITURE FIXTURE EQUIPMENT AND INFORMATION TECHNOLOGY ALLOCATIONS AND APPROPRIATE FUNDS TO CONTRACT CONSTRUCTION COST FOR FIRE STATION CANOPY AND PATIO PROJECT, PHASE 3 & 4, PROJECT #: FS23102. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY FIRE SERVICES. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Logan

SECOND: Carlisle

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

APPROVED

July 25, 2023

16. **RESOLUTION REQUESTING THE APPROVAL OF A TWO-YEAR LICENSE AGREEMENT BETWEEN SIMMONS BANK LIBERTY STADIUM AND THE U. S. FOOTBALL LEAGUE (USFL). DISTRICT 4, SUPER DISTRICT 9. THIS RESOLUTION IS SPONSORED BY MEMPHIS PARKS. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Colvett

SECOND: Carlisle

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

APPROVED

17. **RESOLUTION TO TRANSFER AND APPROPRIATE CONSTRUCTION FUNDS IN THE AMOUNT OF (\$800,000.00) TO FUND REPAIRS OF FAILING DRAINAGE LINE ALONG TONTO NEAR THIRD STREET, LEADING FROM THE INLETS IN THE STREET, TONTO AND THIRD DRAINAGE, PROJECT #ST-TBD1. DISTRICT 6, SUPER DISTRICT 8. SPONSORED BY ADMINISTRATION. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PUBLIC WORKS. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Smiley

SECOND: Carlisle

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

APPROVED

18. **RESOLUTION TO TRANSFER AND APPROPRIATE CONSTRUCTION FUNDS IN THE AMOUNT OF (\$600,000.00) FOR THE INSTALLATION OF REGIONAL STORMWATER DETENTION FACILITY NEAR MEMPHIS BUSINESS ACADEMY (MBA) DETENTION, PROJECT #ST-TBD2. DISTRICT 7, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PUBLIC WORKS. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Smiley

SECOND: Robinson

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

APPROVED

July 25, 2023

19. **RESOLUTION TO TRANSFER AND APPROPRIATE CONSTRUCTION FUNDS IN THE AMOUNT OF (\$2,000,000.00) TO FUND TOTAL REPLACEMENT OF BARTLETT ROAD BRIDGE OVER FLETCHER CREEK. BARTLETT ROAD BRIDGE, PROJECT #ST01089. DISTRICT 1, SUPER DISTRICT 9. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PUBLIC WORKS. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Smiley

SECOND: Warren

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

APPROVED

20. **RESOLUTION TO TRANSFER AND APPROPRIATE CONSTRUCTION FUNDS IN THE AMOUNT OF (\$1,000,000.00) TO FUND DRAINAGE REPAIR AND MINOR IMPROVEMENTS THAT ARE OUT OF THE CAPABILITIES OF OUR INHOUSE DRAIN MAINTENANCE DEPARTMENT, CITY-WIDE DRAIN REHAB FY20-21, PROJECT #ST02009. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PUBLIC WORKS. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Smiley

SECOND: Swearingen-Washington

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

APPROVED

21. **RESOLUTION TO TRANSFER AND APPROPRIATE CONSTRUCTION FUNDS IN THE AMOUNT OF (\$350,000.00) TO FUND FLOODING ISSUES IN THE AREA BY UPSIZING A DRAINAGE LINE RUNNING ALONG BUXTON AVENUE AS WELL AS REROUTING OF PIPES, SANTA CLARA DRAINAGE, PROJECT #ST02011. DISTRICT 3, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PUBLIC WORKS. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Smiley

SECOND: Warren

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

APPROVED

July 25, 2023

22. **RESOLUTION TO TRANSFER AND APPROPRIATE CONSTRUCTION FUNDS IN THE AMOUNT OF (\$2,500,000.00) TO FUND RELOCATION AND ABANDONMENT OF EXISTING DRAINAGE LINE UNDER FIRE STATION NEAR WASHINGTON AVE. AND DANNY THOMAS BLVD, FIRE S&L BUILDING, DRAINAGE, PROJECT #ST02019. DISTRICT 6, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PUBLIC WORKS. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Smiley

SECOND: Swearngen-Washington

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

APPROVED

23. **RESOLUTION TO TRANSFER AND APPROPRIATE CONSTRUCTION FUNDS IN THE AMOUNT OF (\$1,092,860.00) TO FUND THE FAILING DRAINAGE SYSTEM LEADING FROM PEBBLES ROAD, WEST OF S. THIRD STREET DRAINAGE-THIRD AND PEBBLES, PROJECT #: ST02020. DISTRICT 6 AND SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PUBLIC WORKS. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Smiley

SECOND: Warren

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

APPROVED

24. **RESOLUTION TO TRANSFER AND APPROPRIATE CONSTRUCTION FUNDS IN THE AMOUNT OF (\$337,000.00) TO FUND INSTALLATION OF GREEN INFRASTRUCTURE AND STORMWATER IMPROVEMENTS ASSOCIATED WITH THE ACCELERATE MEMPHIS PROJECT LOCATED ON MCLEMORE STREET NEAR THE STAX MUSEUM. ACCELERATE MEMPHIS: MCLEMORE ST, PROJECT #ST03230. DISTRICTS 4 & 6, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED THE DIVISION OF PUBLIC WORKS. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Smiley

SECOND: Carlisle

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

APPROVED

July 25, 2023

25. **RESOLUTION TO TRANSFER AND APPROPRIATE CONSTRUCTION FUNDS IN THE AMOUNT OF (\$2,000,000.00) TO FUND ON-CALL DRAINAGE REPAIRS THROUGHOUT THE CITY AS NEEDED, CITYWIDE ST INFRASTRUCTURE REHAB FY24-26, PROJECT #ST03231. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PUBLIC WORKS. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Smiley

SECOND: Carlisle

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

APPROVED

26. **RESOLUTION TO TRANSFER AND APPROPRIATE CONSTRUCTION FUNDS IN THE AMOUNT OF (\$1,700,000.00) TO MODIFY THE STORMWATER INFRASTRUCTURE PORTION OF THE MATA INNOVATION CORRIDOR BUS RAPID TRANSIT (BRT) IN CONJUNCTION WITH THE CONSTRUCTION OF THIS PROJECT, MATA BRT-STORMWATER, PROJECT #ST03232. DISTRICTS 4, 5, 6 & 7, SUPER DISTRICTS 8 & 9. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PUBLIC WORKS. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Smiley

SECOND: Carlisle

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

APPROVED

27. **RESOLUTION TO TRANSFER AND APPROPRIATE CONSTRUCTION FUNDS IN THE AMOUNT (\$1,450,000.00) TO FUND THE INSTALLATION OF PIPES ALONG SOUTH GERMANTOWN ROAD TO HELP ALLEVIATE THE POSSIBILITY OF ERRANT VEHICLES FROM ENTERING THE DITCH. SOUTH GERMANTOWN ROAD DRAIN IMPROVEMENT, PROJECT #ST03227. DISTRICT 2, SUPER DISTRICT 9. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PUBLIC WORKS. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Smiley

SECOND: Warren

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

APPROVED

July 25, 2023

28. **RESOLUTION TO TRANSFER AND APPROPRIATE CONSTRUCTION FUNDS IN THE AMOUNT OF (\$8,782,715.00) TO CIPP 18" (INCH), 36" (INCH), AND 60" (INCH) PIPE IN TWO AREAS, PROJECT #SW23201 FOR REHABILITATION OF DETERIORATED SEWER LINES USING CURED-IN PLACE PIPE TECHNOLOGY. DISTRICTS 6 & 7, SUPER DISTRICT 8. THIS RESOLUTION IS SPONSORED BY THE DIVISION OF PUBLIC WORKS. (REQUEST FOR SAME NIGHT MINUTES)**

MOTION: Smiley

SECOND: Swearengen-Washington

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

APPROVED

11. **MEMPHIS & SHELBY COUNTY ECONOMIC DEVELOPMENT GROWTH ENGINE**

Appointment

Roderick Motely

MEMPHIS & SHELBY COUNTY DOWNTOWN MEMPHIS COMMISSION

Appointment

Raymond P. Brown

MOTION: Easter-Thomas

SECOND: Robinson

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

APPROVED

July 25, 2023

14. **RESOLUTION TO AMEND THE CITY OF MEMPHIS PROPOSED FY24 CAPITAL IMPROVEMENT BUDGET. ALL COUNCIL DISTRICTS. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN LOGAN. (HELD FROM 7/11)**

MOTION: Logan

SECOND: Johnson

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

Logan did not cast a vote.

Morgan was absent.

APPROVED, as amended

Councilwoman Logan request for Same Night Minutes for Item #14, without objection.

(Special Item #1 – Approval of same night minutes for Items #10, #14- #29 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 and Smiley did not cast a vote.

Morgan was absent.

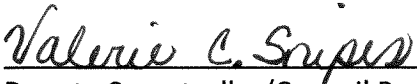
APPROVED

MEETING ADJOURNED AT 4:52 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

