

## **BOARD OF MAYOR AND ALDERMEN**

April 10, 2017

The regular meeting of the Board of Mayor and Aldermen was held on Monday, April 10, 2017, at 6 p.m. in the Council Chambers of City Hall.

Mayor Mike Palazzolo was present and presiding.

The following aldermen were present: John Barzizza, Mary Anne Gibson, Dean Massey, Forrest Owens and Rocky Janda. Staff present: Pam Beasley, Michele Betty, Paul Chandler, Reynold Douglas, Butch Eder, Tim Gwaltney, Richard Hall, David Harris, Patrick Lawton, Lisa Piefer, Cameron Ross, John Selberg, Paul Turner and Steve Wilensky.

### **Call To Order**

The Mayor called the meeting to order.

### **Invocation**

Dr. Charles Fowler gave the invocation.

### **Pledge of Allegiance**

Alderman Massey led the Pledge of Allegiance.

### **Approval of Agenda**

During the executive session, the Board unanimously agreed to move item #13, Agreement – Welcome Cottage Renovations at the Farm Park, to #9b.

Motion by Mr. Barzizza, seconded by Mr. Janda, to approve the agenda as amended.

ROLL CALL: Barzizza-yes, Gibson-yes, Massey-yes, Owens-yes, Janda-yes. Motion approved.

### **Approval of Minutes**

There were no corrections to the minutes.

Motion by Mr. Janda, seconded by Ms. Gibson, to approve the minutes of the Board of Mayor and Aldermen meeting held March 27, 2017.

ROLL CALL: Barzizza-yes, Gibson-yes, Massey-yes, Owens-yes, Janda-yes. Motion approved.

### **Special Recognition**

#### **Germantown Education Commission Teacher of the Month, April 2017**

Vice Mayor Gibson presented the award to Ms. Andrea Cox from Houston High School.

#### **Germantown Education Commission Youth Excellence Award, April 2017**

Vice Mayor Gibson presented the award to Vijay Rajagopal, a senior at Houston High School.

### **Houston Middle School Cheer Team**

Mayor Palazzolo asked the cheer team to come forward to be recognized. The team won the Large Junior High division of the National High School Cheerleading Championship followed by a second place win at the World School Cheer Competition. The coach is Chris Crabtree and the teacher sponsor is Betsy Spurlock.

Members include:

Selah Bailey	Ava Kate Christopher	Emma Johnson	Miller Makinster	Olivia Scaramastro
Elisabeth Burke	Emma Davis	Avery Kilpatrick	Neely Makinster	Madeline Sells
Meredith Bronson	Emily Erhardt	Kennedy Kuhn	Abby Mullahey	Anna Thomas Pate
Madison Carey	Savannah Hardin	Ava Lesley	Emma Nicell	Gabby West
Jordan Causey	Michala Hartzell	Sophia Lewis	Caroline Nunnery	
Brooke Chapman	Isabelle Hirsch	Olivia Litvin	Caroline Reardon	

Mayor Palazzolo proclaimed April 10, 2017 as Houston Middle School Cheerleaders Day in Germantown.

### **Alderman Liaison Reports**

The Aldermen reported on their commission activities.

### **Citizens to be Heard**

Sarah Wilkerson Freeman, 7684 Apahon Lane, came forward to express her concerns regarding zoning ordinances 2016-10 and 2016-11.

### **Resolution 17R07 – Appointment – City Chaplain**

Mr. Lawton stated this agenda item establishes the role of City Chaplain for the City of Germantown and appoints Dr. Charles Fowler as the chaplain for the City of Germantown for the remainder of the 2017 calendar year.

#### RESOLUTION NO. 17R07

#### A RESOLUTION OF THE CITY OF GERMANTOWN TO ESTABLISH THE POSITION OF CITY CHAPLAIN AND TO APPOINT A CITY CHAPLAIN FOR 2017

WHEREAS, the City of Germantown (“City”) is a municipal corporation located within Shelby County, Tennessee duly organized and existing under the laws of the State of Tennessee and is charged with providing public services to residents located within the corporate limits of the City;

WHEREAS, the City finds it necessary and desirable to appoint a City Chaplain for the City of Germantown;

NOW, THEREFORE, BE IT RESOLVED that the Board of Mayor and Aldermen for the City of Germantown does hereby provide for the appointment and role of City Chaplain as follows:

1. The position of City Chaplain for the City of Germantown is hereby established.
2. The position of City Chaplain will be for a term expiring each calendar year. The Board of Mayor and Aldermen shall appoint the City Chaplain each calendar year.
3. The position of City Chaplain shall be a non-paid voluntary position.
4. The City Chaplain shall be responsible for the following:

- a. The City Chaplain shall be available to the Board of Mayor and Aldermen to provide spiritual guidance and counsel on an as-needed basis whenever the circumstances shall require.
  - b. The City Chaplain shall be responsible for providing comfort to the City of Germantown during times of grief or discord within the community.
  - c. The City Chaplain may also attend civic functions and community events at the request of the Mayor.
5. The Board of Mayor and Aldermen does hereby appoint Dr. Charles Fowler to the position of City Chaplain for the City of Germantown for the remainder of the 2017 calendar year.

PASSED AND ADOPTED by the Board of Mayor and Aldermen of the City of Germantown this 10th day of April, 2017.

Motion by Ms. Gibson, seconded by Mr. Janda, to adopt Resolution No. 17R07 – a resolution to appoint a City Chaplain.

ROLL CALL: Barzizza-yes, Gibson- yes, Massey-yes, Owens-yes, Janda-yes. Motion approved.

Vice Mayor Gibson recused herself from the dais as she is a member of Bobby Lanier Farm Park, Inc.

**Agreement – Welcome Cottage Renovations at the Farm Park**

Ms. Beasley stated, since the opening of the Bobby Lanier Farm Park in 2012, community advocates and support groups have continued to step forward offering assistance and private resources to advance the master plan of this unique suburban farm. Design and construction plans exist for the welcome cottage, which were developed during the project start-up. The estimated construction cost of the renovation was valued at approximately \$40,000.00 at that time. However, funding has not been allocated for this planned building amenity to date. Chamberlain & McCreery, LLC recently approached staff with an interest in providing some type contribution to the Farm Park. Staff recommended that the City accept this company's generous offer to provide the resources needed to complete the renovation of the cottage.

Motion by Mr. Barzizza, seconded by Mr. Owens, to authorize the Mayor to enter into a partnership agreement with Chamberlain & McCreery, LLC authorizing their company to renovate the Welcome Cottage building at the Bobby Lanier Farm Park as a gift to the City.

ROLL CALL: Barzizza-yes, Gibson-abstain, Massey-yes, Owens-yes, Janda-yes. Motion approved.

Vice Mayor Gibson returned to the dais.

The Mayor adjourned the regular Board meeting and reconvened as a Beer Board.

**BEER BOARD**

**Public Hearing – Temporary Beer Permit – On Premise – Germantown Festival Association**

Mr. Lawton stated Howard Giffin, Germantown Festival Chairman, requested approval of a temporary beer permit for the annual Germantown Festival to be held on September 9 and 10, at the Morgan Woods and C.O. Franklin Parks. The festival features food, games, kiddie rides, new car exhibits, live stage entertainment and

an arts and crafts marketplace. The festival requires each food vendor to have as a partner a recognized Germantown area religious or charitable organization, which, in some cases, becomes the main source of income for the organization.

Mayor Palazzolo called for citizens to come forward to speak for or against the temporary beer permit. No citizens came forward.

Motion by John Barzizza, seconded by Mr. Owens, to approve a temporary beer permit allowing the sale of beer on publicly owned property at the 2017 Germantown Festival on Saturday, September 9, 2017, during the hours of 9:30 a.m. until 6:00 p.m. and on Sunday, September 10, 2017, from noon until 6:00 p.m.

ROLL CALL: Barzizza-yes, Gibson- yes, Massey-no, Owens-yes, Janda-yes. Motion approved.

The Mayor adjourned the Beer Board and reconvened the regular Board meeting.

### **CONSENT**

#### **Purchase – GPAC Lobby Balcony Flooring Replacement**

The carpet on the lobby balcony was replaced in 2007 and has become badly worn. As part of the 2017 IRP budget process, funding was approved for flooring replacement in GPAC lobby on the lower level and was successfully installed. Request for funding to replace the lobby balcony flooring was scheduled within FY18 budget process. However, due to the completion of FY17 IRP projects within the GPAC budget, there is enough funding to replace the lobby balcony flooring without having to request funding during FY18.

MOTION: To approve the purchase of services with BG Carpets dba Carpet Contractors in the amount of \$21,793.30 and Budget Adjustment No. 17-64 for flooring replacements on the GPAC lobby balcony.

#### **Purchase – Industrial Ceiling Fans**

The Fleet Services facility is a 12,000 square foot facility consisting of 8,640 square feet of shop area with six drive through bays and a ceiling height of 24 feet. During the winter months, utility expenditures will almost double due to the increased use of natural gas required to heat the shop area. A facility equipped with high volume -low speed fans operating in the winter will mix the warmer air at the ceiling with the cooler air at the floor to even the temperature throughout the facility and can reduce a facility's energy consumption by 20-30%. This increased air movement will also provide a cooler shop area in the summer months.

MOTION: To approve the purchase of two (2) new Industrial HVLS (High Volume Low Speed) Basic 6 ceiling fan kits for a total cost of \$11,832.00 from Big Ass Solutions.

#### **Grant – Firehouse Subs Public Safety Foundation**

The Firehouse Subs Public Safety Foundation approved a request for a grant to purchase two handheld thermal imagers for use by the Police Department to help locate missing, lost or wanted persons.

MOTION: To recognize a grant received from Firehouse Subs Public Safety Foundation in the amount of \$6,250.00 for a two new EO Tech handheld thermal imagers.

Motion by Ms. Gibson, seconded by Mr. Janda, to accept the consent agenda as read.

ROLL CALL: Barzizza-yes, Gibson-yes, Massey-yes, Owens-yes, Janda-yes. Motion approved

**REGULAR**

**Warrant Approvals – Take Five Oil Change**

This agenda item is to consider six warrants associated with the site plan for Take 5 Oil Change to be located at 6525 Poplar Avenue. This site is situated within the Western Gateway Smart Growth Area and located at the city limit line between the City of Germantown and the City of Memphis. The property is within the T-6 Urban Core District. Warrants are deviations from the requirements of the Smart Growth districts and must be approved by both the Planning Commission and the Board of Mayor and Aldermen. On February 9, 2017, Brian Salek, Take 5 Oil Change, and John B. Walker applied for approval of a preliminary and final site plan for an automotive service- drive-through facility. The Planning Commission approved the preliminary and final site plan along with six warrants on March 7, 2017.

**WARRANT MOTION:** To approve a warrant from Section 23-763, to allow a drive-through oil change facility on the subject property.

Motion by Mr. Owens, seconded by Mr. Janda, to approve a warrant from Section 23-763, to allow a drive-through oil change facility on the subject property.

ROLL CALL: Barzizza-yes, Gibson-yes, Massey-yes, Owens-yes, Janda-yes. Motion approved.

**WARRANT MOTION:** To approve a warrant from Section 23-792.B.2 & 23-793.A.3, to allow a driveway entrance that is 37.93 feet, face of curb to face of curb, to be located, as shown on the site plan.

Motion by Mr. Owens, seconded by Mr. Janda, to approve a warrant from Section 23-792.B.2 & 23-793.A.3, to allow a driveway entrance that is 37.93 feet, face of curb to face of curb, to be located, as shown on the site plan.

ROLL CALL: Barzizza-yes, Gibson-yes, Massey-yes, Owens-yes, Janda-yes. Motion approved.

**WARRANT MOTION:** To approve a warrant from Section 23-771.C, to allow a frontage buildout of 70.65%, as shown on the site plan.

Motion by Mr. Owens, seconded by Ms. Gibson, to approve a warrant from Section 23-771.C, to allow a frontage buildout of 70.65%, as shown on the site plan.

ROLL CALL: Barzizza-yes, Gibson-yes, Massey-yes, Owens-yes, Janda-yes. Motion approved.

**WARRANT MOTION:** To approve a warrant from Section 23-787.E.1, to allow the building to have roll up doors on the front of the building, as shown on the site plan.

Motion by Mr. Barzizza, seconded by Mr. Janda, to approve a warrant from Section 23-787.E.1, to allow the building to have roll up doors on the front of the building, as shown on the site plan.

ROLL CALL: Barzizza-yes, Gibson-yes, Massey-yes, Owens-yes, Janda-yes. Motion approved.

**WARRANT MOTION:** To approve a warrant from Section 23-787.D.2, to allow 37% of the sidewalk level story on the principal frontage to have clear glass and 45% to have glass (clear and spandrel), as shown on the site plan.

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Motion by Mr. Owens, seconded by Ms. Gibson, to approve a warrant from Section 23-787.D.2, to allow 37% of the sidewalk level story on the principal frontage to have clear glass and 45% to have glass (clear and spandrel), as shown on the site plan.

ROLL CALL: Barzizza-yes, Gibson-yes, Massey-yes, Owens-yes, Janda-yes. Motion approved.

WARRANT MOTION: To approve a warrant from Section number 23-793.B, to allow the proposed site plan without cross-access easements and connections to adjoining properties to connect driveways and parking lots.

Motion by Mr. Barzizza, seconded by Mr. Owens, to approve a warrant from Section number 23-793.B, to allow the proposed site plan without cross-access easements and connections to adjoining properties to connect driveways and parking lots.

ROLL CALL: Barzizza-yes, Gibson-yes, Massey-yes, Owens-yes, Janda-yes. Motion approved.

Meeting adjourned.

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Mike Palazzolo, Mayor

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Michele Betty, City Clerk/Recorder