

BOARD OF MAYOR AND ALDERMEN

September 10, 2018

The regular meeting of the Board of Mayor and Aldermen was held on Monday, September 10, 2018 at 6 p.m. in the Council Chambers at 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, Tony Fischer, Tim Gwaltney, Richard Hall, Jason Huisman, Patrick Lawton, Mac McCarroll, Bo Mills, Daniel Page, Lisa Piefer, Cameron Ross, Emily Rozar, Keith Saunders and Steve Wilensky.

Call To Order

The Mayor called the meeting to order.

Invocation

Pam Beasley gave the invocation.

Pledge of Allegiance

Alderman Janda led the Pledge of Allegiance.

Set Agenda

During the executive session, the Board unanimously agreed to move to the consent agenda # 11 Appointment- Public Safety Education Commission – Melissa Peyton, #12 Appointment – Public Safety Education Commission – Clifford Priestly and #14 – Norfolk Southern Railway Agreement – Signal Upgrade Project and move to the regular agenda #10a Agreement of Compromise and Settlement Payment.

Motion by Mr. Janda, seconded by Mr. Barzizza, to approve the September 10, 2018 agenda as amended.

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

Approval of August 27, 2018 Minutes

There were no corrections made to the August 27, 2018 minutes.

Motion by Mr. Janda, seconded by Mr. Barzizza, to approve the minutes of the Board of Mayor and Aldermen meeting held August 27, 2018, as written.

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

Special Recognition

Proclamation - Suicide Prevention Awareness Month

Mayor Palazzolo proclaimed September 2018 as Suicide Prevention Awareness Month in the city.

Donations – Germantown Performing Arts Center – FY18

The Board of Mayor and Aldermen recognized gifts to the Germantown Performing Arts Center (GPAC) totaling \$567,711.00 in cash donations, including Annual Fund, Corporate Sponsorships, Grants, Special Events and the Arts Education Fund, and \$169,476.00 in in-kind contributions for a total FY18 donation value of \$737,187.00. Special Recognition was given to members of the GPAC Presenters Circle, who donate at least \$1,000.00 per year with a commitment of 3 years.

Motion by Mr. Barzizza, seconded by Ms. Gibson, to acknowledge cash donations to GPAC totaling \$567,711.00 and in-kind contributions valued at \$169,476.00 for a total donation value of \$737,187.00 in support of the 2017-2018 GPAC season.

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

Alderman Liaison Reports

The Aldermen reported on their commission activities.

Citizens to be Heard

Robert Hayne, 8616 Pine Needle Dr., came forward regarding placement of political signs.

Sarah Freeman, 7684 Apahon Ln., came forward regarding taxes and City vacation buyback program.

Herschel Freeman, 7684 Apahon Ln., came forward regarding the behavior of candidate workers.

Kristen Geiger, 3055 Devonshire Way, came forward regarding tax rate increases.

Mayor Palazzolo recessed the Board of Mayor and Aldermen and reconvened as the Beer Board.

BEER BOARD

Public Hearing – Temporary Beer Permit – On Premise – Memphis Bar Ties

The City received a request for a temporary beer sales permit for Memphis Bar Ties to sell beer on the Germantown Charity Horse Show (GCHS) grounds for the GCHS Horse Fair and Food Truck Festival to be held on Saturday, September 29, 2018.

Mayor Palazzolo asked for citizens to come forward during the public hearing. Ms. Brooke Ballinger, 505 Tennessee St., 38103, came forward to represent the GCHS Board. Having no citizens come forward, Mayor Palazzolo closed the public hearing.

Motion by Mr. Barzizza, seconded by Mr. Owens, to approve a temporary beer sales permit for Memphis Bar Ties to sell beer on the Germantown Charity Horse Show (GCHS) grounds for the GCHS Horse Fair and Food Truck Festival to be held on Saturday, September 29, 2018.

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

Public Hearing – Temporary Beer Permit – On Premise - RISE Foundation

The City received a request for a temporary beer sales permit for the RISE Foundation, Inc. to serve beer at their 6th Annual RISE Evening of Change gala fundraiser at the Great Hall & Conference Center on Thursday, September 27, 2018.

Mayor Palazzolo asked for citizens to come forward during the public hearing. Having no one come forward, Mayor Palazzolo closed the public hearing.

Motion by Mr. Barzizza, seconded by Mr. Janda, to approve a temporary beer sales permit for the RISE Foundation, Inc. to serve beer at their 6th Annual RISE Evening of Change gala fundraiser at the Great Hall & Conference Center on Thursday, September 27, 2018.

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

Mayor Palazzolo recessed the Beer Board and reconvened as the Board of Mayor and Aldermen.

CONSENT

Grant – Shelby County Books from Birth

As part of the FY19 Budget, a \$12,135.00 grant was included in civic support to support the program. A grant in the same amount was awarded during FY17 and FY18. Since 2005, Shelby County Books from

Birth has been enrolling children into the Imagination Library at no charge to parents or the community. In Germantown, approximately 97% of households with children under the age of five years are enrolled. This means that over 1,870 children in Germantown receive new a book in the mail each month. This year's request increased by \$1,365.00.

MOTION: To authorize payment in the form of a grant to Shelby County Books from Birth in the amount of \$13,500.00.

Purchase – All Terrain Vehicle

The 2018 EZGO Stampede Crew Cab all terrain vehicle will be a new addition to the fleet and mainly used by the Park Rangers to patrol and manage the Germantown Greenway system.

MOTION: To approve the purchase of a 2018 EZGO Stampede Crew Cab all terrain vehicle equipped with a crew cab hardtop and front/split windshield from 4 Seasons Equipment Company in the amount of \$14,990.00.

Purchase – Cameron Brown Tennis Lighting Pad Mount Transformer Replacement and Relocation

The Board approved the purchase and installation of MUSCO LED sports lighting and controls in April 2018 for Municipal Park and Cameron Brown Park. MLGW will install the transformer and make wiring connections. MLGW must have payment in full for their scope of work before a work request can be generated.

MOTION: To approve the purchase of services from MLGW for the installation of one replacement pad mount electrical transformer in the amount of \$10,494.47.

Purchase – Bulk Concrete

Concrete mix is used primarily for street maintenance repairs, utility cuts, curb, gutter and water table repairs and storm water maintenance projects. This purchase should meet street maintenance concrete needs for approximately one year.

MOTION: To authorize the Mayor to approve a contract with MMC Materials, Inc. for the purchase of 500 cubic yards of 4000 PSI Standard Aggregate concrete mix in the amount of \$59,800.00.

Purchase – Cement Treated Base Mix

Cement treated base mix is used primarily for street maintenance base repairs, utility cuts and storm water maintenance projects. Public Works crews pick up the amount required each day as needed at the vendor's distribution plant for immediate application.

MOTION: To approve the purchase of 2,500 tons of cement treated base mix in the amount of \$63,700.00 from Metro Materials Inc. and 1,000 tons from Lehman-Roberts Company in the amount of \$27,000.00 for a total amount of \$90,700.00.

Purchase – Repair and Install Diesel Exhaust System at Stations 2,3 & 4

Diesel exhaust includes many known or suspected carcinogenic substances, as well as other harmful pollutants, such as nitrogen oxides. This risk is increased in fire stations where the living areas are attached

to the apparatus bays. Studies have shown that the cancer rate among fire fighters is exceptionally high, and higher than the general population. To reduce the risk of harmful diesel exhaust for our fire fighters, diesel exhaust ventilation systems are installed in the apparatus bays.

MOTION: To approve the purchase of repairs, upgrades and maintenance for the apparatus exhaust systems in the fire stations from Industrial Air Purification, Inc. in the amount of \$ 22,909.41.

Purchase – Sewer Manhole Rehabilitation

Staff performs preventive maintenance and repairs on over 250 miles of sewer mains annually. The scope of this contract includes pre-flushing, visual inspection, an application of a polymer based polyurethane protective coating and the final inspection of the sewer manholes and wet wells identified in the bid.

MOTION: To authorize the Mayor to approve a construction service contract with CTR Utility Rehab, LLC in an amount not to exceed \$150,000.00 for the FY19 Sewer Manhole Infrastructure Rehabilitation Project.

Appointment – Public Safety Education Commission – Melissa Peyton

There are currently two vacancies on the Public Safety Education Commission. The remaining terms of these appointments expire on December 31, 2018. Ms. Melissa Peyton has expressed her desire to serve on this commission.

MOTION: To approve the appointment of Ms. Melissa Peyton to serve on the Public Safety Education Commission with a term ending December 31, 2018.

Appointment – Public Safety Education Commission – Clifford Priestley

There are currently two vacancies on the Public Safety Education Commission. The remaining terms of these appointments expire on December 31, 2018. Mr. Clifford Priestley has expressed his desire to serve on this commission.

MOTION: To approve the appointment of Mr. Clifford Priestley to serve on the Public Safety Education Commission with a term ending December 31, 2018.

Norfolk Southern Railway Agreement – Signal Upgrade Project

The purpose of this agenda item is to consider approval of an agreement with Norfolk Southern Railway Corporation (NSRC) in the amount of \$23,672.00 related to the City's signal upgrades project. The City is currently in the design phase of a project to upgrade three (3) existing signalized intersections: Poplar Pike at Hacks Cross, Poplar Pike/Germantown Road/Arthur and Poplar Avenue at Kirby. Poplar Pike at Hacks Cross is located within Norfolk Southern Railway right-of-way. An agreement with NSRC must be executed that allows the City's contractor to enter and perform work within their right-of-way.

Motion: To authorize the Mayor to enter into an agreement with Norfolk Southern Railway Corporation in the amount of \$23,672.00 related to the signal upgrades project.

Motion by Mr. Janda, seconded by Ms. Gibson, to approve the consent agenda as amended.

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

REGULAR

Contract – Asphalt Milling and Paving

Staff implemented a proactive preventive street maintenance analysis program over 28 years ago to annually evaluate and schedule streets for milling and/or pavement resurfacing. This annual contract also includes the

repair of traffic loops that are damaged during the milling process, replacement of water valve boxes, sewer manhole risers and underground electrical utility boxes. The contract also provides a price for base asphalt mix in the event some structural or foundation failures are discovered during the milling process.

Motion by Mr. Janda, seconded by Ms. Gibson, to approve a contract with Standard Construction Co., Inc. for the annual FY19 Asphalt Milling and Paving Program per the unit prices provided in an amount not to exceed \$2,200,000.00.

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

Reimbursement Payment No. 2 – GMSD School Security Reimbursements

The Germantown Municipal School District (GMSD) requests a second reimbursement payment in the amount of \$114,800.00 for recent school security improvements. The FY19 CIP budget includes \$500,000.00 for these improvements. Over this past summer, 202 new cameras and 13 additional cell phone boosters have been installed. GMSD initially submitted four (4) invoices to the City from Progressive Technologies for security cameras totaling \$102,600.00. These invoices were approved for payment at the August 27, 2018 BMA meeting. Three (3) additional invoices totaling \$114,800.00 have been submitted for security camera installations at Dogwood Elementary, Houston High and Riverdale schools. If approved, the total amount the City will have reimbursed GMSD to date would be \$217,400.00. The total cost of the security camera and cell phone booster improvements is currently estimated to be \$336,334.00. Additional invoices for the cameras, cell phone booster installations and other security enhancements will be forwarded to the City once received. GMSD plans to use the remaining, budgeted balance to secure the entrances and courtyard areas at Houston High School.

Motion by Ms. Gibson, seconded by Mr. Barzizza, to approve Reimbursement Payment No. 2 in the amount of \$114,800.00 to the Germantown Municipal School District for school security improvements.

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

Project Development Contract No. 1225 – Avenida Independent Senior Living

Avenida Independent Senior Living is new 4-story, 162-unit, senior independent living apartment building, located at 7900 Wolf River Boulevard. The project is located in the “R-H” Retirement Housing zoning district. Contract No. 1225 is a standard Project Development Contract.

Motion by Mr. Owens, seconded by Mr. Barzizza, to approve Project Development Contract No. 1225 for Avenida Independent Senior Living apartments.

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

Agreement of Compromise and Settlement Payment

This payment in the amount of \$355,453.00 represents the fifth of twelve annual payments to the Shelby County Board of Education (SCBE) for the settlement of litigation over the formation of the Germantown Municipal School District (GMSD) and the conveyance by SCBE of Dogwood, Farmington and Riverdale elementary schools, Houston Middle School and Houston High School to the GMSD for management and operation.

Motion by Ms. Gibson, seconded by Mr. Barzizza, to approve the payment of \$355,453.00 to the Shelby County Board of Education on behalf of the Germantown Board of Education per Section 7 of the Agreement of Compromise and Settlement executed on January 6, 2014.

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

Meeting adjourned.

Mike Palazzolo, Mayor

Michele Betty, City Clerk/Recorder