

BOARD OF MAYOR AND ALDERMEN

September 24, 2018

The regular meeting of the Board of Mayor and Aldermen was held on Monday, September 24, 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: Michele Betty, Paul Chandler, Reynold Douglas, Tony Fischer, Richard Hall, David Harris, Patrick Lawton, Bo Mills, Lisa Piefer, Phil Rogers, Cameron Ross, John Selberg and Steve Wilensky.

Call To Order

The Mayor called the meeting to order.

Invocation

Tony Fischer gave the invocation.

Pledge of Allegiance

Alderman Barzizza led the Pledge of Allegiance.

Set Agenda

Motion by Mr. Janda, seconded by Ms. Gibson, to approve the September 24, 2018 agenda as written.

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

Approval of Minutes

The September 10, 2018 minutes were approved as written.

Motion by Mr. Janda, seconded by Mr. Owens, to approve the minutes of the Board of Mayor and Aldermen meeting held September 10, 2018, as written.

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

Special Recognition

Beautification Commission Business Award

The McVay Station Professional Center, located at 7475 McVay Rd., was recognized as the recipient of the September Beautification Commission Award.

Citizens Lifesaving Award

Germantown Athletic Club employees Amy LaRusso, Monica Stout and Naya Crawford received the Citizens Lifesaving Award for their recent actions that saved a person's life.

Alderman Liaison Reports

The Aldermen reported on their commission activities.

Citizens to be Heard

Kevin Speed, 9181 Forest Downs, came forward regarding Reaves - Schaeffer zoning.

Jim Jacobs, 7684 Apple Valley, came forward regarding impartial public hearings.

CONSENT

Acceptance of FEMA AFG Grant and Purchase

The Fire Department currently has six ambulances. The newest ambulance included a power load system

built into the ambulance as well as a power lift cot. The load system allows for easy loading of patients into and out of the ambulance. The cot provides power lifting of patients. These features help reduce the chance of injuries as well as provide for more comfortable movement of patients. Staff successfully applied for a grant through the Federal Emergency Management Agency (FEMA) Assistant to Fire Fighters Grant Program to obtain the lift systems and cots for the other five ambulances.

MOTION: To accept an Assistance to Fire Fighters Grant from the Federal Emergency Management Agency (FEMA) in the amount of \$259,630.00 and to authorize the purchase of the ambulance power lift and power load systems from Stryker with installation from Inst-a-Tech in the amount of \$250,411.10.

Purchase – Ammunition

Members of the Police Department are required to qualify with their duty weapon, off duty weapon, shotgun and patrol rifles each year. Currently, the Police Department qualifies two times each year with their duty weapon and patrol rifle and once a year with their shotgun and off duty weapon. This ammunition will allow each officer the availability to be proficient with their weapon.

MOTION: To approve the purchase of ammunition from Precision Delta Corp. and Gulf States Distributors Inc. in the amount of \$61,062.58.

Purchase – Fuel

The City regularly purchases gasoline and diesel fuel for use in the fleet of cars, trucks and heavy equipment. Based on a three-year average of combined consumption, the City uses 3,500 gallons of gas and diesel each week.

MOTION: To authorize the City to purchase gasoline and diesel fuel from Roberts Gibson, Inc. per the fixed rate markup amount of \$0.03 per gallon.

Purchase – Performance Management Software Renewal

In September 2016, the Board of Mayor and Aldermen approved a contract with Ascendant Strategy Management Group for a performance management software package to allow the City to track, monitor and display our progress toward implementation of the Germantown Forward 2030 strategic plan.

MOTION: To authorize the Mayor to renew a maintenance agreement with Ascendant Strategy Management Group, LLC in the amount of \$16,076.82.

Wireless Transmission Facility Modification – 9715 Wolf River Blvd./0 Spring Hollow Dr. – MLGW Transmission Tower (East Germantown Greenway)

AT&T requests approval for an equipment upgrade to three existing antennas with new models and associated ground equipment on an existing AT&T wireless transmission facility located at 9715 Wolf River Blvd. within an MLGW transmission tower on City-owned property. There will be no changes to the exterior of the ground compound space. The proposed request would grant the approval necessary for AT&T to obtain a building permit and install the replacement antennas and equipment on the existing tower within the existing compound.

MOTION: To approve the request allowing an upgrade to three existing antennas and associated ground equipment for AT&T Wireless on an existing wireless transmission facility located in an MLGW Transmission Tower at 9715 Wolf River Blvd. (0 Spring Hollow Rd., East Germantown Greenway).

Wireless Transmission Facility Modification - Equipment Upgrade - 3160 Forest Hill Irene Road

Verizon Wireless requests an equipment upgrade to existing antennas with new models and the associated

ground equipment to be installed on an existing Crown Castle wireless transmission facility, located at 3160 Forest Hill Irene Rd. There will be no changes to the ground compound space.

MOTION: To approve the request allowing a minor equipment upgrade by the addition of new antennas and the associated equipment for Verizon Wireless, on an existing Crown Castle tower, located at 3160 Forest Hill Irene Rd.

Wireless Transmission Facility Modification - Equipment Upgrade - 6989 Poplar Avenue

AT&T requests approval for the replacement of existing antennas and associated equipment with new antennas and equipment for AT&T Mobility to be installed on an existing Crown Castle wireless transmission facility, located at 6989 Poplar Avenue. The installation of the new antennas and equipment does not require public improvements.

MOTION: To approve the request allowing a minor equipment upgrade by the addition of new antennas and their associated equipment for AT&T Mobility, on an existing Crown Castle tower, located at 6989 Poplar Avenue.

Wireless Transmission Facility Modification - Equipment Upgrade (7624 Poplar Pike – Water Tower Complex)

AT&T requests approval of a minor equipment upgrade to an existing Crown Castle wireless transmission facility for AT&T Mobility, located on City property at 7624 Poplar Pike (Water Tower Complex). Crown Castle has a cell tower situated on property that is leased from the City of Germantown and located at the Water Tower Complex, on which AT&T Mobility is one of the current service providers. The installation of the new equipment does not require public improvements at this site.

MOTION: To approve the request allowing a minor equipment upgrade to an existing wireless facility for AT&T Mobility on the existing wireless transmission facility, located at the Water Tower Complex at 7624 Poplar Pike.

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

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

REGULAR

Ordinance 2018-10 – Rezoning of Cordova Triangle from “T4” General Urban to “R” Single-Family Residential, and an Ordinance Amendment to Delete Cordova Triangle from the CBD Regulating Plan Referred to in Sec. 23-756 and the Zoning Map in Sec. 23-824 of the Germantown Smart Code - Second Reading and Public Hearing

Prior to the 2007 adoption of the Smart Code, the Cordova Triangle parcels were zoned R - Residential. After more than a decade, there has been no formal development project application filed to develop any of the Triangle parcels.

Mayor Palazzolo opened the public hearing and asked citizens to come forward to address the Board.

Vince Alfonso, Jr., 1798 Hayden Road, came forward to propose the Triangle be developed as a not-profit nature area.

The following came forward to oppose the rezoning from “T4” General Urban to “R” Single-Family Residential:

Pat Wilcheck, 10777 Monterey Woods, Eads
Laura Trezevant, 4606 London Drive, Memphis
Donna Yacoubian, 1826 Cordova Road

Missy Brooks, 8723 Windrush, Memphis
Jay Brooks, 8723 Windrush, Memphis

The following came forward to support the rezoning from “T4” General Urban to “R” Single-Family Residential:

Sarah Freeman, 7684 Apahon
Jennifer Baker, 7693 Apahon
Jim Jacobs, 7684 Apple Valley

Herschel Freeman, 7684 Apahon
Don Lossing, 1475 Cordova Road

Mayor Palazzolo closed the public hearing.

Motion by Ms. Gibson, seconded by Mr. Barzizza, to approve on second reading Ordinance 2018-10, the rezoning of the Cordova Triangle from “T4” General Urban to “R” Single-Family Residential, and an Ordinance Amendment to delete Cordova Triangle from the CBD Regulating Plan referred to in Sec. 23-756 and the zoning map in Sec. 23-824 of the Germantown Smart Code.

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

Ordinance 2018-5 – Rezoning of Reaves - Schaeffer Property (3258 Forest Hill Irene Road and 9190 Winding Oak Way) from “C-1” Neighborhood Commercial and “RE-1” Residential Estate to “R” Residential Zoning – Third and Final Reading

The rezoning request is for a 32.14-acre area of the subject property to be rezoned “R” Residential, from “C-1” Neighborhood Commercial and “RE-1” Residential Estate. The majority of the property is vacant, with one house on the southeast portion, at 9190 Winding Oak Way. The entire property is 41.78 acres, with 6.835 acres already zoned “R” Residential. A 2.807-acre portion, on which the house at 9190 Winding Oak Way is located, would remain “RE-1” Residential Estate.

On February 12, 2018, the BMA heard the first reading of the rezoning request, and on March 12, 2018, the BMA heard the second reading and held a public hearing. On March 26, 2018, Administration requested to postpone this item to consider previous history and conduct further research on this property. The current property owners (Reaves Family Partnership and Schaeffer) along with the developer, John Duke have agreed to a restrictive covenant agreement that will limit lot sizes and limit the number of lots on the property.

Motion by Mr. Owens, seconded by Mr. Janda, to approve on third and final reading Ordinance 2018-5, the rezoning of the Reaves-Schaeffer property (3258 Forest Hill Irene Road and 9190 Winding Oak Way) from “C-1” Neighborhood Commercial and “RE-1” Residential Estate to “R” Residential zoning.

Motion by Mr. Massey, no second, to remand this application back to the Planning Commission. Motion failed.

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

Appointment - Germantown Board of Education Position 3

The Board of Mayor and Aldermen considered the appointment of a candidate to fill the unexpired term of the former Germantown Board of Education position 3 member who resigned.

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Motion by Mr. Janda, no second, to approve the appointment of Mr. Trent Fleming to fill the position 3 seat on the Germantown Board of Education. Motion failed

Motion by Mr. Owens, seconded by Ms. Gibson, to approve the appointment of Rev. Rebecca Luter to fill the position 3 seat on the Germantown Board of Education.

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

Meeting adjourned.

Mike Palazzolo, Mayor

Michele Betty, City Clerk/Recorder