

BOARD OF MAYOR AND ALDERMEN

October 8, 2018

The regular meeting of the Board of Mayor and Aldermen was held on Monday, October 8, 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 and Rocky Janda. Staff present: Michele Betty, Rodney Bright, Reynold Douglas, Tim Gwaltney, David Harris, Jason Huisman, Patrick Lawton, Lisa Marinos, Bo Mills, Daniel Page, Lisa Piefer, Cameron Ross, Emily Rozar, John Selberg and Steve Wilensky.

Call To Order

The Mayor called the meeting to order.

Invocation

Reynold Douglas gave the invocation.

Pledge of Allegiance

The Commander of American Legion Post 250 Germantown led the Pledge of Allegiance.

Set Agenda

During the executive session, the Board unanimously agreed to move to Special Recognitions: #14 Resolution No. 18R20 – Health Sciences Academy, #16 Resolution No. 18R22 – Amendment to Resolution No. 17R25 – Appropriating Funds for the West Tennessee Veterans Home Project; and move to the Regular Agenda #9a - Acceptance of FEMA SAFER Grant.

Motion by Mr. Janda, seconded by Mr. Barzizza, to approve the October 8, 2018 agenda as amended.

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

Approval of Minutes

The September 24, 2018 minutes were approved as written.

Motion by Mr. Janda, seconded by Ms. Gibson, to approve the minutes of the Board of Mayor and Aldermen meeting held September 24, 2018, as written.

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

Special Recognition - Proclamation - National Friends of Libraries Week

The Mayor proclaimed October 21-27, 2018 as Friends of Libraries Week in the city of Germantown.

Resolution No. 18R20 - Health Sciences Academy

At the request of Mayor Palazzolo, leaders of the local medical community met first in July to determine interest in a cooperative effort between the City, Germantown Municipal School District and Germantown medical leaders to develop an innovative program at Houston High School to complement the existing Leadership Academy and Performing Arts Academy. The new initiative would create a Health Sciences Academy at the school to help encourage and support students with an interest in the medical field. The high level of interest among stakeholders resulted in additional meetings and finally the development of a Health Sciences Academy Advisory Network tasked with making the idea a reality for the 2019/2020 school year.

Motion by Ms. Gibson, seconded by Mr. Barzizza, to adopt Resolution 18R20, recognizing the cooperative efforts of the City, Germantown Municipal School District and members of the local medical community to

create an advisory network to establish a Health Sciences Academy at Houston High School.

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

Resolution No. 18R22 – Amendment to Resolution No. 17R25 – Appropriating Funds for the West Tennessee Veterans Home Project

In 2017, the Board approved Resolution 17R25, allocating funds for the construction of the West Tennessee Veterans Home project. The resolution identified funds from the FY18 budget to be allocated to the project. The resolution outlined fundraising milestones to be achieved prior to the release of the City funds. Since approval of Resolution 17R25, West Tennessee Veterans' Home, Inc. has successfully raised \$50,000 in matching funds. The amended resolution reflects the correct budget year as FY19 and updates language to specify how the funds will be transferred. The most significant change allows the funds to be distributed prior to U.S. Veterans' Affairs announcing distribution of the grant. The funds, once distributed, will be held in a trust until they can be used for construction of the home.

Motion by Ms. Gibson, seconded by Mr. Janda, to adopt Resolution 18R22, an amendment to Resolution 17R25, appropriating \$50,000.00 for construction of the West Tennessee Veterans' Home and authorizing distribution of the budgeted grant funds.

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

Alderman Liaison Reports

The Aldermen reported on their commission activities.

Citizens to be Heard

Sarah Freeman, 7684 Apahon and Jim Jacobs, 7684 Apple Valley, came forward in support of rezoning of Cordova Triangle from "T4" General Urban to "R" Single-Family Residential.

Anis Kapadia, 2615 Forest Hill Irene Road, came forward to inform the Board and community about the Aga Khan Foundation and the fund raiser being held in Collierville, TN on October 21, 2018.

Earl Williams, 1691 Paddington Park Lane, came forward to support the multi-family development in Thornwood.

CONSENT

Contract – Southern Ave. WTP Electrical Panel Replacement Phase II

The Southern Avenue water treatment plant was constructed in 1975 and has been the primary source of potable water in Germantown for over 40 years. During the construction phase of the Southern Avenue water treatment plant refurbishment project in FY13, rain entered the control room damaging several components of electrical control panels. The contractor had a very difficult time finding replacement components to make the repairs. The electrical consultant advised staff that these panels should be modernized to prevent collapse of the operating system. There are no replacement parts for original electrical panels.

MOTION: To authorize the Mayor to enter into a contract with Phoenix Electric, LLC to replace the electrical panels which operate high service pumps #3 - #7, well pump #5 and the backwash pump for the Southern Avenue Water Treatment Plant Electrical Panel Replacement Project Phase II in the amount of \$164,000.00.

Contract Extension No. 3 – Public Safety Uniforms

This item is to exercise the 3rd year contract extension to purchase uniforms for the police and fire

departments from Mid-South Solutions. Members of the police and fire departments are required to wear designated uniforms in the performance of their duties. The uniform bid was received and approved by the Board in October of 2015 for a one-year contract with four additional option years. Staff has verified the contract pricing. Mid-South Solutions was contacted in advance to accept the terms of the original contract with no increases in pricing.

MOTION: To approve the contract extension No.3 with Mid-South Solutions per the established contract unit prices in an amount not to exceed \$65,000.00 for Police, \$26,000.00 for Fire and \$7,600.00 for Ambulance.

Professional Services Agreement – Americans with Disabilities Act (ADA) Transition Plan

All governmental agencies that receive federal and/or state funds for transportation improvements projects are required to have an ADA Transition Plan. In mid 2017, the state announced that they were making funding available, through the Transportation Alternatives Program (TAP), to municipalities that wanted to pursue a comprehensive ADA Transition Plan. The City applied for and received a TAP Grant in the amount of \$175,000.00.

MOTION: To authorize approval of a Professional Services Agreement in the amount of \$175,000.00 with Kimley-Horn and Associates to develop Phase I of the City of Germantown’s American with Disabilities Act (ADA) Transition Plan.

Purchase – Cooling Tower Replacement

The cooling tower at the Germantown Athletic Club and Germantown Performing Arts Center has been in service for more than 28 years and is well beyond its useful life cycle, resulting in safety and efficiency issues. As part of the original design and construction in 1989, the cooling tower provides condenser water to the chillers that provides five hundred tons of air conditioning to GAC and GPAC. Due to the cooling tower being severely deteriorated, along with inefficient motors, pumps and controllers, staff recommends that all components associated with the cooling tower and condenser water movement be replaced during this project.

MOTION: To approve a contract with Teems & DeMoville Mechanical Contractors Inc. for the base bid and Alternates 1-7 in the amount of \$241,505.00 to replace the cooling tower at the GAC and GPAC and Budget Adjustment No. 19-18.

Purchase – Printing and Mailing Services

The City produced, printed and mailed tax bills to citizens for many years. City employees have been involved in every step of the process from managing the data file from the County to delivering the printed, folded, sorted envelopes to the post office. The number of tax bills produced has grown to approximately 25,000 a year. In 2015, the Board approved the use of Sevierville Tennessee’s Production Agreement with DataProse for printing, stuffing and mailing City of Germantown utility bills. In 2016, the Board approved the addition of printing, stuffing and mailing services for the City’s tax bills. Annual expenses will vary based upon the number of tax bills printed, stuffed and mailed.

MOTION: To authorize the use of City of Sevierville Tennessee’s Production Agreement with DataProse in the amount of \$15,338.00 for printing, stuffing and mailing services for the City’s tax bills.

Purchase – Vehicles

The replacement vehicles purchased under this authorization are used in the day-to-day operations by multiple City departments. The replacement of these vehicles is based on current mileage, age, condition and maintenance costs. Normal life cycle on new vehicles is five-to-ten years. The City is using statewide

contracts and purchasing cooperatives.

MOTION: To approve the purchase of four new vehicles from National Auto Fleet Group in the amount of \$228,360.90 and 19 new vehicles from Ford of Murfreesboro in the amount of \$565,261.50, resulting in a total expenditure amount of \$793,622.40, and to approve budget adjustments No.19-14 and No.19-15 and declare replaced vehicles as surplus property.

Right-of-Way Acquisition – Tract 11 – Forest Hill – Irene Road Improvements

The City is finalizing the right-of-way acquisition phase of the Forest Hill-Irene Road improvements project. Staff met with property owners, Mrs. Jody and Mr. Chris LaFleur, on February 28, 2018, to discuss the roadway improvements project and its impact to Tract 11. Staff extended an offer in the amount of \$20,200.00, pending BMA approval, to the LaFleurs and they accepted the City's offer.

MOTION: To approve the acquisition of real estate and/or easements from Mrs. Jody and Mr. Chris LaFleur for the total lump sum amount of \$20,200.00 for Tract 11 in accordance with the terms of the Purchase Agreement and authorize the disbursement of the purchase price to the seller and of other sums required of the City under the Purchase Agreement or otherwise to effectuate the purposes of the Purchase Agreement.

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

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

REGULAR

Approval of Warrants – TraVure Phase 4

This agenda item is to consider two warrants associated with the revised preliminary and final plan for TraVure Phase 4. The property is within the "T5" Urban Center zoning 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.

Motion by Mr. Janda, seconded by Ms. Gibson, to approve a warrant from Sec. 23-792(b)(2) – T5: and 23-793(a)(3): to allow the vehicular driveway entrances to parking lots, garages and parking structures to be wider than 30 feet at the frontage, as required by the Fire Marshal.

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

Motion by Mr. Janda, seconded by Ms. Gibson, to approve a warrant from Sec. 23-2 to allow 3 parking spaces to be smaller than 180 square feet as required by the zoning ordinance.

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

Development Contract No. 1227 – Harvest Church Parking Lot Expansion

This agenda item is to approve a standard project development contract for the Harvest Church parking lot expansion. This project will include the construction of 130 additional parking spaces with a revised location for a landscape buffer facing Winchester Road.

Motion by Mr. Barzizza, seconded by Ms. Gibson, to approve Project Development Contract No. 1227 for the Harvest Church parking lot expansion.

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

Development Contract No. 512 – Dogwood View Subdivision

The final plat of Dogwood View Subdivision was recorded in 1995. The Board approved Contact No. 480 for the re-subdivision of Lot 2 to create two residential lots. However, Contract No. 480 expired and the final plat for the re-subdivision of Lot 2 was never recorded. The current owner of property has reapplied to complete the re-subdivision of Lot 2. On July 10, 2018, the Planning Commission approved the preliminary and final plat for the project.

Motion by Mr. Barzizza, seconded by Ms. Gibson, to approve Subdivision Development Contract 512 for Dogwood View Subdivision, Re-Subdivision of Lot 2.

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

Memorandum of Understanding – City of Germantown and Germantown Municipal School Board of Education

The Memorandum of Understanding (MOU) is to outline the conditions under which the City will make a financial contribution for construction of a new field house at Houston High School. With the establishment of the Germantown Municipal School District in 2014, the City administration has been working diligently with the district to meet their ongoing deferred maintenance issues, as well as tackling new growth opportunities. Under the terms of the proposed MOU, the City will agree to make five equal annual installments of \$200,000.00 for the next five years for the construction of a new field house at Houston High School. Funding for the City's contribution to this project will come from general fund reserves.

Motion by Ms. Gibson, seconded by Mr. Barzizza, to authorize the Mayor to execute on behalf of the City a memorandum of understanding with the Germantown Municipal School Board of Education for construction of a field house at Houston High School.

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

Acceptance of FEMA SAFER Grant

City staff successfully applied for a grant through the Federal Emergency Management Agency (FEMA) Staffing for Adequate Fire and Emergency Response (SAFER) grant program for six additional fire fighters. This will provide two additional fire fighters per shift. The grant provides reimbursement of expenses to hire the fire fighters over a three year period. The grant will reimburse 75% of the salary and benefits for the six fire fighters for the first two years and 35% for the third year. Afterwards, the City will be responsible for the costs.

Motion by Ms. Gibson, seconded by Mr. Janda, to request authorization to accept a Staffing for Adequate Fire and Emergency Response Grant from the Federal Emergency Management Agency in the maximum amount of \$627,439.00.

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

Resolution No. 18R21 - Funding Policy of the City of Germantown Defined Benefit (Cash Balance) Plan

The City is the administrator of a single-employer public employee retirement system, established and administered by the City to provide pension benefits. The City has two retirement plans. The first plan is titled Amended and Restated Employees Retirement Plan and was frozen to new entrances as of July 2, 2013. The Defined Benefit (Cash Balance) Plan was established for new hires on or after July 2, 2013.

The Public Employee Defined Benefit Financial Security Act of 2014 was signed into law by Governor

Haslam in 2014. The law requires any political subdivision that does not participate in the Tennessee Consolidated Retirement System, but provides defined benefit pension plans to its employees, to ensure that its defined benefit pension plans are paying annually 100% of their actuarially determined contributions, subject to a five year phase in period. One of the obligations is for the political subdivision to adopt a funding policy. The Retirement Plan Administration Commission endorsed the funding policy with a recommendation that it be forwarded to the Board for adoption through resolution.

Motion by Mr. Janda, seconded by Ms. Gibson, to approve Resolution 18R21- a Funding Policy of the City of Germantown Defined Benefit (Cash Balance) Plan.

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

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 - Third Reading and Final 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.

Motion by Mr. Barzizza, seconded by Ms. Gibson, to approve on third and final 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-absent, Janda-abstain. Motion approved.

Meeting adjourned.

Mike Palazzolo, Mayor

Michele Betty, City Clerk/Recorder