

BOARD OF MAYOR AND ALDERMEN
June 10, 2019

The regular meeting of the Board of Mayor and Aldermen was held on Monday, June 10, 2019, at 6 p.m. in the Council Chambers at City Hall.

Mayor Mike Palazzolo was present and presiding.

The following aldermen were present: Scott Sanders, Mary Anne Gibson, Dean Massey, Forrest Owens and Rocky Janda. Staff present: Pam Beasley, Michele Betty, Reynold Douglas, Jody Dwyer, Tony Fisher, De'Kisha Fondon, Ralph Gabb, Tim Gwaltney, Richard Hall, Patrick Lawton, Mac McCarroll, Bo Mills, Joe Nunes, Daniel Page, Lisa Piefer, Phil Rogers, Cameron Ross, Sherry Rowell, Adrienne Royals, Emily Rozar, Andy Sanders, Dr. Charles Schulz, John Selberg and Steve Wilensky. Germantown Municipal School District: Superintendent Jason Manuel.

Call to Order

The Mayor called the meeting to order.

Invocation

Cameron Ross gave the invocation.

Pledge of Allegiance

Alderman Sanders led the Pledge of Allegiance.

Set Agenda

The agenda must be set before the meeting.

Motion by Mr. Sanders, seconded by Mr. Janda, to approve the June 10, 2019 agenda as written.

Motion by Mr. Massey, seconded by Mr. Sanders, to move Item No. 9b Agreement – Wireless Transmission Facility Amendment – SprintCom, Inc. to the Regular Agenda.

ROLL CALL: Sanders-yes, Gibson-no, Massey-yes, Owens-no, Janda-no. Motion failed.

Motion by Mr. Massey, seconded by Mr. Sanders, to move Item No. 9c Civic Support – Germantown Education Foundation to the Regular Agenda.

ROLL CALL: Sanders-yes, Gibson-no, Massey-yes, Owens-no, Janda-no. Motion failed.

ROLL CALL on original motion by Mr. Sanders, seconded by Mr. Janda, to approve the agenda as written.

Sanders-yes, Gibson-yes, Massey-no, Owens-yes, Janda-yes. Motion approved.

June 7, 2019 Flood

Fire Chief John Selberg provided a summary of the June 7, 2019, flood event, including the damage and clean up efforts.

Approval of Minutes

There were no corrections to the minutes of the regular meeting held May 13, 2019.

Motion by Mr. Janda, seconded by Mr. Owens, to approve the minutes as written.

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

Citizens to be Heard

Mark Loden, 8039 Wargate Lane, came forward regarding sales tax.

The following citizens came forward regarding the June 7, 2019, flood:

Ron Handwerker, 2456 Redbud Trail

Richard Jones, 8748 Guyboro Cove

Ron Guy, 2465 Dogwood Trail

Shree Shanker, 9753 Guyboro Cove

Jim Frost, 8741 Guyboro Cove

John Ueleke, 1795 Wellsley Drive, came forward regarding the June 7, 2019, flood and cell service.

Beautification Commission Business Award

The Optical Boutique, located at 2109 West Street, is the recipient of the May Beautification Commission award.

Alderman Liaison Reports

The Aldermen reported on their commission activities.

PRELIMINARY AGENDA

Agreement – Court Software Upgrade Change Order No. 1

Tyler Incode Court software upgrade implementation began in April 2017. Data conversion files were provided to the Tyler Incode Court implementation team and cross referencing to the new system layout began. During data conversion, it was determined that data prior to 2009 was not properly mapped. Court staff and Tyler data conversion specialists have identified the unmapped records and a third party vendor will assist with proper data mapping and conversion. Once complete, Court staff will be able to access all records housed in the previous New World Court system from the fully integrated Tyler Incode Court system in use today.

MOTION: To grant authorization for a change order to the Incode Court software implementation agreement with Tyler Technologies, Inc. for additional data conversion services in the amount of \$20,200.00, to enter into an agreement with BECA IT and Software Services, LLC for third party data conversion assistance in the amount of \$1,800.00, and approve Budget Adjustment No. 19-116.

Agreement – Wireless Transmission Facility Amendment – SprintCom, Inc.

The original lease dates from 1998, when the City approved agreements to allow wireless transmission facilities consisting of cellular telephone antennas and associated equipment compounds to be located on City property. The proposed lease amendment is for equipment located within MLGW power transmission line tower #46 – Contract 1019. The amendment agreement does not affect the physical structure at the site and existing City properties remain unchanged.

MOTION: To approve an amendment to the lease agreement with SprintCom, Inc. for access to City property for a wireless transmission facility.

Civic Support – Germantown Education Foundation

The Germantown Education Foundation (GEF) supports public schools in the Germantown Municipal School District. The fiscal year 2019 budget includes \$100,000.00 intended to support the activities of the GEF. Action by the Board of Mayor and Aldermen is necessary to transfer these funds to the Foundation.

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MOTION: To approve payment of a grant to the Germantown Education Foundation in the amount of \$100,000.00.

Contract – Parkland Drainage Improvements

The Germantown Soccerplex, located adjacent to the Germantown Middle School, consists of four full-size soccer fields which are used by Germantown Legends recreation and competitive teams for practice and games. Between each of the four fields is a natural drainage swell originally designed to convey stormwater away from the fields and into the nearby drainage basin. Previous drainage improvements where the drainage swell was widened were performed by Public Works staff in 1982. These were the last substantial drainage improvements made to these fields. Over time, the drainage swell has filled with sediment which is obstructing the natural conveyance of stormwater from the fields, creating a wet and muddy sideline and playing surface during intense rainfall periods.

MOTION: To approve a construction contract with Trey Construction, Inc. in the amount of \$63,916.50 for the base bid and Alternate No.1 in the amount of \$6,000.00 for a contract total of \$69,916.50 for the construction of drainage improvements to the soccerplex adjacent to Germantown Middle School and the lacrosse fields at Johnson Road Park.

Donations – Parks and Recreation

Donations were made to the Parks and Recreation Department to support programs and projects from the following: Germantown Women’s Club in the amount of \$764.00, Healthy Germantown in the amount of \$500.00, Ms. Stephanie Brockway and Mr. Robert Shearin in the amount of \$150.00 and Houston High School in the amount of \$100.00.

MOTION: To recognize the donations made to the Parks and Recreation Department totaling \$1,514.00 and to approve Budget Adjustment No. 19-132 and 19-134.

Grant - Whole Kids Foundation – Farm Park

The Farm Park 4-H Club is a youth development program that offers educational services and family-friendly activities that encourage character development and excellence. A grant proposal requesting \$2,000.00 to enhance the Farm Park 4-H Garden Project was written and submitted to the Whole Kids Foundation for consideration through their edible garden grant program. The City received notice of approval on February 15, 2019, for the grant proposal, which can be used to create and maintain an edible education garden.

MOTION: To recognize a grant in the amount of \$2,000.00 from the Whole Kids Foundation and to approve Budget Adjustment No. 19-133.

Peg Disbursement to GMSD – 3rd Quarter

The City receives public, education and government (PEG) funding from Comcast and AT&T based upon the number of subscribers on a quarterly basis. The funds are redirected to the PEG designated station by the City to the Germantown Municipal Television Station. The funds from the third quarter of fiscal year 2019 are from January 1, 2019 through March 31, 2019.

MOTION: To authorize the disbursement of PEG funding collected by the City to Germantown Municipal School District in the amount of \$41,761.37.

Purchase – Network Annual Maintenance

The City has maintenance contracts for internet firewalls, network hardware and phone system licensing that provides connectivity to various City facilities. These contracts will provide security through coverage for

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the entire network and licensing required for equipment associated with the phone system. The contract provides support in maintaining the system's functionality and integrity should there be a software or hardware failure.

MOTION: To authorize the renewal of a maintenance contract with CDW Government in the amount of \$52,042.68 for the City's network hardware and phone system licensing.

Purchase – Public Safety Software Annual Maintenance

Tyler New World Systems Microsoft Product (MSP) is the integrated software suite used by fire and police personnel to manage departmental operations. A few of the major software modules supported under the agreement are computer aided dispatch (CAD), law enforcement records, mobile management, jail bookings and reporting software. The City has maintained a software maintenance agreement with Tyler Technologies, previously New World Systems, Inc., since implementing software in 1994. This maintenance allows for software updates and system support.

MOTION: To approve the annual software maintenance with Tyler Technologies, Inc. in an amount of \$156,978.83.

Purchase – UPS Replacement And Maintenance

The uninterruptable power supply (UPS) system installed in 2008 has reached end of life, the maintenance support is no longer offered and it is out of date with current technology. This project will replace the current UPS system with a redundant system based on today's technology and adding a layer of protection to the investment the City has already made in the network upgrade. The two-year warranty and three-year maintenance agreement will provide next-day on-site service response coverage to the UPS system and will cover battery outages.

MOTION: To authorize the purchase of a replacement uninterruptable power supply (UPS) system and three-year maintenance agreement for the City's main network system from Computer AC, Inc. in the amount of \$38,317.87 and declare the replaced equipment as surplus.

Reimbursement Payment No. 6 – GMSD School Security Improvements

The installation of additional security cameras at each of the five school locations, cell phone boosters and securing the campus at Houston High School were projects of immediate concern to the district. Over this past summer, 202 new cameras have now been installed. The installation of 13 additional cell phone boosters at each of our elementary schools has been completed, improving communications in the event of an emergency. Architectural plans for security enhancements at Houston High School have been completed for the main entrance and courtyards areas.

MOTION: To approve reimbursement payment No. 6 in the amount of \$27,412.72 to the Germantown Municipal School District for school security improvements.

Motion by Ms. Gibson, seconded by Mr. Janda, to approve the preliminary agenda as written.

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

REGULAR

Ordinance No. 2019-1 Ordinance to Adopt the FY2020 Budget – Second Reading and Public Hearing

The FY20 proposed budget takes into consideration the policy agenda developed by the Board. The Financial Advisory Commission has held several meetings with the staff to review each component of the budget including the financial policies, general fund, enterprise funds, special revenue funds and the CIP.

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The Personnel Advisory Commission's recommendation of a 3.0% market adjustment in salaries and wages is incorporated in the FY20 Proposed budget.

Mayor Palazzolo opened the floor for the public hearing.

Harold Steinberg, a Financial Advisory Commission member, came forward to request the City, after the winning bid is awarded, make public its bid amount for the Germantown Country Club.

Mayor Palazzolo closed the public hearing.

Motion by Mr. Janda, seconded by Ms. Gibson, to approve on second reading Ordinance No. 2019-1 tentatively approving the FY20 Proposed Budget and set Monday, June 24, 2019, for third reading.

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

Ordinance No. 2019-2 Year-End Budget Adjustments – Second Reading and Public Hearing

At the end of the fiscal year, a number of year-end budget adjustments are required to be made in order to avoid budget and fund overruns in the various funds. Typically at year-end, a number of budget adjustments are made to the various City funds, which realign operating expenses/expenditure accounts with actual activity. They recognize various overruns, underruns, project acceleration and deferrals that have already received the Board of Mayor and Aldermen's approval.

Mayor Palazzolo opened the floor for the public hearing. Seeing no one come forward, Mayor Palazzolo closed the public hearing.

Motion by Mr. Janda, seconded by Ms. Gibson, to approve Ordinance No. 2019-2 for year-end budget adjustments on second reading and set Monday, June 24, 2019, for third and final reading.

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

Ordinance No. 2019-3 Real and Personalty Property Taxes – Second Reading and Public Hearing

The recommended property tax rate of \$1.95 per \$100.00 of assessed valuation will generate approximately \$33.8 million in property tax and represents 56.7% of the FY20 general fund revenues. After a careful review of the proposed FY20 budget in consideration of our commitment to provide adequate resources to support defined service levels and provide financial resources that are consistent with City financial policies, a tax increase is not recommended in the FY20 budget.

Mayor Palazzolo opened the floor for the public hearing. Seeing no one come forward, Mayor Palazzolo closed the public hearing.

Motion by Mr. Janda, seconded by Mr. Sanders, to adopt Ordinance No. 2019-3 establishing the certified tax rate of \$1.95 on second reading and set Monday, June 24, 2019, for the third and final reading.

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

Ordinance No. 2019-4 Germantown Municipal School District Year-End Budget Adjustments – Second Reading and Public Hearing

At the end of the fiscal year, a number of year-end budget adjustments are required to be made in order to avoid budget and fund overruns in the various funds for the Germantown Municipal School District (GMSD). The GMSD yearly budget adjustments have been approved by the Germantown Municipal School

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Board. However, the GMSD is a special revenue fund of the City of Germantown and will appear in the Comprehensive Annual Financial Report as of June 30, 2019. Therefore, the Board of Mayor and Aldermen must approve any yearly budget adjustments.

Mayor Palazzolo opened the floor for the public hearing. Seeing no one come forward, Mayor Palazzolo closed the public hearing.

Motion by Mr. Sanders, seconded by Mr. Janda, to approve Ordinance No. 2019-4 for Germantown Municipal School District year-end budget adjustments on second reading and set Monday, June 24, 2019, for third reading.

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

Ordinance No. 2019-11 – Amendment to Fire Prevention Ordinance Chapter 10 – First Reading and Set Public Hearing

Chapter 10 of the City Code of Ordinances contains the fire prevention code for the City. Article I contains specific requirements for Germantown and Article II contains the adopted standard fire prevention code and amendments. The City's fire code must be within seven years of the State of Tennessee adopted fire code to allow the City to be exempt from state inspections for occupancies with the exception of state owned buildings, educational occupancies, daycare centers, and occupancies requiring an inspection by the state fire marshal for initial licensure.

Motion by Mr. Sanders, seconded by Ms. Gibson, to approve on first reading, Ordinance 2019-11, amendment to Chapter 10 of the Municipal Code, Germantown Fire Prevention Ordinance, and set the public hearing for July 22, 2019.

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

Ordinance No. 2019-12 – Amendment to Fire Prevention Ordinance Chapter 10 - Residential Sprinklers - First Reading and Set Public Hearing

Chapter 10 of the City Code of Ordinances contains the fire prevention code for the City. Article I, Section 10-12, contains specific requirements for residential sprinkler systems. In accordance with Tennessee Code Annotated 68-120-101, the adoption of residential sprinkler requirements for one-family and two-family dwellings shall be adopted under separate ordinance. The City has had residential sprinkler requirements for one-family and two-family dwellings since May 14, 1990. This ordinance will update the existing residential sprinkler requirements.

Motion by Ms. Gibson, seconded by Mr. Sanders, to approve on first reading the amendment to the fire prevention ordinance, Chapter 10 of the Municipal Code, Section 10-12, Residential Sprinkler Requirements for One-family and Two-family dwellings, and set the second reading and public hearing for July 22, 2019.

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

Ordinance No. 2019-13 – Amendment to Subdivision Ordinance Chapter 17- Section 17-56 (Streets) – First Reading and Set Public Hearing

An application for a subdivision text amendment was filed at the request of the Planning Commission to amend the language in the City code. The approval of this proposed text amendment will make specific changes to the requirements for the minimum design standards for dead-end streets within new developments to align with the changes being made to the City's fire code.

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Motion by Mr. Sanders, seconded by Mr. Janda, to approve on first reading Ordinance 2019-13, amendments to Section 17-56 (Streets) of the Subdivision Ordinance in the Municipal Code, and set the public hearing for July 22, 2019.

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

Meeting adjourned.

Mike Palazzolo, Mayor

Michele Betty, City Clerk/Recorder