

**BOARD OF MAYOR AND ALDERMEN**

**January 13, 2020**

The regular meeting of the Board of Mayor and Aldermen was held on Monday, January 13, 2020, 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, Paul Chandler, Reynold Douglas, Tony Fischer, Tim Gwaltney, Richard Hall, Jason Huisman, Mac McCarroll, Bo Mills, Daniel Page, Lisa Piefer, Phil Rogers, Cameron Ross, Adrienne Royals, Emily Rozar, Dr. Charles Schulz, John Selberg and Steve Wilensky.

**Call To Order**

The Mayor called the meeting to order.

**Invocation**

Reynold Douglas led the invocation.

**Pledge of Allegiance**

Alderman Gibson led the Pledge of Allegiance.

**Set Agenda**

The Board is asked to set the agenda for the meeting.

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

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

**Approval of Minutes - December 9, 2019**

Approval is requested of the minutes of the regular meeting held December 9, 2019.

Motion by Mr. Janda, seconded by Ms. Gibson, to approve the minutes of the Board of Mayor and Aldermen regular meeting held December 9, 2019.

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

**Approval of Minutes - December 11, 2019**

Approval is requested of the minutes of the special called meeting held December 11, 2019.

Motion by Mr. Janda, seconded by Mr. Sanders, to approve the minutes of the Board of Mayor and Aldermen special called meeting held December 11, 2019.

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

**Citizens to be Heard**

The following citizens came forward regarding the land exchange with Germantown Municipal School District:

Danielle Taylor, 3349 Forest Hill Irene Road  
Chris Price, 3131 Saddlegait Cove  
Brandon Wellford, 3366 Hollow Creek

Brian Edmonds, 2670 Fox Hill Circle East  
Brian Curry, 9321 Hollow Creek Cove  
Erica Harle, 3061 Carrick Drive

The following citizens came forward regarding a new water tower:

Susan Threlkeld, 7861 Lennox Cove  
Stephanie VanArsdale, 8872 Farmoor Road

**Alderman Liaison Reports**

The Aldermen reported on their commission activities.

**PRELIMINARY AGENDA**

**Appointment – Neighborhood Preservation Commission**

There were positions on this commission not filled at the Special Called Meeting held on December 11, 2019. Mr. Gerald Wilson applied to serve.

MOTION: To appoint Gerald Wilson to the Neighborhood Preservation Commission with a term ending December 31, 2020.

**Appointment – Public Safety Education Commission**

There were positions on this commission not filled at the Special Called Meeting held on December 11, 2019. Mr. Garner applied to serve.

MOTION: To appoint John Garner to the Public Safety Education Commission with a term ending December 31, 2020.

**Contract – Cordova Lift Station Repair and Improvements**

The lift station was originally built in 1982, was refurbished in 1998, and in 2015 the lift station was again refurbished with the addition of new electrical components and a modernized electrical control panel. Upon routine inspection in June of last year, the interior valves and piping began showing signs of deterioration. The lift station has continued to function with a temporary solution in place until a permanent solution can be designed and a contract approved for the repair.

MOTION: To approve a contract with Chris Hill Construction in the amount of \$199,880.00 to repair and provide improvements to the Cordova Lift Station.

**Contract Extension – Decorative Street Signs**

The decorative street sign program provides a cost sharing between the City and the neighborhoods where the neighborhood shares in the cost of the initial installation of the decorative signposts by paying 50% of the street signpost cost. The City pays 100% of the costs associated with the regulatory signposts. After installation, future maintenance of both the street signposts and the regulatory signposts are the responsibility of the City.

MOTION: To approve an extension of the contract with West Tennessee Ornamental Door for the manufacture of decorative street signposts, sign brackets, and regulatory signposts through January 21, 2021.

**Construction Contract – Poplar Culverts Replacement Project Phase IV**

The results of an engineering report completed in May 2010 revealed that the 31 of a total of 48 stormwater culverts crossing under Poplar Avenue within the city limits were in immediate need of replacement or had reached the end of their design life. Since then the City has been systematically replacing those deteriorated culverts utilizing 100% Surface Transportation Program funding. This project is referred to as Phase IV and involves the replacement of five (5) culverts. The City requested and received concurrence from the TN Department of Transportation (TDOT) to award the project to Madden-Phillips.

MOTION: To approve a Construction Contract in the amount of \$266,983.60 with Madden-Phillips Construction, Inc. for Phase IV of the Poplar Culverts Replacement Project and to authorize Supplement No. 1 for the Construction Engineering Inspection portion of the current Professional Services Agreement with A2H in the

amount of \$48,800.00.

**Purchase – Google G Suite Annual Licensing**

On January 14, 2013, the Board of Mayor and Aldermen approved the implementation of Google Apps for Government. Annual maintenance and licensing has been renewed each January since implementation. On April 13, 2015, the Board of Mayor and Aldermen approved Change Order No. 1 to include Google Apps Vault. The Google G Suite products continue to be a robust, secure “Cloud” based product and provides secure access from anywhere without the requirement of a mobile device. In addition to email information, account users are able to access calendar and contact information.

MOTION: To authorize the renewal of annual maintenance and licensing for G Suite for Business and Google Chrome Device Management in the amount of \$57,411.00 from CDW Government.

**Purchase – Vehicles**

Police, Fire, Public Services, General Services, Utilities, and Fleet Services are the user departments for these replacement and additional vehicles. Three additional vehicles are being added to the fleet, two for police to be used as patrol vehicles and one additional vehicle for the fleet services pool. All fleet assets are part of the Infrastructure Replacement Program. The replacement criteria consist of various factors: vehicle age, maintenance cost, utilization and dependability. The vehicles being replaced have exceeded their dependable life cycle. The City will utilize the TN State Contract number SWC 209 for this purchase.

MOTION: To approve the purchase of twenty-four (24) new vehicles from Ford of Murfreesboro in the amount of \$737,238.00 and declare units 169, 202, 203, 603, 658, 659, 661, 862, 3103, 3052, 3078, 3082, 3087, 3093, 3094, 3119, 3125, 3137, 3138, 5010, 5027, and 5032 as surplus property.

**Purchase – Portable/Mobile Radios – Police**

Members of the Police Department are issued portable and mobile radios to stay in constant contact with each other, supervisors and dispatch for their and others safety. The City of Memphis Contract #34572 utilizes Motorola Solutions for the purchase of portable and mobile radios that are compliant with what the Germantown Police Department currently utilizes. The purchasing quote with the City of Memphis for the portable radios includes all the accessories needed to have the radios ready for immediate use. With the addition of new Police Officers this fiscal year, as well as new vehicles for those officers, there is a need to increase the amount of portable and mobile radios and replace radios as they become unserviceable.

MOTION: To approve the purchase of eleven handheld radios, four mobile radios and necessary accessories and services from Motorola Solutions in the total amount of \$54,648.94 for the Police Department.

**Reimbursement – Overtime Police**

The Germantown Police Department has an officer assigned to the Federal Bureau of Investigation Joint Safe Streets Task Force, the Drug Enforcement Administration Task Force, the Terrorism Task Force, the Secret Service Task Force and the Alcohol Tobacco and Firearms Project Safe Neighborhoods Task Force. The Task Forces reimburse any overtime that the officer receives while carrying out his/her duties.

MOTION: To recognize overtime reimbursement from the Federal Department of Justice and the Department of Homeland Security in the amount of \$27,885.09 and to approve Budget Adjustment No. 20-52.

**Resolution 20R01 - Merchant Services Account and Signature Cards**

These Merchant Service accounts are “pass-through” accounts that do not issue checks, instead they accept and track credit and debit card transactions before the funds are transferred into the City’s concentration account. The Director of Budget & Financial Services will be added to the signature cards.

MOTION: To adopt Resolution 20R01 for Merchant Services and Signature Cards.

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

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

**REGULAR**

**Ordinance 2019-15 - Amendments to the SmartCode Section (Sections 23-745, 23-763 A. and B., and 23-819) of the Zoning Ordinance - Second Reading and Public Hearing**

After discussion at a moratorium work session on August 21, 2019, the Planning Commission instructed staff to move forward with reviewing the current SmartCode Ordinance to identify changes that needed to be made to meet the request of the Board of Mayor and Aldermen's Resolution 19R08 and to bring any needed amendments forward to them. These proposed changes were presented to the Planning Commission at a moratorium work session on September 25, 2019. Staff completed the review and presented the proposed text amendments to the Planning Commission SmartCode Review Committee on October 23, 2019. The Planning Commission considered and approved the text amendments with minor changes at the November 5, 2019 meeting. The changes are reflected in Ordinance 2019-15 and the minutes of the Planning Commission meeting from November 5, 2019.

Mayor Palazzolo opened the floor for the public hearing. Brian Edmonds, 2670 Fox Hill Circle East, came forward. Seeing no one else come forward, Mayor Palazzolo closed the public hearing.

Motion by Mr. Owens, seconded by Mr. Janda, to approve Ordinance 2019-15 on second reading.

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

**Agreement - GMSD Land Exchange**

The City will deed 21.8 acres of Houston Levee Park to Germantown Municipal School District (GMSD) and retain 3 acres in the southwest corner of the park for parkland. GMSD intends to use the 21.8 acres for school-related recreational and school athletic uses. GMSD will deed 15 acres to the east of Forest Hill Elementary School (FHES) to the City. The City intends to use this property for passive, low-impact parkland (approximately 12 acres) and for the location of public utilities (approximately 3 acres).

Motion by Ms Gibson, seconded by Mr. Janda, to approve an agreement with the Germantown Municipal School District to exchange approximately 21.8 acres of City-owned property on the south end of the Houston High School campus for approximately 15 acres of GMSD-owned property on the east side of the FHES campus.

Motion by Mr. Massey, seconded by Mr. Sanders, to postpone the vote until the January 27, 2020 regularly scheduled meeting.

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

ROLL CALL: Original motion by Ms. Gibson, seconded by Mr. Janda.

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

**Agreement - GMSD Land Use**

The Land Use Agreement addresses the specific details of which entity has primary and secondary use of shared facilities during the terms of the agreement.

The City will be the primary user of the two southernmost softball fields behind Houston High School (HHS) and will work with Germantown Municipal School District (GMSD) on a regular basis to schedule and plan for

recreational programs provided and sponsored by the City. The City shall have priority over GMSD on these two fields and shall have full access to the concession/restroom building and related parking areas. GMSD shall maintain and provide trash services for the two softball fields and will pay for all costs associated with water and utilities.

The City will have secondary use of the third softball field (the eventual home field for HHS softball) behind HHS and will work with GMSD to schedule its use accordingly. The City will also have secondary use of the batting cages. All maintenance, water and utilities on the third softball field and batting cages are the responsibility of GMSD.

This agreement shall continue until the City has acquired and built separate softball facilities elsewhere suitable for its recreation needs and purposes.

The City shall leave existing landscaping and tree buffers adjacent to any residential neighborhoods on the 15-acre property behind Forest Hill Elementary.

Motion by Mr. Janda, seconded by Ms. Gibson, to approve a Land Use Agreement with the Germantown Municipal School District, which defines the prioritized use of facilities on related properties as covered in the Land Exchange Agreement.

Motion by Mr. Massey, seconded by Mr. Sanders, to postpone the vote until the January 27, 2020 regularly scheduled meeting.

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

ROLL CALL: Original motion by Mr. Janda, seconded by Ms Gibson.

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

**Reimbursement - Water Main Line at Forest Hill Elementary**

The City issued debt for the construction of Forest Hill Elementary School (FHES) in the amount of \$27 million in 2017. Construction of the school began in 2018. Included in the construction documents was the installation of a 24-inch water main line to serve FHES, the GMSD central office building, and a proposed elevated water tower. Funding for this water line was included in the FY19 CIP from the Utility Fund. However, actual payment for construction of the water line was submitted by GMSD and paid for out of the General Fund bond proceeds, not the budgeted Utility Funds.

Motion by Mr. Janda, seconded by Ms. Gibson, to authorize the transfer of \$232,272.00 from the Utility Fund to the General Fund to reimburse the bond proceeds for this expenditure.

Motion by Mr. Massey, seconded by Mr. Sanders, to postpone the vote until the January 27, 2020 regularly scheduled meeting.

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

ROLL CALL: Original motion by Mr. Janda, seconded by Ms. Gibson

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

Meeting adjourned.