

## **BOARD OF MAYOR AND ALDERMEN**

**January 27, 2020**

The regular meeting of the Board of Mayor and Aldermen was held on Monday, January 27, 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: Leslie Acerra, Pam Beasley, Rodney Bright, Paul Chandler, Reynold Douglas, Tony Fischer, Jason Huisman, Mac McCarroll, Bo Mills, Daniel Page, Lisa Piefer, Phil Rogers, Cameron Ross, Adrienne Royals, Emily Rozar, Andy Sanders, Dr. Charles Schulz and Steve Wilensky.

### **Call To Order**

The Mayor called the meeting to order.

### **Invocation**

Pam Beasley led the invocation.

### **Pledge of Allegiance**

Vice Mayor Janda led the Pledge of Allegiance.

### **Set Agenda**

During the executive session, Administration withdrew Item 9h - Purchase - GPAC Theater Seating Phase 2.

Motion by Mr. Janda, seconded by Mr. Massey, to approve the agenda as amended.

Motion by Mr. Sanders, seconded by Mr. Massey, to move to the regular agenda Item 9g – Purchase – Fluoride Feeding System for the Johnson Rd. WTP.

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

Motion by Mr. Massey, seconded by Mr. Sanders, to move to the regular agenda Item 9f – Fiscal Year 2021 Budget Calendar.

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

ROLL CALL: On original Motion by Mr. Janda, Mr. Massey, to approve the agenda as amended.

Sanders-yes, Gibson-yes, Massey-yes, Owens-yes, Janda-yes. Motion approved.

### **Approval of Minutes**

Approval is requested of the minutes of the regular meeting held January 13, 2020.

Motion by Mr. Sanders, seconded by Ms. Gibson, to approve the minutes of the Board of Mayor and Aldermen regular meeting held January 13, 2020.

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

### **Citizens to be Heard**

Sandy Davis, 2857 Old Elm Lane, came forward regarding City transparency.

**Special Recognition - Germantown Education Commission Teacher of the Month – January 2020**

Valerie McKinney, an English teacher at Houston High, is the January 2020 Teacher of the Month award recipient.

**Alderman Liaison Reports**

The Aldermen reported on their commission activities.

**PRELIMINARY AGENDA**

**Appointment – Financial Advisory Commission**

There were 22 citizens appointed to the commission at the Special Called Meeting held on December 11, 2019. This commission may have a total of 24 members. Mr. Wagner has applied to serve.

MOTION: To appoint Mr. John Wagner to the Financial Advisory Commission with a term ending December 31, 2020.

**Appointment - Personnel Advisory Commission**

There is one position on this commission not filled at the Special Called Meeting held on December 11, 2019. Dr. Janz has applied to serve.

MOTION: To appoint Dr. Brian Janz to the Personnel Advisory Commission with a term ending December 31, 2020.

**Appointment - Public Safety Education Commission**

There are two positions on this commission not filled at the Special Called Meeting held on December 11, 2019. Ms. Stagoski has applied to serve.

MOTION: To appoint Ms. Lisa Stagoski to the Public Safety Education Commission with a term ending December 31, 2020.

**Contract Extension - Club Management Software Germantown Athletic Club**

Club management software is vitally important to the day-to-day operations of the facility, including check-ins, billing, collections, program registration, reporting, etc. The management of the Club's membership base is critical to its sustainability. This is an annual cost of \$18,252.00, with only \$7,605.00 being spent in FY20 and the remaining \$10,647.00 being allocated to FY21.

MOTION: To authorize the contract extension No. 5 and re-occurring monthly fees of \$1,521.00 to Jonas Fitness Incorporated for web-based software use at the Germantown Athletic Club for a period of one year

**Donations - Germantown Community Library**

The donations from Ping Mei Yu and Zheng Min Xi (\$500.00), Dogwood Creek Bunco (\$50.00), Kappa Kappa Gamma (\$650.00) and Beth Austin Bible Study (\$100.00) were designated for the enhancement of Library programs. The Indian Community Fund of Greater Memphis donated \$1,250.00 for a new, special collection - The World Peace Collection. The Heritage Woman's Club donation of \$1,000.00 was contributed so that the library may acquire more resources and, therefore, provide more services for children with special needs.

MOTION: To approve donations to the Germantown Community Library in the amount of \$3,550.00, and to approve Budget Adjustment No. 20-50.

**Fiscal Year 2021 Budget Calendar**

Each year, a budget calendar is developed for the timely completion of the City's annual operating and capital budgets for the forthcoming fiscal year. The calendar identifies the major reviews in preparing the annual budget, the meetings scheduled for the Financial Advisory Commission and three readings on the budget adoption by the Board.

MOTION: To approve the Fiscal Year 2021 Budget Calendar.

**Purchase - GPAC Theater Seating – Phase 2** – Withdrawn by staff.

**Purchase - Police Vehicle Equipment**

The vehicle equipment will include emergency lights, sirens, screens, backseats, speakers and center consoles for nine (9) new Patrol and three (3) Administrative vehicles in the FY20 IRP.

MOTION: To approve the purchase of police vehicle equipment from Fleet Safety Equipment, Inc. dba Dana Safety Supply, Inc. in the amount of \$107,580.00 and Budget Adjustment No. 20–54.

**Purchase - Mobile Data Terminals**

Mobile data terminal systems and associated equipment allow Fire, Police and Utility Locate personnel to use computer technology in daily field operations. This equipment enhances the ability to respond to calls for service, take offense reports, utilize internet law enforcement sites, and utilize websites for utility locate requests.

MOTION: To approve the purchase of mobile data terminal (MDT) systems and associated equipment in the amount of \$50,043.89 from Brite Computers on Synnex National Cooperative Purchasing Alliance (NCPA) Contract number 01-65, approve Budget Adjustment No. 20-56, and declare replaced equipment as surplus.

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

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

**REGULAR**

**Contract - Pavement Reclamation**

The Public Works Department established a proactive preventive street maintenance analysis program 30 years ago to annually evaluate and schedule the candidate streets throughout the city for milling and / or pavement resurfacing. Dogwood Road from Kimbrough Road to Cordes Road was chosen as the proposed street for pavement reclamation for the FY20 Budget Cycle.

Motion by Mr. Janda, seconded by Ms. Gibson, to approve a contract with Lehman Roberts Co. for pavement reclamation per the unit prices provided in an amount not to exceed \$750,000.00.

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

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

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 BMA resolution 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, 2018, meeting. The changes are reflected in Ordinance 2019-15 and the minutes of the Planning Commission meeting from November 5, 2019. Based on public comments received at the January 13, 2020 BMA public hearing, the term “housing unit” has been changed to “dwelling unit” in Ordinance 2019-15.

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

Motion by Mr. Sanders, seconded by Mr. Massey, to reject the agenda item in its entirety, and extend the temporary moratorium put in place by Resolution 19R08, if necessary. More specifically, it is moved that we direct this issue to be returned to the planning commission, directing that body to review and revise the definitions of apartment, multifamily dwelling and other definitions as needed which are contained in Chapter 23, Zoning, more specifically Section 23-2, contained in the Germantown Code of Ordinances. In addition, provisions prohibiting stand-alone multi-family apartment buildings should be prohibited across all appropriate zoning districts. In order to do this, a new resolution should be drafted and passed by this Board to provide the necessary guidance.

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

ROLL CALL: On original Motion by Mr. Owens, seconded by Mr. Janda, to approve Ordinance 2019-15 on third and final reading.

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

**Purchase - Fluoride Feeding System at the Johnson Rd. WTP**

Fluoride is placed in the City’s finished potable water for the betterment of public health in aiding in the prevention of tooth decay. The Tennessee Department of Environment and Conservation (TDEC) monitors the quantity and quality of fluoride placed into the water distribution system, and the City is currently in compliance with TDEC regulations. The existing system for water fluoridation at the Johnson Road Water Treatment Plant was installed when the plant became operational in the early 2000s. Over the past six months, this system has deteriorated to the point of now being in a state of disrepair. TDEC has requested that the fluoride system be repaired immediately in order for the City to continue to be in compliance with TDEC regulations.

Motion by Mr. Janda, seconded by Ms. Gibson, to authorize the purchase and installation of a new fluoride feeding system for the Johnson Road Water Treatment Plant by Nabholz Construction Services LLC, in the total amount of \$58,283.96 and a year-end budget adjustment.

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

Meeting adjourned.

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Mike Palazzolo, Mayor

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Michele Betty, City Clerk/Recorder