

BOARD OF MAYOR AND ALDERMEN

August 24, 2020

The regular meeting of the Board of Mayor and Aldermen was held on Monday, August 24, 2020, at 6 p.m. via live streaming. Meeting electronically was necessary to protect public health, safety and welfare in light of the COVID-19 pandemic.

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, Rodney Bright, Reynold Douglas, Tony Fischer, De’Kisha Fondon, Jason Huisman, Patrick Lawton, Mac McCarroll, Bo Mills, Lisa Piefer, Phil Rogers, Cameron Ross, Sherry Rowell, Adrienne Royals, Emily Rozar, John Selberg and Steve Wilensky. Also in attendance was GMSD Finance Director Kevin Jones.

Call To Order

The Mayor called the meeting to order.

Invocation

The invocation was led by Patrick Lawton.

Statement from Mayor Palazzolo

All local governing bodies in the State of Tennessee have been impacted by the COVID-19 pandemic. Germantown is no exception. In an effort to carry out its governance and operational responsibilities lawfully, and effectively, while also considering the protection of public health, safety and welfare, the Germantown City Administration has taken steps to conduct Board of Mayor and Aldermen and other public meetings electronically. These actions were taken in response to Governor Bill Lee’s Executive Order No. 51, an order extending Executive Order No. 16, previously extended by Executive Order No. 34, which suspended the requirements of the Tennessee Open Meetings Act to the extent necessary to allow governing bodies subject to the act to meet and conduct essential business by electronic means.

The Germantown Board of Mayor and Aldermen has determined that meeting electronically is necessary to protect the health, safety and welfare of its citizens in light of the COVID-19 pandemic. Further, notice of such electronic meetings has been, and will continue to be, published in the same manner as is currently used for regular meetings. The public is also, and will continue to be, able to view the agenda and have live access to the actual meetings by electronic means, by logging in to Germantown’s website, and by clicking the appropriate link. Video recordings of the meetings will be made available as soon as practicable after each meeting on the City’s website at www.germantown-tn.gov.

These measures are temporary, and are due to expire no later than August 29, 2020, unless further action is taken by Governor Lee.

Set Agenda

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

Motion by Mr. Janda, seconded by Mr. Owens, to accept the agenda as amended.

Point of Inquiry by Mr. Sanders: At the July 13, 2020 Board meeting, there was an approved motion to postpone the Shelby County Election Commission Payment until August 24, 2020 yet the item is not on the agenda. Mayor Palazzolo stated the bill has not been settled. City Attorney Mac McCarroll stated the item will be presented at the September 14, 2020 Board meeting.

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

Approval of Minutes

Approval was requested of the minutes of the regular meeting held August 10, 2020.

Motion by Mr. Janda, seconded by Mr. Sanders, to approve the minutes of the Board of Mayor and Aldermen regular meeting held August 10, 2020.

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

Citizens to be Heard

The following citizens came forward via email in support of the proposed long-field project:

Desonia Alexander, 1336 Coppershire Cv.	Steve Anderson, 9466 Grove Trail Ln.	Amy Arterburn, 2541 Mimosa Tree Dr.
Abby Barnett, 2431 Lennox Dr.	Kevin Beaver, 8359 Colebrook Cv.	Toby Bolan, 2376 Fabert Cv. 38017
Stephanie Bullock, 3075 Shannon Oaks Cv.	Jorge Camarena, 7974 Cross Ridge Dr.	Brook Christenbury, 8419 Drury Ln.
Craig Christenbury, 8419 Drury Ln.	Nimisha Clawson, 7480 Willey Rd.	Amy Davis, 3127 Devonshire Way
Kelly Day, 3031 Cotton Cross Dr.	Brian Devers, 3210 Chapel Woods Cv.	Lindsey Devers, 3210 Chapel Woods Cv.
Rachell Fischer, 1783 Magnolia Tree Rd.	Byron Freeman, 2183 Coathbridge Dr.	Emily Garner, 1839 Eagle Branch Cv.
Miriam Gates, 2207 Ealing Cir. Apt. 1	Sallie Gatlin, 2214 Duntreath Valley Dr.	Rebekah Grant, 9585 US Hwy. 72
Harvey Green, 9600 Dove Spring Cv.	Mary Jo Green, 2281 Coathbridge Dr.	Ruby Hancock, 2056 Dogwood Grove Cv.
Jimmy Hanczor, 7956 Woodford Ln.	John Hester, 2024 Woodgate Dr.	Haden Janda, 1920 Glenbuck Cv. N.
Scot Lenoir, 1870 Hidden Oaks	Crissy Linter, 2177 Ealing Cir. Apt. 4	Myron Martin, 8958 Sycamore Trail Dr.
Hanan McNamee, 2410 Oak Trail Dr.	Andy Metcalf, 2085 Allen Court Dr.	Kristin New, 1859 Glenbuck Cv. N.
Mark Orndorff, 2428 Cedar Dale Dr.	Diane Perry, 7536 Bavarian Dr.	Diana Roedel, 8857 Aldershot Dr.
Kevin Roedel, 8857 Aldershot Dr.	Rob Stallins, 8803 Renfrew Ln.	Tom Stutler, 7909 Thornbrook Cv.
Larry Taylor, 6993 Sunset Place	Susan Threlkeld, 7861 Lennox Cv.	Chris West, 2985 Devonshire Cv.
Edward Wildrick, 8988 Winding Way	Shad Williams, 2120 Kinross Cv.	Joanna Young, 7126 Paddock Cv.
Kevin Young, 3284 Duke Circle		

The following citizens came forward via email in opposition to the proposed long-field project:

Ron Carpenter, 7954 Neshoba Rd.	Denyce Dean, 3064 Windstone Way	Crystal Gordon, 1875 Poplar Woods Cir. E.
Patrick Green, 2900 Oakleigh Ln.	Pauline Lathram, 6958 Country Rd.	William Martin, 3105 Oakleigh Manor Cv.
Vicki O'Brien, 7253 Creathwood Cv.	Adam Parks, 8967 Hollybrook Ln. S.	John Peyton, 1705 Old Mill Rd.
Barbara Rowland, 2032 Desmond Cv.	Kenneth Tucker, 1505 Kimbrough Rd.	Lori Vincent, 2090 Allen Court Dr.
Noah Wolfe, 1687 Brookside Dr.		

An additional 85 emails were received in favor of the project and an additional 7 emails were received in opposition to the project. These citizens did not provide complete contact information.

SPECIAL RECOGNITION

Proclamation - Tennessee Women's Suffrage Centennial Day

The Mayor proclaimed August 26, 2020 as Tennessee Women's Suffrage Centennial Day in Germantown.

Beautification Commission Business Award

John Mark's Enterprises, located at 9076 Poplar Pike, Suite 101, is the August award winner.

PRELIMINARY AGENDA

Development Contract No. 1232 - Baptist Memorial Rehabilitation Hospital (Expansion)

The proposed project is for a 6,000 sf. building addition to an existing rehabilitation hospital, resulting in an increase of four new inpatient beds. The expansion will include the addition of 10 parking spaces.

MOTION: To approve Development Contract No. 1232 for a building expansion at Baptist Memorial Rehabilitation Hospital (1240 S. Germantown Rd.)

Donation - Germantown Education Foundation - Friend of the Foundation - 2nd Quarter, 3rd Quarter and 4th Quarter

In 2014, the Board of Mayor and Aldermen established the opportunity for Germantown citizens to donate funds to the Germantown Education Foundation through their monthly water bill. Since the money is collected from citizens through their monthly utility bill, this program has no budgetary impact on the City.

MOTION: To approve the disbursement of funding collected by the City from residents and others within the community for the Germantown Education Foundation in the amount of \$10,989.50.

PEG Disbursement to GMSD - 4th 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 4th quarter of fiscal year 2020 are from April 1, 2020 through June 30, 2020.

MOTION: To authorize the disbursement of PEG funding collected by the City to the Germantown Municipal School District in the amount of \$38,817.70.

Purchase - Bulk Cement Treated Base Mix

Cement treated base mix is used primarily for street maintenance base repairs, utility cuts and storm water maintenance projects. Public Works crews pick up the amount required each day as needed at the vendor's distribution plant for immediate application. The unit price of this contract amendment represents the same unit prices from the previous fiscal year's contract.

MOTION: To authorize the purchase of 2,035 tons of cement treated base mix at the established unit pricing in the amount of \$51,852.00 from Metro Materials, Inc.

Motion by Mr. Sanders, seconded by Mr. Owens, to approve the preliminary agenda as read.

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

REGULAR

Ordinance 2020-1 - Ordinance to Adopt the FY2021 Budget - Third and Final Reading

The FY21 Proposed Budget takes into consideration the Policy Agenda developed by the Board. The Financial Advisory Commission has reviewed and approved the budget. The budget for all funds for FY21 totals \$157,355,193. The General Fund Operating Budget total is \$57,603,123, the Enterprise Funds total \$21,558,761, Special Revenue Funds total \$70,789,606, Internal Service Funds \$2,093,703 and Capital Improvements Programs total \$5,310,000. Between second and third reading of the FY21 Proposed Budget, several amendments to the budget are being presented to the Board for consideration and, if approved with the third reading of the ordinance tonight, will be incorporated into the budget ordinance.

Motion by Mr. Janda, seconded by Ms. Gibson, to approve on third and final reading Ordinance 2020-1 establishing the FY21 Proposed Budget.

Motion by Mr. Sanders to amend the budget in Civic Support by adding \$1,000.00 for the Senior Citizens Advisory Commission's spring seminar. There was no objection to this amendment.

ROLL CALL: On original Motion by Mr. Janda, seconded by Ms. Gibson, to approve on third and final reading Ordinance 2020-1 establishing the FY21 Proposed Budget.

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

Ordinance 2020-3 - Real and Personalty Tax - Third and Final Reading

The recommended property tax rate of \$1.95 per \$100.00 of assessed valuation will generate approximately \$34.1 million in property tax and represents 61% of the FY21 General Fund revenues. After a careful review of the proposed FY21 budget and in consideration of our commitment to provide adequate resources to support defined service levels and financial resources that are consistent with City financial policies, a tax increase is not recommended in the FY21 budget.

Motion by Mr. Janda, seconded by Ms. Gibson, to adopt Ordinance 2020-3 establishing the certified tax rate of \$1.95 on third and final reading.

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

Resolution 20R01 - Resolution on Revenues

A comprehensive review of fees, rates and revenue structures was made during the past year and during the budget process. In many business areas, market comparisons were performed to make sure the fees and rates are comparable for the area. Minor changes in fees and charges have been incorporated in most areas for the City in the attempt to keep pace with the cost of services being provided.

Motion by Mr. Janda, seconded by Mr. Owens, to adopt Resolution 20R01 – The Resolution on Revenues and schedules establishing the rates, fines and fees in the various funds of the City of Germantown for the FY21 operating budget.

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

Resolution 20R09 - Capital Improvements Program

The FY21 portion of this CIP will be adopted within the FY21 Budget Ordinance. The CIP for subsequent years is recommended for approval in order to establish a plan by which Administration can schedule its activities to ensure the projects are accomplished in accordance with the Board of Mayor and Aldermen's direction. The Capital Improvements Program for the six-year planning period is reviewed each year during the budget planning process and revised according to current needs and projections. The development of the Capital Improvements Program follows the guidelines for the CIP Policy adopted by the Board, which allows the City to identify long-term needs and to plan for the necessary financing.

Motion by Mr. Janda, seconded by Mr. Owens, to adopt Resolution 20R09, establishing a Capital Improvements Program for fiscal years ending June 30, 2021 through 2026.

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

Meeting adjourned.