

BOARD OF MAYOR AND ALDERMEN

December 14, 2020

The regular meeting of the Board of Mayor and Aldermen was held on Monday, December 14, 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, Tim Bierdz, Michele Betty, Rodney Bright, Reynold Douglas, Tony Fischer, Tim Gwaltney, Richard Hall, Jason Huisman, Patrick Lawton, Mac McCarroll, Bo Mills, Lisa Piefer, Cameron Ross, Adrienne Royals, John Selberg and Steve Wilensky.

Call To Order

The Mayor called the meeting to order.

Invocation

The invocation was led by Patrick Lawton.

Statement from Mayor Palazzolo

Mayor Palazzolo asked City Administrator Patrick Lawton to read the following statement. 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. 65, an order extending Executive Order Nos. 16, 34, 51 and 60, 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 public will be able to view the video recording of the Board of Mayor and Aldermen virtual meeting within 48 hours of the meeting and are directed to go to the City's website at www.germantown-tn.gov.

These measures are temporary, and are due to expire on December 27, 2020, unless further action is taken by Governor Lee.

Establishment of Necessity to Conduct the December 14, 2020 Board of Mayor and Aldermen Meeting Electronically

The provisions of Executive Order No. 65 require that the members of the governing body must make a determination at the outset of the meeting, by vote or otherwise, that conducting the meeting by electronic means is necessary to protect the public health, safety, and welfare of Tennesseans in light of the COVID-19 outbreak.

Motion by Mr. Janda, seconded by Mr. Owens, to conduct the December 14, 2020 Board of Mayor and Aldermen meeting by electronic means to protect the public health, safety, and welfare of Tennesseans in light of the COVID-19 outbreak.

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

Set Agenda

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

Motion by Mr. Janda, seconded by Mr. Owens, to approve the December 14, 2020 agenda.

ROLL CALL: 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 November 23, 2020.

Motion by Mr. Owens, seconded by Mr. Janda, to approve the minutes of the Board of Mayor and Aldermen regular meeting held November 23, 2020 as amended.

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

Citizens to be Heard

The following citizens came forward to express their appreciation for Alderman Massey's four years of service.

Vicki and Kevin O'Brien, 7253 Creathwood Cove
Susanne Riley, 1942 Allenby Road
Marlene Strube, 7642 Foster Ridge
Jason Sharp, 7214 Creathwood Cove
Andrea Vu, 8426 Old Elm Cove

Pauline Lathram, 6958 Country Road, came forward to express her concern regarding the purchase of 44 acres for soccer complex.

SPECIAL RECOGNITIONS

Germantown Education Commission Teacher of the Month – December 2020

The December 2020 Teacher of the Month Award winner is Amy Ozment, the dual enrollment senior English instructor at Houston High School.

Germantown Education Commission Youth Excellence Award – December 2020

The December 2020 Youth Excellence Award winner is Saksham Rajan Saksena, a senior at Houston High School.

Mayor Palazzolo recessed the Board of Mayor and Aldermen meeting and reconvened as the Beer Board.

BEER BOARD – Public Hearing – Beer Permit – On-premise Application – City Silo Table & Pantry

The City has received a request from Memphis Healthy Concepts 2 LLC for a permit to sell beer for on-premise consumption at City Silo Table & Pantry, located at 7605 Farmington Blvd. W. According to the record check, nothing has been found to discredit the applicant.

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

Motion by Mr. Owens, seconded by Ms. Gibson, to approve the request of Memphis Healthy Concepts 2 LLC for a permit to sell beer for on-premise consumption at City Silo Table & Pantry, located at 7605 Farmington Blvd. W.

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

Mayor Palazzolo recessed the Beer Board and reconvened as the Board of Mayor and Aldermen.

PRELIMINARY AGENDA

Competitive Sealed Proposal Authorization – Library Operations & Landscaping, Mowing and Irrigation

Services

To ensure that the City receives qualified vendors for these specialized services, the Procurement Department requests authorization to use the competitive sealed proposal process.

MOTION: To authorize the use of the competitive sealed proposal process for procuring services for Library Operations, and Landscaping, Mowing and Irrigation Services.

Contract - CDBG 2011 Disaster Recovery Grant Bank Stabilization for Laterals D and E

Barge Design Solutions, Inc., the City's engineering design consultant, completed the design/construction/bid package for the project, Laterals D & E, in September 2020. The project was subsequently publicly advertised for construction. One qualified bid was received, with Encor, LLC providing the lowest acceptable bid at \$877,015.00. The anticipated start date will be February 2021 with an estimated completion of June 30, 2021. It is also anticipated that an additional contract amendment will be needed for extending the construction completion date to meet the revised schedule and any increase in the amount for additional engineering fees not covered by the grant.

MOTION: To authorize the Mayor to enter into a construction contract with Encor, LLC in the amount of \$877,015.00 for bank stabilization to Wolf River Lateral's D and E, and approve Resolution 20R12.

Contract – Germantown Community Theater ADA Renovations

The main entrance and existing restrooms are not ADA Compliant. This renovation project will resolve ongoing operational issues, improve capacity, and better serve customers during intermissions whenever events are held in the building.

MOTION: To approve a construction contract with Grinder, Taber, & Grinder, Inc. for the base bid in the amount of \$95,644.10 and an add-alternate bid of \$6,992.00 for a total contract amount of \$102,636.10 for the ADA ramp renovation and ADA restroom renovation at the Germantown Community Theater.

PEG Disbursement to GMSD – 1st Quarter

The City receives 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.

MOTION: To authorize the disbursement of PEG funding collected by the City to the Germantown Municipal School District in the amount of \$36,981.82.

Purchase – Concrete Saw

This purchase will replace a 1988 Ditch Witch 2310 Trencher, which has exceeded its dependable life cycle. This unit will be replaced with a Husqvarna FS7000-DL walk behind concrete saw used to cut horizontal flat surfaces such as asphalt and concrete.

MOTION: To approve the purchase of a Husqvarna FS7000-DL concrete saw with two forty-eight inch Diamond Blades from H-D Supply Construction & Industrial in the amount of \$51,469.85, and to declare unit 712 as surplus property.

Purchase – Police Vehicle Equipment

The vehicle equipment will include emergency lights, sirens, screens, back seats, speakers and center consoles for two new Patrol and Administrative vehicles from the FY21 IRP budget. The purchase of the vehicle equipment which will include the lights, speakers, siren systems, the screen, backseat, utility boxes, door guards and window screens and the front bumper will be purchased off Buy Board cooperative Contract No. 603-20 for a total of \$25,695.40.

MOTION: To approve the purchase of police vehicle equipment from Dana Safety Supply, Inc. in the amount of \$25,695.40.

Purchase – Annual Phone System Maintenance Subscription

The City of Germantown currently has annual maintenance and licensing contracts for internet firewalls, network hardware and phone system software that provides connectivity to various City facilities under the Cisco SMARTnet product. Maintenance and licensing provides security and licensing required for equipment associated with the City's network/phone system and provides support in maintaining the system's functionality and integrity should hardware or software failure occur.

MOTION: To authorize the purchase of a 3-year maintenance and licensing subscription with CDW Government in the amount of \$50,989.00 off the Tennessee NVP Software contract number ADSPO16-130652.

Purchase – Mobile Data Terminals

Mobile Data Terminal systems allow Fire, Police and Utility Locate personnel to use computer technology in field operations. The use of this equipment enhances the department's ability to respond to calls for service, take offense reports, utilize internet law enforcement sites, and is considered to be another component of employee safety. These in-car computer systems are replacement units of outdated computers which have reached end-of-life.

MOTION: To approve the purchase of mobile data terminal (MDT) systems and associated equipment in the amount of \$37,454.00 from Brite Computers on Synnex National Cooperative Purchasing Alliance (NCPA) Contract number 01-97, and declare replaced equipment as surplus.

Purchase – Printing and Mailing Services – Utilities

The City utilizes statewide contracts or cooperative purchasing agreements to purchase services or products saving considerable time and resources for participating member agencies. The Production Agreement with DataProse identifies pricing for goods and services in addition to monthly electronic billing, bill printing and mailing. Printing services for additional inserts mailed with the City's monthly utility bill are included in this agreement as a means to streamline services and increase efficiency.

MOTION: To authorize the use of the City of Sevierville Tennessee's Production Agreement with DataProse for printing, stuffing and mailing utility bills in an amount not to exceed \$134,400.00.

Purchase – Security Cameras

The City has interior and exterior security cameras at various public buildings. Currently, there are security cameras that monitor portions of the exterior and interior of City Hall. Additional cameras will improve security at the facilities located in the City Hall complex and are the police recommended solution to increase security at public facilities.

MOTION: To authorize the purchase of security cameras, associated equipment and installation in an amount of \$64,760.00 from Schneider Electric Buildings Americas, Inc. on OMNIA Partners Contract number R170504, and declare replaced equipment as surplus.

Motion by Mr. Janda, 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

Land Purchase and Sale Agreement – Crestwyn Hills Drive – 44.062 Acres

A comprehensive Parks and Recreation Master Plan was adopted by the BMA in May of 2018. Facility assessments were a part of the Plan and a program and facility gap analysis summary identified several areas for expansion, growth or redesign. Many of the recommendations made in the Plan are contingent upon the development of a new long-field complex that could accommodate a variety of field sports. The need for additional acreage and parks in the southern part of the city, and the lack of land for expansion within our existing parks to accommodate future growth drives this recommendation for a new long field complex.

It is important to note that an approval of the Purchase and Sale Agreement (PSA) by the BMA does not obligate a final purchase of the subject 44+ acre property unless the City is satisfied with all results attained during the due diligence process, and the BMA appropriates the purchase price of \$2.31 million in the FY22 budget. If either condition is not met, the City may terminate the PSA and receive a full refund of the earnest money. During this time of inspection and FY22 budget preparation, staff will continue to explore options and recommendations for public/private partnerships and funding models in support of the long field initiative and park project.

Motion by Ms. Gibson, seconded by Mr. Owens, to authorize the Mayor to enter into a Purchase and Sale Agreement with Forest Hill Associates for the acquisition of 44.062 acres of land located on Crestwyn Hill Drive (property tax parcel ID G0243 00371) in order to advance the parkland acquisition recommendations adopted in the comprehensive Parks and Recreation Master Plan; and to make the Earnest Money payment to Forest Hill Associates in the amount of \$10,000.00 and begin the “due diligence” inspection process.

Motion by Mr. Massey, seconded by Mr. Sanders, to postpone this agenda item until the Board of Mayor and Aldermen meeting on January 11, 2021.

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

ROLL CALL: On original motion by Ms. Gibson, seconded by Mr. Owens, to authorize the Mayor to enter into a Purchase and Sale Agreement with Forest Hill Associates for the acquisition of 44.062 acres of land located on Crestwyn Hill Drive (property tax parcel ID G0243 00371) in order to advance the parkland acquisition recommendations adopted in the comprehensive Parks and Recreation Master Plan; AND to make the Earnest Money payment to Forest Hill Associates in the amount of \$10,000.00 and begin the “due diligence” inspection process.

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

Mayor Palazzolo expressed his appreciation to the out-going aldermen in Positions 3, 4 and 5 for their outstanding service, dedication and commitment to the people of Germantown.

Meeting adjourned.

Mike Palazzolo, Mayor

Michele Betty, City Clerk/Recorder