

BOARD OF MAYOR AND ALDERMEN

February 22, 2021

The regular meeting of the Board of Mayor and Aldermen was held on Monday, February 22, 2021, 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, Sherrie Hicks, Brian Ueleke and Jon McCreery. Staff present: Jeff Beaman, Pam Beasley, Michele Betty, Reynold Douglas, Tony Fischer, 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 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. 71, an order extending Executive Order Nos. 16, 34, 51, 60 and 65, 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 have access to the Board of Mayor and Aldermen meeting via real-time video. The meeting will also be recorded and available within 48 hours of the meeting. These measures are temporary, and are due to expire on February 27, 2021, unless further action is taken by Governor Lee.

Establishment of Necessity to Conduct the Board of Mayor and Aldermen Meeting Electronically

Governor Bill Lee's Executive Order No. 71, an order extending Executive Order No. 16, required 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 Ms. Gibson, seconded by Mr. McCreery, to conduct the February 22, 2021 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-no, Gibson-yes, Hicks-yes, Ueleke-yes, McCreery-yes. Motion approved.

Set Agenda

Motion by Ms. Gibson, seconded by Mr. McCreery, to approve the February 22, 2021 agenda.

Motion by Ms. Gibson, with no objection, to move to the regular agenda item #10d Emergency Purchases – Vaccination Site.

ROLL CALL: Sanders-yes, Gibson-yes, Hicks-yes, Ueleke-yes, McCreery-yes. Motion approved.

Approval of Minutes

Approval is requested of the minutes of the regular meeting held February 8, 2021.

Motion by Mr. Sanders, seconded by Mr. Ueleke, to approve the minutes of the Board of Mayor and Aldermen regular meeting held February 8, 2021 as written.

ROLL CALL: Sanders-yes, Gibson-yes, Hicks-yes, Ueleke-yes, McCreery-yes. Motion approved.

Citizens to be Heard

The following citizens came forward to request the Board of Mayor of Aldermen return to the use of the Consent Agenda.

Pauline Lathram, 6958 Country Road
Dan and Connie Mungle, 8352 Creek Ridge Cove
Mary and Tom Robison, 1801 Brookside Drive

SPECIAL RECOGNITIONS

Germantown Education Commission Teacher of the Month – February 2021

The February 2021 Teacher of the Month Award winner is Mrs. Erin Seboldt, an AP and standard U.S. History teacher at Houston High School who also teaches the Facing History and Ourselves curriculum.

Germantown Education Commission Youth Excellence Award – February 2021

The February 2021 Youth Excellence Award winner is Briarcrest senior, Adeline Moore.

Proclamation – Arbor Day

Mayor Palazzolo proclaimed March 5, 2021 as Arbor Day in the City of Germantown.

PRELIMINARY AGENDA

Appointment - Board of Zoning Appeals

Due to a resignation, there is one position available on the Board of Zoning Appeals. Laura Meanwell has applied to serve the one year remaining of this three-year term.

MOTION: To appoint Laura Meanwell to the Board of Zoning appeals with a term ending December 31, 2021.

Contract Extension - Herbicide / Fertilizer Treatment and Lake Maintenance

The utilization of contract herbicide / fertilizer treatment and landscape maintenance services has been efficient and economically beneficial for the City. Outsourcing these services has provided an aesthetically pleasing appearance to the athletic fields, medians, municipal grounds, lakes, right of ways and ditch banks.

MOTION: To authorize the Mayor to enter into the second year contract extension with Herbi-Systems Inc. for Herbicide / Fertilizer Treatment and Lake Maintenance services from February 27, 2021 to February 26, 2022, in an amount not to exceed \$107,277.00 with \$56,505.17 being expended in FY21.

Donations - Fire Department

The Fire Department received a donation from Leadership Germantown in the amount of \$1,500.00. The funds will be used to purchase a replacement Rescue Randy training manikin. The Fire Department received \$323.00 from the Germantown Women’s Club to be used for fire prevention efforts.

MOTION: To approve donations totaling \$1,823.00 to the Fire Department and to approve Budget Adjustment No. 21-51.

PSA Supplement No.1 CDBG 2011 Recovery Grant Project - Barge Design Solution

Supplement No.1 includes re-design of Wolf River Lateral G grade control and bank stabilization, working with USACE and TDEC to get variances on the USACE permit, and revise the TDEC ARAP permit for the

additional bank stabilization, additional effort required for the Environmental Review of Lateral E, the re-bidding of this project, and the additional grant administration required due to the grant extension. For Lateral D, Barge Design Solution will provide additional site observation during construction. The additional scope also includes the removal of Lateral G from the Project Manual, and inclusion of the plans and specifications of the Lateral E repairs prepared by Ensaf. Of the \$97,675.00, \$60,455.44.00 will be reimbursed by the CDBG and \$37,219.56 will be paid from City's FY21 CIP.

MOTION: To approve Supplement No.1 in the amount of \$97,675.00, increasing the existing CDBG 2011 Disaster Recovery Grant Project Professional Services Agreement with Barge Design Solution from \$215,500.00 to \$313,175.00.

PSA Supplement No.1 CDBG 2011 Recovery Grant Project – Ensaf

Supplement No.1 includes administration support during the construction phase, provide design guidance to the contractor; provide construction engineering inspection (“CEI”) services; assist the City to evaluate the condition of the Lansdowne Park trail and West Arden Oaks Drive to determine the repairs needed at the completion of the project and provide the grant administration support material needed for grant funding.

The additional services from Ensaf in the amount of \$37,650.00 will be covered by the CDBG.

MOTION: To approve Supplement No.1 in the amount of \$37,650.00, increasing the existing Wolf River Lateral E (West Bank) Repair Project PSA with Ensaf, Inc. from \$24,995.00 to \$62,645.00.

Purchase – Police Vehicle Radios

The City of Memphis Contract #34572 utilizes Motorola Solutions for the purchase of radios that are compliant with what the Germantown Police Department currently utilizes. The radios currently utilized in Germantown Police vehicles are nearing end of service life and must be replaced to ensure reliable communication between staff. To minimize the financial impact of this replacement, half of the vehicle radios will be replaced this year and the remaining half will be replaced in FY22. The purchase of the portable radios includes all the accessories needed to have the radios ready for immediate use upon installation.

MOTION: To approve the purchase of thirty-nine (39) mobile radios and necessary accessories and services using the City of Memphis Contract #34572 in the total amount of \$127,968.61.

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

ROLL CALL: Sanders-yes, Gibson-yes, Hicks-yes, Ueleke-yes, McCreery-yes. Motion approved.

REGULAR

Resolution 21R01-Wilder Planned Unit Development (PUD) Revised Outline Plan – Public Hearing

On November 9, 2020, the Board approved an outline plan for the 35.84-acre Wilder Planned Unit Development (PUD), which did not include the 2.81-acre portion of the Tanner property that was zoned “RE-1” Residential Estate at the time. Planned Unit Developments are not permitted in the “RE-1” zoning district. On January 25, 2021, the BMA approved the rezoning of the 2.81-acre portion of the Tanner property from “RE-1” to “R” Low-Density Single-Family Residential, allowing it to be considered for a PUD. The Wilder Plan PUD was approved to be a two-phase, single-family residential development, originally consisting of 72 lots. The only revision to the approved Outline Plan is the incorporation of 2.81-acre portion of the Tanner property as lot 73.

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

Motion by Ms. Gibson, seconded by Mr. McCreery, to approve Resolution 21R02 for the Revised Outline Plan

of the Wilder Planned Unit Development (PUD).

ROLL CALL: Sanders-yes, Gibson-yes, Hicks-yes, Ueleke-yes, McCreery-yes. Motion approved.

Emergency Purchases - Vaccination Site

The City and the State of TN continue to be under emergency declarations for the COVID-19 Pandemic. The City of Germantown, Town of Collierville, Germantown Baptist Church and Shelby County organized a vaccination site at the church. The site began operation on February 2, 2021.

Motion by Ms. Gibson, seconded by Ms. Hicks, to approve the following emergency purchases for the Vaccination Site at Germantown Baptist Church: Tent rentals from Mahaffey Events & Tents in the amount of \$106,872.72; digital message board rentals from Sunbelt Rentals in the amount of \$27,767.25; and the purchase of a Cardiac Monitor/Defibrillator from Zoll Medical in the amount of \$36,855.59.

ROLL CALL: Sanders-yes, Gibson-yes, Hicks-yes, Ueleke-yes, McCreery-yes. Motion approved.

Preliminary Agenda

A member of the Board has asked that the Board of Mayor of Aldermen consider rescinding Resolution 19R05 and return to the use of the Consent Agenda as outlined in Robert's Rules of Order.

Motion by Mr. Sanders, seconded by Mr. Ueleke, to rescind the provisions of Resolution 19R05 and return to the use of the Consent Agenda for Board of Mayor and Aldermen meetings for the City of Germantown.

ROLL CALL: Sanders-yes, Gibson-no, Hicks-yes, Ueleke-yes, McCreery-yes. Motion approved.

Public Works Director Bo Mills and Fire Chief Selberg presented an overview of the impact of last week's winter storm

Meeting adjourned.

Mike Palazzolo, Mayor

Michele Betty, City Clerk/Recorder