

BOARD OF MAYOR AND ALDERMEN

July 12, 2021

The regular meeting of the Board of Mayor and Aldermen was held on Monday, July 12, 2021, 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, Sherrie Hicks, Brian Ueleke and Jon McCreery. Staff present: Pam Beasley, Michele Betty, Tim Bierdz, Rodney Bright, Paul Chandler, Jody Dwyer, Stacey Ewell, Tony Fischer, David Harris, Jason Huisman, Patrick Lawton, Bo Mills, Joe Nunes, Cat Pena, Lisa Piefer, Sheila Pounder, Cameron Ross, Emily Rozar, Andy Sanders and John Selberg

Call to Order

The Mayor called the meeting to order.

Invocation

The invocation was led by Tony Fischer.

Pledge of Allegiance

Alderman Ueleke led the Pledge of Allegiance.

Set Agenda

The Board is asked to set the agenda for the meeting. Any changes are to be made at this time.

Motion by Ms. Gibson, seconded by Mr. Sanders, to approve the July 12, 2021 agenda.

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 June 28, 2021.

Motion by Mr. Ueleke, seconded by Mr. McCreery, to approve the minutes of the Board of Mayor and Aldermen Regular Meeting held June 28, 2021.

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

Citizens to be Heard

Pauline Lathram, 6958 Country Road, came forward regarding tree mitigation fee.

SPECIAL RECOGNITION - Parks and Recreation Professionals Day

Mayor Palazzolo proclaimed Friday, July 16, 2021, as Parks and Recreation Professionals Day.

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

BEER BOARD – Public Hearing – Temporary Beer Permit – On-premise Application – Germantown Festival Association

The City has received a request from the Germantown Festival Association for a temporary permit to sell beer for on-premise consumption at the Germantown Festival, located at the Germantown Civic Club Complex, 7745 Poplar Pike.

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 Ms. Hicks, to approve the request of the Germantown Festival Association for a temporary permit to sell beer for on-premise consumption at the Germantown Festival, located at the Germantown Civic Club Complex, 7745 Poplar Pike.

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

Mayor Palazzolo reconvened the Board of Mayor and Aldermen.

CONSENT AGENDA

Contract Extension No. 2 – Video Production Services

Cheney Media Productions has successfully produced engaging and effective content for the City over the past two years.

MOTION: To approve Contract Extension No. 2 with Cheney Media Productions for video production services in an amount not to exceed \$42,000.00.

Purchase – Ammunition

Members of the Police Department are required by the POST Commission to qualify with their duty weapon, off-duty weapon, shotgun and patrol rifles each year. The Police Department qualifies two times each year with their duty weapon and patrol rifle, and once a year with the shotgun and off-duty weapon. This ammunition will allow each officer the availability to be proficient with their weapon.

MOTION: To approve the purchase of ammunition from Precision Delta in the amount of \$24,692.00 and Gulf States Distributors in the amount of \$55,316.40, for a combined total of \$80,008.40.

Resolution 21R12 – Public Entity Partners Grant Program Participation

The City is committed to providing a safe workplace with equipment, training and educational opportunities that ensures the personal safety of our employees. Each year, the City's Risk staff sends out requests to all departments for grant submissions. Once items are submitted, the members of the City's Central Safety Committee review all submissions and provide a recommendation for which items can be funded based on available dollars and level of need. The City has been able to use these grant funds to purchase protective equipment as well as offer employee driver's safety training classes. To participate in these safety grants, a Resolution to Participate must be approved by the BMA prior to submission. Each year, Staff presents one resolution for participation in all three grants.

MOTION: To approve Resolution 21R12, authorizing the City to participate in the Public Entity Partners Matching Grant Programs for Safety Partners Loss Control, Driver Safety and Property Conservation for 2021-22.

Supplement Amendment No. 4 – City Wide Infrastructure Inventory, Master Drainage Plan and Redbud Trail Improvements

The City has a permit with the TN Department of Environment and Conservation to discharge its stormwater runoff into waters of the state. In order to be in compliance with the permit, the City must have an accurate and complete inventory and condition of its stormwater infrastructure, a searchable database for tracking complaints, notices of violations, illicit discharges, actions taken and closeout.

The initial Professional Services Agreement with Barge Design Solutions (BDS) for the City Wide Master Drainage Plan and Infrastructure Inventory was approved by the BMA at the November 28, 2016 meeting. Supplement No. 2 to that PSA was approved by the BMA at the September 25, 2017 BMA meeting and Supplement No. 3 was approved at the September 23, 2019 BMA meeting. The submittal of Supplement No.4 was suspended due to the COVID-19 pandemic. The requested approval of engineering design and

construction administration of the detention facility in the Redbud Trail area has been incorporated into this agreement through the proposed Supplement Amendment No. 4 with BDS.

The fourth year fee for the City Wide Master Drainage Plan and Infrastructure Inventory is an amount not to exceed \$150,000.00 and the lump sum proposal for engineering design and construction administration of the Redbud Trail improvements is \$54,000.00, bringing the total amount for Supplement No. 4 to \$204,000.00.

MOTION: To authorize Supplement Amendment No. 4 to the PSA with Barge Design Solutions for the fourth year of engineering and surveying services related to the City Wide Master Drainage Plan and Infrastructure Inventory in an amount not to exceed \$150,000.00 and \$54,000.00 for engineering design and construction administration services for improvements to Redbud Trail for a total of \$204,000.00.

Motion by Mr. Ueleke, seconded by Mr. McCreery, to approve the consent agenda.

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

REGULAR

Resolution 21R14 – Glasgow Planned Unit Development (PUD) Outline Plan - Public Hearing

Glasgow PUD is a seven-phase, single-family residential development consisting of 366 lots. The proposed development will include a 100 foot wide “No Disturb” tree buffer zone around three sides (south, west and east) of the project site and an approximately 2 mile long “public” pedestrian trail with future connections to the north to facilitate access to the existing Wolf River Greenway Trail.

Mayor Palazzolo opened the floor for the public hearing.

Gregory Blumenthal, 1860 Brierbrook, came forward regarding the impact of the development on the Germantown Municipal School District.

Harry Neblett, 1610 Kimdale, came forward regarding flood plains.

John Remsen 1710 Willisshire, came forward regarding construction traffic on Allenby Road and questioning the purpose of the land given to the City.

Roger Schepman, 1937 Whispering Pines, came forward to express support of the project and questioned who is responsible for the connection of the trails to the greenway.

The Mayor closed the public hearing.

Motion by Mr. McCreery, seconded by Ms. Gibson, to approve Resolution 21R14 for the Glasgow Planned Unit Development (PUD) Outline Plan.

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

Ordinance 2021-8 – Amendment to Chapter 7 – Businesses – Article IV. Peddlers, Transient Vendors, and Mobile Frozen Dessert Vendors – Second Reading and Public Hearing

Ordinance 2021-8 repeals the existing language in Article IV, Chapter 7 (Businesses) and replaces it in its entirety with more comprehensive regulations pertaining to Peddlers, Solicitors and Transient Vendors. These amendments include a Division concerning door-to-door solicitation, which distinguishes between commercial and non-commercial solicitation, and establishes requirements for a commercial home

solicitation permit application and review process. In addition to new provisions that address peddling, soliciting, and vending on public property, a new Division has also been included to address the distribution of handbills by commercial and noncommercial solicitors. The amended article concludes by replacing the existing policies pertaining to Mobile Frozen Dessert Vendors and provides expanded regulations to include all Mobile Food Vendors.

Mayor Palazzolo opened the floor for the public hearing.

Noah Wolfe, 1687 Brookside Dr., came forward to express his support of the amendment.

The Mayor closed the public hearing.

Motion by Ms. Gibson, seconded by Ms. Hicks, to approve Ordinance 2021-8, amending Article IV of Chapter 7 (Businesses) on second reading.

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

Ordinance 2021-9 – Amendment to Chapter 23 Zoning, Section 23-797. – Public Art (“Percent for Art”) – Third and Final Reading

In the SmartCode, all private developments within T5 and T6 Districts are required to commit 0.5%, not to exceed \$200,000.00, of the development’s threshold value to public art. The existing code does not define public art, nor allow for a payment-in-lieu of contributing an artwork. The recommended changes provide private developers with a clear understanding of applicability and definition.

Motion by Ms. Gibson, seconded by Mr. Ueleke, to approve Ordinance 2021-9 on third and final reading, amending Sec. 23-797. – Public Art (“percent for art”).

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

Ordinance 2021-10 – Amendment to Section 9-21 – Air Pollution Control Program – Third and Final Reading

The Shelby County Health Department’s Air Pollution Control Branch is tasked with protecting the air resources of Shelby County. In order for the Shelby County Health Department to maintain their Certificate of Exemption from the State of Tennessee Air Pollution Control Board, Shelby County and its municipalities must adopt regulations no less stringent than State standards.

Motion by Mr. McCreery, seconded by Mr. Sanders, to approve Ordinance 2021-10, on third and final reading, amending Section 9-21 of the City’s Air Pollution Control Code.

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

Meeting adjourned.

Mike Palazzolo, Mayor

Michele Betty, City Clerk/Recorder