

BOARD OF MAYOR AND ALDERMEN
March 28, 2022

The regular meeting of the Board of Mayor and Aldermen was held on Monday, March 28, 2022, at 6 pm 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, Reynold Douglas, Jody Dwyer, Tony Fischer, Eric Grizzard, Richard Hall, Jason Huisman, Marie Lisco, Mac McCarroll, Bo Mills, Catherine Perdue, Lisa Piefer, Sheila Pounder, Cameron Ross, Adrienne Royals, Andy Sanders, Clint Starnes, John Selberg, Courtney Taylor and Josh Whitehead.

Call to Order

The Mayor called the meeting to order.

Invocation

The invocation was led by City Chaplain Dave Phillips.

Pledge of Allegiance

The Farm Park 4-H Club 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 March 28, 2022 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 held February 28, 2022.

Motion by Mr. Ueleke, seconded by Ms. Hicks, to approve the minutes of the Board of Mayor and Aldermen Regular Meeting held February 28, 2022.

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

Citizens to be Heard

Mr. Stacy Dodd, 1709 Linda Drive, Nesbit, MS, Mid-South Regional Ambassador at Vertava Health, came forward to share information regarding this addiction treatment center.

SPECIAL RECOGNITIONS

Germantown Education Commission Teacher of the Month – March 2022

The March 2022 Teacher of the Month Award winner is Ms. Nicole Chrestman. Ms. Chrestman is a Psychology and Advanced Placement Psychology teacher at Houston High School.

Germantown Education Commission Youth Excellence Award – March 2022

The March 2022 Youth Excellence Award winner is Houston High School Senior Samuel Brackett.

Economic Development Commission – “Taste of Germantown” Favorites

The Economic Development Commission asked residents to vote for their favorite Germantown restaurants in a variety of categories during the month of January. The winners were presented a certificate to recognize the community’s “favorite” restaurants. The winners included the following:

| | | | |
|---------------------|----------------------------|-----------------|-----------------------------|
| Chick-fil-A | Las Tortugas Deli Mexicana | Royal Panda | Staks! Pancake Kitchen |
| Chicken Salad Chick | Memphis Pizza Café | Smoothie King | Taziki's Mediterranean Cafe |
| Huey's | Miccos Sno Cones & Shakes | Southern Social | |

The Mayor adjourned the Board of Mayor and Aldermen and reconvened as the Beer Board.

BEER BOARD

Public Hearing – Beer Permit – On Premise Application – Wolf River Hospitality Group

The City has received a request from Wolf River Hospitality Group for a permit to sell beer for on-premise consumption at Limelight, LLC, located at 7724 Poplar Pike.

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

Motion by Mr. Sanders, seconded by Ms. Gibson, to approve the request of Wolf River Hospitality Group for a permit to sell beer for on-premise consumption at Limelight, LLC, located at 7724 Poplar Pike, contingent on a satisfactory 10-year background check.

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

Public Hearing – Temporary Beer Permit – On Premise Application – The Grand Krewe of PTAH

The City has received a request from The Grand Krewe of PTAH for a temporary permit to sell beer for on-premise consumption at the Black Tie Tennis Shoe Ball, to be held on April 9, 2022, at the Great Hall & Conference Center, 1900 S. Germantown Road.

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

Motion by Mr. Sanders, seconded by Mr. McCreery, to approve the request from The Grand Krewe of PTAH for a temporary permit to sell beer for on-premise consumption at the Black Tie Tennis Shoe Ball, to be held on April 9, 2022, at the Great Hall & Conference Center, 1900 S. Germantown Road.

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

The Mayor adjourned the Beer Board and reconvened as the Board of Mayor and Aldermen.

CONSENT AGENDA

Agreement – Ambulance Billing Service

Because of the extensive manpower and technology needed for ambulance billing services, it is advantageous for the City to utilize a billing collections vendor to provide these services. With the current agreement expiring, Fire staff reached out to other area agencies concerning their experiences with transport billing. From the information provided, Digitech had favorable recommendations and improved financial performance from those who were using them.

MOTION: To authorize the Mayor to enter into a 39-month agreement with Digitech Computer, LLC., to provide ambulance billing services beginning on April 1, 2022, and expiring on June 30, 2025.

Agreement – Public Safety Radio System Maintenance

The current 4-year radio system maintenance renewal agreement approved in 2018 is expiring and needs to be renewed for continued support. A contract with Motorola Solutions Inc. to purchase a Public Safety Radio System and 4-year maintenance agreement was approved by the Board on August 27, 2012. On March 26, 2018, the Board approved the renewal of a 4-year maintenance agreement and system software/hardware

upgrade to provide continued support and updated system releases. Because of the significant capital investment in the City's radio system and need for continuity and standardization, the Procurement Department has established Motorola as a sole source provider for these services.

MOTION: To authorize a 4-year maintenance agreement with Motorola Solutions, Inc. in the amount of \$387,403.86 beginning April 15, 2022, and ending on April 14, 2026.

Bid Rejection – Street Sweeping Services

The City has utilized contract sweeping services with great success for over 30 years. The City is in the final extension year of the contract with Sweeping Corp which expires June 30, 2022. One qualified bid was received. This lone qualified bid is a 74% increase in cost over the current contract. Due to this substantial increase, staff is recommending the formal rejection of the bid submitted. Procurement and Public Works staff have met with the vendor and discussed possible cost saving options and alternatives. Taking these recommendations into consideration, staff will revise the bid forms and specifications in order to release a new bid package with the goal of meeting projected budgets.

MOTION: To formally reject the bid for the street sweeping services received March 2, 2022, from Sweeping Corporation of America.

Contract - Elevated Water Tank Off-Site Utilities, Phase 1a

For over 40 years, the master plan for Germantown's Water System included an elevated tank in the eastern portion of the City. At the December 13, 2021, meeting, the Board of Mayor and Aldermen approved of Phase 1, which included the manufacturing and construction of an elevated water tank. For Phase 1a, staff requested permission to bid out the installation of a 12-inch water main from Forest Hill Irene Road to the tank site and construction of a 10-inch gravel base access road. A2H, Inc. prepared specifications for the roadway base which is to align with Wilder Run Circle North, and the 12-inch water main which is to be buried under the gravel base roadway. This roadway design provides for truck and heavy equipment access for transport of the elevated tank materials and onsite assembly.

MOTION: To approve a contract with Ferrell Paving, Inc. in the amount of \$242,535.50 for the Elevated Water Tank Off-Site Utilities – Phase 1A.

Purchase – Court Software Annual Subscription Fees

The City has maintained a software maintenance agreement with Tyler Technologies since implementing Court software in 2012. The subscription fees allow for system support 24 hours a day, seven days a week. Coverage ensures constant support for Court staff that depends on the software to do their jobs every day.

MOTION: To authorize annual subscription fees with Tyler Technologies, Inc. in the amount of \$53,678.10.

Purchase – Germantown Station Park Playground

This purchase includes installation of a new playground structure for age groups 2-12, a new swing structure with an ADA swing seat, three park benches, playground safety surfacing and an ADA sidewalk.

MOTION: To approve the purchase of playground equipment, surfacing, and installation services for Germantown Station Park with Kompan, Inc. in the amount of \$215,038.82.

Purchase – Police Vehicles

During the meeting on October 11, 2021, the BMA approved the purchase of two Chevrolet Malibu vehicles from Wilson County Motors. Due to microchip non-availability, these vehicles are not available. As a result, the Fleet Services staff researched alternate vehicles that are available. The City will utilize a TN Statewide Contract for the purchase of two Ford Escape vehicles from Ford of Murfreesboro.

MOTION: To approve the purchase of two (2) new vehicles from Ford of Murfreesboro in the amount of \$42,784.00.

Purchase – Public Administration Software Annual Access

CentralSquare Technologies is the integrated software suite used throughout the City to manage departmental operations such as HR, Payroll, Finance, Code Enforcement and Work Orders to name a few. The City has maintained a software maintenance agreement and access fees with CST since implementing software in 1999. Annual software access fees will continue to provide users with an Application Services Provider web-based environment whereby the data is housed by CST at the Voorhees, New Jersey data center. Staff accesses the system using a secured internet connection. The system is supported 24/7 with redundancy in Lake Mary, Florida. This environment provides immediate disaster recovery services.

MOTION: To authorize funding for the Public Administration Software annual access fee with CentralSquare Technologies in the amount of \$253,988.22.

Purchase – Vehicle GPS Telematics

The City has utilized GPS to monitor all City vehicles for location, driver performance and maintenance issues since 2015. Due to the need to upgrade all of the vehicles/equipment on the existing contract to 4G, staff researched other telematics vendors that could provide more data, in faster real-time, and at reduced cost. As a result, the City will contract services from Samsara Inc.

MOTION: To approve the purchase of the City’s vehicle GPS monitoring system services with Samsara Inc. for a period of 27 months beginning April 1, 2022, and ending on June 30, 2024.

Motion by Mr. Ueleke, seconded by Mr. Sanders, to approve the consent agenda as read.

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

REGULAR

Approval of the Final Plan – Glasgow Planned Unit Development (PUD), Phase 1

The amended Outline Plan was approved by the Planning Commission on December 7, 2021, and by the Board of Mayor and Aldermen on January 24, 2022, as a three-phase project consisting of a total of 366 lots. The current request is to approve the Final Plan - Phase 1 of a single-family residential development which consists of 150 lots. Phase 1 will also consist of 12 common open space areas that includes private streets/alleys, guest parking, fountains, detention ponds, landscaped medians, clubhouse, swimming pool, pickle ball court, cluster mailbox units, pocket parks, pedestrian trails with 2 trailheads and a 100’ wide buffer area around the perimeter of the development. On December 7, 2021, the Planning Commission recommended approval of this Final Plan.

Motion by Mr. McCreery, seconded by Ms. Hicks, to approve of Phase 1 of the Final Plan (150 lots) for the Glasgow Planned Unit Development (PUD).

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

Resolution 22R07 – Viridian Planned Unit Development (PUD) Combined Outline and Final Plan - Public Hearing

The original Viridian PUD Outline Plan was approved by the PC on September 5, 2017, and by the Board of Mayor and Aldermen on October 23, 2017. That Outline Plan approval allowed the total number of multi-family units to be a maximum of 299 units, or 12 dwelling units per acre, and included a mixed-use component as part of the final plan. The applicant did not submit a Final Plan or commence site improvements within the three-year time period for the approval of the original Outline Plan. The applicant

filed a new application with the City for a combined Outline and Final Plan. The new application calls for the construction of 34, two or three-story buildings, beginning with two mixed-use buildings at the southern end of the property fronting Winchester Rd., and continuing with a variety of residential building types extending north to the adjacent property. The application was reviewed by the Smart Code Review Committee on February 16, 2022, and referred to the PC for approval. The PC approved the Viridian PUD on March 1, 2022.

The Mayor opened the floor for the public hearing. The following citizens came forward to ask the Board to not approve this agenda item:

Theodore Pepin, 3569 Crestwyn Drive
Edgar Babian, 3580 Crestwyn Drive
Phil Conner, 3664 Crestwyn Drive
Samira Jubran 9384 Green Knoll Drive
Preston Rogers, 9455 Forestwood Road

The Mayor closed the public hearing.

Motion by Mr. McCreery, seconded by Mr. Sanders, to approve Resolution 22R07 for the Viridian Planned Unit Development (PUD) Outline and Final Plan.

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

Ordinance 2022-6 – Amendment to the Fire Prevention Ordinance Chapter 10 - First Reading and Set Public Hearing Date

Chapter 10 of the City Code of Ordinances contains the Fire Prevention Code for the City of Germantown. Article I contain specific requirements for Germantown and Article II contains the adopted 2015 International Fire Code with amendments. This ordinance will adopt the 2021 Edition of the International Fire Code with amendments and requirements for Germantown, which corresponds to the current 2021 International Building Code adopted by Memphis-Shelby County, the administrators of the building codes for Germantown. Germantown Fire Department already has a professional Fire Prevention Bureau that conducts plans reviews and Use & Occupancy Inspections of all new businesses to assure compliance with safety standards.

Motion by Mr. Sanders, seconded by Ms. Gibson, to approve on first reading Ordinance 2022-6, the amendment to Chapter 10 of the Municipal Code, Germantown Fire Prevention Ordinance, and set the Public Hearing for April 25, 2022.

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

Meeting adjourned.

Mike Palazzolo, Mayor

Michele Betty, City Clerk/Recorder