

BOARD OF MAYOR AND ALDERMEN
May 9, 2022

The regular meeting of the Board of Mayor and Aldermen was held on Monday, May 9, 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: Michele Betty, Jerome Cole, De’Kisha Fondon, Richard Hall, Jason Huisman, Amy LaRusso, Mac McCarroll, Bo Mills, Lisa Piefer, Sherry Rowell, Adrienne Royals, Andy Sanders, Keith Saunders, John Selberg, Ethan Skaggs and Clint Starnes. Also in attendance was Kevin Jones, Chief Financial Officer for the Germantown Municipal School District.

Call to Order

The Mayor called the meeting to order.

Invocation

The invocation was led by Bo Mills.

Pledge of Allegiance

Alderman Hicks 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. McCreery, to approve the May 9, 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 April 25, 2022.

Motion by Mr. Sanders, seconded by Mr. Ueleke, to approve the minutes of the regular meeting held April 25, 2022.

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

Citizens to be Heard

No citizens came forward.

SPECIAL RECOGNITION

Citizens Lifesaving Award

On March 22, 2022, two lifeguards found a swimmer, Mr. John Christman in the Germantown Athletic Club’s Indoor Pool to be unresponsive. Two other off-duty lifeguards were also in the pool area and assisted, along with a member that was swimming in the pool. Upon seeing Mr. Christman unresponsive, one lifeguard jumped in to assist him while the other lifeguard and an off-duty lifeguard removed him from the pool with a backboard. They evaluated him and began CPR. The other off-duty lifeguard and a member, who had been swimming, came to assist. Staff was unable to identify the member that assisted. Another member, John Paul Miles, retrieved an AED, which was applied to Mr. Christman. One of the off-duty lifeguards ran to notify the manager on duty and to call 9-1-1 for EMS response, as well as to retrieve another AED. This group continued to provide rescue assistance to Mr. Christman until arrival of the Fire Department. Mr. Christman survived and was released from the hospital a couple of weeks later. The quick, effective response by the Athletic Club lifeguards and another member was a team effort and gave him another chance at life.

Effective CPR provided prior to the arrival of Emergency Medical Services is often the difference between life and death for the patient. If this care had not been provided, the chances of patient survival would have been greatly diminished. Chief John Selberg and Athletic Club Director Amy LaRusso presented the Citizen Lifesaving Awards to Grayson Boutwell, Cole Bowden, Elizabeth Seymour and Drew Snider. Mr. Christman came forward to thank the lifeguards for saving his life.

Proclamation – Citizen Recognition – Robyn Rey Rudisill

Mayor Palazzolo proclaimed Monday, May 9, 2022 as Robyn Rey Rudisill Day to recognize Robyn for her many achievements and accomplishments and express great appreciation for her dedication to the City of Germantown. Robyn has spent the last 30 years in the education system, she has 25 years of servant leadership, volunteered countless hours, participated in fundraisers and served on many boards to help better our community. She has received several awards noting her numerous contributions. She has never met a stranger and welcomes everyone with a loving spirit and a servant’s heart.

Proclamation – Public Works Week

Mayor Palazzolo proclaimed May 15-21, 2022 as Public Works Week and called upon all citizens and civic organizations to acquaint themselves with the delivery of public works services and our city’s infrastructure and to recognize the contributions that Public Works personnel make every day to our health, safety, comfort and quality of life.

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 on September 10 and 11, 2022. The beneficiary of the proceeds is the Germantown Festival Association, which supports cultural, civic and education welfare.

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. Sanders, to approve the request of the Germantown Festival Association for a temporary permit to sell beer for on-premise consumption on Saturday, September 10, 2022, from 9:30 a.m. to 6 p.m. and Sunday, September 11, 2022 from 12 noon to 6 p.m. 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 recessed the Beer Board and reconvened as the Board of Mayor and Aldermen

CONSENT AGENDA

Bid Rejection – Germantown Traffic Signal Modifications

Due to the age, the video detection at the signalized intersection of Germantown Road and the driveway for Methodist Hospital has started malfunctioning. The system has been repaired multiple times, but permanent replacement parts are needed. The battery backup system at the traffic signal located at the intersection of Forest Hill Irene Road and Wolf River Boulevard is also in need of replacement due to age and degradation. Due to the substantial increase in potential cost from the current budgeted amount, staff is recommending the formal rejection of the bid submitted for Germantown Traffic Signal Modifications. Taking these recommendations into consideration as bid alternatives, staff will revise the bid forms and specifications in order to release a new bid package with the goal of meeting projected budgets next fiscal year.

MOTION: To formally reject all bids for Germantown Traffic Signal Modifications.

Donation – Fire Department

Residents William Thomas Luttrell and Lisa Luttrell Granger made a donation of \$500.00 to the Fire Department. They included a note to “Please accept the enclosed check in appreciation for all the hard work provided by your firemen.”

MOTION: To recognize and accept a donation of \$500.00 to the Fire Department, and approve Budget Adjustment No. 22-135.

Grant Contract – Reimbursement for Police Personnel and Overtime Wages

On September 23, 2021, the Collierville Police Department responded to a shooting at their local Kroger where numerous victims were injured. Several law enforcement agencies responded to provide assistance, including the Germantown Police Department. The State received federal grant funds to reimburse agencies that supported this response for law enforcement.

MOTION: To authorize the Mayor to enter into an agreement with the State of Tennessee, Department of Finance and Administration, and the Office of Criminal Justice Programs for reimbursement of regular duty and overtime wages totaling \$4,404.00.

Reimbursement – TN Task Force 1

Last December, Driver Westley Jones was deployed to Kentucky with TN-TF 1 to assist with search and rescue after several tornadoes struck the area. FEMA, through the City of Memphis, reimbursed the Fire Department for the additional personnel costs for the member deployed. The Fire Department has already paid overtime for backfill of Driver Westley Jones during that time. This reimbursement will reimburse the City for those expenses.

MOTION: To recognize reimbursement from Tennessee Task Force One in the amount of \$2,028.24, and approve Budget Adjustment No. 22-136.

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

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

REGULAR

Ordinance 2022-5 – On-Demand Dockless Small Vehicle Systems & Amendments to Chapter 16, Article III, Division 4 – Second Reading and Public Hearing

The proposed motion amends Chapter 16 - Streets, Sidewalks and Other Public Places, Article III., Division 4. The General Assembly passed a law providing cities the authority to regulate or prohibit electric scooters due to concerns of public health and safety. Several municipalities across the state have moved to do so and presented legislation confirming the nuisance and negative impact that electric scooters have to public health and safety.

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

Alderman McCreery brought forward an amendment to Section 1., Sec. 16-94, part b) and part c) to replace the word “or” after public right of way with a comma “,” and to add a comma and the words “or public easements” after the words “public property.”

Motion by Mr. McCreery, seconded by Ms. Gibson, to approve on second reading Ordinance 2022-5 regarding the operation and use of On-Demand Dockless Small Vehicle Systems, and amendments to Chapter 16 - Streets, Sidewalks and Other Public Places, Article III., Division 4, as amended.

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

Ordinance 2022-6 – Amendment to the Fire Prevention Ordinance Chapter 10 - Third Reading

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.

Motion by Mr. Sanders, seconded by Ms. Hicks, to approve on third and final reading Ordinance 2022-6, an amendment to Chapter 10, Articles I and II of the Germantown Code of Ordinances.

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

Ordinance 2022-1 – Ordinance to Adopt the FY2023 Budget – First Reading and Set Public Hearing Date

The Board is asked to consider on first reading the FY23 Proposed Budget and set June 13, 2022, for the second reading and public hearing. The FY23 Proposed Budget takes into consideration the Policy Agenda developed by the Board. The FAC has held several meetings with the staff to review each component of the budget. The FAC has reviewed and approved the budget.

Motion by Mr. Ueleke, seconded by Ms. Gibson, to approve on first reading Ordinance 2022-1, establishing the FY23 Proposed Budget and set Monday, June 13, 2022, for the second reading and public hearing.

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

Ordinance 2022-2 – Year-End Budget Adjustments – First Reading and Set Public Hearing Date

At the end of the fiscal year, a number of year-end budget adjustments are required to be made in order to avoid budget and fund overruns in the various funds.

Motion by Mr. Ueleke, seconded by Ms. Hicks, to approve Ordinance 2022-2 for year-end budget adjustments on first reading and set Monday, June 13, 2022, for second reading and the public hearing.

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

Ordinance 2022-3 – Real & Personalty Property Taxes – First Reading and Set Public Hearing Date

Concurrent with the adoption of the FY23 Budget, the Board is asked to adopt the FY23 property tax rate and set June 13, 2022, for the second reading and public hearing. The recommended property tax rate for the FY23 budget on first reading is \$1.6732 per \$100.00 of assessed valuation.

Motion by Mr. Ueleke, seconded by Mr. McCreery, to approve on first reading Ordinance 2022-3, establishing the certified tax rate of \$1.6732 on first reading, and set Monday, June 13, 2022, for the second reading and public hearing.

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

Ordinance 2022-4 – Germantown Municipal School District Year-End Budget Adjustments – First Reading and Set Public Hearing Date

At the end of the fiscal year, a number of year-end budget adjustments are required to be made in order to avoid budget and fund overruns in the various funds for the Germantown Municipal School District.

Motion by Mr. Ueleke, seconded by Mr. Sanders, to approve Ordinance 2022-4 for Germantown Municipal School District year-end budget adjustments on first reading, and set Monday, June 13, 2022, for second reading and public hearing.

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

Meeting adjourned.

Mike Palazzolo, Mayor

Michele Betty, City Clerk/Recorder