

**BOARD OF MAYOR AND ALDERMEN**  
**June 27, 2022**

The regular meeting of the Board of Mayor and Aldermen was held on Monday, June 27, 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, De’Kisha Fondon, Richard Hall, Jason Huisman, Mac McCarroll, Robert McLean, Bo Mills, Cathryn Perdue, Lisa Piefer, Cameron Ross, Sherry Rowell, Adrienne Royals, Andy Sanders, Courtney Taylor and Emily Zimmer.

**Call to Order**

The Mayor called the meeting to order.

**Invocation**

The invocation was led by Reynold Douglas.

**Pledge of Allegiance**

Alderman McCreery led the Pledge of Allegiance.

**Set Agenda**

The Board was 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 June 27, 2022 agenda.

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

**Approval of Minutes**

Approval was requested of the minutes of the regular meeting held June 13, 2022.

Motion by Mr. Sanders, seconded by Mr. Ueleke, to approve the minutes of the regular meeting held June 13, 2022.

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

**Citizens to be Heard**

Steve Basar, 5896 Garden Reach Cv., a candidate for Shelby County Trustee, came forward to ask the citizens and the Board of Mayor and Aldermen for their support for his campaign.

Alann Meadows, 2241 Thornwood Ln. 38119, came forward regarding the impact the Carrefour redevelopment project may have on traffic and to the TVA.

Robert Kirk, 6572 Bramble Cv. 38119, came forward regarding traffic control and the Carrefour redevelopment.

Eric Heinz, 2043 Hickory Crest Dr. 38119 came forward to express his support for the Carrefour redevelopment.

Financial Advisory Commission member Harold Steinberg, 8377 Willow Oak Rd., came forward to express his appreciation to the Budget and Research staff for their work on the FY23 Budget.

**SPECIAL RECOGNITION**

**Beautification Commission Business Award**

Huey's, located at 7677 Farmington Blvd., is the recipient of the June Beautification Commission Business Award.

**Play Like a Champion Graduation**

The Board of Mayor and Aldermen recognized the 11 graduates of the Class of 2022. Mayor Palazzolo and Mr. Huisman presented the class with challenge coins and graduation certificates. This year's graduates included the following City employees:

Jack Applegate Information Technology	Roman Harris General Services	Jasmine Hurt GPAC	Wes Hopper Parks and Recreation
Tiffany Howlett Public Works	LaFondra Johnson Economic Development	Allen McIntosh Public Works	Kayla Phillips Court
Kellyn Quinn Administration	Allura Spaulding Procurement and Risk	Courtney Taylor Human Resources	

PLAC President De'Kisha Fondon presented the PLAC Leadership Award to Tiffany Howlett.

City Attorney Mac McCarroll stepped down from the dais. City Attorney Robert McLean took a seat on the dais

**REGULAR**

**Final Plan – Carrefour at the Gateway Planned Development Phase 1A**

On December 9, 2019, the Board of Mayor and Aldermen approved the revised Outline Plan. The applicant now requests that Phase 1 be partitioned into two sub-phases (Phase 1A for the proposed project and Phase 1B for the remaining area of Phase 1) to permit construction of a 10,600 s.f., two-story building that will be integrated into the overall redevelopment of the shopping center.

Mayor Palazzolo read an email he received from Don Tummins, President of the Greentrees Civic Association. The email stated that the Greentrees Board is not objecting to the Carrefour redevelopment as it now stands.

Motion by Mr. McCreery, seconded by Ms. Hicks, to approve the Final Plan – Phase 1A for Carrefour at the Gateway Planned Development (PD).

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

City Attorney Robert McLean stepped down from the dais. City Attorney Mac McCarroll returned to the dais.

**Development Contract No. 1240 – 2100 & 2120 Exeter Rd.**

The applicant requests an additional building entrance with a canopy feature for a renovated medical facility currently under construction. The facility consists of two primary tenants: Baptist Medical Group and OrthoSouth. Presently, one prominent entrance on Exeter Rd. is available, under the OrthoSouth wall sign. In order to avoid confusion, an additional entrance and canopy closer to the Baptist Medical Group wall sign is proposed.

Motion by Mr. McCreery, seconded by Ms. Hicks, to approve the Final Plan – Phase 1A for Carrefour at the Gateway Planned Development (PD)

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

**Ordinance 2022-1 – Ordinance to Adopt the FY2023 Budget – Third and Final Reading**

The Financial Advisory Commission (FAC) has held several meetings with the staff to review each component of the budget including the financial policies, the entire General Fund, the Enterprise Funds, the Special Revenue Funds and the CIP. The FAC has approved the budget.

At the Board of Mayor and Aldermen meeting held on June 13, 2022, the budget was amended at second reading. The amendment reflected changes that included the following: adding \$3,000.00 to Civic Support in City Beautification for landscaping improvements to the Germantown Post Office, and moving the Long Field Complex design project of \$500,000.00 in the CIP from FY22 to FY23. These changes have been included in the budget ordinance presented at third and final reading. The budget for all funds for FY23 totals \$210,862,275.00.

Motion by Mr. Ueleke, seconded by Ms. Gibson, to approve Ordinance 2022-1 on third and final reading, establishing the FY23 Budget.

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

**Ordinance 2022-2 – Year-End Budget Adjustments – Third and Final Reading**

This agenda item is to approve Ordinance 2022-2 for year-end budget adjustments on the third and final reading. Typically, at year-end, a number of budget adjustments are made to the various City funds, which realign operating expenses/expenditures accounts with actual activity. These budget adjustments recognize various overruns, underruns, project acceleration and deferrals that have already received the Board of Mayor and Aldermen’s approval.

Motion by Mr. Ueleke, seconded by Mr. Sanders, to approve Ordinance 2022-2 for year-end budget adjustments on third and final reading.

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

**Ordinance 2022-3 – Real & Personalty Property Taxes – Third and Final Reading**

The recommended property tax rate for the FY23 budget is \$1.6732 per \$100.00 of assessed valuation. Using data provided by the Shelby County Assessor of Property, the State of Tennessee has calculated the “certified recapture rate” of \$1.6732 for the City of Germantown for tax year 2022. Last year’s certified tax rate of \$1.678 included an appeals allowance for projected loss of reappraisal assessments due to appeals in a reappraisal year. The law authorizing this adjustment requires recapture of any portion of the adjustment which exceeds or does not meet actual appeals reductions in the year following the reappraisal. The recapture rate has been calculated using the actual 2021 tax rate adopted by City and the actual 2021 assessment tax base after appeals.

Motion by Mr. Ueleke, seconded by Mr. Sanders, to approve on third and final reading Ordinance 2022-3 establishing the certified tax rate of \$1.6732.

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 – Third and Final Reading**

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 (GMSD.) The GMSD yearly budget adjustments have been approved by the GMSD School Board. However, the GMSD is a Special Revenue Fund of the City of Germantown and will appear in the Comprehensive Annual Financial Report as of June 30, 2022. Therefore, the Board of Mayor and Alderman must approve any yearly budget adjustments.

Motion by Mr. Ueleke, seconded by Ms. Gibson, to approve Ordinance 2022-4 for the Germantown Municipal School District year-end budget adjustments on third and final reading.

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

#### **Resolution 22R01 – Resolution on Revenues**

This document is revised and adopted each year concurrent with the adoption of the annual budget. Changes in fees and charges have been made based on cost of services being provided; comparison to existing costs of providing services, comparable fees charged by other cities in Tennessee; and in direct compliance to laws and regulations of the state and federal governments.

Motion by Mr. Ueleke, seconded by Mr. McCreery, to adopt Resolution 22R01 – the Resolution on Revenues and schedules establishing the rates, fines and fees in the various funds of the City of Germantown for the FY23 operating budget.

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

#### **Resolution 22R08 – Capital Improvements Program**

The FY23 portion of this Capital Improvements Program (CIP) is adopted within the FY23 Budget Ordinance. The subsequent years are recommended for approval to ensure that the CIP projects are accomplished in accordance with the Board of Mayor and Aldermen's direction. The CIP for the six-year planning period is reviewed each year during the budget planning process and revised according to current needs and projections. The development of the Capital Improvements Program follows the guidelines for the CIP Policy adopted by the Board, which allows the City to identify long-term needs and to plan for the necessary financing.

Motion by Mr. Ueleke, seconded by Ms. Gibson, to approve Resolution 22R08, establishing a Capital Improvements Program for fiscal years ending June 30, 2023, through 2028.

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

#### **CONSENT AGENDA**

##### **Appointments – Education Commission**

Annual appointments of 12 members to the Education Commission are made in June and conclude in June of the next calendar year.

MOTION: To appoint the following nominations to the Education Commission with a term ending July 30, 2023:

Andrea Baird	Barbara Boyer	Brenda Dew	Kyle Eaton
Heather Fisher	Katie Graffam	Melissa Kandel	Manjit Kaur
Shawn Lane	Ellen Moak	Laura Riggins	Patricia Toarmina

Mayor Palazzolo appointed Patricia Toarmina as the commission chairman.

##### **Appointments – Library Board**

Appointments to the Library Board are made in June and conclude in June of the next year. These staggered appointments are for terms of three years. There are three positions to be filled. The Library Board appoints their chairman.

MOTION: To appoint Jeffrey Berman, Gail Braddock and Kent Mathis to the Library Board with a term ending June 30, 2025.

**Contract Amendment No. 1 – Asphalt Milling and Paving Contract**

Standard Construction has experienced labor and material shortages. Standard Executive Vice President, Dade Hunt, contacted the City concerning these shortcomings and requested a six-week extension to the existing contract. Mr. Hunt believes that this extension would allow them to perform the necessary work to expend the remainder of the funding left on this fiscal year's contract.

MOTION: To approve Contract Amendment No. 1 to the FY22 Asphalt Milling and Paving Contract with Standard Construction Co. Inc., extending the contract completion date to August 15, 2022.

**Contract – Case Management Scanning Project**

Project files from the 1970's to 2015 are in paper format only. Searching paper files for public records requests and City projects is tedious, inefficient and time consuming. This project should take approximately one year to accomplish. After the records have been digitized, the level of service related to records management and public records requests will improve for City staff and the public.

MOTION: To approve a contract with Starpoint, Inc. for the Case Management Scanning Project in the amount of \$65,000.00.

**Contract – English Meadows Drainage Improvements**

The subdivision was constructed during the early 1970s as development occurred. The existing drainage system was designed to Shelby County's standards because the County was the original owner of the development until it was later annexed into the City. Under the County's design standards, the existing stormwater system in this area is quickly overwhelmed in a flood event.

MOTION: To approve a contract with Delgado General Corp. in the amount of \$893,176.00 for English Meadows Drainage Improvements in the English Meadows Subdivision, and to approve a ten percent (10%) contingency in the amount of \$89,000.00.

**Contract – Hot Asphalt Mix**

The total expenditure for FY23 is \$208,750.00. Hot Asphalt Mix is used primarily for street maintenance repairs, temporary pothole repairs, utility cuts, parks and grounds trail repairs and stormwater maintenance projects.

MOTION: To approve a 12-month contract with Standard Construction Co., Inc. in the amount of \$208,750.00 for the purchase of 2,500 tons of 411D or 411E Hot Asphalt Mix for FY23.

**Contract – Medical Corridor Monuments**

The Germantown Medical District is continuing to grow along Wolf River Blvd and along Germantown Road just south of Wolf River Blvd. It is necessary for customers and visitors to clearly identify the location of the medical district. Dalhoff Thomas Design Studio completed the design of 6' high medical district sign columns in three designated areas along Wolf River Boulevard within the Medical District. The construction plans

include a base bid for the installation of three columns in the amount of \$72,972.00 and bid alternate No.1 for the installation of solar lighting and landscaping at each location in the amount of \$36,835.00.

MOTION: To approve a contract with A & B Construction to install Wolf River Medical District signage, lighting, and landscaping for a base bid amount of \$72,972.00 and Bid Alt. No. 1 amount of \$36,835.00, for a total amount of \$109,807.00, and to approve Budget Adjustment No. 22-198.

#### **Contract – Potable Water Treatment Plant Chemicals**

Water treatment chemicals are purchased as needed from vendors for the purpose of providing quality potable water to the City of Germantown customers per State of Tennessee requirements.

MOTION: To approve contracts for the purchase of the City's water treatment chemicals in the amount of \$39,910.00 from Carus Chemical, \$62,700.00 from Harcros Chemicals, Inc., and \$36,610.00 from Univar Solutions USA, Inc. for a total amount of \$139,220.00.

#### **Contract – Street Sweeping Services**

The City has utilized contract sweeping services with great success for over 30 years. Sweeping Corp. has been the City's sweeping contractor for the last eleven years. Historically, there have only been two vendors in the mid-south area that can perform the level of service expected in the City's sweeping contract. This changed in 2011 when Sweeping Corp. bought out the other competing vendor and completed the remainder of their contract.

MOTION: To request authorization to enter into a three-year contract, with two extension years at the City's option, with Sweeping Corporation of America (Sweeping Corp.) for sweeping services in an amount not-to-exceed \$330,602.66 in FY 23.

#### **Contract Extension No. 1 – Public Safety Uniforms**

Members of the Police and Fire Departments are required to wear designated uniforms in the performance of their duties. Each member of the Police and Fire Departments has an allotted amount for the purchase of the uniforms. Before continuing with Mid-South Solutions, uniforms were being purchased from multiple vendors and at different costs.

MOTION: To authorize contract extension No.1 with Mid-South Solutions beginning July 1, 2022, through June 30, 2023, for the purchase of public safety uniforms for Police and Fire.

#### **Contract Extension No. 2 – Well and Pump Maintenance and Repair Services**

The City utilizes 20 wells to retrieve groundwater from the Memphis Sands Aquifer that is then piped to one of the City's two water treatment plants to be treated. The City utilizes 12 high service pumps to pump clean treated water from the underground reservoirs at each water treatment plant into the water system and into the elevated water tower across from the Southern Avenue Water Treatment Plant. As with any mechanical device, wells and pumps break down over time and require maintenance and repair. Some of the services needed to properly maintain wells and pumps include annual preventative maintenance and inspection, pulling and breaking down, and repairs. The City relies on contractors to provide these specialized services.

MOTION: To approve Contract Extension No. 2 with National Water Services to provide repair and maintenance services for all of the City's wells and pumps in an amount not-to-exceed \$320,000.00.

#### **Donation – Parks and Recreation Department**

The Beautification Commission and the Parks and Recreation Commission donated \$1,000.00 for the purchase of a park bench and plaque to be placed at the Oaklawn Garden Arboretum in honor of Parks and Recreation Director Pam Beasley's service to the City of Germantown.

MOTION: To approve a donation in the amount of \$1,000.00 for a park bench to be placed at Oaklawn Gardens to honor Parks and Recreation Director Pam Beasley's service with the City of Germantown and to approve Budget Adjustment No. 22-201.

**Purchase – Cement Treated Base**

Cement treated base mix is used primarily for street maintenance base repairs, utility cuts and storm water maintenance projects. Public Works crews pick up the amount required each day as needed at the vendor's distribution plant for immediate application.

MOTION: To purchase 3,000 tons of cement treated base mix in the amount of \$94,710.00 from Ferrell Paving, Inc., and 300 tons from Lehman–Roberts in the amount of \$10,500.00, for a total amount of \$105,210.00 for the period of July 1, 2022 through June 30, 2023.

**Purchase – Custodial Services – GHCC & Fire Station No. 4 Training Area**

ABM Janitorial Services provides custodial cleaning services for Fire Station No. 4 Training Area and the GHCC. The term of this contract is for 12 months and is the second extension of the contract.

MOTION: To approve the purchase of contracted cleaning services from ABM Janitorial Services, based on established unit pricing from the 1GPA Cooperative Contract No. 20-01PV, in the amount of \$54,461.88 for Great Hall & Conference Center and \$5,557.92 for Fire Station No. 4 Training Area for a period of twelve (12) months beginning July 1, 2022 through June 30, 2023.

**Purchase – Public Safety Software Annual Maintenance**

Tyler New World Systems is the integrated software suite that is used by the Fire and Police personnel to manage their departmental response and operations. A few of the major software modules supported under the agreement are Computer Aided Dispatch, Law Enforcement Records, Mobile Management, Jail Bookings and Reporting software.

MOTION: To approve the annual software maintenance with Tyler Technologies, Inc. in the amount of \$158,225.90.

**Supplement No. 2 – Legislative Lobbying Services**

The City has engaged the services of this firm for the past twelve years in advancing the City's legislative agenda, as well as monitoring legislation that could impact the City.

Motion by Ms. Gibson, 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.

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Mike Palazzolo, Mayor

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Michele Betty, City Clerk/Recorder