

BOARD OF MAYOR AND ALDERMEN
September 12, 2022

The regular meeting of the Board of Mayor and Aldermen was held on Monday, September 12, 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, Eric Grizzard, Richard Hall, Jason Huisman, Mac McCarroll, Todd Mittge, Natalie Ruffin, Lisa Piefer and Andy Sanders.

Call to Order

The Mayor called the meeting to order.

Invocation

The invocation was led by Vice Mayor Gibson.

Pledge of Allegiance

Alderman McCreery 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 September 12, 2022 agenda.

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

Approval of Minutes

Regular Meeting – August 22, 2022

Approval is requested of the minutes of the regular meeting held August 22, 2022.

Motion by Mr. Sanders, seconded by Mr. McCreery, to approve the minutes of the regular meeting held August 22, 2022.

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

Special Called Meeting – August 30, 2022

Approval is requested of the minutes of the special called meeting held August 30, 2022.

Motion by Mr. McCreery, seconded by Ms. Gibson, to approve the minutes of the special called meeting held August 30, 2022.

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

Citizens to be Heard

Andy Pouncey, City Historian, came forward with an update on the city virtual museum, which can be found at germantowntnhistory.org.

Mayor Palazzolo adjourned the Board of Mayor and Aldermen meeting and reconvened as the Beer Board.

BEER BOARD

Public Hearing – Beer Permit – On Premise Application – H&C Hospitality Co.

The City has received a request from H&C Hospitality Co. for a permit to sell beer for on-premise consumption at Toasted Yolk Café Germantown located at 9087 Poplar Avenue.

Mayor Palazzolo opened the floor for the Public Hearing. Having no one come forward, Mayor Palazzolo closed the Public Hearing.

Motion by Ms. Gibson, seconded by Mr. Sanders, to approve the request of H&C Hospitality Co. for a permit to sell beer for on-premise consumption at Toasted Yolk Café Germantown located at 9087 Poplar Avenue.

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 Luxor

The City has received a request from The Grand Krewe of Luxor for a temporary permit to sell beer for on-premise consumption at their Boogie nights Fund Raiser to be held on Friday, October 14, 2022 from 5 pm until midnight at the Great Hall & Conference Center located at 1900 S. Germantown Road.

Mayor Palazzolo opened the floor for the Public Hearing. Having no one come forward, Mayor Palazzolo closed the Public Hearing.

Motion by Mr. Sanders, seconded by Ms. Gibson, to approve request from The Grand Krewe of Luxor for a temporary permit to sell beer for on-premise consumption at their Boogie nights Fund Raiser to be held on Friday, October 14, 2022 from 5 pm until midnight at the Great Hall & Conference Center located at 1900 S. Germantown Rd.

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

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

CONSENT AGENDA

Appointment – Shelby County Solid Waste Region Board

Shelby County, as required under T.C.A. § 68-211-813, established the Shelby County Solid Waste Region Board (SWRB) in 1992. The law requires municipalities that provide solid waste collection services or solid waste disposal services, directly or by contract, be represented on the SWRB. The members of the board shall be appointed by the municipal mayors and approved by the legislative bodies of the eligible municipalities. Leslie Acerra serves as the Customer Service Superintendent and is now responsible for the management of the solid waste contract. Ms. Acerra's term for Germantown's position on the SWRB will expire May 2025.

MOTION: To appoint Leslie Acerra, Customer Services Superintendent, as a representative from the City to fill the unexpired six-year term on the Shelby County Solid Waste Region Board (SWRB) vacated by retired Neighborhood Services Manager, Joe Nunes.

Change Order No. 2 – Elevated Water Tank Off-Site Utilities

In March of 2022, the City awarded the subject project to Ferrell Paving, Inc. for \$242,535.50. This project allowed for 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. In July, it was discovered the existing soils contained a large number of roots and other organic materials which is unsuitable material for backfilling and compaction in the water main trench. In accordance with the City's change order policy and in order to not impede progress of the water tower project, Change Order No. 2 was approved by the Mayor and City Administrator.

MOTION: To formerly approve Change Order No. 2 to the off-site utilities contract for the elevated water tank project in the amount of \$15,500.00 for the replacement of unsuitable soils, increasing the contract amount with Ferrell Paving, Inc. from \$242,535.50 to \$258,035.50, and for a time extension of 30 additional working days.

Competitive Sealed Proposal Authorization – Senior Needs Assessment

The Parks and Recreation Department requests approval to utilize the competitive sealed proposal process to procure a senior adult recreation/education programs and services needs assessment from a qualified provider. The competitive sealed proposal process will provide staff with the ability to review the many different types of needs assessments offered by providers, and then analyze which services are in the best interest of the City and our citizens.

MOTION: To authorize the use of the competitive sealed proposal process for procuring a senior adult recreation/education programs and services needs assessment.

Donation – Germantown Education Foundation – Friend of the Foundation – 4th Quarter

The Board of Mayor and Aldermen established in 2006 the opportunity for Germantown citizens to donate funds to the foundation through their monthly water bill. The Foundation currently has 214 recurring donors.

MOTION: To approve the disbursement of funding collected by the City from residents and others within the community for the Germantown Education Foundation in the amount of \$3,956.50.

Purchase – Bulk Concrete

Concrete mix is primarily used by the Public Works department for stormwater and street maintenance repairs, repair/replacement of sidewalk and curb and gutter.

MOTION: To authorize the purchase of 250 cubic yards of 4,000 PSI standard concrete mix and additional items from MMC Materials, Inc. in the amount of \$37,720.50.

Purchase – Diesel Exhaust System Parts

Diesel exhaust includes many known or suspected carcinogenic substances. This risk is increased in fire stations where the living areas are attached to the apparatus bays. To reduce this risk to our fire fighters, Germantown began installing diesel exhaust ventilation systems in the apparatus bays of existing fire stations and included them with the construction of new stations. These systems have adequately served the needs of the Fire Department. Station 1's system was replaced in 2019. There are several parts and equipment that needs to be replaced at fire stations 2,3, and 4.

MOTION: To purchase replacement parts for the diesel exhaust systems at fire stations 2, 3 and 4 from Industrial Air Purification in the amount of \$ 26,298.24.

Purchase – Firefighter Ballistic Gear

While firefighter turnout clothing is specifically designed to protect during firefighting operations, it cannot protect them from violent attacks. An alarmingly large number of incidents have been reported where these brave heroes have been targeted and attacked, sometimes even fatally. This has necessitated the purchasing of ballistic gear for our front-line emergency service personnel.

MOTION: To purchase firefighter ballistic gear from Fire Department Service and Supply in the amount of \$62,525.00 through the BuyBoard Contract No. 603-20.

Purchase – Firefighter Turnout Clothing

Turnout gear is the personal protective clothing that fire fighters wear while fighting fires and completing other emergency operations. A set of turnout coat and pants has a life expectancy of approximately 6-7 years. The fire department is currently replacing turnout coats and pants purchased in 2016 and before.

MOTION: To purchase firefighter turnout clothing from Emergency Vehicle Specialists through the HGAC-Buy Contract No. EE08-19 in the total amount of \$46,720.00.

Resolution 22R12 Banking and Signature Cards

The adoption of Resolution 22R12 for bank and signature cards with First Horizon Bank authorizes the Mayor, Aldermen and City Administrator as signers on the City Concentration, Payroll Account, Accounts Payable, and the Accounting Manager, Finance Director and City Administrator of the Merchant Service, E-check, and Check Free Accounts.

MOTION: To adopt Resolution 22R12 for bank and signature cards with First Horizon Bank which authorizes the established signees to the City of Germantown Concentration, Payroll Account, Accounts Payable and Merchant Service, E-Check and Check Free accounts.

Motion by Mr. Ueleke, seconded by Ms. Hicks, to approve the consent agenda as presented.

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

Before the meeting adjourned, Mayor Palazzolo stated for the record that the Board of Mayor and Aldermen met in a closed session earlier in the evening at 5 p.m. in the Lawton Conference Room to discuss pending litigation.

Mike Palazzolo, Mayor

Michele Betty, City Clerk/Recorder