

BOARD OF MAYOR AND ALDERMEN

October 24, 2022

The regular meeting of the Board of Mayor and Aldermen was held on Monday, October 24, 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, Richard Hall, Jason Huisman, Mac McCarroll, Bo Mills, Lisa Piefer, Bill Price, Natalie Ruffin, Andy Sanders and Ethan Skaggs.

Call to Order

The Mayor called the meeting to order.

Invocation

The invocation was led by Bo Mills.

Pledge of Allegiance

Aldermen Hicks led the invocation.

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 Ms. Hicks, to approve the October 24, 2022 agenda.

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

Approval of Minutes

Regular Meeting – September 26, 2022

Approval is requested of the minutes of the regular meeting held September 26, 2022.

Motion by Mr. Sanders, seconded by Mr. McCreery, to approve the minutes of the regular meeting held September 26, 2022.

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

Special Called Meeting – October 6, 2022

Approval is requested of the minutes of the special called meeting held October 6, 2022.

Motion by Ms. Hicks, seconded by Mr. Sanders, to approve the minutes of the special called meeting held October 6, 2022.

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

Citizens to be Heard

Janie Day, Germantown Area Chamber of Commerce Executive Director, came forward to express the Chamber Board's appreciation for the FY23 grant in the amount of \$50,000.00.

SPECIAL RECOGNITION

Beautification Commission Business Award

Jana Hacker & Associates, located at 3180 Professional Plaza Drive Suite #101, is the October 2022 Beautification Commission Business Award winner.

Germantown Education Commission Teacher of the Month – September 2022

Cathy Young, middle school teacher at Riverdale School, is the September 2022 Teacher of the Month Award winner.

Germantown Education Commission Youth Excellence Award – September 2022

Houston High School Senior Logan Wu is the September 2022 Youth Excellence Award winner.

Leadership Germantown Grant Award

Andrew Israel, Leadership Germantown Executive Director, came forward to receive the Leadership Germantown FY23 grant in an amount of \$13,600.00. Leadership Germantown serves as a servant leadership organization that directly impacts Germantown through building communities of engaged citizens and connecting them civic opportunities.

CONSENT AGENDA

Appointment – Public Art Commission

Due to a resignation from the Public Art Commission, Mr. Graffam has applied to serve the remaining two years of the vacant term.

MOTION: To appoint JD Graffam to the Public Art Commission with a term ending December 31, 2024.

Contract – Asphalt Milling and Paving

The Public Works Department’s preventive street maintenance program annually assesses the condition of streets and schedules those in poor condition for milling and/or pavement resurfacing. Due to the vast amount of material and equipment required for resurfacing, the City has utilized a milling and paving contractor to execute the resurfacing program.

MOTION: To approve a contract with VuCon LLC in the amount of not-to-exceed \$1,775,000.00 for the FY23 Asphalt Milling and Paving Program.

Contract – Street Striping and Pavement Markings

The Public Works Department is implementing an annual program to apply thermoplastic street striping and pavement markings to streets where the street striping and pavement markings are deteriorating. This program will enhance the safety of motorists and pedestrians as they travel City streets, sidewalks and pathways by replacing worn and/or faded striping with new thermoplastic striping that maximizes visibility of striping and retroreflectivity.

MOTION: To approve a contract with Traf-Mark Industries LLC in an amount not-to-exceed \$125,000.00 for thermoplastic street striping and pavement markings.

Donation – Germantown Education Foundation – Friend of the Foundation – 1st Quarter

The mission of the Germantown Education Foundation is to mobilize community resources to support and benefit schools and educational programs in the City of Germantown. The Board of Mayor and Aldermen established the opportunity for Germantown citizens to donate funds to the Germantown Education Foundation through their monthly water bill.

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 \$3,792.50

Donations – Parks and Recreation

The Parks and Recreation Department received the following donations:

Jenny Webster, Smashing Aces Tennis, donated \$1,000.00 for the purchase of a park bench to be placed at Johnson Road Park tennis courts in memory of Mary Ashley Ward; Beautification Commission/Parks and Recreation Commission donated \$405.00 to the “Living Legacy” Tree fund for tree plantings on public property; and a donation from Campbell Clinic in the amount of \$3,500 to sponsor the “Small Fry Triathlon.”

MOTION: To recognize and accept donations made to the Parks and Recreation Department during the first quarter of FY23 totaling \$4,905.00 and to approve Budget Adjustment No. 23-27.

Purchase – Annual Computer Upgrades

This project will replace approximately 25% of the oldest computers and continue the City's 4-year cycle to keep operating systems and hardware current. Newer computers will reduce the time Information Technology staff spends trouble shooting slow computer problems allowing a faster internal customer response time. Energy consumption per computer will be cut in half compared to older computers. Old computers will be recycled ensuring maximum benefit to the City and to the environment.

MOTION: To approve the purchase of replacement computers in the amount of \$76,898.32 from CDW Government, approve Budget Adjustment No. 23-28, and declare the replaced computers as surplus.

Purchase – Training Simulator

The InVeris Virtual Reality Simulator will provide Germantown law enforcement officers the opportunity to be assessed, trained, and immersed in unlimited realistic high-tension scenarios in any 35' x 35' space. With the virtual reality head mount and inert weapons, the technology has the ability to recreate environments for an officer to perfect their techniques in numerous situations. This equipment produces data in real time from the officer's training experience. The simulator also tracks the officer's body, hand and eye movements allowing the equipment to be customizable and one of a kind.

MOTION: To authorize the purchase of a Virtual Reality Training Simulator in the amount of \$38,800.00 from InVeris Training Solutions.

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

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

REGULAR

Appointment – Germantown Municipal Court Judge

The number of popularly-elected municipal court judges in service to the City has been established by ordinance as two, with Judge Raymond Clift, Jr. and Judge Robert Brannon, Jr. being recently re-elected to the two positions. Judge Clift, who has served as a municipal court judge for the City of Germantown since 1982, submitted his retirement letter on August 15, 2022. The City's municipal code states that the Board of Mayor and Aldermen (Board) may appoint a qualified person to serve in the position until the next regular August general election. On August 8, 2022, the Board appointed Attorney Kevin Patterson as judge until the selection process was completed.

To facilitate the appointment, Administration Staff developed a selection process to allow all interested and qualified Germantown residents to apply for consideration. Applicants were asked to submit an application, resume, and cover letter expressing their interest in filling this vacancy. At their Special Called Meeting on October 6, 2022, the Board interviewed four (4) candidates (Rhea Clift, Justin Gee, L. Rees Hodges and Kevin Patterson) for the position. After the interviews were completed, the Board selected L. Rees Hodges and Kevin Patterson as the final two candidates for the position of municipal court judge.

Motion by Ms. Gibson, seconded by Mr. McCreery, to appoint Attorney Kevin G. Patterson as Municipal Court Judge to fill the vacancy of retiring judge, Raymond Clift, Jr. until the next August General Election.

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

Ordinance 2022-7 – Amendment to Chapter 2, Article V, Division 15 of the City Code to Rename the Environmental Commission and Set Forth the Qualifications and Duties of the Natural Resources Commission – Second Reading and Public Hearing

This ordinance is to amend on second reading the City's Environmental Commission to become the Natural Resources Commission to better align the commission's efforts with the Forward 2035 Strategic Plan. The primary responsibility of the Natural Resources Commission is to serve in an advisory capacity on matters

pertaining to natural resources management and environmental conservation, ecosystem integrity and habitat biodiversity and water resources protection and conservation.

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

Motion by Mr. McCreery, seconded by Ms. Gibson, to approve Ordinance 2022-7 on second reading, amending Chapter 2 Administration, Article V, Division 15 for the Environmental Commission to become the Natural Resources Commission.

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

Ordinance 2022-8 – Amendment to Chapter 2, Article V, Division 22, Section 2-295.1(J) – Municipal School Board Compensation – First Reading And Set Public Hearing

In August of 2013, the Board of Mayor and Aldermen (“BMA”) approved of the establishment of the GBOE and codified Division 22, Section 2-295.1 Municipal school board [membership; term; compensation]. At the BMA visioning session on August 1, 2022, the topic of increasing GBOE member compensation was proposed for discussion. At the conclusion of the discussion, the consensus among the BMA was to consider the removing or amending the language pertaining to GBOE compensation within the City’s municipal code. City staff has conferred with the City’s legal team and counsel from the Municipal Technical Advisory Service to confirm that the BMA is not required to set the compensation of the GBOE; the GBOE has the authority to establish their own compensation policies. Therefore, staff recommends amending subsection (j) to allow for the GBOE to establish their own levels of compensation.

Motion by Mr. Sanders, seconded by Ms. Hicks, to approve Ordinance 2022-8 on first reading and set the second reading and public hearing for November 28, 2022.

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

Mike Palazzolo, Mayor

Michele Betty, City Clerk/Recorder