

BOARD OF MAYOR AND ALDERMEN
January 9, 2023

The regular meeting of the Board of Mayor and Aldermen was held on Monday, January 9, 2023 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, Paul Chandler, Reynold Douglas, Tony Fisher, Eric Grizzard, Richard Hall, Jason Huisman, Mac McCarroll, Bo Mills, Cat Pena, Lisa Piefer, Adrienne Royals, Natalie Ruffin and Andy Sanders.

Call to Order

The Mayor called the meeting to order.

Invocation

City Chaplain Dave Phillips led the invocation.

Pledge of Allegiance

Alderman Gibson 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 January 9, 2023 agenda.

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

Approval of Minutes

December 12, 2022

Approval is requested of the minutes of the regular meeting held December 12, 2022.

Motion by Mr. Sanders, seconded by Ms. Hicks, to approve the minutes of the regular meeting held December 12, 2022.

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

December 13, 2022 – Special Called Meeting

Approval is requested of the minutes of the special called meeting held December 13, 2022.

Motion by Ms. Hicks, seconded by Mr. McCreery, to approve the minutes of the special called meeting held December 13, 2022.

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

Citizens to be Heard

John Arth, Chairman of the Public Safety Education Commission, came forward regarding recently deceased commission member Lucy Burkhalter. The commission has honored her service and friendship through donations to the City's Living Legacy tree program. He also asked Chief Hall to express the Public Safety Education Commission's appreciation to Germantown police officers on this day, January 9th, National Law Enforcement Appreciation Day.

Amanda Littlejohn, Chairman of the Public Art Commission, came forward thank the Board for their ongoing support of the Public Art Master Plan and to express her excitement for the Blue Trees project.

Mayor Palazzolo recessed the Board of Mayor and Aldermen and reconvened the Beer Board.

BEER BOARD – Public Hearing – Temporary Beer Permit – On-premise Application – The Grand Krewe of PTAH

The Grand Krewe of PTAH is seeking a temporary beer permit to serve beer at their coronation to be held on Saturday, January 28, 2023, from 6 pm to 12 midnight.

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 the request of The Grand Krewe of PTAH for a temporary permit to sell beer for on-premise consumption on Saturday, January 28, 2023, from 6 p.m. to 12 midnight, at the Great Hall & Conference Center, located at 1900 S. Germantown Road.

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

Mayor Palazzolo recessed the Beer Board and reconvened the Board of Mayor and Aldermen.

CONSENT AGENDA

Change Order No. 4 – Cameron Brown Park Field Improvements

Construction began in August 2022 to install artificial turf at the four-field complex and three batting cages in Cameron Brown Park. The process included the infields being excavated down to elevations to accommodate the turf installation, thereby removing the infield irrigation systems. As construction progressed, it was evident that the existing infield and outfield irrigation systems were not separate systems. By removing the infield irrigation system, the outfield irrigation system could not be repaired or function properly. These irrigation systems were installed decades ago and no as-built drawings were created. Change Order No. 4 includes the installation of approximately 1,210 linear feet of new mainline water pipe throughout the four grass outfields. New zones will be installed to ensure irrigation coverage.

MOTION: To approve Change Order No. 4 to the Cameron Brown Park Field Improvements project in the amount of \$29,210.00 for the repair and installation of irrigation systems, increasing the contract with B & B Specialties, Inc. from \$980,387.50 to \$1,009,597.50.

Donation – Pinnacle Precision Rifle

The Police Department has a SWAT team that utilizes trained snipers on high-risk police incidents. The donation of the custom built 6.5mm Creedmoor Sniper Rifle provides the department a rifle with the latest, modern design and specifications.

MOTION: To approve the donation of one (1) custom 6.5mm Creedmoor Sniper Rifle for the Germantown Police Department SWAT team by Pinnacle Precision valued at \$9,680.00.

Donations – Parks and Recreation

The Public Safety Education Commission donated \$180.00 for a “Living Legacy” tree in memory of past member, Lucy Burkhalter; the Suburban Garden Club donated \$2,000.00 to be applied towards the restoration of the arboretum at Oaklawn Gardens; and Steve and Rebecca Priddy donated \$2,500.00 to be applied towards Bobby Lanier Farm Park, including signage for the new arboretum.

MOTION: To recognize and accept donations made to the Parks and Recreation Department during the second quarter of FY23 totaling \$4,680.00 and to approve Budget Adjustment No. 23-51 and 23-52.

Emergency Purchase – Winter Storm Repairs at City Facilities

On December 23, 2022, a polar vortex brought abnormally cold temperatures to a large portion of the

United States. The mid-south was impacted by near record temperatures and unprecedented wind chills that approached -20 degrees. This weather event kept the area below freezing for over four days resulting in frozen pipes, rolling blackouts, water boil advisories, and life-threatening temperatures. Due to the extreme weather, several pipes burst within three City facilities causing destruction to floors, walls, furniture, and other areas. As a result, immediate emergency repairs were needed. The City owned locations that received extensive damaged include GPAC, Parks and Recreation Administration building and Fire Station No. 3.

MOTION: To formally ratify the emergency purchase with ServiceMaster for repair/restoration at Fire Station No. 3, GPAC, and the Parks and Recreation Administration Building in the amount of \$54,268.88.

Purchase – Ambulance

A replacement ambulance purchase was included in the FY23 Capital Improvement Program. Current build times for ambulances are 18 – 24 months with costs rising due to supply chain equipment shortages. In researching costs for the ambulance, Safe Industries notified the City of the availability of a “demo” ambulance that could be purchased immediately. The ambulance specifications meet or exceed all standards. Staff worked quickly to compile information and sent a request to Administration to move forward with the purchase. In order to secure the purchase, the vendor requested a Letter of Intent. On December 19, 2022, the City Administrator requested approval to move forward with the Letter and received verbal approval from the BMA to proceed and bring the item for formal approval at the January 9, 2023 meeting.

MOTION: To formally approve the purchase of a 2022 Road Rescue Ultramedic Type 1 Ford F550 Ambulance in the amount of \$320,000.00 from Safe Industries, and declare Unit F-171 as surplus property.

Purchase – Police Safety Radios

The 28 handheld radios being replaced were put into service when the new radio system went live in January of 2013 and are now a decade old. Radio replacements will improve public safety, staff safety and interoperability with Memphis and Shelby County radio systems.

MOTION: To authorize the purchase of radios and associated equipment in the amount of \$124,999.13 from Motorola Solutions on Tennessee State Wide Contract No.424 and declare replaced equipment as surplus.

Purchase – Records Management System – Fire

The Fire Department has used Firehouse records management software to track and report response times for over 20 years. Firehouse was purchased by ESO Solutions, Inc. several years ago. This platform has reached end-of-life and is being replaced with a new ESO records management product. ESO is also the records management system Fire uses for inspections and patient care records.

MOTION: To authorize the annual fire records management system maintenance, licensing, and new applications from ESO Solutions, Inc. in an amount not to exceed \$27,000.00.

Resolution 23R03 – Participation in Cyber Security Matching Grant

The IT Department is in the process implementing a multi-factor authentication program for employees who use a computer. The City can use these Public Entity Partners grant funds to assist the IT Department with the purchase of additional licenses towards the multi-factor authentication program.

MOTION: To approve Resolution 23R03, authorizing the City to participate in the Public Entity Partners Cyber Security Matching Grant Program for 2022-23.

Right-of-Way Acquisition – Tract 2 – Houston High School Traffic Signal

The project includes the installation of a four-way traffic signal located on Wolf River Boulevard with the intersections of the easternmost entrances and exits for Houston High School and Grace Evangelical Church. The scope of work is in the proximity of four property owners. Two of the adjacent properties are not impacted and require no acquisition or easements. One property currently contains the requisite utility easement for the proposed improvements, and requires no acquisition or easements. The fourth property, owned by the Germantown Board of Education (GBOE), requires the proposed ROW acquisition to provide adequate area for the installation of the traffic signal poles and foundations, ADA compliant audible push buttons and curb ramps. GBOE has granted and acknowledged the donation of the property, with full knowledge of the right to receive just compensation for same, such right being voluntarily waived and relinquished.

MOTION: To approve the donation of real estate and/or easements from the Germantown Board of Education in accordance with the Warranty Deed.

Alderman Gibson requested item 8b. Grant Acceptance and Contract Approval – The Blue Trees Environmental Art Installation be moved to the regular agenda.

Motion by Ms. Gibson, seconded by Mr. Sanders, to approve the consent agenda as amended.

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

REGULAR AGENDA

Grant Acceptance and Contract Approval – The Blue Trees Environmental Art Installation

In an effort to support Germantown’s strategic goal of protecting natural resources, the City will host the Blue Trees Environmental Art Installation by artist Konstantin Dimopoulos. This project has a public art and educational component that will raise awareness of the importance of trees and will motivate participants to take personal responsibility for the future of our environment.

Citizens, staff and the artist will install this public art installation at various locations along the Germantown Greenway. In addition, we will commission a local/regional artist to develop an engagement tool that can be placed along sections of the Wolf River trail system to connect the Blue Trees Environmental Art Installation project to regional environmental information and efforts. The Wolf River Conservancy is a community partner on this project.

Motion by Ms. Gibson, seconded by Ms. Hicks, to accept a grant of \$50,000.00 from the National Endowment for the Arts and to approve a contract between the City of Germantown and Konstantin Dimopoulos (Artist) in the amount of USD \$38,000.00 for an artist fee, plus travel and on-ground expenses up to USD \$ 7,180.00.

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

Mayor Palazzolo recessed the Board of Mayor and Aldermen and reconvened the Beer Board.

BEER BOARD HEARING – Suspension/Revocation of Beer License – Kroger – 7735 Farmington Blvd – Penalty Phase)

Kroger was cited for selling beer to a minor in September. The manager was notified that a hearing would be held on November 28. The hearing was held, with no one appearing to represent Kroger. Therefore, the Board found the store guilty of selling beer to a minor. The manager was contacted by written notice and by phone on December 13 to appear on January 9 for the penalty phase.

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Motion by Mr. Ueleke, seconded by Mr. McCreery, to fine Kroger, located at 7735 Farmington Blvd., \$1,500.00.

Motion by Mr. Sanders, seconded by Mr. McCreery, to amend the motion by suspending Kroger's beer license for a period of seven (7) consecutive days.

Mr. McCreery made a friendly amendment, without objection by Mr. Sanders, to the motion by suspending Kroger's beer license for four (4) consecutive days, Monday through Thursday.

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

Mike Palazzolo, Mayor

Michele Betty, City Clerk/Recorder