

BOARD OF MAYOR AND ALDERMEN
March 27, 2023

The regular meeting of the Board of Mayor and Aldermen was held on Monday, March 27, 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, Richard Hall, Jason Huisman, Mac McCarroll, Bo Mills, Lisa Piefer, Sheila Pounder, Cameron Ross, Natalie Ruffin and Ethan Skaggs.

Call to Order

The Mayor called the meeting to order.

Invocation

The invocation was led by Cameron Ross.

Pledge of Allegiance

Alderman Sanders 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 March 27, 2023 agenda.

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

Shelby County Assessor Ratio Study Presentation

Assessor Melvin Burgess and his staff presented issues and concerns regarding the application of the sales ratio to properties classified as Residential, Commercial, Industrial, and Farms in Shelby County.

Approval of Minutes

Approval is requested of the minutes of the regular meeting held February 27, 2023.

Motion by Ms. Gibson, seconded by Mr. McCreery, to approve the minutes of the regular meeting held February 27, 2023.

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

Citizens to be Heard

Ben Cox, 9501 Dogwood Creek Cv. and Johnnie Gross, 9490 Johnson Road Ext., came forward regarding the noise ordinance.

SPECIAL RECOGNITION

Germantown Education Commission Teacher of the Month – March 2023

Ms. Ellen Moak, a Kindergarten teacher at Dogwood Elementary School, is the March 2023 Teacher of the Month Award winner.

Germantown Education Commission Youth Excellence Award – March 2023

Christian Brothers High School Senior Joseph Mangin is the March 2023 Youth Excellence Award winner.

CONSENT AGENDA

Agreement – Video Streaming and Software Services

The City has maintained the annual maintenance and managed services in place with Granicus, Inc. since implementing streaming and hosting services in 2009. Granicus, Inc. offers a large array of cloud-based

applications to assist governments in the effort to achieve accessibility, efficiency, transparency, and engage the citizen. The Boards and Commissions application is designed to help government agencies easily manage citizen applications online. The public can easily see what Boards and Commissions exist and take the opportunity to apply for open seats from the City website.

MOTION: To approve a three-year agreement with Granicus, Inc. for annual video streaming and software services in the amount of \$95,418.47.

Appointment – Historic Commission

Due to a resignation from the Historic Commission, Mr. Vaden has applied to serve the remainder of the one-year term.

MOTION: To appoint John Vaden to the Historic Commission with a term ending December 31, 2023.

Contract – Debris Monitoring Services

When intense storm events occur, staff must take a reactive approach to find and negotiate contracts with vendors expeditiously to provide loading, hauling and monitoring services with the goal to have essential City services and infrastructure cleared and restored as soon as possible. The time spent establishing these contracts delays service to the community. A debris monitoring service contract will allow staff to take a proactive approach in expediting the required service provision and will provide the clear documentation necessary for the City to apply for local, state or federal assistance.

MOTION: To authorize a five-year, on-call contract with DebrisTech, LLC for debris monitoring services related to the timely removal and lawful disposal of emergency generated debris as specified in Request for Proposal 2023-008.

Contract – Emergency Debris Removal Services

This contract is to establish on-call primary and secondary vendors to provide loading, hauling, dumping and proper documentation for emergency debris collection, hauling and disposal services. This item is paired with the debris monitoring contract. The primary is to be used so long as the contractor is able to perform the required services. Should the primary contractor be unable to perform the required services, or if the size and scope of any particular project or projects are too large for the primary contractor to complete the work within the City's specifications, the City may utilize the services of the recommended secondary vendor.

MOTION: To authorize a primary vendor contract with Michael's Tree & Loader Service and a secondary vendor contract with Phillips and Jordan, Inc. for three years with two, one-year extensions for debris removal and transportation services related to the timely removal and lawful disposal of emergency generated debris as specified in Request for Proposal 2023-010.

Contract – Fireworks

Each year the City contracts with a fireworks company to provide an electronically fired aerial fireworks display for the July Family Fourth event held at Municipal Square Park. One bid was received from Pyro Shows, Inc. a reputable Tennessee company having extensive experience in producing large municipal events.

MOTION: To approve a contract with Pyro Shows, Inc. in the annual amount of \$30,500.00 for the July 4, 2023 Fireworks Display with two extension year options.

Contract - Traffic Signal Repair Poplar Avenue

In October of 2022, a fallen tree catastrophically damaged the traffic signal at Poplar Avenue and Village Shops Drive. Staff from GPD, Public Works, and Engineering quickly moved into action to provide

public safety measures, clear debris and execute a plan for temporary safety for the traveling public and the full repair of the traffic signal.

MOTION: To approve a construction contract with Shelby Electric Company Inc. in the amount of \$101,935.00 for the repair and reconstruction of the traffic signal at Poplar Avenue and Village Shops Drive.

Donation – Germantown Education Foundation – Friend of the Foundation-2nd Quarter FY23

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 **\$Error! Reference source not found.**

Donation – Living Legacy Tree Fund

The Living Legacy tree in honor of past Parks and Recreation Commission member, Rodney Strop, will be planted by the City Arborist at Howard McVay Park. Staff is requesting this budget adjustment in order to purchase and plant the tree as requested by the donor.

MOTION: To recognize a recent donation to the Living Legacy Tree Fund from Kevin Young in the amount of \$150.00, and to approve Budget Adjustment No. 23-91.

Lease Agreement – Club Cardio Fitness Equipment

The Germantown Athletic Club's goal of delivering high quality health and fitness services, as well as excellent customer service, relies heavily on providing top-of-the-line fitness equipment and maintenance service. The appearance and layout of new equipment maximizes the efficiency of space, traffic flow, and the potential of maintaining and increasing membership. Technology and trends in the fitness industry are constantly evolving and changing. The leasing aspect of cardio equipment is the best option to stay current with the industry standards.

MOTION: To approve a thirty-six (36) month operating lease agreement beginning July 15, 2023 through June 15, 2026 for cardiovascular equipment with Leasing Servicing Center Inc. dba NCL Government Capital in the annual amount of \$256,172.52 for the Germantown Athletic Club.

Purchase – Court Software Annual Subscription Fees

Tyler Incode Court software is the software suite that is used by Court personnel to manage court cases. The City has maintained a software maintenance agreement with Tyler Technologies since implementing Court software in 2012. The subscription fees allow for system support 24 hours a day, seven days a week.

MOTION: To approve the annual subscription fees with Tyler Technologies, Inc. in the amount of \$56,362.00.

Purchase – Police Vehicles

All fleet assets are part of the Infrastructure Replacement Program which is reviewed and updated during the fiscal budget process. Replacement criteria consist of various factors: vehicle age, maintenance cost, utilization and dependability. Vehicle lifecycles vary between user departments. Service vehicles under extreme usage, such as patrol vehicles, are usually replaced every 4 to 8 years, where others might be

replaced every 8 to 12 years. However, the replacement years can be extended due to limited utilization of certain vehicles.

MOTION: To approve the purchase of two new vehicles from Ford of Murfreesboro in the amount of \$85,671.00.

Motion by Mr. Ueleke, 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 AGENDA

Ordinance 2023-5 – Chapter 11 – Neighborhood and Community Preservation and Amend Chapters 6,9,12 and 15 – First Reading and Set Public Hearing

At a previous Vision Session, the BMA asked Economic and Community Development (ECD) to review the municipal code and recommend changes that addressed property maintenance concerns around the City. The Department went through each chapter of the code that addressed anything regarding property maintenance (structural and property areas). This resulted in proposed amendments to Chapters 6, 9, 12, 15 and 22 and consolidating the sections into one new chapter, Chapter 11. The Neighborhood Preservation Commission discussed and recommended approval of these proposed changes to the property maintenance code. The BMA held a work session on February 14, 2023 to discuss the items, which included property maintenance, as well as safety and standards for noise in residential areas.

Motion by Ms. Gibson, seconded by Mr. McCreery, to approve Ordinance 2023-05 on first reading creating Chapter 11, Neighborhood and Community Preservation and amending Chapters 6, 9, 12, and 15, and set the second reading and public hearing for April 24, 2023.

Motion by Ms. Hicks, seconded by Ms. Gibson, to amend Chapter 11, Article III, Sec. 11-61(c)(1)(15) Landscape contractors the time from 7 a.m. to 8 a.m. in residential zoning for landscape work.

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

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

Ordinance 2023-6 – Amendments to Chapter 22 Vegetation – First Reading And Set Public Hearing

At a BMA vision session on July 15, 2021, a request was made to update the Vegetation Ordinance. On October 21, 2021, a work session was held with the BMA, representatives from the Design Review Commission, Parks and Recreation Commission and Planning Commission about the proposed ordinance changes to be completed in a two-step process. On January 24, 2022, the BMA adopted the first set of amendments recommended by staff. On April 12, 2022, City Staff presented the second set of currently proposed amendments to the Tree Board for review. Economic and Community Development staff has worked with Parks and Recreation Department staff and the City Attorney's office on preparing this second ordinance update. The City Attorney's office has reviewed and recommends the proposed ordinance amendments for approval.

Motion by Mr. Sanders, seconded by Ms. Hicks, to approve on first reading Ordinance 2023-6, amendments to the Vegetation Ordinance (Chapter 22), and set the second reading and public hearing for April 24, 2023.

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

Ordinance 2023-8 – Amendment to the Senior Citizen Advisory Commission Chapter 2, Article V, Division 19 – First Reading and Set Public Hearing

Last fiscal year, members of the Senior Citizen Advisory Commission brought forth a request to amend the City’s ordinance aligning the overall purpose with the current actions and responsibilities of the Commission. In addition, a request was made to broaden the scope of the membership requirements which included lowering the age and removing the name “Citizen” from the title.

Motion by Ms. Hicks, seconded by Ms. Gibson, to approve on first reading Ordinance 2023-8, amending the Senior Citizen Advisory Commission in Chapter 2, Article V, Division 19, and set the second reading and public hearing date for April 24, 2023.

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

Mayor Palazzolo recognized Police Reserve Officer George Hernandez with a gift and proclamation for his years of service on the Planning Commission.

Mike Palazzolo, Mayor

Michele Betty, City Clerk/Recorder