

BOARD OF MAYOR AND ALDERMEN

April 10, 2023

The regular meeting of the Board of Mayor and Aldermen was held on Monday, April 10, 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, Mike Fisher, Eric Gizzard, Jason Huisman, Mac McCarroll, Bo Mills, Lisa Piefer and Natalie Ruffin.

Call to Order

The Mayor will call the meeting to order.

Invocation

The invocation was led by Bo Mills.

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 April 10, 2023 agenda.

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

Approval of Minutes

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

Motion by Mr. McCreery, seconded by Mr. Ueleke, to approve the minutes of the regular meeting held March 27, 2023.

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

Citizens to be Heard

John Remsen, 1710 Willshire Lane, came forward regarding the trees on Allenby Road.

SPECIAL RECOGNITION

Germantown Education Commission Teacher of the Month – April 2023

Ms. Sabrina Mink, a first-grade teacher at Dogwood Elementary, is the April 2023 Teacher of the Month award winner.

Germantown Education Commission Youth Excellence Award – April 2023

Lausanne Collegiate School Senior Risha Manga is the April 2023 Youth Excellence Award winner.

BEER BOARD – Public Hearing – Temporary Beer Permit – On-premise Application – The Down Syndrome Association of Memphis and the Mid-South

The City has received a request from The Down Syndrome Association for a temporary permit to sell beer for their Get Down and Derby event to be held on Saturday, May 6 at the Great Hall.

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 Down Syndrome Association of Memphis and the Mid-South for a temporary permit to sell beer for on-premise consumption on Saturday, May 6, 2023, from 4 pm to 9 pm 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.

CONSENT AGENDA

Appointment – Stormwater Advisory Commission

Due to a resignation from the Stormwater Advisory Commission, James Greenlee has applied to serve the remainder of the three-year term.

MOTION: To appoint James Greenlee to the Stormwater Advisory Commission with a term ending December 31, 2025.

Contract – Annexation Area Water Main Phase II

A 12-inch water main was constructed in conjunction with the widening of Forest Hill Irene Road south of Poplar Pike to Winchester Road. In FY20, a CIP was budgeted to further extend this 12-inch water main down Forest Hill Irene Road south to near the city limits at the Veterans Cemetery in order to serve the Forest Hill Heights area. This project was postponed due to the COVID-19 pandemic. This project was budgeted for design and construction to occur in FY23 with the Board's approval of the FY23 CIP budget. Allen and Hoshall, Inc. was selected to provide engineering design services and construction engineering and inspection for this project by the BMA on September 26, 2022. Three qualified contractors bid on the project with Delgado General Corp. providing the lowest qualified bid in the amount of \$878,150.00.

MOTION: To authorize a construction contract with Delgado General Corp. in the amount of \$878,150.00 to extend an existing 12-inch water main approximately 3,000 linear feet southward along Forest Hill Irene Road from the south side of Winchester Road to near the Veterans Cemetery.

Contract – Elevated Water Tank – Final Phase – Site Development

In February of 2020, the BMA approved of an agreement to acquire the land necessary to locate an elevated water tower along Forest Hill Irene Rd. south of Poplar Pike. In January of 2021, the BMA approved of a professional services agreement for engineering design and construction inspection with A2H, Inc. for \$233,800.00. Due to the drastic rise in cost of materials, the elevated water tank project was budgeted into three phases. Phase I included the tower foundation, tank manufacturing and construction work. In December of 2021, the contract for phase I was awarded to Caldwell Tanks for \$2,554,000.00. Phase II addressed providing water to the tower with the construction of a 12-inch water main and the gravel roadway base from Forest Hill Irene Road to the tank site. The contract for this work was awarded in March 2022 to Ferrell Paving in the amount of \$242,535.50. The third and final phase includes the site development to complete the project.

MOTION: To authorize a construction contract with A & B Construction Co., Inc. in the amount of \$1,697,801.00 for the third and final phase of construction of the elevated water tank project and to approve Budget Adjustment No. 23-97.

Donation – Fire Department

The 100 Club of Memphis provides annual grants to fire and police agencies to support programs for the community. The Germantown Fire Department submitted a request in the amount of \$1,800.00 to be used to implement a new community outreach program called STOP THE BLEED®. This program allows individuals to gain hands on experience and to learn how to use the proper equipment to provide

lifesaving care until emergency personnel arrive. Staff will implement this program during month of May which is STOP THE BLEED® month with **May 25, 2023**, as STOP THE BLEED® Day.

MOTION: To recognize a donation from The 100 Club of Memphis for STOP THE BLEED® Trainer Kit and supplies in the amount of \$1,800.00 and to approve Budget Adjustment No. 23-101.

Donation – Living Legacy Tree Fund

Gretchan and Chad Isern made donation to the Living Legacy Tree Fund in the amount of \$150.00 for the purchase of a tree to be planted at Johnson Road Park in memory of Drew Mishler. The City Arborist and Grounds Maintenance Division will coordinate the purchase and installation of this tree.

MOTION: To recognize a recent donation to the Living Legacy Tree Fund from Gretchan and Chad Isern in the amount of \$150.00, and to approve Budget Adjustment No. 23-104.

Resolution 23R05 – City Credit Cards

The City currently has credit cards issued to the Mayor and City Administrator from Truist Bank. The City maintains its concentration, payroll and accounts payable accounts with First Horizon Bank. Credit cards will need to be issued with First Horizon. Credit cards are used when purchase orders or checks cannot be used in a timely manner. Credit Cards can only be used for City business and must be supported by receipts prior to paying the credit card company.

MOTION: To approve Resolution 23R05, authorizing the City to issue First Horizon City Credit Cards to the Mayor and City Administrator.

Resolution 23R06 – Amendments to the Tennessee State-Subdivision Opioid Abatement Agreement and Related Settlement Agreements

The adoption of Resolution 23R06 authorizes the Mayor to execute any formal agreement and related documents evidencing the City's agreement to the settlement of claims (and litigation) specifically related to Teva Pharmaceutical Industries, Ltd., Allergan Finance, LLC, CVS Health Corporation, Walgreen Co., Walmart, Inc. and any other settlement of opioid-related claims that Tennessee has joined.

MOTION: To approve Resolution 23R06.

Sport Provider Agreement – Germantown Football League

The Germantown Football League has extensive experience in providing quality athletic programs within the City. The agreement with the Germantown Football League was awarded in FY21, with the option for two additional one-year extensions. The term of this agreement ends May 31, 2023; therefore, staff recommends approving the final year extension of this agreement for the period of June 1, 2023, through May 31, 2024.

MOTION: To approve the final extension of the provider agreement with the Germantown Football League to be the youth cheer and football provider for the City for the period of June 1, 2023, through May 31, 2024.

Motion by Ms. Gibson, seconded by Mr. McCreery, to approve the consent agenda as presented.

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

Having no items on the Regular Agenda, Mayor Palazzolo adjourned the meeting.