

BOARD OF MAYOR AND ALDERMEN

May 8, 2023

The regular meeting of the Board of Mayor and Aldermen was held on Monday, May 8, 2023 at 6 p.m. 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, De’Kisha Fondon, Richard Hall, Jason Huisman, Mac McCarroll, Bo Mills, Cameron Ross, Sherry Rowell, Adrienne Royals, Natalie Ruffin and Andy Sanders.

Call to Order

The Mayor called the meeting to order.

Invocation

The invocation was led by Cameron Ross.

Pledge of Allegiance

Alderman Ueleke 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. McCreery, to approve the May 8, 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 April 24, 2023.

Motion by Mr. McCreery, seconded by Mr. Sanders, to approve the minutes of the Board of Mayor and Aldermen Regular Meeting held April 24, 2023.

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

Citizens to be Heard

No citizens came forward.

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

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

The Grand Krewe of Luxor is seeking a temporary beer permit to serve beer at their Carnival Charities Fundraiser to be held on Wednesday, June 7, 2023, from 5:30 pm to 11 pm. The beneficiaries of the proceeds are Carnival Memphis Charities.

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. Hicks, to approve the request of The Grand Krewe of Luxor for a temporary permit to sell beer for on-premise consumption on Wednesday, June 7, 2023, from 5:30 pm to 11 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.

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

CONSENT AGENDA

Contract Extension No. 2 – Public Safety Uniforms

Members of the Police and Fire Departments are required to wear designated uniforms in the performance of their duties. Each member of the Police and Fire Departments has an allotted amount for the purchase of the uniforms. The uniform bid was received and approved by the Board of Mayor and Alderman in June of 2021 for a one-year contract with four additional years at the City’s option.

MOTION: To authorize contract extension No.2 with Mid-South Solutions for Business beginning July 1, 2023, through June 30, 2024, for the purchase of public safety uniforms for Police and Fire.

Development Contract No. 1247– Baptist Memorial Healthcare Corporation

The Baptist Rehabilitation Hospital building expansion was approved in 2020. This expansion brought the total building footprint to 37,376 square feet. The applicant has submitted a revised final site plan including a future expansion area which further enlarged the building footprint to 39,980 square feet. The applicant is requesting this building expansion, additional parking, drive aisle improvements and sidewalk improvements

MOTION: To approve Development Contract No. 1247 for the building and parking lot expansion at Baptist Memorial Rehabilitation Hospital.

Donation – Germantown Education Foundation – Friend of the Foundation – 3rd Quarter

The Germantown Education Foundation was established in 2006 and is an independent, 501(c)3, not-for-profit corporation that raises funds to directly support the public education of children in Germantown. Friend of the Foundation currently has 214 recurring donors. The money is collected from citizens through their monthly utility 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 \$3,724.50.

Donation – Living Legacy Tree Fund

The Germantown Living Legacy Tree program provides resources to implement a coordinated landscape design for public areas in the City through contributions and donations. This “Living Legacy” tree is in memory of past Senior Advisory Commission member John Hicks. It will be planted at the Farm Park. Donors are members of Senior Advisory Commission (Jayu Wagh, Alice Clare Colville, Charles Clark, Brandy Miller and Jim Debo) and City staff.

MOTION: To recognize a recent donation to the Living Legacy Tree Fund in the amount of \$150.00 and to approve Budget Adjustment No. 23-132.

Donations – Germantown Neighborhood Preservation Commission

The Germantown Neighborhood Preservation Commission had great success in fundraising for the 2023 Neighborhood Summit on April 25. The funds were used to purchase supplies for the summit and awards for the Neighborhood Leader and Neighbor of the Year Awards. Due to the generosity of this year’s sponsors, the commission was able to provide a \$500 grant to the Neighborhood of the Year for a celebration event.

Donor’s include:

\$500.00: Live Love Memphis

\$250.00 each donor: Heritage Builders, Lane Agency, ProLift Garage Doors, Allison Holden, Germantown Charity Horse Show, Nailology Salon & Spa, Home Helpers Home Care, Rachel Jacques - Reid Realtors, Elect Home Care, and Carty & Co.

\$100 each donor: English Meadows HOA, Hearthside Senior Living, Mike Pettit - New York Life, William Laurence Fine Art, Sydney Carty - Crye-Leike Realtors, Bin There Dump That, and Huey's Germantown.

MOTION: To approve donations of \$3,700.00 to the Germantown Neighborhood Preservation Commission and to approve Budget Adjustment No. 23-143.

Insurance Recovery – Poplar Avenue Traffic Signal

In October of 2022, a fallen tree catastrophically damaged the traffic signal at Poplar Avenue and Village Shops Drive. At the Board of Mayor and Aldermen meeting on March 27, 2023, a construction contract was approved for Shelby Electric Company, Inc. to provide the repair and reconstruction of the traffic signal in the amount of \$101,935.00. This item is to accept insurance funds for the traffic signal repair in the amount of \$79,791.00.

MOTION: To approve insurance fund recovery of \$79,791.00 for the traffic signal repair at Poplar Avenue and Village Shops Drive and to approve Budget Adjustment No. 23-117.

Purchase – AV Equipment Fire Station 4 Training Room

The training room is used extensively by the Fire staff to provide employee training and is also used to host meetings for the City and community. The audio and visual (AV) system equipment is 10 plus years old and needs to be updated to meet the training requirements of the department.

MOTION: To approve the purchase of audio and visual equipment for the training room located at station 4 from Conference Technologies, Inc. in the amount of \$ 57,665.35.

Motion by Mr. Ueleke, 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.

REGULAR AGENDA

Ordinance 2023-6 – Amendments to Chapter 22 Vegetation – Third and Final Reading

At a 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, 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. The ordinance amendments were approved at the second reading.

Motion by Mr. Sanders, seconded by Ms. Gibson, to approve, on third and final reading, Ordinance 2023-6, amending the Vegetation Ordinance (Chapter 22).

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 – Third and Final Reading

Last fiscal year, members of the 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 "Citizen" from the title. The ordinance amendments were approved at the second reading.

Motion by Ms. Hicks, seconded by Mr. Sanders, to approve, on third and final reading, Ordinance 2023-8, amending the Senior Citizen Advisory Commission in Chapter 2, Article V, Division 19.

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

Ordinance 2023-1 – Ordinance to Adopt the FY2024 Budget – First Reading and Set Public Hearing Date

The FY24 Proposed Budget takes into consideration the Policy Agenda developed by the Board of Mayor and Aldermen. The Financial Advisory Commission (FAC) has held several meetings with City staff to review each component of the budget including the financial policies, the entire General Fund, the Enterprise Funds, the Special Revenue Funds and the CIP. The FAC has reviewed and approved the budget. The Board of Mayor and Aldermen is asked to consider on first reading the FY24 Proposed Budget and set Monday, June 12, 2023, for the second reading and public hearing.

Motion by Mr. Ueleke, seconded by Ms. Hicks, to approve Ordinance 2023-1 on first reading, establishing the FY24 Proposed Budget and set Monday, June 12, 2023, for the second reading and public hearing.

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

Ordinance 2023-2 – Year-End Budget Adjustments – First Reading and Set Public Hearing Date

Typically, at year-end, a number of budget adjustments are made to the various City funds, which realign operating expenses/expenditures accounts with actual activity. These budget adjustments recognize various overruns, underruns, project acceleration and deferrals that have already received the Board of Mayor and Aldermen's approval.

Motion by Mr. Ueleke, seconded by Mr. McCreery, to approve Ordinance 2023-2 for year-end budget adjustments on first reading and set Monday, June 12, 2023, for second reading and the public hearing.

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

Ordinance 2023-3 – Real & Personalty Property Taxes – First Reading and Set Public Hearing Date

Concurrent with the adoption of the FY24 Budget, the Board of Mayor and Aldermen are asked to approve the FY24 property tax rate and set June 12, 2023, for the second reading and public hearing. During in-depth discussions with the City's Financial Advisory Commission and the BMA concerning the FY24 Budget, an increase to the property tax rate has been recommended for the upcoming budget year. After six years at the same or equalized rate, the FY24 general fund includes a \$0.165 property tax increase.

With inflation being its highest in more than 20 years, the cost of materials, supplies and wages have increased to the point that a property tax increase is necessary to sustain our community's desired level of service delivery. Therefore, the property tax rate is proposed to adjust from \$1.6732 to \$1.8382. It is anticipated that the revenue from the adjusted tax rate will support operations for a two-year planning period and will also assist in maintaining the City's general fund balance levels. For FY24, the proposed tax rate would be \$1.8382 per \$100.00 of assessed value for property in the City of Germantown.

Motion by Mr. Ueleke, seconded by Ms. Gibson, to approve Ordinance 2023-3 on first reading, establishing a certified tax rate of \$1.8382, and to set Monday, June 12, 2023, for the second reading and public hearing

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

Ordinance 2023-4 – Germantown Municipal School District Year-End Budget Adjustments – First Reading and Set Public Hearing Date

At the end of the fiscal year, year-end budget adjustments are made in order to avoid budget and fund overruns in the various funds for the Germantown Municipal School District (GMSD). The GMSD yearly

budget adjustments have been approved by the Germantown Municipal School Board. However, the GMSD is a Special Revenue Fund of the City and will appear in the Annual Comprehensive Financial Report as of June 30, 2023. Therefore, the Board of Mayor and Aldermen must approve any yearly budget adjustments. Any adjustments made are following the State of Tennessee Guidelines for school districts and adhere to generally accepted accounting principles guidelines.

Motion by Mr. Ueleke, seconded by Mr. Sanders, to approve Ordinance 2023-4 on first reading for Germantown Municipal School District year-end budget adjustments, and set Monday, June 12, 2023, for second reading and public hearing.

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

Mike Palazzolo, Mayor

Michele Betty, City Clerk/Recorder