

BOARD OF MAYOR AND ALDERMEN
September 25, 2023

The regular meeting of the Board of Mayor and Aldermen was held on Monday, September 25, 2023, at 6 p.m., in the Council Chambers at City Hall.

Mayor Palazzolo was present and presiding.

The following aldermen were present: Scott Sanders, Sherrie Hicks, Brian Ueleke and Jon McCreery. Staff present: Michele Betty, Paul Chandler, Mike Fisher, Richard Hall, Jason Huisman, Mac McCarroll, Bo Mills, Lisa Piefer, Natalie Ruffin and Andy Sanders.

Call to Order

The Mayor called the meeting to order.

Invocation

The invocation was led by Bo Mills.

Pledge of Allegiance

Alderman Scott 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. Hicks, seconded by Mr. Sanders, to approve the September 25, 2023 agenda.

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

Approval of Minutes

Approval is requested of the minutes of the regular meeting held September 11, 2023.

Motion by Mr. McCreery, seconded by Mr. Ueleke, to approve the minutes of the Board of Mayor and Aldermen Regular Meeting held September 11, 2023.

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

Citizens to be Heard

President of the GPAC Board Patrick O'Connor, of 6584 Pidgeon, came forward to acknowledge donations and support of the 2022 - 2023 GPAC Season.

SPECIAL RECOGNITION – Beautification Commission Business Award

Limelight, located at 7724 Poplar Pike, is the September Beautification Award winner.

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

BEER BOARD – Public Hearing – Temporary Beer Permit – The Grand Krewe of Luxor

The City has received a request from The Grand Krewe of Luxor for a permit to sell beer for on-premise consumption at their Boot Scoot Boogie Fundraiser to be held on Saturday, October 14, 2023.

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 permit to sell beer for on-premise consumption on Saturday, October 14, 2023, from 6 pm to midnight, at The Great Hall & Conference Center, located at 1900 S. Germantown Road.

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

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

CONSENT AGENDA

Budget Adjustment – GPAC Furniture Replacement (Insurance Claim)

On December 23, 2022, 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. The extreme weather caused several pipes at the Germantown Performing Arts Center (GPAC) to burst, causing destruction to floors, walls, furniture, and other areas. These funds were received in FY23 through an insurance claim.

MOTION: To approve Budget Adjustment No. 24-19.

Contract – Asphalt Milling and Paving

Over 30 years ago, the Public Works Department implemented a preventive street maintenance program to annually evaluate and schedule the candidate streets throughout the City for milling and/or pavement resurfacing. This annual contract includes the addition and/or replacement of water valves and manhole risers where necessary. This contract also provides a price for base asphalt mix in the event some structural or foundation failures are discovered during the milling process.

MOTION: To approve a contract with Standard Construction Co. in an amount not-to-exceed \$2,000,000.00 for the FY24 Asphalt Milling and Paving Program.

Contract – Bob Hailey Park Access Bridge Replacement

Last November, the pedestrian bridge leading from the athletic complex parking lot to the baseball fields failed inspection and was temporarily closed. Bank erosion and scour in the earthen ditches damaged the foundation of the bridge. The City's engineering team worked with structural experts and the Public Works crews to install an additional support structure as a temporary solution.

MOTION: To approve a professional services agreement with Burr & Cole Consulting Engineers, Inc. for the design of the replacement Bob Hailey Park Access Bridge in the amount of \$40,660.00.

Contract – TN Violent Crime Intervention Fund Collaborative Sub-grant

Governor Bill Lee launched the \$100 million Violent Crime Intervention Fund and invited local law enforcement agencies to apply for grants that will be used to strengthen public safety in communities across Tennessee. The purpose of the Violent Crime Intervention Fund grant program is to provide support to local law enforcement in developing and implementing proven public safety strategies to combat violent crime.

The state has made VCIF grant funding available in two categories: individual law enforcement agencies based on a formula, and as a competitive collaborative grant with partner agencies. The City of Bartlett was awarded this VCIF grant on July 1, 2023 which allows for a collaborative grant sub-contract with the City of Germantown and Town of Collierville Police Departments.

MOTION: To approve the grant sub-grant contract with the City of Bartlett, TN, to receive funding from the Tennessee Violent Crime Intervention Fund (VCIF) Collaborative Enhancement Grant for the acquisition and reimbursement of approved Police equipment in the amount not-to-exceed \$378,779.00.

Contract – TN Violent Crime Intervention Funding

Governor Bill Lee launched the \$100 million Violent Crime Intervention Fund and invited local law enforcement agencies to apply for grants that will be used to strengthen public safety in communities across

Tennessee. The purpose of the Violent Crime Intervention Fund grant program is to provide support to local law enforcement in developing and implementing proven public safety strategies to combat violent crime. The state has made VCIF grant funding available in two categories: individual law enforcement agencies based on a formula, and as a competitive collaborative grant with partner agencies. This grant contract is an individual agency grant.

MOTION: To approve the grant contract with the State of Tennessee Violent Crime Intervention Fund to receive funding for the acquisition and reimbursement of approved Police equipment in an amount not to exceed of \$142,367.00.

Contract – Pavement Reclamation Program – Dogwood Road Phase II

Phase I of the Dogwood Road reclamation project from Kimbrough Road to Birchton Drive was completed in the FY23 budget cycle. Phase II of this project will continue this work along Dogwood Rd moving from west to east from Birchton Drive to Elm Row Drive.

MOTION: To approve a contract with VuCon, LLC in an amount not-to-exceed \$750,000.00 based on unit costs to complete Phase II of pavement reclamation on a section of Dogwood Road.

Contract – State of Tennessee Law Enforcement Training Academy Grant

The State of Tennessee is offering cost sharing assistance to law enforcement agencies across Tennessee for the basic training academy expenses.

MOTION: To approve the State of Tennessee Grant Contract No. 77833-38 for the Germantown Police Department to receive reimbursement up to \$200,000.00 for new police officers to attend the Tennessee Law Enforcement Training Academy for the period of October 16, 2023, through April 2, 2028.

Donation – Shelby County Milton Community Enhancement Grant

In the fall of 2022, the Germantown Public Art program launched a Creative Crosswalk pilot project in collaboration with Houston High School to create designs for seven crosswalks along Wolf River Blvd. This project aims to transform crosswalks into works of art that discourage speeding and increase public safety at key crosswalks near access points to the City's greenway trail system and a new traffic signal along Wolf River Blvd. The installation of selected designs will be contracted by the Germantown Public Art Program in coordination with planned road resurfacing projects and traffic signal enhancements over the next several years. The funds will be used for the purchase and use of decorative crosswalk materials.

MOTION: To accept the Shelby County Milton Community Enhancement Grant in the amount of \$15,000.00, and to approve Budget Adjustment No. 24-17 for \$5,000.00.

Donations – Germantown Performing Arts Center – FY23

GPAC donors recognize the critical value GPAC brings to the community. Donations made to GPAC during the period July 1, 2022, to June 30, 2023, totaling \$1,380,075.88 in cash donations, including Annual Fund, Corporate Sponsorships, Special Events, Arts Education Fund and Grants, and \$62,600.00 in in-kind contributions, for a total FY23 donation value of \$1,442,675.88. This amount includes an unprecedented \$684,500.00 in pandemic recovery grant funding.

MOTION: To acknowledge donations to GPAC totaling \$1,380,075.88 and in-kind contributions valued at \$62,600.00, for a total donation value of \$1,442,675.88 in support of the 2022 - 2023 GPAC Season.

Emergency Purchase – Duntreath Ditch Wall Repair

Following a recent tree and vegetation maintenance project, it was discovered that a vertical ditch wall section approximately 25-ft. in length had failed, collapsing into the ditch. This concrete lined channel is the beginning

of the Lateral E drainage basin. This ditch collects stormwater from the Steeplegate Subdivision south of Poplar Pike and conveys it northward through the Duntreath Ditch before discharging into the Wolf River. Without these stable side walls, the ditch will erode and cause sediment and other items to enter and clog the ditch. With the failure of this particular sidewall section, the adjacent property at 8625 Edenfield Cove has experienced some erosion of their yard and the privacy fence has started to sag and become unstable.

MOTION: To request authorization for emergency repairs to an approximately 25-ft section of collapsed vertical ditch wall located along the Duntreath Ditch adjacent to 8625 Edenfield Cove by Nabholz Construction Services LLC in the total amount of \$104,098.28.

Resolution 23R12– Easement Contract

On June 12, 2023, the Board approved the construction contract with Bluff City Construction Co. for the repair of two existing reinforced concrete box culverts (RCBC) and one 18-inch culvert pipe adjacent to Riverdale Road. The outlet end of the RCBC at the intersection of Riverdale Road at Toro Cove and Rico Cove has settled and separated from the rest of the structure, causing road failures along Riverdale Road. The property owner is granting easements as documented in the easement contract so that the City may perform this box culvert improvement project and also, so the City can maintain the area of improvement in the future to protect the newly constructed infrastructure in perpetuity.

MOTION: To approve Resolution 23R12, authorizing the City to execute the easement contract for the permanent drainage easement, slope easement and temporary construction easement between Dorothy Lucile May Thompson, Trustee of The Dorothy Lucile May Thompson Revocable Trust Agreement dated the 6th day of August, 2010 (“Grantor”), and the City of Germantown.

Vehicle Allowance – Mayor

An adjustment to the 2015 vehicle allowance amount is recommended to adequately cover costs related to an extensive travel schedule for City-related business within the county, ongoing vehicle maintenance, and other associated expenses. Since 2015, the cost of fuel and expenses pertaining to vehicle maintenance have increased significantly; therefore, the amount of the taxable allowance is recommended to be increased to \$650.00 per month. A monthly vehicle allowance remains the preferred benefit approach to address the Mayor’s City-related travel costs throughout the county over the purchase and dedicated use of City vehicle, especially in light of recent supply and procurement challenges. The Mayor would continue to have access to City ‘pool’ vehicles when traveling outside of Shelby County on City-related business.

MOTION: To approve an increase to the Mayor’s monthly vehicle allowance from \$450.00 to \$650.00 for City-related business travel expenses within Shelby County.

Motion by Ms. Hicks, seconded by Mr. McCreery, to approve the Consent Agenda as read.

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

REGULAR AGENDA

Ordinance 2023-12 – Amendment to Chapter 2 – Article IV, Division 2, Section 2-107 Judicial Divisions – Third and Final Reading

After discussions with the City Attorney, Prosecutor and Judges concerning the presiding judges and how they are selected in Divisions 1 and 2, staff has completed amendments to the Judicial ordinance. No changes were made to the proposed amendments at the first or second reading.

Motion by Mr. Sanders, seconded by Mr. Ueleke, to approve Ordinance 2023 -12, an amendment to the Judicial Divisions, on third and final reading.

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

Mike Palazzolo, Mayor

Michele Betty, City Clerk/Recorder