

BOARD OF MAYOR AND ALDERMEN
November 13, 2023

The regular meeting of the Board of Mayor and Aldermen was held on Monday, November 13, 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, Mary Anne Gibson, Sherrie Hicks, Brian Ueleke and Jon McCreery. Staff present: Michele Betty, Nick Godwin, Sarah Goralewski, Eric Grizzard, Jason Huisman, Mac McCarroll, Lisa Piefer, Cameron Ross, Andy Sanders and Josh Whitehead.

Call to Order

The Mayor called the meeting to order.

Invocation

The invocation was led by Andy Sanders.

Pledge of Allegiance

Alderman Hicks 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 November 13, 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 October 23, 2023.

Motion by Mr. Sanders, seconded by Mr. Ueleke, to approve the minutes of the Board of Mayor and Aldermen Regular Meeting held October 23, 2023.

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

Citizens to be Heard

No citizens came forward.

SPECIAL RECOGNITION

Germantown Education Commission Teacher of the Month – November 2023

Ms. Kelsey Holland, a fifth-grade teacher at Forest Hill Elementary School, is the November 2023 Teacher of the Month Award winner.

Germantown Education Commission Youth Excellence Award – November 2023

Houston High School Senior Adam “Hughes” Putnam is the November 2023 Youth Excellence Award winner.

CONSENT AGENDA

Appointment – ADA Access Review Board

Due to a vacancy on the ADA Access Review Board, Mr. Walter Walsh has applied to serve the remaining two months of the term.

MOTION: To approve the appointment of Walter Walsh to serve on the ADA Access Review Board until December 31, 2023.

Change Order No. 1 – Water Tank Maintenance Agreement

The City currently has two elevated water tanks in service. These tanks are maintained via contractual agreement with American Tank Maintenance. With the addition of the new elevated water tank, funding is requested so that the same scope of service is provided in accordance with maintenance requirements from TDEC. No maintenance

will need to be completed by American Tank Maintenance this fiscal year due to the new tank being under warranty until December of 2024. Adding this asset to the existing contract at this time will allow for the City to meet TDEC requirements, an end of warranty inspection by a certified contractor and lock in pricing before maintenance costs rise next fiscal year.

MOTION: To approve Change Order No. 1 to the existing Water Tank Maintenance Contract with American Tank Maintenance, LLC. in the amount of \$19,478.00 annually beginning in FY25 for maintenance of the new elevated water tank along Forest Hill Irene Rd.

Donations – GPAC Computer Equipment Purchase

In December 2022, the backstage of GPAC was flooded due to a leak caused by freezing temperatures. The damage included 10 workstations and was covered by an insurance claim. In July 2023, the GPAC Board allocated funds towards the renovation to improve the work environment for the employees. Improvements include upgrades to the furniture, decor and computer technology. The GPAC Board is contributing \$12,005.12 towards the cost of the computer technology expense. These purchases are included in the City’s annual computer purchase in tonight’s agenda.

MOTION: To recognize and accept a donation made to the City of Germantown by Germantown Performing Arts Center in the amount of \$12,005.12, and to approve Budget Adjustment No. 24-39.

Donation – Library

The Friends of the Germantown Community Library (Friends) support the operations of the main Library and the TN Germantown Regional History and Genealogy Library. The City has been working with the Avenu to update the security and tracking of the books as well produce efficiencies in library operations. The radio frequency identification (RFID) equipment and software is one of the methods. On September 18, 2023, the Friends of GCL Board of Directors agreed to pay for the first phase of the RFID installation, which includes equipment and software at the TN Germantown Regional History and Genealogy Library as well as the purchase of all the RFID tags for both libraries in the amount of \$34,497.59. This donation would allow the City to utilize the current IRP budget of \$25,000.00 to begin the installation at the GCL in FY24.

MOTION: To recognize and approve the donation of radio frequency identification equipment and software from Bibliotheca valued at \$34,497.59 to the Germantown Community and TN Germantown Regional History and Genealogy Library.

Agreement – RFID Services for Germantown Libraries

The Friends of the Germantown Community Library (Friends) support the operations of the main Library and the TN Germantown Regional History and Genealogy Library. The City has been working with the Avenu to update the security and tracking of the books as well produce efficiencies in library operations. The radio frequency identification (RFID) equipment and software is one of the methods. On September 18, 2023, the Friends of GCL Board agreed to pay for the first phase of the RFID installation, which includes equipment and software at the TN Germantown Regional History and Genealogy Library as well as the purchase of all the RFID tags for both libraries in the amount of \$34,497.59. This donation would allow the City to utilize the current IRP budget of \$25,000.00 to begin the installation at the GCL in FY24. With the donation from the Friends, the monies for the IRP project could be used to start the second phase of the installation.

MOTION: To approve a five-year agreement with Bibliotheca in the annual amount of \$23,078.30 for radio frequency identification services at Germantown Community Library and TN Germantown Regional History and Genealogy Library.

Purchase – Annual Computer Upgrades

This purchase will replace approximately 20% of the City’s oldest computers to keep operating systems and hardware current. The implementation of new computers will provide City staff with computers capable of

functioning with today's newer software technology and cloud-based applications. Older computers are not capable of efficiently processing newer applications and are effectively obsolete.

MOTION: To approve the purchase of replacement computers in the amount of \$130,250.92 from CDW Government, approve Budget Adjustment No. 24-37, and declare the replaced computers as surplus.

Purchase – Annual Network Switch Replacements

This purchase will replace five network switches with current technology standards including redundancy. The price includes hardware, a one-year warranty and pro-rated SMARTnet maintenance agreement and licensing. This process will ensure the City's network infrastructure is kept up to date while spending is reduced to a smaller amount each year.

MOTION: To authorize the purchase of replacement network equipment, a pro-rated maintenance agreement and licensing to cover the new equipment from CDW Government in the amount of \$45,143.00, and declare the replaced equipment as surplus.

Purchase – Security Cameras

The City has interior and exterior security cameras at various public buildings. Many of the cameras have been in place over 12 years. This purchase will replace security cameras at various facilities where existing cameras are no longer compatible with newer software. Cameras will provide added security for patrons and employees at the facilities.

MOTION: To authorize the purchase of security cameras, associated equipment and licensing in an amount not-to-exceed \$64,163.00 from CDW Government, and declare replaced equipment as surplus.

Renewal – Property & Casualty Insurance

The City manages various risks of doing business by obtaining insurance coverage for excess property losses, workers compensation claims and general tort liability claims. For more than two decades, this coverage has been provided by Public Entity Partners (PEP), a professionally operated, non-profit, captive arrangement risk sharing pool for Tennessee municipalities.

MOTION: To approve the renewal of insurance coverage and payment of premiums to Public Entity Partners in total amount of \$1,407,270.00 per the 2023/2024 renewal information for property, workers compensation, and general liability policies.

Motion by Ms. Gibson, seconded by Mr. Ueleke, to approve the Consent Agenda as presented.

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

REGULAR AGENDA

The Standard Germantown Planned Development (PD) Phase 2 – Final Plan Approval

An outline plan for the previously named Carrefour at the Gateway PD was approved by the Planning Commission (PC) on October 2, 2018, and by the BMA on November 26, 2018. An outline plan was not recorded based on these initially granted commission and board approvals. A revised outline plan was approved by the PC on November 5, 2019, and by the BMA on December 9, 2019. On June 7, 2022, the PC approved a Phase 1A final plan and the BMA approved the Phase 1A final plan on June 27, 2022. This phase is currently under construction. On January 23, 2023, the BMA approved an amended outline plan and two warrants for the entire development. With this amended outline plan, the development was renamed the Standard Germantown and the amended outline plan was recorded on May 22, 2023.

The current request is for a final plan – Phase 2 of the Standard Planned Development, which will consist of 320 multi-family units, 27,000 s.f. of commercial space, 13,000 s.f. of building and business services space, and 440 standard sized parking spaces. In accordance with Sec. 22-107 of the City's Vegetation Ordinance, the applicant

requested to utilize the cap calculation for tree mitigation, with a proposed payment in lieu of \$12,400.00, in addition to the trees proposed to be planted.

Motion by Mr. McCreery, seconded by Ms. Hicks, to approve the Final Plan for the Standard Germantown Planned Development (PD) Phase 2.

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

Ordinance 2023-15 – Amendment to Chapter 2 – Article V, Division 24, Bicycle and Pedestrian Commission – Third and Final Reading

During Fiscal Year 2023, Alderman McCreery brought forth a request to amend the City’s existing Bicycle and Pedestrian Commission to become the Transportation Commission in order to broaden the purpose of the commission to all modes of transportation and to better align the commission’s efforts with the Forward 2035 Strategic Plan. This request was well received and supported by existing commission members. No one came forward at the second reading and public hearing held on October 23, 2023. No changes were made to the ordinance at the second reading.

Motion by Mr. McCreery, seconded by Ms. Hicks, to approve Ordinance 2023-15 on third and final reading, amending Chapter 2 Administration, Article V, Division 24 for the Bicycle and Pedestrian Commission to become the Transportation Commission.

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

Ordinance 2023-20 – Planning Commission Process Improvements – Amendments to Chapter 2 – Article V, Division 2 (Planning Commission), Section 17 (Subdivisions) and Section 23 Articles 2, 3, 5 and 7 (Zoning) – First Reading and Set Public Hearing

In an effort to improve the land development entitlement process for both the applicants and the City, five process improvements are being proposed. These are the result of consulting with other local and benchmark cities, feedback from applicants, as well as a process improvement analysis that Economic & Community Development (ECD) staff conducted. The five proposed improvements are as follows:

- Modify the Planning Commission Subcommittee
- Extend staff review time of Planning Commission applications
- Expand the Sketch Plan requirement for Planning Commission submittals, prior to submitting a Planning Commission application (specifically for Planned Unit Developments, Subdivisions, SmartCode projects, and other requests as deemed necessary by the ECD Director)
- Redefine the SmartCode Review Committee
- Eliminate newspaper notification for BZA, PC and BMA development applications (unless required by state law, such as for rezoning and general plan adoption)

Motion by Mr. McCreery, seconded by Ms. Gibson, to approve Ordinance 2023-20 on first reading, amending Chapter 2 Administration, Article V, Division 2 (Planning Commission), Section 17 (Subdivisions) and Section 23 Articles 2, 3, 5 and 7 (Zoning), and to set the second reading and public hearing date for December 11, 2023.

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