

BOARD OF MAYOR AND ALDERMEN
November 27, 2023

The regular meeting of the Board of Mayor and Aldermen was held on Monday, November 27, 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, Paul Chandler, Mike Fisher, Jason Huisman, Caleb Marcum, Mac McCarroll, Lisa Piefer, Natalie Ruffin, Andy Sanders and Courtney Taylor.

Call to Order

The Mayor called the meeting to order.

Invocation

The invocation was led by Caleb Marcum.

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. Sanders, to approve the November 27, 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 November 13, 2023.

Motion by Mr. Sanders, seconded by Mr. McCreery, to approve the minutes of the Board of Mayor and Aldermen Regular Meeting held November 13, 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 – Department of Justice COPS Hiring Grant

On November 2, 2023, the Department of Justice's Office of Community Oriented Policing Services (COPS) notified the Germantown Police Department that its COPS Hiring Program grant application was awarded in the amount of \$500,000. The purpose of program is to advance the practice of community policing through the hire or rehire of additional career law enforcement officers.

BEER BOARD – Public Hearing – Beer Permit – On-premise Application – Sushi to the Germantown People

The City has received a request from Sushi to the Germantown People, LLC for a permit to sell beer for on-premise consumption at Rock N Roll Sushi. This business is under new ownership.

Mayor Palazzolo opened the floor for the public hearing. Having no one come forward, the Mayor closed the public hearing.

Motion by Mr. Sanders, seconded by Ms. Gibson, to approve the request of Sushi to the Germantown People, LLC for a permit to sell beer for on-premise consumption at Rock N Roll Sushi, located at 9155 Poplar, Suite 19.

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

CONSENT AGENDA

Vice Mayor Gibson requested that the consent agenda item “Agreement – Memphis Shelby County Schools Facility Usage” be moved to the regular agenda.

Change Order No. 1 – Municipal Park Inclusive Playground

On September 11, 2023, the BMA approved a grant contract with the Tennessee Department of Intellectual and Developmental Disabilities for installation of an inclusive playground and accessible pathways at Municipal Park. Following this approval, the Kiwanis Club offered to donate funding for the purchase of an inclusive swing set that was not included in the initial playground design.

MOTION: To approve Change Order No. 1 to the Municipal Park Inclusive Playground project for the design and purchase of an inclusive swing set from Cunningham Recreation at a cost of \$48,324.63.

Change Order No. 2 – Wolf River Blvd./Germantown Rd. Intersection Improvements

During construction operations, it was determined that the engineering design did not make best use of the available travel lanes which are not closed during construction operations. City staff, along with the CEI and contractor, developed a more efficient traffic control plan for the eastbound Wolf River Blvd. travel direction. Change Order No. 2 will execute an adjustment to and the installation of additional traffic signal equipment, signage, and temporary striping to provide more efficient and safe traffic movements through the work zone.

MOTION: To approve Change Order No. 2 in the amount of \$16,545.01 for installation of alternative traffic control plans for the Wolf River Blvd./Germantown Rd. Intersection Improvements project, contingent upon TDOT concurrence and approval.

Contract – Third-Party Administrative Services for Health Plan

The City’s self-funded medical, RX, dental, and vision plans are administered by a Third-Party Administrator (TPA) who is primarily responsible for processing and paying submitted claims according to the Plan Document, as well as, providing a preferred provider network in which to provide claims at a discounted rate. The City has used TPA services for over twenty years.

MOTION: To approve a thirty-six (36) month contract with WellNet Healthcare for Third-Party Administrator Services for the City’s Health Plan.

Donation – Parks and Recreation – Germantown Kiwanis Club

On September 11, 2023, the BMA approved a grant contract with the Tennessee Department of Intellectual and Developmental Disabilities in the amount of \$489,435.80 for installation of an inclusive playground and accessible pathways at Municipal Park. Further, the Germantown Kiwanis Club has donated funds to cover the design and purchase of a 2-bay swing set to be added to the inclusive playground and accessible pathways at Municipal Park. The swing set will include two belt swings and two expression swings. Expression swings offer opportunities for adults and children to make eye contact and interact with one another in meaningful, social play.

MOTION: To recognize and accept donations made to the Parks and Recreation Department by the Germantown Kiwanis Club totaling \$48,324.63, and to approve Budget Adjustment No. 24-49.

Donations – Parks and Recreation

The following organizations donated funds to invest in over-seeding in City parks and athletic fields.

Houston Lacrosse	Germantown Legends	Germantown Baseball League	Germantown Rugby Club
\$450.00	\$2,430.00	\$1,980.00	\$600.00

MOTION: To recognize and accept donations made to the Parks and Recreation Department during the second quarter of FY24 totaling \$5,460.00, and to approve Budget Adjustment No. 24-47.

Memorandum of Understanding – Germantown Area Chamber of Commerce and the City of Germantown

The Chamber and the City have a long been strategic partners in positioning the City as a local and regional destination for medical, office, retail and service businesses. The FY24 budget includes \$50,000.00 in support of the Chamber as a Community Champion Sponsor.

MOTION: To approve the Memorandum of Understanding between the Germantown Area Chamber of Commerce and the City of Germantown, and to authorize the payment of \$50,000.00 in support of the Chamber as a Community Champion Sponsor.

PEG Disbursement to GMSD – 1st Quarter

The City receives Public, Education and Government (PEG) funding from Comcast and AT&T based upon the number of subscribers on a quarterly basis. The funds are redirected to the PEG designated station by the City to the Germantown Municipal Television Station. The funds from the first quarter of fiscal year 2024 are from July 1, 2023 through September 30, 2023.

MOTION: To authorize the disbursement of PEG funding collected by the City to the Germantown Municipal School District in the amount of \$28,252.82.

Purchase – GPAC Curtains

In 2021, GPAC identified safety concerns pertaining to the different styles, types, ages, and manufacturing brands of theatrical curtains used in the Germantown Performing Art Center theater. Due to the age of the materials and fire-retardant status, immediate attention was required to mitigate potential safety risks.

MOTION: To approve the purchase of replacement curtains from Rose Brand Wipers, Inc. in the amount of \$52,734.15 for the Duncan-Williams Performance Hall, located at Germantown Performing Arts Center.

Purchase – Grant Funded Police Equipment

Governor Lee launched the \$100 million Violent Crime Intervention Fund (VCIF) Collaborative Grant and invited local law enforcement agencies to apply for grants that will be used to strengthen public safety in communities across Tennessee. The state has made the 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 VCIF grant sub-grant contract with the City of Bartlett was approved by the Board of Mayor and Aldermen on September 25, 2023. The grant included approval to purchase 15 rifles with accessories.

MOTION: To purchase 15 rifle and accessories for the Germantown Police Department from BG Defense Company, LLC. in the amount of \$53,377.65.

Purchase – Rigging Repair – Phase 2

Theatrical rigging is a system of equipment utilized to secure lights, curtains, scenery, audio equipment, and other technical needs above a theater stage. In 2020, GPAC conducted a detailed review of the rigging system. It was determined that the rigging system did not meet the standards of the American National Standards Institute and that full replacement of the aircraft wire rope in the rigging system was necessary.

MOTION: To approve phase two rigging repairs by Sapsis Rigging, Inc. in the amount of \$137,332.44 at the Duncan-Williams Performance Hall, located in the Germantown Performing Arts Center.

Purchase – Vehicles and Equipment

All fleet assets are part of the Infrastructure Replacement Program (IRP) which is reviewed during the fiscal budget process. Funding was approved for these purchases as part of the FY24 IRP Budget. The departments that are included in this request are as follows: Economic and Community Development (ECD), Engineering, Fleet Services, General Services, Parks and Recreation, Police, and Public Services.

MOTION: To purchase 21 vehicles from Ford of Murfreesboro in the amount of \$924,913.00, one vehicle from Wilson County Motors in the amount of \$49,615.20, and one (1) air compressor from Williams Equipment in the amount of \$36,215.02, for a total amount of \$1,010,743.22; and to declare units 149, 157, 165, 172, 178, 491, 582, 608, 651, 663, 877, 932, 3122, 3141, 3147, 3155 and 3159 as surplus property.

Resolution 23R13 – TDOT Consultant Selection Policy

This Resolution is to adopt the Tennessee Department of Transportation (TDOT) consultant selection policy to be used for projects funded whole or in part with funds provided by the Federal Highway Administration (FHWA) or TDOT. The TDOT Local Government Guidelines require that local municipal agencies adopt through resolution the consultant selection policy to be used for projects funded whole or in part with funds provided by the FHWA or the TDOT. The Procurement and Engineering Departments have been executing this process completely for all projects that require this policy. Approval of this resolution will not change the City's process and will only codify the existing procedure that is executed per the policy.

MOTION: To approve Resolution 23R13, adopting the TDOT consultant selection policy to be used for projects funded whole or in part with funds provided by the FHWA or the TDOT.

Motion by Ms. Gibson, seconded by Ms. Hicks, to approve the Consent Agenda as amended.

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

REGULAR AGENDA

Ordinance 2023-19 – Amendment to the Tree Board Chapter 2, Article V, Division 6 – Second Reading and Public Hearing

The amended and Board approved Vegetation Ordinance, sets new responsibilities for the Tree Board. It is important that the amended changes to the Vegetation Ordinance correlate with the Tree Board to properly carry out their duties.

Mayor Palazzolo opened the floor for the public hearing. Having no one come forward, the Mayor closed the public hearing.

Motion by Mr. Sanders, seconded by Ms. Hicks, to approve Ordinance 2023-19 on second reading, amending the Tree Board in Chapter 2, Article V, Division 6.

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

Agreement – Memphis Shelby County Schools Facility Usage

Over the years, City staff have continued to diligently work with members of MSCS to maintain a facility usage agreement for school sponsored sports and programs providing access to City parks and amenities for such activities. This agreement continues this relationship for a one-year period providing terms and conditions for the use of facilities owned and operated by the City in a manner that is mutually beneficial with no direct cost. Germantown High School, Germantown Middle School and Germantown Elementary School are included in this usage agreement.

Motion by Ms. Gibson, seconded by Mr. McCreery, to authorize a Facility Usage Agreement for the use of certain City Park facilities with the Memphis-Shelby County Schools Board of Education for a one-year period.

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