

**BOARD OF MAYOR AND ALDERMEN**  
**December 11, 2023**

The regular meeting of the Board of Mayor and Aldermen was held on Monday, December 11, 2023, at 6 p.m., in the Council Chambers at City Hall.

Vice Mayor Gibson was present and presiding.

The following aldermen were present: Scott Sanders, Sherrie Hicks, Brian Ueleke and Jon McCreery. Staff present: Michele Betty, Mike Fisher, Jason Huisman, Mac McCarroll, Bo Mills, Lisa Piefer, Cameron Ross, Natalie Ruffin, Andy Sanders, Courtney Taylor and Assistant City Attorney Josh Whitehead.

**Call to Order**

The Vice Mayor called the meeting to order.

**Invocation**

The invocation was led by Cameron Ross.

**Pledge of Allegiance**

Alderman McCreery 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 Mr. Sanders, seconded by Mr. Ueleke, to approve the December 11, 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 27, 2023.

Motion by Mr. McCreery, seconded by Ms. Hicks, to approve the minutes of the Board of Mayor and Aldermen Regular Meeting held November 27, 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 – December 2023**

Ms. Lauren Rickman, a seventh-grade teacher at Riverdale School, is the December 2023 Teacher of the Month Award winner.

**Germantown Education Commission Youth Excellence Award – December 2023**

The December 2023 Youth Excellence Award winner is Houston High School Senior Elisa Wiadacz.

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

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

The City has received a request from the Grand Krewe of Luxor for a temporary permit to sell beer for on-premise consumption, on January 27, 2024, at the Great Hall & Conference Center.

The Vice Mayor Gibson opened the floor for the public hearing. Having no one come forward, Vice Mayor Gibson closed the public hearing.

Motion by Mr. Sanders, seconded by Mr. Ueleke, to approve the request of The Grand Krewe of Luxor for a temporary permit to sell beer for on-premise consumption on Saturday, January 27, 2024, from 7 pm to midnight, 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.

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

### **CONSENT AGENDA**

#### **Development Contract No. 1249 – Neshoba Rd. Wireless Transmission Facility**

The applicant is requesting approval of a new wireless transmission facility (WTF). The site of the proposed cell tower is within an existing MLGW electrical power line tower, located on the north side of Neshoba Rd., east of New Riverdale Rd. The applicant previously received approval from the BMA for the same proposed WTF on the subject site on June 22, 2020; however, the approvals expired before construction began.

MOTION: To approve Development Contract No.1249 for a new WTF within an existing MLGW transmission tower at 7254 Neshoba Rd.

#### **Land Donation – Crestwyn Health Group, LLC**

On May 22, 2023, the BMA approved the expansion of Crestwyn Behavioral Health. As the final expansion of the facility, Crestwyn Health Group, LLC and its subsidiaries left a significant portion of the property on the west side of Crestwyn Hills Cove and the south side of Crestwyn Hills Drive as vacant developable land immediately adjacent to the City’s proposed site for the premier sports and recreation complex.

Crestwyn Health Group, LLC and partners believe this as an opportunity to support the possible expansion of land for the City’s future sports and recreation complex. The addition of these 6.48 acres would increase the total amount of acreage available for the development of the premier sports and recreation complex to approximately 52.87 acres. The 6.48 acres are currently subject to the term and conditions of the Declaration of Covenants, Conditions, and Restrictions (CCRs) of Germantown Business Park.

MOTION: To approve a land donation of 6.48 acres from Crestwyn Health Group, LLC upon removal of the Covenants, Conditions and Restrictions of the Germantown Business Park.

#### **Purchase – Asphalt Pavement Rejuvenation**

Asphalt pavement rejuvenation is an annual maintenance function used to restore the natural pavement oils that erode due to traffic volume, direct sunlight, extreme temperatures and moisture. This process extends the life of the street approximately 5 -7 years.

MOTION: To approve a purchase with Pavement Technology, Inc. for the annual pavement rejuvenation program in an amount not-to-exceed \$140,000.00.

#### **Policy – Medical & RX Stop Loss Insurance**

Medical Stop Loss Insurance protects the City’s self-funded plan from extreme medical expenses. The effective date of the new policy will be January 1, 2024. The City has used the services of a stop loss carrier for over twenty years. The stop loss carrier works as a safety net to protect the City’s self-funded medical plan. The City has a \$115,000.00 individual stop loss deductible, meaning that if an individual medical claim exceeds \$115,000.00, the insurance will reimburse the City 100% of the paid eligible claims that exceed that specific amount.

MOTION: To authorize the Mayor to approve the one-year stop loss insurance policy for Medical and RX with Standard Life in the estimated annual amount of \$649,593.36 beginning January 1, 2024 through December 31, 2024.

Motion by Mr. Ueleke, seconded by Mr. Sanders, to approve the Consent Agenda.

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 – Third and Final Reading**

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. There were no changes made at the second reading and no citizens spoke at the public hearing.

Motion by Mr. Sanders, seconded by Mr. McCreery, to approve Ordinance 2023-19 on third and final 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.

**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) – Second Reading and 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 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)

The Vice Mayor Gibson opened the floor for the public hearing. Having no one come forward, Vice Mayor Gibson closed the public hearing.

Motion by Mr. McCreery, seconded by Ms. Hicks , to approve Ordinance 2023-20 on second reading, amending Chapter 2 Administration, Article V, Division 2 (Planning Commission), Section 17 (Subdivisions) and Section 23 Articles 2, 3, 5 and 7 (Zoning).

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

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Mary Anne Gibson, Vice Mayor

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Michele Betty, City Clerk/Recorder