

BOARD OF MAYOR AND ALDERMEN

April 8, 2024

The regular meeting of the Board of Mayor and Aldermen was held on Monday, April 8, 2024, 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, Mike Fisher, Jason Huisman, Mac McCarroll, Bo Mills, Sheila Pounder 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 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 Ms. Gibson, seconded by Mr. Sanders, to approve the April 8, 2024 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 March 25, 2024.

Motion by Mr. McCreery, seconded by Mr. Ueleke, to approve the minutes of the Board of Mayor and Aldermen regular meeting held March 25, 2024.

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

Citizens to be Heard

Pauline Latham, of 6958 Country Road, came forward regarding MLGW Board membership for suburbs.

SPECIAL RECOGNITION

Germantown Education Commission Teacher of the Month – April 2024

The April 2024 Teacher of the Month Award winner is Mr. Kipp Lawton, a fifth-grade teacher at Riverdale School.

Germantown Education Commission Youth Excellence Award – April 2024

The April 2024 Youth Excellence Award winner is Evangelical Christian School senior Henry Vander Zwaag.

Proclamation – Blue & Green Day Mid-South

Mayor Palazzolo declared April 12, 2024 as Blue & Green Day in the City of Germantown. Every year, National Donate Life observes Blue & Green Day to amplify the importance of registering as an organ and tissue donor, and to encourage the public to wear blue and green to raise awareness.

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 – Madonna Learning Center

The Madonna Learning Center is seeking a temporary beer permit to serve beer at their Circle of Love Concert to be held on Tuesday, April 16, 2024, from 6 p.m. to 10 p.m. The beneficiary of the proceeds is the Madonna Learning Center.

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 the Madonna Learning Center for a temporary permit to sell beer for on-premise consumption on Tuesday, April 16, 2024, from 6 p.m. to 10 p.m., 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.

Public Hearing – Temporary Beer Permit – On-Premise Application – The Speech and Hearing Center of the Midsouth dba Memphis Oral School for the Deaf

The Memphis Oral School for the Deaf is seeking a temporary beer permit to serve beer at their 13th Annual Speakeasy to be held on Saturday, April 27, 2024, from 6 pm to 12 midnight. The beneficiary of the proceeds is Memphis Oral School for the Deaf.

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 Mr. Ueleke, to approve the request of the Memphis Oral School for the Deaf for a temporary permit to sell beer for on-premise consumption on Saturday, April 27, 2024, from 6 p.m. to 12 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.

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

CONSENT AGENDA

Appointment – Library Board

The Library Board consists of seven members appointed by the Board of Mayor and Aldermen and not more than one of whom shall be a member of the BMA. Library Board members may serve two consecutive three-year terms. The completion of an unexpired term by a successor shall not count toward the two-term limit. Alderman Mary Anne Gibson has served a partial term for one former alderman and served two consecutive three-year terms thereafter. Alderman Hicks has agreed to serve with a term ending June 30, 2027.

MOTION: To appoint Sherrie Hicks to the Library Board with a term ending June 30, 2027.

Change Order No. 1 – Elevated Water Tank – Final Phase – Site Development

Unsuitable soils were discovered under the access driveway and maintenance building. This change order will add \$33,107.41 to the contract for the soil remediation. Additional supervision was required based on the time it has taken to construct this project, resulting in an additional cost of \$22,800.00. It is also requested that a time extension be granted until July 1, 2024 for project completion.

MOTION: To approve Change Order No. 1 to the site development contract of the elevated water tank project with A & B Construction Co., Inc in the net amount of \$19,261.23 and to extend the timeline for completion of this project to July 1, 2024.

Contract – Thermoplastic Creative Crosswalks

In the fall of 2022, the Public Art program launched a Creative Crosswalk pilot project in collaboration with Houston High School to create crosswalk designs. This project aimed to transform seven crosswalks along Wolf River Boulevard into works of art to improve public safety at important entry points to the City's greenway trail system. The City was awarded a Milton Community Enhancement Grant from Shelby County Government in the amount of \$15,000.00 to support the operating expenses of the first phase of this project. This grant was recognized by the BMA on September 25, 2023.

MOTION: To approve a fourteen-month contract with established unit pricing for decorative thermoplastic crosswalks and the installation of one custom decorative thermoplastic crosswalk in the amount of \$28,695.76 with Grinder Taber & Grinder Inc.

Contract – Underground Tank Vacuuming Service – SWTP

Recent inspections performed by the tank maintenance contractor indicated the time for vacuuming the underground water tanks at the Southern Avenue plant was approaching. The water must be drained and any settlement at the bottom of the tank must be removed by a vacuum truck. The capacities of the storage tanks are 1.8-million-gallons and 2.0-million-gallons. The 1.8-million-gallon tank was drained, vacuumed and cleaned in early March. During the process, the amount of filtering materials in the tank exceeded initial estimates which increased the cost. A memorandum was sent to the BMA on April 3rd providing an explanation of the additional costs for vacuuming the materials from the 1.8-million-gallon tank and the solicitation process needed to complete the vacuuming services on the second tank. The vacuuming process was placed on hold for the 2.0-million-gallon tank until a contract could be brought before the BMA for approval.

MOTION: To authorize one-year contract with two, 12-month extensions with Mid-South Septic Tank Service, LLC in the not-to-exceed amount of \$47,660.00 for vacuum and water decanting services on an “as needed” basis.

Grant – Acceptance of Our Town Creative Placemaking Grant

On April 7, 2022, the City was awarded the Our Town Grant from the National Endowment for the Arts (NEA) for the creation of the Shelby Canopy: Our Shared Connection project. This is the second time that the City has received this grant. This project included the presentation of two temporary artworks: The Blue Trees Environmental Art Installation by international artist Konstantin Dimopoulos and Tree Tones by local artist duo Belleau + Churchill that were installed along the western edge of the Germantown Greenway for six months. Staff has fulfilled the Our Town and Creative Placemaking grant requirements and a final report will be submitted to the NEA by April 29, 2024. This \$50,000.00 grant has been received and was utilized on this completed project. NEA requires that the grant be recognized upon completion of the project.

MOTION: To approve recognition and acceptance of a grant of \$50,000.00 from the National Endowment of the Arts.

Payment – 3G Schools Operating, Transfer and Settlement Agreement

In May of 2022, the Tennessee General Assembly passed TCA § 49-2-140, which prohibits a county Local Education Agency (LEA) from operating a school located within the geographic boundaries of a municipal LEA beginning on July 1, 2023, except as otherwise authorized by such statute. Pursuant to the terms of the statute, title to the 3G Schools properties would vest in Germantown Municipal School District (GMSD) on July 1, 2023,

if no operating agreement is in place by January 1, 2023, and Memphis-Shelby County Schools (MSCS) is still operating a school on the properties as of July 1, 2023.

On December 12, 2022, the Board of Mayor and Aldermen approved Resolution 22R14 – 3Gs Operating, Transfer and Settlement Agreement between Shelby County Board of Education, MSCS, GMSD and the County thereby satisfying the terms of the previous statute. Per the agreement, the City would pay the County a total of \$5,000,000.00 in six annual installments for the acquisition of the Germantown Elementary School and Germantown Middle School properties.

MOTION: To authorize the first of six annual payments in the amount of \$833,333.33 to Shelby County Government for the acquisition of Germantown Elementary School and Germantown Middle School pursuant to the terms and conditions of the 3G Schools Operating, Transfer and Settlement Agreement.

Supplemental Amendment No. 1 – Elevated Water Tank – Design and Inspection

On May 11, 2020, the BMA approved a professional services agreement with A2H, Inc. for design and construction inspection for the elevated water tower near Forest Hill Irene Rd. and Poplar Pike. Staff, the City’s communications team and administration were able to provide the guidance and expertise to reach community acceptance of the new elevated water tower without the need of hiring a third-party public relations consultant. A2H, Inc. has agreed to release the \$23,000.00 that was allocated in their contract for a public relations special consultant.

MOTION: To approve Supplemental Amendment No. 1 for a deduction in the amount of \$23,000.00 to the professional services agreement with A2H, Inc. due to unused services for a public relations special consultant.

Motion by Mr. McCreery, seconded by Ms. Gibson, to approve the consent agenda as written.

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

Mike Palazzolo, Mayor

Michele Betty, City Clerk/Recorder