

BOARD OF MAYOR AND ALDERMEN
September 9, 2024

The regular meeting of the Board of Mayor and Aldermen was held on Monday, September 9, 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, Parke Kennedy, Lillian Haddock, Jason Huisman, Mac McCarroll, Lisa Piefer, Sheila Pounder, Cameron Ross and Natalie Ruffin.

Call to Order

The Mayor called the meeting to order.

Invocation

The invocation was led by Cameron Ross.

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 Mr. McCreery, seconded by Ms. Gibson, to approve the September 9, 2024 agenda as amended.

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 August 26, 2024.

Motion by Mr. Sanders, seconded by Mr. Ueleke, to approve the minutes of the Board of Mayor and Aldermen regular meeting held August 26, 2024.

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

Citizens to be Heard

No citizens came forward.

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

BEER BOARD

Public Hearing – Beer Permit – On-Premise Application – Forest Hill Partners, LLC

The City has received a request from Forest Hill Partners, LLC for a permit to sell beer for on-premise consumption at The Half Shell, located at 9091 Poplar Avenue.

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 Mr. Ueleke, to approve the request of Forest Hill Partners, LLC for a permit to sell beer for on-premise consumption at The Half Shell, located at 9091 Poplar Avenue.

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

Public Hearing – Beer Permit – On-Premise Application – Qia Xing Lin

The City has received a request from Qia Xing Lin for a permit to sell beer for on-premise consumption at Kramen Germantown, LLC, located at 7726 Poplar Avenue.

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. Gibson, to approve the request of Qia Xing Lin for a permit to sell beer for on-premise consumption at Kramen Germantown, LLC, located at 7726 Poplar Avenue.

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

Public Hearing – Beer Permit – On-Premise Application – The Overland, LLC

The City has received a request from The Overland, LLC for a permit to sell beer for on-premise consumption at The Overland, located at 7800 Neshoba Road, Suite 501.

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 from The Overland, LLC for a permit to sell beer for on-premise consumption at The Overland, located at 7800 Neshoba Road, Suite 501.

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

Public Hearing – Temporary Beer Permit – On-Premise Application – Bobby Lanier Farm Park, Inc.

The City has received a request from Bobby Lanier Farm Park Inc. for a temporary permit to sell beer for on-premise consumption at the Harvest Moon Fall Festival, located at 2660 Cross Country. Bobby Lanier Farm Park is the beneficiary of the proceeds.

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 Mr. McCreery, to approve the request of Bobby Lanier Farm Park Inc. for a temporary permit to sell beer for on-premise consumption on Saturday, October 19, 2024, from 12 noon to 6 p.m. at the Harvest Moon Fall Festival, located at Bobby Lanier Farm Park, located at 2660 Cross Country.

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

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

CONSENT AGENDA

Contract – Tennessee Department of Safety & Homeland Security School Resource Officer Grant

The State of Tennessee is offering cost sharing assistance to law enforcement agencies for their School Resource Officer programs once they have adopted a Memorandum of Understanding (MOU) as provided by the State. The MOU sets guidelines to ensure that the Police Department and the Germantown Municipal School District have a shared understanding of the role and responsibilities of each in maintaining safe schools, improving school climate, and supporting educational opportunities for all students. The City adopted the MOU on July 8, 2024.

MOTION: To approve the Tennessee Department of Safety and Homeland Security Grant Contract No. 34901-01536 to receive \$450,000.00 in funding to support the Germantown Police Department School Resource Officer Program for the period of July 1, 2024, through June 30, 2025.

Contract Extension No. 1 – Asphalt Milling and Paving

The Public Works Department implemented a proactive preventive street maintenance analysis program that was established over 30 years ago to annually evaluate and schedule the candidate streets throughout the City for milling and/or pavement resurfacing. Standard Construction Co. has completed numerous asphalt mill and overlay projects with positive results; therefore, staff would like to recommend Contract Extension No. 1 of their FY24 bid for Board approval.

MOTION: To approve Contract Extension No. 1 with Standard Construction Co. in an amount not-to-exceed \$2,475,000.00 for the FY25 Asphalt Milling and Paving Program.

Contract Extension No. 2 – Street Striping

The Public Works Department has implemented an annual program to apply thermoplastic street striping and pavement markings to streets where the condition of the asphalt is rated at an acceptable level, but due to traffic and weather, the street striping and pavement markings are deteriorating and/or fading away. This program has enhanced the safety of motorists and pedestrians as they travel city streets, sidewalks and pathways.

MOTION: To approve Contract Extension No. 2 with Traf-Mark Industries, LLC in an amount not-to-exceed \$145,500.00 for FY25 thermoplastic street striping and pavement markings.

Development Contract No. 1251 – Viridian Place PUD Phase 1

On October 23, 2017, the BMA approved the Viridian Planned Development Outline Plan for a mixed-use, multi-family project with 299-units. On October 23, 2023, the BMA approved the Amended Outline Plan. A second amended outline plan for the Viridian Place PUD was approved by the BMA on April 22, 2024. The Final Plans – Phases 1 & 2, were approved by the BMA on June 24, 2024. The current request is to consider the approval of a development contract to permit construction of Phase 1, which consists of 13.30 acres and 62 single-family residential units, at an overall proposed density of 4.66 dwelling units/acre with 2.475 acres of common space.

MOTION: To approve Development Contract No. 1251 for the construction of Phase 1 of the Viridian Place Planned Unit Development (PUD).

Donations – Germantown Performing Arts Center – FY24

GPAC serves the community by presenting the highest-quality artistic endeavors to engage, enrich and transform. Special recognition is given to members of the GPAC Presenters Circle, who donate at least \$1,000.00 per year with a commitment of three years.

MOTION: To acknowledge cash donations to GPAC totaling \$1,144,970.03 and in-kind contributions valued at \$62,125.00 for a total donation value of \$1,207,095.03 in support of the 2023-2024 GPAC Season.

Purchase – Grant Funded Surveillance Camera Trailers

The Germantown Police and Fire Departments were invited to participate in the Shelby County Public Safety Initiative Grant to improve community safety throughout Shelby County. This grant was awarded to the City in the amount of \$269,230.00 with the Board of Mayor and Aldermen approving the agreement on May 13, 2024. Through this grant, GPD was awarded funding for the purchase of two (2) surveillance camera trailers for the purpose of enhancing community safety. These items are 100% reimbursable.

MOTION: To purchase two (2) CMS-1000 surveillance camera trailers in the amount of \$140,030.00 from Axon Enterprises.

Purchase – Police Vehicle Equipment

The vehicle equipment will include emergency lights, sirens, screens, backseats, speakers, and center consoles for eight (8) new Patrol and two (2) Administrative vehicles in the FY25 IRP.

MOTION: To purchase police vehicle equipment for ten (10) vehicles from Dana Safety Supply, Inc. in the amount of \$128,906.50.

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

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

REGULAR AGENDA

**Appeal of Planning Commission Decision (Amended Final Plan) – Neshoba Farms Planned Development
-DEFERRED BY APPELLANT**

Warrants (Approved Revised Final Site Plan) – Chipotle Mexican Grill (2110 West St.)

In 1986, the subject property was originally developed as a Pizza Hut per the underlying zoning designation of “C-2” General Commercial. In 1994, the restaurant became a Back Yard Burgers. Since 2023, the property has been vacant. In 2007, this area was approved for the zoning designation of “T5” Urban Center as part of the adoption of the Smart Growth Plan and SmartCode zoning regulations. As the proposed project is a complete redevelopment of the property, including demolition of the existing building, the “T5” Urban Center zoning regulations shall apply to this redevelopment request.

The approved revised final site plan is for a new 2,313 square foot building for a Chipotle Mexican Grill restaurant, which requires six associated Warrants. On August 6, 2024, the Planning Commission recommended approval of the six Warrants for Chipotle Mexican Grill, in conjunction with their approval of the revised final site plan. On August 27, 2024, the Design Review Commission recommended approval of the revised final site plan.

Motion by Mr. McCreery, seconded by Ms. Hicks, to approve warrants from Sec. 23-792(d)(6), Sec. 23-778(b)(1), Sec. 23-770(4)(A), Sec. 23-792(c)(3) and (4), Sec. 23-787(d)(1) & (3)(b), and Sec. 23-763(a)(6) of the SmartCode for the approved revised final site plan for Chipotle Mexican Grill, located at 2110 West St.

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

Mike Palazzolo, Mayor

Michele Betty, City Clerk/Recorder