

BOARD OF MAYOR AND ALDERMEN
September 23, 2024

The regular meeting of the Board of Mayor and Aldermen was held on Monday, September 23, 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, Eric Grizzard, Autumn Jones, Amy LaRusso, Mac McCarroll, Sheila Pounder, Cameron Ross, Natalie Ruffin and Andy Sanders.

Call to Order

The Mayor called the meeting to order.

Invocation

The invocation was led by Natalie Ruffin.

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 September 23, 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 September 9, 2024.

Motion by Mr. McCreery, seconded by Mr. Ueleke, to approve the minutes of the Board of Mayor and Aldermen regular meeting held September 9, 2024.

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

Citizens to be Heard

No citizens came forward.

SPECIAL RECOGNITION

Beautification Commission Business Award – September 2024

Paragon Bank, located 7600 Poplar Avenue, is the September 2024 Beautification Award winner.

Germantown Education Commission Teacher of the Month Award – September 2024

The September 2024 Teacher of the Month Award winner is Joseph Murray, a History and Current Events teacher at Houston High School.

Germantown Education Commission Youth Excellence Award – September 2024

The September 2024 Youth Excellence Award winner is Hutchison School Senior Anna Catherine Brickey.

CONSENT AGENDA

Agreement – Fire Policy Manual Software

This online training platform delivers courses and videos designed to meet fire and EMS training mandates, wellness resources for firefighters and is backed by tools to manage credential renewal. Funding in this request will

provide a full library of customizable software with state-specific fire service policies that are continuously updated in response to new state and federal laws and court decisions.

MOTION: To authorize a 12-month agreement with Lexipol, LLC for access and implementation of Fire policy and procedure manual software in the amount of \$26,981.55.

Contract Amendment No. 1 – Holiday Decorations and Installation

This contract amendment is to provide holiday lighting for the “Lights on the Farm” event to be held at the Farm Park on December 7th, and on display through January 5th. This new event will turn the Farm Park into a unique lighted winter wonderland during the holiday season.

MOTION: To authorize Contract Amendment No. 1 of the Holiday Decorations and Installation contract with Lumenate, increasing the annual contract amount by \$20,000.00.

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

The Chamber strives to promote the continuous improvement of the common good and the quality of life in the Germantown community through the pursuit of new business; the cultural, social and economic education of our citizens; and by providing accurate and timely assistance to the business community. 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.

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.”

Purchase – Ambulance

This purchase was included in the FY25 Capital Improvement Program to replace Ambulance F-187 which will be put in back-up status. This purchase allows the Fire Department to maintain seven ambulances with three staffed full-time and four as backup ambulances that are staffed during times of heavy call volumes.

MOTION: To purchase a Horton Emergency Vehicles Ford F-550 Ambulance in the amount of \$397,932.00 from Siddons-Martin Emergency Group.

Purchase – Axon Vehicle Cameras

The Police Department currently utilizes two different in-car vehicle camera systems as well as one body-worn camera system provided by Axon Enterprises. Each system utilizes proprietary software for viewing and redacting video evidence. The Police Department is transitioning the City’s Fleet to the Axon system and will replace the older systems as those vehicles are being replaced. As a result, the department will purchase seven (7) Axon in-car video systems for the new patrol vehicles that were approved on August 26, 2024.

MOTION: To purchase a 60-month (5-year) in-car camera program with Axon Enterprise, Inc. in the annual amount of \$21,338.88, for a total program cost of \$106,919.40.

Purchase – Firefighter Turnout Clothing

To ensure that the department meets the 10-year NFPA replacement standard of maintaining fire protective gear, fire personnel will be issued two (2) complete sets of turnouts. It has been proven that contaminated turnout gear is one of the main causes of cancer in firefighters. The purchase of this gear was approved in the FY25 budget process as part of the turnout gear replacement cycle.

MOTION: To purchase sixteen (16) sets of Firefighter turnout clothing from Siddons-Martin Emergency Group in the amount of \$61,701.76.

Motion by Mr. Sanders, seconded by Mr. McCreery, to approve the consent agenda as presented.

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

REGULAR AGENDA

Ordinance 2024-9 – Amendment to Germantown Athletic Club Advisory Commission – Second Reading and Public Hearing

The Athletic Club consists of more than 10,000 members. Out of those members, nearly 40% are non-residents. Currently, the Germantown Athletic Club Advisory Commission consists of only residents, which prevents any representation from non-residents. There is a need for non-resident representation with voting privileges.

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

Motion by Mr. Ueleke, seconded by Ms. Gibson, to approve Ordinance 2024-9 on second reading, revising Sections 287 through 290 of Chapter 2 – Administration – Article V – Boards and Commissions, Division 20.

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

Ordinance 2024-11 – Dissolution of the Animal Control Commission – Second Reading and Public Hearing

The Animal Control Commission first convened in November 1979. The last recorded minutes of the commission were in July of 2000 where the commission consisted of only two members. After review with Administration and City Attorneys, it is proposed that the Animal Control Commission be dissolved because of lack of interest.

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

Motion by Mr. Sanders, seconded by Mr. Ueleke, to approve Ordinance 2024–11 on second reading, dissolving the Animal Control Commission and reserving Chapter 5, Article II for future use.

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

Ordinance 2024-12 – Dissolution of the Youth Commission – Second Reading and Public Hearing

At the BMA meeting of June 22, 2009, the Youth Commission deferred their appointment of new members to the next meeting. The last recorded minutes of the Youth commission were from January 2010. After review with Administration and City Attorneys, it is proposed that the Youth Commission be dissolved because of lack of interest.

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

Motion by Mr. Ueleke, seconded by Ms. Gibson, to approve Ordinance 2024 –12 on second reading, dissolving the Youth Commission and reserving Chapter 2, Article V, Division 12 for future use.

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

Ordinance 2024-13 – Dissolution of the Great Hall and Conference Center Advisory Commission – Second Reading and Public Hearing

The last recorded minutes of The Great Hall and Conference Center Advisory Commission, were from July 2018. At that meeting the group agreed to lower the number of commission members to 5 instead of 7 and prioritize filling those spots. The commission did not meet again that year or the next due to lack of quorum. Voted by the BMA at a special call meeting the commission would sunshine for the years 2020-2023. The commission has not

reconvened. After review with Administration and City Attorneys, it is proposed that the Great Hall and Conference Center Advisory Commission be dissolved because of lack of interest.

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

Motion by Mr. Sanders, seconded by Mr. McCreery, to approve Ordinance 2024-13 on second reading, dissolving the Great Hall and Conference Center Advisory Commission and reserving Chapter 2, Article V, Division 21 for future use.

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

Ordinance 2024-15 – Amendments to Chapter 17 of the Municipal Code (Subdivision) – Various Sections – Second Reading and Public Hearing

The last several years, staff has been identifying and documenting several instances of incorrect procedures, incorrect references to other sections and other needed amendments to the Subdivision Regulations in the Municipal Code as recommended by members of the Board of Zoning Appeals, Planning Commission and Design Review Commission.

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

Motion by Mr. McCreery, seconded by Ms. Hicks, to approve Ordinance 2024-15, amendments to various sections of Chapter 17 (Subdivision) of the Municipal Code, on second reading.

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

Ordinance 2024-16 – Amendments to Chapter 23 of the Municipal Code (Zoning Ordinance) – Various Sections – Second Reading and Public Hearing

Over the last several years, staff has been identifying and documenting several instances of incorrect procedures, incorrect references to other sections and other needed amendments to the Zoning Code as recommended by members of the Board of Zoning Appeals, Planning Commission and Design Review Commission. These proposed amendments include, but are not limited to, changes to definitions, clarification of the parking requirements, allowing administrative review of minor modification for specific plans, cross references between different sections of the code that relate to similar regulations and other minor issues that staff continue to encounter repeatedly during the application review process.

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

Motion by Mr. McCreery, seconded by Ms. Hicks, to approve Ordinance 2024-16, various text amendments to Chapter 23 (Zoning) of the Municipal Code, on second reading.

Motion by Mr. McCreery, seconded by Ms. Hicks, to amend the motion by replacing the word “Warrant” with the phrase “Justifiable Design Alternative” throughout Chapter 23, Article VII – SmartCode, as necessary.

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

Motion by Ms. Hicks, seconded by Mr. McCreery, to amend the motion by including the following two definitions: “*Big box*” building means a singular retail or wholesale user who occupies no less than 60,000 square feet of gross floor area, typically requires high parking to building area ratios, and has a regional sales market. Regional retail/wholesale sales can include but are not limited to membership ware house clubs that emphasize bulk sales,

discount stores, and department stores. This type of building can stand alone on its own parcel/lot or be integrated into a commercial/retail center. "*Junior box*" building means a retail space containing no less than 20,000 to 59,999 square feet of gross floor area. This type of building can stand alone on its own parcel/lot or be integrated into a commercial/retail center.

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

Motion by Ms. Hicks, seconded by Mr. McCreery, to amend the motion by adding the newly adopted Parking Lot Signage requirements to Chapter 23, Article VII - SmartCode, Division 8 – Signs.

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

Motion by Ms. Hicks, seconded by Mr. McCreery, to amend the motion by adding the 30-days in a year storage limitation to the Residential Estate one acre lot section (R-E1; 23-211)(b).

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

Motion by Mr. McCreery, seconded Ms. Hicks, to approve Ordinance 2024-16, various text amendments to Chapter 23 (Zoning) of the Municipal Code, on second reading, as amended.

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

Mike Palazzolo, Mayor

Michele Betty, City Clerk/Recorder