

**BOARD OF MAYOR AND ALDERMEN**  
**EXECUTIVE SESSION**  
**October 8, 2007**

An executive session of the Board of Mayor and Aldermen was held on October 8, 2007, at 6:15 p.m. in the Administrative Conference Room of the Municipal Center.

Mayor Sharon Goldsworthy was present and presiding.

The following Aldermen were present: Ernest Chism, John Drinnon, Carole Hinely, Mike Palazzolo and Frank Uhlhorn. Staff present: Patrick Lawton, George Brogdon, Kristen Geiger, Tom Cates, Jerry Cook, Chief Richard Hall, Pat McConnell, Chief Dennis Wolf, Michael Stoll, Ralph Gabb, Joe Nunes and Melody Pittman.

Mayor Goldsworthy called the meeting to order at 6:15 p.m.

**Invocation**

George Brogdon will give the invocation.

**Pledge of Allegiance**

An Alderman will lead the Pledge of Allegiance.

**Approval of Minutes**

There were no corrections or additions to the minutes of the executive session and regular session held September 24, 2007.

**Germantown READS Presentation**

Farmington Elementary won the award. Cynthia Dunkin from the Friends Group will present a \$200 check to the school.

The Board unanimously agreed to pull Item G (Recognition of Donations to the Germantown Library) from the Consent Agenda and put after the READS Presentation.

**Recognition of donations to Neighborhood Preservation Commission (NPC)**

The Mayor will recognize donations made to the NPC for the Neighborhood Leaders Conference that is to take place on October 25, 2007.

**Ordinance 2007-15 – Amendment to Smoking Ordinance – First Reading/Set Public Hearing Date**

Mr. Cates stated that Germantown had a non-smoking ordinance that is not as stringent as the State Smoking Ordinance and this will bring us into compliance with the State. The signed bill prohibits smoking in all places where the public is invited.

**PUBLIC HEARING – Ordinance 2007-18 – Smart Growth Rezoning – Second Reading**

Josh Whitehead stated there had been public comments centered on two issues that would be addressed. They distributed a map of the areas that would be affected. Regarding the Owens' Tracts, which consists of Cordova, Neshoba, and Germantown Roads, there was some concern from Germantown Heights and the area to the north. The area south of Poplar and Pete Mitchell Road was a concern. The Planning Commission had felt that the highest and best use of the property since it faced Poplar Avenue would be to up zone it to allow for Smart Growth development. The third area was the Boyd Arthur Tract; south of Poplar and west of West Street. There was concern to include the western part of the area as T-4. The Planning Commission decided the concept plan included a retail/residential mix and get the rents out of the retail occupants, anchors at the northeast and southwest ends were necessary so T-5 was decided for this tract.

Citizens were also concerned with the streets, West Street, Farmington Road, and Exeter. The Smart Code has visions to allow for on-street parking, trimming down the lanes from 12 foot to 10 foot. That was merely a concept and the rezoning does not address this. This would likely be a capital improvement program and before this could be done a traffic impact analysis would have to be done.

Staff had looked at the area of Farmington Gates Apartments at the corner of Briarbrook and Poplar and decided that T-5 designation does not hasten development and should not be changed and should retain it's "R-T" classification and be removed from the Smart Growth District.

Alderman Drinnon stated he appreciated the way that Josh Whitehead and Jerry Cook had responded to this request to remove this part of the Smart Growth Plan.

Josh discussed the triangle property at Neshoba and Cordova Road.

**PUBLIC HEARING - Ordinance 2007-19 – Amendment to Flood District Regulations of Zoning Ordinance (Chapter 23 Division 20, Sections 23-596 thru Sec. 23-604 Regulations – Third and Final Reading**

Patrick stated this was the third and final reading and there had been no changes in the ordinance since the second reading. The City must adopt the text amendments issued by FEMA to remain eligible to participate in the National Flood Insurance Program (NFIP).

**Lobbying Services Contract**

Patrick stated this was the lobbying firm the City had engaged a year ago and had great success working with the firm. Because of Germantown's efforts and the efforts of the lobbying firm, we were able to see the legislation defeated that would have greatly impacted the use of our right-of-ways.

A discussion followed on the legislation the lobbyists are to track this year.

**CONSENT AGENDA**

**Subdivision Development Contract No. 446 – Germantown Manor, 1<sup>st</sup> Addition – Payment to developer for Moore Road Improvements - DEFERRED**

**Project Development Contract No. 1163 – Poplar Pike Office Center – Bldg. 2**

**Project Development Contract No. 1164 – Poplar Pike Office Center – Bldg. 3**

The Mayor pointed out that these two projects are across from Germantown High School and were standard contracts.

**Revision to Subdivision Development Contract No. 467 – Hidden Hills – Change name of developer and effective date**

**Civic Support Grant – Germantown Area Chamber of Commerce**

Patrick stated the Chamber had again requested \$15,000.00 and had given a breakdown for the request. In addition the Chamber had requested some in-kind support that was not a part of the \$15,000.00. They requested use of the Germantown Centre and GPAC. Kristen stated the monetary value would be around \$10,000.00 to \$12,000.00.

**Civic Support Grant – Germantown Community Television Foundation**

The request was for \$200,000.00. Mr. Lawton stated the City was still waiting to hear from the State on the grants the City had made.

Board of Mayor and Aldermen

October 8, 2007

Page 3

Alderman Drinnon stated that Senator Stanley had made it very clear that a certain amount of money would be forthcoming to Germantown with the allocation given to him.

Mr. Lawton stated this was true but the Secretary of State would make the ultimate decision, and it would be based on how much each Senator or Representative was allocated as part of the Appropriations Bill.

**Recognition of Donations – Germantown Community Library**

The Board unanimously agreed to move this item to the regular agenda.

**Annual Report Calendar**

This will be similar to the last year.

**Adjournment**

The meeting adjourned to the Council Chamber for the regular meeting at 6:30 p.m.