

BOARD OF MAYOR AND ALDERMEN

December 10, 2012

A regular meeting of the Board of Mayor and Aldermen was held on December 10, 2012 at 6:00 p.m. in the Council Chambers of the Municipal Center.

Mayor Sharon Goldsworthy was present and presiding.

The following Aldermen were present: Mark Billingsley, Greg Marcom, Mike Palazzolo, John Drinnon and Ernest Chism. Staff present: Patrick Lawton, George Brogdon, Kristen Geiger, Andy Pouncey, Ralph Gabb, Chief Richard Hall, Chief John Selberg, Butch Eder, Michael Stoll, Tim Gwaltney, Bo Mills, Tim Bierdz, Paul Chandler, Lisa Piefer, Pam Beasley, Phil Rogers, Susan Hopson, Tony Fischer, Lisa Piefer and Dotty Johnson.

Call to Order

Mayor Sharon Goldsworthy called the meeting to order at 6:00 p.m.

Invocation

Economic and Community Development Director Andy Pouncey gave the invocation.

Pledge of Allegiance

Boy Scout Troup 86 from Second Presbyterian Church presented the Colors and led the Pledge of Allegiance.

Approval of Agenda

There were no changes to the agenda.

Motion by Mr. Drinnon, seconded by Mr. Marcom, to approve the agenda as written.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Billingsley–yes, Chism–yes. Motion approved.

Approval of Minutes

There were no corrections or additions to the minutes.

Motion by Mr. Chism, seconded by Mr. Palazzolo, to approve the minutes of the November 26, 2012 meeting as read.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Billingsley–yes, Chism–yes. Motion approved.

Citizens to be Heard

No citizens came forward to speak.

Teacher of the Month

Mayor Goldsworthy came forward and presented Ms. Cheryl Westbrook with the award for the Teacher of the Month for November. Ms. Westbrook teaches French at Germantown High School.

Youth Excellence Award

The November Youth Excellence Award was presented to Ms. Bailey Kramer, a senior at Briarcrest Christian School.

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Ordinance No. 2012-15 – Permeable Parking Requirements Within Smart Growth Districts – Third and Final Reading

Economic and Community Development Director Andy Pouncey stated this was the third and final reading for the proposed amendment that would delete the requirement for parking spaces that exceed the minimum number to be constructed with permeable material. The amendment affects those properties and developments within the T-3, T-4 and T-5 districts. Local soil characteristics are not generally conducive to the subsurface drainage requirements of permeable pavement.

Motion by Mr. Marcom, seconded by Mr. Drinnon, to approve Ordinance 2012-15, which will delete the requirement for permeable parking in the Smart Growth districts, on third reading.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Billingsley–yes, Chism–yes. Motion approved.

Lobbying Services Contract

Community Services Division Director George Brogdon stated the City of Germantown had engaged the services of Farris Bobango Branam Firm PLLC Attorneys-at-Law for lobbying services for the past six years. Administration had worked closely with the senior partner in the firm, John Farris, and his staff in advancing the City’s legislative agenda as well as monitoring legislation that could negatively impact the City of Germantown.

During this upcoming legislation and based upon approval of this lobbying service proposal from the firm, the Administration will meet individually with Mr. John Farris once a month to review the status of the various bills. Administration staff and Mr. Farris will confer on those legislative issues where the City needs to be focusing its time and attention in order to more fully understand the impact these bills would have upon our City. This will allow us to direct our efforts on specific legislation and to inform the Board on those issues where we should work aggressively to defeat or encourage passage.

Mr. John Farris came forward and explained how his firm would be representing the City in the coming year.

Motion by Mr. Drinnon, seconded by Mr. Palazzolo, to authorize the Mayor to execute a lobbying services agreement with Farris Bobango Branam Firm PLLC Attorneys-at- Law for lobbying services on behalf of the City of Germantown beginning January 1, 2013 and continuing through December 31, 2013 in the amount of \$48,500.00.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Billingsley–yes, Chism–yes. Motion approved.

Landscape and Mowing Services

Public Services Director Bo Mills stated that Landscape Services Group (LSG) had provided landscape management services to the City since 2007 and mowing services since 2010. Having worked with the company and their representatives over this period of time, Mr. Mills felt that staff was confident they could provide all requested services per the contract documents. Staff feels that keeping both landscape and mowing services with LSG will improve coordination and service provision.

Motion by Mr. Drinnon, seconded by Mr. Marcom, to authorize the Mayor to enter into a landscape and mowing services contract with Landscape Services Group in the amount of \$414,784.91 for three years.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Billingsley–yes, Chism–yes. Motion approved.

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Ordinance No. 2012-16, Amendments to Flood District Regulations of Zoning Ordinance (Chapter 23, Article III, Division 20 (FF AND FW), Sections 23-601 – First Reading and Set Date for Public Hearing

City Engineer Tim Gwaltney explained that this amendment is required by Federal Emergency Management Agency (FEMA). From time to time, FEMA has required the various cities participating in the program to update its Flood District Regulations. FEMA has issued new flood maps and has sent to the City various amendments to the Flood District Regulations consistent with revised maps and new regulations.

Motion by Mr. Drinnon, seconded by Mr. Chism, to approve Ordinance No. 2012-16 on first reading and set January 14, 2013 as the public hearing date.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Billingsley–yes, Chism–yes. Motion approved.

CONSENT

Recognition of Donation – Living Legacy Tree Program

The Germantown “Living Legacy” tree program provides a plan to implement a coordinated landscape design for public areas in the city through contributions and donations. The donation received from the UT Faculty Woman’s Club is a memorial gift to the Eleanor McKinnon Byrne family. The club has requested that three trees be planted in an appropriate location at Houston Levee Park which is near the family’s home.

MOTION: To recognize donations of funds in the amount of \$450.00 from the UT Faculty Woman’s Club to purchase and install three trees at Houston Levee Park and to approve Budget Adjustment No. 13-12.

Recognition of Donation – Parks & Recreation

Wolfchase Toyota has donated \$2,500.00 to the Parks and Recreation Department Recreation Fund for youth sports programs. The Parks and Recreation Department operates a youth basketball league for children ages 6 to 16 and this donation will increase the program funding base.

MOTION: To recognize a donation made to the Recreation Fund for a youth sports program totaling \$2,500.00 and to approve Budget Adjustment No. 13-40.

Recognition of Donation – Germantown Community Television Foundation

This donation of \$262,395.00 is a part of the three-year Access Together Agreement between the Foundation, the City of Germantown and Shelby County Schools. The agreement identifies the programming and other services the City receives for its operating support and the roles and responsibilities of all three major players in the delivery of PEG programming.

MOTION: To authorize the payment of \$262,395.00 to the Germantown Community Television Foundation for the third year of the Access Together Agreement.

Budget Transfer – Personal Training Expense Account

Enhancing the training department by becoming a Club program, instead of the current contracted program, will allow for a more cost effective way for members to participate in services. A separate cost center under the Club’s budget will allow staff the ability to manage expenses and revenues more easily.

MOTION: To approve Budget Adjustment No. 13-41 which transfers \$173,841.00 from 042-4610-460-25-61 to 042-4636-469-25-61, a newly created cost center for training.

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Motion by Mr. Drinnon, seconded by Mr. Marcom, to approve the consent agenda as stated.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Billingsley–yes, Chism–yes. Motion approved.

Mayor Goldsworthy read a proclamation honoring Alderman Chism and Alderman Billingsley and their service as Aldermen for the City of Germantown. She proclaimed December 10, 2012 as Alderman Chism and Alderman Billingsley Day. Mayor Goldsworthy then presented each with a plaque. Alderman Chism was honored for his eight years of service, and Alderman Billingsley for his four years of service.

A reception was held after the meeting.

ADJOURNMENT

There being no further business to be brought before the Board, the meeting was adjourned.

Sharon Goldsworthy, Mayor

Dotty Johnson, City Clerk/Recorder