

BOARD OF MAYOR AND ALDERMEN

December 19, 2012

A special called meeting of the Board of Mayor and Aldermen was held on December 19, 2012 at 3:00 p.m. in the Administration Conference Room of the Municipal Center.

Mayor Sharon Goldsworthy was present and presiding.

The following Aldermen were present: John Drinnon, Greg Marcom, Rocky Janda - late, Forrest Owens, and Mike Palazzolo. Staff present: Patrick Lawton, George Brogdon, Susan Hopson, Kristen Geiger, Ralph Gabb, Pam Beasley, Ernie Moretta, Marie Burgess, Tony Fischer, Andy Pouncey, Butch Eder, Stacey Ewell, Deputy Chief Rodney Bright, Bo Mills and Dotty Johnson.

City Administrator Patrick Lawton announced there would be an add-on - Germantown Center Complex Generator.

Motion by Mr. Palazzolo, seconded by Mr. Marcom, to accept the add-on to the agenda.

ROLL CALL: Marcom–yes, Drinnon-yes, Palazzolo-yes, Owens-yes, Janda-absent. Motion approved.

Resolution 12R09 Banking & Signature Cards.

Mr. Lawton stated that now the new aldermen have been sworn in, it was time to update our signature cards. There are times when the Mayor and City Administrator are out, the aldermen need to be called in to sign checks.

Motion by Mr. Palazzolo, seconded by Mr. Marcom, to adopt Resolution 12R09 establishing for bank and signature cards with SunTrust Bank which will authorize the Mayor, Aldermen and City Administrator as signers on the City of Germantown concentration account, accounts payable and payroll bank accounts.

ROLL CALL: Marcom–yes, Drinnon-yes, Palazzolo-yes, Owens-yes, Janda-absent. Motion approved.

Alderman Janda entered the meeting.

FY13 Vehicle Purchases

Mr. Lawton stated as part of the City's annual budget, we maintain a long-range infrastructure program for assets that don't meet the threshold of being in the capital improvement plan. This is a 10-year infrastructure replacement program so the rolling stock can be identified over a longer period of time and to make sure there are funds in the budget to address those.

Included in this year's IRP is the replacement of vehicles in several City departments including: Fire Public Services, Fleet Services, Parks & Recreation, Police and Utilities.

The City's fleet services manager, during the development of the annual budget, consults with the department heads about the vehicles to be considered for replacement. In addition to age and mileage on the vehicle under consideration, the fleet services manager has extensive maintenance and performance records on all vehicles in the fleet. Based on his assessment and fiscal constraints, he will make a recommendation to the city administrator on what vehicles need to be replaced.

Mr. Lawton stated that the largest purchase to be made is the replacement of some of the Police Department vehicles. Over the past couple of years, we have been moving to larger vehicles, such as the Tahoe, because of the amount of equipment that is contained in the squad cars.

Motion by Mr. Drinnon, seconded by Mr. Marcom, to approve the purchase of model year 2013 vehicles from Chevy of Murfreesboro in the amount of \$160,026.00, from Serra Chevrolet in the amount of \$186,597.00, from Ford of Murfreesboro in the amount of \$23,213.00, from Country Ford in the amount

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of \$54,887.04, from Columbia Dodge in the amount of \$16,712.00 and Sam Swope Auto Group in the amount of \$74,434.45, and to declare the vehicles being replaced as surplus property.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Owens–yes, Janda–yes. Motion approved.

Athletic Fields Scoreboards

Mr. Lawton stated that included in this year's IRP is the replacement of eight athletic field scoreboards. Five will be at Cameron Brown Park and two at Houston Levee Park.

The current scoreboards at our athletic field sites are obsolete and out of warranty. The replacement of these eight scoreboards is the first phase of a planned replacement schedule for all of our scoreboards.

We are recommending the low bid that meets specifications from Daktronics, Inc. in the amount of \$40,374.00. This cost also includes funding to repair the existing steel frames. Because only \$37,000.00 was allocated for this project, a budget adjustment within the Parks Department in the amount of \$3,400.00 is necessary to cover this expenditure.

Motion by Mr. Palazzolo, seconded by Mr. Drinnon, to approve the purchase of eight athletic scoreboards from Daktronics, Inc. in the amount of \$40,374.00 and approve Budget Adjustment No. 13-45.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Owens–yes, Janda–yes. Motion approved.

Consulting Services Contract - Small Area Plan

Mr. Lawton explained that this was the first step in executing the Economic Development Strategic Plan that was approved by the Board of Mayor and Aldermen in August. During the Board retreat in January, 2012, one of the things the Board wanted to include in the Strategic Plan and part of the Vision was more emphasis on economic development.

In late spring, Rose and Associates started the plan with input from the business community and the Economic Development Commission. One of the elements contained in the Strategic Plan was the consideration of some small area plans for the city's existing commercial and business areas. With the potential for development occurring along the city's western corridor, the Administration contacted the property owners in this area about the potential for the development of a small area redevelopment plan consistent with the recommendations from the strategic plan. The property owners agreed and requested that The Lawrence Group make a formal presentation regarding the development of this plan.

The property owners along this western gateway have all agreed to assist in the funding of this study. The joint funding agreement outlines their involvement and financial contribution. The contract will be encumbered by the City.

Alderman Palazzolo suggested staff talk with some of the Fountain Square condo owners in order to get them some type of representation and, in the spirit of being transparent, invite the people from Green Trees, in Memphis, as they might be interested.

Alderman Janda stated that our share would be around \$58,000. The contract would be for an amount not to exceed \$98,500.00 and the rest will come from the surrounding property owners.

Motion by Mr. Marcom, seconded by Mr. Palazzolo, to authorize the Mayor to execute a contract with The Lawrence Group for planning services for the development of a small area plan in an amount not to exceed \$98,500.00, to execute a joint funding agreement regarding the funding of this study and to

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approve Budget Adjustment No. 13-43, authorizing the transfer of funds to encumber this contract amount.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Owens–yes, Janda–yes. Motion approved.

Public Safety Radio System – Emergency Power Generator

Mr. Lawton explained that for the past several years the City has been engaged in the planning and deployment of a public safety (police and fire) radio system for the City of Germantown. This process included the planning study, the purchase and installation of the radio tower and communications equipment, and the actual radios.

This project has been a team effort under the direction of our IT director, Tony Fischer, at over \$2 million in total expenditures to date.

Although the need for emergency backup generators were identified as part of the overall project, sufficient funding is not available in the overall project account and therefore a budget adjustment from the capital improvement plan contingency account in the amount of \$60,559.00 is necessary.

The two generators will be placed at communications equipment buildings at Johnson Road Park and the Morgan Woods site. These generators are being purchased out of a national cooperative purchasing contract of which the City is a member. These cooperatives use their bulk purchasing power to provide extremely competitive prices on equipment and supplies. They also follow the same stringent purchasing rules and regulations used by the State of Tennessee and the City of Germantown.

Motion by Mr. Owens, seconded by Mr. Drinnon, to approve the purchase of two (2) Emergency Power Generators from Thompson Power in the total amount of \$60,559.00 (\$30,279.50 each), and approval of Budget Adjustment No. 13-46.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Owens–yes, Janda–yes. Motion approved.

Third Party Administrator

Mr. Lawton introduced Mr. Bob Schoop and his son, Jeremy, have the consulting firm of ESP which the City contracted this year to help prepare our RFP for Third Party Administrator (TPA). Our current TPA (JP Farley) only processes the City's medical claims, Express Scripts/Medco for pharmacy benefits management and Health Choice for PPO Network services. Separate contracts exist for each. Each contract also has different contract expiration dates. The City desires to consolidate these services under one contract and gain an opportunity for cost savings.

City staff and ESP put together a very comprehensive RFP and expanded the TPA service beyond what we typically have had.

After vendor interviews and completing reference checks, the City has selected Cigna Health and Life Insurance Company. As the Third Party Administrator, Cigna will provide the following services to the City: claims processing, pharmacy benefits management, PPO network access, 24 hour accessibility to employees, dedicated customer service account representative, health and promotions representative and detailed reporting.

Mr. Lawton went through the process of how claims get paid, the role of the TPA and how the City funds it's plan. He also went over the cost savings in terms of ultimate and projected savings for the City.

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Motion by Mr. Marcom, seconded by Mr. Palazzolo, to authorize the Mayor to enter into a 32 month contract effective May 1, 2013, subject to the review by the City Attorney, with two one-year renewal options, with Cigna Health and Life Insurance Company to be the City's Third Party Administrator, pharmacy benefits provider and network access provider.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Owens–yes, Janda–yes. Motion approved.

Life, AD&D and Long Term Disability

Mr. Lawton stated that currently all three components of insurance, Life, Accidental Death & Dismemberment and Long Term Disability are provided by UNUM. The City's agent, the Barnett Group, sought proposals to continue these important insurances.

Thirteen vendors were contacted and nine vendors declined. After a thorough analysis of the proposed quotes, it was the recommendation of staff and the City's insurance agent to move the Life and Accidental Death & Dismemberment contract from the existing carrier UNUM, to Blue Cross Blue Shield of TN. This new three-year contract will result in an annual savings for the City of \$19,083.19.

The Barnett Group contacted the same thirteen vendors for Long Term Disability coverage and received nine declines. After a thorough analysis of the proposed quotes, it was the recommendation of staff and the City's insurance agent to move the Long Term Disability Plan contract from the existing carrier UNUM, to Lincoln financial Group. This new three-year contract will result in an annual savings for the City of \$8,477.21.

Motion by Mr. Owens, seconded by Mr. Drinnon, to authorize the Mayor to enter into a three–year contract with Blue Cross Blue Shield of TN with an annual premium in the amount of \$109,381.97 for Life and Accidental Death & Dismemberment to take affect 1-1-2013.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Owens–yes, Janda–yes. Motion approved.

Motion by Mr. Owens, seconded by Mr. Drinnon, to authorize the Mayor to enter into a three-year contract with Lincoln Financial Group with an annual premium of \$62,731.38 for Long Term Disability Insurance to take effect 1-1-2013.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Owens–yes, Janda–yes. Motion approved.

ADD-ON – Germantown Center Complex Generator

Mr. Lawton stated this generator is to furnish emergency power to the Athletic Club, the Great Hall and Conference Center and the Performing Arts Centre. Whenever MLGW electrical services are not available only portions of the entire building have electrical service. This facility serves three revenue-generating departments for the City and the complex is considered the fitness and social heartbeat of the City. The replacement will provide 100 percent emergency power whenever primary power is not available. This complex is also one of the emergency shelters in case of a major disaster.

Motion by Mr. Owens, seconded by Mr. Palazzolo, to approve the purchase of one emergency power generator from Thompson Power in the total amount of \$255,754.86 and to declare the existing generator as surplus property.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Owens–yes, Janda–yes. Motion approved.

Mayor Goldsworthy recessed the meeting so the staff members could leave.

The meeting was reconvened.

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Appointment of Vice Mayor

Nomination by Mike Palazzolo to appoint Greg Marcom as Vice Mayor.

Motion by Mr. Drinnon, seconded by Mr. Janda, to appoint Greg Marcom to serve as Vice Mayor for 2013.

ROLL CALL: Marcom–abstain, Drinnon-yes, Palazzolo-yes, Owens-yes, Janda-yes. Motion approved.

Aldermen Liaisons

The alderman liaisons to the commissions are as follows:

Beautification – Owens

Board of Zoning Appeals – Owens

Design Review Commission – Marcom

Economic Development – Marcom

Education Commission – Janda

Environmental Commission – Drinnon

Financial Advisory Commission – Drinnon

Germantown Athletic Club – Palazzolo

Great Hall Advisory Commission – Janda

Historic Commission – Owens

Neighborhood Preservation Commission – Marcom

Parks & Recreation Commission – Palazzolo

Personnel Advisory Commission – Janda

Planning Commission – Owens

Public Safety Education Commission – Marcom

Retirement Plan Administration Commission/OPEB – Palazzolo

Senior Citizen Advisory Commission – Drinnon

Telecommunications Commission – Janda

Motion by Mr. Drinnon, seconded by Mr. Marcom, to accept the list of liaison aldermen.

ROLL CALL: Marcom–yes, Drinnon-yes, Palazzolo-yes, Owens-yes, Janda-yes. Motion approved.

Attorney Appointments for 2013

Motion by Mr. Drinnon, seconded by Mr. Owens, to appoint Tom Cates as City Attorney; Alan Strain, Robert McLean, David Harris and Lisa Krupicka as Assistant City Attorneys; Christopher Nearn as Senior Prosecuting Attorney; Mark B. Miesse, Taylor Cates and Roane Waring, III as Assistant Prosecuting Attorneys and Mark S. McDaniel as Police Advisor for 2013.

ROLL CALL: Marcom–yes, Drinnon-yes, Palazzolo-yes, Owens-yes, Janda-yes. Motion approved.

Board and Commission Appointments for 2013

Planning Commission

Mayor Goldsworthy appointed the following members to the Planning Commission: Dike Bacon, Hale Barclay, Susan Burrow, Michael Harless, George Hernandez, David Klevan and Stephen Wilensky.

ROLL CALL: Marcom–yes, Drinnon-yes, Palazzolo-yes, Owens-yes, Janda-yes. Motion approved.

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Board of Zoning Appeals

Motion by Mr. Owens, seconded by Mr. Drinnon, to approve the appointments of Henry Evans and Jennifer Sisson to serve on the Board of Zoning Appeals until December 31, 2015.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Owens–yes, Janda–yes. Motion approved.

Design Review Commission

Motion by Mr. Marcom, seconded by Mr. Owens, to approve the appointments of Eric Alter, Paul Bruns, Robbie Pahlow, Henry Porter, Keith Saunders, Neil Sherman, Ralph Smith and John Walker to serve on the Design Review Commission.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Owens–yes, Janda–yes. Motion approved.

Mayor Goldsworthy appointed Keith Saunders as chairman.

Beautification Commission

Motion by Mr. Owens, seconded by Mr. Drinnon, to approve the appointments of Terran Arwood, Victoria Bruns, Maggie Cobb-Boyd, Carla Easter, Tricia Enyart, Lana Fowler, Vicki Gandee, Greg Garrison, Betty McFarland, Brandy Miller, Sylvia Poll and Kyle Wiggins to the Beautification Commission.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Owens–yes, Janda–yes. Motion approved.

Mayor Goldsworthy appointed Victoria Bruns as chairman.

Economic Development Commission

Motion by Mr. Marcom, seconded by Mr. Palazzolo, to appoint Brian Pecon – Bus. Redev., John Wagner – Retail, Steven Levy – Gn. Bus., David Rea – Medical, Donald Robbins – Home Bus. Off., Michelle East – Home Bus. Off., James King – Finance, Jerold Klein – Homeowner, Jim Stock – Homeowner and Ron Sklar – Res./Non Res. Dev. to serve on the Economic Development Commission.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Owens–yes, Janda–yes. Motion approved.

Mayor Goldsworthy appointed Jim Stock as chairman.

Environmental Commission

Motion by Mr. Drinnon, seconded by Mr. Janda, to approve the following appointments to the Environmental Commission: Clyde Davidson, Dr. Jimmy Davis, Urania Erskine, Steven Fleischmann, Andrew Foster, Linda Kaplan, Joe Skelly, Davis Thorpe, Paul Mostellar and Ann Wesberry.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Owens–yes, Janda–yes. Motion approved.

Mr. Joe Skelley was appointed chairman by Mayor Goldsworthy.

Financial Advisory Commission

Motion by Mr. Drinnon, seconded by Mr. Marcom, to appoint Sudhir Agrawal, Glenda Brock, Vincent Correale, Eddie Cox, Donna Curlin, Rik Ditter, Sharon Hammer, Clinton Hardin, Thomas Harrison, Russell Johnson, Juliet Klein, Mark Kooker, Walter Krug, Howard Lasley, Frank Marcus, Frederick

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Miller, Julius Moody, Paul Mosteller, Howard Steinberg, Paul Volpe, Richard Wagoner and Leslie Wolfgang.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Owens–yes, Janda–yes. Motion approved.

Mayor Goldsworthy appointed Mr. Clinton Hardin as chairman.

Germantown Athletic Club Commission

Motion by Mr. Palazzolo, seconded by Mr. Janda, to approve the following appointments to the Germantown Athletic Club Commission: Ronald Fittes, Douglas, Geyer, Jim Hastings, Kelly Nanney, Kristen New, Ronald Rossman, Garth Thompson, Ric Wolbrecht and Randall Windschitl.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Owens–yes, Janda–yes. Motion approved.

Mayor Goldsworthy appointed Ric Wolbrecht as chairman.

Great Hall Advisory Commission

Motion by Mr. Janda, seconded by Mr. Palazzolo, to appoint Frank Bluestein, Harry Sullivan, Katie Pickler, Paul Volpe and Mark Sharp to the Great Hall Advisory Commission.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Owens–yes, Janda–yes. Motion approved.

Mayor Goldsworthy appointed Mr. Mark Sharp as chairman.

Historic Commission

Motion by Mr. Palazzolo, seconded by Mr. Owens to remove Donna Curlin from the FAC.

ROLL CALL: Marcom–yes, Drinnon–abstain, Palazzolo–yes, Owens–yes, Janda–yes. Motion approved.

Motion by Mr. Owens, seconded by Mr. Drinnon, to appoint Charles Baker, Jacque Clift, Donna Curlin, Paula Fleming, Dale Hicks, Thomas Parzinger, Karen Rice, Roma Sailors, Warren Travis and Sylvia Waters to the Historic Commission.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Owens–yes, Janda–yes. Motion approved.

Mayor Goldsworthy appointed Jacque Clift as chairman.

Neighborhood Preservation Commission

Motion by Mr. Marcom, seconded by Mr. Palazzolo, to appoint Allyson Avera, LeAnn Byrum, Renee DeGutis, David Jackson, Pattie Kempka, Patrick Mahoney, Seth McNamee, Margaret Owens, Cathy Phillips and Jill Sparks to the Neighborhood Preservation Commission.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Owens–abstain, Janda–yes. Motion approved.

The Mayor appointed David Jackson to serve as chairman.

Parks and Recreation Commission

Motion by Mr. Palazzolo, seconded by Mr. Marcom, to appoint James Underwood, Jim Wilson and Kevin Young to the Parks & Recreation Commission to serve until the end of the year 2015.

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ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Owens–yes, Janda–yes. Motion approved.

Mayor Goldsworthy appointed Kevin Young as chairman.

Personnel Advisory Commission

Motion by Mr. Janda, seconded by Mr. Palazzolo, to appoint Ron Poll, Richard Vosburg, Scott Williams, Sudhir Agrawal, Rebecca DeRousse and Joe Warren to the Personnel Advisory Commission.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Owens–yes, Janda–yes. Motion approved.

Mayor Goldsworthy appointed Richard Vosburg as the chairman.

Public Safety Education Commission

Motion by Mr. Marcom, seconded by Mr. Palazzolo, to appoint John Arth, Jamie Corman, Betty Duke, Jonathan Frase, Susan Kingston, Matt Price, Ron Roberson, Brent Beaver, Susan Hirsh and Rick Towne to serve on the Public Safety Education Commission.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Owens–yes, Janda–yes. Motion approved.

Mayor Goldsworthy named Matt Price as the chairman.

Retirement Plan Advisory Commission/OPEB

Motion by Mr. Palazzolo, seconded by Mr. Drinnon to appoint Donna Curlin, David Dent and Frank SanPietro to the Retirement Plan Administration Commission/OPEB.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Owens–yes, Janda–yes. Motion approved.

The Mayor named Frank SanPietro as the chairman.

Senior Advisory Commission

Motion by Mr. Drinnon, seconded by Mr. Palazzolo, to appoint Wynn Bellerjeau, Charles Clark, Alice Colville, James Debo, Nick Dunn, John Hicks, Dino Palazzolo, Manilal Shah, Alice Wallace, Horace Williams, Frank Curran, and Irv Hyman to the Senior Citizen Advisory Commission.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Owens–yes, Janda–yes. Motion approved.

Mayor Goldsworthy appointed John Hicks to serve as chairman.

Telecommunications Commission

Motion by Mr. Janda, seconded by Mr. Marcom to appoint Sandra Abel, Kenneth Ketcham, Dan McCleary, Jack Parnell, Kurt Weil, Tom Messenger and William Stevens to the Telecommunications Commission.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Owens–yes, Janda–yes. Motion approved.

Mayor Goldsworthy appointed Kenneth Ketcham as chairman.

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Tree Board

Motion by Mr. Palazzolo, seconded by Mr. Drinnon, to appoint LeAnn Byrum to the Tree Board to serve until 2015.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Owens–yes, Janda–yes. Motion approved.

Mayor Goldsworthy appointed Paul Bruns to serve as chairman.

Appointment to Education Commission

Motion by Mr. Janda, seconded by Mr. Marcom, to appoint Natalie Williams to fill a vacancy on the Education Commission.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Owens–yes, Janda–yes. Motion approved.

ADJOURNMENT

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

Sharon Goldsworthy, Mayor

Dotty Johnson, City Clerk/Recorder