

BOARD OF MAYOR AND ALDERMEN

February 11, 2013

A regular meeting of the Board of Mayor and Aldermen was held on February 11, 2013 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: Greg Marcom, John Drinnon, Mike Palazzolo, Forrest Owens and Rocky Janda. Staff present: Patrick Lawton, Tom Cates, Kristen Geiger, George Brogdon, Andy Pouncey, Bo Mills, Tim Gwaltney, Wade Morgan, Butch Eder, Jonathan Smith, Chief Richard Hall, Chief John Selberg, Michael Stoll, Susan Hopson, Tony Fischer, Ralph Gabb, Lisa Piefer and Dotty Johnson.

Call to Order

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

Invocation

Finance and General Services Division Director Kristen Geiger gave the invocation.

Pledge of Allegiance

Alderman Mike Palazzolo led the Pledge of Allegiance.

Approval of Agenda

Mayor Goldsworthy stated that during the Executive Session, the Board had unanimously agreed to move Item 12, Police Vehicle Purchase, Item 14, Poplar/Oakleigh CEI Change Order and Item 17, Sewer Agreement Amendment to the Consent Agenda.

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

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

Approval of Minutes

There were no corrections or additions to the minutes.

Motion by Mr. Owens, seconded by Mr. Marcom, to accept as printed, the minutes of the regular meeting on January 28, 2013.

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

Youth Excellence Award

Ms. Liza Ransom, a senior at Germantown High School, was presented the award for the month of December.

The January award was presented to Ms. Nan Ray, a senior at Germantown High School.

Teacher of the Month Award

Ms. Lauri Carter, a special education teacher at Farmington Elementary School, was presented with the Teacher of the Month Award.

Recognition of Donations – Germantown Performing Arts Centre

GPAC Executive Director Paul Chandler recognized the Season Sponsors and asked them to come forward to be recognized: Mr. Charlie McCraw, representing First Tennessee, Charles McLarty representing WKNO, Rudy and Honey Scheidt representing the Scheidt Family Foundation, Mike Legg representing WMCTV and Sam Beach representing the GPAC Foundation. Donations amounting to

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\$106,050.00 in cash contributions and \$77,500.00 in in-kind contributions were donated by these Season Sponsors. Contributions from corporations, foundations and individuals make it possible for GPAC to present high-quality programs for its citizens and visitors. The Season Sponsors represent the highest level of financial contribution and participation.

Mr. Chandler recognized and thanked the following donors and supporters of the Germantown Performing Arts Centre: At Home Tennessee, Comcast, Elite MultiMedia, First Tennessee Bank, National Endowment for the Arts, Milton Schaefer, Scheidt Family Foundation, South Arts, Tennessee Arts Commission, WMC-TV and WKNO.

Citizens to be Heard

Joe Smith, 1576 Miller Farms, distributed pictures of his property and reflecting how the ditch behind his house was causing his yard to flood because of the curving of the channel. He asked for help in fixing the problem.

John D. Santi, 3318 Kenney, expressed his desire for the City to own its own ambulance service.

BEER BOARD

PUBLIC HEARING - Temporary Permit – Birthright of Memphis, Inc.

City Administrator Patrick Lawton stated that Birthright of Memphis had requested a temporary permit to sell beer at their special fundraiser event, “Passport to Mexico”, to be held at the Great Hall & Conference Center on April 13, 2013.

Mayor Goldsworthy opened the public hearing. Having no one come forward, the public hearing was closed.

Motion by Mr. Marcom, seconded by Mr. Owens, to approve a temporary beer permit allowing the sale of beer at the Great Hall & Conference Center for the Birthright of Memphis “Passport to Mexico” ball to be held on Saturday, April 13, 2013.

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

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Police Vehicle Equipment Purchase

Police Chief Richard Hall stated this was a request to provide police vehicle equipment for twelve new replacement vehicles at a cost of \$72,192.00. This equipment will be installed by Fleet Safety and includes Whelen LED lightbars and all associated led lights, strobe lights, cables and brackets. Included are Pro Gard back seat barriers, sirens, gun locks, PA microphone, window bars and push bumpers.

Motion by Mr. Marcom, seconded by Mr. Drinnon, to approve the purchase police vehicle equipment from Fleet Safety in the amount of \$72,192.00 and to approve Budget Adjustment No. 13-61.

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

Police Vehicle Purchase – MOVED TO CONSENT

Project Development Contract – Methodist Hospital Expansion

Chief Planner Wade Morgan stated this contract would allow the construction of a 5,200 sq. ft. addition to the hospital’s emergency department. The emergency department expansion is within the area allowed for construction that was established by covenants with the Dogwood Homeowners’ and Leeward Cove Homeowner’s Associations in July, 2007.

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Motion by Mr. Owens, seconded by Mr. Marcom, to approve the Project Development Contract 1179, Methodist Hospital Emergency Department.

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

Poplar/Oakleigh CEI Change Order – MOVED TO CONSENT

Ambulance Service Public Policy

Mr. Lawton presented to the Board the decisions that had been made by the Board last year and what had taken place over the year to prepare for a responsive and responsible course of action for the continuation of ambulance service in our city. The Board requested staff to prepare specifications for a separate ambulance contract for Germantown only, submit an in-house bid and review the option of continuing with the County contract.

A work session was held with the Board to review and discuss pros and cons of each from a service delivery and financial impact. The Board continued the review of ambulance service during their annual retreat.

The direction of the Board was for administration to prepare an agenda item, for their consideration at the February 11 meeting, regarding the development of a public policy statement on ambulance service. The public policy in Germantown is addressed in the standard operating procedure (SOP) that was designed to assist staff in identifying, formulating and evaluating public policy. The public policy model that best describes the ambulance question is based on staff recommendation to improve service delivery and internal operations.

Based on the decision of the Board, staff will take the decision before the Financial Advisory Commission this spring so they can look at the revenues and expenditures associated with this operation whether it is within the City or it stays the same.

Alderman Drinnon stated he had previously voted against this measure because of the school situation but now he would be voting for the city to have its own ambulance service.

Alderman Palazzolo stated he appreciated former Fire Chief Wolf and now Fire Chief Selberg for their input and it was without question our City and our Fire Department capable of providing this service. But looking at the cost of the service and the expenses the City were going to have, he could not vote for the in-house ambulance service.

Alderman Owens stated he felt we had one of the best Fire Departments in the country. He felt we were facing some financial difficulties and uncertainties of the future. He felt he could not vote for the in-house service. He felt with the First Responders going with Rural Metro, the service for our citizens was there.

Alderman Marcom stated there had been a significant rise in medical response calls over the years. He stated that seeing we are becoming more of a medical service provider, it did not make sense to expand fire protection service and to enhance and change the way we respond to ever increasing calls for emergency medical service. As the medical corridor continues to grow and another large retirement community opens and our citizens continue to age, the calls for medical service are going to continue to rise. As call volumes continue to rise, we are either going to have to staff-up and add ambulance service or staff-up and open a fifth fire station. Both will have associated personnel and start-up costs. He felt it was in the City's best interest to move away from the County contract and to establish our own Fire Department based ambulance service. For that reason he would be voting for the service.

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Motion by Mr. Marcom, seconded by Mr. Palazzolo, to establish the provision of ambulance service in the City of Germantown through the Germantown Fire Department and to secure the necessary personnel and equipment to support this operation beginning July 1, 2013.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo-no, Owens -no, Janda–no. Motion failed.

Rejection of Proposals for Ambulance Service - DEFERRED

Sewer Agreement Amendment – MOVED TO CONSENT

CONSENT

Overtime Reimbursement – Police Department

The Germantown Police Department has an officer assigned to the FBI Joint Safe Streets Task Force and the Secret Service Task Force. The officer usually works overtime in the performance of his duties. The FBI SSTF and the Secret Service TF reimburses any overtime that the officer receives while carrying out his duties.

MOTION: To recognize overtime reimbursement from the Federal Department of Justice, the Department of Homeland Security and Friends of Mark Billingsley and to approve Budget Adjustment No. 13-60.

Donations – Germantown Fire Department

The 100 Club of Memphis approved a request from the Fire Department for \$1,500 to be used to purchase ResQPODs. Additionally, Mr. Ji Youn Lee donated \$100 to the Fire Department which will also go towards these devices.

MOTION: To recognize donations to the Fire Department totaling \$1,600.00, and approve Budget Adjustment No. 13-63.

Donations – Germantown Community Library

Donations totaling \$4,921.69 were contributed to the Germantown Library from various organizations and individuals.

MOTION: To recognize donations to the Germantown Community Library totaling \$4,921.69 and to approve Budget Adjustment Nos. 13-51 and 13-57.

Sale of Surplus Property – Steel Bridge Pilings

Two major bridges span Wolf River Laterals C and D and require the structural support of 16 to 20-inch diameter steel pipe pilings driven into the sandy soil adjacent to the Wolf River.

TDOT and City of Germantown engineers, in order to maintain the construction schedule, agreed to have the bridge contractor order and have delivered on-site the full quantity of steel pipe pilings specified by the plans. After construction began at the bridge locations, it was determined that the full quantity of bridge pilings would not be necessary and a plan alteration was approved. Twenty pieces of bridge pilings became surplus material and will be sold to Crestwood Tubular, Inc. for \$20,000 as partial recovery of the surplus raw material costs incurred. As part of the state road project, the remaining unrecovered cost (approx. \$35,000.00) is shared 80% by TDOT and 20% by the City of Germantown.

MOTION: To accept the offer from Crestwood Tubulars, Inc. in the amount of \$20,000.00 for the sale of the surplus bridge pilings and to recognize the recovery of Wolf River Blvd. project costs.

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Pharmacy Benefit Management Service – Contract Amendment for Thirty Day Extension

The City is extending its contract with Medco Health Solutions to cover the thirty days between the existing contract with Medco and the start of a new contract with Health Cost Solutions, Inc.

MOTION: To authorize the Mayor to enter into a contract amendment with Medco Health Solutions, Inc. to extend the contract an additional thirty days to April 30, 2013.

Police Vehicle Purchase – MOVED TO CONSENT

The Germantown Police Department has a full-time officer assigned to the West Tennessee Judicial Violent Crime & Drug Task Force working the interdiction unit. The officer is currently utilizing a 2009 Ford Expedition with 86,000 miles. The vehicle will return to the fleet to be utilized as a K-9 backup vehicle. The second vehicle will be purchased to replace a 2008 Ford Expedition.

With the purchase of the new vehicles there will be less maintenance and fuel costs and better reliability. Both vehicles will be purchased off current bids submitted in December 2012. The vehicles will be purchased utilizing State and Federal Drug Funds saving the taxpaying citizens any costs. The two bids being utilized are from Serra Chevrolet a 2013 Chevrolet Tahoe \$26,672.00 and Dobbs Ford a 2013 Ford Explorer \$23,549.00.

MOTION: To approve the purchase of police vehicles from Serra Chevrolet and Dobbs Ford in the amount of \$50,221.00.

Poplar/Oakleigh CEI Change Order – MOVED TO CONSENT

While drilling for the southwest corner pole foundation at the intersection of Poplar Ave. and Oakleigh Lane, the contractor encountered undesirable soils and a trapped groundwater table. The City's CEI firm, at the City's request, has solicited a quote for soil boring and analysis to determine the soil properties for use in a redesign of the pole foundation. The cost for the services with Pickering Firm, Inc. is \$3,300.00.

MOTION: To authorize the approval of Change Order No. 1 to the contract with Pickering Firm, Inc. in the amount of \$3,300.00 and approve Budget Adjustment No. 13-62.

Sewer Agreement Amendment – MOVED TO CONSENT

In December 2002, the City of Germantown and the City of Memphis successfully completed negotiations and executed an evergreen sewer agreement for the treatment of the sewage from the City of Germantown. The agreement is considered an evergreen agreement. However, it also calls for a review and adjustment of the allocation formula based upon the consolidated annual financial reports (CAFR) from the City of Memphis.

Based upon our analysis of the allocation formula, the volumetric fee that the City of Germantown will pay to the City of Memphis, based on their charges, will be 34.28% (50.79% of Germantown's fee). The City of Memphis has provided the City of Germantown, via Amendment No. 6 to the sewer service agreement, the recalculation of our percentage that we will pay the City of Memphis for the treatment of our sewer based upon their volumetric service charge of .958%.

MOTION: To authorize the Mayor to execute Amendment No.6 to the Sewer Services Agreement between the City of Germantown and the City of Memphis.

Motion by Mr. Drinnon, seconded by Mr. Owens, to accept the consent agenda as read.

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

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ADJOURNMENT

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

Sharon Goldsworthy, Mayor

Dotty Johnson, City Clerk/Recorder