

## **BOARD OF MAYOR AND ALDERMEN**

April 8, 2013

A regular meeting of the Board of Mayor and Aldermen was held on Monday, April 8, 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 and Forrest Owens. Alderman Rocky Janda was absent. Staff present: Patrick Lawton, George Brogdon, Andy Pouncey, Tim Gwaltney, Bo Mills, Chief Richard Hall, Chief John Selberg, Michael Stoll, Susan Hopson, Tony Fischer, Pam Beasley, Ralph Gabb, Debbie Wiles and Dotty Johnson.

### **Call to Order**

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

### **Invocation**

Community Services Division Director George Brogdon gave the invocation.

### **Pledge of Allegiance**

Alderman John Drinnon led the Pledge of Allegiance.

### **Approval of Agenda**

The Board, during the executive session, unanimously agreed to move number 8, Competitive Sealed Proposal Authorization, 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–absent. Motion approved.

### **Approval of Minutes**

There were no corrections or additions to the minutes.

Motion by Mr. Palazzolo, seconded by Mr. Owens, to approve the minutes of the regular meeting held March 25, 2013.

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

### **Citizens to be Heard**

Mr. Steven Morely, 8162 Meadow Glen, stated he was representing the Friends of Germantown Animal Shelter. He stated the Animal Shelter opened for business in 1982 and very few if any capital improvements had been done to the building since then with the exception of an addition to the rear of the building and the front that houses the cats. The Friends would like to see the City take a more proactive stand in regards to improving the shelter.

He provided an architectural drawing that Bo Mills, Public Service Director, had requested of proposed additions to the existing shelter along with associated costs for those additions. He asked for the Board to put money into the CIP to help renovate and add to the Animal Shelter to aide in the care of the animals. As an option, he requested the Board consider funding a portion of the requested addition.

Mr. Morely stated the Friends of the Animal Shelter would help raise funds to offset the commitment requested from the City. He asked that \$300,000.00 be included in the CIP for FY14 to fund improvements to the existing animal shelter.

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Mrs. Donna Yacoubian, 1826 Cordova Road, was concerned with the barrier that was built on Willey Road and Poplar that prevents the residents, going east on Poplar, from making a left off of Poplar onto Willey. She stated there were 100 families that had to be rerouted and there were a lot of angry citizens that are being prevented from getting to their homes the way they have for 40 years.

**Public Hearing – Ordinance 2013-4 – Rezoning of Baptist Memorial Healthcare property from SC-1 Shopping District Center District to C-2 Commercial District – Second Reading**

Alderman Marcom recused himself from hearing this agenda item.

Economic and Community Development Director Andy Pouncey stated Baptist Memorial Healthcare had requested this 1.419 acres be rezoned. This property is in the area where Walmart was located. There were three reasons Baptist Memorial Healthcare asked for this to be rezoned: 1) so all zoning would be the same; 2) to have the zoning follow the property lines; 3) if zoned C-2 they could have the rehabilitation hospital moved from its present location on Exeter to this area.

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

Motion by Mr. Drinnon, seconded by Mr. Palazzolo, to approve on second reading the rezoning from “SC-1” Shopping Center District to the “C-2” Commercial District of 1.419 acres on the north side of Wolf River Blvd., east of Germantown Road.

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

Alderman Marcom returned to the dais.

**Competitive Sealed Proposal Authorization – Automated Enforcement - Moved to Consent**

**CONSENT**

**Appointment to Shelby County Municipal Solid Waste Planning Board**

The Neighborhood Services Division in Economic and Community Development has responsibility for administration of the solid waste collection and disposal contracts. Mr. Joe Nunes, Neighborhood Services Manager, has served on this board since January 2005. This appointment expires in May 2019.

MOTION: To approve the appointment of Joe Nunes, Neighborhood Services Manager, Department of Economic and Community Development, to a six-year term of the Shelby County Municipal Solid Waste Planning Board (SWPB) that expires May 2019.

**Recognition of Neighborhood Payments for Decorative Street Signs**

The City has received payments from The Highlands (\$1,847.50) and Laurel Oaks (\$1,494.00) representing the payment for their portion of the cost in the decorative street sign program.

MOTION: To recognize neighborhood payments for decorative street signposts totaling \$3,341.50, and approve Budget Adjustment No. 13-83.

**Recognition of Donations – Germantown Fire Department & Germantown Police Department**

A donation of \$150.00 was given to the Germantown Fire Department and the Germantown Police Department by Ms. Peggy Larkin.

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MOTION: To recognize a donation to the Germantown Police Department and the Germantown Fire Department in the amount of \$75.00 each totaling \$150.00.

**Traffic Signal Poplar/Oakleigh Intersection – Change Order No. 2**

This change order is to pay for the MLGW electrical service connection fee and the additional work items associated with the southeast corner pole foundation. Subsurface conditions necessitated a revised foundation design and construction efforts. Costs associated with this project are 100% reimbursable.

MOTION: To authorize the approval of Change Order No. 2 to the contract with Desoto County Electric, Inc. in the amount of \$11,204.50 and approve Budget Adjustment No. 13-84.

**Competitive Sealed Proposal Authorization – Automated Enforcement - Moved to Consent**

In some cases, the competitive sealed bid process may be either impracticable or not otherwise advantageous to the City due to the complexity of certain technological products or the unique nature of certain services.

Contracting a firm to process the City's automated enforcement program includes many facets including the use of technology to reduce the number and severity of motor vehicle collisions and minimizing the risk of injuries that result thereof. Use of the competitive sealed proposal process will allow staff to examine the different services, prices and experience thus deciding which provider would best serve the City.

MOTION: To authorize the use of the competitive sealed proposal process to procure a vendor for the Automated Enforcement Program per City Ordinances and subject to the provisions in Tennessee Code Annotated 55-8-198.

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–absent. Motion approved.

Alderman Palazzolo stated he wanted to briefly address the people who spoke during the Citizens to be Heard. He thanked the Friends of the Animal Shelter for organizing and coming forward with their ideas. He stated that, during the CIP briefing, there was an area that addressed the Animal Shelter.

Mr. Lawton stated there was an area that addressed this project. He said he did not remember the exact numbers but there were several more meetings before the final reading of the budget and one where the public will have an opportunity to be heard.

Alderman Palazzolo thanked Ms. Yacoubian for coming forward to speak and encouraged the President of the homeowners association to get together as one unit. The Board had heard a lot of conflicting information coming from the homeowners, some wanted the protected turn and some did not so the Board was getting mixed signals. He suggested the homeowners come together for a solution.

Alderman Owens thanked the Friends of the Animal Shelter for coming forward and, after touring the shelter, he realized the staff was really maximizing their space and there were cramped quarters.

Alderman Owens also thanked Ms. Yacoubian for coming forward. He stated he had met with Andy Pouncey and Mr. Brazeal.

Mr. Pouncey stated he had had met with the engineers about a month ago and now has a report from the engineers and are trying to “think outside the box” for a solution. He stated the engineers had done a fine job and are now trying to find some other solutions.

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**ADJOURNMENT**

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

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Sharon Goldsworthy, Mayor

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Dotty Johnson, City Clerk/Recorder