

BOARD OF MAYOR AND ALDERMEN

May 6, 2013

A special called meeting of the Board of Mayor and Aldermen was held on Monday, May 6, 2013 at 5:00 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, George Brogdon, Ralph Gabb, Lisa Piefer and Dotty Johnson.

Call to Order

Mayor Goldsworthy called the meeting to order at 5:00 p.m.

The Mayor recognized Boy Scout Troop 270 from Germantown Presbyterian Church and Troops 272, 334 and 368 from Advent Presbyterian Church.

Ordinance 2013-6 - Revoking Ordinance 2012-10 – Establishing Municipal School System – First Reading

City Administrator Patrick Lawton explained that in November 2012, a federal judge declared the legislative action authorizing the establishment of a municipal school system as unconstitutional which made null and void the previous vote on the establishment of a municipal school system for the City of Germantown. The Board must now revoke the original ordinance.

Motion by Mr. Owens, seconded by Mr. Janda to approve on first reading Ordinance 2013-06 – An ordinance to revoke Ordinance 2012-10 – An ordinance establishing a municipal school system within the City of Germantown and to set May 23, 2013 as the public hearing date.

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

Ordinance 2013-7 – An Ordinance Authorizing Creation and Funding of Municipal School System – First Reading

Mr. Lawton stated this ordinance was the first step in establishing a municipal school system. The ordinance recounts previous legislative action locally and in Nashville that enabled this ordinance to be considered as well as the fulfillment of the State of Tennessee Statutory requirements in creating a municipal school system and the rules established by the State Board of Education.

Mr. Lawton explained that the statutes and rules were very clear in what is required of the City through the adoption of the ordinance placed before the citizens of Germantown. A referendum with the question will let the public decide if they want to establish a municipal school system. The question is “Shall the City of Germantown be authorized to create a municipal school district that shall meet the standards of adequacy established by applicable State law and regulation, which standards include raising and spending each year the required amount of local funds for the operation of the municipal school system that, for calculation purposes only, would at least be equal to the amount that would be raised through a fifteen cents (\$.15) tax levy on each One Hundred Dollars (\$100.00) of taxable property for each year if all such taxes were collected?” This will be a yes or no vote on the ballot.

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This ordinance also asks the Shelby County Election Commission to place this referendum at a special called election on July 16, 2013, or another appropriate date that they may establish.

In response to a question from Alderman Owens, regarding the language in the ordinance about a property tax increase, Mr. Lawton stated assuming the Board goes forward and adopts this ordinance; administration will put together some public information packets informing citizens of the date and the question that will be before them. Administration will also send an e-mail blast to all the home owner associations asking if they would like a presentation on the ordinance or a discussion on municipal schools, that Administration would be happy to attend one of their meetings.

Motion by Mr. Marcom, seconded by Mr. Drinnon, to approve on first reading Ordinance 2013-7 – An ordinance to add a new section 18-76 to the Code of Ordinances of the City of Germantown authorizing the creation and funding of a municipal school district in the City of Germantown, to set May 23, 2013 as the public hearing date, and to submit the proposed ordinance to the qualified voters of the City at a referendum to be held on July 16, 2013, or on another appropriate date.

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 regular meeting was adjourned.

Sharon Goldsworthy, Mayor

Dotty Johnson, City Clerk/Recorder