



CITY OF GERMANTOWN TENNESSEE

1930 South Germantown Road • Germantown, Tennessee 38138-2815
Phone (901) 757-7200 Fax (901) 757-7292 www.germantown-tn.gov

November 20, 2013

Board of Mayor and Aldermen
Municipal Center
Germantown, TN 38138

Dear Board Members:

The following is a brief summary of the agenda items to be discussed at the meeting of the Board of Mayor and Aldermen scheduled for Monday, November 25, beginning at 6:00 p.m.

1. **Call to Order**

The Mayor will call the meeting to order.

2. **Invocation**

Public Services Director Bo Mills will give the invocation.

3. **Pledge of Allegiance**

Alderman Greg Marcom will lead the Pledge of Allegiance.

4. **Approval of Agenda**

The Board is asked to set the agenda for the meeting. Any additions or changes are to be made at this time.

5. **Approval of Minutes**

Approval is requested of the minutes of the regular meeting held November 11, 2013.

6. **Beautification Business Award**

Hampton Designs will be the recipient of the November Beautification Commission Business Award.

7. **Recognition of Senior Citizen Advisory Commission**

Because of staff changes in the Parks and Recreation office, the Senior Citizen Advisory Commission assumed the responsibility of all registration for the Senior Expo which draws over 100 vendors annually. With the help of Parks and Recreation Superintendent Natalie Ruffin, the Commission opened an Expo Office at the Parks and Recreation building and spent numerous hours handling the hundreds of inquiries, assigning booth spaces, and calling past and potential vendors.

8. **Citizens to be Heard**

This item is to give citizens the opportunity to address the Board of Mayor and Aldermen on issues of concern.

9. **Ordinance 2013-14 Amendment to Great Hall Ordinance – Third and Final Reading**

This is the third and final hearing for this ordinance. This will formally adopt the name, Great Hall & Conference Center Commission, and expand the membership from five to seven members. The ordinance will also add “hospitality” to the areas of expertise.

10. Ordinance 2013-15– Amendment to Section 3 – 116 (Alcoholic Beverages – Location of Establishments) regarding zoning districts - First Reading and Set public Hearing Date

This is an amendment to the City’s regulations on zoning for places that sell alcoholic beverages. This is not a part of the Zoning Regulations, but, it does relate to the required zoning of places that sell alcoholic beverages and to the provisions of the Smart Code.

11. Ordinance 2013-16 – Amendment to Chapter 23 – (Zoning Regulations) regarding accessory buildings structures - First Reading and Set Public Hearing

This amendment addresses accessory building placement on double frontage lots.

12. Ordinance 2013-17 – Amendment to Chapter 17 – (Subdivision Regulations) regarding Minor Subdivision Revisions - First Reading and Set Public Hearing

The proposed amendment adds the word “revision” to the description, to make clear the intent relates to modifications to existing subdivisions, and not to the creation of new lots.

13. Resolution 13R16 – Kimbrough Office Park P.U.D. – Outline Plan

This PUD proposes two variances from the standard development regulations and must be approved prior to the site plan going before the Planning Commission for preliminary and final plan approval. The concept was developed to address the neighbor’s comments and to create a more urban layout in keeping with the layout of Kimbrough Grove P.U.D., a residential neighborhood on the west side of Kimbrough Road.

14. Desktop Computer Upgrades

This project will replace approximately 25% of the oldest computers and move the City toward a 4-year cycle to keep operating systems and hardware current.

15. Asphalt Rejuvenation

This is an annual street maintenance program and funding request for the annual pavement rejuvenation program. The contract is with Pavement Technology, Inc. for an amount not to exceed \$50,000.00.

16. CONSENT

a. Recognition of Donations to Education Commission

A total of \$4,100.00 was donated to the Germantown Education Commission to provide awards for Teacher of the Month, Teacher of the Year and the Battle of the Brains competition. Funds from Wolfchase Toyota - \$3,000.00, Rocky Janda - \$1,000, and English Meadows Garden Club - \$100.00.

b. Municipal Park Playground Resurface

This contract with Miracle Recreation in the amount of \$47,750.00 is for construction of poured-in-place safety surface under the playground at Municipal Park. The existing wood chips require constant replenishment and raking due to decay and displacement.

c. Bulk Asphalt Purchase

Hot asphalt mix is used primarily for street maintenance repair, temporary pothole repairs, utility cuts, parks and grounds trail repairs and stormwater maintenance projects. The contracts are with Standard Construction Company, Inc. for \$86,250.00 and Lehman Roberts for \$55,300.00. Having two suppliers during the year will allow access for the hot asphalt in case one of the plants is shut down for holidays or for seasonal maintenance.

d. Recognition of Donations GPAC Season Sponsors

The Germantown Performing Arts Center wants to recognize and thank contributors who have made contributions totaling \$165,600.00 in cash donations and \$103,000.00 in-kind donations.

- e. **Cabling – Germantown Municipal School District (GMSD) Central Office**
Cabling is required at the Carrefour Mall for the GMSD central office space. This project will support both phones and computers in office spaces. The contract is with Datacomm Services Corporation in the amount of \$13,677.87.

- f. **Network Equipment – Germantown Municipal School District (GMSD) Central Office**
Network equipment is necessary for the essential academic program and operational requirements to operate the GMSD. This is a contract with Presidio Networked Solutions, Inc. in the amount of \$22,398.60 for network and telephone equipment, installation and engineering services for the central office space for GMSD.

- g. **Communitywide Survey**
The community survey was developed by the City to determine public opinion on programs and services. The employee survey results have led to dramatic improvements in areas of concern. The agreement is with NuStats, LLC in an amount not to exceed \$16,950.00.

If you have questions regarding any of these agenda items, do not hesitate to contact me prior to the meeting on the 25th.

Sincerely,



Patrick J. Lawton
City Administrator



CITY OF GERMANTOWN

TENNESSEE

1930 South Germantown Road • Germantown, Tennessee 38138-2815
Phone (901)757-7200 Fax (901)757-7292 www.germantown-tn.gov

Board of Mayor and Aldermen Meeting

Monday, November 25 – 6:00 p.m.
Council Chambers – Municipal Building

1. Call To Order
2. Invocation
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of Minutes
6. Beautification Commission Business Award
7. Recognition of Senior Citizen Advisory Commission
8. Citizens to be Heard
9. Ordinance 2013-14 – Amendment to Great Hall Ordinance – Third and Final Reading
10. Ordinance 2013-15 – Amendment to Section 3-116 (Alcoholic Beverages – Location of Establishments) regarding zoning districts - First Reading Set Public Hearing
11. Ordinance 2013-16 – Amendment to Chapter 23 – (Zoning Regulations) regarding accessory buildings structures; First Reading Set Public Hearing
12. Ordinance 2013-17 – Amendment to Chapter 17: (Subdivision Regulations) regarding Minor Subdivision Revisions, First Reading Set Public Hearing
13. Resolution 13R15 - Kimbrough Office Park P.U.D. - Outline Plan
14. Desktop Computer Upgrades
15. Asphalt Rejuvenation Contract
16. **CONSENT**
 - a. Recognition of Donations to Education Commission
 - b. Municipal Park Playground Resurface
 - c. Bulk Asphalt Purchase
 - d. Recognition of Donations GPAC Season Sponsors
 - e. Cabling – Germantown Municipal School District (GMSD) Central Office
 - f. Network Equipment – Germantown Municipal School District (GMSD) Central Office
 - g. Communitywide Survey

The City of Germantown complies with the American with Disabilities Act. Should you need accommodations for this meeting, please call 757-7200 at least 48 hours in advance of the meeting.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: November 25, 2013
FROM: Patrick J. Lawton, City Administrator
SUBJECT: SET AGENDA

INTRODUCTION:

The Agenda must be set before the meeting. The Board must agree on the contents of the agenda and make changes to the agenda before the meeting begins.

PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:

To approve the agenda (as amended).

BOARD ACTION: _____ **MOTION BY:** _____ **SECONDED BY:** _____

VOTE/TOTAL	MARCOM	DRINNON	PALAZZOLO	OWENS	JANDA	GOLDSWORTHY
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: November 25, 2013

FROM: Patrick J. Lawton, City Administrator *PJL*

SUBJECT: Approval of Minutes

INTRODUCTION:

The purpose of this agenda item is to approve the minutes of the Board of Mayor and Aldermen Meeting held November 11, 2013.

PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:

To approve the minutes of the Board of Mayor and Aldermen Meeting held November 11, 2013,

BOARD ACTION: _____ **MOTION BY:** _____ **SECONDED BY:** _____

VOTE/TOTAL	MARCOM	DRINNON	PALAZZOLO	OWENS	JANDA	GOLDSWORTHY
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain

BOARD OF MAYOR AND ALDERMEN

November 11, 2013

A regular meeting of the Board of Mayor and Aldermen was held on Monday, November 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, Debra Wiles, George Brogdon, Tim Gwaltney, Bo Mills, Susan Hopson, Chief John Selberg, Chief Richard Hall, Pam Beasley, Reynold Douglas, Butch Eder, Ralph Gabb, Lisa Piefer and Dotty Johnson.

Call to Order

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

Invocation

Finance Director Ralph Gabb gave the invocation.

Pledge of Allegiance

Alderman Rocky Janda led the Pledge of Allegiance.

Approval of Agenda

During the executive session the Board had agreed to move the following agenda items to the Consent Agenda:

Mayor Goldsworthy stated that during the executive session, the Board had agreed to two add-on's:
Regular Agenda - Resolution 13R16 – Support of Quality Public Education
Consent Agenda – Fire Station 3 Kitchen Renovations – Change Order No. 1

Motion by Mr. Janda, 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. Drinnon, seconded by Mr. Owens, to approve the minutes of the Board of Mayor and Aldermen meeting held October 28, 2013.

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

October Youth Excellence Award

Alderman Janda, liaison to the Education Commission, stepped down for the presentations. He introduced commission members Audrey Grossman and Julia Ganey. Ms. Grossman presented Mr. Alexander Spanopoulos with the award for the month of October. Alexander is a senior at Evangelical Christian School and was described as an inspirational leader who is full of confidence and creativity.

October Teacher of the Month

Ms. Ganey presented Ms. Teri Hefley, a middle school math teacher at Our Lady of Perpetual Help Catholic School, with the Teacher of the Month Award. Ms. Hefley will receive \$100.00 from Wolf Chase Toyota.

Citizens to be Heard

No citizens came forward.

BEER BOARD

Mayor Goldsworthy suspended the regular Board meeting and opened the Beer Board

Suspension/Revocation – Beer Permit – Grand Buffet

Mr. Mark McDaniel, Police Advisor came forward and presented the case of the Grand Buffet to the Board. The Grand Buffet had been issued a citation for the unlawful sale of an alcohol beverage to a minor. Mr. Sun We Chen, manager of the Grand Buffet was present along with counsel Mr. Shawn Musser.

Mr. Musser stated that on behalf of his client he would be pleading guilty to the charge.

Mr. McDaniel then put forth the sworn testimony of Detective Nicole Bromely from Shelby County Sheriff Department, Officer Griffus and Officer Williams from the Germantown Police Department for a factual basis for the violation and to get more information.

In response to a question from Alderman Marcom regarding a previous violation, Mr. McDaniel responded there had not been a previous violation in the past.

Motion by Mr. Drinnon, seconded by Mr. Janda, to find the Grand Buffet located at 2015 Exeter guilty of a violation of the Germantown Beer Ordinance regarding selling of beer to a minor.

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

Mr. McDaniel stated the Board had several options by ordinance, including suspend the permit one day to however many days the Board should see fit, or issue a maximum civil penalty under this ordinance of \$2,500.00. The other establishments that violated the ordinance were fined \$500 or a 30 day suspension if not paid within seven days. Mr. McDaniel stated that in future proceedings of violations, the Board would be asked for a more significant penalty.

Mr. Musser stated there was no past history of any violations. The person responsible had been terminated for a period of time. There was a language barrier with the employee who was a relative. Each week they have a period where they go over the steps that should be taken before serving liquor or beer. They are now requiring everyone to show an ID before they can be served.

Motion by Mr. Marcom, seconded by Mr. Drinnon, to fine a civil penalty of \$500.00 to the Grand Buffet and a 30 day suspension if not paid within seven days.

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

Having no more business to come before the Beer Board, the Beer Board was suspended and the regular meeting of the Board of Mayor and Aldermen was continued.

Public Hearing - Ordinance 2013-13 – Smart Code – Third and Final Reading

Economic and Community Development Director Andy Pouncey stated the Smart Growth Code was for the Central Business District of the City. Over the past few years since this was developed a lot had been learned. The original “Smart Growth Area” is now referred to as the Central Business District. The second non-residential Small Area, is being reorganized and amending the Smart Growth Code and calling it Smart Code and proposing to adopt it for all five non-residential Small Areas.

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

Board of Mayor and Aldermen

November 11, 2013

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Motion by Mr. Owens, seconded by Mr. Palazzolo, to approve Ordinance 2013-13 – the “Smart Code” on the third reading, deleting the original Smart Growth Code (Art. 7, Chapter 23) of the City’s Code of Ordinances, replacing it in its entirety with the Smart Code, and making it applicable to all five non-residential districts upon adoption of a Small Area Plan, per the Economic Development Strategic Plan adopted September 24, 2012.

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

Western Gateway Regulation Plan

Mr. Pouncey stated this Plan encompasses all the properties between the Gill property on the eastern end and the western end which is the City boundary between Poplar and Poplar Pike. He stated this was truly a public /private venture. There are property owners who invested their money, energy, and time on this Plan such as Ray Gill, Robert Fogelman, Ron Smith on behalf of Crye Leike, Henry Cannon, Spence Ray, and John Walker. The Plan is based on Smart Growth principles that encourage urban, mixed-use, walkable districts, similar to those in the City’s Central Business District. The plan supports the creation of a distinctive district, with strong public spaces, where people want to live, work, shop and play.

The plan identifies three development strategies for the 58 acre area, a fiscal analysis illustrating the financial benefit for the citizens and the costs to the City, recommendations for the mobility options on the public streets, the Regulating Plan (or recommended zoning plan and a proactive approach to the installation of a traffic signal on Poplar in order to facilitate the initial developments.

Mr. Pouncey then gave a PowerPoint presentation.

A discussion followed on the placement of traffic signals.

Alderman Palazzolo congratulated Mr. Pouncey and his staff on a job well done. This plan had been in motion for several years and now, with everyone’s hard work, it is becoming a reality.

Motion by Mr. Janda, seconded by Mr. Owens, to approve the Western Gateway Small Area Plan encompassing all the properties located between Poplar and Poplar Pike between the eastern boundary of 6755 Poplar (Ray Gill property) and the western boundary of the City of Germantown.

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

Public Hearing – Ordinance 2013-14 – Amend Great Hall Ordinance – Second Reading

Community Services Division Director George Brogdon explained this ordinance would formally adopt the name, Great Hall & Conference Center Commission. The commission would also like to expand from five members to seven members and add “Hospitality” to the areas of expertise. One of the two additional members may be a non-resident with expertise in one of the required areas.

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

Motion by Mr. Janda, seconded by Mr. Palazzolo, to approve Ordinance 2013-14 on second reading.

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

ADD-ON – Resolution 13R16 – Support of Quality Public Education

WHEREAS, the City of Germantown has a long history of support and involvement in public education and believes that a quality education for every child, regardless of heritage or circumstance, is the key to equality, freedom, and the realization of individual potential, and

WHEREAS, the City of Germantown in January 2012 adopted a feasibility study, prepared by Southern Educational Strategies, outlining the legal and regulatory requirements for the establishment of a municipal school district for all of the children currently attending public schools within the city of Germantown, and

WHEREAS, based on this feasibility study, the citizens of Germantown voted twice overwhelmingly to establish the Germantown Municipal School District and to create the financial mechanism necessary to operate the school district, and

WHEREAS, over the past three years the City of Germantown has worked diligently to address these legal and regulatory requirements through the passage of appropriate ordinances allowing the people to vote on the establishment of the school system and the appropriate funding mechanism as well as the establishment of the local school board, and

WHEREAS, the Shelby County Board of Education on October 28, 2013 passed a resolution authorizing its Superintendent and General Counsel to negotiate leases for five of the eight school buildings located within the City of Germantown, and

WHEREAS, under this arrangement the Shelby County Board of Education would not lease to the City of Germantown and thereby maintain full operational control of Germantown Elementary School, Germantown Middle School and Germantown High School, and

WHEREAS, the City of Germantown has asserted over the past two years its desire to educate all of the children in the current attendance zones attached all eight schools within the City of Germantown based on the importance of a diverse student enrollment, the importance of stability on student achievement and the importance of parental involvement and participation, and

WHEREAS, on November 6, 2013, Germantown City officials presented to the Shelby County Board of Education two reasonable and rational alternatives regarding building leases and school operations:

OPTION 1: Maintain current attendance zones and execute 40 year leases with the City of Germantown for all eight existing schools located in Germantown under the terms of an inter-local agreement between the City of Germantown and the Shelby County Board of Education; or

OPTION 2: Execute 40 year leases for six schools in Germantown, including the five schools referenced in the October 28, 2013 Resolution plus the addition of Germantown Elementary School. The Shelby County Board of Education would retain operational control of Germantown Middle School and Germantown High School, and

WHEREAS, a copy of the entire presentation and request to the Shelby County Board of Education regarding the operation of schools within the City of Germantown is attached and made part of this resolution, and

WHEREAS, the Board of Mayor and Aldermen of the City of Germantown wish to memorialize this action through the adoption of this resolution.

NOW THEREFORE BE IT RESOLVED THAT THE BOARD OF MAYOR AND ALDERMEN supports quality education for all children and urges the Shelby County Board of Education to react favorably to the alternatives presented by the City of Germantown and contained within this resolution for the operation of schools within the City of Germantown corporate limits.

ADOPTED this 11th day of November, 2013

Motion by Mr. Palazzolo, seconded by Mr. Owens, to support quality education for all children and urge the Shelby County Board of Education to react favorably to the alternatives presented by the City of Germantown and contained within the resolution for the operation of schools within the City of Germantown corporate limits.

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

CONSENT

Appointment to Germantown Library Board

The Board's approval is needed to place Ms. Carol Schwam on the Germantown Community Library Board to replace a member who recently resigned. Ms. Schwam will complete the existing three-year term expiring in July 2015.

MOTION: To approve the appointment of Carol Schwam to complete an existing three-year term on the Germantown Community Library Board, expiring in July 2015.

Approve Budget Adjustment No. 14-28 – Farm Park

Additional revenue has been generated by programs and activities at the Farm Park. This revenue will support the continued education, demonstration and outreach efforts at the Farm Park.

MOTION: To recognize revenue generated by programs and activities at the Farm Park for the first quarter of FY14 and to approve Budget Adjustment No. 14-28.

ADD-ON – Fire Station 3 Kitchen Renovations – Change Order No. 1

Unforeseen conditions were found such as fire suppression system does not meet current code requirements or qualify for insurance coverage and the newer low voltage wiring that has been installed over the years does not meet current electrical code requirements for proper attachment. The total charge for this change order is \$7,406.00.

MOTION: To authorize approval of Change Order No. 1 for the Fire Station 3 Renovation Project by increasing the contract amount by \$7,406.00 to \$113,350.00 and approve Budget Adjustment No. 14-30.

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

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.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**DATE:** November 25, 2013**FROM:** Patrick J. Lawton, City Administrator *PJL***SUBJECT:** Beautification Business Award**INTRODUCTION:**

The purpose of this agenda item is to recognize Hampton Designs as the recipient of the November Beautification Commission Business Award.

BACKGROUND:

Hampton Designs is a long-time business establishment in Germantown offering floral design services, home decor and gift items since 1981. The business owners are Kathy and Rosemary Burns. The shop relocated to a new space at 9076 Poplar Pike, Suite, 103 in September of this year. The Hampton Design store front was selected by the Beautification Commission to receive the November Beautification Commission Business Award.

The exterior of the store is exquisite, featuring a beautiful magnolia garland with red ribbon, pinecones and white lights adorning the entrance door. Large glass windows with magical themed displays offer shoppers and guests a place to experience the holiday spirit. Inside, the store is filled with wreaths and garlands, holiday trees of every kind, a wide selection of unique ornaments, outdoor greenery, candles and lighting, ribbons, bows, stockings and many decorative holiday accents from the whimsical to elegant styles. The artistic detail and merchandise presentation along with the maintenance and care of this Germantown business demonstrate pride in their appearance and their commitment to helping the City look beautiful. The Beautification Commission expressed much appreciation for their efforts.

DISCUSSION:

Each month, a designated commission member is responsible for identifying potential award winners and making a recommendation to the Commission. The November commission designee is Victoria Bruns, Chairman. Alderman Forrest Owens will be present to present the award to the store co-owner, Kathy Burns.

VISION 2020:

In keeping with the Vision 2020 goal of Community Vitality, Goal Number 15 recognizes a Beautiful Community as one whose business development and building design is consistent within Germantown's design standards and are environmentally sensitive. It recognizes neighborhoods and businesses that are attractive, well maintained and aesthetically pleasing. This recognition program allows the Commission to acknowledge local businesses who's landscaping and property enhancement efforts have added to the beauty of the Germantown community.

Prepared by: Pam Beasley
Pam Beasley, Director of Parks and Recreation

Reviewed by: George Brogdon
George Brogdon, Community Services Director



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: November 25, 2013

FROM: Patrick J. Lawton, City Administrator *PL*

SUBJECT: RECOGNITION OF GERMANTOWN SENIOR CITIZEN ADVISORY COMMISSION

INTRODUCTION: The purpose of this agenda item is to recognize the Germantown Senior Citizen Advisory Commission for their work on the 2013 Germantown Senior Expo.

BACKGROUND: The Germantown Senior Citizen Advisory Commission has presented the Germantown Senior Expo the first Thursday in November for eighteen years. This year, because of a staff change in the Parks and Recreation Department office, the Commission assumed the responsibility of all registration for the event which draws over 100 vendors annually. With the help of Parks and Recreation Superintendent Natalie Ruffin, the Commission opened a Senior Expo Office at the Parks and Recreation building equipped with desk, computer and the Senior Expo phone. The Commission spent numerous hours handling the hundreds of inquiries, assigning booth spaces, answering questions and calling past and potential vendors. Throughout the entire process, not one booth overbooking or glitch occurred. Further, at the direction of the Commission, the entrance to the Senior Expo was moved to GPAC with great success. This year's Senior Expo was arguably the best yet because the Commission stepped up and met the challenge and as a result the seniors of Germantown had the opportunity to attend an excellent event.

VISION 2020: Recreation and Entertainment Opportunities For An Active Lifestyle: Goal 19, Objective 5, "Variety of choices for recreation and entertainment offered by the City and private sector".

REVIEWED BY: George Brogdon
George Brogdon, Community Services Division Director



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: November 25, 2013

FROM: Patrick J. Lawton, City Administrator *PJL*

SUBJECT: ORDINANCE 2013-14 – ORDINANCE TO AMEND CHAPTER 21, GREAT HALL ADVISORY COMMISSION – THIRD READING

INTRODUCTION:

The purpose of this agenda item is to approve Ordinance No. 2013-14 on Third and Final reading.

BACKGROUND:

The Germantown Great Hall Advisory Commission was established on May 10, 2010. Membership consists of five commissioners. All members are to be residents with the exception of up to one member who should be a Germantown business owner, but may be a non-resident. Members should have expertise in at least one of the following areas:

- Catering
- Corporate business
- Marketing
- Operations
- Retail
- Sales

DISCUSSION:

The Germantown Great Hall embarked on a strategic marketing and branding campaign in the summer of 2010. The Great Hall & Conference Center name was used in the campaign to bring attention to the conference center component of the Great Hall facility. This ordinance would formally adopt the name, Great Hall & Conference Center Commission. The commission would also like to expand from five members to seven members and add “Hospitality” to the areas of expertise. One of the two additional members may be a non-resident with expertise in one of the required areas.

VISION 2020:

This initiative supports two Vision 2020 Goals: Economic Sustainability Plan – Goal 6 (Germantown having a business identity and brand) and Community Vitality – Goal 11 (Citizens participating and taking ownership in Germantown resulting in true community pride).

ATTACHMENT(S):

Ordinance 2013-14

ORDINANCE 2013-14

AN ORDINANCE TO AMEND CHAPTER 2 – DIVISION 21, GREAT HALL ADVISORY COMMISSION CODE OF ORDINANE PERTAINING TO THE NAME AND MEMBERSHIP OF THE GERMANTOWN GREAT HALL ADVISORY COMMISSION.

WHEREAS, it is in the best interest of the City that the name be changed to the Great Hall & Conference Center Advisory Commission; and

WHEREAS, it is in the best interest of the Great Hall & Conference Center Commission that membership be expanded from five members to seven members; and

WHEREAS, it is the best interest of the Great Hall & Conference Center Commission to have the option to include a non-resident as part of the membership; and

WHEREAS, it is in the best interest of the city that Hospitality be added as an area of expertise.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN FOR THE CITY OF GERMANTOWN, TENNESSEE, CHAPTER 2 – ADMINISTRATION, ARITCLE V, DIVISION 21 OF THE CITY CODE RELATIVE TO MEMBERSHIP OF THE GERMANTOWN GREAT HALL ADVISORY COMMISSION BE AMENDED IN THE FOLLOWING PARTICULARS:

Section 1. Division 21 is renamed from Germantown Great Hall Advisory Commission to Great Hall & Conference Center Advisory Commission.

Section 2. Section 2-291 is deleted as it currently exists. The following language shall be inserted in its place:

Sec.-291. – Membership.

The Great Hall & Conference Center Advisory Commission will consist of seven members who shall be appointed by the board of mayor and aldermen. All members of the commission shall be residents of the city of Germantown, with the exception of up to one member, not required to be a resident. Members should have expertise in at least one of the following areas:

- Catering.
- Corporate business.
- Marketing.
- Operations.
- Retail.
- Sales.
- Hospitality.

Section 3. BE IT FURTHER ORDAINED that this ordinance shall become effective immediately after its passage on the third and final reading, in accordance with the Charter of the City of Germantown, the public welfare requiring it.

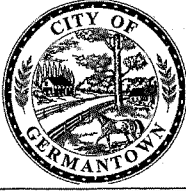
First Reading _____

Second Reading _____

Third Reading _____

Sharon Goldsworthy, Mayor

Dotty Johnson, City Clerk/Recorder



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: November 25, 2013

FROM: Patrick J. Lawton, City Administrator *PL*

SUBJECT: ORDINANCE 2013-15 –AMENDMENT TO THE ALCOHOLIC BEVERAGE REGULATIONS: FIRST READING AND SET DATE OF PUBLIC HEARING

INTRODUCTION:

The specific action requested by the Board is to approve an amendment to the City’s regulations on zoning for places that sell alcoholic beverages. The proposed amendment can be best described as a “clean-up” amendment to address over-sights, clarifications, and less-than-clear language. The specific action requested is approval of the amendment on first reading, and the setting of a public hearing date for January 13, 2014.

BACKGROUND:

Various conflicts, unclear language and similar issues have been identified by staff as they implement the regulations on subdivisions, businesses and dwellings. In some cases, the current regulations cause unnecessary delays and expenses to property owners, and can be confusing to staff, residents and business owners.

DISCUSSION:

The proposed amendment addresses the following situation that needs clarification:

1. **Section 3-116 (Alcoholic Beverages – Location of Establishments)** – While this is not part of the Zoning Regulations, it does relate to the required zoning of places that sell alcoholic beverages and to the provisions of the Smart Code. Currently, section 3-116 limits places that sell alcoholic beverages to the C-2 (General Commercial) zoning district. When the Smart Code and associated districts were adopted in 2007, section 23-804 (Table 10: Specific Functions) permitted Liquor Selling Establishments to be located in T-5 districts, subject to the approval of a warrant. Staff recommends that Section 3-116 be amended to include the SC-1 district as a permitted district, and the T-5 district as a permitted district, subject to the approval of a warrant.

BUDGET AND STAFFING IMPACT:

The amendment will not directly affect the City’s budget or time and effort commitments of City staff.

GERMANTOWN VISION 2020:

The proposed amendment is consistent with several goals from Germantown Vision 2020: Goals for redevelopment in the heart of Germantown, including Goal 13 which supports “redevelopment and reuse of older commercial and residential buildings”; and Goal 12, which has the objective of well-maintained and modernized homes and landscaping.

ATTACHMENT 1: RED-LINED MARK-UPS OF EXISTING AND PROPOSED LANGUAGE

AMENDMENT:

1. Sec. 3-116. - Location of establishments.

It shall be unlawful for any person to operate or maintain any wholesale or retail establishment for the sale, storage, or distribution of alcoholic beverages in the city except at locations (a) within the C-2 Commercial, SC-1 Shopping Center, or T-5 Urban Center zoning classification of the zoning ordinances of the city and (b) within a congregate care facility located in the R-H retirement housing zoning classification of the zoning ordinances of the city, but only in conjunction with common dining, social, and recreational facilities located therein.

ATTACHMENT 2: PLANNING COMMISSION MINUTES

Agenda Number:

**PLANNING COMMISSION MEETING
MUNICIPAL CENTER COUNCIL CHAMBERS
Tuesday, August 6, 2013**

The regular meeting of the Planning Commission was scheduled and held in the Council Chambers of the Municipal Center on August 6, 2013. Chairman Klevan welcomed everyone and asked the Commission members as well as the audience to please speak into the microphone so they could be heard. Chairman Klevan then called the meeting to order at 6:06 p.m. asking the secretary for the roll.

1. Ms. Rush called the roll of the Board to establish a quorum:

Commissioners Present: Hale Barclay, Alderman Forrest Owens, Dike Bacon, George Hernandez, David Klevan, Mike Harless, Steve Wilensky and Susan Burrow.

Commissioners Absent:

Staff Present: David Harris, Wade Morgan, Tim Gwaltney, Andy Pouncey and Pam Rush.

2. A quorum for tonight's Planning Commission meeting was established.

Chairman Klevan stated that item number 6, the Somerset Subdivision, East side of Exeter Road, North of Neshoba Road, request Preliminary and Final Plat approval, has been withdrawn from the agenda this evening.

3. Approval of Minutes for July 2, 2013

Chairman Klevan stated for those people who just arrived, tonight's agenda is on the front table. The first order of business is the approval of the minutes for July 2, 2013. If there were no additions, corrections or deletions to the minutes of the July 2, 2013, meeting of the Planning Commission, he would entertain a motion for approval.

Mr. Bacon moved to approve the Planning Commission minutes of July 2, 2013, as submitted, seconded by Ms. Burrow.

Chairman Klevan asked for a roll call.

Roll Call: Barclay – yes; Burrow –yes; Hernandez - yes; Wilensky – abstain; Bacon – yes; Harless –yes; Owens - yes; Klevan – yes. **The motion was passed**

6. Amendments to Chapters 3 (Alcoholic Beverages), 17 (Subdivisions) and 23 (Zoning) of the Germantown Codes of Ordinances

INTRODUCTION: The zoning regulations were initially adopted to address community values about the use of land and buildings, and have been amended over the years to adapt to new building issues, changing technology, and changing desires of residents. As the regulations are applied to real-life conditions, situations that were not originally envisioned become apparent and over-sights are discovered.

DISCUSSION: The proposed amendments address various situations that need clarification:

2. **Section 3-116 (Alcoholic Beverages – Location of Establishments)** – While this is not part of the Zoning Regulations, it does relate to the required zoning of places that sell alcoholic beverages. This

section limits places that sell alcoholic beverages to the C-2 (General Commercial) zoning district. When the Smart Code and associated districts were adopted in 2007, section 23-804 (Table 10: Specific Functions) permitted Liquor Selling Establishments to be located in T-5 districts, subject to the approval of a warrant. Staff recommends that Section 3-116 be amended to include the T-5 district as a permitted district.

3. **Sections 23-187 (R-E District), 23-212 (RE-1 District), 23-236 (R District), 23-261 (R-1 District), 23-286 (R-2 District) and 23-311 (R-3 District)** – These sections address the location and similar physical characteristics of accessory buildings within single family residential districts, and are all essentially identical. Accessory buildings are not permitted beyond the front line of the principal building, with corner lots being defined as having front building lines on both streets. However, double frontage lots (lots that have frontage on 2 streets that do not intersect) are not directly addressed by this section. Illustrations of double-frontage lots are attached. The definitions section of the Zoning Regulations identifies both frontages of a double frontage lot as a front yard. Therefore, storage buildings and similar structures are effectively not permitted on double frontage lots.

Staff recommends that accessory structures be allowed within the yards of double frontage lots that are located between the building line and the street to which there is no vehicular access. The majority of double frontage lots in Germantown have fences along the street, which the “rear” of the house faces, so that accessory structures are screened from view from the street. There should be further requirements that the street frontage be screened by a site-proof fence (typically wood or masonry), and accessory structures should be limited in height to 10 feet.

4. **Section 17-1 (Policies)** – In 2009, the Subdivision Regulations were amended to create the category of “minor subdivision” to allow administrative approval of revisions to existing subdivisions that do not create new lots. Situations that would fall under the minor subdivision category include relocation of easements, relocation of lot lines, the merging of two lots into one, and similar situations. The proposed amendment adds the word “revision” to the description, to make clear the intent relates to modifications to existing subdivisions, and not to the creation of new lots.

STAFF RECOMMENDATION: approval.

ZONING & ANNEXATION SUBCOMMITTEE: (SUSAN BURROW, CHAIRMAN) – The subcommittee met on July 17, 2013 and withheld a recommendation.

PROPOSED MOTION 1: To recommend approval of the proposed amendments to Section 3-116 location of establishments.

Ms. Burrow moved to recommend approval of the proposed amendments to Section 3-116 location of establishments, subject to staff comments, seconded by Mr. Harless.

Chairman Klevan asked for a roll call.

Roll Call: Barclay – yes; Burrow – yes; Hernandez - yes; Wilensky – yes; Bacon – yes; Harless –yes; Owens - yes; Klevan – yes. **The motion was passed**

PROPOSED MOTION 2: To recommend approval of the proposed amendments to Section 23-236 accessory buildings.

Ms. Burrow moved to recommend approval of the proposed amendments to Section 23-236 accessory buildings, subject to staff comments, seconded by Mr. Harless.

Chairman Klevan asked for a roll call.

Roll Call: Barclay – yes; Burrow – yes; Hernandez - yes; Wilensky – yes; Bacon – yes; Harless –yes;
Owens - yes; Klevan – yes. **The motion was passed**

PROPOSED MOTION 3: To recommend approval of the proposed amendments to Section 17-1 (Policies).

Ms. Burrow moved to recommend approval of the proposed amendments to Section 17-1 (Policies), subject to staff comments, seconded by Mr. Harless.

Chairman Klevan asked for a roll call.

Roll Call: Barclay – yes; Burrow – yes; Hernandez - yes; Wilensky – yes; Bacon – yes; Harless –yes;
Owens - yes; Klevan – yes. **The motion was passed**

AMENDMENTS:

2. Sec. 3-116. - Location of establishments.

It shall be unlawful for any person to operate or maintain any wholesale or retail establishment for the sale, storage, or distribution of alcoholic beverages in the city except at locations (a) within the C-2 Commercial or T-5 Urban Center zoning classification of the zoning ordinances of the city and (b) within a congregate care facility located in the R-H retirement housing zoning classification of the zoning ordinances of the city, but only in conjunction with common dining, social, and recreational facilities located therein.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: November 25, 2013

FROM: Patrick J. Lawton, City Administrator *PL*

SUBJECT: ORDINANCE 2013-16 – AN AMENDMENT TO THE ZONING REGULATIONS:
FIRST READING AND SET DATE OF PUBLIC HEARING

INTRODUCTION:

The specific action requested by the Board is to approve an amendment to the City's regulations on the allowed locations of accessory structures. The proposed amendment can be best described as a "clean-up" amendment to address over-sights, clarifications, and less-than-clear language. The specific action requested is approval of the amendment on first reading, and the setting of a public hearing date for January 13, 2014.

BACKGROUND:

Various conflicts, unclear language and similar issues have been identified by staff as they implement the regulations on subdivisions, businesses and dwellings. In some cases, the current regulations cause unnecessary delays and expenses to property owners, and can be confusing to staff, residents and business owners.

DISCUSSION:

The proposed amendment addresses the following situation that needs clarification:

1. **Sections 23-187 (R-E District), 23-212 (RE-1 District), 23-236 (R District), 23-261 (R-1 District), 23-286 (R-2 District) and 23-311 (R-3 District)** – These sections address the location and similar physical characteristics of accessory buildings within single family residential districts, and are all essentially identical. Accessory buildings are not permitted beyond the front line of the principal building, with corner lots being defined as having front building lines on both streets. However, double frontage lots (lots that have frontage on 2 streets that do not intersect) are not directly addressed by this section. Illustrations of double-frontage lots are attached. The definitions section of the Zoning Regulations identifies both frontages of a double frontage lot as a front yard. Therefore, storage buildings and similar structures are effectively not permitted on double frontage lots. Residents living on double-frontage lots have been forced to apply to the Board of Zoning Appeals for a variance so that they can place a storage building, play-fort or similar accessory structure in what they view as their "back yard", but are considered a front yard by the Zoning Regulations.

Staff recommends that accessory structures be allowed within the yards of double frontage lots that are located between the building line and the street to which there is no vehicular access. The majority of double frontage lots in Germantown have fences along the street which the "rear" of the house faces, so that accessory structures are screened from view from the street. There should be further requirements that the street frontage be screened by a site-proof fence (typically wood or masonry), and accessory structures should be limited in height to 10 feet.

BUDGET AND STAFFING IMPACT:

The amendment will not directly affect the City's budget or time and effort commitments of City staff.

ATTACHMENT 1: RED-LINED MARK-UPS OF EXISTING AND PROPOSED LANGUAGE

AMENDMENTS:

1. Sec. 23-236. - Accessory buildings.

Accessory buildings/structures and other outdoor accessory constructions and items that are normal and incidental to single-family dwellings; excluding, but not limited to, satellite receiving antennas (covered in section 23-2), basketball goals, temporary lawn game apparatus, decorative items, lawn furniture, birdhouses, decorative garden structures and similar appurtenances, shall be located in compliance with the following:

- (1) No accessory buildings/structures and other outdoor accessory constructions shall extend beyond the front line ~~of the building~~ of the principal building, nor shall they extend into the required side yard between the front and rear lines of the principal building. On corner lots, both sides of the principal building that face the intersecting streets are classified as front building lines of the principal building. On double frontage lots, accessory buildings/structures may be located between the principal building line and the non-accessible street, provided 1) there is a sight-proof fence along the non-accessible street, 2) the accessory building/structure is located a distance equal to at least the height of the structure from all lot lines, and 3) the accessory structure is less than 10 feet in height.
 - (2) Location:
 - a. No accessory building or structure shall be located within a recorded easement.
 - b. An accessory building or structure with a height of eight feet or more may extend into the required rear yard, but shall be located a distance equal to at least the height of the structure from the rear and side lot lines.
 - c. An accessory building or structure with a height of less than eight feet may extend into the required rear yard, but shall be located a minimum of three feet, six inches from the rear and side lot lines.
 - (3) No accessory building shall exceed 20 feet in height.
 - (4) Accessory buildings shall not cover more than 25 percent of the required rear yard.
 - (5) Accessory buildings, structures and other accessory items and uses are not allowed on lots that do not have a principal building.
 - (6) Flagpoles shall be located on any yard, provided that they are located a distance equal to or greater than their own height from the nearest property line. Flagpoles shall not be located within a recorded easement; and shall not exceed 20 feet in height.
-

ATTACHMENT 2: PLANNING COMMISSION MINUTES

Agenda Number: 1

**PLANNING COMMISSION MEETING
MUNICIPAL CENTER COUNCIL CHAMBERS
Tuesday, August 6, 2013**

The regular meeting of the Planning Commission was scheduled and held in the Council Chambers of the Municipal Center on August 6, 2013. Chairman Klevan welcomed everyone and asked the Commission members as well as the audience to please speak into the microphone so they could be heard. Chairman Klevan then called the meeting to order at 6:06 p.m. asking the secretary for the roll.

1. Ms. Rush called the roll of the Board to establish a quorum:

Commissioners Present: Hale Barclay, Alderman Forrest Owens, Dike Bacon, George Hernandez, David Klevan, Mike Harless, Steve Wilensky and Susan Burrow.

Commissioners Absent:

Staff Present: David Harris, Wade Morgan, Tim Gwaltney, Andy Pouncey and Pam Rush.

2. A quorum for tonight's Planning Commission meeting was established.

Chairman Klevan stated that item number 6, the Somerset Subdivision, East side of Exeter Road, North of Neshoba Road, request Preliminary and Final Plat approval, has been withdrawn from the agenda this evening.

3. Approval of Minutes for July 2, 2013

Chairman Klevan stated for those people who just arrived, tonight's agenda is on the front table. The first order of business is the approval of the minutes for July 2, 2013. If there were no additions, corrections or deletions to the minutes of the July 2, 2013, meeting of the Planning Commission, he would entertain a motion for approval.

Mr. Bacon moved to approve the Planning Commission minutes of July 2, 2013, as submitted, seconded by Ms. Burrow.

Chairman Klevan asked for a roll call.

Roll Call: Barclay – yes; Burrow –yes; Hernandez - yes; Wilensky – abstain; Bacon – yes; Harless –yes; Owens - yes; Klevan – yes. **The motion was passed**

6. Amendments to Chapters 3 (Alcoholic Beverages), 17 (Subdivisions) and 23 (Zoning) of the Germantown Codes of Ordinances

INTRODUCTION: The zoning regulations were initially adopted to address community values about the use of land and buildings, and have been amended over the years to adapt to new building issues, changing technology, and changing desires of residents. As the regulations are applied to real-life conditions, situations that were not originally envisioned become apparent and over-sights are discovered.

DISCUSSION: The proposed amendments address various situations that need clarification:

2. **Section 3-116 (Alcoholic Beverages – Location of Establishments)** – While this is not part of the Zoning Regulations, it does relate to the required zoning of places that sell alcoholic beverages. This

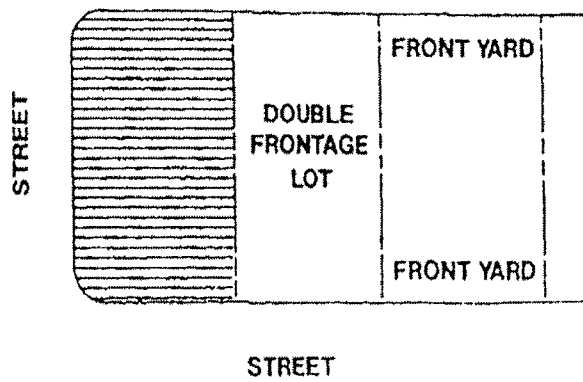
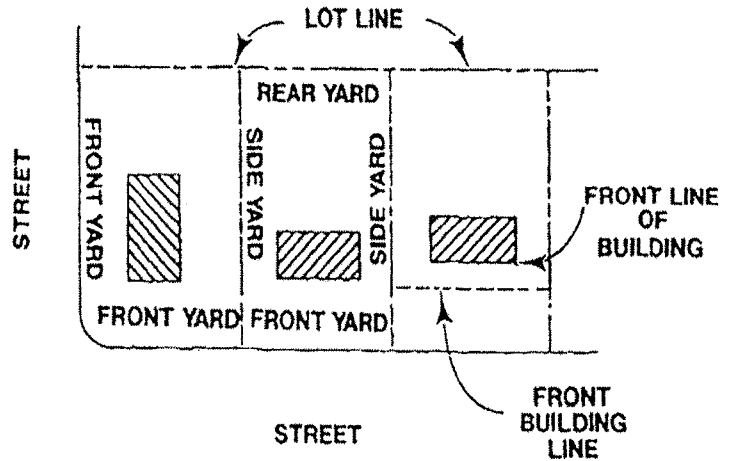
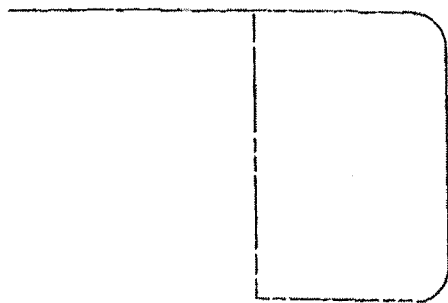
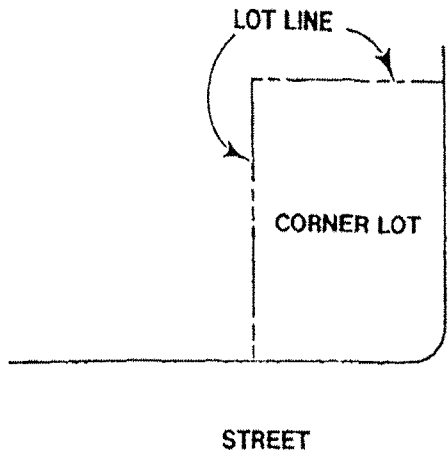
section limits places that sell alcoholic beverages to the C-2 (General Commercial) zoning district. When the Smart Code and associated districts were adopted in 2007, section 23-804 (Table 10: Specific Functions) permitted Liquor Selling Establishments to be located in T-5 districts, subject to the approval of a warrant. Staff recommends that Section 3-116 be amended to include the T-5 district as a permitted district.

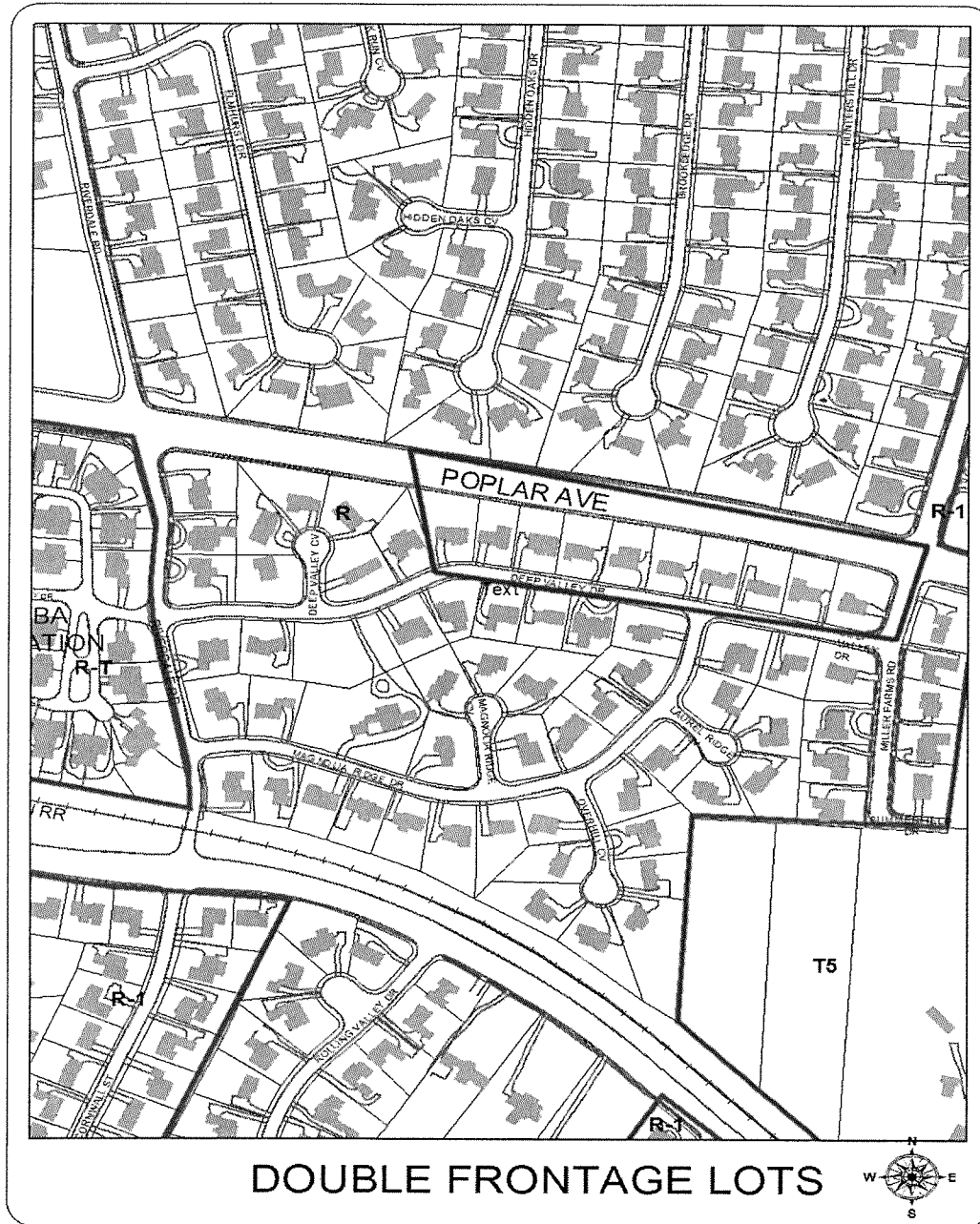
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Staff recommends that accessory structures be allowed within the yards of double frontage lots that are located between the building line and the street to which there is no vehicular access. The majority of double frontage lots in Germantown have fences along the street, which the “rear” of the house faces, so that accessory structures are screened from view from the street. There should be further requirements that the street frontage be screened by a site-proof fence (typically wood or masonry), and accessory structures should be limited in height to 10 feet.

4. **Section 17-1 (Policies)** – In 2009, the Subdivision Regulations were amended to create the category of “minor subdivision” to allow administrative approval of revisions to existing subdivisions that do not create new lots. Situations that would fall under the minor subdivision category include relocation of easements, relocation of lot lines, the merging of two lots into one, and similar situations. The proposed amendment adds the word “revision” to the description, to make clear the intent relates to modifications to existing subdivisions, and not to the creation of new lots.

GENERAL AREA REQUIREMENT TERMS





STAFF RECOMMENDATION: approval.

ZONING & ANNEXATION SUBCOMMITTEE: (SUSAN BURROW, CHAIRMAN) – The subcommittee met on July 17, 2013 and withheld a recommendation.

PROPOSED MOTION 1: To recommend approval of the proposed amendments to Section 3-116 location of establishments.

Ms. Burrow moved to recommend approval of the proposed amendments to Section 3-116 location of establishments, subject to staff comments, seconded by Mr. Harless.

Chairman Klevan asked for a roll call.

Roll Call: Barclay – yes; Burrow – yes; Hernandez - yes; Wilensky – yes; Bacon – yes; Harless –yes;
Owens - yes; Klevan – yes. **The motion was passed**

PROPOSED MOTION 2: To recommend approval of the proposed amendments to Section 23-236 accessory buildings.

Ms. Burrow moved to recommend approval of the proposed amendments to Section 23-236 accessory buildings, subject to staff comments, seconded by Mr. Harless.

Chairman Klevan asked for a roll call.

Roll Call: Barclay – yes; Burrow – yes; Hernandez - yes; Wilensky – yes; Bacon – yes; Harless –yes;
Owens - yes; Klevan – yes. **The motion was passed**

PROPOSED MOTION 3: To recommend approval of the proposed amendments to Section 17-1 (Policies).

Ms. Burrow moved to recommend approval of the proposed amendments to Section 17-1 (Policies), subject to staff comments, seconded by Mr. Harless.

Chairman Klevan asked for a roll call.

Roll Call: Barclay – yes; Burrow – yes; Hernandez - yes; Wilensky – yes; Bacon – yes; Harless –yes;
Owens - yes; Klevan – yes. **The motion was passed**



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: November 25, 2013

FROM: Patrick J. Lawton, City Administrator *PL*

SUBJECT: ORDINANCE 2013-17 – AN AMENDMENT TO THE SUBDIVISION REGULATIONS: FIRST READING AND SET DATE OF PUBLIC HEARING

INTRODUCTION:

The specific action requested by the Board is to approve an amendment to the City's regulations on land uses and land use approval processes. The proposed amendment can be best described as "clean-up" amendments to address over-sights, clarifications, and less-than-clear language. The specific action requested is approval of the amendments on first reading, and the setting of a public hearing date for January 13, 2014.

BACKGROUND:

Various conflicts, unclear language and similar issues have been identified by staff as they implement the regulations on subdivisions, businesses and dwellings. In some cases, the current regulations cause unnecessary delays and expenses to property owners, and can be confusing to staff, residents and business owners.

DISCUSSION:

The proposed amendment addresses the following situation that needs clarification:

1. **Section 17-1 (Policies)** – In 2009, the Subdivision Regulations were amended to create the Category of "minor subdivision" to allow administrative approval of revisions to existing subdivisions that do not create new lots. Situations that would fall under the minor subdivision category include relocation of easements, relocation of lot lines, the merging of two lots into one, and similar situations. The proposed amendment adds the word "revision" to the description, to make clear the intent relates to modifications to existing subdivisions, and not to the creation of new lots.

BUDGET AND STAFFING IMPACT:

The amendment will not directly affect the City's budget or time and effort commitments of City staff.

GERMANTOWN VISION 2020:

The proposed amendments are consistent with several goals from Germantown Vision 2020: Goals for redevelopment in the heart of Germantown, including Goal 13 which supports "redevelopment and reuse of older commercial and residential buildings"; and Goal 12, which has the objective of well-maintained and modernized homes and landscaping.

ATTACHMENT 1: RED-LINED MARK-UPS OF EXISTING AND PROPOSED LANGUAGE

AMENDMENTS:

1. Section 17-1 (Policies)

e. Minor revision to a subdivision means the shifting of existing property lines so that the total number of tracts or parcels is unchanged or the removal of existing property lines combining lots within a recorded subdivision so that the total number of tracts or parcels is reduced.

(1) When a minor revision to a subdivision plat is presented that involves a minor lot line adjustment to a property line, combining lots or easements, or other similar changes and does not involve any street or public utility construction to serve such lot(s), the approval may be endorsed in writing on the plat by the secretary of the planning commission upon certification by the city administrator, or his designees, that the subdivision complies in all respects with these regulations and all other adopted ordinances and policies of the governing body. No plat may be approved under this provision if such plat involves a request for a deviation from these regulations or if such plat is not in total compliance with all ordinances or policies of the city.

(2) Any person authorized to endorse approval in writing on the final plat, as provided in subpart (1), above, may refuse to endorse approval of the plat and request consideration of the plat by the planning commission at the next regularly scheduled meeting of the body.

ATTACHMENT 2: PLANNING COMMISSION MINUTES

Agenda Number: 1

**PLANNING COMMISSION MEETING
MUNICIPAL CENTER COUNCIL CHAMBERS
Tuesday, August 6, 2013**

The regular meeting of the Planning Commission was scheduled and held in the Council Chambers of the Municipal Center on August 6, 2013. Chairman Klevan welcomed everyone and asked the Commission members as well as the audience to please speak into the microphone so they could be heard. Chairman Klevan then called the meeting to order at 6:06 p.m. asking the secretary for the roll.

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Commissioners Present: Hale Barclay, Alderman Forrest Owens, Dike Bacon, George Hernandez, David Klevan, Mike Harless, Steve Wilensky and Susan Burrow.

Commissioners Absent:

Staff Present: David Harris, Wade Morgan, Tim Gwaltney, Andy Pouncey and Pam Rush.

2. A quorum for tonight's Planning Commission meeting was established.

Chairman Klevan stated that item number 6, the Somerset Subdivision, East side of Exeter Road, North of Neshoba Road, request Preliminary and Final Plat approval, has been withdrawn from the agenda this evening.

3. Approval of Minutes for July 2, 2013

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Mr. Bacon moved to approve the Planning Commission minutes of July 2, 2013, as submitted, seconded by Ms. Burrow.

Chairman Klevan asked for a roll call.

Roll Call: Barclay – yes; Burrow –yes; Hernandez - yes; Wilensky – abstain; Bacon – yes; Harless –yes; Owens - yes; Klevan – yes. **The motion was passed**

6. Amendments to Chapters 3 (Alcoholic Beverages), 17 (Subdivisions) and 23 (Zoning) of the Germantown Codes of Ordinances

INTRODUCTION: The zoning regulations were initially adopted to address community values about the use of land and buildings, and have been amended over the years to adapt to new building issues, changing technology, and changing desires of residents. As the regulations are applied to real-life conditions, situations that were not originally envisioned become apparent and over-sights are discovered.

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3. **Sections 23-187 (R-E District), 23-212 (RE-1 District), 23-236 (R District), 23-261 (R-1 District), 23-286 (R-2 District) and 23-311 (R-3 District)** – These section address the location and similar physical characteristics of accessory buildings within single family residential districts, and are all essentially identical. Accessory buildings are not permitted beyond the front line of the principal building, with corner lots being defined as having front building lines on both streets. However, double frontage lots (lots that have frontage on 2 streets that do not intersect) are not directly addressed by this section. Illustrations of double-frontage lots are attached. The definitions section of the Zoning Regulations identifies both frontages of a double frontage lot as a front yard. Therefore, storage buildings and similar structures are effectively not permitted on double frontage lots.

Staff recommends that accessory structures be allowed within the yards of double frontage lots that are located between the building line and the street to which there is no vehicular access. The majority of double frontage lots in Germantown have fences along the street, which the “rear” of the house faces, so that accessory structures are screened from view from the street. There should be further requirements that the street frontage be screened by a site-proof fence (typically wood or masonry), and accessory structures should be limited in height to 10 feet.

4. **Section 17-1 (Policies)** – In 2009, the Subdivision Regulations were amended to create the category of “minor subdivision” to allow administrative approval of revisions to existing subdivisions that do not create new lots. Situations that would fall under the minor subdivision category include relocation of easements, relocation of lot lines, the merging of two lots into one, and similar situations. The proposed amendment adds the word “revision” to the description, to make clear the intent relates to modifications to existing subdivisions, and not to the creation of new lots.

STAFF RECOMMENDATION: approval.

ZONING & ANNEXATION SUBCOMMITTEE: (SUSAN BURROW, CHAIRMAN) – The subcommittee met on July 17, 2013 and withheld a recommendation.

PROPOSED MOTION 1: To recommend approval of the proposed amendments to Section 3-116 location of establishments.

Ms. Burrow moved to recommend approval of the proposed amendments to Section 3-116 location of establishments, subject to staff comments, seconded by Mr. Harless.

Chairman Klevan asked for a roll call.

Roll Call: Barclay – yes; Burrow – yes; Hernandez - yes; Wilensky – yes; Bacon – yes; Harless – yes; Owens - yes; Klevan – yes. **The motion was passed**

PROPOSED MOTION 2: To recommend approval of the proposed amendments to Section 23-236 accessory buildings.

Ms. Burrow moved to recommend approval of the proposed amendments to Section 23-236 accessory buildings, subject to staff comments, seconded by Mr. Harless.

Chairman Klevan asked for a roll call.

Roll Call: Barclay – yes; Burrow – yes; Hernandez - yes; Wilensky – yes; Bacon – yes; Harless – yes; Owens - yes; Klevan – yes. **The motion was passed**

PROPOSED MOTION 3: To recommend approval of the proposed amendments to Section 17-1 (Policies).

Ms. Burrow moved to recommend approval of the proposed amendments to Section 17-1 (Policies), subject to staff comments, seconded by Mr. Harless.

Chairman Klevan asked for a roll call.

Roll Call: Barclay – yes; Burrow – yes; Hernandez - yes; Wilensky – yes; Bacon – yes; Harless – yes; Owens - yes; Klevan – yes. **The motion was passed**

AMENDMENTS:

2. Section 17-1 (Policies)

e. Minor revision to a subdivision means the shifting of existing property lines so that the total number of tracts or parcels is unchanged or the removal of existing property lines combining lots within a recorded subdivision so that the total number of tracts or parcels is reduced.

(1) When a minor revision to a subdivision plat is presented that involves a minor lot line adjustment to a property line, combining lots or easements, or other similar changes and does not involve any street or public utility construction to serve such lot(s), the approval may be endorsed in writing on the plat by the secretary of the planning commission upon certification by the city administrator, or his designees, that the subdivision complies in all respects with these regulations and all other adopted ordinances and policies of the governing body. No plat may be approved under this provision if such plat involves a request for a deviation from these regulations or if such plat is not in total compliance with all ordinances or policies of the city.

(2) Any person authorized to endorse approval in writing on the final plat, as provided in subpart (1), above, may refuse to endorse approval of the plat and request consideration of the plat by the planning commission at the next regularly scheduled meeting of the body.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: November 25, 2013

FROM: Patrick J. Lawton, City Administrator *PJL*

SUBJECT: KIMBROUGH OFFICE PARK PUD – APPROVAL OF RESOLUTION 13R15 TO APPROVE THE KIMBROUGH OFFICE PARK PUD

INTRODUCTION:

The purpose of this agenda item is to approve Resolution 13R15 to approve an Outline Plan for the proposed Kimbrough Office Park PUD (2.7 acres) that proposes two variances from the standard development regulations. The PUD is within the “O” Office district at the southeast corner of Wolf River Boulevard and Kimbrough Road.

BACKGROUND:

The Planning Commission recommended approval of the rezoning from “R-T” Multi-family to the “O” Office district on June 4, 2013 and the Board of Mayor and Aldermen approved same on August 12, 2013. The Planning Commission on November 5, 2013 reviewed the request for the proposed PUD and approved two (2) variances from the standard development regulations that must be approved prior to the site plan going before the Planning Commission for preliminary and final plan approval.

DISCUSSION:

The PUD of 2.7 acres consists of two lots with one building on each lot. The buildings are 13,200 sq. ft. and 8,000 sq. ft. There are 131 parking spaces.

The PUD Outline Plan proposes the following variances from the standard development regulations:

1. The Phase 1 building is located 30 feet from Kimbrough Road and 40 feet from Wolf River Boulevard, and the standard setback from both streets is 60 feet.
2. The Phase 2 building is located 10 feet from Kimbrough Road, and the standard setback is 40 feet.

The concept was developed to address the neighbors’ comments and to create a more urban layout in keeping with the layout of Kimbrough Grove P.D., a residential neighborhood on the west side of Kimbrough Road. Placing the buildings closer to Kimbrough Road allows the developer to locate much of the parking on the east side of the site, away from the residences. The one parking area that is adjacent to Kimbrough Road will be screened with a landscaped berm.

BUDGET AND STAFFING IMPACT:

The variances from the standard development regulations will not directly affect the City’s budget or time and effort commitments of City staff.

GERMANTOWN VISION 2020:

The proposed PUD supports the Guiding Principles of Vision 2020 in that “City government has a pro-business image while protecting Germantown’s standards and character.”

ATTACHMENTS:

Resolution 13R15
Site Plan

PREPARED BY: Wade Morgan
Wade Morgan, Chief Planner

REVIEWED BY: Andy Pouncey
Andy Pouncey, Director, Economic and Community
Development

PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:

To approve Resolution 13R15 to approve an Outline Plan for the proposed Kimbrough Office Park PUD, located at the southeast corner of Wolf River Boulevard and Kimbrough Road that proposes two variances from the standard development regulations.

BOARD ACTION: MOTION BY: SECONDED BY:

VOTE/TOTAL	MARCOM	DRINNON	PALAZZOLO	OWENS	JANDA	GOLDSWORTHY
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain

Resolution 13R15

**A RESOLUTION TO APPROVE THE
KIMBROUGH OFFICE PARK PUD OUTLINE PLAN**

WHEREAS, The primary thrust of development in the city has taken place under requirements of uniform regulations within each zoning district that may on occasion prevent or discourage innovative site design and development that will respond to new market demands; and

WHEREAS, The use of improved techniques for land development is often difficult under traditional zoning regulations. Proper development requires a flexible approach to be available both to the city and to the landowner; and

WHEREAS, the Board of Mayor and Aldermen approved the rezoning of the property from “R-T” Multi-Family to the “O” Office District on June 4, 2013. The Planning Commission on November 5, 2013 reviewed the request for the proposed PUD and approved the following variances from the standard development regulations, to address the neighbor’s comments and to create a more urban layout in keeping with the layout of Kimbrough Grove P.D., a residential neighborhood on the west side of Kimbrough Road. The Planning Commission recommends approval of these two (2) variances:

1. The Phase 1 building is located 30 feet from Kimbrough Road and 40 feet from Wolf River Boulevard, and the standard setback from both streets is 60 feet.
2. The Phase 2 building is located 10 feet from Kimbrough Road, and the standard setback is 40 feet.

NOW, THEREFORE BE IT RESOLVED by the City of Germantown that the Kimbrough Office Park Planned Unit Development be approved.

Sharon Goldsworthy, Mayor

Dotty Johnson, City Clerk /Recorder



OUTLINE PLAN KIMBROUGH OFFICE PARK PLANNED DEVELOPMENT

GERMANTOWN, TENNESSEE

WARD/BLK/PARCEL NUMBERS
81/20/475
ACRAGE
2.794

ZONING: R-T

OWNER/DEVELOPER:
MCNEILL-KIMBROUGH, LLC
7700 Wolf River Boulevard
Germantown, Tennessee 38138



PREPARED BY:
The
Reaves
Firm
Civil/Architectural
1000 North Main Street
Germantown, TN 38138
Tel: 901.251.1141

DATE: 10/24/2013 SHEET 1 OF 2

WOLF RIVER BLVD.
(106' R.O.W.)

CITY OF GERMANTOWN
Zoned: AG
9.98 Acres

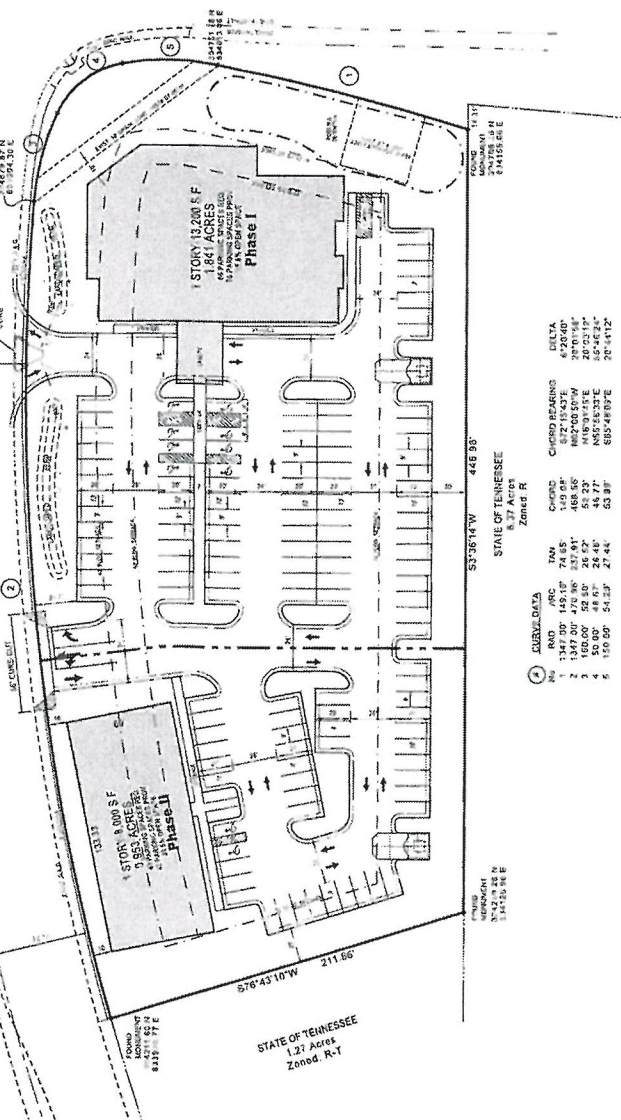
LMP WOLF RIVER I LLC
Zoned: O
4.84 Acres

KIMBROUGH GROVE
PHASE 2/3/4
Zoned: R-T

KIMBROUGH ROAD
(106' R.O.W.)

KIMBROUGH GROVE
PHASE 2/3/4
Zoned: R-T

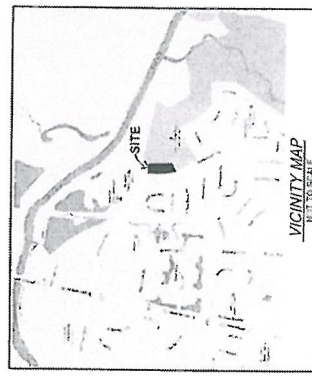
KIMBROUGH GROVE # 23
PHASE 2/3/4
Zoned: R-T



ACRES	AREA	PERIMETER	PERIMETER	PERIMETER	PERIMETER	PERIMETER	PERIMETER
1.841	13,200 S.F.	1,427.87' N	613.94' S	1,427.87' N	613.94' S	1,427.87' N	613.94' S
0.923	8,000 S.F.	1,427.87' N	613.94' S	1,427.87' N	613.94' S	1,427.87' N	613.94' S

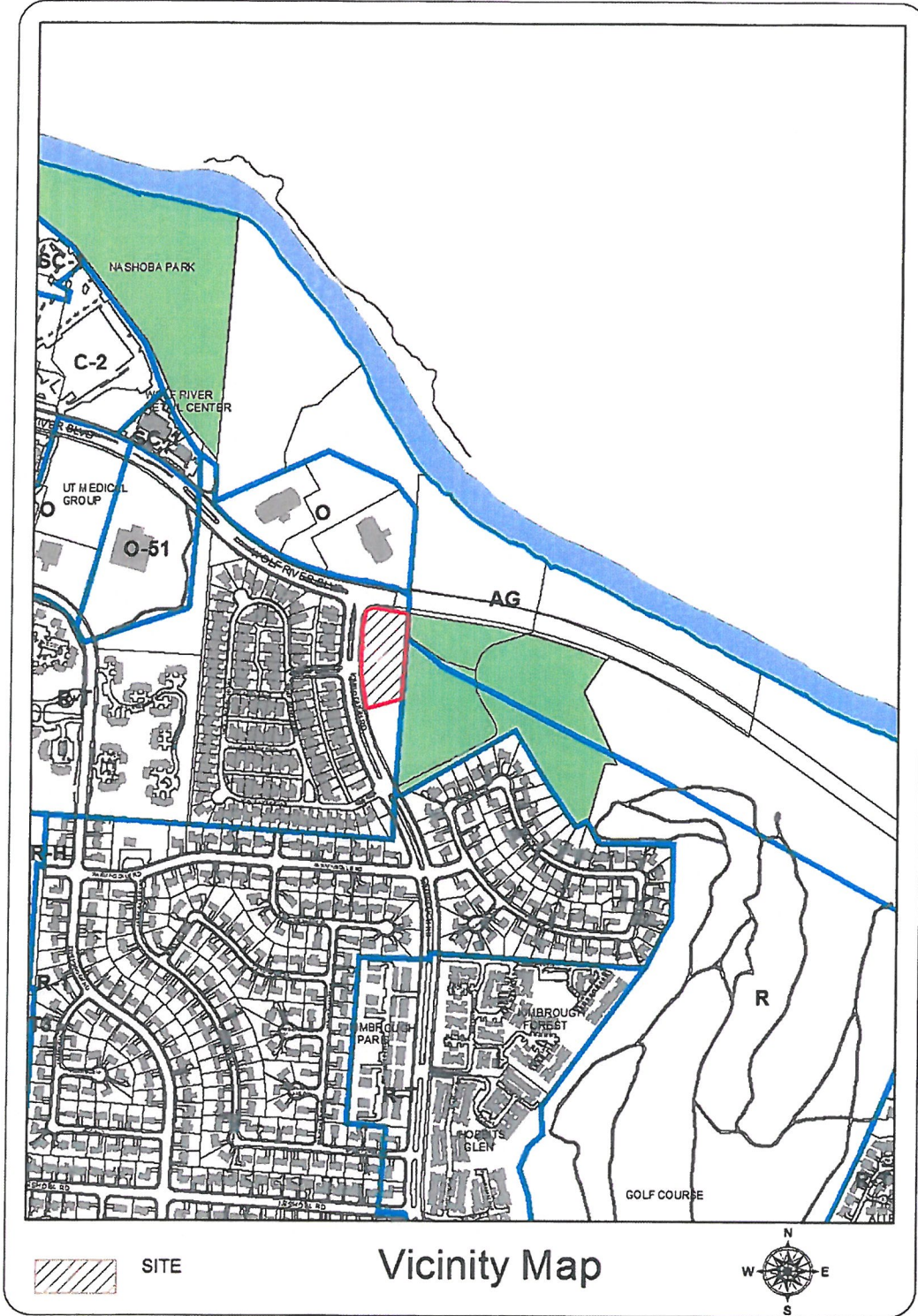
ACRES	AREA	PERIMETER	PERIMETER	PERIMETER	PERIMETER	PERIMETER	PERIMETER
8.77	134,700	1,427.87' N	613.94' S	1,427.87' N	613.94' S	1,427.87' N	613.94' S

ACRES	AREA	PERIMETER	PERIMETER	PERIMETER	PERIMETER	PERIMETER	PERIMETER
1.27	10,960	1,427.87' N	613.94' S	1,427.87' N	613.94' S	1,427.87' N	613.94' S



NOTE:
1. FLOODING POTENTIAL:
A PORTION OF THIS PROPERTY IS LIAVED WITHIN THE
FLOODING POTENTIAL ZONE AS DETERMINED BY EPA
4719400-4545 EFFECTIVE DATE: FEBRUARY, 2013
ELEV 254.00

VICINITY MAP
NOT TO SCALE





CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: November 25, 2013

FROM: Patrick J. Lawton, City Administrator *PJL*

SUBJECT: DESKTOP COMPUTER UPGRADES

INTRODUCTION:

The purpose of this agenda item is to request the Board's authorization to purchase replacement desktop computers in the amount of \$78,000.00 from CDW Government and approve Budget Adjustment 14-32.

BACKGROUND:

Computers in use throughout City departments vary from seven years to less than six months in age. This project will replace approximately 25% of the oldest computers and move the City toward a 4-year cycle to keep operating systems and hardware current.

DISCUSSION:

The project was advertised on the City's web site. Thirteen acceptable bids were received. Pricing allowed the City to exercise Alternate No. 1 to replace ten additional desktop computers. Staff based the number of units put out for bid on the previous years' purchase, specification research and project budget.

The implementation of new computers will provide City staff with computers capable of functioning with today's newer software technology and cloud based applications. Older computers are not capable of efficiently processing newer applications and are effectively obsolete. This project will empower staff with the computer equipment necessary to quickly access software programs whether desktop or cloud based. Over 50% of the computers in this replacement cycle will be placed in the Germantown Community Library.

Newer computers will reduce the time Information Technology staff spends trouble shooting slow computer problems allowing a faster internal customer response time. Energy consumption per PC will be cut in half compared to older computers. Old computers will be recycled ensuring maximum benefit to the City and to the environment.

**DESKTOP COMPUTERS
BID ANALYSIS**

Bid Opening November 6, 2013
2pm

At the City's Option

QTY	Company Name	Unit Price	Grand Total	Alt. 1 Unit Price	Meets Specification	Comments
90	Aprisa Technology	\$ 848.00	\$76,320.00	\$ 848.00	Yes	
90	ASE Direct	\$ 778.46	\$70,061.40	\$ 778.46	Yes	* Bid Disqualified - Bidder used a promo rate which ended October 31, 2013
90	B & H Photo	\$ 844.00	\$75,960.00	\$ 844.00	Yes	
90	Catalyst Technology	\$ 817.00	\$73,530.00	\$ 817.00	Yes	
90	CDW Government	\$ 780.00	\$70,200.00	\$ 780.00	Yes	
90	Howard Technology Solutions	\$ 739.27	\$66,534.30	\$ 739.27	Yes	* Bid Disqualified - Bidder used a promo rate which ended October 31, 2013
90	Konica Monica	\$ 875.28	\$78,775.20	\$ 875.28	Yes	
90	Laser Recharge	\$ 824.17	\$74,175.30	\$ 824.17	Yes	
90	OM Office Supply	\$ 770.00	\$69,300.00	\$ 770.00	Yes	* Bid Disqualified - Bidder used a promo rate which ended October 31, 2013
90	Pomeroy IT Solutions	\$ 798.00	\$71,820.00	\$ 798.00	Yes	
90	SDF Professional Computers (dba SAI Computers)	\$ 785.00	\$70,650.00	\$ 785.00	Yes	
90	Southern Computer Warehouse	\$ 799.97	\$71,997.30	\$ 799.97	Yes	
90	Staples Technology Solutions	\$ 780.70	\$70,263.00	\$ 780.70	Yes	
90	Tech Depot	\$ 826.43	\$74,378.70	\$ 826.43	Yes	
90	Thomas Consultants, Inc.	\$ 836.36	\$75,272.40	\$ 836.36	Yes	
90	Tiger Direct	\$ 841.87	\$75,768.30	\$ 841.87	Yes	

Bid Award:

Of the thirteen (13) acceptable Bidders, **CDW Government** is the acceptable low bidder in the amount of **\$70,200.00**. Per Alternate No.1 The City has decided to purchase 10 additional computers in the amount of **\$7,800.00**. The total award amount is **\$78,000.00**. Award will be recommended for approval at the November 25, 2013 **BMA Meeting**.

General Information:

The bid was advertised on the City's website.

CITY OF GERMANTOWN
REQUEST FOR BUDGET TRANSFER OR APPROPRIATION

No. 14-32

REQUEST FOR TRANSFER WITHIN ONE ALLOCATION

DATE: 25-Nov-13

REQUEST FOR TRANSFER ACROSS FUNDS/PROJECTS

REQUEST FOR ADDITIONAL FUNDS

DEPT: IT/Utility/GAC/Stormwater

<u>ACCOUNT NUMBER</u>	<u>PROJ. #</u>	<u>ACCOUNT DESCRIPTION</u>	<u>CURRENT BUDGET</u>	<u>PROPOSED ADJUSTMT</u>	<u>PROPOSED BUDGET</u>
010 - 1510 - 416 . 94 - 80	IR1407	Computers	\$ 79,597	\$ (8,580)	\$ 71,017
040 - 9020 - 522 . 94 - 80	IR1407	Computers	\$ -	\$ 2,340	\$ 2,340
042 - 4620 - 462 . 94 - 80	IR1407	Computers	\$ -	\$ 5,460	\$ 5,460
045 - 4920 - 552 . 94 - 80	IR1407	Computers	\$ -	\$ 780	\$ 780

JUSTIFICATION: For purchase of desktop computers from CDW Government.

COMMENTS: _____

REQUESTED BY: Stephanie Logan

REVIEWED BY: Tony Fischer
 Division Director

REVIEWED BY: _____
 City Administrator

APPROVED FOR SUBMISSION: Sherry Rowell
 Budget & Performance

REQUEST FOR TRANSFER WITHIN ONE DEPARTMENT APPROVED: _____
 Mayor

REQUEST FOR ADDITIONAL FUNDS REVIEWED BY: _____
 Mayor

REQUEST FOR TRANSFER ACROSS FUNDS/PROJECTS CERTIFIED BY: _____
 City Clerk

APPROVED BY BOARD OF MAYOR & ALDERMEN:
 DATE: _____



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: November 25, 2013

FROM: Patrick J. Lawton, City Administrator *PJL*

SUBJECT: ASPHALT REJUVENATION CONTRACT

INTRODUCTION:

The purpose of this agenda item is to consider approval of a construction contract with Pavement Technology, Inc. for the annual pavement rejuvenation program in an amount not to exceed \$50,000.00.

BACKGROUND:

Public Services has implemented an annual street maintenance program and the necessary funding request for pavement rejuvenation to extend pavement life cycles. This process is a maintenance function that will actually extend the pavement life thus extending the pavement cycle for several years. The procedure restores the natural surface pavement oils that are eroded by natural sunlight, heat, moisture and traffic volumes. Restoration not only keeps the surface pliable but also seals cracks from water intrusion. The final product helps extend the street life and consequently reduce maintenance and / or delay resurfacing requirements for several years.

DISCUSSION:

The City of Clarksville also uses this program on an annual basis and currently has a contract for pavement rejuvenation with Pavement Technology, Inc. The Public Services Department would like to request authorization from the Board of Mayor and Alderman to use the bid price approved by the City of Clarksville's Board. The price reflects a 0% increase from the FY13 Contract. The Procurement Department has verified that the contract with the City of Clarksville is valid and has also verified that Pavement Technology will comply with the City's insurance, bond and Drug/Alcohol Testing Affidavits.

BUDGET AND STAFFING IMPACT:

Source of Funding:

Fund	Line Item No.	Dept.	Line Item Description	Budget Balance	Recommended Expenditure
State Street Aid	011-3210-436.26-70	Public Services	Contract Street Maintenance	\$471,923.44	Not to Exceed \$50,000.00

Bobby Carter, Supt. of Streets, is the Project Manager.

VISION 2020:

This annual program supports the Vision 2020 success factor for addressing aging infrastructure by implementing new technology and maintenance programs for well maintained streets.

CITY OF GERMANTOWN, TN
DATE: November 12, 2013

COMPLIANCE CHECK SHEET


The City of Germantown TN requires that your firm comply with the following items.

Drug & Alcohol Testing Acknowledgement Statement and Affidavit	Comply?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Insurance Certificate	Comply?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Unit Price - \$0.82 per sq. yd.	Comply?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Payment Bond	Comply?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Performance Bond	Comply?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Street Listings	Comply?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

By signing and submitting this, Contractor agrees that they will comply with all of the attached documents.

PAVEMENT TECHNOLOGY, INC
Company Name

jschlegel@pavetechinc.com
Email:


Signature

JOHN J. SCHLEGEL
Print Name & Title VICE PRES.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**DATE:** November 25, 2013**FROM:** Patrick J. Lawton, City Administrator *PJL***SUBJECT:** RECOGNITION OF DONATION – EDUCATION COMMISSION

INTRODUCTION: The purpose of this agenda item is to recognize donations to the Germantown Education Commission totaling \$4,100.00 and approve Budget Adjustment Number 14-31.

BACKGROUND: Donations were designated to support the work of the Germantown Education Commission including Teacher of the Month awards, Teacher of the Year Award and The Battle of the Brains competition.

Each month, commission members select a Teacher of the Month to receive recognition during a Board of Mayor and Aldermen meeting. The winning teacher also receives a check for \$100 and is eligible to apply for the Teacher of the Year award which is presented in May. The teacher of the year receives a \$1,000 cash award.

During the Battle of the Brains competition, students from Germantown and Houston High Schools compete with projects related to science, technology, engineering and math. This year's event is scheduled for the morning of Wednesday, December 4, at the Great Hall and Conference Center. The public is invited to attend.

DISCUSSION: The following donated funds to be used to cover cash awards for Teacher of the Month winners, Teacher of the Year and Battle of the Brains event expenses and as cash awards:

Wolfchase Toyota	\$ 3,000
Rocky Janda	\$ 1,000
English Meadows Garden Club	\$ 100

VISION 2020: The work of the Germantown Education Commission supports the guiding principles of Vision 2020 mandating excellent schools and lifelong learning. The Battle of the Brains event is a cooperative effort between the City and local schools to provide a venue where academically minded students can compete and receive feedback from distinguished judges.

ATTACHMENTS: Budget adjustment 14-31

PREPARED BY: Stacey Ewell
Stacey Ewell, Assistant to the City Administrator

REVIEWED BY: Ralph J. Gabb
Ralph J. Gabb, Finance Director

CITY OF GERMANTOWN

No. 14-31

REQUEST FOR BUDGET TRANSFER OR APPROPRIATION

REQUEST FOR TRANSFER W/IN ONE ALLOCATION

DATE: 25-Nov-13

REQUEST FOR TRANSFER ACROSS FUNDS/PROJECTS

REQUEST FOR ADDITIONAL FUNDS

DEPT: Administration

ACCOUNT NUMBER	PROJ. #	ACCOUNT DESCRIPTION	CURRENT BUDGET	PROPOSED ADJUSTMT	PROPOSED BUDGET
010 - 0000 - 369 . 10 - 0	n/a	Other Revenue	\$ (300,000)	\$ (4,100)	\$ (304,100)
010 - 1210 - 413 . 40 - 10	n/a	Grants	\$ 2,022	\$ 4,100	\$ 6,122

JUSTIFICATION: To recognize donations from Wolfchase Toyota, Rocky Janda and English Meadows Garden Club in the amount of \$4,100 for Teacher of the Month winners, Teacher of the Year and Battle of the Brains event expenses.

REQUESTED BY: Stacey Ewell

COMMENTS: _____

REVIEWED BY: Ralph J. Gabb
Division Director

REVIEWED BY: _____
City Administrator

APPROVED FOR SUBMISSION: Jessica Brown
Budget & Performance

REQUEST FOR TRANSFER WITHIN ONE DEPARTMENT APPROVED: _____
Mayor

REQUEST FOR ADDITIONAL FUNDS REVIEWED BY: _____
REQUEST FOR TRANSFER ACROSS FUNDS/PROJECTS Mayor

APPROVED BY BOARD OF MAYOR & ALDERMEN: CERTIFIED BY: _____
DATE: _____ City Clerk



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: November 25, 2013

FROM: Patrick J. Lawton, City Administrator *PJL*

SUBJECT: MUNICIPAL PARK PLAYGROUND RESURFACING

INTRODUCTION:

The purpose of this agenda item is to request approval of a construction contract with Miracle Recreation in the amount of \$47,750.00 for construction of poured-in-place safety surface under the playground at Municipal Park.

BACKGROUND:

The Public Services Department submitted this Infrastructure Replacement Project as part of the FY14 Budget process to replace the existing wood chip safety surfacing with poured-in-place safety surface. The existing wood chips require constant replenishment and raking due to decay and displacement.

DISCUSSION:

In the past, the City has entered into contract for poured-in-place safety rubberized surfacing through the Cooperative Purchasing Agreement. This same surface material is in use at Riverdale, Dogwood and Cameron Brown playgrounds and is performing well. This surfacing meets all National Playground Safety Standards as a fall protection for playground uses. The price of \$47,750.00 includes the removal of existing wood chip surfacing, installation of crushed stone sub base and 3,772 square feet of poured-in-place rubberized surface. This price was obtained through the National Joint Powers Alliance (NJPA) of which the City of Germantown is a participating partner. The price through NJPA is 17% off the list price. NJPA membership provides access to competitively bid national cooperative contracts, procured by a national municipal contracting agency. These contracts leverage national volume pricing and provide NJPA members with the desired vendor choices. Procurement staff also verified the contract requirements to ensure that they were in line with the City's requirements.

The goal is to apply this rubberized surface to a playground each year until all are complete. Municipal playground will be out of service about 10 days while this material is applied and allowed to cure.

BUDGET AND STAFFING IMPACT:

Source of Funding:

<u>Fund</u>	<u>Line Item No.</u>	<u>Dept.</u>	<u>Line Item Description</u>	<u>Budget Balance</u>	<u>Recommended Expenditure</u>
IRP	010-3010-430.94-90	Public	Municipal Park	\$48,000.00	\$47,750.00
	IR1417	Services	Playground Surface		

Robert Childs, Contract Administrator, will serve as Project Manager.



Quotation

Quote #	2013-11-13-1
---------	--------------

To

City of Germantown	Date	11/13/2013
7700 Southern Ave.	Contact	Robert Childs
Germantown, Tn. 38138	Project	Municipal Park
	Fax	

We propose to furnish the following described materials.

Qty	Model #	Description	Price Total
3772sf		3.5" thick 1,312sf 8' fall & 2,460sf 3"thick 7' fall Pour in Place Surfacing 50/50 color/ black w/ aromatic binder and including up to 6" crush and run stone base	\$43,000
		Removal of existing woodchips (owner supply dumpsters for woodchips)	\$2,500
		Topsoil back fill with one row of sod around perimeter including labor	\$2,100
2		31/2" x 31/2" swing mats rubber	\$150
		Customer to supply dumpsters and security	
		Total	\$47,750

Quote good for 15 days, due to freight cost. Installation prices will assume normal soil conditions and does not include rock excavation. Unless otherwise noted quote does not include prevailing wages, taxes, freight, permits, state or local approvals, performance bond, engineering seals, testing, site preparation, borders, safety surfacing, unloading, storage, security, fencing, landscaping. (We are not responsible for the seed and straw of disturbed areas.)



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: NOVEMBER 25, 2013
FROM: Patrick J. Lawton, City Administrator *PJL*
SUBJECT: PURCHASE – BULK ASPHALT

INTRODUCTION:

The purpose of this agenda item is to request the Board’s authorization to purchase 1,500 tons of 411D hot asphalt mix in the amount of \$86,250.00 from Standard Construction Company, Inc. and 1,000 tons of 411D hot asphalt mix from Lehman Roberts in the amount of \$55,300.00, for a total of \$141,550.00.

BACKGROUND:

Hot asphalt mix is used primarily for street maintenance repair, temporary pothole repairs, utility cuts, parks and grounds trail repairs and storm water maintenance projects. Public Services crews pick up the amount required for the job each day as needed at the vendor’s closest distribution plant location from the construction site. This procedure allows for immediate application while the product is still hot and pliable. This purchase will allow for two available suppliers during the year in the event that one of the asphalt plants is shut down for holidays or for seasonal maintenance. Standard Construction has two plants on the City’s north and east borders allowing for less fuel costs, vehicle mileage and travel time from the job site. Lehman Roberts Plant is about twenty miles further (round trip) but offers a quality product at \$2.20 per ton less than Standard Construction Company and can supply product as a secondary source throughout the year.

DISCUSSION:

Bid packages were sent to three vendors. The bids were advertised on the City website. Three bids were received: Standard Construction Company, Inc. - \$57.50 / ton, Lehman-Roberts – \$ 55.30 / ton and APAC, TN - \$58.50 / ton. Staff would like to recommend the two lowest acceptable bids from Lehman Roberts Company and Standard Construction Company, Inc. (Please see attachment.)

BUDGET AND STAFFING IMPACT:

Source of Funding:

<u>Fund</u>	<u>Line Item No.</u>	<u>Dept.</u>	<u>Line Item Description</u>	<u>Budget Balance</u>	<u>Recommended Expenditure</u>
State Street Aid	011-3210-436.26-80	Public Services	City Street Maintenance	\$269,445.56	\$141,550.00

Bobby Carter, Superintendent of Streets, will schedule the daily pick up of hot asphalt materials for distribution by street crews as required.

Bid Opening Date:
November 4, 2013
2pm

Hot Asphalt Mix
Bid Analysis

APAC Tennessee, Inc.		Lehman -Roberts Co.		Standard Construction Co., Inc.	
Unit Price per ton	Total	Unit Price per ton	Total	Unit Price per ton	Total
\$58.50	\$146,250.00	\$55.30	\$138,250.00	\$57.50	\$143,750.00
Total		Adjusted Total 1000 Tons		Adjusted Total 1500 Tons	
		\$146,250.00		\$86,250.00	

Item 1 - 411D Asphalt (Coarse/fine mix) Estimated 2500 Tons needed

Note: Standard Construction's two plants are within close proximity and allows for less cost, time, etc. Lehman Roberts' plant is approx. 20 miles round trip but offers a quality product at \$2.20/ton less than Standard Construction & can supply product as a secondary source throughout the year.

Bid Award:
Of the three (3) qualified bids Standard Construction and Lehman Roberts are the acceptable low bidders. The 2500 tons will be split with 1500 tons going to Standard Construction in the amount of \$86,250.00 and 1000 tons going to Lehman Roberts in the amount of \$55,300.00 for a total amount of \$141,550.00. The Award will be recommended for approval at the November 25, 2013 BMA Meeting.

General Information:
The bid was advertised on the City's Website.
Bid packets were sent to three vendors

Germantown Performing Arts Center

2013-2014 Season Sponsors

The City of Germantown
Duncan-Williams, Inc.
At Home Memphis & Mid-South Magazine
Comcast
First Tennessee Bank of Germantown
Methodist Le Bonheur Healthcare
Nolan Audio/Visual
WKNO
WMC-TV
National Endowment for the Arts
South Arts, Inc.
Tennessee Arts Commission



Agenda No. 16e

CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: November 25, 2013

FROM: Patrick J. Lawton, City Administrator *PJL*

SUBJECT: CABLING – GERMANTOWN MUNICIPAL SCHOOL DISTRICT (GMSD)
CENTRAL OFFICE

INTRODUCTION:

The purpose of this agenda item is to request the Board's authorization for the Mayor to enter into a contract with Datacomm Services Corporation in the amount of \$13,677.87 for cabling required at the Carrefour Mall for the GMSD central office space.

BACKGROUND:

The feasibility study conducted provided the City with an overview of the essential academic program and operational requirements to operate the GMSD. Key to the success of the GMSD is the selection of a superintendent and the superintendent having the ability to hire and provide office space for essential support and office staff in order to operate in an effective and efficient manner. The feasibility study defined these essential functions and the organizational structure necessary. A total of 37 positions are required to support the central office.

DISCUSSION:

On October 14, 2013 the Board of Mayor and Aldermen approved the GMSD lease for office space at the Carrefour Mall. Prior to occupation of the central office space additional cabling and basic equipment will be required to provide phone service and internet service.

Datacomm Services Corporation is the approved contractor for Shelby County Government projects. This allows the City to take advantage of the savings already in place through the bid process by Shelby County Government. Cabling in this project will support both phones and computers in office spaces while minimizing cable requirements in the new space. Existing cabling left from previous tenants is being reused throughout the space where possible to maximize cost savings.

BUDGET AND STAFFING IMPACT:

Source of Funding:

<u>Fund</u>	<u>Line Item No.</u>	<u>Dept.</u>	<u>Line Item Description</u>	<u>Budget Balance</u>	<u>Recommended Expenditure</u>
GMSD	015-1910-449.9480 IT14-01	GMSD	Computers	\$470,000.00	\$13,677.87



Agenda No. 16 f

CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: November 25, 2013

FROM: Patrick J. Lawton, City Administrator *PSL*

SUBJECT: NETWORK EQUIPMENT – GERMANTOWN MUNICIPAL SCHOOL DISTRICT (GMSD) CENTRAL OFFICE

INTRODUCTION:

The purpose of this agenda item is to request the Board's authorization for the Mayor to enter into a contract with Presidio Networked Solutions, Inc. in the amount of \$22,398.60 for network and telephone equipment, installation and engineering services required at the Carrefour Mall for the GMSD central office space.

BACKGROUND:

The feasibility study conducted provided the City with an overview of the essential academic program and operational requirements to operate the GMSD. Key to the success of the GMSD is the selection of a superintendent and the superintendent having the ability to hire and provide office space for essential support and office staff in order to operate in an effective and efficient manner. The feasibility study defined these essential functions and the organizational structure necessary. A total of 37 positions are required to support the central office.

DISCUSSION:

On October 14, 2013 the Board of Mayor and Aldermen approved the GMSD lease for office space at the Carrefour Mall. Prior to occupation of the central office space additional cabling and basic equipment will be required to provide phone service and internet service.

Presidio Networked Solutions, Inc. holds State of Tennessee Cisco Contract SWC#385 Contract#34841 for equipment and services. This allows the City to take advantage of the savings already in place through the bid process by State of Tennessee. This project will support the delivery of network connectivity for all individuals working in the GMSD central office space. Computers, internet connectivity, multifunction copiers and telephones will be supported by the equipment in this project. Engineering service hours are included in a 25 hour block and will be used to program and install the equipment being purchased. Any unused service hours remaining at the end of the project will be cancelled and funding will be released.

PRESIDIO™

Quote #: 11449561-02
 Date: 11/07/2013
 Page: 1 of 3

Title: City of Germantown - School Admin Bldg
 To: Tony Fischer
 City of Germantown
 1930 S Germantown Rd
 Germantown, TN 38138

From: Rebecca Musier
 Presidio Networked Solutions
 60 Germantown Court
 Suite 112
 Cordova, TN 38018

Phone: 901.757.7324
 Email: afischer@germantown-tn.gov

Phone: 407.641.0417
 Fax: 901.871.0457
 Email: rmusier@presidio.com
 Account Manager: Wayne Thompson

#	Part #	Description	Qty	Price	Ext Price
Catalyst 3650 48 Port Full PoE Switches					
1	WS-C3650-48PS-S	Cisco Catalyst 3650 48 Port Full PoE 4x1G Uplink IP Base	2	\$5,720.00	\$11,440.00
2	CON-SNT-WS0654	SMARTNET 8XSXNBD Cisco Catalyst 3650 48 Port Full PoE 4x1	2	\$499.20	\$998.40
		for 12 mo(s)			
3	S3650UK9-33CE	CAT3650 Universal K9 Image	2	\$0.00	\$0.00
4	PWR-C2-1025WAC	1025W AC Config 2 Power Supply	2	\$0.00	\$0.00
5	CAB-TA-NA	North America AC Type A Power Cable	2	\$0.00	\$0.00
6	PWR-C2-BLANK	Config 2 Power Supply Blank	2	\$0.00	\$0.00
7	STACK-T2-BLANK	Type 2 Stacking Blank	2	\$0.00	\$0.00
Total [Catalyst 3650 48 Port Full PoE Switches]:					\$12,438.40
2602E Clean Air APs					
8	AIR-9AP2602I-A-K9	802.11n Auto ; 3x4.3SS; Mod,Int Ant; A,Reg Domain	2	\$602.25	\$1,204.50
9	AIR-AP-BRACKET-1	802.11n AP Low Profile Mounting Bracket (Default)	2	\$0.00	\$0.00
10	S2G1K9W7-15202JB	Cisco 2600 Series IOS WIRELESS LAN	2	\$0.00	\$0.00
11	AIR-AP-T-RAIL-F	Ceiling Grid Clip for Aironet APs - Flush Mount	2	\$0.00	\$0.00
12	AIR-AP-T-RAIL-R	Ceiling Grid Clip for Aironet APs - Recessed Mount (Default)	2	\$0.00	\$0.00
Total [2602E Clean Air APs]:					\$1,204.50
2911 Voice Bundle					
13	C2911-CME-SRST/K9	2911 Voice Bundle w/PVDM3-16,FL-CME-SRST-25, UC License PAK	1	\$2,142.25	\$2,142.25
14	CON-SNT-2911CMST	SMARTNET 8XSXNBD 2911 Voice Bundle w/ UC License PAK	1	\$352.00	\$352.00
		for 12 mo(s)			
15	VIC2-4FXO	Four-port Voice Interface Card - FXO (Universal)	1	\$484.00	\$484.00
16	VIC3-2FXS/DID	Two-Port Voice Interface Card- FXS and DID	1	\$242.00	\$242.00
17	PWR-2911-AC	Cisco 2911 AC Power Supply	1	\$0.00	\$0.00
18	CAB-AC	AC Power Cord (North America), C13, NEMA 5-15P, 2.1m	1	\$0.00	\$0.00
19	ISR-CCP-EXP-NOCONF	Cisco Config Pro Express on Router Flash w/ default config	1	\$0.00	\$0.00

PRESIDIO

Quote #: 11449561-02
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20	FL-CME-SRST-25	Communication Manager Express or SRST - 25 seat license	1	\$0.00	\$0.00
21	PI-MSE-PRMO-INSRT	Insert, Packout - PI-MSE	1	\$0.00	\$0.00
22	SL-29-IPB-K9	IP Base License for Cisco 2901-2951	1	\$0.00	\$0.00
23	SL-29-UC-K9	Unified Communication License for Cisco 2901-2951	1	\$0.00	\$0.00
24	HWIC-BLANK	Blank faceplate for HWIC slot on Cisco ISR	2	\$0.00	\$0.00
25	MEM-2900-512MB-DEF	512MB DRAM for Cisco 2901-2921 ISR (Default)	1	\$0.00	\$0.00
26	MEM-CF-256MB	256MB Compact Flash for Cisco 1900, 2900, 3900 ISR	1	\$0.00	\$0.00
27	PVDM3-16	16-channel high-density voice and video DSP module	1	\$0.00	\$0.00
28	SM-S-BLANK	Removable faceplate for SM slot on Cisco 2900,3900,4400 ISR	1	\$0.00	\$0.00
29	S29UK9-15204M	Cisco 2901-2921 IOS UNIVERSAL	1	\$0.00	\$0.00
30	FL-SRST	Cisco Survivable Remote Site Telephony License	1	\$0.00	\$0.00
31	FL-CME-SRST-25	Communication Manager Express or SRST - 25 seat license	1	\$357.50	\$357.50

Total [2911 Voice Bundle]: \$3,577.75

VG204XM Analog Voice Gateways

32	VG204XM	Cisco VG204XM Analog Voice Gateway	1	\$712.25	\$712.25
33	CON-SNT-VG204XM	SMARTNET 8X5XNBD Cisco VG204 Analog V	1	\$83.20	\$83.20
			for 12 mo(s)		
34	SVG2XAISK9-15303M	Cisco VG20X Series IOS ADVANCED IP SERVICES	1	\$82.50	\$82.50
35	SVG2XIPV-15303M	Cisco VG20X Series IOS IP VOICE	1	\$0.00	\$0.00
36	CAB-AC	AC Power Cord (North America), C13, NEMA 5-15P, 2.1m	1	\$0.00	\$0.00
37	CAB-ETH-S-RJ45	Yellow Cable for Ethernet, Straight-through, RJ-45, 6 feet	1	\$0.00	\$0.00
38	PWR-30W-AC	Power Supply 30 Watt AC	1	\$0.00	\$0.00

Total [VG204XM Analog Voice Gateways]: \$877.95

1000BASE-SX SFPs

39	GLC-SX-MMD=	1000BASE-SX SFP transceiver module, MMF, 850nm, DOM	2	\$275.00	\$550.00
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Total [1000BASE-SX SFPs]: \$550.00

				Sub Total:	\$18,648.50
State of Tennessee Cisco Contract SWC#365 Contract #34841				Grand Total:	\$18,648.50

TERMS AND CONDITIONS OF THE REFERENCED CONTRACT APPLY TO THIS QUOTE

Presidio Networked Solutions, Inc. Service Agreement v2.1

CUSTOMER INFORMATION		<i>PRESIDIO Solution Arch Name (Opp#): Chuck Brantley(130433845SA1)</i>													
<i>Company Name</i> City of Germantown	<i>Name and Title of Person Requesting Service</i> Tony Fischer														
<i>Address</i> 1930 S Germantown Parkway	<i>Email Address</i> afischer@germantown-tn.gov														
<i>City, State and Zip</i> Germantown, TN 38138	<i>Phone/Fax</i> (901) 751-7624	<i>Authorizing PO</i>													
DESCRIPTION OF SERVICES															
Customer agrees the services described below comprise the complete scope of tasks authorized under this agreement. Additional sheets may be attached if necessary. Any services beyond this scope require an additional authorized Service Agreement prior to commencement.															
This document is to serve as a mechanism to allow City of Germantown the ability to utilize Presidio engineering services for twenty-five (25) hours. The Presidio engineering services that can be utilized within this agreement are as follows:															
<ul style="list-style-type: none"> • LAN / WAN network maintenance, configuration and troubleshooting • Wireless network maintenance, configuration and troubleshooting • Unified Communications • General Network Services and Consulting 															
Service Agreement Conditions:															
<ul style="list-style-type: none"> • Services shall be performed during normal working hours – 8AM to 5PM local time Monday–Friday, exclusive of Presidio defined holidays. • This Services Agreement is meant to cover remote/onsite install, Move/Add/Change, and troubleshooting work for Routing, Switching, Wireless LAN, and IP Telephony technologies. • Presidio cannot provide Contact Center/ITCC Enterprise work under this agreement, due to the nature of the work and Service Level Guarantees. • Services are provided in a skillful and professional manner commensurate with the requirements of the effort. No other deliverable or performance based result is implied. • No Service Level Agreement (SLA) is guaranteed with this service agreement. All requests for service will best effort. • Once the hours defined by this service agreement have been delivered, this engagement will be considered fulfilled and closed. At that point, a change order or new service agreement will need to be in place for continuance of services. If additional resources outside of the primary resource are utilized, those resource hours will be counted and billed against this Service Agreement. 															
ACCEPTANCE CONDITIONS															
Customer agrees that the following conditions defined the complete set of acceptance criteria associated with this effort. Customer agrees to provide timely review and acceptance for efforts submitted by PRESIDIO as being complete.															
<input checked="" type="checkbox"/> Upon completion of the hours identified in this Specification <input type="checkbox"/> Other (specify):															
PRICE AND PAYMENT TERMS															
Customer agrees to provide reasonable access to facilities, equipment, and personnel necessary to complete this effort. Unless otherwise noted, all work shall be performed during normal business hours (8AM – 5PM M-F excluding holidays) at the location indicated. Work outside this time will be billed at the After Hours Rate. Travel expenses are estimated and include, but are not limited to mileage, hotels, meals, airfare, rental car, parking fees, taxis and tolls. PRESIDIO will invoice upon completion, but no less often than monthly. Customer agrees to make timely payment for services rendered, including partial payments prior to final acceptance.															
<input checked="" type="checkbox"/> Time and Materials (T&M) - Services will be provided on a time, materials, and expense basis. Customer understands the estimate provided is a good faith estimate, but may be exceeded. Minimum daily charge is 4 hours per day.		<input type="checkbox"/> Fixed Price - Services will be provided on a fixed price basis. If provided, time estimates are for planning and scheduling purposes only.													
<table border="1"> <tr><td>Hours Estimate</td><td>25</td></tr> <tr><td>Hourly Rate</td><td>\$ 150</td></tr> <tr><td>After Hours Rate</td><td>\$</td></tr> </table>	Hours Estimate	25	Hourly Rate	\$ 150	After Hours Rate	\$	<table border="1"> <tr><td>Kickoff</td><td>\$</td></tr> <tr><td>Completion</td><td>\$</td></tr> <tr><td>Total</td><td>\$</td></tr> </table>	Kickoff	\$	Completion	\$	Total	\$		
Hours Estimate	25														
Hourly Rate	\$ 150														
After Hours Rate	\$														
Kickoff	\$														
Completion	\$														
Total	\$														
Travel will be billed as: <input type="checkbox"/> Actual Expenses <input type="checkbox"/> Fixed Price \$ <input type="checkbox"/> N/A															
This agreement is effective upon acceptance by PRESIDIO. Customer agrees not to solicit or hire any Presidio employee for the duration of this agreement and 13 months after its completion. The entire liability of Presidio and Customer's exclusive remedy arising out of or in any way related to this agreement shall be limited to the total value of this agreement. Presidio shall not be liable nor shall Presidio indemnify Customer for, and Customer releases Presidio from any claims of patent infringement, including contributory infringement or inducement to infringe, based on or related to the Equipment, Services or any information provided by Presidio. Unless otherwise specified, this agreement is valid for one calendar year from the date of signature or until hours are expended (T&M) or milestones are completed (Fixed Price).															
<i>Customer Signature – Authorization to Proceed</i>		<i>Date</i>													
<i>PRESIDIO Signature – Authorization to Proceed</i>		<i>Date</i>													
<i>Customer Signature – Final Acceptance</i>		<i>Date</i>													



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: November 25, 2013

FROM: Patrick J. Lawton, City Administrator *PJL*

SUBJECT: COMMUNITY AND EMPLOYEE SURVEY CONTRACT

INTRODUCTION: The purpose of this agenda item is to consider approval of an agreement with NuStats, LLC in an amount not to exceed \$16,950 for the completion of community and employee surveys.

BACKGROUND:

In 1994, the City conducted its first community wide survey. Subsequent surveys were completed in 1999, 2000, 2004 and 2011-2013. Surveys were based on a standard questionnaire developed by the City to determine public opinion on programs and services and on nine major indices: overall citizen satisfaction, administrative leadership, responsiveness to citizens, efficiency, maintenance/traffic, safety/emergency services, cultural/recreational, utilities/services and City Hall. The proposed survey will ask the same baseline questions in addition to relevant and timely questions regarding services and preferences.

An employee survey was also conducted in 2011, 2012 and 2013. Results have lead to dramatic improvements in areas of concern including internal communication and employee security. An employee suggestion program, formal open door policy and employee grievance procedures were also developed as a result of survey findings.

DISCUSSION:

Two proposals were submitted in response to the request for proposals. The RFP was advertised on the City website. NuStats, LLC is the lowest proposer in the amount of \$16,150. Staff also recommends adding \$800 for processing an additional fifty (50) surveys only to be used should the City receive more completed surveys than projected. NuStats, LLC has previously conducted survey analysis for other state and local government agencies as well as the United States Postal Service. After a thorough review of the proposal, administration recommends the contract be awarded to NuStats, LLC. With approval by the Board of Mayor and Aldermen, NuStats, LLC will provide the complete report for both the community and employee surveys by March 1, 2014.

The vendor will be responsible for development, implementation, tabulation, analysis and reporting of a mailed citizen survey of 2,000 households and an internal employee survey of 370 full-time employees. The contract includes a renewal option for one additional year.

Public Survey Analysis

Proposal Opening: November 8, 2011

NUSTATS		Extension Year (At the City's Option)
Year One	Year One	Extension Year (At the City's Option)
Community Survey		
Design and Programming	\$1,960.00	\$1,960.00
Fulfillment and Scanning	\$3,928.00	\$3,928.00
Processing, Analysis and Coding	\$1,740.00	\$1,740.00
Management and Reporting	\$1,344.00	\$1,344.00
Additional Surveys: Increments of 50	\$800.00	\$800.00
Total	\$8,972.00	\$8,972.00
Employee Survey		
Design and Programming	\$1,524.00	\$1,524.00
Fulfillment and Scanning	\$2,570.00	\$2,570.00
Processing, Analysis and Coding	\$1,740.00	\$1,740.00
Management and Reporting	\$1,344.00	\$1,344.00
Total	7,178.00	7,178.00
Survey Total	16,150.00	16,150.00

Superior Data Works	
Year One	Extension Year (At the City's Option)
Community Survey	
Printing	2,310.00
Postage	1,416.00
Fulfillment	850.00
Data Prep/Processing	12,730.00
Additional Surveys: Increments of 50	562.00
Total	17,306.00

Employee Survey	
Design, Printing, Envelopes, Open & Numbering	695.00
Data Entry	1,360.00
Coding & Tabulation	1,575.00
Analysis & Reporting	3,150.00
Total	6,780.00
Survey Total	24,086.00

Proposal Award:
 NUSTATS is the acceptable bidder in the amount of \$16,150.00 for the Community and Employee Survey. The also requests one increment of 50 surveys in the amount of \$800.00 for additional surveys returned. The Total award amount is \$16,950.00. The Extension Year will be at the City's option. Award will be recommended for approval at the November 25, 2013 BMA Meeting.

General Information:
 The proposal was advertised on the City Website.
 The packets were sent out to five (5) vendors.