

## **BOARD OF MAYOR AND ALDERMEN**

February 10, 2014

A regular meeting of the Board of Mayor and Aldermen was held on Monday, February 10, 2014 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, Rocky Janda and Forrest Owens. Staff present: Patrick Lawton, Debra Wiles, George Brogdon, Tim Gwaltney, Bo Mills, Susan Hopson, Chief John Selberg, Chief Richard Hall, Wade Morgan, Pam Beasley, Reynold Douglas, Cameron Ross, 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 Greg Marcom led the Pledge of Allegiance.

### **Approval of Agenda**

During the Executive Session, the Board agreed to defer number 12 (Ordinance 2014-6 – Closure of McVay Road and move number 15 (iRecord – Police Interview Room) to the consent agenda.

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 to the minutes.

Motion by Mr. Drinnon, seconded by Mr. Janda, to approve the minutes of the Board of Mayor and Aldermen meeting held January 27, 2014.

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

### **Teacher of Month**

Alderman Janda called two members of the Education Commission, Ms. Julia Ganey and Dr. Dino Palazzolo, to come forward to present the January award. The January award was presented in absentia to Ms. Sarita Bansal, an algebra II teacher at Germantown High School. Ms. Ganey read Ms. Bansal's many accomplishments.

Mr. Nick Raoul Schwartz, a senior at Memphis University School, came forward and was presented with the Youth Excellence Award for the month of January.

### **Citizens to be Heard**

Shelby County Trustee David Lenoir came forward to present to the Board and citizens of Germantown, the financial highlights of Shelby County.

No citizens came forward.

### **Automated Enforcement Study**

Police Chief Richard Hall stated this agenda item was for Kimley-Horn & Associates to do an in-depth traffic engineering study to determine the need for the automated enforcement cameras. The automated enforcement program has been in place since 2002 with the goal of reducing the number of traffic crashes and to save the lives.

The purpose of the engineering study is to determine the need for the automated enforcement at the three intersections that were being monitored since the program's inception.

Tennessee Statute 55-8-198(g), *Unmanned Traffic Enforcement Cameras*, requires local governing bodies to conduct a traffic engineering study of the considered area prior to implementation of any new system. A survey of crashes from 2005-2010 at the three intersections where red light cameras operated showed that Poplar/Germantown intersection had 93 crashes, Germantown/Wolf River 86 crashes and Poplar/West had 67 crashes. Of these 246 crashes less than 5% were from red light violations. Kimley-Horn will also evaluate the other traffic signal intersections for a total of thirty-five and develop a prioritized list identifying the locations where it is likely that the installation of a red light enforcement camera would improve safety.

In response from a question from Alderman Owens, City Engineer Tim Gwaltney stated there would be a review of all signal light intersection crash history and from that review, the top three will be studied in depth.

Alderman Drinnon asked why an engineering company was being used when it could be done in-house. Chief Hall stated it relates to and identifies a set of engineering guidelines requiring the expertise that the Police Dept. does not have. The revenues from the Automated Enforcement account will pay for the study.

Motion by Mr. Marcom, seconded by Mr. Owens, to authorize the Mayor to enter into a professional services agreement with Kimley-Horn & Associates Inc. for the Automated Enforcement Program Traffic Engineering Study at the cost of \$30,100.00.

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

### **Professional Services Agreement – Economic Development**

City Administrator Patrick Lawton stated that following the adoption of the Economic Development Strategic Plan, the City engaged the services of Kathleen Rose; to assist in the execution of the plan. The contract with Ms. Rose was for a three year period to be renewed on an annual basis.

Over the past 12 months considerable progress has been made in executing the initial strategic plan including:

1. The development of the economic development districts including the completion of the small area plan for the Poplar Avenue West District
2. The establishment of the Visitor & Tourism and Small Business & Entrepreneurs retail task forces
3. Revisions to the Smart Growth Partnership program, and
4. Monitoring our progress through performance metrics leading to a sustainable economic development.

Kathleen Rose's contract under consideration for 2014 is for a five-month period of time ending with the close of the fiscal year. During this time she will work closely with the Economic and Community

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Development staff and advance the work identified earlier and help to build the staff capacity to ensure these initiatives continue once her contract period ends.

Under this professional services contract, Kathleen Rose will report directly to the city administrator and be responsible for executing the elements of our Economic Development Strategic Plan between February 2 and June 30, 2014. Ms. Rose will work out of the office of Economic and Community Development to allow her to work collaboratively with the planning and engineering staff. Under this structure she will also provide support services to the Economic Development Commission and the Industrial Development Board.

Motion by Mr. Marcom, seconded by Mr. Drinnon, to authorize the Mayor to enter into a professional services agreement with Rose and Associates for a period of five months effective February 10, 2014 through June 30, 2014 in the amount of \$37,500.00 and reimbursable expenses not to exceed \$12,500.00.

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

**Ordinance 2014-5 – Closure of Pete Mitchell Road – Second Reading**

Alderman Marcom recused himself and left the dais.

Chief Planner Wade Morgan stated there had been no changes to the ordinance since the first reading. The public hearing will be on February 24 at the third reading of the ordinance. An application has been filed to close a portion of Pete Mitchell Rd. The Whole Foods development plan proposes the closure of the street segment as a public thoroughfare and the construction of a crash gate south of the store's entrance drive.

In response to a question from Alderman Palazzolo, Mr. Morgan stated the distance from Dogwood to the crash gate is about 520 feet, the distance from Poplar to the crash gate is about 454 on one side and 521 on the other. Whole Foods or Cyprus Realty will maintain the crash gate after it is installed in 2015.

Motion by Mr. Owens, seconded by Mr. Drinnon, to approve on second reading Ordinance 2014-05, which will close as a public street that portion of Pete Mitchell Road between Poplar Avenue and an emergency access gate to be constructed as shown on the Whole Food Market final site plan.

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

**Ordinance 2014-6 – Closure of McVay Road – First Reading – DEFERRED**

**Police Vehicles – Special Services Vehicles (SSV's)**

Chief Hall stated the vehicles to be purchased will be two 2014 Chevrolet Tahoe SSV 4x4 and will be purchased utilizing Federal and State Drug Funds. These vehicles will be used by the Chief and the SWAT Captain. Because these are specialty vehicles, asset forfeiture funds will be used to furnish these vehicles.

Motion by Mr. Marcom, seconded by Mr. Drinnon, to approve the purchase of police vehicles from TT of G Murfreesboro in the amount of \$60,288.00.

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

**Police Vehicle Purchase – Police Pursuit Vehicles**

Chief Hall stated the replacement vehicles purchased under this authorization are used in the day-to-day operations by the Police Department as patrol vehicles. The vehicles will be eight 2014 Ford Utility Police Interceptor vehicles from Golden Circle Ford Inc. in the amount of \$211,748.56. Five of the

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vehicles must have their rear locks disengaged for prisoner transport.

Motion by Mr. Drinnon, seconded by Mr. Marcom, to approve the purchase of eight 2014 Ford Utility Police Interceptor vehicles from Golden Circle Ford Inc. in the amount of \$211,748.56, and to declare the vehicles being replaced as surplus property.

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

**CONSENT**

**Civic Support Grant – Germantown Arts Alliance**

The City has provided financial support for the Arts Alliance since its inception. The grant is in the amount of \$40,000.00.

MOTION: To award a grant to the Germantown Arts Alliance in the amount of \$40,000.00.

**Donation – Fire Department – LAFS – Germantown Women’s Club**

The Germantown Women’s Club, along with members Teresa Sweeney, Patricia Melvin, Susan Kingston, Karen Grant and Catherine King, wishes to donate \$258 to the Fire Department to be used by the LAFS Clown Troupe for public safety education.

MOTION: To recognize donations to the Fire Department totaling \$258.00, and approve Budget Adjustment Number 14-57.

**iRecord – Police Interview Room**

The iRecord system is tied into the City server and can be viewed by any computer monitor within the Investigative Division. The iRecord will bring the interview room up to date on cameras and microphones. The cost of the iRecord system is being paid for from seized funds from the Asset Forfeiture account saving taxpayer dollars. The system will be purchased from World Systems in the amount of \$17,554.00.

MOTION: To approve the purchase of the iRecord Interview Room in the amount of \$17,554.00.

Motion by Mr. Drinnon, seconded by Mr. Janda, to accept the Consent Agenda as amended.

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.

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Sharon Goldsworthy, Mayor

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Dotty Johnson, City Clerk/Recorder