

BOARD OF MAYOR AND ALDERMEN

April 28, 2014

A regular meeting of the Board of Mayor and Aldermen was held on Monday, April 28, 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, Susan Hopson, Chief John Selberg, Chief Richard Hall, Wade Morgan, Lisa Piefer, Reynold Douglas, Cameron Ross, Butch Eder, Ralph Gabb 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

Boy Scout Troop 86 sponsored by Second Presbyterian Church presented the Colors and led the Pledge of Allegiance.

Approval of Agenda

During the executive session the Board agreed to remove #9 – Employee Service Awards and to move the following to the Consent Agenda: #10 – Wolf River Blvd. – Construction Change Order No. 3, #11 - Wolf River Blvd. – CEI Supplement No. 6 and #14 – Purchase – Concrete Treated Base.

Motion by Mr. Janda, seconded by Mr. Drinnon, 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 April 14, 2014, as printed.

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

Beautification Commission Business Award

Alderman Owens, along with Mr. Jeff Stebbins with the Beautification Commission, presented Mr. Anthony House, Chick-Fil-A franchise restaurant operator, with the Beautification Business Award for the month of April.

Citizens to be Heard

Chris Thornton, 9645 Mourning Dove, expressed his dissatisfaction with the way the City was correcting the problems with Lateral G.

Germantown Rotary Club Youth Fishing Pond Project

Parks and Recreation Director Pam Beasley stated this agreement with the Germantown Rotary Club authorizes their organization to construct a fishing pier and support amenities at the pond as a gift to the City. The Pond is located at the Wolf River Nature Area main trail head at 7014 Wolf River Blvd. The Rotary Club has raised \$50,000 toward the project and secured commitments from the Wolf River Conservancy and the Mid-South Fly Fisherman's Association totaling approximately \$45,000. The total project cost is estimated at \$600,000, to be completed as private funding is secured. The Rotary Club had requested the pond be named the Germantown Rotary Club Youth Educational Fishing Pond or "YEP" pond.

Park Ranger Reserve Jack Betchick, a professional fisherman who does fly fishing classes all over the country, presented each alderman and the Rotary Club designees with a gift.

Ms. Beasley introduced two members of the Germantown Rotary Club, Dr. Phillip Arnoff and Mr. Jerry Klein. Dr. Arnoff thanked the City for bringing their concept to life and looked forward to working with Parks and Recreation in the years to come. Mr. Klein stated that Ms. Beasley and Mr. Betchick had worked tirelessly with the Rotary Club and this would not have taken place without them.

Mayor Goldsworthy thanked the Rotary Club and stated this project was a demonstration at a level this community had rarely seen before and creates an amenity that will mean so much to the young people in the future. She expressed the Board's heartfelt gratitude to the Rotarians.

Motion by Mr. Palazzolo, seconded by Mr. Marcom, to authorize the Mayor to enter into an agreement with the Germantown Rotary Club authorizing their organization to construct a fishing pier and support amenities at the pond located west of the Texas Gas transmission line as a gift to the City.

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

Employee Service Awards – Removed

Wolf River Blvd. – Construction Change Order No. 3 – Moved to Consent

Wolf River Blvd – CEI Supplement No. 6 – Moved to Consent

Germantown Station Park Lake Refurbishment

Public Services Director Bo Mills stated this agenda item is for refurbishing Germantown Station Park lake. The existing concrete spillway has deteriorated allowing the water to fall below desired levels. By reconstructing the spillway and allowing surface water from a grassed area on the south side to drain into the lake, the water level in general and the lake edge accessibility will be improved. Trees that are blocking accessibility to the water will be removed.

A five-foot wide by 965 feet long pedestrian walking trail will be constructed creating a loop path that will follow the water edge and connect to Laurinburg Circle in two places. Included in the pathway construction are two bridges over the outfall channel and the lake recharge swale.

Motion by Mr. Janda, seconded by Mr. Owens, to request authorization to contract with Wagner General Contractors, Inc., for refurbishing the Germantown Station Park lake banks, bridges and overflow structure and construct a walking trail in the amount not to exceed \$120,000.00.

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

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Annual Milling and Paving Contract

Mr. Mills explained that this is an annual contract for the preventive street maintenance program to annually grade, evaluate and schedule the designated streets throughout the City for milling and/or pavement resurfacing. Lehman Roberts Company was the low bidder.

Motion by Mr. Drinnon, seconded by Mr. Owens, to authorize the Mayor to enter into a contract with Lehman Roberts in an amount not to exceed \$542,071.00 for the FY14 Annual Milling and Paving Contract.

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

Purchase – Concrete Treated Base – Moved to Consent

Germantown Education Foundation By-laws Amendment

The Germantown Education Foundation (GEF) has requested a change in their by-laws that were created in July 2006 by the BMA. The GEF currently has five directors and is in the process of recruiting additional members who have a passion for education and a desire to support the newly formed Germantown Municipal School District. The current GEF by-laws state “members of the Board of Directors must be residents of the City of Germantown, Tennessee.” On occasion there are board applicants who can be of great assistance to the GEF but reside outside the Germantown city limits. Approval of this amendment would delete this requirement from the by-laws allowing interested and qualified persons, regardless of residency, to serve on the GEF Board. The GEF has unanimously consented in writing to approve the Amended and Restated By-laws.

Motion by Mr. Janda, seconded by Mr. Drinnon, to approve the recommendation of the Germantown Education Foundation to amend the GEF by-laws.

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

CONSENT

Library Donation

Donations have been made to the Germantown Community Library totaling \$1,071.94 and to the Germantown Regional History and Genealogy Center totaling \$200.00.

MOTION: To recognize donations to the Germantown Community Library totaling \$1,071.94 and donations to the Germantown Regional History and Genealogy Center totaling \$200.00, and to approve Budget Adjustment No. 14-71.

Donations to Neighborhood Preservation Commission

Donations have been made to the Neighborhood Preservation Commission totaling \$900.00 for the 2014 Tour of Remodeled Homes and Landscapes.

MOTION: To recognize and accept donations to the City of Germantown Neighborhood Preservation Commission totaling \$900.00 and approve Budget Adjustment No. 14-86.

Wolf River Blvd. – Construction Change Order No. 3 – Moved from Reg. Agenda

Various issues during the more than 2 ½ years of construction caused the project to go over the original contract amount. The single largest item that increased project cost was fuel escalation. Other items, such as irrigation of the medians and sod, were added to the project at the City’s request after construction began. The amount of this change order is \$13,047.14.

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MOTION: To approve Change Order No. 3 in the amount of \$13,047.14 to the Construction Contract with Acuff Enterprises d.b.a. Scott Contractors increasing the contract amount from \$19,602,620.24 to \$19,615,667.38 for the Wolf River Boulevard Project.

Wolf River Blvd – CEI Supplement No. 6 – Moved from Reg. Agenda

CEI Supplement No. 6 pertains to the design, quantity calculations and construction inspection efforts related to a street failure that occurred in January 2014. The cause of the failure was traced to moving groundwater in an abandoned stream bed. The repair involved digging out the failed area down to stable soils, placement of underlayment fabric material, backfilling with gravel and replacement of the asphalt and pavement markings. TDOT was informed of the street failure issue and agreed to cover the cost of construction and CIE service at the original contract 80/20 shared responsibility. The Supplement No. 6 is in the amount of \$13,932.48 to the Professional Services Agreement with Smith Seckman and Reid, Inc. for additional CEI services related to the Wolf River Blvd. project.

MOTION: To approve Supplement No. 6 in the amount of \$13,932.48 to the Wolf River Boulevard CEI contract with Smith Seckman Reid, Inc., increasing the contract amount from \$3,532,509.26 to \$3,546,441.74.

Purchase – Concrete Treated Base – Moved from Reg. Agenda

Concrete treated base mix is used primarily for street maintenance repairs, utility cuts and storm water maintenance projects. This contract is with APAC-TN for 3,000 tons of cement treated base mix in the amount of \$66,750.00.

MOTION: To approve the purchase of 3,000 tons of cement treated base mix in the amount of \$66,750.00 from APAC-TN.

Motion by Mr. Janda, seconded by Mr. Palazzolo, to accept the Consent Agenda as read.

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

ADJOURNMENT

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

Sharon Goldsworthy, Mayor

Dotty Johnson, City Clerk/Recorder