

BOARD OF MAYOR AND ALDERMEN

July 14, 2014

A regular meeting of the Board of Mayor and Aldermen was held on Monday, July 14, 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, Bo Mills, Susan Hopson, Deputy Chief Edgar Babian, Chief Richard Hall, Daniel Page, Wade Morgan, Pam Beasley, Reynold Douglas, Cameron Ross, Butch Eder, Ralph Gabb, Lisa Piefer and Michele Betty.

Call to Order

Mayor Goldsworthy called the meeting to order at 6:00 p.m. The Mayor recognized GMTV from Houston High School that will now be televising the Board meetings.

Invocation

Public Services Director Bo Mills gave the invocation.

Pledge of Allegiance

Alderman Forrest Owens led the Pledge of Allegiance.

Approval of Agenda

During the executive session, the Board discussed moving #12 – Resolution 14R10 – Retirement Plan Amendment No. 5, #13 – Resolution 14R11 – Retirement Plan Amendment No. 6, and #14 – Resolution 14R12 – Banking and Signature Cards to the consent agenda and removing #15a from the consent agenda.

Motion by Mr. Drinnon, seconded by Mr. Owens, 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. Marcom, to approve the minutes of the Board of Mayor and Aldermen meeting held June 23, 2014.

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

Proclamation

Mayor Goldsworthy read a proclamation designating July as Parks and Recreation Month, recognizing the benefits derived from parks and recreation resources.

Citizens to be Heard

There were no citizens to come forward.

Education Commission Appointments

City Administrator Patrick Lawton stated the Education Commission consists of twelve members who advise the Board with different educational issues before the community. The 12 appointments are from July of the current year to June of the next year which coincides with the school year. Alderman Janda serves as Board liaison to the commission.

Alderman Palazzolo recused himself from the vote because his father is one of the appointees.

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Motion by Mr. Janda, seconded by Mr. Marcom, to approve Barbara Boyer, Mindy Fischer, Julia Ganey, Audrey Grossman, Esq, Dr. Rudolfo Palazzolo, Susan Sharp, Dr. Stephanie VanArsdale, Natalie Williams, Stephanie Brockway, Carey Collins, Richard Vosburg, and Laurie Whitney to the Education Commission for July 2014 to June 2015:

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

Public Hearing – Ordinance 2014-8 – Amendment to Section 23-88 – Parking in Residential Districts – Second Reading

Economic and Community Development Director Cameron Ross stated this was the second reading on this ordinance. Currently the parking regulations prohibit parking within the front yard of residential lots with the exception of circular driveways. The exception with this amendment will be for corner lots only and for a parking pad attached to the driveway and 20 feet around the garage or carport that does not exceed a maximum area of 300 square feet within the required front yard.

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

Motion by Mr. Owens, seconded by Mr. Drinnon, to approve on second reading ordinance 2014-8, which will amend the regulations in Section 23-88 of the City Code on parking in residential areas.

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

Legal Services Agreement

Mr. Lawton stated the Board appointed Debra Wiles as City Attorney on July of 2013, per the provisions of the City's Charter as well as the law firm of Burch, Porter and Johnson. The existing contract with Ms. Wiles and the firm has been in place since 2007. The new agreement with the firm and Ms. Wiles will have an increase in the retainer paid to her. The City has chosen to outsource this particular work as opposed to having an in-house legal department. This arrangement has served the City well with the City Attorney managing the legal case load backed up by her and the knowledgeable and very talented lawyers experienced in most every aspect of municipal and state law. The City has been very satisfied with this legal representation and its arrangement provided by Ms. Wiles and the firm.

Motion by Mr. Palazzolo, seconded by Mr. Marcom, to authorize the Mayor to execute the legal services agreement with Debra Wiles and Burch, Porter and Jonson, PLLC.

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

Ordinance 2014-9 – Increase in Judges Salary

Mr. Lawton stated the City's Charter establishes the official department for our City with two judges who hear state cases including traffic violations and local ordinance violations. The judges serve eight year terms. It has been about eight years since the City considered an increase to compensation pay for the judges. Any increase requires an ordinance change. Administration is recommending through an ordinance amendment to increase the judges salary to \$35,000.00 effective immediately upon taking office after the August election and another adjustment to their salary beginning August 1, 2018 at which their salary would move from \$35,000.00 to \$40,000.00.

Motion by Mr. Drinnon, seconded by Mr. Palazzolo, to approve ordinance 2014-9 on first reading and set August 11, 2014 as the public hearing date for Ordinance 2014-9, an ordinance to increase the salaries of the City Judges.

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

Resolution 14R10 – Retirement Plan Amendment #5 – MOVED TO CONSENT

Resolution 14R11 – Retirement Plan Amendment #6 - MOVED TO CONSENT

Resolution 14R12 – Banking and Signature Cards – MOVED TO CONSENT

CONSENT

Shipment and Return of Used Fitness Equipment – REMOVED

GPAC Upgraded Lighting and Lighting Controls – Professional Services Agreement

This PSA will provide electrical engineering services to upgrade the GPAC lighting and lighting control systems including the design of a new dimming system that is compatible with both LED and incandescent lighting for House and Production Lighting systems, design of a sequencing system panel for audio amplifiers, preparation of electrical specifications and shop drawing review.

MOTION: To authorize the Mayor to enter into a professional services agreement with DePOUW Engineering, LLC in the amount of \$15,000.00 for the Germantown Performing Arts Center's Lighting and Lighting Controls Upgrade.

Resolution 14R10 – Retirement Plan Amendment #5

This retirement plan amendment adds ten-year Certain and Life option to the retirement plan. This enhancement ensures the beneficiary of the retiree of retirement benefits of the City employee after retirement for a period of 10 years. Should the employee die prior to 10 years after retirement, the beneficiary will continue to receive the employee's retirement for a period of 10 years.

MOTION: To approve Resolution 14R10 Amendment #5 which amends the City's Retirement Plan in Section 9.3 of the Amended and Restated Employees' Retirement Plan dated November 10, 2008.

Resolution 14R11 – Retirement Plan Amendment #6

This resolution is for participants who retired on or before June 30, 2009 and have been receiving as of July 1, 2014 continuously since retirement income under the plan for a period of no less than five years will receive a one-time cost of living increase to their retirement income of 5%.

MOTION: To approve Resolution 14R11 Amendment #6 of the Retirement Plan in Section 3.2(b)3 and Section 4.4 of the Amended and Restated Employees' Retirement Plan dated November 10, 2008.

Resolution 14R12 – Banking and Signature Cards

The Mayor, Aldermen and City Administrator are called upon for their signature in order for the City to carry on business for the transfer of funds. This account will not have checks but will transfer funds to the Germantown Municipal School Board.

MOTION: To adopt Resolution 14R12 establishing bank and signature cards with SunTrust Bank which will authorize the Mayor, Aldermen and City Administrator as signers on the City of Germantown Revenue Anticipation Note.

Motion by Mr. Palazzolo, seconded by Mr. Marcom, to accept the Consent Agenda as amended.

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

Alderman Palazzolo commented on the Library Celebration that was held and to especially thank three people who deserve special recognition, Alderman John Drinnon, George Brogdon, and Tom Cates who

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have had the compassion to lead the library and serve many hours giving their all to the Germantown Library.

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