



# CITY OF GERMANTOWN

---

## TENNESSEE

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

### **Board of Mayor and Aldermen Meeting**

Monday, August 11, 2014 – 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. Recognition of TN Law Enforcement Accreditation
7. Recognition of GFOA Award
8. Citizens to be Heard
9. Certificate of Compliance – Doc's Wines and Spirits
10. Public Hearing – Ordinance 2014-9 – Increase Salaries of City Judges – Second Reading
11. Germantown Performing Arts Center Rental Revenue
12. Annual Water System Maintenance Fees – TDEC
13. Patriot Circle – Extension of Agreement
  
14. **CONSENT**
  - a. Annual Agreement - U. S. Geological Survey
  - b. Recognition of Donation – Parks and Recreation
  - c. Recognition of Donation – Fire Department

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:** August 11, 2014  
**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:** August 11, 2014

**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 July 28, 2014.

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

To approve the minutes of the Board of Mayor and Aldermen Meeting held July 28, 2014.

**BOARD ACTION:** \_\_\_\_\_ **MOTION BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

VOTE/TOTAL	MARGOM	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:** August 25, 2014**FROM:** Patrick J. Lawton, City Administrator *PJL***SUBJECT:** Recognition of the Tennessee Law Enforcement Accreditation**INTRODUCTION:**

The purpose of this agenda item is to recognize the Tennessee Law Enforcement Accreditation awarded to the Germantown Police Department.

**BACKGROUND:**

The Germantown Police Department has over the past three (3) years worked on updating and developing policies and procedures in compliance with the State Accreditation program.

**DISCUSSION:**

The Tennessee Law Enforcement Accreditation Program is a voluntary program that recognizes the excellence and professional achievement in law enforcement agencies across the State of Tennessee. The program began in 2010 through the hard work and efforts of the Tennessee Association of Chiefs of Police. There are over 25 TLEA accredited agencies to date with over 60 agencies involved in the process of receiving accreditation. It takes commitment, dedication and hard work from the agency head and agency personnel to meet the standards prescribed by the program. The time commitment involves up to a three year process. The process requires an in-depth review of every aspect of the department's organization, management, operations and administration.

The Tennessee Association of Chiefs of Police President David Moore and Maggie M. Duncan Executive Director of the Tennessee Association of Chiefs of Police will be present to present the TLEA to the Germantown Police Department and Mayor and Board of Alderman.

**VISION 2020:**

This Accreditation award supports the Vision 2020 Public Safety Plan Goal 1- Safest City in Southeast and the objectives of people are safe and feel secure and a low crime rate: part 1(persons) and part 2(property) and City Services and Finances Plan Goal 26- Civic Involvement and the objective of citizens awareness of City goals, services and programs.

**PREPARED BY: Michael Berkes**

Michael Berkes, Captain

**REVIEWED BY: Richard L. Hall**

Richard L. Hall, Chief







# CITY OF GERMANTOWN

---

**REPORT TO:** THE BOARD OF MAYOR AND ALDERMEN

**DATE:** August 11, 2014

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

**SUBJECT:** Germantown Performing Arts Center Rental Revenue

## INTRODUCTION:

The purpose of this agenda item is to approve payment to the Germantown Performing Arts Center ("GPAC") of funds collected for rental and leases of the Germantown Performing Arts Center for a twelve month period in excess of the \$120,000.00

## BACKGROUND:

The Germantown Community Foundation was established as a 501(c)(3) not for profit corporation in November 1985. The purpose of the Foundation was to raise funds for the completion of the Germantown Center and Theatre. Over time their focus shifted to that of the primary fund raising arm of GPAC. In recognition of this change and direction, the Board of Mayor and Aldermen in June 1998 approved an agreement with the Germantown Community Foundation creating a new understanding of responsibilities for the operation of GPAC. Under this agreement established in 1998, the Foundation would be responsible for all of the operating costs associated with overhead, salaries and benefits for GPAC staff. In January 2005, after considerable change in the administration and the GPAC Board, the City and GPAC Board felt that a new operating agreement was in order, and the parties entered into the Cooperative Performing Arts Agreement dated January 10, 2005. The Agreement was subsequently amended by Amendment No. 1 dated June 8, 2009 and Amendment No. 2 dated June 30, 2011.

## DISCUSSION:

Pursuant to Amendment No. 2 to the Cooperative Performing Arts Agreement, subject to the annual written approval of the City and GPAC, GPAC will receive all funds collected from leases or rentals of the center during each twelve months beginning on July 1 and ending on June 30. The City chose not to act upon Amendment No. 2 and per Amendment No.2 section 2. 4b "If, however, prior to the end of any such twelve month period, the provisions of this Amendment No. 2 are not extended by written consent of both parties hereto, the following language of Section 4 b. of the Agreement as set forth in Amendment No. 1 shall be reinstated in the Agreement."

Per Amendment No. 1 "The City will receive all funds collected from leases or rentals of the Centre up to \$120,000 during each twelve month period beginning on July 1 and ending on June 30, and GPAC will receive any funds in excess of \$120,000 collected from such leases or rentals during said twelve month period.







# CITY OF GERMANTOWN

**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

**DATE:** August 25, 2014

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

**SUBJECT:** ANNUAL WATER SYSTEM MAINTENANCE FEE – TDEC

**INTRODUCTION:**

The purpose of this agenda item is to request authorization for payment to the Tennessee Department of Environment and Conservation (Division of Water Supply) in the amount of \$18,141.50 for the State Facility Maintenance Fee as established by the Water Quality Control Board.

**BACKGROUND:**

This fee provides funding for a technical staff which consults with local utility officials on water system issues and is collected from all public water systems in the State of Tennessee. The fee is based upon the type of facility and the number of water service connections and was implemented by the State in 1991 and amended by the Water Quality Control Board on July 22, 1992. (Rule 1200-5-1.32).

**DISCUSSION:**

The City of Germantown qualifies as a community water system with the maintenance fee based upon the number of service connections (13,955 units @ \$1.30 each). The last increase was approved by the state in February of 2008.

**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>
Utilities	040-9010-521.25-40	Water	Professional Services	\$110,000.00	\$18,141.50

Bruce Tillman is the contract administrator for this agreement.

**VISION 2020:**

This project supports the Vision 2020 Strategy for a well designed and well maintained water distribution system by constantly evaluating data and utilizing resources to support defined goals of community vitality and safety.

PAGE 2

**ANNUAL WATER SYSTEM MAINTENANCE FEE – TDEC**

**ATTACHMENTS:**

Invoice

**PREPARED BY: Bruce Tillman**

Bruce Tillman, Asst. Director of Public Services

**REVIEWED BY: Bo Mills**

Bo Mills, Director of Public Services

**REVIEWED BY: Lisa A. Piefer**

Lisa A. Piefer, Director of Procurement

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

To authorize payment to TDEC in the amount of \$18,141.50 for the State Facility Maintenance Fee as established by the Water Quality Control Board.

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

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



# CITY OF GERMANTOWN

---

**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN****DATE:** August 11, 2014**FROM:** Patrick J. Lawton, City Administrator *PL***SUBJECT:** Extension of Dedication of City Property – Germantown Veterans Recognition Committee**INTRODUCTION:**

The purpose of this agenda item is to extend the dedication of property agreement with the Germantown Veterans Recognition Committee. The City property is a portion of Municipal Square that will be a place of remembrance and education to be designed, constructed, and located between the Germantown Community Library and the Kiwanis Pavilion in an area that currently serves as a plaza.

**BACKGROUND:**

The Board of Mayor and Alderman initially approved the dedication of City property on February 13, 2012. Since that time, the Germantown Veterans Recognition Committee has completed a number of items to show progress on the project including completing plans and gaining approval of all Boards and Commissions related to the project and scope.

**DISCUSSION:**

The Germantown Veterans Recognition Committee is now to the point of marketing and fundraising for the project. They have determined that a three year extension will allow them ample time to complete the fundraising and construction efforts for the memorial. They have committed, as before, to keep the BMA informed of their progress and if at any point during this three year extension they see that the project will not go forward they will agree to terminate their interest in the property.

**VISION 2020:**

This project supports the Vision 2020 objective of well planned, designed, constructed improvements for Municipal Square Park for community events and celebrations.

**BUDGET AND STAFFING IMPACT:**

There will be no impact on the budget, as the construction and management of the project is privately funded. However, once completed the memorial will be turned over to the City and the maintenance and care will be the responsibility of the City.

**ATTACHMENTS:**

Letter from Germantown Veterans Committee Board requesting extension

**REVIEWED BY:** Cameron Ross, AICP  
Cameron Ross, AICP, Economic and Community Development Director

**REVIEWED BY:** Wade Morgan, AICP  
Wade Morgan, AICP, Chief Planner

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

To extend the dedication of City property in Municipal Square for a place of remembrance and education to be designed, constructed, and funded by the Germantown Veterans Recognition Committee for another three years and include the first right of usage of this space for this project.

**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:** August 11, 2014

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

**SUBJECT:** ANNUAL AGREEMENT – U.S. GEOLOGICAL SURVEY

### INTRODUCTION:

The purpose of this agenda item is to request authorization for the Mayor to execute a Contract Renewal Agreement with the U.S. Geological Survey in the amount of \$11,200.00.

### BACKGROUND:

The Annual USGS Agreement provides the equipment and expertise necessary to monitor, record, sample and report on the conditions and any changes in the City's two well fields. The agreement begins July 1, 2014 and ends June 30, 2015. The results of work under this agreement will be available for publication by the U.S. Geological Survey.

### DISCUSSION:

The information derived from the USGS is beneficial in planning for the future development of the well fields as well as continued management and use of our existing system. Continual aquifer level and water quality monitoring from observation wells in both the Southern Avenue and Johnson Road well fields provides the information to detect any changes in quality or volume in a timely manner. Services include an in depth chemical analysis of water samples collected at both well fields. All the reports are examined quarterly by staff to analyze trends and the operational objective to monitor water system availability for our customers.

### 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>
Utilities	040-9010-521.25-40	Water	Professional Services	\$110,000.00	\$11,200.00

Bruce Tillman is the contract administrator for this agreement.





Agenda No. 14b

## CITY OF GERMANTOWN

---

**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

**DATE: August 11, 2014**

**FROM: Patrick J. Lawton, City Administrator** *[Signature]*

**SUBJECT: RECOGNITION OF DONATION – PARKS AND RECREATION**

### **INTRODUCTION:**

The purpose of this agenda item is to recognize two donations totaling \$2,000.00 to support the special needs recreation program and to approve Budget Adjustment No. 15-04.

### **BACKGROUND:**

The recreation division offers a variety of activities for children and individuals with challenges and special needs. The popular monthly dances usually average about 100 special needs individuals, their families and care givers which are held at the Pickering Center. The department is fortunate to have volunteers from several local service groups, schools and universities who assist with supervision and program delivery on a regular basis.

In keeping with the City's goals of sustainability and community engagement, the Parks and Recreation Department recently accepted the following contributions to support the service and program delivery for this special group of individuals and their families:

Germantown Woman's Club	\$1,000.00
Shegufta Dismukes	\$1,000.00

### **DISCUSSION**

The funds will be used to purchase program supplies and offset costs for the "Spring Formal" event held at the Great Hall and Conference Center in May.

### **VISION 2020:**

The community building strategy in the Vision 2020 Plan calls for "Private sponsorship of events/programs - expansion." This effort increases the overall quality of life in Germantown.

### **ATTACHMENTS:**

Budget Adjustment No. 14-109.







# CITY OF GERMANTOWN

---

**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

**DATE:** August 11, 2014

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

**SUBJECT:** RECOGNITION OF DONATIONS TO FIRE DEPARTMENT

**INTRODUCTION:**

The purpose of this agenda item is to accept equipment provided to the Germantown Fire Department from a FY-2011 Office of Homeland Security Grant in the amount of \$1,511.75; to accept equipment from the Metropolitan Medical Response System in the amount of \$73,975.00; and to approve budget adjustments 14-147 and 15-05, respectively.

**BACKGROUND:**

The Shelby County Office of Preparedness received a Grant from Department of Homeland Security entitled the FY-2011 Homeland Security Grant. The Office of Preparedness purchased five (5) Multi-Rae Chargers at a cost of \$272.10 each and five (5) Automotive Charging Adapters for a cost of \$30.25 each for total cost of \$1,511.75. We received these items on June 19, 2014.

The Memphis Fire Department processed a Metropolitan Medical Response System Grant offered by the Department of Homeland Security for equipment to respond to medical emergencies in this region. A portion of the funds (\$73,975.00) were used to purchase a 2014 Medstat MS 500 Mini Ambulance. It will be used to respond to incidents and staff events when appropriate, as well as be available for regional response if needed.

**DISCUSSION:**

These Vehicle Chargers will be used with Multi-Rae Gas detectors purchased in a previous Grant. Prior to receiving these chargers, the gas detectors could only be charged in the fire stations limiting the availability of the equipment. The purchasing of these items was handled by the Shelby County purchasing department and delivered to the Shelby County Office of Preparedness Purchasing. We received these items from the Shelby County Office of Preparedness on June 19, 2014. Budget Adjustment 14-147 was created to recognize the donation.

This Mini Ambulance will be used to respond to medical emergencies in areas that can not be easily reached by normal vehicles. It is to be used in conjunction to medical needs in this region as part of the Metropolitan Medical Response System guidelines. The purchasing of this item was handled by the City of Memphis purchasing department and delivered to the Memphis Fire Department. We received this item from the Memphis Fire Department on July 18, 2014. Budget Adjustment 15-05 recognizes the donation.

