

## **BOARD OF MAYOR AND ALDERMEN**

August 11, 2014

A regular meeting of the Board of Mayor and Aldermen was held on Monday, August 11, 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, Mike Palazzolo, Forrest Owens and Rocky Janda. Alderman Drinnon was absent. Staff present: Patrick Lawton, Debra Wiles, Stacey Ewell, Susan Hopson, Chief Richard Hall, Chief John Selberg, Daniel Page, Pam Beasley, Reynold Douglas, Cameron Ross, Butch Eder, Ralph Gabb, Linda Rathje, Erica Perry, 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 move to the Consent Agenda #11 – Germantown Performing Arts Center Rental Revenue, #12 - Annual Water System Maintenance Fees – TDEC and #13 – Patriots Circle –Extension of Agreement; and to defer #6 – Recognition and Acceptance of TN Law Enforcement Accreditation and #9 – Certificate of Compliance – Doc’s Wine and Spirits.

Motion by Mr. Marcom, seconded by Mr. Janda, to approve the agenda as amended.

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

### **Approval of Minutes**

There were no corrections to the minutes.

Motion by Mr. Marcom, seconded by Mr. Janda, to approve the minutes of the Board of Mayor and Aldermen meeting held July 28, 2014.

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

### **Recognition of Tennessee Law Enforcement Accreditation - DEFERRED**

#### **Recognition of GFOA Award**

City Administrator Patrick Lawton recognized the efforts of Ralph Gabb, Finance Director, Linda Rathje, Accounting Manager and Erica Perry, Accountant, for achievement of the Certificate of Achievement for Excellence in financial reporting for the City Annual Comprehensive Financial Report as issued by the Government Finance Officers Association.

Mr. Lawton explained that the Certificate of Achievement is based on the City’s annual audit. The audit report is presented to the City’s Audit Commission composed of Germantown residents who review it for completeness and accuracy. The Certificate of Achievement is the highest form of recognition in governmental accounting and reporting and its attainment represents a major accomplishment by a government and its management.

The Finance Department had also achieved from GFOA the Award for Outstanding Achievement in Popular Annual Financial Reporting. This document is used to further deploy information from the City’s audit and annual financial report in an easily understood format.

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**Citizens to be Heard**

Sarah Freeman, 7684 Apahon Lane, was concerned with the Warrants the Planning Commission had approved for the Thornwood Development. She stated the revised traffic study had indicated that Thornwood at full build-out would severely degrade and diminish safety at the intersection of Germantown Road and Neshoba, making it an F intersection which is the most dangerous. She asked the Board to vote down the Warrants and require the developer submit plans that do not create life endangering hazards. She asked that the Planning Commission liaison meet with Alderman Owens and interested citizens to discuss this development.

Gregory Kisiel, 6571 Poplar Woods Circle, stated he was happy to see economic growth in the area and he welcomed Doc's Wine and Spirits that would be opening a store in the Carrefour Mall.

Rick Ransom, 1600 Lawton Trail, showed the Board slides of his back yard and what was happening in his neighborhood with drainage. He wants the City to have their own Code Department. He felt that Shelby County was not doing their part with the drainage problems in the county and we need our own department to help with the problem in Germantown.

**Certificate of Compliance – Doc's Wines and Spirits - DEFERRED**

**Public Hearing - Ordinance 2014-9 – Increase Salary of City Judges – Second Reading**

Mr. Lawton stated this was the second reading and required public hearing on the ordinance the board is asked to consider increasing the salary for our two elected judges. The City judges are elected for eight-year terms by the registered voters in Germantown and hear state cases and local ordinance violations.

The Code of Ordinances also identifies the process by which any change in the salary paid to our elected judges may be modified. The ordinance is in compliance with these requirements and, if approved by the Board, will increase the salary for our two judges from:

- \$30,000 - \$35,000 effective September 1, 2014
- \$35,000 - \$40,000 effective August 1, 2018

Administration recommended approval.

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

Motion by Mr. Marcom, seconded by Mr. Palazzolo, to approve Ordinance 2014-9 on second reading, an ordinance to increase the salary of City judges.

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

**Germantown Performing Arts Center Rental Revenue - Moved to Consent**

**Annual Water System Maintenance Fees – TDEC – Moved to Consent**

**Patriot Circle – Extension of Agreement - Moved to Consent**

**CONSENT**

**Annual Agreement – U.S. Geological Survey**

This 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.

MOTION: To authorize the Mayor to execute a Contract Renewal Agreement with the U.S. Geological Survey in the amount of \$11,200.00.

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**Recognition of Donation – Parks and Recreation**

Donations were received from Germantown Woman’s Club (\$1,000.00) and Shegufta Dismukes (\$1,000.00) for a total of \$2,000.00 for the Parks and Recreation to be used for the special needs individuals to offset costs for the “Spring Formal” event held at the Great Hall and Conference Center in May.

MOTION: To recognize donations totaling \$2,000.00 to support the special needs recreation program and to approve Budget Adjustment No. 15-04.

**Recognition of Donation – Fire Department**

The Shelby County Office of Preparedness received a grant from Department of Homeland Security and purchased five Multi-Rae Chargers and five Automotive Charging Adapters, for a total cost of \$1,511.75.

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.

MOTION: To accept equipment provided to the Germantown Fire Department from a FY11 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.

**Germantown Performing Arts Center Rental Revenue – Moved from Reg. Agenda**

Pursuant to Amendment No. 1 of the Cooperative Performing Art Agreement, the City is to receive all funds collected from leases or rentals of the Center up to \$120,000 during each twelve month period beginning on July 1 and ending on June 30, and GPAC is to receive any funds in excess of \$120,000 collected from such leases or rentals during the said twelve month period.

MOTION: To authorize the Mayor to approve payment of funds collected from rentals and leases at the Germantown Performing Arts Center in excess of \$120,000. The amount of the payment is \$22,382.08.

**Annual Water System Maintenance Fees – TDEC – Moved from Reg. Agenda**

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 City qualifies as a community water system with the maintenance fee based upon the number of service connections. The last increase was approved by the State in February of 2008.

MOTION: 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.

**Patriot Circle – Extension of Agreement - Moved from Reg. Agenda**

The Germantown Veterans Recognition Committee is asking for a three-year extension on their agreement with the City for a portion of Municipal Square that will be a place of remembrance and education located between the Germantown Community Library and the Kiwanis pavilion. This area currently serves as a plaza. The construction and management of the project is privately funded.

MOTION: 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.

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

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

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**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