

## **BOARD OF MAYOR AND ALDERMEN**

September 8, 2014

A regular meeting of the Board of Mayor and Aldermen was held on Monday, August 25, 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, Forrest Owens and Rocky Janda. Staff present: Patrick Lawton, Debra Wiles, Chief Richard Hall, Chief John Selberg, Daniel Page, Bo Mills, Reynold Douglas, Cameron Ross, Wade Morgan, 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 Mike Palazzolo led the Pledge of Allegiance.

### **Approval of Agenda**

During the Executive Session the Board agreed to move #9 – Resolution 14R14 – TML Driver Safety Matching Grant Program to the Consent Agenda.

Motion by Mr. Owens, 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 was one spelling correction to the minutes.

Motion by Mr. Janda, seconded by Mr. Palazzolo, to approve the minutes, as corrected, of the Board of Mayor and Aldermen meeting held August 25, 2014.

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

### **Recognition of Life Safety Award to Fire Department**

Mayor Goldsworthy recognized Fire Chief John Selberg who stated the Germantown Fire Department had been presented with the 2013 Life Safety Award for recording zero fire deaths in 2013. Germantown is one of 143 fire departments across the United States to receive the award this year.

Chief Selberg introduced the following firemen who are a part of the fire prevention program “LAFS”: Fire Marshall Jody Dwyer, Assistant Fire Marshal Tim Williams, Fire Records Coordinator Kelly White, Driver Danny Hopper, Firefighter Greg Strong and Assistant Chief Jeff Beaman.

### **Citizens to be Heard**

Chris Vescovo of 234 Pandora St., Memphis, stated he was a part owner of Kirby Parkway Liquors located on the corner of Poplar and Kirby Parkway. He spoke in opposition to the opening of the liquor store at 6645 Poplar. He felt the property was within the 200 ft. of the residential property and that it did not comply with the Germantown Code of Ordinances.

Gary R. Smith of 1770 Great Oaks Cove, stated he and his neighbors were concerned with the traffic and noise on Great Oaks. He stated he would like to block the road but understood that would be very hard to do. He did ask for the Board to study the problem to see what could be done.

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**Certificate of Compliance – Doc’s Wines and Spirits**

City Administrator Patrick Lawton stated the City had received an application for a retail package store permit for “Doc’s Wine and Spirits” to be located at 6645 Poplar Avenue, Suite 101. Mr. Lawton explained that the City’s role in approval of liquor store application is the completion of the Certificate of Compliance to be filed with the State of Tennessee.

The Board’s consideration of the Certificate of Compliance consists of a criminal background check of the applicant completed by the Germantown Police Department. Based on Police review, there is no record regarding this applicant.

Motion by Mr. Palazzolo, seconded by Mr. Owens, to issue a Certificate of Compliance to A. Keith May and Audrey M. Page, for a retail liquor store located at 6645 Poplar Ave., Ste 101.

ROLL CALL: Marcom-no, Drinnon-no, Palazzolo-yes, Owens-yes, Janda -yes. Motion approved.

**Resolution 14R14 – TML Driver Safety Matching Grant Program – Moved to Consent**

**Recognition of Sculpture Donation – Germantown Community Library**

GPAC Executive Director Paul Chandler stated artist Wesley Copp had made a sculpture donation to the City called “Ocean Slice” and it will be located just inside the entrance to the Library.

Motion by Mr. Marcom, seconded by Mr. Owens, to accept Wesley Copp’s sculpture donation of “Ocean Slice” valued at \$850.00.

ROLL CALL: Marcom-yes, Drinnon-no, Palazzolo-yes, Owens-yes, Janda -yes. Motion approved.

**Recognition of Public Promenade Donation**

Mr. Chandler stated that donations had been collected totaling \$4,299.00 to purchase a permanent piece of sculpture called “Rise” by Richard Claraval. The original value of the sculpture was \$6,500.00. The artist had agreed to sell the work for \$4,299.00 and it will be located in “People Street” in the Municipal Building.

Motion by Mr. Janda, seconded by Mr. Palazzolo, to recognize donations totaling \$4,299.00 to the City of Germantown Public Art Promenade and to approve Budget Adjustment No. 14-08 for the purchase of the sculpture “Rise” by Richard Claraval.

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

**Germantown Municipal School District – Mixed Drink Tax**

Finance Director Ralph Gabb stated the City receives a monthly collection of mixed drink tax from the State of Tennessee Department of Revenue. In the past this money had been sent to the Shelby County Schools. Beginning in June of 2014, the money was sent to the City and 50.0% must be disbursed to the Germantown Municipal School District (GMSD) as required under public Chapter No. 901. The amount in mixed drink tax received in June 2014 was \$14,855.01 of which \$7,427.51 will be disbursed to the GMSD. The monthly amount will vary based upon the tax remitted to the State of Tennessee for mixed drinks.

Mayor Goldsworthy stated this would be a monthly disbursement and would not be brought back to the Board.

Alderman Palazzolo asked that the Board be given a year-end account of the amount disbursed to the GMSD.

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Motion by Mr. Owens, seconded by Mr. Marcom, to authorize the disbursement of \$7,427.51 to the Germantown Municipal School District which represents 50.0% of the tax received from the State of Tennessee for mixed drink tax and to authorize future disbursements of the tax.

ROLL CALL: Marcom-yes, Drinnon-no, Palazzolo-yes, Owens-yes, Janda -yes. Motion approved.

**CONSENT**

**Day Care Registration Module**

With the new expanded REACH Before/After School Program in place, it is necessary to add the Day Care Registration Module to the web-based recreation management software contract.

MOTION: To approve an amendment to the hosted web-based recreation management software contract with Active Network, LLC, and a change order in the amount of \$2,550.00 and to approve Budget Adjustment No. 15-10.

**Resolution 14R14 – TML Driver Safety Matching Grant Program – Moved from Reg. Agenda**

The TML Risk Management Pool is offering a “Driver Safety” Matching Grant Program to provide 50% of the cost for driver safety training provided to employees who drive City vehicles. The application must be submitted with a resolution approved by the Board of Mayor and Aldermen.

MOTION: To approve Resolution 14R14, authorizing the City to participate in the TML Risk Management Pool “Driver Safety” Matching Grant Program for FY15.

Motion by Mr. Janda, seconded by Mr. Palazzolo, 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