1930 South Germantown Road ● Germantown, Tennessee 38138-2815 Phone (901)757-7200 Fax (901)757-7292 www.germantown-tn.gov

Board of Mayor and Aldermen Meeting

Monday, March 23, 2015 – 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. Youth Excellence Award
- 7. Teacher of Month Award
- 8. Citizens to be Heard
- 9. CONSENT
 - a. Payroll Budget Transfer
 - b. Fire Pump Controller
 - c. Score Boards
 - d. Annual Maintenance Contract Learning Center
 - e. Appointment to Germantown Education Foundation
- 10. Contract Development Agreement No. 1197 The Shops of Saddle Creek North
- 11. Asphalt Milling and Paving Contract
- 12. Public Hearing Ordinance 2015-5 Amendment to Smart Code Second Reading
- 13. Police In-car Cameras
- 14. Police Security Cameras

BEER BOARD

- 15. Suspension/Revocation Beer Permit Shell Service Center 7627 Poplar
- 16. Suspension/Revocation Beer Permit Kwick Shop 9434 Poplar
- 17. Suspension/Revocation Beer Permit Petra Café 9155 Poplar Ave., Suite 17
- 18. Suspension/Revocation Beer Permit Royal Panda 3120 Village Shops Dr. #23
- 19. Suspension/Revocation Beer Permit Russo's New York Pizzaria 9087 Poplar



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

March 23, 2015

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).

VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
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REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

March 23, 2015

FROM:

Patrick J. Lawton, City Administrator

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 March 9, 2015.

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

To approve the minutes of the Board of Mayor and Aldermen Meeting held March 9, 2015.

VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
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REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

March 23, 2015

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

March 2015 Youth Excellence Award

The March 2015 Youth Excellence Award winner is Mr. Heath Rooks, a senior at Briarcrest Christian School. He is the son of Ed and Beth Rooks.

Heath is described by his nominators as a self-motivated and disciplined student. Throughout this high school career, Heath has balanced academics, athletics and fine arts and maintained excellence in each. He is highly respected by the faculty and his peers, evidenced by his election as president of the National Honor Society, the Ambassador program, the Wilson Society and his senior homeroom.

Heath has received, and continues to receive, high academic honors. He received the Joseph A. Clayton Award for earning a straight-A average and has been recognized by the Great Works of Heart program for visual and literary excellence. He is also a member of the key club, a school service organization.

Heath has been awarded All West Choir designation for his junior year and performed in the elite Chamber Choir for the past three years. He is a member of and soloist in OneVoice, a select a cappella group of 12 who perform locally and nationally. This group has signed a contract with Sony records for an album to be released worldwide.

Also a gifted athlete, Heath has been honored as a member of the All-Metro Track Team and recognized as a Best of the Preps nominee. He is a key member of the varsity football team defensive unit.

In recognition of his commitment to excellence, the Germantown Education Commission is proud to present Heath Rooks with the Germantown Youth Excellence Award.

PREPARED BY: Stacey Ewell

Stacey Ewell, Assistant to the City Administrator

	7
Agenda No.	



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

March 23, 2015

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

March 2015 Teacher of the Month

The March 2015 Teacher of the Month is Ms. Mary Lirette, kindergarten teacher at Dogwood Elementary School.

Ms. Lirette's nomination was accompanied by letters from parent after parent who credit her with helping their children develop a true love for school and learning. She is well known for helping shy, introverted kindergartners bloom, both academically and socially. Her reputation for going above and beyond for her students is evidenced by her custom built Polar Express train. Parents benefit from her commitment to communication including sharing photos, social media posts and even the occasional video message.

In addition to her talents in the classroom, Ms. Lirette works to make Dogwood Elementary, as a whole, a great place for students and faculty. She serves as the school's webmaster, manages the social media accounts, serves as an instructional coach, grade chair and a member of the technology committee. Ms. Lirette is on the textbook adoption and hospitality committees, serves as a cooperating teacher for University of Memphis students teachers, has led multiple in-service training sessions and manages a teaching blog focused on creative classroom ideas.

Ms. Lirette, please accept our appreciation for your commitment to Germantown students. Your award is sponsored by Dazzle.

PREPARED BY: Stacey Ewell

Stacey Ewell, Assistant to the City Administrator



REPORT TO:

THE BOARD OF MAYOR AND ALDERMEN

DATE:

March 23, 2015

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

PAYROLL BUDGET TRANSFER

INTRODUCTION:

The purpose of this agenda item is to approve the transfer of budgeted payroll from Human Resource to Finance.

BACKGROUND:

When budgeted items are transferred from once cost center to another within a fund the item is brought before the Board of Mayor and Aldermen for approval. The attached request for budget transfer is the movement of budget from Human Resource Department to the Finance Department.

DISCUSSION:

The Finance Department has taken on the responsibility for processing payroll hours and checks for all employees. The employee who processed these items has moved from the Human Resource Department to the Finance Department. This movement of personnel provided greater segregation of duties and enhances the internal control of the City. In addition, finance will provide back-up and cross training for the processing of payroll on a daily and week basis.

VISION 2020:

The request supports the objectives under the Financial Sustainability goal within the Vision 2020 Plan. Every manager and supervisor will take responsibility for managing resources in a prudent manner and adequate resources to support defined services and service levels.

BUDGET AND STAFFING IMPACT:

There are no direct budget impacts as the budget is being transferred from one cost center to another.

SOURCE OF FUNDING:

See attached budget transfer.

Prepared by: Ralph J. Gabb

Reviewed by: Sherry Rowell

Ralph J. Gabb, Finance Director

Sherry Rowell, Budget & Performance Advisor

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

To approve a transfer of budget payroll and benefits from the Human Resource Department to the Finance Department for payroll.

BOARD ACTION:

MOTION BY:

VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO)
YES	Yes	Yes	Yes	Yes	Yes	Yes	
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REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

March 23, 2015

FROM:

Patrick J. Lawton, City Administrator 🖁 🗸 🗀

SUBJECT:

Fire Pump Motor Controller – Germantown Center Complex

INTRODUCTION:

The purpose of this agenda item is to consider approval of a construction contract with American Electrical Contractors, Inc. in the amount of \$39,992.00 for the installation of new replacement fire pump motor controller at the Germantown Center Complex and approve Budget Adjustment Number 15-64.

BACKGROUND:

The existing fire pump motor controller was installed during original construction in 1989. This motor controller provides 480-volt 3-phase primary power circuitry from the MLGW transformer and 480-volt 3-phase emergency power circuitry from the emergency generator to the fire pump that serves the entire building.

At various times, the motor controller has failed annual maintenance inspections but repairs were made per manufacturer's specification and national fire codes. Due to the age of the motor controller, replacement parts have become obsolete that would keep the motor controller fully operational. During the most recent testing, the motor controller failed to perform on the 480-volt 3-phase emergency power circuitry from the emergency generator. When tested, the motor controller starts the emergency generator as designed but the transfer switch will not activate in order to provide emergency power. Currently, the motor controller operates correctly in the normal position, which is 480-volt 3-phase primary power circuitry from the MLGW transformer.

As part of strategic planning, funding for the fire pump motor replacement was requested and approved for FY15 IRP budget.

DISCUSSION:

Installation plans and specifications were compiled by DePOUW Engineering. The plans and specifications were reviewed by Shelby County Electrical Code Enforcement and the Procurement Department compiled all documents needed for the formal bid process. Bid advertisements were posted on the City's website and bidding opportunity distribution networks. Three contractors attended the pre-bid meeting and two bids were received ranging from \$39, 992.00 to \$51,377.00 with American Electrical Contractors, Inc. submitting the low bid of \$39,992.00. The bid analysis sheet is attached. American Electrical Contractors, Inc has performed several projects with the City without discrepancies and is currently in good standing with the City. This project is scheduled for completion within 90 days as per bid specifications. Work will not begin until the replacement controller is onsite. Due to the various operations within the complex, scheduled power outages are to be performed after normal business hours. While the fire pump is without electrical power, the sprinkler system will have waterflow available. This eliminates the need for a fire watch, however, the Germantown Fire Department will be notified the moment that the fire pump controller is taken out of service and then notified when the new fire pump controller is put into service.

Fire Pump Motor Controller Board of Mayor and Aldermen Page 2

VISION 2020:

This project supports the Financial Sustainability Goal 22 of maintaining and upgrading City facilities and the implementation of the 2005-2006 City Facility and Capital Assets Action Strategy.

BUDGET AND STAFFING IMPACT:

SOURCE OF FUNDING:

Fund	Line Item No.	Dept.	Line Item Description	*Budget Balance	Recommended Expenditures
General	010-4710-441.9490	GPAC IR1534	FP Controller	\$12,000.00	\$12,000.00
GAC	042-4620-462.94-90	GAC IR1534	FP Controller	\$23,992.00	\$23,992.00
GH	044-4820-532.94-90	GH IR1534	FP Controller	\$ 4,000.00	\$ 4,000.00

ATTACHMENTS

Bid Analysis Budget Adjustment

Prepared by: Reynold D. Douglas

Reynold D. Douglas, General Services Director

Reviewed by: Paul Chandler

Paul Chandler, GPAC Director

Reviewed by: Ralph J. Gabb

Ralph J. Gabb, Finance Director

Reviewed by: Phil Rogers

Phil Rogers, Athletic Club Director

Reviewed by: Nick Dahl

Nick Dahl, Great Hall Manager

Reviewed by: Lisa A. Piefer

Lisa A. Piefer, Procurement Director

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

To approve this agenda item to enter into a construction contract with American Electrical Contractors, Inc in the amount of \$39,992.00 for the installation of new replacement fire pump motor controller at the Germantown Center Complex and approve Budget Adjustment Number 15-64.

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MOTION BY:

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VOTE/TOTAL	. BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO	
YES	Yes	Yes	Yes	Yes	Yes	Yes	
NO	No	No	No	No	No	No	***************
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REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

March 23, 2015

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

ATHLETIC FIELD SCOREBOARDS

INTRODUCTION:

The purpose of this agenda item is to request authorization to enter into a contract to purchase seven athletic field scoreboards in the amount of \$63,236.80 from Pyramid Sign and Awning, Co., Inc., establish unit pricing for a period of one (1) year from the approval date and approve Budget Adjustment Number 15-63.

BACKGROUND:

In September of 2003, the City of Germantown purchased eighteen wireless scoreboards with wireless consoles for athletic fields in Germantown. These scoreboards service Germantown residents involved in baseball, softball (youth & adult), lacrosse, football and soccer. Over the past five years, the annual maintenance/upkeep on these boards has increased significantly with the equipment often failing during game events causing much frustration from participants, coaches, league officials and staff. The warranty on the boards is well past the expiration date causing all repairs to be done by in-house staff.

DISCUSSION:

A phased replacement plan for the outdated, failing equipment was developed during the FY13 budget process. Phase I was completed in March 2013 which consisted of replacing eight boards at Cameron Brown and Houston Levee Park. In FY15, an IRP budget request was approved to complete Phase II of the project which includes replacement of all boards at Bob Hailey Athletic Complex. In January 2015, staff worked with the Purchasing Department to finalize the scoreboard specifications to purchase all seven scoreboards at Bob Hailey Baseball and Football. On February 5, the invitation to bid was sent out and advertised on the City's website. An e-notification was sent to eight hundred and twenty four (824) vendors. A non-mandatory pre-bid meeting was held Thursday, February 12 and the bid opening was held Friday, February 20 with a total of four bids received from the following vendors: Daktronics, Frank Balton and Company, Toadvine Enterprises and Pyramid Signs and Awning Co., Inc. The total price below reflects removal and disposal, installation, restoration of existing steel frames, extended warranty and surge/lightening protection. Staff also requests that unit prices be approved for a period of one (1) year from the BMA approval date. By establishing and approving unit prices with a contract, the City can purchase additional equipment specified as needed throughout the year with BMA Approval. A detailed summary of bid tabulations is attached.

Staff reviewed the bids, checked references and reviewed all aspects of the bid. Of the three (3) qualified bidders, Pyramid Sign and Awning, Co. Inc., located in Memphis is the acceptable low bidder. Pyramid Signs has been in business for thirty-five (35) years and has an A+ rating with the Better Business Bureau as no complaints have been filed against them. Pyramid Sign and Awning, Co., Inc. is in good standing with the Tennessee Contractors Licensing Board and all references provided positive feedback.

The scoreboards are Nevco which are guaranteed for a period of five (5) years from the date of invoice against defects in workmanship or material and Nevco will replace or repair without cost to the owner. The extended warranty coverage extends the terms of the original guarantee for an additional twenty-four (24) months. Nevco has been in

ATHLETIC FIELD SCOREBOARDS March 23, 2015 Page 2

business for over 75 years and provides facilities with the highest quality scoring and display products in the industry. They are known to be the largest privately held scoreboard manufacturer in the world with a commitment to quality, customer service and product innovation.

The approved IRP budget for this project is \$48,000.00. However, additional funding is needed to move forward with this purchase. Due to issues with the previously purchased scoreboards and hand held controllers, staff determined that higher quality boards and controllers for any new boards were warranted to provide our sports providers with effective scorekeeping. Considerable time was spent seeking a better solution and product. The Nevco scoreboard is considered to be higher quality and upgrading the controllers should alleviate any interference with the cell tower at Bob Hailey. Staff is also recommending purchasing the extended warranty package since a maintenance contract is not in place. If approved, the City will be contracting with Pyramid Sign and Awning Co. for one year, which will allow for the final phase of this project to be purchased at the contracted price. To complete Phase II of this project it is recommended that \$15,237.00 be taken from the Recreation Fund.

VISION 2020:

This agenda supports Vision 2020 with city programs and services responding to changing leisure time and recreational activity trends and resident needs. It additionally supports Vision 2020 by making team sports available to all residents with quality athletic fields and practice facilities for recreational leagues, competitive leagues and tournaments.

BUDGET AND STAFFING IMPACT:

A cost savings in staff time will be achieved by selection of these scoreboards from reduced maintenance activities, unscheduled repairs and an implementation of an extended warranty package (not available with the other equipment). Another important impact achieved will be increased customer satisfaction from our sports providers and spectators. The following Nevco score board features make them a better value for the expenditure and increase trouble free operation:

- o Bright long lasting LEDs. LEDs typically last 10,000 hours or more and are more energy efficient than the incandescent style bulbs in your existing equipment.
- oGasketed digits to eliminate moisture problems
- o Cabinets are designed to withstand wind load speed up to 150 mph
- o Built in lightening protection scoreboards feature fiber optic isolation circuitry to protect against lightening damage
- o Nevco MPCW-7 wireless controllers have internal antennae to prevent damage and feature sealed keyboards to prevent damage from spills or moisture
- Nevco MPCW-7 wireless controllers offer convenient wireless operation within 1000'

SOURCE OF FUNDING:

Fund	Line Item No.	Dept.	Line Item Description	*Budget Balance	Recommended Expenditures
General	010-4010-440.94-90 IR1530	Parks & Rec	Scoreboards	\$48,000.00	\$63,236.80

ATTACHMENTS

Bid Analysis Budget Adjustment

Prepared by: Natalie Ruffin	
Natalie Ruffin, Recreation Superintendent	
Reviewed by: Pam Beasley	
Pam Beasley, Parks and Recreation Director	
Reviewed by: Lisa A. Piefer	
Lisa A Piefer Procurement Director	

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

BOARD ACTION:

To request authorization to enter into a contract to purchase seven athletic field scoreboards in the amount of \$63,236.80 from Pyramid Sign and Awning, Co., Inc., establish unit pricing for a period of one (1) year from the approval date and approve Budget Adjustment Number 15-63.

SECONDED BY:

VOTE/TOTAL BARZIZZA GIBSON KLEVAN OWENS JANDA PALAZZOLO YES Yes Yes Yes Yes Yes NO No No No No No No	ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abetain	Ahetain	
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VOTE/TOTAL BARZIZZA GIBSON KLEVAN OWENS JANDA PALAZZOLO	YES	Yes	Yes	Yes	Yes	Yes	Yes	
	VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO	

MOTION BY:



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

March 23, 2015

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

ANNUAL MAINTENANCE CONTRACT - LEARNING CENTER

INTRODUCTION:

The specific action requested of the Board is to renew the annual maintenance contract with SunGard Public Sector for the Germantown Learning Center in the amount of \$15,300.00.

BACKGROUND:

The City first entered into an agreement in 1999 with SunGard Public Sector, formally H.T.E., when the Utility module we used was not Y2K compliant. The City added the Finance/Accounting, Payroll, Budgeting and Purchasing/Inventory modules the following year. The system was further upgraded to a hosted platform in 2009 adding several additional modules. The addition of the Germantown Learning Center took place in 2014.

DISCUSSION:

Technology has advanced significantly over the years. This advancement in technology requires the City to continue to upgrade and train employees in order to communicate effectively. The addition of this learning center has allowed the City to empower employees to a higher level while tracking the education process.

Features of the plan include:

- Organization-specific training & development web site
- Web hosted and administered by SunGard Public Sector
- Learning events administered on the web site by SunGard Public Sector
- Site incorporates the City's non-SunGard Public Sector related learning events
- Manager function to assign, track and monitor employee learning activity
- Access to SunGard Public Sector learning events
 - Web conference classes (webinars)
 - o On-demand classes (recorded, self-paced, 24-7 availability)
 - User group conference learning events
 - Regional learning events
- Access to non-SunGard Public Sector on-demand learning events
 - o Desktop application topics (Word, Excel, Outlook, Photoshop. PC introduction, etc.)
 - O Business & Professional Development topics (Time management, project management, teamwork, coaching, stress management, etc.)
 - o Health & Safety topics (OSHA 10, first aid, driver safety, hazardous materials, etc.)
 - Information Technology topics (Windows 7, SQL, Sequel Server 2008, programming languages, networks, etc.)
- Access to 80-hours of private onsite or one-on-one web based customized training annually for the City (travel not included)

ANNUAL MAINTENANCE CONTRACT - LEARNING CENTER

March 23, 2015 Page 2

BUDGET AND STAFFING IMPACT:

Source of Funding:

			Line Item	Budget	Recommended
<u>Fund</u>	Line Item No.	Dept.	Description	Balance	Expenditure
General	010-1510-416-2630	IT	Equip. Maint	\$519,685.72	\$15,300.00

VISION 2020:

The action requested in this agenda item fulfills most aspects of the City of Germantown's Mission as identified in Vision 2020. "The City provides EXCEPTIONAL SERVICES, RESPONSIVE TO CITIZENS NEEDS AND TOP QUALITY FACILITIES, PARKS AND INFRASTRUCTURE." Service excellence is a key goal of the Vision 2020 Plan whether it is for our citizens or our employees who in turn provide services for our citizens. Vision 2020 also states that we provide "Exceptional Services Responsive to Citizens" meaning City government uses state-of-the-art technology in service delivery. The annual maintenance agreements requested will assist City staff in everything from commercial and residential development projects to City infrastructure refurbishment and maintenance projects to Police and Fire protection.

ATTACHMENTS:

BOARD ACTION:

SunGard Public Sector Invoice

PREPARED BY: Stephanie S. Logan	
Stephanie S. Logan, Technical Services Coordinator	
REVIEWED BY: Tony Fischer	
Tony Fischer, Information Technology Director	
REVIEWED BY: Lisa A. Piefer	
Lisa A Piefer Procurement Director	

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

MOTION BY:

To renew the annual maintenance contract with SunGard Public Sector for the Germantown Learning Center in the amount of \$15,300.00.

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VOTE/TOTAL	. BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO	
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NO	No	No	No	No	No	No	
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REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

March 23, 2015

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

GERMANTOWN EDUCATION FOUNDATION APPOINTMENT

INTRODUCTION: The purpose of this agenda item is to appoint the City of Germantown Mayor, or his or her designee, as a permanent member of the Germantown Education Foundation.

BACKGROUND: The Germantown Education Foundation (GEF) presently has eight board members. Per the Foundation bylaws, the board may have up to 15 members. Appointment of the City Mayor or designee to the Germantown Education Foundation will ensure that, as the largest contributor to the Foundation, the City has Board representation. In addition, the Mayor or designee will act as liaison between the GEF and the Germantown Board of Mayor and Aldermen.

<u>VISION 2020</u>: Excellent Schools are a cornerstone of Germantown Vision 2020. Supporting guiding principles mandate that City government supports top-quality public schools through financial resources, facilities for school use, enrichment and educational programs and police presence. The Germantown Education Foundation helps support Germantown Municipal Schools' success by partnering with schools to provide financial support for academic programs that would otherwise go unfunded.

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

To approve the appointment of the City of Germantown Mayor, or his or her designee, as a permanent member of the Germantown Education Foundation.

PREPARED BY: Stacey Ewell

Stacey Ewell, Assistant to the City Administrator

BOARD ACTION: MOTION BY:

VOTE/TOTA	L BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
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REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

March 23, 2015

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

CONTRACT DEVELOPMENT AGREEMENT NO. 1197 -THE SHOPS OF SADDLE

CREEK NORTH

INTRODUCTION:

The specific action requested by the Board is to consider the Contract Development Agreement No. 1197 for an additional building at the Shops of Saddle Creek PUD, on the northeast corner of Poplar Ave. and West Farmington Blvd, as recommended by the Planning Commission at its November 4, 2014 meeting and by the Design Review Commission at its November 25, 2014 meeting.

BACKGROUND:

The Shops of Saddle Creek shopping center was originally approved by the Planning Commission and Board of Mayor and Aldermen in 1987. The Planning Commission approved the Shops of Saddle Creek PUD on November 4, 2014, which consists of an additional 5,418 sq. ft. retail building situated in the area currently occupied by parking spaces and the Saddle Creek fountain, and the addition of 12 parking spaces along West Farmington Blvd.

DISCUSSION:

Approval of the Contract Development Agreement No. 1197 will allow the construction of a 5,418 sq. ft., single story retail building on the corner of Poplar and West Farmington Blvd., and the reconfiguration of the parking area in the vicinity. The development was approved as a PUD because it involves the following variances from the standard development regulations:

- 1. The proposed building is located 12 feet (at the closest point) from Poplar Ave. and West Farmington Blvd., where the standard minimum setback from both streets is 40 feet.
- 2. The proposed building is located 11 feet from the east property line, where the standard rear yard setback is 20 ft.
- 3. The plan proposes a total of 447 parking spaces, where the SC-1 district requires a minimum of 452 parking spaces for the total floor area of all buildings within the Shops of Saddle Creek center.

GERMANTOWN VISION 2020:

The Contract Development Agreement No. 1197 is consistent with the Germantown Vision 2020 goal for redevelopment in the heart of Germantown, including Goal 13 which supports the "redevelopment and reuse of older commercial and residential buildings".

ATTACHMENTS:

1. Vicinity Map

Prepared by: Wade Morgan
Wade Morgan, Chief Planner

Reviewed by: Cameron Ross

Cameron Ross, Director of Economic and

Community Development

PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:
To approve Contract Development Agreement No. 1197 for the Shops of Saddle Creek Planned Unit Development.

VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

March 23, 2015

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

Annual Milling and Paving Contract

INTRODUCTION:

The purpose of this agenda item is to consider approval of a service contract with Standard Construction Company, Inc in an amount not to exceed \$1,300,000.00 for the FY15 Annual Milling and Paving Contract.

BACKGROUND:

The Public Works Department has a proactive preventive street maintenance program that was established 20 years ago to annually grade, evaluate and schedule the candidate streets throughout the City for milling and /or pavement resurfacing. Our business plan objective is to prepare and resurface approximately ten miles annually. In FY14, six miles of roadway were milled and resurfaced under a contract with Lehman Roberts Company, Inc. in the amount of \$542,071.00. The annual contract also includes the repair of traffic loops that are damaged during the milling process, replacement of water valve boxes, sewer manhole risers and underground electrical utility boxes. The contract also includes a price for base asphalt mix in the event some structural or foundation failures exist. The thermoplastic striping application is included in the annual contract and funded by the Street Striping line item in the State Street Aid Budget.

DISCUSSION:

Per Tennessee Department of Transportation specifications, the asphalt surface is required to be 1.5" in thickness using a 411 Grade D surface mix. The FY14 contract surface mix bid unit price was \$74.00 per ton and milling costs per ton were \$10.50. This contract should fund approximately eight miles of roadway for FY15. In preparation for the overlay program, select streets must be milled to protect the integrity of curbs, driveways and drainage characteristics. The bid was advertised on the City's web site and three bids were received. (Please see attachment analysis sheet.) Staff recommends the acceptable low bid on this agenda item.

VISION 2020:

This contract supports the Vision 2020 objective for top quality infrastructure for streets that are well designed, funded and maintained. This annual program is also identified as a critical success factor in the Infrastructure Update.

Annual Milling and Paving Contract March 23, 2015 Page 2

BUDGET AND STAFFING IMPACT:

SOURCE OF FUNDING:

Fund	Line Item No.	Dept.	Line Item Description	Budget Balance	Recommended Expenditures
State Street	011-3210-436.26-70	SSA	Contract Street Maint.	\$1,249,744.78	\$1,249,000.00
Aid	011-3210-436.27-10	SSA	Street Striping	\$200,000.00	\$ 51,000.00

Bobby Carter, Superintendent of Streets, will serve as Contract Administrator.

ATTACHMENTS:

Bid Analysis

Prepared by: Bruce Tillman

Bruce Tillman, Asst. Director of Public Works

Reviewed by: Bo Mills, PWLF

Bo Mills, Public Works Director

Reviewed by: Lisa A. Piefer

Lisa A. Piefer, Procurement Director

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

To authorize the Mayor to enter into a contract with Standard Construction Co. Inc. in an amount not to exceed \$1,300,000.00 for the FY15 Annual Milling and Paving Contract.

BOARD ACTION:

MOTION BY:

VOTE/TOTAL	. BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No.
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

March 23, 2015

FROM:

Patrick J. Lawton, City Administrator ${\mathfrak V}^{\mathcal V}$

SUBJECT:

ORDINANCE 2015-05 - GERMANTOWN SMART CODE - PUBLIC HEARING AND SECOND

READING

INTRODUCTION: The purpose of this agenda item is to hold a public hearing on Ordinance 2015- 05, Revisions to the Smart Code, and approve the ordinance on second reading. If approved, the third and final reading will be on April 13.

BACKGROUND: On August 13, 2007, the Board of Mayor and Aldermen (BMA) approved Ordinance 2007-13, which adopted the Smart Code as recommended by the "Germantown Smart Growth Plan". That plan had been developed to fulfill the Guiding Principles of the "Germantown Vision 2020" Strategic Plan (adopted 2005); specifically the objective of Redevelopment of the Central Business District, as described by Goal 7 of the Economic Sustainability Plan.

In 2012, the City initiated the "Western Gateway Small Area Plan" for the Poplar Ave./Kirby Parkway vicinity. One component of that plan was the amendment of the Smart Code to include the T-6 Urban Core zoning district. In addition, other revisions and updates were recommended to the Smart Code. The Planning Commission recommended approval of the updated Smart Code on October 1, 2013. On November 11, 2013, the BMA approved the new Smart Code which replaced completely the 2007 version.

<u>DISCUSSION:</u> Germantown staff became aware of errors in the 2013 version of the Smart Code, so began a review of the Code for incorrect procedures, incorrect references to other sections, omissions from the 2007 Smart Code and similar errors. The proposed amendments will completely replace the 2013 version of the Smart Code with a corrected version. The first page of the attached document is a summary table of the proposed amendments. Following that is the complete Smart Code, with text that is to be deleted struckthrough and new language shown in red, and will completely replace the 2013 version.

<u>VISION 2020</u>: Approval of the ordinance supports Goal 6 of the Vision 2020 Economic Sustainability Plan, which calls for mixed use (residential and non-residential) development in the heart of the city area and for strong retail businesses and office development for professional services.

ATTACHMENTS:

- 1. Proposed Smart Code Amendments
- 2. Minutes of the January 6, 2015 Planning Commission Meeting
- 3. Ordinance 20105-05, Including the Smart Code, 2015 Version

Prepared by:	Wade Morgan	
Wade Morgan	, Chief Planner	

Reviewed by: Cameron Ross
Cameron Ross, Director of Economic and Community Development

PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:
To approve Ordinance 2015-05 - the "Germantown Smart Code" on second reading.

ACTION: **MOTION BY:**

VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

March 23, 2015

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

Purchase of Three (3) Mobile Vision In-car Video Systems

INTRODUCTION:

The purpose of this agenda item is to request authorization to purchase three (3) Mobile Vision Flashback 3 digital incar Video systems from L3 Communications Mobile Vision, Incorporated in the amount of \$13,785.00, utilizing the Tennessee Statewide contract 35795.

BACKGROUND:

In-car video systems allow the Police Department to use video technology in daily field operations. The use of this equipment would enhance the ability of the department to review probable cause for arrest, arrest procedures, evaluate Officer performance, identify training needs, and either substantiate or exonerate officers accused of inappropriate conduct or behavior. The equipment would also be another component of officer safety. These three (3) in-car video units are additional units to be installed into three (3) new replacement vehicles.

DISCUSSION:

The current in-car camera systems are over five (5) years old and have been out of warranty for over two years. The systems need regular repair that is time and cost ineffective. There have been over 80 hours used for maintenance this past fiscal year. The current systems will be utilized as spares when other cameras are sent for repairs. This will insure that no police vehicle will be taken out of service because the camera system is not functioning.

The Mobile Vision Flashback 3 system will utilize the latest technology for in- car-cameras. The video from the camera system will be uploaded wirelessly and stored on a stand alone workstation with DVD backup. This system has no moving parts decreasing the amount of repairs. These systems are currently on the Tennessee Statewide Contract. This also includes a two year warranty. The Procurement staff has verified that the contract terms and conditions are consistent with the City and up to date.

BUDGET AND STAFFING IMPACT:

Source of Funding:

	-		Line Item	Recommended		
Fund	Line Item No.	Dept.	Description	Budget Balance	Expenditure	
General	010-2010-421.9490	Police	Other Equipment IR1533	\$15,000.00	\$13,785.00	

Page 2
PURCHASE OF THREE MOBILE VISION IN-CAR VIDEO SYSTEMS
March 23, 2015

VISION 2020:

This purchase supports the Vision 2020 City Services and Finances Goal 22 of investing in maintaining and upgrading the City's facilities and infrastructure and the Public Safety Plan Goal 3 and the objectives of having the right equipment and resources available to handle emergency response

ATTACHMENTS:

L3 Mobile Vision Quote Tennessee State Contract number 35795

PREPARED BY: Michael C. Berkes
Michael C. Berkes, Captain
REVIEWED BY: Richard Hall
Richard L. Hall, Chief
REVIEWED BY: Lisa A. Piefer
Lisa A. Piefer, Procurement Director
REVIEWED BY: Ralph J. Gabb
Ralph J. Gabb, Finance Director

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

To approve the purchase of three (3) Mobile Vision Flashback 3 digital in-car video surveillance systems from L3 Communications, Mobile Vision Inc., In the amount of \$13,785.00.

VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

March 23, 2015

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

Change Order No.1 - Purchase of Additional Outdoor Security Cameras

INTRODUCTION:

The purpose of this agenda item is to request approval of a change order for the purchase five (5) additional outdoor security cameras with the annual monitoring charge in the amount of \$10,501.22 from Tyco Integrated Security under the NJPA Contract 031913-TIS.

BACKGROUND:

Currently, there are no cameras that monitor outside the Police and Fire department parking lots or the front of City Hall court entrance. The only camera monitoring the outside of the building is at the Police sally port jail door. The Board of Mayor and Aldermen approved a contract with Tyco Integrated Security on June 23, 2014 to provide installation of a CCTV system and proximity card access system throughout the Public Services Complex using the NJPA Contract #031913-TIS in the amount of \$64,813.33. The existing system included eighteen cameras and could be expanded to sixty-four if needed for other buildings/facilities in the City.

DISCUSSION:

With the expansion capabilities of the security system and the contract pricing still valid with Tyco Integrated Security, staff recommends the purchase and installation of an additional five (5) security cameras that will monitor the front City Hall entrance for court security and the north parking area of City Hall where Police and Fire vehicles are parked in a non-secure lot. The need for additional security cameras was brought forward at the beginning of FY15 budget proposals for security monitoring of the unsecured parking lots where police and fire vehicles are parked. It was also proposed that an additional camera would help monitor the front of City Hall on court nights for the safety of court personnel and the citizens attending court. At the time of the FY15 budget preparation there were not any funds available through the Federal Drug Fund. Since the FY15 budget was approved funds have come available through the Federal Drug Fund for the purchase of the new cameras. This will help increase security on court night and protect the city owned vehicles from theft and damage. The cameras will be monitored through the existing system with additional space for expansion if needed. The initial costs for equipment and installation will be paid out of the Federal Drug fund account saving taxpayers those costs. The remaining costs for maintenance will be paid from the IT budget line.

BUDGET AND STAFFING IMPACT:

Source of Funding:			Line Item		Recommended	
Fund	Line Item No.	Dept.	Description	Budget Balance	Expenditure	
Drug	013-2010-423.3900	Police	Non-Cap	\$15,000.00	\$9,469.36	
General	010-1510-416-2630	IT	Computer Equip. Maintenance	\$524,785.00	\$1,031.86	

Page 2 CHANGE ORDER NO.1 – PURCHASE OF ADDITIONALOUTDOOR SECURITY CAMERAS March 23, 2015

VISION 2020:

This purchase supports the Vision 2020 City Services and Finances Goal 22 of investing in maintaining and upgrading the City's facilities and infrastructure and the Public Safety Plan Goal 3 and the objectives of having the right equipment and resources available to handle emergency response.

ATTACHMENTS:

Tyco price quote

PREPARED BY: Michael C. Berkes

Michael C. Berkes, Captain

REVIEWED BY: Richard Hall

Richard L. Hall, Chief

REVIEWED BY: Tony Fischer

Tony Fisher, IT Director

REVIEWED BY: Lisa A. Piefer

Lisa A. Piefer, Procurement Director

REVIEWED BY: Ralph J. Gabb

Ralph J. Gabb, Finance Director

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

To request approval of a change order for the purchase five (5) additional outdoor security cameras with the annual monitoring charge in the amount of \$10,501.22 from Tyco Integrated Security under the NJPA Contract 031913-TIS.

BOARD ACTION:

MOTION BY:

VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

March 23, 2014

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

BEER BOARD HEARING - Suspension/Revocation of Beer License - Shell Service Center -

7627 Poplar

INTRODUCTION:

The Board will be sitting as the Beer Board.

Pursuant to Section 3-90 of the Code of Ordinances for the City of Germantown, a hearing has been scheduled for the purpose of determining if the beer permit for Shell Service Center at 7627 Poplar should be removed or suspended.

BACKGROUND:

The underlying basis for the suspension or revocation being the violation of Section 3-89 of the Germantown City Ordinance and Section 57-5-30 of the Tennessee Code Annotated pertaining to the sale of beer to persons designated by the State to be a minor.

The Germantown Police Department served notice of this hearing to the Shell Service Center in February, 2015. Mr. Mark McDaniel, Police Advisor, will represent the City at this hearing.

The City of Germantown issued a beer permit to John Ballinger of the Germantown Shell Service Center at 7627 Poplar on March 26, 2007. They have previously had five violations, had their permit suspended and in 2003 surrendered their permit. A new permit was issued in March of 2007 and since then have had one other violation.

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

VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO)
YES	Yes	Yes	Yes	Yes	Yes	Yes	-
NO	No	No	No	No	No	No	
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain	



REPORT TO:

THE BOARD OF MAYOR AND ALDERMEN

DATE:

March 23, 2014

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

BEER BOARD HEARING - Suspension/Revocation of Beer License - Kwick Shop - 9434

Poplar

INTRODUCTION:

The Board will be sitting as the Beer Board.

Pursuant to Section 3-90 of the Code of Ordinances for the City of Germantown, a hearing has been scheduled for the purpose of determining if the beer permit for Kwick Shop at 9434 Poplar should be removed or suspended.

BACKGROUND:

The underlying basis for the suspension or revocation being the violation of Section 3-89 of the Germantown City Ordinance and Section 57-5-30 of the Tennessee Code Annotated pertaining to the sale of beer to persons designated by the State to be a minor.

The Germantown Police Department served notice of this hearing to the Kwick Shop in February, 2015. Mr. Mark McDaniel, Police Advisor, will represent the City at this hearing.

The City of Germantown issued a beer permit to Junior Food Stores of W. Florida Inc. of the Kwick Shop at 9434 Poplar on October 24, 2011. There are presently two violations.

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

BOARD ACTION:

MOTION BY:

VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO I
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

March 23, 2014

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

BEER BOARD HEARING - Suspension/Revocation of Beer License - Petra Café - 9155

Poplar

INTRODUCTION:

The Board will be sitting as the Beer Board.

Pursuant to Section 3-90 of the Code of Ordinances for the City of Germantown, a hearing has been scheduled for the purpose of determining if the beer permit for Petra Café at 9155 Poplar should be removed or suspended.

BACKGROUND:

The underlying basis for the suspension or revocation being the violation of Section 3-89 of the Germantown City Ordinance and Section 57-5-30 of the Tennessee Code Annotated pertaining to the sale of beer to persons designated by the State to be a minor.

The Germantown Police Department served notice of this hearing to the Petra Café in February, 2015. Mr. Mark McDaniel, Police Advisor, will represent the City at this hearing.

The City of Germantown issued a beer permit to Tasha A. Leach, owner of the Petra Cafe at 9155 Poplar on March 25, 2013. They have had no previous violations.

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

VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

March 23, 2014

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

BEER BOARD HEARING - Suspension/Revocation of Beer License - Royal Panda - 3120

Village Shops Dr. #23

INTRODUCTION:

The Board will be sitting as the Beer Board.

Pursuant to Section 3-90 of the Code of Ordinances for the City of Germantown, a hearing has been scheduled for the purpose of determining if the beer permit for Royal Panda at 3120 Village Shops Dr. should be removed or suspended.

BACKGROUND:

The underlying basis for the suspension or revocation being the violation of Section 3-89 of the Germantown City Ordinance and Section 57-5-30 of the Tennessee Code Annotated pertaining to the sale of beer to persons designated by the State to be a minor.

The Germantown Police Department served notice of this hearing to the Royal Panda in February, 2015. Mr. Mark McDaniel, Police Advisor, will represent the City at this hearing.

The City of Germantown issued a beer permit to Mr. San Lien Wu, owner of the Royal Panda at 3120 Village Shops Dr. #23 on April 12, 1993. There have been no previous violations.

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

VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO	
YES	Yes	Yes	Yes	Yes	Yes	Yes	approviation of the control
NO	No	No	No	No	No	No	
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain	



REPORT TO: THE

THE BOARD OF MAYOR AND ALDERMEN

DATE:

March 23, 2014

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

BEER BOARD HEARING - Suspension/Revocation of Beer License - Russo's New York

Pizzaria - 9087 Poplar

INTRODUCTION:

The Board will be sitting as the Beer Board.

Pursuant to Section 3-90 of the Code of Ordinances for the City of Germantown, a hearing has been scheduled for the purpose of determining if the beer permit for Russo's New York Pizzaria at 9087 Poplar should be removed or suspended.

BACKGROUND:

The underlying basis for the suspension or revocation being the violation of Section 3-89 of the Germantown City Ordinance and Section 57-5-30 of the Tennessee Code Annotated pertaining to the sale of beer to persons designated by the State to be a minor.

The Germantown Police Department served notice of this hearing to the Russo's New York Pizzaria in February, 2015. Mr. Mark McDaniel, Police Advisor, will represent the City at this hearing.

The City of Germantown issued a beer permit to New York Pizzaria, Memphis Tennessee LLC, on November 26, 2007. They have previously had one state fine.

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

VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain