



CITY OF GERMANTOWN

TENNESSEE

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, April 27, 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. Beautification Business Award and Arbor Day Poster Contest Winners
7. Citizens to be Heard
8. **CONSENT**
 - a. Change Order No.1 – Printing and Mailing Services
 - b. Appointment to Beautification Commission
 - c. Recognition of Neighborhood Payments for Decorative Street Signs
 - d. Decorative Street Signposts Purchase
 - e. Police Department Mobile Data Terminals
 - f. Utility Vehicle – Farm Park
 - g. Turnout Clothing Purchase – Fire Department
9. Ordinance 2015-5 – Amendment to Smart Code – Third and Final Reading
10. Debt Management Policy
11. Animal Shelter Expansion – Phase II
12. Germantown Performing Arts Center – Lighting Upgrades Project Construction
13. Resolution 15R07 – Funding Policy and Restated Employees' Retirement Plan
14. Ordinance 15-06 - Amendment to Zoning Ordinance – Enclave 6 Subdivision
15. Library Management Contract Approval
16. Bobby Lanier Farm Park – Phase II Improvements

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: April 27, 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).

BOARD ACTION: MOTION BY: SECONDED BY: _____

| VOTE/TOTAL | BARZIZZA | GIBSON | KLEVAN | OWENS | JANDA | PALAZZOLO |
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CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: April 27, 2015

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 April 13, 2015.

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

To approve the minutes of the Board of Mayor and Aldermen Meeting held April 13, 2015.

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

| VOTE/TOTAL | BARZIZZA | GIBSON | KLEVAN | OWENS | JANDA | PALAZZOLO |
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CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: April 27, 2015

FROM: Patrick J. Lawton, City Administrator 

SUBJECT: BEAUTIFICATION COMMISSION BUSINESS AWARD AND ARBOR DAY POSTER CONTEST WINNERS

INTRODUCTION:

The purpose of this agenda item is to recognize the Germantown Plantation Senior Living Center as the recipient of the April Beautification Commission Business Award and to present awards to the winners of the youth Arbor Day Poster Contest.

BACKGROUND:

The Germantown Plantation Senior Living Community located at 9293 Poplar Avenue was selected by the Beautification Commission to receive the April Beautification Award by a unanimous vote.

The senior living property has created striking entrances for their facility which can be seen from Poplar Avenue as well as Poplar Pike. The site features several fountains, arbors and plazas that create welcoming gathering places for residents and visitors alike. The more than one-hundred twenty-five residents also enjoy ample outdoor seating throughout the beautiful grounds and gardens.

Pugh's Lawn and Landscape Company provides the maintenance of the turf areas, gardens and landscape beds. Seasonal flowers are installed to create curb appeal and color throughout the property. Hundreds of shrubs and mature trees complete the lush landscape design. The Southwind Garden Club has sponsored a spring daffodil display near the main office entrance.

The level of landscape detail, maintenance and care of the Germantown Plantation Senior Living Community demonstrates pride in their appearance and the facility's commitment to helping the City look beautiful. The Beautification Commission is appreciative of their efforts.

DISCUSSION:

Each month, a designated commission member is responsible for identifying potential award winners and making a recommendation to the Commission. The April commission designee is Evelyn Ward. Alderman Forrest Owens, Beautification Commission liaison, will present the award to Denise Littlefield, Executive Director of the Germantown Plantation Senior Living Community.

Also, the Beautification Commission sponsored a youth Arbor Poster Contest in celebration of Arbor Day last month. The contest was held at the Germantown Community Library where visiting students were invited to participate. Beautification Commission member, Brandy Miller, was the project chairman. The winners are present tonight to receive their awards and prizes. They are:

BEAUTIFICATION COMMISSION BUSINESS AWARD AND ARBOR DAY POSTER CONTEST WINNERS

April 27, 2015

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| | | |
|------------------------------|-------------------------|--------------------------------|
| 3 rd Place Winner | Genevieve Remsen, Age 7 | Parents: Eric and Kathy Remsen |
| 2 nd Place Winner | Isabel Seay, Age 9 | Parents: Melissa and Will Seay |
| 1 st Place Winner | Abby Tuggle, Age 9 | Parents: Amy and Carter Tuggle |

VISION 2020:

In keeping with the Vision 2020 goal of Community Vitality, Goal Number 15 recognizes a Beautiful Community as one whose business development and building design is consistent within Germantown's design standards and are environmentally sensitive. It recognizes neighborhoods and businesses that are attractive, well maintained and aesthetically pleasing. This recognition program allows the Commission to acknowledge local businesses who's landscaping and property enhancement efforts have added to the beauty of the Germantown community.

The Arbor Day Poster Contest, conducted in partnership with the Germantown Community Library, demonstrates the Beautification Commission's commitment to providing opportunities for life-long learning, arts enrichment and the value of stewardship of our forest.

Prepared by: Pam Beasley

Pam Beasley, Director of Parks and Recreation



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: April 27, 2015

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

SUBJECT: CHANGE ORDER NO.1 - PRINTING AND MAILING SERVICES

INTRODUCTION: The purpose of this agenda item is to request approval of a change order to utilize the City of Sevierville Tennessee's Production Agreement with DataProse in the amount of \$15,000 for additional printing services.

BACKGROUND:

On January 12, 2015 the Board approved the use of Sevierville Tennessee's Production Agreement with DataProse for printing, stuffing and mailing the City of Germantown utility bills.

The City of Sevierville, Tennessee has used DataProse since 2009. Both DataProse and the City of Sevierville have agreed to allow the City to use T.C.A. § 12-3-1201 (formerly § 12-3-1001) in order to "piggyback" off the contract they have in place. The City utilizes statewide contracts or cooperative purchasing agreements to purchase services or products saving considerable time and resource savings for participating member agencies. The Procurement staff reviewed the Sevierville contract and requested a compliance form from Dataprose.

DISCUSSION:

The original agreement with DataProse approved and established unit pricing for the following:

- Printing of Utility bills
- Mailing of Utility Bills
- Insertion of the "Talk of the Town"

Staff did not include the printing services for the "Talk of the Town" initially because this was a pilot process limited to Utility bills and insertions of the "Talk of the Town" only. Staff has since identified that adding the printing for the "Talk of the Town" and "Fill the Fountain of Knowledge" would further increase efficiencies in the sorter process. Additional printing services needed in the future such as the tax bills, special campaigns could also be handled via this established contract pricing and change order.

Total annual expenses for printing will span two fiscal year budgets. Of the annual estimated expense of \$15,000, FY15 expenses are anticipated to be \$10,000 with the remaining \$5,000 to be expended in FY16. Sevierville's agreement with DataProse expires in the fall. As a result, the Procurement Department will competitively bid the process for all services needed at that time.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: April 27, 2015

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

SUBJECT: RECOGNITION OF NEIGHBORHOOD PAYMENTS FOR DECORATIVE STREET SIGNS

INTRODUCTION:

The purpose of this agenda item is to recognize neighborhood payments for decorative street signposts totaling \$15,573.50 and approve Budget Adjustment Number 15-69.

BACKGROUND:

In order to maximize the impact of allocated funds, the City established a program where neighborhoods would contribute half the cost of the decorative street signposts and the City would pay the other half. The City pays 100% of the installation cost for the regulatory (stop) signs in the areas where the street signposts are installed.

DISCUSSION:

The City has received payment from four neighborhoods – Dogwood Creek (\$7,600.00), Duntreath Equus Park (\$373.50), Cedar Ridge (\$3,200.00) and Greenfields (\$4,400.00) representing the payment for their portion of the cost of signposts installed under the decorative street sign program. The installation of all street signposts and stop signs has been completed by Public Services.

VISION 2020:

This project adheres to the Vision 2020 goals in the following areas: Goal 12 – Enhanced Residential Neighborhoods and Goal 15 – Beautiful Community under the Community Vitality section. In addition, with neighborhood financial participation, it meets the objective of neighborhoods taking responsibility for their neighborhoods.

ATTACHMENTS:

Budget Adjustment

**RECOGNITION OF NEIGHBORHOOD PAYMENTS
FOR DECORATIVE STREET SIGNS**

April 27, 2015

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PREPARED BY: Joe Nunes

Joe Nunes, Neighborhood Services Manager

REVIEWED BY: Cameron Ross

Cameron Ross, Director of Economic and Community Development

REVIEWED BY: Ralph J. Gabb

Ralph J. Gabb, Finance Director

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

The purpose of this agenda item is to recognize neighborhood payments for decorative street signposts totaling \$15,573.50 and approve Budget Adjustment Number 15-69.

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

| VOTE/TOTAL | BARZIZZA | GIBSON | KLEVAN | OWENS | JANDA | PALAZZOLO |
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| YES | Yes | Yes | Yes | Yes | Yes | Yes |
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CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: April 27, 2015
FROM: Patrick J. Lawton, City Administrator *PJL*
SUBJECT: DECORATIVE STREET SIGNPOSTS PURCHASE

INTRODUCTION:

The purpose of this agenda item is to approve the purchase of decorative street and regulatory signposts and street sign brackets in the amount of \$45,522.00 with Special Lite Products.

BACKGROUND:

The City bid the fabrication of the signposts and the Board approved a contract June 23, 2014. The pricing in that contract is \$434.00 for decorative signposts and \$108.00 for the decorative sign brackets and that pricing is valid for one year from the date of the contract.

DISCUSSION:

This order is to meet the needs of three different areas. First there are some additional street signposts and stop signs for the Neshoba North neighborhood. This neighborhood installed a large number of signs several years ago but is still working to complete all intersections. There are 6 street signs and 5 stop signs. The neighborhood is sharing in the cost of the street signs.

In addition, a decision was made a few years ago to install decorative street signs on the major and collector roads at the expense of the city. At this time there are no additional neighborhoods pending installation. Therefore, some additional signs are planned for intersections on the collector roads where some signs have already been installed in order to complete the street. There are a total of 23 intersections planned along Dogwood, Johnson, Neshoba and Brierbrook roads. This accounts for 29 street signposts, 27 regulatory posts and 71 sign brackets.

There are 10 regulatory posts being ordered for bike lane signage in the additional bike lanes being installed.

Finally, a portion of the order is to provide public services with an inventory of additional posts and brackets to repair and replace damaged posts. A total of 15 decorative signposts and 40 brackets are being ordered for this purpose.

VISION 2020:

This project adheres to the Vision 2020 goals in the following areas: Goal 12 – Enhanced Residential Neighborhoods and Goal 15 – Beautiful Community under the Community Vitality section. In addition, with neighborhood financial participation, it meets the objective of neighborhoods taking responsibility for their neighborhoods.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: April 27, 2015
FROM: Patrick J. Lawton, City Administrator *PJL*
SUBJECT: POLICE DEPARTMENT MOBILE DATA TERMINALS

INTRODUCTION:

The purpose of this agenda item is to request the Board's authorization to purchase three (3) mobile data terminal systems in the amount of \$28,990.24 from Brite Computers on WSCA Contract number B27162.

BACKGROUND:

In-car computer systems allow the Police Department to use computer technology in daily field operations. The use of this equipment would enhance the ability of the department to respond to calls for service, take offense reports and utilize internet law enforcement sites. The equipment would also be another component of officer safety. These three (3) in-car computer systems are replacement units of outdated Panasonic CF-30 computers which are to be installed into three (3) new replacement vehicles.

DISCUSSION:

The current in-car computer systems are over five (5) years old and have been out of warranty for over two years. The Brite computer system will utilize the latest technology for in-car-computers with touch screen and removable key boards. This also includes a three year no fault warranty. This system is an all in one computer mount, radio and siren box holder arm rest and cup holder along with additional dc outlets. This type of mount will free up needed space in the passenger side of the vehicle. The computer systems will be purchased off of the Western States Contracting Alliance Contract number B27162 of which the State of Tennessee is a member of the alliance.

Newer computers will reduce the time Information Technology staff spends trouble shooting slow computer problems allowing a faster internal customer response time. Old MDTs will be recycled ensuring maximum benefit to the City and to the environment.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: April 27, 2015
FROM: Patrick J. Lawton, City Administrator *PJL*
SUBJECT: UTILITY VEHICLE – FARM PARK

INTRODUCTION:

The purpose of this agenda item is to request the Board's authorization to purchase a new Cushman Shuttle for the Bobby Lanier Farm Park from 4 Seasons Equipment Company in the amount of \$12,046.85 and approve budget adjustment number 15-76.

BACKGROUND:

The farm park has been well received throughout the community and is continuing to expand with programming along with special events. Capital Improvements are currently underway to provide the infrastructure and amenities needed for the continued success of this park. On Thursdays during the market season, the farm park has heavy use and visitors sometimes park as far away as the Union University campus. While most visitors are able to walk long distances, there may be visitors who are physically unable to walk long distances. This vehicle will help ensure that everyone who wants to visit the park has the opportunity.

DISCUSSION:

This vehicle is not a replacement vehicle and it will become a part of the City's equipment and fleet inventory with an assigned unit number. As mentioned previously, the vehicle will be used, as needed transport visitors who have to park long distances from the farm park during scheduled events. In addition, the vehicle will be used for tours from the farm park to the adjacent parks; Oaklawn Gardens, Morgan-Woods, Civic Club Plaza, C.O. Franklin, and the Charity Horse Show grounds.

For this purchase, the City will utilize a cooperative purchasing agreement. Procurement Staff has reviewed MS State Contract number 820 00 16 905, number 1130-15-C-SWCT-00588 to ensure that the pricing, terms and contract dates are acceptable and recommends the purchase of this item. 4 Seasons Equipment Company participates in the cooperative pricing process. Funding for this purchase was approved as part of the FY15 Budget and is currently available.

VISION 2020:

This purchase supports Goal 22 Financial Sustainability by investment in maintaining and upgrading the City's facilities and infrastructure.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: April 27, 2015
FROM: Patrick J. Lawton, City Administrator *PLW*
SUBJECT: Turnout Clothing Purchase - Fire Department

INTRODUCTION:

The purpose of this agenda item is to request authorization to purchase Fire Department turnout clothing from North American Fire Equipment Company (NAFECO) through an HGACBuy cooperative contract EE08-13 not to exceed \$15,000 through June 30, 2015.

BACKGROUND:

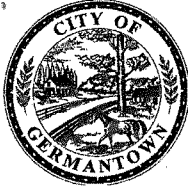
Turnout gear is the personal protective clothing that fire fighters wear while fighting fires. This equipment is made from a special fabric that does not burn, and the construction of the garments provides protection from heat and steam. A set of turnout coat and pants has a life expectancy of approximately 6-7 years. The Fire Department is currently replacing turnout coats and pants purchased in 2008 and before.

DISCUSSION:

This request is to purchase turnout coats, pants and gloves. New gear will be issued to full-time and reserve fire fighters. In an effort to save time, money and to provide use of a proven product, the city has looked into purchasing items through Cooperate buying agreements when possible. The Houston Galveston Area Council Buy (HGACBuy) organization is a Government to Government procurement service available nationwide that the City has used to purchase. NAFECO, a local vendor, participates in the cooperative and provides contract pricing to buy the turnout clothing. Procurement Staff has reviewed contract number EE08-13 to ensure that the pricing, terms and contract dates are acceptable and recommends the purchase of these items. Funds for this purchase are in the FY15 operating budget.

VISION 2020:

This meets the Vision 2020 goals of providing effective emergency response with the right equipment and resources available to handle the emergency response, taking a proactive approach to community safety, and delivering services in the most cost-effective manner.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: April 27, 2015

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

SUBJECT: ORDINANCE 2015-05 – GERMANTOWN SMART CODE – THIRD READING

INTRODUCTION:

The purpose of this agenda item is to approve Ordinance 2015- 05, Revisions to the Smart Code, on Third and Final Reading.

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.

DISCUSSION:

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.

The attached Smart Code includes the revision to Section 23-744, the sketch plan filing timeline, as proposed during the March 23, 2015, public hearing. Sketch plan review must precede the filing of an application by 30 days or more.

VISION 2020:

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.

ORDINANCE 2015-05 – GERMANTOWN SMART CODE – THIRD READING

April 27, 2015

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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 on third reading Ordinance 2015-05 - the "Germantown Smart Code".

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

| VOTE/TOTAL | BARZIZZA | GIBSON | KLEVAN | OWENS | JANDA | PALAZZOLO |
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CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: April 27, 2015

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

SUBJECT: Debt Management Policy

INTRODUCTION:

The purpose of this agenda item is to approve the changes to the Debt Management Policy as the written policy guidelines to use when the City issues bonded debt or otherwise engages in financial debt transactions.

BACKGROUND:

On December 12, 2011 the Board of Mayor and Aldermen approved the first Debt Management Policy. Prior to its adoption the City of Germantown had successfully issued debt for financing long-term capital projects. The debt issuance process had been guided by knowledgeable staff and elected officials (along with citizen commission) who recognized the need to adhere to sound business practices and to avoid excessive debt for spending or balancing the budget. The City has generally followed debt guidelines and "best practices" devised by the Government Finance Officers Association (GFOA) and had engaged capable professionals to guide us through the myriad of laws and regulations for issuing bonded debt.

DISCUSSION:

As directed by the Funding Board's statement, the purpose of the City's Debt Management Policy is to provide a set of policy guidelines that will address the City's financing needs and the role that debt will play in the overall financial management strategy. Notwithstanding the minimum language or requirements specified in the Funding Board's statement, the objective for developing our own debt policy was center on formalizing past practices and processes that have served the City very well and that reflected in the City's triple-A bond rating from the rating agencies Moody's and Standard & Poor. In addition, the Funding Board's statement instructed that provisions for certain mandatory language (addressing transparency, professionals, and conflicts of interest) must be included in the debt policy.

This policy is written for the City under its current conditions and magnitude of operations and primarily addresses those types of debt typically used by the City for its financing. The policy addresses the following items in reasonable detail (including the mandatory provisions).

The changes in the Debt Management Policy have been reviewed by a sub-committee of the Financial Advisory Commission as well as the full 22 member Financial Advisory Commission. The policy has been reviewed by administration and finance as well as Public Financial Management to meet the requirements set forth by the State of Tennessee Funding Board.

The Debt Policy is being amended to include the ability issue more debt as the need may arise since the formation of the Germantown Municipal School District. The City may issue debt for City long term projects as well as long term project for the Germantown Municipal School District. The completed project will have a life of 20 years or better.

VISION 2020:

The city of Germantown Debt Management Policy supports Goal 22: Financial Sustainability. This written debt policy is intended to give direction and provide guidance in the financial decision-making process. Adherence to the policy will provide reasonable assurance that the City's financial resources are managed in a responsible and prudent manner.

Prepared by: Ralph J. Gabb

Ralph J. Gabb, Finance Director

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

To approve the Debt Management Policy to be used by the city of Germantown for making financially sound debt decisions and to comply with the State Funding Board's requirement for a written debt policy

BOARD ACTION: MOTION BY: SECONDED BY: _____

| VOTE/TOTAL | BARZIZZA | GIBSON | KLEVAN | OWENS | JANDA | PALAZZOLO |
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CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: April 27, 2015

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

SUBJECT: Animal Shelter Expansion - Phase II

INTRODUCTION:

The purpose of this agenda item is to consider approval of a construction contract with Wagner General Contractors, Inc. in the amount of \$329,490.00 for Phase II of the Germantown Animal Shelter Expansion Project.

BACKGROUND:

The Germantown Animal Shelter was constructed in 1981 and requires several structural improvements and an expanded area for animal intake and isolation prior to observation and standard testing from the veterinarian. The facility was expanded in 1999 to add a socialization room, veterinary observation / storage area and a small room for relocation of the cat cages. In 2009, the Board approved a contract for a new HVAC system and equipment platform. The outdoor dog runs were expanded and several drainage improvements were made on the north side of the building by Public Works staff.

The first phase consisted of modifications required for the expansion on the west side of the existing structure for the isolation kennels, outdoor runs with canopies, the relocation of the laundry room and minor modifications to meet ADA access requirements. The construction phase included new floor finishes, wall repairs, internal and external door replacements, and ADA modifications that combined the two existing restrooms and required soil stabilization for the addition foundation. The expanded intake area is approximately 630 square feet with a separate HVAC system isolated from the existing animal population and office administration area.

The FY15 CIP budget funding for Phase II will include the construction of a 176 square foot training and socialization room complete with its own HVAC system on the east side of the building. Other architectural upgrades will address additional expansion for storage, new roof, external trim and gutter replacements, reconfiguring of the indoor kennel and drainage system, and a complete redesign and construction of the outdoor runs and perimeter fencing. The completion of internal modifications that were not included in Phase I will provide improvements to the administrative office work stations, walls and floors.

DISCUSSION:

Twelve contractors and sub-contractors attended a mandatory preconstruction meeting held on March 18, 2015 at the Public Works Complex. Bids were advertised on the City website, at plan houses and 822 vendors were sent an e-notification. Seven qualified bids were received and staff would like to recommend the low bid submitted by Wagner General Contractors, Inc. for construction of the Base Bid and Alternates 1, 2,3,5,6 and 8.

Funding in the FY15 CIP Budget has been allocated for this project, which includes \$42,150.00 for the contract with Barge, Waggoner, Sumner and Cannon for engineering and design services approved by the Board of Mayor and Alderman on August 25, 2014.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: April 27, 2015

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

SUBJECT: GERMANTOWN PERFORMING ARTS CENTER – LIGHTING UPGRADES PROJECT CONSTRUCTION

INTRODUCTION:

The purpose of this agenda item is to consider approval of a construction contract with Advance Electric Company, Inc. in the amount of \$399,900.00 for the construction of the Germantown Performing Arts Center Lighting Upgrades project and approve Budget Adjustment Number 15-70.

BACKGROUND:

The Germantown Performing Arts Center has been in service for more than twenty years and the original Lighting System has become obsolete resulting in numerous failures and complete outages. The age of the system makes it extremely difficult to obtain parts and with many parts having to be custom fabricated. It has reached the point that it needs to be replaced.

CIP Applications to address the Lighting System inadequacies have been submitted the past several years with costs ranging from \$30,000 to just to keep the existing system operational to more than \$500,000 for a complete replacement. The FY15 CIP Application requested \$315,000 for a complete replacement of the Lighting System. This cost was based upon estimates from the Theatre and Studio Equipment Industry that have completed similar type projects.

DISCUSSION:

During the design phase, the project was expanded to include several alternates to the base bid (dimmer system) including the replacement of the auditorium down lights and the aisle and seating lights with LED lights and the replacement of existing electrical panels and relays for the sound system.

The project was advertised on the City's Website, sent to eight hundred twenty (822) e-notice subscribers and the Bid Documents were sent to the Plan Houses for advertisement on March 4, 2015. Two Contractors attended the Pre-Bid Meeting on March 13, 2015 and two Contractors picked up construction specifications and drawings. Two Contractors submitted bids with Advance Electric Company, Inc. submitting the lowest base bid of \$399,990.00 and an additional \$124,185.00 for Alternates 1-5. Both the base bid and the alternates came in much higher than anticipated and will require a budget adjustment to fund the project if it is approved. The Bids came in higher for several reasons: (1) the estimate from the Theatre and Studio Equipment Industry was low because although the scope of work was similar to other theatre lighting projects, the extensive amount of electrical engineering work required for installation of a new system in this facility was not considered; (2) there is only a small construction window available (54 days) in order not to interfere with events already scheduled and under contract; (3) liquidated damages for not completing the project within the constricted time frame.

ALTERNATIVES & IMPLICATIONS:

There appears to be three alternatives moving forward:

(1) Reject the bids as being too high and continue to make emergency repairs:

The continued use of an obsolete lighting system is just a disaster in waiting. It is only a matter of time before the lighting system fails during a performance. Eventually the parts are not going to be available at all and the lead time necessary to fabricate parts could impact upcoming performances already under contract. A delay will only increase the eventual replacement cost and with the success of the facility attracting more and more premier events, the construction windows of opportunity will be limited.

(2) Reduce costs by not funding the alternates:

Although this will save a significant amount of money immediately, the replacement of the high energy down lights with LED lights will save energy and maintenance costs for years to come. In addition, not addressing the improvements to the original electrical panels and sound systems racks with a new dimmer system is not a prudent business decision.

(3) Find additional funding within this year's CIP Budget to replace the lighting system as designed:

This year's CIP Budget of \$9,118,000 million includes \$610,000 for the English Meadows drainage project that has been delayed. In addition, there are other CIP projects that are projecting to be under budget or delayed. Utilizing these sources of funds, the Germantown Performing Arts Center Lighting Upgrades project could be constructed as designed.

RECOMMENDATION:

Based upon the age of the Lighting System and the frequency of the breakdowns, it is just a matter of time before there is a catastrophic failure during a performance. There will probably never be a more advantageous construction time frame available to construct the project and delaying the project will only increase the eventual replacement cost. Therefore, after a thorough evaluation of the bids and the alternatives available, it is recommended that the additional funds necessary to construct the Germantown Performing Arts Center Lighting Upgrades project as designed be added to the project and the contract awarded to the low bidder, Advance Electric Company, Inc.

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.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: April 27, 2015

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

SUBJECT: Resolution 15R07 Funding Policy for the Amended and Restated Employees' Retirement Plan

INTRODUCTION:

The purpose of this agenda item is to approve Resolution 15R07 a Funding Policy for the Amended and Restated Employees' Retirement Plan.

BACKGROUND:

The City of Germantown is the administrator of a single-employer public employee retirement system ("PERS") established and administered by the City to provide pension benefits for its employees. The Plan does not issue a stand-alone financial report. The Plan was amended in 2001 and the City froze the plan to any new entrances to the existing retirement plan and established a new plan for new hires on or after July 2, 2013. There are a total of 599 current, former or retired employees who are a part of the Amended and Restated Employees' Retirement Plan. The City provides 100% of the annually Actuarially Determined Contribution as prepared by an independent actuary.

DISCUSSION:

The 108th General Assembly enacted the Public Employee Defined Benefit Financial Security Act of 2014 which was signed into law by Governor Bill Haslam on May 22, 2014. The new law requires any political subdivision that does not participate in the Tennessee Consolidated Retirement System, but provides defined benefit pension plans to its employees, to ensure that its defined benefit pension plans are paying annually one hundred percent (100%) of their actuarially determined contributions, subject to a five year phase in period. One of the obligations is for the political subdivision to adopt a funding policy. Political subdivision means any local governmental entity. Once the funding policy is legally adopted and approved through a resolution by the political subdivision's chief legislative body, the policy shall be submitted to the Comptroller of the Treasury within thirty (30) days after adoption.

The calculations are to be performed by an independent, qualified actuary who shall be a member of the Americana Academy of Actuaries. The actuary cannot be an employee of the municipality or eligible to participate in the pension plan.

The budget adopted by the City each year, as approved by the BMA, shall include funding of the Actuarially Determined Contribution as provided by the Actuary.

The attached Funding Policy of the Amended and Restated Employees' Retirement Plan was presented to the Retirement Plan Administration Commission as well as the Financial Advisory Commission. Both commissions endorsed the funding policy with a recommendation that it be forwarded to the Board of Mayor and Aldermen for adoption through Resolution.



Agenda No. 14

CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: April 27, 2015

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

SUBJECT: Ordinance 2015-06 – Rezoning of 2.79 Acres within The Enclave PUD, Phase 6:
First Reading

INTRODUCTION:

The purpose of this agenda item is to approve on first reading the rezoning from the AG Agricultural District to the R-3 Residential District of 2.79 acres within Phase 6 of The Enclave Planned Unit Development (PUD). A public hearing will be held on June 8, 2015.

BACKGROUND:

The subject site is part of Phase 6 of the Enclave PUD. The Enclave PUD was originally approved by the Planning Commission (PC) on January 6, 2004, and by the Board of Mayor and Aldermen on February 9, 2004. The Phase 6 preliminary and final plan was approved by the PC on July 6, 2014. The rezoning of this 2.79 acre area was recommended by the PC on April 7, 2015.

DISCUSSION:

During the detailed mapping of Phase 6 into the City's Geographic Information System (GIS), the GIS staff noticed that several lots within Phase 6 appeared to extend beyond the boundary of the R-3 zoning district, and into the Agricultural (AG) zoning district. More research into the original zoning of the surrounding area and the zoning of The Enclave confirmed that a 2.79 acre section of The Enclave was within the AG zoning district. All or parts of seventeen planned lots and a Common Open Space area are within the AG district. The 2.79 acre, AG-zoned area is within the original area of the Enclave PUD master plan.

Staff recommends the rezoning of the 2.79 acre area to the Two Family Residential (R-3) district, so as to match the zoning of the remainder of The Enclave.

VISION 2020:

The proposed rezoning will place all of The Enclave PUD within a single, consistent zoning district. That action is consistent with the Vision 2020 goal of "Development and Redevelopment Consistent with Germantown Character" and the objective of "development meeting City design standards".

BUDGET AND STAFFING IMPACT:

Approval of the rezoning will have minimal impact on the budget and staff resources. Approval of the zoning change will avoid confusion in the future as houses are constructed and sold.

ATTACHMENTS:

1. Vicinity Map
2. Area to be Rezoned
3. Enclave PUD Master Plan
4. Proposed ordinance
5. Planning Commission minutes – April 7, 2015
6. Application

Prepared by: Wade Morgan

Wade Morgan, Chief Planner

Reviewed by: Cameron Ross

**Cameron Ross, Director of Economic
and Community Development**

PROPOSED MOTION: To approve on first reading ordinance 2015-06, the rezoning of 2.79 acres within Phase 6 of The Enclave PUD, from the Agricultural District to the R-3 Residential District, and set a Public Hearing on June 8, 2015.

BOARD ACTION: MOTION BY: _____

SECONDED 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 |



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: April 27, 2015
FROM: Patrick J. Lawton, City Administrator *PL*
SUBJECT: LIBRARY MANAGEMENT CONTRACT APPROVAL

INTRODUCTION:

The Board of Mayor and Aldermen is asked to consider a proposal from Library Systems and Services, LLC to continue managing daily operation of Germantown Community Library and Germantown Regional History and Genealogy Center in the amount of \$1,258,412 for fiscal year 2016.

BACKGROUND:

In 2004, Memphis Shelby County Public Library and Information Center (MSCPLIC) changed the funding model for municipal libraries within Shelby County. After discussions with MSCPLIC failed to produce an explanation for the nearly \$1 million increase in the City's contribution to Germantown Community Library (GCL) operations, City staff began exploring alternative methods to operate GCL.

An April 2004 Request for Proposals led to a contract with Library Systems and Services, LLC (LSSI) to operate the Germantown Community Library. The contract was approved unanimously by the then Board of Mayor and Aldermen and LSSI has successfully managed daily operations at GCL through all extensions of the original contract until 2009. In November 2006, LSSI also began managing operations of the new Germantown Regional History and Genealogy Library. A new RFP was issued in 2009 with LSSI, Inc. being selected to provide Library Operations for a three year term and two additional one year extensions. The final extension was approved for July 1, 2014 through June 30, 2015.

DISCUSSION:

Since 2004, LSSI has worked closely with City Administration, the Germantown Community Library Board and the Friends of the Germantown Community Library group to enhance and expand services available at GCL. Accomplishments include:

- Serving more than 31,000 library card holders
- 18% increase in circulation
- 37% increase in program attendance
- 69% increase in the number of available programs

New services proposed with the new contract include:

- Addition of a state-of-the-art self-check system to provide a new self-service circulation option for customers, reduce the length of check-out lines and increase privacy for customers. This option may also allow staff time to be redirected to other priority service areas.

LIBRARY MANAGEMENT CONTRACT APPROVAL

April 27, 2015

- Additions of approximately 20 staff hours per week to be focused on supporting outreach, digital projects and developing a special online collection featuring local resources related to health and wellness, economic development and other high-interest areas related specifically to Germantown.

With the current contract with LSSI for library operations set to expire on June 30, 2015, the City issued an RFP on January 12, 2015. LSSI was the only provider to respond to the request. All of the necessary requirements were reviewed by staff and met all of the requirements of the RFP.

The proposed contract covers three years of service with an annual escalation of 2.5% for contract years two and three. The cost for operations in FY16 is identical to the current fiscal year. Three (3) additional twelve month extensions, with an annual escalation of 3%, may be considered after the initial contract is exhausted.

| <u>TERM (July 1 to June 30)</u> | <u>CONTRACT YEAR</u> | <u>COST</u> |
|---------------------------------|----------------------|-------------|
| FY16 | Base contract year 1 | \$1,258,412 |
| FY17 | Base contract year 2 | \$1,301,685 |
| FY18 | Base contract year 3 | \$1,328,903 |
| FY19 | Renewal term 1 | \$1,362,380 |
| FY20 | Renewal term 2 | \$1,396,862 |
| FY21 | Renewal term 3 | \$1,432,573 |

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> |
|--------------|----------------------|--------------|------------------------------|-----------------------|--------------------------------|
| General Fund | 010-4310-448.2540 | Library | Professional Services | FY16* | \$1,258,412.00 |

*These monies will be spent in FY16 and administered with the direction of the City Administrator and the GCLB.

VISION 2020:

The guiding principles of Vision 2020 include exceptional leisure, cultural and recreational opportunities including “the City operates a top-quality library with state-of-the-art services.” The library operations contract supports achievement of Vision 2020 by ensuring availability of quality family entertainment and activities, providing an opportunity to build pride in Germantown through volunteer activities and annual events such as the How-To Festival and Touch a Truck. The library supports excellent schools through available research resources, cooperative book drives and other events. Germantown Regional History and Genealogy Center offers an opportunity to connect residents with the City’s history, heritage and culture, building respect for the community’s past.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: April 27, 2015

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

SUBJECT: BOBBY LANIER FARM PARK – PHASE II IMPROVEMENTS

INTRODUCTION:

The purpose of this agenda item is to consider approval of a construction contract with A & B Construction Company, Inc. in the amount of \$701,414.00 for Phase II improvements of the Bobby Lanier Farm Park Project.

BACKGROUND:

The Bobby Lanier Farm Park is in its third year of operation with much success in providing a community garden, a broad base of educational programs and a summer farmer's market. During the FY15 Capital Budget development process, the Board of Mayor and Aldermen approved \$951,000.00 to complete much needed site infrastructure components of the Bobby Lanier Farm Park Master Plan and to match the shared cost of reconstructing the existing hay barn into a new multiuse activity center as a part of a 2014 Local Parks and Recreation Fund (LPRF) Grant award. The grant contract with the Tennessee Department of Environment and Conservation (TDEC) was approved by the Mayor and Board of Aldermen on January 12, 2015 for \$208,000.00 or half of the \$416,000.00 budgeted cost of the building. The new site amenity will support the overall function of the Farm Park and be used for a variety of public functions including: educational programs and activities; farmer's market and food demonstrations; gathering space for partners; community events and expos; pavilion space for visitors; and community rentals.

The balance of the overall project budget totaling \$535,000.00 includes: professional services public utility installations (sewer, plumbing, electrical and gas), site lighting, and other site improvements to increase the overall safety and operational ability of the site. A contract for sanitary sewer installation to the Farm Park was approved by the Mayor and Board of Aldermen on January 26, 2015 and is already underway.

DISCUSSION:

The project was advertised on the City's Website on March 24, 2015, sent to the Plan Houses and an e-notification was sent to eight hundred eighty-three vendors. Nine contractors and sub-contractors attended the Pre-Bid Meeting on March 31, 2015. Three contractors submitted bids with A & B Construction Company, Inc. submitting the lowest base bid of \$629,368.00. Staff is recommending the acceptance of Alternate No. 1 and Alternates 3-8 that consists of kitchen equipment, electrical additions, fencing and gates in the amount of \$66,756.00. In addition, staff is recommending the acceptance of optional unit prices for rail fence, wire fence and gravel path in the amount of \$5,290.00 for a total project cost of \$701,414.00. Funding for the project is included in the FY15 CIP Budget which includes the \$208,000.00 in grant funds from TDEC. The bid analysis sheet is attached.

