

BOARD OF MAYOR AND ALDERMEN

April 27, 2015

The regular meeting of the Board of Mayor and Aldermen was held on Monday, April 27, 2015 at 6:00 p.m. in the Council Chambers of the Municipal Center.

Mayor Mike Palazzolo was present and presiding.

The following aldermen were present: Mary Anne Gibson, Dave Klevan, Forrest Owens and Rocky Janda. Alderman John Barzizza was absent. Staff present: Debra Wiles, Chief Richard Hall, Chief John Selberg, Reynold Douglas, Daniel Page, Christy Nini, Cameron Ross, Pam Beasley, Butch Eder, Ralph Gabb, Paul Chandler, Stephanie Logan, Phil Rogers, Lisa Piefer and Dotty Johnson.

Invocation

General Services Director Reynold Douglas gave the invocation.

Pledge of Allegiance

Alderman Dave Klevan led the Pledge of Allegiance.

Approval of Agenda

During the Executive Session the Board agreed to add two items to the agenda - item 8h to the Consent Agenda – Project Development Contract 1203 – Crestwyn Behavioral Health Facility, and add a Beer Board Hearing – item 17 – Request for Approval of Temporary Beer Permit for the Shelby County Drug Court Foundation.

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

ROLL CALL: Barzizza-absent, Gibson-yes, Klevan-yes, Owens-yes, Janda-yes. Motion approved.

Approval of Minutes

There was one correction to the minutes, on page 1 under Proclamation – *Vice Mayor Janda* presented the proclamation.

Motion by Mr. Owens, seconded by Ms. Gibson, to approve the minutes of the April 13, 2015 meeting as amended.

ROLL CALL: Barzizza-absent, Gibson-yes, Klevan-abstain, Owens-yes, Janda-yes. Motion approved.

Beautification Business Award and Arbor Day Poster Contestant Winners

Alderman Forrest Owens and Beautification Commission members Brandy Miller and Evelyn Ward presented Ms. Denise Littlefield, representing the Germantown Plantation Senior Living Center, with the business award for April.

Awards were presented to the winners of the Youth Arbor Day Poster Contest. Third place winner was Ms. Genevieve Remsen, age 7, from Dogwood School, second place winner was Ms. Isabel Seay, age 9, from Riverdale School and first place winner was Ms. Abby Tuggle, age 9, from Dogwood School.

Citizens to be Heard

There were no citizens to come forward to speak.

CONSENT

Change Order No. 1 – Printing and Mailing Services

In the original agreement with DataProse, staff did not include the printing services for the “Talk of the Town” because this was a pilot process limited to utility bills and insertions of the “Talk of the Town” only. Staff has now 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 tax bills and special campaigns could also be handled via this established

contract pricing and change order. This change order is in the amount of \$15,000 for additional printing services.

MOTION: To authorize a change order to utilize the City of Sevierville Tennessee's Production Agreement with DataProse in the amount of \$15,000 for printing services.

Appointment to Beautification Commission

There is currently a vacancy on the Beautification Commission and Ms. Kim Smith has applied for that position.

MOTION: To approve the appointment of Ms. Kim Smith to serve on the Beautification Commission.

Recognition of Neighborhood Payments for Decorative Street Signs

The City has received payment from four neighborhoods – Dogwood Creek, Duntreath Equus Park, Cedar Ridge and Greenfields, representing the payment for their portion of the cost of signposts installed under the decorative street sign program. Payments have been made totaling \$15,573.50.

MOTION: To recognize neighborhood payment for decorative street signposts totaling \$15,573.50 and approve Budget Adjustment No. 15-69.

Decorative Street Signposts Purchase

This purchase is for 81 decorative street and regulatory signposts and 96 street sign brackets in the amount of \$45,522.00 with Special Lite Products. The order is to meet the needs of three different areas. Additional street signposts and stop signs are for the Neshoba North neighborhood. The neighborhood is sharing in the cost of the street signs. Decorative street signs will be installed on the major and collector roads at the expense of the City. Some additional signs are planned for intersections on the collector roads where some signs have already been installed in order to complete the street. A portion of the order is to provide Public Works with an inventory of additional posts and brackets to repair and replace damaged posts.

MOTION: To approve the purchase of 81 decorative street signposts and 96 street sign brackets under contract with Special Lite Products in the amount of \$45,522.00.

Police Department Mobile Data Terminals

The current in-car computer systems are over five years old and have been out of warranty for over two years. The City will purchase three mobile data terminal systems in the amount of \$10,718.36 from Brite Computers. Old MDT's will be recycled ensuring maximum benefit to the City and to the environment.

MOTION: To approve the purchase of mobile data terminal systems from Brite Computers in the amount of \$10,718.36 and declare the old Panasonic CF-30 mobile data terminals as surplus.

Utility Vehicle – Farm Park

This vehicle is not a replacement vehicle and will be used as needed to transport visitors who have to park long distances from the farm park during scheduled events. Also, the vehicle will be used for tours from the farm park to the adjacent parks. The purchase is for a new Cushman Shuttle for the Bobby Lanier Farm Park from Four Seasons Equipment Company in the amount of \$12,046.85.

MOTION: To approve the purchase of a new Cushman Shuttle for the Bobby Lanier Farm Park from Four Seasons Equipment Company in the amount of \$12,046.85 and approve Budget Adjustment No. 15-76.

Turnout Clothing Purchases – Fire Department

Turnout gear is the personal protective clothing that fire fighters wear while fighting fires. This new gear, consisting of turnout coats, pants and gloves, will be issued to full-time and reserve fire fighters. 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.

MOTION: To approve the purchase of Fire Department turnout clothing from North American Fire Equipment Company (NAFECO) through an HGACBuy cooperative contract EE0-8-13 not to exceed \$15,000.00 through June 30, 2015.

ADD-ON - Project Development Contract 1203 – Crestwyn Behavioral Health Facility

Baptist Memorial Healthcare is partnering with Acadia Healthcare to develop the facility. The plan consists of a 61,592 sq. ft., single story building to function as an 80 bed medical facility for behavioral health treatment. The property is a 33,861 acre parcel within the Forest Hill Heights Planned Development.

MOTION: To approve Project Development Contract 1203 for the Crestwyn Behavioral Health Facility.

Motion by Mr. Klevan, seconded by Mr. Owens, to approve the consent agenda as presented.

ROLL CALL: Barzizza-absent, Gibson-yes, Klevan-yes, Owens-yes, Janda-yes. Motion approved.

Ordinance 2015-5 – Germantown Smart Code – Third and Final Reading

Economic Development Director Cameron Ross stated staff had become aware of errors in the 2013 version of the Smart Code and 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. This was the third and final reading. There had been one revision in the Code which was noted at the public hearing on March 23. The revision is to Section 23-744, “the sketch plan review must precede the filing of an application by 30 days or more.” This was the only change.

Alderman Klevan commented that this had been a long time coming and he saluted Development staff and Legal for all their work and to the citizen involved in bringing this to the attention of staff.

Motion by Mr. Owens, seconded by Mr. Klevan, to approve on third reading Ordinance 2015-5 – the “Germantown Smart Code”.

ROLL CALL: Barzizza-absent, Gibson-yes, Klevan-yes, Owens-yes, Janda-yes. Motion approved.

Debt Management Policy

Finance Director Ralph Gabb stated this policy will 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. The objective for developing our own debt policy was to 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. The State 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.

Alderman Janda stated the FAC Commission and the subcommittee had met and was very concerned with maintaining the City’s triple-A bond rating and they all felt this was the right thing to do.

Motion by Mr. Janda, seconded by Ms. Gibson, 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.

ROLL CALL: Barzizza-absent, Gibson-yes, Klevan-yes, Owens-yes, Janda-yes. Motion approved.

Animal Shelter Expansion – Phase II

Public Works Director Bo Mills stated this construction contract with Wagner General Contractors in the amount of \$329,490.00 is for Phase II of the Animal Shelter Expansion. The construction includes 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 complete redesign and construction of the outdoor runs and perimeter fencing.

Motion by Ms. Gibson, seconded by Mr. Klevan, to approve 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.

ROLL CALL: Barzizza-absent, Gibson-yes, Klevan-yes, Owens-yes, Janda-yes. Motion approved.

Germantown Performing Arts Center – Lighting Upgrades Project Construction

GPAC Director Paul Chandler stated that GPAC had 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 it has reached the point that it needs to be replaced. There was a very small construction window of 54 days to get the work done. It takes 1 ½ years to plan for the 54 day window. Considering all options, staff recommended to contract with Advance Electric Company, Inc. in the amount of \$399,900.00 for the construction of the GPAC lighting upgrades project.

A discussion followed on other CIP projects that will take place in FY16 at GPAC.

Motion by Mr. Owens, seconded by Ms. Gibson, to authorize the Mayor to enter into a 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 No. 15-70.

ROLL CALL: Barzizza-absent, Gibson-yes, Klevan-yes, Owens-yes, Janda-yes. Motion approved.

Resolution 15R07 – Funding Policy and Restated Employees' Retirement Plan

Mr. Gabb explained that this resolution would establish a funding policy for the 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.

Motion by Mr. Janda, seconded by Ms. Gibson, to approve Resolution 15R07 a Funding Policy for the Amended and Restated Employees' Retirement Plan.

ROLL CALL: Barzizza-absent, Gibson-yes, Klevan-yes, Owens-yes, Janda-yes. Motion approved.

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

Economic and Community Development Director Cameron Ross explained that this was the first reading on an ordinance to rezone several lots within Phase 6 because they extended beyond the boundary of the R-3 zoning district, and into the Agricultural 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 rezoning the 2.79 acre area to the Two Family Residential (R-3) district, to match the zoning of the remainder of The Enclave.

Motion by Mr. Owens, seconded by Mr. Klevan, to approve on first reading Ordinance 2015-6, 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 date on June 8, 2015.

ROLL CALL: Barzizza-absent, Gibson-yes, Klevan-yes, Owens-yes, Janda-yes. Motion approved.

Library Management Contract Approval

Mr. Lawton explained that the City has an established history of having a library within our community. And, although the library had grown and changed significantly over the past 25 years, the City has always supported growth and development of the collection and facilities. He gave a brief history of how the library had grown since the opening of the facility in 1997.

In July 2004, the City contracted the operation of the library to LSSI with policy oversight by the Germantown Community Library Board. This contract has been amended over time to include the Genealogy Center and extended to ensure continuity of service. The current contract expires June 30, 2015.

Earlier this year a Request for Proposal (RFP) was issued seeking a qualified provider however only LSSI responded. Staff has received their proposal in its entirety and they have met all of the requirements of the RFP and the City contract provisions. Their pricing for next fiscal year is identical to the current year's budget with \$212,992 allocated for materials and collection. Contract years two and three represent a nominal increase of 2.5%.

Last month the Library Board reviewed the proposal and recommended approval and has recommended that the Board of Mayor and Aldermen do likewise. Funding for the library services contract is in the proposed FY16 budget and the five-year financial plan.

Mr. Lawton recognized a representative from LSSI, Mr. George Bateman. He stated that looking at the history of LSSI and the City of Germantown one must recognize that each makes the other better. The City is constantly in pursuit of excellence. He thanked the City for the eleven years of working together.

The aldermen thanked Mr. Bateman for what LSSI had brought to the City and how pleased the City is with the partnership between the City and LSSI, Daniel Page and the responsiveness of the staff.

Motion by Mr. Klevan, seconded by Mr. Janda, to authorize the Mayor to enter into a three-year contract with Library Systems and Services, LLC (LSSI) in the amount of \$1,258,412.00 for FY16 operation of the Germantown Community Library.

ROLL CALL: Barzizza-absent, Gibson-yes, Klevan-yes, Owens-yes, Janda-yes. Motion approved.

Bobby Lanier Farm Park – Phase II Improvements

Parks and Recreation Director Pam Beasley stated that staff had recommended a construction contract with A & B Construction Company, Inc. in the amount of \$701,414.00 for Phase II improvements to the Park. The construction includes reconstructing the existing hay barn into a new multiuse activity center, professional services public utility installations, site lighting, and other site improvements to increase the overall safety and operational ability of the site.

A discussion followed on the long-range plans for the Farm Park and the Master Plan.

Motion by Ms. Gibson, seconded by Mr. Klevan, to authorize the Mayor to enter into 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.

ROLL CALL: Barzizza-absent, Gibson-yes, Klevan-yes, Owens-yes, Janda-yes. Motion approved.

COMMENTS

Alderman Owens thanked Leadership Germantown Class of 2015 for the talent show fund raiser they held to benefit the Farm Park. There were approximately 1500 people in attendance.

Alderman Owens also thanked Chief Selberg for the picnic he held for Fire Department staff.

Alderman Gibson commented on the Class of 2015 Leadership Germantown fund raiser and how much everyone enjoyed the night. She also thanked the staff of Parks and Recreation, Public Works and General Services who were present to pitch in a helping hand.

Alderman Gibson also commented on the Neighborhood Preservation Tour of Homes that was held. The homes included Casey and Jenny Beth Rodden, Elaine and Tom Cates, Kannon and Daren Conway, and Terri and Bill West.

ADJOURNMENT

There being no further business to be brought before the Board, Mayor Palazzolo adjourned the regular meeting.

BEER BOARD

Mayor Palazzolo called the Beer Board to order. Those present were Aldermen Gibson, Klevan, Owens and Janda.

The Shelby County Drug Court Foundation is having an event at the Great Hall and Conference Center and requested approval to sell beer at the Big Orange Caravan Event to be held on May 5, 2015. All proceeds will be benefitting the Shelby County Drug Court Foundation which is a 501(c)3 entity. Mr. Walker Taylor was present to represent the Foundation's request.

Motion by Ms. Gibson, seconded by Mr. Janda, to approve a temporary beer permit allowing the sale of beer on publicly owned property at the Big Orange Caravan Event sponsored by the Shelby County Drug Court Foundation to be held at the Great Hall and Conference Center on May 5, 2015 between the hours of 5:00 p.m. to 10:00 p.m.

ROLL CALL: Barzizza-absent, Gibson-yes, Klevan-yes, Owens-yes, Janda-yes. Motion approved.

With no further business to come before the Beer Board, Mayor Palazzolo adjourned the Beer Board.

Mike Palazzolo, Mayor

Dotty Johnson, City Clerk/Recorder