



# CITY OF GERMANTOWN TENNESSEE

1930 South Germantown Road • Germantown, Tennessee 38138-2815  
Phone (901)757-7200 Fax (901)757-7292 [www.germantown-tn.gov](http://www.germantown-tn.gov)

## Board of Mayor and Aldermen Meeting

Monday, June 22, 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. Citizens to be Heard
  7. Play Like A Champion- Recognition of Graduating Class
  8. **CONSENT**
    - a. Ambulance Billing Service Extension
    - b. SunGuard Annual Maintenance
    - c. IT Training Room Furniture
    - d. Farm Park Chairs
  9. Tennessee Recreation and Parks Association Garden Grant
  10. Ordinance 2015-1 – Year-end Budget Adjustments - Third and Final Reading
  11. Ordinance 2015-2 – FY16 Budget –Third and Final Reading
  12. Ordinance 2015-3 – Real & Personalty Property Tax – Third and Final Reading
  13. 15R11 – CIP Policy Resolution
  14. 15R08 – FY16 CIP Resolution
  15. 15R09 – Resolution on Revenues
  16. Ordinance 2015-7 – GMSD Year-end Budget Adjustments –Third and Final Reading
  17. Ordinance 2015-6 - Amendment to Zoning Ordinance – Enclave 6 Subdivision – Third and Final Reading
  18. Appointments to Germantown Education Commission
  19. Uncollectable Tax Accounts
  20. State of Tennessee Comptrollers Debt Authorization Letter
  21. Professional Services Agreement – Wolf River Blvd Repaving – Germantown Rd. to Kimbrough
  22. Contract Approval – Wolf River Blvd. Milling & Overlay – Germantown Rd. to Kimbrough
  23. Lateral D Sewer Crossing Project Partnership Agreement with Department of Army
  24. Decorative Crosswalk Repair – Farmington Blvd.
  25. Resolution 15R10 - Outline Plan Approval – Land Mark Center Phase II
  26. Project Development Agreement No.1205 – Medicus Office
  27. Project Development Agreement No.1206 – Regions Bank
  28. Parking Lot Improvements – GPAC/GAC
- BEER BOARD**
29. Public Hearing – Beer Permit – Off-Premise - Sprouts Farmers Market – 3150 Village Shops Drive
  30. Public Hearing – Beer Permit – Off-Premise – Kroger – 7735 Farmington Blvd.

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

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**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

DATE: June 22, 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
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



# CITY OF GERMANTOWN

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**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

**DATE:** June 22, 2015

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

**SUBJECT:** Approval of Minutes

**INTRODUCTION:**

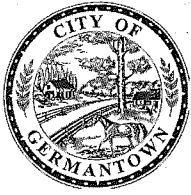
The purpose of this agenda item is to approve the minutes of the Board of Mayor and Aldermen Meeting held June 8, 2015.

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

To approve the minutes of the Board of Mayor and Aldermen Meeting held 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

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## REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: June 22, 2015

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

SUBJECT: Play Like a Champion – Recognition of Graduating Class

During the Board of Mayor and Aldermen meeting this evening we will recognize the 12 City employees who participated in the 2015 Class of Play Like a Champion. The program was designed for employees who desire to gain a stronger perspective on all aspects of our municipal organization and to take personal responsibility for growth and development.

This year's graduates include the following employees:

Cheryl Bobo  
Finance

Billy Holland  
Public Works

Allyson Janelli  
Police Department

Dana Galle  
Finance

Danny Hopper  
Fire Department

Brad Mich  
Public Works

Anthony German  
Public Works

Michelle Hostetter  
Community Library

Terry Poindexter  
Court

Ida Griffiths  
General Services

Joseph Hunter  
Fire Department

Kenneth Tuggle  
Public Works



# CITY OF GERMANTOWN

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**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

**DATE:** June 22, 2015

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

**SUBJECT:** Ambulance Billing Contract Extension

**INTRODUCTION:**

The purpose of this agenda item is to authorize the Mayor to enter into the first option year for ambulance billing services contract with Credit Bureau Systems (CBS) doing business as Ambulance Medical Billing (AMB).

**BACKGROUND:**

In June of 2013, the Board approved a two year contract with two one year options to provide billing service for the ambulance transport service. The final year of the two year agreement will end on June 30, 2015. This contract includes a base fee of 6.5% per month of net collections to be paid to the billing service. This agenda item will exercise the first option year of the contract with no increase in the fees. Contract services include billing customers following ambulance treatment and transport, as well as submitting monthly reports of outstanding charges to the City's collection service. The billing service also provides the hardware and software for the electronic Patient Care Reporting (ePCR) System used to record patient care, which is also available to the hospital emergency departments.

**DISCUSSION:**

Contract services for the past two years have met all the original contract requirements. The start-up of the billing service was very complicated, but handled very well by AMB. The City has been very satisfied with the billing service provided, the collection reporting provided, and the responsiveness of the billing contractor. Therefore, staff recommends extending the contract for an additional year.

**VISION 2020:**

This contract supports the Vision 2020 goals of emergency medical transport ambulance service with state-of-the-art patient care operated by the City; a diverse revenue base; and sufficient, sustainable revenues to support defined services and service levels.

**BUDGET AND STAFFING IMPACT:**  
**SOURCE OF FUNDING:**

The vendor collects the transport fees and deposits them into the City's account daily. The billing vendor then submits an invoice for 6.5% of the revenue collected during that previous month. This is paid through account 017-2510-424.2540 Consulting in the Ambulance Budget.

**ATTACHMENTS:**

Contract with Credit Bureau Systems

**Prepared by:** John Selberg  
\_\_\_\_\_  
John Selberg, Fire Chief

**Reviewed by:** Ralph J. Gabb  
\_\_\_\_\_  
Ralph J. Gabb, Finance Director

**Reviewed by:** Lisa A. Piefer  
\_\_\_\_\_  
Lisa A. Piefer, Procurement Director

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

To enter into the first option year of the ambulance billing services contract with Credit Bureau Systems (CBS) doing business as Ambulance Medical Billing (AMB).

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

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



# CITY OF GERMANTOWN

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**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

DATE: June 22, 2015

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

SUBJECT: SUNGARD ANNUAL MAINTENANCE

**INTRODUCTION:** The purpose of this agenda item is to request authorization to extend the 5-year software maintenance agreement with SunGard Public Sector for one additional year in the amount of \$203,155.10.

**BACKGROUND:**

SunGard is the integrated software suite used throughout the City to manage departmental operations such as HR, Payroll, Finance, Code Enforcement and Work Orders to name a few. The City of Germantown invested in SunGard Public Sector, Inc. during 1999 in anticipation of Y2K issues with the system in use at the time. Since implementation the City has added modules to assist City staff in providing not only accounting services but also utility billing, payroll and purchasing. The Board approved an upgrade to the system in 2009 that brought all users under the Naviline ASP (Application Services Provider) hosted environment and included the implementation of additional modules. The original maintenance agreement was for a 5-year term.

**DISCUSSION:**

The ASP environment is a web-based system whereby the data is housed by SunGard at the Atlanta data center. Staff accesses the system using a secured internet connection. The system is supported 24/7 with redundancy in Lake Mary, Florida. This environment provides immediate disaster recovery services. The ASP solution has been offered by SunGard since 2000 with over 150 clients. ASP also provides the following:

- 24/7 support and system monitoring by a dedicated technical support team
- Administration, backups, and system management
- All application server hardware and software upgrades
- Unlimited SunGard continuing education web conference training
- A secure, safe environment with built-in disaster recovery and business continuity services.

All changes to the software will be announced to users as they sign onto the system as "What's New". On-line training is available at any time at no additional charge.

Annual costs associated with the requested agreement extension has a 2% increase over the FY14 amount of \$199,171.87.







# CITY OF GERMANTOWN

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**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN****DATE:** June 22, 2015**FROM:** Patrick J. Lawton, City Administrator *PL***SUBJECT:** TRAINING ROOM FURNISHINGS**INTRODUCTION:**

The specific action requested of the Board is to authorize the Mayor to execute a contract with Business Interiors by STAPLES for the purchase of furnishings for the IT Training Room and work spaces in an amount not to exceed \$27,197.53 using the National Joint Powers Alliance (NJPA) cooperative purchasing agreement.

**BACKGROUND:**

The Information Technology and Human Resources areas were constructed in 2001 as part of the Economic & Community Development building renovations. Additional work space and training room space was identified during the FY15 CIP application process. On June 8, 2015, the Board of Mayor and Aldermen authorized the City to enter into a construction contract with Wagner General Contractors, Inc, for Municipal Center renovations. Furnishings and reconfigurations in this project will create more usable workspace, improve workflow, promote an enhanced learning environment and add much needed meeting space.

**DISCUSSION:**

City staff worked with Business Interiors by STAPLES to provide layout and design services for the Training Room, Information Technology office and employee areas, at no additional cost. Staff has reviewed the layout and furnishings recommended by Business Interiors by STAPLES staff are high quality and come with a limited lifetime warranty. These furnishings are designed for a high level of workspace comfort and workspace productivity. The proposed contract includes delivery and installation of all furnishings.

Business Interiors by STAPLES is a local company affiliated with NJPA, from which the City was able to secure design services, pricing and installation for all of the furnishings needed. Because of multiple vendors in the NJPA, the City was able to gain volume discounts that could not have been seen if the process had been completed individually by City staff. Procurement Staff has reviewed the contract to ensure that the pricing, terms and contract dates are acceptable and recommends the purchase of this item.





# CITY OF GERMANTOWN

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**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

**DATE:** June 22, 2015

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

**SUBJECT:** FARM PARK FURNISHINGS

**INTRODUCTION:**

The purpose of this agenda item is to request authorization to purchase chairs for the Hay Barn Activity Center under construction at the Farm Park in the amount of \$13,329.38 from Overstock.com.

**BACKGROUND:**

The Parks and Recreation Commission has worked with staff to develop a unique rental venue for the new multiuse activity center at the Farm Park known as the "Hay Barn Pavilion" which is currently under construction. The rental program in this facility is a key component of the farm's business plan which includes creating new revenue streams beyond the current community garden project and educational program fees and charges. The rental rate structure recommended by the Parks and Recreation Commission is included in the FY16 Resolution of Revenue. The proposed rental policies will be presented to the Mayor and Board of Aldermen later this summer to position the Farm Park to accept facility rentals for this coming fall season and beyond.

**DISCUSSION:**

Funding is budgeted in the FY15 Farm Park budget as a planned IRP project. On May 26, 2015 the Procurement Department received a request from the Parks and Recreation department to procure specialty chairs that will be used during hosted events at the new Bobby Lanier Farm Park Activity Pavilion. The requested chair is listed on Overstock.com and is referred to as Tabouret Vintage Wood Seat Bistro Chair, the chair was also found on alibaba.com, alibaba.com is a site for Chinese commerce, alibaba.com is the equivalent of amazon.com for U.S. commerce. As the City is not set up to purchase internationally, the Procurement Department started contacting all resources in the United States to obtain pricing.

The Parks and Recreation Department has requested one hundred and twenty six chairs, as this is a large purchase of a specialty item, the Procurement Department ordered a set of the chairs for the Parks and Recreation Department so they could confirm it is the best choice and fits the theme of the Bobby Lanier Farm Park Activity Pavilion, the chairs are made of sturdy metal, have a weathered Elmwood seat that is finished with a scratch and mar-resistant powder coat. The chairs provide the vintage charm required for the Activity Pavilion setting and also stack for easy storage.

The Parks and Recreation Department confirmed the chair as the only choice meeting all the criteria set by the Parks and Recreation Department. Upon confirmation by the Parks and Recreation Department the Procurement Department reached out to several local vendors, Office Interiors of Memphis and Business Memphis Interiors, both companies were unable to provide pricing for the chair. The Procurement Department





# CITY OF GERMANTOWN

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## REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: June 22, 2015

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

SUBJECT: TENNESSEE RECREATION AND PARKS ASSOCIATION GARDEN GRANT

### INTRODUCTION:

The purpose of this agenda item is to recognize a grant for \$2,000.00 from the Tennessee Recreation and Parks Association and to authorize the Mayor to enter into an agreement with this organization to plant an edible garden along the new section of Germantown Greenway trail currently being constructed and located at the Wolf River Nature Area. The Parks and Recreation Department will coordinate terms of the agreement

### BACKGROUND:

The new section of the Germantown Greenway trail paralleling Wolf River Boulevard from east of the Stern Medical Clinic to Cameron Brown park is currently under construction. Rose Construction was awarded a contract for this project in February, 2015 and much progress has been made to date. The project scope includes several scenic overlooks and educational plazas. These areas will offer opportunities for public engagement, increasing awareness of the value of open space and interpretive programming.

Staff received notification of a grant opportunity through the Tennessee Recreation and Parks Association (TRPA) earlier this year. An application was submitted to this organization to install the city's first non-structured, free, edible garden in conjunction with the Germantown Greenway project. There is a trend across the country in park systems and along greenways to plant edible plants for uncontrolled user consumption as a way to promote nature based education, demonstrate the growth habitat for local foods for healthy eating and enhance park open space for wildlife and biodiversity. The City's grant proposal was accepted with an indication from the grantor (TRPA) that this project was unique and supported their sustainability goals.

### DISCUSSION:

The grant request of \$2,000.00 will be used for the purchase of native plants/berries, both edible and flowering pollinator varies. These include but are not limited to wild blackberries, blueberries, raspberries, elderberries, strawberries, service berries, persimmons, spice bush and paw paws. Staff will seek support from the Beautification Commission and landscape designer, Andy Pouncey, through an on-going public-private partnership to develop the design plan and installation program.

The purchase and reimbursement of the plants will be completed in the FY15 budget to comply with the grant requirements. The City of Germantown will pre-purchase all the plant material from a reputable nursery specializing in these types of native plant varies and materials. The grower will propagate and grow all plants from the city's specifications over the next 120 days and have them ready for installation by the end of October. It is critical that planting and installation be performed in the fall season for a high success rate of the plants as there will be no water source at the selected site. The plants will not be maintained in a structured landscape bed, but rather deliberately allowed to thrive in the natural woodland setting.

**VISION 2020:**

Acceptance of this grant supports several guiding principles contained in Vision 2020 Plan "Quality of Life" section including "top quality parks with a variety of amenities"; and "outlets for social interaction" in Germantown.

**BUDGET AND STAFFING IMPACT: SOURCE OF FUNDING:**

Pam Beasley, Director of Parks and Recreation, will handle the administrative duties with support from staff.

**ATTACHMENTS:**

Tennessee Recreation and Parks Association Grant Contract

**PREPARED BY: Pam Beasley**

Pam Beasley, Parks and Recreation Director

**REVIEWED BY: Ralph J. Gabb**

Ralph J. Gabb, Finance Director

**REVIEWED BY: Lisa A. Piefer**

Lisa A. Piefer, Procurement Director

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

To recognize a grant for \$2,000.00 from the Tennessee Recreation and Parks Association and to authorize the Mayor to enter into an agreement with this organization to plant an edible garden along the new section of Germantown Greenway trail.

**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

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**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN****DATE:** June 22, 2015**FROM:** Patrick J. Lawton, City Administrator *PSL***SUBJECT:** Ordinance No. 2015-1 Year-End Budget Adjustments – Third Reading**INTRODUCTION:**

The purpose of this agenda item is to approve Ordinance No. 2015-1 on third reading. At the end of the fiscal year, a number of year-end budget adjustments are required to be made in order to avoid budget and fund overruns in the various funds.

**BACKGROUND:**

All of the expenditures being funded by the attached budget adjustments were approved under the City's purchasing policies and adhere to generally accepted accounting principle guidelines.

**DISCUSSION:**

Typically at year-end, a number of budget adjustments are made to the various City funds, which realign operating expenses/expenditure accounts with actual activity. They recognize various overruns, underruns, project acceleration and deferrals that have already been brought to the Board of Mayor and Aldermen's attention and gained their approval.

**VISION 2020:**

This agenda item supports the goals of Vision 2020 for Financial Sustainability. The action of this agenda item provides for the adequate resources to defined services and service levels. It allows for the actual cost of delivering City services to be defined and allocated.

**BUDGET ADJUSTMENTS NO. 15-63, 15-80, 15-81, 15-90, 15-103, 15-106, 15-109, 15-111, 15-125 and 15-126**

- BA 15-63 - To transfer from fund balance money sufficient to pay for additional expenses for scoreboards
- BA 15-80 – To transfer from fund balance money to pay for a nutcracker
- BA 15-81 – To transfer from retained earnings money to pay for water main relocation
- BA 15-90 – To transfer from retained earnings and realign budget in vehicle maintenance
- BA 15-103 – To recognize revenue and spending of PEG money
- BA 15-106 – To recognize PEG money collected from Comcast & AT&T and the expense associated with sending money to GM-TV.
- BA 15-109 – To transfer budget funds in Drug Fund from Office Supplies to Autos & Trucks. Capital assets spending in Drug Fund.
- BA 15-111 - To transfer budget funds from Consulting to Auditing/Accounting Fees.
- BA 15-125 – To transfer budget funds in CIP to cover renovations in Fire Station 1 and Wolf River Greenway.
- BA 15-126 – To transfer funds from fund balance in the endowment fund to pay for scanning of historical documents.

Prepared by:   
Ralph J. Gabb, Finance Director

Reviewed by:   
Adrienne Royals, Budget & Performance Advisor

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

To approve Ordinance No. 2015-1 for year-end budget adjustments on third and final reading.

**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





Agenda No. \_\_\_\_\_

# CITY OF GERMANTOWN

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**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

**DATE:** June 22, 2015

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

**SUBJECT:** ORDINANCE 2015-2 An Ordinance to Adopt the FY2016 Budget – Third and Final Reading

**INTRODUCTION:**

The Board of Mayor and Aldermen is asked to consider on second reading the FY16 Proposed Budget. The Board's review and annual adoption of the budget is the single most important action taken by the Board every year.

**BACKGROUND:**

The FY16 Proposed Budget before the Board takes into consideration the Policy Agenda developed by the Board. The Financial Advisory Commission (FAC) has held several meetings with the staff to review each component of the budget including the financial policies, the entire General Fund, the Enterprise Funds, the Special Revenue Funds and the CIP. In addition, the Personnel Advisory Commission (PAC) met several times during the budget development to consider the City's classification and compensation structure as well as employee benefits overall. The PAC's recommendation of a 3.0% merit adjustment is incorporated in the FY16 Proposed budget. The FAC has reviewed and approved the budget and now it is being presented for adoption to the Board of Mayor and Aldermen.

**DISCUSSION:**

The budget for all funds for FY16 totals \$127,453,236. The General Fund Operating Budget total is \$47,953,552, the Enterprise Funds total \$16,658,436, Special Revenue Funds total \$51,973,248, Internal Service Funds total \$80,000 and Capital Improvements Programs total \$10,788,000. During the Public Hearing, the Chairman for the FAC presented the Commission's recommendation regarding the Proposed Budget. A copy of their letter is attached.

Attached to the agenda sheet is Exhibit A which tracks the proposed changes to the budget ordinance from each reading. These changes are recommended by the administration and have been incorporated into the ordinance before you on third reading.

**VISION 2020:**

This agenda supports all the objectives under the Financial Sustainability goal within the Vision 2020 Plan. The FY16 Budget will secure adequate resources to support defined services and service levels, provide for financial reserves consistent with the City's Financial Policies and ensure the City's financial stability for the next fiscal year as well as through the planned period. The Budget defines service and service levels, outlines the costs of delivering the services and provides an ongoing evaluation of services delivery through detailed performance measurement.

**ATTACHMENTS:**

Ordinance 2015-2







# CITY OF GERMANTOWN

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**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

DATE: June 22, 2015

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

SUBJECT: CIP Policy Resolution – 15R11

**INTRODUCTION:**

The purpose of this agenda item is to adopt resolution 15R11 per the Capital Improvements Program Policy in regards to the enforcement of the "sunset provision" in FY15.

**BACKGROUND:**

The Capital Improvements Program (CIP) Policy was adopted by the Board of Mayor and Aldermen on December 12, 2005. The policy states:

*"Each capital project will have a 'sunset provision' enforced at the end of the fiscal year, which can only be lifted by resolution adopted by the Board of Mayor and Aldermen."*

**DISCUSSION:**

The "sunset provision" referenced in the CIP Policy implies that if project funding is not encumbered within the fiscal year budgeted the funding will not be available in the next fiscal year. This section of the CIP Policy supports proper planning and execution of capital projects and holds staff accountable for commitments made to the CIP.

There are two methods for re-budgeting projects that will not be encumbered in the intended fiscal year. The first would be to reapply for the CIP during the annual budgeting process. When reapplying for the CIP, there is no guarantee that the project will be accepted into the next fiscal year since it will be reevaluated and compared against a new set of project applications. Also, in order to reapply for the CIP, the inability to encumber funding for the project in that fiscal year would need to be known at the time applications are submitted. The second method, which is being implemented with this agenda item, is to request the Board of Mayor and Aldermen to adopt a resolution per the CIP Policy. In adopting this resolution, the following change will be made to the FY16 CIP for approval on the third and final reading on June 22, 2015:

- The Center Complex Parking Study and Plaza Addition - This Project will be funded at \$250,000.00 in FY16, the same as in FY15. Both the parking lot construction and the plaza alternate bids came in significantly over the FY15 budget allocated for this project. After a thorough evaluation of the options, it was determined that it was not prudent to locate the additional funding required to fund the project. The rationale being that the parking lot construction, although alleviating most of confusion regarding entering and exiting the complex, would add only thirty additional parking spaces. Since the parking needs of the Center Complex are increasing with the success of GPAC, Athletic Club and Great Hall, a comprehensive parking study is needed to evaluate locations and possible infrastructure improvements to meet the long term parking needs of these facilities. In addition, bidding the Plaza separate from the parking lot should open up additional bidders resulting in more competitive and reasonable bids.

Attached is the resolution requested to be adopted and a revised Capital Improvements Program – FY16 to FY21 illustrating the affect of this resolution.

By approving this resolution to the CIP Policy, a standard procedure is not being developed that provides an avenue for future CIP projects to be re-budgeted if not completed within the approved timeframe. Only exceptional circumstances preventing a project from moving forward warrants requesting a resolution to the CIP Policy.

**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.

**Prepared by:** Butch Eder  
Butch Eder, CIP Manager

**Reviewed by:** Reynold D. Douglas  
Reynold Douglas, General Services Director

**Reviewed by:** Ralph J. Gabb  
Ralph J. Gabb, Finance Director

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

To adopt resolution 15R11 per the Capital Improvements Program Policy in regards to the enforcement of the "sunset provision" in FY15.

**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

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**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

**DATE:** June 22, 2015  
**FROM:** Patrick J. Lawton, City Administrator *PJL*  
**SUBJECT:** RESOLUTION ON REVENUES – 15R09

**INTRODUCTION:**

The purpose of this agenda item is to authorize various fees, rates and other revenue structures of the City of Germantown.

**BACKGROUND:**

Since the codification of the City's Code of Ordinances several years ago, ordinances have been drafted to exclude dollar amounts of fees and rates. Rather, ordinances indicate amounts will be set by resolution of the Board of Mayor and Aldermen. Some of these amounts are set by Policy Letters; others are authorized by various Board of Mayor and Aldermen resolutions. The purpose of this action is to consolidate all revenue authorizations into a single document. This resolution is expected to be revised and adopted each year concurrent with the adoption of the annual budget.

**DISCUSSION:**

A comprehensive review of fees, rates and revenue structures was made during the past year and throughout the budget process. In many business areas, market comparisons were performed to make sure the fees and rates are comparable for the area. Minor changes in fees and charges have been incorporated in most areas for the City in the attempt to keep pace with the cost of services being provided. See Attachment I for explanation of changes.

Other changes in fees and fines are due mainly to review, research and comparison to existing costs of providing services, comparable fees charges by other cities in Tennessee and in direct compliance to laws and regulations of the State and federal governments.

While every effort has been made to include all amounts charged by the City, the exclusion of any amounts is not intended to cause such amounts to be unlawful. Any oversights subsequently discovered will be included in future revisions and updates of this resolution.

**VISION 2020:**

This agenda supports all the objectives under the Financial Sustainability goal within the Vision 2020 Plan.

**BUDGET AND STAFFING IMPACT:**

The FY16 Budget document includes the fees, rates and amounts identified in this resolution.







# CITY OF GERMANTOWN

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**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

DATE: June 22, 2015

FROM: Patrick J. Lawton, City Administrator *PJL*SUBJECT: **ORDINANCE NO. 2015-7 Germantown Municipal School District Year End Budget Adjustments – THIRD READING****INTRODUCTION:**

The purpose of this agenda item is to approve Ordinance No. 2015-7 on third reading. At the end of the fiscal year, a number of year-end budget adjustments are required to be made in order to avoid budget and fund overruns in the various funds for the Germantown Municipal School District.

**BACKGROUND:**

The Germantown Municipal School District yearly budget adjustments have been approved by the Germantown Municipal School Board. However, the Germantown Municipal School District is a Special Revenue Fund of the City of Germantown and will appear in the Comprehensive Annual Financial Report (CAFR) as of June 30, 2015. Therefore, the City of Germantown Board of Mayor and Alderman must approve any yearly budget adjustments. Any adjustments made are following the State of Tennessee Guidelines for school districts and adhere to generally accepted accounting principles guidelines.

**DISCUSSION:**

This is the first full year of operations for the GMSD and will require a number of yearly budget adjustments. These adjustments will recognize various overruns, underruns, project accelerations and deferrals that have been approved by the GMSD Board. These are being brought to your attention to gain approval. The Germantown Municipal School District is a Special Revenue Fund of the City of Germantown as prescribed by the State of Tennessee Comptroller and Governmental Accounting Standards Board.

Accounting transactions may cross separate funds and consequently require approval by ordinance.

**VISION 2020:**

This agenda supports the goals of Vision 2020 for Financial Sustainability. The action of this agenda item provides for the adequate resources to defined services and service levels. It allows for the actual cost of delivering school services to be defined and allocated

**BUDGET AND STAFFING IMPACT:**

Attached are the budget documents signed by the GMSD Board Chair and GMSD Superintendent

**Prepared by:** Ralph J. Gabb  
Ralph J. Gabb, Finance Director

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

To approve Ordinance No. 2015-7 for Germantown Municipal School District year-end budget adjustments on third and final reading.

**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

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## REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: June 22, 2015

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

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

### INTRODUCTION:

The purpose of this agenda item is to approve on third and final 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) .

### 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.

**Prepared by:** Wade Morgan  
**Wade Morgan, Chief Planner**

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

**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

**PROPOSED MOTION:** To approve on third 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.

**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

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**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

DATE: June 22, 2015

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

SUBJECT: STATE OF TENNESSEE COMPTROLLER'S DEBT AUTHORIZATION LETTER

On May 27, 2015 the State of Tennessee Comptroller of the Treasury, Office of State and Local Finance issued a letter to the Honorable Mike Palazzolo, Mayor of the City of Germantown. This letter acknowledged receipt of the request for the City of Germantown for approval to issue Interfund Revenue Anticipation notes ("RAN"). The RAN is to be used to provide funding for the Germantown Municipal School District.

The letter from the Comptroller's Office allows the City to issue Revenue Anticipation Interfund Loan Notes, Series 2015 as an interfund loan from the General Fund to the General Purpose School Fund. The issuance is contingent upon the passage of the City 2016 budget ordinance that includes the school budget for the Germantown Municipal School District.

The City has complied with all other requirements of the Comptroller's Office which include; Resolution 15R06 authorizing the issuance of an Interfund Loan Notes, Series 2015 payment of RAN not to exceed \$1,500,000, Cash flow statement from the Germantown Municipal School District demonstrating the need for a RAN, and a loan agreement signed between the City of Germantown and the Germantown Board of Education to pay back the money loaned.

Per the Comptroller's Office, the issuance of the RAN is conditional upon agreement with the following terms by the governing body:

- A copy of the Comptroller's letter shall be provided to all the members of the governing body at their next meeting and be entered into the minutes.
- The City shall comply with all the requirements of the Tennessee Code Annotated, Title 9, Chapter 21.
- The City shall report the execution and amount of the RANs to the Comptroller's Office within 45 days of issuance on the Report on Debt Obligation.
- The City shall repay the RANs no later than June 30, 2016 and provide the Comptroller's Office with documentation within 15 days of repayment, but not later than June 30, 2016.
- The City shall use the Note Form when borrowing the funds, and return a copy of the executed form to the Comptroller's Office with the Report on Debt Obligation.

In recognition of the requirement of the State of Tennessee Comptroller's Office, please accept a copy of the letter and respectively ask that this be entered into the minutes of the Board of Mayor and Aldermen.

**Prepared by:**           Ralph J. Gabb            
Ralph J. Gabb, Finance Director



## CITY OF GERMANTOWN

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**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

**DATE:** June 22, 2015

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

**SUBJECT:** WOLF RIVER BOULEVARD REPAVING FROM GERMANTOWN RD. TO KIMBROUGH (WEST END) – PROFESSIONAL SERVICES AGREEMENT

**INTRODUCTION:**

The purpose of this agenda item is to consider approval of a Professional Services Agreement in the amount of \$144,877.00 with Fisher & Arnold, Inc. (F&A) to provide Construction Engineering and Inspection (CEI) for the Wolf River Boulevard Repaving project from Germantown Road to Kimbrough (West End).

**BACKGROUND:**

Wolf River Boulevard is a major east-west corridor running through the northern portion of Germantown. The roadway extends from Walnut Grove in Memphis to Shelton Road in Collierville and was constructed in phases from the 1980's through 2013. The most recent phase was the final two mile segment between Kimbrough and Farmington funded through Surface Transportation Program (STP), 80% federal, 20% local responsibility.

The older portions of the roadway are experiencing severe surface deterioration in the form of pot holes and cracking. Public Works crews have been maintaining the surface defects by point repair of potholes and fillers. However, a complete reconstruction of the roadway is needed. The City requested and received funding the project from the Memphis-MPO resurfacing grouping funding source for the segments from Germantown Road to approximately Kimbrough and from Farmington Boulevard to the eastern City limits. Funding for this project is 80% reimbursable. Upon receiving notification that funding was approved for the project, the City entered into an intergovernmental agreement with the TN Department of Transportation (TDOT) in November of 2013 to develop the project.

Using qualifications based selection process, the City chose Fisher & Arnold (F&A) to provide Design and CEI for the project. In April 2014, the City entered into a professional services agreement with Fisher & Arnold to provide preliminary design/environmental phase services for the project. The environmental phase services were completed in September 2014 as evidenced by the attached TDOT Notice to Proceed to Final Design Phase. The final design phase of the project was completed in May of 2015 as evidenced by the TDOT Notice to Proceed to Construction.

**DISCUSSION:**

Now that the project has reached the Construction Phase, it is time to advance F&A's services to CEI. We asked F&A to provide a fee proposal (attached) for the required CEI services. Staff thoroughly reviewed the proposed CEI scope and is satisfied that all state and federal guidelines are adequately covered. We also believe the proposed fee to be reasonable for a construction project of this complexity and magnitude.

Staff respectfully recommends this professional services agreement for approval.



**VISION 2020:**

This project supports the Vision 2020 objective of well planned, designed, constructed and maintained infrastructure as well as the safe, efficient and ease of mobility of the traveling public.

**BUDGET AND STAFFING IMPACT:**

Tim Gwaltney, City Engineer served as Project Manager, point of contact throughout the Environmental and Design phases and will continue in that role throughout the Construction phase.

**SOURCE OF FUNDING:**

<b>Fund</b>	<b>Line Item No.</b>	<b>Dept.</b>	<b>Line Item Description</b>	<b>Budget Balance</b>	<b>Recommended Expenditure</b>
CIP	030-0000-400.25-40 MR1404	Major Roads	Professional Services	\$144,877.00	\$144,877.00*

\*As invoices are received and approved, the City pays the invoices at 100%. Upon receipt of proof of payment to the CEI consultant, the City then requests 80% reimbursement from TDOT with proper backup information.

**ATTACHMENTS:**

- Vicinity Map
- TDOT Notice to Proceed to Final Design
- TDOT Notice to Proceed to Construction
- CEI Fee Proposal





# CITY OF GERMANTOWN

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**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

DATE: June 22, 2015

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

SUBJECT: WOLF RIVER BOULEVARD REPAVING FROM GERMANTOWN RD. TO KIMBROUGH (WEST END) – AWARD OF CONSTRUCTION CONTRACT

**INTRODUCTION:**

The purpose of this agenda item is to consider approval of a Construction Contract in the amount of \$896,632.75 with Ferrell Paving, Inc. for the Wolf River Boulevard Repaving project from Germantown Road to Kimbrough (West End).

**BACKGROUND:**

Wolf River Boulevard is a major east-west corridor running through the northern portion of Germantown. The roadway extends from Walnut Grove in Memphis to Shelton Road in Collierville and was constructed in phases from the 1980's through 2013. The most recent phase was the final two mile segment between Kimbrough and Farmington funded through Surface Transportation Program (STP), 80% federal, 20% local responsibility.

The older portions of the roadway are experiencing severe surface deterioration in the form of pot holes and cracking. Public Works crews have been maintaining the surface defects by point repair of potholes and fillers. However, a complete reconstruction of the roadway is needed. The City requested and received funding the project from the Memphis-MPO resurfacing grouping funding source for the segments from Germantown Road to approximately Kimbrough and from Farmington Boulevard to the eastern City limits. Funding for this project is 80% reimbursable. Upon receiving notification that funding was approved for the project, the City entered into an intergovernmental agreement with the TN Department of Transportation (TDOT) in November of 2013 to develop the project.

Using qualifications based selection process, the City chose Fisher & Arnold (F&A) to provide Design and Construction Engineering and Inspection Services for the project. In April 2014, the City entered into a professional services agreement with Fisher & Arnold to provide preliminary design/environmental phase services for the project. The environmental phase services were completed in September 2014 as evidenced by the attached TDOT Notice to Proceed to Final Design Phase. The final design phase of the project was completed in May of 2015 as evidenced by the TDOT Notice to Proceed to Construction.

**DISCUSSION:**

Construction of the project was budgeted in the City's FY15 CIP. The project was publicly advertised for construction in the Commercial Appeal and Tri-State Defender on May 15, 2015. Two responsive bids were received and publicly read aloud on June 5, 2015 with Ferrell Paving, Inc. providing the lowest qualified bid in the amount of \$896,632.75. The bids have been thoroughly reviewed by staff and our CEI Firm (F&A) for any math errors or discrepancies. None were found in either bid.

Subsequently all necessary bid and other contract information was sent to TDOT on June 9 to request their concurrence to award the construction contract for the West End to Ferrell Paving. A timeframe of two-three weeks is typical for TDOT to review and issue concurrence. BMA approval is contingent on receiving TDOT concurrence

**WOLF RIVER BLVD. REPAVING PROJECT (WEST END) – CONSTRUCTION CONTRACT**

June 22, 2015

Page 2

Assuming BMA approval tonight and TDOT concurrence before the end of June, a notice to proceed (NTP) to the contractor is anticipated in mid-late July with anticipated start of construction in early August. Construction is expected to take approximately four (4) months, November timeframe. Staff respectfully recommends approval of this item pending TDOT concurrence.

Construction of the East End of the project, from Farmington Blvd to the eastern City Limits is budgeted in the City's FY16 budget. Environmental approval has been received and the design is approximately 90% complete. We anticipate bidding the East End by the end of this calendar year with construction slated for next spring.

**VISION 2020:**

This project supports the Vision 2020 objective of well planned, designed, constructed and maintained infrastructure as well as the safe, efficient and ease of mobility of the traveling public.

**BUDGET AND STAFFING IMPACT:**

Tim Gwaltney, City Engineer served as Project Manager, point of contact throughout the Environmental and Design phases and will continue in that role throughout the Construction phase.

**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>
CIP	030-0000-400.93-01 MR1404	Major Roads	Other Improvements	\$1,264,133.00	\$896,632.75*

\*As invoices are received and approved, the City pays the invoices at 100%. Upon receipt of proof of payment to the contractor, the City then requests 80% reimbursement from TDOT with proper backup information.

**ATTACHMENTS:**

Vicinity Map  
Bid Analysis (2)  
TDOT Notice to Proceed to Construction  
City's Request for Concurrence to Award





# CITY OF GERMANTOWN

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**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

**DATE:** June 22, 2015

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

**SUBJECT:** LATERAL D SEWER CROSSING PROJECT PARTNERSHIP AGREEMENT WITH THE DEPARTMENT OF ARMY

**INTRODUCTION:**

The purpose of this agenda item is to authorize execution of a Project Partnership Agreement with the Department of Army to fund the construction of improvements to the sewer crossing on Lateral D with the City of Germantown's share being \$632,850.00.

**BACKGROUND:**

Lateral D is an earthen drainage ditch located in northeast Germantown and a tributary of the Wolf River that flows from the south to the north into the Wolf River. Since completion of the Wolf River Channelization Project by the Corps of Engineers in 1964, the Wolf River has experienced an enormous amount of channel bottom lowering and head-cutting up adjacent tributaries including Lateral D. This bank and stream bed erosion is threatening the Farmington Boulevard box culvert and the sewer siphon and a major sewer line that crosses Lateral D just north of Farmington Boulevard.

In December 2006 the City requested assistance from the Memphis District Corps of Engineers under Section 14 of the 1946 Flood Control Act, as amended, to protect the Farmington Boulevard culvert and the sewer crossing. In 2007, the Corps of Engineers approved the City's request for assistance under Section 14. Implementation under Section 14 is a two phase process that consists of a feasibility and design phase and an implementation phase. The feasibility & design phases are 100% federally funded up to \$100,000.00. Feasibility and design costs exceeding \$100,000.00 are shared equally. All costs beyond the feasibility & design phases are considered to be total project costs and are shared as 65% Federal and 35% Local.

The Corps of Engineers initiated the Farmington Boulevard Culvert Project first and on May 10, 2010 the Board of Mayor and Aldermen authorized the Mayor to enter into a Cost Sharing Agreement with the Department of Army to complete the feasibility study and design phase. This project is currently under construction and is approximately 90% complete with completion scheduled for early this summer.

**DISCUSSION:**

As with the Farmington Boulevard Culvert Project, the non-Federal sponsor for the Sanitary Sewer Project is obligated to share equally on all feasibility and design costs exceeding \$100,000 and on August 26, 2013, the Board authorized the Mayor to enter into a Cost Sharing Agreement with the Department of Army to complete a feasibility study for the sanitary sewer project on Lateral D with the City of Germantown's share being \$20,000.00. With this action the feasibility and design phase was completed.

On February 19, 2014, in a letter to Colonel Jeffery Anderson, District Engineer, U.S. Army Corps of Engineers, Mayor Goldsworthy verified that the City of Germantown has reviewed and understands the requirements of a Section 14 project and is fully capable of meeting the cost sharing requirements associated with the costs outlined in the Germantown Sewer Crossing Utility, TN, Planning, Design and Analysis Report, dated February 2014 and will act as the non-Federal sponsor.

The design of the project has been approved through all levels of the Corps of Engineers organization for construction providing that the Partnership Agreement between the Department of Army and the City is approved. Once the Agreement is approved, the Corps of Engineers will finalize the plans & specifications and bid the project for construction. The estimated construction cost to protect the Lateral D Sewer Crossing is \$1,891,000.00 with the City's share being \$632,850.00 which includes a \$29,000.00 credit for lands, easements and right-of-way. Projected bid date is the summer of 2016 and at that time the City will be required to provide its share of the construction costs. The City may provide its share of the project costs by delivering a check to the District Engineer, by depositing the funds in an escrow or other account acceptable to the Government or by electronic transfer.

At the end of construction of the project, the Corps will do a final accounting of all work performed. If surplus funds exist, the sponsor will receive a reimbursement. If additional funds are needed, the sponsor will be notified in advance. However, the total project cost does have a contingency built in it to cover any potential needs. If additional funds are needed, the City shall provide 35% of the additional funds via the mechanisms outlined above.

Debbie Wiles, City Attorney, has reviewed and approved the Agreement as to form. Funding is included in the FY16 CIP Budget and staff recommends approval.

**VISION 2020:**

This project supports the Financial Sustainability Goal 22 by leveraging the City's resources through partnerships and grants and investment in maintaining and upgrading the City's facilities and infrastructure.

**BUDGET AND STAFFING IMPACT:**

**Source of Funding:**

<u>Fund</u>	<u>Line Item No.</u>	<u>Dept.</u>	<u>Line Item Description</u>	<u>Proposed FY16 Budget Balance *</u>	<u>Recommended Expenditure</u>
CIP	040-9525-524.93-50 UT1602	Utilities	Mains	\$665,000.00	\$632,850.00

\*FY16 Capital Budget

Tim Bierdz, Storm Water Engineer and Butch Eder, CIP Manager will serve as the City's Project Managers on the Project.

**ATTACHMENTS:**







# CITY OF GERMANTOWN

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**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

**DATE:** June 22, 2015

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

**SUBJECT:** REPLACEMENT OF CROSSWALK – GERMANTOWN ROAD/FARMINGTON BLVD.

**INTRODUCTION:**

The purpose of this agenda item is to consider approval of payment in the amount of \$24,765.00 to Traffic Management USA for replacement of the crosswalk at Germantown Road/Farmington Boulevard intersection.

**BACKGROUND:**

In anticipation of increased pedestrian traffic within the recently adopted Smart Growth Area (SGA) Plan, the City recognized a need to provide safe, clearly marked, highly visible wayfaring routes along the existing roadway network as well as interconnectivity through adjacent properties within the SGA. Early City efforts in this regard have been the use of pedestrian countdown clocks that have now become the City's standard for all new traffic signals. Recent Poplar Avenue improvements through the SGA included sidewalk installation that filled in missing gaps to provide uninterrupted pedestrian access.

Crosswalk improvements were also identified in the SGA Plan as a means to not only increase safety at high traffic intersections but to also provide a "sense of place" atmosphere. A total of six (6) intersections were identified in the plan for crosswalk improvements as follows: Poplar/Arthurwood, Poplar/West Street, Poplar/Germantown Road, Poplar/Exeter, Farmington/Germantown Road and Farmington/Exeter.

The City delayed any construction activity related to crosswalk improvements until several known major road improvements were substantially completed. Those specific roadway projects began in FY09-10 and are listed as follows: Poplar Widening from Miller Farms to Dogwood and Farmington Boulevard Reconstruction Phases I and II. Knowing that those projects were to be completed in FY13, the City included funding in its FY13 CIP for the crosswalk improvements project.

In June 2013, the City entered into a construction contract with Blalock and Sons for an amount not to exceed \$300,000.00 for the following three (3) intersections: 1) Germantown Road/Farmington Blvd. 2). Poplar Ave./Germantown Road and 3). Poplar Ave./West Street. The work was completed in December 2014, at which time the five (5)-year warranty period began, at a cost of just under \$252,000. There is approximately a \$48,000.00 balance in this project.

**DISCUSSION:**

The winters of 2014 and 2015 in this area were extremely severe. Roadway surface cracking and pot holes were prevalent all over the region. The City's recently completed X-walks were not immune to the extreme temperature/moisture swings. The X-walk material itself cracked in some areas and completely dislodged in some areas. Those defects are covered under the 5-yr warranty and are being addressed.

**REPLACEMENT OF CROSSWALK – GERMANTOWN ROAD/FARMINGTON BLVD.**

June 22, 2015

Page 2

In some locations, the roadway subsurface failed outside the crosswalk area then migrated to the crosswalk. Road failures are not covered by the material 5-yr warranty. One main area of roadway sub-surface failure that led to crosswalk failure was the eastern leg of the Germantown Road/Farmington intersection. TDOT has maintenance responsibility of Germantown Road (SR 177) and along Farmington approximately 50 feet east of the intersection. Staff contacted TDOT to discuss the issues at the intersection. TDOT agreed that the surface crosswalk cracking was due to subsurface defects and agreed to make the necessary roadway subsurface repairs. Those subsurface roadway repairs were completed in late May 2015. The City is responsible for the replacement of crosswalk.

The City requested a quote from Traffic Management USA, the sub-contractor to Blalock and Sons from the original work. Their quote is attached. While Traffic Management is on-site replacing the crosswalk at Germantown/Farmington, they will also be correcting defects that are covered under the warranty at each of the intersections.

Staff respectfully recommends approval of this crosswalk replacement work in the amount of \$24,765.00. Funding for this will repair will come from the balance of the original CIP project.

**VISION 2020:**

This project supports the Vision 2020 objective of well planned, designed, constructed and maintained infrastructure as well as the safe, efficient and ease of mobility of the traveling public.

**BUDGET AND STAFFING IMPACT:**

Tim Gwaltney, City Engineer will serve as contact during replacement and warranty repair work.

**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>
CIP	030-0000-400.93-01 MR1201	Major Roads	Other Improvements	\$24,765.00	\$24,765.00

**ATTACHMENTS:**

Quote from Traffic Management USA





# CITY OF GERMANTOWN

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**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

**DATE:** June 22, 2015

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

**SUBJECT:** Resolution 15R10 – Landmark Center Phase II Planned Unit Development Outline Plan

**INTRODUCTION:**

The specific action requested by the Board is to approve the Landmark Center Phase II Planned Unit Development (PUD), as recommended by the Planning Commission.

**BACKGROUND:**

The property was annexed by the City of Germantown in 1988. The property was rezoned to C-2 in 2001.

**DISCUSSION:**

Landmark Center Phase II proposes three areas of use within the Outline Plan as follows: Area 1 = Hospitality, Area 2 = Future ROW Dedication, and Area 3 = Intersection Enhancement. The proposed plan seeks approval of site and building design standards permitted within the T5 district of the Smart Code without the benefit of rezoning the site from C-2. The outline plan will approve

- 1) an exception to allow 4 storey building as permitted by T5 District maximum building height where C-2 District permits a maximum height of 35 feet or 2 storey;
- 2) an exception to allow reduced parking spaces as permitted by T5 District in the shared spaces percent allocation table where C-2 District requires one parking space per room, plus 100 percent of uses associated within the establishment
- 3) an exception to require no permeable surface percentage as permitted by T5 District where the standard policy is 35% .

**GERMANTOWN VISION 2020:**

This project fulfills the Vision 2020 Goal number 13 of having “development and redevelopment consistent with Germantown character” and the objectives of providing “well built, well designed new development and development and redevelopment meeting City design standards.”

**BUDGET AND STAFFING IMPACT:**

Approval of the PUD will not immediately affect the City’s budget or time and effort commitments of City staff. The developer and his consultants will be able to file construction drawings for the actual development of the site after receiving required preliminary and final site plan approvals from appropriate governing bodies. City staff will devote time to the review of those plans and the inspection of the construction work, which will be at least partially offset by the fees paid with the development contracts.





# CITY OF GERMANTOWN

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**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

**DATE:** June 22, 2015

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

**SUBJECT:** Project Development Contract 1205 – Medicus Medical Office Building

**INTRODUCTION:**

The purpose of this agenda item is to approve Project Development Contract no. 1205, for the construction of the Medicus medical office building at 9236 Poplar Pike.. The specific Board of Mayor and Aldermen action requested is approval of the standard development agreement.

**BACKGROUND:**

On August 7, 2007, the Planning Commission approved the subdivision of the property into the Forest Hill Professional Plaza Subdivision. The BZA, on December 9, 2014, approved a variance on this site to allow a building encroachment into the front yard setbacks from Poplar Pike. On February 3, 2015, the Planning Commission approved the preliminary and final site plan for the office building. The Design Review Commission approved the preliminary and final landscape and lighting plans on March 24, 2015.

**DISCUSSION:**

The plan consists of an 11,160 sq. ft., single story building, to function as a medical facility with multiple offices. The building exterior is to be brick, with aluminum clad, wood windows with fiberglass shutters, and asphalt shingled roof.

**VISION 2020:**

This project fulfills the Vision 2020 Goal number 9 of having “premier regional medical facilities” and the objective of providing “full-service medical and healthcare providers serving the Mid-south region.”

**BUDGET AND STAFFING IMPACT:**

Approval of the Contract will permit the developer to complete construction plans for the actual development of the project. Engineering and Planning staff will spend time and resources reviewing the construction plans, and Construction Inspection staff will spend time inspecting the project during the construction phase. The amount of time required is difficult to estimate, but will be defrayed by the fees for Plan Review and Construction Inspection, which are listed in the attachments.

**ATTACHMENTS:**

Attachment 1 – Application and Disclosure of Ownership Interest

Attachment 2 - Vicinity Map

Attachment 3 - Site Plan and Elevation Drawing

Attachment 4 – Board of Zoning Appeals, Planning Commission and Design Review Commission Minutes





# CITY OF GERMANTOWN

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**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

**DATE:** June 22, 2015

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

**SUBJECT:** Project Development Contract No. 1206 – Regions Bank Germantown– 1284 South Germantown Road, east side of Germantown Road, north of Wolf River Boulevard

**INTRODUCTION:**

The purpose of this agenda item is to approve Project Development Contract Number 1206 for a 3,200 square foot bank building on a 1.0868-acre site. The specific Board of Mayor and Alderman action requested is approval of Project Development Contract Number 1206.

**BACKGROUND:**

The subject property is zoned “C-2” Commercial District and is located on the east side of Germantown Road, north of Wolf River Boulevard on Lot 2 of the Wolf River Center Subdivision (Re-subdivision of Lot 3 and a portion of Lot 2, Phase 1, First Addition). The Planning Commission granted Preliminary and Final Site Plan approval of the project on April 7, 2015. The Design Review Commission granted Preliminary and Final Plan approval of the project on April 28, 2015.

**DISCUSSION:**

Contract No. 1206 is a standard Project Development Contract. The approval will permit site improvements to include: a 3,200 square foot bank building with a drive-through canopy, a parking lot with twenty-four (24) parking spaces and ten (10) light poles and site landscaping. Access to the site will come from the Wolf River Center Subdivision access drive via two ingress/egress easements from Wolf River Boulevard and Germantown Road. Special provisions contained in Paragraph 31 of the contract pertain to the collection of fees.

	DEVELOPMENT INFORMATION
TOTAL SITE AREA	1.0868 ac.
BUILDING SIZE	3,200 s.f.
NUMBER OF PARKING SPACES	23

**VISION 2020:**

This project fulfills the Vision 2020 Goal number 13 of having “development and redevelopment consistent with Germantown character” and the objectives of providing “well built, well designed new development and development and redevelopment meeting City design standards.”

**BUDGET AND STAFFING IMPACT:**

Approval of the Contract will permit the developer to complete construction plans for the actual development of the project. Engineering and Planning staff will spend time and resources reviewing the construction plans, and Construction Inspection staff will spend time inspecting the project during the construction phase. The amount of time required is difficult to estimate, but will be defrayed by the fees for Plan Review and Construction Inspection, which are listed in the attachments.



**ATTACHMENTS:**

- Attachment 1 – Application and Disclosure of Ownership Interest
- Attachment 2 - Vicinity Map
- Attachment 3 - Site Plan and Elevation Drawing
- Attachment 4 – Planning Commission and Design Review Commission Minutes

**PREPARED BY: Sheila Pounder**

Sheila Pounder, Planner

**REVIEWED BY: Cameron Ross**

Cameron Ross, Director of Economic and Community  
Development

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

To approve Project Development Contract 1206 for the Regions Bank Germantown.

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

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



# CITY OF GERMANTOWN

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**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

**DATE:** June 22, 2015

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

**SUBJECT:** Rejection of Bids for GPAC Parking Lot Improvements

**INTRODUCTION:**

The purpose of this agenda item is to reject bids from A & B Construction Company and Ferrell Paving Inc. for the GPAC Parking Lot Improvements.

**BACKGROUND:**

When the Germantown Performing Arts Center and the Germantown Athletic Club were constructed more than twenty years ago the main entrance drive off Exeter Road was designed to serve both venues. As the use of the facilities increased over time, it has become evident that the entrance drive alignment is very confusing to clients trying to access a particular facility. This confusion is amplified at the conclusion of a performance at the Germantown Performing Arts Center when many of the patrons attempt to exit the facility at the same time. This mass exit invariably results in vehicles using both the entrance and exit lanes in an attempt to leave the facility, resulting in an unsafe situation

**DISCUSSION:**

The project was advertised on the City's Website, sent to eight hundred forty-two (842) e-notice subscribers and documents were sent to the Plan Houses for advertisement. Five contractors attended the Pre-Bid Meeting on May 21, 2015. The City received two qualified bids for the project. However, both the parking lot construction and the plaza alternate bids came in significantly over the FY15 budget allocated for this project.

After a thorough evaluation of the options, it was determined that it was not prudent to locate the additional funding required to fund the project. The rationale was that the parking lot construction, although alleviating most of confusion regarding entering and exiting the complex, would only add thirty additional parking spaces. Since the parking needs of the Center Complex are increasing with the success of GPAC, Athletic Club and Great Hall, a comprehensive parking study is needed to evaluate locations and possible infrastructure improvements to meet the long term parking needs of these facilities. In addition, bidding the Plaza separate from the parking lot should open up additional bidders resulting in more competitive and reasonable bids.

**VISION 2020:**

This project supports the Financial Sustainability Goal 22 of maintaining and upgrading City facilities. General Services is committed to providing comfortable and sustainable facilities for all of its customers. In this case, our customers are employees, residents of Germantown, and visitors. These attributes support the City's Vision 2020 goal of providing service excellence

**BUDGET AND STAFFING IMPACT:**

Project will be recommended for FY16 Budget through a sunset resolution.

**ATTACHMENTS**

N/A

**Prepared by: Lisa A. Piefer**

Lisa A. Piefer, Procurement Director

**Reviewed by: Butch Eder**

Butch Eder, CIP Manager

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

To formally reject bids from A & B Construction Company and Ferrell Paving Inc. for the GPAC Parking Lot Improvements.

**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



