



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, July 13, 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. Recognition of Water Service Personnel
 7. Recognition of Contributors to GPAC
 8. Citizens to be Heard
 9. **CONSENT**
 - a. Germantown Education Foundation Fill the Fountain Disbursement
 10. Resolution 15R12 - Mid-South Regional Greenprint Plan.
 11. Public Hearing - Ordinance 2015-8 – Amendment to Animal Control Ordinance – Second Reading
 12. FY16 On-call Engineering Services
 13. Memorandum of Understanding – Germantown Board of Education
- BEER BOARD**
14. PUBLIC HEARING – Beer Permit – Mellow Mushroom

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: July 13, 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

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: July 13, 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 22, 2015.

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

To approve the minutes of the Board of Mayor and Aldermen Meeting held June 22, 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: July 13, 2015

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

SUBJECT: RESOLUTION 15R12 – MID-SOUTH REGIONAL GREENPRINT PLAN

INTRODUCTION:

Attached is a resolution in support of the City of Germantown officially adopting the Mid-South Regional Greenprint Plan.

BACKGROUND:

Shelby County has been coordinating the completion of a four-year, federally funded planning project that sets forth the vision, goals and recommendations for sustainable practices related to green space design and connectivity; alternate transportation; resource management; and other regional sustainable guidelines for the entire Mid-South Region. A broad-based consortium of representatives in the tri-state area from governmental, non-profit and the private sector provided leadership throughout the planning process which was facilitated by Memphis- Shelby County Office of Sustainability. Over 80 local organizations, thousands of local residents, and over 100 meetings were conducted to ensure the plan was truly reflective of the region's vision.

The City of Germantown was represented by Pam Beasley, Director of Parks and Recreation who served on two consortium working groups: Parks and Greenways and Resource Conservation and Environmental Protection. The Parks and Recreation Commission were provided updates throughout the process. The Commission supports the adoption of the Greenprint Plan, viewing it as a means to establish a coordinated plan of regional green space connectivity – trails, bike paths, and parks which has been the primary focus of Germantown's involvement. Members of the Parks and Greenways Working Group have collaborated to develop an emergency 911 signage plan which is in the process of being implemented in Germantown and throughout the region. The overall Greenprint Plan evolved into additional sustainable standards. They are available for use and consideration, if they make sense for Germantown. The Planning Commission and Environmental Commission also recently reviewed and recommend adoption of the plan.

DISCUSSION:

It is important to note that the adoption of the resolution proposed makes only the following commitment: (1) support the plan as the regional green space and sustainability plan; (2) consider the recommendations of the plan as appropriate for Germantown and each jurisdiction using the guidelines set forth in the plan; (3) use concept map as a foundation for connecting communities in the region; and (4) work with neighboring jurisdictions to connect green space.

RESOLUTION 15R12 – MID-SOUTH REGIONAL GREENPRINT PLAN

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Adoption of this plan does not carry a financial or regulatory obligation. It is intended to primarily be a regional show of support. The City of Germantown is not bound to any of the provisions of this plan, but will choose such elements of the plan that are appropriate for Germantown.

John Zeanah, Administrator for the Memphis-Shelby County Office of Sustainability and program manager of the Greenprint planning initiative will be present to make brief comments and answer questions.

VISION 2020:

The resolution before the Board this evening supports the Board's desire to implement a comprehensive approach to environmental sustainability, provide top quality parks and greenways and preserve open space and natural areas which add all value to the lives of Germantown residents.

ATTACHMENTS:

Resolution 15R12 - Mid-South Regional Greenprint Plan

Prepared by: Pam Beasley

Pam Beasley, Parks and Recreation Director

Reviewed by: Bo Mills

Bo Mills, Public Works Director

Reviewed by: Wade Morgan

Wade Morgan, Chief Planner

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

To adopt Resolution 15R12 thereby adopting the Mid-South Regional Greenprint Plan as a local and regional sustainability planning guide.

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: July 13, 2015

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

SUBJECT: Public Hearing - Ordinance No. 2015-08 Amendments to Animal Control Ordinance – Second Reading

INTRODUCTION:

The purpose of this agenda item is to propose two additions and to hold a public hearing on changes to the animal ordinances, **Section 5-1 Definitions** and **Section 5-4 Impoundment, notice of violation and emergency care**.

BACKGROUND:

In Section 5.1, there are listed 25 definitions related to animals and animal care. The City's Animal Shelter staff recommends addition of another definition to define a proper shelter. This definition addition will allow Public Works Animal Shelter staff to address situations where outdoor pets are kept without proper shelter to protect them from the elements.

The second addition to the animal ordinance is in Section 5.4 Impoundment, notice of violation and emergency care. Staff often deals with repeat offenders where pets escape their impoundment structures. This addition will allow staff, after notification to animal's owner, to spay or neuter unaltered animals at the owners' expense that are running loose and are impounded two times within any twelve month period or a total of five times over any time period. Experience and proven research confirms that spay or neutered animals are less likely to roam.

DISCUSSION:

Germantown Animal Shelter staff was aware of these needed additions for some time. This spring a resident on Birch Park Lane brought concerns about her neighbor's three outside animals not having adequate shelter. Staff worked with this resident to address this particular concern but used this case as a catalyst to suggest an addition to the ordinance. Since staff was recommending this addition, they wanted to seek an additional change related to loose animals and the need to address the reason for them escaping their enclosures.

After receiving input at the first reading of this proposed ordinance change, staff has added the phrase, "after notification to animal's owner" to the Section 5-4 requested change.

VISION 2020:

Approval of these two ordinance additions supports the Vision 2020 Quality of Life goal with residents taking responsibility for making Germantown a better community.

BUDGET AND STAFFING IMPACT:

No significant impacts are expected by inserting these two changes to the animal ordinances.

ATTACHMENTS:

The proposed additions to the Code of Ordinances, City of Germantown, Tennessee Sections 5-1 and 5-4.

Prepared by: Bruce Tillman
Bruce Tillman, Asst. Director of Public Works

Reviewed by: Bo Mills, PWLF
Bo Mills, Public Works Director

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

To approve Ordinance No. 2015-08 Amendments to Animal Control Ordinance on Second 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

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: July 13, 2015

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

SUBJECT: ON-CALL PROFESSIONAL SERVICES AGREEMENT - KIMLEY-HORN & ASSOCIATES, INC.

INTRODUCTION:

The purpose of this agenda item is to consider approval of a Professional Services Agreement (PSA) on an "as-needed" basis with Kimley-Horn & Associates, Inc. (KHA) in an amount not to exceed \$40,000.00 for FY16.

BACKGROUND:

The City of Germantown initially entered into an On-Call PSA with Kimley-Horn in 2006. KHA is recognized nationally as an Industry leader in the field of transportation. Locally, KHA has provided their transportation expertise to all municipalities within Shelby County, the Memphis-Metropolitan Planning Organization (Memphis-MPO) and the Tennessee Department of Transportation (TDOT), Memphis Area Transit Authority (MATA) and the Memphis-Shelby County Airport Authority (MSCAA). Their local knowledge of the regional transportation network has been a tremendous asset to the City through the years. Typical services under the agreement have included, traffic/transportation studies, traffic impact analyses, striping plans, signal timing assistance and assistance in various MPO matters.

For FY's 2007-2009 the average amount of the on-call services contract was approximately \$60,000/yr. In FY's 10-13 the contract averaged just over \$14,000/yr. The drastic reduction in average cost can be attributed to the professional development and experience of the City's former full time Traffic Engineer coupled with a fairly weak economy which reduced the amount of economic development submittals. An uptick in development occurred in the 2nd half of FY14. Due to many large, proposed mixed-use developments requiring multiple traffic impact analyses' reviews in FY15 caused the On-call contract amount to increase to \$40,000.00. The increased development trend is expected to continue through the foreseeable future.

DISCUSSION:

The City does not have an in-house Traffic Engineer. KHA has provided excellent on-call services for the City since 2006 and we would like to continue that relationship by renewing the contract through FY16 for an amount not to exceed \$40,000.00, the same amount as FY15. Economic and Community Development's FY16 operating budget includes \$40,000.00 for on-call professional services. KHA's proposal is attached for your review.

We are billed at the hourly rates in the proposal up to an amount not to exceed the ceiling without BMA approval.

VISION 2020:

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



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: July 13, 2015

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

SUBJECT: Memorandum of Understanding – Germantown Board of Education

INTRODUCTION:

The Board of Mayor and Aldermen is asked this evening to consider authorization for the mayor to execute a Memorandum of Understanding (MOU) between the City of Germantown and the Germantown Board of Education regarding the lease of Apple computers.

BACKGROUND:

At the Board of Mayor and Aldermen meeting on June 8, 2015, the Board approved the execution of a lease with Apple, Inc. for 350 Apple computers for use by students and teachers in the Germantown Municipal School District. The City of Germantown executed the lease on behalf of the Board of Education because the district is unable to enter into long term lease agreements and must rely upon the City of Germantown to execute this type of agreement. During the discussion regarding the lease of this equipment, the Administration stated that the school district will actually be making the lease payments to Apple, Inc. under a Memorandum of Understanding between the City and the Germantown Board of Education.

DISCUSSION:

Attached to this agenda sheet is a copy of the MOU between the City of Germantown and the Germantown Board of Education outlining the obligations of the school district in making these annual lease payments to Apple, Inc. The MOU describes the City as the guarantor of the annual lease payments however the Board of Education agrees to make all payments to Apple lease under the terms of the lease agreement approved by the Board of Mayor and Aldermen on June 8, 2015.

The MOU is very specific in this regard and also requires the Board of Education to provide an annual report confirming that the school district has sufficient funds within its operating budget during the terms of this lease arrangement to make the annual payments. In addition, the MOU specifically states that in no way shall the lease increase the amount of the City's local funding to the Board of Education for the school district's operating expense nor shall it affect the City's Maintenance of Effort obligation to the district.

ATTACHMENTS:

Memorandum of Understanding

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

To authorize the mayor to enter into a Memorandum of Understanding between the City of Germantown and the City of Germantown Board of Education regarding the lease of Apple computers by the City.

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

