

BOARD OF MAYOR AND ALDERMEN

July 13, 2015

The regular meeting of the Board of Mayor and Aldermen was held on Monday, July 13, 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: John Barzizza, Mary Anne Gibson, Dave Klevan, Forrest Owens and Rocky Janda. Staff present: Patrick Lawton, Debra Wiles, Chief Richard Hall, Asst. Fire Chief Jeff Beaman, Reynold Douglas, Daniel Page, Cameron Ross, Tim Gwaltney, Pam Beasley, Butch Eder, Paul Chandler, Bo Mills, Steve Wilensky, Lisa Piefer and Dotty Johnson.

Call to Order

Mayor Palazzolo called the meeting to order.

Invocation

General Services Director Reynold Douglas gave the invocation.

Pledge of Allegiance

Alderman Mary Anne Gibson led the Pledge of Allegiance.

Approval of Agenda

The agenda was discussed during the executive session. The decision was made to pull the one item on the consent agenda, Germantown Education Foundation – Fill the Fountain, and put it on the regular agenda to be discussed.

Item 12 - FY16 On-call Engineering Services and item 13 - Memorandum of Understanding – Germantown Board of Education, were to be moved to the consent agenda.

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

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

Approval of Minutes

There were no corrections to the minutes.

Motion by Mr. Barzizza, seconded by Mr. Janda, to approve the minutes of the Board of Mayor and Aldermen meeting held June 22, 2015 as written.

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

Recognition of Water Service Personnel

Public Works Director Bo Mills came forward and introduced Water Services Superintendent Mike Sorensen who was representing the Water Plant staff. Mr. Mills stated the TDEC State Inspector had conducted a surprise visit and conducted a Sanitary Survey of both water production facilities. The survey is designed to review all the areas of water production to insure the Germantown Utility System is in compliance with all State requirements for Safe Drinking Water Supply.

Staff was proud to receive an aggregate score of 98% for this report. The Water Plant Staff consists of Danny Hutcheson, Utilities Director, Mike Sorensen, Superintendent of Water Services, Mike O’Neill, Lead Plant Operator, Louis Sutton, Greg Jones and Michael Ringwald, Water Plant Operators and Malvin Coley, Water Plant Technician.

Mr. Lawton stated it was discovered, during budget time, some issues with the Utility Fund and the Utility staff came up with some terrific suggestions to help fix the problem. The staff is not only practices “Excellence Every Day” but they have also invested in the health and financial sustainability of the fund.

Motion by Mr. Klevan, seconded by Mr. Owen, to recognize the Germantown Water Production Staff for their exemplary work and success with the State of Tennessee Sanitary Survey Inspection Report.

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

Recognition of Contributors to GPAC

GPAC Director Paul Chandler came forward to recognize donations and gifts to the Germantown Performing Arts Center (GPAC) in support of the 2014-2015 GPAC Season totaling \$670,445.64. Special recognition was given to the members of the GPAC Presenters Circle who donate at least \$1,000.00 per year with a commitment of three years.

Mr. Chandler thanked Patrick Lawton for his guidance and leadership, and the following staff and special contributors: Director of Development Deni Hirsh, Assistant to the Director Angie Keathley, Delores Kinsolving, Mayor Palazzolo, Milton Schaffer and the Scheidt Family Foundation who had contributed to GPAC for twenty years and to Pam Arrindell for hosting the Holiday Chalet. There is 100% Board participation at the giving level and he recognized Sam Beach and Gary Lendermon who were present. He also thanked the Guild for their time, support and contributions.

The City of Germantown is the largest contributor. The second largest contributor is Duncan Williams. Mr. Gary Lendermon, representing Duncan-Williams, came forward and expressed the gratitude of Duncan-Williams for the City's generous support of Germantown Performing Arts Center. As a Board member of GPAC he recognized Paul Chandler and his staff for providing world class entertainment, education and leadership at GPAC. He also thanked the entire GPAC Board, mayor, aldermen, and city administrator for their vigorous support of GPAC.

Motion by Mr. Owens, seconded by Ms. Gibson, to acknowledge gifts to the Germantown Performing Arts Center (GPAC) totaling \$482,342.06 in cash donations and in-kind contributions valued at \$188,103.58, including Annual Fund, GYSO Scholarships, Corporate Sponsorship, Grants, and Special Events, for a total donation value of \$670,445.64 in support of the 2014-2015 GPAC Season, with special recognition for the members of the GPAC Presenters Circle.

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

Citizens to be Heard

There were no citizens to come forward to be heard.

CONSENT

FY16 On-call Engineering Services

The City does not have an in-house traffic engineer. Kimley-Horn & Associates Inc. (KHA) has provided excellent on-call services for the City since 2006. The City 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.

MOTION: To authorize the Mayor to enter into a Professional Services Agreement for On-call Engineering Services with Kimley-Horn & Associates, Inc. in an amount not to exceed \$40,000.00 for FY16.

Memorandum of Understanding – Germantown Board of Education

The City previously approved a lease with Apple, Inc. for 350 Apple computers for the Germantown Municipal School District. The district is unable to enter into a long-term lease agreement and must rely upon the City to execute this type of agreement. 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.

MOTION: 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.

Motion by Mr. Barzizza, seconded by Mr. Klevan, to accept the Consent Agenda as presented.

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

Resolution 15R12 - Mid-South Regional Greenprint Plan

Parks and Recreation Director Pam Beasley stated this resolution would demonstrate the City's support of the Mid-South Regional Greenprint Plan. Shelby County had 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. 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.

Ms. Beasley represented the City on two consortium working groups: Parks and Greenways and Resource Conservation and Environmental Protection. The Parks & Recreation 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. The Planning Commission and the Environmental Commission also reviewed and recommended adoption of the plan.

By adopting the plan, it shows a regional show of support and Germantown is not bound by any of the provisions in the plan.

John Zeanah, Administrator for the Memphis-Shelby County Office of Sustainability and program manager of the Greenprint planning initiative, came forward and thanked the City for allowing him to speak to the Board and other boards and commissions to explain what the main objective of connectivity would mean to the different areas. He looks forward to the implementation of the plan.

Mr. Zeanah introduced John Michaels who works not only with the Office of Sustainability but also with the Greater Memphis Chamber of Commerce. They had received a grant from Hyde Foundation to help transition the plan over next few years.

Alderman Owens brought to the Board's attention that the Office of Sustainability had recently won an international award, Excellence in Sustainability for Plan Award, from the American Planning Association Stable Communities Division.

Alderman Gibson, as liaison to the Parks & Recreation Commission, stated she was proud of the deliberate planning for the connectivity.

Alderman Klevan, as liaison to the Environmental Commission they took this plan very seriously and he appreciated all their due diligence.

RESOLUTION 15R12

RESOLUTION TO ADOPT GREENPRINT 2015/2040, ALSO KNOWN AS THE MID-SOUTH REGIONAL GREENPRINT AND SUSTAINABILITY PLAN, A TRI-STATE PLANNING INITIATIVE FUNDED BY A GRANT AWARD FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

WHEREAS, on November 21, 2011, Shelby County Government was awarded a Regional Planning Grant from the U.S. Department of Housing and Urban Development

Office of Sustainable Housing and Communities in the amount of \$2,619,999 for the period of February 1, 2012 to January 31, 2015;

WHEREAS, the Regional Planning Grant funded the development of the Mid-South Regional Greenprint and Sustainability Plan to develop a unified, 25-year vision for a network of green space connecting Shelby County, TN, Fayette County, TN, Crittenden County, AR, and DeSoto County, MS;

WHEREAS, a consortium of 82 organizations, represented by over 300 individuals, from the tri-state area formally agree to cooperatively develop the Mid-South Regional Greenprint and Sustainability Plan over a three-year period;

WHEREAS, eight working groups were formed in order to address the comprehensive focus on the Mid-South Regional Greenprint and Sustainability Plan: Parks and Greenways, Social Equity, Alternative Transportation and Fuels, Community Health and Wellness, Housing and Neighborhood Land Use, Resource Conservation and Environmental Protection, Workforce Development and Regional Employment, and Data Mapping and Evaluation;

WHEREAS, GREENPRINT 2015/2040 is the culmination of work by the consortium and working groups that includes a regional vision plan, an implementation strategies report, a bus transit to workplace study, a health impact assessment, a fair housing and equity assessment, data and mapping, community engagement and capacity building, and 20 local subplans;

NOW THEREFORE BE IT RESOLVED, that the City of Germantown formally adopts GREENPRINT 2015/2040, also known as the Mid-South Regional Greenprint and Sustainability Plan, as the regional green space and sustainability plan;

BE IT FURTHER RESOLVED, that the Mayor of Germantown shall direct parks, planning, or other appropriate staff to consider recommendations of GREENPRINT 2015/2040 in plans developed for Germantown;

BE IT FURTHER RESOLVED, that the concept map for a regional network of green space contained in GREENPRINT 2015/2040 shall serve as a foundation for connecting greenways and trails across city, county, and state lines in the Mid-South region;

BE IT FURTHER RESOLVED, that the Mayor of Germantown shall direct staff to coordinate with neighboring jurisdictions on greenways and trails to **ensure connectivity is considered.**

This RESOLUTION adopted on this THIRTEENTH DAY of JULY, 2015.

Motion by Ms. Gibson, seconded by Mr. Owens, to adopt Resolution 15R12 thereby adopting the Mid-South Regional Greenprint Plan as a local and regional sustainability planning guide.

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

Public Hearing – Ordinance 2015-8 – Amendment to Animal Control Ordinance – Second Reading

Public Works Director Bo Mills stated this was the second reading of this ordinance to add to the animal ordinance. The first addition is to define a proper shelter which will allow the Animal Shelter staff to address situations where outdoor pets are kept without proper shelter to protect them from the elements. The second addition deals with repeat offenders where pets escape their impoundment structures. This 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.

Alderman Owens thanked Ms. Kim Sauer for bringing this to his attention. He also thanked Bo Mills, Debra Wiles, and the others who worked to get this ordinance changed.

Mayor Palazzolo opened the public hearing. Having no one come forward, the public hearing was closed.

Motion by Mr. Klevan, seconded by Mr. Owens, to approve Ordinance No. 2015-08 Amendments to Animal Control Ordinance on Second Reading.

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

Germantown Education Foundation Fill the Fountain Disbursement

Mr. Lawton stated an objective was established at Board's retreat in 2014, to offer citizens of Germantown the opportunity to participate in the ability to donate funds to the Germantown Education Foundation through their monthly water bill. The program is called "Fill the Fountain of Knowledge". This program has no budgetary impact on the City as the money is collected from citizens through their monthly utility bill. In the future, requests will be presented to the Board on a quarterly basis and remitted to the Germantown Education Foundation.

Mayor Palazzolo gave special recognition to the BMA, to Germantown Municipal School District Board, our County Commissioner, and all the members of those two bodies, who participate in the monthly deduction of various amounts. The Board of Education and the BMA stand behind this program.

Motion by Mr. Barzizza, seconded by Ms. Gibson, to authorize the transfer of funds collected by the City from residents to the Germantown Education Foundation in the amount of \$4,829.71.

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

ADJOURNMENT

Mayor Palazzolo adjourned the regular meeting and reconvened as a Beer Board.

BEER BOARD

Public Hearing – Beer Permit – Mellow Mushroom

Mr. Lawton stated Stephen and Julie Meek, the new owners of Mellow Mushroom located at 3075 Village Shops Dr., are applying for a beer permit for on-premise consumption. The police report had found nothing to discredit the applicant and staff had recommended approval.

Mayor Palazzolo opened the public hearing. Having no one come forward, the public hearing was closed.

Motion by Ms. Gibson, seconded by Mr. Barzizza, to approve the request from BCG Brothers LLC for a permit to sell beer for on-premise consumption at Mellow Mushroom, located at 3075 Village Shops Dr. #26.

ROLL CALL: Barzizza-yes, Gibson-yes, Klevan-no, Owens-yes, Janda-yes. Motion approved.

The meeting was adjourned.