



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, August 10, 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. **CONSENT**
 - a. Professional Services Agreement – Germantown Parks & Recreation Exterior Renovations
 - b. Professional Services Agreement - Recodification of Code of Ordinances
8. Shelby County Schools Facility Use Agreement
9. Acceptance of Revised GPAC By-Laws
10. On-line Court Payment System
11. Professional Services Agreement – Forest Hill Heights Small Area Plan

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: August 10, 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: August 10, 2015

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

SUBJECT: GERMANTOWN PARKS AND RECREATION EXTERIOR RENOVATIONS – PROFESSIONAL SERVICES AGREEMENT

INTRODUCTION:

The purpose of this agenda item is to consider approval of a Professional Services Agreement (PSA) in the amount of \$24,325.00 with Ross Witt, PLLC for the Germantown Parks and Recreation exterior renovations.

BACKGROUND:

This building is located in Old Germantown District. The Parks and Recreation building received a total interior refurbishment in 2000 along with exterior painting. Over the past fifteen years, the roofing and multiple exterior areas of the building are in need of extensive refurbishments.

DISCUSSION:

This Professional Services Agreement will provide final plans for bidding. The design scope includes plans and specifications for roofing replacement, elimination of two flat roofs, deteriorated wood replacements, exterior painting, modify design for two exterior porches, replace windows that have deteriorated. The testing for asbestos and lead paint, abatement design is not included as the potential scope is currently undetermined. Design Review Committee application will be needed for new exterior colors and modified roofing design. Construction administration services are included in the scope of the PSA.

City staff met with Ross Witt, PLLC several times to discuss the scope of the project and to negotiate a fee. Staff believes the scope and fee of the PSA adequately addresses the building's exterior needs for the foreseeable future.

The funding for the Professional Services Agreement is included the FY16 Capital Improvements Budget and staff recommends approval.

BUDGET AND STAFFING IMPACT:**Source of Funding:**

<u>Fund</u>	<u>Line Item No.</u>	<u>Dept.</u>	<u>Line Item Description</u>	<u>Budget Balance</u>	<u>Recommended Expenditure</u>
CIP GG1603	032-0000-400.25-40	General Gov't	Prof. Services	\$24,325.00	\$24,325.00

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.

ATTACHMENTS:

Professional Services Agreement - Ross Witt, PLLC

PREPARED BY: Butch Eder

Butch Eder, CIP Manager

REVIEWED BY: Reynold D. Douglas

Reynold Douglas, General Services Director

REVIEWED BY: Lisa Piefer

Lisa Piefer, Procurement Director

REVIEWED BY: Ralph J. Gabb

Ralph J. Gabb, Finance Director

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

To authorize the Mayor to enter into a professional services agreement with Ross Witt, PLLC in the amount of \$24,325.00 for the Germantown Parks and Recreation exterior renovations.

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: August 10, 2015

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

SUBJECT: SHELBY COUNTY SCHOOLS FACILITY USAGE AGREEMENT

INTRODUCTION:

The BMA is asked to consider the adoption of the attached Facility Usage Agreement for the three Shelby County Schools (SCS) located in Germantown (Germantown High School, Germantown Middle School and Germantown Elementary School) providing them the ability to secure scheduled use of certain City-owned park facilities; AND, for the City of Germantown Parks and Recreation Department (GPRD) to schedule and utilize their (SCS) indoor spaces for community recreation and sports programs.

BACKGROUND:

With the implementation of Germantown's own school district last year, the Germantown City Administration worked with the Superintendent of Shelby County Schools to develop a facility usage agreement for the sports and programs that had traditionally used City parks and amenities for such activities. There was much discussion regarding the needs and desires of both parties. The final agreement clearly laid out the terms and conditions for the use of these facilities and defined the fees associated with the cost of operation which would be paid by SCS to the City of Germantown.

At the conclusion of the school year and the term of the contract, the Mayor's office, City Administration, and City staff worked with the principals of these three SCS Germantown schools to reevaluate the terms of the previous agreement. There was a willingness by all parties to renegotiate a new agreement that would provide facility usage by both entities without monetary cost to either. This model provides more of a partnership arrangement.

DISCUSSION:

Details of the new contract reflect in-depth conversation between SCS and City legal staff, the SCS school principals and the Director of Parks and Recreation. The recommended revisions made to last year's facility usage agreement and related exhibits are as follows:

1. Germantown Middle School and Germantown Elementary School have been added to the usage agreement.
2. All SCS soccer programs have been moved from the Soccerplex to the east Farmington field.
3. The Germantown Middle School and Germantown Elementary School will have permission to schedule the Soccerplex fields for "in school" physical education programs.
4. For facilities that will be shared by more than one of these schools, Germantown High School will take the lead in submitting one unified schedule request to the City.
5. All SCS usage fees have been eliminated.
6. All approved SCS sports programs will be allowed to charge admission fees during sanctioned school games, matches and/or tournaments.
7. The City of Germantown Parks and Recreation Department will be allowed to schedule and utilize indoor space at all three of these SCS schools for community recreation and sports programs at no cost to the City.

The term of this proposed facility use agreement is for one year.

SHELBY COUNTY SCHOOLS FACILITY USAGE AGREEMENT

August 10, 2015

Page 2

BUDGET AND STAFFING IMPACT:

The fees to be charged for the use of the various facilities identified in the agreement are consistent with the City's recently adopted "resolution on revenues for FY15". The exact amount to be assessed and collected per facility will be determined by the City's parks and recreation staff who will also monitor all aspects of compliance with this agreement.

VISION 2020:

This agreement supports the City's role of being an advocate for our city in looking out for the best interest of our residents, all schools located in Germantown and the community.

ATTACHMENTS:

Facility Usage Agreement

PREPARED BY:

Pam Beasley

Pam Beasley, Parks & Recreation Director

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

To authorize the Mayor to execute the attached Facility Usage Agreement for the use of certain City park facilities with the Shelby County Board of Education and the use of indoor space in the three Germantown SCS schools by the City of Germantown Parks and Recreation Department.

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: August 10, 2015

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

SUBJECT: ACCEPTANCE OF THE REVISED BYLAWS OF THE GERMANTOWN PERFORMING ARTS CENTER

INTRODUCTION:

The purpose of this agenda item is to accept the revised bylaws of the Germantown Performing Arts Center (GPAC). During FY15, GPAC Board of Directors worked with staff, Administration and the City Attorney to revise the GPAC Bylaws. The new language better reflects how the operation has been working for the past 13 years. The bylaws were unanimously approved by the GPAC Board of Directors at its July 7, 2015 board meeting.

BACKGROUND:

In 1998, an amendment to the contract between the City of Germantown and the GPAC Board of Directors stated the bylaws shall not become effective until approved by the Board of Mayor and Alderman of the City of Germantown.

DISCUSSION:

FY15 GPAC Board President, Bob Baker, spearheaded the effort to revise the bylaws which included a detailed review of the entire bylaws and contractual history dating back to the opening of GPAC. His effort will allow a clearer understanding of this governing document.

VISION 2020:

GPAC is an entertainment venue providing year-round programs, performances and events for Germantown residents and the region.

ATTACHMENTS:

GPAC Revised Bylaws dated July 7, 2015

PREPARED BY: Angie Keathley

GPAC Assistant to the Director

REVIEWED BY: Paul Chandler

GPAC Executive Director

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

To accept the revised GPAC Bylaws dated July 7, 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: August 10, 2015

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

SUBJECT: On-Line Court Payment System

INTRODUCTION:

The purpose of this agenda item is for the City to enter into a contract with nCourt for 36 months with 2 successive twelve month period at the discretion of the City to accept on-line court payments.

BACKGROUND:

The Germantown Municipal Court Case Management system, New World System, does not provide its' customers with the ability to pay traffic tickets, court costs and fines online. In an effort to meet the demands of the Court customer and to improve Court collections, an RFP was sent to vendor requesting the ability to accept online payments.

DISCUSSION:

An evaluation team of 3 members from Court, 2 members from Finance and a member from Procurement met to evaluate an On-Line payment system for the Court. The evaluation team selected as the criteria technical requirements, financial requirement, qualifications, experience and quality of response from the vendor. In addition, the proposed vendor performed an on-site presentation of nCourt, LLC on May 14, 2015. N-Court, LLC a nation's leading provider of government electronic payment services, nCourt, LLC develops fully customized end-to-end payment solutions for more than 1,000 courts in 29 states. In addition, they reduce the administrative burden on and cost to the government agency while simultaneously increasing the level of service. They offer a highly customized service that will allow our citizens/customers to easily make payments on-line, 24 hours a day, 7 days a week from the convenience of their home or mobile device. This significantly reduces traffic at court, speeds up the payment process and results in a great reduction in administrative burden placed on the Court. In addition, they provide bi-lingual call center service. They will accept all major credit and debit card brands (MC, VISA, AMEX, DISCOVER) and they absorb all merchant processing fees. They will integrate our case management system (New World System) to their system to provide automated, real-time updates and provide the City with real-time access to the details of all transactions.

All costs for development, hosting, application, processing, customer service and merchant fees related to the Programs are underwritten by a "user fee" included in the payment transaction of the citizen/customer. All of the services provided by nCourt is at no cost to the City. All costs incurred are covered by service fees collected at the time of payment. There will be no cost to the City for the implementation and operation of the program. The user fee charged to the customer/citizen will be 5% per transaction.

VISION 2020:

This supports the Financial Sustainability goal within the Vision 2020 Plan of "City Services and Finances": Every manager and supervisor taking responsibility for managing resources in a prudent manner.

BUDGET AND STAFFING IMPACT:

There is no budget or staffing impact.

ATTACHMENTS:

RFP Report
nCourt Proposal

Prepared by: Ralph J. Gabb

Ralph J. Gabb, Finance Director

Reviewed by: Linda Rathje

Linda Rathje, Accounting Manager

Reviewed by: Billy Price

Billy Price, Court Clerk

Reviewed by: Lisa A. Piefer

Lisa A. Piefer, Procurement Director

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

To authorize the Mayor to sign a contract with nCourt for a period of 36 months beginning August 10, 2015 and at the City's option extend the contract for two (2) additional successive twelve (12) month period for on-line court payment services.

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
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CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: August 10, 2015

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

SUBJECT: PROFESSIONAL SERVICES AGREEMENT – FOREST HILL HEIGHTS SMALL AREA PLAN

INTRODUCTION:

The purpose of this agenda item is to authorize the mayor to execute the development proposal for a redevelopment planning study along the city's southern border near Forest Hill-Irene and Winchester in the area known as Forest Hill Heights.

BACKGROUND:

In August 2012 the Board of Mayor and Aldermen adopted a long-range strategic plan for the economic development future of our city. The plan was based on five guiding principles with specific actions to measure our level of success. One area in particular called for the development of small area planning studies in the city's existing commercial and business areas. With the potential for development occurring around the City's southern borders (see attached map) Economic and Community Development contacted the property owners in this area about the potential for the development of a small area redevelopment plan consistent with the recommendations from the strategic plan. A small area plan is a comprehensive planning document that address the issues of a portion of the city that have a cohesive or common set of characteristics. The plan addresses the areas unique characteristics and issues with solutions tailored to the area.

DISCUSSION:

Attached to this agenda sheet are four documents (1) a map of the study area (2) the contract for planning services, (3) the joint funding agreement and (4) the budget. The planning services document outlines the scope of work Looney Ricks Kiss ("LRK") and their subcontractors will provide in the development of this small area plan. Similar to the work that was previously done on the CBD Smart Growth Plan, Germantown Smart Code, and the Western Gateway Small Area Plan, LRK will provide the City with a comprehensive plan and land use recommendations (including Smart Code application) to develop and implement the strategies and recommendations contained within the planning document.

The property owners known as Forest Hill Associates, which have a large tract within the study area (101 acres), have agreed to assist in the funding of this study. The joint funding agreement attached to this agenda sheet outlines their involvement and financial contribution. The contract, pending approval by the Board of Mayor and Aldermen, will be encumbered by the City.

VISION 2020:

The small area planning work envisioned in this study supports the Vision 2020 objective of by helping to create a vibrant and robust economy, including well planned, designed, constructed and maintained infrastructure, and promotes safe and efficient mobility.

BUDGET AND STAFFING IMPACT:

Economic and Community Development Director, Cameron Ross will serve as the project manager with assistance from all ECD divisions.

