



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 24, 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. Repair to High Service Pump #2 at Johnson Road Water Plant
 - b. PEG Distribution to GMSD
 - c. Shelby County Books from Birth Grant
 - d. Annual Water System Maintenance Fee – TDEC
 - e. Purchase – Brush Chipper
 - f. Purchase - Back Hoe
 - g. Purchase – RTV
 - h. Purchase – Portable Radio for Police Department
 - i. Donation – Germantown Fire Department
8. Project Development Contract 1198 – Thornwood PUD Phase 2 (Bob Richards Jewelry)
9. Project Development Contract 1199 – Thornwood PUD Phase 3 (Hampton Inn)

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 24, 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	BARIZZA	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 24, 2015

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

SUBJECT: Repair to High Service Pump #2 at Johnson Road Water Treatment Plant

INTRODUCTION:

The purpose of this agenda item is to request authorization to contract with National Water Services, LLC (NWS) for repairs to High Service Pump # 2 at the Johnson Road Water Treatment Plant in the amount of \$14,011.00.

BACKGROUND:

The pump shaft has been locking up on high service pump #2 and staff requested that two local vendors come out and make an assessment and submit bids for repair and restoration. Both companies found damage to the bowl, column shaft and bowl bearings. To restore the pump to maximum efficiency, a new bowl, column assembly, pump shaft and bearings are required per the bid documents.

DISCUSSION:

Public Works staff is requesting the award of this contract to NWS to make the necessary repairs identified in the scope of the proposal and then to reinstall the pump. This contract includes all materials, machine shop labor, crews and equipment expense. The maintenance and parts will be under warranty for one year and should restore the pumping capacities to maximum levels. NWS has performed maintenance on pumps in the City's utility system and represents the lowest qualified quote. Please see attachments.

VISION 2020:

This contract supports the Vision 2020 objective for funding a well designed and well maintained utility production and distribution system.

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 Expenditures</u>
Utilities	040-9010-521.26-20	Water	Equipment Maintenance	\$70,407.00	\$14,011.00



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: August 24, 2015

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

SUBJECT: PEG Distribution to GMSD

INTRODUCTION:

The purpose of this agenda item is to authorize the disbursement of Public, Education and Government (PEG) in the amount of \$393,769.70 to the Germantown Municipal School District for the use of capital equipment at the Germantown Municipal Television Station.

BACKGROUND:

With the formation of the Germantown Municipal Schools, one of the earliest goals was to provide an instructional television program for students attending Houston High School. At the expiration of the *Access Together* contract on July 1, 2014 between the City of Germantown and GHS-TV, the PEG origination facility was reassigned to Houston High.

On June 2, 2014, the Germantown Municipal School District took possession of Houston High School and converted the small engine repair shop to become the Germantown Municipal Television Station. The school district goals is to design, purchase, install, operate and maintain a full broadcast facility that airs 24/7 to over 14,500 households in the Germantown community over AT&T U-Verse channel 99 as well as Comcast channel 17. The TV station is Germantown Municipal Television, known as GMTV.

DISCUSSION:

The City of Germantown receives PEG funding from Comcast and AT&T based upon the number of subscribers on a quarterly basis. The funds are redirected to the PEG designated station by the City to the Germantown Municipal Television Station. The funds to date represent 2 years of collections that will be paid out to the GMTV. The funding is to be used for capital purchases. The documentation is to be maintained by the Germantown Municipal School District for all capital purchases for the PEG station. These funds will ensure that quality equipment will be purchased and used by the students.

Regarding our Maintenance of Effort (MOE) obligation, MOE takes into consideration the total revenue the City provides the District for current operating funds, excluding capital outlay. Thus our MOE obligation will not be affected by this one-time capital expenditure.

VISION 2020:

The approval of this collection of funds to be transferred to the Germantown Education Foundation brings the City one step closer to achieving its goal of providing a world class education system within our community.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: August 24, 2015

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

SUBJECT: SHELBY COUNTY BOOKS FROM BIRTH GRANT

INTRODUCTION:

The purpose of this agenda item is to authorize the payment of \$12,135.00 to Shelby County Books from Birth.

BACKGROUND:

As part of the FY16 Budget, a \$12,135.00 grant was included in the Administration budget to support the Shelby County Books from Birth program. This funding request was made following discussion among members of the Board of Mayor and Aldermen during their February 2014 retreat. A grant in the same amount was awarded to the program during FY15.

DISCUSSION:

Shelby County Books from Birth is the local affiliate of Dolly Parton's Imagination Library. The Books from Birth program promotes kindergarten readiness and strengthens family bonds in Shelby County by providing age-appropriate books for all children from birth to age five. The premise is simple – provide families with the early resources they need to put their child on a pathway to success in school and life.

Since 2005, Shelby County Books from Birth has been enrolling children into the Imagination Library at no charge to parents or the community. In Germantown, approximately 80% of households with children under the age of five years are enrolled, up 5% from last year. This means that over 1,579 children in Germantown receive new a book in the mail each month.

Studies have shown that the program helps children to build vocabulary, enhances learning and increases the bond between parent and child. In 2012, The Urban Child Institute studied children entering kindergarten and compared their Kindergarten Readiness (KRI) scores against many factors. A consistent finding in all of the research was that children that participated in the Shelby County Books from Birth program were the highest performers. This outcome was present in homes of all income levels. This past year, these same students were still the highest performing second graders among their peers and least likely to need any serious interventions.

Because of her influence, Dolly Parton and her Dollywood Foundation keeps the costs of the books very low and the program can be delivered locally for about \$33 per child a year. The Governor's Books from Birth Foundation contribute a set amount per child and local funders – foundations, companies, individuals, and even parents - contribute to pay for the rest.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: August 24, 2015

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

SUBJECT: Annual Water System Maintenance Fee - TDEC

INTRODUCTION:

The purpose of this agenda item is to request authorization for payment to the Tennessee Department of Environment and Conservation (Division of Water Supply) in the amount of \$18,141.50 for the State Facility Maintenance Fee as established by the Water Quality Control Board.

BACKGROUND:

This fee provides funding for a technical staff which consults with local utility officials on water system issues and is collected from all public water systems in the State of Tennessee. The fee is based upon the type of facility and the number of water service connections and was implemented by the State in 1991 and amended by the Water Quality Control Board on July 22, 1992. (Rule 1200-5-1.32).

DISCUSSION:

The City of Germantown qualifies as a community water system with the maintenance fee based upon the number of service connections (13,955 units @ \$1.30 each). The last increase was approved by the state in February of 2008.

VISION 2020:

This project supports the Vision 2020 Strategy for a well designed and well maintained water distribution system by constantly evaluating data and utilizing resources to support defined goals of community vitality and safety.

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 Expenditures</u>
Utilities	040-9010-521.25-40	Water	Professional Services	\$109,999.65	\$18,141.50

ATTACHMENTS

Invoice



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: August 24, 2015
FROM: Patrick J. Lawton, City Administrator *PSL*
SUBJECT: BRUSH CHIPPER PURCHASE

INTRODUCTION:

The purpose of this agenda item is to request the Board's authorization to purchase a 2015 Bandit Brush Chipper Model 990HD from Williams Equipment & Supply Company in the amount of \$36,822.80 and to approve budget adjustment No.16-11. In addition, authorization is requested to declare unit 579 a 1997 Vermeer Model 935 Brush Chipper as surplus property.

BACKGROUND:

This is a replacement for a 1997 Vermeer Model 935 Brush Chipper. The current brush chipper has exceeded its dependable life cycle and due to its age and size parts availability is an issue. The old machine is a disc-type machine and is not as efficient and versatile as the drum type machine being recommended for purchase. The new machine is a heavier industrial type machine which can accommodate larger and hard to manage material thus increasing production while reducing trimming and additional chainsaw work.

DISCUSSION:

For this purchase, the City will utilize a cooperative purchasing agreement through National Joint Powers Alliance (NJPA). Procurement staff has reviewed NJPA Contract number #031014-BAN to ensure that pricing, terms and contract dates are acceptable and recommends the purchase of this item. Williams Equipment & Supply Company participates in the cooperative pricing process. Funding for this was approved as part of the FY16 budget.

VISION 2020:

This purchase supports Goal 22 Financial Sustainability by investment in maintaining and upgrading the City's facilities and infrastructure.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: August 24, 2015

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

SUBJECT: BACKHOE PURCHASE

INTRODUCTION:

The purpose of this agenda item is to request the Board's authorization to purchase a 2015 Caterpillar Backhoe Model 420F2 from Thompson Machinery Company in the amount of \$103,090.67. In addition, authorization is requested to declare unit 723 a 1999 Case 580 Super L Backhoe as surplus property.

BACKGROUND:

This is a replacement for a 1999 Case 580 Super L Backhoe utilized by the water department. This machine is used for excavating and backfilling of waterlines. The current backhoe has exceeded its dependable life cycle and due to its age parts availability has become an issue.

DISCUSSION:

For this purchase, the City will utilize a cooperative purchasing agreement through National Joint Powers Alliance (NJPA). Procurement staff has reviewed NJPA Contract number #060311-CAT to ensure that pricing, terms and contract dates are acceptable and recommends the purchase of this item. Thompson Machinery Company participates in the cooperative pricing process. Funding for this was approved as part of the FY16 budget.

VISION 2020:

This purchase supports Goal 22 Financial Sustainability by investment in maintaining and upgrading the City's facilities and infrastructure.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: August 24, 2015
FROM: Patrick J. Lawton, City Administrator *PSL*
SUBJECT: RTV PURCHASE – FARM PARK

INTRODUCTION:

The purpose of this agenda item is to request the Board's authorization to purchase a new Cushman Hauler Pro 72 from 4 Seasons Equipment Company in the amount of \$13,155.09

BACKGROUND:

The Farm Park has been well received throughout the community and is continuing to expand with programming along with special events. Capital improvements are currently underway to provide infrastructure and amenities needed for the continued success of the park. As the park progresses additional equipment is required with the capabilities to haul and tow items as required for general maintenance or special events.

DISCUSSION:

This is not a replacement vehicle and it will become a part of the City's equipment and fleet inventory and assigned a unit number. As mentioned previously, the vehicle will be used for general maintenance at the Farm Park but can also be used in other areas of the City during special events.

For this purchase, the City will utilize a cooperative purchasing agreement. Procurement staff has reviewed MS State Contract number 8200016905, number 1130-15-C-SWCT-00588 to ensure that pricing, terms and contract dates are acceptable and recommends the purchase of this item. 4 Seasons Equipment Company participates in the cooperative pricing process. Funding for this was approved as part of the FY16 Budget.

VISION 2020:

This purchase supports Goal 22 Financial Sustainability by investment in maintaining and upgrading the City's facilities and infrastructure.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: August 24, 2015

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

SUBJECT: Portable Radio for Police Department

INTRODUCTION:

The purpose of this agenda item is to request authorization to purchase Motorola Portable Radios for the Police Department from the Tennessee Statewide Contract # 418 in the total amount of \$14,334.25.

BACKGROUND:

Members of the Police Department are issued Motorola portable radios to stay in constant contact with each other, supervisors and dispatch for their and others safety.

DISCUSSION:

The TN SWC No. 418 Utilizes Motorola Solutions for the purchase of portable radios that are compliant with what the Police Department currently utilizes. With the addition of new Police Officers this fiscal year there is a need to increase the amount of portable radios. The TN SWC No. 418 for the portable radios include all the accessories needed to have the radios ready for immediate use. The cost for each radio will be \$2,047.75 for a total of seven (7) at \$14,334.25.

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>
General	010-2010-421.39-00	Police	Non-Cap Assets	\$31,000.00	\$14,334.25

VISION 2020:

This purchase supports the Vision 2020 Public safety Goal Plan 1 & 3 and objectives people are safe and feel secure and the objectives of having the right equipment and resources to handle the emergency response and City Services and Financial Goal 22 of investing in maintaining and upgrading the City's facilities and infrastructure.

ATTACHMENTS:

Procurement Staff has verified the contract pricing and has the information on file.

PREPARED BY: Michael C. Berkes

Captain M. C. Berkes

REVIEWED BY: Richard L. Hall

Richard L. Hall, Chief

REVIEWED BY: Tony Fischer

Tony Fischer, IT 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 approve the purchase of Motorola Portable Radios per the TN SWC No. 418 for a total cost of **\$14,334.25**.

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 24, 2015
FROM: Patrick J. Lawton, City Administrator *PSU*
SUBJECT: Donation to Fire Department LAFS Program

INTRODUCTION:

The purpose of this agenda item is to accept donations to the Fire Department for use in the Learning About Fire Safety (LAFS) educational program totaling \$475.00 and to approved Budget Adjustment No. 16-3.

BACKGROUND:

The Learning About Fire Safety program, or LAFS, has been in existence since 2000. Several fire fighters conceived and created the program to teach safety behaviors to children through clowning. The fire fighters developed unique clown personalities that the children readily identify with, which enables these "clowns from the Fire Department" to deliver a message that the children will remember. The fire fighters contributed a lot of time, talent, and their own money to the program initially. As the program progressed, we have used a combination of general fund revenues and grants to fund equipment and supplies to expand and improve the program.

DISCUSSION:

The Fire Department has received donations from the following individuals:

June C. Boswell*	\$10.00
Robert & Catherine King*	\$20.00
Richard Jordan & Teresa Sweeney*	\$25.00
Susan Kingston*	\$50.00
Germantown Woman's Club	\$120.00
Michael and Cheryl Rubenstein	\$250.00

* Members of Germantown Woman's Club

These funds will be used to provide equipment and supplies for the LAFS Program in preparation for Fire Prevention Month.

VISION 2020:

The LAFS program meets a Vision 2020 goal of being the safest city in the southeast, taking a proactive approach to community safety, and ensuring an effective emergency warning system for that area, as well as delivering services in the most cost-effective manner.

DONATION TO LAFS PROGRAM

August 24, 2015

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ATTACHMENTS:

Budget Adjustment No. 16-3.

Prepared by: Jody Dwyer
Jody Dwyer, Fire Marshal

Reviewed by: John Selberg
John Selberg, Fire Chief

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

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

To accept donations in the total amount of \$475.00 to support the Fire Department LAFS program and to approve Budget Adjustment No. 16-3.

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 24, 2015

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

SUBJECT: Project Development Contract 1198 – Thornwood PUD, Phase 2 (Bob Richards Jewelry)

INTRODUCTION:

The purpose of this agenda item is to approve Project Development Contract no. 1198, for the construction of a retail jewelry store on the east side of Germantown Rd., north of Neshoba Rd., within the Thornwood Planned Unit Development. The specific Board of Mayor and Aldermen action requested is approval of the standard development agreement.

BACKGROUND:

The property was rezoned from the “R” Single Family Residential District to the T-4 and T-5 districts as part of the Germantown Smart Growth Plan in 2007. The Thornwood Outline Plan was approved by the Planning Commission on April 1, 2014 and by the Board of Mayor and Aldermen on May 12, 2014. The Planning Commission approved the Phase 2 preliminary and final site plan on August 5, 2014, including 2 warrants to allow parking within the second lot layer (between the front building line and a point 20 feet behind the front line) and allow 40% of the Principal Frontage of the sidewalk-level story to be in clear glass. The BMA approved those same warrants on August 25, 2014.

DISCUSSION:

Phase 2 consists of a 5,000 square foot retail jewelry store building. The building will be 28 feet (2 stories) in height and have 25 parking spaces located to the east and south of the building. The plan complies with the site and design requirements of the T-5 district with the 2 exceptions of the 2 warrants described above.

VISION 2020:

This project meets the goal of contributing to a vibrant quality retail economy, and the objective of “retail businesses generating revenues for the City, helping to balance tax base”.

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

Attachment 4 – Planning Commission Minutes



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**DATE:** August 24, 2015**FROM:** Patrick J. Lawton, City Administrator *PSL***SUBJECT:** Project Development Contract 1199 – Thornwood PUD, Phase 3 (Hampton Inn)**INTRODUCTION:**

The purpose of this agenda item is to approve Project Development Contract no. 1199, for the construction of 106 room, 5 story hotel on the east side of Germantown Rd., north of Neshoba Rd., within the Thornwood Planned Unit Development. The specific Board of Mayor and Aldermen action requested is approval of the standard development agreement.

BACKGROUND:

The property was rezoned from the “R” Single Family Residential District to the T-4 and T-5 districts as part of the Germantown Smart Growth Plan in 2007. The Thornwood Outline Plan was approved by the Planning Commission on April 1, 2014 and by the Board of Mayor and Aldermen on May 12, 2014. The Planning Commission approved the Phase 3 preliminary and final site plan on August 5, 2014, including 1 warrant to allow the building to have 60% of the Principal Frontage of the sidewalk-level story in dark tinted glass where the standard requirement is for clear glass. The BMA approved that same warrant on August 25, 2014.

DISCUSSION:

Phase 3 of the project consists of a 108 room, 4 story hotel. The plan complies with the site and design requirements of the T-5 district with the one exception described above.

VISION 2020:

This project meets the goal of contributing to a vibrant quality retail economy, and the objective of “retail businesses generating revenues for the City, helping to balance tax base”.

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

Attachment 4 – Planning Commission Minutes

Contract 1199
August 24, 2015 BMA meeting

PREPARED BY: Wade Morgan
Wade Morgan, AICP, Chief 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 1199 for Phase 3 (Hampton Inn) of the Thornwood PUD .

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