

## **BOARD OF MAYOR AND ALDERMEN**

September 14, 2015

The regular meeting of the Board of Mayor and Aldermen was held on Monday, September 14, 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, Paul Chandler, Ralph Gabb, Reynold Douglas, Christy Nini, Daniel Page, Cameron Ross, Butch Eder, Bo Mills, Steve Wilensky, Tony Fischer, Lisa Piefer and Dotty Johnson.

### **Call to Order**

Mayor Palazzolo called the meeting to order.

### **Invocation**

Finance Director Ralph Gabb gave the invocation.

### **Pledge of Allegiance**

Vice Mayor Rocky Janda led the Pledge of Allegiance.

### **Approval of Agenda**

During the Executive Session, the Board made the following changes:

Defer: #7h – Project Development Contract No. 1208 – CAP Germantown  
#8 – Ordinance 2015-9 Budget Amendment

Move: #13 – Special Recognition of Donation to after #5 - Approval of Minutes.

There was also a Special Recognition of Government Finance Officers Association that was placed after the Special Recognition of Donation.

Motion by Mr. Janda, seconded by Mr. Barzizza, 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 or additions to the minutes.

Motion by Mr. Janda, seconded by Ms. Gibson, to approve the minutes of the Board of Mayor and Aldermen meeting held August 24, 2015 as written.

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

### **Special Presentation**

Ms. Stephanie Brockway, Executive Director of the Germantown Education Foundation, introduced Mr. Bobby Lanier and Mr. Jimmy Chancellor who were representing the Germantown Charity Horseshow. They had presented the Germantown Education Foundation with \$25,000 and the Germantown Municipal School District (GMSD) schools with \$25,000.

Mr. Lanier thanked the City for all their help with the Germantown Horse Show.

The Mayor and Board thanked the Horse Show and Mr. Lanier and Mr. Chancellor for their work and contributions to the City over the years and for putting Germantown on the “horse map” and making the show one of the biggest draws for the community, for teaching to lead by example, for setting the stage in the early years and continue, and for their time, talent and treasures that are without equal and for being a true friend of the City.

### **Special Recognition**

City Administrator Patrick Lawton stated the City had received a Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association (GFOA) of the United States and Canada for its cooperation and development of its Comprehensive Annual Financial Reporting (CAFR). Mr. Lawton explained that this is the highest form of recognition in governmental accounting and reporting and its attainment represents a major accomplishment by a government and its management.

The Finance Department had also achieved from GFOA the Award for Outstanding Achievement in Popular Annual Financial Reporting. This document is used to further deploy information from the City's audit and annual financial report in an easily understood format.

Finance Director Ralph Gabb came forward and introduced Accounting Manager Linda Rathje and Accountant Erica Perry who do an outstanding job. This is the 33<sup>rd</sup> consecutive year the City has received this award.

### **Citizens to be Heard**

There were no citizens to come forward to speak.

### **CONSENT**

#### **Landscape and Mowing Services – Change Order**

This change order consists of two additions: 1) eight acres of mowing at Houston Middle School and eight acres of mowing at Houston High School at a cost of \$16,416.00 annually; and 2) maintenance of the medians of the Wolf River Connector consisting of 1.7 miles of landscaped, mulched and irrigated medians which connect Wolf River Blvd. between Kimbrough Road and Farmington Blvd. at a cost of \$41,400.00 annually. This change order increases the third year of the existing contract with Landscape Services Group LLC in the amount of \$57,816.00.

MOTION: To authorize the Mayor to approve change order #1 for the service contract with Landscape Services Group, LLC in the amount of \$57,816.00.

#### **Contract Extension – Water Treatment Chemicals**

This contract extension is for water treatment chemicals needed to provide quality potable water to the City of Germantown customers per State of Tennessee requirements. Due to limited storage options, the chemicals required by each plant must be delivered in timely manner upon notification within 48 hours of the request for product. This purchase will meet the department's needs for approximately one year. The contract is with Brenntag Mid South in the amount of \$7,000.00 and with Ideal Chemical in the amount of \$80,002.86 for a total expenditure of \$87,002.86.

MOTION: To exercise the first year contract extension option to purchase water treatment chemicals in the amount of \$7,000.00 from Brenntag Mid South and in the amount of \$80,002.86 from Ideal Chemical. The total expenditure is \$87,002.86.

#### **Purchase – Tires**

Tires are purchased as required to maintain a safe City fleet. The City has approximately 1200 tires on the ground and is the most expensive maintenance item required in maintaining a fleet operation. The City will utilize a cooperative purchasing agreement. Steepleton Tire Company and Goodyear Wholesale Tire Center participate in the cooperative pricing process. Steepleton Tire Company will provide new tires in an estimated amount of \$40,000.00 and Goodyear Wholesale Tire Center in an estimated amount of \$15,000.00. Goodyear provides pricing only on the Goodyear product.

MOTION: To approve the purchase of new tires from Steepleton Tire Company in an estimated amount of \$40,000.00 and Goodyear Wholesale Tire Center in an estimated amount of \$15,000.00.

### **Competitive Sealed Proposal Authorization Use**

The competitive sealed bid process, which the City uses, may be either impracticable or not otherwise advantageous to the City due to the complexity of certain technological products or the unique nature of certain services. In such cases, the Board may authorize the use of the competitive sealed proposal process. The competitive sealed proposal authorization use will be used on the following services: TPA & Stop Loss Services, Solid Waste Collection Services, Design Services and City Brand Development.

MOTION: To authorize the City to use the competitive sealed proposal process for procuring TPA & Stop Loss Services, Solid Waste Collection Services, Design Services and City Brand Development.

### **Purchase – Ambulance**

This ambulance will be used as a primary ambulance and will allow one of the current front-line ambulances to be used as a back-up ambulance. Because of the increasing EMS call volume, it is necessary for the Fire Department to be able to place a total of five ambulances into service at any given time.

MOTION: To approve the purchase of a 2016 Type 1 ambulance along with related equipment from Taylor Made Ambulance in the amount of \$197,999.00.

### **Project Development Contract No. 1198 – Thornwood PUD, Phase 2 (Bob Richards Jewelry)**

Phase 2 of this development 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 exception of two warrants. The two warrants are 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 warrants were approved on August 25, 2014.

MOTION: To approve Project Development Contract No. 1198 for Phase 2 (Bob Richards Jewelry) of the Thornwood PUD.

### **Project Development Contract No. 1199 – Thornwood PUD, Phase 3 (Hampton Inn)**

Phase 3 of this project consists of a 108 room, 4 story hotel. The plan complies with the site and design requirements of the T-5 district with one exception. The warrant is 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 Board approved the warrant on August 25, 2014.

MOTION: To approve Project Development Contract No. 1199 for Phase 3 (Hampton Inn) of the Thornwood PUD.

### **Development Contract No. 1208 – CAP Germantown - DEFERRED**

#### **Add-On – Appointment to Germantown Education Foundation**

Mr. Joseph R. Koehane, Jr. has been a valued member of several organizations in the City serving both the community and on a professional level. He has an extensive background with foundations and working on education initiatives. He will bring skills that will be an asset to the Germantown Education Foundation.

MOTION: To approve the appointment of Mr. Joseph R. Keohane, Jr. to serve on the Germantown Education Foundation.

#### **Change Order #2 – Purchase of Additional Outdoor Security Cameras**

With expansion capabilities of the security system and contract pricing still valid with Tyco Integrated Security, staff recommends the purchase and installation of an additional 19 security cameras that will

monitor outside GPAC, Great Hall and replace existing cameras outside GAC for improved security in parking lots surrounding the facilities.

MOTION: To request approval of a change order for the purchase of nineteen (19) additional outdoor security cameras with the annual monitoring charge in the amount of \$39,033.82 from Tyco Integrated Security under the NJPA Contract 031913-TIS and declare the replaced cameras as surplus.

**Declaration of Surplus Property – GPAC Dimmers**

A new dimmer system was successfully installed during July and August of FY16. With the Board's approval, the original lighting dimmer system will be declared as surplus property and will allow the sale and documented disposal of the old system.

MOTION: To declare the GPAC dimmer equipment as surplus property and allow for the sale and disposal of the items.

Motion by Mr. Janda, seconded by Mr. Owens, to accept the consent agenda as presented.

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

**REGULAR AGENDA**

**Ordinance 2015-9 – Budget Amendment - DEFERRED**

**Ordinance 2015-10 – Amendment to Education Commission Ordinance**

Mr. Lawton stated that this amendment will add a non-voting Germantown School Board liaison to the commission. Current commission members feel this addition will strengthen the commission's ability to fulfill their goals through a first-hand account of GMSD priorities and projects. The addition will also foster a cooperative and supportive relationship between the Education Commission and the Board of Education.

Motion by Ms. Gibson, seconded by Mr. Barzizza, to approve Ordinance 2015-10, an ordinance to amend the Germantown Education Commission membership on first reading and to set Monday, October 12, 2015 as the public hearing date to consider this ordinance amendment.

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

**Payment to Shelby County Schools**

Mr. Gabb stated this payment represents the second of twelve yearly payments to the Shelby County Board of Education (SCBE) for the settlement of litigation over the formation of the Germantown Municipal School District (GMSD) and the conveyance by SCBE of Dogwood, Farmington and Riverdale Elementary Schools, Houston Middle School and Houston High School to the GMSD for management and operation.

Motion by Ms. Gibson, seconded by Mr. Owens, to authorize the payment of \$355,453.00 to the Shelby County Board of Education on behalf of the Germantown Board of Education per Section 7 of the Agreement of Compromise and Settlement executed on January 6, 2014.

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

**Germantown Athletic Center Renovation – Phase 1 – Construction Contract**

Athletic Club Director Phil Rogers explained that Phase 1 consists of improvements to both the upper and lower levels north of the check-in and east of the gym, including the staff office area, children's area spin class room and meeting rooms. In addition, significant improvements to HVAC, plumbing, fire protection and electrical systems will be accomplished during this phase. Two contractors submitted bids with A and B Construction submitting the lowest base bid of \$1,383,247.00. Staff is also recommending

the acceptance Alternate 2, renovation of the aquatics office in the amount of \$74,482.00 for a total project cost of \$1,457,729.00.

Motion by Mr. Owens, seconded by Ms. Gibson, to approve a construction contract with A and B Construction in the amount of \$1,457,729.00 for the construction of Phase 1 of the Germantown Athletic Club Renovation Project.

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

**Design Supplement No. 2 – Contract Administration - Contract – Inspection – GAC Phase 1**

CIP Manager Butch Eder stated that this supplement would provide construction administrative services to support the City's staff during the construction of Phase 1 of the Germantown Athletic Club Renovation Project. The \$24,000.00 fee for this proposed Supplement No. 2 brings the total cost of the Professional Services Contract for the project to \$282,500.00.

Motion by Mr. Owens, seconded by Mr. Klevan, to approve Supplement No. 2 in the amount of \$24,000.00 to the Professional Services Agreement with Fleming Architects for contract administration and construction inspection essential for Phase 1 improvements to the Germantown Athletic Club increasing the contract amount from \$258,500.0 to \$282,500.00.

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

Mayor Palazzolo congratulated Phil Rogers and his staff for their work in turning the club around and making it self sufficient and his efforts. All the money has been paid back to the General Fund and now it is an Enterprise Fund and the renovations that are being made are being paid by the club.

**Liason Reports**

Alderman Klevan reported that Amnesty Day would be this coming Saturday and things could be brought to Johnson Road Park or Southern Ave. No hazardous waste.

Germantown Festival was this past weekend and Alderman Klevan recognized the Public Works Department, Fire and Police Departments and all who helped make it so successful.

Alderman Gibson reported the Parks and Recreation Harvest Day and Fall Festival would be held on October 24.

Neighborhood Preservation is presently working on the Neighborhood Summit.

Alderman Barzizza reported the Historic Commission is working on the old Train Station and making it ADA compliant and a Grand Opening is being planned.

Mayor Palazzolo recognized Public Works, Public Safety, Parks & Recreation and the Germantown Festival Committee for their tireless work and volunteerism.

**Adjournment**

The meeting was adjourned at 6:30 p.m.