



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, October 12, 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. Contract Extension - Bulk Concrete Mix
 - b. Computer Upgrades
 - c. Network Switch Replacements
 - d. IBM Server Maintenance Renewal
 - e. Acceptance of FEMA AFG Grant
 - f. Public Safety Uniforms
 - g. Orchestra Hydraulic Lift Repairs – GPAC
 - h. Lobbying Services Agreement
 - i. Overtime Reimbursement – Police
8. Public Hearing – Ordinance 2015-10 – Amendment to Chapter 2, Administration, Article V; Division 16 – Education Commission – Second Reading
9. Amendment to the Germantown Crossing Shopping Center General Plan Conditions
10. Adjournment

BEER BOARD

1. Suspension/Revocation – Beer Permit – Chili's Restaurant
2. Suspension/Revocation – Beer Permit - Elfo's
3. Suspension/Revocation – Beer Permit - Maui Oven Pizza
4. Suspension/Revocation – Beer Permit - Petra Café
5. Suspension/Revocation – Beer Permit - Soul Fish
6. Adjournment

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: October 12, 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: October 12, 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 September 28, 2015.

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

To approve the minutes of the Board of Mayor and Aldermen Meeting held September 28, 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: October 12, 2015

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

SUBJECT: Contract Extension – Bulk Concrete Mix

INTRODUCTION:

The purpose of this agenda item is to request the Board's authorization to exercise the first year contract extension option to purchase 500 cubic yards of bulk concrete mix of bulk in the amount of \$94.00 per yard from Memphis Ready Mix, for a total amount of \$47,000.00.

BACKGROUND:

Concrete mix is used primarily for street repairs, utility cuts, curb and gutter replacement, water table repairs and art piece foundations and is funded annually in the State Street Aid Operating Budget. Memphis Ready Mix has provided excellent service and product to the city for many years. This purchase will meet the department's needs for one year.

DISCUSSION:

The bid was received and approved by the Board of Mayor and Alderman in August of 2014 for a one year contract with two additional option years. Staff would like to recommend exercising the first year option with Memphis Ready Mix. The vendor was contacted in advance to accept the terms of the original contract specifications. The unit price for each bid item will increase by \$5.00 per cubic yard, \$2.03 below the maximum allowed increase on the Price Producer Index which was included in the bid specifications and original bid award to allow for an approved method for increases. The information has been reviewed and verified by the Procurement Department staff.

VISION 2020:

This purchase supports the Community Vitality Vision 2020 objective for a well designed and maintained infrastructure which includes streets, grounds and utilities.

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>
State Street Aid	011-3210-436.26-80	Public Works	City Street Maintenance	\$196,882.44	\$47,000.00

ATTACHMENTS

Memo from vendor

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

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

Reviewed by: Lisa A. Piefer
Lisa A. Piefer, Procurement Director

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

To exercise the first year contract extension option to purchase bulk concrete mix in the amount of \$47,000 from Memphis Ready Mix.

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: October 12, 2015

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

SUBJECT: COMPUTER UPGRADES

INTRODUCTION:

The purpose of this agenda item is to request the Board's authorization to purchase replacement computers in the amount of \$62,805.39 from CDW Government and declare the replaced computers as surplus.

BACKGROUND:

Laptop and desktop computers in use throughout City departments vary from ten years to less than six months in age. This project will replace approximately 25% of the oldest computers and move the City toward a 4-year cycle to keep operating systems and hardware current.

DISCUSSION:

The City was able to secure National IPA pricing for laptops and computers slated for replacement through CDW Government. Staff based the number of units being replaced on the previous years' purchase, specification research and project budget. Procurement staff has verified that the cooperative contract is valid and in line with the City's Procurement process.

The implementation of new laptop and desktop computers will provide City staff with computers capable of functioning with today's newer software technology and cloud based applications. Older computers are not capable of efficiently processing newer applications and are effectively obsolete. This project will empower staff with the computer equipment necessary to quickly access software programs whether desktop or cloud based.

Newer computers will reduce the time Information Technology staff spends trouble shooting slow computer problems allowing a faster internal customer response time. Energy consumption per PC will be cut in half compared to older computers. Old computers will be recycled ensuring maximum benefit to the City and to the environment.

BUDGET AND STAFFING IMPACT:

Project Manager: Stephanie Logan will oversee this project.

Source of Funding:

Fund	Line Item No.	Project No.	Dept.	Line Item Description	Budget Balance	Recommended Expenditure
General	010-1510-416.3900		IT	Non-Capital Assets	\$80,000.00	\$62,805.39

VISION 2020:

This agenda item will provide City staff with the tools necessary to achieve the City's Mission as defined in Vision 2020. It will promote the true S-P-I-R-I-T of Germantown as identified in Vision 2020 as well as support goal 23 Service Excellence and Goal 25 Services Delivered in the Most Cost Effective Manner.

City Services and Finances – "Adequate resources to support defined services and service levels"; "Investment in maintaining and upgrading the City's facilities and infrastructure"; "Use state-of-the-art, innovative and creative techniques and approaches"; "City focusing on mission and core services"; "New techniques and technology used to enhance service delivery"; and "Services delivered in a manner consistent with our core beliefs".

ATTACHMENTS:

CDW-G Quotes

PREPARED BY: Stephanie S. Logan
Stephanie S. Logan, Technical Services Coordinator

REVIEWED BY: Tony Fischer
Tony Fischer, Information Technology Director

REVIEWED BY: Lisa A. Piefer
Lisa A. Piefer, Procurement Director

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

To approve the purchase of replacement computers in the amount of \$62,805.39 from CDW Government and declare the replaced computers as surplus.

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: October 12, 2015

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

SUBJECT: NETWORK SWITCH REPLACEMENT

INTRODUCTION:

The purpose of this agenda item is to request authorization for the Mayor to enter into an agreement with Presidio Networked Solutions in the amount of \$30,580.29 for replacement and installation of network equipment, a 12 month maintenance agreement to cover the new equipment and declare the replaced equipment as surplus.

BACKGROUND:

The City's network system was installed in the late 1990's at a cost just over \$200,000. It was upgraded to the current system during 2003 and 2004. The switches available at that time had no redundancy and had not been upgraded since the installation. In August of 2008 the Board approved the replacement of the main network switches in the amount of \$188,581.45. October 27, 2014 the Board approved the replacement of four network switches in the amount of \$27,176.80.

DISCUSSION:

This project will replace four network switches with current technology standards including redundancy. Presidio continues to hold the State-wide contract as a certified Cisco product provider. State of Tennessee Cisco Contract SWC# 385 Contract # 34841 reflects a 20% savings off standard pricing. The price includes hardware, installation and a one-year warranty. Staff evaluated the option of replacing the entire system, however, due to budget constraints it was determined that replacing the system over time through the Infrastructure Replacement Program is in the best interest of the City. This process will ensure the City's network infrastructure is kept up to date while spending is reduced to a smaller amount each year. This will be an annual infrastructure refurbishment cycle as seen with City streets and fleet vehicles. Procurement staff has verified that the SWC contract is valid and in line with the City's Procurement process.

BUDGET AND STAFFING IMPACT:

Source of Funding:

Fund	Line Item No.	Project No.	Dept.	Line Item Description	Budget Balance	Recommended Expenditure
General	010-1510-416.9480	IR1626	IT	Computer Equip.	\$35,000.00	\$28,484.29
General	010-1510-416.2630		IT	Computer Equip. Maintenance	\$856,189.11	\$2,096.00



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 12, 2015

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

SUBJECT: IBM SERVER MAINTENANCE RENEWAL

INTRODUCTION:

The purpose of this agenda item is to consider approval of a 12-month maintenance contract with Dynamix Group, Inc in the amount of \$10,352.00.

BACKGROUND:

The City's current maintenance contract covers the IBM iSeries server and an IBM message switch that connects Mobile Data Terminals (MDT) to the servers for Police Department and Court Clerk areas.

DISCUSSION:

Dynamix Group, Inc. was the original vendor for the IBM iSeries hardware systems and message switch currently being used by the City.

The contract expiring covers the server in use in the Police Department/Court Clerk areas as well as the Police IBM messaging switch used to connect Police MDTs to the iSeries server and various State record services. Since the original hardware installation, Police and Fire Departments have partnered in the Computer Aided Dispatch (CAD) Upgrade project moving to a Windows based software platform. This move eliminated the need for a second IBM iSeries server. The Court Clerk area is currently reviewing software options that will best fit the needs of their business/customers before investing further.

The maintenance contract requires that the City utilize IBM direct or the company that the server was purchased to provide maintenance services. Therefore, staff requested fee proposals from Dynamix Group for the maintenance of the server. Several service options were reviewed by staff. The option recommended for funding is to enter into a 12-month agreement for the iSeries server and message switch in the amount of \$10,352.00. This option is based on the financial savings that will be realized (\$3,682.00), equipment currently in use, age of hardware being placed under maintenance and level of importance it plays in day-to-day operations for emergency personnel and the citizens served.

BUDGET AND STAFFING IMPACT:

Source of Funding:

Recommended Fund	Line Item No.	Project No.	Dept.	Line Item Description	Budget Balance	Expenditure
General	010-1510-416.2630		IT	Computer Equip. Maintenance	\$856,189.11	\$10,352.00

VISION 2020:

The action requested in this agenda item fulfills most aspects of the City of Germantown's Mission as identified in Vision 2020. "The City provides EXCEPTIONAL SERVICES, REPOSIVE TO CITIZENS NEEDS AND TOP-QUALITY FACILITIES, PARKS AND INFRASTRUCTURE." Service excellence is a key goal of the Vision 2020 Plan whether it is for our citizens or our employees who in turn provide services for our citizens. Vision 2020 also states that we provide "Exceptional Services Responsive to Citizens meaning City government uses state-of-the-art technology in service delivery. The maintenance contract funding requested will assist City staff in Court record keeping as well as Police and Fire protection.

ATTACHMENTS:

Dynamix Sales Quote

PREPARED BY: Stephanie S. Logan

Stephanie S. Logan, Technical Services Coordinator

REVIEWED BY: Tony Fischer

Tony Fischer, Information Technology Director

REVIEWED BY: Lisa A. Piefer

Lisa A. Piefer, Procurement Director

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

To authorize the Mayor to enter into a contract with Dynamix Group, Inc in the amount of \$10,352.00 for a 12-month maintenance contract.

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



Agenda No. 7e

CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 12, 2015
FROM: Patrick J. Lawton, City Administrator *PL*
SUBJECT: ACCEPTANCE OF FEMA AFG GRANT

INTRODUCTION:

The purpose of this agenda item is to request authorization to accept an Assistance to Fire Fighters Grant from the Federal Emergency Management Agency (FEMA) for \$165,870.00.

DISCUSSION:

The Fire Department and Grant Coordinator Alexa Robinson successfully applied for this grant through the FEMA Assistant to Fire Fighters Grant Program. The Fire Department has previously received grants through this program to provide new self-contained breathing apparatus, safety, and fire prevention equipment. This grant is for Fire Fighter Wellness and Fitness. This grant will include fitness equipment to be provided in the Fire Stations to allow fire fighters to maintain an acceptable level of fitness. The grant will also provide funds to train up to eight (8) shift personnel as Peer Fitness Coordinators to assist fire fighters with developing training programs and rehabilitation after injuries or deficits. At this time, the Fire Department only has 1 person trained to this level. The grant will also provide funds to provide full physical exams to all fire fighting personnel, including full-time, part-time, and Reserve Fire Fighters. Experience of other fire departments is that these physicals have helped identify life threatening conditions that the employee was completely unaware of before the physical. It will also allow the physician to provide direction into the employee's fitness improvement program.

The grant is for \$165,870.00. The Federal share of the grant is \$150,791.00 and the City's matching amount of 10% or \$15,079.00. The City's portion will come from reserve funds with the year end Budget Adjustments. The Federal share of the funds will be returned to the budget upon receipt of reimbursement. The performance period for the grant ends on September 14, 2016, although it is our intent to complete all expenditures during the FY16 Budget period.

VISION 2020:

This meets the Vision 2020 goals of providing effective emergency response with the right equipment and resources available to handle the emergency response, City facilities and programs support a healthy lifestyle, and delivering services in the most cost-effective manner.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 12, 2015
FROM: Patrick J. Lawton, City Administrator *PSV*
SUBJECT: Uniform Contract for Public Safety Uniforms

INTRODUCTION:

The purpose of this agenda item is to request authorization to enter into an annual contract with MidSouth Uniform Solutions for the purchase of uniforms and accessories for the Police and Fire Departments.

BACKGROUND:

Members of the Police and Fire Departments are required to wear designated uniforms in the performance of their duties. Each member of the Police and Fire Departments has an allotted amount for the purchase of the uniforms. The uniforms were previously being purchased from multiple vendors and at different costs.

DISCUSSION:

The uniform bid was advertised on the City's website and sent to 872 vendors by e-notification. The Procurement Department received three (3) qualified bids. The bid requested pricing on individual items and a discount on other items not included on the specified item list. The low bid was submitted by MidSouth Uniform Solutions, offering the lowest unit pricing on the majority of the items and a 10% discount for items not included on the specified item list for both the Police and Fire Departments. The term of the contract is for twelve (12) months, with four (4) twelve (12) month extension options for a total of sixty (60) months.

Purchase of the uniform items shall not exceed an individual employee's allotment or budgeted amounts.

BUDGET AND STAFFING IMPACT:

Source of Funding:

Fund	Line Item No.	Dept.	Line Item Description	Budget Balance	Recommended Expenditure
General	010-2010-421.32-60	Police	Uniforms and Clothing	\$131,500.00	\$115,000.00
General	010-2510-422.32-60	Fire	Uniforms and Clothing	\$ 41,272.46	\$ 41,272.46
General	017-2510-424.32-60	Ambulance	Uniform and Clothing	\$13,409.60	\$ 13,409.60



Agenda No. 7a

CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 12, 2015

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

SUBJECT: ORCHESTRA HYDRAULIC LIFT REPAIRS - GPAC

INTRODUCTION:

The purpose of this agenda item is to consider approval of a repair service contract with KONE Inc. in the amount of \$25,737.00 for the orchestra hydraulic lift repairs.

BACKGROUND:

Installed in 1994 the orchestra lift is often used as a focal point during some performances and is also used for additional auditorium seating. The hydraulic lift and related components have received the manufacturer's recommended inspections, State mandatory inspections, along with periodic maintenance. Recently, the orchestra hydraulic lift has not been uniform in operating; the jack packing seals are worn and are causing hydraulic fluid to leak into the orchestra pit. All three jack packing seals are in need of replacement. The hydraulic valve that meters the flow of the fluid does not consistently hold orchestra lift in place and has also become obsolete by the manufacturer. A new valve assembly installation is recommended for correct operation and availability of the lift. Finally, two electronic solenoids which are part of the controls operation of the hydraulic lift are not readily available for purchase, but, are built to order, were replaced in 2013. It is recommended that the two additional solenoids are purchased for stock and will be kept in the orchestra hydraulic mechanical room.

DISCUSSION:

The City currently has an inspection contract with KONE Inc. and will utilize service repair quotes under cooperative pricing through U.S. Communities Contract GENRL – 201414653. Funding will be provided from within the FY16 Facility Services Operating Budget and staff recommends approval.

VISION 2020:

These repairs support the Vision 2020 through the implementation of the maintaining and upgrading city facilities for operating effectiveness and long-term sustainability.

ORCHESTRA HYDRAULIC LIFT REPAIRS – GPAC

October 12, 2015

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BUDGET AND STAFFING IMPACT:

SOURCE OF FUNDING:

Line Item Fund	Line Item No.	Dept.	Description	Budget Balance	Recommended Expenditures
GG	010-1710-418.26-90	Facility Services	Contract Maintenance	\$231,074.51	\$25,737.00

ATTACHMENTS

KONE Contract and Service Repairs Quotes

Prepared by: Reynold D. Douglas
Reynold Douglas, General Services Director

Reviewed by: Lisa A. Piefer
Lisa A. Piefer, Procurement Director

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

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

To approve a repair service contract with KONE Inc. in the amount of \$25,737.00 for the orchestra hydraulic lift repairs in GPAC.

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: October 12, 2015
FROM: Patrick J. Lawton, City Administrator *PSL*
SUBJECT: LOBBYING CONTRACT

INTRODUCTION:

The purpose of this agenda item is to authorize the mayor to execute a lobbying services agreement with Farris Bobango Branan, PLC Attorneys at Law, for lobbying services on behalf of the City of Germantown beginning November 1, 2015 and ending October 30, 2016 in the amount of \$42,000.00.

BACKGROUND:

The City of Germantown has engaged the services of this firm for the past eight years. Administration has worked closely with senior partner in the firm, John Farris, and his staff in advancing the City's legislative agenda as well as monitoring legislation that could impact the City of Germantown.

DISCUSSION:

This year the firm has approached Administration regarding their lobbying services for the City. Administration has been extremely pleased with the efforts of the firm in representing Germantown's interests as well as monitoring specific bills and legislative proposals. The City receives weekly updates from the firm on various bills that have been introduced throughout the legislative session. A representative from the City will meet in Nashville with members of the Shelby County delegation and other state senators and representatives on a weekly basis during the session.

Upon approval of this lobbying contract, Administration will meet with Mr. Farris to develop the legislative agenda for consideration by the Board in an upcoming work session based on our discussion in the September 18, 2015 retreat. During the legislative session the Administration and Mr. Farris will confer on those legislative issues where the City needs to focus its time and attention in order to fully understand the impact these bills could have on the City. This will allow Administration to direct its efforts on specific legislation and to inform the Board on those issues where the City should work aggressively to defeat or encourage passage. Procurement and the City Attorney have reviewed and approved the proposed contract.

BUDGET AND STAFFING IMPACT:

The FY16 budget includes funding for lobbying services for the City. The proposal from the firm is for \$42,000.00. Administration will closely oversee this contract and provide the Board of Mayor and Aldermen with information throughout the legislative session on our lobbying activities.

<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	010-1010-411.25-40	Aldermen	Consulting	\$50,000.00	\$42,000.00



Agenda No. 7.i

CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 12, 2015

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

SUBJECT: OVERTIME REIMBURSEMENT - POLICE

INTRODUCTION:

The purpose of this agenda item is to recognize overtime reimbursement from the Federal Department of Justice, the Department of Homeland Security, Whole Foods and Central Defense Services, LLC to the Germantown Police Department in the amount of \$11,092.42 and approve Budget Adjustment #16-16.

BACKGROUND:

The Germantown Police Department has an officer assigned to the Federal Bureau of Investigation Joint Safe Streets Task Force, the Drug Enforcement Administration Task Force, the Terrorism Task Force and the Secret Service Task Force. The mission of the FBI SSTF, TTF, SSTF and DEA is the prevention, preemption, deterrence and investigation of serious criminal acts that affect federal and local interests, and to disrupt and prevent serious criminal acts and apprehend individuals who may commit or plan to commit such acts. The officer usually works overtime in the performance of his duties. The Task Forces reimburse any overtime that the officers receives while carrying out his/her duties. The Department of Justice reimbursed \$6,704.10 and the Department of Homeland Security reimbursed \$955.00, Whole Foods reimbursed \$1,300.50 and Central Defense Services reimbursed \$2,132.82, total \$11,092.42. Whole Foods and Central Defense Services reimbursed overtime costs for traffic control at the grand openings of Whole Foods and Kroger.

DISCUSSION:

The overtime the officer receives is deducted from the Police Department Overtime Wages line item throughout the year. The reimbursement will be placed back into the Police Departments Overtime Wages line through the budget adjustment.

VISION 2020:

This reimbursement supports the Vision 2020 Public Safety Plan Goal 1- Safest City in Southeast and the objectives of people are safe and feel secure and a low crime rate: part 1(persons) and part 2(property).

ATTACHMENTS:

Budget Adjustment

PREPARED BY: Michael Berkes

Michael Berkes, Captain

REVIEWED BY: Richard Hall

Richard Hall, Chief

REVIEWED BY: Ralph J. Gabb

Ralph J. Gabb, Finance Director

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

To recognize overtime reimbursement from the Federal Department of Justice, the Department of Homeland Security, Whole Foods and Central Defense Services in the amount of \$11,092.42 and to approve Budget Adjustment #16-16.

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: October 12, 2015

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

SUBJECT: SECOND READING AND PUBLIC HEARING – Ordinance No. 2015-10 - Amendment to Chapter 2, Administration; Article V; Division 16 – Education Commission

INTRODUCTION:

The purpose of this agenda item is approval of Ordinance No. 2015-10, amending the membership of the Germantown Education Commission, on second reading and to hold a public hearing for the same.

BACKGROUND:

The Germantown Education Commission is established to deal with educational issues of general community interest, to study ways to enhance the quality of education and make recommendations for improvements and to encourage education responsive to the needs of the community. Membership guidelines addressed in Chapter 2, Article V, Division 1 call for a total of 12 voting members with a term length of one year.

DISCUSSION:

During the August 18, 2015, meeting of the Germantown Education Commission, members discussed the possibility of adding to the official membership, a liaison from the Germantown Board of Education (GBE) as a non-voting member.

Since before Germantown Municipal Schools District (GMSD) began operation in fall of 2014, the Education Commission membership included a member who also happened to be a member of the GBE. When she did not apply for an appointment to the Education Commission for the 2015-16 school year, it left the commission without a direct liaison to the local school board.

Current commission members feel that the addition of a non-voting Germantown School Board liaison 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 Board of Education. The commission voted unanimously to include a liaison from the GBE at their meeting on August 18, 2015.

The new position should be appointed by the Germantown Board of Mayor and Aldermen (BMA). After the amendment process is complete, staff and commission members will consult with GBE members to determine who is interested in serving. Recommendations would come back to the BMA for approval and appointment.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 12, 2015

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

SUBJECT: Amendment to the Germantown Crossing Shopping Center General Plan Conditions

INTRODUCTION: The purpose of this agenda item is to consider the removal of three conditions that were placed on the Germantown Crossing Center (then called the Sternberger-Ford SC-1 Shopping Center) when it was originally approved in 1975.

BACKGROUND: The Planning Commission and Board of Mayor and Aldermen in 1975 approved the General Plan for the Sternberger-Ford SC-1 Shopping Center. The conditions shown below were approved as part of the plan:

- Condition 1 required a 100 foot building setback along Farmington Rd.,
- Condition 2 required access drives to be reviewed and approved by the Design Review Commission, and
- Condition 4 prohibited service stations and motels.

The Planning Commission recommended approval of the plan amendments at its meeting on August 18, 2015.

DISCUSSION: The proposed amendment will remove the 3 conditions of approval as noted above. Removal of Condition 1 will allow buildings to be less than 100 feet from Farmington Blvd. The canopy of the proposed fuel center will be fifty feet from Farmington Blvd. Condition 2 is outdated, in that the Planning Commission now reviews and approves driveways and access drives. Removal of Condition 4 will allow the construction of a fuel center in the shopping center, because "Service Station" is defined as "any facility used for dispensing or sale at retail of any motor vehicle fuels".

The original conditions of approval from 1975 are: (conditions to be amended are highlighted)

1. A 100 FOOT SETBACK TO BE MAINTAINED ALONG FARMINGTON ROAD AND GERMANTOWN ROAD, WITH A 20-FOOT LANDSCAPE STRIP INCLUDED AS A PART OF THAT 100 FEET.
2. LOCATION AND DIMENSIONS OF ACCESS DRIVES FROM BOTH GERMANTOWN ROAD AND FARMINGTON ROAD TO BE APPROVED BY THE GERMANTOWN DESIGN REVIEW COMMISSION.
3. FINAL DESIGN MUST ALLOW FOR A FUTURE ACCESS POINT ALONG THE EAST PROPERTY LINE.
4. SERVICE STATIONS AND MOTELS TO BE PROHIBITED.
5. THIS PROPERTY SHALL AUTOMATICALLY BE TAKEN OUT OF THE "SC-1" SHOPPING CENTER DISTRICT CLASSIFICATION AND REVERT TO "R" SINGLE FAMILY DISTRICT, IF, WITHIN FIVE (5) YEARS FROM THE DATE OF THE FINAL ADOPTION OF THIS ORDINANCE (MAY 26, 1975), THE OWNER OF SAID PROPERTY HAS NOT OBTAINED APPROVAL OF A FINAL DEVELOPMENT PLAN

FROM THE PROPER MUNICIPAL AUTHORITIES AND CONSTRUCTED A SHOPPING CENTER UPON THE PREMISES IN ACCORDANCE WITH SAID FINAL PLAN.

On December 27, 1979, the BMA approved the deletion of condition no. 5, and retained the conditions on building setback and uses:

ALL REGULATIONS OF THE GERMANTOWN SC-1 ZONING DISTRICT WILL APPLY TO THIS SHOPPING CENTER, WITH THE FOLLOWING LIMITATIONS:

1. A 100 FOOT SETBACK TO BE MAINTAINED ALONG FARMINGTON ROAD AND GERMANTOWN ROAD, WITH A 20-FOOT LANDSCAPE STRIP INCLUDED AS A PART OF THAT 100 FEET.
2. LOCATION AND DIMENSIONS OF ACCESS DRIVES FROM BOTH GERMANTOWN ROAD AND FARMINGTON ROAD TO BE APPROVED BY THE GERMANTOWN DESIGN REVIEW COMMISSION.
3. FINAL DESIGN MUST ALLOW FOR A FUTURE ACCESS POINT ALONG THE EAST PROPERTY LINE.
4. SERVICE STATIONS AND MOTELS TO BE PROHIBITED.
5. CONDITION NO. 5 DELETED BY ACTION OF THE MAYOR AND BOARD OF ALDERMEN ON DECEMBER 27, 1979.

In 1986, further amendments were approved, which removed the prohibition on motels and added the planning commission to the approval requirements for access drives:

SHOPPING CENTER ZONING CONDITIONS:

1. A 100 FOOT SETBACK TO BE MAINTAINED ALONG FARMINGTON ROAD AND GERMANTOWN ROAD, WITH A 20-FOOT LANDSCAPE STRIP INCLUDED AS A PART OF THAT 100 FEET.
2. LOCATION AND DIMENSIONS OF ACCESS DRIVES FROM BOTH GERMANTOWN ROAD AND FARMINGTON ROAD TO BE APPROVED BY THE GERMANTOWN DESIGN REVIEW COMMISSION AND PLANNING COMMISSION.
3. FINAL DESIGN MUST ALLOW FOR A FUTURE ACCESS POINT ALONG THE EAST PROPERTY LINE.
4. SERVICE STATIONS ~~AND MOTELS~~ TO BE PROHIBITED.

Kroger now requests the removal of conditions 1 and 4 in order to allow the construction of a fuel center, with the canopy to be located 50 feet from Farmington Blvd.

VISION 2020: The proposed amendments are consistent with the policies supporting "diverse shopping and dining choices" and the desire to see "Existing shopping centers and areas are continually updated and revitalized".

BUDGET AND STAFFING IMPACT: Approval of the amendment should have no direct impact on the City's budget or staffing.

ATTACHMENTS:

1. Vicinity Map
2. Original General Shopping Center Plan - 1975
3. 1986 Amendment
4. Existing Building and Proposed Fuel Center
5. Planning Commission minutes – August 18, 2015
6. Application

Prepared by: Wade Morgan
Wade Morgan, Chief Planner

Reviewed by: Cameron Ross
**Cameron Ross, Director of Economic
and Community Development**

PROPOSED MOTION: To approve the proposed amendments to the Germantown Crossing Shopping Center General Plan.

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: October 23, 2015

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

SUBJECT: BEER BOARD HEARING – Suspension/Revocation of Beer License – Chili's – 7810 Poplar Ave.

INTRODUCTION:

The Board will be sitting as the Beer Board.

The purpose of this agenda item is to review a charge of sale of beer to a minor at Chili's located at 7810 Poplar Ave.

BACKGROUND:

The underlying basis for the suspension or revocation being the violation of Section 3-89 of the Germantown City Ordinance and Section 57-5-301 of the Tennessee Code Annotated pertaining to the sale of beer to persons designated by the State to be a minor.

The Germantown Police Department served notice of this hearing to Chili's on August 26, 2015. Mr. Mark McDaniel, Assistant City Prosecutor, will represent the City at this hearing.

The City of Germantown issued a beer permit to Chili's Inc. at 7810 Poplar Ave. on October 24, 1988. There were two previous violations: March 20, 2008, penalty was \$1,500.00 or 30 day suspension; January 24, 2014, penalty was \$500.00 or 30 day suspension.

DISCUSSION:

On July 26, 2015, the Germantown Police Department (GPD) conducted an undercover sting investigation of beer permit holders in the City of Germantown. On that date, a Cooperating Individual (CI) working with the GPD, who was 18 years of age, entered Chili's and purchased a beer from the waitress. The waitress did check the identification of the CI before selling the beer. Officer Henderson witnessed the transaction and the waitress was issued a misdemeanor citation for selling beer to a minor.

This incident is a direct violation of the Germantown Beer Ordinance Section 3-82 through 3-89 of selling beer illegally to any person less than twenty-one years of age.

This is the third ordinance violation at Chili's location, which was issued a beer permit on October 24, 1988.

The Beer Board has the authority to issue a civil penalty of up to \$2,500.00 or suspend or revoke the beer permit if it deems appropriate (Section 3-84).

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

To find Chili's located at 7810 Poplar Ave., guilty or not guilty of a violation of the Germantown Beer Ordinance regarding selling beer to a minor and assess a penalty if appropriate.

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

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

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: October 12, 2015

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

SUBJECT: BEER BOARD HEARING – Suspension/Revocation of Beer License – Elfo's – 2285 S. Germantown Road

INTRODUCTION:

The Board will be sitting as the Beer Board.

The purpose of this agenda item is to review a charge of sale of beer to a minor at Elfo's located at 2285 S. Germantown Road.

BACKGROUND:

The underlying basis for the suspension or revocation being the violation of Section 3-89 of the Germantown City Ordinance and Section 57-5-301 of the Tennessee Code Annotated pertaining to the sale of beer to persons designated by the State to be a minor.

The Germantown Police Department served notice of this hearing to Elfo's on August 25, 2015. Mr. Mark McDaniel, Assistant City Prosecutor, will represent the City at this hearing.

The City of Germantown issued a beer permit to Elfo's at 2285 S. Germantown Road on May 8, 2013. There were no previous violations.

DISCUSSION:

On July 27, 2015, the Germantown Police Department (GPD) conducted an undercover sting investigation of beer permit holders in the City of Germantown. On that date, a Cooperating Individual (CI) working with the GPD, who was 18 years of age, entered Elfo's and purchased a beer from the waiter. The waiter did not check the identification of the CI before selling the beer. Officer Sternberger witnessed the transaction and the waitress was issued a misdemeanor citation for selling beer to a minor.

This incident is a direct violation of the Germantown Beer Ordinance Section 3-82 through 3-89 of selling beer illegally to any person less than twenty-one years of age.

This is the third ordinance violation at Elfo's location, which was issued a beer permit on May 8, 2013..

The Beer Board has the authority to issue a civil penalty of up to \$2,500.00 or suspend or revoke the beer permit if it deems appropriate (Section 3-84).

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

To find Elfo's located at 2285 S. Germantown Road, guilty or not guilty of a violation of the Germantown Beer Ordinance regarding selling beer to a minor and assess a penalty if appropriate.

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

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

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: March 23, 2014

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

SUBJECT: BEER BOARD HEARING – Suspension/Revocation of Beer License – Maui Brick Oven – 7850 Poplar Ave., #6

INTRODUCTION:

The Board will be sitting as the Beer Board.

The purpose of this agenda item is to review a charge of sale of beer to a minor at Maui Brick Oven located at 7850 Poplar Ave., #6.

BACKGROUND:

The underlying basis for the suspension or revocation being the violation of Section 3-89 of the Germantown City Ordinance and Section 57-5-301 of the Tennessee Code Annotated pertaining to the sale of beer to persons designated by the State to be a minor.

The Germantown Police Department served notice of this hearing to Maui Brick Oven on August 25, 2015. Mr. Mark McDaniel, Assistant City Prosecutor, will represent the City at this hearing.

The City of Germantown issued a beer permit to Maui Brick Oven at 7850 Poplar Ave., #6 on November 24, 2014. There were no previous violations.

DISCUSSION:

On July 26, 2015, the Germantown Police Department (GPD) conducted an undercover sting investigation of beer permit holders in the City of Germantown. On that date, a Cooperating Individual (CI) working with the GPD, who was 18 years of age, entered Maui Brick Oven and purchased a beer from the waitress. The waitress did check the identification of the CI before selling the beer. Officer Sternberger witnessed the transaction and the waitress was issued a misdemeanor citation for selling beer to a minor.

This incident is a direct violation of the Germantown Beer Ordinance Section 3-82 through 3089 of selling beer illegally to any person less than twenty-one years of age.

This is the first ordinance violation at Maui Brick Oven location, which was issued a beer permit on November 24, 2014.

The Beer Board has the authority to issue a civil penalty of up to \$2,500.00 or suspend or revoke the beer permit if it deems appropriate (Section 3-84).

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

To find Maui Brick Oven located at 7850 Poplar Ave. #6, guilty or not guilty of a violation of the Germantown Beer Ordinance regarding selling beer to a minor and assess a penalty if appropriate.

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

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

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: October 12, 2015

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

SUBJECT: BEER BOARD HEARING – Suspension/Revocation of Beer License – Petra Café – 6641 Poplar Ave., Suite 101

INTRODUCTION:

The Board will be sitting as the Beer Board.

The purpose of this agenda item is to review a charge of sale of beer to a minor at Petra Café located at 6641 Poplar Ave., Suite 101.

BACKGROUND:

The underlying basis for the suspension or revocation being the violation of Section 3-89 of the Germantown City Ordinance and Section 57-5-301 of the Tennessee Code Annotated pertaining to the sale of beer to persons designated by the State to be a minor.

The Germantown Police Department served notice of this hearing to Petra Café on August 26, 2015. Mr. Mark McDaniel, Assistant City Prosecutor, will represent the City at this hearing.

The City of Germantown issued a beer permit to Petra Café at 6641 Poplar Ave. on August 12, 2013. There was one previous violation on March 13, 2014. The penalty was \$500.00 or 30 day suspension.

DISCUSSION:

On July 27, 2015, the Germantown Police Department (GPD) conducted an undercover sting investigation of beer permit holders in the City of Germantown. On that date, a Cooperating Individual (CI) working with the GPD, who was 18 years of age, entered Petra Café and purchased a beer from the waitress. The waitress did check the identification of the CI before selling the beer. Officer Sternberger witnessed the transaction and the waitress was issued a misdemeanor citation for selling beer to a minor.

This incident is a direct violation of the Germantown Beer Ordinance Section 3-82 through 3089 of selling beer illegally to any person less than twenty-one years of age.

This is the second ordinance violation at this Petra Cafe location, which was issued a beer permit on August 12, 2013.

The Beer Board has the authority to issue a civil penalty of up to \$2,500.00 or suspend or revoke the beer permit if it deems appropriate (Section 3-84).

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

To find Petra Café located at 6641 Poplar Ave., Suite 101, guilty or not guilty of a violation of the Germantown Beer Ordinance regarding selling beer to a minor and assess a penalty if appropriate.

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

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

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: October 12, 2015

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

SUBJECT: BEER BOARD HEARING – Suspension/Revocation of Beer License – Soul Fish Café – 3160 Village Shops Dr.

INTRODUCTION:

The Board will be sitting as the Beer Board.

The purpose of this agenda item is to review a charge of sale of beer to a minor at Soul Fish Café located at 3160 Village Shops Dr.

BACKGROUND:

The underlying basis for the suspension or revocation being the violation of Section 3-89 of the Germantown City Ordinance and Section 57-5-301 of the Tennessee Code Annotated pertaining to the sale of beer to persons designated by the State to be a minor.

The Germantown Police Department served notice of this hearing to Soul Fish Café on August 25, 2015. Mr. Mark McDaniel, Assistant City Prosecutor, will represent the City at this hearing.

The City of Germantown issued a beer permit to Soul Fish Café at 3160 Village Shops Dr. on December 14, 2009. There was one previous violation, January 24, 2013. The penalty was \$500.00 or 30 day suspension.

DISCUSSION:

On July 26, 2015, the Germantown Police Department (GPD) conducted an undercover sting investigation of beer permit holders in the City of Germantown. On that date, a Cooperating Individual (CI) working with the GPD, who was 18 years of age, entered Soul Fish Café and purchased a beer from the waitress. The waitress did check the identification of the CI before selling the beer. Officer Henderson witnessed the transaction and the waitress was issued a misdemeanor citation for selling beer to a minor.

This incident is a direct violation of the Germantown Beer Ordinance Section 3-82 through 3089 of selling beer illegally to any person less than twenty-one years of age.

This is the third ordinance violation at the Soul Fish Café location, which was issued a beer permit on December 14, 2009.

The Beer Board has the authority to issue a civil penalty of up to \$2,500.00 or suspend or revoke the beer permit if it deems appropriate (Section 3-84).

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

To find Soul Fish Café located at 3160 Village Shops Dr., guilty or not guilty of a violation of the Germantown Beer Ordinance regarding selling beer to a minor and assess a penalty if appropriate.

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

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

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