



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 26, 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. Beautification Business Award
7. Teacher of Month
8. 2015 Teacher of the Year Award
9. Citizens to be Heard
10. **CONSENT**
 - a. Donations – Parks & Recreation
 - b. Donations – Germantown Community Library
 - c. Post and Rail Fence – Construction Contract
 - d. Germantown Education Foundation – Fill the Fountain
 - e. Germantown Community Theater Grant
 - f. Community and Employee Survey Contract Extension
 - g. Senior Expo Booth Equipment Rental
 - h. Youth Basketball Uniforms
 - i. Emergency Warning Equipment – Fire Staff Vehicles
 - j. Temporary Employment Services
11. Ordinance 2015-10 – Amendment to Chapter 2, Administration, Article V; Division 16 – Education Commission – Third and Final Reading
12. Ordinance 2015-11 – Amendment to Beer Ordinance – First Reading
13. Certificate of Compliance – Poplar Pike Liquors
14. Professional Services Agreement - Western Gateway Sewer Study
15. Thornwood Planned Unit Development, Phase 1, Located on the Northeast Corner of Germantown Rd. and Neshoba Rd. – Request Amendment to the Phase 1 Plan to include a Clock Tower
16. Change Order No. 1 – GAC Renovation Project Phase 1
17. Adjournment

BEER BOARD

1. Public Hearing – Beer Permit – Trader Joes
2. 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 26, 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 26, 2015
FROM: Patrick J. Lawton, City Administrator *PJL*
SUBJECT: BEAUTIFICATION COMMISSION BUSINESS AWARD

INTRODUCTION:

The purpose of this agenda item is to recognize the Madonna Learning Center as the recipient of the October Beautification Commission Business Award.

BACKGROUND:

The Madonna Learning Center located at 7007 Poplar Avenue was selected by the Beautification Commission to receive the October Beautification Award by a unanimous vote.

The center has been a feature educational facility in Germantown since 1996. The school for children with disabilities publicly launched their \$10 million dollar capital campaign in May of 2014 and broke ground in July of 2014. Despite a cold and wet winter, the project was completed in just 13 months. The new Madonna Learning Center reopened their doors on August 13, 2015.

The school's enrollment has grown to 70 students and young adults. With an expanded facility, they are now able to offer more therapeutic programs and services including speech and language therapy, creative dance, adaptive physical education, Orff music, art, occupational therapy, job training as well as an individualized education tailored to meet each child's needs.

The redesigned campus features a memory garden designed by David McGittigan at Michael Hatcher and Associates. The basic design concept was to soften some of the strong lines shaping the courtyard both on the ground plane and the vertical walls. This was done with the curved concrete terracing and walks as well as the vertical green screen panels to soften the brick building walls and facades.

The planting pallet was selected to utilize many shrubs and perennial species that will provide beautiful seasonal color year round; along with the focal point being the Japanese maple adjacent to the rear wall. The Sweet Bay Magnolia's and Crape Myrtle trees planted provide a canopy that accentuates the view of the garden from the surrounding windows and provides scale and as well as additional softening of the brick walls. The space is irrigated with an automatic drip irrigation system for sensitive water consumption as well as ensuring the building will not receive water overspray.

The level of landscape detail, maintenance and care of the Madonna Learning Center demonstrates pride in their appearance and the facility's commitment to helping the City look beautiful. The Beautification Commission is appreciative of their efforts.

BEAUTIFICATION COMMISSION BUSINESS AWARD

October 26, 2015

Page 2

DISCUSSION:

Each month, a designated commission member is responsible for identifying potential award winners and making a recommendation to the Commission. The October commission designee is Sylvia Poll. Alderman Forrest Owens, Beautification Commission liaison, will present the award to Jo Gilbert, Executive Director of the Madonna Learning Center, along with several of their students.

VISION 2020:

In keeping with the Vision 2020 goal of Community Vitality, Goal Number 15 recognizes a Beautiful Community as one whose business development and building design is consistent within Germantown's design standards and are environmentally sensitive. It recognizes neighborhoods, schools and businesses that are attractive, well maintained and aesthetically pleasing. This recognition program allows the Commission to acknowledge local businesses and other community facilities whose landscaping and property enhancement efforts have added to the beauty of the Germantown community.

Prepared by: Pam Beasley

Pam Beasley, Director of Parks and Recreation



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 26, 2015

FROM: Patrick J. Lawton, City Administrator PJL

SUBJECT: October 2015 Teacher of the Month

The October 2015 Teacher of the Month Award honors Melanie Moss from Riverdale Elementary School.

Ms. Moss is a special education teacher guiding children grades K-5 who have varied learning abilities. She works with children to bring out their individual strengths, building independence and academic strengths. Ms. Moss is a strong advocate for her students and promotes inclusion in the school community. She spends hours upon hours working on IEPs and staying after school to meet with parents.

Additionally Mrs. Moss is lead faculty for the Riverdale School theater program and offers her time to the school "fix up" days offering assistance where ever it is needed.

In her nomination letter a parent wrote "as the parents of a child with Down's Syndrome we're always apprehensive when our daughter starts a new school year. A couple of days before school started we received a call from Ms. Moss who immediately put our hearts and minds at ease." And from the faculty at Riverdale, "Please know that the entire staff of Riverdale will give a standing ovation when she is chosen."

Ms. Moss, please accept our appreciation for your commitment to Germantown students. Your award is sponsored by Performance Toyota.

PREPARED BY: Stacey Ewell

Stacey Ewell, Assistant to the City Administrator



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 26, 2015

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

SUBJECT: 2014-2015 Teacher of the Year

During the May 2015 Education Celebration, Diane Morales was announced as the 2014-2015 Teacher of the Year. Unfortunately, Ms. Morales was unable to attend the celebration. While she received her tokens of appreciation in May, we take the opportunity this evening to recognize her publicly for the honor.

Ms. Morales teaches at Germantown High School offering classes in IB Spanish. Additionally she sponsors the National Spanish Honor Society, coaches the Knowledge Bowl Team and manages student volunteers who help translate for doctors at a local clinic, conduct Spanish language Story Time at the Germantown Community Library and tutor students at Germantown Middle and Riverdale schools.

Ms. Morales sets high standards for her students and each year her students successfully meet those expectations with her encouragement, enthusiasm and love of the Spanish language and culture. Last year, Mrs. Morales grew the IB Spanish program to a record number of GHS students. She has offered her time to chaperone student trips to Europe realizing that this experience will increase the students understanding of the culture of the language they are studying.

Ms. Morales is a favorite at GHS according to the 11 letters of support from students. Nominators noted her ability to build a community among students, her role as a counselor to students, endless encouragement, high standards and promptness at reporting grades. One of her students wrote, "Mrs. Morales is simply amazing." Members of the City's Education Commission agree.

Ms. Morales, please accept our sincere thanks for your commitment to education and our congratulations for being named the Germantown Teacher of the Year.

PREPARED BY: Stacey Ewell

Stacey Ewell, Assistant to the City Administrator



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 26, 2015

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

SUBJECT: RECOGNITION OF DONATIONS

INTRODUCTION:

The purpose of this agenda item is to recognize donations made to the Parks and Recreation Department for the Special Recreation program and sponsorship of the "Reel" Family Time Outdoor Movie Night Series and Small Fry Triathlon totaling \$6,450.00 and to approve Budget Adjustment No. 16-20.

BACKGROUND:

The Special Recreation program, led by Inclusion Specialist, Michelle Forbert, offers activities for individuals with intellectual or physical challenges, their families and friends. In addition to monthly themed dances, she coordinates Bowling is a Ball, tennis lessons, Challenger Basketball League, Art by Me, pumpkin painting, nature walk, nutrition class, Mid-South Therapy Dogs Meet and Greet, and Cookies with Cara.

The "Reel" Family Outdoor Movie Series, sponsored by IBERIABANK, allowed 4 movies to be shown (2 new releases, 2 classics) on Thursdays, in September at Municipal Park. The sponsorship covers movie right fees from SWANK Motion Pictures.

Parks and Recreation staff held the 7th Annual Small Fry Triathlon in September at Farmington Park. There were 156 preschoolers who were introduced to the running, biking, swimming competition of triathlons. Since 2012, the event has been sponsored by Campbell Clinic. The donation is applied to the expense of marketing, T-shirts for event staff and volunteers, rental of inflatable moon bounce, finishing medals, bib numbers and refreshments.

DISCUSSION:

Sponsorships for the above activities provide the funding support and allow the department to provide exceptional quality services. The following programs and groups sponsorships are included in this recognition of funds:

Special Recreation program	Germantown Women's Club	\$500.00
Special Recreation program	Anonymous	\$1,000.00
"Reel" Family Time Outdoor Movie Night Series	IBERIABAK	\$1,450.00
Small Fry Triathlon	Campbell Clinic	\$3,500.00



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 26, 2015

FROM: Patrick J. Lawton, City Administrator

SUBJECT: APPROVAL OF LIBRARY DONATIONS-GERMANTOWN COMMUNITY LIBRARY

INTRODUCTION:

The purpose of this agenda item is to recognize and accept donations made to the Germantown Community Library in the amount of \$5,897.00 and to approve Budget Adjustment Number 16-19 .

BACKGROUND:

The following organizations and individuals have contributed these donations to the Germantown Community Library:

Friends of the Germantown Community Library \$1,985.00
Sharon Goldsworthy \$50.00
Anonymous \$ 130.00
Dennis Erb \$32.00
Kappa Kappa Gamma \$1,500.00
Kiwanis Club of Germantown \$1,000.00
City of Germantown \$1,200.00

DISCUSSION:

The Germantown Community Library works in partnership with many local organizations to provide top quality services to its patrons. The Friends of the Germantown Community Library directed \$1,225.00 of their donation be used to pay for the upkeep of the fish tank in the Children's Department. The remaining \$760.00 was donated to support programming and events that are part of The Big Read. Sharon Goldsworthy donated \$50.00 for books to honor the memory of John Drinnon. The \$130.00 that was given anonymously was designated to cover some of the cost of the Calligraphy Program for adults. Dennis Erb, the facilitator of that program, also wanted to contribute \$32.00 to help cover its cost. Kappa Kappa Gamma wishes their donation of \$1,000.00 be used to purchase books for The Big Read. The donation from Kiwanis of \$1,000.00 is specifically designated to be used to update the Story Time Room in the Children's Department. Finally, the City of Germantown donated \$1,200.00 with which the library will purchase books to honor those citizens who served on a City Commission this year.

VISION 2020:

This complies with Quality of Life Goal 17, Objective 1 "Top-quality library recognized for excellence in our programs and services to the community." It additionally supports City Services and Finances Goal 22, Objective 7 "leverage the City's resources through partnerships and grants."

BUDGET AND STAFFING IMPACT:

See attached budget adjustment number 16-19.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 26, 2015
FROM: Patrick J. Lawton, City Administrator *PJL*
SUBJECT: Post and Rail Fencing

INTRODUCTION:

The purpose of this agenda item is to request authorization to contract with Langford Fence Co. Inc., for the purchase and installation of post and rail fencing at four designated parks in the amount of \$38,995.00.

BACKGROUND:

On June 22, 2015, the Board of Mayor and Aldermen approved funding of \$53,000.00 for the installation of round rail fencing to replace the existing split rail systems at four designated parks. The FY16 IRP Budget provides funding for continued replacement of existing split rail fencing. The single rail systems will be installed at the Soccerplex, Howard McVay Park, Farmington Park and Dogwood Park.

DISCUSSION:

This bid was advertised on the City's website and plan houses. Two qualified bids were received and staff recommends selection of the lowest qualified bid. Funding was approved in the FY16 Infrastructure Replacement Budget to replace the existing fences at Soccerplex (1,500 linear feet of 8' single rail fence), Howard McVay Park (1,100 linear feet of 8' single rail fence), Farmington Park (1,100 linear feet of 8' single rail fence) and Dogwood Park (600 linear feet of 8' single rail fence) in the amount of \$36,120.00. The City exercises the right to purchase one bundle of 50 single rail posts in the amount of \$775.00 and three bundles of 50 rails in the amount of \$2,100.00 for future repairs or replacement as required.

This fencing is pressure treated, eight foot post lengths with four inch diameters and a 2" interlocking type dowel design which is expected to last 10 years.

VISION 2020:

This project supports the Vision 2020 "Quality of Life" objective for protecting and enhancing public and open space and a Beautiful Community equipped with well designed and well maintained parks throughout the City.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN
DATE: October 26, 2015
FROM: Patrick J. Lawton, City Administrator *PSL*
SUBJECT: GERMANTOWN COMMUNITY THEATRE GRANT

INTRODUCTION:

The purpose of this agenda item is to authorize the Mayor to execute an agreement for the FY16 budget year between the City of Germantown and the Germantown Community Theatre in the amount of \$45,000.00.

BACKGROUND:

As part of the FY16 Budget, a \$45,000.00 grant was included in the Civic Support budget for the Germantown Community Theatre to provide youth theater programming to the Germantown community. This is the tenth year the Germantown Community Theatre (GCT) has offered programming to Germantown youth through funding from the City of Germantown.

DISCUSSION:

The Parks and Recreation Department provides oversight to the annual program plan to insure that goals and objectives are met. Staff of both organizations meets regularly to coordinate planning efforts. GCT has provided documentation and demonstration of their successes and how the City's dollars are being spent on an annual basis.

Staff is pleased to report that all terms of the agreement for FY15 were met and GCT provided all documentation required with the exception of the FY15 annual report. The City will receive the audit before the Board meeting on October 26, 2015, review its contents and provide a copy for the Board. The scope of services outlined in this year's agreement includes the following programs:

- All Children's Theatre – a seasonal children's play series
- Fun in Theatre – educational classes, workshops and camps for children ages 4-18
- REACH – after school programs
- Silver Stars – a theatrical reading program for seniors
- Main season shows – incorporation of "kid-friendly" productions in the main season show line-up
- Staffing support for children's theatrical programs
- Participation and support of existing community cultural arts and theatre programs:
 - Fairy Tale Trails – fall festival event
 - Rising Stars Concert – fundraising event
 - Daytime Christmas Plays - for local schools

The Parks and Recreation Department will continue program oversight and management of the contract. Dr. Michael Miles, Executive Director for GCT, will be present to make a brief report to the Mayor and Board.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 26, 2015

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

SUBJECT: COMMUNITY AND EMPLOYEE SURVEY CONTRACT

INTRODUCTION:

The purpose of this agenda item is to authorize the Mayor to approve change order #1 for the implementation of the community and employee survey with NuStats, LLC in an amount not to exceed \$16,950.

BACKGROUND:

In 1994, the City conducted its first community wide survey. Subsequent surveys were completed in 1999, 2000, 2004 and 2011-2014. Surveys were based on a standard questionnaire developed by the City to determine public opinion on programs and services and on nine major indices: overall citizen satisfaction, administrative leadership, responsiveness to citizens, efficiency, maintenance/traffic, safety/emergency services, cultural/recreational, utilities/services and City Hall. The proposed survey will ask the same baseline questions in addition to relevant and timely questions regarding services and preferences.

An employee survey was also conducted in 2011, 2012, 2013, 2014 and 2015. Results have lead to improvements in areas of concern including internal communication and employee security. An employee suggestion program, formal open door policy and employee grievance procedures were also developed as a result of survey findings. On November 25, 2013, the BMA approved a contract with establishing unit prices annually and one twelve month extension with NuStats, LLC for community and employee surveys.

DISCUSSION:

The City will distribute its annual survey. Per the established contract terms and established unit pricing with NuStats under the existing agreement, Staff is recommending Change Order No. 1 in the amount of \$16,950.00 for a community survey (\$8,972.00), employee survey (\$7,178.00) and for additional surveys in increments of 50 (\$800.00). The services will include for the update, implementation, tabulation, analysis and reporting of a mailed citizen survey of 2,000 households and an internal employee survey of 370 full-time employees.



Agenda No. 10g

CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 26, 2015

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

SUBJECT: SENIOR EXPO BOOTH EQUIPMENT RENTAL

INTRODUCTION:

The purpose of this agenda item is to request authorization to secure Hicks Convention Services to provide all booths and specified equipment for the upcoming Senior Expo in the amount of \$12,909.00.

BACKGROUND:

The twentieth annual Germantown Senior Expo event presented by the Germantown Senior Citizens Advisory Commission will be held Thursday, November 5 from 9 a.m. to 2 p.m. Again this year, the expo will be utilizing the facilities of both the Germantown Athletic Club (GAC) and the Germantown Performing Arts Center (GPAC). The free community event will feature a variety of booths including car dealerships, home health agencies, local churches and the City of Germantown will be well represented. Guests will learn about products, services and activities of specific interest to seniors.

DISCUSSION

Staff worked with the Procurement Department to finalize the specifications and bid documents. The bid was issued, advertised on the City's website and sent to 867 e-notice subscribers. At the bid opening on October 13, 2015, staff received two acceptable bids from Classic Party Rental and Hicks Convention Services. The total price below reflects the set up of all display booths including pipe and drape and other equipment such as tables, chairs, electrical outlets, wiring for outlets, gym floor covering, booth signage and trash removal. A summary of the bid analysis is attached.

Staff thoroughly reviewed all of the bid specifications and confirms that Hicks meets all of the requirements and is the acceptable low bidder. In years past, Hicks has successfully performed the work for the Expo and staff recommends accepting the bid. The approved budget for this project is \$14,720.00.

BUDGET AND STAFFING IMPACT:

The Recreation Division staff will be on site the day of the event to assist and support the Commission with the overall event responsibilities.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 26, 2015

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

SUBJECT: YOUTH BASKETBALL UNIFORMS

INTRODUCTION:

The purpose of this agenda item is to authorize the purchase of boys and girls basketball uniforms from BSN Sports in an amount not to exceed \$16,000.00.

BACKGROUND:

Each year, the Germantown Parks and Recreation Department operates a youth basketball league for 1st through 12th grade youth. This year's program runs from November 1, 2015 to March 13, 2016. Games and practices are held in Germantown Municipal School gymnasiums at Farmington Elementary, Riverdale Elementary, Dogwood Elementary, and Houston Middle School.

DISCUSSION

The Parks and Recreation Department provides team jerseys and shorts for the youth basketball program. The program includes approximately 500 boys and girls, ages 7 to 17 years old. Bids were received from the two vendors below.

	BSN Sports	Champion Awards
Jerseys	\$8,020.00	\$7,850.00
Shorts	\$3,850.00	\$4,781.25
Alternate	\$425.00	\$0
Total	\$12,295.00	\$12,631.25

*Please note that total bids reflect an estimated supply of approximately 500 basketball jerseys and 500 basketball shorts. It is estimated that the actual quantity ordered should not exceed \$12,295.00, which will fall within the budget of \$16,000.

Staff recommends accepting the low bid from BSN Sports for the basketball uniforms.

BUDGET AND STAFFING IMPACT:

The Recreation Division staff conducts and manages the Youth Basketball League and all of its events and responsibilities. Participant registration fees cover the direct expenses of the Youth Basketball League.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 26, 2015
FROM: Patrick J. Lawton, City Administrator *PJL*
SUBJECT: EMERGENCY WARNING EQUIPMENT FOR FIRE STAFF VEHICLES

INTRODUCTION:

The purpose of this agenda item is to request the Board's authorization to purchase emergency warning and radio console equipment in the amount of \$11,449.86 from Fleet Safety Equipment, Inc.

BACKGROUND:

This request is to provide emergency warning and radio console equipment for two (2) new replacement fire department staff vehicles being procured by Fleet Services. This will include Whelen LED interior lightbars, perimeter LED warning lights, siren, PA microphone, Havis radio console, cables, and brackets.

DISCUSSION:

The City is utilizing the WSCA-NASPO ValuePoint cooperative purchasing program to purchase the Whelen emergency warning equipment and the National Joint Powers Alliance cooperative purchasing program to purchase the Havis radio console. National cooperative contracts provide considerable time and resource savings for participating member agencies, streamline the purchasing processes and maximize efficiencies. Procurement has reviewed and verified that the terms, conditions and bidding methods are acceptable to the City.

VISION 2020:

This purchase meets a Vision 2020 goal of providing effective emergency response with the right equipment and resources available to handle the emergency response and supports Financial Sustainability by investment in maintaining and upgrading the City's facilities and infrastructure.

BUDGET AND STAFFING IMPACT:

SOURCE OF FUNDING:

Fund	Line Item No.	Dept.	Line Item Description	*Budget Balance	Recommended Expenditures
General	010-2510-422.9440 IR1619	Fire	Autos & Trucks	\$80,000.00	\$11,449.86

ATTACHMENTS

Purchase Quote(s)
Contract Information

PREPARED BY: William J. Beaman

William J. Beaman, Assistant Fire Chief

REVIEWED BY: John Selberg

John Selberg, Fire Chief

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 the purchase of emergency warning and radio console equipment from Fleet Safety Equipment, Inc. in the amount of \$11,449.86.

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. 10j

CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 26, 2015

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

SUBJECT: Temporary Employment Services

INTRODUCTION:

The purpose of this agenda item is to request the Board's authorization to exercise the use of the City's purchasing cooperative, U.S. Communities and contract with ACRO Service Corp to provide temporary employment services for City departments in amount not to exceed \$25,000.00.

BACKGROUND:

Temporary employment agencies are used by the City to allow departments to hire temporary workers when necessary to operate at maximum efficiency during peak work load periods, extended employee leaves of absence, and other appropriate situations. The use of temporary agencies affords the opportunity to obtain personnel with 24 hour notice if needed. The cost of using temporary employees is included in each department's annual budget. The actual costs are billed to the department requesting a temporary employee.

DISCUSSION:

The City utilized a cooperative purchasing agreement through U.S. Communities to procure pricing from ACRO Service Corp Contract #11143. National cooperative contracts provide considerable time and resource savings for participating member agencies streamlining the contracting process and maximizing efficiencies.

Staff would like to recommend exercising the ability to obtain temporary employment services with ACRO Service Corp. through the cooperative's existing competitively solicited contract at the established unit pricing. The Procurement has reviewed and verified that the terms, conditions and bidding methods are acceptable to the City.

VISION 2020:

This meets the Vision 2020 goal of providing timely response to customer needs in a cost effective manner.

BUDGET AND STAFFING IMPACT:

The cost of using temporary employees is taken out of each department's annual budget. Therefore, there will be no additional cost beyond each department's existing budget for these services. These services will be on an as needed basis. Staff has used a not to exceed estimated amount of \$25,000 for approval.

ATTACHMENTS

Acro Information – Contract Renewal

Prepared by: Steve Wilensky
Steve Wilensky, Human Resources Director

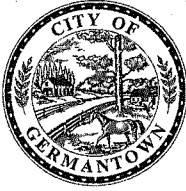
Reviewed by: Lisa A. Piefer
Lisa A. Piefer, Procurement Director

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

To request the Board's authorization to exercise the use of the City's purchasing cooperative, U.S. Communities and contract with ACRO Service Corp to provide temporary employment services for City departments in an amount not to exceed \$25,000.00.

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 26, 2015

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

SUBJECT: **THIRD READING – 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 third reading.

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 26, 2015

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

SUBJECT: ORDINANCE 2015-11 An Ordinance to amend Chapter 3 Article III Beer of the City of Germantown Code of Ordinances – First Reading

INTRODUCTION:

The Board of Mayor and Aldermen is asked to consider on first reading and set the public hearing for an ordinance to amend the City's existing ordinance dealing with the sale and distribution of beer within our community.

BACKGROUND:

Throughout the year the Board of Mayor and Aldermen have expressed an interest in reviewing the City's existing ordinance regarding several different aspects of the City's beer ordinance. During the semiannual retreat held with the Board in September of this year, the City attorney provided the Board with an overview of the existing ordinance and the impact various changes would have upon the Board's ability to regulate the sale and distribution of beer within our community.

DISCUSSION:

Attached to this agenda sheet is a copy of the revised beer ordinance as well as a redlined copy of the existing ordinance. The changes to the ordinance are focused in the following areas:

1. The establishment of a citizen beer board
2. The definition of a "growler"
3. On-premise sampling for tap beers offered for sale in growlers
4. Citizenship requirement for permit applicants

The Board of Mayor and Aldermen is asked to consider this ordinance amendment on first reading and conduct a public hearing on November 23, 2015.

ATTACHMENTS:

Revised beer ordinance
Redlined copy of the existing ordinance

REVIEWED BY: Stacey Ewell
Stacey Ewell, Assistant to the City Administrator



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 26, 2015

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

SUBJECT: Western Gateway Sewer Study – Professional Services Agreement

INTRODUCTION:

The purpose of this agenda item is to request authorization for the Mayor to enter into a professional services agreement with Allen & Hoshall to provide engineering services for the Western Gateway Sanitary Sewer Basin Study in the amount of \$184,000.00.

BACKGROUND:

The Western Gateway rezoning, approved on third reading by the Board of Mayor and Aldermen on October 13, 2014, creates the potential for a more dense development pattern of the 56 acres near the Kirby / Poplar Avenue intersection. The sewer lines proceeding northward from this rezoned area are residential in nature and lead through residential neighborhoods to the north to the Memphis outfall line. Sanitary sewer from portions of the rezoned area proceed under Poplar Avenue west of Kirby Parkway and proceed to the North through Memphis residential apartments to the outfall line. Portions of the rezoned area east of Kirby Parkway proceed through Germantown single family residential developments along Oak Hill and Brookside Drive to the Memphis outfall line. Staff has concerns about the capacity of these sanitary sewer lines with this denser development scheme.

This agenda item seeks approval of a contract with Allen and Hoshall to study both east and west basins leading from the Western Gateway rezoned area. Cooperation from the City of Memphis sewer division is necessary to study the western basin. This study will include asset evaluation (size, material type and condition), flow monitoring (both dry and rainy conditions), hydraulic modeling, full build out flow projections and the resulting master plan options for future sewer improvements if needed.

DISCUSSION:

A request for statement of qualifications was issued and publicly advertised on July 22 to eight hundred and sixty eight vendors. Staff conducted a non-mandatory pre-proposal meeting with vendors for discussion of project and to provide clarifications, if requested, on August 12, 2015. Two addendums to the request were issued on July 24 and August 20. The submittal deadline was August 27. Proposals were received from eight vendors. The request evaluation committee members included: Tim Gwaltney, Butch Eder and Bo Mills with Procurement staff facilitating the process. The evaluation criteria and procedures for selecting vendor were as follows:

- Technical Requirements
- Qualifications, Experience & Quality of Response

The evaluation team members met on September 21, 2015 to discuss vendor proposals and the select best vendor. Allen and Hoshall was a unanimous selection by the team. Vendor Best and Final Offer was requested of Allen and Hoshall on September 22, 2015. On October 5th, the evaluation team reviewed the "Best and Final Offer" information, with discussion and verification of all information presented; the evaluation team recommends Allen & Hoshall, Inc. as the City's Professional Service Provider for the Western Gateway Sanitary Sewer Basin project.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 26, 2015

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

SUBJECT: Thornwood Planned Unit Development, Phase 1, Located on the Northeast Corner of Germantown Rd. and Neshoba Rd. – Request Amendment to the Phase 1 Plan to include a Clock Tower

INTRODUCTION: The purpose of this agenda item is to approve an amendment to the Phase One site plan for the Thornwood PUD, which is currently under construction on the northeast corner of Germantown Rd. and Neshoba Rd. The property is within the T-5 Urban Center and T-4 General Urban districts. The amendment will allow the construction of a 71.385 foot-tall clock tower.

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 Planning Commission approved the Thornwood PUD outline plan on April 1, 2014, and the Board of Mayor and Aldermen approved the outline plan on May 12, 2014. The Planning Commission approved the Phase 1 preliminary and final site plan on June 3, 2014, and approved the amendment to the Phase 1 plan on October 6, 2015.

DISCUSSION: Phase 1 of the project is 3.236 acres in area and consists of the interior streets, interior curb, gutter and sidewalks, pedestrian crossings at Exeter, Neshoba and mid-block Neshoba, utility infrastructure and mass grading of the site. The applicant now proposes to construct a 71.385 foot tall clock tower within the roundabout that is under construction at the intersection of Owens Manor Drive and Kings College Drive. The clock tower was not part of the original plan, therefore a plan amendment is necessary.

VISION 2020: The Thornwood PUD is consistent with the Germantown Vision 2020 goal for redevelopment in the heart of Germantown, including Goal 1, which calls for "mixed use (residential and non-residential) development in the heart of the City". Approval of the PUD is further supported by Goal 8 (Vibrant Quality Retail Economy) and the objective of "Retail businesses generating revenues for the City helping to balance our tax base".

BUDGET AND STAFFING IMPACT: Construction of Phase 1 is underway. Approval of the amendment will permit the developer to file construction plans for the clock tower. 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 that will be devoted specifically to the clock tower is difficult to estimate, as it will become just one component of the development. Those costs will be defrayed by the fees for Plan Review and Construction Inspection, which are set out in the project development contract.

ATTACHMENTS:

1. Vicinity Map
2. Phase One Overall Plan
3. Clock Tower Plans
4. Clock Tower Rendering
5. Application and Ownership Disclosures
6. Planning Commission Minutes

Prepared by: Wade Morgan
Wade Morgan, Chief Planner

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

PROPOSED MOTION: To approve an amendment to Phase 1 of the Thornwood Planned Unit Development to allow a clock tower.

BOARD ACTION: MOTION BY: _____ **SECONDED BY:** _____

VOTE/TOTAL			PALAZZOLO	OWENS	JANDA	
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 26, 2015

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

SUBJECT: CHANGE ORDER NO. 1 - GERMANTOWN ATHLETIC CLUB RENOVATION PROJECT PHASE I

INTRODUCTION:

The purpose of this agenda item is to approve Change Order No.1 for the Germantown Athletic Club Phase I Renovation Project with A and B Construction increasing the contract construction time by 60 days and the amount by \$25,255.23 from \$1,457,729.00 to \$1,482,984.23.

BACKGROUND:

On January 27, 2014 the City entered into a Professional Services Agreement with Fleming Architects/ Fabiano Designs in the amount of \$256,500.00 for the design of renovations to the Germantown Athletic Club. The project was designed to be constructed in phases to coincide with available funding. The design of all three phases was approaching completion when a review of the construction documents by the Fire Marshall's Office resulted in a request that the entire fire protection system within the Athletic Club, except for the swimming pool be upgraded.

Since Fleming's original design upgraded the fire protection system only in the areas in which renovations were to occur in Phase I, and not the untouched areas of the Germantown Athletic Club, a design supplement was required for the extra work. Accordingly, on May 11, 2015 the Board of Mayor and Aldermen approved Design Supplement No.1 to Fleming Architects' Design Contract in the amount of \$2,000.00 increasing the total contract amount to \$258,500.00. The design of all three phases and the bid documents for Phase I were completed in June 2015.

Phase I consists of improvements to both the upper & 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.

Phase I was advertised on the City's website on July 24, 2015, sent to the Plan Houses and an e-notification was sent to eight hundred eighty-three vendors. Two contractors submitted bids with A and B Construction submitting the lowest base bid of \$1,383,247.00. Staff recommended 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.

The Board approved the project including Alternate 2 on September 15, 2015.

DISCUSSION:

During the renovation of any older facility most change orders are the result of conflicts between the original drawings and as-built drawings or work that was previously done and not documented. These unforeseen conditions result in additional work being required that could not be anticipated until construction begins and true conditions are evaluated. However, occasionally the project team discovers obstacles or issues not initially considered that require a deviation from the original plan. This change order is the result of a complication discovered during the pre-construction meeting.

During the pre-construction meeting, it was discovered that the contractor's construction plan was for demolition to occur on both the upper and lower levels outlined in Phase I at the same time and then complete the renovation work. Although not specifically spelled out in the contract documents, staff was under the impression that arrangements could be made to complete the Day Care area initially and then once that area was secured, the rest of project could be completed. However, the contractor pointed out as a result of the stringent construction timeline (120 days) delineated in the contract that it would be impossible to demo and finish the levels separately and meet the construction timeline.

Therefore, we requested that the contractor give us a proposal to construct the upper and lower levels separately. The Proposal which is attached requested an additional 60 days construction time and \$25,255.23 for the additional time their subcontractors would be on the job and the additional cost of providing supervisory personnel.

Based upon the fact that there are very stringent safety requirements for children housed in the day care area, it is imperative that the day care area be secured prior to any other construction taking place. This leaves us with the following:

ALTERNATIVES & IMPLICATIONS

There appears to be two alternatives moving forward:

(1) Approve the change order as submitted and find additional funding for the change order

This alternative allows the project to move forward without delay, but increases the contract construction time and cost.

(2) Include eliminating Alternate 2, Renovation of the Aquatics Office in the amount of \$74,482.00, in the Change Order

This Alternate provides for the extra time and cost and keeps the project within budget but the Aquatics Office improvements are shifted to another a future construction phase.

RECOMMENDATION:

The relatively small cost of the change order versus eliminating the Aquatics Office is probably not a very prudent business decision. Therefore, staff is recommending approval of the change order as submitted and finding additional funding for the change order.

VISION 2020:

This project supports the Vision 2020 Financial Sustainability Goal 22 through the implementation of the 2005-2006 City Facility and Capital Asset Strategy for maintaining and upgrading city facilities for operating effectiveness and long-term sustainability.

