

BOARD OF MAYOR AND ALDERMEN

October 26, 2015

The regular meeting of the Board of Mayor and Aldermen was held on Monday, October 26, 2015 at 6:00 p.m. in the Council Chambers of the Municipal Center.

Mayor Mike Palazzolo was present and presiding.

The following aldermen were present: John Barzizza, Mary Anne Gibson, Dave Klevan, Forrest Owens and Rocky Janda. Staff present: Patrick Lawton, Debra Wiles, Deputy Chief Rodney Bright, Fire Chief John Selberg, Paul Chandler, Ralph Gabb, Reynold Douglas, Daniel Page, Cameron Ross, Tony Fischer, and Dotty Johnson.

Call to Order

Mayor Palazzolo called the meeting to order.

Invocation

General Services Director Reynold Douglas gave the invocation.

Pledge of Allegiance

Alderman Mary Anne Gibson led the Pledge of Allegiance.

Approval of Agenda

During the executive session, the Board unanimously agreed to move #10e to #12– Community Theater Grant from the consent agenda to be discussed, defer #12 – Ordinance 2015-11 Amendment to Beer Ordinance, and move #16 - Change Order No. 1 – Germantown Athletic Club Renovation Project to the consent agenda.

Motion by Mr. Barzizza , seconded by Mr. Klevan, to approve the agenda as amended.

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

Approval of Minutes

There were no corrections to the minutes.

Motion by Mr. Klevan, seconded by Mr. Janda, to accept the minutes of the Board of Mayor and Aldermen meeting held October 12, 2015.

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

Beautification Commission Business Award

Alderman Owens and Ms. Sylvia Poll from the Beautification Commission presented the business award to Ms. Jo Gilbert, Executive Director, and several of the students from the Madonna Learning Center located at 7007 Poplar Avenue.

Ms. Gilbert stated that David McGittigan with Michael Hatcher and Associates designed the memory garden and voiced her gratitude to Fleming and Associates for their beautiful design and construction and felt it was a beautiful facility that the City could be proud of.

Teacher of Month

Alderman Gibson presented the October Teacher of the Month award to Ms. Melanie Moss from Riverdale Elementary School. Ms. Moss is a special education teacher guiding children grades K- 5 who have varied learning abilities.

2015 Teacher of the Year

Alderman Gibson stated that during the May 2015 Education Celebration, Ms. Diane Morales was announced as the 2014-2015 Teacher of the Year. Unfortunately, Ms. Morales was unable to attend the celebration and while she received her tokens of appreciation in May, the City wanted to publicly recognize her for the honor. Ms. Morales teaches at Germantown High School offering classes in IB Spanish.

Citizens to be Heard

No one came forward to speak.

CONSENT

Donations – Parks & Recreation

Donations have been made to the Parks and Recreation Department to sponsor the Special Recreation Program, the “Reel” Family Outdoor Movie Series and the Small Fry Triathlon. Donations were made by Germantown Women’s Club - \$500.00, Anonymous - \$1,000.00, IBERIABANK - \$1,450.00 and Campbell Clinic - \$3,500.00.

MOTION: To recognize the donation made to the Parks and Recreation Department for a community program totaling \$6,450.00 and to approve Budget Adjustment No. 16-20.

Donations – Germantown Community Library

The Germantown Community Library works in partnership with many local organizations to provide top quality service to its patrons. The following donations were made to the 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 and City of Germantown \$1,200.00.

MOTION: To recognize donations made to the Germantown Community Library in the amount of \$5,897.00 and to approve Budget Adjustment No. 16-19.

Post and Rail Fence – Construction Contract

The Board approved funding for the installation of round rail fencing to replace the existing split rail systems at four designated parks.

MOTION: To contract with Langford Fence Co., Inc. for the purchase and installation of post and rail fencing in the amount of \$38,995.00.

Germantown Education Foundation – Fill the Fountain

The citizens of Germantown have the opportunity to participate in the ability to donate funds to the Germantown Education Foundation through their monthly water bill. There are currently 90 reoccurring donors and 39 one time donors for the past quarter to the program. The approval of this collection of funds will be transferred to the Germantown Education Foundation.

MOTION: To authorize the transfer of funds collected by the City from residents and others to the Germantown Education Foundation in the amount of \$3,056.00.

Change Order No. 1 – Germantown Athletic Club Renovation Project Phase 1

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 1 at the same time and then complete the renovation work.

There are very stringent safety requirements for children housed in the day care area, and it is imperative that the day care area be secured prior to any other construction taking place. Therefore, the contractor was asked to give a proposal to construct the upper and lower levels separately. The proposal requested an additional 60 days construction time and \$25,255.23 for the additional time their subcontractors would be on the job and additional cost of providing supervisory personnel.

MOTION: To approve Change Order No. 1 for the Germantown Athletic Club Phase 1 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.

Community and Employee Survey Contract Extension

This is an extension of the contract with NuStats, LLC for the community and employee surveys in an amount not to exceed \$16,950.00.

MOTION: To approve Change Order No. 1 for the service contract with NuStats, LLC in an amount not to exceed \$16,950.00 for implementation of the Germantown community and employee surveys.

Senior Expo Booth Equipment Rental

The 20th Annual Germantown Senior Expo event presented by the Germantown Senior Citizens Advisory Commission is to be held on Thursday, November 5, from 9 a.m. to 2 p.m. Booths, equipment and electrical services must be secured before the event.

MOTION: To authorize securing Hicks Convention Services to provide all booths and specified equipment for the Senior Expo in the amount of \$12,909.00.

Youth Basketball Uniforms

The Parks and Recreation Department provides team jerseys and shorts for the youth basketball program which includes approximately 500 boys and girls. The low bid was from BSN Sports.

MOTION: To authorize the purchase of boys and girls basketball uniforms from BSN Sports in an amount not to exceed \$16,000.00.

Emergency Warning Equipment for Fire Staff Vehicles

This request is to provide emergency warning and radio console equipment for two new replacement fire department staff vehicles being procured by Fleet Services.

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

Temporary Employment Services

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 periods, extended employee leaves of absence and other appropriate situations. The City utilized a cooperative purchasing agreement through U.S. Communities to procure pricing from ACRO Service Corp.

MOTION: 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.

Motion by Mr. Barzizza, seconded by Mr. Owens, to accept the consent agenda as printed.

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

REGULAR AGENDA

Ordinance 2015-10 – Amendment to Chapter 2, Administration, Article V; Division 16 – Education Commission – Third and Final Reading

Mr. Lawton stated this was the third and final reading on this ordinance. The amendment will allow the Education Commission to add a non-voting Germantown School Board liaison to the commission.

Motion by Ms. Gibson, seconded by Mr. Janda, to approve Ordinance 2015-10, an ordinance to amend the Germantown Education Commission membership, on third reading.

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

Germantown Community Theater Grant – Moved from Consent Agenda

Mr. Lawton explained that for the past several years the City has had a contract with the Germantown Community Theater to provide the City's youth theater program and provides a grant for these services. This \$45,000.00 grant to the Germantown Community Theatre (GCT) will provide this programming to the Germantown community. The GCT has provided all documentation required with the exception of the FY15 Annual Report.

The GCT is in the early stages of beginning a fundraising campaign for the new addition and renovation work for the Community Theater. This will be an extensive renovation and, based on the plan, Administration feels certain they will be successful in their fundraising efforts. A representative from GCT has reached out to the City and asked for an additional grant to jumpstart their campaign in particular for the engineering and architect design. There were representatives from GCT in the audience to answer any questions.

Alderman Gibson stated she had previously met with Dr. Miles and Ms. Gilmore and went over the capital campaign and she stated she was in favor of the additional \$15,000.00 grant.

Alderman Owens stated he had also spoken with Dr. Miles and Ms. Gilmore and he too recommended the additional \$15,000.00 grant.

Motion by Mr. Owens, seconded by Mr. Barzizza, to authorize the Mayor to execute an agreement for the FY16 budget year between the City of Germantown and the Germantown Community Theatre, to authorize the budgeted payment of \$45,000.00 for ongoing programming and an additional \$15,000.00 from the Contingency to fund design work at GCT.

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

Ordinance 2015-11 – Amendment to Beer Ordinance – First Reading - Deferred

Certificate of Compliance – Poplar Pike Liquors

Mr. Lawton stated Mr. Frank Wesley Truett, the new owner of Poplar Pike Liquors, located at 9330 Poplar Pike #103, has presented a Certificate of Compliance Retail Package Store for approval by the Board. Mr. Truett was present to answer any questions.

Motion by Ms. Gibson, seconded by Mr. Barzizza, to authorize the Mayor to sign the Certificate of Compliance to Mr. Frank Wesley Truett for Poplar Pike Liquors, 9330 Poplar Pike #103.

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

Professional Services Agreement – Western Gateway Sewer Study

Public Works Director Bo Mills stated this was a request for approval of a Professional Services Agreement with Allen & Hoshall to study both east and west basins leading from the Western Gateway rezoned area. This study will include asset evaluation (size, material type and condition), flow monitoring, hydraulic modeling, full build out flow projects and the resulting master plan options for future sewer improvements if needed. This was approved in the FY16 CIP Budget and is under budget.

Motion by Mr. Janda, seconded by Mr. Owens, to authorize 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.

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

Thornwood Planned Unit Development, Phase 1 – Request Amendment to include a Clock Tower

Economic and Community Development Director Cameron Ross stated this was a relatively simple amendment to Phase 1 of Thornwood. The applicant 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. There will be clock bells that will chime the “Westminster” chime. The clock tower was not part of the original plan, therefore, a plan amendment is necessary. The Planning Commission had approved the amendment.

Motion by Mr. Owens, seconded by Ms. Gibson, to approve an amendment to Phase 1 of the Thornwood Planned Unit Development to allow a clock tower.

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

Presentation

Mayor Palazzolo made an announcement that the International Council of City Managers had a coveted award that was based on years of service to a community. This year marks the 35th year of service for Patrick J. Lawton to the people of the communities he has represented. He stated that 28 of those years had been here in the City of Germantown as our city administrator. The Mayor presented him with the award as a symbol of his years of service.

Mr. Lawton stated it had been an honor to serve the cities where he had worked but there was no place like Germantown, Tennessee. He stated he loved the city and he loved his job and he thanked the Board and staff.

Adjournment

The Mayor adjourned the regular meeting of the Board of Mayor and Aldermen.

BEER BOARD

The Mayor convened the Beer Board.

Public Hearing – Beer Permit – Trader Joes

Trader Joe’s East, Inc. has requested a permit to sell beer for off-premise consumption at Trader Joe’s #738, that will be located at 2130 Exeter Road. A representative from Nashville was present to answer any questions.

Mayor Palazzolo opened the public hearing. Having no one come forward, the public hearing was closed.

Motion by Mr. Janda, seconded by Mr. Barzizza, to approve the request from Trader Joe's #738, for a permit to sell beer for off-premise consumption at Trader Joe's #738, to be located at 2130 Exeter Road.

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

Adjournment

The Beer Board was adjourned.

Mike Palazzolo, Mayor

Dotty Johnson, City Clerk/Recorder