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, January 11, 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. Proclamations
- Citizens to be Heard
- 8. CONSENT
  - a. Purchase of Fitness Equipment Fire Department
  - b. Firefighter Physicals
  - c. Forklift Purchase
- Resolution 16R01 and Resolution16R02- Amendment 1 and 2 to the Defined Benefit Plan
- 10. Resolution 16R03 and Resolution 16R04 Amendment 7 and 8 to the Amended and Restated Employees' Retirement Plan
- 11. Resolution 16R05 and Resolution 16R06 –Initial Authorizing Bond Resolutions
- 12. Public Hearing Ordinance 2015-9 Amendment to 2016 Budget Ordinance Second Reading
- 13. Emergency Water Contract Dogwood Road Water Main Transfer
- 14. Ordinance 2016-01 Amendment to Chapter 21 Utilities Ordinance
- 15. Professional Services Agreement Western Gateway Traffic Impact Analysis
- 16. Adjournment

#### **BEER BOARD**

- 1. Public Hearing Taziki's Mediterranean Café
- 2. Public Hearing Stoney River Steakhouse and Grill



**REPORT TO:** 

THE BOARD OF MAYOR AND ALDERMEN

DATE:

January 11, 2016

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:
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VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO	
YES	Yes	Yes	Yes	Yes	Yes	Yes	
NO	No	No	No	No	No	No	1701 1111111111111111111111111111111111
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain	action to a balance of a second



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

**January 11, 2016** 

FROM:

Patrick J. Lawton, City Administrator

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 December 12 and the Special Called Meeting held December 16, 2015.

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

To approve the minutes of the Board of Mayor and Aldermen Meeting held December 12, 2015 and the Special Called Meeting held December 16, 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



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

January 11, 2016

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

PURCHASE OF FITNESS EQUIPMENT FOR FIRE DEPARTMENT

#### INTRODUCTION:

The purpose of this agenda item is to request authorization to purchase Fitness Equipment from Life Fitness in the total amount of \$49,069.03.

#### BACKGROUND:

The Fire Department received a grant for Fire Fighter Wellness and Fitness through the FEMA Assistance to Fire Fighters Grant Program. The Board approved this grant on November 23, 2015. The grant is for \$165,870.00. \$78,720.00 of this was earmarked for fitness equipment, including weight lifting equipment and exercise machines. This equipment will be provided in the Fire Stations to allow fire fighters to maintain the necessary level of fitness.

#### **DISCUSSION:**

The City is utilizing the National Joint Powers Alliance (NJPA) Buying Group cooperative purchasing program to acquire the fitness equipment. 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 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.

#### **BUDGET AND STAFFING IMPACT:**

As specified with the acceptance of this grant, FEMA will reimburse the City for up to \$150,791.00. The City will make the initial purchases and then submit to FEMA for reimbursement. The City's portion of \$15,079.00 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, although the fund will have a negative balance until receipt of reimbursement from FEMA.

#### **SOURCE OF FUNDING:**

			Line Item	*Budget	Recommended
Fund	Line Item No.	Dept.	Description	Balance	Expenditures
General	010-2510-422.3900	Fire	Non-Capital Assets	\$ 7,408.35*	\$ 49,069.03

### **ATTACHMENTS**

Purchase Quote # 2482368-1R from Life Fitness

PREPARED BY: Keith Saunders, Jr.
Keith Saunders, Jr., Administrative Chief
DENIENCED DV. Lake Calleann
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
Naiph J. Gabb, i mance Director

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

To authorize the purchase of Fitness Equipment from Life Fitness in the total amount of \$49,069.03.

<b>BOARD ACTION:</b>	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



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

January 11, 2016

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

FIRE FIGHTER PHYSICAL EXAMS

#### INTRODUCTION:

The purpose of this agenda item is to request authorization to contract with LifeSigns to provide employee physical exams for Fire Fighters up to a total amount of \$67,600.00.

#### **BACKGROUND:**

The Fire Department received a grant for Fire Fighter Wellness and Fitness through the FEMA Assistance to Fire Fighters Grant Program. The Board approved this grant on November 23, 2015. The grant is for \$165,870.00. \$67,600.00 of this was earmarked for employee physicals for all fire fighters, including full-time, part-time and Reserves. These physical exams will provide a baseline health screening of the employee to guide them in their wellness efforts, as well as identify any health concerns. Similar employee physicals done by other Fire Departments have helped identify life threatening conditions previously unknown to the Fire Fighter. This has resulted in many lives saved. These physicals will be the first step in the Fire Department's new Health and Wellness Program.

#### **DISCUSSION:**

The City currently has an agreement with LifeSigns to provide comprehensive physical examinations for employees through our Health Plan. The Fire Department physicals will follow these same guidelines and pricing as currently approved.

#### **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.

#### **BUDGET AND STAFFING IMPACT:**

As specified with the acceptance of this grant, FEMA will reimburse the City for up to \$150,791.00. The City will make the initial purchases and then submit to FEMA for reimbursement. The City's portion of \$15,079.00 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, although the fund will have a negative balance until receipt of reimbursement from FEMA.

#### **SOURCE OF FUNDING:**

			Line Item	*Budget	Recommended
Fund	Line Item No.	Dept.	Description	Balance	Expenditures
General	010-2510-422.2510	Fire	Employee Physicals	\$ 7,495.00*	\$ 67,600.00

### **ATTACHMENTS**

Agreement with Lifesigns Proposal from Lifesigns

Ralph J. Gabb, Finance Director

**BOARD ACTION:** 

PREPARED BY: Keith Saunders, Jr.
Keith Saunders, Jr., Administrative Chief
REVIEWED BY: John Selberg
John Selberg, Fire Chief
REVIEWED BY: Steve Wilensky
Steve Wilensky, Human Resources Director
REVIEWED BY: Lisa A. Piefer
Lisa A. Piefer, Procurement Director
REVIEWED BY: Ralph J. Gabb

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

**MOTION BY:** 

To authorize the City to enter a contract with LifeSigns to provide employee physical exams for Fire Fighters up to a total amount of \$67,600.00.

ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain
NO	No	No	No	No	No	No
YES	Yes	Yes	Yes	Yes	Yes	Yes
VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

January 11, 2016

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

FORKLIFT PURCHASE

#### **INTRODUCTION:**

The purpose of this agenda item is to request the Board's authorization to purchase a liquid propane (LP) powered 2007 Clark Model CMP25 forklift to be utilized by the Fleet Services Division from Delta Materials Handling Inc. at a cost of \$13,500.00.

#### **BACKGROUND:**

The propane powered forklift will be used in the day-to-day operations mainly by Fleet Services but can be utilized by all departments when required. The additional forklift will also serve as a backup and can be used by Procurement at the City warehouse when their forklift is out of service.

#### **DISCUSSION:**

Delta Materials Handling inc. has met all the requirements in submitting properly completed bid package and has been deemed the most responsive and responsible bidder.

The bid was advertised on the City's website and an e-notification was sent to nine hundred twenty-five (925) vendors. Funding for this purchase is included in the FY16 IRP Budget. Three bids were received and the bid analysis sheet is attached. Staff has reviewed all submitted bids and specifications and recommends the low bid from Delta Materials Handling Inc. for approval.

#### **VISION 2020:**

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

#### **BUDGET AND STAFFING IMPACT:**

#### SOURCE OF FUNDING:

			Line Item	*Budget	Recommended
Fund	Line Item No.	Dept.	Description	Balance	Expenditures
Fleet	051-5520-482-94.90	Fleet Services IR1647	Used Forklift	\$18,000	\$13,500.00

#### **ATTACHMENTS**

Bid Analysis #COG2016-16

Forklift Purchase January 11, 2016 Page 2

Prepared by: Eddie Johnson

Eddie Johnson, Fleet Services Manager

Reviewed by: Adrienne Royals

Adrienne Royals, Senior Budget & Performance Analyst

Reviewed by: Reynold D. Douglas

Reynold Douglas, General Services Director

Reviewed by: Lisa A. Piefer

Lisa A. Piefer, Procurement Director

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

To approve the purchase of a liquid propane (LP) powered 2007 Clark model CMP25 forklift to be utilized by the Fleet Services Division from Delta Materials Handling Inc. at a cost of \$13,500.00.

**BOARD ACTION:** 

**MOTION 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



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

January 11, 2016

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

RESOLUTION 16R01 and RESOLUTION 16R02 - Amendment 1 and 2 to the Defined Benefit

Plan

#### INTRODUCTION:

The purpose of this agenda item is to approve Resolution 16R01 and Resolution 16R02 which amends the employees' defined benefit retirement plan.

#### **BACKGROUND:**

The City of Germantown established a contributory retirement plan know as the City of Germantown Defined Benefit Plan effective July 1, 2013. Also known as the cash balance plan.

#### DISCUSSION:

The first and the second amendment were presented to the RPAC Commission on December 3<sup>rd</sup> with a recommendation to forward for approval to the Board of Mayor and Aldermen. The first amendment addresses Interest Credits to accumulation accounts except as provided in Section 4.1 and Section 4.5. The section of the plan document is section 4.4 titled "Accounts and Credits to Accounts.

The second amendment addresses Qualified Domestic Relations Orders. The Tennessee Code Annotated Section 26-2-105, The Pension Plan should be amended and address Section 17.2 of the City Plan. The effective date of the change will be July 1, 2015. Section 17.2 shall be amended by the deletion of the sentence "This Section shall also apply to the creation, assignment, or recognition of a right to any benefit payable with respect to a Participant pursuant to a domestic relations order."

The first and second amendment have been included for your review.

#### **VISION 2020:**

This agenda supports all the objectives under the financial Sustainability goal within the Vision 2020 plan.

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

Reviewed by: Steve Wilensky

Steve Wilensky, Human Resource Director

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

To adopt Resolution 16R01 and Resolution 16R02 – Amendment number 1 and 2 to the City of Germantown Defined Benefit Plan.

BOARD ACTION:

MOTION BY:

VOTE/TOTA	L 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



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

January 11, 2016

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

RESOLUTION 16R03 and RESOLUTION 16R04 - Amendment 7 and 8 to the City of

Germantown, Tennessee Amended and Restated Employees' Retirement Plan

#### INTRODUCTION:

The purpose of this agenda item is to approve Resolution 16R03 and Resolution 16R04 which amends the City of Germantown, Tennessee Amended and Restated Employees' Retirement Plan.

#### **BACKGROUND:**

The City of Germantown has maintained a contributory retirement plan since July 12, 1966 and then amended and restated on November 10, 2008. This plan became known as the City of Germantown Amended and Restated Employees' Retirement Plan

#### **DISCUSSION:**

The seventh and the eight amendments were presented to the RPAC Commission on December 3<sup>rd</sup> with a recommendation to forward for approval to the Board of Mayor and Aldermen. The seventh amendment addresses the Qualified Domestic Relations Orders. The Tennessee Code Annotated Section 26-2-105, the Pension Plan should be amended and address Section 14.2 of the City Plan. The effective date of the change will be July 1, 2015. The section of the plan document is section 4.4 titled "Accounts and Credits to Accounts."

The eighth amendment addresses Actuarial Equivalent. This change is prescribed by the amendment to the Tennessee Code Annotated Section 26-2-105, the Pension should be amended as set forth. Section 2.3 shall be deleted in its entirety and is changed to agree with the Tennessee Code Annotated.

The seventh and eight amendments have been included for your review.

#### **VISION 2020:**

This agenda supports all the objectives under the financial Sustainability goal within the Vision 2020 plan.

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

Reviewed by: Steve Wilensky

Steve Wilensky, Human Resource Director

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

To adopt Resolution 16R03 and Resolution 16R04 – Amendment number 7 and 8 to the City of Germantown, Tennessee Amended and Restated Employees' Retirement Plan.

BOARD ACTION: MOTION BY: SECONDED BY:

VOTE/TOTA	L BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO I
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

January 11, 2016

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

Resolution 16R05 and Resolution 16R06 – Initial Authorizing Bond Resolution

#### INTRODUCTION:

The purpose of this agenda item is to adopt Resolution 16R05 and Resolution 16R06 the Initial Authorizing Resolution that permits the City of Germantown to issue up to \$4,000,000.00 and \$12,000,000.00 in general obligation bonds for public infrastructure projects, respectively.

#### **BACKGROUND:**

The City utilizes proceeds from selling long-term debt to finance capital improvement projects that add to or replace the public infrastructure. Included in the City's Capital Improvement Program are anticipated bond issues to support financing of the more significant infrastructure projects that are expected to have a long useful service life. Bond financing for drainage and roadway projects are included in the FY16 budget for \$3.5 million. In addition, the FY16 budget is being adjusted for an additional \$11.0 million for an expansion of the Riverdale School.

#### **DISCUSSION:**

The City proposes to issue up to \$16.0 million of General Obligation Bonds, Series 2016 to provide financing for capital improvement projects that were planned in the current fiscal year, plus an additional project that is being planned for with the FY16 budget adjustment. The bond-funded capital improvements include, but are not limited to improvement to major roads, drainage, parks and school facilities and equipment.

The City has engaged a financial advisory, Public Financial Management, Inc. (PFM) to recommend the proposed financing structure and timing of the bond issue under the current market conditions. The Financial Advisory Commission met on December 1, 2015 to review the City's proposal for the bond offering and provided unanimous support for the issuance of bonds at this time (subject to interest rate limitations) based on staff analysis of the long-term funding needs for the anticipated public projects and recognizing the City's excellent credit rating.

As part of this issue process, PFM assists the City with the preparation of sale documents, arranging the rating agency review, contacting potential bond purchasers and directing the competitive bid process for obtaining market interest rates from the underwriters. Bond counsel Adams and Reese LLP, of Nashville, TN will provide the specialized legal expertise required for issuing public debt.

This Initial Authorizing Resolution 16R05 and Resolution 16R06 directs the City to give the required public notice regarding the Board's initial approval of the City's intention to issue the new bond debt. The public notice provides the City's registered voters an opportunity to respond during a 20 day period with any public protest of the bond issuance.

#### **VISION 2020:**

Issuing long-term debt to finance the City's capital improvement projects supports Goal 22 of the Vision 2020: Financial Sustainability by providing financial resources to support the city's public infrastructure.

#### **BUDGET AND STAFFING IMPACT:**

The current budget projections indicate that the expected future General Fund revenues will be adequate for meeting the debt service requirements for the bond issued. In addition, the Germantown Municipal School District will pay sufficient funds to meet a portion of the bond issue per the memorandum of understanding approved by the District and the City in December 2015.

Prepared by: Ralph J. Gabb

Reviewed by: Adrienne Royals

Reviewed by: Sherry Rowell

Sherry Rowell, Sr. Budget & Performance Analyst

Ralph J. Gabb, Finance Director

Adrienne Royals, Sr. Budget & Performance Analyst

#### **ATTACHMENTS:**

Resolution 16R05 Resolution 16R06

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

To approve the attached Resolution 16R05 authorizing the issuance of up to \$4,000,000.00. General Obligation Bonds Series 2016, of the City of Germantown, Tennessee pursuant to state law under Title 9, Chapter 21, Tennessee Code Annotated, for the purpose of financing cost of public works projects related to the City's major roads, drainage and parks and to direct staff to publish the prescribed notice about these resolution in a newspaper having general circulation in the City.

BOARD ACTION: MOTION BY:

SECONDED BY:

VOTE/TOTAL	. BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO	
YES	Yes	Yes	Yes	Yes	Yes	Yes	Out Control and Control and Advantage Control
NO	No	No	No	No	No	No	
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain	

To approve the attached Resolution 16R06 authorizing the issuance of up to \$12,000,000,00, General Obligation Bonds Series 2016, of the City of Germantown, Tennessee pursuant to state law under Title 9, Chapter 21, Tennessee Code Annotated, for the purpose of financing cost of school facilities and equipment and to direct staff to publish the prescribed notice about these resolution in a newspaper having general circulation in the City.

BOARD ACTION:

MOTION 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



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

January 11, 2016

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

Ordinance 2015-9 - An Ordinance to Amend the FY2016 Annual Budget - Second Reading

#### INTRODUCTION:

This proposed budget amendment by the Board of Mayor and Aldermen on second reading tonight will open the approved FY16 budget to consider an increase in capital funding for the Germantown Municipal School District (GMSD).

#### **BACKGROUND:**

The FY16 budget was adopted by the Board of Mayor and Aldermen on June 22, 2015. During the budget work sessions with the Board and the Financial Advisory Commission (FAC) leading up to this adoption, the administration presented several capital improvement projects identified by the GMSD for possible funding consideration in the FY16 budget. However, due to internal discussions by GMSD regarding funding priorities and cost estimates, it was decided that any further review of these projects would take place after the adoption of the City's budget and only with a clear presentation by the school district of its capital priorities and construction estimates.

On August 20, 2015, the FAC convened a meeting to hear a presentation by City and school administration regarding capital funding for GMSD and a plan for funding these improvements in the current fiscal year. At the end of the meeting and after considerable discussion by the FAC a motion was made to "recommend to the BMA that the approval of the FY16 budget be amended to include the issuance of debt in the amount of \$12 million for additional class room space at Riverdale Elementary School and for a multipurpose athletic facility at Houston High School". The vote was unanimous in support of this action.

The administration convened the FAC once again on December 1, 2015 to present the revised cost figures for Riverdale. Increased project costs for the Riverdale project forced the GMSD to abandon the Houston High School athletic facility at this time. The recommendation to amend the budget was approved by the FAC.

#### DISCUSSION:

Based on cost estimates developed by the District's design engineering firm during the final design phase for this capital project, the cost estimates are as follows:

Riverdale addition

\$11,991,713.00

Bond proceeds to support the project

\$11,000,000.00

The GMSD will take from their reserves dollars in excess of \$11 million to complete the project.

Funding for this improvement will be generated through the issuance of general obligation bonds by the City. Pending the approval of this budget amendment, the bond sale for this project will take place on February 22, 2016 as part of a previously anticipated bond sale for drainage and road improvements in this year's CIP.

Board of Mayor and Aldermen Ordinance 2015-9 – An Ordinance to Amend the FY2016 Annual Budget January 11, 2016 Page 2

Contingent upon the approval of this budget amendment and eventual bond sale, an interfund reimbursement agreement between the City of Germantown and the Germantown Board of Education that would require that the school district reimburse the City for the principle amount plus interest as well as the pro rata share of all costs and expenses incurred by the City with the bond sale. The City administration has requested that this agreement be executed by the School Board the day of the bond sale and prior to presentation to the Board of Mayor and Aldermen.

#### **VISION 2020:**

This action by the Board of Mayor and Aldermen supports the City's vision, mission and value statement by investing in our public facilities and infrastructure and helping to contribute to a world class school system.

#### ATTACHMENTS:

Budget Ordinance Amendment Budget Adjustment No. 16-14

REVIEWED BY: Ralph J. Gabb

Ralph J. Gabb, Finance Director

REVIEWED BY: Sherry Rowell

Sherry Rowell, Sr. Budget & Performance Analyst

REVIEWED BY: Adrienne Royals

Adrienne Royals, Sr. Budget & Performance Analyst

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

To approve Ordinance 2015-9 and Budget Adjustment No. 16-14 to amend the FY16 Annual Budget on second reading.

BOARD ACTION: MOTION 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



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

January 11, 2016

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

Emergency Water Contract – Dogwood Road Water Main Transfer

#### **INTRODUCTION:**

The purpose of this agenda item is to request authorization to pay B & C Construction Co. Inc. in an amount not to exceed \$24,900.00 for an emergency transfer of all water services and two fire hydrants from a six inch main to a twelve inch main along Dogwood Road from Pete Mitchell to Germantown Road to correct low flow problems.

#### **BACKGROUND:**

In late November, the Germantown Fire Department was conducting routine flow tests on fire hydrants on Dogwood Road from Pete Mitchell to Germantown Road. The officers noted that the hydrants in the area had extremely low flow. The Fire Marshal's office notified Public Works. Public Works Utilities staff immediately conducted valve checks, hydrant inspections and system analysis to determine the reason for the low pressure. It was noted that all valves were functioning properly, the hydrants although dating back to the 40's were working properly and that no obvious restrictions were found in the water main. The principal cause of the low pressure seems to be the removal of the loop to Poplar Avenue with the closing of Pete Mitchell Road.

The water main in question was installed in the late 1940's and is asbestos – concrete (AC) or transite, a very fragile form of pipe of which the City has been eradicating from the system. Over time, transite pipe softens and loses mechanical strength increasing the number of pipe failures. A ductile iron twelve inch water main was installed in the early 1970's adjacent to this main to distribute water from the Southern Avenue Water Treatment Plant to the growing city. To resolve the low pressure problem, which would hamper the fire department's ability to battle fire in the area, the City Administrator gave emergency authority on December 15 for the Public Works Department to seek a contractor to assist with the needed transfer of water services and hydrants to the twelve inch main. This action will allow for the abandonment of approximately 2,300 feet of transite water main.

#### **DISCUSSION:**

On December 15, Public Works staff contacted Bill Koeneman, B & C Construction, to solicit a quote for the work. B & C provided the attached quote which is consistent with similar industry construction costs and confirmed that they could get to work on the project as soon as utility locates were accomplished. Per the Emergency Purchase process, the Procurement staff received approval from the City Administrator to move forward with the repairs. As result, staff completed the standard emergency contract with insurance requirements and completed the contract approval from the Mayor and City Attorney. B & C Construction was issued a purchase order in an amount not to exceed \$24,900.

Public Works staff notified the 13 homeowners that would be affected by the changeover. The contractor began work on the project on December 21. Not knowing the exact material needs for the service lines and the hydrant connections, the contract was designed as a not-to-exceed. Should the actual cost come in lower, the contractor will bill for only what is accomplished. Public Works crews will perform the street asphalting and the Utility fund will furnish the two hydrants, tapping sleeves and valves to keep costs lower. Included in the FY 16 CIP budget are funds allocated for water mains maintenance. This emergency work will be accomplished using these funds.

Emergency Water Contract – Dogwood Road Water Main Transfer January 11, 2016 Page 2

#### **VISION 2020:**

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

### **BUDGET AND STAFFING IMPACT:**

#### **SOURCE OF FUNDING:**

Fund	Line Item No.	Dept.	Line Item Description	Budget Balance	Recommended Expenditure
Utility Fund	040-9020-522.93-60	Public Works Utilities	CIP – Water Mains Mainten	\$100,000 ance.	\$ 24,900.00

Brad Smith, Utilities Field Ops. Superintendent will monitor this contract.

#### **ATTACHMENTS:**

**Bid Proposal** 

Prepared by:	Bo Mills	
	ctor of Public Works	
Reviewed by:	Lisa A. Piefer	
Lica A Diefer	Procurement Director	

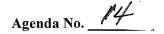
BOARD ACTION:

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

MOTION BY:

To request authorization to pay B & C Construction Co. Inc. in amount not to exceed \$24,900.00 for an emergency transfer of all water services and two fire hydrants from a six inch main to a twelve inch main along Dogwood Road from Pete Mitchell to Germantown Road.

VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ARSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain





REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

January 11, 2016

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

Ordinance 2016-01 An Ordinance to Amend Chapter 21 (Utilities) - First Reading

#### INTRODUCTION:

The purpose of this agenda item is to adopt Ordinance No. 2016-01 an Ordinance to amend Chapter 21 (Utilities) of the Code of Ordinances of the City of Germantown for the provisions related to late fee allowances

#### **BACKGROUND:**

The current ordinance does not allow for the removal of lost discounts for customers who use the water and sewer system in the City of Germantown. The proposed ordinance would allow customer's the ability to have the lost discount removed if they have paid their utility bill on time for the preceding twelve (12) consecutive months.

#### **DISCUSSION:**

The City collection rate for the utility fund is very good. There are customers of the utility fund who have paid their utility bill to the City on a timely basis for many years. However, events occur that are beyond their control and the City has not received their current payment and they lost the discount. The current ordinance does not allow for the removal of the lost discount. The amendment to the utility ordinance will allow for the removal of a late fee or lost discount for customers of the utility fund that have paid their utility bill on time for the preceding twelve (12) consecutive months.

#### **VISION 2020:**

**BOARD ACTION:** 

**Abstain** 

ABSTAIN

This meets the Vision 2020 objective of "Every manager and supervisor taking responsibility for managing resources in a prudent manner."

Prepared by: Ralph J. Gabb	Reviewed by: Bo Mills, PWLF	
Ralph J. Gabb, Finance Director	Bo Mills, Public Services Director	
Reviewed by: Linda Rathje		
Linda Rathje, Accounting Manager		

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

**MOTION BY:** 

Abstain

To approve Ordinance No. 2016-01 on First reading and set Monday, February 11, 2016 for the second reading and public hearing

**SECONDED BY:** 

Abstain

Abstain

VOTE/TOTAL	BARZIZZA	GIBSON	KLEVAN	OWENS	JANDA	PALAZZOLO
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No

Abstain

Abstain



**REPORT TO:** 

THE BOARD OF MAYOR AND ALDERMEN

DATE:

January 11, 2016

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

WESTERN GATEWAY TRAFFIC IMPACT ANALYSIS - PROFESSIONAL SERVICES

**AGREEMENT** 

#### **INTRODUCTION:**

The purpose of this agenda item is to consider approval of a Professional Services Agreement (PSA) with Kimley-Horn & Associates (KHA) in the amount of \$70,000 to provide engineering services related to an in-depth Traffic Analysis of the Western Gateway.

### **BACKGROUND:**

The City approved a Small Area Plan for the area of Germantown commonly referred to as the Western Gateway in November of 2013 and the Smart Code zoning overlay district was approved in October of 2014. The Western Gateway is comprised of approximately fifty-eight (58) acres and is bounded by the western city limit, Poplar Avenue on the north, Poplar Pike on the south and extends eastward to just west of Poplar Estates. The growth plan calls for relatively dense, mixed-use development, strong commercial services, interspersed with residential uses in a pedestrian friendly environment that would create and cultivate a sense of place and is consistent with the city's effort to continue to grow economically in a smart and sustainable manner.

#### **DISCUSSION:**

Enabling more dense development will increase traffic volumes and congestion in the area. Anticipating this issue, the City budgeted \$70,000 in its FY16 CIP to perform a Traffic Impact Analysis of the Western Gateway. The purpose of the study is to investigate the traffic impacts of the proposed development/redevelopment scenarios, locate and analyze deficiencies on the roadway networks and provide recommendations to relieve predicted traffic congestion and any identified operational issues.

The City issued a Request for Statements of Qualifications on November 24, 2015 and received two (2) responses by the due date December 16, 2015. Responses were received from Neel-Schaffer and Kimley-Horn. Both firms' respective technical expertise and past project experience were highly ranked by the selection committee. However, the selection committee was overly impressed with KHA's project approach, timing and understanding of the project and therefore determined KHA to be the best choice to provide services for this project.

KHA was informed of their selection on December 28 and subsequently a scope meeting was held December 29, 2015. The results of that meeting are summarized in KHA's attached scope/fee proposal received on January 4, 2016. Staff has thoroughly reviewed the proposed scope and find that it adequately covers the City's expectations. Staff also believes the fee to be reasonable for a project of this magnitude and respectfully recommend BMA approval.

Western Gateway Traffic Analysis Professional Services Agreement Board of Mayor and Aldermen, 01/11/16 Page 2

#### **VISION 2020:**

This project supports the Vision 2020 objective of well planned, designed, constructed and maintained infrastructure as well as the safe, efficient and ease of mobility of the traveling public.

#### **BUDGET AND STAFFING IMPACT:**

Tim Gwaltney, City Engineer will serve as Project Manager, point of contact throughout the project.

#### **SOURCE OF FUNDING:**

Line It	tem Budget				
<u>Fund</u>	Line Item No.	Dept.	Description	Balance	Expenditure
CIP	031-0000-400.25-40 IO1603	Intersections	Prof. Serv.	\$70,000	\$70,000.00

#### **ATTACHMENTS:**

Procurement Analysis
Professional Services Scope/Fee Proposal

Prepared by: Tim Gwaltney
Tim Gwaltney, P.E., City Engineer

Reviewed by: Cameron Ross ECD Director

Reviewed by: Butch Eder
CIP Manager

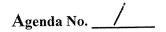
Reviewed by: Lisa A. Piefer Lisa A. Piefer, Procurement Director

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

To approve a professional services agreement with Kimley-Horn, Inc. in the amount of \$70,000.00 for engineering services related to the Western Gateway Traffic Impact Analysis.

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





**REPORT TO:** 

THE BOARD OF MAYOR AND ALDERMEN

DATE:

January 11, 2016

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

PUBLIC HEARING - BEER PERMIT APPLICATION - Taziki's Mediterranean Café - 7850

Poplar #29.

#### INTRODUCTION:

The Board will be sitting as the Beer Board.

The City has received a request from Isaac Riddle, for a permit to sell beer for on-premise consumption at Taziki's Mediterranean Cafe, located at 7850 Poplar #29.

#### **BACKGROUND:**

A copy of the permit application is attached along with a copy of the police department's record check of Isaac Riddle, owner/manager of the restaurant. According to the police report, nothing has been found to discredit the applicant.

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

To approve (deny) the request from Isaac Riddle, for a permit to sell beer for on-premise consumption at Taziki's Mediterranean Cafe, located at 7850 Poplar #29.

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	



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

January 11, 2016

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

PUBLIC HEARING – BEER PERMIT APPLICATION – Stoney River Steakhouse and Grill –

**7515 Poplar Ave., Suite 101.** 

#### **INTRODUCTION:**

The Board will be sitting as the Beer Board.

The City has received a request from Stoney River Management Company, LLC, for a permit to sell beer for onpremise consumption at the Stoney River Steakhouse and Grill at 7515 Poplar Ave., Suite 101.

#### **BACKGROUND:**

A copy of the permit application is attached along with a copy of the Tennessee Bureau of Investigation (TBI) report on the criminal record request of Sherif Reyadh, general manager of the restaurant. According to the report, nothing has been found to discredit the applicant.

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

To approve (deny) the request from Stoney River Management Company LLC, for a permit to sell beer for onpremise consumption at Stoney River Steakhouse and Grill, located at 7515 Poplar Ave., Suite 101.

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