

BOARD OF MAYOR AND ALDERMEN

January 25, 2016

The regular meeting of the Board of Mayor and Aldermen was held on Monday, January 25, 2016 at 6:00 p.m. in the Council Chambers of the Municipal Center.

Mayor Mike Palazzolo was present and presiding.

The following aldermen were present: John Barzizza, Mary Anne Gibson, Dave Klevan, Forrest Owens and Rocky Janda. Staff present: Patrick Lawton, Debra Wiles, Chief Richard Hall, Fire Chief John Selberg, Pam Beasley, Tony Fischer, Steve Wilensky, Paul Chandler, Reynold Douglas, Cameron Ross, Phil Rogers, Butch Eder, Lisa Piefer and Dotty Johnson.

Call to Order

Mayor Palazzolo called the meeting to order.

Invocation

Parks and Recreation Director Pam Beasley gave the invocation.

Pledge of Allegiance

Alderman John Barzizza led the Pledge of Allegiance.

Approval of Agenda

During the executive session the Board unanimously agreed to move item 9j on the Consent Agenda – Germantown Education Foundation – Fill the Fountain to #10 and the following numbers to the Consent Agenda: #10 Approval of 2017 Budget Calendar, #12 – Well Repair #9 and an Add-On - Tennessee Agricultural Enhancement Grant.

Motion by Mr. Janda, 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

The Mayor stated the minutes did not reflect where a public hearing was heard and there were three public hearings.

Motion by Mr. Janda, seconded by Mr. Barzizza, to accept the minutes of the Board of Mayor and Aldermen meeting held January 11, 2016 as amended.

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

Introduction

City Administrator Patrick Lawton introduced the “Play Like a Champion” class who in the audience. The class is made up of City employees in all departments who applied for the program. The program builds stronger awareness in how the individual efforts of each of our employees contributes to the success of the City.

Teacher of Month

Alderman Gibson, along with members of the Education Commission, Mrs. Mindy Fischer, Mr. Steve Chandler and Mrs. Stephanie Brockway, presented Ms. Laurie Cotros, art teacher and librarian at Our Lady of Perpetual Help Catholic School, with the award for January.

Youth Excellence Award

Alderman Gibson and the Education Commission members presented Ms. Katarina Jankov, a senior at Houston High School, with the Youth Excellence Award for January.

Citizens to be Heard

Sarah Freeman – 7684 Apahon Lane – requested the City Attorney put in writing, citing the appropriate legal statute, her legal opinion on the matter regarding a referendum. She also stated she had asked, in this public forum, information on the Arthur property and had filed a formal request but had not received a response.

Chris Geyer – 7368 Eastern Ave. – was concerned about the road realignment and the inputs and outputs. He felt the benefits do not outweigh the “cons”. He felt the realignment would cause a thoroughfare and would be of no benefit to the City.

John O’Brien – 7253 Creathwood Cv. – he did not see the benefits of the realignment of Germantown Road.

Jason Sharp – 7214 Creathwood Cv. – urged the Board to remove the realignment from the budget. He stated they had over 1100 signatures on a petition against the realignment. He asked for the Board to listen to the citizens and have some flexibility in their decisions.

CONSENT

Donation – Parks & Recreation

Donations totaling \$5,505.00 have been made to the Parks and Recreation Department for the Special Recreation program: Proceeds from Gift Basket Auction - \$3,295.00, Germantown Civitan Club - \$2,160.00, and Huggins family - \$50.00.

MOTION: To recognize proceeds benefitting the Parks and Recreation Department, Special Recreation program, totaling \$5,505.00 and to approve Budget Adjustment No. 16-32.

E-mail System Annual Maintenance and Licensing

This is a contract with Onix Networking and will renew the annual maintenance and licensing for Google Apps for Government, Google Apps Vault, Google Drive Storage and Google Chrome Device Management in the amount of \$46,680.52.

MOTION: To authorize the renewal of annual maintenance and licensing for Google Apps for Government, Google Apps Vault, Google Drive Storage, and Google Chrome Device Management in the amount of \$46,680.52 from Onix Networking.

Police Department Mobile Data Terminals

The current in-car computer systems are over five years old and have been out of warranty for over two years. Newer computers will reduce the time Information Technology staff spends trouble shooting slow computer problems allowing a faster internal customer response time. Cost for the three mobile data terminal systems from Brite Computers \$11,067.00.

MOTION: To approve the purchase of mobile data terminal systems from Brite Computers in the amount of \$11,067.00 and declare the old Panasonic CF-30 mobile data terminals as surplus.

Purchase of Vehicle Equipment – Police Department

Police vehicle equipment is needed for the five new replacement vehicles in the Police Department. The equipment includes Federal Signal LED light bars and all associated LED lights, strobe lights, cables and brackets, Setina back seat barriers, sirens, gun locks, PA microphone, window bars and push bumpers in the amount of \$17,820.00 from Comserv Inc.

MOTION: To approve the purchase of police vehicle equipment from Comserv Inc. in the amount of \$17,820.00 per the unit pricing established on June 8, 2015.

Purchase – Police Department – Three Mobile Vision In-car Video Systems

This purchase is for three Mobile Vision Flashback 3-digital in-car video systems from L3 Communications Mobile Vision, Inc. in the amount of \$13,485.00. The video from the camera system will be uploaded wirelessly and stored on a stand-alone workstation with DVD backup. The system has no moving parts decreasing the amount of repairs.

MOTION: To approve the purchase of three (3) Mobile Vision Flashback 3-digital in-car video surveillance systems from L3 Communications, Mobile Vision Inc., in the amount of \$13,485.00.

Purchase –Athletic Scoreboards

The scoreboards at the various parks are in the process of being replaced. The budget consisted of \$27,000.00 to cover the costs to purchase the last four scoreboards except for one last board that will be used to benefit the new rugby program and Germantown High School soccer program. Staff is recommending the purchase of a final board which will complete the phased replacement plan in the amount of \$17,168.36.

MOTION: To request the Board's authorization to purchase four athletic field scoreboards in the amount of \$17,168.36.

Contract Extension – GAC Management Software

The Germantown Athletic Club management software is vitally important to the day to day operations for the facility, including check ins, billing, collections, program registration, reporting, etc. This contract extension is for re-occurring monthly fees to Jonas Fitness Incorporated for web based software use at the Club for a period of one year. This is an annual cost of \$15,852.00, with only \$6,605.00 being spent in FY16 and the remaining \$9,247.00 being allocated to FY17.

MOTION: To authorize the contract extension and re-occurring monthly fees of \$1,321.00 to Jonas Fitness Incorporated for web based software use at the Germantown Athletic Club for a period of one year. This is an annual cost of \$15,852.00, with only \$6,605.00 being spent in FY16 and the remaining \$9,247.00 being allocated to FY17.

Interlocal Cooperative Purchasing Agreement

The staff from Public Works and Procurement reviewed the BuyBoard National Purchasing Cooperative for use in the cured-in-place pipe for stormwater and sewer pipe projects. This cooperative is formed between the National School Boards Association (NSBA) and several state school board associations to streamline the buying process for schools, municipalities, and other public entities. BuyBoard has nationally solicited, evaluated and awarded contracts through a competitive bidding process on behalf of its members.

MOTION: To allow the Mayor to enter an Interlocal Participation Agreement with BuyBoard National Purchasing Cooperative.

Video Streaming Services

The City has maintained the annual maintenance and managed services in place with Granicus, Inc. since implementing the system in 2009. The services allow for periodic software updates, system support, live streaming and content archival in the amount of \$10,799.88 from Granicus.

MOTION: To authorize the renewal of annual maintenance and managed services for video streaming in the amount of \$10,799.88 from Granicus, Inc.

Approval of 2017 Budget Calendar

Each year the budget calendar is developed for the timely completion of the City's annual operating and capital budgets for the forthcoming fiscal year. The calendar identifies the major reviews in preparing the annual budget, the meetings scheduled for the Financial Advisory Commission and the three readings on the budget, for adoption by the Board.

MOTION: To approve the Fiscal Year 2017 Budget Calendar.

Well Repair #9 – Southern Avenue

Due to the reduction of pumping capabilities and the upcoming seasonal impact of well production and distribution, staff is requesting the award of a maintenance contract to National Water Services, LLC to make the necessary repairs identified in the scope of the contract and then to reinstall the well per the original agreement. The contract includes all materials, machine shop labor, crews and equipment expense in the amount of \$49,776.00.

MOTION: To contract with National Water Services, LLC for repairs to well #9 at the Southern Avenue well field in the amount of \$49,776.00.

ADD-ON – Tennessee Agricultural Enhancement Grant

The City received notice of approval for a grant the City had requested for \$1,000.00 to enhance public awareness of the City's Thursday evening farmer's market at the Farm Park. Staff will seek support from Signature Advertising through an on-going public-private partnership to develop the expanded promotional campaign for the 2016 market season.

MOTION: To recognize a grant for \$1,000.00 from the Tennessee Department of Agriculture and to authorize the Mayor to enter into an agreement with this state agency to increase promotion and public information activities for the farmer's market at the Farm Park, subject to the approval of the City Attorney.

Motion by Mr. Barzizza, seconded by Mr. Owens, to accept the Consent Agenda as read.

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

REGULAR AGENDA

Germantown Education Foundation – Fill the Fountain

Mayor Palazzolo explained the Fill the Fountain program. This is the third presentation and request to the Board to remit funds collected on behalf of the Germantown Education Foundation through the Fill the Fountain Campaign. Since April of last year, over 200 people have signed to be donors to the program. This program has no budgetary impact on the City as the money is collected from citizens through their monthly utility bill.

Motion by Ms. Gibson, seconded by Mr. Klevan, to authorize the transfer of funds collected by the City from residents and others to the Germantown Education Foundation in the amount of \$5,847.00.

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

Alderman Owens stated he would recuse himself because he works for the design firm who is working on Lateral G which is a part of the annual budget. He left the dais.

Ordinance 2015-9 – Amendment to 2016 Budget Ordinance – Third and Final Reading

Mr. Lawton explained that the Germantown Board of Education (GBoE), Board of Mayor and Aldermen (BMA), Germantown Municipal School District (GMSD) and the Financial Advisory Commission (FAC)

had been in discussions over certain capital and maintenance operation issues in regard to the five schools within the district.

The five-year plan includes addressing the District's maintenance of operation issues and new capital growth to include the expansion of existing campuses and the construction of a new elementary school starting in FY18. The number one priority of the District in regards to capital is the 7th and 8th grade addition at Riverdale Elementary School and the elimination of the 20 plus portables behind the school.

To help facilitate its capital plan, the City began to prepare itself with a review and eventual expansion of its debt management policy to ensure the City could respond in a fiscally responsible manner.

Construction estimates early in the capital review for the District varied for both the Riverdale addition and the construction of a multipurpose athletic facility at Houston High School. In the end and as was anticipated, the FY16 budget for the City was adopted without either of these projects. However, it was understood that the budget could be amended once reliable construction cost estimates were produced.

In the end, the Riverdale addition would consume all the dollars available from the City and the District approximately 12 million dollars. On December 1, 2015 the FAC recommended amending the City's approved FY16 budget to include this expense.

Funding for this project will come from a pending bond sale in early 2016. The District will reimburse the City 4 million dollars over the life of the bonds, and the District will cover the costs from reserves of anything exceeding 11 million dollars.

There was one addition to the budget amendment recommended by the administration and that is the inclusion of the balance of the funding for Lateral G, currently the subject of a bond issue in FY17. The inclusion of the full funding of this project in FY16 and as part of the proposed bond issue is well within the limits of the issue before the Board and would cover the construction of the entire project to commence this fiscal year, June 2016. The revised budget adjustment before the BMA reflects this proposed change.

Motion by Mr. Barzizza, seconded by Mr. Janda, to approve Ordinance 2015-9 and Budget Adjustment No 16-14 to amend the FY16 Annual Budget on third and final reading subject to the amendment including Later G improvements for bond issue.

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

Alderman Owens returned to the dais.

Resolution 16R08 – Authorizing Resolution for Refund of General Obligation Bonds and Issue of New General Obligation Bonds

Mr. Lawton stated that Title 9 of the Tennessee Code Annotated clearly states that local governments may issue general obligation bonds for public works or other capital projects. Further, a corporate power contained within the City of Germantown Charter allows the City the ability to borrow funds or issue bonds. Finally, the City's adopted financial policies describe the approach the City will take to finance capital projects and our debt management policies. Together these policy documents describe the authority and the process the City follows when it issues debt.

This resolution is step two in securing funding for capital projects contained in the City's CIP and to take advantage of a refunding opportunity with the 2006 and 2009 bond series. This authorizing resolution implements the City's power to issue debt. The resolution describes the nature of the obligation, the City's duties and responsibilities to the eventual bond holders. It is the next step prior to the actual sale or award resolution scheduled for February 22, 2016.

The bond issue identified as Series 2016A in an amount not to exceed \$9,000,000, \$4,000,000 of which will be used for City capital projects including: Lateral G, Grove Park drainage, and Cameron Brown Park drainage.

The balance of the issue will be used to refund a portion of the 2006 and 2009 series at considerable savings of approximately \$200,000. The refunding plan must have the approval of the Tennessee Director of State and Local Finance. We have received approval from their office in support of this refunding.

With the adoption of this resolution, the City will be authorized to issue up to \$9,000,000.00 of bonds to refinance currently outstanding debt at more favorable interest rates and to issue new debt for current capital projects.

Two of the representatives from financial advisors PFM were present to answer any questions.

In response to a question from Alderman Owens, Mr. Lawton stated this had been presented to the FAC and they were in favor of the bond issue.

Motion by Mr. Janda, seconded by Ms. Gibson, to approve Resolution No. 16R08 authorizing the execution, terms, issuance, sale, and payment of not to exceed \$9,000,000.00 General Obligation Improvement and Refunding Bonds, Series 2016A of the City of Germantown, Tennessee, and providing the details thereof, pursuant to state law under Title 9, Chapter 21, Tennessee Code Annotated.

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

Resolution 16R09 – Authorizing Resolution for General Obligation Bonds

Mr. Lawton stated the conditions and authority in the prior resolution apply to Resolution 16R09, the \$12,000,000 General Obligation Issue Series 2016B.

The bond sale will take place on February 22, 2016. Proceeds from the sale will be used to construct the 7th and 8th grade addition to Riverdale Elementary School. Under a separate document between the City and Germantown Municipal School District, termed an interfund reimbursement agreement, the District will reimburse the City for \$4,000,000 of 2016B series. This agreement will be presented to the Board prior to approval of the February 2016 bond sale.

Alderman Klevan stated for the record he had made a request to look into the issuance of citizen bonds so that interested people in our community could put their money somewhere else for more savings. The bonds are unique in that there are not many places in the state that would be able to issue bonds having enough interest. After conferring with our bond counselors, it would double the cost of issuance plus it takes local management, vigilance, and the knowledge locally to help through the process because it has never been done. After exploring, it was not prudent so it was dropped.

Motion by Ms. Gibson, seconded by Mr. Klevan, to approve Resolution No. 16R09 authorizing the execution, terms, issuance, sale, and payment of not to exceed \$12,000,000.00 General Obligation Bonds, Series 2016B of the City of Germantown, Tennessee, and providing the details thereof, pursuant to state law under Title 9, Chapter 21, Tennessee Code Annotated.

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

Mayor's Comments

Mayor Palazzolo explained that the TraVure project was in front of the Board. This is the first significant proposed project in the Western Gateway. The amended outline plan and final plans have been approved

by the Planning Commission. The outline plan must be approved by the BMA but, under the Smart Code, the Mayor has the authority, on behalf of the BMA, to approve final plans that do not include warrants.

The Mayor felt that since the final plans, depending on the outline plan approval, and in order to give our elected officials the opportunity to consider the entire development, the best approach would be for him to not exercise his authority to act on behalf of the BMA but rather have the full BMA consider the outline plan as well as the final plan. He asked to schedule a public meeting for consideration of the amended outline plan and approval of the final plans for phases 1–3, on Feb. 22, 2016.

By having a public meeting, the TraVure project could be considered in its entirety at one public hearing. He felt this would be the best remedy to bring the project forward and have the best open engagement for the entire community. It would give all parties one final “bite of the apple”.

Adjournment

The meeting was adjourned at 6:55 p.m.

Mike Palazzolo, Mayor

Dotty Johnson, City Clerk/Recorder