



# CITY OF GERMANTOWN

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## TENNESSEE

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### Board of Mayor and Aldermen Meeting

Monday, July 11, 2016 – 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. Special Recognition
  - a. Uma Neelakantan – Library Scholarship Program
  - b. Silent Auction Funds
  - c. Germantown 175<sup>th</sup> Anniversary
7. Alderman Liaison Reports
8. Citizens to be Heard
- BEER BOARD**
9. Public Hearing – Beer Permit – On Premise – Southern Social
10. **CONSENT**
  - a. Competitive Sealed Proposal Authorization – Legal Services
11. Ordinance No. 2016-06 Amendments to Sign Ordinance related to Temporary Signage – Second Reading and Public Hearing
12. Professional Services Agreement – Municipal Financial Advisor
13. 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

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**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

DATE: July 11, 2016

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

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



## **BOARD OF MAYOR AND ALDERMEN**

June 27, 2016

The regular meeting of the Board of Mayor and Aldermen was held on Monday, June 27, 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: Pam Beasley, Michele Betty, Paul Chandler, Reynold Douglas, Butch Eder, Tony Fischer, De'Kisha Fondon, Chief Richard Hall, David Harris, Patrick Lawton, Bo Mills, Daniel Page, Lisa Piefer, Cameron Ross, Sherry Rowell, Adrienne Royals, Chief John Selberg and Steve Wilensky.

### **Call to Order**

The Mayor called the meeting to order.

### **Invocation**

Tony Fischer gave the invocation.

### **Pledge of Allegiance**

Mr. Barzizza led the Pledge of Allegiance.

### **Approval of Agenda**

During the executive session, the Board unanimously agreed to move to the Consent Agenda: #24 - Development Contract No.1210 Pinnacle Starbucks, and move to immediately following the Consent Agenda: #25 - Retention PILOT Application – ThyssenKrupp Elevator Manufacturing, Inc.

Motion by Mr. Barzizza, seconded by Mr. Janda, 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 Ms. Gibson, seconded by Mr. Klevan, to approve the minutes of the Board of Mayor and Aldermen meeting held June 13, 2016.

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

### **Resolution 16R26 – Red Devil One Restoration**

Chief John Selberg stated Red Devil One is a 1942 fire engine purchased by the City in 1945. It was the City's first fire engine. On May 9, 1983, the Board of Mayor and Aldermen passed a resolution for the purposes of preserving its historical value and moving it to the Cloyes property where it has remained basically untouched for 33 years. The purpose of this restoration is to retain the history and pride of Germantown, provide a showpiece for community events and enhance fire prevention education.

Motion by Ms. Gibson, seconded by Mr. Janda, to approve Resolution 16R26 for the restoration of the City's first fire engine known as Red Devil One, declaring Red Devil One as a historical



artifact of the City of Germantown, allowing it to be moved to a more secure location where it can be renovated and forming a committee to evaluate and oversee the restoration.

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

### **Special Recognition**

#### **Friends of the Library**

Mr. Daniel Page stated the Friends of the Germantown Community Library support the programs and educational enrichment opportunities of the library through fundraising and volunteer service. The group's membership has grown to 533 members including over 40 volunteers which serve more than 400 hours a month in the Friends Bookstore and through outreach to the community.

Since being organized, the Friends group has donated more than \$160,000 to support summer reading programs, special events, exhibits and improvements. These funds are earned cents at a time by selling books donated by the community or deselected from the library collection. Books, audio books, DVDs and music are available for purchase ranging from 50 cents to \$5. On average, over 4,000 items are sold monthly.

An annual book drive, organized through our schools, resulted in 19,000 books collected and \$1,500 donated to schools. In the last year, Friends donated over 50,000 books to area nonprofits including hospitals, prisons, correctional centers, adult development centers and ministries.

#### **Donations to the Germantown Animal Shelter**

Mr. Bo Mills introduced Eagle Scout Carter Williams of Troop 368 and his family who raised funds for the construction of an outdoor cat enclosure in the front of the Animal Shelter for his scout project. The enclosure allows the shelter cats to have a safe, cat friendly habitat on the front porch and out of the weather. In addition to the construction costs raised, the family donated the balance of \$750.00 to the shelter. Doug and Amanda McMinn donated an additional \$100.00 for the project.

Motion by Mr. Janda, seconded by Ms. Gibson, to recognize the donations to the Germantown Animal Shelter from Carter Williams and his family with a supplemental donation from Doug and Amanda McMinn, totaling \$850.00.

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

#### **Life and Stories**

In response to increasing competition among communities in the Memphis Metro area, the City of Germantown Marketing and Communications team, led by Stacey Ewell and Kristi Ransom, began the development of a new communication strategy. With the help of the creative agency Counterpart Creative Design, they geared the strategy toward potential residents, new residents and business recruitment. The most visible example of this new strategy is the "Life and Stories" book. "Life and Stories" tells the Germantown story and reflects the City's rich history and exciting future. In the short time this piece has been available, "Life and Stories" has won several National and International Marketing awards including the Platinum Hermes Creative Award, the Platinum 2015 MarCom Award and the Gold Award of Excellence in the 2016 Communicator Awards.

Mr. Lawton asked the team from Counterpart Creative Design to share with the Board the work and attention to detail that went into the City's "Life and Stories" book.

**Play like a Champion - Graduation Class of 2016**

Mr. Lawton stated City Administration developed an employee engagement program five years ago entitled "Play like a Champion." This very successful program came about as a request by City employees to learn more about all aspects of the City organization, from Animal Control to Zoning.

The results have produced greater awareness as well as a strong sense of team work and cooperation with these participants as they gain greater respect and awareness of our individual roles and responsibilities and what it takes to make the team function as a whole. This agenda item is to recognize the 14 graduates of the Class of 2016:

Chad Byno	Lisa Collins	Maria Comas	Hannah Griffiths	Sharon Hailey
Loretta Hebert	Zack Oelsen	Andrew Pitts	Sheila Pounder	Kristi Ransom
Andria Robbins	Alexa Robinson	Michael Rogers	Marcus Rosser	

Michael Rogers was recognized as the PLAC Leadership Award winner.

**Education Commission Appointments**

Mayor Palazzolo stepped down from the dais. He has a family member on the Education Commission.

Mr. Lawton stated, the Education Commission appointments are made each year in June and conclude in June of the next calendar year. The commission consists of 12 members. Alderman Gibson, as alderman liaison to the commission, recommended the commission appointments and recommended Ms. Mindy Fischer as chairman.

Motion by Ms. Gibson, seconded by Mr. Janda, to approve the appointments of Barbara Boyer, Stephanie Brockway, Steven Chandler, Mindy Fischer, Julia Ganey, Audrey Grossman, Terri Harris, Rodolfo Palazzolo, Brett Perry, Stephanie VanArsdale, Richard Vosburg and Laurie Whitney to the Education Commission. Mindy Fischer was appointed as chairman.

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

Mayor Palazzolo returned to the dais.

**Library Board Appointments**

Mr. Lawton stated, the Library Board consists of 7 members with staggered terms. There are three positions open for appointment. The appointments are made this time of year to coincide with the establishment of the Library Board.

Motion by Mr. Klevan, seconded by Mr. Janda, to approve the appointments of Peter Abell, Tom Cates and Sue Gail Tackett. Mr. Cates was appointed as chairman.

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

**Aldermen Liaison Reports**

The Aldermen reported on their commission activities.

### **Citizens to be Heard**

No citizens came forward to be heard.

### **CONSENT**

#### **Dumpster Enclosures Installation**

The existing dumpster enclosure is not large enough to accommodate the cardboard recycling dumpster and the building's daily trash dumpster. For the last three years, the cardboard dumpster has been occupying two to three parking spaces because no other location was available. With the new contractor bringing in new dumpsters and collection methods, staff identified an opportunity to improve efficiency of space and pickup methods by building a new dumpster enclosure that will accommodate both the community cardboard recycling and building trash dumpsters.

MOTION: To authorize the Mayor to enter into a contract with SMS Construction, Inc. in the amount of \$21,121.00 for the installation of two new dumpster enclosures by the Economic and Community Development Building and to approve Budget Adjustment No. 16-99.

#### **GPAC Interior Security Cameras**

The purpose of this agenda item is to request approval for the purchase of four interior security cameras. Staff recommends the purchase and installation of the additional security cameras that will monitor inside GPAC for improved facility security. The cameras will be monitored through the existing system with additional space for expansion, if needed.

MOTION: To approve the purchase of four interior security cameras with the annual monitoring charge in the amount of \$13,988.18 from Tyco Integrated Security under the NJPA Contract 031913-TIS and approve Budget Adjustment No. 16-100.

#### **Development Contract No.1210 Pinnacle Starbucks**

The purpose of this agenda item is to approve Project Development Contract Number 1210, renovation of the existing 5,027 square foot bank building with canopy to allow multiple uses in the building, banking and a coffee café.

MOTION: To approve Project Development Contract 1210 for the Pinnacle Financial Partners.

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

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

### **REGULAR**

#### **Retention PILOT Application – ThyssenKrupp Elevator Manufacturing, Inc.**

Mr. Ross stated, ThyssenKrupp Elevator Manufacturing, Inc., ("TKEM") is requesting a retention Payment-in-lieu-of-Tax ("PILOT") of seven years, with 75% of existing and new real and tangible personal property taxes abated. The Germantown Industrial Development Board approved the request at the June 20, 2016 meeting. TKEM's global activities in the area of passenger transportation systems are currently operated from their North American headquarters in Germantown. TKEM produces passenger and freight elevators, escalators and moving walks, chair and platform lifts, passenger boarding bridges and quality service for the entire product range.

Motion by Mr. Klevan, seconded by Ms. Gibson, to approve a retention PILOT of seven years with 75% abatement of existing and new real and tangible personal property taxes for ThyssenKrupp Elevator Manufacturing, Inc. as set forth in the provided resolution.

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

**Resolution 16R27 – Approve the Salary for City Administrator**

Mayor Palazzolo stated, in the spirit of transparent and open governing, City administration is bringing forth this item, which is similar to other actions brought before the Board in recent meetings, such as the Nepotism Policy, to be memorialized by a resolution. It has been the practice of the City to approve salaries of City staff and the City Administrator with the adoption of the annual budget. Resolution 16R27 takes separate action per the requirements of Article 5, Section 5.01 of the City Charter and establishes the City Administrator's salary at \$250,250 through December 31, 2016.

In response to a question from Mr. Janda, Mayor stated it has been tradition for the City Administrator's review to take place in the fall of the year and is the Mayor's sole responsibility. Resolution 16R27 sets the City Administrator's salary for the balance of this calendar year.

Mr. Barzizza stated the following and requested that it be included in the minutes for public record:

I understand this proposed resolution would have the effect of increasing the City Administrator's salary by approximately 20% over a two-year period (FY 2016 to FY 2016). During the same period, other City employees received only 2-4% annual increases. Further, the City Administrator's salary is much more than comparable cities in the state. For these reasons, I am opposed to this resolution.

As I mentioned during our previous meeting, the City's charter provides for the Board of Alderman to fix the salary of the City Administrator. The past two increases in the City Administrator's salary have not been approved in accordance with the City's Charter. Rather, the increases in compensation were merely included within larger line items in the City's annual budget ordinance making it impossible for a person to know the amount of the increase – and certainly not providing sufficient information for fixing or approving the City Administrator's salary as provided by the City's Charter.

The explanation that this approval process is customary and what has been done for the past 20+ years is not an excuse. I understand other municipalities in the state have similar provisions in their charters and that these municipalities require separate approvals of salary increases before the approval of their annual budget. Despite my objections, I am pleased to see this resolution being presented as a separate item.

My hope and expectation is that the Charter be adhered to on all matters of "recommended" salary increases in the future and that such proposed increases be vetted, studied and voted on by the Board of Aldermen. I recognize the importance of compensation in attracting and retaining talented employees, and my objection to this resolution is not intended to be a criticism of Patrick Lawton or the work he has done for the City.

We as elected officials and those appointed by the Mayor and confirmed by the Board of Aldermen should view the Charter as our most valuable treasure in our city just as the Constitution is to our country. Our citizens and voters certainly do, and they expect us to be prudent with their money.

I will also add that transparency of all facets of City government is very important to and expected all of the citizens of Germantown.

Motion by Mr. Janda, seconded by Mr. Klevan, to adopt Resolution No. 16R27 – a resolution to approve the salary for the City Administrator.

ROLL CALL: Barzizza-no, Gibson-yes, Klevan-yes, Owens-yes, Janda-yes. Motion approved.

**Ordinance 2016-2 – Budget Ordinance – Third and Final Reading**

Mr. Lawton stated, this agenda item is the third and final reading of the FY17 annual Operating Budget and Capital Improvements Plan for the City of Germantown. These spending plans reflect a commitment to provide quality services and amenities to our residents, while preserving our organization's long term financial viability and our AAA bond rating.

The proposed budget continues to provide basic services and maintains the quality standards our residents have come to expect. This balanced and strategic approach results in a spending plan that adapts to the changing needs of our community without compromising our financial future.

Setting long-term priorities for the City is one of the most important responsibilities for Germantown elected officials. Earlier this year, you reaffirmed that commitment by adopting the Germantown Forward 2030 Plan. This policy document sets the direction for the organization, creates alignment between policy and implementation, and acts as a touchstone for making financial and operational decisions to achieve community expectations.

Over the past several months, staff has worked closely and extensively with the City's Financial Advisory Commission (FAC) based upon the budget calendar established by the BMA in January 2016. After each meeting with the FAC, the Board was provided with information regarding the FAC and review and recommendation regarding each of the governmental funds.

In addition to the work of the FAC, staff has provided the BMA with information briefings and work sessions regarding significant policy issues regarding CIP and the Sanitation Fund. The recommended budget includes appropriate funding to address these demands and service areas in a thoughtful and deliberate manner, without disrupting existing services or placing additional strain on the General Fund.

From a financial reporting standpoint, the City is in excellent shape having achieved the Distinguished Budget Award from the Government Finance Officers Association (GFOA) for over 30 years. Most recently, the City received the Certificate of Achievement from the GFOA for the City's annual financial report or our annual audit for the year ending June 30, 2015. This annual audit report formed the foundation upon which the FY17 budget was built. Its achievement represents the highest form of governmental accounting and financial reporting and its attainment represents a significant accomplishment by a local government and its management.

In addition, in February of this year, the City issued close to \$19 million in General Obligation bonds and a refunding of older debt. This was the largest bond issue in the City's history. After a

rigorous analysis by two independent rating agencies, S & P and Moody's, the City had its AAA rating with both agencies reaffirmed. This represents the highest credit quality available and is based upon:

1. Debt management and financial indicators such as debt per capita,
2. Financial performance analyzing revenue and expenditure trends, and
3. The overall economic outlook based on tax base, income and population.

The attainment of the rating has saved the City millions of dollars over the past 30 years when compared to lesser rated municipalities.

The proposed FY17 budget assumes no increase to the property tax rate for the upcoming year. Also, the FY17 budget does not recommend any adjustments to water, wastewater, stormwater, GAC or other significant user-based fees with one notable exception, sanitation. With the increase in the per unit cost for collection and disposal of solid waste, recyclables and yard debris, the FY17 proposed budget does include an increase to the user fee associated with this fund, based on service type, effective July 1, 2016. The new rate would not change during the initial five years of the contract with Waste Pro and breaks down as follows: backdoor \$36.50, curbside \$29.50 and high density \$19.00.

This recommendation is coming to the Board after being thoroughly vetted with City staff and the FAC. In addition, the City regularly evaluates its other user charges to ensure that appropriate fees are assessed for the services we provide.

The proposed budget for FY17 totals \$136,938,888. The General Fund operating budget totals \$50,210,824. The Enterprise Funds, including utilities, GAC, stormwater, The Great Hall and sanitation, total \$18,166,743. The Special Revenue Funds total \$56,428,143 of which GMSD is the largest component at \$55,392,000. The City's Capital Improvement Programs total for FY17 is \$12,080,178.

The City charter requires the preparation and adoption of the budget on an annual basis. The charter sets forth the process by which the City Administrator shall submit in a timely fashion the budget for the Board's consideration including financial policies, significant changes in the budget from the current fiscal year to the next, revenue and expenditure changes and a summary of the City's debt position. The budget accomplishes this. It is our financial plan for the upcoming fiscal year and also includes a five-year financial projection.

Also included in the document is the Capital Improvement Plan (CIP). The Board, when considering the CIP, will appropriate funds for the upcoming fiscal year, but will also consider, under a separate resolution, adopting a five-year CIP as a planning tool.

This third and final reading is a requirement of the budget process because the budget is adopted by ordinance. The Board is asked to adopt the budget as the City's spending and policy document for the new fiscal year with any changes and amendments the Board sees fit to add to the ordinance between first, second and third reading. Failure to do so would mean the old appropriations from the current fiscal year would be the appropriations for next year until the new budget is adopted.

The budget is consistent with the requirements of our charter and also the TCA that requires:

1. The budget is balanced as required by state law,

2. The City has stated and demonstrated its intent and ability to pay all of its outstanding debt obligations, and
3. The annual budget is prepared in a form consistent with accepted governmental standards as approved by the Director of State and Local Finance.

The City complies with all of these state and local requirements. Changes in the budget between second and third reading include additional revenues and expenditures for the GMSD as well as a corrected salary amount for our Police legal advisor. These changes are incorporated in the ordinance.

There is one additional change not included in the ordinance and that is the addition of \$100,000 in the CIP to cost share with the Germantown Municipal School District preliminary design work including cost estimates for the proposed new K-5 or K-8 school. Mayor Palazzolo made an offer to Shelby County Schools to purchase Germantown Elementary School and Germantown Middle School for \$5 million dollars. If this purchase does not occur in FY17, the City needs to be in a position to design a new K-5 or K-8 school. Administration recommends an additional \$100,000 to be matched by the Germantown Municipal School District. If the City issues debt in the spring of 2017, the City can look back by resolution and have these funds allocated for that purpose.

**EXHIBIT A**  
**Second Reading to Third Reading**

<u>CHANGE</u>	<u>DEPARTMENT</u>	<u>JUSTIFICATION</u>
<b>REVENUES:</b>		
\$ 40,000.00	GMSD	Increase in GMSD Revenues*
<b>DECREASE (INCREASE) IN FUND BALANCES:</b>		
\$ 13,361	General Fund	Decrease in fund balance due to increase in General Fund expenses
2,715,000	SR: GMSD	Decrease in fund balance due to offset of increase in GMSD revenues & expenses
<u>\$ 2,768,361</u>		
<b>EXPENSES:</b>		
\$ 13,361	General Fund	Increase in Attorney salaries in January, 2016 not reflected in FY17 (Court \$9,409; Police \$3,952)
2,755,000	SR: GMSD	Increase in GMSD Expenses**
<u>\$ 2,768,361</u>		

\*Federal Grants \$40,0000

\*\*Professional Fees (\$213,000); Supplies \$36,000; Capital Outlay \$2,932,000

Motion by Mr. Janda, seconded by Mr. Klevan, to approve on third and final reading Ordinance No. 2016-2, as amended by Exhibit A attached and made part of this motion, establishing the FY17 Proposed Budget, subject to \$100,000 for preliminary design work as brought forth in comments by staff.

ROLL CALL: Barzizza-no, Gibson-yes, Klevan-yes, Owens-yes, Janda-yes. Motion approved.

**Ordinance 2016-3 – Year-End Budget Adjustments – Third and Final Reading**

Mr. Lawton stated, typically at year-end, a number of budget adjustments are made to the various City funds, which realign operating expenses/expenditure accounts with actual activity. They recognize various overruns, underruns, project acceleration and deferrals that have already received Board of Mayor and Aldermen approval.

Motion by Mr. Janda, seconded by Mr. Barzizza, to approve Ordinance No. 2016-3 for year-end budget adjustments on third and final reading.

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

**Ordinance 2016-4 – Real & Personalty Property Tax – Third and Final Reading**

Mr. Lawton stated, Article II sections 28 and 29 of the Tennessee Constitution and our own local charter give local government the authority to tax real and personal property. Property tax is the mainstay of our City's operating budget, comprising 58% of General Fund revenues. Setting the tax rate, in Tennessee, is left to discretion of the governing body.

The tax itself is an ad valorem tax. In other words, the rate is based on the value of the property. The current rate of 1.93 per \$100.00 of assessed valuation has been in place since FY14 and there is no recommended increase in FY17. Based upon Germantown's total assessed value as provided by the county assessor's office, our tax rate will generate \$29.4 million in revenue in FY17.

Motion by Mr. Janda, seconded by Mr. Owens, to approve Ordinance No. 2016-4 on third and final reading.

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

**Ordinance 2016-5 – GMSD Year-End Budget Adjustments – Third and Final Reading**

Mr. Lawton stated, the purpose of this agenda item is to approve Ordinance No. 2016-5 on third reading. At the end of the fiscal year, a number of year-end budget adjustments are required to be made in order to avoid budget and fund overruns in the various funds for the Germantown Municipal School District.

Motion by Ms. Gibson, seconded by Mr. Barzizza, to approve Ordinance No. 2016-5 for Germantown Municipal School District year-end budget adjustments on third and final reading.

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

**Resolution 16R19 - Resolution on Revenues**

Mr. Lawton stated, since the codification of the City's Code of Ordinances several years ago, ordinances have been drafted to exclude dollar amounts of fees and rates. Rather, ordinances indicate amounts will be set by resolution of the Board of Mayor and Aldermen. Some of these amounts are set by Policy Letters; others are authorized by various Board of Mayor and Aldermen resolutions. The purpose of this action is to consolidate all revenue authorizations into a single document. This resolution is expected to be revised and adopted each year concurrent with the adoption of the annual budget.

A comprehensive review of fees, rates and revenue structures was made during the past year and throughout the budget process. In many business areas, market comparisons were performed to make sure the fees and rates are comparable for the area. Minor changes in fees and charges have



been incorporated in most areas for the City in the attempt to keep pace with the cost of services being provided.

Other changes in fees and fines occur mainly as a result of review, research and comparison to existing costs of providing services, comparable fees charges by other cities in Tennessee and to ensure compliance with laws and regulations of the state and federal governments.

While every effort has been made to include all amounts charged by the City, the exclusion of any amounts is not intended to cause such amounts to be unlawful. Any oversights subsequently discovered will be included in future revisions and updates of this resolution.

Motion by Mr. Barzizza, seconded by Mr. Janda, to adopt Resolution on Revenues 16R19 and related schedules establishing the rates, fines and fees in the various funds of the City of Germantown for the FY17 operating budget.

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

#### **Resolution 16R20 – Resolution of Five-Year Capital Improvement Plan**

Mr. Lawton stated, the FY17 portion of this Capital Improvements Program will be adopted within the FY17 Budget Ordinance. The Capital Improvements Program for the five-year planning period is reviewed each year during the budget planning process and revised according to current needs and projections. The development of the Capital Improvements Program follows the guidelines for the CIP Policy adopted by the Board, which allows the City to identify long-term needs and to plan for the necessary financing.

Motion by Ms. Gibson, seconded by Mr. Klevan, to adopt Resolution 16R20 establishing a Capital Improvements Program for fiscal years ending June 30, 2017 to 2022.

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

#### **Resolution 16R25 – Internal Control Manual**

Mr. Lawton stated, the Tennessee General Assembly passed and the Governor signed in 2015 Public Chapter No. 112 regarding internal controls for local governments. The Act required that by June 30, 2016, state agencies, higher education and local and county governments have in place an internal control policy manual.

With the passage of this legislation, the State Comptroller's office has issued an Internal Control Manual establishing federal internal control standards and those used by the Government Accountability Office (GAO). The Municipal Technical Advisory Service (MTAS) has also issued a guidebook to help cities to come into compliance with the act. The Internal Control Manual addresses the five mandatory systems of internal control as established by the Comptroller's office.

1. Control Environment
2. Risk Assessment
3. Control Activities
4. Information and Communication
5. Monitoring

Motion by Ms. Gibson, seconded by Mr. Klevan, to adopt Resolution No. 16R25 – an Internal Control Manual for the City of Germantown.

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

**Ordinance 2016-7 – Wireless Transmission Facility - First Reading and Set Public Hearing Date**

Mr. Ross stated, Germantown’s current regulations limit the height of Wireless Transmission Facilities to 100 feet and require a “fall zone” of 10 feet higher than the antennae. Working with Germantown residents and stakeholders as part of the Germantown Forward 2030 Strategic Plan process and discussions with Germantown Police and Fire, it became apparent that there are many areas of the City that are underserved in coverage and capacity by wireless transmission facilities.

Staff researched other communities’ regulations on wireless transmission facilities for comparison purposes and found that there are a variety of height requirements and engineering analyses to manage this use. The City is proposing facilities’ maximum height to be raised to 140 feet from the existing 100 feet and for flexibility in fall zone requirements. The flexibility for these requirements would be predicated on the applicant demonstrating that the engineering and construction technology of a proposed wireless transmission facility is built in such a way that if it were to fall it could be contained within smaller area than is required by the current Code.

Motion by Mr. Barzizza, seconded by Mr. Owens, to approve on first reading Ordinance 2016-07, amendments to the Germantown Ordinance related to Wireless Transmission Facilities and set July 25, 2016 as the public hearing date.

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

**Ordinance 2016-8 – Transient Dwelling - First Reading and Set Public Hearing Date**

Mr. Ross stated, Germantown’s current regulations do not address concerns that have been raised regarding short term transient housing in Germantown. The amendment to the Germantown Zoning Ordinance is proposed to preserve the existing character of Germantown’s neighborhoods and manage any transient dwellings that may be operating within the City’s neighborhoods.

Staff researched other communities’ regulations on transient dwelling, short-term rental and short-term residential operations for comparison purposes and found that there are a variety of ways to manage this use. Staff looked at the operations of the Economic and Community Development Neighborhood Services Division, which manages Code Compliance. It was then determined that establishing that transient dwelling may not be occupied for a period of less than 30 days and adding definitions for transient dwellings and transient guests would address concerns and facilitate this use within the City.

Motion by Mr. Owens, seconded by Mr. Klevan, to approve on first reading Ordinance 2016-08, amendments to the Germantown Zoning Ordinance regarding Transient Dwellings and Transient Guests and set July 25, 2016, as the public hearing date.

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

**Ordinance 2016-9 – Forest Hill Heights Smart Code Overlay - First Reading and Set Public Hearing Date**

Mr. Ross stated, the Board of Mayor and Alderman unanimously approved on April 11, 2016, the Forest Hill Heights Small Area Plan. With the adoption of the plan, a holistic and cohesive vision has been put into motion for future development in this area which will contribute to the financial, environmental and economic sustainability of the City. The application of the Smart Code will facilitate future mixed-use development as the enabling legislation to implement the vision of the Forest Hill Heights Small Area plan.

Motion by Mr. Owens, seconded by Ms. Gibson, to approve on first reading Ordinance 2016-09, the rezoning of the properties within the Forest Hill Heights Small Area Plan and set July 25, 2016, as the public hearing date.

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

Meeting adjourned.

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Mike Palazzolo, Mayor

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Michele Betty, City Clerk/Recorder





# CITY OF GERMANTOWN

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**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

DATE: July 11, 2016

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

SUBJECT: SPECIAL RECOGNITION FOR SILENT AUCTION FUNDS

**INTRODUCTION:**

The purpose of this agenda item is to provide special recognition for \$1,012.00 raised at a silent auction at the Germantown Community Library to benefit Books From Birth.

**BACKGROUND:**

The Germantown Community Library held a silent auction to raise money for Books From Birth.

**DISCUSSION:**

The Germantown Community Library works in partnership with many local organizations. We are currently working in conjunction with Books From Birth to increase literacy and exposure to books among young children in the community. Our goal is to have 100% of children ages 0 to 5 in Germantown participate in the Books From Birth program. We have promoted the program with celebrations for the enrollees and their families in the library and are offering financial support as well, by donating the funds raised at the auction we held on their behalf. Our auction raised \$1012.00 for Books From Birth.

**BUDGET AND STAFFING IMPACT:**

The money has already been recognized by the Board of Mayor and Aldermen.

**GERMANTOWN FORWARD 2030:**

This complies with Key Performance Area City Services and Finance, Objective 5 "City will provide community services that are responsive to customer needs."

**Prepared by: Lisa Marinos**  
Lisa Marinos, Library Business Manager

**Reviewed by: Daniel Page**  
Daniel Page, Library Director

**Reviewed by: Linda Rathje**  
Linda Rathje, Accounting Manager

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

To provide recognition for \$1,012.00 raised at a silent auction at the Germantown Community Library to benefit Books From Birth.

**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

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**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

**DATE:** July 11, 2016

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

**SUBJECT:** GERMANTOWN 175<sup>TH</sup> ANNIVERSARY

**INTRODUCTION:**

The purpose of this agenda item is to recognize the Germantown 175<sup>th</sup> Anniversary Committee for their efforts in developing and implementing programs and initiatives in 2016 that celebrate Germantown's heritage and history.

**BACKGROUND:**

The City of Germantown started as a small village known as Pea Ridge in the early 19th century. In the 1830's, the Pea Ridge Baptist Church, the New Hope Baptist Church and the Presbyterian Church were created. The community took the name, Germantown due to the large number of families with a German heritage. Germantown had a post office and a log schoolhouse at that time. Germantown received its Charter as the "Town of Germantown" in 1841 and constructed the first plank road in the area. From the original one (1) square mile with a population of 408 in 1950, today Germantown has evolved into a premier suburban city covering 19.1 square miles and home to 40,123 citizens.

2016 marks Germantown's 175<sup>th</sup> anniversary as a Tennessee community. To honor the past and to celebrate the present and future, City Administration appointed a cross-departmental ad-hoc committee to plan and execute a yearlong celebration of this anniversary milestone. The committee has worked hard to develop new programs and events as well as enhance several major existing community events. The committee is also planning several special exhibits to showcase the City's history. The following outlines the plan to date:

- Special street banners have been added to the US flag display in the central business district which will be enjoyed during June and July.
- The city's July Fourth event produced last week included custom firework shells, additional entertainment and a music program performed by the Memphis Wood Wind Symphony that highlighted the city's history through song. Commemorative fan and stickers were also passed out to those in attendance.
- The Historic Commission and city historian are designing a special historical exhibit which will be featured at the Shelby County Government building in October. This group is also partnering with the Germantown Library to create a school "Germantown History" curriculum to be distributed to teachers in all Germantown schools in the fall.
- The committee is creating an historical city photography exhibit and hosting a reception at GPAC in December.
- The project culmination will feature a special Holiday Parade float titled "Our City, Our Home" which will be coordinated by the committee.

**DISCUSSION:**

The team responsible for implementation of the project includes Pam Beasley, Paul Chandler, Jacque Clift, Bo Mills, Daniel Page, Andy Pouncey, Kristi Ransom, and Timothy Steiner. The group continues their work to insure that memorable experiences are created for all citizens to celebrate Germantown's history.

Page 2  
GERMANTOWN 175<sup>TH</sup> ANNIVERSARY  
JULY 11, 2016

**GERMANTOWN FORWARD 2030:**

The Germantown 175<sup>th</sup> Anniversary activities support a quality of life that “intentionally leverages the power of the arts, culture, creativity, recreation and lifelong learning to serve all residents” in ways that speak to Germantown’s character and quality of place.

**PREPARED BY: Pam Beasley**  
PAM BEASLEY, DIRECTOR OF PARKS AND RECREATION







# CITY OF GERMANTOWN

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**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

**DATE:** July 11, 2016

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

**SUBJECT:** COMPETITIVE SEALED PROPOSAL AUTHORIZATION – Legal Services

**INTRODUCTION:**

The purpose of this agenda item is for the Board of Mayor and Aldermen to authorize the City to use of the competitive sealed proposal process for procuring legal services.

**BACKGROUND:**

The City of Germantown's procurement policies and practices require the use of competitive sealed bids for the purchase of most goods and services. In some cases, the competitive sealed bid process may be either impracticable or not otherwise advantageous to the City due to the complexity of certain technological products or the unique nature of certain services. In such cases, the Board may authorize the use of the competitive sealed proposal process. These cases include purchases where qualifications, experience, or competence are considered more important than just the price in the overall process. Likewise, if there is more than one solution to meet the bid or purchase requirements, a competitive sealed proposal may be used to select the best overall solution by taking into account the variety of factors. Finally, if there is no readily identifiable (or defined) solution for a proposed purchase, the competitive sealed proposal will allow the submittal of vendor or supplier solutions that may not have been fully considered by City staff.

**DISCUSSION:**

The City will be exploring outsourcing and in-house options for its legal services. The following information describes each project and meets requirements for use of the sealed proposal. The scope of services would include but is not limited to the following:

1. Provides legal advice, counsel, services, and consultation to the Board of Mayor and Alderman, City Administrator, , department heads, boards and commissions, and all levels of City government on a wide variety of civil assignments, including but not limited to: general municipal law, labor law, general state and federal laws relating to City government, public disclosure issues, laws against discrimination, ordinance and resolution development and interpretation, housing, subdivision and land use law, economic development activities including development, redevelopment, enforcement, and property/real estate law, contract law, environmental law, franchise law, municipal leases, purchasing and procurement, trial activity, and tort law.
2. Answers requests for legal opinions, in writing and verbally. Prepares written legal opinions at the request of the BMA, elected officials, or the City Administrator.
3. Appears before courts and administrative agencies to represent the City's interests;
4. Works cooperatively with any special legal counsel retained by the City for special projects. Coordinates with other special counsel, as needed, to assure proper management of legal issues, and proper coordination and transition of legal information among special counsel;

5. Provide guidance and legal advice on the Open Meetings Act, the Freedom of Information Act, Robert's Rules of Order, and Board rules and procedures;
6. Assists officials and employees to understand the legal roles and duties of their respective offices and interrelationships with others;
7. Assists City officials and employees to maintain awareness of ethical standards and appearance of fairness standards, and to avoid potential conflicts of interest, prohibited transactions and the appearance of prohibited transactions;
8. Prepares and reviews ordinances and resolutions for legal correctness and acceptability;
9. Prepares and reviews contracts, leases, and other documents for legal correctness and acceptability. Negotiates said contracts, leases, and other documents upon request;
11. Attendance at any meetings during a calendar year of any Board, Committee, or Commission, as requested.
12. Performs other legal services and tasks, as requested.

**GERMANTOWN FORWARD 2030:**

Strategic Objective 2 within City Services and Finance – The City of Germantown is responsible for significant physical assets. The City believes that stewardship of City assets is essential to deliver high quality services to its customers consistently, as well as effectively

**BUDGET AND STAFFING IMPACT:**

All items will be evaluated and integrated into budget as necessary.

**Prepared by: Lisa A. Piefer**

Lisa A. Piefer, Procurement Director

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

To authorize the City to use of the competitive sealed proposal process for procuring Legal Services.

**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. 11

# CITY OF GERMANTOWN

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**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

DATE: July 11, 2016

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

SUBJECT: ORDINANCE NO. 2016-06 – AMENDMENTS TO SIGN ORDINANCE RELATED TO TEMPORARY SIGNAGE – SECOND READING AND PUBLIC HEARING

**INTRODUCTION:**

The purpose of this agenda item is to approve amendments to the Germantown Sign Ordinance's Temporary Sign Regulations for residential and commercial areas.

**BACKGROUND:**

In an effort to simplify and create standardized regulations for temporary signage in residential and commercial districts that are in line with recent U.S. Supreme Court decisions the Design Review Commission, City Staff and DRC counsel prepared the attached amendments to the Germantown Sign Ordinance Temporary Sign regulations.

**DISCUSSION:**

The Design Review Commission approved several amendments to the regulations on temporary signs in residential and commercial areas. The amendments address sign regulations in the conventional residential zoning districts (R-E, R-E-1, R-E-10, R, R-1, R-2, R-3, R-T, and PUD districts), in the Old Germantown districts (OG, OG-1), in the Smart Code Overlay Districts (T-3 – T-6), and also in commercial zoning districts (C-1, C-2, SC-1, O, O-T, and O-51). The amendments will make the temporary signs uniform in all districts across the City. Some of the more important areas to focus on are:

1. All content of temporary political signs shall, for the purposes of this ordinance change remain as before;
2. Location of temporary political signs shall remain outside of the right of way and on lots with the owner's consent.

The proposed amendments are highlighted and underlined in the following pages. Deletions are struck through and highlighted.



Yellow highlighted Color refers to all areas of concern to be deleted and UNDERLINED text refers to amendments to the ordinance.

## CHAPTER 14

### ARTICLE I. - DEFINITIONS

Temporary sign means a sign which is not permanent and is ~~allowed for a specific time period subject to specific size, location, and height requirements.~~

### ARTICLE III. - TEMPORARY SIGNS

**Sec. 14-61. - Single-family residential districts, two-family residential districts, multifamily districts and planned unit developments.**

**(a) Generally. This section shall apply to all districts designated by the zoning ordinance as R-E, R-E-1, R-E-10, R, R-1, R-2, R-3, R-T, R-H, and PUD.**

**(b) Allowable signs (One sign per issue, per street front ~~except as indicated in (b) (2) (g)~~). Temporary signs permitted in the R-E, R-E-1, R-E-10, R, R-1, R-2, R-3, R-T, R-H, and PUD districts are as follows:**

~~(1) Temporary signs requiring approval of the director of economic and community development:~~

- ~~a. Construction signs except as allowed under subsection (b) (2), of this section;~~
- ~~b. Real estate signs except as allowed under subsection (b) (2), of this section, one sign per street frontage;~~
- ~~c. Signs announcing openings, one sign per street frontage;~~
- ~~d. Subdivision identification signs, one sign per street frontage;~~
- ~~e. Street banners as approved by the board of mayor and aldermen for the purpose of advertising a public event. See section 14-62 for requirements.~~
- ~~f. Charitable/nonprofit event signs.~~
- ~~g. Public information signs.~~

~~(2) Temporary signs not requiring approval, but subject to the requirements of this article are as follows:~~

- ~~a. Construction signs for single family and two family residences;~~
- ~~b. Real estate signs for sale of a single family residence, two family residence or individual lot;~~
- ~~c. Real estate signs for sale or lease of an individual dwelling unit within a multi-family project;~~
- ~~d. Political signs, provided there is one sign per candidate or issue per occupied residential lot. On corner lots, one sign per candidate or issue per street frontage shall be permitted;~~
- ~~e. Private sale signs, provided that they are erected no earlier than five days prior to the sale;~~
- ~~f. Yard of the month signs;~~
- ~~g. Miscellaneous yard signs;~~

h. On double frontage lots, temporary signs shall only be allowed in the front yard adjacent to the front line of the building.

i. Neighborhood association meeting signs;

j. Temporary yard signs, banners and flags;

**(c) Size. The size of temporary signs in the R-E, R-E-1, R-E-10, R, R-1, R-2, R-3, R-T and PUD districts shall be as follows:**

(1) Construction signs shall have a sign area of one face not to exceed nine square feet for a residence or 25 square feet for a multifamily project of five units or more. In no case shall the total sign area exceed 18 square feet for a residence or 50 square feet for a multifamily project of five units or more.

(2) Real estate signs.

a. Single family, two family or multifamily developed lots, or an individual dwelling unit within a multi family project: The sign area of one face shall not exceed nine square feet. In no case shall the total sign area exceed 18 square feet.

b. Undeveloped tracts of three acres or more: The sign area of one face shall not exceed 25 square feet. In no case shall the total sign area exceed 50 square feet.

(3) Signs announcing openings: The sign area of one face shall not exceed 25 square feet. In no case shall the total sign area exceed 50 square feet.

(4) Subdivision identification signs: The sign area of one face shall not exceed 25 square feet. In no case shall the total sign area exceed 50 square feet.

(5) Political signs: The sign area of one face shall not exceed eight three (3) square feet. In no case shall the total sign area exceed 16 six (6) square feet.

(6) Private sale signs: The sign area of one face shall not exceed four square feet. In no case shall the total sign area exceed eight square feet.

(7) Yard of the month signs: The sign area of one face shall not exceed four square feet. In no case shall the total sign area exceed eight square feet.

(8) Miscellaneous yard signs: The sign area of one face shall not exceed four square feet. In no case shall the total sign area exceed eight square feet.

(9) Charitable/nonprofit event signs: The sign area of one face shall not exceed four square feet. In no case shall the total sign area exceed eight square feet.

(10) Neighborhood Association meeting signs: The sign area of one face shall not exceed four square feet. In no case shall the total sign area exceed eight square feet.

(11) Temporary yard sign, banners or flags: The sign area of one face shall not exceed four square feet. In no case shall the total sign area exceed eight square feet.

(12) Public information signs: The sign area of one face shall not exceed sixteen square feet. The height of the sign shall be a maximum of eight feet, as measured from the surrounding grade.

(1) Shall not exceed four (4) square feet per face.

**(d) Location. Location of temporary signs in the R-E, R-E-1, R-E-10, R, R-1, R-2, R-3, R-T and PUD districts shall be as follows:**



(1) Construction signs for a single-family or two-family residence shall be at least ten feet behind the curb face or edge of pavement of any street. The height of the sign shall be a maximum of four feet, as measured from the surrounding grade. Construction signs for multifamily projects of five units or more shall be located a minimum of 30 feet from the face of the curb or the edge of the pavement of any street. The height of the sign shall be a maximum of eight feet, as measured from the surrounding grade.

(2) Real estate signs shall be located at least ten feet behind the curb face or edge of pavement of any street. The height of the sign shall be a maximum of four feet, as measured from the surrounding grade.

The height of signs issued under subsection (c) (2) b of this section shall be a maximum of six feet, as measured from the surrounding grade. A single "for sale, lease or rent" sign for an individual dwelling unit within a multi-family project may be located a) within a window or door of the affected dwelling, b) within twenty (20) feet of a door leading directly to the individual unit, or a covered vestibule serving multiple units, provided that the sign is at least twenty (20) feet in distance from any other real estate sign.

(3) Signs announcing openings shall be located a minimum of 30 feet from the face of the curb or the edge of the pavement of any street. The height of the sign shall be a maximum of eight feet above the surrounding grade. A sign shall be allowed on each street frontage.

(4) Subdivision identification signs shall be located a minimum of 30 feet, from the face of the curb or the edge of the pavement of any street. The height of the sign shall be a maximum of eight feet, as measured from the surrounding grade.

(5) Political signs shall be located on occupied lots with the consent of the property owner. Signs shall be located a minimum of ten feet behind the curb face or edge of pavement of any street. The height of the sign shall be a maximum of four feet, as measured from the surrounding grade.

(6) Private sale signs shall be located on occupied lots only. Signs shall be located a minimum of ten feet behind the curb face or edge of pavement of any street. The height of the sign shall be a maximum of four feet, as measured from the surrounding grade.

(7) Yard of month signs shall be located a minimum of ten feet behind the curb face or edge of pavement of any street. The height of the sign shall be a maximum of four feet, as measured from the surrounding grade.

(8) Miscellaneous yard signs shall be located on occupied lots only. Signs shall be located a minimum of ten feet behind the curb face or edge of pavement of any street. The height of the sign shall be a maximum of four feet, as measured from the surrounding grade.

(9) Charitable/nonprofit event signs shall be located on occupied residential lots only and only with the consent of the homeowner. Signs shall be located a minimum of ten feet behind the curb face or edge of pavement of any street. The height of the sign shall be a maximum of four feet as measured from the surrounding grade.

(10) Neighborhood association meeting signs shall be located a minimum of ten feet behind the curb face or edge of pavement of any street. A maximum of one sign per lot is permitted. The height of the sign shall be a maximum of four feet, as measured from the surrounding grade.

(11) Temporary yard signs, banners and flags shall be located a minimum of ten feet behind the curb face or edge of pavement of any street. A maximum of one sign per street frontage per lot is



permitted. The height of the sign shall be a maximum of four feet, as measured from the surrounding grade.

(12) Public information signs shall be located as set by the permit.

(1) All signs shall be located on lots with the consent of the property owner. Signs shall be located a minimum of ten feet behind the curb face or edge of pavement of any street. The height of the sign shall be a maximum of four feet, as measured from the surrounding grade.

(2) All signs on corner lots, for sight line and safety reasons, may be no closer to the corner than 35 feet from the center of the corner curb.

**(c) Content. Content of temporary signs in the R-E, R-E-1, R-E-10, R, R-1, R-2, R-3, R-T, and PUD districts shall be according to the following:**

(1) Construction signs may contain identification of the project, contractor, architect, engineer and other firms (including financing) involved in construction.

(2) Real estate signs may contain the following information on the main body of the sign or on the name strips below the main sign:

- a. The name of the company.
- b. The name of the agents.
- c. For sale or sold.
- d. Phone number.
- e. Physical description of the property.
- f. Type of financing.
- g. Corporate owner.
- h. Shown by appointment only.
- i. Reduced.
- j. Key box.
- k. Open house.
- l. Pool.
- m. Warranty.
- n. Lease purchase.

Real estate signs may contain the following information on the main body of the sign only: The real estate company's web page address, not to exceed one line of text. Real estate signs may contain the following information on the name strips located below the main body of the sign only: The real estate agent's personal E-mail address or web page, not to exceed one line of text. A real estate sign shall be permitted to have one attached real estate information tube/box.

(3) Signs announcing openings may contain information regarding the opening of a subdivision or multifamily project.

(4) Subdivision identification may contain announcement of the character of the building enterprise, and the identity of the project shall be allowed during the construction period.

(5) Political signs may contain the name and picture of the candidate and information concerning the election. See subsection (f), of this section for removal.

(6) Charitable/nonprofit event signs may contain information about the event, the sponsors of the event and the charitable or nonprofit organization associated with the event.

(7) Neighborhood association meeting signs may contain the name of the neighborhood association and information on the date, time and place of the meeting.

(8) Temporary yard signs, banners and flags may contain decorations or information about seasonal or special events;

(9) Public information signs may contain information to make the public aware of a city-sanctioned event, project or similar topic.

**(f) Removal. Removal of temporary signs in the R-E, R-E-1, R-E-10, R, R-1, R-2, R-3, R-T and PUD districts shall be according to the following:**

(1) Construction signs shall be removed upon expiration of the sign permit.

(2) Real estate signs shall be removed within seven days of the closing of the sale, rental or lease of the premises, or as determined by the city in the case of multiple lease or rental spaces in a single project.

(3) Signs announcing openings shall be limited to a 60-day period.

(4) Subdivision identification signs shall be removed upon expiration of the sign permit.

(5) Private sale signs shall be removed within one day after the sale.

(7) Yard of the month signs shall be removed at the expiration of the award period.

(8) Miscellaneous yard signs shall be removed in accordance with subsection (f) (9), of this section.

(9) Temporary signs erected without approval as allowed by subsection (b) (2), of this section are subject to removal if the design review commission finds the signs to be detrimental to the appearance or character of the area in which they are erected.

(10) Charitable/nonprofit event signs shall be limited to a 30-day period and shall be removed within one day after the date of the event.

(11) Neighborhood association meeting signs shall be removed by the end of the day after the meeting.

(12) Temporary yard signs, banners and flags shall be removed in accordance with subsection (f) (9), of this section.

(13) Public information signs shall be removed in accordance with their permit.

(Code 1986, § 17-47; Ord. No. 1999-5, 6-28-99; Ord. No. 2008-02, § 2, 2-25-08)

**Sec. 14-62. - Office districts, shopping center districts, neighborhood commercial districts and, general commercial and Germantown Smart Code districts.**

**(a) Generally.** This section shall apply to all districts designated by the zoning ordinance as O, O-C, O-51, SC-1, C-1 ~~or C-2~~ ~~or T-3, T-4, T-4R, T-5, T-5R, T-6.~~

**(b) Allowable signs.** Allowable temporary signs in O, O-C, O-51, SC-1, C-1 and C-2 ~~and T-3, T-4, T-4R, T-5, T-5R, T-6~~ districts ~~(One sign per issue, per street front)~~ are as follows:

(1) One construction sign per project.

(2) Real estate signs:

a. One real estate for sale or lease sign, for all buildings on a recorded lot or parcel, per street frontage.

b. One real estate "for lease" sign, for less than an entire building, and only for office and retail centers which do not have leasing and management information on the permanent sign.

(3) Street banners approved by the board of mayor and aldermen.

(4) One sign, announcing openings, per street frontage except the design review commission may allow additional signs for multiple tenants and in SC-1 zoned projects.

(5) Show window signs in SC-1, C-1 and C-2 districts only; show window signs do not require design review commission approval.

(6) Seasonal or special occasion signs such as special events and special business hours during holiday periods.

(7) One real estate window sign advertising the premises for sale, rent or lease.

(8) Banners as allowed by the design review commission as follows:

a. Office and shopping centers: Opening of new or reconstructed centers; special occasions that allow participation by all tenants occupying the center. One banner per street front provided that there is an entrance to the center from each street.

b. Banners for charitable and nonprofit events.

1. Banners shall not be allowed for individual business for any purpose.

2. Banners shall not be installed more than 15 days before an event. In no case shall any banner be allowed for a period of more than 30 days.

(9) Posters advertising charitable or nonprofit events and other events which serve to inform the public about an event of general interest.

(10) New project real estate sign. One sign per street frontage for a maximum period of one year.

(11) Public information signs.

(12) One real estate sign for the sale or lease of an individual condominium unit within a multi-tenant office or commercial development.

**(c) Size. The sizes of temporary signs in O, O-C, O-51, SC-1, C-1 and C-2 districts and T-3, T-4, T-4R, T-5, T-5R, T-6 are as follows:**

- (1) Construction signs shall have a sign area of one face not to exceed 32 square feet.
- (2) Real estate signs shall have a sign area of one face not to exceed 16 square feet. In no case shall the total sign area exceed 32 square feet.
- (3) Street banners shall be as approved by the board of mayor and aldermen.
- (4) Signs announcing openings shall have a sign area of one face not to exceed 16 square feet, and the total sign area not to exceed 32 square feet, except that the design review commission may allow a larger sign area for multiple tenants if warranted.
- (5) Show window signs shall not occupy more than 15 percent of each individual window opening, exclusive of the area of the window opening that is obscured by merchandise displays, furniture, material storage, equipment and similar items located within one foot of the window.

(6) Seasonal or special occasion signs shall have a sign area of one face not to exceed eight square feet, and the total sign area shall not exceed 16 square feet.

(7) Real estate window signs shall not exceed three square feet.

a. Banners as approved by the design review commission shall be a maximum of 60 square feet, a minimum of 16 inches in height and single sided only.

(8) Posters shall not exceed three square feet.

(9) New project real estate signs shall have a sign area not to exceed 16 square feet per face. In no case shall the total sign area exceed 32 square feet.

(10) Public information signs: The sign area of one (1) face shall not exceed 16 square feet. The height of the sign shall be a maximum of eight feet, as measured from the surrounding grade.

(11) Real estate signs for the sale or lease of an individual condominium unit may be a maximum of nine square feet in area and four feet in height;

(1) Size based on following matrix as it relates to front yard setbacks per Zoning district:

(a) greater than or equal to 60 feet – 32 square foot maximum and 8 foot height above grade

(b) greater than or equal to 40 feet – 16 square foot maximum and 8 foot height above grade

(c) greater than or equal to 30 feet – 8 square foot maximum and 8 foot height above grade

(d) less than 30 feet – 4 square foot maximum and 8 foot height above grade

**(d) Location. Location of temporary signs in O, O-C, O-51, SC-1, C-1, or C-2 and T-3, T-4, T-4R, T-5, T-5R, T-6 districts shall be as follows:**

(1) Construction signs shall be oriented parallel to the public street. They shall be located a minimum of 30 feet from the face of the curb or the edge of the pavement of any street. The height of the sign shall be a maximum of eight feet, as measured from the surrounding grade.

(2) Real estate signs, whether for an entire building or less than an entire building, shall be located a minimum of 20 feet from the face of the curb or the edge of the pavement. At a street intersection, signs



shall be located a minimum of 20 feet from the face of the curb or the edge of the pavement, and the department of economic and community development staff may require a greater setback so as not to impede the visibility of vehicular and pedestrian traffic. Any real estate sign shall be located a minimum of 60 feet from any other real estate sign. The height of a sign shall be a maximum of six feet, as measured from the surrounding grade.

(3) Street banner location shall be as approved by the board of mayor and aldermen.

(4) Signs announcing openings shall be located a minimum of 20 feet from the face of the curb or the edge of the pavement. At a street intersection, signs shall be located a minimum of 20 feet from the face of the curb or the edge of the pavement, and the department of economic and community development staff may require a greater setback so as not to impede the visibility of vehicular and pedestrian traffic. Any real estate sign shall be located a minimum of 60 feet from any other real estate sign. The height of the sign shall be a maximum of eight feet, as measured from the surrounding grade.

(5) Show window signs must be located inside the window.

(6) Seasonal or special occasion signs shall be located a minimum of 20 feet from the face of the curb or the edge of the pavement. At a street intersection, signs shall be located a minimum of 20 feet from the face of the curb or the edge of the pavement, and the department of economic and

community development staff may require a greater setback so as not to impede the visibility of vehicular and pedestrian traffic. Any real estate sign shall be located a minimum of 60 feet from any other real estate sign. The height of sign shall be a maximum of six feet, as measured from the surrounding grade. Where a sign is orientated parallel to the street and is three feet or less in height, the design review commission may allow a setback of less distance than the above requirement.

(7) Real estate window signs shall be located inside the window.

(8) Banners as approved by the design review commission shall be displayed against a wall of a building facing a street entrance to the office or shopping center area. Banners for charitable and nonprofit organizations other than street banners must be located a minimum of 30 feet from the face of the curb or the edge of the pavement. The height of these banners shall not exceed eight feet above the surrounding grade.

(9) Posters shall be located on the inside of the window. Posters combined with show window signs shall not occupy more than 15 percent of the window opening.

(10) New project real estate signs shall be located a minimum of 20 feet from the face of the curb or the edge of the pavement. At a street intersection, signs shall be located a minimum of 20 feet from the face of the curb or the edge of the pavement, and the department of economic and community development staff may require a greater setback so as not to impede the visibility of vehicular and pedestrian traffic. Any real estate sign shall be located a minimum of 60 feet from any other real estate sign. The height of the sign shall be a maximum of six feet, as measured from the surrounding grade.

(11) Public information signs shall be located as set by the permit.

(12) A real estate sign for the sale or lease of an individual condominium unit shall be located within ten feet of the main public entrance door to the unit, or within a window or door of the

unit that is for sale or lease, or within a covered vestibule serving multiple units, provided that the sign is at least 20 feet in distance from any other real estate sign.

(13) Political signs shall be located on occupied lots with the consent of the property owner. Signs shall be located a minimum of ten feet behind the curb face or edge of pavement of any street. The height of the sign shall be a maximum of four feet, as measured from the surrounding grade.

(1) All signs on corner lots, for sight line and safety reasons, may be no closer to the corner than 35 feet from the center of the corner curb

**(e) Content. The content of temporary signs in O, O-C, O-51, SC-1, C-1 and C-2 districts shall be as follows:**

(1) Construction signs may announce the character of the building, enterprise or the identity of the project. The sign may also identify the contractor, architect, engineer and other individuals or firms (including financing) involved in the construction and may include a rendering of the building.

(2) Real estate signs may advertise the sale, rental or lease of the premises and the identification of agents or company for the same, a telephone number, company logo, company email or web address and type of space available (i.e. retail, office or mixed use) If revisions are requested to a permit application to bring the leasing sign into compliance and the applicant disagrees with

those revisions requested by staff, the application may be forwarded to the design review commission for their review.

(3) Street banners shall have a content as approved by the board of mayor and aldermen.

(4) Signs announcing openings shall have information regarding the opening of a business.

(5) Show window signs shall be limited to the advertisement of sales or specials.

(6) Seasonal or special occasion signs content shall be limited to identification of the occasion and pertinent information regarding on-site activity, hours and dates, as approved by the design review commission.

(7) Real estate window signs may advertise the sale, rental or lease of the premises and the identification of agents for the same, a telephone number, company logo, email or web address and type of space available (i.e. retail, office or mixed use).

(8) Banners as approved by the design review commission shall contain content limited to the special event. Reference to individual businesses or products on banners is expressly prohibited.

(9) Poster content shall be limited to pertinent information regarding the event, such as identification of the event, location, dates, hours, etc. Identification of commercial sponsors, including company logos, shall not exceed ten percent of the sign areas.

(10) New project real estate signs may advertise the sale, rental or lease of the premises and the identification of agents for the same, a telephone number, company logo, company email or web address and type of space available (i.e. retail, office or mixed use).

(11) Public information signs may contain information to make the public aware of a city-sanctioned event, project or similar topic.

(12) A single real estate sign for the sale or lease of an individual condominium unit may include identification of agents, a telephone number, a logo, company email and web address.

(13) Renderings and logos shall not exceed ten percent of the allowable sign area.

**(f) Removal. Removal of temporary signs in the O, O-C, O-51, SC-1, C-1, and C-2 districts shall be according to the following:**

(1) Construction signs shall be removed within one week after substantial completion of the project or installation of any permanent sign.

(2) Real estate signs:

a) Real estate for sale signs shall be removed within seven days after the closing of the sale.

b) Real estate for lease signs shall only be permitted for 180 days within a 12-month period, beginning from the date of issuance of the permit.

(3) Street banners advertising a public event shall be removed within two days after the event.

(4) Signs announcing openings shall be limited to a 60-day period.

(5) All other temporary signs shall be removed upon expiration of the permit.

(6) Seasonal or special occasion signs shall not be installed more than two (2) weeks prior to the activity described and shall be removed within two days after the activity or event.

(7) Real estate window signs shall be removed within seven days of the closing of the sale, rental or lease of the premises, or upon expiration of permit, whichever results in the shortest period of time.

(8) Banners:

a. Street banners advertising a public event and other banners advertising an event for a specific time period shall be removed within two days after the termination of the event.

b. All other banners shall be removed upon expiration of the permit and they shall be removed within two days after the termination of the event.

(9) Posters shall be removed within two days after the termination of the event or upon expiration of the permit, whichever results in the shorter period of time.

(10) New project real estate signs shall be removed within seven days of the closing of the sale, rental or lease of the area available, or upon expiration of permit, whichever results in the shortest period of time. No permit shall be renewed when such would result in a sign being displayed for a period exceeding one year.

(11) Public information signs shall be removed in accordance with their permit.

(12) Refer to section 14-7 (Inspection, Removal, and Safety) for additional removal requirements.

(Code 1986, § 17-48; Ord. No. 2002-9, 8-26-02; Ord. No. 2008-02, § 2, 2-25-08; Ord. No. 2008-08, 8-25-08; Ord. No. 2010-10, 7-25-11)

**Sec. 14-63. - Old Germantown (OG, ~~OG-1~~) districts.**

(a) **Generally.** This section shall apply to all districts designated by the zoning ordinance as OG, ~~OG-1~~.

(b) **Allowable signs.** Allowable signs in the OG, ~~OG-1~~ districts are as follows:

(1) One construction sign per project.



**(2) Real estate signs:**

a) One real estate for sale or lease sign, for all buildings on a recorded lot or parcel, per street frontage.

b) One real estate "for lease" sign, for less than an entire building and only for office and retail centers which do not have leasing and management information on the permanent sign. A maximum of one sign per project is allowed.

(3) Street banners approved by the board of mayor and aldermen.

(4) One sign, announcing openings; one per street frontage.

(5) Seasonal or special occasion signs such as special events and special business hours during holiday periods.

(6) Posters advertising charitable or nonprofit events and other events which serve to inform the public about an event of general interest.

(7) New project real estate sign. One sign per street frontage for a maximum period of one year.

(8) Public information signs.

(1) One sign per issue, per street frontage.

**(c) Size. The sizes of temporary signs in OG, OC-1 districts are as follows:**

(1) Construction signs shall have a sign area not to exceed 25 square feet.

(2) Real estate for sale or for lease signs shall have a sign area of one face not to exceed nine square feet. In no case shall the total sign area exceed 18 square feet.

(3) Street banners shall be as approved by the board of mayor and aldermen.

(4) Signs announcing openings shall have a sign area of one face not to exceed nine square feet, and the total sign area not to exceed 18 square feet, except that the design review commission may allow a larger sign area for multiple tenants if warranted.

(5) Seasonal or special occasion signs shall have a sign area of one face not to exceed nine square feet, and the total sign area shall not exceed 18 square feet.

(6) Posters shall not exceed three square feet.

(7) New project real estate signs shall have a sign area not to exceed nine square feet per face. In no case shall the total sign area exceed 18 square feet.

(8) Public information signs: The sign area of one face shall not exceed sixteen square feet. The height of the sign shall be a maximum of eight feet, as measured from the surrounding grade.

(1) Shall not exceed four (4) square feet per face.

**(d) Location. Location of temporary signs in the OG district shall be as follows:**

(1) Construction signs shall be oriented parallel to the public street. They shall be located a minimum of 30 feet from the face of the curb or the edge of the pavement of any street. The height of the sign shall be a maximum of six feet, as measured from the surrounding grade.

(2) Real estate signs: Real estate for lease signs shall be located a minimum of 20 feet from the face of the curb or edge of pavement. At a street intersection, signs shall be located a minimum of 20 feet from the face of the curb or the edge of the pavement, and the department of economic



and community development staff may require a greater setback so as not to impede the visibility of vehicular and pedestrian traffic. Any real estate sign shall be located a minimum of 60 feet from any other real estate sign. The height of a sign shall be a maximum of four feet, as measured from the surrounding grade.

(3) Street banner location shall be as approved by the board of mayor and aldermen.

(4) Signs announcing openings shall be located a minimum of 20 feet from the face of the curb or the edge of the pavement. At a street intersection, signs shall be located a minimum of 20 feet from the face of the curb or the edge of the pavement, and the department of economic and community development staff may require a greater setback so as not to impede the visibility of vehicular and pedestrian traffic. Any real estate sign shall be located a minimum of 60 feet from any other real estate sign. The height of the sign shall be a maximum of eight feet, as measured from the surrounding grade.

(5) Seasonal or special occasion signs shall be located a minimum of ten feet from the face of the curb or the edge of the pavement. At a street intersection, signs shall be located a minimum of ten feet from the face of the curb or the edge of the pavement, and the department of economic and community development staff may require a greater setback so as not to impede the visibility of vehicular and pedestrian traffic. Any real estate sign shall be located a minimum of 60 feet from any other real estate sign. The height of sign shall be a maximum of four feet, as measured from the surrounding grade.

(6) Posters shall be located on the inside of the window. Posters shall not occupy more than 15 percent of each window opening.

(7) New project real estate signs shall be located a minimum of 20 feet from the face of the curb or the edge of the pavement. At a street intersection, signs shall be located a minimum of 20 feet from the face of the curb or the edge of the pavement, and the department of economic and community development staff may require a greater setback so as not to impede the visibility of vehicular and pedestrian traffic. Any real estate sign shall be located a minimum of 60 feet from any other real estate sign. The height of the sign shall be a maximum of six feet, as measured from the surrounding grade.

(8) Public information signs shall be located as set by the permit.

(1) All signs shall be located on occupied lots with the consent of the property owner. Signs shall be located a minimum of ten feet behind the curb face or edge of pavement of any street. The height of the sign shall be a maximum of four feet, as measured from the surrounding grade.

(2) All signs on corner lots, for sight line and safety reasons, may be no closer to the corner than 35 feet from the center of the corner curb

**(e) Content. The content of temporary signs in the OG district shall be as follows:**

(1) Construction signs may announce the character of the building, enterprise or the identity of the project. The sign may also identify the contractor, architect, engineer and other individuals or firms (including financing) involved in the construction and may include a rendering of the building.

(2) Real estate signs may advertise the sale, rental or lease of the premises and the identification of agents or company for the same, a telephone number, company logo, company email or web

address and type of space available (i.e. retail, office or mixed-use). If revisions are requested to a permit application to bring the leasing sign into compliance and the applicant disagrees with those revisions requested by development staff, the application may be forwarded to the design review commission for review.

(3) Street banners shall have a content as approved by the board of mayor and aldermen.

(4) Signs announcing openings shall have information regarding the opening of a business.

(5) Seasonal or special occasion signs content shall be limited to identification of the occasion and pertinent information regarding on-site activity, hours and dates, as approved by the director or the design review commission.

(6) Poster content shall be limited to pertinent information regarding the event, such as identification of the event, location, dates, hours, etc. Identification of commercial sponsors, including company logos, shall not exceed ten percent of the sign areas.

(7) New project real estate signs may advertise the sale, rental or lease of the premises and the identification of agents for the same, a telephone number, company logo, company email or web address and type of space available (i.e. retail, office or mixed-use).

(8) Public information signs may contain information to make the public aware of a city-sanctioned event, project or similar topic.

(9) Renderings and logos shall not exceed ten percent of the allowable sign area.

**~~(f) Removal. Removal of temporary signs in the OG district shall be according to the following:~~**

~~(1) Construction signs shall be removed within one week after substantial completion of the project or installation of any permanent sign.~~

~~(2) Real estate signs:~~

~~a. Real estate for sale signs shall be removed within seven days after the closing of the sale.~~

~~b. Real estate for lease signs shall be removed within 180 days after initial approval. Real estate for lease signs shall only be permitted for 180 days within a 12-month period, beginning from the date of issuance of the permit.~~

~~(3) Street banners advertising a public event shall be removed within two days after the event.~~

~~(4) Signs announcing openings shall be limited to a 60-day period.~~

~~(5) All other temporary signs shall be removed upon expiration of the permit.~~

~~(6) Seasonal or special occasion signs shall not be installed more than two weeks prior to the activity described and shall be removed within two days after the activity or event.~~

~~(7) Posters shall be removed within two days after the termination of the event or upon expiration of the permit, whichever results in the shorter period of time.~~

~~(8) New project real estate signs shall be removed within seven days of the closing of the sale, rental or lease of the area available, or upon expiration of permit, whichever results in the shortest period of time. No permit shall be renewed when such would result in a sign being displayed for a period exceeding one year.~~

~~(9) Public information signs shall be removed in accordance with their permit.~~

~~(10) Refer to section 14-7 (Inspection, Removal and Safety) for additional removal requirements.~~

(Code 1986, § 17-49; Ord. No. 2008-02, § 2, 2-25-08; Ord. No. 2011-05, 7-25-11)

**ORDINANCE NO. 2016-06**

**AN ORDINANCE TO AMEND CHAPTER 14, SIGNS, OF THE CODE OF ORDINANCES, GERMANTOWN, TENNESSEE RELATED TO TEMPORARY SIGNS**

**WHEREAS,** a proposed Ordinance (No. 2016-06) to amend Chapter 14, Signs, of the Code of Ordinances, Germantown, Tennessee, has been submitted to the Germantown Design Review Commission; and

**WHEREAS,** the Design Review Commission on May 24, 2016, recommended the adoption of said Ordinance to the Board of Mayor and Aldermen; and

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF GERMANTOWN that Chapter 14 of the Sign Ordinance be amended as follows:**

**(UNDERLINED and ~~STRIKETHROUGH~~ text refers to amendments to Chapter 14 Article I the ordinance. Sections 14-61, 14-62, and 14-63 are deleted and replaced as shown below.)**

**CHAPTER 14**

**ARTICLE I. - DEFINITIONS**

Temporary sign means a sign which is not permanent and is ~~allowed for a specific time period~~ therefore subject to specific size, location, and height requirements.

**ARTICLE III. - TEMPORARY SIGNS**

**Sec. 14-61. - Single-family residential districts, two-family residential districts, multifamily districts and planned unit developments.**

(a) Generally. This section shall apply to all districts designated by the zoning ordinance as R-E, R-E-1, R-E-10, R, R-1, R-2, R-3, R-T, R-H, and PUD.

(b) Allowable signs. Temporary signs limited to one sign per subject matter, per street front are permitted in the R-E, R-E-1, R-E-10, R, R-1, R-2, R-3, R-T, R-H, and PUD districts.

(c) Size. The size of temporary signs in the R-E, R-E-1, R-E-10, R, R-1, R-2, R-3, R-T and PUD districts shall not exceed four (4) square feet per face.

(d) Location. Location of temporary signs in the R-E, R-E-1, R-E-10, R, R-1, R-2, R-3, R-T and PUD districts shall be as follows:

- (1) All signs shall be located on lots with the consent of the property owner. Signs shall be located a minimum of ten feet behind the curb face or edge of pavement of any street. The height of the sign shall be a maximum of four feet, as measured from the surrounding grade.

- (2) All signs on corner lots, for sight line and safety reasons, may be no closer to the corner than 35 feet from the center of the corner curb.

**Sec. 14-62. - Office districts, shopping center districts, neighborhood commercial districts, general commercial and Germantown Smart Code districts.**

(a) Generally. This section shall apply to all districts designated by the zoning ordinance as O, O-C, O-51, SC-1, C-1, C-2 or T-3, T-4, T-4R, T-5, T-5R, T-6.

(b) Allowable signs. Temporary signs limited to one sign per subject matter, per street front are permitted in the O, O-C, O-51, SC-1, C-1, C-2 and T-3, T-4, T-4R, T-5, T-5R, T-6 districts.

(c) Size. The sizes of temporary signs in O, O-C, O-51, SC-1, C-1, C-2 districts and T-3, T-4, T-4R, T-5, T-5R, T-6 shall be based upon the following matrix as it relates to front yard setbacks per zoning districts:

- (1) greater than or equal to 60 feet – 32 square foot maximum and 8 foot height above grade
- (2) greater than or equal to 40 feet – 16 square foot maximum and 8 foot height above grade
- (3) greater than or equal to 30 feet – 8 square foot maximum and 8 foot height above grade
- (4) less than 30 feet – 4 square foot maximum and 8 foot height above grade

(d) Location. Location of temporary signs in O, O-C, O-51, SC-1, C-1, C-2 and T-3, T-4, T-4R, T-5, T-5R, T-6 districts shall be as follows:

- (1) All signs shall be located on lots with the consent of the property owner. Signs shall be located a minimum of ten feet behind the curb face or edge of pavement of any street.
- (2) All signs on corner lots, for sight line and safety reasons, may be no closer to the corner than 35 feet from the center of the corner curb.

**Sec. 14-63. - Old Germantown (OG, OG-1) districts.**

(a) Generally. This section shall apply to all districts designated by the zoning ordinance as OG, OG-1.

(b) Allowable signs. Temporary signs limited to one sign per subject matter, per street front are permitted in the OG, OG-1 districts.

(c) Size. The sizes of temporary signs in the OG, OG-1 districts shall not exceed four (4) square feet per face.

(d) Location. Location of temporary signs in the OG, OG-1 districts shall be as follows:

- (1) All signs shall be located on lots with the consent of the property owner. Signs shall be located a minimum of ten feet behind the curb face or edge of pavement of any street. The height of the sign shall be a maximum of four feet, as measured from the surrounding grade.

- (2) All signs on corner lots, for sight line and safety reasons, may be no closer to the corner than 35 feet from the center of the corner curb.

**NOW THEREFORE, BE IT ORDAINED** by the Board of Mayor and Aldermen that this Ordinance shall become effective upon its passage by the Board of Mayor and Aldermen of the City of Germantown, Tennessee, and the public welfare demanding it.

First Reading: June 13, 2016

Second Reading: July 11, 2016

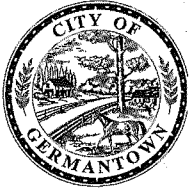
Third Reading: July 25, 2016

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**Mike Palazzolo, Mayor**

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**Michele Betty, City Clerk/Recorder**



# CITY OF GERMANTOWN

**REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**

DATE: July 11, 2016  
FROM: Patrick J. Lawton, City Administrator *PJL*  
SUBJECT: MUNICIPAL FINANCIAL ADVISOR

**INTRODUCTION:**

The purpose of this agenda item is to consider approval of a professional services agreement with Public Financial Management, Inc. (PFM) to serve as Municipal Advisor for municipal bond issuance and retainer for services as Municipal advisor.

**BACKGROUND:**

The policy of the City is to utilize debt in a judicious manner primarily to fund projects for the acquisition or construction of major capital assets. In conjunction with the City's long-standing budget process and strict capital improvements program, this policy signals to the rating agencies and the capital markets that the City is well-managed and will meet its obligations in a timely manner. As part of the debt issuance process, the City will engage the services of knowledgeable professionals to analyze and advise City staff about optimizing the outcome of the transaction and clearing all the legal hurdles. Due to the infrequency of issuing new debt, the City will maintain its expertise in the credit markets by retaining professionals who stay well-informed about industry trends and about the City's visions and finances.

**DISCUSSION:**

The City of Germantown has had a long history with PFM going back to the early 1980's. We have been extremely pleased with the professional advise provided by the firm and would recommend the approval of this agreement. The compensation for services under the terms of this agreement remains the same from the prior agreement with PFM.

**BUDGET AND STAFFING IMPACT:**

**Source of Funding:**

<u>Fund</u>	<u>Line Item No.</u>	<u>Dept.</u>	<u>Line Item Description</u>	<u>Budget Balance</u>	<u>Recommended Expenditure</u>
General Fund	010-1310-415.25-40	Finance	Consulting	\$71,500	\$12,000

**GERMANTOWN FORWARD 2030:**

Strong financial policies provide the framework for Germantown's financial success and are imperative to the City's future position.

**ATTACHMENTS:**

Agreement for financial advisory services

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

To authorize the Mayor to enter into a professional services agreement with Public Financial Management, Inc. in the amount of \$12,000 to serve as the City of Germantown's municipal financial advisor.

**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