

BOARD OF MAYOR AND ALDERMEN

September 12, 2016

The regular meeting of the Board of Mayor and Aldermen was held on Monday, September 12, 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: Michele Betty, Reynold Douglas, Butch Eder, Chief Richard Hall, David Harris, Patrick Lawton, Daniel Page, Cameron Ross, Chief John Selberg, Paul Turner and Steve Wilensky.

Call to Order

The Mayor called the meeting to order.

Invocation

Reynold Douglas gave the invocation.

Pledge of Allegiance

Alderman John Barzizza led the Pledge of Allegiance.

Approval of Agenda

During the executive session, the Board unanimously agreed to defer #6 Special Recognition Germantown International Festival to the September 26 Board meeting; move #15 Human Resources Classification and Compensation Study to the Consent Agenda as #11o; and approve an add-on to the Consent Agenda #11n Repair – F-141 Engine Overhaul.

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

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

Approval of Minutes

There were no corrections to the minutes.

Motion by Mr. Barzizza, seconded by Mr. Janda, to approve the minutes of the August 22, 2016 as written.

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

Special Recognition - Germantown International Festival - Deferred

Alderman Liaison Reports

The Aldermen reported on their commission activities.

Citizens to be Heard

Ms. Sheila Starkey Hahn, 2964 Mallard Lane, came forward to address the Board regarding a Board of Education nomination and the proposed school property purchase.

Certificate of Compliance - Corks Wine and Spirits - 7841 Farmington Blvd.

Mr. Lawton stated James Cross and Gregory Cross request a Certificate of Compliance as part of an application for a retail liquor license for Corks Wines and Spirits located at 7841 Farmington Blvd. The owners have completed the necessary City retail liquor license application and paid the required processing fee. The Germantown Police Department has found no criminal record or active warrant to

discredit the applicants. The Economic and Community Development Department has found this location to be in compliance with City zoning laws.

Motion by Mr. Barzizza, seconded by Mr. Klevan, to issue a Certificate of Compliance to James Cross and Gregory Cross for a retail liquor store located at 7841 Farmington Blvd.

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

Certificate of Compliance - Corks Wine and Spirits - 3078 Village Shops Drive

Mr. Lawton stated Bradley Cross, owner of Corks Wine and Spirits located at 3078 Village Shops Drive, has presented a Certificate of Compliance Retail Package Store from the State of Tennessee Alcohol Beverage Commission to the City of Germantown for approval. State law requires holders of retail liquor stores licenses to procure a Certificate of Compliance Retail Package Store as to its location within a municipality approximately every two (2) years. The owner has completed the necessary Certificate of Compliance form and requests this form be signed by the Mayor in order to renew the license. The Germantown Police Department has found no criminal record or active warrant to discredit the applicant. The Economic and Community Development Department has found this location to be in compliance with City zoning laws.

Motion by Ms. Gibson, seconded by Mr. Klevan, to approve the Certificate of Compliance Retail Package Store from Bradley Cross, owner of Corks Wine and Spirits located at 3078 Village Shops Drive.

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

CONSENT

Recognition of Donations - Small Fry Triathlon

The purpose of this agenda item is to recognize a donation made to the Parks and Recreation Department for the Small Fry Triathlon totaling \$3,500.00 and to approve Budget Adjustment No. 17-8. Parks and Recreation staff is planning for the 8th Annual Small Fry Triathlon in September at Farmington Park. Last year, there were 156 preschoolers who competed in the running, biking, and swimming portions of the event. Since 2012, the event has been sponsored by Campbell Clinic. The donation is applied towards the marketing expense, purchase of event staff and volunteer t-shirts, rental of inflatable moon bounces, participation medals, bib numbers and refreshments.

MOTION: To recognize the donation made to the Parks and Recreation Department for a community program as detailed above and in the amount of \$3,500.00 and to approve Budget Adjustment No. 17-8.

Purchase - Police Vehicle Equipment

This is a request for authorization to purchase Police vehicle equipment for nine (9) new patrol and administrative vehicles for the amount of \$60,654.13 from Fleet Safety Equipment, Inc. The vehicle equipment will include emergency lights, sirens, screens, backseats, speakers and center consoles for seven (7) replacement and two (2) new vehicles.

MOTION: To approve the purchase of Police vehicle equipment from Fleet Safety Equipment in the amount of \$60,654.13.

Purchase - Fitness Equipment – Fire

The Fire Department received a grant for Fire Fighter Wellness and Fitness through the FEMA Assistance to Fire Fighters Grant Program. The Board approved this grant on November 23, 2015. The grant is for \$165,870.00. We have completed the initial round of purchasing and had funds remaining in the grant. These funds have been approved, by FEMA, to purchase additional fitness equipment items. The initial purchasing focused on strength training equipment. The additional equipment will focus on cardio training. All stations will receive a new treadmill and 3 of the 4 will receive new ascent trainers. 123

Wellness, Inc., through the University of Wisconsin-Madison Cooperative Purchasing Agreement, has provided a quote for 4 treadmills and 3 ellipticals in the amount of \$27,415.00. The City will be reimbursed for 90% of the cost of the equipment.

MOTION: To authorize the approval of a purchase contract with 123 Wellness, Inc. in the amount of \$27,415.00 for exercise equipment.

Purchase - Thermal Imaging Cameras

The purpose of this agenda item is to request authorization to purchase 2 Bullard T3 Max Thermal Imaging Cameras, 2 vehicle chargers and 1 spare battery in the amount of \$13,982.91 as per the HGACBuy contract EE08-15. The present thermal imagers have an older technology than what is being offered on the market today. Some of the thermal imagers are more than 10 years old and have reached their end of life service. The thermal imaging camera is an integral part of the firefighters' gear and allows rapid and accurate location of victims and possible hot spot fires. The camera aids in smaller less severe incidents and allows firefighters to see "through" walls and other structures to find electrical faults, concealed fires and other hazards with minimal damage to surrounding areas.

MOTION: To approve the purchase of 2 - Bullard T3 Max Thermal Imaging Cameras, 2 - vehicle chargers and 1 spare battery in the amount of \$13,982.91 as per the HGACBuy Quote from EVS under contract EE08-15.

Purchase - Asphalt Recycler and Trailer

The purpose of this agenda item is to request the Board's authorization to purchase a Falcon four ton asphalt recycler and hot box trailer from Stringfellow, Inc. in the amount of \$30,349.00 and to approve Budget Adjustment # 17-6. This purchase will be utilized for recycling asphalt that has cooled and not pliable for immediate usage, primarily during the late fall and winter months. The dual burner will keep up to four tons of asphalt at the proper temperature for street maintenance and repair of potholes. A thirty gallon tack tank is mounted on the trailer for sealer applications in preparation for the surface repairs that bond the material to the patch. Public Works currently uses a cold mix that is packaged in fifty pound bags, very expensive and inefficient, with only a temporary benefit over the course of a cold winter season. The equipment comes with a two year limited factory warranty.

MOTION: To approve the purchase of a Falcon four-ton asphalt recycler and hot box trailer from Stringfellow, Inc. in the amount of \$30,349.00 and approve Budget Adjustment No. 17-6.

Purchase - Police Department Mobile Data Terminals

The purpose of this agenda item is to request the Board's authorization to purchase seven (7) mobile data terminal systems in the amount of \$26,425.00 from Brite Computers on WSCA Contract number B27162. In-car computer systems allow the Police Department to use computer technology in daily field operations. The use of this equipment would enhance the ability of the department to respond to calls for service, take offense reports and utilize internet law enforcement sites. The equipment would also be another component of officer safety. These seven (7) in-car computer systems are replacement units of outdated Panasonic CF-30 computers which are to be installed into seven (7) new replacement vehicles.

MOTION: To approve the purchase of mobile data terminal systems from Brite Computers in the amount of \$26,425.00 and declare the old mobile data terminals as surplus.

Purchase – Performance Risers

The purpose of this agenda item is to request authorization to purchase performance risers in the amount of \$21,094.00 from StageRight Corporation for use at GPAC. The current risers were bought when the theater opened in 1994. After years of use by GPAC and the Parks and Recreation Department, the risers

have become a potential hazard to people who stand on them. Risers are regularly used for various events including choral and musical performances.

MOTION: To approve the purchase of performance risers for GPAC from StageRight Corporation in the amount of \$21,094.00.

Human Resources Applicant Tracking Software

This agenda item is to request authorization to utilize the County of Fairfax Virginia's Service Agreement with GovernmentJobs.com d/b/a NeoGov for applicant tracking software in the amount of \$13,476. The City has used several methods to track applicants for the various positions available. Applications are available on the City website for applicants to print and complete. Applications are then either mailed, hand delivered or faxed into Human Resources in order to be considered for employment. Records must be stored according to the State of Tennessee's record retention laws even when the applicant is not placed resulting in added expenses. Staff has no efficient way to manage applicant information for posted positions.

MOTION: To authorize the use of the County of Fairfax Virginia's Service Agreement with GovernmentJobs.com dba NeoGov for applicant tracking software in the amount of \$13,476.00.

ClearPoint Performance Management

The purpose of this agenda item is to request authorization to contract with ClearPoint Strategy of Ascendant Strategy Management Group for a performance management software program in the amount of \$39,005.06. In December 2015, the Board of Mayor and Aldermen approved a contract with ICMA Insights for a performance management software package to allow the City to track, monitor and display our progress toward implementation of the Germantown Forward 2030 Strategic Plan. In July of this year, we were informed that due to a lack of interest by local governments, the program is not considered financially viable to continue. Despite the demise of this program, there is still the need for a performance measurement program and dashboard for implementation of the Germantown Forward 2030 Strategic Plan.

MOTION: To authorize the Mayor to execute a contract with Ascendant Strategy Management Group.

Rejection of Proposals - Alcoholic Beverage Services

On September 28, 2015, the Board of Mayor and Aldermen approved the use of the RFP process to solicit proposals for providing Alcoholic Beverage Services at The Great Hall & Conference Center. The selected vendor would then become the sole provider of alcohol service in the facility in exchange for a percentage of revenue paid to The Great Hall. On July 28, 2016, Procurement received one proposal from Eclectic Catering. Although Eclectic Catering met the criteria for having submitted a complete proposal, they did not meet the key requirement of payment to The Great Hall & Conference Center in the amount equal to 25% of revenue received from open bars and cash bars. Staff recommends rejection of all proposals related to RFP2017-004 Alcoholic Beverage Services.

MOTION: To approve the rejection of the proposal from Eclectic Catering for RFP2017-004 Alcoholic Beverage Services.

GPAC Floor Replacement

As part of the 2017 IRP Budget Process, funding was approved for flooring replacement in GPAC. The carpet in the lobby on the 1st floor level was replaced in 2007 and has become badly worn.

MOTION: To authorize the Mayor to enter into a contract with BG Carpets dba Carpet Contractors in the amount of \$17,985.00 for flooring replacements inside the GPAC lobby and approve Budget Adjustment No. 17-6.

Change Order No. 1 – GPAC Interior Security Cameras

With expansion capabilities of the security system and contract pricing still valid with Tyco Integrated Security, staff recommends the purchase and installation of one 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 a change order to purchase one additional interior security camera with annual monitoring charge in the amount of \$1,792.09 from Tyco Integrated Security under the NJPA Contract 031913-TIS and approve Budget Adjustment No. 17-09.

Change Order No. 2 - Printing and Mailing Services for Tax Bills

The City has produced, printed and mailed tax bills to citizens for many years. City employees have been involved in every step of the process from managing the data file from the County to delivering the printed, folded, sorted envelopes to the post office. On January 12, 2015 the Board approved the use of Sevierville Tennessee's Production Agreement with DataProse for printing, stuffing and mailing the City of Germantown utility bills. Staff identified that adding printing for "Talk of the Town" and "Fill the Fountain of Knowledge" further increased efficiencies in the sorter process. Also identified was the ability to add printing services needed in the future such as tax bills and special campaigns that could also be handled via this established contract pricing. The use of this process for the utility bills has been successful and created a more efficient way for the mailing procedures. With this success and the sorter equipment at the end of its life cycle, staff determined it was time to make the transition for the tax bill process.

MOTION: To authorize change order to utilize the City of Sevierville Tennessee's Production Agreement with DataProse in the amount of \$19,338.00 for the City's tax bill printing and mailing services and declare the existing sorter equipment as surplus.

Repair – F-141 Engine Overhaul

This is a Ladder Truck with >11,000 operating hours on the engine, which indicates approximately 660,000 miles since it was put in service. The engine started to release an abnormal amount of coolant through the overflow tube. City shop personnel tested the system and determined the cooling system was being contaminated by engine compression which indicated an internal hard part failure in the engine. Due to the operating hours on this engine, the proper repair will require an in-frame overhaul which consists of six new cylinder kits, cylinder head, bearings, injectors, air compressor and various gaskets.

MOTION: To authorize G&W Diesel to provide an in-frame engine overhaul in F-141 in the amount of \$14,574.90.

Human Resources Classification and Compensation Study

This Class & Comp Study is to ensure that we have a compensation program in place that is competitive in today's labor market to attract and retain a qualified workforce. A classification and compensation system provides the framework for determining how employees will be paid. As a general rule, classification and compensation studies are conducted periodically to ensure that the ability to hire and retain qualified employees remains competitive with the market and to ensure that internal equity is maintained. It has been 15 years since the last Class & Comp study was conducted. Due to advances in technology, process changes and the use of new equipment and machines, job duties and responsibilities have changed. As a result of these changes, the City's compensation system needs refining.

MOTION: To recommend the use of an In-State Contract with the City of Springfield, TN for a Classification & Compensation Study provided by Burriss, Thompson & Associates in the amount of

\$22,550.00 with any additional hours billed at \$100 per hour not to exceed the budgeted amount of \$40,000.00.

Motion by Mr. Klevan, seconded by Ms. Gibson, to accept the consent agenda as read.

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

REGULAR

Germantown Board of Education Appointment

Mr. Lawton stated this action from the Board of Mayor and Aldermen (BMA) is the result of the recent resignation of Germantown Board of Education position two member Mark Dely. The ordinance establishing the municipal school board states that the BMA has the responsibility of filling vacancies. The BMA met on August 24 to identify the candidates to be interviewed for the vacant position on the Germantown Board of Education. Out of 20 applicants, the BMA interviewed six, including Trent Fleming, Ralph Gabb, Betsy Landers, Lyle Muller, Dan Roberts and Adam Underwood.

Motion by Mr. Barzizza, seconded by Ms. Gibson, to approve the appointment of Betsy Landers to fill the vacant position two seat on the Germantown Board of Education and to serve for the remainder of the unexpired term thereof.

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

Mayor Palazzolo stepped down from the dais. He is a Germantown Education Foundation Board member.

Germantown Education Foundation Appointments

Mr. Lawton stated the purpose of this agenda item is to appoint Marissa Loper, Gary Yenser and Tripp Turner as members of the Germantown Education Foundation. Each member will serve a three-year term. The Germantown Education Foundation (GEF) presently has eight board members. Per the Foundation bylaws, the Board may have up to 15 members. GEF appointments are valid for three years and must be approved by the Germantown Board of Mayor and Aldermen.

Motion by Mr. Janda, seconded by Ms. Gibson, to approve the appointment of Marissa Loper, Tripp Turner and Gary Yenser to the Germantown Education Foundation, each for one three-year term.

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

Mayor Palazzolo returned to the dais.

Purchase - Fire Aerial Platform

Chief Selberg stated the purpose of this agenda item is to request the Board's authorization to purchase a custom aerial platform fire apparatus in the amount of \$1,437,520.00 from Ferrara Fire Apparatus. Included within the purchase price is additional equipment needed for the operation of the aerial platform apparatus at emergency incidents, as well as extended warranties. The current 100' aerial platform fire apparatus (F-149) has reached 17 years of front-line service. The normal utilization of an aerial platform apparatus is fifteen (15) years of front-line service. This truck has experienced increasing repair and maintenance costs as well as being out-of-service and not available for use much of the time. In FY16, F-149 was down for repairs 54% of the time.

Motion by Mr. Janda, seconded by Mr. Barzizza, to approve the purchase of a custom aerial platform fire apparatus from Ferrara Fire Apparatus in the amount of \$1,437,520.00. In addition,

authorization is requested that once the new aerial platform fire apparatus is delivered, accepted, and placed into service that F-149 be declared as surplus property.

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

Option to Purchase Land – Germantown Municipal School District

Mr. Lawton presented for the Board's consideration a contract to purchase a piece of property located in Germantown for the purpose of building a new elementary school or a K-8 school.

The Board has realized that over the past two years, given the growth in the GMSD, that a new school south of Poplar was inevitable to accommodate the growing number of young students entering our schools.

Mr. Lawton asked the Board to see the land in question outlined on the map in their packet and presented on the screen behind him. The property is located off Winchester in the southeast portion of our city. This area is located in the recently rezoned Forest Hill Heights Small Area Plan, which is a 303 acre master plan that includes a mix of office, retail, medical and low- and high-density residential centered on a central village green. This plan is a long-range plan for our city and the area looks fairly similar to what the area that now is home to Houston High and Middle did in 1990. The map shows our corporate limits in 1990 less the middle and high school in the far most reaches of our northeast boundary. There was no Wolf River Blvd. and there were no schools. The areas known today as Grove Manor and the Enclave were not developed, nor were they annexed. There was no Highlands or Ingleside Farm.

Fast forward to today and you can see the significant impact the schools in this area have had on the overall strength and stability of our community. The development of the school in our city's southeast quadrant takes the long-term view in terms of keeping up with the growth and development of our city over the next 10-15 years. It also recognizes that modular classrooms are not the answer and the still uncertainty of acquiring Germantown Elementary School and Germantown Middle School.

The property in question is approximately 31.13 acres and is owned by Regency Homebuilders, LLC. The asking price for the property is \$1.1 million. This action by the BMA this evening will only from an acquisition standpoint, authorize the deposit in escrow of \$33,000 to serve as earnest money during the review period in which both parties exercise their due diligence.

The contingencies outlined in the contract list the various elements to take place prior to closing. Should the BMA elect to move forward with the closing and acquisition after January 1, 2017, a number of conditions and approvals would have to be met. The appraisal will proceed pending action by the BMA and school board. Securing the proceeds to purchase the land and construct the building and related capital improvements will coincide with the development, consideration and adoption of the FY18 budget. The three-reading process on the budget will begin in May along with the initial and authorizing bond resolutions.

Funding for this project will be in the FY18 CIP with a sale date of the bonds and approval by the Board in early July 2017. While discussing this project with the Financial Advisory Commission during the budget development, we should also consider the drainage issues in the Crestwyn Hills area, improvements to Forest Hill Irene and a water line extension.

As identified in this contract, the seller is interested in buying the property adjacent to and north of this 31.13 acre tract. If for some reason they are unable to close on this property, then they are under no obligation to sell the 31.13 acres they own to the City.

Mr. Lawton stated this is a very suitable and attractive site for the new school. He, Mayor Palazzolo and the school superintendent have explored several other sites for the past year and for various reasons have discounted them from further consideration. Regarding Germantown Elementary School and Germantown Middle School, we will continue to explore this opportunity as Shelby County Schools completes its long range facilities plan.

Mr. Lawton asked GMSD representatives Josh Cathey, Chauncey Bland and Dan Haddow to provide the Board with a brief overview of the District's current capacity issues and the need for new facilities.

Mr. Lawton stated the Financial Advisory Commission will meet and there will be work sessions with the BMA and the School Board for further discussion.

Mayor Palazzolo explained the reasons several other sites were considered but ultimately were discounted from further consideration.

Motion by Mr. Klevan, seconded by Ms. Gibson, to authorize the mayor to execute a contract to purchase real estate from Regency Homebuilders, LLC, approve the transfer of \$33,000.00 to be held in escrow for this purpose and to approve Budget Adjustment No.17-10 contingent upon GMSD approval with further amendment or contingency to add two joint work sessions with GMSD prior to January 31, 2017 and to provide updates at each Board of Mayor and Aldermen meeting until January 31, 2017.

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

Meeting adjourned.

Mike Palazzolo, Mayor

Michele Betty, City Clerk/Recorder