



CITY OF GERMANTOWN

TENNESSEE

1930 South Germantown Road • Germantown, Tennessee 38138-2815
Phone (901)757-7200 Fax (901)757-7292 www.germantown-tn.gov

Board of Mayor and Aldermen Meeting

Monday, October 24, 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 - Beautification Commission Business Award
7. Alderman Liaison Reports
8. Citizens to be Heard
9. **CONSENT**
 - a. Purchase – Mowers
 - b. Recognition of Donations – Germantown Community Library
 - c. Change Order No. 3 – Temporary Employment Services (CR)
 - d. Recognition of Grant Award – Memphis Area Association of Realtors
 - e. New Equipment Addition on an Existing Wireless Transmission Facility – 7624 Poplar Pike
 - f. Transitional Reinsurance Program Payment
10. Project Development Contract No. 1201 – Thornwood Phase V
11. Ordinance 2016-11 – General Amendments to the Zoning Code – First Reading and Set Public Hearing
12. Acceptance of TN Department of Transportation (TDOT) Agreement for Design and Construction of Germantown Greenway Trail
13. Forest Hill – Irene (FHI) Road Improvements Professional Services Agreement
14. PILOT Application – Mid-America Apartments, L.P.

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

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 24, 2016

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

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



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 24, 2016

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

SUBJECT: APPROVAL OF MINUTES

INTRODUCTION:

The purpose of this agenda item is to approve the minutes of the Board of Mayor and Aldermen Meeting held October 10, 2016.

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

To approve the minutes of the Board of Mayor and Aldermen Meeting held October 10, 2016.

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

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October, 24 2016

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

SUBJECT: BEAUTIFICATION COMMISSION BUSINESS AWARD

INTRODUCTION:

The purpose of this agenda item is to recognize The Retreat at Germantown located at 7865 Grove Court West as the recipient of the October Beautification Commission Award.

BACKGROUND:

The Retreat at Germantown, owned by Fogelman Properties, is a residential apartment and townhome complex adjacent to Campbell Clinic. This Germantown property was selected by the Beautification Commission to receive the October Beautification Award by a unanimous vote.

The entire development site is situated in a park-like setting among six tranquil lakes and meticulously manicured grounds that include mature trees and evergreen shrubs framing the property. This site has an exceptional standard of property management which includes landscape beds of seasonal color, a variety of ornamental plants and boulders that add visual interest. All outside landscaping plantings are neatly manicured with a row of hedges that frame the entrances and lawn. The Germantown address offers convenient access to the Germantown Greenway and Wolf River Nature Area which provide residents access to nature and opportunities for active living.

DISCUSSION:

Each month, a designated commission member is responsible for identifying potential award winner and making a recommendation to the Commission. The October Commission designee is Sylvia Poll. Alderman Forrest Owen, Beautification Commission Liaison, will present the award to Ms. Tracie Mason, Business Manager at Fogelman Properties. Pugh's Landscape provides the landscaping services for the site.

Germantown Forward 2030:

In keeping with the Germantown Forward 2030 Plan community values, this recognition program celebrates Germantown Businesses that practice "smart community growth" principles and demonstrate "natural and designed beauty" to keep our city vibrant and "the community of choice".

Prepared by: Pam Beasley

Pam Beasley, Director of Parks and Recreation



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 24, 2016

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

SUBJECT: PURCHASE - MOWERS

INTRODUCTION:

The purpose of this agenda item is to request the Board's authorization to purchase two new Exmark Navigator Mowers models VS730AKC48000 equipped with forty-eight inch mower decks, power dump kits and debris handling systems from 4 Seasons Equipment Company in the amount of \$26,330.92. In addition, authorization is requested to declare unit 5005 a 2001 Walker Mower and unit 5020 a 2005 Tennant ATLV 4300 debris vacuum as surplus property.

BACKGROUND:

The new mowers are replacements for one 2001 Walker mower and one 2005 Tennant ATLV debris vacuum. These two units have exceeded their dependable life cycle, all drive train, mower decks and debris systems have excessive wear. The new commercial mowers will be used for athletic field maintenance and the grass handling systems allows all grass clippings to be removed from fields as they are being cut which will increase mowing efficiency and provide a better manicured field.

DISCUSSION:

Pursuant to T.C.A. § 12-3-1205, which authorizes both in-state and out-of-state cooperative purchasing agreements, a city, county, utility district, or other local government also may participate in, sponsor, conduct, or administer a cooperative purchasing agreement with one or more other governmental entities outside Tennessee for the purchase of goods, supplies, services and equipment, the City of Germantown intends to utilize the purchase of equipment from 4 Seasons Equipment Company for the City's Grounds Maintenance under the arrangement detailed in Mississippi State Contract Number 8200023122, effective March 1, 2016 through February 28, 2017.

BUDGET AND STAFFING IMPACT:

SOURCE OF FUNDING:

Fund	Line Item No.	Dept.	Line Item Description	*Budget Balance	Recommended Expenditures
General	010-3010-430-94.20	Public Service IR1712	Walker Mower (1)	\$17,000	\$13,165.46
General	010-3010-430-94.20	Public Service IR1713	Debris Vac (1)	\$17,000	\$13,165.46

GERMANTOWN FORWARD 2030:

This purchase supports key performance area City Services and Finance Strategic Objective 2: Asset renewal is fully funded and takes place as scheduled

ATTACHMENTS

Mississippi SWC Information
Notification Letter
Quote

Prepared by: Eddie Johnson
Eddie Johnson, Fleet Services Manager

Reviewed by: Reynold D. Douglas
Reynold Douglas, General Services Director

Reviewed by: Bo Mills PWLF
Bo Mills, Public Works Director

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

Reviewed by: Adrienne Royals
Adrienne Royals, Budget & Performance Sr. Analyst

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

To approve the purchase of two new Exmark Navigator Mowers models VS730AKC48000 equipped with forty-eight inch mower decks, power dump kits and debris handling systems from 4 Seasons Equipment Company in the amount of \$26,330.92 and to declare replaced equipment as surplus property.

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

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 24, 2016

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

SUBJECT: RECOGNITION OF DONATIONS - GERMANTOWN COMMUNITY LIBRARY

INTRODUCTION:

The purpose of this agenda item is to recognize and accept donations made to the Germantown Community Library in the amount of \$2955.00 and to the Germantown Regional History and Genealogy Center in the amount of \$52.00 and to approve Budget Adjustment Number 17-26.

BACKGROUND:

The following organizations have contributed these donations to the Germantown Community Library:

Friends of the Germantown Community Library \$1590.00
Germantown Women's Club \$1000.00
Kiwanis Club of Germantown \$250.00
Invisible Fence \$115.00

The following organization has contributed a donation to the Germantown Regional History and Genealogy Center.

Alcorn County Genealogical Society \$120.00

DISCUSSION:

The Germantown Community Library works in partnership with many local organizations to provide top quality services to its patrons. The Friends of the Germantown Library offers steady support to a variety of library needs. Their most recent donation, the \$1590.00 listed above, was designated by the Friends to use for enhancing library programs and funding the purchase of two Little Libraries for local parks. The donations from Germantown Women's Club, Kiwanis, and Invisible Fence are all given in support of the Battle of the Books program. The library needs more copies of the books that are approved by the program to meet patron demands and support community involvement. These donations of \$1365.00 will go a long way towards meeting those needs.

The \$52.00 that was donated to the Genealogy Center was designated by Alcorn County Genealogical Society to purchase books for the Genealogy collection.

RECOGNITION OF DONATIONS – GERMANTOWN COMMUNITY LIBRARY
OCTOBER 24, 2016

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.”

ATTACHMENTS:

Budget Adjustment 17-26

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 approve donations of \$2955.00 to the Germantown Community Library and a donation of \$52.00 to the Germantown Regional History and Genealogy Center and to approve Budget Adjustment 17-26.

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

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 24, 2106

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

SUBJECT: CHANGE ORDER NO. 3 - TEMPORARY EMPLOYMENT SERVICES

INTRODUCTION:

The purpose of this agenda item is to request the Board's approval for an increase in the purchase order for the continued use of a temporary employee to assist with customer service contacts related to the solid waste collection contract. The increase would be in the amount of \$6,700.00 which would bring the total authorized amount to \$39,591.11.

BACKGROUND:

The City utilized a cooperative purchasing agreement through U.S. Communities to obtain established unit pricing from ACRO Service Corp for temporary employment services. The Board approved a contract with ACRO Service Corp on October 26, 2015. This contract allows for as needed temporary services with a termination date of March 31, 2017.

Due to the increased complaints related to solid waste collection, the neighborhood services division engaged a temporary employee under the ACRO contract starting in December 2015. Due to the performance issues by the solid waste contractor, a second employee was added in the latter half of FY16 and continued through the end of FY16. The Board approved an additional expenditure of \$19,058 on March 28, 2016. The costs associated with the Inland Waste performance issues were deducted from payments to Inland.

DISCUSSION:

On March 14, 2016 the Board approved a solid waste collection contract with Waste Pro of Tennessee, Inc. that was effective July 1, 2016 and later modified to start on June 1, 2016.

It was anticipated that there would be increased calls resulting from start up of the new contract and the communication to residents updating them on the launch of the new contractor. While complaint calls have reduced in number since the start of the contract, there are a number of new provisions in this contract that require additional staff time to monitor compliance in addition to complaints. These include monitoring cart deliveries, complaint collection verification, review of non-collection notices and daily equipment vehicle logs. Therefore the neighborhood services division is requesting that the current temporary position be changed to part time and remain in place through the end of the second quarter in FY17.

The total cost of the temporary services in FY17, including the \$7,302.00 already spent in the first quarter, is estimated to be \$14,000.00. The funds for this expenditure are available in the FY17 budget.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 24, 2016

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

SUBJECT: RECOGNITION OF GRANT AWARD – MEMPHIS AREA ASSOCIATION OF REALTORS

INTRODUCTION:

The purpose of this agenda item is to recognize a grant award from the Memphis Area Association of Realtors (MAAR) for community engagement opportunities associated with Smart Growth totaling \$1,000.00 and to approve Budget Adjustment No. 17-25.

BACKGROUND:

Economic and Community Development staff has been working with MAAR to better define Smart Growth and it's benefits to the community. This Grant is part of the National Association of Realtors Smart Growth Program and will help to further these educational and engagement efforts. The grant award will be applied towards a larger event that will be held in late Q3 or Q4 of FY 2017.

DISCUSSION:

The grant award for the above activity provided matching funding support and allows the department to provide exceptional information through the City's website.

Smart Growth Community Engagement grant	Memphis Area Association of Realtors	\$1,000.00
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GERMANTOWN FORWARD 2030:

This agenda item supports a key performance area in the Germantown Forward 2030 Plan: Economic Development practices support economic sustainability.

ATTACHMENTS:

Budget Adjustment No. 17-25.

PREPARED BY: Cameron Ross

Cameron Ross, Economic and Community Development Director

REVIEWED BY: Alexa Robinson

Alexa Robinson, Grants Writer

REVIEWED BY: Sherry Rowell

Sherry Rowell, Sr. Budget and Performance Analyst

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

To recognize the grant award from the Memphis Area Association of Realtors to Economic and Community Development for smart growth public engagement opportunities as detailed above and in the amount of \$1,000.00 and to approve Budget Adjustment No. 17-25.

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

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 24, 2016

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

SUBJECT: NEW EQUIPMENT ADDITION ON AN EXISTING WIRELESS TRANSMISSION FACILITY – 7624 POPLAR PIKE

INTRODUCTION:

The purpose of this agenda item is to approve the replacement of three existing antennas with new antennas and its associated equipment for Verizon Wireless to be installed on an existing Crown Castle wireless transmission facility, located at 7624 Poplar Pike. The proposed equipment addition will be located on the same tower currently owned and operated by Crown Castle. The specific request of the Board of Mayor and Alderman is approval of a new antenna and equipment on an existing wireless transmission facility.

BACKGROUND:

Crown Castle has an existing tower (WTF) located at 7624 Poplar Pike, on which Verizon Wireless is a current service provider.

DISCUSSION:

The applicant is requesting approval to replace existing antennas with new antennas, along with its associated equipment, on an existing tower (WTF) that is currently owned and operated by Crown Castle. The Zoning Ordinance allows for the approval of WTF co-locations and the replacement or addition of new equipment by service providers on existing towers via a streamlined approval process that includes a review by the Department of Community Development staff to insure that all Ordinance and technical requirements have been met and by approval of the Board of Mayor and Alderman. There will be no changes to the ground compound space. The installation of the replacement antennas with new equipment does not require public improvements at this site. The proposed request would grant the approval necessary for Verizon to obtain a building permit and install the antennas and equipment on the existing tower within the existing compound.



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 24, 2016

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

SUBJECT: TRANSITIONAL REINSURANCE PROGRAM PAYMENT

INTRODUCTION:

The purpose of this agenda item is to authorize the full payment in the amount of \$20,716.83 to Health Cost Solutions/Pay.gov for the 2016 benefit year to the federal government for the transitional reinsurance program as required by the Affordable Care Act.

BACKGROUND:

To fund many of the changes and programs mandated by the Affordable Care Act several new taxes and fees are impacting traditional insurance plans and self-funded plans (like the City of Germantown) across the country. One such program change was the establishment of the Transitional Reinsurance Program. Through this program, reinsurance fees are distributed to health insurance providers such as the exchanges and the health insurance marketplace. The assumption is that insurance purchased through these providers may disproportionately attract individuals at risk for high medical cost. This reinsurance program was designed to protect these companies from losses and to help stabilize premiums.

DISCUSSION:

This is the third year of a three-year program. The program is funded over a three-year period through a transitional reinsurance assessment on health plan sponsors in the amount of \$20 billion and contributions from the US Treasury at \$5 billion. In 2016, the reinsurance fee for traditional insurance plans and self-funded plans is \$27 per member per year times our average plan enrollment of 767.29 equals \$20,716.83.

Self-funded plans, which applies to the City of Germantown, must ensure the reporting, as well as scheduling of the payment, is completed by November 15, 2016. Health Cost Solutions LLC, the city's third party administrator, will file the form and schedule the payment by November 15, 2016 for all of their clients at no cost. The City has availed itself of the option of allowing the TPA to make the payment. Most HCS clients, including the City, are accepting this option, to ensure the form and payment is correct and sent in a timely fashion.

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>
Health Fund-16	066-5015-471.89-90	HR	Other expense	\$18.600	\$20,716.83



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 24, 2016

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

SUBJECT: CONTRACT DEVELOPMENT AGREEMENT NO. 1201 – THORNWOOD PHASE 5

INTRODUCTION:

The purpose of this agenda item is to approve Project Development Contract no. 1201, for the construction of Thornwood Phase 5, within the Thornwood Planned Unit Development. . The project is located on the southwest corner of Germantown Road and Neshoba Road. The specific Board of Mayor and Aldermen action requested is approval of the standard development agreement

BACKGROUND:

The property was rezoned from the “R” Single Family Residential District to the T-4 and T-5 districts as part of the Germantown Smart Growth Plan in 2007. The Thornwood Outline Plan was approved by the Planning Commission on April 1, 2014 and by the Board of Mayor and Aldermen on May 12, 2014.

DISCUSSION:

Phase 1 of the project consisted of the interior drives, utility infrastructure and mass grading of the site. Phase 2 consists of a 5,000 square foot retail jewelry store building. Phase 3 consists of a 108 room, 4 story hotel. Phase 4 consists of 258 unit apartment complex. Phase 5 consists of 32,182 square feet of retail space, 6,156 square feet of office space, and 20 apartment units.

PHASE 5:

DEVELOPMENT PROGRAM:

Mixed Use Building	2.576 ac.
Building Height	71,777 sq. ft footprint
Parking provided	2 Stories
Parking required	276 spaces
	107 spaces

GERMANTOWN Forward 2030:

The Contract Development Agreement No. 1201 fulfills the Germantown Forward 2030 Strategic Objectives of “Economic development policies encourage investment in key commercial areas” and “Economic development practices support economic sustainability.”

PREPARED BY: Cameron Ross
Cameron Ross, Director of Economic and Community Development

REVIEWED BY: Sheila Pounder
Sheila Pounder, Planning Division Manager

PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:
To approve Contract Development Agreement No. 1201 – Thornwood Phase 5.

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

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 24, 2016

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

SUBJECT: ORDINANCE 2016-11 – GENERAL AMENDMENTS TO ZONING CODE – FIRST READING AND SET PUBLIC HEARING

INTRODUCTION:

The purpose of this agenda item is to approve Ordinance 2016- 11, General Amendments to the Zoning Code, on First Reading and set Public Hearing for November 28, 2016.

BACKGROUND:

The Zoning Code regulations were initially adopted to address community values about the use of land and buildings, and have been amended over the years to adapt to new building issues, changing technology, and changing desires of residents. As the regulations are applied to real-life conditions, situations that were not originally envisioned become apparent and over-sights are discovered.

DISCUSSION:

Germantown staff has been monitoring the Zoning Code over the last 2 years and began a review of the Code for incorrect procedures, incorrect references to other sections, issues in the Smart Code and other needed amendments. The proposed amendments will assist with future projects and more coherent regulations. Attached are the amendments to the Zoning Code, with text that is to be deleted shown as ~~strikethrough~~ and new language shown in red and blue.

GERMANTOWN FORWARD 2030:

These changes to the Germantown Zoning Code fulfill the Germantown Forward 2030 Strategic Objective of “Economic development practices support economic sustainability” by amending the enabling legislation in order to add clarity to the development regulations.

ATTACHMENTS

1. Proposed Zoning Code Amendments
2. Draft Minutes of the October 4, 2016 Planning Commission Meeting
3. Ordinance 2016-11, Including the Zoning Code Amendments



CITY OF GERMANTOWN

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 24, 2016

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

SUBJECT: ACCEPTANCE OF TN DEPARTMENT OF TRANSPORTATION (TDOT) AGREEMENT FOR DESIGN AND CONSTRUCTION OF GERMANTOWN GREENWAY TRAIL

INTRODUCTION:

The purpose of this agenda item is to consider acceptance of a TN Department of Transportation (TDOT) Locally Managed Enhancement Agreement in the amount of \$2,429,380.01 for design and construction of two segments of the Germantown Greenway.

BACKGROUND:

Through the Memphis-Metropolitan Planning Organization, the Cities of Memphis, Germantown and Collierville along with the Counties of Shelby and Fayette partnered and collaborated during the 1990's to create a master plan for a linear park system consisting of paved and primitive trails along the scenic Wolf River corridor. Through the years many segments have been built. The recently completed improvements to Shelby Farms Park have fostered much interest in walking and biking in the region. The Greenline is a paved trail constructed on abandoned CSX railroad right-of-way north of and Shelby Farms Park and connects Shelby Farms Park with Mid-town Memphis neighborhoods and businesses. The Wolf River Greenway is south of Shelby Farms Park and connects Shelby Farms Park with East Memphis neighborhoods, medical facilities and other business.

The Germantown Greenway is a paved ten (10) foot wide walking/biking trail that connects to the City of Memphis' Wolf River Greenway on the west side of Germantown. The trail meanders eastward along the Wolf River connecting to neighborhoods and businesses along the way. The trail currently ends at Nashoba Park east of Germantown Road. Trail users can continue eastward by utilizing Stern Clinic's parking lot and sidewalks along Wolf River Boulevard to the recently completed trail head just east of Kimbrough Road. The trail then proceeds eastward to Cameron Brown Park. The total length of existing trail from the western city limits to Cameron Brown Park is approximately 3.5 miles.

The Master Plan calls for a continuation of the Germantown Greenway eastward to the eastern city limits, eventually connecting to Collierville's Greenway system.

DISCUSSION:

The City requested and received funding through the Memphis-MPO for design and construction of two (2) segments of the Germantown Greenway. Those segments are as follows:

1. Nashoba Park to the recently completed trail head just east of Kimbrough (approximately 2,000 feet)
2. Cameron Brown Park to future trail head just west of Farmington Boulevard (approximately 3,500 feet)

For site 1 (Nashoba Park segment) we requested Transportation Alternative Program (TAP) funds that are 80% reimbursable. For site 2 (Cameron Brown to Farmington) we requested Surface Transportation Program (STP) funds, also 80% reimbursable.

The total funding for both segments of trail is \$\$2,429,380.01 and was combined into a single project as outlined in the attached TDOT agreement. The agreement is a standard TDOT local programs contract and has been reviewed by staff and the City Attorney.

Staff respectfully recommends approval of the TDOT agreement.

FORWARD 2030:

City Services and Finance – Strategic Objective 2 – 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:

SOURCE OF FUNDING:

There is no budgeting or staffing impact at this time. We will return to the BMA in the future with professional services and construction contracts.

Tim Gwaltney, City Engineer, will serve as Project Manager during design phase.

ATTACHMENTS

Vicinity Map
TDOT Agreement

Prepared by: Tim Gwaltney
Tim Gwaltney, City Engineer

Reviewed by: Cameron Ross
Cameron Ross, ECD Director

Reviewed by: Butch Eder
Butch Eder, CIP Manager

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

To approve a TDOT Agreement in the amount of \$2,429,380.01 for design and construction of two segments of the Germantown Greenway.

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

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN**DATE:** October 24, 2016**FROM:** Patrick J. Lawton, City Administrator *PSL***SUBJECT:** FOREST HILL-IRENE (FHI) ROAD IMPROVEMENTS
PROFESSIONAL SERVICES AGREEMENT**INTRODUCTION:**

The purpose of this agenda item is to consider approval of a Professional Services Agreement (PSA) with Gresham Smith & Partners (GSP) in the amount of \$134,955.00 to provide engineering services related to Forest Hill-Irene Road Improvements.

BACKGROUND:

Forest Hill-Irene Road is considered a major north/south roadway within the eastern City Limits of Germantown. The roadway extends from Wolf River Boulevard on the northern end of the City to the southern limits of the City south of Winchester Road. As residential subdivisions and commercial areas developed through the years, the road has been improved along the frontages of those developments. However, the 2-lane rural cross section road remains along areas that have not developed. The "saw-tooth" pattern of 4-lanes to 2-lanes and vice-versa has resulted in unsafe driving conditions. In the segment north of Poplar there are vertical curves that limit sight distance. No shoulders exist and the roadside ditch is immediately adjacent to edge of pavement, leaving virtually no recovery zone.

The City recently completed a Small Area Plan for the area known as Forest Hill Heights. Forest Hill Heights is located at the southeast corner of Winchester and FHI. Currently the area consists of approximately 300 acres of developed and undeveloped office and medical land uses. The recently adopted Forest Hill Heights Small Area Plan will allow for higher density, mixed use developments. The Small Area Plan identified the intersection of FHI/Winchester and the 2-lane section of Forest Hill-Irene north of Winchester as potential deficiencies as the Forest Hill-Heights area fully develops. The Small Area Plan also identified water capacity as an issue as the area develops.

In an effort to proactively address these issues, the City placed design services in its FY17 CIP budget.

DISCUSSION:

Two segments of FHI are included in this project. The northern segment is from Forest Hill Lane to Farmoor. The southern portion is from Poplar Pike to Winchester (please see attached graphics).

Please see attached Procurement Report. The City issued a Request for Statements of Qualifications on August 11, 2016 and received eight (8) responses by the due date September 2, 2016. The evaluation committee, comprising representatives from Engineering, Public Works and General Services, chose Gresham Smith and Partners as the best qualified firm to provide services for this project.

GSP was informed of their selection on September 27 and subsequently a scope meeting was held October 3, 2016. The results of that meeting are summarized in GSP's attached scope/fee proposal received on October 10, 2016. Staff has thoroughly reviewed the proposed scope and finds that it adequately covers the City's expectations. This will be a two phase project.

FOREST HILL-IRENE ROAD IMPROVEMENTS
PROFESSIONAL SERVICES AGREEMENT

October 24, 2016

Page 2

Phase I will consist of all data collection, field review, field survey and assimilation, roadway and intersection safety audits and public outreach necessary to produce alternatives for road improvements and construction cost estimates. The improvements may include enhanced lighting, widening at key intersections to include a center turn lane, widening to include shoulders and flattening of hills to improve sight distance. Some areas may include a full widening to 5-lane curb and gutter cross section or some combination of improvements. We will then present those alternatives with staff recommendations to the Board of Mayor and Aldermen (BMA) seeking their approval to proceed to Phase II. The total fee for Phase I is \$134,955.00. The evaluation team believes the fee to be reasonable for a project of this magnitude and respectfully recommend BMA approval.

Phase II will consist of all tasks necessary to complete a full set of roadway construction documents, including waterline extension from Poplar Pike to Winchester, based on feedback/direction received from the BMA at the end of Phase I. At the appropriate time, GSP will provide a fee proposal based on the chosen alternative, then we will return to the BMA for approval to proceed to Phase II, design of the chosen alternative.

FORWARD 2030:

This project supports Land Use & Transportation's Strategic Objective 2 of improving safety and level of service along major corridors.

BUDGET AND STAFFING IMPACT:

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

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 Expenditures</u>
CIP	030-0000-400.25-40 MR1702	ECD	Professional Services	\$400,000.00	\$134,955.00

ATTACHMENTS:

Procurement Analysis
Professional Services Scope/Fee Proposal

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

Reviewed by: Cameron Ross
Cameron Ross, ECD Director

Reviewed by: Butch Eder
Butch Eder, CIP Manager

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

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

To approve a professional services agreement with Gresham Smith and Partners in the amount of \$134,955.00 for engineering services related to the Forest Hill-Irene Road Improvements project.

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

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: October 24, 2016
FROM: Patrick J. Lawton, City Administrator
SUBJECT: PILOT APPLICATION – MID-AMERICA APARTMENTS, L.P.

INTRODUCTION:

One of our region's most important corporate citizen's, Mid-America Apartments, L.P. ("MAA") has requested from the City's Industrial Development Board ("IDB") a Payment-in-lieu-of-Tax ("PILOT") of fifteen (15) years, with 75% of real and personal property taxes abated.

BACKGROUND:

MAA is a Tennessee Limited Partnership formed in 1993 and has been in Memphis since its establishment. Their activities include full ownership and operation of 254 multifamily properties located in the southeast and southwest United States. With a merger in 2013 and a recently announced second merger in August 2016 MAA has positioned itself to have a total market capitalization of approximately \$17 billion. This includes 2,500 total employees (167 currently in Memphis), thereby creating the largest multifamily real estate investment trust (REIT) by number of units in the United States.

DISCUSSION:

MAA and Gill Poplar, GP, as owner of the real property in which MAA will have its 83,265 square foot new corporate headquarters, have requested from the IDB a PILOT of fifteen (15) years, with 75% of the real and personal taxes to be abated. This project has been reviewed using the following information provided by MAA:

JOBS CREATED:	219 Total
AVERAGE WAGE:	\$85,128 (161% of PCI)
REAL PROPERTY:	\$26,100,000 (Building) \$2,600,000 (Land) \$1,000,000 (Site improvements)
TANGIBLE PERSONAL PROPERTY:	\$3,300,000 (IT assets, FFE, etc.)
TOTAL INVESTMENT:	<hr/> \$33,000,000

LOCATION: 6797 Poplar Avenue (Parcel ID G0219 00308), City of Germantown, West Poplar Gateway District

TERMS: Fifteen years, 75% abatement of City and the County’s annual real and tangible personal property taxes.

MAA and Gill Poplar, GP request Germantown PILOT treatment of the real and personal property as part of this corporate relocation project and outlined in this document. Mayor Palazzolo has requested County support of the PILOT from Shelby County Mayor Mark Luttrell regarding County real and personal property taxes, as requested by MAA, by authorizing a fifteen (15) year tax abatement.

GERMANTOWN FORWARD 2030:

The approval of the MAA PILOT application will further the strategic objectives of Economic Development by creating policies that encourage investment in key commercial areas.

ATTACHMENTS

1. IDB Resolution 16R31 for MAA PILOT
2. IDB draft minutes from October 17, 2016 meeting at 3:00 PM

Prepared by: Cameron Ross

Cameron Ross, AICP, Director, Economic & Community Development

Reviewed by: Marie Lisco

Marie Lisco, Economic Development Manager, Economic & Community Development

PROPOSED MOTION:

To approve a PILOT of fifteen (15) years with 75% abatement of new real and tangible personal property taxes for MAA as set forth in the provided resolution.

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