

## **BOARD OF MAYOR AND ALDERMEN**

November 14, 2016

The regular meeting of the Board of Mayor and Aldermen was held on Monday, November 14, 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, Tim Gwaltney, Richard Hall, David Harris, Patrick Lawton, Bo Mills, Sheila Pounder, John Selberg, Paul Turner and Steve Wilensky.

### **Call to Order**

The Mayor called the meeting to order.

### **Invocation**

Tony Fischer gave the invocation.

### **Pledge of Allegiance**

Scout Troop 241 of Christ Methodist Church led the Pledge of Allegiance.

### **Approval of Agenda**

During the executive session, the Board unanimously agreed to move item 9a – Germantown Community Theatre Grant – on the Consent Agenda to the Regular Agenda as item 12.

Motion by Mr. Janda, seconded by Ms. Gibson, 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. Janda, seconded by Mr. Klevan, to approve the minutes of the October 24, 2016 as written.

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

### **Special Recognition**

Ms. Gibson stepped down from the dais to present the Education Commission November Teacher of the Month award to Ms. Traci Spain of Houston High School.

### **Alderman Liaison Reports**

The Aldermen reported on their commissions' activities.

### **Citizens to be Heard**

No citizens came forward.

### **Houston High School Merit Semi Finalists**

Mayor Palazzolo informally recognized the three Houston High School Merit Semi Finalists attending the meeting. All of the Merit Semi Finalists from Germantown will be formally recognized at a future Board meeting.

### **CONSENT**

**Annual Water System Maintenance Fee - TDEC**

The purpose of this agenda item is to request authorization for payment to the Tennessee Department of Environment and Conservation (Division of Water Supply) in the amount of \$18,353.40 for the State Facility Maintenance Fee as established by the Water Quality Control Board. This fee provides funding for a technical staff which consults with local utility officials on water system issues and is collected from all public water systems in the State of Tennessee. The fee is based upon the type of facility and the number of water service connections and was implemented by the State in 1991 and amended by the Water Quality Control Board on July 22, 1992.

MOTION: To authorize payment to the Tennessee Department of Environment and Conservation (Division of Water Supply) in the amount of \$18,353.40 for the State Facility Maintenance Fee as established by the Water Quality Control Board.

**Resolution 16R30 – TML Property Conservation Matching Grant Program**

The TML Risk Management Pool is offering a “Property Conservation” Matching Grant Program to provide 50% of the cost for driver safety training provided to employees who drive City vehicles. Germantown is eligible to receive up to the maximum \$2,500 from the limited grant funds available. The grant applies to training performed and/or equipment purchased in fiscal year 2017 and the application must be submitted with a resolution approved by the Board of Mayor and Aldermen, along with cost estimates (approximately \$5,000) for the qualified property conservation training and/or equipment.

MOTION: To approve Resolution 16R30, authorizing the City to participate in the TML “Property Conservation” Matching Grant Program for FY17.

**Purchase of Radios – Fire Department**

A mobile radio is installed in every fire apparatus and ambulance, and in addition, these vehicles also carry a portable radio for every assigned member to the vehicle. Both the mobile and portable radios are used to keep in direct contact with Dispatch and other fire department resources during emergency incidents and routine situations. The portable radio model being requested has been specifically designed to be used in harsh environments such as fire suppression operations. Both the mobile and portable radios will be assigned to the new aerial platform fire truck when it is placed into service.

MOTION: To approve the purchase of Motorola Mobile and Portable Radios per the Tennessee Statewide Contract #418 for a total cost of \$17,102.00.

**Purchase – Tack Distributor**

The new tack distributor is capable of maintaining 150 gallons of heated tack coat that can be applied on a surface in preparation for paving or street repairs. Tack coat is thin bituminous liquid asphalt used to provide bonding between an existing pavement surface and hot-mix overlay. Tack coat is an essential process required to bond the two layers which prevent cracking and chipping due to an inadequate bond and extend the life of the overlay or repair.

MOTION: To approve the purchase of a new LeeBoy Tack Distributor Model 150T equipped with an overnight heater from Power Equipment Company in the amount of \$12,501.25.

**Lobbying Services Agreement**

The purpose of this agenda item is to authorize the Mayor to execute a lobbying services agreement with Farris Bobango Branan, PLC Attorneys at Law, for lobbying services on behalf of the City of Germantown beginning November 1, 2016 and ending October 30, 2017 in the amount of \$42,000.00. The City of Germantown has engaged the services of this firm for the past eight years. Administration has worked closely with senior partner in the firm, John Farris, and his staff in advancing the City’s legislative agenda as well as monitoring legislation that could impact the City of Germantown.

Administration has been extremely pleased with the efforts of the firm in representing Germantown's interests as well as monitoring specific bills and legislative proposals.

MOTION: To authorize the Mayor to execute a lobbying services agreement with Farris Bobango Branam, PLC Attorneys at Law, for lobbying services on behalf of the City of Germantown beginning November 1, 2016 and ending October 30, 2017 in the amount of \$42,000.00.

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

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

### **REGULAR**

#### **Germantown City Hall Phase II – Erosion Control & Landscaping**

Mr. Butch Eder stated this agenda item is a construction contract with Sprinkler Systems, LLC in the amount of \$71,700.00 for the construction of the Germantown City Hall Phase II – Erosion Control and Landscaping Project. This project was originally included as an alternate in the FY15 CIP Germantown City Hall Phase I – Signage and Landscaping Project; however, there was not sufficient funding available within the project's budget to incorporate it into the construction contract. Consequently, the project was submitted as a standalone project during the FY17 CIP Application Process and was approved for inclusion into the FY17 CIP Budget. The project will provide erosion control to avert additional erosion within the roadside gullies along Farmington Boulevard adjacent to City Hall and landscaping for an aesthetically pleasing entrance into City Hall.

Motion by Mr. Owens, seconded by Ms. Gibson, to authorize the Mayor to enter into a contract with Sprinkler Systems, LLC in the amount of \$71,700.00 for the construction of the Germantown City Hall Phase II – Erosion Control and Landscaping Project.

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

#### **Ordinance 2016-10 – Amendment to Beer Ordinance – Second Reading and Public Hearing**

Mr. Lawton stated recent state legislative changes to the regulation of alcoholic beverages, including intoxicating liquors and beer, have an impact on the City's existing ordinance dealing with these substances. The ordinance change brings the City into compliance with these changes and adds a new permit requirement for both on-premise and off-premise consumption.

Mayor Palazzolo called for citizens to come forward to address the Board during the Amendment to Beer Ordinance Public Hearing. One citizen came forward.

Michael Stoll, of 2546 Regents Walk, 38138 addressed the Board regarding the Farm and Fries restaurant located across the street from Germantown High School. He expressed concern regarding alcohol being served on premise in the outdoor dining area.

Mayor Palazzolo closed the public hearing.

Motion by Mr. Owens, seconded by Ms. Gibson, to approve on second reading Ordinance No. 2016-10, an amendment to the Beer Ordinance.

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

Alderman Janda stepped down from the dais. He is a Germantown Community Theatre Board member and recused himself from the next agenda item.

**Germantown Community Theatre Grant**

Ms. Pam Beasley stated as part of the FY17 Budget, a \$45,000.00 grant was included in the Civic Support budget for the Germantown Community Theatre (GCT) to provide youth theater programming to the Germantown community. This is the tenth year the GCT has offered programming to Germantown youth through funding from the City of Germantown. The GCT has provided documentation and demonstration of their successes and how the City's dollars are being spent on an annual basis. All terms of the agreement for FY16 were met and GCT provided all documentation required including the FY16 Audit Report which is on file with the Finance Director.

Motion by Mr. Barzizza, seconded by Ms. Gibson, to authorize the Mayor to execute an agreement for the FY17 budget year between the City of Germantown and the Germantown Community Theatre and to authorize the budgeted payment of \$45,000.00.

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