

BOARD OF MAYOR AND ALDERMEN

February 27, 2017

The regular meeting of the Board of Mayor and Aldermen was held on Monday, February 27, 2017, at 6 p.m. in the Council Chambers of City Hall.

Mayor Mike Palazzolo was present and presiding.

The following aldermen were present: John Barzizza, Mary Anne Gibson, Dean Massey, Forrest Owens and Rocky Janda. Staff present: Pam Beasley, Michele Betty, Paul Chandler, Reynold Douglas, Butch Eder, Tony Fischer, Tim Gwaltney, Richard Hall, David Harris, Patrick Lawton, Bo Mills, Daniel Page, Lisa Piefer, Cameron Ross, 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

Alderman Janda led the Pledge of Allegiance.

Approval of Agenda

During the executive session, the Board unanimously agreed to move from the Consent Agenda #10b Donation – Germantown Education Commission to the Regular Agenda; Move #13 Professional Services Agreement – Howard Road Culvert Replacement, #15 Contract – Herbicide/Fertilizer Treatment and Lake Maintenance, and #16 Contract – Court Software Upgrade to the Consent Agenda, and move up #18 Project Development Contract No. 1212- TraVure Phase 2 to earlier on the Regular Agenda.

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

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

Approval of Minutes of the Regular Meeting Held January 23

The minutes were approved as amended.

Motion by Ms. Gibson, seconded by Mr. Janda, to approve the minutes as amended.

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

Approval of Minutes of the Regular Meeting Held February 13

There were no corrections to the minutes.

Motion by Mr. Barzizza, seconded by Mr. Janda, to approve the minutes as written.

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

Special Recognition – Distinguished Budget Presentation Award

On behalf of the Government Finance Officers Association, Mr. Richard Campbell, budget manager for the City of Memphis and first vice president of the Tennessee Government Finance Officers Association, presented the Distinguished Budget Presentation Award to the City of Germantown Office of Budget and Performance

for the fiscal year 2016 budget. The award objectively affirms the fine work of the City's budget and performance team including Adrienne Royals, Sherry Rowell and De'Kisha Fondon.

Special Recognition - Donation - Germantown Education Commission

Vice-Mayor Gibson stated donations were received from IBERIABANK for \$3,576.40, Performance Toyota for \$3,000.00, Neshoba North Neighborhood Association for \$100.00 and The Highlands Neighborhood Association for \$50.00, and were designated to support the work of the Germantown Education Commission's annual Battle of the Brains competition and cash awards for Teacher of the Month and Teacher of the Year.

Motion by Ms. Gibson, seconded by Mr. Barzizza, to recognize donations to the Germantown Education Commission, totaling \$6,726.40, and approve Budget Adjustment No. 17-53.

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

Alderman Liaison Reports

The Aldermen reported on their commission activities.

Citizens to be Heard

Betty Duke, 2010 Farmington Bend Drive, 38138, came forward to express her disappointment in the Board's 2017 approval of a beer permit for Malco Theater.

Michael Stoll, 2546 Regents Walk, 38138, expressed his disappointment with the two aldermen who abstained from voting on the Allelon Subdivision Development Agreement.

Proclamation – Arbor Day

The Mayor proclaimed Friday, March 3, 2017, as the 145th anniversary celebration of Arbor Day.

CONSENT

Donations - Neighborhood Preservation Commission

The Neighborhood Preservation Commission has organized two events, the Neighborhood Summit and the Neighborhood Tour of Remodeled Homes and Landscapes, for a number of years. In order to cover expenses associated with these events, the Neighborhood Preservation Commission members solicit donations and both events have received support from neighborhood associations and businesses.

MOTION: To recognize and accept four (4) donations in the amount of \$750.00 to the Neighborhood Preservation Commission and approve Budget Adjustment No. 17-54.

Donation – 100 Hundred Club of Memphis

The Club provides support for fire and police departments in the Memphis and Shelby County area. They offer assistance for families of fire and law enforcement officers killed in the line of duty. They also provide a Valor Award and Community Service Award to recognize fire and police officers for heroism and community service. This donation will be used to purchase rearview camera systems for fire apparatus.

MOTION: To accept a donation of \$1,500.00 from the 100 Club of Memphis to be used to install backup cameras in fire apparatus and approve Budget Adjustment No. 17-55.

Donation – Red Devil 1

Red Devil 1 was the City's first fire engine and was utilized until 1983 when it was relocated to Oaklawn Gardens. Over the years, exposure to the elements has taken a toll on the apparatus. During 2016, restoring Red Devil 1 was approved. The Fire Department has received a donation of \$100.00 from Ed and Jeanne Carnes in honor of Chief Selberg's father, Lt. Col. John R. Selberg, to be used for restoration of Red Devil 1.

MOTION: To accept the donation of \$100.00 from Ed and Jeanne Carnes to be utilized for the Red Devil 1 Fire Engine Restoration Project.

PEG Disbursement to GMSD

With the formation of the Germantown Municipal Schools, one of the earliest goals was to provide an instructional television program for students attending Houston High School. The PEG origination fee received from AT&T and Comcast is assigned to the Germantown Municipal School District for use in purchasing capital equipment.

MOTION: To authorize the transfer of funds from the PEG collected by the City for Germantown Municipal School District in the amount of \$46,193.66.

Reimbursement – Overtime Police

The Germantown Police Department has an officer assigned to the Federal Bureau of Investigation Joint Safe Streets Task Force, the Drug Enforcement Administration Task Force, the Terrorism Task Force and the Secret Service Task Force. The officer usually works overtime in the performance of his duties. The task forces reimburse any overtime that the officers receives while carrying out his/her duties. The Department of Justice reimbursed \$16,683.19, Department of Homeland Security reimbursed \$1,181.76 and The Harvest Church reimbursed \$436.32 for traffic control, totaling \$18,301.27.

MOTION: To recognize overtime reimbursement from the Federal Department of Justice, the Department of Homeland Security and The Harvest Church in the amount of \$18,301.27 and to approve Budget Adjustment No. 17-52.

Grant and Donation - The Big Read

The City of Germantown is the 2016/17 recipient of a grant of \$10,500.00 to host The Big Read. This is the second year in a row that the City has received the prestigious grant. A program of the National Endowment for the Arts, The Big Read broadens understanding of our world, our communities and ourselves through the joy of sharing a good book. Managed by Arts Midwest, this initiative offers grants to support innovative community reading programs designed around a single book. The City is one of 77 nonprofit organizations to receive a grant to host a Big Read project between September 2016 and June 2017. The Big Read in Germantown focused on "Tom Sawyer" by Mark Twain. Activities took place in September and October.

MOTION: To recognize a grant from the National Endowment for the Arts and donations from Kappa Kappa Gamma and Friends of the Germantown Community Library received by the City for The Big Read totaling \$13,300.00 and approve Budget Adjustment No. 17-50.

Grant – Shelby County 911 Dispatch Console

The Shelby County 911 Board approved a request for a grant to purchase a fifth dispatch console for the Germantown Public Safety Emergency Center to enhance the capabilities of the Center. With the new position, all dispatchers, as well as trainees, will have a console to work and train at during any given shift.

MOTION: To recognize a grant received from Shelby County 911 in the amount of \$22,621.18 for a new dispatch console.

Purchase – Annual Fire Alarm Protection Services

Last year, the Board approved services to City-owned buildings that are equipped with fire alarm systems. Fire sprinkler systems are due for annual inspections and testing as required by state law. Simplex Grinnell, our current local vendor, has the Technology, Security and Communications cooperative contract with National Joint Power Alliance.

MOTION: To approve annual fire alarm protection services provided by Simplex Grinnell based on established unit pricing from the NJPA Cooperative Contract # 031913-SGL in the amount of \$10,701.85 for a one year period.

Purchase – Non Inventory Janitorial Supplies

Last year the Board approved services for non-inventoried janitorial items that are used by various departments. Janitorial items that are not inventoried have significant impact for providing services and safety in City buildings include: entrance mats, dust mops, shop towels, along with towels and wash cloths for jail services. These items are scheduled to be replenished every week. Due to the ongoing use of these items, it is more cost effective to have a full-service rental of these items through National Joint Power Alliance (NJPA) cooperative pricing. UniFirst Corporation, our current local vendor, has the cooperative janitorial supply contract with NJPA. There has been no increase in pricing with the current vendor from the previous year.

MOTION: To approve annual services provided by UniFirst Corporation based on established unit pricing from the National Joint Power Alliance Cooperative Contract # 062415-UFC in the annual amount of \$16,843.84 for a one year period.

Purchase – Network Switch Replacement

The City's network system was installed in the late 1990's at a cost just over \$200,000.00. It was upgraded to the current system during 2003 and 2004. The switches available at that time had no redundancy and had not been upgraded since initial installation. In August of 2008, the Board approved the replacement of the main network switches in the amount of \$188,581.45. Staff evaluated the option of replacing the entire system; however, due to budget constraints, it was determined that replacing the system over time through the Infrastructure Replacement Program is in the best interest of the City. The Board has approved annual network switch replacement since October 27, 2014.

MOTION: To authorize the Mayor to enter into an agreement with Presidio Networked Solutions in the amount of \$33,024.74 for replacement of network equipment, a pro-rated maintenance agreement to cover the new equipment and declare the replaced equipment as surplus.

Purchase – Printing and Mailing Services

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. On September 12, 2016, the Board approved the addition of printing and mailing services for the City's tax bills. The City of Sevierville, Tennessee has used DataProse since 2009. Both DataProse and the City of Sevierville have agreed to allow the City to use T.C.A. § 12-3-1201 (formerly § 12-3-1001) in order to "piggyback" off the contract they have in place. The City utilizes statewide contracts or cooperative purchasing agreements to purchase services or products saving considerable time and resource savings for participating member agencies. Procurement staff

reviewed the Sevierville contract and requested a compliance form from DataProse at that time.

The production agreement with DataProse identifies pricing for goods and services in addition to monthly bill printing and mailing. Printing services for additional inserts mailed with the City's monthly utility bills, such as Talk of the Town and Fill the Fountain of Knowledge, have been identified and can be used to streamline services for added efficiency.

MOTION: To authorize the use of City of Sevierville, Tennessee's Production Agreement with DataProse for printing, stuffing and mailing utility bills in an amount not to exceed \$115,238.00.

Contract – Wireless Transmission Facility Agreement – New Cingular Wireless, PCS, LLC

The original lease dates from 1993, when the City approved agreements to allow wireless transmission facilities (WTFs) consisting of cellular telephone antennas and associated equipment compounds to be located on City property. The proposed lease amendment is for equipment located at the water tower complex. New Cingular Wireless PCS, LLC approached the City requesting an extension on the WTF agreement. After legal review, it was determined that the revised lease agreement documents were in order and included newer language in agreements used today, agreement length and negotiated payments.

MOTION: To approve an amendment to the lease agreement with New Cingular Wireless PCS, LLC for access to City property for a wireless transmission facility.

Contract Extension – Grass Cutting and Landscaping Services

In 1994, the City contracted to maintain the turf areas of all municipal buildings, rights of ways and medians. Over the past twenty two years, parklands and greenways were added to the mowing contract along with additional medians. In 2001, it was determined to be more economical to enter into a contract arrangement consisting of landscape maintenance, seasonal flowers and irrigation maintenance than to provide these services in-house. In August of 2015, the Board of Mayor and Aldermen approved adding 16 acres of mowing at Houston Middle School and Houston High School and the Wolf River Connector which is 1.8 miles of landscaped, mulched and irrigated medians connecting Wolf River Blvd. between Kimbrough and Farmington Blvd.

MOTION: To authorize the Mayor to enter into the second and final option year of the landscape and mowing services contract with Landscape Services Group in the amount of \$486,384.95.

Professional Services Agreement – Howard Road Culvert Replacement

Stormwater flows westward from the Howard McVay Park retention pond in an underground piping system under Turpins Glen Drive and into a roadside ditch on the south side of and parallel to McVay Road. These metal culverts are severely corroded. The stormwater has been finding its way under, around and between the culverts which erodes the surrounding soil and causes the road pavement to settle.

MOTION: To approve a professional services agreement with Carlson Consulting Engineers, Inc. in the amount of \$40,000.00 for engineering design related to the Howard Road culvert replacement project.

Contract – Herbicide/Fertilizer Treatment and Lake Maintenance

In the past, the City has contracted with Herbi-Systems, Inc. to provide a herbicide and fertilizer treatment contract and with Aqua Services, Inc. to provide a lake management program. To improve efficiencies and receive better service and coordination of services, the herbicide/fertilizer treatment and lake maintenance services were bid jointly with the option of separating the bids if awarded to two vendors. After receiving the

three bids, staff is recommending awarding these two services to one vendor. Approximately \$5,000.00 will be saved by combining these two services with one provider and staff will have only one vendor to oversee.

MOTION: To authorize the Mayor to enter into a Herbicide/Fertilizer Treatment and Lake Maintenance contract with Herbi- Systems, Inc. at selected athletic fields, medians, municipal grounds, lakes, right of ways and ditch banks throughout the city in the amount of \$107,276.96 for three-years with two, one-year extensions.

Contract – Court Software Upgrade

Court has requested an upgraded system in order to create a more user friendly and efficient process. In 2015, Tyler Technologies, Inc. acquired New World Systems. Since the acquisition, Tyler Technologies has worked to integrate all their products to offer a more complete Justice package that also includes electronic citation and Court software packages.

MOTION: To grant authorization to enter into an agreement with Tyler Technologies, Inc. for the implementation of Incode Court software and associated maintenance in an amount not to exceed \$129,133.00, approve Budget Adjustment No. 17-56 and declare replaced equipment as surplus.

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

Ordinance 2017-5: Amending Chapter 9, Article II (Air Pollution Control Code) of Germantown Code of Ordinances, Second Reading and Public Hearing

Mr. Lawton stated the proposed revisions to the City's Air Pollution Control Code were presented in order to have the City Code conform to the changes made by Shelby County. The Shelby County Health Department's Pollution Control Section administers a uniform pollution control program for the County and all municipalities within Shelby County. Shelby County has revised their fee schedule; these changes are to make our fees match the changes made by the County. Shelby County has further amended local open burning regulations to comply with recent state legislation providing for an expedited process to grant waivers from such regulations in the event of an emergency.

Mayor Palazzolo opened the floor for the public hearing. Having no one come forward, Mayor Palazzolo closed the public hearing.

Motion by Mr. Owens, seconded by Mr. Janda, to approve Ordinance 2017-5, amending the City of Germantown Air Pollution Control Code on second hearing.

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

Project Development Contract No. 1212 – TraVure Phase 2

Mr. Ross stated this agenda item is to approve Project Development Contract Number 1212 for TraVure Phase 2. The Phase 2 development contract approval will permit site improvements to include the construction of a five-story, 220-room hotel with 194 parking spaces, associated grading, landscaping and infrastructure improvements.

Motion by Mr. Owens, seconded by Mr. Janda, to approve Project Development Contract 1212 for TraVure Phase 2.

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

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Professional Services Agreement – TDOT Greenway Multi-Modal Trail Connector

Mr. Lawton stated the City publically advertised for Engineering Design and Construction Engineering and Inspection (CEI) services for this project with three (3) qualified firms submitting their respective Statement of Qualifications (SOQs) by the due date. The selection committee thoroughly reviewed the scope and fee proposal and unanimously chose Smith Seckman and Reid (SSR), Inc. as the most able and qualified firm to provide these services for the City. SSR provided design and CEI services for the center section of Greenway Trail. Their intimate knowledge and experience with design and construction of that section of trail to made them the obvious choice to complete these segments.

Motion by Mr. Owens, seconded by Ms. Gibson, to approve a professional services agreement with Smith Seckman and Reid, Inc. in the amount of \$372,997.93 for design and CEI services related to the Germantown greenway project and a TDOT engineering services fee of \$25,724.00.

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

Easement Agreement – TraVure Water Line

Mr. Ross stated this easement agreement would be with the City of Memphis. Water line connections are needed in order to provide sufficient flows and pressure for the TraVure development as well as the surrounding area.

Motion by Mr. Barzizza, seconded by Ms. Gibson, to authorize the Mayor to enter into an agreement with the City of Memphis for a water line easement from the TraVure development toward Poplar Pike.

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

Contract – Electronic Citations

Mr. Fischer stated Tyler’s Brazos Electronic Citation software is fully integrated with both Police and Court packages and allows for a seamless electronic citation process. Officers will have equipment in the field that will allow them to electronically capture information, obtain signatures, print citations and upload the data to Police and Court records systems. The process will eliminate duplicate data entry requirements currently in place and create a streamlined, system driven, data sharing process for all stakeholders.

Motion by Mr. Janda, seconded by Mr. Barzizza, to authorize entering into an agreement with Tyler Technologies, Inc. for implementation of Brazos Electronic Citation software and associated maintenance in an amount not to exceed \$102,579.00, approve Budget Adjustment No. 17-57 and declare replaced equipment as surplus.

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

Meeting adjourned.

Mike Palazzolo, Mayor

Michele Betty, City Clerk/Recorder