

## **BOARD OF MAYOR AND ALDERMEN**

June 26, 2017

The regular meeting of the Board of Mayor and Aldermen was held on Monday, June 26, 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: Jeff Beaman, Pam Beasley, Michele Betty, Reynold Douglas, Butch Eder, Tim Gwaltney, De'Kisha Fondon, David Harris, Patrick Lawton, Bo Mills, Lisa Piefer, Cameron Ross, Sherry Rowell, Adrienne Royals, Keith Saunders, Paul Turner and Steve Wilensky.

### **Call To Order**

The Mayor called the meeting to order.

### **Invocation**

Dr. Josh Creason, Germantown Baptist Church - Family and Community Life Pastor

### **Pledge of Allegiance**

Alderman Massey led the Pledge of Allegiance.

### **Approval of Agenda**

During the executive session, the Board unanimously agreed to move to the Regular Agenda: #9e Construction Contract – Germantown Road Streetscape Improvements and #9f Construction Contract – Wolf River Lateral F (East Bank) Bank Stabilization Project. The Board agreed to pull from the agenda at the applicant's request #10 Ordinance 2017-07 Rezoning of Part of Lot 2 Wolf River Center Phase 1, 1<sup>st</sup> Addition- From C-2 "General Commercial" to R-H "Retirement Housing" – Third and Final Reading. The Board added to the Regular Agenda add-on #16b CIP Policy Resolution – 17R13.

Motion by Mr. Massey, seconded by Mr. Barzizza, to move #13 Ordinance 2017-03 Real and Personalty Tax – Third and Final Reading to #10d.

ROLL CALL: Barzizza-yes, Gibson-no, Massey-yes, Owens-no, Janda-no. Motion failed.

Motion by Mr. Owens, seconded by Mr. Janda, to approve the agenda as amended in the Execution Session.

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

### **Approval of Minutes**

There were no corrections to the minutes.

Motion by Mr. Janda, seconded by Mr. Barzizza, to approve the minutes of the Board of Mayor and Aldermen meeting held June 12, 2017.

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

**Special Recognition**

**Beautification Commission Business Award**

Landmark Community Bank, located at 2241 South Germantown Road, was selected by the Beautification Commission to receive the June Beautification Award.

**Public Works Grounds Division**

This item was to recognize staff for their honesty, integrity and exceptional act of kindness. On Wednesday, May 10, members of the Grounds crew were at Cameron Brown Park completing a parks maintenance service request. Ms. Susan Davis was also at the park walking her dogs that morning. Ms. Davis accidentally left her wallet on the top of her car and it fell onto the parking lot as she exited the park. The crew comprised of Edwin Davis, Barry Seavers and Patrick Davis found the wallet and upon identifying the owner returned the wallet and all its contents to the home of Ms. Davis.

**Play Like a Champion Graduation Class of 2017**

The following eleven City employees participated in the 2017 class of Play Like a Champion. The program was designed for employees who desire to gain a stronger perspective of all aspects of our municipal organization and to take personal responsibility for growth and development.

Reggie Adams Facility Services	Dylan Carpenter Fleet Services	Diane DeSanctis Code Compliance	De’Kisha Fondon Administration
Lindsey Anslinger Great Hall	Logan Carroll Public Works	Ricardo Dotson Public Works	Will Kassner Parks & Recreation
Ellen Bowden Library	Patrick Davis Public Works	Deborah Fitzgerald Court	

**Alderman Liaison Reports**

The Aldermen reported on their commission activities.

**Citizens to be Heard**

Michael Stoll, 2546 Regents Walk, stated that top-level general and administrative government expenditures have increased by 32.5% in four years. Based on economic growth and revenues, he believes the City does not need a property tax increase for another two years.

Scott Sanders, 2009 Prestwick Drive, questioned if additional funds should be spent on the Wolf River Boulevard greenway connectors, Farmington playground renovation and Farmington Park field renovation before the parks plan is reviewed. He believes deleting the auto vehicle registration increase of \$10 will provide the taxpayers with some relief. The increase will only bring an additional \$275,000.00 in revenue to the City.

Marlene Strube, 7642 Foster Ridge, stated the increase in the property tax rate will hurt the citizens living on fixed income.

Pam Bailey, 3045 Devonshire Way, stated the utility fund reserve is more robust than necessary.

**CONSENT**

**Appointment – Education Commission**

The Education Commission consists of twelve (12) members. Appointments are made in June of each year and conclude in June of the next calendar year.

MOTION: To approve the following appointments to the Education Commission:

Barbara Boyer	Julia Ganey	Dr. Manjit Kaur	Tina Powis Dow
Steven Chandler	Audrey Grossman	Shawn Lane	Anthony Smith
Mindy Fischer	Terri Harris	Dr. Rodolfo Palazzolo	Scott Williams

Chairman Recommendation: Mindy Fischer  
Germantown Municipal School District Liaison: Betsy Landers

**Appointment – Library Board**

The Library Board consists of seven (7) members. The appointments are made this time of year to coincide with the establishment of the Library Board. The appointments are for terms of three years. There are two positions to be filled.

MOTION: To approve the following appointments to the Library Board: Layla Rouse and Carlin Stuart.

**Annual Agreement – U.S. Geological Survey**

The purpose of this agenda item is to request authorization for the Mayor to execute a Contract Renewal Agreement with the U.S. Geological Survey in the amount of \$11,200.00. The information derived from the US Geological Survey is beneficial in planning for the future development of the well fields as well as continued management and use of our existing system. Continual aquifer level and water quality monitoring provide the information to detect any changes in quality or volume in a timely manner. Services include an in depth chemical analysis of water collected at both fields.

MOTION: To authorize the Mayor to execute a Contract Renewal Agreement with the U.S. Geological Survey in the amount of \$11,200.00.

**Contract – Copy Machines Lease Extension**

The purpose of this agenda item is to authorize the mayor to enter into a one (1) year extension for the lease of twenty-three (23) copy machines from NovaCopy, Inc. for an estimated annual cost of \$68,400.00. Due to the lack of sheet volume and small number of machines requested, it has been in the best interest of the City to utilize a larger entity for better volume pricing. As a result, the City has utilized the Shelby County Contract for the past eight years with great efficiency and cost.

MOTION: To authorize a one (1) year extension for the lease of twenty-three (23) copy machines from NovaCopy, Inc. for an estimated annual cost of \$68,400.00.

**Professional Services Agreement – Supplement 1 – Germantown Greenway**

The purpose of this agenda item is to consider approval of Supplement 1 in the amount of \$7,054.75, increasing the existing Germantown Greenway professional services agreement with Smith Seckman and Reid, Inc. from \$372,997.93 to \$380,052.68. In 2016 the City received federal and state funding through the Memphis Metropolitan Planning Organization to design and construct two segments of the Greenway. The fee proposal states that archeological studies are additional services that can be provided upon request. These services were not anticipated to be needed for these segments of the Greenway since an

archeological study was performed in 2006 as part of the Wolf River Boulevard project. However, the TN Department of Transportation is requiring an archeological study due to the age of the previous study and since the proposed trail alignment has shifted in some areas.

MOTION: To approve Supplement 1 in the amount of \$7,054.75, increasing the existing Germantown

Greenway Professional Services Agreement (PSA) with SSR, Inc. from \$372,997.93 to an amount not to exceed \$380,052.68.

**Recognition of Donation – Corn Hole Tournament**

This agenda item is to recognize a donation made to the Parks and Recreation Department for the Corn Hole Tournament totaling \$1,500.00. Staff held the 1<sup>st</sup> Annual Corn Hole Tournament Sunday, June 25 at the Farm Park, which was sponsored by Huey’s Germantown. The donation was applied towards the purchase of the corn hole boards with art work and prizes for the winners.

MOTION: To recognize the donation made to the Parks and Recreation Department for a community program as detailed above and in the amount of \$1,500.00.

**Purchase – Additional Land Acquisition for Germantown Station Park**

This agenda item is to authorize the Mayor to execute a land purchase agreement for 1.1 acres of the property located at 3022 Hacks Cross Road in the amount \$40,000.00 and to recognize an in-kind donation of \$40,000.00 from Susan Brown. Germantown Station Park is a neighborhood park serving families south of Poplar Pike. The site features a playground, picnic area, sand volleyball court, a walking trail and a lake. Improvements were made to the trail, pedestrian bridge and lake several years ago with the input of the neighborhood. One of their major requests was to have a complete trail loop around the lake for walkers and joggers. However, approximately a third of the lake has been privately owned, preventing that request from moving forward. This property, now owned by Susan Brown, is for sale. Staff contacted the seller’s agent to inquire about the possibility of purchasing enough of the 3+ acre tract in order to acquire the entire lake and allow for the other half of the walking trail loop to be completed in the future. An appraisal and boundary map for the desired 1.1 acres next to the park was completed and appraised at \$80,000.00.

MOTION: To authorize the Mayor to execute a contract with Susan Brown for the purchase of 1.1 acres of the property located at 3022 Hacks Cross Road in the amount \$40,000.00 and to recognize an in-kind donation of \$40,000.00 from Susan Brown.

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

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

**REGULAR**

**Construction Contract – Germantown Road Streetscape Improvements**

Mr. Ross stated this item is to request authorization to enter into a contract with Ferrell Paving Inc. in the amount of \$720,411.00 for construction of the streetscape improvements. In 2007 the Board of Mayor and Aldermen adopted the Smart Growth Plan for the Central Business District that set the stage for the future development of our city. One area in particular called for the development of streetscape standards and complete streets policies within existing commercial and business areas. Also important to existing commercial and new business growth is the Old Germantown area of the City that has long been referred to as the heart of Germantown. Over the years the character has become secondary to the destinations and

does not allow for a comfortable pedestrian environment or real sense of place.

Motion by Mr. Barzizza, seconded by Mr. Massey, to postpone the motion on the table for the agenda item until the July 10, 2017 Board of Mayor and Aldermen meeting.

ROLL CALL: Barzizza-yes, Gibson-no, Massey-yes, Owens-no, Janda-no. Motion failed.

Motion by Mr. Owens, seconded by Mr. Janda, to authorize the Mayor to enter into a contract with Ferrell Paving Inc. in the amount of \$720,411.00 for construction of the Germantown Road Streetscape Improvements and to approve Budget Adjustment No. 17-135.

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

**Construction Contract – Wolf River Lateral F (East Bank) Bank Stabilization Project**

Mr. Gwaltney stated this agenda item is to request authorization to enter into a contract with Delgado General Corporation in the amount of \$641,942.00 for construction of Wolf River Lateral F (East Bank) Bank Stabilization Project. Lateral F parallels the eastern boundary of Enclave PD, Phases 1 and 2 and the western boundary of Grove Park. The lateral is a natural, earthen stream with highly erodible banks and is positioned within a public drainage easement. Public Works has provided continuous maintenance activities such as placement of rip-rap (rock) and clearing and snagging of dead trees and other debris as needed in an effort to keep the lateral within the public easements. Recent flooding has caused the east bank to erode at an accelerated rate. On-going maintenance efforts are not able to keep up with the rate of erosion.

Motion by Mr. Owens, seconded by Mr. Janda, to authorize the Mayor to enter into a contract with Delgado General Corporation in the amount of \$641,942.00 for construction of the Wolf River Lateral F (East Bank) Bank Stabilization Project and to approve Budget Adjustment No. 17-137.

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

**Ordinance 2017-07 - Rezoning of Part of Lot 2, Wolf River Center - Phase 1, 1st Addition - From C-2 "General Commercial" to R-H "Retirement Housing" – Third and Final Reading - DEFERRED at request of applicant**

The site is owned by Baptist Memorial Healthcare Corporation. It is currently zoned “C-2” (General Commercial) and was originally developed as a Wal-Mart store. On August 3, 2004 the Planning Commission gave approval to demolish the building and subdivide the site. On July 22, 2013, the Board approved Project Development Contract No. 1183 for Baptist Rehabilitation Hospital on a portion of Lot 2. The current subject parcel, which is part of Lot 2, is vacant. The Planning Commission recommended approval of the rezoning on April 4, 2017. The rezoning of the subject property from “C-2” (General Commercial) to “R-H” (Retirement Housing) is being proposed to develop a retirement community.

**Ordinance 2017-01 Ordinance to Adopt the FY2018 Budget – Third and Final Reading**

Mr. Lawton stated the FY18 Proposed Budget before the Board takes into consideration the Policy Agenda developed by the Board. The Financial Advisory Commission has held several meetings with the staff to review each component of the budget including the financial policies, the entire General Fund, the Enterprise Funds, the Special Revenue Funds and the CIP. The Personnel Advisory Commission’s recommendation of a 3.0% merit adjustment for all City employees is incorporated in the FY18 proposed budget.

Motion by Mr. Janda, seconded by Mr. Owens, to approve on third and final reading Ordinance No. 2017-01 establishing the FY18 Proposed Budget.

Motion by Ms. Gibson, seconded by Mr. Owens, to amend on third and final reading Ordinance No. 2017-01, FY18 Budget to adjust the Germantown Municipal School District Special Revenue Fund from \$57,644,000.00 to \$56,540,000.00.

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

Motion by Mr. Barzizza, seconded by Ms. Gibson, to amend on third and final reading Ordinance No. 2017-01, FY18 Budget to add \$7,000.00 to the Historic Commission budget.

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

Motion by Ms. Gibson, seconded by Mr. Owens, to amend on third and final reading Ordinance 2017-01, FY18 Budget by reducing revenues of the City as a consequence of the reduction of tax rate from \$1.99 per \$100.00 of assessed valuation to \$1.97.

ROLL CALL: Barzizza-no, Gibson-yes, Massey-no, Owens-yes, Janda-abstain, Palazzolo-yes. Motion to amend approved.

Motion by Mr. Massey, seconded by Mr. Barzizza, to amend to set the effective tax rate at \$1.76.

ROLL CALL: Barzizza-yes, Gibson-no, Massey-yes, Owens-no, Janda-no. Motion to amend failed.

Motion by Mr. Owens, seconded by Mr. Janda, to amend on third and final reading Ordinance 2017-01, FY18 Budget to reduce the CIP \$1,000,000.00 Streetscape line item by \$500,000.00 and transfer the appropriation to the park master plan line item.

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

Motion by Mr. Massey, seconded by Mr. Barzizza, to defer voting on the budget until the July 10, 2017 Board of Mayor and Aldermen meeting.

ROLL CALL: Barzizza-yes, Gibson-no, Massey-yes, Owens-no, Janda-no. Motion to defer failed.

ROLL CALL: On original Motion by Mr. Janda, seconded by Mr. Owens, to approve on third and final reading Ordinance No. 2017-01 establishing the FY18 Proposed Budget as amended.

Barzizza-no, Gibson-yes, Massey-no, Owens-yes, Janda-yes. Motion approved.

**Ordinance 2017-02 Year-End Budget Adjustments – Third and Final Reading**

Mr. Lawton stated that all of the expenditures being funded by the budget adjustments were approved under the City's purchasing policies and adhere to generally accepted accounting principle guidelines. Typically at year-end, a number of budget adjustments are made to the various City funds, which realign operating expenses/expenditure accounts with actual activity. They recognize various overruns,

underruns, project acceleration and deferrals that have already received Board of Mayor and Aldermen approval.

Motion by Ms. Gibson, seconded by Mr. Barzizza, to approve Ordinance No. 2017-02 for year-end budget adjustments on third and final reading.

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

**Ordinance 2017-03 Real and Personality Tax – Third and Final Reading**

Under Tennessee law, the City's Real and Personality tax rate is to be determined by the Board of Mayor and Aldermen. Mr. Lawton stated that Shelby County has completed the 2017 Countywide Reappraisal of property. As a result, municipalities are required to calculate a state "certified tax rate" or roll back rate that produces a "tax neutral" effect for the current taxpayers. The City's certified tax rate is \$1.76. The first and second readings approved the certified tax rate of \$1.76 and an additional tax rate adjustment of \$.23 resulting in a new effective tax rate of \$1.99 per \$100.00 of assessed value. Justification for a property tax increase results from discussions with the City's Financial Advisory Commission and the Board during deliberations of the FY18 Budget. The tax increase is tied to the need for a new school and other capital improvements for the community.

Motion by Mr. Owens, seconded by Ms. Gibson, to approve on third and final reading Ordinance No. 2017-03 Real and Personality Property Tax with a certified tax rate at \$1.76, the additional \$.23 tax adjustment resulting in a new effective tax rate of \$1.99.

Motion by Ms. Gibson, seconded by Mr. Owens, to amend on third and final reading Ordinance No. 2017-03 Real and Personality Property Tax with a certified tax rate at \$1.76, an additional \$.21 tax adjustment and a new effective tax rate of \$1.97.

ROLL CALL: Barzizza-no, Gibson-yes, Massey-no, Owens-yes, Janda-yes. Motion approved to amend and set the effective tax rate of \$1.97.

Motion by Mr. Massey, seconded by Mr. Barzizza, to amend and set the effective tax rate to \$1.76.

ROLL CALL: Barzizza-yes, Gibson-no, Massey-yes, Owens-no, Janda-no. Motion to amend failed.

ROLL CALL on original Motion by Mr. Owens, seconded by Ms. Gibson to approve on third and final reading Ordinance No. 2017-03 as amended setting the effective tax rate at \$1.97.

Barzizza-no, Gibson-yes, Massey-no, Owens-yes, Janda-yes. Motion approved.

**Ordinance 2017-04 Germantown Municipal School District Year End Budget Adjustments – Third and Final Reading**

Mr. Lawton stated that at the end of the fiscal year, a number of year-end budget adjustments are required to be made in order to avoid budget and fund overruns in the various funds for the Germantown Municipal School District (GMSD). The GMSD yearly budget adjustments have been approved by the Germantown Municipal School Board. However, the GMSD is a Special Revenue Fund of the City and will appear in the Comprehensive Annual Financial Report as of June 30, 2017. Therefore, the Board of Mayor and Aldermen must approve any yearly budget adjustments. Any adjustments made are following the State of Tennessee Guidelines for school districts and adhere to generally accepted accounting principles guidelines.

Motion by Mr. Barzizza, seconded by Mr. Janda, to approve Ordinance No. 2017-04 for Germantown Municipal School District year-end budget adjustments on third and final reading.

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

**Resolution 17R03 - Resolution on Revenues**

Mr. Lawton stated the purpose of this agenda item is to authorize various fees, rates and other revenue structures of the City of Germantown. A comprehensive review of fees, rates and revenue structures was made during the past year and throughout the budget process. In many business areas, market comparisons were performed to make sure the fees and rates are comparable for the area. Minor changes in fees and charges have been incorporated in most areas for the City in the attempt to keep pace with the cost of services being provided. Other changes in fees and fines are due mainly to review, research and comparison to existing costs of providing services, comparable fees charges by other cities in Tennessee and in direct compliance to laws and regulations of the state and federal governments.

Motion by Mr. Janda, seconded by Mr. Barzizza, to adopt the Resolution on Revenues 17R03 and schedules establishing the rates, fines and fees in the various funds of the City of Germantown for the FY18 operating budget.

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

**Resolution 17R04 – Resolution of Five-Year Capital Improvement Plan**

Mr. Lawton stated the purpose of this agenda item is to adopt a resolution establishing a Capital Improvements Program (CIP) for the fiscal years ending June 30, 2018 through 2023. The FY18 portion of this CIP will be adopted within the FY18 Budget Ordinance. The CIP for subsequent years is recommended for approval in order to establish a plan by which Administration can schedule its activities to ensure that the CIP projects are accomplished in accordance with the Board of Mayor and Aldermen's direction. The Capital Improvements Program for the five-year planning period is reviewed each year during the budget planning process and revised according to current needs and projections. The development of the CIP follows the guidelines for the CIP policy adopted by the Board, which allows the City to identify long-term needs and to plan for the necessary financing.

Motion by Mr. Owens, seconded by Mr. Janda, to amend the Capital Improvement Plan to reflect the change from the central business district streetscape funding for FY19, FY20 and FY21 and place \$500,000.00 into the park master plan line item for FY19, FY20 and FY21.

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

Motion by Ms. Gibson, seconded by Mr. Janda, to adopt the amended resolution, 17R04 establishing a Capital Improvements Program for fiscal years ending June 30, 2018 to 2023.

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

**CIP Policy Resolution – 17R13**

Mr. Lawton stated the “sunset provision” referenced in the policy implies that if project funding is not encumbered within the fiscal year budgeted; the funding will not be available in the next year. This section of the policy supports proper planning and execution of capital projects and holds staff accountable for commitments made to the CIP. Wolf River Boulevard and Germantown Road intersection improvement appraisals for requiring the necessary right-of-way were much higher than anticipated. The



extra cost and time in acquiring the right-of-way resulted in the \$480,000.00 allocated for construction not being spent in FY17. Therefore, the \$480,000.00 will be added to the FY18 project bringing that project total to \$2,230,000.00. The funding is 100% federal and state funds. By approving this resolution to the CIP policy, a standard procedure is not being developed that provides an avenue for future CIP projects to be re-budgeted. Only projects with exceptional circumstances warrant requests for a resolution to the CIP Policy. Staff believes that this project meets the criteria to be excused from the “sunset provision.”

Motion by Mr. Barzizza, seconded by Mr. Janda, to adopt resolution 17R13 to the Capital Improvements Program Policy in regards to the enforcement of the “sunset provision” in FY17.

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

**Resolution 17R10 – Initial Authorizing Bond Resolution**

Mr. Lawton stated this agenda item is to adopt Resolution 17R10, the Initial Authorizing Resolution that permits the City to issue up to \$34,000,000.00 in general obligation bonds for public infrastructure projects. The City utilizes proceeds from selling long-term debt to finance capital improvement projects that add to or replace the public infrastructure. Included in the City’s CIP are anticipated bond issues to support financing of the more significant infrastructure projects that are expected to have a long useful service life. Bond financing for educational and roadway projects are included in the FY18 budget for \$34,000,000.00.

Motion by Mr. Massey, with no second, to defer the adoption of Resolution 17R10, the Initial Authorizing Resolution. Motion failed.

Motion by Mr. Janda, seconded by Mr. Owens, to approve Resolution 17R10 authorizing the issuance of up to \$34,000,000.00, General Obligation Bonds Series 2017, of the City of Germantown, Tennessee pursuant to state law under Title 9, Chapter 21, Tennessee Code Annotated, for the purpose of financing costs of certain public works and school facilities and equipment and to direct staff to publish the prescribed notice about this resolution in a newspaper having general circulation in the City.

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

**Professional Services Agreement – Supplement 1 - Forest Hill Irene Road Improvements**

Mr. Gwaltney stated the purpose of this agenda item is to consider approval of Supplement 1 in the amount of \$261,600.00, increasing the existing Forest Hill-Irene Road improvements project professional services agreement with Gresham Smith & Partners from \$134,955.00 to an amount not to exceed \$396,555.00. As subdivisions and commercial areas developed, 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 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.

Motion by Mr. Janda, seconded by Ms. Gibson, to approve Supplement 1 in the amount of \$261,600.00, increasing the existing Forest Hill-Irene Road Improvements Project Professional Services Agreement with Gresham Smith & Partners from \$134,955.00 to an amount not to exceed \$396,555.00.

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

**Resolution 17R11 – Open Records Policy**

Mr. Harris stated this agenda item is to adopt a new public records policy to comply with state law pertaining to the Tennessee Public Records Act (“TPRA”). The TPRA requires that municipalities allow citizens to inspect public records. Citizens are provided the opportunity to inspect records onsite, or they can pay for copies to be viewed offsite. Fees for copies or other mediums of records are based on the fee schedule adopted by the Board through this Resolution as well as the Resolution on Revenues. The City follows the requirements outlined in the TPRA concerning public records requests, and formal adoption of a new public records policy ensures that the City continues to comply with current State Code.

Motion by Mr. Janda, seconded by Ms. Gibson, to approve Resolution 17R11 formally establishing a new public records policy for the City of Germantown.

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

**Resolution 17R12 – Set Salary for City Administrator**

Mayor Palazzolo stated this agenda item is to approve the annual salary of the City Administrator effective July 1, 2017. It has been the practice of the City to approve the salary of City staff and the City Administrator with the adoption of the annual budget. The resolution takes separate action per the requirements of Article V, Section 5.01 of the City’s charter and establishes the City Administrator’s salary at \$221,707.00.

Motion by Mr. Massey, seconded by Mr. Barzizza, to defer voting on Resolution 17R12 to set the salary for the City Administrator until the July 10, 2017 Board of Mayor and Aldermen meeting.

ROLL CALL: Barzizza-yes, Gibson-no, Massey-yes, Owens-no, Janda-no. Motion failed.

Motion by Mr. Owens, seconded by Ms. Gibson, to adopt Resolution 17R12 - approving the annual salary for Mr. Lawton as City Administrator in the amount of \$221,707.00 effective July 1, 2017 and to refer to the Personnel Advisory Commission for consideration of future bonus pay and salary caps for executive management.

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

Meeting adjourned.

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Mike Palazzolo, Mayor

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Michele Betty, City Clerk/Recorder