

BOARD OF MAYOR AND ALDERMEN

July 24, 2017

The regular meeting of the Board of Mayor and Aldermen was held on Monday, July 24, 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, Mark Carter, Paul Chandler, Reynold Douglas, Butch Eder, Tony Fischer, Tim Gwaltney, Richard Hall, David Harris, Patrick Lawton, Lisa Piefer, Phil Rogers, Cameron Ross, Keith Saunders, Paul Turner and Steve Wilensky.

Call To Order

The Mayor called the meeting to order.

Invocation

Dr. Charles Fowler gave the invocation.

Pledge of Allegiance

Alderman Rocky Janda led the Pledge of Allegiance.

Approval of Agenda

During the executive session, the Board moved to the Consent Agenda: # 13 ROW Acquisition Tract 7 Wolf River Boulevard/Germantown Road Intersection Improvements Project, #14 ROW Acquisition Tract 12 Wolf River Boulevard/Germantown Road Intersection Improvements Project and #15 ROW Acquisition Tract 32 Wolf River Boulevard/Germantown Road Intersection Improvements Project.

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

ROLL CALL: Barzizza-yes, 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 July 10, 2017 minutes as written.

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

Special Recognition – Police Department

On March 22, 2017, Police Officer Katie Rothenberger stopped on Germantown Road in front of Hampton Inn to investigate a person on the ground in apparent medical distress. Captain Jodi Whitfield stopped to assist when he saw Officer Rothenberger. The man was not breathing and did not have a pulse. Officer Rothenberger and Captain Whitfield began chest compressions. Prior to the arrival of GFD paramedics, the man began to gasp and a faint pulse was detected. Paramedics arrived and took over medical care. Officer Rothenberger and Captain Whitfield received Life Saving Award medals at a ceremony conducted by the police department on July 6, 2017.

Alderman Liaison Reports

The Aldermen reported on their commission activities.

Citizens to be Heard

Theresa Early, 2507 Shepherdwood Lane, stated she was told that the city storm drain flooding her yard is a private matter. She doesn't understand how a city storm drain is a private matter. She asks that the City look further into the flooding situation.

Michael Stoll, 2546 Regents Walk, stated he supports the use of general obligation bonds but does not believe it is necessary to issue the bonds so quickly. Though principle and interest would not be paid until the next year, he believes interest will begin accruing as soon as the City receives the money.

CONSENT

Approval of Household Hazardous Waste Facility Inter-Governmental Agreement

This agenda item is to authorize the Mayor to enter into an extension of the agreement with Shelby County Government (Shelby County) for the operation and participation in funding of the Shelby County Household Hazardous Waste facility. This facility collects known household hazardous waste materials from all residents in Shelby County. Germantown residents are among the most frequent users of the facility. The extension is for a period of one year commencing July 1, 2017. This item also authorizes the FY18 payment to Shelby County in the amount of \$15,000.00.

MOTION: To authorize the Mayor to enter into a one year extension of the inter-governmental agreement with Shelby County Government for the operation of the Shelby County Household Hazardous Waste facility and approve payment in the amount of \$15,000.00 for FY18.

Rejection of Proposals: RFP2017-021 Branding/Marketing Campaign and Implementation Plan

On September 14, 2015, the Board approved the use of the RFP process to solicit proposals with an experienced, professional company at a reasonable price. The goal of the branding project was to create a defining brand image for the City along with a deployment plan. On April 11, 2017, Procurement received four proposals. During the course of evaluation of the proposals it was determined that the proposed cost exceeds the planned expenditure. Staff recommends rejection of all proposals related to RFP2017-021.

MOTION: To approve the rejection of all proposals related to RFP2017-021 Branding/Marketing Campaign and Implementation Plan.

Purchase – Ambulance

This agenda item is to request authorization to purchase one 2017 Type 1 ambulance in the amount of \$215,410.00. This ambulance will be used as a primary ambulance and will allow one of the current front-line ambulances to be used as a back-up ambulance. Because of increasing emergency service call volume, it is necessary to be able to place a total of six ambulances into service at any given time. This increases the fire department's ability to meet service demands while reducing reliance on a private ambulance service to provide back-up ambulances during times of heavy call volumes.

MOTION: To approve the purchase of one (1) 2017 Type 1 ambulance in the amount of \$215,410.00 from Emergency Vehicle Specialists (EVS) as per the HGACBuy Quote and Contract AM10-16.

ROW Acquisition -Tract 7 - Wolf River Boulevard/Germantown Road Intersection Improvements Project

The intersection of Wolf River Boulevard and Germantown Road is one of the most heavily congested intersections within the entire Memphis-MPO area. The latest available volume counts indicate an annual average of over 75,000 vehicles per day. Excessive delays at all times of the day prompted the City to request federal and state funding for improvements to add capacity and increase efficiency of the intersection. A total of 26 properties are involved on this project. Appraisals and reviews have been completed on 23 properties. To date, six property owners have accepted the offers. This agenda item is to request approval of a right of way acquisition agreement with Barbara Taylor in the amount of \$3,616.00

for the purchase of real estate and/or easements related to improvements to the intersection. The property owner accepted the offer.

Motion: To approve the right of way acquisition of real estate from Barbara Taylor for the total lump sum amount of \$3,616.00 for a portion of Tract 7 and authorize the disbursement of the purchase price to the seller.

ROW Acquisition -Tract 12 - Wolf River Boulevard/Germantown Road Intersection Improvements Project

This agenda item is to request approval of a right of way acquisition agreement with Dr. William G. Crook Trustee, et al, in the amount of \$152,600.00 for the purchase of real estate and/or easements related to improvements to the intersection of Germantown Road and Wolf River Boulevard. Dr. William G. Crook Trustee, et al, accepted the offer.

Motion: To approve the right of way acquisition of real estate from Dr. William G. Crook Trustee, et al, for the total lump sum amount of \$152,600.00 for a portion of Tract 12 and authorize the disbursement of the purchase price to the seller.

ROW Acquisition -Tract 32 - Wolf River Boulevard/Germantown Road Intersection Improvements Project

This agenda item is to request approval of a right of way acquisition agreement with Iberia Bank in the amount of \$12,354.00 for the purchase of real estate and/or easements related to improvements to the intersection of Germantown Road and Wolf River Boulevard. Iberia Bank accepted the offer.

Motion: To approve the right of way acquisition of real estate from Iberia Bank for the total lump sum amount of \$12,354.00 for a portion of Tract 32 and authorize the disbursement of the purchase price to the seller.

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

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

REGULAR

Resolution 17R15 – Authorizing Resolution for General Obligation Bonds

Mr. Lawton stated the Board, on June 26, 2017, adopted Resolution No. 17R10, the initial authorizing bond resolution, stating the City's intent to issue up to \$34,000,000.00 of general obligation bonds for certain public infrastructure projects. This initial action by the Board required the City to provide public notice of this action and to advise the public of the protest period regarding the issuances of the bonds. The entire resolution was placed in the Commercial Appeal on June 29 and clearly cited the protest period, which ended on July 18. Approval of Resolution 17R15 is the next step in issuance of the bonds for the purpose of providing the capital necessary for the construction of a new K-5 elementary school and to make improvements to Forest Hill-Irene Road. Public Financial Management, Inc. assisted the City with preparing the bond sale documents, arranging the rating agency reviews, contacting potential bond purchasers and directing the competitive bid process for obtaining favorable market interest rates. On August 16 and 23, analysts from Standard & Poor's and Moody's Investment Services will meet with City staff prior to citing the City's credit rating. The anticipated sale date for the bonds is the morning of September 11 and will be presented for approval at the Board of Mayor and Aldermen meeting that evening. On July 20, the Financial Advisory Commission met to review the resolution, the schedule leading up to the sale, and the current market conditions. The commission unanimously endorsed moving forward with the authorizing resolution. Bond counsel Adams and Reese LLP of Nashville will provide the specialized legal expertise required for issuing public debt and complying with applicable security laws.

Motion by Mr. Janda, seconded by Ms. Gibson, to approve Resolution No. 17R15 authorizing the execution, terms, issuance, sale, and payment of not to exceed \$34,000,000.00 General Obligation Bonds, Series 2017 of the City of Germantown, Tennessee, and providing the details thereof, pursuant to state law under Title 9, Chapter 21, Tennessee Code Annotated.

Motion by Mr. Massey, seconded by Mr. Barzizza, to postpone the agenda item until the September 11, 2017 meeting of the Board of Mayor and Aldermen.

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

ROLL CALL: On original Motion by Mr. Janda, seconded by Ms. Gibson, to approve Resolution No. 17R15 authorizing the execution, terms, issuance, sale and payment of not to exceed \$34,000,000.00 General Obligation Bonds, Series 2017 of the City of Germantown, Tennessee, and providing the details thereof, pursuant to state law under Title 9, Chapter 21, Tennessee Code Annotated.

Barzizza-abstain, Gibson-yes, Massey-abstain, Owens-yes, Janda-yes. Motion approved.

Construction Contract - Germantown Athletic Club Renovation Phase III

Mr. Rogers stated Phase III consists of demolition and renovation modifications to the upper and lower level common areas; upper level customer service, lounge and restroom areas; the lower level men's locker room, the demolition of the existing monumental stair and the addition of a new monumental stair. Five qualified bids were received on July 10, 2017 with Legacy Construction Services submitting the lowest base bid in the amount of \$873,798.00. Staff is also recommending the selection Alternate 1- Renovate the wall and floor finishes in the entry level bathrooms at a cost of \$15,800.00 and Alternate 2 - Renovate the floor and wall finishes in the lower level men's locker room shower area at a cost of \$9,540.00 for a total award amount of \$899,138.00.

Motion by Mr. Massey, seconded by Mr. Barzizza, to approve a construction contract with Legacy Construction Services in the amount of \$899,138.00 for the construction of Phase III of the Germantown Athletic Club Renovation Project.

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

Professional Services Supplement No. 4 - Germantown Athletic Club Phase III Plans Update, Contract Administration and Construction Inspection

This agenda item is to consider approval of Supplement No. 4 in the amount of \$46,000.00 to the professional services agreement with Fleming Architects for plans update, contract administration and construction inspection that are essential for Phase III improvements to the Athletic Club increasing the contract amount from \$312,500.00 to \$358,500.00. Mr. Rogers stated the first two phases were bid for construction out of sequence to provide the members with the benefit of having the use of the most substantial new amenities sooner. This modification required the architectural, mechanical, HVAC and electrical plans to be updated for bidding. Professional Services Supplement No. 4 will provide for the plans update at a cost of \$18,500.00, reimbursable costs not to exceed \$1,500.00 and \$26,000.00 for contract administration and construction inspection to support the City's staff during the construction of Phase III.

Motion by Mr. Barzizza, seconded by Mr. Massey, to approve Supplement No. 4 in the amount of \$46,000.00 to the Professional Services Agreement with Fleming Architects for plans update, contract administration and construction inspection that is essential for Phase III improvements to the Germantown Athletic Club increasing the contract amount from \$312,500.00 to \$358,500.00.

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