

BOARD OF MAYOR AND ALDERMEN

May 24, 2010

A regular meeting of the Board of Mayor and Aldermen was held on May 24, 2010 at 6:00 p.m. in the Council Chambers of the Municipal Center.

Mayor Sharon Goldsworthy was present and presiding.

The following Aldermen were present: Mark Billingsley, John Drinnon, Carole Hinely, and Mike Palazzolo. Alderman Ernest Chism was absent. Staff present: Patrick Lawton, Andy Pouncey, George Brogdon, Kristen Geiger, Tom Cates, Chief Richard Hall, Jerry Cook, Pat McConnell, Bo Mills, Lisa Piefer, Ralph Gabb, Butch Eder, Tim Gwaltney, and Dotty Johnson.

Call to Order

Mayor Goldsworthy called the meeting to order.

Invocation

Economic and Development Services Director Andy Pouncey gave the invocation.

Pledge of Allegiance

Alderman Mark Billingsley led the Pledge of Allegiance.

Approval of Agenda

The following changes were made to the agenda:

An Add-On to the Consent Agenda – to set June 28 as the public hearing date for Ordinance 2010-5 The Real and Personalty Property Taxes and Item #10, an appeal to the Design Review Commission by the Gary Myers Company had been withdrawn.

Motion by Mr. Palazzolo, seconded by Mr. Drinnon to approve the agenda as amended.

ROLL CALL: Billingsley–yes, Drinnon–yes, Hinely–yes, Palazzolo–yes. Motion approved.

Approval of Minutes

Alderman Palazzolo noted the following corrections to the May 10 minutes:

On page 5 under Lateral D Cost Sharing Agreement, first paragraph, the word “band” should be “bank” and under the same heading second paragraph, third sentence the work “Culver” should be “Culvert”.

On page 6 under the Consent Agenda heading Recognition of Safety Grant, in the motion the year should be “FY10” Revenue.

Motion by Mr. Palazzolo, seconded by Mr. Drinnon, to approve the minutes of the Board of Mayor and Aldermen meeting held May 10, 2010 as corrected.

ROLL CALL: Billingsley–yes, Drinnon–yes, Hinely–yes, Palazzolo–yes. Motion approved.

Beautification Commission Business Award

Alderman Palazzolo and Beautification Commission chairman Emily Bader presented the Business Award to Mr. Jonathan Henderson, General Manager of Equestria Restaurant located at Forest Hill-Irene and Poplar Pike.

Awarding of Round IV Grants – Germantown Education Foundation

Representatives of the Board of Directors from the Germantown Education Foundation, David Baytos, Dick Leike, Mark Lightfoot and Sheila Ferguson, Vice President of the Foundation made the presentations.

Ms. Ferguson stated this was the fourth grant round. Over the course of the four grant rounds, about \$385,000.00 has been awarded to Germantown Schools. The schools themselves have matched the grant by \$268,000.00. All the grants have been for academic purposes.

Mr. Mark Lightfoot presented two grants to Dogwood Elementary School. The principal of the school is Andrea Simpson. One grant was for \$1,000.00 called “Live Connections with Bookpeople” to bring authors in to interact with the students. The grant was submitted by Sharon Counce. The school provided \$300.00 in matched funds.

An additional grant was for \$5,000.00 for “Clicking our Way to Success: the CPS Empowered Classroom” which would allow the students to interact in the classroom. This grant was submitted by Susan Waldrip and Brenda Berry.

Mr. Lightfoot presented a grant to Germantown Elementary School Principal Jennifer Payne for a total of \$24,553.00. The grant was submitted by Carol Nesbitt for “Classroom Response Systems and Interactive White Boards”. Germantown Elementary School matched the grant with \$24,553.00 through the great efforts of the school.

Mr. Dick Leike presented Mr. Mike McIntyre, principal of Germantown High School with a grant for \$4,040.00 for “Promoting Academic Honesty in a Digital Age”. This web-based writing management project will provide an effective method to enhance writing instruction. GHS matched the grant with \$250.00. Ms. Melinda Keller submitted the grant.

Mr. Leike also presented Mr. McIntyre with a grant for \$12,000.00 for “iPod Touch Cart and Interactive Smart Board Integration” to help purchase iPod Touches and Cart. The grant was submitted by Barbara Harmon. GHS matched this grant with \$2,000.00.

Mr. Leike presented Mr. Russell Joy, Principal of Germantown Middle School, with a grant for \$20,000.00. This grant was matched by the school with \$4,119.00. Ms. Sheri Harts and Ms. Wendy Willingham submitted the grant request for project “Write On!” to provide a cart and 32 laptop computers designated for training in research and writing.

Mr. David Baytos presented Leisa Justus, principal of Houston High School, with a grant for \$1,900.00. The grant was submitted by Ms. Dotsy Liles for “Poetic Justice” and HHS matched this grant with \$9,189.00. This grant will provide on-line access for 16eBook volumes of *Poetry for Students*.

Mr. Baytos also presented Ms. Justus with a grant for Houston High School for \$6,475.00. The grant was submitted by Drew Hamilton and the school matched the grant with \$631.00 for “Live from Houston High”, to provide needed equipment for broadcasting/communication classes.

Houston Middle School principal Tammy Mason was presented a grant for \$17,152.00 by Mr. Baytos. The grant was submitted by Ms. Joy Phipps and the school matched the grant with \$4,400.00. The project entitled “Mustang iTouch Learning Labs” for iPods will help learners build foundational knowledge.

Mr. Baytos presented Mr. David Carlisle, principal of Riverdale Elementary School, with a grant for \$14,936.00 and the school matched the grant with \$16,000.00. This grant was submitted by Mr. Joseph Bond for “Project TELS”(Technology Enabled Learning for Students) Phase II. This grant will cover a

portion of the technology costs required to implement Phase II of “Project TELS” allowing the school to expand upon last year’s successful integration of Interactive Whiteboards into classroom spaces.

The final grant was a multi-school grant for “ALERKS” (Assessment of Learning in Knowledge Space Project) which is a collaborative multi-school effort to provide a high interest, individualized project in math for its high achieving student in grade three through six. The grant for \$10,000.00 was presented by Ms. Sheila Ferguson to the principals of the following schools: Dogwood Elementary – Andrea Simpson, Farmington Elementary – Dr. Lee-Ann Kight, Germantown Elementary – Jenny Payne, Houston Middle – Tammy Mason, and Riverdale Elementary – David Carlisle. The schools matched the grant with \$10,000.00. This grant will provide each school with needed funds to fully implement this program.

Mayor Goldsworthy extended the Board’s appreciation to the Foundation for all its great work in augmenting public education funding and to the schools for the fine work they do for the children.

Alderman Hinely asked the citizens of Germantown to donate to the Education Foundation to help public education implement some of the programs and projects the schools are requesting.

Citizens to be Heard

Mr. Jon Albright of 3048 Steeplegate Cove came forward and stated he was a partner in Investec Realty Services. They have a property at 8000 Wolf River and asked the Board to amend or allow the Company to continue advertising for the property. With the economic situation, this being a medical building, the health care reform and a number of factors that impact the renting of the available spaces, he asked the Board to amend the ordinance to change the time limit to a percentage of leasing.

Mr. Robert Nathan and Mr. Sherman Dixon came forward. Mr. Nathan of 7470 Stone Mill Cove stated TVA and Memphis Light Gas and Water had the easement in their back yards and had previously been maintained by these two companies or the abutting property owners. Presently they were not maintaining some of the property and it had grown up to four or five feet high. He was seeking help in getting the property owners to maintain their back yards and the easements.

Mr. Dixon of 7477 Stone Mill Cove asked the Board for some help on the same property because of the children in the area.

Mr. Andy Pouncey stated he would go out and see what could be done and try and open the lines of communication with the homeowner.

Mayor Goldsworthy declared the Board of Mayor and Aldermen in recess and convened as a Beer Board.

BEER BOARD

PUBLIC HEARING – Temporary Beer Permit – Germantown Festival

Mr. Lawton stated Mr. George Walters, president of the Germantown Association, had requested a temporary beer permit for the Germantown Festival to be held on Saturday, September 11, 2010 and Sunday, September 12, 2010.

In response to a question from Alderman Palazzolo, Mr. Lawton stated the Germantown Association is a not-for-profit organization.

Mr. Lawton responded to a question from Alderman Billingsley that he was not sure how the proceeds from the Association were used. The individual vendors are the ones who sell the beer, not the Festival itself.

Alderman Drinnon stated he strongly supported the Festival but he was opposed to the City issuing permits to sell alcohol in any form on City property or City functions.

Mayor Goldsworthy opened the public hearing. Having no one come forward, the public hearing was closed.

Motion by Mr. Palazzolo, seconded by Mr. Billingsley, to approve a temporary beer permit allowing the sale of beer on publicly owned property at the 2010 Germantown Festival on Saturday, September 11, 2010, during the hours of 9:30 a.m. until 6:00 p.m. and on Sunday, September 12, 2010, from noon until 6:00 p.m.

ROLL CALL: Billingsley–yes, Drinnon-no, Hinely-yes, Palazzolo-yes. Motion approved.

Mayor Goldsworthy then having concluded the business of the Beer Board adjourned and reconvened the Board of Mayor and Aldermen.

BOARD OF MAYOR AND ALDERMEN

Appeal of Design Review Commission Decision: Gary Myers Company – 9289 Poplar Avenue, Poplar Collection – Request Renewal of Temporary Real Estate Sign - REMOVED

Appeal of Design Review Commission Decision: Investec Realty Services – 8000 Wolf River Boulevard – Request Renewal of a Temporary Real Estate Sign

Economic and Development Services Director Andy Pouncey stated this was an appeal of decision of the Design Review Commission (DRC) regarding the renewal of temporary leasing or real estate sign located at 8000 Wolf River Blvd. The reason the DRC denied the renewal was because the permit for the sign expired on October 29, 2009. The applicant was notified by the Code Compliance Division of the expired permit on May 4, 2009 and February 19, 2010. The sign has remained erected at that location since August 27, 2008.

At the request of Alderman Palazzolo, Mr. Pouncey gave a brief description of the changes to the Code over the year in order to be more flexible to the commercial real estate industry.

Alderman Drinnon stated he appreciated the work of the DRC and was fully aware of the ordinance but he felt that because of the very difficult economic times and the effect on the construction industry that he felt an extension should be granted under the circumstances.

Alderman Hinely stated she too felt there was justification to grant the extension because of the economic factors that affect the commercial industry.

Alderman Palazzolo stated that he understood the economic factors but he felt that the rules are rules and the applicants should have followed the rules and did not. He felt that favoritism would be shown to the applicant as opposed to the other applicants that did follow the rules.

Motion by Mr. Drinnon, seconded by Ms. Hinely, to approve a 90-day renewal for a temporary leasing sign located at 8000 Wolf River Boulevard.

ROLL CALL: Billingsley–yes, Drinnon-yes, Hinely-yes, Palazzolo-no. Motion approved.

Award of Construction Contract for Installation of Vehicle Video Detection at Selected Intersections

City Engineer Tim Gwaltney explained this was for vehicle video detection devices at the intersections of Farmington Blvd. and Exeter Road and Poplar Ave. and Kimbrough Road.

This project would replace the in-ground loop detection system with above ground video detection devices and return both intersections to a traffic operated mode of operation. The existing loop vehicle detection devices at both intersections have malfunctioned resulting in the signals to default into the “pre-timed” mode of operation causing travel delays on all the approaches.

Mr. Gwaltney stated the installation of these devices at the different intersections should take about two months which would be the end of July.

Motion by Mr. Palazzolo, seconded by Mr. Billingsley, to authorize the Mayor to enter into a contract with McCrory Electric Company for the installation of vehicle video detection equipment in the amount of \$53,054.00.

ROLL CALL: Billingsley–yes, Drinnon–yes, Hinely–yes, Palazzolo–yes. Motion approved.

LED Traffic Signal Head Conversion – Change Order No. 1

Mr. Gwaltney stated the City recently received bids on the Farmington Blvd./Exeter Road and Poplar Ave./Kimbrough Rd. intersection improvements project for the replacement of in-ground loop vehicle detectors with above ground video detection. The low bid was significantly under budget resulting in a surplus of \$36,946.00.

The surplus funds from the video detection project are sufficient to convert three additional intersections from incandescent traffic signal heads to the more energy efficient LED traffic signal heads. Desoto County Electric’s existing contract only covers intersections within the Poplar Corridor. The approval of Change Order No. 1 will allow for the intersections of Farmington/Exeter, Farmington/Brierbrook and Farmington/Kimbrough to be upgraded with LED signal heads.

In response to a question from Alderman Billingsley, Traffic Engineer Jonathan Smith stated that once the conversion materials were in place the project should be completed within a three month time frame which would mean the end of August.

Motion by Mr. Drinnon, seconded by Mr. Palazzolo, to approve Change Order No. 1 for the LED Traffic Signal Head Project by increasing Desoto County Electric’s Contract by an amount not to exceed \$36,946.00 and to approve Budget Adjustment Number 10-140.

ROLL CALL: Billingsley–yes, Drinnon–yes, Hinely–yes, Palazzolo–yes. Motion approved.

CONSENT AGENDA

Purchase – Parks & Recreation – Cheerleading Uniforms

The Parks and Recreation Department is operating the Germantown Youth Cheer program with staff handling all administrative functions including program administration, financial management and program delivery. The Parks and Recreation Department provides uniforms for the cheer participants and upon approval of the acceptance of the bid, uniform fees will be collected from participants.

MOTION: To authorize the purchase of cheer uniforms from SillSports in an amount not to exceed \$22,500.00.

Extension of Contract for City Uniforms

In FY06 the City entered into a three-year uniform rental contract with a fourth and fifth year extension options. The five-year option will extend this contract through FY11.

MOTION: To contract with Paramount Uniforms for the second and final option year of the contract extension for approximately \$33,000.00.

Recognition of Donation – Police Department

Joyce Van Riper is a long-time citizen of Germantown and wished to show her appreciation for the continued good performance of the Germantown Police Department by donation of \$100.00 to the Crime Stoppers Program.

MOTION: To recognize a donation from Joyce Van Riper of \$100.00.

ADD-ON – Ordinance 2010-5 – Real and Personalty Property Taxes – Public Hearing date set for June 28, 2010

The notification of the public hearing was published in the local newspaper prior to notification and approval of the Board of Mayor and Aldermen. This agenda item will correct the public hearing notification in the newspaper.

MOTION: To approve the suspension of the advertised public hearing date of June 14, 2010 to set the property tax rate to a public hearing of June 28, 2010 to set the property tax rate.

Motion by Mr. Drinnon, seconded by Ms. Hinely, to accept the consent agenda as presented.

ROLL CALL: Billingsley–yes, Drinnon–yes, Hinely–yes, Palazzolo–yes. Motion approved.

Mayor Goldsworthy thanked the Library staff, Parks and Recreation staff and all the departments that contributed vehicles and participated in the remarkably successful “Touch a Truck” experience at the Library.

The Germantown Athletic Club had a very successful Open House over the weekend.

The dedication of the expansion of the water plant at Johnson Road Park was held last week. It increases our capacity for daily water production to 24 million gallons which matches or exceeds our historic peak demand day.

The water pump building was named after the late Bobby Todd who was an employee of the City.

City Attorney Tom Cates noted that the Germantown Woman’s Club on a volunteer basis, sold concessions there with the understanding that they would donate the proceeds to the Library and they raised \$770.00. He stated this happens all the time with the supporters of the Library. These supporters furnish all the extra things that make our Library really exceptional.

ADJOURNMENT

There being no further business to be brought before the Board, the meeting was adjourned.