

## **BOARD OF MAYOR AND ALDERMEN**

**July 26, 2010**

A regular meeting of the Board of Mayor and Aldermen was held on July 26, 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, Ernest Chism, John Drinnon, Carole Hinely, and Mike Palazzolo. Staff present: Patrick Lawton, Andy Pouncey, Kristen Geiger, Tom Cates, Chief Richard Hall, Pam Beasley, Jerry Cook, Bo Mills, Lisa Piefer, Ralph Gabb, Butch Eder, Tim Gwaltney, and Dotty Johnson.

### **Call to Order**

Mayor Goldsworthy called the meeting to order at 6:00 p.m.

### **Invocation**

Director of Development Jerry Cook gave the invocation.

### **Pledge of Allegiance**

Alderman John Drinnon led the Pledge of Allegiance.

### **Approval of Agenda**

Mayor Goldsworthy stated there was an add-on - Riverdale Park Poured-In-Place Playground Surface.

Alderman Drinnon stated that he would be approving the consent agenda but would abstain from voting on item 11h, Appointments to the Germantown Community Library Board.

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

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

### **Approval of Minutes**

Alderman Hinely noted on page 5 of the July 12 Board meeting minutes, first paragraph under Recognition of Donation – Riverdale Playground Project the amount from the Baptist Memorial Healthcare Foundation Grant was \$150,000.00.

Motion by Mr. Palazzolo, seconded by Ms. Hinely, to approve the minutes of the Board of Mayor and Aldermen meeting held July 12, 2010 as amended.

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

### **Recognition of Germantown Community Library**

The Director of the Library Melody Pittman, the staff and volunteers of the Library acted out a script, read by Community Services Division Director George Brogdon which described the things the library was involved with and services they provide. The skit was adapted from the Library's Treehouse Story for Kids and the book "That's Good, That's Bad".

City Attorney Tom Cates spoke in regard to the services they provide and how the Germantown Community Library had become such an asset to the community and citizens.

**Citizens to be Heard**

Jim Schmiedicke of 3085 Poplar Grove Lane came forward and asked the Board to consider the Street Conversion Policy as soon as possible. He presented a petition that was signed by all the residents of Poplar Grove. He expressed his frustration with waiting for an answer from the Planning Commission and the Board.

**Wolf River Boulevard Right-of-way Acquisition – The Farmington Group**

Community Services Director Jerry Cook explained the acquisition of right-of-way from the Farmington Group and the LMP Wolf River, LLC. He introduced the Tennessee Department of Transportation (TDOT) official, Mr. Arran Addington. Mr. Addington works in the local programs office with TDOT and had been very instrumental in helping the City stay on track with Wolf River Blvd. and all the many other road construction projects that are using state and federal money. Mr. Cook expressed his appreciation for his assistance and stated Mr. Addington was available if there were any questions.

In response to a question from Alderman Drinnon, Mr. Cook gave the time table for the construction for Wolf River Blvd. He stated that they should be starting before the first of October of this year. Construction time of the project once the bids are put out, it will be two to three years, depending on the weather. The bids will go out after October, and staff will come back to the Board with a contractor that will build the roadway. It will probably be November before it is brought back to the Board for a construction contract and then, depending on the weather, they may start in late December or early the next calendar year.

The easement acquisition across the property for the Farmington Group does not include any right-of-way. The appraisal is for \$5,240.00.

The acquisition of right-of-way and easements for the LMP Wolf River 1, LLC property, appraised for \$79,611.00. The property owner is requesting an additional 10% of the appraisal amount for compensation and damages to the property. The total compensation sought by the owner is \$87,572.00.

The appraisals were performed by Trotz Real Estate Services, Inc. and the review was conducted by Mr. Mr. Rand Bouldin with Bouldin and Associates.

Mr. Cook assured Alderman Drinnon that staff was very satisfied with the appraisals and the review.

Motion by Mr. Billingsley, seconded by Ms. Hinely, to approve the easements acquisition from The Farmington Group in the amount of \$5,240.00 for the Wolf River Boulevard Improvement Project, subject to the approval of the City Attorney and the Director of Economic and Community Development.

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

**Wolf River Boulevard Right-of-way Acquisition – LMP Wolf River 1, LLC**

Motion by Ms. Hinely, seconded by Mr. Drinnon, to approve the rights-of-way and easements acquisition from LMP Wolf River 1, LLC in the amount of \$87,572.00 for the Wolf River Boulevard Improvement Project, subject to the approval of the City Attorney and the Director of Economic and Community Development.

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

**Great Hall Commission – Appointment of Alderman Liaison**

George Brogdon explained that as a recommendation from the Great Hall Task Force, a Great Hall Commission was formed by the Board on May 10, 2010. The Commission will be comprised of five members, an alderman liaison and staff liaison. The alderman must determine the alderman liaison to serve on the commission.

Mayor Goldsworthy formally opened the nominations for alderman liaison.

Alderman Drinnon nominated Alderman Billingsley.

Alderman Palazzolo nominated Alderman Chism.

Alderman Chism yielded his nomination.

Alderman Palazzolo withdrew his nomination.

Alderman Drinnon asked for the nominations to cease and Mr. Billingsley to be named liaison by acclamation.

Motion by Mr. Drinnon, seconded by Ms. Hinely, to approve the appointment of Alderman Billingsley as Alderman Liaison to the Great Hall Commission.

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

**ADD-ON: Riverdale Park Poured-In-Place Playground Surface**

Mr. Brogdon explained that Everybody’s Tree House is a partnership between Baptist Rehabilitation Germantown, PlayCore, Riverdale School, the City of Germantown and the community.

Everybody’s Tree House is an inclusive playground that allows everyone to participate, regardless of ability. A major factor contributing to the accessibility is the poured-in-place rubber bed surface.

The goal is to have the playground ready by August 9, before school starts.

Motion by Mr. Billingsley, seconded by Ms. Hinely, to approve the purchase, installation and delivery of 4,700 square feet of poured-in-place safety surface at Everybody’s Tree House Playground at Riverdale Park in the amount of \$49,444.00.

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

Alderman Drinnon asked, as a matter of record, that Mr. Pouncey and Mr. Cook meet with Mr. Schmiedicke the next week if at all possible to try and accommodate his request.

Alderman Palazzolo stated that Mr. Schmiedicke had asked for a lot of information that would have to be gathered and it would not be a good idea to rush the meeting and to allow them time to get the information calculated and gathered.

In response to a question from Alderman Billingsley, the Mayor stated that the Board had not approved the conversion policy and at the work session, there were some questions the Board had and staff had been working on developing responses to the Board so the information would be available before it would be brought before the Board for consideration.

Mr. Cook stated they had developed a schedule to bring it back to the Board. A work session had been proposed for August 16. They would then present the Smart Growth Traffic Analysis and the results of the questions that had been asked by the Board. The Planning Commission will meet two days later on the 18<sup>th</sup> and review the ordinance and the changes that had been made. The Planning Commission would then act on the proposed street conversion policy and any information that had been presented to the Board. On September 7, the Planning Commission would act on the conversion policy.

A discussion followed on the schedule and keeping in touch with the citizens requests.

Mr. Cates clarified a question from Alderman Palazzolo explaining that the adoption by the Board of a policy with regard to conversion of streets from private to public and vice versa would not be an ordinance, it is a policy.

### **CONSENT AGENDA**

#### **Purchase – Screenvision Media**

Germantown Athletic Club has been advertising at the Forrest Hill Malco Theater, Cordova Malco Theater and Paradiso Malco Theater through Screenvision. The media contract with Malco Screenvision will provide 28 weeks of advertising at the Forrest Hill, Paradiso and Cordova Malco theaters. The ads running at the theaters will operate on a flighting schedule when theaters are at the optimum viewing season.

MOTION: To authorize the mayor to execute a media buy agreement with Malco Screenvision for the Germantown Athletic Club at the expense of \$17,474.00.

#### **Purchase – Color Printer – Automated Enforcement**

The Germantown Police Department currently utilizes a color printer to print Automated Enforcement citations. It is necessary to have a duplex color printer to accomplish this. The current color printer is over eight years old and has had major repairs over the past two years. Estimated cost of the printer is \$3,300.00.

MOTION: To approve budget adjustment 11-03 to purchase a color printer for Automated Enforcement.

#### **Purchase – Library Copy Machine**

The copying machines at the Library are used extensively by the almost 1,000 people who visit the library on a daily basis. This is the first opportunity the City has had to standardize the library copiers/printers with the rest of the City. This new contract will save the library \$4,712.28 on an annual basis from its current expenses.

MOTION: To lease two (2) copy machines from NovaCopy, Inc. under a three-year rental agreement for an estimated total cost of \$16,391.16 for approximately 35,040 copies per year.

#### **Contract for FYI Printing**

This tabloid style publication includes information about all City related leisure activities. The publication is a one stop source for citizens looking for information regarding events, classes, sports and arts in Germantown. The printing for the three issues of the FYI publication will cost \$11,651.04.

MOTION: To contract with Graphics Systems, Inc. for the printing of three issues of the FYI newsletter in the amount of \$11,651.04.

**Recognition of Neighborhood Payments for Decorative Street Signs**

The City has received \$18,657.50 in payments from two neighborhoods. This represents the neighborhood share for the cost of the decorative street signposts in the participating neighborhoods of Germantown Trails and Duntreath.

MOTION: To recognize \$18,657.50 in payments made by two neighborhood associations as their share of costs for the decorative street signposts and approve Budget Adjustment No. 11-08.

**Resolution 10R12 – TML Pool Safety Partners Matching Grant Program**

The “Safety Partners” Matching Grant Program provides 50% of the cost for safety related purchases in fiscal year 2011. Germantown is eligible to receive up to \$2,000 from the limited grant funds available. The grant application must be submitted with a resolution approved by the Board along with bid or estimate information for the identified safety purchase.

MOTION: To authorize and approve Resolution 10R12 for the City to participate in the TML Risk Management Pool “Safety Partners” Matching Grant Program for FY11.

**Recognition of Donation – Germantown Community Library**

This item is to recognize monetary donations to the Germantown Community Library totaling \$1,580.71 and the Germantown Regional History and Genealogy Center totaling \$127.08.

MOTION: To recognize the monetary donations made to the Germantown Community Library totaling \$1,580.71 and the Germantown Regional History and Genealogy Center totaling \$127.08 and to approve Budget Adjustment No. 11-09.

**Appointments to Germantown Community Library Board**

This item will reappoint John Drinnon and Tom Cates to the Germantown Community Library Board for a three-year term expiring in July 2013.

MOTION: To approve the reappointments of Tom Cates and John Drinnon to three-year terms on the Germantown Community Library Board, expiring in July 2013.

**Appointment to Education Commission**

This item is for the appointment of Susan Sharp to a vacancy on the Education Commission.

MOTION: To approve the appointment of Susan Sharp to serve on the Education Commission until June 30, 2011.

Motion by Mr. Chism, seconded by Ms. Hinely, to accept the consent agenda as read with the exception of Alderman Drinnon abstaining from voting on item 11h (Appointments to the Germantown Library Board)

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

Mayor Goldsworthy congratulated Troy Minnino who had received the PLUS Award which is a scholarship from Leadership Germantown.

The Mayor noted the collaboration of City government, county government through Shelby County Schools, Baptist Rehabilitation Germantown, PlayCore, and many volunteers who came together and worked endless hours in this very hot weather to develop the playground .

Alderman Drinnon expressed his appreciation to the Mayor and the City Administrator for their participation each week to keep informed of the Charter Commission and what is taking place to see that it is in the best interest of our City.

Mayor Goldsworthy stated that the Board's resolution last fall to go on record to challenge and question this process gave them the basis and background to proceed.

Mr. Lawton introduced Mr. Steve Koffman the Director of East Coast Operations with LSSI who was in the audience and was visiting our Library.

**ADJOURNMENT**

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

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Sharon Goldsworthy, Mayor

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Dotty Johnson, City Clerk/Recorder