

## **BOARD OF MAYOR AND ALDERMEN**

**November 22, 2010**

A regular meeting of the Board of Mayor and Aldermen was held on November 22, 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, Debbie Wiles, George Brogdon, Kristen Geiger, Pam Beasley, Andy Pouncey, Chief Richard Hall, Chief Dennis Wolf, Jerry Cook, Ralph Gabb, Lisa Piefer, Michael Stoll, Sherry Rowell, Adrienne Royals, Wade Morgan, Butch Eder, Erica Perry, Linda Rathje and Dotty Johnson.

### **Call to Order**

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

### **Invocation**

Public Services Director Bo Mills gave the invocation.

### **Pledge of Allegiance**

Boy Scout Troop 233 from Cordova Presbyterian Church presented the colors and led the Pledge of Allegiance.

### **Approval of Agenda**

The only change noted to the agenda was that #16 – Amendment to 10R06 – Resolution on Revenues was deferred.

Motion by Mr. Drinnon, seconded by Ms. Hinely, to adopt the agenda as amended.

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

### **Approval of Minutes**

There were no corrections or additions to the minutes.

Motion by Mr. Drinnon, seconded by Mr. Palazzolo, to approve the minutes of the Board of Mayor and Aldermen meeting held November 8, 2010.

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

### **Recognition of Excellence in Financial Reporting**

City Administrator Patrick Lawton brought attention to the Finance Department and the awards that had been presented to the City. He explained that the City had received the Government Finance Officers Accreditation (GFOA) in their review of the City's budget, audit and popular annual financial report.

Mr. Lawton reported that the City had earned the Certificate of Achievement for Excellence in Financial Reporting Program (CAFR Program) for the past 27 years, the Distinguished Budget Presentation Award for the past 26 years and the Outstanding Achievement in Popular Annual Financial Reporting Award (PAFR) for the past 2 years.

Mr. Lawton introduced some employees that work in the Finance Department and are responsible for achieving the awards: Financial and General Services Division Director Kristen Geiger, Finance Director Ralph Gabb, Accounting Manager Linda Rathje, Accountant Erica Perry, Financial Analysts Adrienne

Royals and Sherry Rowell, Treasurer/Risk Manager Michael Stoll and Butch Eder who is responsible for the formation of the Capital Improvements Program.

**Beautification Commission Business Award**

Alderman Mike Palazzolo presented Mr. Bill Linder with State Farm Insurance with the Beautification Commission Business Award for his property at 7716 Poplar Pike.

**Citizens to be Heard**

The following citizens spoke in favor of Ordinance 2010-9 which pertained to signs for churches and schools: Mr. Steve Fracchia of 8992 Latimer Dr., Mr. Steve Mangin of 6909 Trowbridge Cove and Ms. Patricia Wyckoff of 8034 Farmingdale Road and principal of OLPH School.

Ms. Sarah Freeman of 7684 Apahon Lane and representing the Neshoba Neighborhood asked the Board to reject any changes to the Ordinances that would give the DRC the authority to grant exceptions to the ordinance.

**BEER BOARD**

**PUBLIC HEARING – Beer Permit Application – Hop In 313 – 9100 Hwy 72 West**

Mr. Lawton stated the applicant had purchased the Exxon Stations in the area and had applied for beer permits for off-premise consumption at their respective locations. Ms. Asma Banu the president of the company, had applied and according to the police report, nothing has been found to discredit the applicant or the manager, Ms. Rosie Duma.

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

Motion by Ms. Hinely, seconded by Mr. Billingsley, to approve the request from Asma Banu for a permit to sell beer for off-premise consumption at the Hop In Store at 9100 Hwy 72.

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

**PUBLIC HEARING – Beer Permit Application - Hop In 325 – 7616 Poplar**

Ms. Asma Banu, the president of the company, had applied for a permit to sell beer for off-premise consumption and according to the police report, nothing had been found to discredit the applicant or the manager, Ms. Angela Conley.

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

Motion by Ms. Hinely, seconded by Mr. Billingsley, to approve the request from Asma Banu for a permit to sell beer for off-premise consumption at the Hop In Store at 7616 Poplar.

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

**PUBLIC HEARING – Beer Permit Application – Hop In 329 – 1300 S. Germantown Rd.**

Ms. Asma Banu, the president of the company, had applied for a beer permit to sell beer for off-premise consumption. According to the police report, nothing has been found to discredit the applicant or the manager, Mr. Tony K. Johnson.

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

Motion by Ms. Hinely, seconded by Ms. Palazzolo, to approve the request from Asma Banu for a permit to sell beer for off-premise consumption at the Hop In Store at 1300 S. Germantown Rd.

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

## **BOARD OF MAYOR AND ALDERMEN**

### **Community-wide Survey Services Contract**

Mr. Lawton explained this was a request to approve a professional services contract with Superior Data Works, LLC for a survey of Germantown residents. The amount of this work will not exceed \$30,777.78 and an additional \$3,404.71 for an employee survey. The in-house associated with this work is primarily for postage and envelopes is \$11,249.77.

The completion of a community-wide survey is one of the most effective means by which the City can gauge the pulse of our community in terms of citizen satisfaction with the administrative capacity, leadership, overall citizen satisfaction and the efficiency of local government. We have completed four surveys since 1994. We are used to a response rate of between 25-30% and the comparative data of these surveys, the most recent completed in 2004, indicated that our residents are pleased with the direction our City was moving. Staff feels it is time to gauge this satisfaction with City services again.

Citizen involvement and understanding the needs of our residents is a key component of the overall quality of life in our community. The completion of a community-wide survey with comparative data for the past 15 years will provide the City with insight into the satisfaction levels of our residents. The Administration recommends approval of this contract.

Motion by Mr. Palazzolo, seconded by Mr. Drinnon, to authorize the mayor to execute a contract with Superior Data Works, LLC to conduct the Germantown community wide residential survey in an amount not to exceed \$30,777.78 (\$27,373.07 and \$3,404.71 plus in-house cost of \$11,249.77).

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

### **Acceptance of Reimbursement from Shelby County 911**

Financial and General Services Division Director Kristen Geiger stated these are reimbursement funds that will be used to cover the costs for installing redundant fiber between Municipal Center and Fire Station 4, which was not included in the budget, and the purchase of a new iSeries server for backup for the New World software and data, which services Police and Court.

Working with staff from Shelby County 911, new equipment for the 911 Dispatch Backup Center was included in their FY11 Budget requests. During the process, staff asked for construction costs for the new station along with the square footage of the new 911 Dispatch Backup Center. The construction costs were presented to the Shelby County 911 Board for approval in October.

Motion by Mr. Drinnon, seconded by Ms. Hinely, to accept reimbursement in the amount of \$88,650.24 from Shelby County 911 for construction of a back-up 911 Center and to approve Budget Adjustment Number 11-53.

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

**Acceptance of Homeland Security Grant Funds**

Fire Chief Dennis Wolf asked the Board to consider accepting a homeland security reimbursement grant for \$80,568.00 through the Department of Homeland Security Urban Areas Security Initiative Grant Program. As part of the Memphis Urban Area, Germantown participates in homeland security initiatives and is eligible to receive grant funds for approved items including communications equipment, hazardous materials detection equipment and protective gear, identification systems, water rescue gear and equipment, and related homeland security training.

Since this is a reimbursement grant, Germantown must provide the initial funds to purchase approved items and submit completed purchase orders and paperwork for reimbursement after delivery. Staff will establish a project number to allow for proper tracking of grant expenses and reimbursement.

Motion by Mr. Billingsley, seconded by Mr. Drinnon, to accept a homeland security reimbursement grant in the amount of \$80,568.00.

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

**Ordinance 2010-9 – Amendment to Chapter 2, Administration and Chapter 14, Signs – Signs for Churches and Schools – Third and Final Reading**

Mayor Goldsworthy stated the first order of business was to take from the table this ordinance that was placed on the agenda and tabled at a previous meeting.

Motion by Mr. Billingsley, seconded by Ms. Hinely, to remove from the table and consider Ordinance 2010-9 for third and final reading.

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

Director of Development Jerry Cook stated this was a proposal to amend the sign ordinance to permit schools, churches and other public buildings to have wall mounted signs.

The ordinance does not include a provision for the DRC to grant exceptions to any specific provision of the ordinance.

Motion by Mr. Billingsley, seconded by Ms. Hinely, to approve the following amendments to the sign ordinance since the second reading:

Code of Ordinances, Chapter 2, Administration, Article V, Division 4, Section 2-166 (b) (4) by detention this subsection in its entirety and substituting the following: (4) Maintain the character of the City by administrating the Sign Ordinance of the City, Chapter 14 of this code.

Code of Ordinances, Chapter 14 Signs, Article II, Section 14-31, (a) delete “The Design Review Commission shall have the authority to grant exceptions to this article where noted for good cause shown”.

Section 14-33 (b) (8) – delete this number in its entirety.

Section 14-33 (c): delete “except as otherwise approved by the Design Review Commission”  
Section 14-33 (d): delete “except as otherwise approved by the Design Review Commission.”

Section 14-33 (e) delete “except as otherwise approve by the Design Review Commission”.

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

Motion by Mr. Drinnon, seconded by Ms. Hinely, to approve Ordinance 2010-9 as amended.

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

**Amendment to 10R06 – Resolution on Revenues - DEFERRED**

**The Great Hall and Conference Center Marketing**

Community Services Division Director George Brogdon stated the initial work of the marketing for the Great Hall and Conference Center by the Brand Squad had been completed. The next step includes an ad/media campaign and production of the Great Hall and Conference Center website and public relations campaign. The cost of this work is \$39,958.00.

Motion by Ms. Hinely, seconded by Mr. Palazzolo, to approve a contract in the amount of \$39,958.00 with The Brand Squad for marketing of the Great Hall and Conference Center for FY11.

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

**CONSENT**

**IBM Server and Tape Drive Maintenance Renewal**

The City has two separate agreements in place to cover the two main IBM servers currently in use and the tape drive used to provide backup from the two servers. Both contracts expiring cover the server in use in the Police Department/Court Clerk areas. The second IBM Server will be the redundant server put in place at Fire Station No. 4 once the backup location has been completed.

MOTION: To authorize a 34-month maintenance agreement with Dynamix Group, Inc. in the amount of \$40,483.00.

**Annual Maintenance Contract – ADT Security Services, Inc.**

The renewal of the maintenance agreements will provide a reduction in the annual amount currently expected based on the agreements in place. This is for 5-year maintenance agreements for the City's security systems currently in place at various City facilities.

MOTION: To approve authorization to enter into agreements with ADT Security Services, Inc. for 5-year maintenance agreements for the City's security systems currently in place at various City facilities for a total amount not to exceed \$19,000.85 each year.

**Recognition of Revenues – Shop Germantown Newsletter**

The Shop Germantown Newsletter was developed as a way to promote local shopping and increase local sales tax revenues. Businesses who advertise in the newsletter pay \$330 each to fund the printing each month. This agenda item recognizes revenue from the printing of the newsletter which is completely reimbursed by participating businesses. This revenue replaces the unbudgeted money spent on the newsletter from the Public Relations budget.

MOTION: To recognize revenue generated by the Shop Germantown Newsletter totaling \$4,620 and to approve Budget Adjustment 11-55.

Motion by Mr. Drinnon, seconded by Mr. Palazzolo, to accept the consent agenda as read.

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

**ADJOURNMENT**

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

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Sharon Goldsworthy, Mayor

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Dotty Johnson, City Clerk/Recorder