

BOARD OF MAYOR AND ALDERMEN

December 13, 2010

A regular meeting of the Board of Mayor and Aldermen was held on December 13, 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, Tom Cates, George Brogdon, Kristen Geiger, Pam Beasley, Andy Pouncey, Chief Richard Hall, Chief Dennis Wolf, Jerry Cook, Ralph Gabb, Tim Gwaltney, Lisa Piefer, Michael Stoll, Jonathan Smith, Melody Pitman and Dotty Johnson.

Call to Order

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

Invocation

Father John Leach from Holy Apostles Episcopal Church gave the invocation.

Pledge of Allegiance

Alderman Palazzolo led the Pledge of Allegiance.

Approval of Agenda

Alderman Billingsley asked to move item #11 (Fireworks Display – July Family Fourth Event) and item #14 (Lobbying Service Contract) to the consent agenda.

Motion by Mr. Billingsley, seconded by Mr. Chism, to adopt the agenda as amended.

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

Citizens to be Heard

Mr. George Burkle of 2046 Knoll Lane was having trouble getting his utility bill and the stormwater bill put on one bill. He had talked with several people regarding this problem.

Approval of Minutes

Alderman Palazzolo stated there was one correction he had found and that was on page 3 under Community-wide Survey Services Contract the first paragraph, third sentence the word is should be added and should read with this work “is” primarily for postage----.

Motion by Mr. Drinnon, seconded by Mr. Chism, to approve the minutes of the Board of Mayor and Aldermen meeting held November 22, 2010 as amended.

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

Teacher of the Month Award

Mayor Goldsworthy and Alderman Hinely presented Ms. Susan Chappars, a sixth grade science teacher and dance team sponsor at Houston Middle School, with the Teacher of the Month award for the month of October. The award was sponsored by Dr. John Ford.

Youth Excellence Award

Ms. Emily Nickell, a senior at St. Agnes Academy, was presented the Youth Excellence Award for the month of October. Her plaque was sponsored by Traditions.

Proclamation – Farmers Market

The Mayor read a proclamation supporting the commitment of citizens John Wagner, Dick Vosburg and Steve Priddy for fostering community pride and creating a sense of place for the citizens and visitors to Germantown by creating the Germantown Farmers Market.

Wolf River/Forest Hill-Irene Traffic Signal

City Engineer Tim Gwaltney explained this item was seeking approval of a construction contract with McCrory Electric, Inc. in the amount of \$217,196.80, for the Wolf River Blvd./Forest Hill-Irene Rd. Traffic Signal Installation project. This intersection serves as an important transportation node of the City.

The proposed signalization project will allow for vehicles traveling northbound on Forest Hill-Irene Road to make a protected left turn onto westbound Wolf River Blvd. and allow for westbound vehicles to make a protected left turn onto southbound Forest Hill-Irene. This project will include mast arm signal poles, video detection and emergency preemption devices. This signal is planned to accommodate anticipated future increases in traffic at this intersection due to the new segment of Wolf River Blvd. from Kimbrough Rd. to Farmington Blvd.

The City requested and received \$250,000.00 in Surface Transportation Program (STP) funds for this signalization project. The STP funding is restricted to the installation of the traffic signal only. During the design phase it was determined that median modifications and handicap ramp work was necessary. The engineer's estimate for this work was \$20,000.00.

Motion by Mr. Drinnon, seconded by Ms. Hinely, to authorize the approval of a construction contract with McCrory Electric, Inc. in the amount of \$217,196.80 for the Wolf River Boulevard/Forest Hill-Irene Road Traffic Signal Installation project.

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

Award of Construction Contract – Wolf River Boulevard Median Enhancement

The landscaped median on Wolf River Boulevard from Kirby Parkway to Germantown Road was constructed in the early 1990's and since its completion, landscaping has been difficult to maintain due to poor soils and lack of irrigation.

The City requested \$140,000.00 of Surface Transportation Program funding through the Memphis Metropolitan Planning Organization (MPO) to completely refurbish 9,094 linear feet of median to include full irrigation, plant/tree replacement of 100+ and the addition of healthy soil in the existing medians along Wolf River Blvd. from Germantown Road to the western city limits.

The City received notice in March of 2009 that our request had been granted. STP Enhancement Grant projects are eligible for 80% reimbursement and must be managed by the local jurisdictions.

Motion by Ms. Hinely, seconded by Mr. Drinnon, to authorize the approval of a construction contract with Sprinkler System LLC in the amount of \$8,474.75 for the Wolf River Median Enhancement project.

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

Fireworks Display – July Family Fourth Event – Moved to Consent

Purchase of Vehicles

City Administrator Patrick Lawton stated the replacement vehicles purchased under this authorization are used in the day-to-day operations by Public Services, Police, Water, Community Development and the Fire Department. The replacement of City vehicles is based on current mileage, age, condition and maintenance costs.

Administration recommends the purchase of one pickup truck for Community Development, two service trucks for Public Services, seven vehicles for the Police Department, one SUV for the Fire Department and two pickup trucks for the Water/Utility Division.

Motion by Mr. Billingsley, seconded by Ms. Hinely, to authorize the purchase of model year 2011 vehicles from Alexander Automotive in the amount of \$74,835.00, from Dobbs Ford in the amount of \$89,777.95, Golden Circle Ford in the amount \$74,368.00 and from Walker Chevrolet in the amount of \$75,261.00. In addition, authorization is requested to declare the vehicles being replaced as surplus property and approve Budget Adjustment 11-62 in the amount of \$14,751.00. The total net expenditure is \$314,241.95.

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

Public Safety Radio – Consultant Services

Police Chief Richard Hall stated that the City solicited proposals to provide professional consulting and planning services relative to its short and long-term city-wide land mobile radio and mobile data communication needs to determine the most economical, efficient and state-of-the-art method for the City's radio communications systems.

Motion by Ms. Hinely, seconded by Mr. Palazzolo, to authorize the Mayor to enter into a contract with Elert & Associates in the amount of \$99,800.00 for Public Radio Consulting Services and to approve Budget Adjustment No. 11-63.

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

Lobbying Services Contract – Moved to Consent

Purchase of Property and Easement for Miller Farms Sewer Basin Improvements

A study was done on the sewer flows in the Miller Farms Basin and found serious challenges with the capacity of the existing sewer infrastructure and limited design options for future growth. Sanitary sewer overflows are a reality with the current system. The challenges with the existing system must be addressed. The design options were evaluated and the most cost effective option with the least interruption to existing residents is to construct a sewer lift station and pump the sanitary sewer across the Fulmer property to the Memphis outfall line. The acquisition of the property and easements from A. Fulmer Partnership and Riverdale Limited Partnership is critical and necessary to proceed with the project.

The City's offer to compensate A. Fulmer Partnership and Riverdale Limited Partnership for the necessary easements is \$70,400.00, which includes the appraised value (\$64,000) plus 10%. Mr. Fulmer

III has agreed to the purchase price of \$70,400.00. The property owners will retain ownership of the land encumbered by these easements. The easements will serve as service access to the sewer infrastructure. Motion by Mr. Drinnon, seconded by Ms. Hinely, to approve the purchase of the property and easements from A. Fulmer Partnership and Riverdale Limited Partnership in the amount of \$70,400.00 for the Miller Farms Sewer Basin Improvements.

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

Appointments to Germantown Education Foundation – Moved from Consent Agenda

Alderman Drinnon asked for this agenda item to be withdrawn from the Consent Agenda to be heard.

Alderman Drinnon asked why this item was on the agenda when the selections to the Boards and Commissions were going to be done on the 21st of this month.

Mr. Brogdon explained that this was the Education Foundation which is a separate 501c3 that the Board set up about five (5) years ago and it is separate from the Education Commission.

This is the reappointment of three members who have served admirably. The reappointments are for three years and will run until 2013.

Motion by Ms. Hinely, seconded by Mr. Chism, to approve the reappointment of Sheila Ferguson, Mark Lightfoot and Gregory Noonan to the Board of Directors of the Germantown Education Foundation for three-year terms.

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

CONSENT

Fire Alarm Testing Services

All City-owned fire protection systems are due for annual inspections and testing as required. The service agreement will be for three years with the option to renew the service agreement for a fourth year and a fifth year.

MOTION: To authorize the Mayor to enter into a contract with Simplex Grinnell, LP to inspect and test all City-owned fire protection systems in the amount of \$12,768.00.

PEG Revenue and Disbursement FY11

As part of the franchise agreement with the City, Comcast and AT&T remit to the City two checks on a quarterly basis. One is the franchise fee and the other is the check to support the capital needs of public, educational and governmental access and the facilities and equipment for such access (PEG). The PEG revenue and disbursement for FY11 is \$45,895.61.

MOTION: To approve budget adjustment number 11-58 increasing account Other Revenue in the amount of \$45,895.61 for FY11 and the payment to the designated PEG station (Germantown Community Television Foundation) in the amount of \$45,895.61.

Appointments to Germantown Education Foundation – Moved to Reg. Agenda

Lease of Copiers – Germantown Library and Genealogy Center

The City utilizes the Shelby County Contract for copy machine leasing. The City is replacing the two leased copy machines. One machine is located at the Germantown Community Library and is used

extensively by the administration staff on a daily basis. The other machine is located at the Genealogy Center and used extensively by the people who visit the Genealogy Center.

MOTION: To lease two (2) copy machines and a coin-op from NovaCopy, Inc. under a three-year rental agreement for an estimated total cost of \$8,844.94 for approximately 23,070 copies per year.

Employee Gift Cards

Gift cards (360) will be purchased from Kroger and Schnucks for the employees. This expenditure was not included in this year's budget but will come from each department for a total expenditure of \$17,280.00.

MOTION: To authorize the purchase of employee gift cards from Kroger in the amount of \$8,730.00 and from Schnucks in the amount of \$8,550.00 for a total expenditure of \$17,280.00.

Fireworks Display – July Family Fourth Event – Moved from Reg. Agenda

A contract was awarded in FY09 to Pyro Shows, Inc. in the amount of \$15,000.00 with an option to extend the contract for two additional years at the same price. The City would like to exercise that option once again and recommend using the contractor through 2011.

MOTION: To authorize the Mayor to extend the contract agreement with Pyro Shows, Inc. for one additional year for the July 4, 2011 fireworks display in the amount of \$15,000.00.

Lobbying Services Contract – Moved from Reg. Agenda

The City has engaged the services of Farris Bobango Branan Law Firm for lobbying services for the past four years. The Administration has been extremely pleased with the efforts of the firm in representing Germantown and our interests as well as monitoring specific bills and legislative proposals.

MOTION: To authorize the Mayor to execute a lobbying services agreement with Farris Bobango Branan Firm PLLC Attorneys-at-Law for lobbying services on behalf of the City of Germantown beginning October 1, 2010 and continuing through September 2011 in the amount of \$32,500.00.

Motion by Mr. Chism, seconded by Mr. Billingsley, to accept the consent agenda as read.

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

Mayor Goldsworthy announced that this was the last meeting for Jerry Cook, the Director of Community Development. She stated she wanted to recognize him because of his service to the City over the past 30 years. Mr. Cook received a standing ovation.

Mr. Cook stated he appreciated working with the staff, the commissions and committees and the citizens of Germantown.

Alderman Hinely

Mayor Goldsworthy read a proclamation presented to Alderman Carole Hinely for her eight years of service as an elected official to the City.

Patrick Lawton came forward and presented Alderman Hinely with a plaque and a City ring on behalf of the City, employees and staff.

Mr. Jerry Klein, on behalf of the Economic Development Commission, wished Alderman Hinely and her family the best in the years to come.

Ms. Robyn Rudisill, chairman of the Education Commission, came forward and thanked Alderman Hinely for all her work and presented her with a framed signed print by Elaine Neeley.

Mr. Henry Evans, chairman of the Board of Zoning Appeals, came forward to thank Alderman Hinely for her twenty years of service to the BZA and to the City and to wish her and her family well in the coming years.

Ms. Tania Moskalenko, representing the GPAC Board of Directors, came forward and thanked Alderman Hinely for her service, dedication and commitment to GPAC and the arts in Germantown.

Former Alderman Dr. Parrish came forward to thank Alderman Hinely for her years of service.

Former Mayor Charles Salvaggio came forward and thanked Alderman Hinely for her many hours and years of service. He thanked her for her leadership and integrity not only as an alderman but also as a citizen. He stated that Alderman Hinely had always known her duties as an alderman, a citizen and as a friend.

Alderman Hinely thanked everyone for their support over the years and stated it had been an honor to serve as an alderman for eight years but also the continuous years she had spent on the commissions. She thanked the staff who had always been professional, her family for their support and her campaign members who had been there for her.

ADJOURNMENT

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

Sharon Goldsworthy, Mayor

Dotty Johnson, City Clerk/Recorder