

BOARD OF MAYOR AND ALDERMEN

February 14, 2011

A regular meeting of the Board of Mayor and Aldermen was held on February 14, 2011 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, Greg Marcom and Mike Palazzolo. Staff present: Patrick Lawton, Tom Cates, George Brogdon, Kristen Geiger, Andy Pouncey, Chief Richard Hall, Pat McConnell, Bo Mills, Chief Dennis Wolf, Ralph Gabb, Michael Stoll, Pam Beasley, Wade Morgan, Lisa Piefer 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

Alderman Greg Marcom led the Pledge of Allegiance.

Approval of Agenda

Mayor Goldsworthy stated that there was an add-on to the Agenda, a Proclamation/Resolution and a request to move #9 – Police Toughbooks Purchase, to the Consent Agenda.

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

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Billingsley–yes, Chism–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 January 24, 2011 minutes as read.

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

Proclamation - Public Education

Mayor Goldsworthy read the following proclamation:

Whereas, quality education for all children in Shelby County is critical for their development as productive, contributing members of society and for their engagement in the democratic processes of our nation, and

Whereas, the quality of public education, as a critical agent in the development of the workforce, is essential for the sustainability of our community and the long term economic vitality of our county and its future growth and development, and

Whereas, recent action by the Memphis City School Board and the Memphis City Council have put in motion the creation of a consolidated school system of approximately 150,000 students, making it among the largest in the nation, and

Whereas, a system of this size and magnitude threatens the relationship between parent, teacher and school, and develops a greater bureaucracy that frustrates efficiency and effectiveness in the use of resources provided by taxpayers,

Now, therefore be it resolved, that the Board of Mayor and Aldermen supports acts by the Tennessee General Assembly during this current session that remove the current statutory prohibition regarding the creation of any new special school districts and any new municipal school systems.

Be it further resolved, that the City of Germantown has and will continue to support quality public education for all students in Shelby County.

Duly read and adopted this 14th day of February, 2011.

Motion by Mr. Chism, seconded by Mr. Drinnon, to adopt the proclamation as read.

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

Recognition of Life Saving Actions

Fire Chief Dennis Wolf came forward to recognize Mr. Avery Henderson of 106 Dowdy Rd., Lamar, MS, for his lifesaving efforts on December 23, 2010. He stated that on December 23, the dispatcher received a 911 call from a woman who stated there was a car on fire about to blow up and there was a man inside the car. The car was heading east on Poplar Pike and was on fire and the man did not know it. Several people had tried to stop the car but the man did not realize it. Mr. Henderson was following the pickup truck and when the truck stopped, Mr. Henderson immediately exited his car to give assistance. The flames were surrounding the front of the car and smoke was filling the inside of the car. The driver was unresponsive. Mr. Henderson was able to get the driver's door open and pull the driver from the car as the fire and smoke started to envelop the inside of the pickup truck. Had Mr. Henderson not stopped to help, the driver would have died. The driver, Mr. Robert Proctor, has since recovered.

Mayor Goldsworthy presented Mr. Henderson with the Mayor's Award of Merit for his life saving actions. On behalf of the Board, the Mayor thanked Mr. Henderson for his heroic efforts.

Citizens to be Heard

Sidney Kuhn of 8779 Three Chimneys Drive came forward as the representative of the Tree Board to present copies of the 2010 Annual Report. He thanked staff, Pam Beasley, Wade Morgan, Andy Pouncey, George Brogdon, and Bo Mills for their work with the Tree Board.

Mr. Kuhn stated one of the recommendations of the Tree Board was to enlarge the number of members by two. Another recommendation was for the City to enter into a contract with a certified arborist on an hourly basis. He felt this action would also help in getting the award for Tree City USA.

Mr. Jim McClain of 1862 Cedar Crest Cove came forward with "QuickSilver" barbershop quartet to deliver a special valentine. They sang "Heart of My Heart" to the Mayor and presented her with a rose from her husband Jim.

Ordinance 2011-6 - Amendment to Tree Board Ordinance – First Reading

Parks and Recreation Director Pam Beasley explained that the Tree Board currently consists of one representative from each of these five commissions: Planning, DRC, Beautification, Parks and Recreation and Neighborhood Preservation. The Tree Board is requesting to amend the current ordinance to allow the addition of two members who would serve at large for two-year staggered terms.

Alderman Palazzolo asked to change the amendment regarding the certification of one of the members. It currently states that one of the members possess a Master Urban Forester Certification from the University of Tennessee Agricultural Extension Service and he felt it should be changed where the certification not be just from UT.

Motion by Mr. Marcom, seconded by Mr. Chism, to approve Ordinance No. 2011-6 on first reading and set a public hearing date of March 14, 2011.

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

Police Toughbooks Purchase – MOVED TO CONSENT

Adoption of Strategic Plan and Policy Agenda

City Administrator Patrick Lawton stated the Strategic Plan is an update to the 2020 Plan adopted by the Board in October 2005. The Strategic Plan outlines our Sustainability Planning Model including our vision, mission and core values that drive our organization. During the recent retreat held with the Board in January of this year, the Board conducted a classic SWOT analysis – strengths, weaknesses, opportunities and threats - to test the vision, mission and core values and to refocus the goals and objectives contained in the 2020 Plan.

Significant modifications to the vision include the inclusion of a statement regarding environmental responsibility. This statement is now clearly defined as part of our Strategic Plan. Goals and objectives have been established and a focus area cabinet, developed to measure and report our success in achieving this component of the vision.

The 2012 focus areas support our efforts towards a sustainable Germantown and our vision in 2020. The focus areas outlined in the Strategic Plan take the goals and objectives and establish an annual work program known as the Policy Agenda to advance our 2020 planning efforts. The success of the Policy Agenda is measured by specific outcome based measures which in turn support the key indicators of our community and our triple bottom line of economic, environmental and social sustainability.

On a quarterly basis, the Administration will provide the Board of Mayor and Aldermen with an update on the focus areas including specific actions and our performance measures. These updates will also be made available on the City's web site.

Motion by Mr. Palazzolo, seconded by Mr. Billingsley, to adopt the strategic plan and policy agenda for fiscal year 2012.

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

Ordinance 2010-10 – Amendment to Code of Ordinances, Chapter 14, Signs, Regarding Ground – Mounted Temporary Leasing Signs – First Reading

Alderman Marcom stated he would recuse himself because of his relationship with several of the shopping centers in the community.

Economic and Development Services Director Andy Pouncey stated this amendment was to revise the regulation of ground-mounted temporary leasing signs. The current ordinance requires certain steps for an initial permit and renewal of temporary leasing sign that is difficult to monitor for both City staff and applicants.

Because of the criteria required for the signs, the DRC agendas in recent months have been dominated by the leasing sign renewal requests. Enforcement of the current regulations has required substantial time of Planning and Code Compliance staff in monitoring the signs, contacting the leasing agendas about renewing the sign permit and processing the frequent renewal applications.

Motion by Mr. Drinnon, seconded by Mr. Palazzolo, to approve Ordinance No. 2010-10, regarding amendments to temporary real estate leasing signs, on First Reading and set a public hearing and second reading date for March 14, 2011.

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

CONSENT

Germantown Community Library Donations

Contributions made by the Friends of the Germantown Community Library, individuals, groups, and sales of donated materials make it possible for the library to continue to provide special programs, books and materials, new furniture and shelving. Donations have been made to the Library in an amount valued at \$4,642.00.

MOTION: To recognize the donations made to the Germantown Community Library in an amount valued at \$4,642.00 and to approve Budget Adjustments 11-57 and 11-61.

Appointment to Financial Advisory Commission

Mr. Lawton stated that Mr. Walter C. Krug has agreed to fill a vacancy on the Financial Advisory Commission.

MOTION: To approve the appointment of Mr. Walter C. Krug to serve on the Financial Advisory Commission until December 31, 2011.

Beverage RFP Refusal

In September of 2003, the City elected to enter into a contract with Coca-Cola Bottling Company of Memphis to be the beverage provider including product and vending for the Germantown Parks and Recreation Department. In 2009, the City sent out a Soft Drink Beverage Vendor Request for Proposal with two bids received.

After much discussion and deliberation with stakeholders including City staff and Youth Sport Providers and due to significant changes over the past two years within the youth sports area, the Department feels it is not in the City's best interest to enter into a long-term contract.

MOTION: To reject the two Soft Drink Beverage Vendor Proposals submitted by PepsiAmericas, and Coca-Cola Enterprises.

Competitive Sealed Proposal Authorization for Club Fitness Equipment

There have been challenges in the bid process with the variety of different types of equipment and layouts that could be used as well as differing funding options. The bid process did not lend itself to allowing for those challenges and thus made it difficult to select vendors. After review and discussions with the City Attorney, staff recommends the use of this process for selecting the Club's fitness equipment vendor.

MOTION: To authorize the use of the competitive sealed proposal process to procure fitness equipment at the Germantown Athletic Club.

Budget Adjustment 11-75 to Increase Project IR 1107

The Board approved the purchase of 7 new vehicles, which included the replacement of a destroyed vehicle. Budget Adjustment 11-75 includes \$9,557.00 funding from the General Fund Contingency Account. The additional \$5,000.00 is provided from unexpended budget from Project IR1110, In-car Video System, which came in under budget.

MOTION: To approve Budget Adjustment 11-75.

Police Toughbooks Purchase

The department currently has a total of 38 in-car computers that are in use in the patrol fleet. The first models purchased in 2002 have been phased out. With the exception of four units purchased in January of 2010, the remaining units in the patrol fleet are models purchased prior to February of 2007 and are out of warranty.

MOTION: To approve the purchase of six (6) Panasonic Toughbook computers from CDW-G in the amount of \$24,261.66.

Alderman Palazzolo asked Tom Cates and Alderman Drinnon to please pass along his and the Board's appreciation to the Library Board and the Friends of the Library for the work they do.

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

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

Mayor's Comments

Mayor Goldsworthy stated that the City receives a portion of the stated sales tax that is generated in Germantown and we get \$.01½ on every dollar. This year we are seeing a very nice increase in sales tax returns. For the month of November, we have just received \$455,548.00 of our share of the state sales tax.

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