

BOARD OF MAYOR AND ALDERMEN

March 14, 2011

A regular meeting of the Board of Mayor and Aldermen was held on March 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: Ernest Chism, John Drinnon, Greg Marcom and Mike Palazzolo. Alderman Mark Billingsley was absent. Staff present: Patrick Lawton, Tom Cates, George Brogdon, Andy Pouncey, Inspector Frank Hester, Bo Mills, Chief Dennis Wolf, Ralph Gabb, Reynold Douglas Michael Stoll, Pam Beasley, Melody Pittman, Lisa Piefer and Dotty Johnson.

Call to Order

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

Invocation

Economic and Development Services Director Andy Pouncey gave the invocation.

Pledge of Allegiance

Alderman Mike Palazzolo led the Pledge of Allegiance.

Approval of Agenda

Mayor Goldsworthy stated staff had requested #12, Design Supplement – Arthur Riggs Road Project be removed from the agenda.

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

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

Approval of Minutes

There were no corrections or additions to the minutes.

Motion by Mr. Chism, seconded by Mr. Marcom, to approve the minutes of the Board of Mayor and Aldermen held February 28, 2011.

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

Citizens to be Heard

Mr. Brent Davis, Executive Director of Germantown Community Theatre thanked the Mayor, the Board, members of staff and the many volunteers who assisted the Theatre in their “project – purge”. The purge day project was held to make the Theatre a safe and welcoming place for those participants in the community.

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

BEER BOARD

Public Hearing – Beer Permit – Summit Hotel TRS 069 LLC d/b/a Residence Inn-9314 Poplar Pike

City Administrator Patrick Lawton stated this was a request from Summit Hotel TRS 069 LLC for beer permit for on-premise consumption. The record checks had been completed and the application was in compliance with the City's ordinance.

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

Motion by Mr. Palazzolo, seconded by Mr. Marcom, to approve the request from Summit Hotel TRS 069 for a permit to sell beer for on-premise consumption at the Residence Inn at 9314 Poplar Pike.

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

Mayor Goldsworthy adjourned the Beer Board and reconvened the Board of Mayor and Aldermen.

BOARD OF MAYOR AND ALDERMEN

Public Hearing – Ordinance 2011-6 – Amendment to Tree Board Ordinance – Second Reading

Director of Parks and Recreation Pam Beasley came forward and stated at the request of the Board, the clause that called for a credential of Master Forester Certification from a specific organization and the amendment had been edited to read “from a recognized state agency, or any other university”. The Tree Board's goal is to have membership that possesses the knowledge to make sure we are able to maintain our Tree City designation.

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

Motion by Mr. Marcom, seconded by Mr. Palazzolo, to approve Ordinance 2011-6 on second reading.

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

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

Alderman Marcom asked to be recused from this agenda item and the next agenda item. Alderman Marcom stepped down from the dais.

Economic and Development Services Director Andy Pouncey gave the restrictions on the current ordinance on temporary leasing signs. Because of the substantial time it takes the Planning Department and the businesses to prepare these signs, changes need to be made.

The proposed amendment will place the temporary sign 20 feet from the curb and a maximum of 16sf in size. The following information would be allowed: “For Lease”, agent name, company name, logo, email or web address, phone number, retail/office. The permit period will be for 180 days and only one permit will be granted within a 12-month period. If not satisfied, applicant may apply to the DRC for approval. Any appeal from a DRC decision will be made to the Board of Mayor and Aldermen.

This amendment addresses only temporary real estate leasing signs, and will not change the regulation of permanent signs.

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

Motion by Mr. Chism, seconded by Mr. Drinnon, to approve Ordinance 2010-10, regarding amendments to temporary real estate leasing signs on second reading.

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

Ordinance 2011-5 – Amendment to Chapter 14, Permanent Signs – First Reading

Mr. Pouncey stated this amendment was for ground-mounted permanent project signs. This ordinance amendment states that projects should be able to have either a project sign with leasing information or ground-mounted, temporary leasing sign, but not both. There is not a need for ground-mounted temporary leasing signs at projects that incorporate their leasing information on the main project sign. This will allow a project sign to include leasing information (name of owner or leasing/management company, phone number, type of land use), but without increasing the allowable size of the project sign. The proposed amendment will not allow the granting of exceptions to any sign regulations.

Motion by Mr. Drinnon, seconded by Mr. Chism, to approve Ordinance 2011-5, regarding amendments to permanent project signs on first reading and set a public hearing date and second reading for April 11, 2011.

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

Alderman Marcom returned to the dais.

Acceptance of City Annual Audit

Finance Director Ralph Gabb stated the accounting firm of Watkins Uiberall, PLLC performed the audit this past year and determined that the City follows generally accepted accounting principles and governmental accounting standard as prescribed by the Governmental Accounting Standards Board and the American Institute of Certified Public Accountants.

Trey Watkins and David Palmer from the accounting firm of Watkins Uiberall were present for questions.

Motion by Mr. Chism, seconded by Mr. Drinnon, to accept the City’s annual financial audit for the year ending June 30, 2010.

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

Design Supplement – Arthur Riggs Road Project - REMOVED

Southern Avenue Water Treatment Plant Construction Inspection Contract

Public Services Director Bo Mills stated this contract will provide on-site construction inspection by Mr. Mike Kennedy, for an average of 20 hours per week over a 12 month period, not to exceed 1,040 total hours at \$75.00 per hour, for the Southern Avenue Water Plant Renovation.

Mr. Kennedy worked on several of the City’s projects including the Johnson Road Water Treatment Plant Expansion Project. His professionalism and expertise played a major role in the success of the project.

Motion by Mr. Chism, seconded by Mr. Marcom, to contract with Allen and Hoshall for the on-site construction inspection of the Southern Avenue Water Plant Renovation, in the amount of \$78,000.00.

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

Southern Avenue Water Treatment Plant Design Supplement No. 1

Mr. Mills explained that this request was also part of the Southern Avenue Water Treatment Plant. This is a design supplement to the project. During the process of engineering and design, several significant improvements were requested by staff and incorporated into the final design which increased the scope of the design contract which increased the construction cost.

Due to these design additions resulting in construction cost exceeding the CIP funding for this project, there is no additional funding available to fund this supplement. A year-end budget adjustment from the utility Reserve Fund will restore this project's balance.

Motion by Mr. Marcom, seconded by Mr. Drinnon, to approve the Southern Avenue Water Treatment Plant Design Supplement No. 1 with Allen & Hoshall for the necessary design improvements to accomplish the rehabilitation of the Southern Avenue Water Plant, in the amount of \$30,000.00.

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

CONSENT

Uncollectible Personalty Tax

The City established an agreement with Shelby County Trustee to assist in the collections of real and personalty delinquent tax accounts. The Trustee has determined that one tax parcel with a total personalty property tax of \$66.99 is out of business and recommend it's removal from the tax rolls.

MOTION: To approve authorization to remove one parcel from the 2008 tax rolls in the amount totaling \$66.99.

Fire Alarm System – Germantown Community Theatre

The Germantown Community Theater is currently in violation of the International Fire codes and National Fire Protection Associations Life Safety Codes. This is a contract with Stop Alarm, Inc. to purchase and install a new fire alarm in the amount of \$23,642.00.

MOTION: To approve the authorization to contract with Stop Alarm, Inc. to purchase and install a new fire alarm as per plans and specifications in the amount of \$23,642.00.

Civic Support Grant – GPAC

As part of the FY11 Budget, a grant of \$25,000.00 was approved for the Germantown Performing Arts Centre to conduct a study on expansion of the GPAC facilities.

MOTION: To approve a civic support grant in the amount of \$25,000.00 to the Germantown Performing Arts Centre for an expansion study of the current facility.

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

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

ADJOURNMENT

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