

## **BOARD OF MAYOR AND ALDERMEN**

**January 24, 2011**

A regular meeting of the Board of Mayor and Aldermen was held on January 24, 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, Attorney Laura Williams, George Brogdon, Kristen Geiger, Andy Pouncey, Chief Richard Hall, Pat McConnell, Bo Mills, Chief Dennis Wolf, Tim Gwaltney, Jonathan Smith and Dotty Johnson.

### **Call to Order**

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

### **Invocation**

Finance and General Services Division Director Kristen Geiger gave the invocation.

### **Pledge of Allegiance**

Alderman Chism led the Pledge of Allegiance.

### **Approval of Agenda**

Mayor Goldsworthy stated that staff had asked that item 15e (Subdivision Development Contract 479) be deferred.

Alderman Palazzolo asked to move item 12 (2012 Budget Calendar) 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. Chism, seconded by Mr. Drinnon, to approve the January 10, 2011 minutes as read.

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

### **Recognition of Life Saving Actions**

City Administrator Patrick Lawton read a definition of the word “hero” and introduced Lennox Levine-Miller. Mr. Levine Miller learned the Heimlich maneuver from an issue of the “Weekly Reader” and performed this maneuver on his fourth grade classmate and friend Josh McKessy when Josh choked on a peppermint.

Mayor Goldsworthy and the Board came forward and presented Lennox Levine-Miller with the Mayor’s Award of Merit.

**Citizens to be Heard**

Mr. Brent Davis, Executive Director of the Germantown Community Theatre, came forward to speak on The mid-year stats of the Theatre's education and outreach programs.

Mr. Scott Rosenburger of 3485 Tournament Dr. and Mr. Al Farlow of 2392 Yester Oaks Dr. came forward to request the Board's support for the improvements to be made at Bob Hailey Park.

**Bob Hailey Park Improvements – Phase I**

Community Services Division Director George Brogdon explained the improvements to be made to Bob Hailey Athletic Complex and how it would enhance the field. The participation numbers have grown and Parks and Recreation is requesting to move two backstops closer to home plate and to construct another batting cage adjacent to Field #1 near the park access road on the west side of the complex. The batting cage would allow teams an additional "batting practice" while the fields are being used for team practice or games and allow the Germantown Baseball League to fully utilize the facilities.

The money was not budgeted for in FY11, but the expenditure of \$48,785.00 from the Recreation Fund Balance is appropriate use of the Funds.

A discussion followed on the use of the fields and why the improvements were necessary.

Motion by Mr. Drinnon, seconded by Mr. Marcom, to contract with Columbus Fence Company, LLC for the fencing improvements and batting cage construction at the Bob Hailey Athletic Complex in the amount of \$48,785.00, and to approve the use of the Recreation Fund Balance.

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

**Germantown Community Theatre Contract**

Parks and Recreation Director Pam Beasley stated the City began a partnership with Germantown Community Theatre in 2005 and asked them to provide programs and services for our youth in the community. The City agreed to provide grant funding for GCT to operate the children's program. The Theatre this year has reached 6,000 youth which speaks volumes to the success of the program.

Staff had worked with legal council to develop a formal agreement that reflects the duties and responsibilities of GCT and the City. The funding will go to support the scope of services that were described. The Parks and Recreation Department will continue program oversight and management of the contract.

Ms. Beasley stated Mr. Davis, the Executive Director of the Germantown Community Theater, had submitted an annual report along with a mid-year report and their most recent financial audit.

Alderman Palazzolo commented for the record that Mr. Davis had brought the program to a higher level and it was very much appreciated.

Alderman Marcom commended Mr. Davis on the children's aspect of the Theatre. He stated he was very impressed after seeing "Velveteen Rabbit" and how much he enjoyed the show.

Motion by Mr. Drinnon, seconded by Mr. Palazzolo, to authorize the Mayor to execute a contract between the City of Germantown and the Germantown Community Theatre and to authorize the appropriation of \$38,250.00 for this purpose.

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

### **Traffic Congestion Remediation**

Traffic Engineer Jonathan Smith stated the City entered into a Professional Services Agreement (PSA) with Kimley-Horn and Assoc., Inc. in 2007, to perform an in-depth traffic analysis of the proposed Smart Growth Area (SGA). The study identified several short and long-term traffic improvement projects that would have substantial positive impact on the efficiency of the transportation system.

Three short-term projects that were intersections were identified that would have an immediate impact on improving the traffic flow and reducing congestion in the study area. The three intersections are Germantown Road and West Street at Poplar Pike, Germantown Road and Arthur Road at Poplar Pike and Germantown Parkway at Wolf River Boulevard.

Minor signal head and striping modifications at each of these intersections will improve their respective efficiencies. No right-of-way acquisition or temporary construction easements are needed.

Mr. Smith explained in detail the deficiencies at the intersections and what will be done to correct them.

Motion by Mr. Marcom, seconded by Mr. Drinnon, to authorize the approval of a construction contract with McCrory Electric Company, Inc. in the amount of \$44,931.75 for the Traffic Congestion Remediation project.

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

### **Bob Hailey Walkway Lighting**

Kristen Geiger stated this contract would provide for the installation of walkway lighting between the concession/restroom facility and the parking lot and also provide electrical service to the already approved backstop batting cage. The walkway lighting will enhance the complex not only for security and safety but also aesthetically.

Motion by Mr. Chism, seconded by Mr. Palazzolo, to approve the authorization to contract with Shelby Electric Company, Inc. to purchase and install new outdoor lighting as per plans and specifications in the amount of \$35,937.00 and approve alternate #1 in the amount of \$5,864.00 for a total of \$41,801.00.

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

### **2012 Budget Calendar - MOVED TO CONSENT**

#### **Construction Contract for Wolf River Blvd. Connector (Kimbrough Rd. to Farmington Blvd.)**

Mayor Goldsworthy noted that the next two projects are the largest capital improvement projects ever undertaken in the City of Germantown.

City Engineer Tim Gwaltney stated this project involved the construction of an approximate two mile, four lane median divided roadway through an environmentally sensitive area. The typical roadway cross-section includes two twelve foot wide travel lanes in each direction, a fourteen foot wide landscaped median, and a four-wide bike lane in each direction. Two signalized intersections, two vehicular bridges, nine major drainage culverts and a pedestrian tunnel are included in the project. The project is expected to take 2 to 2 ½ years to complete.

The project is funded through Local Surface Transportation Program (STP) funds. Upon receipt of invoices from the contractor, the City will review and make payment, then request 80% reimbursement from TDOT.

Motion by Mr. Billingsley, seconded by Mr. Drinnon, to approve a construction contract with Acuff Enterprises, Inc. d.b.a. Scott Contractors in the amount of \$18,763,430.24 for the construction of Wolf River Boulevard between Kimbrough Road and Farmington Boulevard.

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

**Contract for Construction Engineering and Inspection (CEI) Services for Wolf River Blvd. Connector (Kimbrough Rd. to Farmington Blvd.)**

Mr. Gwaltney explained that a strong Construction Engineering and Inspection (CE&I) Services Consultant is vital to the success of this project. The selection committee chose Smith Seckman and Reid (SSR) from a field of eight firms that responded with their qualifications packages. SSR is teaming with Fisher and Arnold and Kimley Horn and Associates. Each of these firms has provided excellent similar services to the City and TDOT in past projects. The committee felt the SSR team was the best qualified firm to provide these services

Mr. Gwaltney went into detail as to the services that would be provided by the SSR team.

Motion by Mr. Palazzolo, seconded by Mr. Drinnon, to approve a Construction Engineering and Inspection contract with Smith, Seckman and Reid in the amount of \$2,999,949.98 as relates to the construction of Wolf River Boulevard.

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

**CONSENT**

**Appointment to Shelby County Ground Water Quality Control Board**

The City of Germantown has an appointed position on the Ground Water Quality Control Board that will be vacated by the retirement of James K. Johnson. The City would like to appoint Mike Sorensen, Superintendent of the Water Department, to fill the vacancy on the Shelby County Ground Water Quality Control Board.

MOTION: To appoint Mike Sorensen to fill the City of Germantown Representative vacancy on the Shelby County Ground Water Quality Control Board.

**Civic Support – Germantown Education Foundation**

As part of the FY07 Budget, the Board of Mayor and Aldermen decided to form the Germantown Education Foundation as a way to direct funds through the Foundation to the schools to assist them in implementing academic and educational projects to our schools.

MOTION: To approve a grant to the Germantown Education Foundation in the amount of \$85,000.00 to fund grants to Germantown public schools for academic and educational projects to improve our schools.

**Recognition of Donation – Education Commission Battle of the Brains Competition**

Monetary donations have been made to the Germantown Education Commission Battle of the Brains Math and Science Competition totaling \$2,505.

MOTION: To recognize donations made to the Germantown Education Commission Battle of the Brains competition totaling \$2,505.00 and to approve Budget Adjustment 11-73.

**Recognition of Overtime Reimbursement**

The Germantown Police Department has an officer assigned to the FBI Joint Safe Streets Task Force and the Secret Service Task Force. The officer usually works overtime in the performance of his duties. The FBI SSTF and the Secret Service TF reimburses any overtime that the officer receives while carrying out his duties.

MOTION: To recognize overtime reimbursement from the Federal Department of Justice - the Duckworth Pathology Group and to approve Budget Adjustment #11-67.

**Subdivision Development Contract 479 – Resubdivision of Lot 2 of the Germantown Business Park Subdivision - DEFERRED**

**Professional Services Agreement – Obsidian Public Relations**

With current and future structural and image changes ahead for GAC, it is imperative that those changes be relayed to the Club's key stakeholders in a positive, strategic and consistent manner. Obsidian has worked to communicate effectively with current membership and potential new members. In addition to positive media relations, Obsidian will offer counsel and cost-effective resources in helping execute the remainder of the Club's 2011 strategic communications plan.

MOTION: To authorize the Mayor to execute a Professional Services Agreement with Obsidian Public Relations for a term of six months at the expense of \$16,200.00.

**Fiscal Year 2012 Budget Calendar - MOVED FROM REGULAR AGENDA**

Each year Administration and the Financial Advisory Commission develop a budget calendar for the timely completion of the City's annual operating and capital improvement program budget for the forthcoming fiscal year.

MOTION: To approve the Fiscal Year 2012 Budget Calendar.

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

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

Mayor Goldsworthy announced that the Board, at the retreat last week, had decided to reinstate the Executive Session before the regular meetings and starting February 14, 2011, the Board will convene in the Council Chambers in the Executive Session at 5:30 p.m. in an informal discussion.

**School Consolidation Spokesperson**

Alderman Drinnon stated there had been a lot of concern and comments expressed to members of the Board regarding the school situation. He asked that the Mayor act as official spokesperson for the City on all school issues.

Motion by Mr. Drinnon, seconded by Mr. Palazzolo, to have the Mayor act as spokesman for the City of Germantown on matters concerning all school issues regarding consolidation.

Alderman Palazzolo stated that Mr. Drinnon's motion could be characterized as support for the Mayor's leadership and to consider it as the Board's voices being as one along with Administration.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–yes, Billingsley–yes, Chism–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