

BOARD OF MAYOR AND ALDERMEN
December 10, 2007

A regular meeting of the Board of Mayor and Aldermen was held on December 10, 2007 at 7:00 p.m. in the Council Chamber of the Municipal Center.

Mayor Goldsworthy was present and presiding.

The following Aldermen were present: Ernest Chism, Carole Hinely, Mike Palazzolo and Frank Uhlhorn. Alderman Drinnon was absent. Staff present: Patrick Lawton, Tom Cates, Andy Pouncey, George Brogdon, Kristen Geiger, Pam Beasley, Jerry Cook, Chief Richard Hall, Bo Mills, Chief Dennis Wolf, Michael Stoll, Derek Chaput, Tim Gwaltney, Butch Eder, Michael Saddler, Lisa Piefer, Stephanie Logan and Dotty Johnson.

Mayor Goldsworthy brought the meeting to order and announced the changes in the agenda. The following items would be moved to the consent agenda: Software License – Office 1007, Information Technology Training, Centre PR Plan Execution Contract, Bid Rejection – Miller Farms Bank Stabilization Project, Centre Design Services, Access Control to Park Restrooms and C.O. Franklin Tennis Court Lights, Sports Field Lighting – Soccerplex – Change Order #1, and Equipment Replacement.

Two items were added to the agenda: Investment Authorization – Repurchase Agreements, and Signal – Farmington Blvd./Germantown Road – Right-of-way Dedication.

Invocation

Assistant City Administrator George Brogdon gave the invocation.

Pledge of Allegiance

Alderman Uhlhorn led in the Pledge of Allegiance.

Approval of Minutes

There were no corrections or additions to the minutes.

Motion by Mr. Uhlhorn, seconded by Ms. Hinely, to approve the minutes of the Executive Session and Regular Meeting held November 26, 2007.

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

Citizens to be Heard

There were no citizens to come forward to speak

Teacher of Month Award for November

The teacher to be honored was not present.

Youth Excellence Award for November

Mayor Goldsworthy and Alderman Hinely presented Ms. Jenna Elaine Gladney with the November award. Ms. Gladney is a senior at Briarcrest Christian School. Mayor Goldsworthy read her many accomplishments and congratulated her. Alderman Hinely presented her with a plaque sponsored by Traditions.

Ordinance 2007-20 – Amendment to the “R-H” Retirement Housing Zoning District Regulations, Third and Final Reading

Mr. Lawton stated the Board was asked to consider and approve on third reading an amendment to the retirement housing zoning district “R-H” District regarding the elimination of any reference to age limitations that exist in our zoning code. The City Attorney had advised that any provision in our ordinance that limits residency to people over 55 was unconstitutional and should be removed.

Motion by Mr. Chism, seconded by Mr. Uhlhorn, to approve the amendment on third reading.

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

Ordinance 2007-21 – Competitive Sealed Proposals, First Reading

Mr. Lawton stated the City had always used the competitive sealed bid process for the purchase of goods and services in compliance with state law and our local ordinance with a few exceptions.

This past spring the State of Tennessee recognizing similar issues authorized cities across the state to adopt an ordinance under which the use of competitive sealed proposals would make the most sense as opposed to competitive sealed bids.

The ordinance requires that, prior to going out for competitive sealed proposals; the City must seek approval from the Board of Mayor and Aldermen before the process can commence. The ordinance also states that there are conditions under which a sealed proposal can be used in areas where qualifications, experience or competence may be more important than price, where there may be one solution to a purchasing issue, and where there is an immediate identifiable solution to a purchasing issue.

Motion by Ms. Hinely, seconded by Mr. Palazzolo, to approve Ordinance No. 2007-21 establishing the use of competitive sealed proposals to purchase goods and services on first reading and set public hearing date on January 14, 2008.

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

Pipeline Rehabilitation

Bo Mills stated this was for the annual sewer and drainpipe rehabilitation project. This is the thirteenth year the City had used this technology to restore pipeline integrity, preventing infiltration and protecting the flow efficiency. This contract also includes the lining of approximately 7,300 linear feet of eight-inch sewer, 45 feet of twelve-inch sewer and 390 feet of eighteen-inch drainpipe. Eight packets were mailed and two bids were received.

Motion by Mr. Chism, seconded by Mr. Palazzolo, to approve funding for a contract with Insituform Technologies, Inc., for the annual pipeline rehabilitation project, in an amount not to exceed \$250,000.00.

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

Cameron Brown Park Ball Field Lighting

Kristen Geiger stated the contract would provide for the installation of sports lighting equipment for five baseball fields at Cameron Brown Park. There are a total of seven fields at Cameron Brown Park five are baseball and two are T-ball/multi-purpose. All lighting equipment at the five ball fields is over twenty years old. The installation will include a one-year warranty and the equipment has a five-year turnkey warranty.

Motion by Ms. Hinely, seconded by Mr. Palazzolo to authorize the install sports lighting equipment and for the Mayor to enter into a service contract with Advance Electric Company Inc. in the amount of \$147,900.00 for sports lighting replacement and implement a twenty-five year full warranty and maintenance contract for the sports lighting.

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

ADD-ON

Investment Authorization – Repurchase Agreements

Michael Stoll explained this item would approve the use of repurchase agreements as instruments of investment for City funds under the procedures required by the State Funding Board of the Tennessee Treasury Department. It is intended that collected City funds be invested in very short-term repurchase agreements pending their investment in other authorized time specific investments.

Motion by Mr.Uhlhorn, seconded by Mr. Chism, to approve the use of repurchase agreements as an instrument of investment for City funds in accordance with the State Funding Board procedures and subject to approval by the Office of the Tennessee State Director of Local Finance.

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

Signal – Farmington Blvd./Germantown Road-Right-of-way Dedication

Jerry Cook explained this was a proposal to dedicate some right-of-way off the City’s property where the Municipal Center sits to the State of Tennessee to establish a double left turn at the intersection of Farmington Blvd. and Germantown Road. The proposed improvement is being funded through a congestion mitigation air quality program that the State offers to improve air quality and improve congestion at intersections. The total amount of right-of-way requested is 530 square feet. The purpose of the right-of-way is to locate the traffic control box that operates the traffic signal and to locate one of the four decorative mast arms that will be used in lieu of concrete poles at this intersection.

Motion by Ms. Hinely, seconded by Mr. Palazzolo, to approve dedication of the City property as described in the attachments to the State of Tennessee in relation to construction of the Germantown Road and Farmington Boulevard Intersection Improvements Project.

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

CONSENT

Subdivision Development Contract Number 489 – Piper’s Garden

The PUD will be located on a 5.637-acre parcel at the northeast corner of Dogwood Road and Cordes Road. The thirteen lots will range from 9,644 to 19,242 square feet.

MOTION: To approve Subdivision Development Contract No. 489 for the development of Piper’s Garden PUD.

Professional Services Agreement – Realignment of Germantown Road/West Street

The proposed realignment of Germantown Road would consist of realigning the existing roadway to the west to connect the offset legs of Germantown Road. A new signalized intersection would be constructed north of the Norfolk Southern Railroad to accommodate West Street and Old Germantown Road traffic.

MOTION: To approve a Professional Service Agreement with Kimley-Horn & Associates, Inc. to perform professional engineering services related to determining the feasibility of a realigning Germantown Road in an amount not to exceed \$139,100.00.

Appointments to Germantown Education Foundation

Four new members are to be appointed to the Education Foundation

MOTION: To approve the appointment of Amy Beth Dudley, Sheila Ferguson, Mark Lightfoot and Gregory Noonan to the Board of Directors of the Germantown Education Foundation.

Easement Agreement-Bell South Telecommunications, Inc., d/b/a AT & T- Forrest Hill Irene Road

BellSouth is requesting to expand the five-foot easement by 15-feet for the specific purpose of providing room for underground cables, from the existing underground switching facility to Forest Hill-Irene Road. Only underground cables will be within the 15-foot easement requested.

MOTION: To approve the easement agreement with BellSouth Telecommunications, Inc., d/g/a AT&T for a 15-foot utility easement, located on City property on Forest Hill-Irene Road.

Sumek Retainer

Over the next ten months, the Administration will utilize the services of Lyle Sumek & Associates for the weeklong retreat in January 2008 and for the completion of the strategic plans for Economic and Community Development and for Public Services. The strategic plan for Police and Fire departments will also be updated.

MOTION: To authorize the Mayor to execute an agreement with Lyle Sumek & Associates in the amount of \$20,000 for the municipal consulting services beginning on January 1, 2008 through October 31, 2008.

Donation to Police Department

The 2007 Germantown Police Department Reserve Class has donated \$499.00 to the Germantown Police Department to assist in the purchase of training materials that will further enhance the abilities of the Police Department and its Officers.

MOTION: To recognize the donation from the 2007 Germantown Police Department Reserve Officers in the amount of \$499.00 and approve Budget Adjustment No. 08-50.

Software License - Office 2007

The City currently uses Microsoft Office 2000 throughout the City. Many printers, scanners and some department specific software currently being purchased are not compatible with Office 2000 software. The software will be installed in conjunction with the citywide XP operating system upgrade currently in progress.

MOTION: To request authorization to purchase 250 Microsoft Office 2007 software packages, 100 exchange licenses and 400 network user licenses from Dell ASAP Software in the amount of \$70,902.50.

Information Technology Training

Training will provide City staff the knowledge necessary to utilize the Office 2007 software with very little downtime. The software will be installed in conjunction with the citywide XP operating system upgrade currently in progress.

MOTION: To authorize a professional services agreement with New Horizons Computer Learning Centers in an amount of \$40,000.00 for training City employees on Microsoft Office 2007 programs.

Centre PR Plan Execution Contract

In September 2007, Obsidian was hired to design a marketing and public relations plan for 2008. With current and future structural and image changes ahead, it is imperative that changes be relayed to the public in a positive manner. Obsidian was the only attendee at the required pre-bid meeting.

MOTION: To authorize the Mayor to execute a professional services agreement with Obsidian Public Relations to execute the 2008 marketing plan for the Germantown Centre at the expense of \$22,800.00.

Bid Rejection – Miller Farms Bank Stabilization Project

There was only one bid submitted and it was much higher than anticipated. Staff believes this project is needed but not at the bid price submitted by White Contracting, Inc. The project will be re-evaluated to determine whether or not it can be modified and prepared for bid later this fiscal year.

MOTION: To reject a \$1,169,577.50 bid by White Contracting, Inc. for the construction of a modular block retaining wall to stabilize the west bank of Miller Farms Ditch from Pyron Oaks Cove to Weeping Willow Road.

Centre Design Services

Summer 2007 survey results for the Germantown Centre showed a significant need to update and remodel the main locker rooms located off the indoor swimming pool deck. There are 585 design hours and 155 engineering hours associated with this contract. The City will receive final construction documentation upon completion of design.

MOTION: To authorize the Mayor to execute a professional services agreement with Archimania to provide architectural design services for renovation of the locker rooms at Germantown Centre at the amount of \$75,000.00. Said agreement will be subject to approval by the City Attorney's office.

Access Control to Park Restrooms and C.O. Franklin Tennis Court Lights

Authorization is requested for the purchase, installation and annual monitoring of a security access control system at five park restrooms and C.O. Franklin tennis lights.

MOTION: To contract with ADT Security Services, Inc., for the purchase, installation and annual monitoring of a security access control system at five park restrooms and C.O. Franklin tennis lights, in the amount of \$26,504.61.

Sports Field Lighting – Soccerplex – Change Order #1

Additional electrical capacity was required to meet MLGW requirements. A replacement pad mounted transformer now energizes all the new sports lights and is now monitored by one electrical meter instead of the two current electrical meters.

MOTION: To approve Change Order #1 from Advance Electric Company, Inc. in the amount of \$14,050.00.

Equipment Replacement

On November 16, 2007, trespassers entered the Public Services Complex by cutting the lock on the front gate. The trespassers removed twenty-seven different pieces of equipment that were used to perform park maintenance daily tasks. This purchase request replaces needed equipment for routine park operations.

MOTION: To authorize the purchase of seven chainsaws, three hedge trimmers, seven backpack blowers, two pole saws and eight weed trimmers in the amount of \$10,486.00 from Mid-South Small Engines.

Motion by Mr. Chism, seconded by Mr. Uhlhorn, to accept the consent agenda as written.

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

Mayor Goldsworthy thanked the new members of the Education Foundation Board and their willingness to serve.

Mayor Goldsworthy also thanked the Parks & Recreation Department for their work on the Holiday Parade and what has become a real tradition for a lot of families, the Journey to the North Pole. The Germantown Police Department, Fire Department, Public Services, and the Civitan Club all helped with the holiday events.

ADJOURNMENT

There being no further business to be brought before the Board, the meeting was adjourned at 7:40 p.m.

Sharon Goldsworthy, Mayor

Dotty Johnson, City Clerk/Recorder