

BOARD OF MAYOR AND ALDERMEN
EXECUTIVE SESSION
November 12, 2007

An executive session of the Board of Mayor and Aldermen was held on November 12, 2007, at 6:15 p.m. in the Administrative Conference Room of the Municipal Center.

Mayor Sharon Goldsworthy was present and presiding.

The following Aldermen were present: John Drinnon, Carole Hinely, Mike Palazzolo and Frank Uhlhorn. Alderman Chism was absent. Staff present: Patrick Lawton, Kristen Geiger, Andy Pouncey, Tom Cates, Jerry Cook, Deputy Chief Rodney Bright, Pat McConnell, Bo Mills, Chief Dennis Wolf, Josh Whitehead, Joe Nunes, Michael Stoll, Ralph Gabb, and Melody Pittman.

Mayor Goldsworthy called the meeting to order at 6:15 p.m.

The Finance Director gave a demonstration on the new software that will enable citizens to pay their taxes and utility bills on line.

Invocation

Jerry Cook was asked to give the invocation.

Pledge of Allegiance

Frank Uhlhorn was asked to lead the Pledge of Allegiance.

Approval of Minutes

Alderman Palazzolo noted that on page three of the minutes Mr. Whitehead's name was misspelled and on the first page of the executive session, Josh Whitehead and Joe Nunes were omitted from the executive session minutes.

Beautification Business Award

Arby's Restaurant located at 2016 Germantown Road will receive the October award.

Youth Excellence Award

Stewart Downing, a senior at Germantown High School will not be able to attend the meeting but had asked his parents and his grandmother to accept the award on his behalf. He is participating in the play at Germantown and they are in rehearsals.

Teacher of the Month

Ms. Imogene Canady, a science teacher at Houston was chosen for the Teacher of the Month.

Resolution 07R15 To Establish a Trust for OPEB

Patrick Lawton stated that for the past year and half, staff had been dealing with the OPEB compliance issues. There were a number of steps that had to be taken to come into compliance. The City had to make sure there was a trust set up and a fund established to take care of retiree health care clause. A trust had to be established to cover the unfunded liability.

Mr. Gabb explained that the resolution would establish the trust. Other Post Employment Benefits are those benefits for retirees other than pension or health care costs. The City had previously used a pay-as-you-go basis. With the passage of the Governmental Accounting Standards Board (GASB) it went to an actuarial base or accrual-based recognition. Mr. Paul O'Rourke of Baker, Donelson Bearman, Caldwell and Burkowitz attorneys as well as our City Attorney Tom Cates.

OPEB Trust

In response to a question from Alderman Palazzolo, Mr. Cates stated there would not be any issue with a commission member also being on the RPAC.

Mr. Lawton stated the citizen members that were recommended brought a lot of expertise to the RPAC and their recommendations to City staff on the investment policies.

Mr. Gabb stated this agenda item would establish a trust and a commission for the OPEB. This document defines the scope of the trust and is generated from the GASB 43 and 45. After passage by the Board it will be sent to Nashville and reviewed by a review committee and the Tennessee State Funding Board. After approval it will be returned to the City and implemented at that point.

OPEB Investment Policy

This is the investment policy for the trust. The primary objective would be legality, liquidity, safety, and maintaining an adequate return so that the management and administrative responsibilities in the investment program would be to delegate it to the OPEB Investment Commission. This is in agreement with the Tennessee Code.

Mayor Goldsworthy stated this would set the parameters and the policies that will guide the investments. The commission itself will then make the decisions about who would be engaged to do the consulting.

Alderman Palazzolo commended the City because there were a lot of cities that had not taken this task on even though it was mandated.

Property and Casualty Insurance Renewal

Michael Stoll stated this was the annual renewal of insurance coverage. Primarily our insurance is with TML Risk Management Pool. They have provided our property insurance, liability insurance and workers compensation insurance. The liability insurance includes all the general liability, the law enforcement, errors and omissions. Mr. David McDonald with McDonald Insurance has been our insurance consultant over many years. Mr. McDonald was present at the meeting.

Mr. Stoll stated that TML was a nonprofit captive insurance pool and the City receives dividends or refunds of any excess premiums based on experiences.

Mr. Stoll described the lines of coverage, their costs and percentage of change over the past three years.

The renewal for the year is \$840,671.00.

PUBLIC HEARING – Ordinance 2007-15 – Amendment to Smoking Ordinance – Third and Final Reading

In June of this year, the Governor signed a bill prohibiting smoking in all places where the public is invited. Germantown is now in a position to amend its existing ordinance per state law to come into compliance with the statute.

Methodist Hospital Fitness Contract - DEFERRED

Contract Amendment – Lawrence Group - DEFERRED

CONSENT AGENDA

Project Development Contract No. 1154 – Lot 2, Forest Hill-Irene Commercial Subdivision

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Amendment to Project Development Contract No. 1140 – Stonecreek Centre – Implementation of Phasing Plan

Agreement for Co-Location – Clearwire Wireless to Co-locate on an existing WTF at 3160 Forest Hill-Irene Road (Crown Castle International tower)

Agreement for Co-Location – Clearwire Wireless to Co-locate on an existing WTF at 7624 Poplar Pike (Crown Castle International tower)

Professional Services Agreement – Smart Growth Utility Impact

Employee Holiday Party

Bulk Spreader

Finance Server

Merchant Services Account Bank Resolution and Signature Card

E-Check Account Bank Resolution and Signature Card

Pool deck Overlayment

Radio Maintenance

University of Delaware Grant – Stipend

Tennis Court Resurfacing

Adjournment

The meeting adjourned to the Council Chamber for the regular meeting at 6:50 p.m.