

**BOARD OF MAYOR AND ALDERMEN**  
**EXECUTIVE SESSION**  
**September 24, 2007**

An executive session of the Board of Mayor and Aldermen was held on September 24, 2007, at 6:00 p.m. in the Administrative Conference Room of the Municipal Center.

Mayor Sharon Goldsworthy was present and presiding.

The following Aldermen were present: Ernest Chism, John Drinnon, Carole Hinely, and Mike Palazzolo. Alderman Frank Uhlhorn was absent. Staff present: Patrick Lawton, Andy Pouncey, George Brogdon, Kristen Geiger, Tom Cates, Jerry Cook, Chief Richard Hall, Pat McConnell, Bo Mills, Chief Dennis Wolf, Butch Eder, Michael Saddler, Michael Stoll, Ralph Gabb, Lisa Piefer, Derek Chaput, and Melody Pittman.

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

**Invocation**

Andy Pouncey will give the invocation.

**Pledge of Allegiance**

Alderman Hinely will lead the Pledge of Allegiance.

**Approval of Minutes**

There was one correction to the minutes. Alderman Hinely noted there was a spelling correction to a word in the minutes of the executive session.

Mayor Goldsworthy noted that after the approval of the minutes, the students from Ludwighafen Germany who were a part of the Germantown High School Fine Arts Department Film Theatre Exchange would be recognized. Frank Bluestein will be asked to comment on the visit and there would be a proclamation for each of the students.

Mr. Lawton commented there would be a reception immediately following the Executive Session in "People Street".

**City Beautification Business Award**

This agenda item had been deferred because the recipient, Arby's Restaurant was unable to send a representative.

**Ordinance 2007-16 – Amendment to Beer Ordinance – Third and Final Reading**

Mayor Goldsworthy stated this was a housekeeping measure to make our ordinance reflect the conditions necessary to implement the Responsible Vendor Act of 2006.

Alderman Drinnon asked if the Board decided not to vote to change our ordinance what would happen.

Tom Cates stated that State Law would govern and we would have an ordinance that would be inconsistent with state law.

Alderman Drinnon stated he resented what the legislators had done.

Mr. Lawton stated the law really penalized the clerk more than the establishments but there were still some things we could do in terms of going out and enforcing the law and working with the Police Department.

**Ordinance 2007-17 – Establishment of Germantown Centre Advisory Commission – Third and Final Reading**

Mayor Goldsworthy explained that this was the third and final reading on establishing a Centre Advisory Commission that will be selected when the Board and Commissions are selected for 2008.

**Ordinance 2007-19 – Amendment to Flood District Regulations of Zoning Ordinance (Chapter 23 Division 20, Sections 23-596 thru Sec. 23-604 Regulations – Second Reading**

Andy Pouncey stated this was also housekeeping because we were following the Flood Plain District Regulations established nationally. The base flood elevation was changed from 18” above the base flood to 30”. He did not feel this would bother Germantown much because all the developments along the floodway had already been approved. The homes that were built in that area were already established and would not have to meet the new criteria.

Mr. Lawton stated that by participating in the National Flood Program, it will allow our residents to purchase Flood Insurance.

**Collection - Mendelson**

Kristen Geiger distributed a draft of the agreement that will come from the Mendelson Law Firm. They handle collections of delinquent accounts for other municipalities including Collierville. This contractual arrangement will allow the City to pass the delinquent accounts, specifically Court as well as some other fines and fee areas that need to be pursued after the City has done diligence in trying to get collections from staff. This is a professional services contract and did not require a bid process.

**Germantown Centre Pool – Emergency Pool Repair/Change Order**

Mr. Lawton stated that Derek Chaput had found a solution to the problem with the pool and that a PVC lining could be put in the pool that had a 10-year warranty. It could be in by the middle of November.

After questioning the company that had put the plaster down in 2002 and talking with the City Attorney’s office to see if there were any performance bond provisions we could fall back on. We found there were none.

The company that had put the plaster in had said they could replaster the pool for \$83,000.00 but could only warranty it for 18 months.

Derek stated he had seen this PVC liner used in pools before and it had lasted. Unfortunately the plaster that is currently on the pool must come off before the PVC liner can be put in place. The liner is much easier to maintain and can be drained if needed.

The members may now freeze their memberships if the pool is their only use of the Centre and a few (about 10) have been frozen. The swim team has insurance and has some options but the regular daytime swimmers have not found a place as yet.

**CONSENT AGENDA**

**Subdivision Development Contract No. 446 – Germantown Manor, 1<sup>st</sup> Addition – Payment to developer for Moore Road Improvements - DEFERRED**

**Access Control Equipment – Public Services Complex**

Board of Mayor and Aldermen  
September 24, 2007  
Page 3

**Civic Support Grant – Germantown Arts Alliance**

**ArcGIS License**

**Adjournment**

The meeting adjourned to the Council Chamber for the regular meeting at 6:30 p.m.