

BOARD OF MAYOR AND ALDERMEN

July 25, 2011

A regular meeting of the Board of Mayor and Aldermen was held on July 25, 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, Tom Cates, George Brogdon, Andy Pouncey, Chief Richard Hall, Chief Dennis Wolf, Asst. Chief John Selberg, Michael Stoll, Pam Beasley, Michelle McDonnell, Bo Mills and Dotty Johnson.

Call to Order

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

Invocation

Community Services Division Director George Brogdon gave the invocation.

Pledge of Allegiance

Alderman Greg Marcom led the Pledge of Allegiance.

Approval of Agenda

Mayor Goldsworthy stated during the Executive Session the Board unanimously agreed to add the name of Michelle Johns to the agenda sheet for applicants to the Education Commission which is item #11 and to move #12 – Resolution 11R10 – TML Pool Safety Partners Matching Grant Program and #13 – Telecommunication Franchise Agreement – tw telecom of Tennessee, LLC to the Consent Agenda.

Alderman Drinnon asked to move the two items pertaining to signage (#14 and #15) that would be voted on to schedule a public hearing because there had been some changes since it was originally presented.

POINT OF ORDER: City Attorney Tom Cates stated the Board was required to have three readings, one of which must be a public hearing, but, there was no prohibition on having two public hearings, if it be the will of the Board. To have a public hearing, the third reading would have to be postponed and a public hearing be set.

Motion by Mr. Drinnon to defer the third reading on Ordinance 2010-10 and to set August 22 as the date for it to be heard, coupled with a public hearing at that time. There was not a second to the motion. Motion failed.

Alderman Billingsley asked for the presentations from the State Legislators present be allowed after the approval of the agenda.

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

ROLL CALL: Marcom–yes, Drinnon–no, Palazzolo–yes, Billingsley–yes, Chism–yes. Motion approved.

State Legislators - Senator Mark Norris, Senator Brian Kelsey and Representative Mark White

Each came forward to recap some things that had taken place this year and to say they were always available to the citizens of Germantown.

Mayor Goldsworthy stated she and the Board appreciated their coming to address the Board and the citizens and for their accessibility.

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Approval of Minutes

There were no corrections or additions to the minutes.

Motion by Mr. Palazzolo, seconded by Mr. Marcom, to approve the minutes of the BMA meeting held July 11, 2011.

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

Alderman Drinnon stated he had received several calls regarding an article that was in the paper regarding the sale of City property. No one on the Board remembered stating anything about it. He wanted it to be made clear that the Board was not selling City Hall.

Motion by Mr. Drinnon, seconded by Mr. Marcom, to clarify the issue that we are not in the mode to sell City real estate.

Alderman Billingsley stated he did not want to imply that the City of Germantown was for sale but the Board had discussed during the Executive Session at the July 11 meeting to have discussions during the Board Retreat about Municipal Square.

Alderman Palazzolo stated that he had jokingly stated, during the Executive Session, if someone had offered a trillion dollars the Board would probably be willing to listen and entertain that type of an offer. He agreed with Alderman Billingsley that as it related to planning for the governmental campus they would discuss this during the Retreat on August 9.

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

Recognition of Water Plant Operators

Director of Public Services Bo Mills asked the following to come forward to be recognized for a “Job Well Done:”

Assistant Director of Utilities Danny Hutcheson–37 years of service, Supt. of Water Services Mike Sorensen–21 years, Lead Plant Operator Mike O’Neill–33 years, Water Plant Operators Louis Sutton–21 years, Greg Jones–23 years, and Michael Ringwald–12 years and Water Plant Technician Malvin Coley–16 years.

Mr. Mills stated on June 11, a Tennessee State Inspector dropped in unannounced and conducted a three day Sanitary Survey of both water production facilities. This survey is designed to review all areas of water production to ensure Germantown is in compliance with all state requirements for safe drinking water supply. After three days, the inspector gave our plants and our water system a score of 98 out of a possible 100. The Southern Ave. Water Treatment Plant is undergoing a major improvement project so there is major construction at that particular facility and to receive this tremendous score during this time of construction is a true credit to these dedicated professionals.

The men received a standing ovation.

Proclamation

Mayor Goldsworthy announced it was a bittersweet moment to acknowledge the service of someone who had decided it was time to retire. She stated it was with a great deal of pride that we mark the retirement of Fire Chief Dennis Wolf. She read a proclamation honoring Chief Wolf for his thirty-four years of service to the citizens of Germantown. She proclaimed July 29, 2011 as Dennis Wolf Day in the City of Germantown. Chief Wolf had served the City as a volunteer and an employee for 34 years and as Fire Chief for 16 years. Chief Wolf has provided strong leadership of his department and its personnel,

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together delivering quality management and implementation of services, has been an effective leader in regional and state organizations and has had published numerous professional articles and papers and his leadership style has been defined by his kind and fair actions toward all, an open door policy and giving credit to his staff for the department's achievements.

City Administrator Patrick Lawton noted that Assistant Chief John Selberg had been promoted to Fire Chief for the City of Germantown.

Citizens to be Heard

Mr. Sidney Kuehn of 8779 three Chimneys Dr. W. came forward and stated Mr. Thomas who was on the Board of Directors for Aintree Farms Homeowners Assoc. had sent a letter to the Board. Mr. Kuehn read the letter. The homeowners association was in opposition to the two signage ordinances that were on the agenda and asked the Board to maintain our present streetscape requirements.

Recognition of Donation – Dogwood Park Project

Alderman Palazzolo and Parks and Recreation Director Pam Beasley came forward and introduced Ms. Andrea Orchik, Teresa Jordan, and Lisa Bobango representing the Germantown Woman's Club. The Germantown Woman's Club made a donation of \$3,700.00 to the Parks and Recreation Department as a challenge grant for the "woodland study area", an unfunded part of the Dogwood Park Playground Project Plan. The intent of the donation is to encourage other service clubs, non-profits and individuals to match funds.

Pam thanked the group for their generosity. She stated the goal is to raise \$15,000.00 for the "woodland study area".

Motion by Mr. Palazzolo, seconded by Mr. Billingsley, to recognize a donation made to the Parks and Recreation Department by the Germantown Woman's Club for the Dogwood Park Playground Project totaling \$3,700.00 and to approve Budget Adjustment No. 12-04.

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

Acceptance of Donation – Germantown Fire Department

Ms. Orchik stated the Germantown Woman's Club had worked to raise funds to support the fire department's fire safety educational programs.

Chief Dennis Wolf stated the \$300.00 would be used to purchase materials for the fire department's LAFS Project. Chief Wolf explained that this was the clown based program which is one of the most popular outreach programs the fire department has and they very much appreciate the donation.

Motion by Mr. Billingsley, seconded by Mr. Marcom, to accept donations for the fire department's fire safety education program from the Germantown Woman's club in the amount of \$300.00, and to approve Budget Adjustment 12-03.

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

Education Commission Appointments

Mayor Goldsworthy read the names of the people who had applied for appointment to the Education Commission.

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Motion by Mr. Marcom, seconded by Mr. Billingsley, to approve David Compton, Bonnie Lee, Laura Meanwell, Paul Mormon, Dino Palazzolo, Brandi Reaves, Susan Sharp, Michelle Johns and Stephanie VanArsdale to the Education Commission.

Alderman Palazzolo recused himself from this agenda item because of a conflict of interest with one of the appointees.

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

Resolution 11R10 – TML Pool Safety Partners Matching Grant Program – Moved to Consent

Telecommunication Franchise Agreement – tw telecom of Tennessee, llc – Moved to Consent

Ordinance 2011-1 – Amendment to Chapter 2, Article V-Boards and Commissions

Mr. Lawton stated this ordinance was first presented in January 2011 when it was deferred. He explained that the amendment would change the manner in which commission chairmen are appointed by the Board. Currently, commission chairpersons are selected by the Board at the time the appointments are made to the various boards and commissions. This ordinance change will give the responsibility to the Mayor to select the commission chairs.

Motion by Mr. Palazzolo, seconded by Mr. Drinnon, to approve Ordinance 2011-1 on first reading, an ordinance to amend Section 2-128(a) of Chapter 2, Article 5, Division 1 of the Code of Ordinances related to appointments of chairpersons of boards and commission of the City of Germantown and to set August 22, 2011 as the second reading and public hearing on this ordinance.

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

Ordinance 2010-10 – Amendment to Code of Ordinances, Chapter 14, Signs, Regarding Ground-mounted Temporary Leasing Signs – Third and Final Reading

Alderman Marcom recused himself from voting on the next two items.

Economic and Development Services Director Andy Pouncey stated this is an amendment regarding ground-mounted temporary leasing signs. He stated that staff was very grateful for the input from the Board, the DRC, and the citizens.

Alderman Palazzolo asked that Code Enforcement be sure to enforce the rules of these two codes as well as the other codes.

Motion by Mr. Palazzolo, seconded by Mr. Chism, to approve Ordinance No. 2010-10, regarding amendment to temporary real estate leasing signs, on third reading.

ROLL CALL: Marcom–Recused, Drinnon–no, Palazzolo-yes, Billingsley-yes, Chism–yes. Motion approved.

Ordinance 2011-5 – Amendment to Chapter 14, Permanent Signs – Third and Final Reading

Mr. Pouncey stated this amendment would amend chapter 14 to allow the name of the management company or owner and related information be placed on the sign that identifies the name of the property. If this is on a permanent sign, it cannot be on a temporary sign.

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Motion by Mr. Palazzolo, seconded by Mr. Chism, to approve Ordinance No. 2011-05, regarding amendments to permanent project signs, on third reading.

Alderman Billingsley asked that the presentation that was done during the work session and the Power Point be sent electronically to the Board.

ROLL CALL: Marcom–Recused, Drinnon–no, Palazzolo–yes, Billingsley–yes, Chism–yes. Motion approved.

CONSENT

FYI Newsletter

This tabloid style publication includes information about all City related leisure activities. The publication is a one-stop source for citizens looking for information regarding events, classes, sports and arts in Germantown.

MOTION: To contract with Scripps BC for the printing and fulfillment of three issues of the FYI newsletter in the amount of \$14,340.00.

Resolution 11R10 – TML Pool Safety Partners Matching Grant Program – Moved from Regular Agenda

The “Safety Partners” Matching Grant Program is offered by the TML Risk Management Pool and provides 50% of the cost for safety related purchases in fiscal year 2012. Germantown is eligible to receive up to \$2,000.00 from the limited grant funds available. Eight new portable AED devices will be purchased.

MOTION: To authorize and approve Resolution 11R10 for the City to participate in the TML Risk Management Pool “Safety Partners” Matching Grant Program for FY12.

Telecommunication Franchise Agreement – tw telecom of Tennessee, llc – Moved from Regular Agenda

Tw telecom of Tennessee, llc has successfully completed an application and provided the required materials and fees per the Franchise Application requirements. Staff has reviewed their request and found them to be in compliance with the ordinance.

MOTION: To approve Telecommunications Franchise Agreement for tw telecom of Tennessee llc, per Ordinance Sec. 19-Article III (Telecommunications).

Motion by Mr. Drinnon, 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.

ADJOURNMENT

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