

BOARD OF MAYOR AND ALDERMEN
EXECUTIVE SESSION
June 11, 2007

An executive session of the Board of Mayor and Aldermen was held on June 11, 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: Ernest Chism, John Drinnon, Carole Hinely, Mike Palazzolo and Frank Uhlhorn. Staff present: Patrick Lawton, Andy Pouncey, George Brogdon, Kristen Geiger, Tom Cates, Pam Beasley, Chief Richard Hall, Pat McConnell, Bo Mills, Chief Dennis Wolf, Butch Eder, Josh Whitehead, Michael Stoll, Ralph Gabb, Lisa Piefer, and Melody Pittman.

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

Approval of Minutes

There was one correction to the minutes. Chief Richard Hall was not in attendance; Deputy Chief Tom Lott was present.

PUBLIC HEARING – Ordinance 2007-6 – An Ordinance to Adopt the 2007-2008 Budget – Second Reading

Patrick Lawton distributed a memo that captured some of the changes the Board had discussed since the first reading and various work sessions that had been held on the budget. He discussed the various changes that had been made to the CIP and the changes that would affect the budget. These changes were not in the budget ordinance but would be incorporated in the budget at the third and final reading.

PUBLIC HEARING – Ordinance 2007-7 – Real and Personalty Property Taxes – Second Reading

There had been no changes since the first reading.

PUBLIC HEARING – Ordinance 2007-8 – An Ordinance for Year-End Budget Adjustments – Second Reading

There had been a few changes since the first reading. One was the addition of \$16,648.00 to State Street Aide Fund. Because of the good weather, the contractor was able to use the entire contract before July. The City was able to pay for all the paving out of this year's budget, but in order to do the cement treatment base an additional \$16,648.00 was needed.

The other change was the Pickering Center. The frontage for the door area had to be replaced and there was not enough money. The Fund Balance will absorb this money.

PUBLIC HEARING – Ordinance 2007-9 – Methodist LeBonheur Germantown Hospital Rezoning – 7691 Poplar Avenue – Request Rezoning from “R-3 Two-Family Dwelling Residential to “C-2” General Commercial – Second Reading

There had been no changes since the first reading.

PUBLIC HEARING - Ordinance 2007-10 – Piper’s Garden Rezoning – 8598 Dogwood Road, Northeast corner of Dogwood Road and Cordes Road – Request Rezoning of 5.637 acres from “R-E” Residential Estate to “R” Low Density Residential – Second Reading

There had been no changes since the first reading.

PUBLIC HEARING – Ordinance 2007-11 – Lot 1, Poplar Woods Subdivision Rezoning – South side of Poplar Avenue, West of Fountain Square Condominiums – Request Rezoning of 0.376 acres from “R-T” Multifamily Residential to “O” Office, Second Reading

There had been no changes since the first reading.

Alderman Chism was concerned that the people living around this area had been notified. Josh Whitehead assured him that all people that lived within 500 feet had been sent a notice.

Ordinance 2007-12– Amendment to Germantown S/D Regulations – Add definition of subdivision to Chapter 17 of the Code of Ordinances – First Reading/Set Public Hearing Date

Josh Whitehead stated that City Attorney had recommended this ordinance to make the issue clear. The State Code states 5 acres but the City had no ordinance that stated this. Memphis has different regulations and making it confusing.

Ordinance 2007-13 – Amendment to Germantown Zoning Ordinance – Codification of Smart Code – First Reading/Set Public Hearing Date

Mr. Whitehead explained the steps the City took to develop the land-use plan for the “Heart of Germantown”. The City must now adopt a code, which is the next step in the development process.

Resolution 07R07 – An Amendment to Resolution to Accept the Forest Hill Heights Corporate Park Planned Development with Conditions

Mr. Whitehead stated that when the City annexed the Forest Hill Corridor, we inherited a commercial PUD, the Forest Hill Heights Planned Unit Development that had a provision that spoke to a Memphis Ordinance, the floor area ratio (FAR). The Planning Commission and Planning staff recommended this read pervious/impervious ratio.

Civic Club Courtyard

Andy Pouncey stated this was the courtyard between the Pickering Center and the Tenn-Gen Regional History and Genealogy building. The courtyard was designed internally and involved the pavement, seat walls, lighting, landscaping, and grading. This was a little over the budget because the sidewalks adjacent to the parking area were added in.

Construction Contract – Johnson Road Deep Wells

Bo Mills stated this would expand the production at the Johnson Road Water Plant. The three wells would provide 1400 gallons per minute capacity at around 700 feet deep. The seven existing wells are in the neighborhood of 240 to 300 feet deep. The deeper water will draw from a different level and it is also a more protected water source.

Change Order #1 – Public Services Complex Renovation

Patrick Lawton stated that there were changes to the contract. There were several unforeseen things such as the concrete on the slab was thicker than anticipated, a primary electrical line was cut that had to be repaired, and there were some plumbing fixtures that were not able to be reused which added up to \$13,507.00. While in the approval process with Shelby County, the question of fire suppression (sprinkler system) came up and it was determined that fire suppression was not absolutely necessary on this project. After looking at the project with the Fire Marshall and several staff members, it was decided that it would be economically feasible to go ahead with the fire suppression system in the building for Phase 1 at a cost of \$33,001.03.

CONSENT AGENDA

Project Development Contract Number 1155 – Goodwin Farms Blvd.

Recognition of Donation – Parks & Recreation

Change Order #1 – Hacks Cross Road Median Project

Bulk Purchase – Cement Treated Base

**Supplement #1 – Closeout – Sewer Rehabilitation Contract
Legal Services Contract**

Floor Covering Replacement

Refinish Bay Floor Fire Station #3

Alderman Uhlhorn questioned the cost for the refinishing of the floor.

Michael Stoll explained that because of the weight of the trucks that are parked on the bay floor, the compound layer is about 3/8" thick and is a non-skid floor.

Civic Support – Germantown Performing Arts Grant

Recognition of Donation – Germantown Community Library

The Board unanimously agreed to move Civic Club Courtyard and Change Order #1 – Public Services Complex Renovation to the consent agenda.

Mr. Lawton distributed a letter from the chairman of the FAC, Andy Wagner, who would be present at the Board meeting and would present the FAC's approval of the budget at the meeting.

Melody Pittman, the librarian, gave a brief presentation on the summer reading program.

Chief Wolf gave an update on the status of Shelby County's ambulance contract. The County Commission had voted 8-0 to approve the contract with Rural Metro. The City Attorney was reviewing the intergovernmental agreement and will have it before the Germantown Board on June 25th.

A discussion followed on the Community Theater and the money needed to fix some of the problems. Alderman Uhlhorn felt that any more fixing of the building would be "throwing good money after bad" because the building should be demolished.

Adjournment

The meeting was adjourned to the Council Chamber for the regular meeting at 7:10 p.m.