

BOARD OF MAYOR AND ALDERMEN

March 26, 2007

A regular meeting of the Board of Mayor and Aldermen was held on March 26, 2007 at 7:00 p.m. in the Council Chamber 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, Tom Cates, Andy Pouncey, George Brogdon, Kristen Geiger, Pam Beasley, Jerry Cook, Chief Richard Hall, Pat McConnell, Bo Mills, Chief Dennis Wolf, Michael Stoll, Michael Saddler, Butch Eder, Josh Whitehead, Jim Jetton, Michael Stoll, Melody Pittman, Frank Robertson and Dotty Johnson.

Mayor Goldsworthy announced that during the Executive Session, the Board unanimously agreed to move item number 9, Hacks Cross Road Median Improvements, to the consent agenda.

Mayor Goldsworthy stated for the benefit of those present who were interested in speaking to the Board on the status of the operation of the Germantown Centre, staff had presented information to the Board, during the Executive Session, that **Lifetime Fitness** was no longer being considered an option by the City for leasing or running the Germantown Centre. The Board had given clear direction that the Germantown Centre would continue to be operated by the City of Germantown. Improvements would continue to be made over the period of the next year or so to improve services and facilities.

INVOCATION

Rev. Greg Darden of Faith Presbyterian Church gave the invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alderman Hinely.

SHERIFF MARK LUTTRELL

Sheriff Luttrell stated that once each year he tries to get to each of the municipalities in Shelby County to give his "annual report" to talk about some of the issues that are facing the County.

He distributed a report and highlighted some of the issues that were pertinent. He stated it was not a good year last year for crime across the county; in particular, the area just south of the City in the Hacks Cross - Winchester area (District 2). The Sheriff's Department had devoted a tremendous amount of resources to fighting crime in this area and had noted that in the first two months of this year there had been a decrease of crime in this area.

The Sheriff noted the top crash locations for intersections were Bill Morris Pkwy and Hacks Cross and the top street was Hacks Cross. He stated that what the county was facing was that the volume of people was far exceeding the capability of the roadways. This would continue to be a public safety issue for the Sheriff's Department.

Sheriff Luttrell encouraged the citizens to look into developing strong neighborhood associations. He stated those communities that had the fewest problems with crime were those communities that were organized.

APPROVAL OF MINUTES

The minutes were approved as read.

Motion by Mr. Drinnon, seconded by Mr. Uhlhorn, to approve the minutes of the Executive Session and Regular Meeting held March 12, 2007.

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

CITIZENS TO BE HEARD

Mr. Robert Johns of 2015 Hocking Cove, 38138, felt the Centre should be under Parks and Recreation and it needs to be cleaned up.

Ms. Barbara Johnson of 502 King Ridge Drive, Collierville, stated she had been using the Centre three days a week since she suffered a stroke in 1994. After going through rehab it was recommended that she use the Centre. That was in 1995 and she thanked the City for keeping it open.

Mr. Conrad McCrary of 1418 Wolf Bend Road, 38138 stated the comments the Mayor had made regarding the Centre were very pleasing. He stated there had been a petition going around with about 1,000 names that was going to be presented to the Board as a showing of their interest in keeping the Centre. He credited the Centre staff and all they do. He also asked that the Centre be part of the General Fund just as the Fire and Police departments. Free memberships should be discontinued for the employees of the Fire, Police and Methodist Hospitals. Mr. McCrary asked that a committee be organized to oversee the needs and changes at the Centre and then to make recommendations as appropriate.

Ms. Mel Stanley of 2149 Gorham, thanked the Board for listening to the citizens and to let the citizens help.

Mr. Clinton Harden of 8373 Poplar Pike, thanked the Board for their decision to keep the Centre.

Mr. Larry Williams of 2196 Tealstone Dr., 38139, thanked the Board for their decision and turned in the petitions.

Mr. Chan Shah of 8708 N. Cumbernault Circle, 38139, felt the renting policy for weddings, showers, etc., should be reconsidered so the Centre could be rented and stay open longer and charge the overtime pay to the people who rent.

CITY BEAUTIFICATION AWARD

Ms. Tammye Christian with the City Beautification Commission presented Ms. Terri Hannah of Terri Hannah Home and Garden located at 2110 Merchants Rowe with the award for March.

PUBLIC HEARING – BEER PERMIT APPLICATION – GERMANTOWN SHELL – 7617 POPLAR AVE.

Patrick Lawton stated Mr. John Ballinger had requested a permit to sell beer for off-premise consumption. The history of the suspensions were a part of the agenda sheet. Based on the application that was completed and the appropriate background check of the applicant, the application was in compliance with the City's ordinance.

**PUBLIC HEARING – BEER PERMIT APPLICATION – GERMANTOWN SHELL – 7617
POPLAR AVE. – (Cont'd)**

Mayor Goldsworthy opened the public hearing. Having no one come forward to address the Board, the public hearing was closed.

Motion by Mr. Palazzolo, seconded by Mr. Drinnon, to approve the request from John D. Ballinger, owner of Germantown Shell Service Center & Food Mart for a permit to sell beer for off-premise consumption.

ROLL CALL: Chism – yes, Drinnon – yes, Hinely – no, Palazzolo-yes, Uhlhorn-yes. Motion approved.

**ORDINANCE 2007-4 AMENDMENT TO GERMANTOWN SIGN ORDINANCE – ADDITION
OF MEDICAL OFFICE SIGNS TO SECTION 14-34 – THIRD AND FINAL READING**

Josh Whitehead stated this was the third and final reading of this ordinance and no changes had been made since the public hearing held on March 12.

Motion by Mr. Drinnon, seconded by Mr. Palazzolo, to approve Ordinance2007-4 on third and final reading.

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

**ORDINANCE 2007-5 – AMENDMENT TO GERMANTOWN SIGN ORDINANCE –
MODIFICATION OF PERMANENT PROJECT SIGN PROVISIONS IN SECTION 14-34 –
THIRD AND FINAL READING**

Mr. Whitehead stated there had been no changes to this amendment since the public hearing on March 12.

Motion by Mr. Uhlhorn, seconded by Mr. Palazzolo, to approve Ordinance 2007-5 on third and final reading.

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

CONSENT AGENDA

July 4th Fireworks

Last year, the City contracted with this fireworks company to provide an electronically fired aerial fireworks display for the July Family Fourth event held at Municipal Square Park. In April of 2006, the contract was re-bid with High Tech selected as the preferred provider offering the highest quality show for the budgeted amount. The amount was \$15,000.00 with an option to extend the contract for two additional years at the same price.

MOTION: To authorize the Mayor to extend the contract agreement with High Tech Special Effects for the July 4, 2007 fireworks display in the amount of \$15,000.00.

Professional Services Agreement – NPDES/GIS Storm Water Management

The GIS provides the means for real-time access to information that is identified geographically. This information may range from infrastructure to demographics and can be analyzed by the system. In 2005, Qualifications Based Selection (QBS) was utilized to select a consultant to begin the compilation of a comprehensive storm water map with the identification of outfalls within the twenty-two (22) laterals that serve as tributaries to the Wolf River and Nonconnah Creek. Fisher and Arnold, Inc was selected by an evaluation committee from a group of seven (7) potential consultants. The \$98,900.00 PSA was approved by the Board on December 12, 2005.

MOTION: To approve a \$125,000.00 Professional Services Agreement (PSA) with Fisher & Arnold, Inc. for a second phase of the development of the storm water layer in the City's Geographical Information System (GIS).

Hacks Cross Road Median Improvements

As part of the 2007 CIP budget, funding was appropriated to remove the concrete caps from the existing medians, install irrigation and landscape all areas within that intersection in accordance with the master plan for medians. Four vendors picked up plans and specifications; two bids were received.

MOTION: To authorize the Mayor to enter into a contract with Barnes and Brower, Inc. for the construction of medians at the intersection of Hacks Cross Road and Poplar Pike for a total cost of \$44,781.00 and approve Budget Adjustment No. 07-53.

Motion by Mr. Chism, seconded by Mr. Uhlhorn, to approve the consent agenda as presented.

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

ADJOURNMENT

There being no further business to be brought before the Board, the meeting was adjourned at 7:35 p.m.

Sharon Goldsworthy, Mayor

Dotty Johnson, City Clerk/Recorder