

## **BOARD OF MAYOR AND ALDERMEN**

**October 24, 2011**

A regular meeting of the Board of Mayor and Aldermen was held on October 24, 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, John Drinnon, Greg Marcom, Mike Palazzolo and Ernest Chism. Staff present: Patrick Lawton, Tom Cates, Andy Pouncey, Kristen Geiger, George Brogdon, Tim Gwaltney, Butch Eder, Inspector Frank Hester, Chief John Selberg, Michael Stoll, Pam Beasley, Bo Mills, Ralph Gabb and Dotty Johnson.

### **Call to Order**

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

### **Invocation**

Parks and Recreation Director Pam Beasley gave the invocation.

### **Pledge of Allegiance**

Alderman Palazzolo led the Pledge of Allegiance.

### **Approval of Agenda**

Alderman Palazzolo asked to move Item C (Acceptance of Donation from Firehouse Subs) from the consent agenda to the regular agenda.

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

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

### **Approval of Minutes**

Alderman Palazzolo said there was one correction to the minutes and that was on page 4 under Electronic Payment and Purchase Cards, he abstained from that vote.

Motion by Mr. Chism, seconded by Mr. Palazzolo, to approve the minutes of the Board of Mayor and Aldermen meeting held October 10, 2011 as corrected.

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

### **Beautification Commission Business Award**

Aldermen Billingsley and Ms. Shannon Hoff representing the Beautification Commission came forward and presented the Beautification Award to the Market at Poplar Estates. Mr. Tripp Trezevant oversees the collection of vendors and owns the property and received the award. This is a relatively new Germantown business specializing in home and garden products. The business is a collection of independent vendors who sell nursery/plant stock, patio furniture, lawn decorations, pottery, fountains and other related goods and services.

### **Citizens to be Heard**

No citizens came forward

### **BEER BOARD**

Mayor Goldsworthy recessed the Board of Mayor and Aldermen meeting and convened the Beer Board.

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**PUBLIC HEARING – Beer Permit Application – Kwik Shop – 9423 Poplar Ave.**

City Administrator Patrick Lawton stated the City had received a request from Kwik Shop located at 9423 Poplar Ave. for a permit to sell beer for off-premise consumption. The permit application was in compliance and nothing had been found to discredit the owner or the manager.

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

Motion by Mr. Billingsley, seconded by Mr. Chism, to approve the request from Mary W. Brooks, manager of Kwik Shop, for a permit to sell beer for off-premise consumption at 9423 Poplar Ave.

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

**PUBLIC HEARING – Beer Permit Application – Courtyard by Marriott – 7750 Wolf River Blvd.**

Mr. Lawton stated the Courtyard by Marriott, located at 7750 Wolf River Blvd, had requested a permit to sell beer for on-premise consumption. The application and the police department’s record check were both in compliance.

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

Motion by Mr. Marcom, seconded by Mr. Billingsley, to approve the request from JoLynn Sorum, controller of Courtyard by Marriott, for a permit to sell beer for on-premise consumption at 7750 Wolf River Blvd.

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

Mayor Goldsworthy declared the Beer Board adjourned and reconvened as the Board of Mayor and Aldermen.

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**Professional Service Agreement – Design Services for the Fleet Services Maintenance Shop**

Financial and General Services Division Director Kristen Geiger stated this was a Professional Service Agreement with Barge, Waggoner, Sumner and Cannon Inc. in the amount of \$80,385.00 for the design and engineering services of a new Fleet Services Maintenance Shop. The Shop is to be constructed on the property east of the Public Services Complex on Southern Ave. Ms. Geiger explained that the existing facility cannot accommodate some of the City’s larger apparatus. The City was advised that the current facility is not up to OSHA standards and concerns had been expressed by the City’s insurer.

Staff had already met with neighboring residents to gain their input and interest in the new facility and this collaboration will continue throughout the design and construction of the facility.

Motion by Mr. Palazzolo, seconded by Mr. Marcom, to approve a professional services agreement with Barge, Waggoner, Sumner & Cannon to provide engineering services, design development, contractor bidding, selection of services and contract administration for the construction of the Fleet Services Maintenance Shop at 7726 Southern Avenue in the amount of \$80,385.00.

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

**Construction Contract – Methodist Hospital/Germantown Road Traffic Signal**

Alderman Billingsley recused himself from the discussion and vote on this amendment.

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City Engineer Tim Gwaltney stated the City had previously entered into a development contract with Methodist Healthcare that included expansion and other improvements of the Germantown Methodist Hospital site. In anticipation of future increased traffic volumes, one of the conditions of approval of the hospital expansion was for Methodist Hospital to share in the costs of installing a traffic signal at Germantown Road and their main entrance. As per the contract, the hospital contributed \$110,500.00 toward construction of the traffic signal.

The traffic signal was originally included in the design for the Germantown Road Realignment Project. However, the roadway realignment project is 2-3 years away and the traffic signal was pulled from the roadway project as a stand-alone FY12 CIP project.

The bid was over budget because the original construction cost estimate was prepared in 2007 and in the FY12 CIP applications, staff failed to escalate that cost estimate to 2012 dollars. Also, an item was added to the contract that was not originally contemplated in 2007 which involves a fiber-optic interconnect from Poplar Ave. to this new signal which will allow for complete interconnection of all the traffic signals in this area.

In response to a question from Alderman Palazzolo, Mr. Gwaltney stated the approximate time of completion is late spring or early summer of next year.

Motion by Mr. Chism, seconded by Mr. Palazzolo, to authorize the approval of a construction contract with McCrory Electric, Inc. in the amount of \$250,235.35 for the installation of a traffic signal at Germantown Road and Methodist Hospital Drive and to approve Budget Adjustment 12-27.

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

### **Professional Services Agreement – Bobby Lanier Park Master Plan Design**

Parks and Recreation Director Pam Beasley stated with the acquisition of the 10 acre suburban farm, there is a potential for the City to create a very unique amenity within our park system. The site is adjacent to approximately 90 acres of existing public property.

In 2008, the City acquired funding from the LPRF Grant from the State of Tennessee. To meet the grant guidelines, we need to proceed with the design, construction and public access of the site by June 2012.

The Parks and Recreation staff was tasked with developing preliminary recommendations for possible use of the park and adjacent woodland area. Three work sessions were held with participation from community stakeholders. With a preliminary vision already established through community and stakeholder input meetings, the consulting firm will be required to have knowledge of national trends related to suburban/urban farm based education, environmental education and local heritage interpretation.

The City has secured a separate contract for technical assistance with the Farm Based Education Association (FBEA) in the amount of \$9,900.00. This is a nationally recognized professional organization for farm based educators and public/community farm operators. The design firm will work in conjunction with this team of professionals and incorporate their data and financial information into the final plan. The FBEA will focus on programming, farm operations and revenue potential of the farm. The Dalhoff Thomas Design Studio will be responsible for the lead on all aspects of this project including the final written comprehensive master plan for the farm park.

In response to a question from Alderman Drinnon, Ms. Beasley stated she thought there would be some grant money available in the area of programming.

Alderman Marcom asked if the “Farmers Market” currently in the center of town might be moved to the

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Park and how long would it take before the Board would see the plan?

Ms. Beasley stated that at this point all possibilities would be put on the table. She anticipates that the plan would take about 90 days before they bring it back to the Board.

Mr. Brogdon stated it was anticipated the bid for the development would go out in February, received back in March and hopefully be breaking ground sometime in April with the deadline being June 11, 2012. He stated they would make the deadline!

Motion by Mr. Marcom, seconded by Mr. Palazzolo, to authorize the mayor to execute a Professional Services Agreement with the Dalhoff Thomas Design Studio to design a master plan and provide construction administration for the Bobby Lanier Park in the amount of \$49,500.00.

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

### **Property and Casualty Insurance Renewal**

Treasurer/Risk Manager Michael Stoll explained the City's property and casualty insurance renewal for the coming year. This coverage includes property insurance, liability insurance, and workers compensation insurance.

City coverage has been provided primarily by the TML Risk Management Pool, a profit risk-sharing pool that is professionally operated for governmental and non-profit entities. Mr. David McDonnell of McDonnell Insurance firm continues to provide us with professional advice, access to industry resources and organizational back-up for our risk management function.

The property premium reflects a 4.2% increase in Real property insured values (due to our latest 5-year property appraisal) plus about \$4.0 million for our new Fire Station No. 4 and new traffic signals. Our TML insurance also includes an additional \$10 million of earthquake coverage (Total: \$15 Million) that includes coverage for our underground property.

Our Worker's Compensation premium reflects a 2.5% reduction in Pool rates plus the benefit from an improvement in our experience rating. We have maintained another year of reduced claims.

The Liability insurance premium reflects a slight decrease this year. We are again focusing on our experience with Vehicle Liability claims by holding Driver's Safety classes.

A breakdown of the cost of the insurance is as follows: Property Insurance - \$306,774.00; Vehicle Insurance - \$112,000.00; Liability Insurance - \$203,000.00; Workers Compensation - \$235,769.00.

The total expenditure for this line item is \$849,067.00.

Motion by Mr. Drinnon, seconded by Mr. Marcom, to approve the renewal of insurance coverage and payment of premiums (less the related dividends) to TML Risk Management Pool for property, workers compensation and general liability policies including the additional earthquake coverage.

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

### **Acceptance of Donation from Firehouse Subs – MOVED FROM CONSENT AGENDA**

Fire Chief John Selberg explained that Firehouse Subs Public Safety Foundation provides grants to help equip, educate and fund public safety entities. The fire department's rookie class and hazardous materials training meet the Foundation's objective. Firehouse Subs will purchase the training materials requested for the vendor that we recommend and deliver it to the fire department. Therefore, the City will not need to make the purchases.

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Motion by Mr. Drinnon, seconded by Mr. Marcom, to accept a donation of hazardous materials training videos and manuals worth approximately \$11,332.00 from Firehouse Subs Public Safety Foundation.

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

**CONSENT**

**Budget Adjustment – Sewer Maintenance Purchase**

The City uses video inspection technology to record and catalogue the condition of existing sewer infrastructure. The lateral camera now in use is seven years old and has been experiencing mechanical problems. The new camera includes upgrades that can be utilized with the existing system. Upgrades will also enable the sewer crews to record on DVD's rather than the old VHF tapes. Cost of the new portable sewer lateral inspection system is in the amount of \$7,663.80.

MOTION: To approve Budget Adjustment number 12-25 for the purchase of a portable sewer lateral inspection system in the amount of \$7,663.80

**Awarding of Grant for Alcohol/Drug Testing in the High Schools**

Germantown High School and Houston High School are requesting the City fund the schools' mandatory alcohol and/or drug screening of all student athletes for the 2011-2012 school year at a cost not to exceed \$24,000.00. The Federal Asset Drug Fund and/or the State Asset Drug Fund will pay alcohol and/or drug screenings that have been completed at the schools between the period of July 1, 2011 – June 30, 2012

MOTION: To authorize a grant in the amount not to exceed \$24,000.00 from the Federal Asset Drug Fund and/or the State Asset Drug Fund for Germantown and Houston High Schools to support the schools' mandatory alcohol and/or drug screening of all student athletes for the 2011-2012 school year.

**Acceptance of Donation from Firehouse Subs – MOVED TO REG AGENDA**

**Bulk Purchase - Asphalt**

Asphalt mix is used for street maintenance repairs, pot holes, utility cuts and storm water projects. Public Services crews pick up the asphalt mix as needed at the vendor's closest distribution plant location and transport it to the job site for immediate application.

MOTION: To contract with Standard Construction Company, Inc. for the purchase of 2,000 tons of 411D hot asphalt mix in the amount of \$115,000.00.

Motion by Mr. Palazzolo, 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.

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Sharon Goldsworthy, Mayor

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Dotty Johnson, City Clerk/Recorder