

**BOARD OF MAYOR AND ALDERMEN**  
**EXECUTIVE SESSION**  
**July 28, 2008**

An executive session of the Board of Mayor and Aldermen was held on July 28, 2008, at 6:15 p.m. in the Round 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, Jerry Cook, Tim Gwaltney, Josh Whitehead, Chief Richard Hall, Bo Mills, Chief Dennis Wolf, Derek Chaput, Michael Saddler, Michael Stoll, Ralph Gabb, Melody Pittman, and Lisa Piefer.

**Approval of Minutes**

Alderman Hinely stated on page two of the Executive Session under the Professional Services Agreement the word “medal” should be “metal” and the words “brain center” should be replaced with “control room”.

Alderman Palazzolo noted in the regular meeting the misspelling of the name “Brownlike” should be “Browndyke”, and in the ninth paragraph the sentence should read “respective board or commission.”

Tom Cates noted on page 5, sixth paragraph, the word “development” was misspelled and on page 6, the second paragraph the word “refiling”.

**Presentation of Beautification Award**

Good Winds Nursery will be the recipient of this award. Alderman Palazzolo will present the award.

**Suspension/Revocation of Beer License – American Café - DEFERRED**

Joe Lee Wyatt stated that this hearing was being deferred to August 11.

**Suspension/Revocation of Beer License – Chili’s, Inc.**

Mr. Wyatt stated Chili’s was represented by a law firm out of Nashville. Chili’s had filed a response admitting that they had violated the ordinance. Since they had admitted guilt, the question will be the penalty. Our ordinance section III, item 84 provides for a penalty, revocation or suspension. This would not be a responsible vendor case because that statute deals with off-premise sales. This is Chili’s first offense. Mr. Wyatt stated the Board would also have an alternative of offering a civil penalty, not to exceed \$2,500 in lieu of a suspension or revocation. The Board could have the opinion that the permit could be suspended for a certain number of days but in lieu of that they could pay within 7 days \$2,500 and avoid the suspension. The Board does not have to determine guilt or innocence; they have admitted they violated the ordinance and that their employee violated the ordinance.

A discussion followed on why the municipality was not notified when a sting was going to take place.

**Ordinance 2008-9 – Amendment to Ordinance 2007-17 – to change the name of the Germantown Centre Advisory Commission – First Reading/Set Public Hearing Date**

Patrick stated this amendment would reflect the name change.

Derek Chaput gave a report on the open house that was held at the Athletic Club on Saturday. He stated that there were 53 new members and 41 renewals for the year.

**Fiscal Impact Analysis – Saddle Creek**

Mr. Lawton stated this was a part of the Public/Private Partnership Policy that the Board had adopted about six weeks ago. The Board had asked that as these developments happen in Smart Growth, they wanted to see the value of the project, what type of property taxes and sales taxes would be generated from it and what would be the cost to City government to help support this project.

Kristen Geiger stated that Lucy Gallo of Miley, Gallo & Associates and Kathleen Rose of Rose and Associates are going to head the analysis. Kathleen's role will be predominately on the revenue side where Lucy will be on the expense. The purpose is to get an independent, subjective look at the revenue potential from this type of development along with the added expenses to the City given the density and complexity of the development.

The agreement will be three-way where Poag and McEwen will pay all the costs as they happen and the City will reimburse half of the costs at the completion of the analysis. The expenses will be for travel and some ancillary expenses. Hopefully, the analysis will all be ready in six to eight weeks.

A discussion followed on other analysis that had previously been done on certain areas of the City.

Alderman Uhlhorn asked for staff to figure the cost per square feet of Saddle Creek in order to get a sense of scale.

**CONSENT AGENDA**

**Purchase – Mail Sorter**

In response to a question from Alderman Palazzolo, Ms. Geiger stated five years ago when the first mail sorter was considered, because of the cost of the machine, an outside billing was considered and it was decided that it would be much less expensive to do this in-house.

**Subdivision Development Contract No. 493 – The Sanctuary of Germantown P.D.**

**Project Development Contract No. 1170 – Forest Hills Heights Office Building Phase II**

**Amendment to Project Development Contract No. 1128 – Germantown Square Residential Community, Phase 2 – Implement Phasing Schedule and Extends Completion Date**

**Subdivision Development Contract No. 458 – Forest Hill-Irene Commercial Subdivision**

**Project Development Contract No. 1171 – Germantown Presbyterian Church – 2008 Expansion**

**Professional Services Agreement – Kimley-Horn & Associates, Inc. – Engineering Services – DEFERRED**

**Appointment to Vacancy on Germantown Athletic Club Advisory Commission**

**Adjournment**

The meeting adjourned to the Council Chamber for the regular meeting.