

BOARD OF MAYOR AND ALDERMEN

March 10, 2008

A regular meeting of the Board of Mayor and Aldermen was held on March 10, 2008 at 7:00 p.m. in the Council Chamber of the Municipal Center.

Mayor 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, Captain Mike Berkes, Pat McConnell, Bo Mills, Michael Stoll, Michael Saddler, Ralph Gabb, Melody Pittman, Tania Moskalenko, Lisa Piefer, Inspector Frank Hester, and Dotty Johnson.

Invocation

Rev. Donald Ester from New Bethel Baptist Church gave the invocation.

Pledge of Allegiance

Alderman Ernest Chism led the Pledge.

Approval of Minutes

Approval was requested of the minutes of the executive and regular session held February 28, 2008.

Motion by Mr. Uhlhorn, seconded by Mr. Chism, to approve the minutes of the Executive Session and regular Board of Mayor and Aldermen meeting held February 28, 2008.

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

Citizens to be Heard

Mr. Robert Wychoff of 8473 Rothchild Rd. asked the City to look into enforcement of the leash law especially in the parks and on the greenway.

Mr. Lou Paris of 8294 Scruggs Dr. was speaking for the Dogwood Creek Homeowners Association regarding the traffic on Scruggs. He stated that Chief Hall had furnished radar on occasions but that was just a short while. He felt speed bumps were the answer but was told the Board would not approve them because of damage to emergency vehicles. He cited some instances where there were major collisions in the area especially on February 28 when two vehicles collided and one overturned.

Mr. James Jacobs of 7684 Apple Valley Road represented the Neshoba North Homeowners Association that abuts the Owens Tract that is being considered for Smart Growth Development who was concerned with the traffic situation in the area. He asked when they would be able to see traffic studies done with regard to development of the property and how do they participate in the review of those traffic studies.

Resolution 08R02 – LPRF Grant: Assurance of Match

Patrick Lawton stated the Board was asked to adopt the resolution regarding the City's 50% match for the local park and recreation fund grant application. The local park and recreation fund (LPRF) was established to provide grants to all eligible local governmental agencies and entities in the State of Tennessee for the purchase of land for parks, natural areas, greenway and for the purchase of land for other recreational facilities. These grants require a 50% match from the local government. Staff had identified the acquisition of Ocean View Farms consistent with the Board of Mayor and Aldermen policy agenda as a logical candidate for use of these funds.

The request is for a maximum LPRF grant amount in the amount of \$500,000. The balance of this funding will be submitted for consideration as part of the FY09 capital improvements budget. It is anticipated that the grant announcement will be awarded in the fall of 2008.

Resolution 08R02 – LPRF Grant: Assurance of Match – (cont'd)

Motion by Ms. Hinely, seconded by Mr. Drinnon, to approve through Resolution 08R02, the submittal of a Local Parks and Recreation Fund grant application administered by the Tennessee Department of Environment and Conservation for parkland acquisition of the Ocean View Farms property.

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

BEER BOARD

The Mayor adjourned the regular session and convened the Board as a Beer Board.

Request for Temporary Beer Permit for Germantown Festival Association

Mr. Lawton stated the Board was asked to approve a temporary beer permit for the sale of beer on City owned property at the 2008 Germantown Festival on Saturday, September 6, and Sunday, September 7, 2008. This will be the 32nd annual Germantown Festival. A letter was attached from the Germantown Association requesting authorization for this temporary beer permit.

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

In response to a question from Alderman Palazzolo, Mr. Lawton stated this was the 32nd Festival but he did not know exactly how long the Festival had asked for a temporary permit. He had been there 20 years and it had been requested each of those years.

Alderman Drinnon stated his opinion for the past thirteen years had always been that the City of Germantown had no business authorizing the sale of alcoholic beverages on City property or at City functions. He felt it sent the wrong message to the citizens and to the youth. He opposed the permit and felt it was wrong to do so.

Motion by Ms. Hinely, seconded by Mr. Palazzolo, to approve a temporary beer permit allowing the sale of beer on publicly-owned property at the 2008 Germantown Festival on Saturday, September 6, 2008, during the hours of 9:30 a.m. until 6:00 p.m. and on Sunday, September 7, 2008, from noon until 6:00 p.m.

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

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

BOARD OF MAYOR AND ALDERMEN

Vehicle Purchases – Police, Fire & Water Departments

Mr. Lawton stated the infrastructure replacement program for the current fiscal year included the replacement of several trucks and automobiles in police, fire, public services and in the water division. The purchasing office had mailed specifications to about 20 auto and truck dealers in the area. Six bids had been received. The vehicles were identified by age and number of miles. Prior to vehicles being requested for inclusion in the infrastructure replacement program, the vehicle maintenance superintendent did a detailed analysis of the condition of each car and truck and a recommendation was made regarding replacement.

Vehicle Purchases – Police, Fire & Water Departments – (cont'd)

The bid for the 2008 Ford Explorer for the Police Department from Alexander Ford was not the low bid but in the interest of standardization of parts and equipment this low bid was accepted as opposed to the 2008 Dodge Nitro bid submitted.

Motion by Mr. Uhlhorn, seconded by Mr. Chism, to authorize the purchase of vehicles and accept trade-in offers from Alexander Ford in the amount of \$129,541.00, from Crossroads Ford in the amount of \$17,836.95, and from Alexander Chevrolet in the amount of \$57,577.00. In addition, accept the cash offer of \$12,700.00 from Wolf River Auto for one 1997 Ford F-350 crew cab pickup, one 1992 GMC 2500 crew cab pickup, one 1000 Ford Crown Victoria, and two 1998 Ford Crown Victoria's. The total net expenditure after vehicle trade-ins and the cash sale is \$192,254.95.

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

Recognition and Acceptance of State Grants

Mr. Lawton explained that last year the State authorized the distribution of funds to municipalities under the Community Enhancement Grant Program. The City submitted its funding request for general government fund projects as well as assistance for two of the 501C3's that the City is involved with and supports, that being GHS TV and the Germantown Performing Arts Centre. GPAC has received funding in the amount of \$70,000 and the Germantown Community Television Foundation is expected to receive \$20,000. An additional \$85,000 has been made available to the City and was requested for our library in the amount of \$48,600 and for the Fire Department in the amount of \$36,400 for the purchase of an emergency generator and a LifePack 12.

Motion by Mr. Drinnon, seconded by Uhlhorn, to recognize and accept \$85,000.00 from the State of Tennessee through a Community Enhancement Grant and the approval of Budget Adjustment Number 08-98.

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

Trailer Mounted Generator - Moved to Consent

CONSENT AGENDA

Amendment to Subdivision Development Contract No. 476 – Lakepoint Plaza – Extension of Completion Date

The contract was approved on May 22, 2006 with a date of completion set two years after the contract date that is rapidly approaching. This is the First Amendment to the contract and the developer is asking to extend the date of completion to March 10, 2010.

MOTION: To approve the First Amendment to Subdivision Development Contract No. 476 for the development of Lakepoint Plaza Professional Center Subdivision.

Amendment to Subdivision Development Contract No. 481 – NOHAPA – Change of Developer

This is a request to approve an amendment to the contract in order to change the name of the owner/developer from Wolf Trail Cove, LLC to Wolf Trail Cove General Partnership.

MOTION: To approve an amendment to Subdivision Development Contract number 481 for the development of NOHAPA Center Subdivision.

Employee Recognition - DEFERRED

Transfer of Ownership of Steinway Piano

The Germantown Performing Arts Center Foundation launched a capital campaign to raise sufficient funds for the purchase of a new Steinway Concert Grand Piano with the trade of the existing Steinway. This transfer will allow the GPAC Foundation the ability to proceed with the purchase of the new Steinway Concert Grand Piano at a reasonable price.

MOTION: To approve the transfer of ownership of a Steinway Piano from the City of Germantown to the Germantown Performing Arts Center Foundation.

GPAC Grant

The Germantown Performing Arts Center Foundation has launched a fund raising capital campaign in order to replace the existing Concert Grand Piano. The campaign consisted of selling Concert Grand Piano Keys. The middle "C" key was offered by the Foundation in the amount of \$25,000.00. The City, in an effort to support the fine arts, is purchasing the middle "C" for this amount.

MOTION: To issue a grant in the amount of \$25,000.00 to be used by the Germantown Performing Arts Centre Foundation in the purchase of a new Steinway, Model D. Concert Grant Piano and approve Budget Adjustment No. 08-104.

Acceptance of Grant for Lifepak 12

Rather than upgrade an older unit, the grant will be applied toward the purchase of a new Lifepak 12 that will include biplasic technology and other features found in the newer units.

MOTION: To accept a grant for \$5,000.00 from the Joseph G. Markoly Foundation to be applied towards the purchase of a Lifepak 12 cardiac monitor/defibrillator and approve Budget Adjustment 088-103.

Appointment to Vacancy – Public Safety Education Commission

Mr. Jonathan Frase has expressed an interest in serving on the Public Safety Education Commission.

MOTION: To approve the appointment of Mr. Jonathan Frase to serve on the Public Safety Education Commission until December 31, 2008.

Trailer Mounted Generator - Moved to Consent

This is a trailer-mounted generator that will be used for emergencies and at selected special events.

MOTION: To purchase one trailer mounted generator from Rebel Equipment Company for \$24,820.00, and to declare Unit 150 surplus.

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

Motion by Mr. Chism, seconded by Mr. Uhlhorn, to accept the Consent Agenda as read.

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.