

## **BOARD OF MAYOR AND ALDERMEN**

**February 25, 2008**

A regular meeting of the Board of Mayor and Aldermen was held on February 25, 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, Kristen Geiger, Pam Beasley, Chief Richard Hall, Pat McConnell, Bo Mills, Michael Stoll, Tim Gwaltney, Michael Saddler, Ralph Gabb, Josh Whitehead, and Dotty Johnson.

### **Invocation**

Rev. William Warren from Cumberland Presbyterian Church gave the invocation.

### **Pledge of Allegiance**

Boy Scout Troop 270 from Grace Church of the Nazarene led the Pledge.

### **Approval of Minutes**

Approval was requested of the minutes of the executive and regular session held February 11, 2008.

Motion by Mr. Drinnon, seconded by Ms. Hinely, to approve the minutes of the Executive Session and regular Board of Mayor and Aldermen meeting held February 11, 2008.

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

### **Citizens to be Heard**

Mr. Robert Wychoff of 8473 Rothchild asked the Board to look at some safety issues at Cone Park. The split rail fence should be torn down and a cable or chain link constructed because of the traffic on Poplar Pike. The children play in this area and it is very close to Poplar Pike and is a hazard because children could run out into traffic.

### **Recognition of Fire Department Rescue Personnel**

Mayor Goldsworthy asked the Board to step down for a presentation. Fire Chief Dennis Wolf came forward and presented Assistant Chief John Selberg, Captain Howard Thompson, Lt. Terry Fisher, and Shari Turner (absent) with congratulations for their commitment and dedication to serving others in a testament to their professionalism and caring for their fellow man. They were part of a 41-member TN-TF1 response team (plus six search dogs) that responded to Jackson, TN to assist local responders searching for victims following devastating tornados that went through the area earlier in the evening.

### **Beautification Business Award**

Ms. Daneise Burnette presented the Beautification Business Award to Dwayne Craft from Fidelity Investments for their spectacular landscaped setting.

### **Certificate of Compliance – Germantown Liquors**

State law requires the holder of liquor store permits to receive a Certificate of Compliance issued by the local municipality every two years. Ms. Catherine Lunati had recently contacted the City regarding approval of her Certificate of Compliance. Based upon the police department's review, the Certificate of Compliance for Germantown Liquors was in order.

**Certificate of Compliance – Germantown Liquors – (cont'd)**

Motion by Mr. Palazzolo, seconded by Mr. Chism, to authorize the Mayor to sign the Certificate of Compliance to Ms. Catherine G. Lunati for Germantown Liquors, 7645 Poplar Ave.

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

**Medical Stop Loss Insurance Renewal**

Patrick Lawton explained that the City had a long established practice of providing health insurance for our employees without having to pay for expensive group insurance by being self insured. This had proven to be a cost effective alternative for the City to traditional insurance and has allowed us to be responsible in controlling our costs. However, if a large number of our employees got seriously ill, their medical bills and expenses could wipe out our entire self-funded program or require payments beyond our ability to pay. The City pays an additional premium to have a stop loss health insurance company in place to guard against this type of risk.

Currently, our stop loss coverage is with OptumHealth, and the recommendation for the next 12 months is to continue this coverage. There is an increase in the total premium to be paid over the next 12 months that is directly attributed to the number of claims that OptumHealth has paid this year on behalf of the City. The Administration recommended the continuation of our stop loss coverage with OptumHealth.

Motion by Ms. Hinely, seconded by Mr. Drinnon, to authorize the Mayor to renew the City's Medical Plan Stop Loss Insurance with OptumHealth Insurance effective March 1, 2008.

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

**Methodist HealthChoice Contract Renewal**

Mr. Lawton stated in an effort to control our health costs under our self-insurance program, the City, under a contract with a preferred provider organization, is provided discounts and savings by steering our employees who participate in the City's health plan to a certain healthcare provider. The proposed contract for the next 2 years reflects an increase in the inpatient charge of 4% for each year, which is consistent with most of the PPO clients that Methodist Health Choice has under contract.

The Administration recommended the execution of a contract with Methodist Health Choice to serve as the City's preferred provider organization for the next 2 years.

Motion by Mr. Uhlhorn, seconded by Mr. Chism, to authorize the Mayor to execute a contract with Methodist HealthChoice to provide health care services to the employees of the City of Germantown.

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

**Ordinance 2008-1 – Amendment to Code of Ordinances – Amendment to Permit Staff Administrative Review and Approval – Third and Final Reading**

Josh Whitehead stated this ordinance would amend Chapters 2, 3, 14, 16, 22 and 23 of the Code of Ordinances to permit Staff administrative review and approval of Design Review Commission items. There were six changes that were recommended: curb cuts, change in use within the OG district, banners for charitable and nonprofit events, temporary signs in the OG district, beer permit signs, and minor revisions to already approved landscape architectural and project plans for already approved projects.

Motion by Mr. Uhlhorn, seconded by Mr. Palazzolo, to approve Ordinance No. 2008-1 on Third and Final Reading.

**Ordinance 2008-1 – Amendment to Code of Ordinances – Amendment to Permit Staff Administrative Review and Approval – Third and Final Reading - (cont'd)**

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

**Ordinance 2008-2 – Amendment to Sign Ordinance – Amendment to the Temporary sign Regulations – Third and Final Reading**

Mr. Whitehead stated the amendments addresses temporary sign variances that have been approved by the DRC recently, temporary signs that have been approved through general policy statements, and staff's desire to address public information signs that currently do not fit in any category. There had been one change since the second reading and that was to 14-61-D2 – the location of a certain sign. Staff had worked with Administration on changing one aspect. The present ordinance does not permit owner-occupied simple units on a multi-family development any ground real estate signs. This amendment will allow in a multi-family development, a homeowner could put a for-sale sign within 20 feet of his door or the collective vestibule door provided it is 20 feet from the nearest real estate sign.

Motion by Mr. Chism, seconded by Ms. Hinely, to approve the amendment and the amendment to the amendment on third reading.

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

**Ordinance 2008-3 – Amendment to the Germantown Sign Ordinance – Amendment to Medical Office Sign Regulations – Third and Final Reading**

Mr. Whitehead this amendment was due to requests of tenants and owners within the medical office community to be under the jurisdiction of the ordinance. There will be four types of signs proposed and will provide medical offices with more options when placing a sign. They are: office parks signs, large monument signs, small monument signs, and wall-mounted signs.

Motion by Mr. Drinnon, seconded by Ms. Hinely, to approve Ordinance 2008-3 on Third and Final Reading.

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

**Building Automation System – Moved to Consent**

**Asphalt Paving and Milling Contract**

Bo Mills requested \$900,000.00 for the FY08 asphalt paving and milling contract with Standard Construction Company. Last year approximately eight miles of roadway was milled and resurfaced under a contract with Standard Construction Co. for \$719,834.80. This year approximately twelve miles will be milled and resurfaced.

Motion by Mr. Chism, seconded by Mr. Uhlhorn, to contract with Standard Construction Company for the FY08 Asphalt Paving and Milling Contract, in an amount not to exceed \$900,000.

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

## **CONSENT AGENDA**

### **Recognition of Donation – Parks & Recreation – Youth Leadership Conference**

Comcast Cable recently donated \$1,200.00 to sponsor the 15<sup>th</sup> Annual Germantown Youth Leadership Conference.

MOTION: To recognize donations made to the Germantown Youth Commission for their 15<sup>th</sup> Annual Germantown Leadership Conference in the amount totaling \$1,200 and to approve Budget Adjustment No. 08-92.

### **Copy Machine Rental**

The City will lease 5 Minolta copy machines from NovaCopy Inc. under the Shelby County Contract (Shelby Bid I-001193). The turnkey price per copy includes the equipment rental, all maintenance and service, and all operating supplies except paper.

MOTION: To lease five (5) copy machines from NovaCopy Inc. under three-year rental agreements for an estimated annual cost of \$13,367.16 for approximately 409,152 copies per year with about \$4,672.14 estimated cost for the remainder of FY08.

### **Recognition of Donations – Public Safety Education Commission**

Leadership Germantown recently donated \$300.00 to the Public Safety Education Commission.

MOTION: To recognize a \$300 donation to the Public Safety Education Commission from Leadership Germantown and to approve Budget Adjustment No. 08-93.

### **Appointment to Environmental Commission**

There was one vacancy on the Environmental Commission and Ms. Linda C. Kaplan had expressed a desire to serve on the commission.

MOTION: To approve the appointment of Ms. Linda c. Kaplan to serve on the 2008 Environmental Commission.

### **Building Automation System – Moved to Consent**

Authorization was requested to contract with GS Automation in the amount of \$59,600.00 for replacement and upgrade of the Building Automation System (BAS) in the Germantown Athletic Club and Germantown Performing Arts Centre. The BAS affects the entire main mechanical plant in the basement of the Club. This mechanical plant provides chilled water for air condition and hot water for heating in the original Germantown Centre and all of GPAC.

MOTION: To approve authorization to contract with GS Automation in the amount of \$59,600.00 for replacement and upgrade of the Building Automation System in the Germantown Athletic Club and the Germantown Performing Arts Centre.

### **Purchase of Safety Traffic Vests & Hand Held Radar Units – Moved to Consent**

The Police Department is requesting permission to purchase 115 safety traffic vests and 8 hand held radar units for a total cost of \$12,292.00.

MOTION: To purchase 115- safety traffic vests from At Work Uniforms, eight (8) Stalker hand held radar units from Stalker Radar and to approve Budget Adjustment No 08-89.

**New World Software Purchase – Court – Moved to Consent**

This upgrade will leverage recent police software upgrades to eliminate major information flow gaps between police and court. This purchase was not subject to the City's normal bid process as the software is proprietary and only available from New World Systems.

MOTION: To purchase court software from New World Systems in the amount of \$96,000.00 and to approve Budget Adjustment No. 08-90.

Motion by Mr. Uhlhorn, seconded by Mr. Drinnon, 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.

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Sharon Goldsworthy, Mayor

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Dotty Johnson, City Clerk/Recorder