

BOARD OF MAYOR AND ALDERMEN

February 11, 2008

A regular meeting of the Board of Mayor and Aldermen was held on February 11, 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 Alderman 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, Michael Stoll, Tim Gwaltney, Michael Saddler, Ralph Gabb, Josh Whitehead, Butch Eder, and Dotty Johnson. Also present were several policemen and firemen.

Mayor Goldsworthy declared the meeting open. The Board had unanimously agreed to change the agenda by moving item number 9 (Resolution 08R01), to the consent agenda and to add to the agenda, an Emergency Purchase – East Bridge Ditch Repair.

The Mayor also asked for a moment of silence for the family and friends of City employee Johnny Spaulding who had lost his life over the weekend in a motorcycle accident.

Invocation

Mr. Dave Phillips from Germantown Church of Christ gave the invocation.

Pledge of Allegiance

Boy Scout Troop 316 from Germantown Church of Christ led the Pledge.

Approval of Minutes

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

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

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

Citizens to be Heard

Mr. Richard White of 7647 Akerswood Dr. had problems with feral cats in his back yard and felt that Senior Citizens should not have the responsibility of removing the cats.

Life Saving Award

The Mayor asked the Board to step down for a presentation.

Chief Richard Hall presented Police Officer James Kensinger with the Life Saving Award. The Life Saving Award is presented to police personnel who, in the line of duty, physically rescue a person from the likelihood of certain death; or render first aid in a distinguished or unusually creditable nature to a person whose life is in immediate jeopardy; or render first aid in a manner that sustains the person and enables the person to be delivered alive to a medical facility. Officer Kensinger performed CPR to a 16-year-old female in medical distress until paramedics arrived and transported the victim to a medical facility where she was stabilized. His actions directly contributed to the survival of the victim.

Recognition of Fire Department Rescue Personnel

Fire Chief Dennis Wolf and the Board recognized Germantown Fire Department personnel who participated in a confined space trench rescue on February 1, 2008. Germantown responded to a mutual

Recognition of Fire Department Rescue Personnel (cont'd)

aid call from Collierville by sending Truck 41, the Special Operations and Rescue Team (SORT) trailer, which contained special rescue equipment, and five Germantown Fire Department personnel. These personnel were Lt. Mike Pohl, Driver Michael Greenleaf, Fire Fighter Chuck Wallace, Fire Fighter Scott Cooper, and Assistant Fire Chief John Selberg.

Teacher of the Month Award

Mayor Goldsworthy presented Ms. Lanie Oaks, the physical education teacher at Farmington Elementary School with the Teachers award. The Mayor read of her many accomplishments. Mr. Arnold McGruder, CPA, was the sponsor of this award and presented her with a \$100 check.

Youth Excellence Award

Ms. Savannah Whittington, a senior at St. Agnes Academy was presented a plaque from Traditions as the recipient of the Youth Excellence Award.

Resolution 08R01 – A resolution approving additional WTF Antennas on the City water storage tank – MOVED TO CONSENT

PUBLIC HEARING - Ordinance 2008-1 – Amendment to Code of Ordinances – Amendment to Permit Staff Administrative Review and Approval – Second Reading

Josh Whitehead explained that the ordinance amendment would allow staff the ability to approve certain items that meet ordinance requirements rather than requiring the applicant to make a formal submittal to the DRC. The DRC had expressed an interest in the amendment. The amendment would affect the following six items: curb cuts, change in use within the OG District, banners for charitable and nonprofit events, all temporary signs in the OG district, beer permit signs, and minor revisions.

Mayor Goldsworthy declared the public hearing open. Having no one come forward the public hearing was closed.

Motion by Mr. Uhlhorn, seconded by Mr. Palazzolo, to approve Ordinance No. 2008-1 on second reading.

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

PUBLIC HEARING - Ordinance 2008-2 – Amendment to Sign Ordinance – Amendment to the Temporary sign Regulations – Second Reading

Josh Whitehead stated this amendment would address temporary sign variances that had been approved through general policy statements, and would address public information signs that currently do not fit in any category. In addition, the section dealing with “Show Window Signs” had been revised to exclude merchandise displays and similar obstructions from the area allowed for those types of signs.

Mayor Goldsworthy declared the public hearing open. Having no one come forward the public hearing was closed.

Motion by Mr. Chism, seconded by Mr. Uhlhorn, to approve the amendment on second reading.

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

PUBLIC HEARING - Ordinance 2008-3 – Amendment to the Germantown Sign Ordinance – Amendment to Medical Office Sign Regulations – Second Reading

Mr. Whitehead explained that this amendment concerned the Medical Office Signs and would allow additional medical office signs to be erected on sites that contain medical services. It would aid the ease of movement in and around sites that provide medical services, as well as foster further development of medical offices within the City.

Mayor Goldsworthy declared the public hearing open. Having no one come forward the public hearing was closed.

Motion by Mr. Uhlhorn, seconded by Mr. Drinnon, to approve Ordinance 2008-3 on second reading.

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

Professional Service Contract – Seismic Risk Assessment

Patrick Lawton stated this was a contract with CCS and Allen Hoshall for a seismic vulnerability and assessment study in the amount of \$89,500. The Board in previous work sessions had indicated a need to do an overall vulnerability risk assessment and analysis of our municipal buildings given our proximity to the New Madrid Fault. Initially, this started out focusing on the 4 fire department structures, however in light of the age and condition of many of our public buildings it was determined that all of our municipal structures be examined.

The award for this professional services contract for this particular work was based upon the best response to the request for proposals that was submitted and staff's review and evaluation of the firm's qualifications and experience. All of our municipal buildings will be subject to this review and evaluation.

Motion by Mr. Drinnon, seconded by Mr. Chism, to authorize the Mayor to execute a Professional Services Agreement with CCS/Allen & Hoshall to assess the seismic vulnerability of City of Germantown facilities and to develop mitigation recommendations in the amount of \$89,500.00. This Agreement will be subject to review and approval by the City Attorney.

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

ADD-ON

Emergency Purchase – East Bridge Ditch Repair

Bo Mills explained that recently, one of the thirty foot wide by eight-foot tall panels had fallen into the ditch and the other two panels were leaning into the ditch. Public Services Drainage crews made a temporary repair by placing plywood sheets and fill dirt to stabilize and prevent the backyard of the resident at 2136 Oaklawn Lane from collapsing in the ditch. Vertical joints and cracks in the walls were also sealed to prevent infiltration.

An emergency bid was submitted by Hamilton-Elles, Inc. to provide all labor, materials and equipment to complete the project.

Motion by Ms. Hinely, seconded by Mr. Drinnon, to contract with Hamilton-Elles, Inc. for emergency repairs to the East Bridge Ditch in the amount of \$72,500.00 and to approve Budget Adjustment #08-88.

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

CONSENT AGENDA

Appointment to Beautification Commission

Ms. LeAnn Byrum has expressed a desire to fill the vacancy on the Beautification Commission.

MOTION: To approve the appointment of Ms. LeAnn M. Byrum to serve on the 2008 Beautification Commission.

First Amendment to Subdivision Development Contract No. 455 – Gardner Woods Subdivision – Extend the Date of Completion

The developer Mr. Ken Sledd is requesting an additional twelve months to complete the subdivision. Extending the date of completion does not affect any other provisions of the contract.

MOTION: To approve the First Amendment to Subdivision Development Contract Number 455 for Garner Wood Subdivision.

Recognition of Donations – Parks & Recreation – Youth Leadership Conference

The Leadership Germantown Alumni Association donated funds to help sponsor the 15th Annual Germantown Youth Leadership Conference.

MOTION: To recognize donations made to the Germantown Youth Commission for their 15th Annual Germantown Youth Leadership Conference in the amount totaling \$500 and to approve Budget Adjustment No. 08-83.

Resolution 08R01 – A resolution approving additional WTF Antennas on the City water storage tank

Antennas are to be placed on the easternmost of the City's two water towers located on the north side of Poplar Pike, east of Germantown Road. The applicant is requesting approval of three additional panel antennas and a new equipment cabinet. The new antennas are to be mounted on the handrail, in a similar fashion to the existing antennas. The City will also revise its current lease with Powertel/T-Mobile to address the additional antennas.

MOTION: To approve the resolution number 08R01.

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

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

Mayor Goldsworthy commented on how important the services are that the City provides to its citizens especially in view of the tornados and weather around Germantown last week.

ADJOURNMENT

There being no further business to be brought before the Board, the meeting was adjourned.