

BOARD OF MAYOR AND ALDERMEN

June 11, 2012

A regular meeting of the Board of Mayor and Aldermen was held on June 11, 2012 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, Ernest Chism, John Drinnon, Greg Marcom, and Mike Palazzolo. Alderman Chism was absent for the first half of the meeting. Staff present: Patrick Lawton, Tom Cates, Kristen Geiger, George Brogdon, Bo Mills, Andy Pouncey, Tim Gwaltney, Marie Burgess, Chief Richard Hall, Chief John Selberg, Asst. Chief Jeff Beaman, Butch Eder, Tony Fischer, Pam Beasley, Susan Hopson, Phil Rogers, Melody Pittman, Lisa Piefer and Dotty Johnson.

Call to Order

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

Invocation

Economic and Community Services Director Andy Pouncey gave the invocation.

Pledge of Allegiance

Alderman Mark Billingsley led the Pledge of Allegiance.

Approval of Agenda

During the executive session, the Board had agreed to move the following to the consent agenda: #11 – CIP – Miller Farms Ditch Improvement Project Close Out, #14 – Rejection of Electric Vehicle Bids, #15 – Subdivision Development Contract 501, The Enclave PUD, Phase 4 and #16 – Shelby County 911 District Funding Agreement.

Also, Alderman Palazzolo asked to move number 18e – Patriot's Circle in Municipal Square – Consideration of Design to the regular agenda to be discussed.

Motion by Mr. Marcom, seconded by Mr. Palazzolo, to amend the agenda as stated.

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

Approval of Minutes

There were no corrections or additions to the minutes.

Motion by Mr. Drinnon, seconded by Mr. Marcom, to approve the minutes of the Board of Mayor and Aldermen Meeting held May 14 and the minutes from the May 14 and May 21 Special Called Meetings

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

Citizens to be Heard

No citizens came forward to be heard.

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Public Hearing - Ordinances 2012-4 and 2012-5 – Amendment to Chapter 7 (Businesses) and Chapter 12 (Offences and Miscellaneous)

Community and Economic Development Director Andy Pouncey came forward and explained that the amendments to these ordinances would affect door-to-door solicitation and the distribution of advertising material in the City of Germantown. Germantown's current regulations prohibit most types of peddlers and transient vendors from operation within the City. In addition, Germantown prohibits the placing, attaching or affixing of any type of advertising material on private or public property.

Mr. Pouncey stated that these proposed amendments are intended to bring Germantown's regulations into alignment with recent court rulings on commercial speech.

The proposed amendments will prohibit door-to-door solicitation, the distribution of pamphlets and other advertising material at residences and businesses that place a "No Solicitation" or "No Trespassing" sign within the yard or on the building. The amendment will allow the City to establish a no solicitation list whereby residents or businesses could indicate their desire to not be contacted by door-to-door solicitors or distributors of advertising material.

Ordinance 2012-5 will remove the prohibition on placing any type of advertising material, but retain the prohibition on affixing or attaching the material to public or private property.

Mayor Goldsworthy opened the public hearing on Ordinance No. 2012-4. Having no one come forward, the public hearing was concluded.

Motion by Mr. Marcom, seconded by Mr. Palazzolo, to approve Ordinance No. 2012-4, on second reading.

Alderman Billingsley stated he felt the schools and boy and girl scout troops who depend on being able to go door-to-door to solicit goods will be affected by these amendments. He felt it was unfortunate to have to do this but he understood why.

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

Mayor Goldsworthy opened the public hearing on Ordinance 2012-5. Having no one come forward, the public hearing was concluded.

Motion by Mr. Marcom, seconded by Mr. Palazzolo, to approve Ordinance No. 2012-5, on second reading.

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

Public Hearing – Ordinance 2012-6 – Year-End Budget Adjustments – Second Reading

Finance and General Services Director Kristen Geiger came forward and stated at the end of the fiscal year, a number of year-end budget adjustments are required to be made in order to avoid budget and fund overruns in the various funds.

There had been one addition since the first reading on May 14. The addition is the establishment of the Endowment Fund. The liability account of \$250,000 was moved to the Endowment Fund and the additional incremental money of \$25,906, which was the interest that had been accruing on the \$250,000.

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Mrs. Geiger explained that State Street Aid will see a decrease of \$400,000; The Great Hall Fund will have an impact of \$6,283 left in their reserve; the General Fund will have a reduction of \$390,373; The Pickering Center will have a reduction of \$11,705; the Recreation Fund net reduction will be \$11,510; and Capital Improvements Program will have an increase of \$900,000 in General Fund Reserves.

The Health Fund will have an increase of \$1.2 million which is spread across various funds. The Utility Fund will have a net decrease of \$26,310.

Ms. Geiger stated she would be bringing additional revenues at the third and final reading.

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

Motion by Mr. Billingsley, seconded by Mr. Drinnon, to approve Ordinance No. 2012-6 – Year-end Budget Adjustments on second reading.

Alderman Billingsley asked if there was anything that could be done, during budgeting process, where there would not be such a large transfer of funds, such as the Health Fund, at the end of the year.

Ms. Geiger stated that they monitor the funds during the year and they had seen this coming and projected it out. What could be done during the year is to have adjustments made mid-year but it takes three readings and they felt it would not be productive.

Mr. Lawton stated that the Health Fund is one of the areas that is very difficult to budget because we are self-insured and this year there were some claims that we were not expecting. He also stated the Health Fund was being studied in great detail.

Alderman Drinnon stated we needed to proceed with caution in the budgeting process for the next year because of the rising healthcare costs.

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

Public Hearing – Ordinance 2012-7 – Real & Personalty Property Tax – Second Reading

Ms. Geiger stated the City’s certified tax rate is \$1.485 per \$100.00 of assessed value and remains unchanged from the current year. This rate will generate approximately \$23 M and represents 58% of the projected FY13 General Fund Revenues.

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

Motion by Mr. Billingsley, seconded by Mr. Drinnon, to approve Ordinance No. 2012-7 on second reading.

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

Public Hearing – Ordinance 2012-8 – 2013 Budget – Second Reading

City Administrator Patrick Lawton gave a PowerPoint presentation on the 2013 Proposed Budget.

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Mr. Lawton described the strategic planning process and the four areas that incorporate the process which are strategic planning, budget formulation, deployment and evaluation. He noted that all services were linked to Vision 2020.

The FY13 Budget includes the following items:

- No change to property tax rate
- Net staffing changes – 5 positions
- 3% merit increase
- New Computer Aided Dispatch (CAD) for all public safety
- Opening farm at Bobby Lanier Park
- Expansion of internet service and Cloud hosted email
- Baseball field grading – Cameron Brown Park
- Defibrillators
- Cameras at Greenway Trails

The General Fund Revenues consist of property taxes, sales tax, federal and state taxes, license and fees and interest. The expenditures consist of public safety, general government, transportation, debt service, community services and other.

The General Fund is the largest of the City's governmental funds and the revenues total \$40,516,397. This represents a 2% increase over the FY12 estimate. The expenditures for FY12 total \$40,455,599 and this is a 2.2% increase.

Mr. Lawton displayed charts showing the expenses per capita, the G.O. Debt Service, the debt per capita and the Fund Balance as a percentage of the total expenditures.

The Enterprise Fund is used in governmental accounting where there is a specific fee charged for a service. These funds consist of the Utility Fund, Stormwater Management Fund, Sanitation Fund, Germantown Athletic Club Fund and Great Hall Fund.

The Utility Fund revenue total is \$8,075,000 and is a 5.3% increase over the FY12 estimate. The expenditures total \$7,645,217, which is a 6.5% increase over the FY12 estimate.

The Germantown Athletic Club Fund revenues total \$3,739,722, an increase of 3.1% over FY12 estimate. The expenditures total \$3,714,803, a 3.0% increase over the FY12 estimate.

The Sanitation Fund revenues total \$3,519,312, a decrease of 0.6% from the FY12 estimate. The expenditures total \$3,513,208, a 2.0% increase over the FY12 estimate.

The Stormwater Management Fund revenues total \$1,088,900, a 1.9% increase over FY12 estimate. The expenditures total \$1,011,776, a 2.6% increase over FY12 estimate.

The Great Hall Fund revenues total \$224,200, a 5.1% increase over the FY12 estimate. The expenditures total \$499,587, a 3.9% increase over FY12 estimate.

The City also has a series of Special Revenue Funds: Automated Enforcement, Drug Asset, Federal Asset, Pickering Center, Recreation and State Street Aid. The revenues associated with these activities go directly to support related programs and expenditures. The revenues are estimated to be \$2,559,075 and the expenses \$3,714,565.

Mr. Chism entered the room and took his seat at the dais.

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The Capital Improvements Program includes General Government - \$2,320,000, Major roads - \$4,708,000, Intersections - \$370,000, Drainage - \$1,516,000, Parks - \$1,455,000, Athletic Club - \$1,140,000, Utility - \$1,338,000 and Contingency - \$200,000.

Mr. Lawton stated the projected revenues from the sales tax increase from November to June will be \$1,600,000. If the municipal schools become a reality, the projected expenses will be \$498,165.

Mr. Lawton thanked everyone involved in making the balanced budget possible. He also thanked the FAC for their expert financial guidance, the PAC, the Board, the departments and staff.

Mr. Clint Hardin, chairman of the FAC, came forward and stated a letter had been submitted to the Board of Mayor and Aldermen. He stated this year's FAC had 23 citizens serving with varied backgrounds and most having served over one year.

The FAC met four times to review staff's presentation of key components of the FY13 Proposed Budget. The meetings were very open. Discussions between FAC commission members and staff on all matters were open and professional. Any questions brought up by FAC members were either answered promptly at commission meetings or staff researched the questions and came back with answers at the following meeting.

The ambulance service was reviewed last year and will continue to be provided by an outside vendor.

At the final meeting of the FAC, a request was made to fund the IRIS Foundation in the amount of \$100,000 for FY13. After a lengthy discussion as to the benefits of IRIS, a vote was taken of the members. While the vote was 10 to 9 in favor of funding the request, the motion was forwarded to the Board of Mayor and Aldermen for the final decision. The budget had already been set at that time and to add this \$100,000 would be a reduction somewhere else so it was passed to the Board for a decision.

Mr. Hardin complimented staff on the way the information was presented and the openness that the City continues to have for everything that goes on during the year.

The FAC voted to approve the Proposed Budget for FY13 as presented.

Mr. Hardin thanked Alderman Billingsley for permitting the FAC to operate in a very open and frank manner. The FAC had confidence in the full staff and Mr. Hardin encouraged every action of the Mayor and Board continue to be addressed from the perspective of maintaining sound and substantial footing. He stated the commission appreciated the way the City approaches its finances.

The Mayor extended the Board's appreciation to Mr. Hardin for his leadership as well as the citizen volunteers who put in an enormous amount of time and effort in reviewing the budget as it went through its development.

Alderman Billingsley stated the members of the FAC take a lot of time and have a sincere vested interest in representing all our citizens in the City's financial matters.

Alderman Billingsley asked the City Attorney if it would be appropriate to have funding for legal counsel budgeted for the Municipal School Board.

Mr. Lawton stated the budget was not written in stone and the new school board would certainly need counsel to assist with this new process.

Mayor Goldsworthy added that the new school board would also need facilities at least for the first few months until they have a budget.

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Motion by Mr. Drinnon, seconded by Mr. Billingsley, to authorize the administration to proceed with planning of support services necessary for the new municipal school board.

Question to City Attorney as to the legalities of the motion. Mr. Cates felt it was appropriate.

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

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

Motion by Mr. Drinnon, seconded by Mr. Marcom, to approve on second reading Ordinance No. 2012-8 establishing the FY13 Proposed Budget.

Alderman Billingsley stated the FAC had already reviewed and discussed the budget and there did not seem to be a consensus to give the administration any direction to change the budget. It had already been addressed at a previous meeting.

Alderman Billingsley stated he had concerns about the \$1M in the CIP for GAC renovations. He wanted the support of the GAC Commission. He also wanted the members of GAC to have their input and support and he also wanted to have input from the community in general for such a significant outlay of capital. He stated he knew the money was not coming out of the General Fund for this expenditure. He knew it would be coming out of the Club.

Motion by Mr. Billingsley, seconded by Mr. Marcom, to amend the motion to remove renovation costs identified with CIP for Germantown Athletic Club for \$1M.

As a matter of clarification for Alderman Drinnon, the Mayor stated it was her understanding this matter would not be considered during FY13 as a capital expenditure.

Alderman Billingsley stated that was his intent. He restated his concerns.

In response to a question from Alderman Palazzolo, Mr. Lawton stated the money would not be coming from tax dollars; it is from funds the Club has accumulated over a period of time.

Mr. Marcom withdrew his second to amend the motion. Mr. Drinnon seconded the motion.

Roll Call on Amendment to Motion.

ROLL CALL: Marcom–no, Drinnon–yes, Palazzolo–no, Billingsley–yes, Chism–abstain.

Mayor Goldsworthy asked if Alderman Chism needed some clarification.

Alderman Chism stated he did not have enough information to make the decision.

Mayor Goldsworthy restated the amendment to the motion. Alderman Chism changed his vote to a yes.

The amendment was approved.

Mr. Lawton explained that after the referendum passes, the City will then identify the sales tax and amend the budget sometime during the month of September to include the sales tax revenue and show the money dedicated for this budget.

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Roll Call to approve motion on second reading Ordinance No. 2012-8 establishing the FY13 Proposed Budget as amended.

ROLL CALL: Marcom–yes, Drinnon–yes, Palazzolo–no, Billingsley–yes, Chism–yes. Motion approved.

Mayor Goldsworthy suggested a break in the agenda.

CIP – Miller Farms Ditch Improvement Project –Close Out – Moved to Consent Agenda

Shady Creek Spillway Improvements

City Engineer Tim Gwaltney explained that this project involves the complete demolition of the existing interlocking block structure and replacement with a new steel reinforced concrete structure. The open channel will be modified by adding height to the west wall just downstream of the spillway structure. The project will also include the stabilization of the existing earth slope to the north of the spillway structure and replacement of an outlet pipe from the northeast corner of the lake to the open channel just south of Maple Grove.

Motion by Mr. Marcom, seconded by Mr. Drinnon, to authorize the approval of a construction contract with Barnes and Brower in the amount of \$485,777.61 for the replacement of the Shady Creek Spillway.

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

Arthur Road/Riggs Road Improvements

Alderman Palazzolo recused himself because he lives in this neighborhood. He left the podium.

Mr. Gwaltney stated this project would improve the roadside drainage ditches along Arthur/Riggs Roads and replace or install driveway aprons and culverts. Other drainage improvements include the elimination of the open channel ditch between Arthur Road and Germantown Road with underground concrete stormwater pipe. In addition, 1,500 feet of 6” transite water main will be replaced with a new 8” ductile iron water main and five fire hydrants will be installed. Both streets will be resurfaced with new asphalt.

Motion by Mr. Marcom, seconded by Mr. Drinnon, to authorize the Mayor to enter into a contract with B&C Construction Company Inc. for the construction of improvements to Arthur/Riggs Roads in the amount of \$370,212.00, and approve Budget Adjustment No. 12-176.

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

Rejection of Electric Vehicle Bids – Moved to Consent Agenda

Subdivision Development Contract No. 501 – The Enclave PUD, Phase 4 – Moved to Consent Agenda

Shelby County 911 District Funding Agreement – Moved to Consent Agenda

Germantown Industrial Development Board (GIDB): Resolution 2012-2 – To approve a Retention PILOT Policy and Retention PILOT Matrix

Economic and Community Development Director Andy Pouncey stated the original Policy for a City Payment–In–Lieu–Of–Tax (PILOT) did not include a provision for a Retention PILOT Policy and associated matrix. When a PILOT was terminated, the firm began paying all taxes to the City. Since 2001, the City has approved four PILOTS. The Germantown Industrial Development Board (GIDB)

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recommends a Retention PILOT Policy/Matrix as a tool for economic development in an effort to encourage the continued presence in the business community of those firms that meet prescribed criteria. The Retention PILOT Policy provides 17 qualifiers to an application relative for a Retention PILOT to City property taxes. A Retention PILOT would only apply to a firm that has been operating and directly employing workers in the City for at least 5 years prior to the application and be financially sound. They must provide evidence of a \$1 million investment, retain 40 full-time jobs and provide financial benefit within Shelby County from the jobs retained to exceed the opportunity cost of the tax incentive by a ratio of at least 2 to 1 over the term of the incentive agreement.

Motion by Mr. Drinnon, seconded by Mr. Marcom, to approve Resolution 2012-2, representing the action of the City of Germantown Industrial Development Board, in approving a Retention PILOT Policy and Retention PILOT Matrix.

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

Patriot’s Circle in Municipal Square – Consideration of Design – Moved from Consent Agenda

Mr. Pouncey stated the Board had previously approved a portion of City property in Municipal Square for a place of remembrance and education to be designed, constructed and funded by the Germantown Veterans Recognition Committee. The site is located between the Germantown Community Library and the Kiwanis Pavilion in an area currently serving as a plaza.

The design provides a forum for recognizing, celebrating, honoring and remembering citizens in Active Duty, Veterans, The “Fallen”, Combat Wounded and Missing in Action (MIA).

Mr. Pouncey stated the Committee will continue to provide updates on the execution of the area and it is the intention of the Committee, upon dedication, to turn the space over to the City in perpetuity for maintenance and care.

Alderman Palazzolo stated he had pulled this item from the consent agenda to recognize the Committee for their work and for the presentation Mr. Pouncey made to the Parks and Recreation Commission for their approval. He also wanted to recognize Alderman Chism for bringing this forward after some veterans made him aware of the need for recognition.

Alderman Chism stated he thought this recognition would make the citizens of Germantown proud.

Motion by Mr. Drinnon, seconded by Mr. Palazzolo, to approve the design for Patriot’s Circle presented by the Germantown Veterans Recognition Committee located between the Germantown Community Library and the Kiwanis Pavilion.

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

Fire Station No. 4 Fence Installation – Moved from Consent Agenda

Mayor Goldsworthy stated that during the Executive Session there was a discussion regarding referring this to the DRC for their approval and therefore making action on this item contingent on the DRC’s approval.

CIP Manager Butch Eder stated this agenda item was for the installation of a wood fence at the new Fire Station-4 in the amount of \$45,800.00.

Mr. Eder stated the funding of this project was the result of funds added to the Fire Station No. 4 construction contract by Shelby County 911 to upgrade the uninterrupted power supply (UPS) to meet

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safe 911 requirements for backup protection. The Board accepted this reimbursement on February 27, 2012. The bid is for a cedar fence with brick columns and a cap.

Motion by Mr. Drinnon, seconded by Mr. Marcom, to authorize the Mayor to enter into a contract with Wagner General Contractors, Inc. for installation of a fence at the new Fire Station No. 4 in the amount of \$45,800.00 pending approval of the Design Review Commission at its June 26 meeting.

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

CONSENT

Economic and Community Development Roof Repairs

The recommendation by staff is to repair all identified roofing transitional deficiencies as per plans and specification. During the prebid meeting, the consultant informed the contractors that the nature of the work will be customized rather than standardized repairs. This is because the metal transitional replacements will be measured, cut, and formed onsite rather than ordering custom replacement pieces from a metal roofing supplier. Onsite fabrication will also expedite project completion.

MOTION: To approve the authorization to contract with B Four Plie, Inc. for roofing repairs as per specifications in the amount of \$24,501.00.

Annual Agreement – Ground Water Institute

The Ground Water Institute has offered to continue to service the City by acting as an independent expert in the ground water area. This year’s contract includes a new comprehensive well head protection, well fields report per State of Tennessee guidelines, and an expanded well database and geologic mapping of the regional aquifer system.

MOTION: To authorize the Mayor to execute an agreement with the University of Memphis Ground Water Institute in the amount of \$16,100.00.

Overtime Reimbursement – Police Department

The Germantown Police Department has an officer assigned to the Federal Bureau of Investigation Joint Safe Streets Task Force, the Drug Enforcement Administration Task Force, the Terrorism Task Force and the Secret Service Task Force. The Task Forces reimburse any overtime that the officers receive while carrying out his/her duties and the Governor’s Highway Safety Office refunds overtime for the Metro DUI officer.

MOTION: To recognize overtime reimbursement from the Federal Department of Justice, the Department of Homeland Security and Norfolk Southern Railroad.

Recognition of Donations – Germantown Community Library

Organizations and individuals have contributed donations to the Germantown Community Library totaling \$450.00. The library would also like to recognize the gift of 1,765 Summer Reading T-shirts valued at \$4,976.00 from Friends of the Germantown Community Library to be used as reading incentives for children, teens and adults.

Patriot’s Circle in Municipal Square – Consideration of Design – Moved to Reg. Agenda

Copy Machine Lease Agreement

The City utilizes the Shelby County contract for copy machine leasing. The City is entering into an agreement with NovaCopy, Inc. for fifteen copy machines for a three-year lease.

MOTION: To lease fifteen (15) copy machines from NovaCopy Inc. under a three-year rental agreement for an estimated annual cost of \$28,134.81 for approximately 1,253,558 copies per year.

Fire Station No. 4 Fence Installation – Moved to Reg. Agenda

Decorative Street Signposts, Sign Brackets & Regulatory Signposts Fabrication

This phase of the program is for the fabrication of the decorative street signposts, decorative street sign brackets and decorative regulatory signposts. The total cost for the fabrication contract is not to exceed \$65,000.00.

MOTION: To authorize the Mayor to enter into agreements with Special Lite Products for the fabrication of the decorative street signposts, the decorative street sign brackets and the decorative regulatory signposts in the amount not to exceed \$65,000.00.

Decorative Street Signposts, Sign Brackets & Regulatory Signposts Installation

This phase of the program will install decorative street and stop signs along a portion of the major and collector roads in the City. This will provide more visible signs and enhance the appearance along these heavily traveled roads. The total cost for the installation contract is not to exceed \$37,000.00.

MOTION: To authorize the Mayor to enter into an agreement with Apex Ironworks for the installation of the decorative street signposts and the decorative regulatory signposts in an amount not to exceed \$37,000.00.

Project Development Contract No. 1119, McVay Place – Request Approval of an Extension of the Contract

Charles Speed and Jason Speed, the developers for McVay Place, have requested a time extension until the economic climate is more favorable to office construction. This Second Amendment to Contract No. 1119 will extend the time until June 11, 2014, within which the McVay Place office buildings can be built.

MOTION: To approve the second amendment to Project Development Contract No. 1119, McVay Place Office Buildings.

CIP – Miller Farms Ditch Improvement Project – Close Out – Moved from Reg. Agenda

During the construction of the Miller Farms Ditch Improvements Project, three items arose that required change orders: 1) Change sodded side slopes to concrete slope paving at the upper end of the project (\$18,800.00); 2) Transition concrete slope paving into exiting upper headwall, (\$3,850.00); and 3) Change from limestone rip-rap to decorative stone at 7518 Willey Cove (\$1,831.00). The total for the change orders 1 thru 3 is \$24,481.50.

MOTION: To approve Change Orders 1 thru 3 for the Miller Farms Drainage Improvement Project, increasing the contract amount by \$24,481.50 from \$1,199,999.00 to \$1,224,480.50 and a Budget Adjustment No. 12-120.

Rejection of Electric Vehicle Bids – Moved from Reg. Agenda

The Mayor's car was scheduled to be replaced. This provided the opportunity for utilizing a more environmentally and economically sustainable vehicle. Bids were sent to 16 vendors and two were received. Both bids were well over the budget established for the project. After careful review of the City's Return on Investment and budget constraints, staff recommends the rejection of all bids.

MOTION: To reject bids from Chuck Graves Chevrolet and Lexington Chevrolet for the purchase of an electric vehicle (2012 Chevy Volt).

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Subdivision Development Contract No. 501, The Enclave PUD, Phase 4 – Moved from Reg. Agenda

This is a standard Subdivision Development Contract for Phase 4 of The Enclave PUD. Phase 4 lies in the western section of a 119.90-acre PUD which will eventually contain 335 single family dwellings. The developer has re-phased The Enclave to reduce the size of Phase 4 to 4.51 acres and the number of lots to 16.

MOTION: To approve Subdivision Development Contract No. 501 for the development of The Enclave PUD, Phase 4.

Shelby County 911 District Funding Agreement– Moved from Reg. Agenda

The Shelby County 911 District has been working with municipalities on upgrading the CAD systems throughout the county. Funding was approved at the Shelby County 911 District Board of Directors meeting held on April 5, 2012. The reimbursement amount covers the cost of the upgrade and provides for a ten percent contingency.

MOTION: To accept a funding agreement by Shelby County 911 District for upgrade to the City of Germantown's Computer Aided Dispatch system in the amount not to exceed \$1,264,626.00.

ADJOURNMENT

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

Sharon Goldsworthy, Mayor

Dotty Johnson, City Clerk/Recorder