

BOARD OF MAYOR AND ALDERMEN

November 24, 2008

A regular meeting of the Board of Mayor and Aldermen was held on November 24, 2008 at 7:00 p.m. in the Council Chamber 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, George Brogdon, Kristen Geiger, Debbie Wiles, Jerry Cook, Michael Sadler, Ralph Gabb, Chief Richard Hall, Chief Dennis Wolf, Bo Mills, Derek Chaput, Melody Pittman, and Dotty Johnson.

Mayor Goldsworthy noted that during the Executive Session, the Board approved to move Item b from the consent agenda to the regular agenda.

Special recognition was given the Pam Beasley, the director of Parks and Recreation who was installed as the president of the Tennessee Parks and Recreation Association.

Invocation

City Administrator Patrick Lawton gave the invocation.

Pledge of Allegiance

Alderman Frank Uhlhorn led the Pledge.

Approval of Minutes

Approval was requested of the minutes of the executive and regular session held October 27, 2008.

Motion by Ms. Hinely, seconded by Mr. Drinnon, to approve the minutes of the Executive Session and Regular Meeting held November 11, 2008 as amended in the Executive Session.

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

Citizens to be Heard

Mr. David Spann of 2135 Briarbrook Road was concerned that the Board had voted to spend \$77,000.00 on the redesign and update of the website for the City. He said he had read that the City had asked all departments to reduce spending by \$1.1 million and he felt that spending \$77,000.00 on a website is not what he would call an essential item.

Mr. Spann was also concerned that there was a great deal of discussion with spending \$200,000.00 on designing a fire station and the Board was not that concerned with spending the money for the website but was for spending money on what is an essential item as a fire station. He urged reconsideration on spending the money on a website and use the money to the redesign of the fire station.

Mr. Spann was also concerned with money being spent with a California firm when our area is experiencing an economic hardship and the money should be spent with a local firm.

He thanked Alderman Chism for his leadership on this issue because he understood he was the sole opposition to the issue.

Teacher of the Month

Mayor Goldsworthy asked Alderman Hinely, the liaison to the Education Commission, and the Education Commission member present, to come forward for the presentation. Mr. Goldie Terrell, a ninth grade English teacher at Germantown High School, and has also served as a Germantown High School basketball coach. Mr. Terrell has also worked part time at the Germantown Athletic Club for the past 14 years.

The \$100 award was sponsored by the Alpha Kappa chapter of Alpha Delta Kappa, an honorary teacher sorority.

Mr. Terrell thanked all who made the award possible.

Youth Excellence Award

Ms. Rachna Raj Dave, a senior at Hutchison School was presented with the Youth Excellence Award for the month of October. The Mayor read her many accomplishments and awards.

Professional Services Agreement – New Fire Station Number 4

Mr. Patrick Lawton stated the Board was asked to authorize the Mayor to execute a contract with the Renaissance Group to provide the design and construction administration for Fire Station No. 4 located on Forest Hill-Irene Road. The design services agreement is in the amount of \$185,600. The new station will consist of two apparatus bays, sleeping quarters for eight, and a training classroom that will also serve as the alternative emergency operations center for the City in times of disaster.

A request for qualifications was sent to 12 architectural/engineering firms who have had experience in designing fire stations and who would be familiar with the Leadership and Energy and Environmental Design (LEED) criteria. Responses were received from five firms. An internal evaluation committee reviewed the proposals submitted and based upon qualifications and experience is recommending the Renaissance Group.

The design for Fire Station No. 4 will also serve as the prototype for Fire Station No. 2 scheduled for replacement in the near future due to seismic issues.

Motion by Mr. Drinnon, seconded by Ms. Hinely, to authorize the Mayor to execute a Professional Services Agreement with the Renaissance Group to design and provide construction administration for a new Germantown Fire Station Number 4 in the amount of \$185,600.00. The 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.

Decorative Street Signs – Installation

Mr. Lawton stated the Board was asked to authorize the contract for installation of decorative street signs and post brackets from Apex Iron Works in the amount of \$250.00 per sign up to \$50,000.00. This project is the replacement of standard street signs and posts with a decorative standard developed by the City. The new signage will enhance the neighborhood character throughout the City.

Seven vendors attended the non-mandatory pre-bid meeting. Two vendors met the City's requirements and Administration is recommending the low bid received from Apex Iron Works.

Currently 300 posts have been installed in 11 neighborhoods throughout the City and embraced by our neighborhood associations. This additional funding will allow for the installation of approximately 330 posts.

Motion by Mr. Uhlhorn, seconded by Mr. Palazzolo, to approve authorization to purchase the installation of decorative street posts and sign brackets from Apex Ironworks in the amount of \$250 per post up to \$50,000.00.

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

Lateral E – Grade Control Structure

Mr. Lawton explained that this design work is to correct the deficiencies related to Lateral E. As the drainage from this major lateral enters Wolf River the east bank of the lateral has flooded and has placed under water the walking trail and the lake adjacent to the Lansdowne Subdivision. This project will repair the grade control structure and correct the erosion to the east bank and also the Lansdowne Lake to make sure it maintains a constant water level as originally designed.

Motion by Mr. Uhlhorn, seconded by Ms. Hinely, to authorize the approval of a Professional Services Agreement with Barge Waggoner Sumner & Cannon, Inc. in the amount of \$68,795.00 for design services related to Lateral E – Grade Control Structure.

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

08R14 - Authorizing Bond Resolution

Assistant City Administrator Kristen Geiger stated this resolution would authorize the City to issue up to \$5.0 million of Water and Sewer System Revenue and Tax Bonds. The FY09 Budget identified the use of long-term bond debt to finance certain capital projects within the Utility Fund. Although the budget identified approximately \$7.2 million in bond proceeds, the request is for \$5.0 million using the balance from the Utility Fund Reserves.

Last Monday the Board approved the Initial Authorizing Bond Resolution which allowed the City to prepare the offering and sales documents, to seek the bond's financial rating from the two primary rating agencies and to issue the required public notice regarding the Board's initial approval of the City's intention to issue the new bond debt. Ms. Geiger stated she was very proud to announce that they had received Moody's assignment of AAA rating to the City's \$5.0 million Water and Sewer System Revenue and Tax Bonds, Series 2008.

Motion by Mr. Chism, seconded by Mr. Palazzolo, to approve the attached resolution authorizing the issuance of not to exceed \$5,000,000 Water and Sewer System Revenue and Tax Bonds, Series 2008, of the City of Germantown, Tennessee pursuant to state law under Title 9, Chapter 21, Tennessee Code Annotated, for the purpose of financing costs of certain public works capital improvement projects of the City's water and sewer system.

Mr. Lawton stated that in this economy the City's ability to achieve the AAA Bond rating speaks very highly of the governance process in Germantown, the direction of the elected officials and their charge to staff to make sure that a financially sound community was in place.

Alderman Palazzolo stated that Administration and staff was responsible for the AAA bond rating because of the day-to-day operations that insures that rating.

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

Amendment to Resolution on Revenues – Germantown Athletic Club

Mr. Lawton stated concurrent with the adoption of each fiscal year's annual budget, the Board by resolution also approved the fees charge for the various activities associated with the operation of City government. This resolution will amend the resolution on revenues to address the increase in membership rates at the Germantown Athletic Club (GAC).

Over the past 18 months, GAC has gone through major changes in terms of its appearance and amenities in an attempt to enhance the memberships experience for existing members and to be competitive with the private sector by attracting new members to our facilities. Some of these improvements were to the indoor pool, 70 plus free group exercise classes, new cardio equipment in the fitness room upstairs and in the cycling room, enhanced customer service training for all staff, new paint, new carpet and new signage in the facility and new furniture in the lobby.

Mr. Lawton commented that all these improvements had been done with the goal of keeping the facility competitive with the fitness industry and to keep the club financially self sustaining by attracting new members. Ultimately, the Club Commission and City Administration realized that an increase in the membership fees and the restructuring in terms of added flexibility was necessary to achieve the goal of becoming more financially sustainable. The proposed rate adjustment includes a monthly adult rate of \$35, a couple at \$60, a family at \$70, one adult and one child at \$45, a youth membership between 16 and 18 years at \$28 and a senior 62 and over at \$28. All these fees will be collected on a monthly basis.

In response to a question from Alderman Palazzolo, Mr. Lawton stated there had not been a rate adjustment since 2004 other than the adjustment made in July of this year for new members.

Alderman Palazzolo stated this item was discussed very thoroughly during the executive session and he wanted to ensure that the Club has success. Looking at the financial projections for FY11, the Club should be close to paying its own way which is the goal.

Alderman Uhlhorn noted that the Board and staff had his full support.

Motion by Mr. Palazzolo, seconded by Mr. Drinnon, to approve an amendment to the Resolution on Revenues for membership rate adjustments at Germantown Athletic Club.

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

Ordinance 2008-11 – Amendment to FY09 Budget Ordinance – Second Reading

Mr. Lawton explained as discussed during the first reading of this item, the amendment was necessary to recognize the revenues and expenditures associated with the City's new youth recreational soccer program. The development of this new program was endorsed by the Germantown Parks & Recreation Commission. Through this program, the City will provide a top quality soccer experience for players in the Germantown area. The primary goal of this program will be on recreational play while other organizations will focus more on the competitive leagues. The City's aim is to provide an atmosphere where our players will experience fitness, fun and friendship in a health activity.

The anticipated revenues are \$37,515.00 and the associated expenditures are \$36,715.00.

Motion by Mr. Uhlhorn, seconded by Mr. Drinnon, to approve on second reading Ordinance 2008-11 amending the FY09 Budget.

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

Civic Support Grant – Germantown Chamber of Commerce - moved to reg. agenda

Alderman Palazzolo recused himself because he was a prior chairman of the board of the Germantown Area Chamber of Commerce and serves as director and served three different three terms, and he would have direct decision over any money allocated to the Chamber. Alderman Palazzolo left the dais.

Assistant City Administrator George Brogdon stated this was a \$15,000.00 grant that represents a long partnership with the Chamber. This will mark the 18th year. From now on it will be a community sponsorship. The City will give the \$15,000.00 and approximately \$4,000.00 sponsorship in addition will be given in the use of different facilities.

Mr. Lawton stated in the past the Chamber had requested for the funding. This year there will be a Memorandum of Understanding outlining the City's and the Chamber's responsibilities in receiving this \$15,000.00 grant.

Motion by Mr. Uhlhorn, seconded by Ms. Hinely, to award a grant to the Germantown Chamber of Commerce in the amount of \$15,000.00.

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

Alderman Palazzolo returned to the dais.

CONSENT AGENDA

Civic Support – Germantown Education Foundation

As part of the FY07 Budget, the Board of Mayor and Aldermen decided to form the Germantown Education Foundation as a way to direct funds through the Foundation to the schools to assist them in implementing academic and educational projects to our schools. The dollars given to the Foundation are included in the FY09 Budget and will be distributed through Grant Round III to the Shelby County schools.

MOTION: To approve a grant to the Germantown Education Foundation in the amount of \$100,000 to fund grants to Germantown public schools for academic and educational projects to improve our schools.

Purchase of Radio Consoles, Radios and assorted Equipment

The Police Department is replacing the 20 year old radio consoles, radios, monitors and assorted communications equipment in the Communications Center. The total cost is \$70,365.94.

MOTION: To purchase radio consoles, radios and assorted equipment for the Communications Center.

Motion by Mr. Drinnon, seconded by Ms. Hinely, to accept the Consent Agenda in its entirety.

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.