

BOARD OF MAYOR AND ALDERMEN
October 13, 2008

A regular meeting of the Board of Mayor and Aldermen was held on October 13, 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, Andy Pouncey, George Brogdon, Kristen Geiger, Tom Cates, Pat McConnell, Michael Sadler, Michael Stoll, Melody Pittman, and Dotty Johnson.

Mayor Goldsworthy announced that item 9-h on the Consent agenda had been pulled for the regular agenda.

Invocation

Assistant City Administrator Kristen Geiger gave the invocation.

Pledge of Allegiance

Boy Scout Troop #368 from Farmington Presbyterian Church presented the Colors and led the Pledge.

Approval of Minutes

Approval was requested of the minutes of the executive and regular session held September 22, 2008.

Motion by Mr. Palazzolo, seconded by Ms. Hinely, to approve the minutes of the Executive Session and Regular Meeting held September 22, 2008.

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

Citizens to be Heard

No citizens came forward to be heard.

GIS Professional Services

City Administrator Patrick Lawton stated the City had a GIS System for the past 15 years. During that period of time the City's GIS Analyst was charged with the responsibility of providing information to primarily our Planning and Engineering Division on utility and infrastructure location throughout the City. With the retirement of the City's GIS Analyst in 2007, the City Administration took the opportunity to re-evaluate the position to see if the City would be better served by outsourcing this activity through the City's Managed Competition Program.

The City has worked with Fisher & Arnold on a number of GIS projects regarding identification and mapping of our storm drainage and water system and now completing the necessary mapping of the City's sanitary sewer system. The City will realize substantial savings in terms of salary and ancillary costs associated with the position. Fisher & Arnold is one of the county's experts in terms of GIS services and will develop a long-range plan for incorporating all the various elements of our GIS from fiscal analysis, infrastructure location, police and fire accident field reporting, and the development of an enterprise wide system for use of all City departments.

Motion by Mr. Uhlhorn, seconded by Mr. Palazzolo, to request authorization to enter into a Professional Services Agreement with Fisher & Arnold, Inc. to provide GIS services to the City of Germantown for one year in the amount of \$43,200.00 and to approve Budget Adjustment No. 09-42

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

Professional Services Agreement – On-call Storm Water Services (National Pollutant Discharge Elimination System (NPDES))

City Engineer Tim Gwaltney stated this was an agreement with Fisher & Arnold to provide engineering and field inspection services in support of the City’s Streamline Management Program. These services include field inspections and subsequent engineering reports for the Wolf River and Nonconnah Creek laterals in their outfalls as well as City owned detention ponds and to repair a spill prevention control plant to be utilized at the Public Services facility as it relates to above ground diesel storage.

Motion by Mr. Drinnon, seconded by Ms. Hinely, to approve a \$16,000.00 Professional Services Agreement (PSA) with Fisher & Arnold, Inc. to perform professional engineering services for the City’s National Pollution Discharge Elimination System (NPDES) Phase II program.

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

Property and Casualty Insurance Renewal

Michael Stoll stated this insurance coverage renews with the Tennessee Municipal League (TML) Risk Management Pool covers Property Insurance, Liability Insurance, and Workers Compensation Insurance. TML Risk Management Group is a non-profit risk sharing pool that is professionally operated for governmental and non-profit entities.

The Property Insurance premium reflects an increase that is tied to the revised property values which have increased and that are based on the five-year reappraisal. At the same time this increase was offset by a general decrease in our property insurance rates. It also includes an additional \$10 million of earthquake coverage over the basic \$5 million coverage.

The Workers Compensation Insurance reflects a small general rate decrease plus a positive experience rating due to the City’s continued focus on employee safety and our better than expected experience with workplace injuries.

Our Liability Insurance also reflects a small rate decrease. The premium reflects our continued good experience with general liability claims but is offset by a recent deterioration in our vehicle liability experience.

As a member city of the TML Risk Management Pool, the City also received a refund of the surplus premiums because of the favorable loss experience within the entire Pool. The net premium amount is \$778,444.00.

Motion by Mr. Drinnon, seconded by Mr. Palazzolo, to approve the renewal of insurance coverage and payment of premiums (less the related dividends) to TML Risk Management Pool for property, workers compensation and general liability policies including the additional earthquake coverage.

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

Lobbying Services Contract

Assistant City Administrator George Brogdon stated this would be the third year the City had worked with Farris Bobango Branan PLC and had success with the law firm.

Motion by Ms. Hinely, seconded by Mr. Palazzolo, to authorize the Mayor to execute an agreement with Farris Bobango Branan PLC for lobbying services for the City of Germantown in the amount of \$32,500.00, plus any out of pocket expenses incurred which the City approves, in a contract form to be developed and approved by the City Attorney based upon their proposal, and to approve Budget Adjustment No. 09-44.

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

Civic Support Grant – Germantown Arts Alliance – Moved to Regular Agenda

This is the sixteenth year of funding by the City for the Germantown Arts Alliance. This is the first installment, the second installment of \$10,000 will be matched by donations raised by the Arts Alliance and will be forwarded to the group in 2008.

Alderman Hinely stated she would recuse herself because she is a new member of the Arts Alliance. Ms. Hinely left the podium.

Motion by Mr. Chism, seconded by Mr. Drinnon, to award a grant to the Germantown Arts Alliance in the amount of \$30,000.00.

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

Alderman Hinely returned to the podium.

CONSENT AGENDA

Senior Expo Booths

This is the thirteenth annual Senior Citizen Expo and will again have a variety of booths from companies and organizations providing products and services of interest to our senior population. Only one bid was received for the setup of booths and electrical services.

MOTION: To rent up to 110 booths and 40 electrical outlets plus tables, chairs, signs, easels and carpet from Hicks Convention Services for up to \$10,881.25 for the Senior Expo to be held on Thursday, November 6, 2008.

Employee Appreciation Dinner

The City annually has an employee Holiday Party which allows employees from all departments to get to know each other better on a non-working level. Having the party at the Germantown Country Club will mean no employees will have to work all day and the next day cleaning a City facility for their own party.

MOTION: To contract with the Germantown Country Club for the City of Germantown Employee Holiday Party to be held December 5, 2008 for approximately \$8,227.50.

Purchase – Water Meters

This is approximately a six-month purchase for inventory. Six vendors were contacted and six bids were received.

MOTION: To purchase assorted sizes of water meters from Meter Service in the amount of \$13,702.75.

Window Cleaning Services

This is an annual maintenance contract that is necessary to maintain the public expectation associated with the character of the City. Six vendors were contacted and two bids were received.

MOTION: To approve authorization to purchase a maintenance contract for five city owned buildings in the amount of \$6,192.47 the first year, \$6,440.17 the second year, and \$6,697.78 the third year from Sparkle & Shine.

Recognition of Grant – Parks & Recreation – Germantown Civitan Club

The Recreation Division of the Parks and Recreation Department coordinates and promotes social activities and dances for the special needs population on a monthly basis. The Recreation Division continues to expand the special recreation program to ensure a variety of safe, unique and convenient activities. The Germantown Civitan Club has generously offered to support this effort and awarded a grant of \$2,000.00 in support of this effort.

MOTION: To recognize the grant made to the Parks and Recreation Department for a community program as detailed above and totaling \$2,000.000 and to approve Budget Adjustment No. 09-31.

Acceptance of Donation – Police Department – Good Samaritan Fund

The Germantown Samaritan Program provides assistance to individuals who are traveling through Germantown who are in need of aid. Our Lady of Perpetual Help Catholic Church donated \$1,000 for the Samaritan Program.

MOTION: To recognize a donation from Our Lady of Perpetual Help Catholic Church in the amount of \$1,000.00 for the Samaritan Program and to approve Budget Adjustment No. 09-38.

Recognition of Purchase from Public Safety Education Commission

The Public Safety Education Commission provides assistance to the Police Department to help with educational programs within the community. Two Cool Zone cooling vests will be purchased to be worn under the Eddie Eagle and McGruff costumes by police officers and the glow sticks and glow necklaces will be used in community relation programs.

MOTION: To recognize a purchase from the Public Safety Education Commission and Budget adjustment No. 09-39.

City Beautification Grant – Riverdale Elementary

The City Beautification Commission has a newly established grant program totaling \$5,000.00. The purpose of the program is to award grants to Germantown public schools in support of their efforts to enhance their school grounds while also providing and educational opportunity for students. Three schools applied this year, Riverdale Elementary for an Arboretum Project, Farmington Elementary for an Environmental Garden Renovation, and Houston High School for Aqua Access = A+ Aesthetics.

MOTION: To approve the City Beautification Commission grant to Riverdale Elementary School in the amount of \$2,450.00.

Appointment to Vacancy – Germantown Youth Commission

Mr. Kevin W. Szymkowicz has expressed a desire to serve the community and fill a vacancy on the Youth Commission.

MOTION: To approve the appointment of Mr. Kevin W. Szymkowicz to serve on the 2008-2009 Youth Commission until July 1, 2009.

Motion by Mr. Chism, seconded by Mr. Drinnon, to approve the Consent Agenda as presented.

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

Alderman Palazzolo stated this summer there was a legal case that brought before Chancery Court on Smart Growth and the case was quickly brought to justice in the City's favor. The City incurred some legal fees and expenses to defend the case and he wanted the public to know what it cost the citizens of Germantown to defend a meritless and frivolous law suit.

Tom Cates stated he thought it was over \$10,000.00. The court ruled on the bench and denied the application for an injunction to stop the Smart Growth. He stated the plaintiff, Mr. Spann, shortly thereafter dismissed the case. The Court awarded the fees of the court itself which was a few hundred dollars to be paid by Mr. Spann. In the American system, the loser does not pay his fees and the other side's attorney's fees.

ADJOURNMENT

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

Sharon Goldsworthy, Mayor

Dotty Johnson, City Clerk/Recorder