

BOARD OF MAYOR AND ALDERMEN

August 25, 2008

A regular meeting of the Board of Mayor and Aldermen was held on August 25, 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, Andy Pouncey, Tom Cates, Pam Beasley, Inspector Frank Hester, Jerry Cook, Tim Gwaltney, Josh Whitehead, Bo Mills, Chief Dennis Wolf, Michael Stoll, Ralph Gabb, Michael Saddler, Melody Pittman, and Dotty Johnson.

Mayor Goldsworthy announced some changes had been made to the agenda during the Executive Session. Item 9 – Network Upgrade had been moved to the Consent Agenda. Item D on the Consent Agenda had been moved to the Regular Agenda and an Add-On to the Consent Agenda – Appointment to the Vacancy on Germantown Education Commission

Invocation

Assistant City Administrator Andy Pouncey gave the invocation.

Pledge of Allegiance

Alderman Uhlhorn led the Pledge.

Approval of Minutes

Approval was requested of the minutes as amended of the executive and regular session held August 11, 2008.

Motion by Mr. Drinnon, seconded by Ms. Hinely, to approve the minutes of the Executive Session and Regular Meeting held August 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

Ms. Sarah Wilkerson Freeman of 7684 Apahon Lane came forward and expressed her concern over the maintenance of the property on Neshoba and a cemetery that is near the property. She asked if the Historic Commission or someone within the City system would check to be sure of the parameters of the cemetery before any more trees or debris are moved disturbing the ground. She thanked the developer for building the fence. Ms. Freeman asked that the solid waste that had collected on the property be removed. She also asked for a clarification of the developers on the sign.

Presentation of Beautification Award

Mr. Doug Smith of the Beautification Commission came forward and presented Mr. Burog of Southerland Place with the award Beautification Business Award. Mr. Burog recognized Jack Malone Landscaping for their work on the grounds.

Alderman Palazzolo noted the wonderful relationship that Southerland Place has with the Animal Shelter.

Ordinance 2008-7 – Amendment to Chapter 23 of the Code of Ordinances (Zoning) – Amendment to List of Zoning Districts – Third and Final Reading

Patrick Lawton noted there had been no changes since the first and second reading.

Jerry Cook stated this was an amendment to the Zoning Ordinance to identify the zoning classifications in the ordinance. The amendment includes the additions of Smart Growth and the overlay districts of the flood plane and PUD.

Motion by Ms. Hinely, seconded by Mr. Drinnon, to approve Ordinance 2008-7 on Third and Final Reading.

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

Ordinance 2008-8 – Amendment to Chapter 14 of the Code of Ordinances (Signs) – Amendment to Temporary Sign Regulations – Third and Final Reading

Mr. Cook stated there had been no changes to the ordinance since the second reading. This amendment to sign ordinance will regulate temporary signs, for sale and lease, within the commercial districts and the office and condominium developments.

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

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

PUBLIC HEARING – Ordinance 2008-9 – Amendment to Chapter 2, Article V, Division 20 of the Germantown Code of Ordinances – Amendment to change the name of the Germantown Centre Advisory Commission – Second Reading

Mr. Lawton stated that with renaming of the Centre to the Athletic Club the change in the ordinance will allow the change of the name of the Commission and bring it more in-line.

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

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

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

Network Upgrade - MOVED FROM REGULAR AGENDA TO CONSENT AGENDA

Alderman Frank Uhlhorn left the dias.

Amendment to Subdivision Development Contract No. 475 – Neshoba Grove Subdivision – Extend completion date. – MOVED FROM CONSENT AGENDA TO REGULAR AGENDA

Mr. Cook stated this was a request to amend the existing development contract for the Neshoba Grove Subdivision. The development contract that was approved by the Board in August of 2006 is valid for two years. The developer requests that the contract extension time of six months be granted.

In response to a question from Alderman Palazzolo, Mr. Cook stated the cemetery previously referred to was on the north side of the property, not on the property.

Mayor Goldsworthy noted the Alderman Uhlhorn had asked this item be moved from the Consent Agenda to the Regular Agenda and that he had recused himself from the discussion and voting on the matter.

Motion by Mr. Palazzolo, seconded by Mr. Drinnon, to approve the amendment on second reading.

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

Alderman Uhlhorn returned to the dias.

CONSENT AGENDA

Project Development Contract No. 971 – Laurel Grove P.U.D. – Refund of Development Fees

The developer Mark Davis, decided not to pursue the development of the property as planned and approved. The developer is requesting a refund from the City of the development fees paid for this project. The fees to be refunded to the developer include: Soil Test Fee \$500, Existing Water Line Charge \$1,941, Water plan Expansion Fee \$500 and Park Land Dedication Fee \$1,212.75.

MOTION: To approve a refund of development fees to Mark Davis, developer, in the amount of \$4,153.75, paid to the City for Project Development Contract No. 971, Laurel Grove Planned Unit Development.

Professional Services Contract – Fantastic Customer Service Training

The Club feels as an Enterprise Fund it is important for its employees to be trained to communicate effectively to build better relations and trust with its paying members. This proposed agreement with Union University will process all Club employees through four modules of Fantastic Customer Service Training.

MOTION: To authorize the Germantown Athletic Club to execute an agreement in the amount of \$13,196.00 with Extended Learning and Professional Development/Union University based on the proposal for training.

Recognition of Donation – Police Department

Mr. Michael Terry wished to show his appreciation for the continued good performance of the Police Department by donating \$500.00 to the Crime Stoppers Program.

MOTION: To recognize a donation from Mr. Michael D. Terry of \$500.00.

Amendment to Subdivision Development Contract No. 475 – Neshoba Grove Subdivision – Extend completion date. – MOVED TO REGULAR AGENDA

Recognition of Donation – Parks & Recreation – Camp Good Grief

These funds were collected by the summer camp youth program for the purpose of supporting a worthwhile community program. Camp Good Grief provides counseling to children who have lost parents to fatal illnesses, accidents or other tragic causes.

MOTION: To recognize funds collected by summer playground camp youth and the Recreation Division, to authorize City staff to donate these funds in the amount of \$223.45 to Camp Good Grief and approve Budget Adjustment No. 09-16.

Recognition of Donation – Police Department – Crime Stoppers

Poplar Pike Liquors donated to the Germantown Police Department Crime Stoppers Program.

MOTION: To recognize a donation from Poplar Pike Liquors in the amount of \$200.00.

Fiduciary Funds Adjustment

Each year the City attempts to estimate the cost of insurance with the possibility of recovery of medical and dental claims through a stop/loss recovery program. With the uncertainty of claims and the possibility of recovery, these costs exceeded the budget in FY08. This budget adjustment will move needed budget funds from the General Fund to the Health Insurance Fund for FY08.

MOTION: To request approval of Budget Adjustment No. 08-215 moving \$22,041 budget from the General Fund to the Health Insurance Fund.

ADD-ON

Appointment to the Education Commission

There was a vacancy on the Germantown Education Commission and Ms. Bonnie Lee had expressed a desire to serve on the Commission.

MOTION: To approve the appointment of Ms. Bonnie Lee to serve on the Germantown Education Commission until December 31, 2008.

Motion by Mr. Drinnon, seconded by Mr. Palazzolo, to accept items on the consent agenda as presented.

ROLL CALL: Chism- yes, Drinnon - yes, Hinely - no, Palazzolo – yes, Uhlhorn - yes. Motion approved.

Alderman Uhlhorn noted for the record that it had been reported in the Commercial Appeal that he was in favor of cutting civic support for non-profits in the City and the reality was that in a public hearing the record stated that he called for a meeting of the groups entitled to civic support and at the third and final reading of the budget, he made the motion and voted yes for the funding and for an increase to civic support. He also noted that his salary from the City and support goes to GHSTV.

Alderman Palazzolo noted the City had received a letter from the Shakespeare Company thanking the City for their participation in their program. He stated the City and Board was in support of the arts and their funding.

ADJOURNMENT

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

Sharon Goldsworthy, Mayor

Dotty Johnson, City Clerk/Recorder