

BOARD OF MAYOR AND ALDERMEN
EXECUTIVE SESSION
May 12, 2008

An executive session of the Board of Mayor and Aldermen was held on May 12, 2008, at 6:15 p.m. in the Administrative Conference Room 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, Jerry Cook, Tom Cates, Chief Richard Hall, Pat McConnell, Pam Beasley, Bo Mills, Michael Stoll, Butch Eder, Ralph Gabb, Danielle Toole, Scarlet Jones, Tim Gwaltney, Chief Dennis Wolf, Lisa Piefer and Melody Pittman.

Invocation

Dr. Jason Royle from Kingsway Christian Church will give the invocation.

Pledge of Allegiance

Alderman Uhlhorn will lead the Pledge.

Approval of Minutes

There was one correction to the minutes; Inspector Frank Hester was present in Chief Hall's absence.

Citizens to be Heard

Mayor Goldsworthy asked to add a proclamation for National Community Police Week. The Board unanimously agreed to add the proclamation.

Proclamation – National Public Works Week

Proclamation – National Community Police Week – Add-On

Proclamation – Emergency Medical Services Week

Resolution – 08R06 – Adoption of Germantown Civic Club Complex Master Plan

Josh Whitehead explained that this was a land use plan for the 100 acre collection of parks known as Central Park including the Germantown Civic Club Complex.

Alderman Palazzolo complimented all those who had worked on the plan.

Andy Pouncey stated he thought they had saved about \$20,000 by doing the plan in-house. He stated he was so pleased that all the groups had worked so very well together and had agreed on the plan.

Alderman Palazzolo asked if money had been allocated if the Shakespeare Festival area was moved to Morgan Woods.

Patrick Lawton stated there was no money budgeted or capital money for the project.

Mayor Goldsworthy stated this was a conceptual plan that identified a variety of uses, some existing, and some new. This plan generally describes what may occur in some areas, it does not in any way define or is very specific about particular events. Outside of the Board's interest in Ocean View Farms, that is probably the only action that might occur in the foreseeable next few months.

Alderman Drinnon asked to have the plan come before the Board first in a work session to see what was envisioned before any decisions are made.

Alderman Uhlhorn asked to have a work session on the plan and defer this item. The Board unanimously agreed.

BEER BOARD

Public Hearing – Beer Permit – Elfo’s – Alex S. Grisanti

Mr. Lawton stated the background check on the applicant was good and they were compliant.

BOARD OF MAYOR AND ALDERMEN

Ordinance 2008-4 – An Ordinance to Adopt the 2008-2009 Budget – First Reading/set Public Hearing Date

Mr. Lawton stated a work session had taken place this very afternoon. Staff in Administration and Finance and General Services had been working on the “Budget in Brief” that would go to all the residents before the Public Hearing.

Mayor Goldsworthy stated there would be ample time between now the third reading to make any amendments or changes to the budget.

Ordinance 2008-5 – Real and Personalty Property Taxes – First Reading/set Public Hearing Date

Kristen Geiger stated this ordinance would set the property tax rate at \$1.54 and is the sixth year for the same tax rate. It will generate approximately \$21.4 million and represents 56% of the general fund revenue.

Ordinance 2008-6 – An Ordinance for Year-End Budget Adjustments – First Reading/set Public Hearing Date

Ms. Geiger stated this was an ordinance for year-end budget adjustments that are made to the current fiscal year, that “cleans-up” the budget so that by the end of the year we are in compliance of not overspending that which the Board had authorized spending. Staff was requesting in the general fund to increase the transfer to State Street Aid this year, due to the fact that the City can afford to do that this year and preserve the funding in the outer years. The other is to adjust the capital transfers that represent the Hall Tax revenues that were earmarked in 2004 to be designated for funding capital projects.

Resolution – 08R07 – Public/Private Partnership Policy

Mr. Lawton stated there had been a couple of presentations made lately by City staff concerning the policy. The policy recognizes the three primary players in the Smart Growth Development, the citizens, the City and the developers. The policy identifies the risk and awards available to all three by participating together as a group in moving the Smart Growth project forward.

One of the changes to the policy is that the City would help select the consultant to perform the fiscal impact analysis on the net revenues that would be forthcoming to the City as a result of the particular development. From that, we will be able to determine, via the matrix that is part of the policy, what the possibility of any type of tax incentive would be made available to the developer as a result of developing a smart growth project in our area. Those are identified in the policy.

We have incorporated public art as a prerequisite that the developer would have to provide. It was identified in the code but we now go a step further if the developer goes beyond what is in the code, they can earn extra points in the matrix.

The number of years have also been increased that could be made available at level 3, 4 and 5 in terms of any type of financial incentive that could be made available to the developer. What shape or form that

will take is not dictated in the policy. Administration is looking at different possible vehicles to make this happen.

In terms of selecting the individual that will do the fiscal impact analysis that will be a joint decision between the City and the developer. The City will also share in the cost.

In response to a question from Alderman Drinnon, Mr. Lawton explained how the Industrial Development Board handled tax freezes, development fees, and how the City is responsive to the developers.

A discussion followed on developer incentives, the matrix, and how they will be used and the citizen input.

Water Plant SCADA System

Bo Mills introduced the consultants from Allen & Hoshall Mr. Ben Pearson, Tim O'Reilly and Jane Simpson that were present to answer any questions on the items.

He stated the next three items had to do with the expansion of the Johnson Road Water Plant.

The Supervisory Control and Data Acquisition System (SCADA) will consist of new computers, new sensors, an entire new brain system for the water system as a whole; it will control the entire system. The current system is 10 years old and failing. There is a warranty and a five year maintenance agreement.

Johnson Road Water Plant – Underground Storage Contract

Mr. Mills stated this was another part of the plant expansion and will improve the current underground storage. We currently have 6.38 million gallons in storage and with the addition of the 1½ million gallons will take the storage to 7.88 million gallons.

The lowest bid was the lowest bid with a contractor with an acceptable license for this particular project.

Johnson Road Water Plant – Plant Building Expansion Contract

Bo Mills stated this would expand the actual plant building from the 6 million gallon capacity to a 12 million gallon per day capacity. Additional aeration and filtration basins will also be a part of the contract.

Wolf River Blvd. Engineering Design Supplement

Jerry Cook explained this was a supplemental engineering design with W. H. Porter. The original contract was entered into in 1999. Since then there have been supplements such as the Environmental Assessment Contract (EA), and additional supplements were added to the original engineering design contract for engineering work specifically associated with the EA work.

Included in the supplement are the permits from State and Federal Agencies, the design of the roadway, and the Greenway design and construction documents for a total of \$176,715.25.

CONSENT AGENDA

Subdivision Development Contract No. 490 – Glen Echo

Athletic Club Concession Contract - DEFERRED

Recognition of Donations – Germantown Community Library

Annual Agreement – Ground Water Institute

Emergency Repair – Well No. 7

Emergency Repair – Sewer Main – Hunters Forest

Emergency Repair – GPAC Lighting

The Board unanimously agreed to add the following two items to the consent agenda:

Shelby County Trustee Real Estate Tax Sale

Ralph Gabb stated this item would allow the City to contract with the Shelby County Trustee's office in real estate sale of property. The Trustee will receive from the City its tax rolls showing any delinquent municipal taxes, penalty and interest for parcels to be included in the sale. The Trustee will assume responsibility for collection of these delinquent realty taxes, penalty and interest by enforcement of the tax lien through the tax sale. Once the Trustee begins collection of delinquent Germantown realty taxes, taxes must be paid to the Trustee. The Trustee will retain any attorney fees, court costs and collection costs plus litigation fees and will remit to the City on the 15th of each month collection of realty taxes collected through the sale.

Tom Cates added that he had been included in this request and was very much in favor of this item.

Athletic Club Concessions

Mr. Lawton stated staff at the Athletic Club had been trying to locate a concessionaire for the outside concessions at the pool. With the Board's approval, there is now a contract in place to execute an agreement with Jim Dixon Concessions. This contract is for the concessions with the outdoor pool.

A discussion followed regarding the vending area and how vulnerable we would be and how checks and balances would take place. Danielle Toole and Scarlet Jones were present to answer questions from the Board.

Adjournment

The meeting adjourned to the Council Chamber for the regular meeting.