



FARRAGUT BOARD OF MAYOR AND ALDERMEN
Farragut Community Center
239 Jamestowne Blvd

AGENDA
January 25, 2024

BMA MEETING
6:00 PM

- I. Roll Call**
- II. Approval of Agenda**
- III. Approval of Minutes**
 - A. January 11, 2024**
- IV. Mayor's Report**
- V. Ordinances**
 - A. First Reading**
 - 1. Ordinance 24-02**, Ordinance to amend the ARPA Fund Budget for Fiscal Year 2023-2024, passed by Ordinance 23-07
- VI. Business Items**
 - A.** Approval of Resolution R-2024-01, Appointment of Municipal Judge
 - B.** Approval of bids and award of contract 2024-09, Stormwater Infrastructure Repairs
 - C.** Rejection of bids for contract 2024-10, On-Call Speed Cushion Installation
 - D.** Approval of Pickleball Recommendations from the Parks & Athletics Council
- VII. Citizens Forum**
- VIII. Town Administrator's Report**
- IX. Town Attorney's Report**

11408 MUNICIPAL CENTER DRIVE | FARRAGUT, TN 37934 | 865.966.7057 |
WWW.TOWNOFFARRAGUT.ORG

It is the policy of the Town of Farragut not to discriminate on the basis of race, color, natural origin, gender, gender identity, sexual orientation, age, religion, disability or veteran status pursuant to Title VI of the Civil Rights Act of 1964, Public Law 93-112 and 101-336 in its hiring, employment practices and programs. To request accommodations due to disabilities, please call 865-966-7057 in advance of the meeting

This meeting can be viewed live on the Farragut YouTube Channel and the Town of Farragut website www.townoffarragut.org/livestream.

The meeting will be held at the Farragut Community Center, 239 Jamestowne Blvd

The Board of Mayor and Aldermen welcomes and invites Farragut residents to participate in public meetings.

At the end of each business meeting, there will be time reserved for public comment under the Citizen Forum agenda item. If you are interested in speaking, please fill out a blue comment card and turn it in to the Town Recorder or staff member. This time is set aside specifically for comments on items that are not on the Board of Mayor and Aldermen regular agenda for the meeting. Each speaker will be given five (5) minutes to speak on his/her topic.

During the regular agenda portion of the meeting there may be an allowance for public comment for each agenda item. The Mayor may recognize individuals for public comment based on the following guidelines.

1. The Mayor shall maintain and control the meeting to provide a professional and objective environment;
2. Any Farragut resident interested in speaking should fill out a blue comment card stating which agenda item they would like to comment on and turn in to the Town Recorder or a staff member;
3. Speakers shall come to the podium and identify themselves by name and street address;
4. Public comment shall be limited to five (5) minutes per individual. Time for public comment may be amended at the discretion of the Mayor. Time is not transferable to other speakers;
5. Speakers should strive to avoid redundancy; each speaker should have their own original viewpoint;
6. Comments shall address issues, not individuals or personalities;
7. Comments may support or oppose issues or measures, but the motives of those with differing views shall not be questioned or attacked;
8. Personal attacks and malicious comments shall not be tolerated;
9. An applicant, and/or their representative(s), for an item on the regular agenda shall be afforded the time necessary to present their request and respond to questions. The five (5) minute limitation shall not apply. However, the Mayor may ask an applicant to stay on point in order to facilitate the efficiency of the meeting.

Each speaker will be asked if they can agree to abide by the Comment Protocol. If so, please be prepared to speak when your name is called.

January 11, 2024

BMA MEETING MINUTES

Roll Call

Mayor Williams called the meeting to order at 6:00 PM. Roll Call for attendance: Alderman Burnette, yes; Alderman Meyer, yes; Vice-Mayor Povlin, absent; Alderman White, yes; Mayor Williams, yes; In addition to staff and member of the press.

Approval of Agenda

Motion was made to approve the agenda as presented. Moved by Alderman Meyer, seconded by Alderman White; voting yes, Mayor Williams, Aldermen Burnette, Meyer and White; Vice-Mayor Povlin was absent; no nays; motion passed.

Approval of Minutes

Motion was made to approve the minutes of December 14, 2023. Moved by Alderman White, seconded by Alderman Burnette; voting yes, Mayor Williams, Aldermen Burnette, Meyer and White; Vice-Mayor Povlin was absent; no nays; motion passed.

Mayor's Report

Mayor Williams thanked the staff for the Christmas lights and festivities as well as read the Founders Day Proclamation.

Ordinances

Public Notice and Second Reading

Ordinance 23-17, an ordinance to amend the Farragut Zoning Map to rezone all properties currently zoned Rural Single-Family Acre Residential (R-1-S-A) to Rural Residential (R-1) (Mike Tuell, Applicant)

Motion was made to approve Ordinance 23-17 on second and final reading. Moved by Alderman Meyer, seconded by Alderman Burnette; Roll call vote: Alderman Burnette, yes; Alderman Meyer, yes; Vice-Mayor Povlin, absent; Alderman White, yes; Mayor Williams, yes; motion passed.

Ordinance 23-19, Ordinance to amend the General Fund Budget for Fiscal Year 2023-2024, passed by Ordinance 23-07

Motion was made to approve Ordinance 23-19 on second and final reading. Moved by Alderman Meyer, seconded by Alderman White; Roll call vote: Alderman Burnette, yes; Alderman Meyer, yes; Vice-Mayor Povlin, absent; Alderman White, yes; Mayor Williams, yes; motion passed.

Town Administrator's Report

David Smoak, Town Administrator, announced the following:

- The Town of Farragut Received the Certificate of Achievement in Financial Reporting.
- Growth Policy Plan meeting, January 12, 2023
- Thanked staff for hard work in moving out of the Town Hall for the renovations.

The meeting adjourned at 6:14 PM.

Ron Williams, Mayor

Allison Myers, Town Recorder

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Allison Myers, Town Recorder/Treasurer

SUBJECT: Ordinance 24-02, Ordinance to amend the ARPA Fund Budget for Fiscal Year 2023-2024, passed by Ordinance 23-07

INTRODUCTION:

The purpose of this agenda item is to approve Ordinance 24-02 on first reading to amend the Fiscal Year 2024 ARPA Fund Budget.

DISCUSSION:

The ARPA Fund Budget will be amended by increasing the appropriated expenditures from \$8,900,000 to \$9,371,353, an increase of \$471,353. This amendment is needed to budget for the additional expenditure required for the stormwater infrastructure repair project. Please refer to Attachment A for the ARPA Fund budget and ending balance of \$952,126.

FINANCIAL SECTION: ARPA Fund Budget

Account Number: ARPA Fund		
FY2024 Amended Budget		
Expenditures	Requested Amendment	FY2024 Amended Budget
\$8,900,000	\$471,353	\$9,371,353
Approved By: <u>A. Myers</u>		

RECOMMENDATION BY: Allison Myers, Town Recorder/Treasurer, for approval.

PROPOSED MOTION: Motion to approve Ordinance 24-02 on first reading.

BOARD ACTION:

MOTION BY: _____ SECONDED BY: _____

VOTE/TOTAL	BURNETTE	MEYER	POVLIN	WHITE	WILLIAMS
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

ORDINANCE	24-02
PREPARED BY	Myers
1 ST READING	January 25, 2024
2 ND READING	February 8, 2024
PUBLISHED IN	Farragut Press
DATE	

AN ORDINANCE OF THE TOWN OF FARRAGUT, TENNESSEE AMENDING THE FISCAL YEAR 2023-2024 ARPA FUND BUDGET, PASSED BY ORDINANCE 23-07

WHEREAS, the Town of Farragut adopted the fiscal year 2023-24 budget by passage of Ordinance Number 23-07 on June 8, 2023; and

WHEREAS, pursuant to the Tennessee State Constitution, Section 24 of Article II, no public money shall be expended except pursuant to appropriations made by law; and

WHEREAS, expenses for the General Fund budget will be greater than budgeted; and

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF FARRAGUT, TENNESSEE THAT CHANGES BE MADE TO THE FISCAL YEAR 2023-2024 BUDGET AS FOLLOWS:

SECTION 1. Ordinance 23-07 is hereby amended by:

DISCUSSION:

The **ARPA Fund Budget** will be amended by increasing the appropriated expenditures from \$8,900,000 to \$9,371,353, an increase of \$471,353. This amendment is needed to budget for the additional expenditure required for the stormwater infrastructure repair project.

SECTION 2. The Board of Mayor and Aldermen authorizes the Town Recorder to make said changes in the accounting system.

SECTION 3. This ordinance shall take effect after its final passage and publication, the public welfare requiring it.

Ron Williams, Mayor

Allison Myers, Town Recorder

ARPA Fund-316

		FY2021-22	FY2022-23	FY2022-23	FY2023-24	FY2023-24
		<u>Actual</u>	<u>Budget</u>	<u>Estimated</u>	<u>Approved</u>	<u>Amended</u>
Beginning Balance		0	3,353,590	3,353,590	6,465,216	6,465,216
316	Revenues					
33193	Federal ARPA Grant 1	3,527,626	0	0	0	0
33194	Federal ARPA Grant 2	0	3,527,626	3,527,626	0	0
36190	Interest	6,707	0	120,000	70,000	119,106
34840	TDEC Non-Competitive Grant-Design Services	0	0	0	893,445	893,445
34840	Grant-Construction Services					
	(Stormwater	0	0	0	828,121	828,121
	ARP Competative Grant	0	0	0	0	2,017,591
Total Revenues		\$3,534,333	\$3,527,626	\$3,647,626	\$1,791,566	\$3,858,263
		FY2021-22	FY2022-23	FY2022-23	FY2023-24	FY2023-24
		<u>Actual</u>	<u>Budget</u>	<u>Estimated</u>	<u>Approved</u>	<u>Amended</u>
Expenditures						
41830-9210	Town Hall Building Improvements	0	1,000,000	0	2,500,000	4,000,000
41830-9311	Stormwater Parking Facilities	47,113	0	0	2,100,000	2,100,000
41991-1150	Essential Personnel Pay	120,850	190,000	36,000	0	0
41991-1320	Vaccine Incentive Program	12,780	0	0	0	0
41992-9450	Broadband Infrastructure	0	100,000	100,000	1,200,000	1,200,000
43150-4810	Stormwater Master Plan	0	0	400,000	600,000	600,000
43150-9340	Stormwater Improvements	0	1,000,000	0	1,000,000	1,471,353
Total Expenditures		\$180,743	\$2,290,000	\$536,000	\$7,400,000	\$9,371,353
Ending Balance		3,353,590	4,591,216	6,465,216	856,782	952,126

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Allison Myers, Town Recorder

SUBJECT: Resolution R-2024-01, Appointment of Town of Farragut Municipal Judge

INTRODUCTION:

In accordance with the Town of Farragut Municipal Code Chapter 12, Section 12-2, the office of municipal judge shall be filled by a resolution of appointment by the Board of Mayor and Aldermen.

BACKGROUND:

Any person appointed to the office of municipal judge shall hold a baccalaureate degree from an accredited college or university; shall be at least thirty years of age and have been a resident of the town for a period of one-year preceding appointment to office.

The normal term of office for any officer appointed pursuant of section 12-5 shall be for one year and such officer shall continue to serve thereafter until such officer’s successor has been appointed and is sworn in unless otherwise provided.

The compensation of the judge is also prescribed by resolution pursuant of section 12-7. Currently, the compensation for the judge is \$100 per court session and has not increased since 1987. In evaluating the compensation, a 3% increase over 37 years equates to \$300 per court session.

DISCUSSION:

G. Keith Alley was first appointed as municipal judge in 2016 and has been reappointed by the Board of Mayor and Aldermen each following year. Judge Alley has agreed to serve another term as municipal judge for the 2024 court year.

PROPOSED MOTION:

To approve Resolution R-2024-01, Appointment of G. Keith Alley as the Town of Farragut Municipal Judge.

BOARD ACTION:

MOTION BY: _____ SECONDED BY: _____

<u>VOTE/TOTAL</u>	<u>BURNETTE</u>	<u>MEYER</u>	<u>POVLIN</u>	<u>WHITE</u>	<u>WILLIAMS</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____



TOWN OF FARRAGUT

RESOLUTION R-2024-01

APPOINTMENT OF MUNICIPAL JUDGE

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, wishes to appoint a Municipal Judge, and

WHEREAS, the level of compensation of the Municipal Judge may be set by the Board of Mayor and Aldermen,

NOW, THEREFORE, BE IT RESOLVED that **G. Keith Alley** is hereby appointed effective February 1, 2024, as municipal judge to a term ending January 31, 2025, or thereafter until a successor Municipal Judge has been appointed and been sworn in and shall be paid compensation of \$300 per session of the Farragut Municipal Court.

This Resolution is duly adopted by the Board of Mayor and Aldermen of the Town of Farragut on this 25th day of January 2024.

Ron Williams, Mayor

Allison Myers, Town Recorder

REPORT TO THE BOARD OF MAYOR AND ALDERMEN**PREPARED BY:** Darryl Smith, PE, Town Engineer**SUBJECT:** Approval of Bids and Award of Contract 2024-09, Stormwater Infrastructure Repairs

INTRODUCTION: The purpose of this agenda item is approval of bids and award of a contract to repair deteriorated stormwater pipes at eight locations.

BACKGROUND: This contract is a continuation of stormwater infrastructure repairs begun in FY2021. Staff had been aware of deteriorating pipes at several locations for some time, but budgeting restrictions limited the repairs to only a portion of the locations. Since that time, the Town has received funding for these repairs through the American Rescue Plan Act of 2021 (ARPA), as well as through a grant of ARPA funds through the Tennessee Department of Environment and Conservation (TDEC).

DISCUSSION: Staff received two bids for these repairs on December 5, and have attached bid tabulations. Due to the possibility of unforeseen deterioration, the bids for each pipe location include a Base Bid, plus an Alternative Bid to cover the cost for a more comprehensive fix if found to be necessary. The FY2021 contract included a similar bidding procedure, and staff found this approach to be advantageous as it allowed us to stay within our budget while still providing proper repairs found to be necessary as the project progressed. Total bids (including Alternative Bids) are as follows:

Gulf Coast Underground, LLC: \$2,533,520.00

Morgan Contracting, Inc.: \$1,471,352.90

FINANCIAL SECTION:**Project:** Contract 2024-09, Stormwater Infrastructure Repairs

<u>Project Budget</u>	<u>Requested Amount</u>	<u>Expenditures to Date</u>	<u>Remaining Amount</u>
\$1,471,353	\$1,471,352.90	\$0	\$0.10

Approved By: A. Myers**RECOMMENDATION BY:** Darryl Smith, PE, Town Engineer

PROPOSED MOTION: Approval of bids and award of contract 2024-09 to Morgan Contracting, Inc. for their total Alternative Bid of \$1,471,352.90.

BOARD ACTION:**MOTION BY:** _____ **SECONDED BY:** _____

<u>VOTE/TOTAL</u>	<u>WILLIAMS</u>	<u>POVLIN</u>	<u>MEYER</u>	<u>BURNETTE</u>	<u>WHITE</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

Bid Tabulation Table

Farragut Stormwater Infrastructure Repairs									
CONTRACTOR	GENERAL CONDITIONS	LOCATION 1		LOCATION 2		LOCATION 3			
	BASE	BASE	ALTERNATIVE 1	BASE	ALTERNATIVE 2	BASE	ALTERNATIVE 3		
MORGAN CONTRACTING	\$ 257,000.00	\$ 92,195.00	\$ 301,722.50	\$ 31,414.00	\$ 69,083.00	\$ 32,654.00	\$ 222,548.00		
GULF COAST UNDERGROUND	\$ 371,300.00	\$ 278,700.00	\$ 287,700.00	\$ 150,120.00	\$ 111,200.00	\$ 115,920.00	\$ 313,060.00		
CONTRACTOR	LOCATION 4		LOCATION 5	LOCATION 6	LOCATION 7	LOCATION 8		TOTAL	
	BASE	ALTERNATIVE 4	BASE	BASE	BASE	BASE	ALTERNATIVE 5	BASE	BASE + ALTERNATIVE
MORGAN CONTRACTING	\$ 30,950.40	\$ 111,823.00	\$ 88,594.00	\$ 63,648.00	\$ 97,464.00	\$ 30,257.00	\$ 42,000.00	\$ 724,176.40	\$ 1,471,352.90
GULF COAST UNDERGROUND	\$ 75,320.00	\$ 112,600.00	\$ 128,280.00	\$ 146,880.00	\$ 198,600.00	\$ 183,840.00	\$ 60,000.00	\$ 1,648,960.00	\$ 2,533,520.00

REPORT TO THE BOARD OF MAYOR AND ALDERMEN**PREPARED BY:** Eric Schindler, Assistant Town Engineer**SUBJECT:** Rejection of Bids for 2024-10 On-Call Speed Cushion Installation Contract**INTRODUCTION:** The purpose of this item is the rejection of all received bids due to excessive cost.**BACKGROUND:**

Sonja Drive, Admiral Road, and St. John Court are approved for Traffic Calming Speed Cushion installation in accordance with the Town of Farragut Traffic Calming Policy. The next step in the process is the scheduling of the Asphalt Speed Cushion installation, which requires the approval of an On-Call Speed Cushion Installation contract (2024-10). A bid reading was held 11/29/2023, but no bids were received. Contract 2024-10 was advertised again, and a new bid reading took place 1/9/2024, with two bids received. The bid tabulation is shown in the table below.

Table 1. January 9, 2024 Bid Tabulation for Contract 2024-10

		PRI (Bid DOES include installation of signage)	APAC - Atlantic, INC. (BID Does <u>NOT</u> include installation of Signage)
1.1	Minimum Charge - NORMAL Response Time	\$2,500	\$10,500
2.1	84" x 144" Speed Cushion Materials (Detail Exhibit A). Price Per Speed Cushion	\$5,500	\$1,400
2.2	84" x 144" Speed Cushion Labor and Overhead (Detail Exhibit A). Price Per Speed Cushion	\$5,500	\$8,000
2.3	72" x 144" Speed Cushion Materials (Detail Exhibit B). Price Per Speed Cushion	\$5,500	\$1,300
2.4	72" x 144" Speed Cushion Labor and Overhead (Detail Exhibit B). Price Per Speed Cushion	\$5,500	\$8,000

Based on the bids received, the cost to install the asphalt speed cushions at each location would be as follows:

Table 2. Installation Cost Per Location

	PRI	APAC – Atlantic INC.
Sonja Drive (8 Speed Cushions)	\$88,000	\$75,200
Admiral Road (6 Speed Cushions)	\$66,000	\$56,400
St. John Court (12 Speed Cushions)	\$132,000	\$112,800
Bid Line Item 1.1 Minimum Charge Per work order	\$2,500	\$10,500
Total Cost	\$288,500	\$254,900

*Notes: The prices shown for each road do not include Line Item 1.1 Minimum Charge Per Work Order. The Total Cost is the price to complete all three locations and includes Line Item 1.1. The APAC – Atlantic INC. bid amounts do not include installation of the necessary signage, but the PRI bid was fully turn-key and included signage purchase and installation.

Due to the bid amounts being significantly higher than expected, Engineering recommends rejection of all bids and moving forward with the inclusion of a line item for installation of asphalt speed cushions in the FY 2025 On-Call Road Maintenance contract.

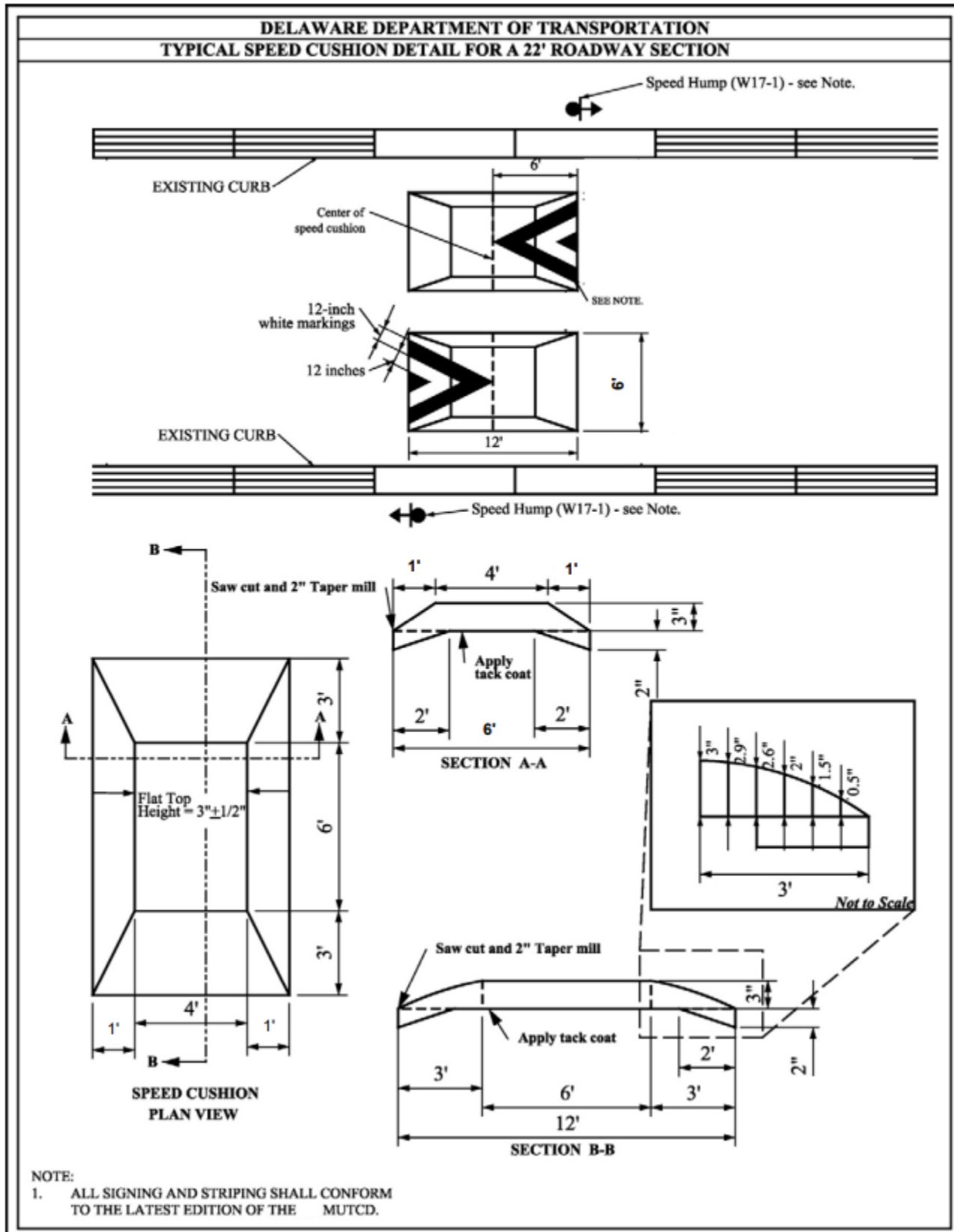
RECOMMENDATION BY: Eric Schindler, Assistant Town Engineer to reject all bids.

PROPOSED MOTION: Approval of rejection of all bids for the 2024-10 On-Call Speed Cushion Installation Contract.

BOARD ACTION:

MOTION BY:_____ **SECONDED BY:**_____

<u>VOTE/TOTAL</u>	<u>BURNETTE</u>	<u>MEYER</u>	<u>POVLIN</u>	<u>WHITE</u>	<u>WILLIAMS</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____



REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Ron Oestreich, Parks and Recreation Director

SUBJECT: Parks and Athletics Council Recommendation for Pickleball play at McFee Park

INTRODUCTION: The Pickleball situation at McFee Park has been well documented and discussed both at the Parks and Athletics Council Meetings and Board of Mayor and Aldermen Meetings.

BACKGROUND: The residents of Brass Lantern whose homes border McFee Park's Tennis/Pickleball courts have expressed concern over the constant noise created from Pickleball's striking paddles. Pickleball players have also expressed their desire to continue to play a game on the courts at McFee Park, due to proximity, low or no fees, and the health and social benefits of the game.

DISCUSSION: After much discussion from both sides at the November 14 Parks and Athletics Council Meeting, the council recommended that a discussion task force be formed with Brass Lantern resident representatives and representatives from the Pickleball community who also reside in the Town of Farragut. This discussion was held on November 29 with representatives from both sides present. From this meeting, several recommendations were agreed upon. These recommendations were presented by Ron Oestreich to the Parks and Athletics Council for their consideration. After unanimous approval, the Parks and Athletics Council recommends the following to the Board of Mayor and Alderman for their consideration.

Proposed Short-term Activity

- McFee Park North Courts to be Tennis Only.
- McFee Park South Courts to be Pickleball only, except for HS Tennis rentals.
- Permanent signs will be installed explaining this change in court use.

Proposed Medium -term Activity

- ToF to work with architect to conduct study on location, timeline, and overall cost for a dedicated and lighted Pickleball complex at both Mayor Bob Leonard Park and in a different location at McFee Park (if feasible).

Proposed Long-Term Solution

- Based on results of study – build a dedicated and lighted Pickleball complex at Mayor Bob Leonard Park and McFee Park (if feasible).

RECOMMENDATION BY: Parks and Athletics Council and Ron Oestreich, Parks & Recreation Director for approval.

PROPOSED MOTION: Approve short term, medium term, and long-term proposals for Pickleball Courts at McFee Park.

MOTION BY:_____ **SECONDED BY:**_____

<u>VOTE/TOTAL</u>	<u>WILLIAMS</u>	<u>MEYER</u>	<u>WHITE</u>	<u>POVLIN</u>	<u>BURNETTE</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____