AGENDA

FARRAGUT BOARD OF MAYOR AND ALDERMEN
April 12, 2012

WORKSHOP
5:00 PM
McFee Park Expansion & Grant Workshop

BMA MEETING
7:00 PM

I. **Silent Prayer, Pledge of Allegiance, Roll Call**

II. **Approval of Agenda**

III. **Mayor's Report**
   A. Arbor Day Poster Contest Award

IV. **Citizens Forum**

V. **Approval of Minutes**
   A. March 22, 2012

VI. **Ordinances**
   A. First Reading
      1. **Ordinance 12-06**, an amendment to the Farragut Municipal Code, Title 14 Land Use Controls, to create minimum building facade requirements
      2. **Ordinance 12-05**, an amendment to the Farragut Municipal Code, Title 5, to add Chapter 3, Business Registration Program
      3. **Ordinance 12-07**, Ordinance to amend Fiscal Year 2012 Budget

VII. **Business Items**
   A. Report by the Farragut/Knox County Schools Education Relations Committee
   B. Approval of Contract 2012-11, Cap and Compaction Grouting on Ivy Lake Drive, Farm at Willow Creek
   C. Approval of FY2012 Mid-Year Committee Appointments to the Economic Development Committee

VIII. **Town Administrator's Report**

IX. **Attorney's Report**

A G E N D A

FARRAGUT BOARD OF MAYOR AND ALDERMEN
March 22, 2012

WORKSHOP
6:00 PM
FY2013 CIP & Equipment Replacement

BMA MEETING
7:00 PM

I. **Silent Prayer, Pledge of Allegiance, Roll Call**

II. **Approval of Agenda**

III. **Mayor's Report**

IV. **Citizens Forum**

V. **Approval of Minutes**
   A. February 23, 2012

VI. **Business Items**
   A. Approval of FY2012 Mid-Year Committee Appointments to the Economic Development Committee

   B. Report by the Farragut Business Alliance and presentation of its 2012 annual work program

VII. **Town Administrator's Report**

VIII. **Attorney's Report**

The Farragut Board of Mayor and Aldermen met in a regular session on Thursday, February 23, 2012 at 7:00 p.m.

Present were Mayor McGill, Aldermen Elliott, LaMarche and Markli; Alderman Honken was absent.

Approval of Agenda

Motion was made to approve the agenda as presented. Moved by Alderman Markli, seconded by Alderman Elliott; voting yes, Mayor McGill, Aldermen Elliott, LaMarche and Markli; no nays; Alderman Honken was absent; motion passed.

Approval of Minutes

Motion was made to approve the minutes of February 23, 2012 as presented. Moved by Alderman Markli, seconded by Alderman Elliott; voting yes, Mayor McGill, Aldermen Elliott, LaMarche and Markli; no nays; Alderman Honken was absent; motion passed.

Business Items

Approval of FY2012 Mid-Year Committee Appointments to the Economic Development Committee

Motion was made to appoint Mike Such to the Economic Development Committee. Moved by Alderman Markli, seconded by Alderman LaMarche; voting yes, Mayor McGill, Aldermen Elliott, LaMarche and Markli; no nays; Alderman Honken was absent; motion passed.

Report by the Farragut Business Alliance and presentation of its 2012 annual work program

David Purvis and Allison Sousa presented the Farragut Business Alliance 2012 work program.

Town Administrator's Report

David Smoak, Town Administrator, announced that the public hearing for the McFee Park master plan would be held Thursday, March 29 at 2:00PM and 6:00PM. Mr. Smoak also announced that the Fun Volunteer Banquet would be held at Fox Den March 30th at 7:00PM.

Meeting adjourned at 7:36 PM.

_____
Ralph McGill, Mayor

_____
Allison Myers, Town Recorder

AGENDA NUMBER VI.A.1. MEETING DATE February 23, 2012

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Ruth Viergutz Hawk, Community Development Director

SUBJECT: Ordinance 12-06, ordinance on 1st reading to amend Title 14. Land Use Controls, of the Farragut Municipal Code, to create minimum building façade requirements

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INTRODUCTION: This is a staff initiated amendment to the Municipal Code text.

BACKGROUND: The Board of Mayor and Aldermen have expressed the need to prevent the construction of metal buildings in the town. To date we have very few metal buildings, but with the approval of the Costco building, concerns were raised.

DISCUSSION: I conducted two separate training sessions for you, the Board of Mayor and Aldermen, on architectural review. The first training session was on building design and the second was on the Town Center District. I have conducted these same training sessions for the planning commission.

Per those training sessions, the Board decided that rather than doing a full architectural design review ordinance at this time, it would be more appropriate to adopt a scaled down version. It is possible that a full architectural design review ordinance will be developed after the completion of the Land Use Plan.

Ordinance 12-06 states that "[N]o façade of any building shall exceed fifteen percent (15%) metal, metal composites, and/or aluminum. Metal roofs and window frames shall not be included in the total calculation." This is an objective ordinance in that either the fifteen percent (15%) is exceeded or it is not. There is no subjectivity to this ordinance in that there are no design requirements that accompany this requirement. When site plans are submitted, the architectural rendering that is included in the plans will be required to verify this ordinance requirement is met.

Attached please find a copy Ordinance 12-06.

PROFESSIONAL RECOMMENDATION: Community Development Director, Ruth Hawk, recommends approval of Ordinance 12-06.

PLANNING COMMISSION RECOMMENDATION: On March 15, 2012, in a unanimous vote, the Farragut Municipal Planning Commission recommended approval of Ordinance 12-06.

PROPOSED MOTION: To approve Ordinance 12-06 as attached.

BOARD ACTION:

MOTION BY:_____ SECONDED BY:_____

VOTE/TOTAL	ELLIOTT	LAMARCHE	MARKLI	HONKEN	MCGILL
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

ORDINANCE:	**12-06**
PREPARED BY:	**Hawk**
REQUESTED BY:	**Staff**
CERTIFIED BY FMPC:	**March 15, 2012**
PUBLIC HEARING:	_____
PUBLISHED IN:	_____
DATE:	_____
1ST READING:	_____
2ND READING:	_____
PUBLISHED IN:	_____
DATE:	_____

AN ORDINANCE TO AMEND TITLE 14. LAND USE CONTROLS, TO CREATE CHAPTER 6. BUILDING FACADE ORDINANCE, TO ADD BUILDING FACADE REQUIREMENTS

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Title 14. Land Use Controls, Chapter 6. Building Facade Ordinance, of the Farragut Municipal Code,

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, that the Farragut Municipal Code is hereby amended as follows:

SECTION 1.

The Farragut Municipal Code, Title 14. Land Use Controls, is amended by adding the following:

CHAPTER 6. BUILDING FACADE ORDINANCE

Section 14-601.	Authority.
Section 14-602.	Purpose and intent.
Section 14-603.	Scope.
Section 14-604.	Building facades.
Section 14-605.	Appeals.

Section 14-601. Authority.

This chapter shall be known as the "Building Facade Ordinance of the Town of Farragut, Tennessee." This chapter is adopted under the authority granted to the Town of Farragut through its charter of incorporation, the Mayor-Aldermanic Charter, Section 6-2-201.

Section 14-602. Purpose and intent.

The purpose of this chapter is to supplement the Site Plan Regulations in the zoning ordinance. These regulations are intended to assist in the maintenance of tasteful building construction design throughout the Town and which in turn will maintain property values and property investments.

Section 14-603. Scope

This chapter shall regulate all new buildings that require the submittal of a site plan and all existing buildings where exterior facades, exterior walls, are being modified and that require the submittal of a site plan.

All existing buildings where any part of the facade of the building is being modified, the modified portion of the facade shall be brought into compliance. If the maximum metal, metal composites, and/or aluminum is exceeded on the remaining undisturbed facade area, then the modified portion of the facade shall include no metal, metal composites, and/or aluminum. If fifty percent (50%) or more of the total existing building facade is being modified, the entire building facade shall be brought into compliance.

Sec. 14-604. Building facades.

No facade of any building shall exceed fifteen percent (15%) metal, metal composites, and/or aluminum. Metal roofs and window frames shall not be included in the total calculation.

Sec. 14-605. Appeals.

(1) The Farragut Board of Zoning Appeals (BZA) shall serve as the appellate body for this ordinance and shall have the following responsibilities:

(a) To hear and decide appeals where it is alleged by the appellant that there is an error in any order, requirement, permit, decision, or refusal made by the town administrator and the planning commission in the carrying out or enforcement of any provision of this chapter;

(b) To authorize, upon an appeal relating to said property, a variance from such strict application so as to relieve such difficulties or hardship. Variances shall not be granted to allow a higher percent of metal, metal composites, and/or aluminum provided for in this chapter.

(2) Appeals procedure:

(a) After a written denial from the town administrator, a party may make an application for interpretation or variance using forms available at the town hall.

(b) The application and fee must be submitted to the town hall on or before the Monday, sixteen (16) days prior to the regular monthly Board of Zoning Appeals meeting. The required fee is per the schedule approved by the Farragut Board of Mayor and Aldermen. The Board of Zoning Appeals shall consider and decide all appeals within thirty (30) days of first hearing the appeal; and

(c) The minutes of the Board of Zoning Appeals shall fully set forth such circumstances or conditions warranting the granting of a variance.

SECTION 2.

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

_____
Dr. Ralph McGill, Mayor

_____
Allison Myers, Town Recorder

Certified to the Farragut Board of Mayor and Aldermen this _____ day of _____, 2012, with approval recommended.

_____
Rita Holladay, Chairman

_____
Edwin K. Whiting, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION

AGENDA NUMBER VI.A.2 MEETING DATE April 14, 2012

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Allison Myers, Town Recorder AM

SUBJECT: Ordinance 12-07, ordinance to amend Fiscal Year 2012 Budget

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INTRODUCTION:

The purpose of this agenda item is to approve Ordinance 12-07, to amend the Fiscal Year 2012 General Fund and Capital Investment Program Budgets.

DISCUSSION:

Ordinance 12-07 will amend the budget to reflect the following:

- The General Fund budget will be amended by transferring designated funds for road projects and repairs from fund balance. This will increase the transfers to the Capital Investment Program by $55,000 to fund the requested amendment.

- The Capital Investment Program will be amended be increasing the appropriated expenditures by $160,000 due to the following:

    - **Watt Road Extension/Old Stage Road Improvements:** The FY2012 CIP has $44,400 budgeted for this fiscal year to supplement last year's budgeted amount. Appraisals have been finalized and negotiated with property owners for acquisition of Right of Way and easements, and now include legal expenditures to these accounts. An additional $105,000 will be necessary during this fiscal year, and request an amendment to the current CIP budget for this project. Please note that once all Right of Way is purchased, the Town will seek reimbursement of 80% of costs from TDOT.

    - **Ivy Lake Drive Repairs:** A depression on Ivy Lake Dr. in the Farm at Willow Creek subdivision recently developed. The current project includes cap grouting the affected area in order to make the necessary repairs to the road. Cap grouting, plus oversight by a geotechnical professional from GEOServices, LLC, is anticipated to cost $55,000.

All requests will be funded through the fund balance of both the General and Capital Investment Program Funds.

RECOMMENDATION BY: Town Recorder Allison Myers for approval.

PROPOSED MOTION: Motion to approve Ordinance 12-07 on first reading.

BOARD ACTION:

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

VOTE/TOTAL	MCGILL	ELLIOTT	HONKEN	LAMARCHE	MARKLI
YES					
NO					
ABSTAIN					

ORDINANCE	12-05
PREPARED BY	Myers
1ST READING	April 14, 2012
2nd READING	
PUBLISHED IN	
DATE	

AN ORDINANCE OF THE TOWN OF FARRAGUT, TENNESSEE

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Title 5, by adding Chapter 3, Business Registration Program, of the Farragut Municipal Code,

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, that the Farragut Municipal Code is hereby amended as follows:

SECTION 1.

The Farragut Municipal Code, Title 5. Municipal Finance and Taxation, is amended by adding Chapter 3. Business Registration Program as follows:

Sec. 5-301. Purpose

To identify, aid and support businesses who are engaged in any business by obtaining reliable information as to who is conducting or planning to conduct business and the nature of the business, within the Town of Farragut.

Sec. 5-302. - Application of article.

Each person who conducts a business, as that term is defined by Tenn. Code Ann. § 67-4-702(a)(2), within the town is subject to this article. For purposes of this article, "person" shall include either individuals, corporations, partnerships, or any other legal entity involving a business relationship.

The privilege licenses shall apply to all vocations, occupations, and businesses, within the Town as declared by the general laws of the State of Tennessee. The privilege license applies to all commercial, office and home based businesses.

Sec. 5-305. - Separate businesses.

Each person or entity doing business in more than one (1) factory, mill, warehouse, store, stall or stand, or other place of business, shall secure a separate license for each such place of business, unless such places of business are contiguous to each other, communicate directly with and open into each other, and are operated as a unit, and shall pay the prescribed license fee for each such place of business.

Sec. 5-306. – Multi-vendor Sales Locations

In the case of antique malls, flea markets, craft shows, antique shows, gun shows, farmers markets, auto shows, or similar activities as determined by the Town Administrator, operated as public facilities for such particular purpose (referred to herein "public markets") from which business is carried on by two (2) or more retailers of tangible personal property (individually referred to as "exhibitors"), which includes that set forth in TCA § 67-4-708(3)(A)(iii), the owner, manager, operator or promoter of the facility shall be required to obtain a collective license for all nonlicensed exhibitors, and shall collect and submit to the Town Recorder a one-dollar ($1.00) fee per day per booth from each such exhibitor who does not possess a current business license issued by the Town. The owner, manager, operator or promoter must also maintain a list of the vendors that have submitted the daily fee.

Exhibitors at a public market may elect to either obtain a business license as provided herein, or not obtain a license and pay the one-dollar ($1.00) fee per booth per day to the flea market operators who shall in turn remit it to the Town. Those exhibitors electing to obtain a business license must present evidence of a current, valid license to the operator before conducting business, and will not be required to pay the daily fee. The operator of a public market shall at all times maintain copies of the current business licenses of current exhibitors from whom the daily fee is not being collected. These records shall be open for inspection and copying by the Town Administrator or his designee.

In the case of a public market in which the location is not a continuing business, the fees collected by the owner, manager, operator, or promoter shall be submitted to the Town Recorder within 72 hours after the closing of the event.

In the case of a public market in which the location is a continuing business, the fees collected by the owner, manager, operator, or promoter shall be due and payable monthly, on the first day of each month.

This provision will not apply to any business that is primarily engaged in selling antiques at least 5 days each week in a permanent location which has a common cash register for all sales. For antique malls selling antiques at least 5 days a week with a common cash register for all sales, only the mall operator will be required to obtain a business license. Individual booths rented at such malls will not be deemed to be separate places, locations, or outlets in the state from which business is conducted.

Sec. 5-307. - Applications.

(a) Every application for a license under this article shall be made submitted through the Town of Farragut's website or in writing to the Town Recorder's office upon a form to be provided by the Town of Farragut. Such application shall be signed either by the applicant or by his agent, and shall contain the following information:

(1) Complete and exact name under which the business is proposed to be operated.

(2) If the business is proposed to be operated by an individual under any assumed name, the name of such individual and his address.

(3) If the business is a partnership, the name and address of the active managing partner of said business.

(4) If the business is a corporation, the name and address of the president and of the secretary of the corporation, and the location of the principal office.

(5) Nature of the business for which license is desired.

(6) Proposed or existing location.

Sec. 5-308. – License issuance and renewals.

a) *New License.* Upon receipt of the application and payment of fifteen dollars ($15) the Town Recorder shall issue the business license. The license shall be issued at the time of registration. In the event the application and payment are submitted online the business license will be mailed to the business address.

At the time of the adoption of this ordinance new applicants shall have ninety (90) days to register for the program without the required payment of fifteen dollars. After the ninety (90) day period all new applicants are subject to the licensing fee.

b) *Term of license.* A license issued to a new business shall be effective on the day it begins operating and shall expire on June 30 of the town's fiscal year. A business license issued for each subsequent fiscal year shall be effective July 1 and shall expire on June 30 of the town's fiscal year.

c) *Business license renewal.* The business shall renew the license upon the notification from the Town of Farragut. There shall be no charge for the renewal of an existing license. In the event a business fails to submit its request for renewal of its existing license on or before July 31, its license shall lapse and a new license must be applied for and the proper fee paid as with any new license.

Sec. 5-309. - Procedure if other approval or permit required.

In any case where other municipal, county or state approvals, permits or licenses are required of any licensee, the Town Recorder shall not issue a business license until such approval or permits have been acquired. In addition to being cited and fined for violation of these regulations, in a case where other municipal approvals, permits or licenses are required of the licensee, such other approvals, permits or licenses may be revoked by the Town if the licensee does not obtain a business license as required by this article.

Sec. 5-310. - Contents of license; official copies of same.

Every license shall show the name of the business, the nature of the business, the location thereof. The Town Recorder shall keep a copy of every license issued.

Sec. 5-311. - Display of license.

Every license shall be kept in plain sight for the public to view at the place of business of the licensee named on the license.

Sec. 5-312. - Assignments and transfers.

Every license issued under the provisions shall only be assignable when that business carried on at a fixed place is sold as a unit to any person and the purchaser thereof is to carry on the same business and business name at the same place, the license may be assigned to the purchaser. Upon delivery of the license, properly assigned, to the Town Recorder, together with a written statement that the business has been sold as a unit and that the purchaser is to carry on the same at the same place of business the assignee shall be entitled to have a new license issued to him. The Town Recorder shall cancel the assigned license upon issuance of a revised license.

Sec. 5-313. - Exemptions.

The following businesses are exempt from the requirements of this article as indicated below:

Any not-for-profit business operated for a religious, educational, civic, patriotic, charitable, or fraternal purpose, if the entire gross income of the business is used for said purpose.

Any not-for-profit business that operates group homes, day cares or other types of care facilities for a nonprofit religious, educational, civic, patriotic, charitable, or fraternal purpose is exempt from payment of a privilege license fee, if the entire gross income of the business is used exclusively for nonprofit purpose.

Sec. 5-314. - Delinquent license fee and penalty.

Upon discovering any business which has been operating within the town without a business license as required by this article, the Town Recorder is hereby authorized to assess and collect the delinquent privilege license fee plus a penalty as specified in the Town of Farragut fee schedule for each year that the same has remained unpaid, not exceeding three (3) years including the current year for which said license fee may be required.

SECTION 2.

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

_____

Dr. Ralph McGill, Mayor

_____

Allison Myers, Town Recorder

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Tenn. Code Ann. § 67-4-702 (Copy w/ Cite)

Tenn. Code Ann. § 67-4-702

Pages: 6

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*** CURRENT THROUGH THE 2011 REGULAR SESSION ***

Title 67 Taxes And Licenses
Chapter 4 Privilege and Excise Taxes
Part 7 Business Tax Act

Tenn. Code Ann. § 67-4-702 (2012)

67-4-702. Part definitions.

(a) As used in this part, unless the context otherwise requires:

(1) "Affiliated business entity" means a business entity:

(A) In which the taxpayer, directly or indirectly, has more than fifty percent (50%) ownership interest;

(B) That, directly or indirectly, has more than fifty percent (50%) ownership interest in the taxpayer; or

(C) In which a person described in subdivision (a)(1)(B) directly or indirectly has more than fifty percent (50%) ownership interest. For purposes of this subdivision (a)(1)(C), a noncorporate entity is more than fifty-percent owned if upon liquidation more than fifty percent (50%) of the assets of the noncorporate entity directly or indirectly accrue to the entity having the ownership interest;

(2) "Business" includes any activity engaged in by any person, or caused to be engaged in by the person, with the object of gain, benefit, or advantage, either direct or indirect. "Business" does not include occasional and isolated sales or transactions by a person not routinely engaged in business. "Business" does not include an individual property owner who utilizes a property management company to manage a vacation lodging for overnight rentals; provided, however, that "business" shall include any other activity of such individual property owner that is subject to any tax levied by this part;

(3) "Commissioner" means the commissioner of revenue or the commissioner's duly authorized assistants, except as otherwise provided in this part;

(4) "Department" means the department of revenue, except as otherwise provided in this part;

(5) "Dominant business activity" means the business activity that is the major and principal source of taxable gross sales of the business;

(6) "Fabricating or processing tangible personal property for resale" includes only tangible personal property that is fabricated or processed for ultimate use or consumption off the premises of the one engaging in such fabricating or processing;

(7) "Gross sales" means the sum total of all sales under this part as defined in this section, without any deduction whatsoever of any kind or character, except as provided in this part;

(8) "Individual property owner" means a person who owns a vacation lodging;

(9) "Inventories of merchandise held for sale or exchange" includes tangible personal property held by a merchant or business for lease or rental, but does not include such property in the possession of a lessee;

(10) "Lease or rental" means the leasing or renting of tangible personal property and the possession or use of the property by the lessee or renter for a consideration, without transfer of the title of such property;

(11) "Overnight rentals" means rental of a vacation lodging to one (1) or more individuals for temporary human lodging not to exceed a period of one hundred eighty (180) consecutive days; provided, however, that a tenancy or lease to an individual who has no other place of residence or abode during the lease period to which such individual may return after the lease terminates is not "overnight rentals";

(12) "Person" includes any individual, firm, partnership, joint venture, association, corporation, estate, trust, business

AGENDA NUMBER VI. A. 3 MEETING DATE April 14, 2012

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Allison Myers, Town Recorder

SUBJECT: Ordinance 12-07, ordinance to amend Fiscal Year 2012 Budget

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INTRODUCTION:

The purpose of this agenda item is to approve Ordinance 12-07, to amend the Fiscal Year 2012 General Fund and Capital Investment Program Budgets.

DISCUSSION:

Ordinance 12-07 will amend the budget to reflect the following:

- The General Fund budget will be amended by increasing the transfers to Capital Investment Program by $55,000 to fund the requested amendment.

- The Capital Investment Program will be amended be increasing the appropriated expenditures by $160,000 due to the following:

    - **Watt Road Extension/Old Stage Road Improvements:** The FY2012 CIP has $44,400 budgeted for this fiscal year to supplement last year's budgeted amount. Appraisals have been finalized and negotiated with property owners for acquisition of Right of Way and easements, and now include legal expenditures to these accounts. An additional **$105,000** will be necessary during this fiscal year, and request an amendment to the current CIP budget for this project. Please note that once all Right of Way is purchased, the Town will seek reimbursement of 80% of costs from TDOT.

    - **Farm at Willow Creek Project:** Earlier during this fiscal year, the CIP budget for this project was increased to $1,200,000. All contracted work with the original project was completed at slightly less than budgeted. Unfortunately, a new sinkhole has developed and the plan is to cap grout the affected area in order to repair. Cap grouting, plus oversight by a geotechnical professional from GEOServices, LLC, is anticipated to require an additional **$55,000**, and staff requests a second amendment to the budget for this project.

All requests will be funded through the fund balance of both the General and Capital Investment Program Funds.

RECOMMENDATION BY: Allison Myers, Town Recorder

PROPOSED MOTION: Motion to approve Ordinance 12-07 on first reading.

BOARD ACTION:

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

VOTE/TOTAL	MCGILL	ELLIOTT	HONKEN	LAMARCHE	MARKLI
YES					
NO					
ABSTAIN					

ORDINANCE	12-07
PREPARED BY	Myers
1ST READING	April 14, 2012
2nd READING	
PUBLISHED IN	
DATE	

AN ORDINANCE OF THE TOWN OF FARRAGUT, TENNESSEE AMENDING THE FISCAL YEAR 2011-2012 BUDGET, PASSED BY ORDINANCE 11-07

WHEREAS, the Town of Farragut adopted the fiscal year 2011-12 budget by passage of Ordinance Number 11-07 on June 23, 2011; 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 transfers and the Capital Investment Program 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 2011-2012 BUDGET AS FOLLOWS:

SECTION 1. Ordinance Number 11-07 is hereby amended by increasing the appropriated transfers from the General Fund to the Capital Investment Program by 55,000 and increasing the appropriated expenditures for the Capital Investment Program by $160,000.

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.

_____

Dr. Ralph McGill, Mayor

_____

Allison Myers, Town Recorder

AGENDA NUMBER VII. B. MEETING DATE April 12, 2012

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Darryl W. Smith, PE

SUBJECT: Approval of Bids for Contract 2012-11, Cap and Compaction Grouting on Ivy Lake Drive

INTRODUCTION: The purpose of this agenda item is consideration of bids for work required to repair a sinkhole issue on Ivy Lake Drive in the Farm at Willow Creek Subdivision.

BACKGROUND: The Board of Mayor and Aldermen approved a contract for repairs to the storm sewer at the Farm at Willow Creek Subdivision last year. Blalock Construction completed all repairs in December, but another "fall-out" occurred in February. GEOServices, LLC, a local geotechnical engineering firm, has investigated the issue at this location (by drilling and examination of soil samples), and recommends cap and compaction grouting as the preferred method of correcting the problem. This method will require drilling through the new roadway and underlying soils to bedrock (varying in depth from 20 to 40 feet), and pumping grout into the voids and soft soils under high pressure, thus "bridging" the void with little impact at the surface. This is a very common method of dealing with sinkholes in areas where excavation to bedrock isn't economically feasible.

We received the following three bids from cap grouting contractors on April 3:

American Foundation & Basement Repairs, LLC	**$42,026**
Rembco Geotechnical Contractors, Inc.	**$53,814**
Hayward Baker, Inc.	**$63,590**

FINANCIAL SECTION:

Project: Contract 2012-11, Cap and Compaction Grouting

Project Budget	Requested Amount	Expenditures to Date	Available Amount
$55,000	$42,026	$0	$12,974

Approved By: _____

RECOMMENDATION BY: Darryl Smith, PE, Town Engineer

PROPOSED MOTION: Award of Contract 2012-11 to American Fountation and Basement Repairs, LLC, for their bid of $42,026.

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

VOTE/TOTAL	MCGILL	LAMARCHE	HONKEN	MARKLI	ELLIOTT
YES					
NO					
ABSTAIN					

AGENDA NUMBER VII.C. MEETING DATE April 12, 2012

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Allison Myers, Town Recorder AM

SUBJECT: Approval of FY2012 Mid-Year Committee Appointments to the Economic Development Committee

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INTRODUCTION: The purpose of this business item is to appoint a member to the Economic Development Committee for the remainder of Mr. Ram Suga's term. The term expires June 2013.

BACKGROUND: The committee consists of one (1) member of the Board of Mayor and Aldermen appointed by the Board of Mayor and Aldermen, and up to eight (8) at-large members. The Economic Development Committee members are expected to attend 75% of scheduled meetings. The term of any member shall expire following the third absence. Members may seek reappointment by the Board of Mayor and Aldermen.

DISCUSSION: At the March 22 meeting Mr. Michael Such was appointed to fill Mr. Suga's term. Since that time Mr. Such has resigned. The term was to expire June 2013. The Economic Development Committee has one (1) at-large member to appoint at the discretion of the Board of Mayor and Aldermen.

Enclosed in your Board packet is Ron Pinchok's application to be considered for the remainder of Mr. Suga's term.

The at-large members shall be a resident of the Town of Farragut and/or have business interests (business interests are to be defined by the Committee) within the Town of Farragut.

RECOMMENDATION BY: Allison Myers, Town Recorder/Treasurer

PROPOSED MOTION: To appoint one (1) of the applicants to serve for the remainder of the June 2013 term.

BOARD ACTION:

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

VOTE/TOTAL	ELLIOTT	HONKEN	LAMARCHE	MARKLI	MCGILL
YES					
NO					
ABSTAIN					

TOWN OF FARRAGUT CITIZEN BOARD/COMMITTEE APPLICATION

Name RON PINCHOK

Address 12618 RED CANYON RD KNOXVILLE, TN Zip 37934

Home Phone (865) 675-6135 Business Phone _____

Fax _____ E-mail RPINCH1@TDS.NET

Occupation RETIRED

Education BA MATHEMATICS FROM WVU

Why would you like to serve on a Town of Farragut committee (attach resume or additional information if desired):

SEE ATTACHED

Indicate which Committee you are interested in serving:

_____	Arts Council
_____	Board of Plumbing & Gas/Mechanical Examiners
_____	Board of Zoning Appeals (BZA)
_____	Beautification Committee
✓	Economic Development Committee
_____	Folklife Museum Committee
_____	Knox County Schools Education Relations Committee
_____	Parks & Athletics Council
_____	Personnel Committee
_____	Stormwater Advisory Committee
_____	Visual Resources Review Board (VRRB)

I give my permission to the Town of Farragut to use my likeness on the web and/or Town publications. I have read and understand the Code of Ethics Ordinance and the applicable committee charter, ordinance or and/or by-laws.

Signature Ron Pinchok Date 2/27/12

Please sign, date and return to:
Farragut Town Hall, 11408 Municipal Center Drive, Farragut, TN 37934
Fax: 675-2096 or scan/e-mail to pam.hall@townoffarragut.org

Ron Pinchok

Economic Development Committee Application

2/27/2012

I have lived in Farragut for the past 24 years and would like to contribute back to the town. I am currently on the Parks and Athletics Council. I worked for Xerox for two years and Hallmark Cards for 35 years, all in sales and marketing. I spent most of my career in the area of retail sales and was a Market Development Manager for four years and have had experience with ICSC functions. I am currently retired and with my experience I can be a good fit to work on the Economic Development Committee.