

A G E N D A

FARRAGUT BOARD OF MAYOR AND ALDERMEN

April 26, 2012

WORKSHOP

6:15 PM

School Grant Discussion & FY2013 Budget Review

BMA MEETING

7:00 PM

- I. Silent Prayer, Pledge of Allegiance, Roll Call**
- II. Approval of Agenda**
- III. Mayor's Report**
 - A. Presentation by Knox County Sherriff Jones
- IV. Citizens Forum**
- V. Approval of Minutes**
 - A. March 22, 2012
 - B. April 12, 2012
- VI. Ordinances**
 - A. Second 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. Town Administrator's Report**
- VIII. 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

A G E N D A

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**

The Farragut Board of Mayor and Aldermen met in a regular session on Thursday, April 12, 2012 at 7:00 p.m.

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

Approval of Agenda

Motion was made to approve the agenda with an amendment to move item 7.A. Report by the Farragut/Knox County Schools Education Relations Committee, to follow the Mayor's report. Moved by Mayor McGill, seconded by Alderman LaMarche; voting yes, Mayor McGill, Aldermen Honken and LaMarche; Aldermen Elliott and Markli were absent; no nays; motion passed.

Mayor's Report

Arbor Day Poster Contest Award

Lauren Cox, special event and program coordinator, announced that the winner for Best of Show for the Arbor Day poster contest was Diba Seddigh. Ms. Seddigh is a 5th grader at Farragut Intermediate.

Sue Stuhl announced that Lauren Cox, special event and program coordinator for the Town of Farragut, earned the Certified Park and Recreation Professional (CPRP) certification from the National Recreation and Park Association (NRPA).

Dot LaMarche announced that she was principal for the day at Farragut Intermediate School.

Report by the Farragut/Knox County Schools Education Relations Committee

Mark Littleton, Chairman of the Farragut/Knox County Schools Education Relations Committee, presented findings of school needs as research by the committee.

Citizens Forum

Emily Loper, 330 Quail Pointe, had concerns about proposed apartment complexes in the Town. The Board encouraged Mrs. Loper to attend the land use plan information forum on May 5.

Ordinances

First Reading

Ordinance 12-06, an amendment to the Farragut Municipal Code, Title 14 Land Use Controls, to create minimum building facade requirements

Motion was made to approve Ordinance 12-06 on first reading. Moved by Alderman LaMarche, seconded by Alderman Honken; voting yes, Mayor McGill, Aldermen Honken and LaMarche; Aldermen Elliott and Markli were absent; no nays; motion passed.

Ordinance 12-05, an amendment to the Farragut Municipal Code, Title 5, to add Chapter 3, Business Registration Program

Motion was made to approve Ordinance 12-05 on first reading. Moved by Alderman Honken, seconded by Alderman LaMarche; voting yes, Mayor McGill, Aldermen Honken and LaMarche; Aldermen Elliott and Markli were absent; no nays; motion passed.

Ordinance 12-07, Ordinance to amend Fiscal Year 2012 Budget

Motion was made to approve Ordinance 12-07 on first reading. Moved by Alderman Honken, seconded by Alderman LaMarche; voting yes, Mayor McGill, Aldermen Honken and LaMarche; Aldermen Elliott and Markli were absent; no nays; motion passed.

Business Items

Approval of Contract 2012-11, Cap and Compaction Grouting on Ivy Lake Drive, Farm at Willow Creek

Motion was made to award contract 2012-11 to American Foundation & Basement Repairs, LLC in the amount of \$42,026. Moved by Alderman LaMarche, seconded by Alderman Honken; voting yes, Mayor McGill, Aldermen Honken and LaMarche; Aldermen Elliott and Markli were absent; no nays; motion passed.

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

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

Town Administrator's Report

David Smoak, Town Administrator, announced that the Dogwood Arts Festival bus route will be at stopping at the Folklife Museum Friday, Saturday and Sunday and that the Book Fest is on Saturday at Campbell Station Park from 10:00 AM – 2:00 PM.

Attorney's Report

Tom Hale, Town Attorney, informed the board that the settlement in the Farm at Willow Creek LLC lawsuit was rejected by the party and that they had made a counter offer to the Town.

Meeting adjourned at 8:00 PM.

Ralph McGill, Mayor

Allison Myers, Town Recorder

AGENDA NUMBER V.I.A. 1.

MEETING DATE April 26, 2012

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Ruth Viergutz Hawk, Community Development Director

SUBJECT: Ordinance 12-06, ordinance on 2nd reading to amend Title 14. Land Use Controls, of the Farragut Municipal Code, to create minimum building façade requirements

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: _____

<u>VOTE/TOTAL</u>	<u>ELLIOTT</u>	<u>LAMARCHE</u>	<u>MARKLI</u>	<u>HONKEN</u>	<u>MCGILL</u>
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.

ORDINANCE 12-06

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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:

ORDINANCE 12-06

Page 3

- (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

ORDINANCE 12-06

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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

REPORT TO THE BOARD OF MAYOR AND ALDERMEN**PREPARED BY:** Allison Myers, Town Recorder**SUBJECT:** Ordinance 12-05, an ordinance on second and final reading to amend the Farragut Municipal Code, Title 5, to add Chapter 3, Business Registration Program**INTRODUCTION:**

The Business Registration Program is a high priority action item in the Town's Strategic Plan. The purpose of the Business Registration Program is to identify, aid and support businesses by obtaining reliable information as to who is conducting or planning to conduct business within the Town of Farragut.

DISCUSSION:

The Economic Development Committee (EDC) reviewed the program policy at their February 1st and March 7th committee meetings. The EDC recommended approval of Ordinance 12-05 with one exception. The EDC recommended businesses that fall under Section 5-306 regarding multi-vendor sales not be required to obtain a business license. After consulting with the Town Attorney on the issue, staff would recommend that these businesses be required to obtain a license for the following reasons:

1. Location alone should not be a deciding factor in which businesses must obtain a license;
2. The goal of the program is to identify and help support all businesses located in Farragut; and
3. Obtaining a comprehensive list of all businesses in Farragut will assist staff in verifying all sales taxes are being properly remitted to the Town from the State of Tennessee.

Some key provisions of the business registration program include all businesses being given a 90 day period after adoption of this ordinance to obtain a license without having to pay the \$15 fee and all renewals of licenses filed in a timely manner would not be charged a renewal fee.

RECOMMENDATION BY: Town Recorder/Treasurer Allison Myers for approval**PROPOSED MOTION:** To approve Ordinance 12-05 on second and final reading.**BOARD ACTION:****MOTION BY:** _____ **SECONDED BY:** _____

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

ORDINANCE	12-05
PREPARED BY	Myers
1 ST READING	April 14, 2012
2 nd READING	April 26, 2012
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

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

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 by 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 second and final reading.

BOARD ACTION:

MOTION BY: _____ SECONDED BY: _____

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

ORDINANCE	12-07
PREPARED BY	Myers
1 ST READING	April 14, 2012
2 ND READING	April 26, 2012
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