

A G E N D A

FARRAGUT BOARD OF MAYOR AND ALDERMEN

July 11, 2013

BEER BOARD

6:55 PM

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. June 27, 2013
- VI. Business Items**
 - A. Approval of Bids for new 2013 Right of Way Mowing Tractor
 - B. Approval of Contract 2014-09, Mayor Bob Leonard Park Field #2 Artificial Turf Installation
- VII. Ordinances**
 - A. First Reading
 - 1. Ordinance 13-20, ordinance request for abandonment of right-of-way of old Snyder Road right-of-way at N. Campbell Station Road, located between Parcels 122 & 123.02, Tax Map 130, Farragut Municipal Code, Title 16, Chapter 3. Road Closing or Terminating Policy (Eddie Kherani/Marathon Gas Station, Applicant)
- VIII. Town Administrator's Report**
- IX. Attorney's Report**

MINUTES

FARRAGUT BOARD OF MAYOR AND ALDERMEN

June 27, 2013

FEE SCHEDULE WORKSHOP

6:30 PM

BEER BOARD

6:50 PM

BMA MEETING

7:00 PM

- I. **Silent Prayer, Pledge of Allegiance, Roll Call**
- II. **Approval of Agenda**
- III. **Mayor's Report**
 - A. AmeriCorps Year-End Summary by Chris Woudstra
- IV. **Citizens Forum**
- V. **Approval of Minutes**
 - A. June 13, 2013
- VI. **Business Items**
 - A. Approval of Resolution R-2013-04, FY2014 Fee Schedule
 - B. Appointment of Board of Mayor and Aldermen member to the Planning Commission
 - C. Appointment to the Personnel Committee for one-year term
 - D. Consideration of Letter of Intent to Purchase Property at 11401 Kingston Pike
- VII. **Ordinances**
 - A. Second Reading and Public Hearing
 - 1. Ordinance 13-18, ordinance to amend the Farragut Zoning Ordinance, Chapter 4., Section VIII. Farragut Municipal Flood Damage Prevention Regulations, to adopt the latest flood study of Turkey Creek and North Fork Turkey Creek and to update regulations accordingly
 - 2. Ordinance 13-19, Fiscal Year 2014 Budget
- VIII. **Town Administrator's Report**
- IX. **Attorney's Report**

The Farragut Board of Mayor and Aldermen met in a regular session on Thursday, June 27, 2013 at 7:00 p.m. Members present were Mayor McGill, Aldermen Elliott, Honken and Markli; Alderman LaMarche was absent.

Approval of Agenda

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

Mayor's Report

Chris Woustra presented the AmeriCorps Year-End Summary. Mayor McGill announced that he, Alderman LaMarche and David Smoak attended the annual Tennessee Municipal League conference in Memphis.

Approval of Minutes

Motion was made to approve the minutes of June 13, 2013 as presented. Moved by Alderman Honken, seconded by Alderman Markli; voting yes, Mayor McGill, Aldermen Elliott, Honken and Markli; Alderman LaMarche was absent; no nays; motion passed.

Business Items

Approval of Resolution R-2013-04, FY2014 Fee Schedule

Motion was made to approve Resolution R-2013-04, FY2014 Fee Schedule. Moved by Alderman Honken, seconded by Alderman Elliott; voting yes, Mayor McGill, Aldermen Elliott, Honken and Markli; Alderman LaMarche was absent; no nays; motion passed.

Appointment of Board of Mayor and Aldermen member to the Planning Commission

Motion was made to appoint Ron Honken as the Board of Mayor and Aldermen member to the Planning Commission. Moved by Mayor McGill, seconded by Alderman Elliott; voting yes, Mayor McGill, Aldermen Elliott, Honken and Markli; Alderman LaMarche was absent; no nays; motion passed.

Appointment to the Personnel Committee for one-year term

Motion was made to appoint Drew Carson to a one-year term on the Personnel Committee. Moved by Alderman Elliott, seconded by Alderman Honken; voting yes, Mayor McGill, Aldermen Elliott, Honken and Markli; Alderman LaMarche was absent; no nays; motion passed.

Consideration of Letter of Intent to Purchase Property at 11401 Kingston Pike

Tom Hale, Town Attorney, discussed the back ground of this project that began in September 2012. Jim Nixon, 255 N. Peters Road, discussed possibilities with the property and Frank Sparkman discussed options for the restoration of the Russell House. After much discussion a motion was made to approve the terms and conditions of the attached Letter of Intent dated June 20, 2013, related to the purchase by the Town of the Russell property are hereby approved; that the Town Attorney is authorized and directed to work out the details of a definitive Purchase of Sale Agreement with representatives of the Russell's, incorporating the terms of the Letter of Intent and such other provisions customarily in contracts of this kind; and that on behalf of the Town the Mayor is authorized to execute the agreement as recommended by the Town Attorney. Moved by Alderman Honken, seconded by Mayor McGill; voting yes, Mayor McGill, Aldermen Elliott, Honken and Markli; Alderman LaMarche was absent; no nays; motion passed.

Ordinances

Second Reading and Public Hearing

Ordinance 13-18, ordinance to amend the Farragut Zoning Ordinance, Chapter 4., Section VIII. Farragut Municipal Flood Damage Prevention Regulations, to adopt the latest flood study of Turkey Creek and North Fork Turkey Creek and to update regulations accordingly

Motion was made to approve Ordinance 13-18 on second and final reading. Moved by Alderman Honken, seconded by Alderman Markli; voting yes, Mayor McGill, Aldermen Elliott, Honken and Markli; Alderman LaMarche was absent; no nays; motion passed.

Ordinance 13-19, Fiscal Year 2014 Budget

Motion was made to approve Ordinance 13-19 on second and final reading with the alternate CIP that was introduced. Moved by Alderman Honken, seconded by Alderman Markli; voting yes, Mayor McGill, Aldermen Elliott, Honken and Markli; Alderman LaMarche was absent; no nays; motion passed.

Town Administrator's Report

David Smoak, Town Administrator, announced that the Red, White and Blues event will be July 3 from 6:30-10PM and the annual 4th of July Parade will be Thursday, July 4 at 9:30AM.

Meeting adjourned at 8:40 PM.

Ralph McGill, Mayor

Allison Myers, Town Recorder

AGENDA NUMBER: V1.A. MEETING DATE: July 11, 2013

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: William E. McKelvey, Public Works Director

SUBJECT: Approval of Bids for new 2013 Right of Way Mowing Tractor

INTRODUCTION: The purpose of this agenda item is to approve the purchase of a new 2013 Right of Way Mowing Tractor.

BACKGROUND:

In April 2013, the Public Works Department compiled budget numbers to evaluate the financial benefit to the Town to keep the right-of-way mowing services in-house or contract it out. In the attempt to bid these services, it was determined that the Public Works Department should continue to provide the right-of-way mowing services for the Town.

The new tractor will replace the 2004 ROW New Holland Tractor. In the past 4 years, the tractor has experienced numerous mechanical repairs which have cost the Town thousands of dollars; therefore, the tractor has reached the end of its useful life.

DISCUSSION: Attached are two bids which were received on June 18, 2013. Staff recommends award of the contract to the lowest bidder, which is CMI Equipment Sales Inc. in the amount of \$80,347.00 for a 2013 John Deere Mower 6105M and Alamo Versa Mower.

FINANCIAL SECTION:

<u>Total Budget</u>	<u>Contract Amount</u>	<u>Remaining Amount</u>
\$107,000	\$80,347	\$26,653

Approved
By: _____

RECOMMENDATION BY: Bud McKelvey, Public Works Director, for approval.

PROPOSED MOTION: Approval of bids for the purchase of a 2013 John Deere Mower 6105M and Alamo Versa Mower to **CMI Equipment Sales Inc. in the amount of \$80,347.**

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	_____	_____	_____	_____	_____

BID TABULATION FOR 2013 Right of Way Mowing Tractor

The following bids were received on June 18, 2013 for the **2013 Right of Way Mowing Tractor**:

Ritchie Tractor Company 1746 W. Lamar Alexander Pkwy Maryville, TN 37801	<i>2013 John Deere Mower 6105M</i> <i>and</i> <i>Alamo Versa Mower</i> <i>(Optional Break Away Extension Arm)</i>	\$81,470.31 (\$9,033.44)
CMI Equipment Sales, Inc. 2405 Dickerson Road Nashville, TN 37207	<i>2013 John Deere Mower 6105M</i> <i>and</i> <i>Alamo Versa Mower</i>	\$80,347.00

The staff recommends award to CMI Equipment Sales, Inc. for their bid of \$80,347.

AGENDA NUMBER

VII. A. 1

MEETING DATE July 11, 2013

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Ruth Viergutz Hawk, Community Development Director

SUBJECT: Ordinance 13-20, ordinance on 1st reading on a request for abandonment of right-of-way of old Snyder Road right-of-way at N. Campbell Station Road, located between Parcels 122 & 123.02, Tax map 130, Farragut Municipal Code, Title 16, Chapter 3. Road Closing or Terminating Policy (Eddie Kherani/Marathon Gas Station, Applicant)

INTRODUCTION: The Snyder Road/Outlet Drive road project was completed in December 2012. As part of this roadway construction project, a portion of Snyder Road was moved north so as to connect it with Outlet Drive to the east and with Snyder Road to the west. As a result of this realignment, the portion of old Snyder Road immediately adjacent to the Marathon Gas Station has been closed to traffic.

DISCUSSION: The request before you is for approximately 160' of the closed right-of-way to be given to the adjacent property owner, Eddie Kherani, the owner of the Marathon Gas Station. Per the Farragut Municipal Code, such requests are to start with the planning commission, who in turn make a recommendation on the request to the Board of Mayor and Aldermen.

Staff feels this request is premature and that nothing should be done at this time. Since the road project was just recently completed, we are uncertain of future needs of the area. For example, the right-of-way could possibly be used as some type of pedestrian connection in the future.

I did receive an e-mail from First Utility District stating they had a sewer line in this area and they would need to retain rights to this line.

Attached please find a copy of the letter of request, an aerial photo of the general area, a zoomed in aerial photo of the now closed Snyder Road, and Ordinance 13-20.

PROFESSIONAL RECOMMENDATION: Community Development Director, Ruth Hawk, recommends denial of Ordinance 13-20.

PLANNING COMMISSION RECOMMENDATION: On June 20, 2013, in a unanimous vote, the Farragut Municipal Planning Commission recommended denial of Ordinance 13-20.

PROPOSED MOTION: Because a motion is to be made in the positive, the motion would be "To approve Ordinance 13-20" as attached. A failure of the motion would be a denial of Ordinance 13-20.

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	_____	_____	_____	_____	_____

AZIZ A. KHERANI
644 BLUE HERRON ROAD
KNOXVILLE, TN 37934
865-388-5431.

RECEIVED

MAR 26 2013

TOWN OF FARRAGUT

March 25, 2013

Ms. Ruth Hawk

Town of Farragut

Plans Review

11408 Municipal Center Drive

Farragut, TN 37934

Project: Marathon Gas Station, Campbell Station Road

Re: Abandoned Right of Way

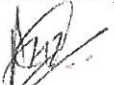
Ruth: Per our discussion, the extension of Outlet Drive and abandonment of Snyder Road has created a parcel of property that is currently owned by the Town of Farragut.

As the Owner of the *Marathon Oil* property, I am interested in the entire abandoned property as it has been brought to me that the property owner to the north has declined the option on their portion of the parcel.

Based on this information and a subsequent conversation with R2R studio, llc., it is my understanding that the Town of Farragut would entertain the possibility of transferring the property's ownership to me without monetary compensation to the Town. If this direction is amenable with the Town of Farragut, then I would be interested. If monetary exchange is deemed necessary for the property then I would not be interested.

Upon your review, please do not hesitate contact me if the Town of Farragut has further questions of me.

Respectfully submitted,



Aziz Kherani (Eddie)
865-388-5431.

Town of Farragut

New Snyder Road

Campbell Station Road

Old Snyder Road



1 in = 150 ft

Legend

- Town Limit
- Streets
- Parcels

Town of Farragut

New Snyder Road

Old Snyder Road

N Campbell Station Road

Legend

- Town Limit
- Streets
- Parcels



1 in = 75 ft

ORDINANCE:	13-20
PREPARED BY:	Hawk
REQUESTED BY:	Eddie Kherani/Marathon Gas Station
CERTIFIED BY FMPC:	June 20, 2013
PUBLIC HEARING:	_____
PUBLISHED IN:	_____
DATE:	_____
1ST READING:	_____
2ND READING:	_____
PUBLISHED IN:	_____
DATE:	_____

AN ORDINANCE TO CLOSE APPROXIMATELY ONE HUNDRED SIXTY (160) FEET OF OLD SNYDER ROAD RIGHT-OF-WAY AT N. CAMPBELL STATION ROAD, LOCATED BETWEEN PARCELS 122 AND 123.02, TAX MAP 130

WHEREAS the Board of Mayor and Aldermen of the Town of Farragut has been petitioned by the adjacent property owner to close approximately one hundred sixty (160) feet of old Snyder Road right-of-way at N. Campbell Station Road, located between Parcels 122 & 123.02, Tax Map 130, and

WHEREAS the Farragut Municipal Planning Commission has as set forth in Title 16, Section 16-303. of the Farragut Municipal Code, reviewed the request for closure,

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, as follows:

SECTION 1.

That approximately one hundred sixty (160) feet of old Snyder Road right-of-way at N. Campbell Station Road, located between Parcels 122 and 123.02, Tax Map 130, be closed, as illustrated on Exhibit A, with the following stipulations:

1. That the Town of Farragut relinquish ownership of the right-of-way through Quit Claim Deed to the adjoining property owner of Parcel 122, Tax Map 130;
2. That the owner of Parcel 122, Tax Map 130, prepare and record a subdivision plat which dissolves the right-of-way and the interior property lines between Parcel 122, Tax Map 130, and the right-of-way to create a single parcel; and
3. That the plat establish the appropriate utility easements.

ORDINANCE 13-20

Page 2

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 _____, 2013, with approval recommended.

Denied by FMPC
on 6/20/13
8-0.

Rita Holladay, Chairman

Edwin K. Whiting, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION

Town of Farragut

Ordinance 13-20 Exhibit A

Request for abandonment
of right-of-way
of Old Snyder Road
right-of-way at
N. Campbell Station Road,
located between
Parcels 122 & 123.02, Tax Map 130

Legend

-  Town Limit
-  Abandon Right-of-Way
-  Parcels



1 in = 175 ft

