# AGENDA

## FARRAGUT BOARD OF MAYOR AND ALDERMEN
**August 22, 2013**

**BMA MEETING**
7:00 PM

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

II. **Approval of Agenda**

III. **Mayor's Report**
   A. Farragut Business Alliance Presentation

IV. **Citizens Forum**

V. **Approval of Minutes**
   A. August 8, 2013

VI. **Ordinances**
   A. First Reading
      1. Ordinance 13-21, ordinance to amend Ordinance 13-19 Fiscal Year 2014 Budget

VII. **Business Items**
   A. Approval of Resolution R-2013-05, resolution authorizing the issuance, sale, and payment of three-year Russell property Capital Outlay Note, Series 2013, not to exceed $750,000
   B. Approval of Emergency Management Action Plan
   C. Approval of Dates for the November and December BMA meetings
   D. Approval to Elect Voting Delegate (1) and Alternate Voting Delegates (2) to the National League of Cities Conference

VIII. **Town Administrator's Report**

IX. **Attorney's Report**

# MINUTES

## FARRAGUT BOARD OF MAYOR AND ALDERMEN
**August 8, 2013**

### WORKSHOP
Emergency Management Plan
6:20 PM

### 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**
   A. Farragut Business Alliance Presentation

IV. **Citizens Forum**

V. **Approval of Minutes**
   A. July 11, 2013

VI. **Business Items**
   A. Approval of Purchasing Right of Way Tractor Equipment through the State Bid
   B. Approval of Special Event Signage for the News Sentinel Open golf tournament
   C. Approval and Public Hearing on the Parks and Leisure Services Master Plan Update

VII. **Town Administrator's Report**

VIII. **Attorney's Report**

The Farragut Board of Mayor and Aldermen met in a regular session on Thursday, July 11, 2013 at 7:00 p.m. Members present were Mayor McGill, Aldermen Elliott, LaMarche and Markli; Alderman Honken was absent.

## Approval of Agenda

Motion was made to approve the agenda with the postponement of the Farragut Business Alliance Presentation. Moved by Alderman Markli, seconded by Alderman Elliott; voting yes, Mayor McGill, Aldermen Elliott, LaMarche and Markli; Alderman Honken was absent; no nays; motion passed.

## Approval of Minutes

Motion was made to approve the minutes of July 11, 2013 as presented. Moved by Alderman Markli, seconded by Alderman Elliott; voting yes, Aldermen Elliott, LaMarche and Markli; Mayor McGill abstained; Alderman Honken was absent; no nays; motion passed.

## Business Items

### Approval of Purchasing Right of Way Tractor Equipment through the State Bid

Motion was made to approve the purchase of an Alamo 20 ft. boom arm and mounting bracket from CMI Equipment Sales Inc. in the amount of $25,000. Moved by Alderman Elliott, seconded by Alderman LaMarche; voting yes, Mayor McGill, Aldermen Elliott, LaMarche and Markli; Alderman Honken was absent; no nays; motion passed.

### Approval of Special Event Signage for the News Sentinel Open golf tournament

Motion was made to approve the proposed placement of directional signage within the Town of Farragut's right-of-way for the News Sentinel Open from August 10-August 19, 2013. Moved by Alderman LaMarche, seconded by Alderman Markli; voting yes, Mayor McGill, Aldermen Elliott, LaMarche and Markli; Alderman Honken was absent; no nays; motion passed.

### Approval and Public Hearing on the Parks and Leisure Services Master Plan Update

Motion was made to approve the Parks and Leisure Services Master Plan update. Moved by Alderman Elliott, seconded by Alderman LaMarche; voting yes, Mayor McGill, Aldermen Elliott, LaMarche and Markli; Alderman Honken was absent; no nays; motion passed.

## Town Administrator's Report

David Smoak, Town Administrator, announced that the golf tournament events begin Monday and run through Sunday. Also, he reported that a copy of the Farragut Finances was in the Farragut Press this week.

Meeting adjourned at 7:30 PM.

______________________________
Ralph McGill, Mayor

______________________________
Allison Myers, Town Recorder

AGENDA NUMBER VI.A.1 MEETING DATE August 22, 2013

# REPORT TO THE BOARD OF MAYOR AND ALDERMEN

**PREPARED BY: Allison Myers, Town Recorder**
**SUBJECT:** Ordinance 13-21, ordinance to amend Ordinance 13-19 Fiscal Year 2014 Budget

---

## INTRODUCTION:

The purpose of this agenda item is to approve Ordinance 13-21, to amend the Fiscal Year 2014 Capital Investment Program and Equipment Replacement budgets.

## DISCUSSION:

Ordinance 13-21 will amend the budget to reflect the following:

- The State Street Aid fund will be amended by increasing the appropriated expenditures by $476,402. In hopes of receiving better bids the contract provided a more flexible construction season. Due to this change the resurfacing project was just completed. The resurfacing budget for FY2013 was $500,000 but only $23,598 was expended. Therefore the remaining amount ($476,402) will be transferred to the current fiscal year.
- The Capital Investment Program will be amended be increasing the appropriated expenditures by $100,000. Funds for the Outlet Drive Extension project were budgeted in FY2012 but not expended until FY2014, therefore must be appropriated in the FY2014 budget. Attached is a memo from Tom Hale explaining the details of the acquisition of the right-of-way from Vision Knoxville West, LLC. In addition to a motion for the budget amendment there will need to be a separate motion to authorize the purchase of the right-of-way.
- The Equipment Replacement Fund will be amended by increasing the appropriated expenditures by $6,000. The funds will be used to replace the John Deere Gator used at the parks.

All requests will be funded through the balance of each fund.

**RECOMMENDATION BY:** Town Recorder Allison Myers for approval.

## PROPOSED MOTIONS:

1. Motion to approve Ordinance 13-21 on first reading.

&

2. Motion to authorize the Mayor to enter into a contract in a form recommended by the Town Attorney pursuant to which Vision Knoxville West, LLC would be paid $96,771.49 in exchange for the tracts designated as Tract 2 and Tract 5 on the Snyder Road/Outlet Drive extension plans, which interests are needed in order to accomplish the project.

**BOARD ACTION:**
**MOTION BY:**____________________ **SECONDED BY:**____________________

| VOTE/TOTAL | MCGILL | ELLIOTT | HONKEN | LAMARCHE | MARKLI |
|---|---|---|---|---|---|
| YES | | | | | |
| NO | | | | | |
| ABSTAIN | | | | | |

# MEMORANDUM

**TO:** Farragut Board of Mayor and Aldermen

**FROM:** Thomas M. Hale, Town Attorney

**DATE:** August 14, 2013

**RE:** Acquisition of Right of Way from Vision Knoxville West, LLC

---

Normally matters involving individual condemnations do not come before you because they are authorized by this Board through a combination of actions you take. First, you approve a project which includes an authorization for land acquisitions necessary to accomplish the project. And second, the annual budget you approve includes funding necessary to accomplish those land acquisitions which are usually numerous, but in relatively small amounts per landowner. Normally, these land acquisitions are required to be accomplished pursuant to state regulations that require appraisals, and the acquisitions are accomplished within the fiscal year for which the budget includes funding to make the purchases.

The matter before you involves an acquisition that was originally approved several years ago when the Synder Road extension was approved. Since that time the original owners, the Zaveri family, sold two of their four tracts adjacent to the new Synder Road to Vision Knoxville West, LLC ("Vision"). As a result of this sale, the acquisition has been delayed as we worked with Vision to reach agreement on the price to be paid for the property. In the interim, we have closed on the two tracts that were still owned by members of the Zaveri family.

Once Vision acquired the other two tracts, and built a motel, we negotiated a price that was the same cost per square foot that Vision paid the Zaveris for the two tracts. The per square foot price that makes up the $96,771.49 price you are being asked to approve is the same price that Vision paid the Zaveris. The price a willing buyer would pay a willing seller is the definition of what property is worth.

Because the funding for this acquisition is not included in the fiscal year's budget, we felt that it was best that we obtain your approval of the price for this purchase in order to ensure that no question could be raised about whether the purchase was appropriately authorized by the Town.

The motion to approve this purchase from Vision of the land and easements already included in the new Snyder Road is recommended by the Town Attorney and staff.

The motion that requires your approval is that the Mayor be authorized to enter into a contract in a form recommended by the Town Attorney pursuant to which Vision Knoxville West, LLC would be paid the following in exchange for the following property interests which are related to tracts designated as 2 and 5 on the Snyder Road/Outlet Drive extension plans, which interests are needed in order to accomplish that project:

| | | | |
|---|---|---|---|
| | **Tract 2** | | |
| Land Taken | 14,785.09 x $4.49 = | $66,385.05 | |
| Slope Easement | 2,396.70 x $2.25 = | 5,392.57 | |
| Const. Easement | 4,913.63 x .55 = | 2,702.49 | |
| | | | $74,480.11 |
| | **Track 5** | | |
| Drainage Easement | 923.31 x 4.49 = | $ 4,145.66 | |
| Slope Easement | 7,907.10 x. 2.25 = | 17,790.97 | |
| Const. Easement | 645.00 x .55 = | 354.75 | |
| | | | $22,291.38 |
| | | | $96,771.49 |

The Town staff is also authorized to execute the documents necessary to consummate this acquisition in the form approved by the Town Attorney.

Approval of this motion will require the approval of a budget amendment to provide the funding to make this acquisition.

TMH

TMH/pcm
cc: David Smoak

| | |
|---|---|
| ORDINANCE | 13-21 |
| PREPARED BY | Myers |
| $1^{ST}$ READING | August 22, 2013 |
| $2^{nd}$ READING | |
| PUBLISHED IN | |
| DATE | |

# AN ORDINANCE OF THE TOWN OF FARRAGUT, TENNESSEE AMENDING THE FISCAL YEAR 2013-2014 BUDGET, PASSED BY ORDINANCE 13-19

**WHEREAS**, the Town of Farragut adopted the fiscal year 2012-13 budget by passage of Ordinance Number 13-19 on June 27, 2013; 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 and Insurance Fund 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 2013-2014 BUDGET AS FOLLOWS:

SECTION 1. Ordinance Number 13-19 is hereby amended by:

- Increasing the appropriated expenditures in the State Street Aid by $476,402. Expenses for the State Street Aid fund will total $1,167,402.
- Increasing the appropriated expenditures in the Capital Investment Program by $100,000. Expenditures for the Capital Investment Program will total $6,557,500.
- Increasing the appropriated expenditures for the Equipment Replacement Fund by $6,000. Expenditures for the Equipment Replacement Fund will total $113,000.

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.A. MEETING DATE August 22, 2013

# REPORT TO THE BOARD OF MAYOR AND ALDERMEN

**PREPARED BY: Allison Myers, Town Recorder**
**SUBJECT:** Approval of Resolution R-2013-05, resolution authorizing the issuance, sale, and payment of three-year Russell property Capital Outlay Note, Series 2013, not to exceed $750,000

---

**BACKGROUND:** At the June 27, 2013 Board of Mayor and Aldermen meeting the Board approved a letter of intent to purchase the Russell property at 11401 Kingston Pike. The terms of the agreement are as follows:

> Purchase Price and Payment Terms. The price for the Property would be One Million Two Hundred and Fifty Thousand Dollars ($1,250,000) payable as follows:
>
> (a) Fifty Thousand Dollars ($50,000) as a down payment upon execution of the definitive agreement contemplated by paragraph 3 hereof, to be held in escrow by Tennessee Valley Title Insurance Company (the "Escrow Agent"); and
>
> (b) Five Hundred Thousand Dollars ($500,000) in a lump sum payment at closing, which would include the Fifty Thousand Dollar ($50,000) down payment; and
>
> (c) The balance of Seven Hundred and Fifty Thousand Dollars ($750,000) would be memorialized in a promissory note secured by a first priority lien on the property, which would be payable in three (3) annual installments of Two Hundred and Fifty Thousand Dollars ($250,000) plus accrued interest on the outstanding balance at the rate of one and one-half percent (1.5%) per annum.

**DISCUSSION:**

Under the provisions of Parts I, IV, and VI of Title 9, Chapter 21 of the Tennessee Code Annotated, local governments in Tennessee are authorized to finance the cost of projects through the issuance and sale of interest bearing capital outlay notes upon the approval of the Comptroller of the Treasury.

Since the Town is issuing debt through the purchase of the property, the State of Tennessee must approve the issuance of the debt. Resolution R-2013-05 authorizes the terms of the debt. The Capital Investment Program budget includes the payments and interest as agreed upon by both parties. The Comptroller will also have to approve the Town's annual budget each year the Town has debt. Currently the annual budget is submitted to the State but no approvals are required.

**RECOMMENDATION BY:** Town Recorder/Treasurer Allison Myers for approval

**PROPOSED MOTION:** To approve Resolution R-2013-05, resolution authorizing the issuance, sale, and payment of three-year Russell property Capital Outlay Note, Series 2013, not to exceed $750,000

**BOARD ACTION:**
**MOTION BY:** ______________________ **SECONDED BY:** ______________________

| VOTE/TOTAL | ELLIOTT | HONKEN | LAMARCHE | MARKLI | MCGILL |
|---|---|---|---|---|---|
| YES | ____ | ____ | ____ | ____ | ____ |
| NO | ____ | ____ | ____ | ____ | ____ |
| ABSTAIN | ____ | ____ | ____ | ____ | ____ |

**Resolution No.** R-2013-05

RESOLUTION OF THE GOVERNING BODY OF
THE TOWN OF FARRAGUT, TENNESSEE, AUTHORIZING
THE ISSUANCE, SALE, AND PAYMENT OF THREE-YEAR
RUSSELL PROPERTY CAPITAL OUTLAY NOTE, SERIES 2013,
NOT TO EXCEED $750,000

WHEREAS, the Governing Body of the Town of Farragut, Tennessee (the Local Government) has determined that it is necessary and desirable to provide funds for the following public works project (the "Project") : Acquisition of Avery-Russell Property (the "Project") at a cost of $1,250,000 of which $750,000 would be owner financed over three (3) years; and

WHEREAS, the Governing Body has determined that the Project will promote or provide a traditional governmental activity or otherwise fulfill a public purpose; and

WHEREAS, under the provisions of Parts I, IV, and VI of Title 9, Chapter 21, Tennessee Code Annotated (the "Act"), local governments in Tennessee are authorized to finance the cost of this Project through the issuance and sale of interest bearing capital outlay notes upon the approval of the Comptroller of the Treasury or Comptroller's Designee; and

WHEREAS, the Governing Body finds that it is advantageous to the Local Government to authorize the issuance of a capital outlay note to finance a portion of the cost of the Project;

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of the Town of Farragut, Tennessee, as follows:

Section 1. That, for the purpose of providing funds to finance a portion of the cost of the Project in and for the Local Government, the Chief Executive Officer of the Local Government is hereby authorized in accordance with the terms of this resolution to issue and sell an interest-bearing capital outlay note in a principal amount not to exceed Seven Hundred and Fifty Thousand Dollars ($750,000) (the "Note") at either a competitive public sale or at a private negotiated sale upon approval of the Comptroller of the Treasury or Comptroller's Designee pursuant to the terms, provisions, and conditions permitted by law. The Note shall be designated "Russell Property Capital Outlay Note, Series 2013", shall be numbered 1; shall be dated as of the date of issuance; shall be in denomination of Seven Hundred Fifty Thousand Dollars ($750,000); shall be issued to the owners of the Russell Property as partial consideration for its purchase; and shall bear interest at a rate or rates not to exceed one and one-half percent (1.5%) per annum, and in no event shall the rate exceed the legal limit provided by law.

Section 2. That, the Note shall mature not later than three (3) years after the date of issuance and that the Note and any extension or renewal note shall not exceed the reasonably expected economic life of the Project, which is hereby certified by the Governing Body to be at least three (3) years. Provided, however, that each year the Note is outstanding, one-third (1/3) of the original principal amount of the Note shall mature without renewal but subject to prior redemption.

Section 3. That, the Note shall be subject to redemption at the option of the Local Government, in whole or in part, at any time, at the principal amount and accrued interest to the date of redemption, without a premium.

Section 4. That, the Note shall be direct general obligation of the Local Government, for which the punctual payment of the principal and interest on the Note, the full faith and credit of the Local Government is irrevocably pledged and the Local Government hereby pledges its taxing power as to all taxable property in the Local Government for the purpose of providing funds for the payment of principal of and interest on the Note. The Governing Body of the Local Government hereby authorizes the levy and collection of a special tax on all taxable property of the Local government over and above all other taxes authorized by the Local government to create a sinking fund to retire the Note with interest as it matures in an amount necessary for that purpose.

The Note shall be further secured by the Russell property being purchased with the proceeds of the Note, and any revenues resulting from the use of said property.

Section 5. That, the Note shall be executed in the name of the Local Government and bear the manual signature of the chief executive officer of the Local Government and the manual signature of the city recorder with the Local Government seal affixed thereon; and shall be payable as to principal and interest at the office of the Town Hall of the Local Government or the paying agent duly appointed by the Local Government. Proceeds of the Note shall be used for the purpose of financing the Project pursuant to this Resolution and as required by law.

Section 6. That, the Note will be issued payable to the owners and sellers of the Russell property, namely Charles A. Russell and Ann M. Owens, and that at all times during which the Note remains outstanding and unpaid, the Local Government or its agent shall keep or cause to be kept at its office a note register, if held by an agent of the Local Government, shall at all times be open for inspection by the Local Government or any duly authorized officer of the Local Government. The Note shall have the qualities and incidents of a negotiable instrument and shall be transferable only upon the note register kept by the Local Government or its agent, by the registered owner of the Note in person or by the registered owner's attorney duly authorized in writing, upon presentation and surrender to the Local Government or its agent together with a written instrument of transfer satisfactory to the Local Government duly executed by the registered owner of the registered owner's duly authorized attorney. Upon the transfer of any such Note, the Local Government shall issue in the name of the transferee a new registered note of the same aggregate principal amount and maturity as the surrendered Note. The Local Government shall not be obligated to make any such Note transfer during the fifteen (15) days next preceding an interest payment date of the Note or, in the case of any redemption of the Note, during the forty-five (45) days next preceding the date of redemption.

Section 7. That, the Note shall be in substantially the form authorized by the State Comptroller of the Treasury or Comptroller's Designee and shall recite that the Note is issued pursuant to Title 9, Chapter 21, Tennessee Code Annotated which is Attachment 1 to this resolution.

Section 8. That, the Note shall be sold only after the receipt of the written approval of the Comptroller of the Treasury or Comptroller's Designee for the sale of the Note.

Section 9. That, upon the opinion of bond counsel, the Note may be designated as qualified tax-exempt obligations for the purpose of Section 265(b) (3) of the Internal Revenue Code of 1986.

Section 10. That, after the sale of the Note, the fiscal affairs of the Local Government shall be maintained on a cash basis in order that the current receipts of the Local Government are sufficient to meet current expenditures and debt service. For each year that the note is outstanding, the Local Government shall prepare an annual budget in a form consistent with accepted governmental standards and as approved by the Comptroller of the Treasury or Comptroller's Designee. The Local Government shall maintain a balanced budget during the life of the Note. The annual budget shall be submitted to the

Comptroller of the Treasury or Comptroller's Designee immediately upon its adoption; however, it shall not become the official budget for the fiscal year until such budget is approved by the Comptroller of the Treasury or Comptroller's Designee in accordance with Title 9, Chapter 21, Tennessee Code Annotated (the "Statutes".) If the Comptroller of the Treasury or Comptroller's Designee determines that the budget does not comply with the Statutes, the Governing Body shall adjust its estimates or make additional tax levies sufficient to comply with the Statutes, or as directed by the Comptroller of the Treasury or Comptroller's Designee. The Local Government shall provide any information required by the Comptroller of the Treasury or Comptroller's Designee to determine that a balanced budget is kept during the life of the Note.

Section 11. That, if the Note shall remain unpaid at the end of three (3) fiscal years from the fiscal year of issue, then the unpaid Note shall be retired from the funds of the Local Government or be converted into bonds pursuant to Chapter 11 of Title 9 of the Tennessee Code Annotated, or any other law, or be otherwise liquidated as approved by the Comptroller of the Treasury or Comptroller's Designee.

Section 12. That, all orders or resolutions in conflict with this Resolution are hereby repealed insofar as such conflict exists and this Resolution shall become effective immediately upon its passage.

Duly passed and approved this ________day of _______ 2013.

_______________________________
Dr. Ralph McGill, Mayor

ATTESTED:

_______________________________
Allison Myers, Town Recorder

Attachment 1
CAPITAL OUTLAY NOTE FORM

| | | |
|---|---|---|
| Registered<br>Note #: 1 | Town of Farragut<br>of the<br>State of Tennessee<br>Capital Outlay Note, Series 2013 | Registered<br>$750,000 |

| DATED | INTEREST RATE | MATURITY DATE |
|---|---|---|
| __________,2013 | 1.5 % | __________,20___ |

Registered Owner: Charles A. Russell and Ann M. Owens
Principal Sum: $750,000
$

The Board of Mayor and Aldermen (Governing Body) of the Town of Farragut, Tennessee (the Local Government) hereby acknowledges itself indebted, and for value received hereby promises to pay to the Registered Owner hereof (named above), or registered assigns, the Principal Sum specified above in three (3) equal annual installments of Two Hundred and Fifty thousand Dollars ($250,000) on the three (3) anniversary dates following the date of this Note (unless this Note shall have been duly called for prior redemption and payment of the redemption price shall have been duly made or provided for), together with interest on the outstanding and unpaid portion of the Principal Sum at the Interest Rate per annum specified above, by check, draft, or warrant mailed to the Registered Owner at the address of the Registered Owner as it appears on the fifteenth (15th) calendar day of the month next preceding the applicable payment date in the note register maintained by or on behalf of the Local Government. Both principal of and interest on this Note are payable at the Town Hall of the Local Government or a paying agent duly appointed by the Local Government in lawful money of the United States of America.

This Note is a direct obligation of the Local Government for the payment of which as to both principal and interest the full faith and credit of the Local Government is pledged.

This Note is subject to redemption prior to its stated maturity in whole or in part at any time at the option of the Local Government upon payment of the principal amount of the Note together with the interest accrued thereon to the date of redemption.

This Note is issued under the authority of Parts I, IV, and VI of Title 9, Chapter 21, Tennessee Code Annotated, and a Resolution duly adopted by the Governing Body of the Local Government meeting in session on the __________ day of _______________, 2013 (the "Resolution") to provide funds to finance the cost of public works projects referenced in the Resolution.

This Note shall have the qualities and incidents of a negotiable instrument and shall be transferable only upon the note register kept by the Local Government or its agent, by the Registered Owner of the Note in person or by the Registered Owner's attorney duly authorized in writing, upon presentation and surrender to the Local Government or its agent of the Note together with a written instrument of transfer satisfactory to the Local Government duly executed by the Registered Owner or the Registered Owner's duly authorized attorney but only in the manner as provided in the Resolution of the Local Government authorizing the issuance of this Note and upon surrender hereof for cancellation. Upon the transfer of any such Note, the Local Government or its agent shall issue in the name of the transferee a new registered note of the same aggregate principal amount and maturity as the surrendered Note. The Local Government shall not be obligated to make any such note transfer during the fifteen (15) days next preceding an interest payment date on the Note or, in the case of any redemption of the Note, during the forty-five (45) days next preceding the date of redemption.

Title 9, Chapter 21, Section 117, Tennessee Code Annotated provides that this Note and interest thereon are exempt from taxation by the State of Tennessee or by any county, municipality or taxing district of the State, except for inheritance, transfer and estate taxes and except as otherwise provided under the laws of the State of Tennessee.

IT IS HEREBY CERTIFIED, RECITED AND DECLARED that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of this Note exist, have happened and have been performed in due time, form and manner as required by the Constitution and laws of the State of Tennessee, and that the amount of this Note, together with all other indebtedness of the Local Government, does not exceed any constitutional or statutory limitation thereon, and that this Note is within every constitutional and statutory limitation.

IN WITNESS WHEREOF, the Governing Body of the Local Government has caused this Note to be executed in the name of the Local Government by the manual signature of the Mayor, and countersigned and attested by the manual signature of the Town Recorder, and this Note to be dated as of the ____________ day of 2013.

______________________________
Dr. Ralph McGill, Mayor

ATTESTED:

______________________
Allison Myers, Town Records

**ASSIGNMENT**

**Note No. R-_________________.**

**Amount: $_________________.**

**For value received, the undersigned hereby sells, assigns and transfers unto**

__________________________________________________________
(Name and address of assignee)

__________________________________________________________
(Please indicate social security or other tax identifying number of assignee)

The within-mentioned note and hereby irrevocably constitutes and appoints ____________________, attorney-in-fact, to transfer the same on the note register in the office of the ____________________________________ or the agent of the Local Government with full power of substitution in the premises.

Date: ____________________

Assignor: _______________________________

Address: ________________________________

Signature Guaranteed by:_______________________________________

NOTE: The signature as to this assignment must correspond with the name as written on the face of the within note in every particular, without alteration, enlargement or any change whatsoever.

AGENDA NUMBER VII.B. MEETING DATE August 22, 2013

# REPORT TO THE BOARD OF MAYOR AND ALDERMEN

**PREPARED BY:** G. Palmer, Assistant Town Administrator

G. Palmer

Digitally signed by Gary Palmer
DN: cn=Gary Palmer, o=Town of Farragut, TN, ou=Administration, email=gpalmer@townoffarragut.org, c=US
Date: 2013.08.15 10:16:57 -04'00'

**SUBJECT:** Emergency Management Plan Adoption

Attachments: TOF Emergency Management Plan (revised 2013)
Adopted 2011 KEMA Plan

---

**INTRODUCTION:**
Per last week's workshop, we offer the attached plan for adoption by the Board of Mayor and Aldermen. This plan supplements the already adopted plan by KEMA (Knoxville Knox County Emergency Management Agency), the governing agency in case of a declared emergency. Additionally, this plan acts as a quasi-operating procedure for Town personnel in case of an emergency.

**BACKGROUND/DISCUSSION:**
This plan is a revision from the adopted 2007 plan. This plan is dynamic in that it will need to be amended from time to time to reflect changes in the adopted KEMA plan. Minor amendments or corrections will be done through the Town Administrator's Office and major amendments will be considered and approved by the Board. This plan is not required by KEMA, only recommended, has no statutory authority and serves only as a guide for the Town staff.

**FINANCIAL SECTION:**
There is no financial impact on the Town by adopting this plan.

**RECOMMENDATION BY:**
G. Palmer, Assistant Town Administrator
D. Johnson, Fire Marshal

**PROPOSED MOTION:**
Approve the revised TOF Emergency Management Plan as proposed.

**BOARD ACTION:**
MOTION BY:______________________ SECONDED BY:______________________

| VOTE/TOTAL | ELLIOTT | LAMARCHE | MARKLI | HONKEN | MCGILL |
|---|---|---|---|---|---|
| YES | | | | | |
| NO | | | | | |
| ABSTAIN | | | | | |

**AGENDA NUMBER** VII.C. **MEETING DATE** August 22, 2013

# REPORT TO THE BOARD OF MAYOR AND ALDERMEN

**PREPARED BY: Allison Myers, Town Recorder**

**SUBJECT:** Approval of Dates for the November and December BMA meetings

---

**BACKGROUND:**

In the past the Board of Mayor and Aldermen have chosen to cancel the second meeting in November due to Thanksgiving and the second meeting in December due to Christmas.

**DISCUSSION:**

The National League of Cities annual conference is November 13-16. The first meeting in November is scheduled for November 14th, three of five members are attending this conference. Since there will not be a quorum an alternate date has been proposed.

The dates for the second meeting in November is Thursday, November 28, 2013 and the December meeting is Thursday, December 26, 2013.

**PROPOSED MOTION:**

To cancel the meetings of November 14, November 28 and December 26 and to hold the meeting for November on Tuesday, November 19, 2013 and the meeting for December on Thursday, December 12, 2013.

**BOARD ACTION:**

**MOTION BY:** ______________________ **SECONDED BY:** ______________________

| VOTE/TOTAL | ELLIOTT | HONKEN | LAMARCHE | MARKLI | MCGILL |
|---|---|---|---|---|---|
| YES | ____ | ____ | ____ | ____ | ____ |
| NO | ____ | ____ | ____ | ____ | ____ |
| ABSTAIN | ____ | ____ | ____ | ____ | ____ |

AGENDA NUMBER VII.D. MEETING DATE August 22, 2013

# REPORT TO THE BOARD OF MAYOR AND ALDERMEN

**PREPARED BY: Allison Myers, Town Recorder**

**SUBJECT:** Approval to Elect Voting Delegate (1) and Alternate Voting Delegates (2) to the National League of Cities Conference

---

**INTRODUCTION:**

This agenda item is to elect voting delegates for the National League of Cities Conference in November.

**BACKGROUND:**

Each year the Board of Mayor and Aldermen elect a voting delegate and two alternate voting delegates.

**DISCUSSION:**

At the Annual Business Meeting on Saturday, November 16, 2013 the Town of Farragut is entitled to cast one vote based on the 2010 population. The Board is to elect one voting delegate and two alternate delegates for the Annual National League of Cities Conference in November.

**PROPOSED MOTION:**

To nominate __________ as the voting delegate and __________ and __________ as alternate voting delegates.

**BOARD ACTION:**

**MOTION BY:** ______________________________ **SECONDED BY:** ______________________________

| VOTE/TOTAL | ELLIOTT | HONKEN | LAMARCHE | MARKLI | MCGILL |
|---|---|---|---|---|---|
| YES | | | | | |
| NO | | | | | |
| ABSTAIN | | | | | |