

FARRAGUT BOARD OF MAYOR AND ALDERMEN
MINUTES
March 12, 2015

WORKSHOP
General Fund Revenue/Expenditures Projections
Program Changes
6:00 PM

BEER BOARD MEETING
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. February 26, 2015
- VI. Ordinances**
 - A. Public Hearing & Second Reading
 1. Ordinance 15-03, to amend the Farragut Municipal Code by adding Title 14, Chapter 6., Farragut Architectural Design Standards, and authorizing the Farragut Municipal Planning Commission to be the Design Review Commission
 - B. First Reading
 1. Ordinance 15-02, an Ordinance to amend the text of the Farragut Zoning Ordinance, Ordinance 86-16, as amended, pursuant to authority granted by section 13-4-201, Tennessee Code Annotated, by amending Chapter 3. Specific District Regulations, Section XII. General Commercial District (C-1), F., Mixed Use Town Center, Subsection 2. B., by providing for a drive through under certain conditions
- VII. Business Items**
 - A. Rejection of previously approved bids for a new Two-Wheel Drive Half-Ton Pick-up Truck
 - B. Approval of Bids for new Half-Ton Pick-up Truck

- C. Approval of Bids for Contract 2015-10, Installation of Underdrains on Grigsby Chapel Road
- D. Approval of Settlement Agreement with Cove Properties regarding road deficiencies in the Cove at Turkey Creek Subdivision

VIII. Town Administrator's Report

IX. Town Attorney's Report

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

The Farragut Board of Mayor and Aldermen met in a regular session on Thursday, March 12, 2015 at 7:00 p.m. Members present were Mayor McGill, Aldermen Honken, LaMarche, Markli and Pinchok.

Approval of Agenda

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

Mayor's Report

Mayor McGill reported that he and Vice-Mayor LaMarche attended the National League of Cities Conference in Washington, D.C. Vice-Mayor LaMarche thanked the Town for the opportunity to attend the conference.

Citizens Forum

Patrick Mullen, 404 Moser Lane, expressed his gratitude for the Town and especially the Public Works department for the outstanding job of clearing the streets and down trees during the ice/snow events.

Approval of Minutes

Motion was made to approve the minutes of February 26, 2015 with a correction of the arrival time of Alderman Markli. Moved by Alderman Markli, seconded by Alderman Honken; voting yes, Mayor McGill, Aldermen Honken, LaMarche, Markli and Pinchok; no nays; motion passed.

Ordinances

Public Hearing & Second Reading

Ordinance 15-03, to amend the Farragut Municipal Code by adding Title 14, Chapter 6., Farragut Architectural Design Standards, and authorizing the Farragut Municipal Planning Commission to be the Design Review Commission

Motion was made to approve Ordinance 15-03 on second and final reading. Moved by Alderman Honken, seconded by Alderman Markli; voting yes, Mayor McGill, Aldermen Honken, LaMarche, Markli and Pinchok; no nays; motion passed.

First Reading

Ordinance 15-02, an Ordinance to amend the text of the Farragut Zoning Ordinance, Ordinance 86-16, as amended, pursuant to authority granted by section 13-4-201, Tennessee Code Annotated, by amending Chapter 3. Specific District Regulations, Section XII. General Commercial District (C-1), F., Mixed Use Town Center, Subsection 2. B., by providing for a drive through under certain conditions

Motion was made to approve Ordinance 15-02 on first reading. Moved by Alderman Honken. Ian Moffett, Mr. Zip representative, requested that the Board reconsider the requirement of the lot size being at least 2 acres. The Mr. Zip property is approximately 1.25 acres.

After some discussion Alderman Honken withdrew his motion and made an alternate motion to approve Ordinance 15-02 with an amendment to remove the criteria that the property

be a minimum of two (2) acres. Motion was seconded by Alderman Markli. Roll call vote: Alderman Honken, yes; Alderman LaMarche, yes; Alderman Markli, yes; Alderman Pinchok, yes; Mayor McGill, no; motion passes 4-1.

Business Items

Rejection of previously approved bids for a new Two-Wheel Drive Half-Ton Pick-up Truck

Motion was made to reject the two-wheel drive truck bid, previously approved August 14, 2014. Moved by Alderman Honken, seconded by Alderman Pinchok; voting yes, Mayor McGill, Aldermen Honken, LaMarche, Markli and Pinchok; no nays; motion passed.

Approval of Bids for new Half-Ton Pick-up Truck

Motion was made to approve the bid for purchase of a 2014 Ford F-150 4-wheel drive pick-up truck from Ted Russell Ford in the amount of \$24,190. Moved by Alderman Markli, seconded by Alderman Pinchok; voting yes, Mayor McGill, Aldermen Honken, LaMarche, Markli and Pinchok; no nays; motion passed.

Approval of Bids for Contract 2015-10, Installation of Underdrains on Grigsby Chapel Road

Motion was made to approve bids and award Contract 2015-10, Installation of Underdrains on Grigsby Chapel Road, to J&D Excavating & Construction, Inc. in the amount of \$59,702. Moved by Alderman LaMarche, seconded by Alderman Markli; voting yes, Mayor McGill, Aldermen Honken, LaMarche, Markli and Pinchok; no nays; motion passed.

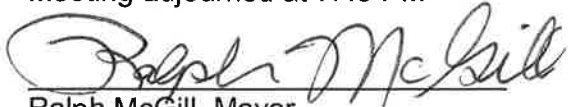
Approval of Settlement Agreement with Cove Properties regarding road deficiencies in the Cove at Turkey Creek Subdivision

Motion was made to approve the Settlement Agreement and Release between the Town of Farragut and Cove Properties, the developers of the Cove at Turkey Creek subdivision. Moved by Alderman LaMarche, seconded by Alderman Pinchok; voting yes, Mayor McGill, Aldermen Honken, LaMarche, Markli and Pinchok; no nays; motion passed.

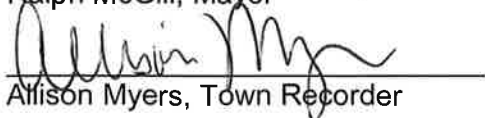
Town Administrator's Report

David Smoak, Town Administrator, thanked Sue and the parks staff for a great Shamrock Ball Event. Approximately 350 were in attendance.

Meeting adjourned at 7:45 PM



Ralph McGill, Mayor



Allison Myers, Town Recorder

REPORT TO THE BOARD OF MAYOR AND ALDERMEN**PREPARED BY:** Mark Shipley, Community Development Director**SUBJECT:** Ordinance 15-03, on second reading, to amend the *Farragut Municipal Code* by adding Title 14, Chapter 6., Farragut Architectural Design Standards, and authorizing the Farragut Municipal Planning Commission to be the design review commission

BACKGROUND AND DISCUSSION: Several months ago, the Town of Farragut contracted with Winter and Company out of Boulder, Colorado, to develop town-wide architectural design standards. This project was undertaken to help implement the Town's Comprehensive Land Use Plan (CLUP) and the Town's Strategic Plan by enhancing the community's image and appearance, protecting the community's economic base, and promoting consistent, high quality design in Farragut's commercial, mixed-use and multi-family districts.

Over the past year, the consultants and staff have hosted focus groups and public workshop sessions related to the development of the town-wide architectural design standards, with the latest public workshop being on February 12, 2015. Throughout this public process, the design guidelines have been modified to capture public input and are now reflected in the design standards provided for in Ordinance 15-03. Please find below some key dates related to the consultant's visits and draft release dates:

June 5 & 6, 2014	Winter & Company - Trip 1
July 28, 2014	Design Guidelines Strategy Report
October 15, 2014	Draft 1
October 28 & 29, 2014	Winter & Company - Trip 2
December 3, 2014	Draft 2
February 4, 2015	Draft 3 – proposed final draft
February 12, 2015	Winter & Company - Trip 3

As discussed at previous meetings, including first reading on February 26, the Planning Commission will have the primary review authority for compliance with the Architectural Design Standards. As part of Ordinance 15-03 and in accordance with the Tennessee Code Annotated (TCA), Section 6-54-133, a design review commission must be designated and, in the Town of Farragut this will be the Farragut Municipal Planning Commission. Also in accordance with the Tennessee Code Annotated (TCA), Section 6-54-133, should an appeal be made to a planning commission decision such appeal will come to the Farragut Board of Mayor and Alderman.

Please note however that, due to the size of the entire document, the latest Architectural Design Standards are not included in the packet. Rather they are available at www.townoffarragut.org/design. Please advise staff if you need a hardcopy of the document for the review. Once approved, a hard copy will be provided to all commissioners and board members.

RECOMMENDATION BY: Ordinance 15-03 is consistent with both the CLUP and the Strategic Plan. Specifically, in terms of the CLUP, Ordinance 15-03 advances Strategy 7 – Enhance Our Identity (natural and built) and Strategy 8 – Plan for the Remaining Vacant Parcels. In terms of the Strategic Plan, Ordinance 15-03 advances Goal 3, Objective 5, which provides for the development of architectural standards and lighting throughout the Town with a theme and Goal 4, Objectives 5 and 6, which encourage consistency with Town plans and more beautiful corridors and development. The implementation of Architectural Design Guidelines was also listed as a Top Priority Policy Agenda Item in the 2014 Strategic Plan.

Ordinance 15-03 was approved unanimously on first reading and the staff recommends approval on second reading.

PROPOSED MOTION: To approve Ordinance 15-03, on second reading, to amend the *Farragut Municipal Code* by adding Title 14, Chapter 6., Farragut Architectural Design Standards, and authorizing the Farragut Municipal Planning Commission to be the design review commission

BOARD ACTION:

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

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

AGENDA NUMBER VI. B. 1.

MEETING DATE

March 12, 2015

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Ordinance 15-02, on first reading, to amend the text of the Farragut Zoning Ordinance, Chapter 3. Section XII., General Commercial District (C-1), Subsection F., Mixed Use Town Center, as it relates to drive-throughs

BACKGROUND AND DISCUSSION: At the January 22, 2015 meeting, the Farragut Board of Mayor and Alderman approved four ordinances related to the Mixed Use Town Center (MUTC) in order to help implement Strategy 1 of the Comprehensive Land Use Plan – Bringing About a Downtown. Some of these ordinances were developed during multiple planning commission meetings and involved a significant amount of discussion and input. One aspect of the amendments that were made to the C-1 Zoning District for those properties within the MUTC that received a significant amount of discussion was whether a drive through should be permitted. The commission looked at some parameters that could apply if drive throughs were permitted but in the end felt that the simplest approach would be to not permit them in the MUTC at this time.

At the second reading of Ordinance 14-21, the ordinance that amended the C-1 wording as it relates to properties within the MUTC, some individuals interested in developing a couple of parcels within the MUTC expressed a desire to have the drive through item revisited. One of those interested in the old Silver Spoon property indicated that they could meet all of the requirements provided for in Ordinance 14-21 with the exception of the drive through exclusion. A sample site layout from their architect is included in the packet. Though Ordinance 14-21 was approved on second reading, the board asked the staff to create some language for the planning commission to consider as it would relate to permitting a drive through in the MUTC.

Ordinance 15-02 includes some language that would provide for a drive through for certain uses provided a number of parameters could be satisfied. The sample site layout in your packet would, with some minor adjustments, satisfy the parameters noted in Ordinance 15-02.

RECOMMENDATION BY: The staffs' position concerning drive throughs in the MUTC is that they are a vehicular oriented element of site design and not fully compatible with the character and intent of a pedestrian oriented mixed use town center.

The wording the staff has provided in Ordinance 15-02 provides a number of limitations on drive throughs in an effort to lessen adverse impacts to the character and intent of the MUTC. At their meeting on February 19, 2015, the planning commission unanimously approved Ordinance 15-02. The commission added a stipulation that in order to qualify for a drive through, the lot must be at least two (2) acres. This provision was included because the commission felt that the additional acreage would provide the space necessary to satisfy the other provisions of Ordinance 15-02, especially since restaurants have such high parking space demands.

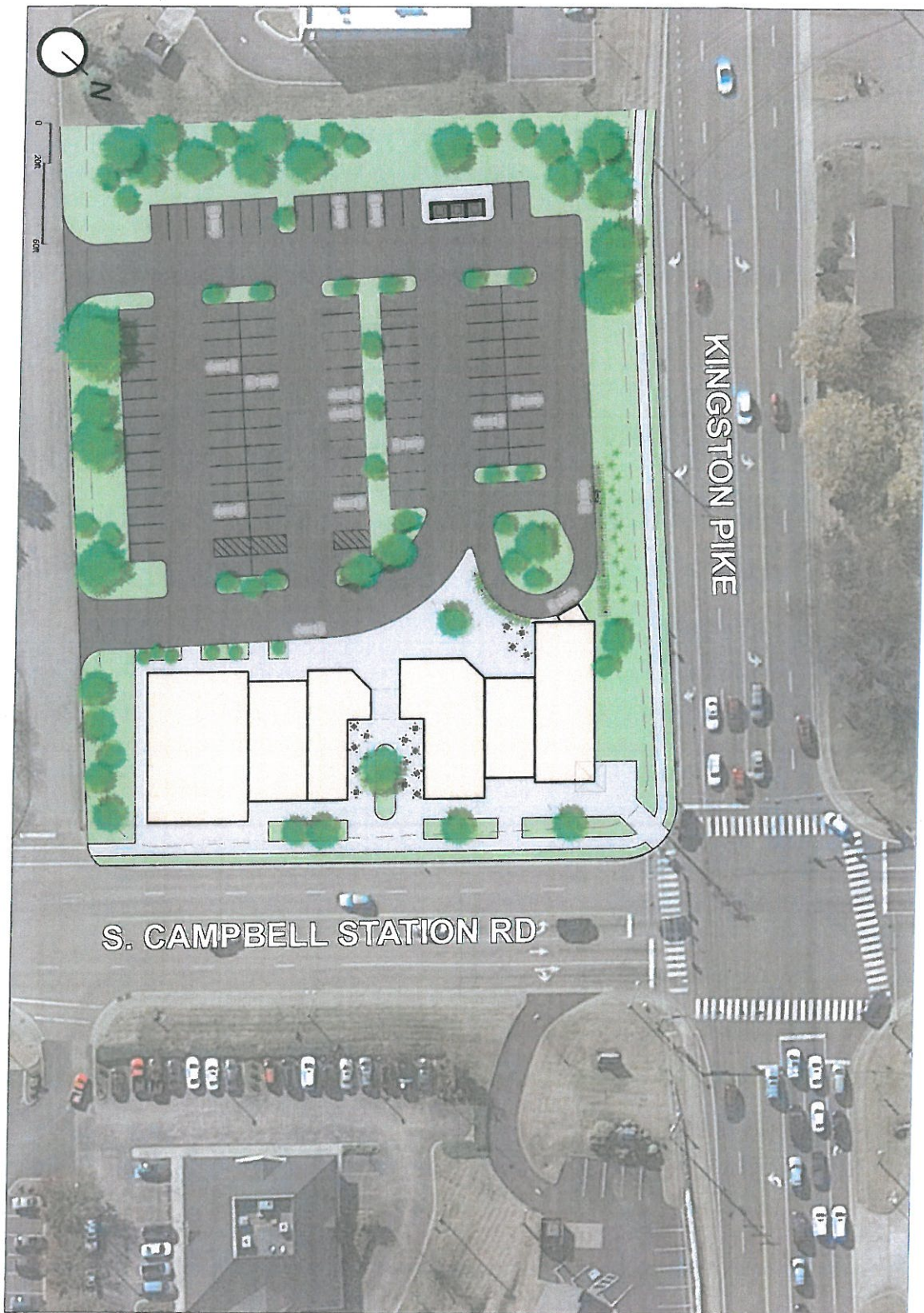
PROPOSED MOTION:

To approve Ordinance 15-02, on first reading, to amend the text of the Farragut Zoning Ordinance, Chapter 3. Section XII., General Commercial District (C-1), Subsection F., Mixed Use Town Center, as it relates to drive-throughs.

BOARD ACTION:

MOTION BY: _____ SECONDED BY: _____

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



PSP-1 PRELIMINARY SITE PLAN	DATE: 10/1/03 BY: [Signature]	SHOPS AT TOWN CENTER Kingston Pike at S. Campbell Station Rd. Farragut, Tennessee Wolford Development, Inc.	ARCHITECTURAL SERVICES GROUP, INC. "A Tennessee Architectural Corporation" Franklin Square 9724 Kingston Pike, Suite 703 Memphis, TN 38123 Phone: 865.470.9669 Fax: 865.470.9628	ASG
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AGENDA NUMBER: VII. A. MEETING DATE: March 12, 2015

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: William E. McKelvey, Public Works Director

SUBJECT: Rejection of bids for a new Two-Wheel Drive Half-Ton Pick-up Truck

DISCUSSION:

The bid for a Two-Wheel Drive Half-Ton Pick-up Truck was approved on August 14, 2014. In the past 6 months Ford has changed their body style manufacturing, from steel to aluminum. The change in manufacturing has caused a delayed delivery time. Due to the delay, the previous truck approval needs to be rejected in order to purchase a different truck.

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

PROPOSED MOTION: To reject the two-wheel drive truck bid previously approved August 14, 2014.

BOARD ACTION:

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

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

AGENDA NUMBER: VII.B. MEETING DATE: March 12, 2015

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: William E. McKelvey, Public Works Director

SUBJECT: Approval of Bids for new Half-Ton Pick-up Truck

INTRODUCTION: The purpose of this agenda item is to approve the purchase of a new Half-Ton Pick-up Truck.

DISCUSSION: Attached are three bids which were received on March 3, 2015. The two vehicles that were bid consisted of a new 2014 F150 4-wheel drive and a new 2015 2-wheel drive. The third bidder did not follow bidding instructions, which disqualified them from the bid. The purchase of the 4-wheel drive truck would be more beneficial for the Town's purposes. Staff recommends award of the contract to the lowest bidder, Ted Russell Ford in the amount of \$24,190.00 for a new 2014 Ford F-150 4-Wheel Drive Pick-up.

FINANCIAL SECTION:

<u>Total Budget</u>	<u>Contract Amount</u>	<u>Remaining Amount</u>	
\$83,000	\$24,190	\$58,810	Remaining budget balance is for purchase of a used bucket truck out of this year's budget.
Approved By: <u>A. Myers</u>			

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

PROPOSED MOTION: Approval of bids for the purchase of a 2014 Ford F-150 4-Wheel Drive Pick-up from Ted Russell Ford in the amount of \$24,190.00.

BOARD ACTION:

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

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

BID TABULATION FOR NEW HALF-TON PICK-UP TRUCK

The following bids were received on March 3, 2015 for the new **Half-Ton Pick-up Truck**:

Golden Circle Ford 1432 HWY 45 By-Pass Jackson, TN 38305	2013 Ford F-150 This bid was disqualified due to the vehicle not being in stock and not available for immediate delivery.	\$22,500.00
Ted Russell Ford 8551 Kingston Pike Knoxville, TN 37919	New 2014 Ford F150 4-Wheel Drive	\$24,190.00
Beaty Chevrolet 9615 Parkside Auto Drive Knoxville, TN 37922	2015 Chevrolet ½ Ton Pick-Up	\$25,400.00

The Town has purchased trucks from Ted Russell Ford in the past. Staff has been impressed with their performance in the past and, **recommends award to Ted Russell Ford for their bid of \$24,190.00.**

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Darryl W. Smith, PE

SUBJECT: Approval of Bids for Contract 2015-10, Installation of Underdrains on Grigsby Chapel Road

INTRODUCTION: The purpose of this item is the approval of bids and award of contract for installation of approximately 1500 linear feet of underdrain on Grigsby Chapel Road.

BACKGROUND: Each year the Town's Engineering Department prepares a priority listing of streets for our annual resurfacing project, taking care to identify any areas that might require specialized treatment prior to or during the resurfacing process. This year's contract will include Grigsby Chapel Road from East Fox Den Drive to Campbell Station Road. The Town last resurfaced a portion of this roadway in 2007, but only replaced the surface course (top 1-1/2"). At that time, we hoped to improve the structure of the roadway to achieve a longer life without having to replace the binder surface, but current cracks in the roadway (as well as "wet" spots in the worst areas) indicate the presence of a wet subgrade. Most likely, these areas are due to small springs that may be surfacing underneath the roadway.

This project includes the installation of approximately 1500 linear feet of underdrain in two locations (see photos). The underdrain system is a perforated, corrugated oval plastic pipe, 1-1/2" wide x 12 inches tall. The underdrain is installed by cutting and removing a 10" wide x 18" deep trench in the roadway, placing the underdrain and backfilling with stone and asphalt binder. The binder will serve to carry traffic until such time that the roadway is milled and resurfaced later this summer. This project is being funded thru State Street Aid Funds from our current resurfacing budget.

We received the following three bids for Contract 2015-10 on February 26:

J & D Excavating & Contracting, Inc.	\$59,702.00
HS Construction & Excavating, LLC	60,435.00
McKinnon Construction Co., LLC	87,027.50

A tabulation of the three bids is attached. J & D Excavating & Contracting has performed other work for the Town in the recent past (the Outdoor Classroom, as well as subcontract at the MBLP Artificial Turf project), and staff has been pleased with their performance.

FINANCIAL SECTION:

Project: 121-43100-269

<u>Project Budget</u>	<u>Requested Amount</u>	<u>Expenditures to Date</u>	<u>Remaining Amount</u>
\$976,402	\$59,072.00	\$480,267	\$436,963

Approved By: A. Myers

RECOMMENDATION BY: Darryl Smith, Town Engineer, for approval.

PROPOSED MOTION: Approval of bids and award of Contract 2015-10, Installation of Underdrains on Grigsby Chapel Road, to J & D Excavating & Contracting, Inc.

AGENDA NUMBER VII. D.

MEETING DATE MARCH 12, 2015

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: David Smoak, Town Administrator 

SUBJECT: Approval of Settlement Agreement and Release with Cove Properties regarding road deficiencies in the Cove at Turkey Creek Subdivision

INTRODUCTION: The purpose of this agenda item is to consider approval of a settlement agreement and release with Cove Properties, the original developers of the Cove at Turkey Creek subdivision, regarding road deficiencies in the Cove at Turkey Creek Subdivision.

BACKGROUND: The final plat for the Cove at Turkey Creek subdivision was recorded on May 26, 2006. Within the first year, there were noticeable cracks and depressions in the asphalt. In October 2008, Cove Properties repaired some of the areas, but elected not to mill and overlay at that time. By April 2010, milling and overlay of the deficient areas still had not been completed and the Town was prepared to call the developers letter of credit to complete the necessary work. Staff met with the developers at that time and agreed to reduce the letter of credit from \$70,000 to \$52,000 and give them one year to complete the necessary work. Unfortunately, FSG Bank refused to reissue the reduced letter of credit and it expired. In June 2010, Cove Properties assured the Town that they would complete the necessary repairs to the roads when they had available funding to do so. In November 2012, Cove Properties assigned all of its rights in the development to Knox Fi One, LLC, although Knox Fi One did not assume any of the liabilities with respect to the roads in the subdivision.

DISCUSSION: As of today, the milling and overlay of the roads in the Cove has still not been completed and the Town of Farragut has not accepted the roads to provide ongoing maintenance as a public street. Staff has been working with the prior developers, John Turley and Jim Nixon, for several months in formulating the proposed settlement agreement for the Board of Mayor and Aldermen's consideration. This agreement calls for the developers to pay the Town a lump sum payment of \$30,000 toward the needed repairs to the roads in the Cove at Turkey Creek and in return, the Town agrees to accept the streets and the ongoing maintenance associated with them. The Town would also be granting a release against future claims against the developer, for any further deficiencies which may arise regarding the roads in the subdivision.

RECOMMENDATION BY: Town Administrator David Smoak for approval.

PROPOSED MOTION: To approve the Settlement Agreement and Release between the Town of Farragut and Cove Properties, the developers of the Cove at Turkey Creek subdivision.

BOARD ACTION:

MOTION BY: _____ SECONDED BY: _____

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