



FARRAGUT BOARD OF MAYOR AND ALDERMEN

Minutes

August 22, 2019

WORKSHOP

Campbell Station Inn

Tourism

5:30 PM

BMA MEETING

7:00 PM

- I. Silent Prayer, Pledge of Allegiance, Roll Call**
- II. Approval of Agenda**
- III. Mayor's Report**
 - A. Daughters of the American Revolution & Constitution Week Proclamations
- IV. Approval of Minutes**
 - A. August 8, 2019
- V. Business Items**
 - A. Approval of Contract with Baker Tilley Virchow Krause, LLC to perform an employee Classification/Compensation Study
 - B. Approval of Contract 2019-06: Anchor Park Renovations
 - C. Consideration of Bid Award to Merit Construction, Inc. for the Campbell Station Inn Phase III - Park and Roads Construction Project
- VI. Ordinances**
 - A. Public Hearing and Second Reading
 - 1. Ordinance 19-23, an ordinance to amend the C-1 Mixed-Use Town Center portion of the Farragut Zoning Ordinance as applied to drive-throughs and menu boards on existing developments with drive-throughs that pre-date the Mixed-Use Town Center land use designation
 - 2. Ordinance 19-24, an ordinance to amend Chapters 2, 3, and 4 of the Farragut Zoning Ordinance related to the creation of the Outlet Drive

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Regional Entertainment and Employment District (OD-RE/E) that will replace the C-2-R/W District (RealtyLink, Applicant)

3. Ordinance 19-25, an ordinance to amend the Farragut Zoning Map for Parcels 154.06, 154.07, 154.08, 154.09, 154.10, 176.01, and 176.02, Tax Map 130 along the Outlet Drive corridor from C-2 and R-2 to OD-RE/E, Approximately 36 Acres
4. Ordinance 19-26, an Ordinance to amend Farragut Municipal Code Chapter 12., Municipal Court, By Amending Section 12-9., Service of Court Process, and Adding Section 12-12., Collection Agency Services to Collect Unpaid Fines and Court Costs

- VII. Citizens Forum**
- VIII. Town Administrator's Report**
- IX. Town Attorney's Report**

Mayor Williams called the meeting to order at 7:00 PM. Members present were Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin.

Approval of Agenda

Motion was made to amend the agenda, moving business item "c" first and item "a" third. Moved by Alderman Povlin, seconded by Alderman Pinchok, voting yes, Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin, no nays, motion passed.

Mayor's Report

- Proclamations were presented to representatives of The Daughters of the American Revolution.
- Vice-mayor Povlin appreciated employees for the work they would do during weekend events.
- Dog Days event was very successful.

Approval of Minutes

Motion was made to approve the minutes of August 8, 2019 as presented. Moved by Alderman Pinchok, seconded by Alderman Povlin, voting yes, Mayor Williams, Aldermen Burnette, Meyer and Pinchok; Alderman Povlin abstained; no nays, motion passed.

Business Items

Consideration of Bid Award to Merit Construction, Inc. for the Campbell Station Inn Phase III - Park and Roads Construction Project

Motion was made to award contract 2020-08 to Merit Construction, Inc for the Campbell Station Inn Phase III- Park and Roads Construction Project for the amount of \$2,448,571. Moved by Alderman Pinchok, seconded by Alderman Povlin, voting yes, Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin, no nays, motion passed.

Approval of Contract 2019-06: Anchor Park Renovations

Motion was made to award contract 2019-06 to Merit Construction, Inc for the amount of \$643,500 with the add alternate of epoxy floor. Motion made by Alderman Povlin, seconded by Alderman Pinchok, voting yes, Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin, no nays, motion passed.

Approval of Contract with Baker Tilley Virchow Krause, LLC to perform an employee Classification/Compensation Study

Motion was made to approve contract with Baker Tilley Virchow Krause, LLC to perform an employee Classification/Compensation Study, for the amount of \$26,950. Moved by Alderman Povlin, seconded by Alderman Pinchok, voting yes, Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin, no nays, motion passed.

Ordinances
Second Reading

Ordinance 19-23, an ordinance to amend the C-1 Mixed-Use Town Center portion of the Farragut Zoning Ordinance as applied to drive-throughs and menu boards on existing developments with drive-throughs that pre-date the Mixed-Use Town Center land use designation

Motion was made to approve Ordinance 19-23 on second reading. Moved by Alderman Pinchok, seconded by Alderman Povlin; roll call vote; Alderman Burnette, yes; Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, yes; no nays, motion passed.

Ordinance 19-24, an ordinance to amend Chapters 2, 3, and 4 of the Farragut Zoning Ordinance related to the creation of the Outlet Drive Regional Entertainment and Employment District (OD-RE/E) that will replace the C-2-R/W District (RealtyLink, Applicant)

Motion was made to approve Ordinance 19-24 on second reading. Moved by Alderman Povlin, seconded by Alderman Pinchok; roll call vote; Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Alderman Burnette, yes; Mayor Williams, yes; no nays, motion passed.

Ordinance 19-25, an ordinance to amend the Farragut Zoning Map for Parcels 154.06, 154.07, 154.08, 154.09, 154.10, 176.01, and 176.02, Tax Map 130 along the Outlet Drive corridor from C-2 and R-2 to OD-RE/E, Approximately 36 Acres

Motion was made to approve Ordinance 19-25 on second reading. Moved by Alderman Povlin, seconded by Alderman Pinchok; roll call vote; Alderman Pinchok, yes; Alderman Povlin, yes; Alderman Burnette, yes; Alderman Meyer, yes; Mayor Williams, yes; no nays, motion passed.

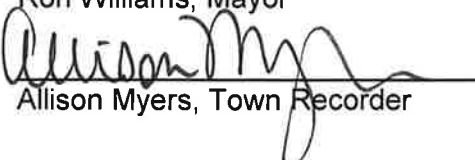
Ordinance 19-26, an Ordinance to amend Farragut Municipal Code Chapter 12., Municipal Court, By Amending Section 12-9., Service of Court Process, and Adding Section 12-12., Collection Agency Services to Collect Unpaid Fines and Court Costs

Motion was made to approve Ordinance 19-26 on second reading. Moved by Alderman Povlin, seconded by Alderman Pinchok; roll call vote; Alderman Povlin, yes; Alderman Burnette, yes; Alderman Meyer, yes; Alderman Pinchok, yes; Mayor Williams, yes; no nays, motion passed.

Meeting adjourned at 7:35 pm.



Ron Williams, Mayor



Allison Myers, Town Recorder



FARRAGUT BOARD OF MAYOR AND ALDERMEN AGENDA

August 22, 2019

WORKSHOP

**Campbell Station Inn
Tourism
5:30 PM**

BMA MEETING 7:00 PM

- I. Silent Prayer, Pledge of Allegiance, Roll Call**
- II. Approval of Agenda**
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 - A. Daughters of the American Revolution & Constitution Week Proclamations
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Regional Entertainment and Employment District (OD-RE/E) that will replace the C-2-R/W District (RealtyLink, Applicant)

3. Ordinance 19-25, an ordinance to amend the Farragut Zoning Map for Parcels 154.06, 154.07, 154.08, 154.09, 154.10, 176.01, and 176.02, Tax Map 130 along the Outlet Drive corridor from C-2 and R-2 to OD-RE/E, Approximately 36 Acres
4. Ordinance 19-26, an Ordinance to amend Farragut Municipal Code Chapter 12., Municipal Court, By Amending Section 12-9., Service of Court Process, and Adding Section 12-12., Collection Agency Services to Collect Unpaid Fines and Court Costs

- VII. Citizens Forum**
- VIII. Town Administrator's Report**
- IX. Town Attorney's Report**

Board of Mayor and Aldermen Meeting Public Comment Protocol

The Board of Mayor and Aldermen welcomes and invites citizens to participate in public meetings.

At the beginning of each meeting, there will be time reserved for public comment under the Citizen Forum agenda item. If you are interested in speaking, please fill out a blue comment card and turn it in to the Town Clerk or staff member. This time is set aside specifically for comments on items that are not on the Board of Mayor and Aldermen regular agenda for the meeting. Each speaker will be given five (5) minutes to speak on his/her topic.

During the regular agenda portion of the meeting there may be an allowance for public comment for each agenda item. The Mayor may recognize individuals for public comment based on the following guidelines:

1. The Mayor shall maintain and control the meeting to provide a professional and objective environment conducive to presentation and discussion of the agenda items;
2. Anyone interested in speaking should fill out a blue comment card stating which agenda item they would like to comment on and turn in to the Town Clerk or a staff member;
3. Speakers shall come to the podium and identify themselves by name and address;
4. Public comment shall be limited to five (5) minutes per individual, time may be extended at the discretion of the Mayor; time is not transferable to other speakers;
5. Speakers should strive to avoid redundancy;
6. Comments shall address issues, not individuals or personalities;
7. Comments may support or oppose particular issues or measures, but the motives of those with differing views shall not be questioned or attacked;
8. Personal attacks and malicious comments shall not be tolerated;
9. An applicant, and/or their representative(s), for an item on the regular agenda shall be afforded the time necessary to present their request and respond to questions. The five (5) minute limitation shall not apply. However, the Mayor may ask an applicant to stay on point in order to facilitate the efficiency of the meeting.



**FARRAGUT BOARD OF MAYOR AND ALDERMEN
MINUTES**

August 8, 2019

**MCREE PARK WORKSHOP
6:15 PM**

**BMA MEETING
7:00 PM**

- I. Silent Prayer, Pledge of Allegiance, Roll Call**
- II. Approval of Agenda**
- III. Mayor's Report**
- IV. Approval of Minutes**
 - A. July 25, 2019
- V. Business Items**
 - A. Approval of Resolution R-2019-06, Agreement with Tennessee Department of Transportation for Construction of SR-1 Kingston Pike/Watt Road Intersection Improvements
 - B. Approval of Appointment to the Farragut Museum Committee
- VI. Ordinances**
 - A. First Reading
 - 1. Ordinance 19-23, an ordinance to amend the C-1 Mixed-Use Town Center portion of the Farragut Zoning Ordinance as applied to drive-throughs and menu boards on existing developments with drive-throughs that pre-date the Mixed-Use Town Center land use designation
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176.02, Tax Map 130 along the Outlet Drive corridor from C-2 and R-2 to OD-RE/E, Approximately 36 Acres

4. Ordinance 19-26, an Ordinance to amend Farragut Municipal Code Chapter 12., Municipal Court, By Amending Section 12-9., Service of Court Process, and Adding Section 12-12., Collection Agency Services to Collect Unpaid Fines and Court Costs

- VII. Citizens Forum**
- VIII. Town Administrator's Report**
- IX. Town Attorney's Report**

Mayor Williams called the meeting to order at 7:00 PM. Members present were Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin.

Approval of Agenda

Motion was made to approve the agenda as presented. Moved by Alderman Povlin, seconded by Alderman Pinchok, voting yes, Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin, no nays, motion passed.

Approval of Minutes

Motion was made to approve the minutes of July 25, 2019 as presented. Moved by Alderman Pinchok, seconded by Alderman Meyer, voting yes, Mayor Williams, Aldermen Burnette, Meyer and Pinchok; Alderman Povlin abstained; no nays, motion passed.

Business Items

Approval of Resolution R-2019-06, Agreement with Tennessee Department of Transportation for Construction of SR-1 Kingston Pike/Watt Road Intersection Improvements

Motion was made to approve Resolution R-2019-06, Agreement with Tennessee Department of Transportation for Construction of SR-1 Kingston Pike/Watt Road Intersection Improvements. Moved by Alderman Povlin, seconded by Alderman Pinchok, voting yes, Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin, no nays, motion passed.

Approval of Appointment to the Farragut Museum Committee

Motion was made to appoint William Rhodes, III to a one-year term on the Farragut Museum Committee. Moved by Alderman Povlin, seconded by Alderman Pinchok, voting yes, Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin, no nays, motion passed.

Ordinances

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Citizens Forum

David White, 314 Vista Trail, addressed the board with concerns about older Town residents not being able to operate the new online codes software.

Rebecca Smits, 512 Banbury Road, addressed the board concerning Peterson Road and the new stripping and bicycle lanes.

Town Administrator's Report

David Smoak, Town Administrator, announced the following activities:

- August 16-Farragut Museum, Timeless Toys exhibit
- August 16-18, Dog Days of Farragut
- August 16, Sounds of Summer Concert
- August 17, Fun with Farragut's Fleet at Mayor Bob Leonard Park
- August 17, Lawnchair Series Concert
- August 21, Intro to Farragut class begins

Meeting adjourned at 7:55PM.

Ron Williams, Mayor

Allison Myers, Town Recorder

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Janet Curry, Human Resources Manager

SUBJECT: Approval of Contract to perform an employee Classification/Compensation Study.

INTRODUCTION: In order to recruit, retain, and maintain the highest caliber workforce, it is necessary to provide a competitive salary and benefits package. The current employee salary compensation plan is based on a 2011 salary survey completed by Springstead Consultants. The salary ranges have been increased twice since then and 7 employees have topped out of their ranges. Additionally, there is a need to review and improve the Town's performance evaluation system.

BACKGROUND: Service to the citizens of Farragut is the sole product the Town employees produce through their work. The current full-employment economy has resulted in increased turnover due, in part, to higher wages offered elsewhere. Also, the human resources industry standard is to perform a total compensation study every five years. Therefore, an RFQ was advertised on April 9, 2019 for a Classification-Compensation study. There were six respondents. The staff evaluation committee chose to interview the top two scoring respondents. Based on the interviews, the committee chose Baker, Tilley, Virchow, Krause, LLP (Baker Tilley). The committee decided that Baker Tilley is the most qualified to execute the deliverables enumerated in the RFQ. Baker Tilley has over 25 years of consulting experience in the public sector. Their team focuses on "bringing practical, realistic, and creative solutions to the challenges faced by public entities".

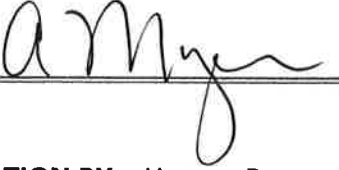
The current salary system consists of 22 pay grades that encompasses all Town positions. Positions are placed in salary grades according to the results of a position analysis questionnaire completed by the employee and approved by the supervisor. Each pay grade is 5% higher than the grade below it. Each pay grade has a 55% spread from the minimum pay to the maximum pay for the work performed. This system has worked well since the implementation in FY2012-13.

DISCUSSION: The HR department evaluates our total compensation annually. Employee compensation consists of three components: base salary, benefits, and retirement. To obtain yearly class-comp information from comparable cities, an informal survey of a few selected jobs is performed. This information has been used to adjust the salary ranges since the Town's last comprehensive study in order to stay market competitive. Our benefits package is bid out annually for medical insurance and every other year in ancillary benefits which are contracted for two years. The results of this salary and benefit survey, coupled with a position review, will allow management to have Town-wide up-to-date information to use to craft a competitive, equitable, total compensation system for the FY2020-21 budget cycle.

In addition to the Classification-Compensation Study, Baker Tilley will provide a performance evaluation system to be used to review employee performance. An employee's evaluation determines their annual merit increase as the budget allows.

FINANCIAL SECTION:**Line item: 110-41990-251 Professional Services**

<u>Total Budget</u>	<u>Contract Amount</u>	<u>Expenditures to</u> <u>Date</u>	<u>Remaining Amount</u>
\$35,000	\$26,950	\$0	\$8,050

Approved By: **RECOMMENDATION BY:** Human Resources Manager Janet Curry for approval.

PROPOSED MOTION: Approval of Contract with Baker Tilley Virchow Krause LLC. in the amount of \$26,950 to perform an employee Classification/ Compensation Study, as well as provide a new performance evaluation system for the Town of Farragut.

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

<u>VOTE/TOTAL</u>	<u>WILLIAMS</u>	<u>MEYER</u>	<u>PINCHOK</u>	<u>POVLIN</u>	<u>BURNETTE</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____



CONTRACT FOR SERVICES

This contract (the "Agreement"), made between the Town of Farragut, Tennessee, a municipal government in the State of Tennessee, hereinafter referred to as the "Town", and Baker Tilly Virchow Krause, LLP, an Illinois limited liability partnership, hereinafter referred to as the "Consultant".

Whereas, the Town from time to time is involved in matters involving employee compensation, requiring the services of a consultant in order to adequately protect the interest of the Town and the citizens thereof; and

Whereas, the partners and associates of the Consultant are able and learned in personnel compensation matters, and well qualified to advise and assist the Town; and

Whereas, the Town has issued an RFQ entitled "Classification/Compensation Study" dated 04/08/2019, to which Consultant has responded and Consultant is ready, willing and able to act as an advisor to Town in personnel compensation matters as described in Consultant's response to the RFQ;

Now, therefore, in consideration of the mutual agreements hereinafter contained and subject to the terms and conditions herein stated, it is understood and agreed by the parties as follows:

1. WORK TO BE PROVIDED BY THE CONSULTANT: The Consultant agrees to furnish the services of its partners, associates and staff, as necessary in accordance with the terms and conditions of the RFQ and to provide the following deliverables:

- a. A final project schedule for review and approval by the HR Manager and Town Administrator. The HR Manager must be notified should any major deviations to the schedule occur. Project must be complete within 90 days from notice to proceed.
- b. Draft copies of any requests for information on behalf of the Town prior to release. Approval will be granted by the Town prior to release.
- c. Accurate ADA compliant job description for each position.
- d. Classification/compensation survey of salary and benefits, comparison of total compensation to entities surveyed, a classification system, including maintenance recommendations.
- e. A detailed report summarizing the findings and recommendations for the implementation of a classification/compensation system and salary ranges for each position &/or pay grade. The report shall include one and five-year implementation cost(s) along with supporting background information sufficient enough to substantiate the recommendation(s).
- f. A formal presentation to executive management and to a citizen committee and to the Board of Mayor and Aldermen, if requested, summarizing the results and addressing any questions which arise. Revisions may be required as discussed at the presentations.
- g. A presentation to the Board of Mayor and Aldermen regarding the final recommendations.
- h. A Performance Evaluation system that meets Town expectations and guidelines. [\$5,500, agreed to add on]

2. WORK TO BE PROVIDED BY THE TOWN: The Town will be primarily responsible for the following:

- a. Submission of existing job descriptions to the consultant
- b. Submission of auxiliary data as may become necessary

3. COMPENSATION AND PAYMENT: The Town shall pay to the Consultant, and the Consultant agrees to accept as full and complete compensation and payment for all of the work performed as required by and related to this Agreement \$21,450, which shall be billed to the Town in accordance with the following schedule:

Time of Invoice	Percentage Invoiced	Cumulative Percentage
Completion of Project Initiation (or Employee Orientation)	25%	25%
Completion of Position Analysis Questionnaires	25%	50%
Completion of Draft Pay Structure(s) or Pay Structure Updates	40%	90%
Completion of Final Report	10%	100%

4. **TERMS:** The term of this Agreement shall commence on July 25, 2019 and extend to the timely completion of the services to be rendered by the Consultant. Either party may consent to terminate this Agreement upon fifteen (15) days written notice thereof to the other part. In the event of cancellation, termination or expiration of this Agreement for any reason, the Consultant shall return all papers, records, and memoranda received from the Town in connection with the work under this Agreement. Notwithstanding the foregoing, the Consultant (a) will be permitted to retain a copy of such materials, as may be necessary to document its performance of its obligations hereunder, for the purpose of establishing compliance with applicable law or regulations (including professional standards) and for defending or maintaining any litigation (including any administrative proceeding) relating to this Agreement; and (b) shall not be required to delete materials from back-up, archival electronic storage maintained in accordance with the Consultant's data retention policies.

5. **LOCAL LAWS:** Each party hereto agrees to comply with all applicable provisions of the Charter of the Town of Farragut, the ordinances enacted thereunder, the rules and regulations promulgated thereunder, and the constitution and laws of the State of Tennessee. The consultant will indemnify, defend, save and hold the Town harmless from any and all third-party claims to the extent such third party claim is finally determined to be arising out of or related to the infringement of any copyrights or other intellectual property rights or in connection with the materials provided by Consultant pursuant to its performance of the services hereunder.

6. **Standards of Performance:** Consultant shall perform its services in conformity with the terms expressly set forth in this Agreement. Accordingly, the services shall be evaluated on Consultant's substantial conformance with such terms and standards. Any claim of nonconformance (and applicability of such standards) must be clearly and convincingly shown. The Town acknowledges that the services will involve the participation and cooperation of management and others of the Town. Unless required by professional standards or the Town and Consultant otherwise agree in writing, Consultant shall have no responsibility to update any of its work after its completion.

7. **Limitations on Warranties:** Consultant warrants that it will perform its services on a reasonable professional efforts basis. This warranty is in lieu of, and Consultant expressly disclaims, all other warranties, express, implied or otherwise, including without limitation any implied warranties of merchantability or fitness for a particular purpose. The services performed under this Agreement do not include the provision of legal advice and Consultant makes no representations regarding questions of legal interpretation. The Town should consult with its attorneys with respect to any legal matters or items that require legal interpretation, under federal, state or other type of law or regulation.

8. **Limitation on Damages:**

(a) The liability (including attorney's fees and all other costs) of Consultant and its present or former partners, principals, agents or employees related to any claim for damages relating to the services performed under this Agreement shall not exceed the fees paid to Consultant for the portion of the work to which the claim relates, except to the extent finally determined to have resulted from the willful misconduct or fraudulent behavior of Consultant relating to such services. This limitation of liability is intended to apply to the full extent allowed by law, regardless of the grounds or nature of any claim asserted, including the negligence of either party. Additionally, in no

event shall either party be liable for any lost profits, lost business opportunity, lost data, consequential, special, incidental, exemplary or punitive damages, delays, interruptions, or viruses arising out of or related to this Agreement even if the other party has been advised of the possibility of such damages.

(b) In the event Consultant is requested by the Town, to produce its engagement working papers or its personnel as witnesses with respect to its Services rendered for the Town, so long as Consultant is not a party to the proceeding in which the information is sought, the Town will reimburse Consultant for its professional incurred in responding to such a request.

(c) Because of the importance of the information that the Town provides to Consultant with respect to Consultant's ability to perform the Services, the Town hereby releases Consultant and its present and former partners, principals, agents and employees from any liability, damages, fees, expenses and costs, including attorneys fees, relating to the services, that arise from or relate to any information, including representations by management, provided by the Town, its personnel or agents, that is not complete, accurate or current.

(d) Any legal proceedings arising from or in conjunction with the services provided under this Agreement must be commenced within twelve (12) months after the performance of the Services for which the action is brought.

(e) Each party recognizes and agrees that the warranty disclaimers and liability and remedy limitations in this Agreement are material bargained for bases of this Agreement and that they have been taken into account and reflected in determining the consideration to be given by each party under this Agreement and in the decision by each party to enter into this Agreement. The terms of this Section 8 shall apply regardless of the nature of any claim asserted (including, but not limited to, contract, tort, or any form of negligence, whether of the Town, Consultant or others), but these terms shall not apply to the extent finally determined to be contrary to the applicable law or regulation. These terms shall also continue to apply after any termination of this Agreement.

9. **Dispute Resolution:** Except for disputes related to confidentiality or intellectual property rights, all disputes and controversies between the parties hereto of every kind and nature arising out of or in connection with this Agreement as to the existence, construction, validity, interpretation or meaning, performance, nonperformance, enforcement, operation, breach, continuation, or termination of this Agreement shall be resolved as set forth in this Section using the following procedure: In the unlikely event that differences concerning the Services or fees should arise that are not resolved by mutual agreement, both parties agree to attempt in good faith to settle the dispute by engaging in mediation before resorting to litigation or any other dispute-resolution procedure. Each party shall bear their own expenses from mediation and the fees and expenses of the mediator shall be shared equally by the parties. If the dispute is not resolved by mediation, then either party may proceed to litigation in any court of competent jurisdiction. THE PARTIES EXPRESSLY WAIVE TRIAL BY JURY IN ANY JUDICIAL PROCEEDING INVOLVING, DIRECTLY OR INDIRECTLY, ANY MATTER (WHETHER SOUNDING IN TORT, CONTRACT OR OTHERWISE) IN ANY WAY ARISING OUT OF, RELATED TO, OR CONNECTED WITH THIS AGREEMENT OR THE RELATIONSHIP ESTABLISHED HEREUNDER.

10. **Consultant Entity:** Baker Tilly Virchow Krause, LLP is an independent member of Baker Tilly International. Baker Tilly International Limited is an English company. Baker Tilly International provides no professional services to clients. Each member firm is a separate and independent legal entity and each describes itself as such. Baker Tilly Virchow Krause, LLP is not Baker Tilly International's agent and does not have the authority to bind Baker Tilly International or act on Baker Tilly International's behalf. None of Baker Tilly International, Baker Tilly Virchow Krause, LLP, nor any of the other member firms of Baker Tilly International has any liability for each other's acts or omissions. The name Baker Tilly and its associated logo is used under license from Baker Tilly International Limited.

It is the policy of the Town of Farragut not to discriminate against qualified bidders for contracts, or its employees on the basis of race, religion, color, national origin, age, sex or disability status in its hiring and employment practices, or in the selection of contractors. It is also the policy of the Town of Farragut to reasonably accommodate all qualified individuals with disabilities in admission to, access to, or operation of its programs, services and activities, unless such accommodations would cause an undue hardship. Any contractors with whom the Town awards contracts are expected to certify and warrant that they will comply with these policies in the contractor's operations. Should anyone have a concern or question about the application of these policies, please contact the Director of Human Resources and ADA Coordinator, Janet Curry, by e-mail at jcurry@townoffarragut.org or phone 865-966-7057 or in person at Town Hall.

In witness whereof, the parties hereto have caused this agreement to be properly authorized and executed;

Date: _____, 2019.

Attest:

TOWN:

Recorder - Town of Farragut

Mayor - Town of Farragut

Approved as to form:

Countersigned:

Attorney - Town of Farragut


Baker Tilly Virchow Krause, LLP



| farragut

4/9/2019

Request for Qualifications

I. Introduction

A. General Information

The Town of Farragut is soliciting qualifications for a consultant to complete a comprehensive organizational study of staffing, job titles, classification and compensation study including a wage and benefits survey. **The final report is to be completed within 90 days from notice to proceed.** The Town last implemented a FY 2010-11 market analysis of the current positions and salary structure for the July 1, 2011-12 budget. Since that time, the salary ranges have been adjusted twice.

The Town of Farragut was incorporated on January 16, 1980. The Town government operates under a mayor-aldermanic charter which includes a mayor and four aldermen. The Town workforce currently consists of 52 fulltime employees covering the following Departments: Administration, Community Development, Engineering, Parks & Recreation, and Public Works. An Organization Chart (Exhibit A) is included for your reference. There are existing job descriptions for each position. There are also two full-time contract, 14 regular part-time and 16 seasonal positions.

To be considered to provide these services, please submit a CD, and an original and three copies (total of four) of a submission of qualifications at the offices of the Town of Farragut mailed to be received **4:30 PM on May 2, 2019**. Submissions must be sealed and clearly marked "RFQ for Class/Comp Study" (Attention: Human Resources Manager).

Mailing Address: Town of Farragut
Attn: Human Resources Manager
11408 Municipal Center Dr.
Farragut, TN 37934

The Town of Farragut reserves the right to: 1) reject any and all proposals; 2) waive any informalities in connection herewith; 3) accept any proposal, either in full or in part, deemed advantageous to it; 4) reject any or all proposals or to award or refrain from awarding the contract for the work, whichever is deemed to be in the Town of Farragut's best interests.

All qualified Proposers will be afforded full opportunity to respond to this invitation and will not be discriminated against on the grounds of race, color, national origin, religion, sex, age or disability in consideration of their proposal. It is the policy of the Town of Farragut not to discriminate on the basis of race, color, national origin, age, sex, or disability in its hiring and employment practices, or in admission to, access to, or operation of its programs, services and activities. Regarding all aspects of this contract, the contractor certifies and warrants it will comply with this policy. In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990, the Town of Farragut, TN will not discriminate against any qualified individuals with disabilities on the basis of disability in the Town's services, programs, or activities.

Questions or requests for accommodations regarding this proposal should be directed to Janet Curry, Human Resources Manager: 865-966-7057.

B. Scope of Work

The Town desires to hire a consultant to provide technical expertise to conduct an extensive classification and total compensation study and a thorough market analysis in order to identify the prevailing wage and salary rates of the competitive market within which the Town recruits for labor. The consultant will calculate pay ranges to reflect competitive market salaries in relation to their findings and including recommendations for updating pay ranges found to be inconsistent with prevailing market rates for similar positions. The consultant must include any pay compression issues and make recommendations on resolving the identified issues. The consultant will also survey the organization and make recommendations for position/job alignment according to best practices and/or industry standards to allow for more effective and efficient service to citizens.

The following describes tasks that are expected to be completed to meet the requirements of the RFQ:

1. COMPENSATION

- On-site interviews with five Department Heads to review job descriptions including the required knowledge, skills and abilities to efficiently and effectively perform each job task associated with an incumbent's position.
- A comprehensive evaluation of each regular full-time and regular part-time job within the Town to determine relative worth within the organization (internal equity) and for the establishment of pay ranges. Included should be a comparison and analysis of salaries and wages of like or similar jobs (external equity) in comparable government entities and/or private employers for which the Town competes for their labor supply.
- Recommend needed changes (if any) to the existing plan and implementation options that consider available revenue sources.
- Present a detailed summary of the findings along with recommendations to the Town Administrator and Human Resources Manager.
- Present a detailed presentation to the Leadership Team and to Board of Mayor and Aldermen, if requested, summarizing the results and addressing any questions which arise.

2. BENEFITS

The survey must also include a benefits survey comparing the Town's medical, dental, vision, retirement plan, holidays, vacation and sick days.

It is expected that the consultant will provide an unbiased perspective to the process and present their findings to management in a timely manner.

C. Deliverables

The selected firm will supply the following:

1. The Consultant shall include a timetable of tasks to conclude the project within 90 days from notice to proceed.
2. The consultant shall provide a statement of expertise and experience in performing a targeted compensation and benefits study.
3. The HR Manager must be notified should any major deviations to the schedule occur.
4. Classification/compensation and position evaluation system including maintenance recommendations for updating pay ranges found to be inconsistent with prevailing market rates for similar positions.
5. A detailed report summarizing the findings and recommendations for the implementation of a classification/compensation system and salary ranges for each position &/or pay grade. The report shall include one and five year implementation cost(s) (if necessary, due to cost or scope of implementation) along with supporting background information sufficient enough to substantiate the recommendation(s).
6. Identify any pay compression issues and make recommendations.
7. A detailed report summarizing a comparison of Town benefits to other local governments. Also, summary of private sector average or better benefits offerings.
8. A detailed presentation to Leadership Team summarizing the results and addressing any questions which arise. Revisions may be required due to the issues (if any) raised by the Leadership team.
9. A presentation to the Board of Mayor and Aldermen, if requested, regarding the final recommendations.

II. Proposal Requirements

A. Proposal Process

RFQ Release:	April 9, 2019
RFQ Due Date:	May 2, 2019
Evaluation Period begins:	May 6, 2019
Interviews (if required):	May 9, 2019
Board Approval:	May 23, 2019
Award Notification:	May 24, 2019
Project Delivery	August 30, 2019
Board Workshop(possible)	September 26, 2019

B. Proposal Requirements

Provide a statement of your understanding of the work, descriptions of the approach and illustrations of the procedures employed. Describe, in general, the procedures that will be used by your firm to successfully implement this project. The proposal shall contain, at a minimum, the following critical information:

1. Detail, in narrative, your firm's ability to perform the services outlined in the Scope of Work contained in *Section II.A* above. The description must include, at a minimum, the following information:

Job Description Analysis:

- How your firm will evaluate compensable factors by comparing them with each other in terms of essential elements to include, but not limited to, knowledge required for the job, education, supervisory control, complexity, scope and effect, personal contact (public), physical environment, and physical demand.
- How your firm assigns weight to compensable factors to determine their relative worth.

Wage Survey:

- Benchmark key jobs. Key jobs are jobs in which their contents are well known and agreed upon, change little over time, and the market pay rates for similar jobs are generally acceptable and any differential among surveys is relatively stable.
- Utilize data sources from both private and public sector employers that are of a similar size, industry, or competitors in the local job market.
- Conduct a salary survey within the local job market (Knox County and contiguous counties) to determine the job market rates for benchmarked positions. Include similar, mutually identified municipal governments within the state of Tennessee.
- Establish salary ranges for each job grade/family.
- Forecast market rates for a July 1, 2020 implementation date.
- Provide recommendations to cover special compensation issues such as:
 - Salaries above the maximum or below the minimum pay range.
 - Internal and external equity
 - Market conditions
 - Positions that warrant immediate salary adjustments.
- Summarize projected implementation costs for one and five years.

Benefits Survey

The Salary survey must also include a benefits survey comparing the Town's medical, dental, vision, life/LTD, retirement plan, holidays, vacation and sick days.

Classification/Compensation System:

- System must meet all legal requirements, be totally non-discriminatory and provide compliance with all applicable federal, state, and local requirements.
 - System must be easy for management to administer, maintain, and defend.
 - System must easily accommodate organization change and growth.
 - System must be based upon sound compensation principles in which both internal and external equity are considered with the pay structure as well as the concepts of equal pay for equal work, equal pay for similar work, and equal pay for comparable work.
 - The system should provide for new positions to be incorporated into the compensation plan as well as appropriate adjustments to maintain the pay plan's completeness (Compensation Philosophy-Maintenance recommendations).
2. List contracts where your firm has performed similar services as outlined in this RFQ. Your proposal must include the contact name, title, organization, and telephone number and/email address for at least three (3) similar projects that we may contact as a reference.

3. Provide the technical qualifications of the individual(s) that will be assigned to work on this project. Detail training, certifications, previous experience, and other information that you feel may be relevant.
4. Include a proposed time schedule for completion of the project. For purposes of this solicitation, the consultant can assume an award notification date outlined in Section II.A above.
5. Include information regarding your firm's background to include the number of years that it has been in business and other pertinent information which the proposer believes should be considered by the selection committee.
6. A sample of a formal report for a similar project previously completed. Confidential information may be removed, if necessary.
7. The consultant will draft a not-to-exceed cost to supply the services outlined in this proposal. The cost proposal shall outline the anticipated hours and the hourly rate being charged to arrive at the total cost. Travel costs, if applicable, shall be shown separately. Allowable amounts for direct expense reimbursement shall also be listed. Please have this cost calculated should the proposer's firm is chosen. The total final charges shall not be exceeded unless there is a change in the scope of work approved in writing by the Town Administrator and HR Manager.

C. Add Alternate

The consultant may choose to include a sample of an evaluation format and scoring system for employee and supervisory positions. Clearly identify this as an Add Alternate document. Please list this cost separately.

D. Evaluation process

The proposals will be evaluated and ranked based on the written material submitted. Evaluation criteria will be related to the following as shown:

Qualifications
Experience
References
Interview (if any)

A Town AS Hoc Committee will perform the initial evaluation. A list of firms may be selected as finalists and asked to interview/make presentations via Skype to the Ad Hoc Committee. The interview/presentation will be evaluated as part of the award determination.

Terms and Conditions

Exhibit B contains a sample contract document to be executed with the successful consultant upon award of the contract. Federal and/or state law requires many of the clauses contained in the agreement. The awarded firm may request additional contract clauses to be incorporated into the contract. If, however, these clauses become a barrier to contract execution and rapid implementation of the project, the Town may proceed to the next highest ranked consultant for contract consideration.

Any proposal which includes reference to more than one consultant or supplier of services shall contain adequate definitions of said services together with adequate identification of the proposed supplier. Furthermore, the proposal shall clearly identify a single consultant who will have ultimate responsibility for the project with whom the Town's contract will be executed.

The selected consultant will indemnify, save and hold the Town harmless from any and all legal liability arising out of the infringement of any copyrights in respect to the normal use of the proposed services, or in connection with the performance of services.

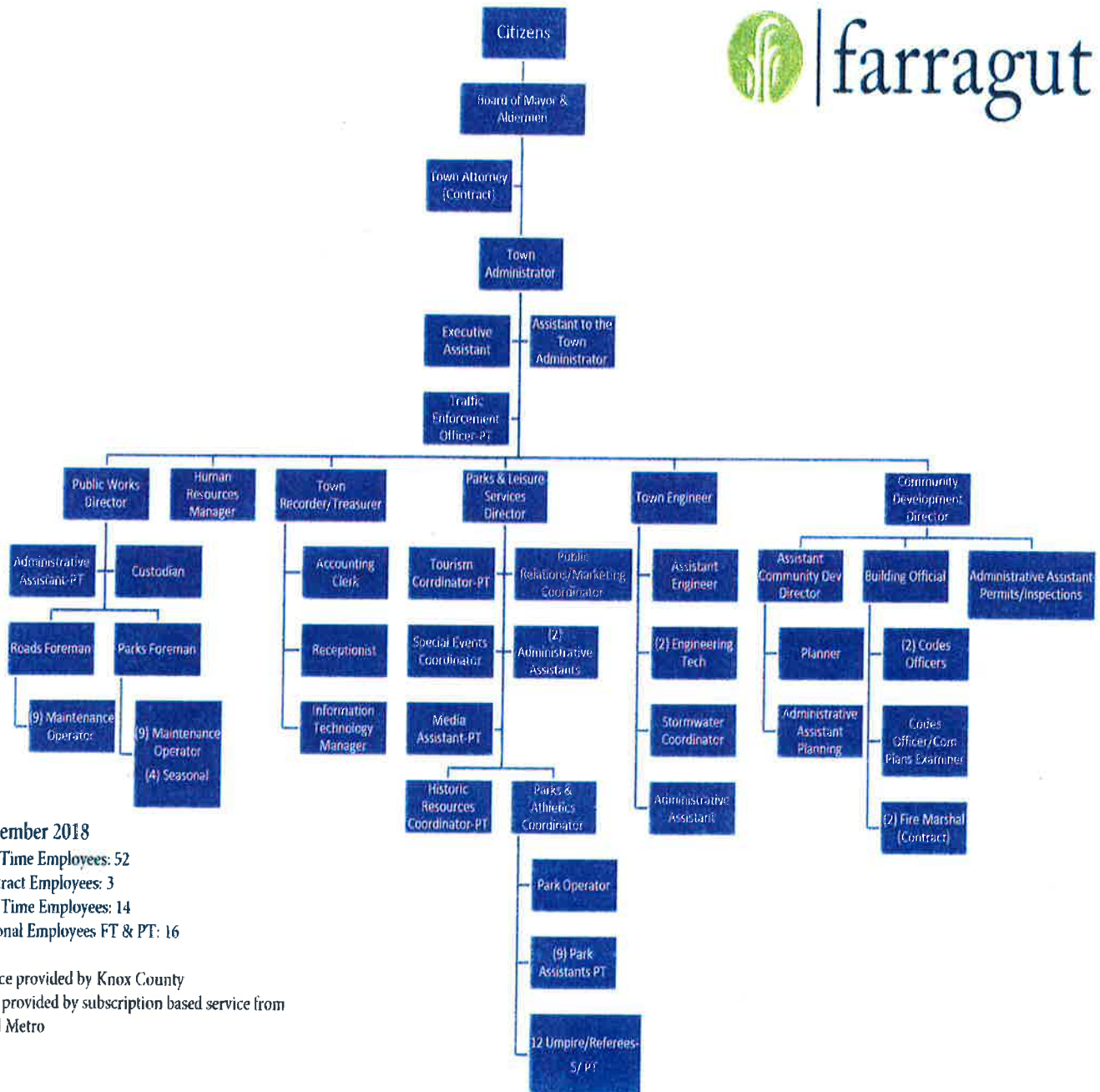
It is the responsibility of the consultant to verify the completeness, accuracy, and suitability of their proposal to meet the requirements of this RFQ.

All proposals, responses, inquiries, or correspondence relating to or in reference to this RFQ, and all reports, charts, displays, schedules, exhibits, and other documents provided by consultants may become the property of the Town of Farragut when received. Supporting technical documents will be returned at the request of the consultant. The Town requests the right to use any or all ideas presented in any proposal, whether amended or not. Selection or rejection of a proposal does not affect this right.

Information provided by the Town for use in completion of this project is confidential and exclusively for the use of the Town. It may not be provided by the consultant to other organizations for their use. Any information observed of a confidential nature must remain so.

In compliance with the State of Tennessee public record laws, all proposals will be available for public inspection after award. Trade secrets and proprietary information submitted by a consultant in connection with the procurement shall not be subject to public disclosure provided the consultant invokes the protection of this section upon submission of the proposal. The specific area or scope of data and materials to be protected must be identified and the reasons for their protections stated. An all-inclusive statement that the entire proposal is proprietary is unacceptable. A statement that costs are to be protected is unacceptable and may result in rejection of your proposal.

EXHIBIT A



December 2018

Full-Time Employees: 52

Contract Employees: 3

Part-Time Employees: 14

Seasonal Employees FT & PT: 16

*Police provided by Knox County

*Fire provided by subscription based service from Rural Metro

Exhibit B

CONTRACT FOR SERVICES

This contract (the "Agreement"), made between the Town of Farragut, Tennessee, a municipal government in the State of Tennessee, hereinafter referred to as the "Town", and _____, a private personnel consultant, hereinafter referred to as the "Consultant".

Whereas, the Town from time to time is involved in matters involving employee compensation, requiring the services of a consultant in order to adequately protect the interest of the Town and the citizens thereof; and

Whereas, the partners and associates of the Consultant are able and learned in personnel compensation matters, and well qualified to advise and assist the Town; and

Whereas, the Town has issued an RFQ entitled "Classification/Compensation Study" dated 04/08/2019, to which Consultant has responded and Consultant is ready, willing and able to act as an advisor to Town in personnel compensation matters as requested in the RFQ;

Now, therefore, in consideration of the mutual agreements hereinafter contained and subject to the terms and conditions herein stated, it is understood and agreed by the parties as follows:

1. WORK TO BE PROVIDED BY THE CONSULTANT: The Consultant agrees to furnish the services of its partners, associates and staff, as necessary and to the best interest of the Town, as described in and in accordance with the terms and conditions of the RFQ and to provide the following deliverables:

- a. A final project schedule for review and approval by the HR Manager and Town Administrator. The HR Manager must be notified should any major deviations to the schedule occur. Project must be complete within 90 days from notice to proceed.
- b. Draft copies of any requests for information on behalf of the Town prior to release. Approval will be granted by the Town prior to release.
- c. Accurate ADA compliant job description for each position.
- d. Classification/compensation survey of salary and benefits, comparison of total compensation to entities surveyed, a classification system, including maintenance recommendations.
- e. A detailed report summarizing the findings and recommendations for the implementation of a classification/compensation system and salary ranges for each position &/or pay grade. The report shall include one and five-year implementation cost(s) along with supporting background information sufficient enough to substantiate the recommendation(s).
- f. A formal presentation to executive management and to the Board of Mayor and Aldermen, if requested, summarizing the results and addressing any questions which arise. Revisions may be required as discussed at the presentations.
- g. A presentation to the Board of Mayor and Aldermen regarding the final recommendations.

2. WORK TO BE PROVIDED BY THE TOWN: The Town will be primarily responsible for the following:

- a. Submission of existing job descriptions to the consultant
- b. Submission of auxiliary data as may become necessary

3. COMPENSATION AND PAYMENT: The Town shall pay to the Consultant, and the Consultant agrees to accept as full and complete compensation and payment for all of the work performed as required by and related to this Agreement \$_____, which shall be billed to the Town after all of the services have been performed and upon approval of the services by the Board of Mayor and Aldermen, but no sooner than _____, 2019. Approval by the Board of Mayor and Alderman will not be unreasonable withheld.

4. TERMS: The term of this Agreement shall commence on _____, 2019 and extend to the timely completion of the services to be rendered by the Consultant, but in no event later than _____, 2019. Either party

may consent to terminate this Agreement upon fifteen (15) days written notice thereof to the other part. In the event of cancellation, termination or expiration of this Agreement for any reason, the Consultant shall submit or return all papers, records, memoranda, and working materials relating to the work under this Agreement. At termination, cancellation or expiration of this Agreement in any manner, any payment to the Consultant herein to the date of termination, cancellation or expiration shall be in full satisfaction of all claims against the Town under this Agreement.

5. **LOCAL LAWS:** Notwithstanding any other provisions, conditions, or terms herein, each term, condition and provision herein is subject to the provisions of the Charter of the Town of Farragut, the ordinances enacted thereunder, the rules and regulations promulgated thereunder, and the constitution and laws of the State of Tennessee. The consultant will indemnify, save and hold the Town harmless from any and all legal liability arising out of the infringement of any copyrights in respect to the normal use of the proposed services, or in connection with the performance of the services hereunder.

It is the policy of the Town of Farragut not to discriminate against qualified bidders for contracts, or its employees on the basis of race, religion, color, national origin, age, sex or disability status in its hiring and employment practices, or in the selection of contractors. It is also the policy of the Town of Farragut to reasonably accommodate all qualified individuals with disabilities in admission to, access to, or operation of its programs, services and activities, unless such accommodations would cause an undue hardship. Any contractors with whom the Town awards contracts are expected to certify and warrant that they will comply with these policies in the contractor's operations. Should anyone have a concern or question about the application of these policies, please contact the Director of Human Resources and ADA Coordinator, Janet Curry, by e-mail at jcurry@townoffarragut.org or phone 865-966-7057 or in person at Town Hall.

In witness whereof, the parties hereto have caused this agreement to be properly authorized and executed;

Date: _____, 2019.

Attest:

TOWN:

Recorder - Town of Farragut

Mayor -Town of Farragut

Approved as to form:

Countersigned:

Attorney - Town of Farragut

CONSULTANT

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Darryl Smith, Town Engineer; Matt Brazille, Assistant Town Engineer and Sue Stuhl, Parks & Recreation Director

SUBJECT: Approval of Bids for Contract 2019-06, Anchor Park Renovations

INTRODUCTION: The purpose of this item is consideration of bids and award of Contract 2019-06, Anchor Park Renovations

BACKGROUND: This project includes a reconstructed and expanded restroom with a family restroom and covered picnic area along with a new entrance plaza, ADA access to the diamond and recreational fields (spectator and player areas) plus new landscaping, benches and signage.

DISCUSSION: We received two bids for this project on July 31, 2019:

- Merit Construction \$643,500 (base bid of \$638,000 plus \$5500 for epoxy floor)
- FTM Contracting \$732,000

The bid from Merit Construction was very close to the estimate provided by the designer (Lose Design.) Merit Construction was most recently awarded the contract for Campbell Station Inn Phase 2 (Stabilization) and we've been pleased with their work. The add alternate of \$5500 is for an epoxy floor finish that repels urine and other odor and stain producing materials. This type of flooring was added to the upper restroom at MBLP after the renovation, and we find it performs well. Staff recommends including the flooring under this contract.

FINANCIAL SECTION:

Project: Contract 2019-06, Anchor Park Renovations

Total Budget
\$735,000

Requested Amount
\$643,500

Expenditures to Date:
\$80,072

Remaining Amount
\$11,428

Approved By: 

RECOMMENDATION BY: Darryl Smith, Matt Brazille and Sue Stuhl

PROPOSED MOTION: Approval of bids and award of Contract 2019-06 to Merit Construction for their low bid of \$643,500.

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

<u>VOTE/TOTAL</u>	<u>WILLIAMS</u>	<u>MEYER</u>	<u>PINCHOK</u>	<u>POVLIN</u>	<u>BURNETTE</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

LOSE
DESIGN
SPACES FOR LIFE

ANCHOR PARK
ADA RENOVATIONS

FOR THE RECORD

END CD SET

COVER SHEET

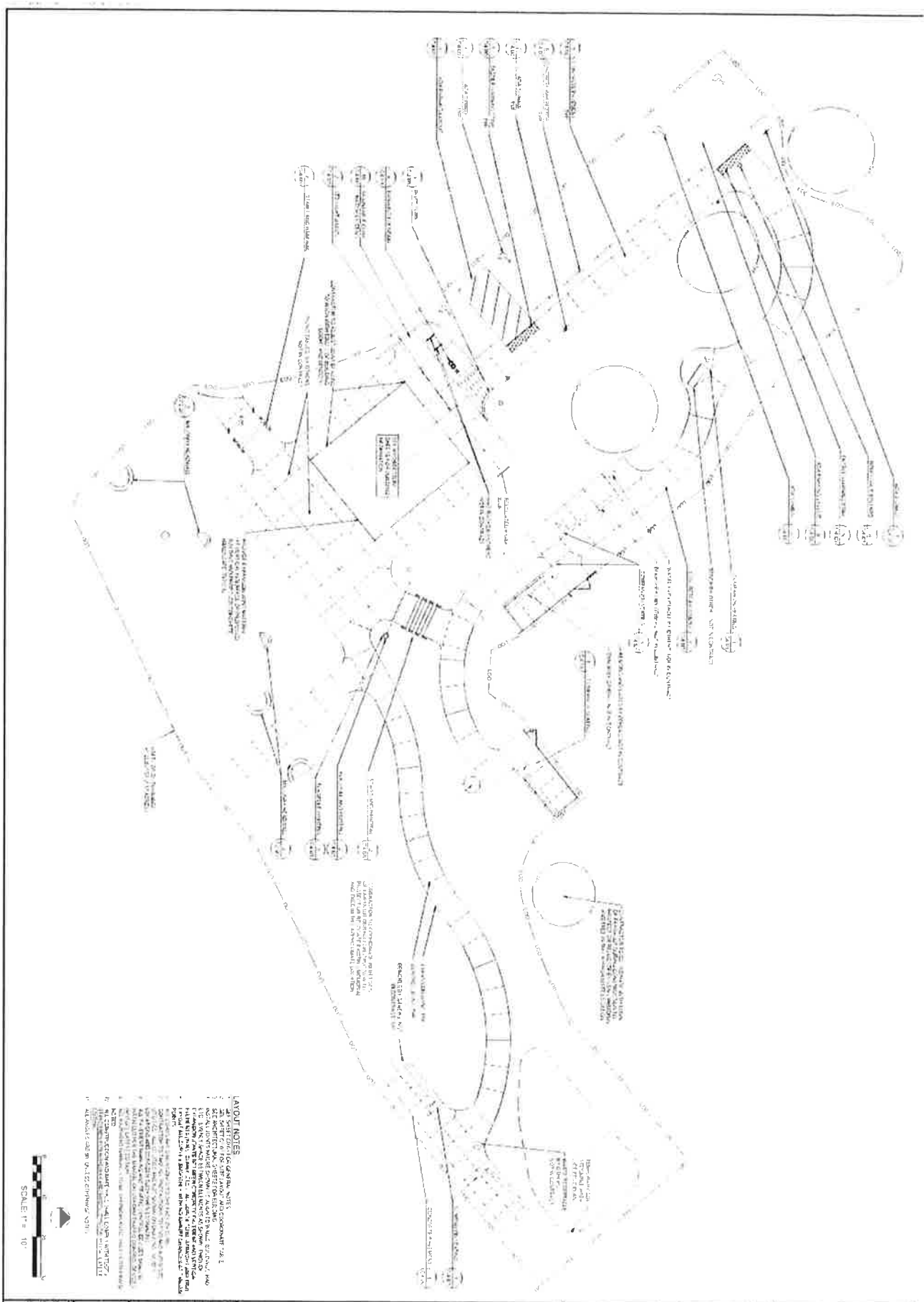
1852 25-21020

$$2d^2 = 5 - 2d^2$$

AC0.00

1852 25-21020
$$2d^2 = 5 - 2d^2$$

AC0.00



REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Darryl W. Smith, PE

SUBJECT: Consideration of Bids for Contract 2020-08, Campbell Station Inn Phase 3

INTRODUCTION: The purpose of this item is consideration of bids for Contract 2020-08, Campbell Station Inn Phase 3 (Park and Roads).

BACKGROUND: This project includes construction of a small park, a parking lot with permeable pavers, restroom facility and perimeter streets connecting through the property to the Village Greene shopping center, owned by White Realty.

We received two bids for this project on August 7:

Merit Construction, Inc. \$2,448,571.00

Southern Constructors, Inc. \$3,275,000.00

FINANCIAL SECTION: The current budget for this project is \$2,000,000. The Town has spent \$174,750 on architectural fees and site related field work. With the low bid at \$2,448,571, the budget for this project is in a deficit of \$623,321 and would need additional monies allocated in order to move forward with the current bid.

The bid from Merit Construction is only valid for 30 days. Since the next Board of Mayor and Aldermen meeting is outside of this 30 day window, staff recommends the board either approve the bids as submitted and allocate additional funding for the project to proceed, or in the alternative, reject all bids and look at re-engineering to reduce the project's scope and re-bid at a future date.

PROPOSED MOTION:

Approval of bids and award of Contract 2020-08 to Merit Construction, Inc. for their low bid of **\$2,448,571.00**

OR

Reject all bids received for Contract 2020-08.

BOARD ACTION:

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

<u>VOTE/TOTAL</u>	<u>WILLIAMS</u>	<u>POVLIN</u>	<u>PINCHOK</u>	<u>MEYER</u>	<u>BURNETTE</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

Town of Farragut
Campbell Station Inn Phase III - Park and Roads Construction Bid Tab

Prospective Bidder	Description	Quantity	Unit Price	Total Price
Merit Construction, Inc.	Campbell Station Inn Phase III - Park and Roads	1 LS	\$2,448,571.00	\$2,448,571.00
Southern Constructors, Inc.	Campbell Station Inn Phase III - Park and Roads	1 LS	\$3,275,000.00	\$3,275,000.00



CAMPBELL
STATION
INN

AVERY
RUSSELL
HOUSE

Phase III - Park & Roads
Restroom Building

SYMBOL LEGEND

⊙	SIGN	⊗	GAS VALVE
⊙	IRON ROD FOUND	⊗	WATER VALVE
⊙	IRON ROD SET	⊗	FIRE HYDRANT
⊙	BENCHMARK	⊗	SEWER MANHOLE
⊙	POWERPOLE	⊗	CURB INLET
⊙	LIGHT POLE	⊗	DROP INLET

LINETYPE LEGEND

---	OVERHEAD ELECTRIC
---	FENCE
---	STORM
---	UNDERGROUND WATER
---	OVERHEAD ELEC. & TELEPHONE
---	UNDERGROUND GAS
---	UNDERGROUND TELEPHONE
---	SANITARY SEWER



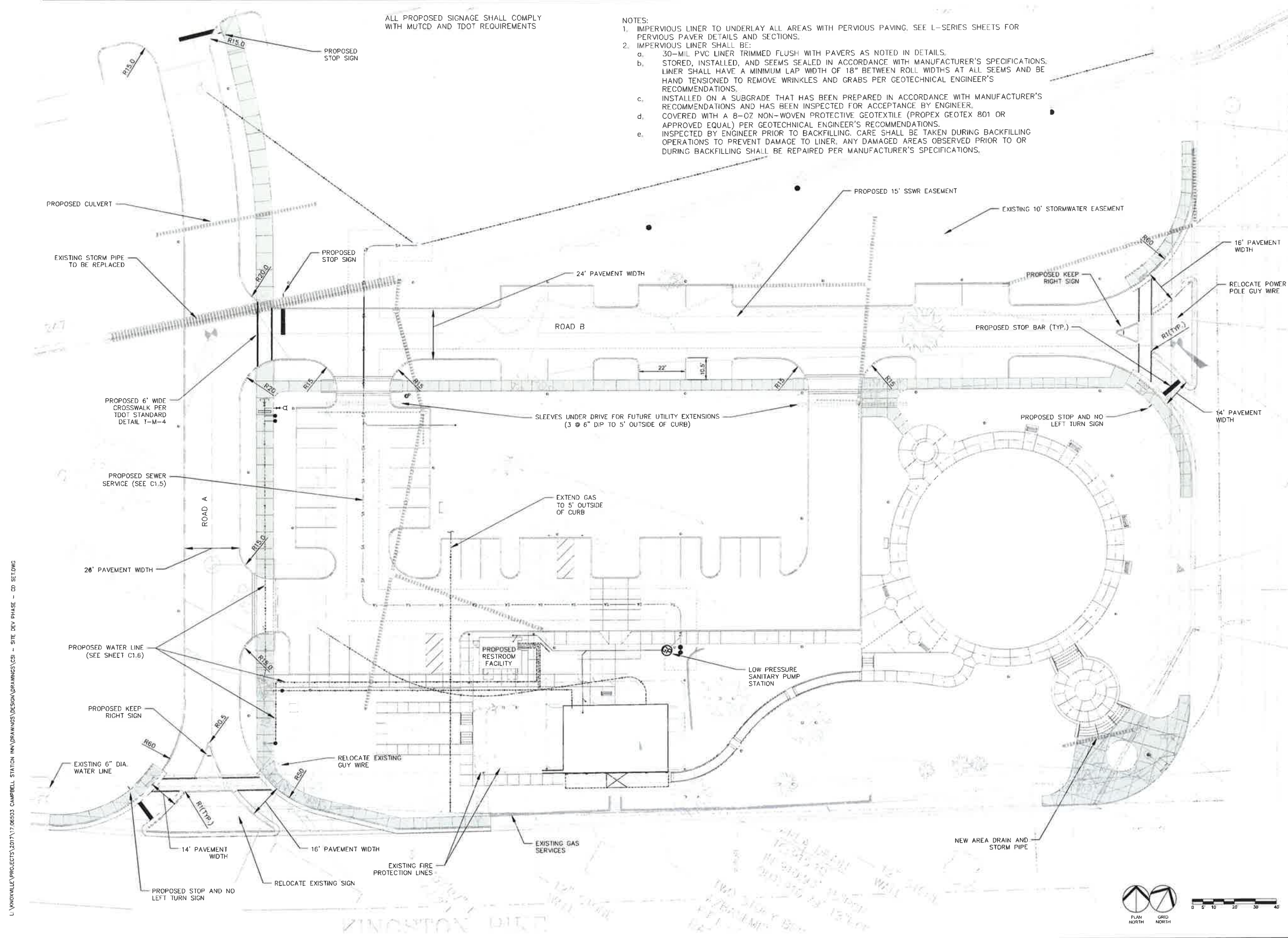
C1.1
SITE LAYOUT
AND UTILITY PLAN



3/29/2019
FOR PERMITTING & CONSTRUCTION
1719 PROJECT NUMBER

- NOTES:
1. IMPERVIOUS LINER TO UNDERLAY ALL AREAS WITH PERVIOUS PAVING. SEE L-SERIES SHEETS FOR PERVIOUS PAVER DETAILS AND SECTIONS.
 2. IMPERVIOUS LINER SHALL BE:
 - a. 30-MIL PVC LINER TRIMMED FLUSH WITH PAVERS AS NOTED IN DETAILS.
 - b. STORED, INSTALLED, AND SEAMS SEALED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS. LINER SHALL HAVE A MINIMUM LAP WIDTH OF 18" BETWEEN ROLL WIDTHS AT ALL SEAMS AND BE HAND TENSIONED TO REMOVE WRINKLES AND GRABS PER GEOTECHNICAL ENGINEER'S RECOMMENDATIONS.
 - c. INSTALLED ON A SUBGRADE THAT HAS BEEN PREPARED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS AND HAS BEEN INSPECTED FOR ACCEPTANCE BY ENGINEER.
 - d. COVERED WITH A 8-OZ NON-WOVEN PROTECTIVE GEOTEXTILE (PROPEX GEOTEX 801 OR APPROVED EQUAL) PER GEOTECHNICAL ENGINEER'S RECOMMENDATIONS.
 - e. INSPECTED BY ENGINEER PRIOR TO BACKFILLING. CARE SHALL BE TAKEN DURING BACKFILLING OPERATIONS TO PREVENT DAMAGE TO LINER. ANY DAMAGED AREAS OBSERVED PRIOR TO OR DURING BACKFILLING SHALL BE REPAIRED PER MANUFACTURER'S SPECIFICATIONS.

ALL PROPOSED SIGNAGE SHALL COMPLY
WITH MUTCD AND TDOT REQUIREMENTS



L:\VANDERBILT\PROJECTS\2017\1706503 CAMPBELL STATION INN\DRAWINGS\DESIGN\DRAWINGS\03 - SITE DEV PHASE - CD SET.DWG

AGENDA NUMBER V1.A.1.

MEETING DATE

August 22, 2019

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Ordinance 19-23, an ordinance on second reading for amendments to the C-1 Mixed-Use Town Center portion of the Farragut Zoning Ordinance as applied to drive-throughs and menu boards on existing developments with drive-throughs that pre-date the Mixed-Use Town Center land use designation

INTRODUCTION AND BACKGROUND: This item involves proposed changes to the C-1 Mixed-Use Town Center zoning district provisions. The proposed changes are related to the district's requirements for drive-thru lanes and menu board signage for preexisting restaurants and similar uses that are being remodeled/redeveloped without a change in use.

DISCUSSION: Providing for the redevelopment of small existing sites within the Mixed-Use Town Center planning area is a development challenge. The Town's Land Use Plan speaks to incremental change and improvements and there are preexisting sites that, in some cases, present redevelopment issues. This is particularly true with respect to some existing food establishments with drive-thru lanes. The current McDonald's remodeling and redevelopment project is a prime example and the impetus for the proposed zoning district amendments. McDonald's is situated on a small existing site and internal traffic circulation is a concern. The circulation issue is particularly troublesome during peak times and is related to the orientation of the drive-thru lane within the existing parking lot. They have proposed a split side-by-side ordering station to deal with the traffic issue. This configuration will move traffic though the drive-thru lane and parking lot more efficiently and improve lot safety. Unfortunately, it cannot be approved under the provisions of the current zoning ordinance.

With this in mind and after a workshop discussion with the Planning Commission, staff prepared a proposed amendment to the C-1 Mixed-Use Town Center zoning district to address the issue. The amendment would allow for greater drive-thru lane design flexibility where existing sites are being redeveloped.

At their meeting on July 18, 2019, the Planning Commission unanimously recommended approval of Ordinance 19-23. The Board of Mayor and Aldermen unanimously approved Ordinance 19-23 on first reading on August 8, 2019 and Community Development Director, Mark Shipley, recommends approval of Ordinance 19-23 on second reading.

PROPOSED MOTION: To approve Ordinance 19-23 on second reading.

BOARD ACTION:

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

<u>VOTE/TOTAL</u>	<u>WILLIAMS</u>	<u>MEYER</u>	<u>PINCHOK</u>	<u>POVLIN</u>	<u>BURNETTE</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

ORDINANCE:	19-23
PREPARED BY:	Hose
REQUESTED BY:	McDonald's USA, LLC
CERTIFIED BY FMPC:	July 18, 2019
PUBLIC HEARING:	_____
PUBLISHED IN:	_____
DATE:	_____
1ST READING:	_____
2ND READING:	_____
PUBLISHED IN:	_____
DATE:	_____

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), SUBSECTION F., MIXED-USE TOWN CENTER, PART 2., PERMITTED PRINCIPAL AND ACCESSORY USES AND STRUCTURES, SUBPART B., "RESTAURANTS, TEA ROOMS, CAFES, COFFEE HOUSES, BISTROS, OR OTHER SIMILAR ESTABLISHMENTS ... ", TO ADD PROVISION NUMBER SEVEN (7) TO SUBPART B AND PROVIDE THE PLANNING COMMISSION WITH CONDITIONED AUTHORITY TO APPROVE ALTERNATIVE DRIVE-THRU LANE CONFIGURATIONS AND OTHER RELATED MODIFICATIONS FOR EXISTING ESTABLISHMENTS.

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Chapter 3, Specific District Regulations, of the Farragut Zoning Ordinance, Ordinance 86-16,

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

SECTION 1.

The Farragut Zoning Ordinance, Chapter 3., Section XII., General Commercial District (C-1), Subsection F., Mixed-Use Town Center, Part 2., Permitted Principal and Accessory Uses and Structures, Subpart b., "Restaurants, tea rooms, cafes, coffee houses, bistros, or other similar establishments ... "is amended by the addition of provision number seven (7) as follows:

7. The Planning Commission may approve alternative drive-thru lane configurations and minor modifications to the requirements of parts 1 – 6 above where an existing permitted establishment is being remodeled/redeveloped without a change of use. This includes but is not limited to the addition of split ordering lanes; the use of more than one menu board provided, however, that the aggregate square footage (sign area) of all such boards per lane shall be restricted to 30 square-feet with no single board to exceed 20 square-feet; and a

relaxation of the menu board screening requirement. In granting such approvals, the planning commission shall consider and ensure that they are based on the following:

- a. The physical nature of the preexisting site;
- b. The extent of the redevelopment project;
- c. A finding that the proposed alternative design and/or modifications serve a related public purpose, such as improved traffic flow; and
- d. That the alternative design/modification is consistent with the general intent of these standards and represents the minimum modification necessary given the nature of the site and project.

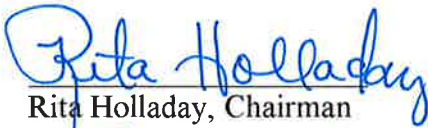
SECTION 2.

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

Ron Williams, Mayor

Allison Myers, Town Recorder

Certified to the Farragut Board of Mayor and Aldermen this _____ day of _____, 2019, with approval recommended by the Farragut Municipal Planning Commission (FMPC).


Rita Holladay, Chairman


Rose Ann Kile, Secretary

C-3.0

RESOLUTION PC-19-07

FARRAGUT MUNICIPAL PLANNING COMMISSION

A RESOLUTION TO APPROVE AN AMENDMENT TO 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), SUBSECTION F., MIXED-USE TOWN CENTER, PART 2., PERMITTED PRINCIPAL AND ACCESSORY USES AND STRUCTURES, SUBPART B., “RESTAURANTS, TEA ROOMS, CAFES, COFFEE HOUSES, BISTROS, OR OTHER SIMILAR ESTABLISHMENTS ... “, TO ADD PROVISION NUMBER SEVEN (7) TO SUBPART B AND PROVIDE THE PLANNING COMMISSION WITH CONDITIONED AUTHORITY TO APPROVE ALTERNATIVE DRIVE-THRU LANE CONFIGURATIONS AND OTHER RELATED MODIFICATIONS FOR EXISTING ESTABLISHMENTS.

WHEREAS, the Tennessee Code Annotated, Section 13-4-201et seq, provides that the Municipal Planning Commission shall make and adopt a general plan for the physical development of the municipality; and

WHEREAS, the Farragut Municipal Planning Commission has adopted various elements of a zoning plan as an element of the general plan for physical development; and

WHEREAS, a public hearing was held on this request on July 18th, 2019;

NOW, THEREFORE, BE IT RESOLVED that the Farragut Municipal Planning Commission hereby recommends approval to the Farragut Board of Mayor and Aldermen of Ordinance 19-23; an ordinance amending the Farragut Zoning Ordinance, Ordinance 86-16, to provide the Planning Commission with conditioned authority to approve alternative drive-thru lane configurations and other related modifications for existing establishments.

ADOPTED this 18th day of July, 2019.

Rita Holladay, Chairman

Rose Ann Kile, Secretary

AGENDA NUMBER V1. A. 2. MEETING DATE August 22, 2019

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Ordinance 19-24, an ordinance on second reading to amend Chapters 2, 3, and 4 of the Farragut Zoning Ordinance related to the creation of the Outlet Drive Regional Entertainment and Employment District (OD-RE/E) that will replace the C-2-R/W District (RealtyLink, Applicant)

INTRODUCTION AND BACKGROUND: This item involves a request for approval of Ordinance 19-24 which would amend Chapters 2, 3, and 4 of the Zoning Ordinance in relation to development along the Outlet Drive corridor consistent with recent amendments to the CLUP future land use map. As you will recall, a workshop was conducted on June 6 in relation to a regional oriented recreational and entertainment facility envisioned along the Outlet Drive corridor. It was noted that, given the uniqueness of the use and the Outlet Drive corridor, a number of amendments to the Zoning Ordinance would likely be needed.

Originally, the thought was to amend the C-2-R/W, Regional Commercial, Retail/Warehousing Zoning District and add provisions for a regional entertainment venue and associated uses. Upon further review, staff proposed to approach the text amendment more broadly and create a new district that would replace the C-2-R/W. This district would account for the unique characteristics of the Outlet Drive corridor and establish provisions that would accommodate a regional recreational and entertainment facility and other regional and tourist-oriented uses.

The draft language for the new district was discussed at the July 2 staff/developer meeting. Comments made by the applicant were reviewed so that modifications to the ordinance language could be made before being presented to the Planning Commission for a vote. As part of the staffs' suggestion for the development of a new, corridor specific, zoning district, reference was made to some of the Critical Success Factors of the Town's Strategic Plan which encourage marketing tourism, exploring opportunities for development north of the Interstate, and attracting family entertainment venues. The development of the Outlet Drive Regional Entertainment and Employment District (OD-RE/E) would be consistent with the Strategic Plan and the amendments made recently to the future land use map for the Outlet Drive corridor.

DISCUSSION: Some of the key components in Ordinance 19-24 include the following:

- 1) A definition for a Regional Recreational and Entertainment Facility;
- 2) The creation of a new zoning district that will replace the C-2-R/W Zoning District;
- 3) Specific provisions to address the Regional Recreational and Entertainment Facility, including height of accessory structures, compliance with the ADS, provisions for wall signage, and modifications to outdoor site lighting;
- 4) A master sign for unified development;
- 5) Architectural materials for buildings within the OD-RE/E Zoning District; and
- 6) Vehicular parking requirements for Regional Recreational and Entertainment Facilities.

RECOMMENDATION: At their meeting on July 18, 2019, the Planning Commission unanimously recommended approval of Ordinance 19-24. The Board of Mayor and Aldermen unanimously approved Ordinance 19-24 on first reading on August 8, 2019 and Community Development Director, Mark Shipley, recommends approval of Ordinance 19-24 on second reading.

PROPOSED MOTION: To approve Ordinance 19-24 on second reading.

BOARD ACTION:

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

<u>VOTE/TOTAL</u>	<u>WILLIAMS</u>	<u>MEYER</u>	<u>PINCHOK</u>	<u>POVLIN</u>	<u>BURNETTE</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

ORDINANCE: 19-24
PREPARED BY: Shipley
REQUESTED BY: Realty Link
CERTIFIED BY FMPC: July 18, 2019
PUBLIC HEARING:
PUBLISHED IN:
DATE:
1ST READING:
2ND READING:
PUBLISHED IN:
DATE:

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 2. DEFINITIONS, TO PROVIDE FOR A DEFINITION FOR REGIONAL RECREATIONAL AND ENTERTAINMENT FACILITY; AMENDING CHAPTER 3. SPECIFIC DISTRICT REGULATIONS, TO REPLACE THE C-2-R/W, REGIONAL COMMERCIAL, RETAIL/WAREHOUSING DISTRICT, WITH THE OUTLET DRIVE REGIONAL ENTERTAINMENT AND EMPLOYMENT DISTRICT (OD-RE/E); AND AMENDING CHAPTER 4. GENERAL PROVISIONS AND EXCEPTIONS, TO ADD VEHICULAR PARKING REQUIREMENTS FOR REGIONAL RECREATIONAL AND ENTERTAINMENT FACILITIES

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Chapter 4, General Provisions and Exceptions, of the Farragut Zoning Ordinance, Ordinance 86-16,

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

SECTION 1.

The Farragut Zoning Ordinance, Chapter 2, Definitions, is amended by adding the following definition:

Regional Recreational and Entertainment Facility: A large multi-use recreational and entertainment facility with a regional market focus and which may include both indoor and outdoor functionality. Such a facility may include event space, restaurants with both indoor and outdoor seating, lodging, and various indoor/outdoor recreational and entertainment-based activities.

SECTION 2.

The Farragut Zoning Ordinance, Chapter 3, Specific District Regulations, Section XXIV. Regional commercial district, retail/warehousing (C-2-R/W) is amended by deleting it in its entirety and replacing it with the following:

Sec. XXIV. – Outlet Drive Regional Entertainment and Employment District (OD-RE/E).

- A. *General description.* The Outlet Drive corridor is uniquely situated on the north side of Interstate 40 between the Lovell Road and Campbell Station Road Interchanges. Much of the area that surrounds the corridor is outside the Town limits. The Town's portion of the corridor includes excellent interstate visibility and proximity to two interchanges. These notable characteristics provide an opportunity to attract family entertainment venues that serve both a local and regional market. The corridor's location and existing development also supports local and regional employment and includes an architecture that differentiates itself from most of the Town.

The Outlet Drive Regional Entertainment and Employment District (OD-RE/E) is intended to capitalize on the corridor's characteristics by creating an opportunity to provide for uses, architectural flexibility, and signage that take into account the surrounding context.

- B. *Permitted principal and accessory uses and structures.* Property and structures located in the Outlet Drive Regional Entertainment and Employment District (OD-RE/E) shall be used only for the following purposes:

1. Generally recognized retail sales, subject to the following:
 - a) Any outdoor storage or sales shall be contained within areas specifically designed and approved for such storage or sales as part of a site plan review. Such areas shall be screened from public rights of ways with opaque materials that are architecturally compatible with the primary materials used on the building they are serving. Such screened areas shall meet the setback requirements for accessory structures; and
 - b) Warehousing and wholesaling associated with on-site retail establishments are permitted, provided the warehousing and wholesaling constitutes less than 80 percent of the gross square footage of the building(s).
2. Restaurants.
3. Hotels.
4. Offices.
5. Theaters, indoor only.
6. Indoor recreational facilities.
7. Regional Recreational and Entertainment Facility, as defined in Chapter 2, and subject to the following development criteria:
 - a) The tract shall be at least 5 acres;
 - b) The tract shall abut the Interstate 40 right of way;
 - c) The permissible height of accessory structures that are integral to the function of the regional entertainment venue shall be evaluated using the following criteria:
 - i. The structure's role in the operational function and inherent safety related requirements of the establishment;
 - ii. The structure(s) being non-illuminated and concealed to the greatest extent practicable;
 - iii. The structure(s) being a minimum of 100 feet from property developed as residential; and

- iv. The structure(s) being in compliance with any applicable State or Federal requirements.
 - d) For a building in excess of 40,000 square feet, compliance with the Town's Architectural Design Standards (ADS) shall be evaluated using the following criteria:
 - i. The building containing a minimum masonry percentage of 10% on the net façade area of the building;
 - ii. The building being comprised of at least three other materials with no single material exceeding 40% of the net façade area and that collectively contribute to an appearance that segments the building visually into smaller modules that soften the building's scale; and
 - iii. The building clearly demonstrating compliance with all other ADS provisions.
 - e) For a building in excess of 40,000 square feet and with at least one building elevation of more than 400 feet in length, wall signage shall be provided for as follows:
 - i. Up to 2 signs (with sign areas calculated separately) may be permitted on the building elevation that is in excess of 400 feet. The cumulative permitted sign area for the two signs combined shall be established with a 2:1 sign area to building width ratio; and
 - ii. One wall sign is permitted on two other building elevations with the sign area on each of these elevations being established with a 1:1 ratio of sign area to building width on which the sign is to be mounted.
 - f) Outdoor site lighting shall be in accordance with Chapter 4 of the Farragut Zoning Ordinance with the following exceptions:
 - i. Parking lot pole lights shall not exceed 35 feet in height, including the supporting base;
 - ii. Lighting that may be unique for this use and required for the operation shall be directed inward onto the facility property so as not to shine onto adjacent properties or rights of ways;
 - iii. The maximum number of footcandles at all property lines (including the Interstate right of way) shall not exceed .1 footcandles; and
 - iv. A lighting impact analysis shall be provided as part of the site plan review and approval process. The analysis shall specifically demonstrate how lighting specific to this venue will not create glare, as defined in the Town's Outdoor site lighting requirements. Once lighting has been installed per the approved lighting plan and prior to the issuance of a Certificate of Occupancy, a verification from a licensed electrical engineer shall be provided to demonstrate compliance with the approved lighting plan.
- 8. Master sign for a unified development (i.e. a development that includes a regional recreational and entertainment facility and at least two additional regional oriented businesses or tenants in the OD-RE/E Zoning District), is subject to the following development criteria:
 - a) Existing off-premise advertising signs (billboards) along the Town's portion of the Outlet Drive corridor shall be removed;

- b) The minimum size of a development eligible for consideration as a unified development shall be 40,000 square feet of gross floor area and must contain three or more businesses or tenants;
- c) Only one sign is permitted between the Lovell Road and Campbell Station Road interchanges and such sign shall be situated a minimum of 3,000 feet from the nearest portion of both the Lovell Road and the Campbell Station Road interchange rights of ways;
- d) The sign face shall not exceed 800 square feet per side and shall be designed to include at least three businesses or tenants;
- e) The sign shall not exceed 50 feet in overall height;
- f) The sign shall be setback a minimum of 20 feet and a maximum of 50 feet from the interstate highway right of way. Otherwise, the sign shall meet the setbacks for an accessory structure;
- g) The sign shall have no digital or moving messages;
- h) The sign shall not be a monopole;
- i) The sign shall be assessed in terms of its visual and architectural compatibility with the buildings and tenant spaces which it advertises; and
- j) A recorded declaration provided to the Town for the use of the sign. Any modifications to the recorded declaration shall be approved by the Town.

9. Utility uses.

10. Signs, as regulated in the Farragut Municipal Code, or as provided for otherwise in this District.

C. *Area regulations.* The purpose of these setback regulations is to create a flexible building envelope that will enable the creative possibilities for development of a parcel to be maximized and to allow consideration of the natural features of a parcel as it is being developed.

Setbacks shall be measured from the nearest point of any property line and all structures shall comply with the following setback requirements. For the purposes of this ordinance, the interstate highway right-of-way shall be considered a rear lot line.

1. *Front yards.*

- a. Where a parking lot is situated in the front yard between a building and an abutting street, all buildings shall be set back from the nearest point of any right-of-way a minimum of 75 feet;
- b. Where only a driveway aisle is situated in the front yard between a building and an abutting street, all buildings shall be set back from the nearest point of any right-of-way a minimum of 55 feet; or
- c. Where neither a parking lot nor a driveway aisle is situated in the front yard between a building and an abutting street, all buildings shall be set back from the nearest point of any right-of-way a minimum of 20 feet.
- d. All accessory structures, excluding detention basin structures (if associated with a low impact development measure), and/or non-roofed structures that provide for pedestrian engagement with the public street (such as outdoor patios, pedestrian facilities, sitting areas, public art), shall be set back from the nearest point of any right-of-way a minimum of 20 feet, except as provided for

elsewhere in the Farragut Municipal Code.

- e. With the exception of linear pedestrian facilities that connect to similar facilities in the right of way, no structures shall encroach into the public right of way and/or platted utility easements. Detention basin structures that are not associated with a low impact development measure shall be set back from the nearest point of any right-of-way a minimum of ten feet. Electrical substations, utility offices, or any other utility building shall meet the front yard building setback requirements.
 - f. Service areas and their associated structures (e.g., dumpsters, loading areas, utility building) shall be located to the side or rear of a building so as to minimize visual impacts from the street and foster a more pedestrian friendly streetscape.
- 2. *Side yards.* Buildings (non-accessory) within the OD-RE/E District shall be a minimum of 20 feet apart. Where the abutting property is not within the OD-RE/E District the side setback shall be a minimum of 35 feet.
 - 3. *Rear yards.* Buildings (non-accessory) shall be set back a minimum of 35 feet.
 - 4. *Side and rear yards.* All accessory structures shall be set back a minimum of 10 feet, except as provided for elsewhere in this ordinance or the [Farragut] Municipal Code.
 - 5. *Buffer strips.*
 - a. There shall be a buffer strip a minimum of 50 feet in width on all side and rear property lines when the abutting property is developed as residential;
 - b. Existing, mature vegetation shall be preserved and incorporated into the buffer strip; and
 - c. Detention basins, measured from top-of-slope to top-of-slope, and associated structures shall not be located within any buffer strips.
 - 6. *Maximum lot coverage.* Total lot coverage: 75 percent.
 - 7. *Land area.* Minimum lot size of one acre, unless provided for otherwise in this District.
- D. *Height regulations.* Buildings within the OD-RE/E District shall not exceed 4 stories or 60 feet in height. Buildings proposed within 100 feet of property developed as residential shall not exceed 3 stories or 45 feet in height. Unless provided for otherwise in this District, accessory structures shall not exceed 35 feet in height.
- E. *Parking.* As regulated in Chapter 4.
- In order to minimize the visual impact of surface parking, where parking is situated between a building and a street or is parallel with a building along a street, a berm shall be constructed or landscaping shall be planted so as to limit the viewability of the parking lot from the street. A minimum of 60 percent of the total parking lot length adjacent to the front property line shall be screened from view with a berm or landscaping.
- F. *Streetscape and outdoor open space.* As part of a site plan review, a context appropriate (i.e., appropriate in relation to the proposed development and its physical surroundings) active and interconnected streetscape with visually appealing and functional public spaces is encouraged.

Some specific design objectives would be as follows:

1. Locate and orient outdoor open space (e.g., plazas, courtyards, patios, outdoor seating and benches, small park spaces or landscaped features) to provide a focal point to be actively used.
 2. Provide landscape enhancements (e.g., bioswales, rain gardens, planters, flower gardens) to add visual interest, screen parking areas, and complement outdoor open spaces.
- G. *Connectivity.* Development shall provide for context appropriate (i.e., appropriate in relation to the proposed development and its physical surroundings) pedestrian and vehicular connectivity. This shall include providing connections within the property and to abutting properties, pedestrian connections into the development from the public street(s), and the construction of pedestrian facilities along the public street(s) frontages.
- H. *Low Impact Development.* Development shall incorporate a minimum of one of the following Low Impact Development (LID) practices into the design:
1. Twenty-five percent of the parking lot being constructed with permeable pavers;
 2. Stormwater runoff draining to rain gardens;
 3. A building(s) being constructed with a vegetated roof, commonly referred to as a green roof;
 4. Stormwater draining to bioswales/bioretention facilities; or
 5. Rainwater being harvested for irrigation or gray water uses.
- I. *Architectural Materials.* Unless provided for otherwise in this District, buildings that are or exceed two stories and 25,000 square feet shall provide a minimum of 25% masonry on the net façade area of the building. All other buildings shall provide a minimum of 60% masonry on the net façade area of the building. All buildings, regardless of height and size, shall comply with all other provisions in the ADS.

SECTION 3.

The Farragut Zoning Ordinance, Chapter 4, General Provisions and Exceptions, Section XX., Parking and loading, by adding to Section 3. Number of parking spaces required, the following use under vehicle parking:

Regional Recreational and Entertainment Facility: One per 130 square feet of gross floor area.

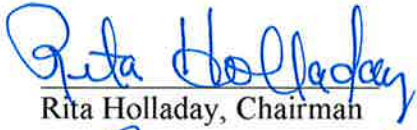
SECTION 4.

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

Ron Williams, Mayor

Allison Myers, Town Recorder

Certified to the Farragut Board of Mayor and Aldermen this _____ day of _____, 2019,
with approval recommended.


Rita Holladay, Chairman


Rose Ann Kile, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION

RESOLUTION PC-19-09

FARRAGUT MUNICIPAL PLANNING COMMISSION

A RESOLUTION TO APPROVE AN AMENDMENT TO 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 2. DEFINITIONS, TO PROVIDE FOR A DEFINITION FOR REGIONAL RECREATIONAL AND ENTERTAINMENT FACILITY; AMENDING CHAPTER 3. SPECIFIC DISTRICT REGULATIONS, TO REPLACE THE C-2-R/W, REGIONAL COMMERCIAL, RETAIL/WAREHOUSING DISTRICT, WITH THE OUTLET DRIVE REGIONAL ENTERTAINMENT AND EMPLOYMENT DISTRICT (OD-RE/E); AND AMENDING CHAPTER 4. GENERAL PROVISIONS AND EXCEPTIONS, TO ADD VEHICULAR PARKING REQUIREMENTS FOR REGIONAL RECREATIONAL AND ENTERTAINMENT FACILITIES .

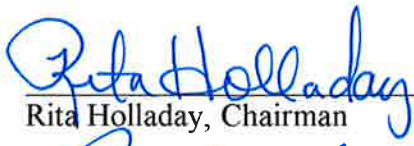
WHEREAS, the Tennessee Code Annotated, Section 13-4-201et seq, provides that the Municipal Planning Commission shall make and adopt a general plan for the physical development of the municipality; and

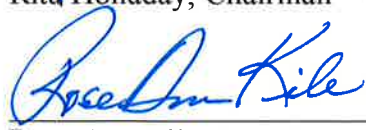
WHEREAS, the Farragut Municipal Planning Commission has adopted various elements of a zoning plan as an element of the general plan for physical development; and

WHEREAS, a public hearing was held on this request on July 18th, 2019;

NOW, THEREFORE, BE IT RESOLVED that the Farragut Municipal Planning Commission hereby recommends approval to the Farragut Board of Mayor and Aldermen of Ordinance 19-24; an ordinance amending the Farragut Zoning Ordinance, Ordinance 86-16, to provide for a definition for Regional Recreational and Entertainment Facility, create the OD-RE/E Zoning District, delete the C-2-R/W Zoning District, and establish vehicular parking requirements for a Regional Recreational and Entertainment Facility.

ADOPTED this 18th day of July, 2019.


Rita Holladay, Chairman


Rose Ann Kile, Secretary

AGENDA NUMBER

V1.A.3.

MEETING DATE

August 22, 2019

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Ordinance 19-25, an ordinance on second reading to amend the Farragut Zoning Map for Parcels 154.06, 154.07, 154.08, 154.09, 154.10, 176.01, and 176.02, Tax Map 130 along the Outlet Drive corridor from C-2 and R-2 to OD-RE/E, Approximately 36 Acres

INTRODUCTION AND BACKGROUND: This involves a request to rezone Parcels 154.06, 154.07, 154.08, 154.09, 154.10, 176.01, and 176.02, Tax Map 130 along the Outlet Drive corridor from C-2 and R-2 to OD-RE/E. The total acreage involved is roughly 36.

DISCUSSION: After receiving a recommendation from the CLUP Steering Committee, the Planning Commission approved amendments to the future land use map for the Outlet Drive corridor at their meeting on April 18, 2019. The most notable change involved parcels that abut along Interstate 40/75 on the south side of Outlet Drive where the office/light industrial land use was changed to regional commercial. This change was consistent with the Strategic Plan and would make the parcels generally consistent with the existing C-2, Regional Commercial, zoning designation. The only property in the corridor that is not currently zoned either Regional Commercial (C-2) or Regional Commercial, Retail/Warehousing (C-2-R/W) is the roughly 9-acre tract (Parcel 176.01, Tax Map 130) that is zoned R-2, General Single-Family Residential.

RECOMMENDATION: As staff noted at the Planning Commission meeting on July 18, 2019, though unlikely to develop as single-family residential, Parcel 176.01 would not appear to be appropriate for commercial zoning. Much of this tract and to a somewhat lesser extent the adjoining tract to the west, Parcel 176.02, are consumed by what are shown as sinkholes based on information available from KGIS. These sinkhole areas and the associated tree cover within and surrounding these areas help to filter stormwater and are an integral component of the general stormwater management system of the area. Consequently, most of this tract was shown both under the previous and the current future land use maps as Open Space. Consistent with the future land use map, staff would not support a rezoning of Parcel 176.01 that would potentially provide for a more intensive development of the property than permitted under the existing zoning. Should Parcel 176.01 be rezoned, the zoning district that would most closely match the future land use map is Open Space/Park (OS-P).

Included with this agenda item is the adopted future land use map for the Outlet Drive corridor. Also included are the existing zoning map for the corridor and a map showing depressions that appear based on topographic information from KGIS. Staff has noted two depressions that are detention basins. Those could be modified as part of development along the corridor and should not affect rezoning.

At their meeting on July 18, 2019 the Planning Commission unanimously approved Ordinance 19-25 as requested by the applicant. Commissioners noted that, although Parcel 176.01 appears to be consumed with sizable sinkholes, the act of rezoning the property would not nullify compliance with the Sinkhole Ordinance. The Board of Mayor and Aldermen unanimously approved Ordinance 19-25 on first reading on August 8, 2019 and Community Development Director, Mark Shipley, recommends approval of Ordinance 19-25 on second reading.

PROPOSED MOTION: To approve Ordinance 19-25 on second reading.

BOARD ACTION:

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

<u>VOTE/TOTAL</u>	<u>WILLIAMS</u>	<u>MEYER</u>	<u>PINCHOK</u>	<u>POVLIN</u>	<u>BURNETTE</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

RESOLUTION PC-19-10

FARRAGUT MUNICIPAL PLANNING COMMISSION

A RESOLUTION TO APPROVE AN AMENDMENT TO THE FARRAGUT ZONING MAP, ORDINANCE 86-16, TO RECOMMEND THE APPROVAL OF THE REZONING OF PARCELS 154.06, 154.07, 154.08, 154.09, 154.10, 176.01, AND 176.02, TAX MAP 130 ALONG THE OUTLET DRIVE CORRIDOR FROM C-2 AND R-2 TO OD-RE/E

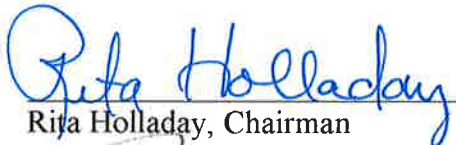
WHEREAS, the Tennessee Code Annotated, Section 13-4-201et seq, provides that the Municipal Planning Commission shall make and adopt a general plan for the physical development of the municipality; and

WHEREAS, the Farragut Municipal Planning Commission has adopted various elements of a zoning plan as an element of the general plan for physical development; and

WHEREAS, a public hearing was held on this request on July 18, 2019;

NOW, THEREFORE, BE IT RESOLVED that the Farragut Municipal Planning Commission hereby recommends approval of Ordinance 19-25 to the Farragut Board of Mayor and Aldermen, an ordinance amending the Farragut Zoning Ordinance and Map, Ordinance 86-16, by rezoning the above noted property.

ADOPTED this 18th day of July, 2019.


Rita Holladay, Chairman


Rose Ann Kile, Secretary

ORDINANCE: 19-25
PREPARED BY: Shipley
REQUESTED BY: Town of Farragut
CERTIFIED BY FMPC: July 18, 2019
PUBLIC HEARING:
PUBLISHED IN: _____
DATE: _____
1ST READING: _____
2ND READING: _____
PUBLISHED IN: _____
DATE: _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE TOWN OF FARRAGUT, TENNESSEE, ORDINANCE 86-16, AS AMENDED, PURSUANT TO SECTION 13-4-201, TENNESSEE CODE ANNOTATED.

BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, that the Farragut Zoning Ordinance, Ordinance 86-16, as amended, is hereby amended as follows:

SECTION 1.

The Farragut Zoning Ordinance, Ordinance 86-16, as amended, is hereby amended by rezoning Parcels 154.06, 154.07, 154.08, 154.09, 154.10, 176.01, and 176.02, Tax Map 130 along the Outlet Drive corridor from C-2 and R-2 to OD-RE/E (See Exhibit A).

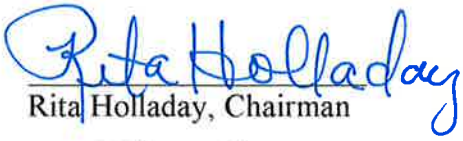
SECTION 2.

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

Ron Williams, Mayor

Allison Myers, Town Recorder

Certified to the Farragut Board of Mayor and Aldermen this ____ day of _____, 2019,
with approval recommended by the Farragut Municipal Planning Commission (FMPC).


Rita Holladay, Chairman


Rose Ann Kile, Secretary



**Exhibit A
Ordinance 19-25**

**Rezone
Parcels**

**154.06, 154.07, 154.08
154.09, 154.10, 176.01, 176.02**

Tax Map 130

Along Outlet Drive Corridor

From
R-2 (General Single-Family Residential)
and C-2 (Regional Commercial)

to

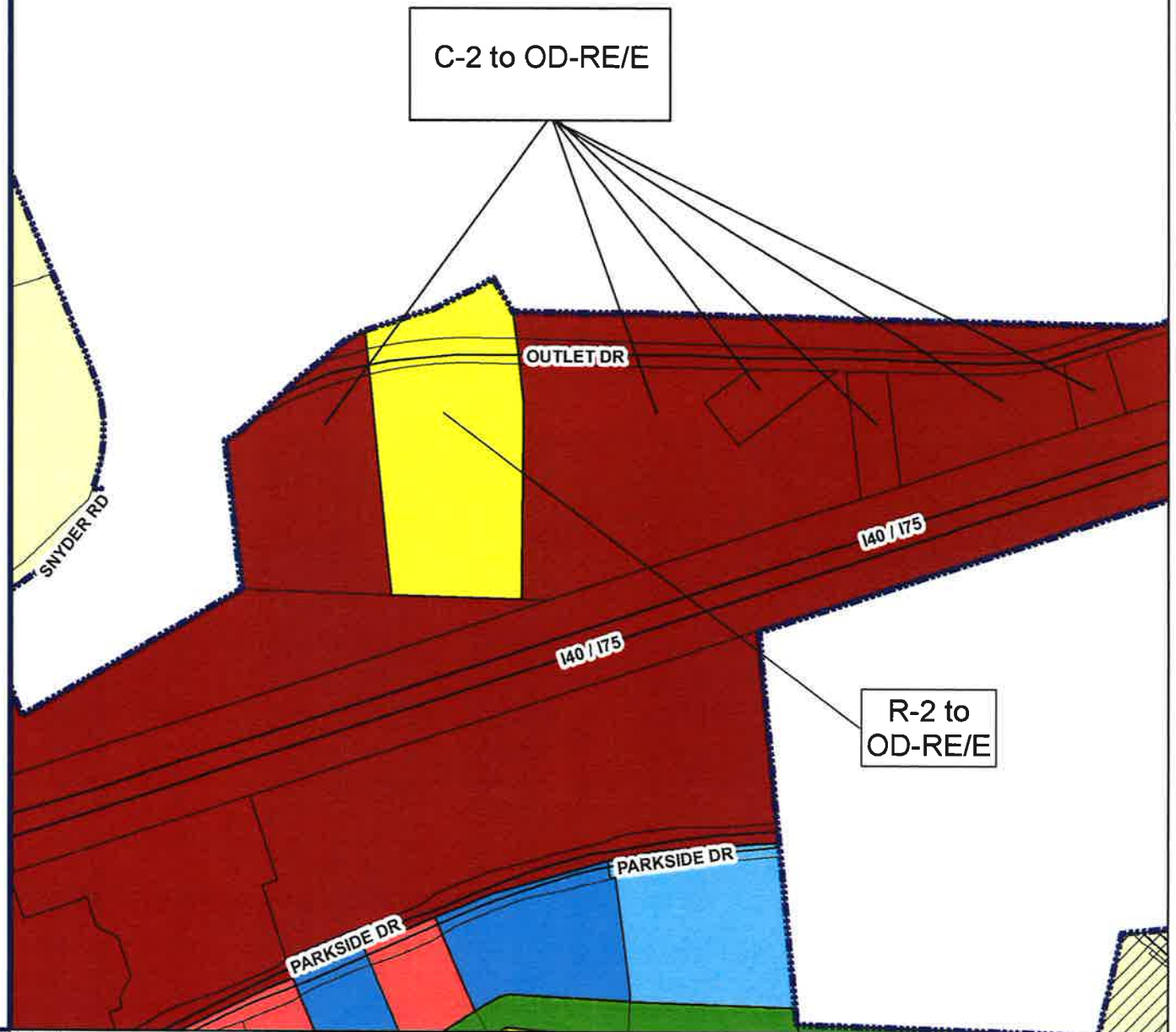
OD-RE/E (Outlet Drive Regional
Entertainment and Employment District)

Legend

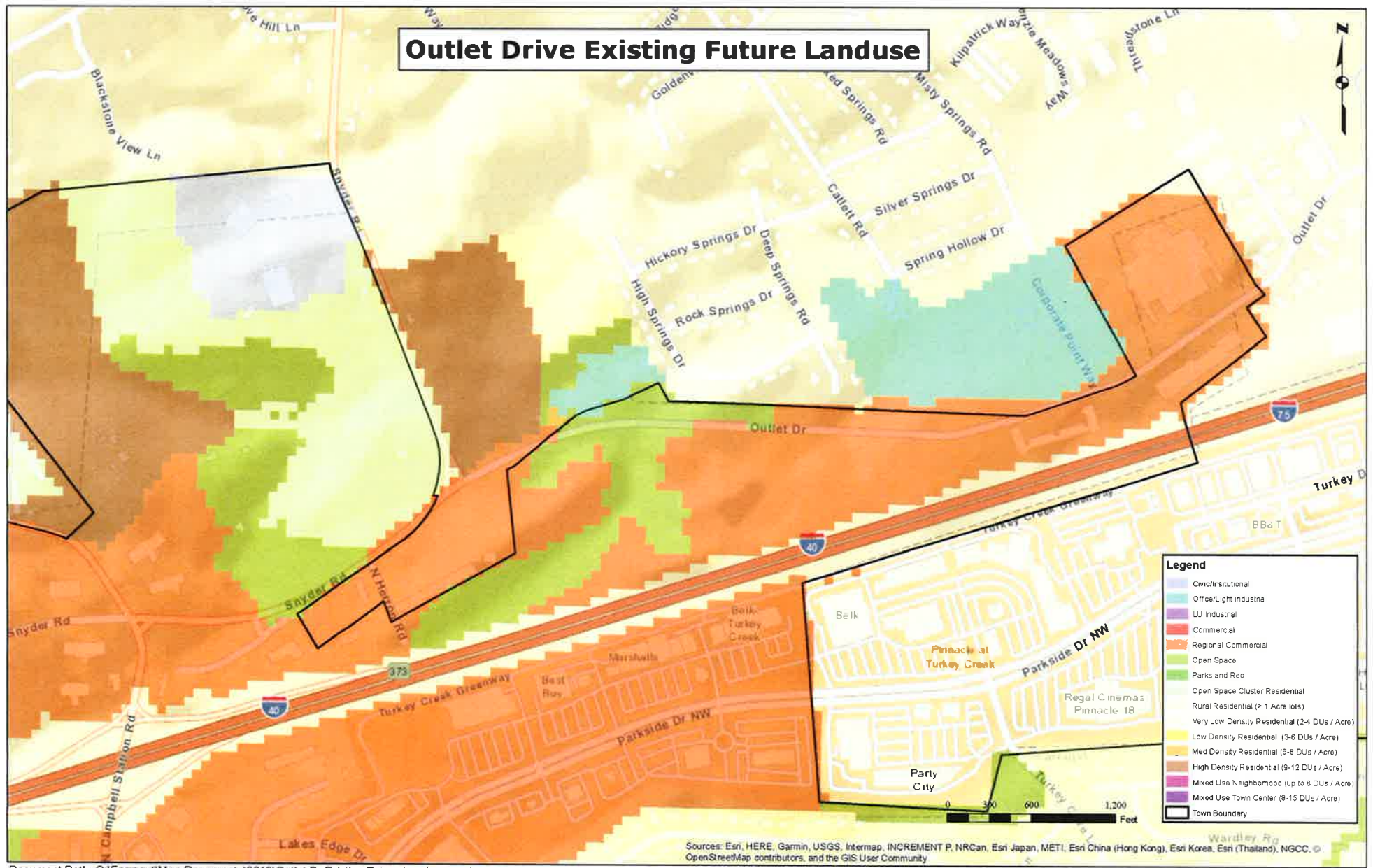
- Streets
- Parcels
- B-1, Buffer
- R-1, Rural Single-Family Residential
- R-2, General Single-Family Residential
- ▨ OSR, Open Space Residential Overlay
- O-1-3, Office, Three Stories
- O-1-5, Office, Five Stories
- C-1, General Commercial
- C-2, Regional Commercial



1 in = 500 ft



Outlet Drive Existing Future Landuse



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community

Legend

- ★ Traffic Counts 2016
- B-1, Buffer
- OS-P, Open Space/Park
- R-1, Rural Single-Family Residential
- R-2, General Single-Family Residential
- R-3, Small Lot Single-Family Residential
- R-4, Attached Single-Family Residential
- R-6, Multi-Family Residential
- R-1/OSR, Open Space Residential Overlay
- R-6/OSMFR
- O-1, Office
- O-1-3, Office, Three Stories
- O-1-5, Office, Five Stories
- C-1, General Commercial
- C-1-3, General Commercial, Three Stories
- C-2, Regional Commercial
- C-2-R/W, Regional Commercial, Retail/Warehousing

Outlet Dr Zoning

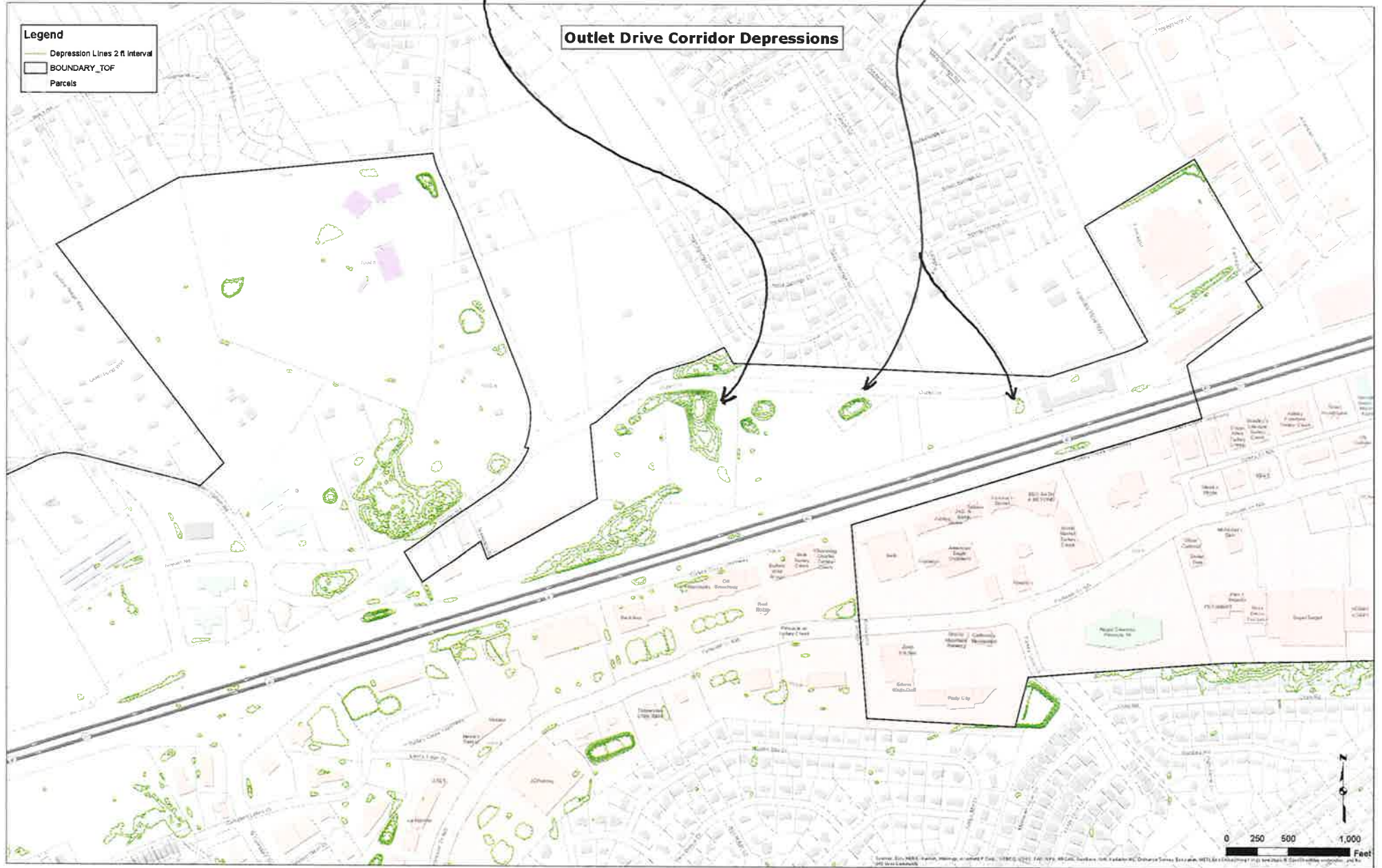


Parcel 176.01

detention basins

- Legend**
- Depression Lines 2 ft interval
 - BOUNDARY_TOF
 - Parcels

Outlet Drive Corridor Depressions



AGENDA NUMBER V1.A.4 MEETING DATE August 22, 2019

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: David Smoak, Town Administrator



SUBJECT: Ordinance 19-26, an ordinance on second reading and public hearing, to amend Farragut Municipal Code Chapter 12., Municipal Court, by amending Section 12-9., Service of court process, and adding Section 12-12., Collection agency services to collect unpaid fines and court costs.

INTRODUCTION: The Farragut Municipal Court has jurisdiction within the Town of Farragut over cases involving violations of Town ordinances and adopted codes.

DISCUSSION: Any property owner within the Town of Farragut in violation of a Town ordinance or adopted code may be cited by the Town to appear before the Farragut Municipal Court. If a citation is issued by the Town against a property owner, the property owner must receive proper service of the citation by an authorized person as outlined in Chapter 12, Section 12-9 of the Farragut Municipal Code. Each case presented before the court that has a judgement entered of liable or guilty is assessed court costs and fines by the Farragut Municipal Court Judge. Since 2010, court records show over 20 cases with an outstanding balance for failure to pay court costs and / or fines owed to the Town of Farragut Municipal Court.

This item involves amending Farragut Municipal Code Chapter 12., Municipal Court, as follows:

1. Amending Section 12-9., Service of court process as follows:

The Town Administrator or his/her designee, the Town Attorney or his/her designee, any codes enforcement officer employed by the Town and any court officer or bailiff are each hereby appointed and authorized to serve any process, documents, notices, warrants, writs, citations, and other official instruments of and from the municipal court.

2. Adding Section 12-12., Collection agency services to collect unpaid fines and court costs

RECOMMENDATION BY: Town Administration David Smoak for approval.

PROPOSED MOTION: To approve Ordinance 19-26 on second reading, to amend Farragut Municipal Code Chapter 12-9 and adding 12-12.

BOARD ACTION:

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

<u>VOTE/TOTAL</u>	<u>BURNETTE</u>	<u>MEYER</u>	<u>PINCHOK</u>	<u>POVLIN</u>	<u>WILLIAMS</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

UNPAID COURT COSTS / FINES

COURT DATE	CITATION #	VIOLATION	COURT COSTS	FINE	TOTAL
2/17/2010	3046TE	Red Light Camera	\$ 55.00	\$ 50.00	\$ 105.00
2/17/2010	3047TE	Red Light Camera	\$ 55.00	\$ 50.00	\$ 105.00
7/12/2010	3056	Zoning Ordinance (Appealed)	\$ 55.00	\$ 1,700.00	\$ 1,755.00
9/13/2010	3062	International Property Maintenance Code	\$ 55.00	\$ 50.00	\$ 105.00
10/11/2010	3069	International Property Maintenance Code	\$ 100.00	\$ 50.00	\$ 150.00
2/14/2011	3074	Zoning Ordinance	\$ 100.00	\$ 1,500.00	\$ 1,600.00
2/14/2011	3076	Shop Farragut	\$ 100.00	\$ 150.00	\$ 250.00
7/11/2011	3093	International Property Maintenance Code	\$ 100.00	\$ 50.00	\$ 150.00
10/10/2011	3105	Zoning Ordinance	\$ 100.00	\$ 250.00	\$ 350.00
10/10/2011	3106	Zoning Ordinance	\$ 100.00	\$ 50.00	\$ 150.00
10/10/2011	3107	International Property Maintenance Code	N/A	\$ 50.00	\$ 50.00
11/14/2011	3109	International Property Maintenance Code	\$ 100.00	\$ 50.00	\$ 150.00
3/12/2012	3114	International Property Maintenance Code	\$ 100.00	\$ 50.00	\$ 150.00
9/10/2012	3127	International Property Maintenance Code	\$ 100.00	\$ 50.00	\$ 150.00
1/14/2013	3133	Sign Ordinance	\$ 100.00	\$ 50.00	\$ 150.00
8/12/2013	3153	International Property Maintenance Code	\$ 100.00	\$ 50.00	\$ 150.00
8/12/2013	3154	International Property Maintenance Code	\$ 100.00	\$ 50.00	\$ 150.00
3/14/2016	3178	Prop. Maint. Code	\$ 100.00	\$ 250.00	\$ 350.00
4/10/2017	3193TE	Red Light Camera	\$ 100.00	\$ 50.00	\$ 150.00
5/14/2018	3146A	Red Light Camera	\$ 100.00	\$ 50.00	\$ 150.00
4/8/2019	3161A	Red Light Camera	\$100	\$ 50.00	\$ 150.00
6/10/2019	3200	International Property Maintenance Code	\$ 100.00	\$ 500.00	\$ 600.00
Total:			\$ 1,920	\$ 5,150	\$ 7,070

Red Light Camera Violation; automatic civil penalty of \$50

ORDINANCE: **19-26**
PREPARED BY: **Jennifer Hatmaker**
PUBLISHED IN:
DATE:
1st READING:
2nd READING:

AN ORDINANCE OF THE TOWN OF FARRAGUT, TENNESSEE TO AMEND FARRAGUT MUNICIPAL CODE CHAPTER 12., MUNICIPAL COURT, BY AMENDING SECTION 12-9., SERVICE OF COURT PROCESS, AND ADDING SECTION 12-12., COLLECTION AGENCY SERVICES TO COLLECT UNPAID FINES AND COURT COSTS.

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Chapter 12, Municipal Court, of the Farragut Municipal Code;

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

SECTION 1.

Farragut Municipal Code, Chapter 12., Municipal Court, Section 12-9., Service of court process, is amended to read as follows:

The Town Administrator or his/her designee, the Town Attorney or his/her designee, any codes enforcement officer employed by the Town and any court officer or bailiff are each hereby appointed and authorized to serve any process, documents, notices, warrants, writs, citations, and other official instruments of and from the municipal court.

SECTION 2.

Farragut Municipal Code, Chapter 12., Municipal Court, is amended by adding Section 12-12., Collection agency services to collect unpaid fines and court costs.

The Town of Farragut is hereby authorized to solicit and use the services of a collection agency to collect unpaid fines and court costs which are more than 60 days overdue. The contract with such collection agency shall be in writing and conform to all provisions set forth in *Tennessee Code Annotated*, § 40-24-105(d).

SECTION 3.

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

Ron Williams, Mayor

Allison Myers, Town Recorder