

MINUTES

March 12, 2020

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 Pinchok, seconded by Alderman Burnette; voting yes, Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin; no nays; motion passed.

Mayor's Report

The Mayor thanked the staff for three great events at the new community center.

Approval of Minutes

Motion was made to approve the minutes of February 13, 2020 as presented. Moved by Alderman Povlin, seconded by Alderman Pinchok; voting yes, Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin; no nays; motion passed.

Motion was made to approve the minutes of March 3, 2020 as presented. Moved by Alderman Povlin, seconded by Alderman Pinchok; voting yes, Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin; no nays; motion passed.

Ordinances

Public Notice and Second Reading

Ordinance 20-03, Ordinance amending the Capital Investment Program and ADA Capital Projects budgets of Fiscal Year 2019-2020 budget, passed by Ordinance 19-22

Motion was made to approve Ordinance 20-03 on second and final reading. Moved by Alderman Povlin, seconded by Alderman Pinchok; voting yes, Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin; no nays; motion passed.

Business Items

Approval of Contract 2020-08, McFee Park Phase 3

Motion was made to award Contract 2020-08 to Merit Construction to include Base Bid (\$6,020,000) and Alternate 2 (\$1,365,000) and authorize town staff to approve change orders up to \$50,000. Moved by Alderman Pinchok, seconded by Mayor Williams. The following citizens spoke concerning light pollution, additional tree plantings and cost of maintenance.

- George Ellis, 12651 Brass Lantern
- Madonna Martin, 12638 Brass Lantern
- Susan Gartenberg, 12662 Brass Lantern

Roll call vote; Alderman Pinchok, yes; Alderman Povlin, no; Alderman Burnette, yes; Alderman Meyer, yes; Mayor Williams, yes; motion passed 4-1.

Approval of Right-of-Way purchase of Lot 2 & Lot 4 from Andover Homeowners Association for the Smith Road Sidewalk Project

Motion was made to approve the Right-of-Way purchase of Lot 2 & Lot 4 from Andover Homeowners Association for the Smith Road Sidewalk Project. Moved by Alderman Povlin, seconded by Alderman Pinchok, roll call vote; Alderman Pinchok, yes; Alderman Povlin, no; Alderman Burnette, yes; Alderman Meyer, yes; Mayor Williams, yes; motion passed 4-1.

Town Administrator's Report

Representative Jason Zachary updated the public and the board concerning the 5G legislation and carrier negotiations.

Citizens Forum

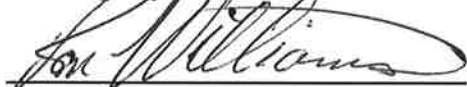
The following citizens spoke concerning 5G.

- Carol Christofferson, 11320 Gates Mill
- John Hoffman, 11341 Gates Mill
- Laura Squires, 236 Woodland Trace
- Lee Pannell, 11338 Fords Cove
- Mike Mitchell, Bixworth
- Kevin Desmond, 2428 Carville Lane
- Jerry Guthrie, 11745 Weathervane

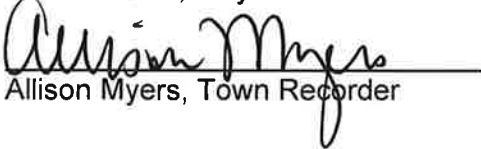
Town Administrator's Report

David Smoak announced that the Town will be postponing upcoming events due to the COVID19 virus.

Meeting adjourned at 8:55PM.



Ron Williams, Mayor



Allison Myers, Town Recorder



**FARRAGUT BOARD OF MAYOR AND ALDERMEN
AGENDA
March 12, 2020**

WORKSHOP

**Discussion of Rehabilitation and Medical Related Facilities
Budget Workshop
6:00 PM**

**BEER BOARD
6:55 PM**

**BMA MEETING
7:00 PM**

- I. Silent Prayer, Pledge of Allegiance, Roll Call**
- II. Approval of Agenda**
- III. Mayor's Report**
- IV. Approval of Minutes**
 - A. February 13, 2020
 - B. March 3, 2020
- V. Ordinances**
 - A. Public Notice and Second Reading
 - 1. Ordinance 20-03, Ordinance amending the Capital Investment Program and ADA Capital Projects budgets of Fiscal Year 2019-2020 budget, passed by Ordinance 19-22
- VI. Business Items**
 - A. Approval of Contract 2020-08, McFee Park Phase 3
 - B. Approval of Right-of-Way purchase of Lot 2 & Lot 4 from Andover Homeowners Association for the Smith Road Sidewalk Project

11408 MUNICIPAL CENTER DRIVE | FARRAGUT, TN 37934 | 865.966.7057
WWW.TOWNOFFARRAGUT.ORG

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

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

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 end of each business 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 Recorder 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
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 Recorder or a staff member;
3. Speakers shall come to the podium and identify themselves by name and street 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; each speaker should have their own thought;
6. Comments shall address issues, not individuals or personalities;
7. Comments may support or oppose 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.

Each speaker will be asked if they can agree to abide by the Comment Protocol. If so, please be prepared to speak when your name is called.



FARRAGUT BEER BOARD

March 12, 2020

6:55 PM

I. Approval of Minutes

A. January 23, 2020

II. Beer Permit Request

A. Approval of Class 6, special occasion beer permit for Southern Tequila & Taco Festival, April 24, 2020

B. Approval of Class 6, special occasion beer permit for Fido Fest, May 16, 2020

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FARRAGUT BEER BOARD

January 23, 2020

Alderman Pinchok, Chairman, called the beer board meeting to order at 6:55 PM. Members present were Mayor Williams, Aldermen Burnette, Pinchok and Povlin; Alderman Meyer was absent.

Approval of Minutes

Motion was made to approve the minutes of December 12, 2019 as presented. Moved by Alderman Povlin, seconded by Mayor Williams; voting yes, Aldermen Burnette, Pinchok, Povlin and Mayor Williams; no nays; Alderman Meyer was absent; motion passed.

Beer Permit Request

Approval of Class 4, on-premise, tavern beer permit for Mind Yer P's & Q's, 12744 Kingston Pike, Suite 104

Motion was made to approve the Class 4, on-premise, tavern beer permit for Mind Yer P's & Q's, 12744 Kingston Pike, Suite 104, subject to obtaining a certificate of occupancy. Moved by Alderman Povlin, seconded by Mayor Williams; voting yes, Aldermen Burnette, Pinchok, Povlin and Mayor Williams; no nays; Alderman Meyer was absent; motion passed.

Ron Pinchok, Chairman

Allison Myers, Town Recorder

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REPORT TO THE BEER BOARD

PREPARED BY: Allison Myers, Town Recorder

SUBJECT: Approval of Class 6, Special Occasion Permit for Remote Area Medical Southern Tequila & Taco Festival, April 24, 2020.

DISCUSSION:

The Remote Area Medical is planning a Southern Tequila & Taco Festival and is requesting a special event beer permit. The Town's Municipal Code governing special occasion beer permits is below.

Sec. 8-212. - Special occasion beer permit.

The special occasion beer permit request shall be made on such form as the board shall prescribe and/or furnish and shall be accompanied by a non-refundable application fee of one hundred dollars (\$100.00).

- (1) The beer board is authorized to issue a special occasion beer permit to bona fide charitable or nonprofit organizations for special events.
- (2) The special occasion beer permit shall not be issued for longer than one (1) forty-eight-hour period, unless otherwise specified by the beer board, subject to the limitations on the hours, imposed by law.
- (3) The application for the special occasion beer permit shall state whether the applicant is a charitable or nonprofit organization, include documents showing evidence of the type of organization, and state the location of the premise upon which alcoholic beverages shall be served and the purpose for the request of the license.
- (4) For purposes of this section:

Bona fide charitable or nonprofit organization means any corporation or other legal entity which has been recognized as exempt from federal taxes under section 501(c) of the Internal Revenue Code.
- (5) No charitable or nonprofit organization possessing a special occasion beer permit shall purchase, for sale or distribution, beer from any source other than a licensee as provided pursuant to state law.
- (6) Failure of the special occasion permittee to abide by the conditions of the permit and all laws of the State of Tennessee and the Town of Farragut will result in a denial of a special occasion beer permit for the sale of beer for a period of two (2) years.

The Remote Area Medical is a nonprofit organization and is requesting the permit for April 24, 2020.

RECOMMENDATION BY:

Allison Myers, Town Recorder, for approval.

PROPOSED MOTION:

Motion to approve the special occasion beer permit for the Remote Area Medical Southern Tequila & Taco Festival, April 24, 2020.

BOARD ACTION:

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

APPLICATION FOR BEER PERMIT

pd \$100

STATE OF TENNESSEE

TOWN OF FARRAGUT

I hereby make application for a permit to sell, store, manufacture, or distribute Beer under the provisions of Tennessee Code Annotated Section 57-5-101 et seq. and base my application upon the answers to the following questions:

- Reason for application: New Business ____ New Ownership ____ Name Change ____ Other X
- Type of permit requested, please circle all that apply:

Class 1 On-Premise

Class 2 On-Premise, Other

Class 3 On-Premise, Hotel/Motel

Class 4 On-Premise, Tavern

Class 5 Off-Premise

Class 6, Special Occasion

- Name of Applicant(s) (Owner(s) of Business) Remote Area Medical,
Donald Mackay CEO

- Type of applicant (check one):
Person ____ Firm ____ Corporation X Joint-Stock Company ____ Syndicate ____ Other ____
- List all persons, firms, corporations, joint-stock companies, syndicates, or associations having at least a 5% ownership interest in the business:

N/A

- Applicant's present home address:
2200 Stock Creek Blvd, Rockford, TN 37853
- Date of Birth _____ Home Telephone Number _____
Business Telephone Number _____ Social Security Number _____
- Representative Email Address: donmackay@ramusa.org
- Under what name will the business operate? Same
- Business address See 6 above
Business Telephone number 865-579-1530

11. Specify the identity, email and physical address of the person to receive annual privilege tax notices and any other communication from the Town:

Donald Mackay, donmackay@ramuse.org
2200 Stocker Creek Blvd, Rockford, TN 37853

12. Information of any manager, other than the applicant:

Name: _____ Birth Date: _____

Address: _____

Phone Number: _____

13. Has any person having at least a 5% ownership interest, any of the managers, or any other employee of the business, been convicted of any violation of the beer or alcoholic beverage laws or any crime within the last ten (10) years: ___ Yes ☒ No. If yes, give particulars of each charge, court, and date convicted.

14. Have you or your organization ever had a Beer Permit revoked, suspended, or denied in the State of Tennessee? No If so, specify, where, when, and why:

~~No~~ N/A

15. Name and address of property owner, if other than the business owner:

16. What is the name and address of the Church (or other place of worship) nearest to your business?

17. What is the name and address of the school nearest to your business?

18. Special Occasion Event Name: Southern Tequila & Taco Festival

Location of the special occasion event: _____

Event Date & Times: 4/24/20 5pm - 9pm

Representative name & phone number: Chris Hall 865-254-5543

Have you received a special event permit to hold the event in the Town of Farragut? Applied

19. Tennessee Sales Tax Number: Sales Tax Exempt

20. Town of Farragut Business License Number _____

REPORT TO THE BEER BOARD

PREPARED BY: Allison Myers, Town Recorder

SUBJECT: Approval of Class 6, Special Occasion Permit for Pinnacle at Turkey Creek May 16, 2020.

DISCUSSION:

The Pinnacle at Turkey Creek and Young Williams Animal Center is planning a "Fido Fest" and is requesting a special event beer permit. The Town's Municipal Code governing special occasion beer permits is below.

Sec. 8-212. - Special occasion beer permit.

The special occasion beer permit request shall be made on such form as the board shall prescribe and/or furnish and shall be accompanied by a non-refundable application fee of one hundred dollars (\$100.00).

- (1) The beer board is authorized to issue a special occasion beer permit to bona fide charitable or nonprofit organizations for special events.
- (2) The special occasion beer permit shall not be issued for longer than one (1) forty-eight-hour period, unless otherwise specified by the beer board, subject to the limitations on the hours, imposed by law.
- (3) The application for the special occasion beer permit shall state whether the applicant is a charitable or nonprofit organization, include documents showing evidence of the type of organization, and state the location of the premise upon which alcoholic beverages shall be served and the purpose for the request of the license.
- (4) For purposes of this section:

Bona fide charitable or nonprofit organization means any corporation or other legal entity which has been recognized as exempt from federal taxes under section 501(c) of the Internal Revenue Code.
- (5) No charitable or nonprofit organization possessing a special occasion beer permit shall purchase, for sale or distribution, beer from any source other than a licensee as provided pursuant to state law.
- (6) Failure of the special occasion permittee to abide by the conditions of the permit and all laws of the State of Tennessee and the Town of Farragut will result in a denial of a special occasion beer permit for the sale of beer for a period of two (2) years.

The Young Williams Animal Center is a nonprofit organization and is requesting the permit for May 16, 2020.

RECOMMENDATION BY:

Allison Myers, Town Recorder, for approval.

PROPOSED MOTION:

Motion to approve the special occasion beer permit for the Pinnacle at Turkey Creek and Young Williams Animal Center's "Fido Fest", May 16, 2020.

BOARD ACTION:

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

APPLICATION FOR BEER PERMIT

STATE OF TENNESSEE

TOWN OF FARRAGUT

JD
\$250
2/20/2020

I hereby make application for a permit to sell, store, manufacture, or distribute Beer under the provisions of Tennessee Code Annotated Section 57-5-101 et seq. and base my application upon the answers to the following questions:

- Reason for application: New Business ____ New Ownership ____ Name Change ____ Other X
- Type of permit requested, please circle all that apply:

Class 1 On-Premise

Class 2 On-Premise, Other

Class 3 On-Premise, Hotel/Motel

Class 4 On-Premise, Tavern

Class 5 Off-Premise

Class 6, Special Occasion

- Name of Applicant(s) (Owner(s) of Business) Pinnacle at Turkey Creek

- Type of applicant (check one):

Person ____ Firm ____ Corporation X Joint-Stock Company ____ Syndicate ____ Other ____

- List all persons, firms, corporations, joint-stock companies, syndicates, or associations having at least a 5% ownership interest in the business:

Hart TC I-III, IV
Bayer Properties

- Applicant's present home address:

11251 Parkside Dr., Knoxville, TN 37934

- Date of Birth 12/31/1961 Home Telephone Number _____

Business Telephone Number 865-675-0120 Social Security Number _____

- Representative Email Address: aslimp@bayerproperties.com

- Under what name will the business operate? Pinnacle at Turkey Creek

- Business address 11251 Parkside Dr.

Business Telephone number 865-675-0120

11. Specify the identity, email and physical address of the person to receive annual privilege tax notices and any other communication from the Town:

11251 Parkside Dr., Knoxville, TN 37934

12. Information of any manager, other than the applicant:

Name: Darryl Whitehead Birth Date: _____

Address: 11251 Parkside Dr., Knoxville, TN 37934

Phone Number: 865-675-0120

13. Has any person having at least a 5% ownership interest, any of the managers, or any other employee of the business, been convicted of any violation of the beer or alcoholic beverage laws or any crime within the last ten (10) years: ____ Yes ☒ No. If yes, give particulars of each charge, court, and date convicted.

14. Have you or your organization ever had a Beer Permit revoked, suspended, or denied in the State of Tennessee? ____ If so, specify, where, when, and why:

15. Name and address of property owner, if other than the business owner:

16. What is the name and address of the Church (or other place of worship) nearest to your business?

Christ Connection, 416 N. Campbell Station Rd.

17. What is the name and address of the school nearest to your business?

Farragut Primary School, 509 N. Campbell Station Rd.

18. Special Occasion Event Name: Fido Fest

Location of the special occasion event: 11403 parkside Dr., Knoxville, TN 37934

Event Date & Times: May 16, 2020, 11am - 3pm

Representative name & phone number: Ashley Slime, 865-671-9782

Have you received a special event permit to hold the event in the Town of Farragut? yes 2018-19, 2020

19. Tennessee Sales Tax Number: Hart TC 1-11: 45-3976193, Hart TC 1-1V: 45-3976210

20. Town of Farragut Business License Number _____

pending

MINUTES

February 13, 2020

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.

Mayor's Report

Mayor Williams thanked the Parks and Recreation Department as well as the Public Works department on the work done to get the community center operable.

Vice-Mayor Povlin announced that the middle and high school dance teams had won at the state level.

Approval of Minutes

Motion was made to approve the minutes of January 23, 2020 as presented. Moved by Alderman Pinchok, seconded by Alderman Povlin; voting yes, Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin; no nays; motion passed.

Ordinances

Public Notice and Second Reading

Ordinance 20-02, Ordinance to Amend Chapter 14, Nuisances, of the Farragut Municipal Code

Motion was made to approve Ordinance 20-02 on second and final 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.

First Reading

Ordinance 20-03, Ordinance amending the Capital Investment Program and ADA Capital Projects budgets of Fiscal Year 2019-2020 budget, passed by Ordinance 19-22

Motion was made to approve Ordinance 20-03 on first reading. Moved by Alderman Pinchok, seconded by Alderman Povlin; roll call vote; Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Alderman Burnette, yes; Mayor Williams, yes; no nays; motion passed.

Business Items

Approval of Contract 2020-13, Town Hall Restroom ADA Renovations

Motion was made to award Contract 2020-13 to Holston Construction Services in the amount of \$154,000. Moved by Alderman Povlin, seconded by Alderman Pinchok; voting yes, Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin; no nays; motion passed.

Approval of Contract 2020-14, 817 Virtue Road Demolition

Motion was made to award Contract 2020-14 to Environmental Abatement Inc. in the amount of \$24,000. Moved by Alderman Povlin, seconded by Alderman Pinchok; voting yes, Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin; no nays; motion passed.

Approval of Contract 2020-15, Debt Collection Services

Motion was made to award Contract 2020-15 to Nationwide Recovery Services. Moved by Alderman Pinchok, seconded by Alderman Povlin; voting yes, Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin; no nays; motion passed.

Town Administrator's Report

David Smoak, Town Administrator and Tom Hale, Town Attorney gave an overview of their meetings with state representatives concerning the 5G network.

Citizens Forum

John Schoonmaker gave an overview of legislation that the town needed to be aware of.

The following citizens addressed the board concerning the 5G network.

- Carol Christofferson, 11320 Gates Mill Dr
- Laura Fangman, 11342 Gates Mill Dr
- Laura Squires, 236 Woodland Trace Dr

Meeting adjourned at 8:30PM.

Ron Williams, Mayor

Allison Myers, Town Recorder

MINUTES

March 3, 2020

Mayor Williams called the meeting to order at 5:00 PM. Members present were Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin.

Business Items

Consideration of Resolution R-2020-03, a resolution in support of HB 2150/SB 2133 of the 111th, Tennessee General Assembly

Motion was made to approve Resolution R-2020-03. Moved by Alderman Povlin, seconded by Mayor Williams; roll call vote, Alderman Meyer, yes; Alderman Povlin, yes; Alderman Pinchok, yes; Alderman Burnette, yes; Mayor Williams, yes; motion passed

Meeting adjourned at 5:30PM.

Ron Williams, Mayor

Allison Myers, Town Recorder

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Allison Myers, Town Recorder/Treasurer

SUBJECT: Second Reading of Ordinance 20-03, to amend the Capital Investment Program and ADA Capital Projects budgets of Fiscal Year 2019-2020 budget, passed by Ordinance 19-22

INTRODUCTION:

The purpose of this agenda item is to approve Ordinance 20-03 on second and final reading to amend the Fiscal Year 2020 Capital Investment Program and ADA Capital Projects Budget.

DISCUSSION:

The **Capital Investment Program** will be amended by decreasing the appropriated expenditures from \$21,410,000 to \$21,375,000, a decrease of \$35,000.

- **Campbell Station Road Wall**
 - **-\$35,000**-The construction costs for the Campbell Station Wall was under budget. The remainder of the budgeted funds are available.
- **Reallocation of Funds within the CIP**
 - **\$650,000**-the Campbell Station Inn Phase 3 project budget had a deficit of approximately \$650,000 and needed additional monies allocated in order to move forward with the project. The board requested that the monies budgeted for the Smith Road sidewalk be allocated for the Campbell Station Inn Phase III project. This is formally transferring those funds between projects. The fund balance remains the same.

FINANCIAL SECTION:

With the \$35,000 adjustment, the amended fund balance for the Capital Investment Program is \$842,419.

Account Number: Capital Investment Program

Original FY2020 Budget

Requested Amendment

FY2020 Amended Budget

\$21,410,000

-\$35,000

\$21,375,000

Approved By: A. Myers

The **ADA Capital Projects Fund** will be amended by increasing the appropriated expenditures from \$150,000 to \$185,000, an increase of \$35,000.

- **Infrastructure Improvements**

- The Board of Mayor and Aldermen budgeted \$150,000 for ADA improvements. Due to current architectural expenditures and construction bids for the Town Hall restroom renovations, an additional \$35,000 is needed to approve the contract and complete the project.

FINANCIAL SECTION:

Account Number: ADA Capital Projects Fund		
<u>Original FY2020 Budget</u>	<u>Requested Amendment</u>	<u>FY2020 Amended Budget</u>
\$150,000	\$35,000	\$185,000
Approved By: <u>A. Myers</u>		

RECOMMENDATION BY: Allison Myers, Town Recorder/Treasurer, for approval.

PROPOSED MOTION: Motion to approve Ordinance 20-03 on second and final reading.

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	_____	_____	_____	_____	_____

ORDINANCE	20-03
PREPARED BY	Myers
1 ST READING	February 13, 2020
2 nd READING	February 27, 2020
PUBLISHED IN	Shopper News Farragut
DATE	

**AN ORDINANCE OF THE TOWN OF FARRAGUT, TENNESSEE
AMENDING THE FISCAL YEAR 2019-2020 BUDGET, PASSED BY ORDINANCE 19-22**

WHEREAS, the Town of Farragut adopted the fiscal year 2019-20 budget by passage of Ordinance Number 19-22 on June 13, 2019; and

WHEREAS, pursuant to the Tennessee State Constitution, Section 24 of Article II, no public money shall be expended except pursuant to appropriations made by law; and

WHEREAS, expenses for the Capital Investment Program and ADA Capital Projects Fund will be greater than budgeted; and

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF FARRAGUT, TENNESSEE THAT CHANGES BE MADE TO THE FISCAL YEAR 2019-2020 BUDGET AS FOLLOWS:

SECTION 1. Ordinance 19-22 is hereby amended by:

- The **Capital Investment Program** will be amended by decreasing the appropriated expenditures from \$21,410,000 to \$21,375,000, a decrease of \$35,000. Transferring \$650,000 from the Smith Road Sidewalk project to the Campbell Station Inn Phase III project.
- The **ADA Capital Projects** will be amended by increasing the appropriated expenditures from \$150,000 to \$185,000 an increase of \$35,000.

SECTION 2. The Board of Mayor and Aldermen authorizes the Town Recorder to make said changes in the accounting system.

SECTION 3. This ordinance shall take effect after its final passage and publication, the public welfare requiring it.

Ron Williams, Mayor

Allison Myers, Town Recorder

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Darryl W. Smith, PE

SUBJECT: Approval of Bid for Contract 2020-08, McFee Park Phase 3

INTRODUCTION: The purpose of this item is consideration of bids for the McFee Park Phase 3 improvements.

BACKGROUND: This project provides a large expansion of McFee Park, and the project plans and agreement have been assembled to allow the Board four alternates to consider when awarding the contract. The **Base Bid** includes mass grading and construction of the Great Lawn, restroom facility, a portion of the parking, roadway and basic infrastructure. **Alternate 1** includes Base plus construction of two tennis courts and additional parking. **Alternate 2** includes Base plus four tennis courts and all parking. **Alternate 3** includes Base plus four tennis courts, tennis pavilion, basketball court with the concrete hitting wall and all parking. **Alternate 4** includes a revision of the landscaping materials, increasing tree sizes from 2" caliper to 4" caliper.

We received one bid for the project on January 28. Merit Construction bid as follows:

Base Bid:	\$6,020,000
Alternate 1:	699,500
Alternate 2:	1,365,000
Alternate 3:	1,899,000
Alternate 4:	161,000

Staff recommends the Board consider the need to allow a reasonable buffer in the event of change orders. Typically, a 5% to 7% allowance is enough to comfortably cover any additional costs. With that in mind, staff recommends approval of the Base Bid plus Alternate 1 or Alternate 2. As the project scope creates a likelihood of change orders, staff also recommends the Board authorize staff to approve a cumulative amount of change orders up to \$50,000 before obtaining Board approval. Staff proposes that any change orders up to \$50,000 could be approved by the Town Administrator but would ultimately require Board of Mayor and Aldermen approval before any additional change orders, if needed, could be approved. Staff also proposes that once change orders are approved by the Board, the authority of the Town Administrator to approve additional change orders would automatically be reinstated to the \$50,000 level.

FINANCIAL SECTION:

Project: Contract 2020-12, McFee Park 3

<u>Project Budget</u>	<u>Expenditures to Date</u>	<u>5% Allowance on Base Bid</u>	<u>Available Amount</u>
\$8,000,000	\$92,033	\$301,000	\$7,606,967

Approved By: 

RECOMMENDATION BY: Darryl Smith, Town Engineer

PROPOSED MOTION: Approval of bid and award of Contract 2020-12 to Merit Construction, Inc., to include Base Bid and Alternate_____, and authorization for staff approval of change orders up to \$50,000.

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	_____	_____	_____	_____	_____

BID FORM

Item No.	Description	Quantity	Unit Price	Total Price
101	Base Bid	1 LS	\$ <u>6,020,000</u>	\$ 6,020,000 ^{6,020,000}
102	Alternate 1	1 LS	\$ <u>699,500</u>	\$ <u>699,500</u>
103	Alternate 2	1 LS	\$ <u>1,365,000</u>	\$ <u>1,365,000</u>
104	Alternate 3	1 LS	\$ <u>1,899,000</u>	\$ <u>1,899,000</u>
105	Alternate 4	1 LS	\$ <u>161,000</u>	\$ <u>161,000</u>

Six million and twenty thousand

BASE BID (Typed or Printed)

Six hundred ninety-nine thousand, five hundred

ALTERNATE 1 (Typed or Printed)

One million three hundred sixty-five thousand

ALTERNATE 2 (Typed or Printed)

One million eight hundred ^{55/100} thousand ninety-nine thousand

ALTERNATE 3 (Typed or Printed)

One hundred sixty-one thousand

ALTERNATE 4 (Typed or Printed)

In submitting this bid, the bidder recognizes that the right is reserved by the Town of Farragut to accept the Base bid or any Alternate, or any combination thereof, to negotiate with any bidder, waive any formalities in the bidding, or to reject any or all bids.

NOTE: All Work items not specifically mentioned above, but required by the Contract Documents, shall be considered incidental to the other Work and not be paid for directly.

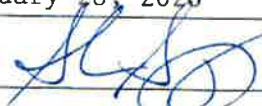
Name and Address of Bidder: Merit Construction, Inc.

10435 Dutchtown Road

Knoxville, TN 37932

Telephone: (865) 966-4100

Date: January 28, 2020

Signature: 

Title: Shannon Sapp, President

List (below) any items that are intended to be used as a substitute for specified items (if necessary):

Please refer to attachment.

Equipment list to be utilized for this Contract must be submitted with the Bid form.

(Insert separate equipment list after this page) - Please refer to attachment.

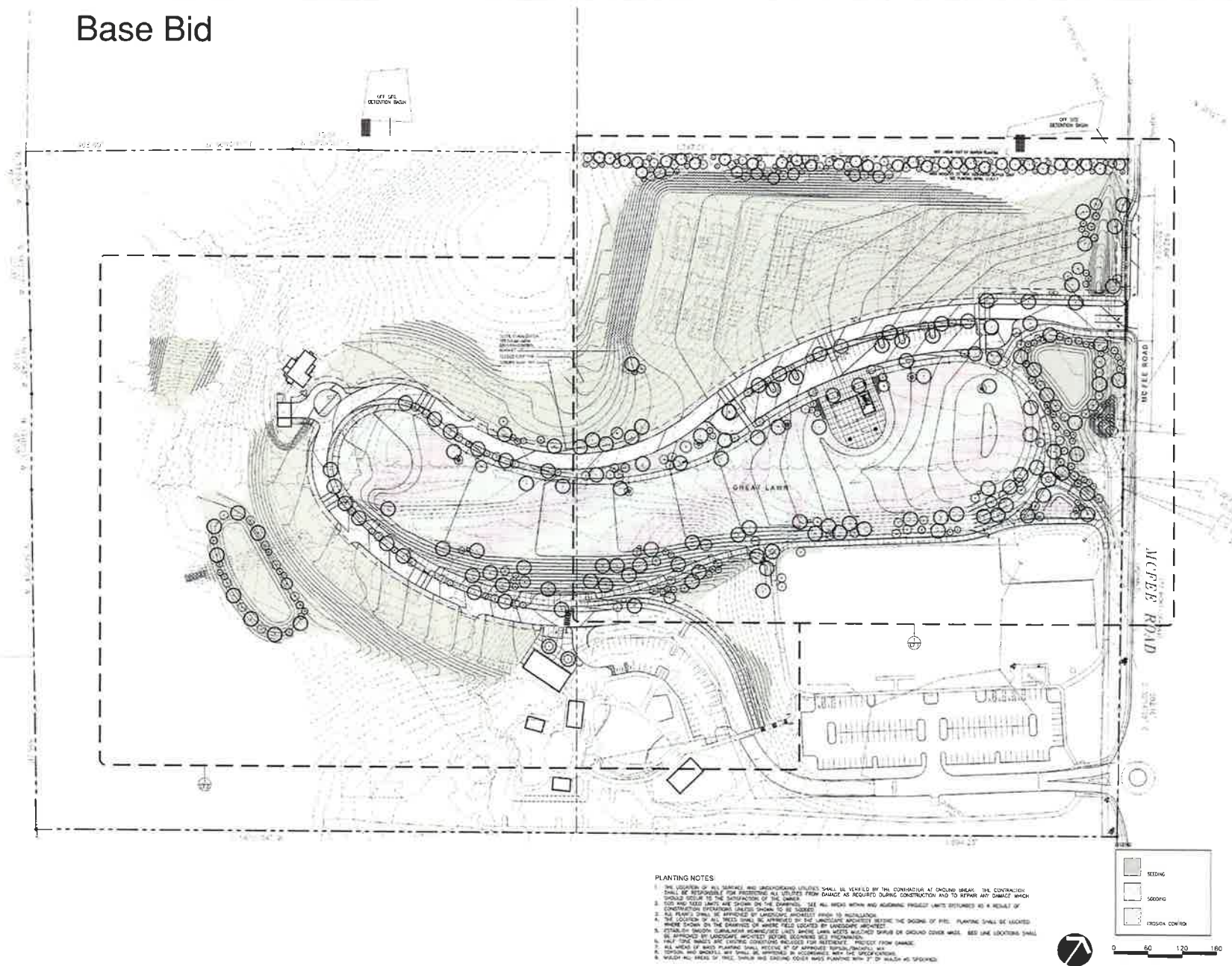
References: Please refer to attachment.

References listed above should be for completed projects of similar size and scope.

Attach a list of all subcontractors who will be used on the Project and specify what part(s) of the Project they will perform. If subcontractor Work is valued at \$25,000 or greater, include the subcontractor Tennessee license number, expiration date, and license classification(s).

Base Bid

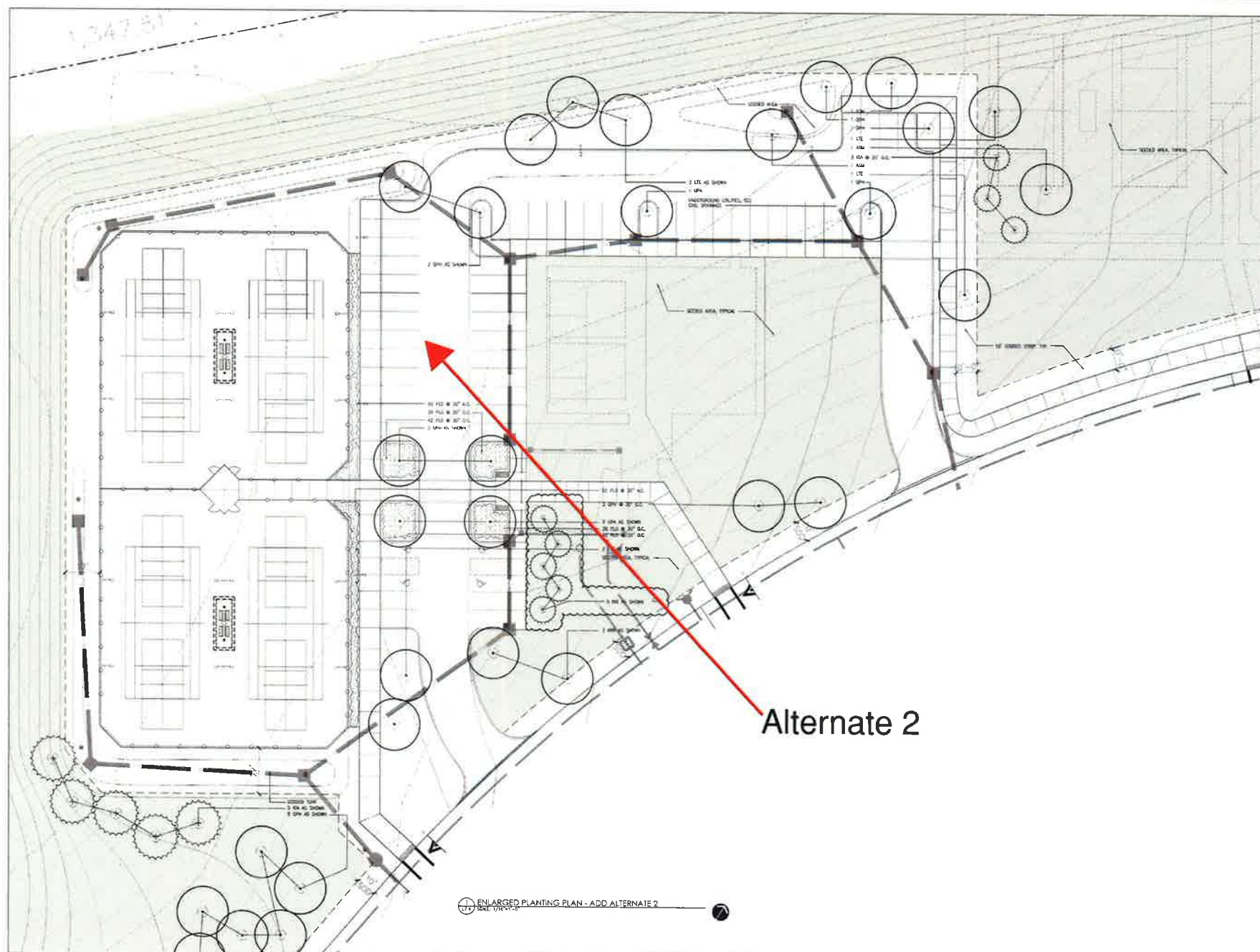
ROSS/FOWLER
LANDSCAPE ARCHITECTS
10000 Highway 100, Suite 100
Farragut, Tennessee 37630
Phone: 423.477.1111



McFEE PARK PHASE 3 FARRAGUT, TENNESSEE



OVERALL
PLANTING PLAN
BASE BID
L7.0



ROSS/FOWLER
 COMMERCIAL & RESIDENTIAL
 STEEL DESIGN & FABRICATION
 1001 Higgins Ave. Suite 100
 Knoxville, Tennessee 37919
 P 901/527-2221 • Fax 901/527-2222

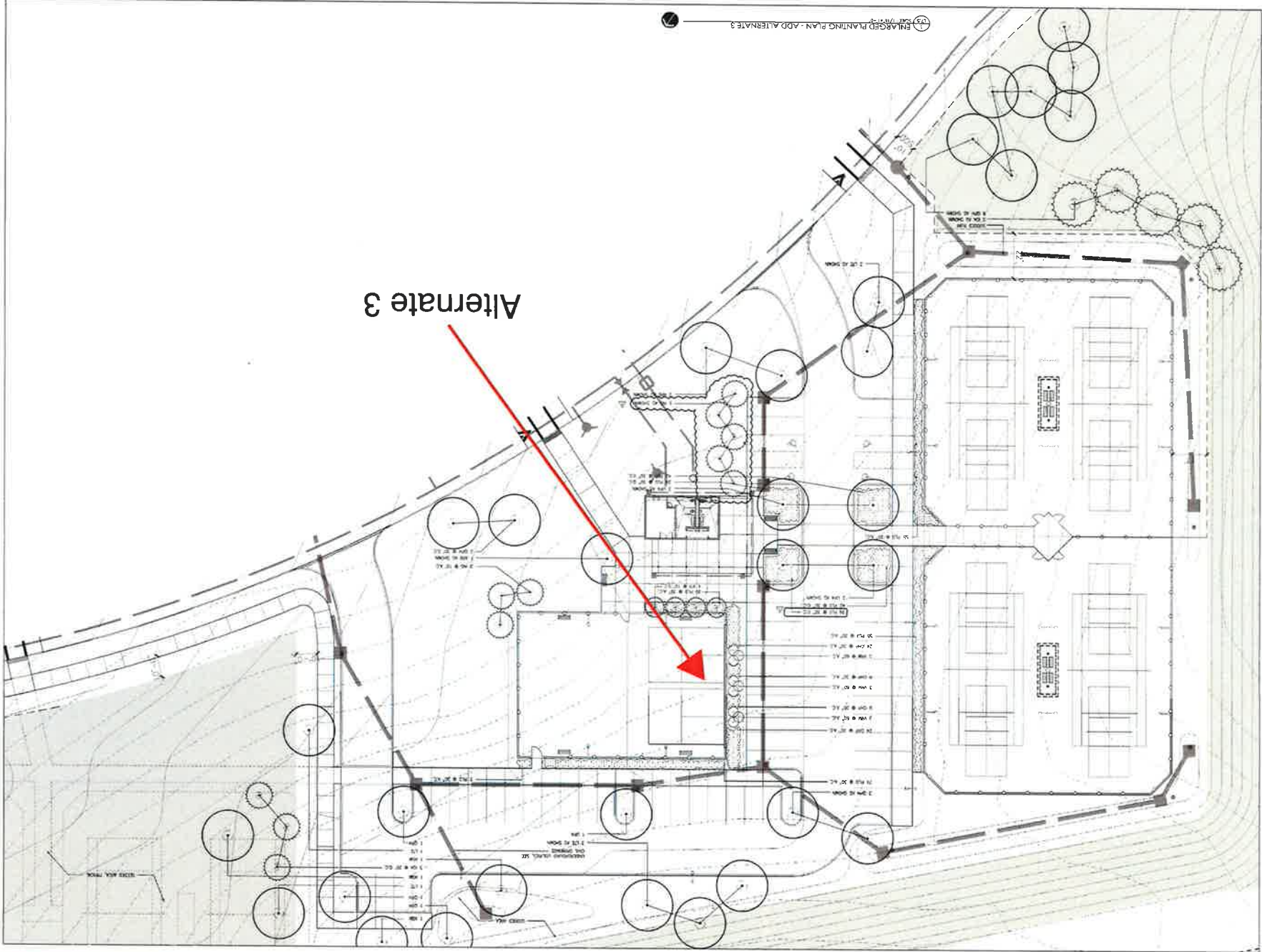
McFEE PARK PHASE 3
FARRAGUT, TENNESSEE

12/06/19



CONTRACT NUMBER: 100-0000000000000000
 PROJECT NUMBER: 100-0000000000000000
 DATE: 10/1/2000

ENLARGED
PLANTING PLAN
ADD ALTERNATE 2
L7.4



ENLARGED PLANTING PLAN - ADD ALTERNATE 3

Alternate 3

ENLARGED
PLANTING PLAN -
ADD ALTERNATE 3



12/06/19
MCFEE PARK PHASE 3
FARAGUT, TENNESSEE

ROSS/POWELL

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Darryl W. Smith, PE

SUBJECT: Approval of Right-of-Way purchase of Lot 2 & Lot 4 from Andover Homeowners Association for the Smith Road Sidewalk Project

INTRODUCTION: The purpose of this item is the approval of the Town's offer to acquire slope and construction easements from the Andover Place Homeowners Association's open space on Smith Road. The easements will allow construction of the Smith Road Sidewalk project, approximately 1800' of which is on Andover Place Subdivision property.

BACKGROUND: The Town has pursued the construction of a pedestrian connection along the north side of Smith Road from Everett Road to Andover Boulevard for several years. In September 2017, staff and Board members began meeting with the Andover Place Homeowners Association to present concepts for a greenway connection through the subdivision's 100'-wide open space adjacent to Smith Road as a means of preserving the existing stand of trees mostly located along the existing public right of way. The Town subsequently contracted with Urban Engineering to develop plans that include approximately 800 feet of sidewalk within that open space, while approximately 1000 feet will be constructed as sidewalk with curb and gutter adjacent to Smith Road. This work requires acquisition of greenway, slope and construction easements from two separate parcels of the open space (as shown on the attached drawings), separated by a private residence fronting on Smith Road. Tract 2 (western tract) requires 8,819 square feet of slope easement and 7,622 square feet of construction easement. Tract 4 (eastern tract) requires 16,036 square feet of trail easement, 435 square feet of slope easement and 6,782 square feet of temporary construction easement. The Andover Place Homeowners' Association has agreed to accept payment of \$7,500 for easements on Tract 2 and \$22,500 for easements on Tract 4, for a total of \$30,000.

FINANCIAL SECTION: 310-43910-930

Project: Smith Road Sidewalk (ROW)			
<u>Project Budget</u>	<u>Requested Amount</u>	<u>Expenditures to Date</u>	<u>Available Amount</u>
\$225,000	\$30,000	\$22,150	\$172,850
Approved By: 			

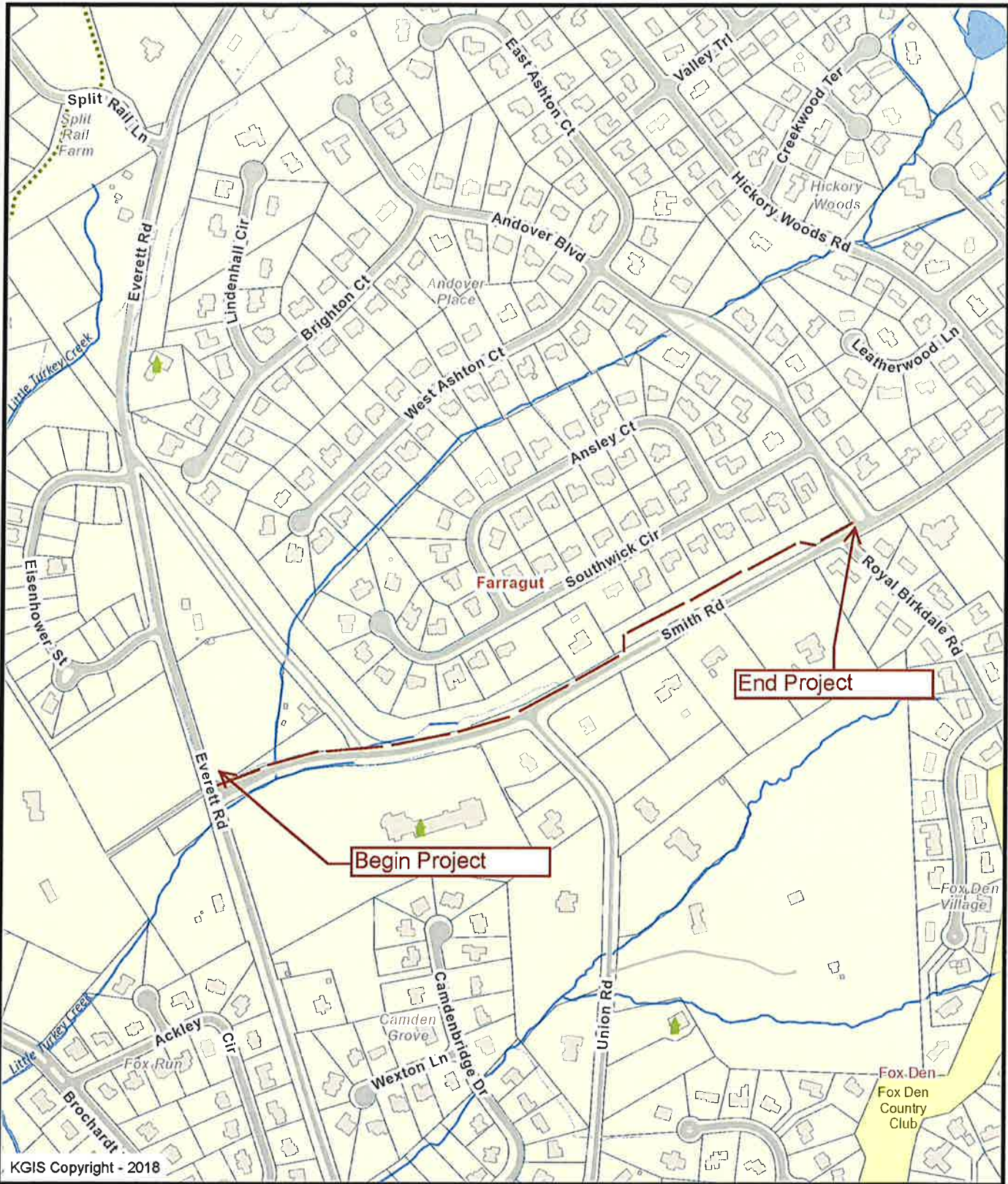
RECOMMENDATION BY: Darryl Smith, Town Engineer

PROPOSED MOTION: Approval of payment of \$30,000 to Andover Place Homeowners' Association for easements to construct Smith Road Sidewalk Project.

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	_____	_____	_____	_____	_____

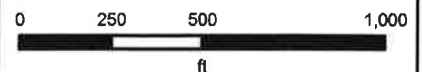


Smith Road Sidewalk

Everett Road to Andover Boulevard

Printed: 6/29/2018 at 12:16:29 PM

Knoxville - Knox County - KUB Geographic Information System



KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.

Crook & Company

Real Estate Consultants

Right of Way Management

February 26, 2020

Mr. Darryl W. Smith, PE
Town Engineer
Town of Farragut
11408 Municipal Center Drive
Farragut, TN 37934

RE: Request for Payment and Closing
Tract No. 2 – Andover Place Homeowners Assoc.
* Smith Road Sidewalk Extension
Town of Farragut
Knox County, Tennessee

Dear Mr. Smith,

We have obtained by a signed agreement of sale in the amount of **\$7,500** for purchase of necessary right of way from the above referenced property for proposed road improvements.

Please request a check in the amount of \$7,500 to Tennessee Valley Title Insurance Company, Attn: Gordon Lee Ownby, Jr., at the address below, so that closing can proceed as soon as possible.

**Tennessee Valley Title Insurance Company
Attn: Gordon Lee Ownby Jr.
800 S. Gay Street
Suite 1700
Knoxville TN 37929**

Attached is the signed agreement of sale, legal descriptions of areas acquired, a breakdown of the offer, a map of the acquisition, and the negotiator's report. If you have any further questions regarding this request, please do not hesitate to contact me. Thank you for the opportunity for providing our services.

Respectively Submitted,



Eddie D. Crook, MAI, SRA, AI-GRS
Crook & Company
Real Estate Consultants and Right of Way Management

c: Mr. Gordon Lee Ownby, Jr.

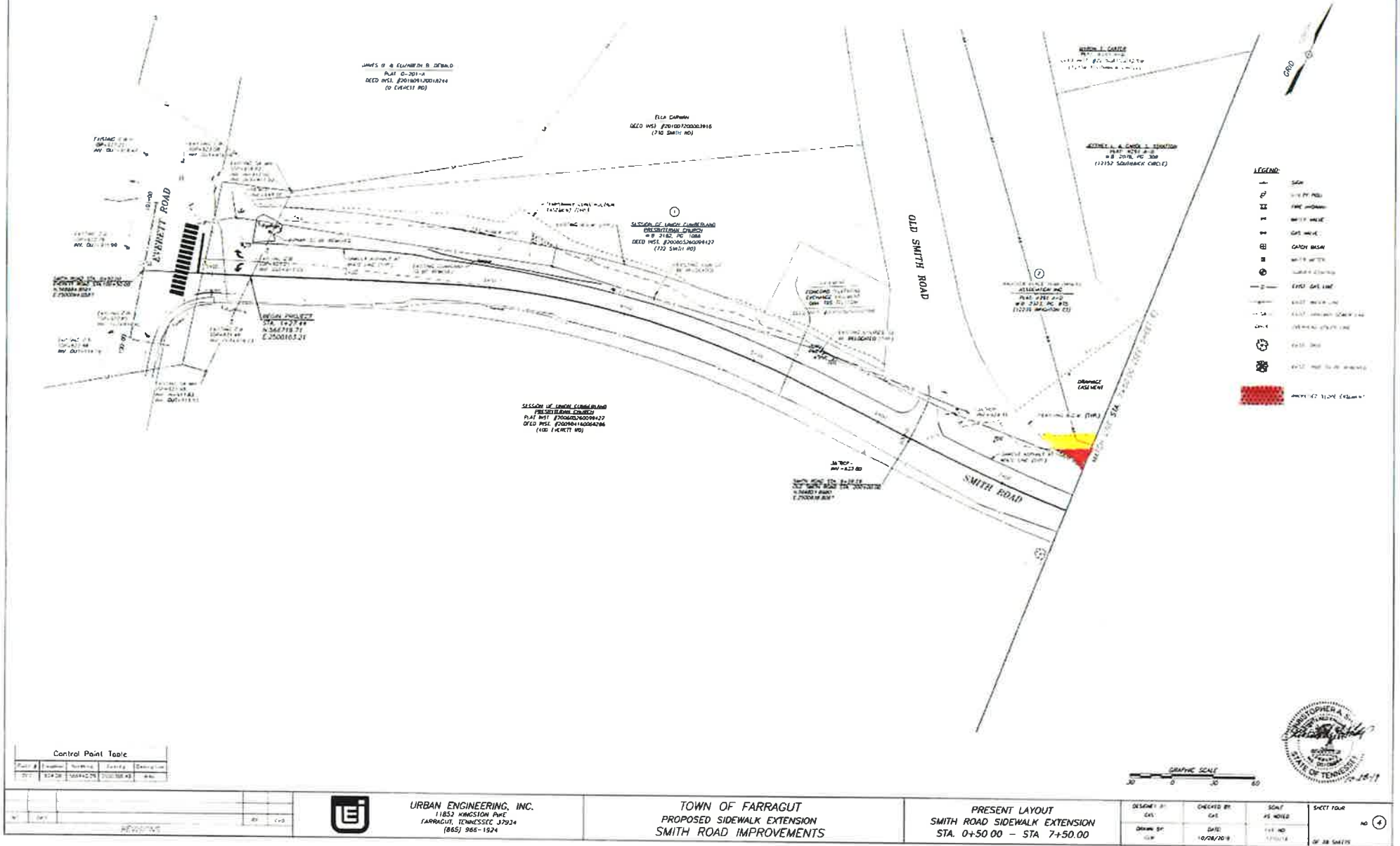


Post Office Box 52261, Knoxville, Tennessee 37950

Phone: 865.250.3365

PROPERTY & EASEMENT ACQUISITION TABLE									
TRACT NO.	PROPERTY OWNER	OFF. MAP	PARCELS	ACRES	ACRES	ACRES	ACRES	ACRES	ACRES
1	SECTION 16, TOWN OF FARRAGUT, TENNESSEE	100	100	100	100	100	100	100	100
2	SECTION 17, TOWN OF FARRAGUT, TENNESSEE	100	100	100	100	100	100	100	100

DATE	YEAR	PROJECT NO.	SHEET NO.
10/28/10	2010	10000000000000000000	4



Control Point Table			
Point #	Easting	Northing	Zone
1	1000000.00	1000000.00	1000000.00



URBAN ENGINEERING, INC.
11855 HINGSTON PARK
FARRAGUT, TENNESSEE 37924
(865) 966-1924

TOWN OF FARRAGUT
PROPOSED SIDEWALK EXTENSION
SMITH ROAD IMPROVEMENTS

PRESENT LAYOUT
SMITH ROAD SIDEWALK EXTENSION
STA. 0+50.00 - STA. 7+50.00

DESIGNED BY	CHECKED BY	SCALE	SHEET FOUR
DATE	DATE	AS NOTED	NO. 4
10/28/10	10/28/10	1"=20'	OF 38 SHEETS

ITEM	DATE	PROJECT NO	SHEET NO
CONCRETE WORK	2018	2018-2019 CONCRETE WORK	1



Week #	Location	Meeting	Timing	Organization
178	MS 22	26th Oct 85	21st Oct 85	MS
181	MS 22	29 Oct 85	22 Oct 85	MS
182	MS 22	30 Oct 85	23 Oct 85	MS



URBAN ENGINEERING, INC.
11852 KINGSTON PIKE
FARRAGUT, TENNESSEE 37934
(865) 966-1924

TOWN OF FARRAGUT
PROPOSED SIDEWALK EXTENSION
SMITH ROAD IMPROVEMENTS

PRESENT LAYOUT
SMITH ROAD SIDEWALK EXTENSION
STA. 14+50.00 - STA. 21+50.00

PERSON'S NAME CAS	PRECEDENCE CAS	SCALE AS NOTED	FILE # 14100
DRAWN BY CLM	DATE 8/28/2018	FILE NO 12100	NO 8

Crook & Company

Real Estate Consultants

Right of Way Management

February 26, 2020

Mr. Darryl W. Smith, PE
Town Engineer
Town of Farragut
11408 Municipal Center Drive
Farragut, TN 37934

RE: Request for Payment and Closing
Tract No. 4 – Andover Place Homeowners Assoc.
* Smith Road Sidewalk Extension
Town of Farragut
Knox County, Tennessee

Dear Mr. Smith,

We have obtained by a signed agreement of sale in the amount of **\$22,500** for purchase of necessary right of way from the above referenced property for proposed road improvements.

Please request a check in the amount of \$22,500 to Tennessee Valley Title Insurance Company, Attn: Gordon Lee Ownby, Jr., at the address below, so that closing can proceed as soon as possible.

**Tennessee Valley Title Insurance Company
Attn: Gordon Lee Ownby Jr.
800 S. Gay Street
Suite 1700
Knoxville TN 37929**

Attached is the signed agreement of sale, legal descriptions of areas acquired, a breakdown of the offer, a map of the acquisition, and the negotiator's report. If you have any further questions regarding this request, please do not hesitate to contact me. Thank you for the opportunity for providing our services.

Respectively Submitted,



Eddie D. Crook, MAI, SRA, AI-GRS
Crook & Company
Real Estate Consultants and Right of Way Management

c: Mr. Gordon Lee Ownby, Jr.



Post Office Box 52261, Knoxville, Tennessee 37950

Phone: 865.250.3365

[illegible]

INSTRUMENT NO.	ME-11.1 P	SCALE AS NOTED	SHEET / TOTAL
DRAWING BY GEM	DATE: 07/28/2019	FIRE NO. Noted	Nº (B)

PROPERTY & EASEMENT ACQUISITION TABLE									
TRACT NO.	PROPERTY OWNER	1/4 AC. UNIT	PARCELS	DEED NO.	PRICE	TOTAL AREA (AC)	AREA TO BE ACQUIRED (S.F.)	AREA REMAINING (AC)	EASEMENT (S.F.)
1	ROBERT J. BROWN, JR. & SUE ANN BROWN, JR.	1/4	1	1100	\$110,000	1.00	10,890	0.99	10,890

TYPE	YEAR	PROJECT NO.	SHEET NO.
CONSTRUCTION	2018	SMITH ROAD SIDEWALK EXTENSION	10



LEGEND

	EASEMENT
	UTILITY POLE
	CATCH BASIN
	WATER METER
	SURVEY CONTROL
	PROPOSED ROAD EASEMENT
	PROPOSED SLOPE EASEMENT

Control Point Table

POINT #	STATION	NORTHING	EASTING	COORDINATE
1	21+50.00	1000.00	1000.00	NAD 83
2	22+00.00	1000.00	1000.00	NAD 83

		URBAN ENGINEERING, INC. 1852 KIMBERLY DRIVE FARRAGUT, TENNESSEE 37934 (615) 966-1924	TOWN OF FARRAGUT PROPOSED SIDEWALK EXTENSION SMITH ROAD IMPROVEMENTS	PRESENT LAYOUT SMITH ROAD SIDEWALK EXTENSION STA. 21+50.00 - STA. 27+00.00	DRAWN BY: CAS CHECKED BY: CAS DATE: 10/26/2018	SCALE: AS SHOWN TALK NO: 111-0000 SHEET NO: 10
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