



**FARRAGUT BOARD OF MAYOR AND ALDERMEN
AGENDA**

May 14, 2020

**BMA MEETING
7:00 PM**

- I. Roll Call**
- II. Approval of Agenda**
- III. Mayor's Report**
 - A. Building Safety Month Proclamation
 - B. Parks to Kids Day Proclamation
- IV. Approval of Minutes**
 - A. April 23, 2020
- V. Business Items**
 - A. Approval of Resolution R-2020-04, Resolution for the Governor's Local Support Grant
 - B. Approval of Resolution R-2020-05, Resolution Concerning 5G Wireless Facilities
 - C. Approval of Bids for Contract 2020-18, Grigsby Chapel Road Pedestrian Crossing Improvements
 - D. Approval of First Amendment to Professional Services Agreement with Civil & Environmental Consultants, Inc. (CEC) for Engineering Services related to Stormwater Infrastructure Repairs
- VI. Ordinances**
 - A. Ordinance 20-05, Ordinance to amend Title 5, Chapter 1. Hotel/Motel Tax, by amending the effective date of Ordinance 12-01
- VII. Town Administrator's Report**
- VIII. Town Attorney's Report**
- IX. Citizens Forum**

This meeting can be viewed live on Charter channel 193 and TDS channel 3. No public access to Town Hall due to Governor Lee's orders and the Knox County Health

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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.¹

Department's orders regarding the COVID-19 pandemic. Meeting comments, including your name and address, may be emailed to comments@townoffarragut.org and must be received by 12:00pm on May 14 to be included in the record of the meeting.

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.



Proclamation

Building Safety Month — May 2020

WHEREAS, the Town of Farragut is committed to recognizing that our growth and strength depends on the safety and economic value of the homes, buildings and infrastructure that serve our citizens, both in everyday life and in times of natural disaster, and;

WHEREAS, our confidence in the structural integrity of these buildings that make up our community is achieved through the devotion of vigilant guardians—building code and fire code officials, architects, engineers, builders, tradespeople, design professionals, laborers, plumbers and others in the construction industry—who work year-round to ensure the safe construction of buildings, and;

WHEREAS, these guardians are dedicated members of the International Code Council, a nonprofit that brings together local, state and federal officials that are experts in the built environment to create and implement the highest-quality codes to protect us in the buildings where we live, learn, work, and play, and;

WHEREAS, our nation benefits economically and technologically from using the International Codes that are developed by a national, voluntary consensus codes and standards developing organization, our government is able to avoid the high cost and complexity of developing and maintaining these codes, which are the most widely adopted building safety and fire prevention codes in the world, and;

WHEREAS, these modern building codes include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquake; which, according to a FEMA-commissioned study by the National Institute of Building Sciences, provide \$11 in future mitigation benefits for every dollar invested, and;

WHEREAS, Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities' largely unknown protectors of public safety—our local code officials—who assure us of safe, efficient and livable buildings that are essential to America's prosperity, and;

WHEREAS, "Safer Buildings, Safer Communities, Safer World," the theme for Building Safety Month 2020, encourages all Americans to raise awareness about the importance of safe and resilient construction; fire prevention; disaster mitigation, and new technologies in the construction industry. Building Safety Month 2020 encourages appropriate steps everyone can take to ensure the safety of our built environment, and recognizes that the implementation of safety codes by local and state agencies has saved lives and protected homes and businesses, and;

WHEREAS, in observance of Building Safety Month, our community is asked to consider the commitment to improve building safety and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by our Building Code Staff and other agencies in protecting lives and property.

NOW, THEREFORE, I, Ron Williams, Mayor of the Town of Farragut, State of Tennessee, do hereby proclaim the month of May 2020 as Building Safety Month.



Proclamation

Proclaiming May 16, 2020, as Parks to Kids Day in the Town of
Farragut

WHEREAS, May 16, 2020, is the tenth Kids to Parks Day organized and launched by the National Park Trust held annually on the third Saturday of May is now Parks to Kids Day; and

WHEREAS, Parks to Kids Day empowers kids and encourages families to embrace what they can do outdoors at America's parks, public lands and waters; and

WHEREAS, we should encourage children to lead a more active lifestyle to combat issues of childhood obesity, diabetes, hypertension and hypercholesterolemia; and

WHEREAS, Parks to Kids Day will broaden children's appreciation for nature and outdoors; and

WHEREAS, Parks to Kids Day will recognize the importance of social distancing while enjoying the benefits of the outdoors during the COVID-19 crisis; and

NOW THEREFORE, I, Ron Williams, Mayor do hereby proclaim May 16, 2020, as Parks to Kids Day.

Signed this 7th day of May 2020

Ron Williams, Mayor

April 23, 2020 MINUTES

Mayor Williams called the meeting to order at 7:00 PM. Roll Call for attendance: Aldermen Burnette, yes; Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, yes; in addition to staff and members of the press. The meeting was held via WebEx Governor Lee's orders and the Knox County Health Department's orders regarding the COVID-19 pandemic.

Approval of Agenda

Motion was made to approve the agenda as presented. Motion was made to approve the agenda as presented. Moved by Alderman Povlin, seconded by Alderman Pinchok; Roll call vote: Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Aldermen Burnette, yes; Mayor Williams, yes; no nays; motion passed.

Mayor's Report

Dr. Martha Buchanan, KCHD Senior Director and Public Health Officer and Knoxville-Knox County Reopening Task Force Chair, gave a report about COVID testing and the reopening Phases for Knox County.

Approval of Minutes

Motion was made to approve the minutes of April 9, 2020 as presented. Moved by Alderman Povlin, seconded by Alderman Pinchok; Roll call vote, Alderman Pinchok, yes; Alderman Povlin, yes; Aldermen Burnette, yes; Alderman Meyer, yes; Mayor Williams, yes; no nays; motion passed.

Business Items

Approval of Certificate of Compliance for Concord Liquor & Wine, 135 Brooklawn Street

Motion was made to approve the Certificate of Compliance for Concord Liquor & Wine, 135 Brooklawn Street. Moved by Alderman Povlin, seconded by Alderman Meyer; Roll call vote, Alderman Povlin, yes; Aldermen Burnette, yes; Alderman Meyer, yes; Alderman Pinchok, yes; Mayor Williams, yes; no nays; motion passed.

Approval of Bids for Contract 2020-05, Street Resurfacing

Motion as made to award Contract 2020-05 to APAC in the amount of \$481,596.50. Moved by Alderman Povlin, seconded by Alderman Pinchok; Roll call vote, Aldermen Burnette, yes; Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, yes; no nays; motion passed.

Approval of Change Order for Town Hall ADA Restroom Renovation

Motion was made to approve Change Orders 1-4 in the amount of \$5,443.04. Moved by Alderman Povlin, seconded by Alderman Pinchok; Roll call vote, Aldermen Burnette, yes; Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, yes; no nays; motion passed.

Town Administrator's Report

David Smoak, Town Administrator, gave an update on the preparations for opening the Town buildings to the public.

Alderman Burnette requested that Town benefit healthcare workers at Tennova Hospital.

Citizens Forum

Laura Squires and Mike Mitchell submitted questions concerning the 5G network in Farragut.

The Board asked Tom Hale to draft a resolution concerning the 5G wireless facilities.

Meeting adjourned at 8:08PM.

Ron Williams, Mayor

Allison Myers, Town Recorder

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Trevor Hobbs, Assistant to the Town Administrator

SUBJECT: Resolution R-2020-04 Governor's Local Government Support Grant

INTRODUCTION: The purpose of the resolution is to authorize the Town to submit an application for funding through the Governor's Local Government Support Grant.

BACKGROUND: The Governor's Local Government Support Grant, established by Governor Bill Lee in April of this year, provides grants to local governments for one-time infrastructure improvement projects. Based on the requirements and regulations established, Phase I of Virtue Road Improvements meets the scope and intent and grant program. This resolution is a required element of the application for grant funding.

While it is not known how much funding the Town will receive, the Tennessee Department of Finance & Administration has stated no city will receive less than \$30,000.

DISCUSSION: The FY 2020 budget already includes \$3.9 million in funding to complete construction for Phase I of Virtue Road Improvements. As such, the approval of this resolution does not require the Town to allocate any additional funding to the project budget.

If the resolution is approved, the Town would request \$3,607,032 in grant funding based on the totals provided for in the project's construction cost estimates.

If approved, funding would be available after July 1, 2020.

RECOMMENDATION BY: Trevor Hobbs, Assistant to the Town Administrator

PROPOSED MOTION: Approval of Resolution R-2020-04

BOARD ACTION:

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

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



RESOLUTION: R-2020-04

**A RESOLUTION BY THE BOARD OF MAYOR AND ALDERMEN OF THE
TOWN OF FARRAGUT TO APPROVE APPLICATION FOR THE
GOVERNOR'S LOCAL SUPPORT GRANT**

WHEREAS, *Tennessee Public Chapter No. 651*, Title III-22, Items 10.33-34 established the Governor's Local Government Support Grants which provides funding that local governments may request, and,

WHEREAS, The Town of Farragut is in need of funding for a project that meets all of the requirements of *Tennessee Public Chapter No. 651*, Title III-22, Items 10.33-34, and,

WHEREAS, The Town of Farragut is requesting \$3,607,032 for construction of Phase I Improvements to Virtue Road, in the spending category of *Road Projects*, and,

WHEREAS, The Town of Farragut has already completed the Design and Right of Way Acquisition phases of this project, and

WHEREAS, The Town of Farragut has already budgeted a total of \$3,900,000 in funds in the FY 2020 budget for the construction phase of this project in the Capital Improvement Fund, and,

WHEREAS, it is agreed that The Town of Farragut will comply with the Terms of Agreement prescribed by the State Department of Finance and Administration, and,

WHEREAS, The Board of Mayor and Aldermen of the Town of Farragut hereby authorizes the Town to submit the application to the State Department of Finance and Administration, requesting approval to proceed with this project, and,

NOW, THEREFORE, BE IT RESOLVED that the Board of Mayor and Aldermen of The Town of Farragut requests the State Department of Finance and Administration for initial approval of this project to fund construction of Phase I Improvements to Virtue Road in accordance with the provisions of *Tennessee Public Chapter No. 651*, Title III-22, Items 10.33-34.

This resolution is duly adopted by the Board of Mayor and Aldermen of the Town of Farragut on May 14. 2020.

Ron Williams, Mayor

Allison Myers, Town Recorder

**GOVERNOR'S LOCAL GOVERNMENT SUPPORT GRANTS
Application for Funding and Uses Certification**

1. Local Government Information:

Name	
Address	
Project Name	
Fund Where Proceeds Will Be Accounted For	
Mayor's Name	
Contact Name (if other than Mayor)	
Contact Email Address	
Contact Telephone Number	

2. Project Category (check box):

IT Hardware Upgrades	Capital Maintenance*	Utility System Upgrades
Road Projects*	Public Safety*	Covid-19 Response

**Could include tornado relief projects for Benton, Bradley, Carroll, Davidson, Gibson, Hamilton, Marion, Putnam, Smith, and Wilson counties*

3. Total Project Cost:

State Grant Funds Requested	
Local Funds (not required)	
Total Project Funding	

4. Description of Project:

Add detail for what will be completed with these funds. Submit a separate document if needed for description. Use Item 5, Summary of Uses of State Grant Funds, below to outline budget.

5. Summary of Uses of State Grant Funds:

Description	Amount
Total Expenditures:	

6. Agreement to Terms and Conditions:

In order to request funding from this project, you must agree to the terms and conditions specified in the PC 651 enacted by the 2020 General Assembly. The Mayor should sign the box below indicating the acceptance or the completion of each item:

I agree to present a resolution to the local governing body which will authorize participation in this project and outline the necessary budget amendments that will be necessary to account for the expenditures. A copy of this resolution must be included with this request.

I agree that under no circumstances shall the county/city use these funds in a manner other than what has been requested and approved.

I acknowledge that the county/city has the option to use this funding as a portion of a larger project and, if so, the full project budget will be requested including the amount and source of local funding added to the project and the budget submitted will include the total of requested funds and local funds.

I acknowledge that this funding is only to be used for the non-recurring purposes as approved. I understand that this funding is not to be used for general operations, bonuses or raises for employees, or for the repayment of debt. This funding cannot be passed through to another entity.

I acknowledge that this funding is subject to audit by the Comptroller of the Treasury as to the expenditure and obligation of such funds. I further acknowledge that any unspent grant funds remaining after completion of the approved project will be returned to the state.

Signature

Title

Application Deadline is April 30, 2021.

Return completed and signed Application for Funding and Uses Certification, along with approved resolution, to Troy Williamson at Localgov.Grants@tn.gov.

Please refer to www.tn.gov/localgovgrants for FAQ Document and additional information.

For State Use Only:

Reviewed and approved by representative of the Department of Finance and Administration

Signature

Name

Title

Email

Date

AGENDA NUMBER V.B.

MEETING DATE MAY 14, 2020

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: David Smoak, Town Administrator



SUBJECT: Consideration of Resolution 2020-05: a Resolution Concerning 5G Wireless Communication Facilities

INTRODUCTION: The purpose of this agenda item is to consider Resolution 2020-05: a resolution concerning 5G Wireless Communication Facilities

BACKGROUND: The Federal Communications Commission (FCC) and Tennessee General Assembly have adopted regulations that are intended to allow the rapid deployment of 5G wireless technology in the rights-of-way throughout Tennessee and the United States. These regulations effectively pre-empt local governmental authority to regulate the deployment of these small cell structures except in very limited circumstances.

DISCUSSION: In the past few months, the Town of Farragut has had several small cell structures submitted for construction within the Town's right-of-way. These structures have brought concern from some residents in the community that are located near the proposed sites as to the health impacts these towers have on the human body. The FCC has issued regulations stating that local governments are not authorized to deny applications based on the potential health impacts of these small cell structures due to their findings that there are no adverse health impacts with the use of this technology.

The attached resolution would request the FCC and the State of Tennessee to take action to halt the deployment of 5G wireless facilities within the rights-of-way of our community until further study has been conducted to ensure the health of the public will not be adversely impacted by long-term exposure to the radio frequency emissions of these facilities.

PROPOSED MOTION: To approve Resolution 2020-05.

BOARD ACTION:

MOTION BY: _____ SECONDED BY: _____

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



A RESOLUTION BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF FARRAGUT CONCERNING 5G WIRELESS FACILITIES

WHEREAS, with the encouragement of the telecommunications industry, the Federal Communications Commission (“FCC”) in 2018 adopted regulations that were intended to “ensure the United States wins the global race to 5G” and “to remove regulatory barriers that would unlawfully inhibit the deployment of infrastructure necessary to support these new services”; and

WHEREAS, also with the encouragement of the telecommunications industry, the Tennessee General Assembly in 2018 adopted legislation that was binding on local governments throughout Tennessee and that was intended to enhance “rapid deployment of the 5G wireless connectivity” and to “set aside obstacles and discriminatory policies that may slow deployment of new infrastructure and improvements”; and

WHEREAS, the primary means employed by the federal and state governments to accomplish the goal of rapid 5G deployment was to mandate that local governments allow the industry to use its rights-of-way and to dictate the terms and timing upon which local governments could regulate the use of their rights-of-way; and

WHEREAS, by dictating the terms of use and by expediting the time within which local governments must approve 5G carriers’ rights to share the public’s rights-of-way, the state and federal governments have enabled the many 5G carriers to rapidly, and in many cases recklessly, impose unreasonable burdens upon rights-of-way already crowded with other utilities, as well as upon the staffs of local government whose duty it is to protect the public’s interest in those rights-of-way; and

WHEREAS, more importantly these limitations on the rights of local government in regulating the telecommunications industry continue the long standing federal statutory protection of the industry that forbids state and local government from any regulation on the basis that radio frequency emissions may have an adverse environmental and health effect on human beings, 47 United States Code, § 332(c)(7)(iv); and

WHEREAS, the federal law preemption of the right of the federal government to regulate the health effects of radio frequency emissions is coupled with the obligation under the National Environmental Policy Act (“NEPA”) that the FCC evaluate and regulate sources of radio frequency emissions in order to protect the public from such emissions; and

WHEREAS the regulatory standards adopted by the FCC were last studied and adopted by the FCC more than 20 years ago in 1996, long before the changes brought by the new 5G technology; and

WHEREAS, in 2013 the FCC started a formal inquiry of its radio frequency emissions standards, and in 2019 entered its order terminating the inquiry, concluding that it found no scientific basis to “reevaluate the existing RF exposure limits” in spite of substantial information in its record to the contrary; and

WHEREAS, the FCC’s 2019 conclusion was based not on its independent study and reevaluation of its standards, but upon the lack of data submitted by others convincing it of the need to modify its existing exposure limits; and

WHEREAS, due to the inherent changes brought about by 5G technology which brought differences in the radio frequency emissions in both the proximity of sources of the emissions to the public and the type of the emissions, there is substantial disagreement among the experts in the field about the possibility that health effects will result from the deployment of the massive number of 5G wireless facilities contemplated by the industry, as well as whether the current, outdated FCC regulations are adequate to protect the public health; and

WHEREAS, as the result of the concerns of numerous local governmental entities from around the country and their citizens that the FCC has failed to study and reevaluate the health effects of its current standards in light of the inherent changes characterized by the 5G technology, litigation is pending against the FCC that seeks to stop the rapid deployment of the 5G infrastructure until the FCC has completed its study of the health effects of the deployment of 5G technology and, if necessary, has updated its regulations accordingly.

NOW THEREFORE, by the adoption of this Resolution the Board of Mayor and Alderman of the Town of Farragut, Tennessee petitions and encourages the governments of the United States of America and the State of Tennessee to take actions within their power to halt the deployment of the 5G wireless facilities within the rights-of-way of our local communities belonging to the public until such time as the only agency with the authority to do so, the FCC, reevaluates by an independent study the adequacy of its radio frequency emissions standards and concludes on the basis of sound science that those standards, or standards adopted as a result of said further study, are adequate to ensure that the health of the public at large will not be adversely affected by long-term exposure to radio frequency emissions from the placement and operation of 5G wireless facilities throughout our communities.

Adopted this 14TH day of May, 2020.

Ron Williams, Mayor

Drew Burnette, Alderman

Louise Povlin, Vice Mayor

Scott Meyer, Alderman

Ron Pinchok, Alderman

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Darryl W. Smith, PE; Town Engineer

SUBJECT: Approval of Bids for Contract 2020-18, Grigsby Chapel Road Pedestrian Crossing Improvements

INTRODUCTION: The purpose of this item is consideration of bids and award of Contract 2020-18, Grigsby Chapel Road Pedestrian Crossing Improvements.

BACKGROUND: The intent of this project is to provide an improved pedestrian crossing of Grigsby Chapel Road. The Grigsby Chapel Road location provides enhancements to the existing mid-block crossing by the Grigsby Chapel Greenway (see attachment A). These enhancements include flashing beacons adjacent to the existing pedestrian refuge island that will alert oncoming motorists any time a pedestrian is in the crosswalk.

Staff received bids from two contractors on April 30, and we have attached bid tabulations (attachment B):

Adams Contracting, LLC **\$76,085.00**

Stansell Electric Company, Inc. **\$40,120.99**

This project was bid as a portion of Contract 2020-16 in March. All bids for that contract (which included sidewalk and pedestrian crossing of Watt Road) were substantially higher than our budget allowed, and the bids were rejected. It should be noted the portion of the low bid for that contract attributable to the Grigsby Chapel pedestrian crossing was higher than the bids received, and staff believes the low bid above to be reasonable. Stansell Electric has performed work for the Town in the past, and staff was pleased with their performance.

FINANCIAL SECTION:

Project: Contract 2020-18, GCR Pedestrian Crossing			
<u>Project Budget</u>	<u>Requested Amount</u>	<u>Expenditures to Date</u>	<u>Available Amount</u>
\$195,000	\$40,120.99	\$50,522	\$104,357
Approved By: A. Myers			

RECOMMENDATION BY: Town Engineer Darryl Smith for approval

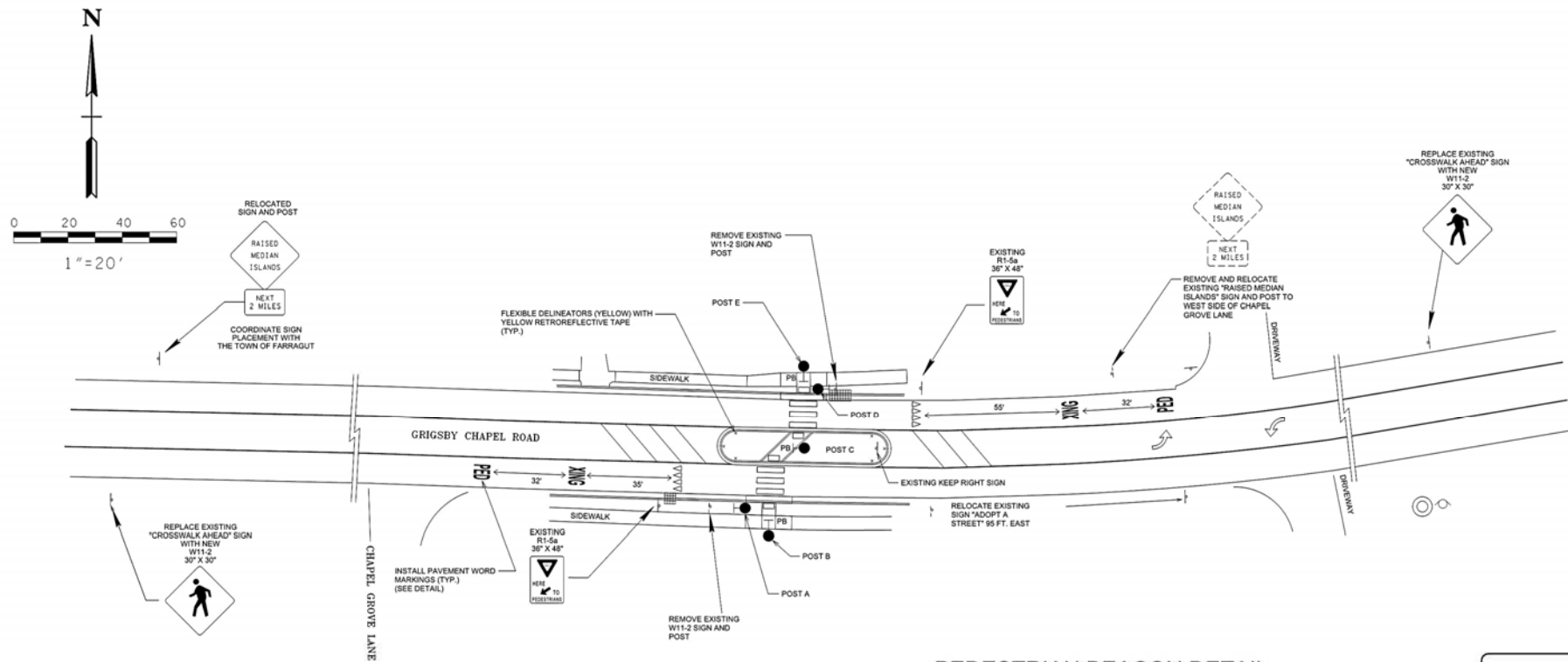
PROPOSED MOTION: Approval of bids and award of contract 2020-18 to Stansell Electric, Inc. for their low bid of \$40,120.99.

BOARD ACTION:

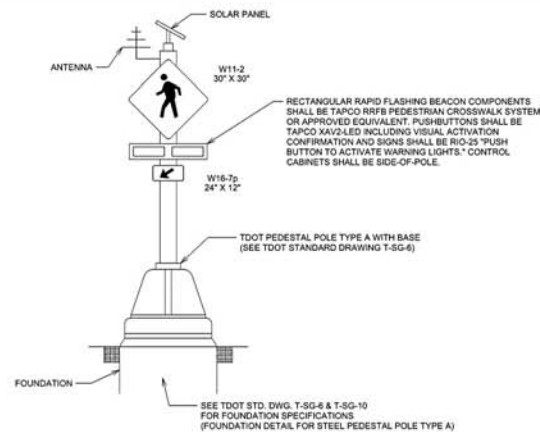
MOTION BY: _____ **SECONDED BY:** _____

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

Attachment A



PEDESTRIAN BEACON DETAIL



POST	TYPE	DESIGN REFERENCE	FOUNDATION DEPTH X DIAMETER (SEE NOTE 6)
A	PEDESTRIAN BEACON ON POST	SEE PEDESTRIAN BEACON DETAIL	8' MIN. X 2' MIN. (SEE NOTE 4)
B	PEDESTRIAN PUSHBUTTON POST	SEE NOTE 3	3' MIN. X 2' MIN. (SEE NOTE 4)
C	PEDESTRIAN BEACON ON POST	SEE NOTE 3	3' MIN. X 2' MIN. (SEE NOTE 4)
D	PEDESTRIAN BEACON ON POST	SEE PEDESTRIAN BEACON DETAIL	8' MIN. X 2' MIN. (SEE NOTE 4)
E	PEDESTRIAN PUSHBUTTON POST	SEE NOTE 3	3' MIN. X 2' MIN. (SEE NOTE 4)

NOTES:

- ALL TRAFFIC CONTROL DEVICES SHALL COMPLY WITH THE REQUIREMENTS OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, T.O.D.T. STANDARD SPECIFICATION SECTION 730 AND THE APPLICABLE T.O.D.T. STANDARD DRAWINGS.
- ALL PEDESTRIAN BEACON AND PUSHBUTTON POSTS SHALL BE BLACK POWDER COATED.
- PUSHBUTTON POST ASSEMBLY SHALL BE TAPCO PUSHBUTTON BOLLARD WITH BLUNKERBEAM WIRELESS RADIO AND XAV2-LED PUSHBUTTON, INCLUDING VISUAL ACTIVATION CONFIRMATION, OR APPROVED EQUIVALENTS. PUSHBUTTON SIGN SHALL BE RD-25 (8'X12') WITH LEGEND "PUSH BUTTON TO TURN ON WARNING LIGHTS".
- FINAL DESIGN OF POSTS AND FOUNDATIONS ARE THE RESPONSIBILITY OF THE POST MANUFACTURER AND CONTRACTOR.
- CONTRACTOR SHALL STAKE PROPOSED POST LOCATIONS AND SHALL OBTAIN APPROVAL FOR THESE LOCATIONS PRIOR TO INSTALLATION.
- FOUNDATION DEPTH IS DEPTH BELOW SURFACE OF GROUND.
- CLOSELY COORDINATE FOUNDATION INSTALLATION WITH EXISTING UTILITIES. HAND DIG FOUNDATION OR VARY SIZE AS REQUIRED.

REVISIONS	DATE
CANNON & CANNON INC CONSULTING ENGINEERS - FIELD SURVEYORS Tel: 865.670.8555 8500 Kingston Pike www.cannon-cannon.com Knoxville, TN 37919	
CLIENT:	TOWN OF FARRAGUT
PROJECT:	GRIGSBY CHAPPEL ROAD PEDESTRIAN BEACONS
PEDESTRIAN BEACON LAYOUT	
	COT PROJECT NO.: 00394-0019 DATE: 02-28-19 DRAWN: WAS CHECKED: ALC 3



Grigsby Chapel Road Pedestrian Crossing

ITEM #	TDOT DESCRIPTION	UNIT	QUANTITY	Adams Contracting, LLC		Stansell Electric Company, Inc.	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
105-01	Construction Stakes, Lines And Grades	LS	1	\$ 3,000.00	\$ 3,000.00	\$ 398.36	\$ 398.36
712-01	Traffic Control	LS	1	\$ 35,000.00	\$ 35,000.00	\$ 2,139.84	\$ 2,139.84
712-04.01	Flexible Drums (Channelizing)	EA	10	\$ 50.00	\$ 500.00	\$ 26.56	\$ 265.60
712-06	Signs (Construction)	SF	114	\$ 10.00	\$ 1,140.00	\$ 8.96	\$ 1,021.44
713-15.36	Remove Sign, Support & Footing	EA	2	\$ 350.00	\$ 700.00	\$ 132.79	\$ 265.58
713-16.20	Signs (Ped. Cross. W11-2)	EA	3	\$ 300.00	\$ 900.00	\$ 106.91	\$ 320.73
713-16.21	Signs (Yield Ped., R1-5A)	EA	2	\$ 325.00	\$ 650.00	\$ 265.57	\$ 531.14
713-16.24	Signs (Arrow Plate, W16-7P)	EA	2	\$ 45.00	\$ 90.00	\$ 99.59	\$ 199.18
716-02.04	Plastic Pavement Marking (Channelization Striping)	SY	15.5	\$ 30.00	\$ 465.00	\$ 33.20	\$ 514.60
716-02.09	Plastic Pavement Marking(Longitudinal Crosswalk)	LF	24	\$ 35.00	\$ 840.00	\$ 39.84	\$ 956.16
716-03.08	Plastic Word Pavement Marking (Ped-Xing)	EA	2	\$ 600.00	\$ 1,200.00	\$ 663.93	\$ 1,327.86
716-04.17	Plastic Pavement Marking (Yield Symbol)	EA	2	\$ 400.00	\$ 800.00	\$ 398.36	\$ 796.72
717-01	Mobilization	LS	1	\$ 3,500.00	\$ 3,500.00	\$ 3,752.68	\$ 3,752.68
730-23.30	Pedestal Pole (for RRFB)	EA	2	\$ 1,300.00	\$ 2,600.00	\$ 645.25	\$ 1,290.50
730-24.08	Foundation (RRFB Pedestal Pole)	EA	2	\$ 1,300.00	\$ 2,600.00	\$ 1,682.22	\$ 3,364.44
730-24.09	Foundation (Pushbutton Post)	EA	3	\$ 1,300.00	\$ 3,900.00	\$ 728.60	\$ 2,185.80
730-26.02	Pedestrian Pushbutton with 12" Sign	EA	3	\$ 500.00	\$ 1,500.00	\$ 419.71	\$ 1,259.13
730-26.06	Pedestrian Pushbutton Post	EA	3	\$ 900.00	\$ 2,700.00	\$ 674.11	\$ 2,022.33
730-26.07	Flashing Warning Beacon (RRFB)	EA	2	\$ 7,000.00	\$ 14,000.00	\$ 8,754.45	\$ 17,508.90
TOTAL BID				\$76,085.00		\$40,120.99	

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Darryl W. Smith, PE, Town Engineer

SUBJECT: Approval of First Amendment to Professional Services Agreement with Civil & Environmental Consultants, Inc. (CEC) for Engineering Services related to Stormwater Infrastructure Repairs.

INTRODUCTION: The purpose of this item is to amend the Town's professional services agreement with Civil & Environmental Consultants (CEC) to provide additional services to develop a project for pipe repairs and rehabilitation.

BACKGROUND: The Board of Mayor and Aldermen approved a professional services agreement with Civil & Environmental Consultants (CEC) on November 14, 2019. In that agreement, CEC was to provide assessment of existing pipes and catch basins in the Fox Run Subdivision as a pilot project, as well as an assessment of existing pipes already known by staff to be failing. CEC and their subcontractor (Southeast Pipe) reviewed video provided by the Town and provided recommendations and cost estimates for repair options for 22 existing pipe segments. Staff wishes to develop a project for repair of those pipes, as opposed to full replacement. We have attached a proposed amendment to the original agreement that will allow CEC to assist staff in the development of a construction contract, project specifications, bid process and construction phase review and recommendations. While CEC's scope of work can be clearly defined prior to commencement of construction, the various options for repair can only be truly assessed as the project is underway. For that reason, CEC has determined a "Base Fee" of \$33,650 for services prior to construction and a *not to exceed* fee for "on-call" construction phase services of \$10,000. "On-call" services include observation of post-construction video, limited on-site project inspection, review of contractor invoices and assistance with change orders. These services will only be performed at staff's request and will be billed in accordance with the hourly rate schedule provided with the attached amendment.

FINANCIAL SECTION:

Project: 310-43150-480, Stormwater Improvements			
<u>Project Budget</u>	<u>Requested Amount</u>	<u>Expenditures to Date</u>	<u>Available Amount</u>
\$750,000	\$43,650	\$422,715	\$283,635
Approved			
By: <u> A. Myers </u>			

RECOMMENDATION BY: Darryl Smith, Town Engineer, for approval

PROPOSED MOTION: Approval of First Amendment to Professional Services Agreement with Civil & Environmental Consultants, Inc. for additional services required to develop a project for pipe repairs.

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	_____	_____	_____	_____	_____

May 7, 2020

Mr. Darryl Smith, P.E.
Town Engineer
Town of Farragut
11408 Municipal Center Drive
Farragut, TN 37934

Via email at: dsmith@townoffarragut.org

Dear Mr. Smith:

Subject: First Amendment to Professional Services Agreement
Town of Farragut Infrastructure Repairs
Contractor Procurement Support
CEC Project 193-988.0002

Civil & Environmental Consultants, Inc. (CEC) presents this proposal to the Town of Farragut (Town) to provide contractor procurement support for stormwater infrastructure repairs. The scope and content of this proposal is based on our review of existing closed circuit television (CCTV) videos provided by the Town, our CCTV Review and Opinion of Probable Construction Cost (OPCC) letter to the Town and dated January 14, 2020, and the meeting between CEC and the Town on Wednesday, February 26, 2020. The following sections of this proposal present a brief project background, purpose, scope of services, estimated costs, schedule, and closing remarks.

1.0 BACKGROUND

The Town is currently assessing the stormwater infrastructure within its jurisdiction due to knowledge regarding the historic use of corrugated metal piping (CMP) and recent failures that have occurred. The intent is to identify infrastructure that is deteriorating such that preemptive remedies can be implemented to reduce the potential for catastrophic failure. The Town performed a CCTV survey of infrastructure it suspected of being compromised. CEC reviewed the CCTV videos, along with a pipe rehabilitation contractor, and provided preliminary recommendations for repairs and additional CCTV surveying, as well as methods and opinions of cost for repairs.

2.0 PURPOSE

CEC understands that the Town is interested in performing the repairs and most of the stormwater infrastructure that was subject of the initial CCTV survey. The Town has requested technical and professional support from CEC to identify qualified contractors, prepare a comprehensive bid

package, assist during procurement, review/comment on contractor submittals, and provide construction quality assurance during repairs.

3.0 SCOPE OF SERVICES

Provided in this section is a scope of services that meets the intended purpose of the project.

3.1 Identify Qualified Contractors

CEC will contact local and regional contractors with pipe rehabilitation, particularly cured in place pipe (CIPP), experience to introduce the potential project and gauge interest. CEC will also inquire about the contractors' experience on similar projects to confirm its capabilities in supporting the project. A table will be prepared summarizing the contractors that were contacted, location information, the primary point of contact, and a summary of relevant experience. CEC will provide the table to the Town for review and comment, prior to finalizing.

3.2 Collect Spatial Information of Subject Infrastructure

CEC will mobilize field staff to the locations of the subject stormwater infrastructure to collect spatial information, invert depths, and approximate pipe sizing. Spatial information will be collected using survey grade Real Time Kinetic (RTK) GPS unit. Invert depths will be collected by removing the grate, lid, or top of the feature and measuring from the rim to the bottom. The pipe sizes will be estimated using a measuring tape or rod and by visual observation. The spatial information will be post processed after collection to improve accuracy, if necessary, and exhibits will be prepared showing the locations of the mapped infrastructure. For budgetary purposes, CEC has assumed a team of two field technicians can collect the required information over the course of two successive field days. A total of five figures will be prepared as part of this task and the figures will depict the locations, sizes, and types of features that are included in the project. The figures will be prepared in GIS with an aerial or digital raster graphic background. As part of this effort, CEC will need the Town to provide the final plats of the subdivision(s) to confirm pipe alignment between features.

Services may also include topographic (1-foot contours), planimetric and utilities surveys as required along pipe sections longer than 20 feet scheduled for replacement or point repairs. It should be noted that detailed scope of these surveying services cannot be accurately defined until a final rehabilitation scope has been established. Should these additional survey services be required, an amendment to this proposal will be prepared by CEC to accurately scope and budget for this effort and will be submitted to your office for review.

3.3 Prepare Bid Package

CEC will prepare bid documents consisting of plan view layouts of proposed improvements, technical specifications, and a revised opinion of probable construction cost. CEC will advise the Town if additional data, information, or services are necessary and assist the Town in obtaining such data, information or services as necessary. CEC will provide one preliminary design plan document with an opinion of probable construction cost (OPCC) as well as two review copies of the final construction documents including specifications and OPCC for Town review. CEC will also participate in one design review meeting with Town staff.

The final bid package deliverable will include the following content:

- Drawings/Figures (CADD/GIS) – Includes plan view drawings developed in GIS as well as up to three profile sections of pipe to be replaced via open-cut.
- Technical Specifications – CEC will furnish those technical specifications not covered by the Town's existing specifications. Specifications will include minimum requirements for installation experience and qualifications/certifications.
- Unit Rate Bid Form (Excel TM) – Includes measurement and payment section, alternate unit pricing, equipment and personnel rate sheets, and subcontractor summary.
- Contract – The contract will be prepared by the Town and reviewed by CEC. CEC will provide comments and recommendations in a redline draft and send it back to the Town for review and consideration. CEC has budgeted for one conference call with the Town to discuss its comments and recommendations, should it be necessary.

The draft bid package content will be provided to the Town in native file format for review and comment. CEC will make one round of mutually agreeable revisions to the bid package contents and provide to the Town for distribution to the potential bidders.

3.4 Permitting

Based on the information available, CEC does not anticipate the need for any of the following permits:

- Traffic Control Permit
- TDEC Individual or General ARAP(s)
- Other individual jurisdictional water permits (e.g. U.S. Army Corps of Engineers Section 404 Permit and TVA Section 26a)
- TDEC Storm Water Pollution Prevention Plan (SWPPP)

Should new information or changes in condition necessitate any permitting tasks including those listed above, CEC will provide an amendment to this proposed scope of services to assist the Town, as needed, with permitting support.

3.5 Procurement Support

CEC will provide the Town with procurement support of the bid package. Tasks associated with this phase of the work will include assistance with the following, as has been requested by the Town:

- Conduct pre-bid meeting for prospective bidders including time for review of typical site conditions
- Responding to bid-phase requests for information
- Bid reviews/qualified bidder recommendations
- Recommendation for award

4.0 **CONSTRUCTION-PHASE SERVICES**

4.1 Base Construction Services

The construction phase of this project will commence upon the successful negotiation and execution of a construction contract and upon issuance of a notice to proceed to the contractor. The scope of services for construction phase activities will include the following:

- Provide general technical and professional assistance during construction including the review and approval of contractor submittals
- Construction kickoff meeting between the selected contractor and the Town

4.2 On-Call Construction Phase Services

Construction phase services that can be provided by CEC on an “on-call” basis include the following:

- Observation of post-construction CCTV
- On-site project inspection
- Review/comment of contractor invoices
- Assistance with Change Orders and change of conditions

Due to the potential variability in construction duration and required level of field oversight, the above “on-call” services are not included in the Base Fee described below, but will be billed in accordance with the hourly rate schedule attached (see “Fee Schedule”) on an as-needed basis,

with a total fee for these construction phase services not to exceed \$10,000. In the event this maximum must be exceeded, CEC will request a supplement to this amended agreement.

5.0 PROJECT FEE

CEC proposes to provide the identified services for a Base Fee of **\$33,650** and a not to exceed maximum fee of \$10,000 for on-call construction phase services. Below is a task breakdown and summary of the anticipated fees. Project invoices will be submitted monthly and charges will be based on personnel hours and other direct project costs. Subcontractor and equipment/material expenses will be marked up at 10%. CEC proposes to complete this Project according to the Professional Services Agreement dated November 14, 2019 between the Town and CEC. An updated fee schedule is attached to this proposal, which is intended to update the fee schedule included in the original professional services agreement. The updates include more categorical rate classes for the CEC staff that will likely be involved with this project. No changes to previously agreed upon rates have been made. If the Town wants to use another contract vehicle for this project, CEC reserves the right to review and comment on the contract terms and conditions prior to commencement of providing the services outlined herein.

PROJECT FEE	
Task	Fee
Potential Contractor Identification	\$1,350
Spatial Information Collection (GIS)	\$4,500
Bid Package	\$23,100
Permitting	N/A
Procurement Support	\$3,200
Base Construction Phase Services	\$1,500
BASE FEE TOTAL	\$33,650
On-Call Construction Phase Services (Not to Exceed)	\$10,000

6.0 SCHEDULE

CEC will initiate this project upon receipt of a purchase order or verbal/e-mail authorization to proceed. It is anticipated that the survey/data collection effort will commence within two weeks of approval, and includes 2 days in the field and two days to process the collected data.

Mr. Darryl Smith, P.E. – Town of Farragut
CEC Project 193-988.0002
May 7, 2020
Page 6

Preparation of the plans and other bid package components will commence immediately upon receipt of data and the preliminary draft provided to the Town for review approximately seven weeks later. CEC will finalize the bid package within four weeks of receipt of mutually agreeable comments and revisions from the Town.

7.0 CLOSING

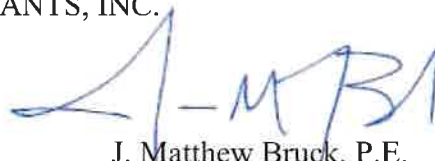
CEC appreciates the opportunity to present this proposal to the Town of Farragut. Please do not hesitate to contact either of us should you have any questions regarding the scope of services or cost estimate.

Sincerely,

CIVIL & ENVIRONMENTAL CONSULTANTS, INC.



John M. Greer, P.E.
Asst. Project Manager



J. Matthew Bruck, P.E.
Senior Project Manager

cc: Lori Saal, Town of Farragut
Brannon Tupper, P.E., Town of Farragut
Brian Souva, P.L.S., CEC

Attachments: Updated Town of Farragut Rate Sheet

Fee Schedule

January 1, 2020 through December 31, 2020

PROFESSIONAL SERVICES

Classification	Rate/Hour
Vice President.....	\$215
Principal	\$200
Senior Project Manager *	\$165
Project Manager III *	\$154
Project Manager II *	\$142
Project Manager I *	\$137
Assistant Project Manager	\$114
Project Consultant	\$104
Staff Consultant	\$89
Project Scientist	\$76
Sr. CADD /GIS Technician	\$105
Draftsperson / CADD Technician	\$62
1 Man Survey Crew.....	\$85
2 Man Survey Crew.....	\$145
Administrative Assistant	\$79

DIRECT EXPENSES

Company or Personal Automobile Mileage	Current IRS Rate
Computer / CADD Usage	\$15/hour
Other Travel Related Expenses	Cost plus 10%
Printing and Reproduction	Cost plus 10%
Telephone and Shipping.....	Cost plus 10%
Miscellaneous Service	Cost plus 10%
Survey Equipment (GPS, Robotic Total Station, Tablet, and Magnetic Manhole Lift)	\$20/hour
Survey Vehicle	\$50/day
LiDAR Scanner	\$25/hour

SUBCONTRACT SERVICES

Services @ Cost Plus 10%

*All Project Managers are licensed professionals in their respective field of practice.

AGENDA NUMBER VI. A

MEETING DATE MAY 14, 2020

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: David Smoak, Town Administrator 

SUBJECT: Ordinance 20-05, First Reading, to amend Title 5, Municipal Finance and Taxation, of the Farragut Municipal Code, Chapter 1, Hotel/Motel Tax

INTRODUCTION: The purpose of this agenda item is to approve Ordinance 20-05, which would amend the starting date of the ordinance from June 1, 2020 to September 1, 2020.

BACKGROUND: The Town of Farragut approved a hotel/motel tax at 3% of the room rate charged for transients that stay at local Farragut hotels in January 2020. At that time the Board of Mayor and Aldermen elected to delay implantation of the ordinance until June 1, 2020 to allow hotels time to prepare their books and get group bookings finalized.

DISCUSSION: Since the ordinance was enacted the entire world has been reeling from the health and economic impact of the COVID-19 virus. One sector of the economy that has been hit particularly hard has been the hospitality industry. Through budget discussions with the Board of Mayor and Aldermen it was proposed the Town of Farragut delay implementation of the hotel/motel tax for an additional three months. This would give hotels more time to weather this economic crisis and give visitors more time to feel comfortable traveling again once many states stay at home orders have been lifted.

FINANCIAL SECTION: The projected revenue from the hotel/motel tax was estimated to be \$25,000/month. In delaying the implementation of the tax until September 1, 2020, this would reduce our estimated revenue in the Tourism Fund for FY2021 from \$300,000 to \$225,000. Staff will make the necessary expenditure adjustments in the FY2021 budget that is presented to the Board of Mayor and Aldermen to balance the Tourism Fund budget.

RECOMMENDATION BY: Town Administrator David Smoak for approval.

PROPOSED MOTION: To approve Ordinance 20-05 on first reading, to amend Title 5, Municipal Finance and Taxation, of the Farragut Municipal Code, Chapter 1, Hotel/Motel Tax

BOARD ACTION:

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

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

ORDINANCE	20-05
PREPARED BY	Smoak
PUBLIC HEARING	_____
DATE	_____
1 ST READING	_____
2 ND READING	_____
PUBLISHED IN	<u>Shopper News Farragut</u>
DATE	_____

AN ORDINANCE OF THE TOWN OF FARRAGUT, TENNESSEE

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to change the effective date for Title 5, Municipal Finance and Taxation, Chapter 1, Hotel/Motel Tax, of the Farragut Municipal Code,

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

SECTION 1.

The Farragut Municipal Code, Title 5. Municipal Finance and Taxation, Chapter 1. Hotel/Motel Tax to amend the effective date of this Ordinance to September 1, 2020

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