



FARRAGUT BOARD OF MAYOR AND ALDERMEN
Farragut Town Hall
11408 Municipal Center Drive

AGENDA
June 10, 2021

BMA WORKSHOP
Committee Appointments
5:00 PM

BEER BOARD
5:50 PM

BMA MEETING
6:00 PM

- I. Roll Call**
- II. Approval of Agenda**
- III. Approval of Minutes**
 - A. May 27, 2021, Meeting Minutes
- IV. Mayor's Report**
- V. Ordinances**
 - A. Second Reading and Public Hearing
 - 1. Ordinance 21-08, an ordinance to amend the Farragut Municipal Code, Appendix A- Zoning, Chapter 4, Section I., Accessory structures and uses, Subsection B., 1., and Chapter 4., Section XXIII., Site plan regulations, Subsection C (6)(r), to address the screening requirements for below grade refuse collection and recycling systems (Binova, LLC, Applicant)

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.

2. Ordinance 21-13, Ordinance of The Town of Farragut, Tennessee Adopting the Annual Budget for the Fiscal Year Beginning July 1, 2021 and Ending June 30, 2022.

B. First Reading

1. Ordinance 21-09, an ordinance to amend the Farragut Municipal Code, Appendix A- Zoning, Chapter 3, Section IV., Open Space Mixed Residential (OSMR), to require a concept plan in association with a rezoning request to establish the distribution of attached vs. detached dwelling units (Town of Farragut, Applicant)

VI. Business Items

- A. Appeal of the Concept Plan Approval for the Grove at Boyd Station Subdivision
- B. Approval of Bids for Contract 2022-01, Annual On-Call Road Maintenance
- C. Approval of Bids for Contract 2022-02, Annual On-Call Pavement Marking
- D. Approval of Bids for Contract 2022-03, Annual On-Call Guardrail Maintenance
- E. Approval of Bids for Contract 2022-04, Annual On-Call Signal Maintenance
- F. Approval of Change Order No. 8, Contract 2020-12, McFee Park Phase 3
- G. Approval of Change Proposal No. 28, Contract 2020-12, McFee Park Phase 3
- H. Approval of FY2022 Committee Appointments

VII. Town Administrator's Report

VIII. Town Attorney's Report

IX. Citizens Forum

This meeting can be viewed live on the Farragut YouTube Channel and the Town of Farragut website www.townoffarragut.org/livestream.

The meeting will be held at the Farragut Town Hall, 11408 Municipal Center Drive

The Board of Mayor and Aldermen welcomes and invites Farragut residents 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 environment;
2. Any Farragut resident 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 for public comment may be amended 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 original viewpoint;
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

June 10, 2021

5:50 PM

I. Approval of Minutes

A. May 13, 2021

II. Beer Permit Request

A. Approval of Class 6, special occasion beer permit for the Farragut Business Alliance, MUSICFEST at West End, July 9-10, 2021

B. Approval of Class 6, special occasion beer permit for the Farragut Business Alliance, DOG DAZE 5, Friday August 13-15, 2021

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FARRAGUT BEER BOARD

May 13, 2021

MINUTES

Approval of Minutes

Motion was made to approve the minutes of February 11, 2021, as presented. Moved by Mayor Williams, seconded by Alderman Povlin, voting yes, Aldermen Burnette, Meyer, Pinchok, Povlin and Mayor Williams.

Beer Permit Request

Approval of Class 6, special occasion beer permit for Southern Tequila & Taco Festival, July 23, 2021

Motion was made to approve the special occasion beer permit for Southern Tequila & Taco Festival, July 23, 2021. Moved by Mayor Williams, seconded by Alderman Povlin, voting yes, Aldermen Burnette, Meyer, Pinchok, Povlin and Mayor Williams.

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 a special occasion beer permit for the Farragut Business Alliance MUSICFEST at West End, July 9-10, 2021

DISCUSSION:

The Farragut Business Alliance is planning MUSICFEST at West End event 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 Farragut Business Alliance is a nonprofit organization and is requesting the permit for July 9-10, 2021. If the event date changes, the approval of this special event permit is valid until December 31, 2021. The FBA is also requesting the \$100 application fee be waived as the Town is an event sponsor of the event.

RECOMMENDATION BY:

Allison Myers, Town Recorder, for approval.

PROPOSED MOTION:

Motion to waive the \$100 application fee and approve the special occasion beer permit for the Farragut Business Alliance MUSICFEST at West End event, July 9-10, 2021, and valid through December 31, 2021.

BOARD ACTION:

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

APPLICATION FOR BEER PERMIT

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:

1. Reason for application: New Business ____ New Ownership ____ Name Change ____ Other ☒
2. 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

3. Name of Applicant(s) (Owner(s) of Business) Stephen F. Kremasky, Exec. Dir.

4. Type of applicant (check one):

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

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

N/A

6. Applicant's present home address:

404 Justice Valley Street, Farragut, TN 37934

7. Date of Birth 10/04/55 Home Telephone Number 865-307-2486

Business Telephone Number 865-307-2486 Social Security Number ____

8. Representative Email Address: steve@farragutbusiness.com

9. Under what name will the business operate? Farragut Business Alliance

10. Business address P.O. Box 23583, Farragut, TN 37933

Business Telephone number 865-307-2486

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

N/A

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.

N/A

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:

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

Tommy Vann, Vannland LTD, 124 West End Ave, Farragut, TN 37934

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

Faith Promise

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

Farragut High School

18. Special Occasion Event Name: MUSICFEST at WEST END

Location of the special occasion event: West End Shopping Center - West parking lot

Event Date & Times: Friday July 9 6-10pm / Saturday July 10, 2021 2-9:30pm

Representative name & phone number: Stephen F. Krempasky 865-307-2486

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

19. Tennessee Sales Tax Number: _____

20. Town of Farragut Business License Number _____

REPORT TO THE BEER BOARD

PREPARED BY: Allison Myers, Town Recorder

SUBJECT: Approval of a special occasion beer permit for the Farragut Business Alliance Dog Daze 5

DISCUSSION:

The Farragut Business Alliance is planning a Dog Daze 5 event and is requesting a special occasion 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 Farragut Business Alliance is a nonprofit organization and is requesting the permit for August 13-15, 2021. If the event date changes, the approval of this special event permit is valid until December 31, 2021. The FBA is also requesting the \$100 application fee be waived as the Town is an event sponsor of the event.

RECOMMENDATION BY:

Allison Myers, Town Recorder, for approval.

PROPOSED MOTION:

Motion to waive the \$100 application fee and approve the special occasion beer permit for the Dog Daze 5 for August 13-15, 2021, and valid through December 31, 2021.

BOARD ACTION:

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

APPLICATION FOR BEER PERMIT

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:

1. Reason for application: New Business ____ New Ownership ____ Name Change ____ Other ☒
2. 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

3. Name of Applicant(s) (Owner(s) of Business) Stephen F. Krempasky, Exec. Director

4. Type of applicant (check one):

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

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

N/A

6. Applicant's present home address:

404 Justice Valley Street, Farragut, TN 37934

7. Date of Birth 10/04/55 Home Telephone Number 865-307-2486

Business Telephone Number 865-307-2486 Social Security Number _____

8. Representative Email Address: steve@farragutbusiness.com

9. Under what name will the business operate? Farragut Business Alliance

10. Business address P.O. Box 23583, Farragut, TN 37933

Business Telephone number 865-307-2486

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

N/A

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.

N/A

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:

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

Davis Overton, White Realty

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

Faith Promise

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

Farragut High School

18. Special Occasion Event Name: DOG DAZE 5

Location of the special occasion event: VILLAGE GREEN SHOPPING CTR. - parking lot

Event Date & Times: Fri. Aug 13 - Sat Aug 14 - Sun Aug 15, 2021

Representative name & phone number: Stephen F. Krempasky 865-307-2486

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

19. Tennessee Sales Tax Number: _____

20. Town of Farragut Business License Number _____

**Farragut Board of Mayor & Aldermen
Meeting Minutes**

May 27, 2021

Roll Call

Roll Call for attendance: Alderman Burnette, yes; Alderman Meyer, absent; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, yes; in addition to staff and members of the press.

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, Pinchok and Povlin; no nays; Alderman Meyer was absent; motion passed.

Approval of Minutes

Motion was made to approve the minutes of May 13, 2021, as presented. Moved by Alderman Povlin, seconded by Alderman Burnette; voting yes, Mayor Williams, Aldermen Burnette, Pinchok and Povlin; no nays; Alderman Meyer was absent; motion passed.

Ordinances

Second Reading and Public Hearing

Ordinance 21-10, Ordinance of the Town of Farragut, Tennessee Amending Farragut Municipal Code Chapter 12, Sec. 12-11, (a), (1), and (2), Court Cost

Motion was made to approve Ordinance 21-10 on second and final reading. Moved by Alderman Povlin, seconded by Alderman Pinchok; roll call vote, Alderman Burnette, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, yes; no nays; Alderman Meyer was absent; motion passed.

Ordinance 21-11, Ordinance of The Town of Farragut, Tennessee Amending Farragut Municipal Code Chapter 2, Article 2, Board of Mayor and Aldermen Sec. 2-20, Time and Place of Regular Meetings

Motion was made to approve Ordinance 21-11 on second and final reading. Moved by Alderman Povlin, seconded by Alderman Pinchok; roll call vote, Alderman Burnette, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, yes; no nays; Alderman Meyer was absent; motion passed.

Ordinance 21-12, Ordinance to Amend the Capital Investment Program and the Insurance Fund for the Fiscal Year 2020-2021 budget, passed by Ordinance 20-07

Motion was made to approve Ordinance 21-12 on second and final reading. Moved by Alderman Povlin, seconded by Alderman Pinchok; roll call vote, Alderman Burnette, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, yes; no nays; Alderman Meyer was absent; motion passed.

First Reading

Ordinance 21-08, an ordinance to amend the Farragut Municipal Code, Appendix A- Zoning, Chapter 4, Section I., Accessory structures and uses, Subsection B., 1., and Chapter 4., Section XXIII., Site plan regulations, Subsection C (6)(r), to address the screening requirements for below grade refuse collection and recycling systems (Binova, LLC, Applicant)

Motion was made to approve Ordinance 21-08 on first reading. Moved by Alderman Povlin, seconded by Alderman Pinchok; roll call vote, Alderman Burnette, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, yes; no nays; Alderman Meyer was absent; motion passed.

Ordinance 21-13, Ordinance of The Town of Farragut, Tennessee Adopting the Annual Budget for the Fiscal Year Beginning July 1, 2021 and Ending June 30, 2022.

Motion was made to approve Ordinance 21-13 on first reading. Moved by Alderman Povlin, seconded by Alderman Pinchok; roll call vote, Alderman Burnette, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, yes; no nays; Alderman Meyer was absent; motion passed.

Business Items

Approval Resolution R-2021-05, FY2022 Fee Schedule

Motion was made to approve Resolution R-2021-05. Moved by Alderman Povlin, seconded by Alderman; voting yes, Mayor Williams, Aldermen Burnette, Pinchok and Povlin; no nays; Alderman Meyer was absent; motion passed.

Motion was made to reconsider Resolution R-2021-05. Moved by Alderman Povlin, seconded by Mayor Williams; voting yes, Mayor Williams, Aldermen Burnette, Pinchok and Povlin; no nays; Alderman Meyer was absent; motion passed.

An amended motion was made to add the rental of tables and chairs to the McFee Great Pavilion in the amount of \$125. Moved by Alderman Povlin, seconded by Mayor Williams; voting yes, Mayor Williams, Aldermen Burnette, Pinchok and Povlin; no nays; Alderman Meyer was absent; motion passed.

Approval of Time & Location for Board of Mayor & Aldermen Meetings

Motion was made to begin the Board of Mayor and Aldermen meetings at 6:00 PM at the Farragut Town Hall. Moved by Alderman Povlin, seconded by Alderman Pinchok; voting yes, Mayor Williams, Aldermen Burnette, Pinchok and Povlin; no nays; Alderman Meyer was absent; motion passed.

Meeting adjourned at 8:14 PM.

Ron Williams, Mayor

Allison Myers, Town Recorder

REPORT TO THE BOARD OF MAYOR AND ALDERMEN**PREPARED BY:** Mark Shipley, Community Development Director**SUBJECT:** Ordinance 21-08, an ordinance on second reading to amend the Farragut Municipal Code, Appendix A- Zoning, Chapter 4, Section I., Accessory structures and uses, Subsection B., 1., and Chapter 4., Section XXIII., Site plan regulations, Subsection C (6)(r), to address the screening requirements for below grade refuse collection and recycling systems (Binova, LLC, Applicant)

INTRODUCTION AND BACKGROUND: This item was discussed at two Planning Commission meetings. The applicant has requested to amend the screening requirements for dumpsters and recyclable containers where a partially below grade system is being used. Some images of such containers and what would be provided for in Ordinance 21-08 are included in the packet.

Though the applicant's initial request was to allow landscaping to be used as an option to fulfill the screening requirement for such partially below grade systems, staff and planning commissioners were concerned about the maintenance issues that could occur where only landscaping was being used for the screening. Staff noted that since these partially below grade systems were shorter than traditional dumpster containers, a lesser amount of screening would be needed which would result in a cost savings. One commissioner also raised a concern about maintenance related issues they have experienced with gates or doors that are part of a traditional dumpster screening enclosure and that this may be something that could be omitted for partially below grade systems.

DISCUSSION: Based on feedback provided by commissioners, staff prepared Ordinance 21-08. In looking at the provisions in the Zoning Ordinance that address screening requirements for dumpsters, staff recommended to amend Chapter 4, Section I., B., a., to provide for the new screening requirements that would apply to partially below grade containers. This is the section of the Zoning Ordinance that governs garbage dumpsters, compactors, and recycling containers. Consequently, staff also proposed in Ordinance 21-08 to amend the site plan requirements, Chapter 4., Section XXIII., C., (6)(r) to remove the reference to screening requirements since these are addressed in Section I.

RECOMMENDATION: At their meeting on April 15, 2021, the Planning Commission unanimously recommended approval of Ordinance 21-08. At their meeting on May 27, 2021, the Board of Mayor and Aldermen unanimously approved Ordinance 21-08 on first reading. Community Development Director, Mark Shipley, recommends approval of Ordinance 21-08 on second reading.

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

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

RESOLUTION PC-21-06

FARRAGUT MUNICIPAL PLANNING COMMISSION

A RESOLUTION TO AMEND THE TEXT OF THE FARRAGUT ZONING ORDINANCE, ORDINANCE 86-16, AS AMENDED, PURSUANT TO AUTHORITY GRANTED BY SECTION 13-4-201, TENNESSEE CODE ANNOTATED, BY AMENDING THE FARRAGUT MUNICIPAL CODE, APPENDIX A., ZONING, CHAPTER 4., SECTION I., ACCESSORY STRUCTURES AND USES, AND SECTION XXIII., SITE PLAN REGULATIONS

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

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

WHEREAS, a public hearing was held on this request on April 15, 2021;

NOW, THEREFORE, BE IT RESOLVED that the Farragut Municipal Planning Commission hereby recommends approval to the Farragut Board of Mayor and Aldermen of an ordinance, amending Ordinance 86-16, of the Farragut Zoning Ordinance, by adding Ordinance 21-08.

ADOPTED this 15th day of April 2021.

Rita Holladay, Chairman

Scott Russ, Secretary

ORDINANCE:	21-08
PREPARED BY:	Shipley/Hose
REQUESTED BY:	Town of Farragut
CERTIFIED BY FMPC:	April 15, 2021
PUBLIC HEARING:	_____
PUBLISHED IN:	_____
DATE:	_____
1ST READING:	_____
2ND READING:	_____
PUBLISHED IN:	_____
DATE:	_____

AN ORDINANCE TO AMEND THE TEXT OF THE FARRAGUT ZONING ORDINANCE, ORDINANCE 86-16, AS AMENDED, PURSUANT TO AUTHORITY GRANTED BY SECTION 13-4-201, TENNESSEE CODE ANNOTATED, BY AMENDING THE FARRAGUT MUNICIPAL CODE, APPENDIX A., ZONING, CHAPTER 4., SECTION I., ACCESSORY STRUCTURES AND USES, AND SECTION XXIII., SITE PLAN REGULATIONS

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Chapter 4., Section I., Accessory Structures and Uses, and Section XXIII., Site Plan Regulations, of the Farragut Zoning Ordinance, Ordinance 86-16.

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

SECTION 1.

Zoning, Chapter 4., Section I., “Accessory structures and uses”, Subsection B., “*Requirements on specified accessory structures for non-single-family and non-two-family residential uses*”, is amended by replacing Part 1., “*Garbage dumpsters, compactors, and recycling containers.*” in its entirety as follows:

1. *Garbage dumpsters, compactors, and recycling containers.*
 - a. Garbage dumpsters and recycling containers shall be screened with opaque walls and gates. Such gates and walls shall be architecturally compatible with the principal building located on the same lot;
 - b. When used as an alternative to traditional garbage dumpsters and recycling containers, below grade (subsurface/in-ground) refuse collection and recycling systems shall be screened to conceal the above ground portion on at least three sides. Such screening shall be achieved with opaque walls that are architecturally compatible with the principal building located on the same lot. Screening shall not be required on the front access provided it is internally facing to the development/lot; and

- c. Garbage dumpsters and recycling containers shall be set back a minimum of 40 feet from the nearest point of any right-of-way and a minimum of ten feet from all side and rear property lines.

SECTION 2.

Zoning, Chapter 4., Section XXIII., "Site plan regulations", Subsection C., "*Site plan requirements*", is amended by replacing Part 6., "All site plans shall set forth the proposed development of the total land tract and shall show the following information:", Subpart r., in its entirety as follows:

- r. Garbage dumpsters and recyclable containers including location, screening, and access.

SECTION 3.

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

Ron Williams, Mayor

Allison Myers, Town Recorder

Certified to the Farragut Board of Mayor and Aldermen this ____ day of _____, 2021, with approval recommended.

Rita Holladay, Chairman

Scott Russ, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION

Sec. I. - Accessory structures and uses.

It is the intent of this section to establish the development requirements specific to accessory structures and uses.

- A. *General provisions.* No accessory structure, excluding fences, detention basin structures, and retaining walls, shall be placed within any utility, drainage, or construction easement.
- B. *Requirements on specified accessory structures for non-single-family and non-two-family residential uses.*
 - 1. *Garbage dumpsters, compactors, and recycling containers.*
 - a. Garbage dumpsters and recycling containers shall be screened with opaque walls and gates. Such gates and walls shall be architecturally compatible with the principal building located on the same lot;
 - b. When used as an alternative to traditional garbage dumpsters and recycling containers, below grade (subsurface/in-ground) refuse collection and recycling systems shall be screened to conceal the above ground portion on at least three sides. Such screening shall be achieved with opaque walls that are architecturally compatible with the principal building located on the same lot. Screening shall not be required on the front access provided it is internally facing to the development/lot; and
 - b.c. Garbage dumpsters and recycling containers shall be set back a minimum of 40 feet from the nearest point of any right-of-way and a minimum of ten feet from all side and rear property lines.
 - 2. *Heating, ventilation, air conditioning, and mechanical units.* Such units shall be screened with opaque materials and shall not be visible from adjacent properties or rights-of-way. Such screening shall be architecturally compatible with the building the units are serving.
 - 3. *Retaining walls.*
 - a. Retaining walls shall be designed and constructed per the adopted building code. Plans must be submitted to and approved by the Town Engineer;
 - b. Retaining walls shall not be constructed within any required buffer strip; and
 - c. Retaining walls shall be set back a minimum of ten feet from the nearest point of any right-of-way and all side and rear property lines.
- C. *Requirements for retaining walls for single-family and two-family residential uses.*
 - 1. Retaining walls shall be designed and constructed per the adopted building code. Plans must be submitted to and approved by the Town Engineer;
 - 2. Retaining walls shall not be constructed within any required buffer strip; and
 - 3. Retaining walls shall be set back a minimum of ten feet from the nearest point of any right-of-way and a minimum of five feet from all side and rear property lines. A retaining wall, including the footer, may be constructed at the side or rear property line if a signed agreement from the adjoining property owner is submitted to the town stating the retaining wall may be constructed at their property line. If a retaining wall is removed or damaged as a result of work conducted within the utility, drainage, or construction easement, the property owner shall be responsible for repairs to the retaining wall. When a retaining wall is constructed at a property line, if appropriate a swale shall be constructed behind the retaining wall to ensure stormwater runoff is properly directed.
- D. *Requirements for retaining walls for attached single-family developments.*
 - 1. Retaining walls shall be designed and constructed per the adopted building code. Plans must be submitted to and approved by the Town Engineer;

2. Retaining walls shall not be constructed within any required buffer strip;
3. Retaining walls shall be constructed per the original design of the development and approved as part of the preliminary plat. The retaining walls shall be owned and maintained by the homeowners association. Retaining walls may be placed within utility, drainage, or construction easements, but it shall be the responsibility of the homeowners association to reconstruct such walls if they are damaged or removed as a result of work within the easement(s). No portion of a retaining wall, including footer, may be placed within the right-of-way. When a retaining wall is constructed at a property line, if appropriate, a swale shall be constructed behind the retaining wall to ensure stormwater runoff is properly directed; and
4. If an individual property owner within an attached single-family development chooses to construct a retaining wall after the development is complete and the dwelling unit is constructed, the retaining wall shall comply with all requirements of subsection C. of this section.

(Ord. No. 86-16, 4-1986; Ord. of 2-2006; Ord. No. 12-21, §§ 1—4, 1-24-2013)

Sec. XXIII. - Site plan regulations.

It is the intent of this section to foster the town's attractiveness as a place in which to live and work by facilitating orderly and cost effective development.

- A. *Applicability.* To ensure compliance with all Town regulations, site plans shall be required for all new developments, modifications to existing developments, and/or redevelopments of all non single-family and two-family residential uses. Such plans shall be approved by the Planning Commission prior to any land disturbance or the issuance of a grading or building permit.

In order to prevent unnecessary and costly revisions, the applicant shall consult early and informally with the planning commission staff for advice and assistance. This will enable the applicant to become thoroughly familiar with all applicable regulations and other official plans or public improvements which might affect the area.

Pursuant to authority granted by Tennessee Code Annotated, § 13-4-104 [T.C.A. § 13-4-104], site plans for any public use, including, but not limited to, schools, parks, streets, public buildings, and utilities shall be prepared in accordance with the provisions of this ordinance.

- B. *Site Plan Approval.* The development standards in existence at the time of and applicable to the specific site plan approved shall be vested in accordance with Title 14, Chapter 7, of the Farragut Municipal Code, as amended.

- C. *Site plan requirements.*

1. All site plans shall be prepared and certified by a licensed engineer, landscape architect, architect, and/or surveyor, as may be appropriate, and in accordance with state law regarding the practice of these professions.
2. The site plan preparer shall certify that the submitted site plan includes and addresses all items identified in the application checklist.
3. Upon completion of improvements of the approved site plan, the applicant shall submit finalized, stamped approved site plans and all associated revisions as a pdf and approved as-builts as a pdf prior to the issuance of any Certificate of Occupancy.
4. All site plans shall be drawn at a scale of not less than 1" = 20' for small tracts and 1" = 50' for large tracts on sheets 24 inches by 36 inches. A minimum of four complete sets of site plans must be submitted at time of application. One reduced copy of any 8½ inches by 11 inches sheet shall also be submitted.
5. All site plans shall comply with the town adopted fire codes and shall show adequate accessibility of buildings for emergency apparatus.
6. All site plans shall set forth the proposed development of the total land tract and shall show the following information:
 - a. Dimensions and calls of all property lines.
 - b. North point, verbal and graphic scale, acreage of site, and location map.
 - c. A tree preservation/removal plan as provided for in the Farragut Municipal Code.
 - d. Required buffer strips.
 - e. Contour lines showing existing and proposed grades.
 - f. Stabilization details for all slopes greater than 3:1 (run/rise). Per the Town Engineer, certification from a geo-technical engineer may be required.
 - g. A stormwater management plan (which can be incorporated into the grading and drainage plan), including drainage calculations and applicable details, as provided for in the Farragut Municipal Code.
 - h. An erosion and sediment control plan as provided for in the Farragut Municipal Code.

- i. Calculations verifying maximum lot coverage.
- j. Calculations verifying landscaping requirements between buildings and parking lots.
- k. Locations of all existing and proposed buildings, including all building entrances.
- l. Elevations/schematics of proposed buildings. The building materials, colors, architectural style, and building height shall be indicated. The location on the building where the address will be posted shall also be indicated.
- m. Parking lots, including islands, interior parkways, parking lot design, interior traffic circulation, and associated dimensions.
- n. Loading areas for truck delivery.
- o. Driveway(s) to adjacent rights-of-way and/or joint access easements.
- p. Distances from the proposed driveway to existing driveways and intersections on the same street and which are located within the immediate vicinity of the proposed new driveway.
- q. Pedestrian access ways and pedestrian circulation patterns, showing the connections between building entrances, parking areas, sidewalks, walking trails, adjacent rights-of-way, etc.
- r. Garbage dumpsters and recyclable containers including location, screening, and access. ~~All dumpsters and recyclable containers shall be screened with a permanent structure that is architecturally compatible with the principal structure.~~
- s. HVAC systems including screening.
- t. Location of all existing and proposed on-site utilities, including, but not limited to, poles, pad mounted transformers, and buried lines.
- u. Fire hydrant locations and water line sizes.
- v. A lighting plan.
- w. Antennas, including location, size, height, type, and screening.

(Ord. No. 08-02, § 1, 3-28-2008; Ord. No. 12-14, §§ 1, 2, 9-27-2012; Ord. No. 15-18, § 1, 11-12-2015)









We Innovate Waste.

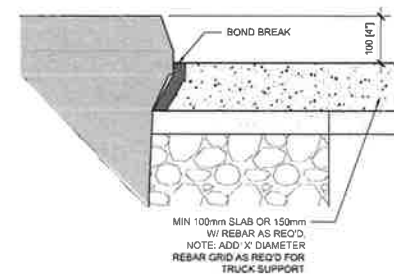
EnviroBIN Objections/FAQs

- **DOES IT TAKE A SPECIALIZED TRUCK FOR COLLECTION?**
 - No, the standard front-end load (FEL) garbage truck will empty the bin.
- **ARE SPECIAL ATTACHMENTS NEEDED ON THE TRUCK FOR COLLECTION?**
 - No, a standard front load truck is used. Haulers/Municipalities prefer not to have specialized trucks as they are a large capital investment.
- **LID COLORS/OPTIONS**
 - Yes, multiple color options as well as an option cardboard only feed door. Also, there is different signage options – Garbage Only, Recycling Only, Cardboard Only.
- **CAN I HOLD THE LID OPEN AND THROW THE TRASH IN (like a home tote)?**
 - There is an optional lid prop accessory that will hold it open if needed. With the low height, bin loading is very easy.
- **DOES IT DRAIN?**
 - No. The ground sleeve acts as a secondary containment and extra layer of protection against leaching into the soil.
 - Since there is no water entering the container – no drain is necessary.
 - Also eliminates the need for drains in the dumpster pad.
- **CAN WATER ENTER THE EnviroBIN?**
 - No, the bin is watertight and is fitted with a secure lid that prohibits from being left open and susceptible to the elements.
- **ARE THESE BINS PLASTIC?**
 - Yes, made of a durable, thick-wall high impact polyethylene. The lifting pockets are powder coated steel for added strength and security.
- **CAN THE BIN BE INSTALLED IN A HIGH-WATER TABLE AREA?**
 - Yes, the patented anchor system allows for this. Minor changes to the installation process allow for this type of installation.
- **CAN WATER GET INTO THE GROUND SLEEVE? WHAT HAPPENS IF IT DOES?**
 - There is a lip on the ground sleeve that is about 4.5 inches off the ground, above the curb that helps block water from entering.
 - The container sits on the top rim of the ground sleeve and the weight of the bin seals that joint.
 - If any water were to enter while being emptied, there is a 2-inch gap between the ground sleeve and the bottom of the bin which allows for evaporation and allows for usage without disruption.
 - If during an extreme flooding event, water was to enter the ground sleeve it can easily be pumped out.
- **HIGH FLOOD PLAIN AREA?**
 - The bin can be built up and steps built up to it for usage without disruption.

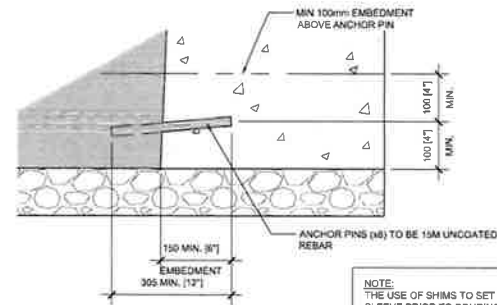


We Innovate Waste.

- **I STILL WANT TO SCREEN THE BIN. WHAT IS THE BEST METHOD?**
 - We suggest using landscape screening. This gives a more natural appearance to the surroundings and is more sustainable.
 - Landscape screening has a much lower maintenance cost as opposed to an opaque structure and gates that are easily damaged.
- **WHAT IF WASTE HAULER ACCIDENTALLY STABS THE ENVIROBIN WITH THE FORK?**
 - If damage occurs the panels on the bin can easily be replaced.
 - There is a steel band around the container in the area where this is most likely to happen which prevents damage.
- **HOW DOES THE ENVIROBIN SIT BACK DOWN CORRECTLY EACH TIME ITS DUMPED?**
 - The in-ground portion is tapered which assists the driver in positioning the bin.
 - There are 6 tabs on the bin that help it settle down into the correct position each time.
- **DURABILITY.**
 - For peace of mind, there is a 5-year manufacturer warranty.
 - Manufacturing Version 3 of the bin has been in the field for several years with no damages reported to date.
 - We are constantly tweaking the design and doing everything we can to improve it.
- **WHAT HAPPENS IF A VEHICLE RUNS INTO THE BIN?**
 - If it is an extreme hard hit then the bin may have to be replaced but this is generally less expensive and much faster than replacing an enclosure with gates, especially if it is a masonry enclosure that matches the architecture of the main building. The lid, upper/lower parts of the main bin as well as the decorative side panels can all be replaced independently.
- **WILL MUNICIPALITIES ALLOW THIS TYPE OF BIN WITHOUT AN ENCLOSURE OR SCREENING?**
 - Many do make allowance and are amending their codes for this newer technology but with 39,000 municipalities in the US, there are many that we do not know if their bylaws and screening codes are conducive. Please contact Binova if/when you have a specific project, and we will do the research for you. When restricted we have found municipalities generally to be very open to this concept.
- **DO WE STILL NEED A CONCRETE APRON FOR THE TRUCK?**
 - The truck still weighs the same, so the approach pavement still needs to be able for a heavy traffic load.



 SLEEVE DETAIL A 15



3 SLEEVE DETAIL B
A2 15

NOTE:
THE USE OF SHIMS TO SET
SLEEVE PRIOR TO POURING
CONCRETE IS ALLOWED.



1. ISSUED FOR CLIENT REVIEW ON 2016/10/06
2. ISSUED FOR FINAL REVIEW ON 2017/03/05
3. ISSUED FOR PUBLIC RELEASE ON 2017/03/10

The following questions by Michael Hogue are based on the summary of the case and the case itself. The questions are for personal use only and are not to be distributed or used for any other purpose. The questions are for personal use only and are not to be distributed or used for any other purpose.

98.41	98.42
98.43	98.44
98.45	98.46

INSTALLATION DRAWINGS

REVISION#8	A2
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A	B	C	D
0°	2640 [104°]	1170 [46°]	5485 [216°]
15°	2745 [108°]	1270 [50°]	5790 [228°]
30°	3050 [120°]	1575 [62°]	6170 [243°]
45°	3860 [152°]	2390 [94°]	6425 [253°]



REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: David Smoak, Town Administrator



SUBJECT: Ordinance 21-13, on second reading and Public Hearing, to adopt the annual General Fund, State Street Aid Fund, Capital Investment Fund, Equipment Replacement Fund, Tourism Fund and Insurance Fund budgets of the Town of Farragut, Tennessee for the fiscal year beginning July 1, 2021 and ending June 30, 2022

INTRODUCTION: The purpose of this agenda item is to approve Ordinance 21-13, on second reading, adopting the annual budget for the fiscal year beginning July 1, 2021 and ending June 30, 2022.

BACKGROUND: The annual budget for the Town of Farragut must be approved prior to July 1, which is the start of the fiscal year for our community. The budget is also required to be balanced and remitted to the State of Tennessee Comptroller for review once it has been approved by the Board of Mayor and Aldermen (BMA). Planning for the upcoming FY2022 budget started in January 2021, with departments turning in their budget requests. The BMA had a strategic planning session in February and the Town had a series of workshops starting in March to review revenue and expenditures projections, set priorities for capital expenditures and review operational needs in each department. In the current FY2021 budget, the Town has been able to weather the Covid-19 pandemic better than anticipated and our economy has not suffered as much as other states as the State of Tennessee has not placed overwhelming restrictions on local business. This is reflected through positive sales tax growth and continued residential and commercial development in FY2021 that should continue throughout FY2022.

DISCUSSION: The proposed year end FY2021 General Fund revenues are estimated at \$13,012,228, with expenditures of \$7,134,308. This year end estimate accounts for a 16.4% increase in sales tax revenue from the FY21 budget, as well as additional revenue increases in the Hall income tax, wholesale liquor taxes and building permits and fees. The proposed FY2022 General Fund revenues are \$12,258,400, which is a reduction of 5.8% from estimated FY2021. Sales tax revenue is estimated to increase 2% from FY21 at \$7,038,000. This revenue source accounts for 57.4% of the Town's total revenue. A second major revenue source is the Hall Income Tax, which is estimated at \$400,000. This is a very unpredictable revenue source as it relies on investment returns from prior fiscal years and is set to decrease by 17%. The FY2022 budget will be the final year of this revenue as the Hall Tax has been eliminated by the Tennessee General Assembly. A final revenue source that is being estimated conservatively is interest income. As interest rates have been reduced to zero by the federal reserve, interest income is projected to be \$53,400 at fiscal year-end.

General Fund Expenditures for FY2022 are proposed at \$8,150,132, which is a 14.2% increase over the FY2021 end of year estimate. This amount did increase \$1,000 from first reading of Ordinance 2021-13 to include additional monies for school support at the request of the Farragut education committee. At the end of the FY2020 budget, departments were required to reduce their operating expenditures by \$300,000 and then hold those reductions throughout FY2021 in anticipation of reduced revenues due to the pandemic. For FY2022, those operating resources have been restored and additional investments in personnel have been implemented. The Town of Farragut performed a classification and compensation study for all existing positions that identified a number of positions and pay grades that were below market value and those adjustments have been included in the budget, as well as three new full-time positions in the Public Works and Parks and Recreation departments and a 3% merit package for employees. Additional personnel

investments will total \$488,101. The Town of Farragut health insurance plan will also be moving next year to the State of Tennessee plan. This change will allow the Town's current costs to remain neutral, although the plan year for the state plan starts in January and an adjustment may be made to our rates at that time.

The overall General Fund budget projects \$4.1 million in revenues over expenditures for FY22. We will also be funding our rainy-day fund at a total of \$2.445 million and project an available fund balance at the end of the FY22 budget year to be \$19.2 million.

STATE STREET AID FUND

The State Street Aid Fund has projected revenues of \$814,000 and estimated expenditures of \$1,030,000. There is a proposed transfer from the General Fund to the State Street Aid Fund of \$225,000. This fund is primarily used to resurface streets in the Town of Farragut. At the end of the FY22 budget year there will be an estimated \$2,064,232 in fund balance.

TOURISM FUND

The Tourism Fund is a special revenue fund where the primary source of funding comes from the 3% occupancy tax on hotel night stays by visitors to the local Farragut hotels. This revenue did not begin until September 2020, as the Board of Mayor and Aldermen delayed implementation due to the Covid-19 pandemic. Estimated revenues for FY21 are \$170,050. Proposed revenues for FY22 are \$253,100 and expenditures are \$253,100.

EQUIPMENT REPLACEMENT FUND

The Equipment Replacement Fund will have projected expenditures of \$183,500 in FY22 and a transfer from the general fund of \$200,000. There will be an estimated fund balance in the Equipment Replacement fund of \$1,014,809.

ADA CAPITAL PROJECTS FUND

The ADA Capital Projects Fund does not have any major projects planned for FY2022. Since developing the Town's ADA Transition Plan in 2018, the Town has made improvements to Anchor Park, the restroom facilities at Town Hall and dozens of curb ramps as street resurfacing projects are completed. There are more proposed curb ramps to be replaced in FY2022 to be brought into compliance with ADA standards and those funds will be paid out of the State Street Aid Fund. There is a proposed \$50,000 transfer from the General Fund to the ADA Fund in FY2022, with a projected fund balance of \$103,200.

CAPITAL INVESTMENT PROGRAM FUND

The Capital Investment Program (CIP) Fund budget has a total of \$7,213,000 in new projects planned to get underway in FY22. These projects include sidewalk and greenway extensions, additional bike/hiking trails with parking at McFee Park, two additional tennis courts at McFee Park, stormwater improvements and construction funding for Union Road improvements. Revenues for the CIP largely come from Town resources in the form of a \$6,000,000 transfer from the General Fund and \$3,440,151 from federal and/or state matching grants. Overall, the FY2022 projected fund balance is \$10,697,017.

INSURANCE FUND

The Insurance Fund has no estimated expenditures in FY22 and maintains a fund balance of \$100,490. This fund has been used to pay for retirement benefits for a closed retiree pension plan.

The past year has been a challenge for the entire world and with vaccinations well underway more people have started to get back to their normal travel and spending habits, which will continue to help the economy in the Farragut area. The FY2022 budget will allow the Town of Farragut to continue providing exceptional

service to our community while living well within our projected revenues and maintaining a healthy fund balance.

Attached are the summary pages of each fund and Ordinance 21-13 for the Board’s consideration.

RECOMMENDATION BY: Town Administrator David Smoak for approval.

PROPOSED MOTION: To approve Ordinance 21-13, on second reading, to adopt the annual budget for the Town of Farragut, Tennessee for the fiscal year beginning July 1, 2021 and ending June 30, 2022.

BOARD ACTION:

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

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

ORDINANCE	21-13
PREPARED BY	Myers
1 ST READING	May 27, 2021
2 nd READING	June 10, 2021
PUBLISHED IN	Farragut Shopper News
DATE	

**AN ORDINANCE OF THE TOWN OF FARRAGUT, TENNESSEE
ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2021
AND ENDING JUNE 30, 2022.**

WHEREAS, Tennessee Code Annotated § 9-1-116 requires that all funds of the State of Tennessee and all its political subdivisions shall first be appropriated before being expended and that only funds that are available shall be appropriated; and

WHEREAS, the Municipal Budget Law of 1982 requires that the governing body of each municipality adopt and operate under an annual budget ordinance presenting a financial plan with at least the information required by that state statute, that no municipality may expend any moneys regardless of the source except in accordance with a budget ordinance and that the governing body shall not make any appropriation in excess of estimated available funds; and

WHEREAS, the Board of Mayor and Aldermen has published the annual operating budget and budgetary comparisons of the proposed budget with the prior year (actual) and the current year (estimated) in a newspaper of general circulation not less than ten (10) days prior to the meeting where the Board will consider final passage of the budget.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF FARRAGUT, TENNESSEE AS FOLLOWS:

SECTION 1: That the governing body projects anticipated revenues from all sources and appropriates planned expenditures for each department, board, office or other agency of the municipality, herein presented together with the actual annual receipts and expenditures of the last preceding fiscal year and the estimated annual expenditures for the current fiscal year, and from those revenues and unexpended and unencumbered funds as follows for fiscal year 2022, and including the projected ending balances for the budget year, the actual ending balances for the most recent ended fiscal year and the estimated ending balances for the current fiscal years:

GENERAL FUND	Actual FY 2020	Estimated Actual FY 2021	Budget FY 2022
Revenues			
Local Taxes	\$ 6,671,104	\$ 6,900,000	\$ 7,038,000
State Sales Tax	\$ 2,069,793	\$ 2,075,000	\$ 2,000,000
Hall Income Tax	\$ 990,877	\$ 1,202,571	\$ 400,000
Wholesale Beer, Liquor & Mixed Drink	\$ 1,295,972	\$ 1,235,000	\$ 1,200,000
Intergovernmental	\$ 726,661	\$ 684,592	\$ 697,600
Licenses And Permits	675,798	518,815	500,000
Recreation Fees	167,223	149,750	205,500
Fines And Forfeitures	95,181	97,000	70,200
Rent	94,185	93,300	93,700
Other	329,227	56,200	53,400
	-	-	-
Other Financing Sources	\$ 13,116,021	\$ 13,012,228	\$ 12,258,400
Appropriations			
Expenditures			
Legislative	28,885	21,300	42,400
Town Court	48,962	53,618	54,565
Administration	705,790	679,188	786,529
Human Resources	192,712	177,753	213,431
Information Technology	444,902	371,722	413,127
Engineering	634,412	772,551	823,974
Community Development	955,194	931,172	1,031,830
General Government	180,520	172,900	181,310
Parks & Recreation	1,013,040	1,101,832	1,200,216
Public Works	1,802,551	2,024,346	2,344,604
Non-Departmental	446,093	446,000	514,000
Community Center	116,771	293,626	449,146
Economic Development	108,050	88,300	95,000
Debt Service - Principal and Interest	-	-	-
Other Financing Uses			
Transfers Out - to other funds	7,575,000	307,500	6,475,000
Total Appropriations	\$ 14,252,882	\$ 7,441,808	\$ 14,625,132
Change in Fund Balance (Revenues - Appropriations)	(1,136,861)	5,570,420	(2,366,732)
Beginning Fund Balance July 1	19,576,728	18,439,867	24,010,287
Ending Fund Balance June 30	\$ 18,439,867	\$ 24,010,287	\$ 21,643,555
Ending Fund Balance as a % of Total Appropriations	129.4%	322.6%	148.0%

STATE STREET AID FUND	Actual FY 2020	Estimated Actual FY 2021	Budget FY 2022
Revenues			
State Gas and Motor Fuel Taxes	\$ 810,606	\$ 810,000	\$ 810,000
Interest Earnings	26,974	4,000	4,000
Other Financing Sources			
Issuance of Debt / Debt Proceeds	-	-	-
Transfers In - from other funds	-	-	225,000
Other Financing Sources	\$ 837,580	\$ 814,000	\$ 1,039,000
Appropriations			
Public Works Department	\$ 585,245	\$ 911,000	\$ 1,030,000
Debt Service - Principal and Interest	-	-	-
Total Appropriations	\$ 585,245	\$ 911,000	\$ 1,030,000
Change in Fund Balance (Revenues - Appropriations)	252,335	(97,000)	9,000
Beginning Fund Balance July 1	1,899,897	2,152,232	2,055,232
Ending Fund Balance June 30	\$ 2,152,232	\$ 2,055,232	\$ 2,064,232
Ending Fund Balance as a % of Total Appropriations	367.7%	225.6%	200.4%

Tourism Fund	Actual FY 2020	Estimated Actual FY 2021	Budget FY 2022
Revenues			
Room Occupancy Tax		\$ 170,000	\$ 253,000
Interest Earnings		50	100
Other Financing Sources			
Transfers In - from other funds			
Total Revenues and Other Financing Sources	\$ -	\$ 170,050	\$ 253,100
Appropriations			
Personnel	\$ -	\$ 73,341	\$ 90,341
Expenditures	-	88,750	162,759
Total Appropriations	\$ -	\$ 162,091	\$ 253,100
Change in Fund Balance (Revenues - Appropriations)	-	7,959	-
Beginning Fund Balance July 1	-	-	7,959
Ending Fund Balance June 30	\$ -	\$ 7,959	\$ 7,959
Ending Fund Balance as a % of Total Appropriations		4.9%	3.1%

Equipment Fund	Actual FY 2020	Estimated Actual FY 2021	Budget FY 2022
Revenues			
Sale of Equipment Proceeds	\$ 31,544	\$ 40,000	\$ -
Interest Earnings	14,682	7,500	7,500
Other Financing Sources			
Transfers In - from other funds	175,000	157,500	200,000
Total Revenues and Other Financing Sources	\$ 221,226	\$ 205,000	\$ 207,500
Appropriations			
Major Equipment	\$ 135,278	\$ 208,240	\$ 183,500
	-	-	-
Total Appropriations	\$ 135,278	\$ 208,240	\$ 183,500
Change in Fund Balance (Revenues - Appropriations)	85,948	(3,240)	24,000
Beginning Fund Balance July 1	908,101	994,049	990,809
Ending Fund Balance June 30	\$ 994,049	\$ 990,809	\$ 1,014,809
Ending Fund Balance as a % of Total Appropriations	734.8%	475.8%	553.0%

Insurance Fund	Actual FY 2020	Estimated Actual FY 2021	Budget FY 2022
Revenues			
Interest Earnings	1,370	600	600
Other Financing Sources			
Issuance of Debt / Debt Proceeds	-	-	-
Transfers In - from other funds	-	-	-
Total Revenues and Other Financing Sources	\$ 1,370	\$ 600	\$ 600
Appropriations			
Retirement Benefit Payments	\$ 1	\$ 6,082	\$ 1
	-	-	-
Total Appropriations	\$ 1	\$ 6,082	\$ 1
Change in Fund Balance (Revenues - Appropriations)	1,369	(5,482)	599
Beginning Fund Balance July 1	104,002	105,371	99,889
Ending Fund Balance June 30	\$ 105,371	\$ 99,889	\$ 100,488
Ending Fund Balance as a % of Total Appropriations	10537100.0%	1642.4%	10048800.0%

ADA Fund	Actual FY 2020	Estimated Actual FY 2021	Budget FY 2022
Revenues			
Interest Earnings	1,500	1,500	200
Other Financing Sources			
Transfers In - from other funds	150,000	50,000	50,000
	-	-	
Total Revenues and Other Financing Sources	\$ 151,500	\$ 51,500	\$ 50,200
Appropriations			
Improvements	\$ 150,000	\$ 1	\$ 1
	-	-	-
Total Appropriations	\$ 150,000	\$ 1	\$ 1
Change in Fund Balance (Revenues - Appropriations)	1,500	51,499	50,199
Beginning Fund Balance July 1	-	1,500	52,999
Ending Fund Balance June 30	\$ 1,500	\$ 52,999	\$ 103,198
Ending Fund Balance as a % of Total Appropriations	1.0%	5299900.0%	10319800.0%

SECTION 2: At the end of the fiscal year 2021, the governing body estimates fund balances or deficits as follows:

Fund	Estimated Fund Balance/Net Position at June 30, 2021
General Fund	\$ 24,010,287
State Street Aid Fund	2,055,232
Tourism Fund	7,959
Equipment Fund	990,809
Insurance Fund	99,889
ADA Fund	52,999

SECTION 3: That the governing body herein certifies that the condition of its sinking funds, if applicable, are compliant pursuant to its bond covenants, and recognizes that the municipality has outstanding bonded and other indebtedness as follows:

Bonded and/or Indebtedness	Debt	Interest	Total Debt
	\$0	\$0	\$0

SECTION 4: During the coming fiscal year (2022) the governing body has pending and planned capital projects with proposed funding as follows:

Pending Capital Projects	Pending Capital Projects - Total Expense	Pending Capital Projects Expense Financed by Estimated Revenues and/or Reserves	Pending Capital Projects Expense Financed by Debt Proceeds
Climate Controlled Building @ Public Works	\$ 273,000.00	\$ 273,000.00	\$ -
Dimmick House Demolition	\$ 30,000.00	\$ 30,000.00	
Land Acquisition	\$ 300,000.00	\$ 300,000.00	
Sonja Drive Sidewalk	\$ 210,000.00	\$ 210,000.00	
Town Hall Renovations	\$ 50,000.00	\$ 50,000.00	
Evans Road Greenway Connector	\$ 60,000.00	\$ 60,000.00	
Little Turkey Creek Greenway-Brookmere-Sheffield	\$ 110,000.00	\$ 110,000.00	
McFee Park Phase 4	\$ 585,000.00	\$ 585,000.00	
Restrooms-Town Center	\$ 300,000.00	\$ 300,000.00	
MBLP Field Reconstruction	\$ 80,000.00	\$ 80,000.00	
McFee Phase 6-Tennis Courts (2)	\$ 165,000.00	\$ 165,000.00	
Stormwater Improvements	\$ 200,000.00	\$ 200,000.00	
Stormwater Improvements Master Plan	\$ 250,000.00	\$ 250,000.00	
Virtue Road Phase II	\$ 330,000.00	\$ 330,000.00	
Union Road Improvements	\$ 3,520,000.00	\$ 3,520,000.00	
Kingston Pike Corridor Study for Pedestrian Enhancements	\$ 100,000.00	\$ 100,000.00	
Boyd Station Road Improvements	\$ 300,000.00	\$ 300,000.00	
Grigsby Chapel Road Corridor Study	\$ 70,000.00	\$ 70,000.00	
GCR/St. John Court & Fretz Road Traffic Mitigation	\$ 280,000.00	\$ 280,000.00	

Proposed Future Capital Projects	Proposed Future Capital Projects - Total Expense	Proposed Future Capital Projects Expense Financed by Estimated Revenues and/or Reserves	Proposed Future Capital Projects Expense Financed by Debt Proceeds
Campbell Station Inn Improvements	\$ 250,000.00	\$ 250,000.00	\$ -
KP Pedestrian Underpass @ N. Fork Turkey Creek	\$ 335,000.00	\$ 335,000.00	
Land Acquisition	\$ 300,000.00	\$ 300,000.00	
Sonja Drive Sidewalk	\$ 350,000.00	\$ 350,000.00	
Town Hall Renovations	\$ 100,000.00	\$ 100,000.00	
Evans Road Greenway Connector	\$ 160,000.00	\$ 160,000.00	
Little Turkey Creek Greenway-Brookmere-Sheffield	\$ 250,000.00	\$ 250,000.00	
Red Mill Trailhead	\$ 150,000.00	\$ 150,000.00	
Little Turkey Creek Greenway-Enclave @ Sheffield	\$ 165,000.00	\$ 165,000.00	
Brixworth Greenway Connector	\$ 370,000.00	\$ 370,000.00	
Everett Road Greenway Connector	\$ 60,000.00	\$ 60,000.00	
MBLP Field Reconstruction	\$ 1,302,000.00	\$ 1,302,000.00	
Amphitheatre-Town Center	\$ 175,000.00	\$ 175,000.00	
MBLP Boardwalk/Overlook Replacement	\$ 50,000.00	\$ 50,000.00	
Town Hall Playground Restroom Building	\$ 170,000.00	\$ 170,000.00	
McFee Park Phase 5	\$ 522,000.00	\$ 522,000.00	
MBLP Field 2 Turf Replacement	\$ 625,000.00	\$ 625,000.00	
Anchor Park Fence	\$ 150,000.00	\$ 150,000.00	
Anchor Park Basketball Resurfacing & ADA Access	\$ 40,000.00	\$ 40,000.00	
Anchor Park Playground	\$ 250,000.00	\$ 250,000.00	
McFee Phase 6	\$ 400,000.00	\$ 400,000.00	
MBLP Field 1 Turf Replacement	\$ 625,000.00	\$ 625,000.00	
Stormwater Improvements	\$ 200,000.00	\$ 200,000.00	
Stormwater Improvements Master Plan	\$ 250,000.00	\$ 250,000.00	
Virtue Road Phase II	\$ 305,000.00	\$ 305,000.00	
Kingston Pike Pedestrian Crosswalk Improvements	\$ 700,000.00	\$ 700,000.00	
KP/Campbell Station Intersections Lane reassignments	\$ 160,000.00	\$ 160,000.00	
GCR/St. John Court & Fretz Road Traffic Mitigation	\$ 280,000.00	\$ 280,000.00	

SECTION 5: No appropriation listed above may be exceeded without an amendment of the budget ordinance as required by the Municipal Budget Law of 1982 (TCA § 6-56-208). In addition, no appropriation may be made in excess of available funds except to provide for an actual emergency threatening the health, property or lives of the inhabitants of the municipality and declared by a two-thirds (2/3) vote of at least a quorum of the governing body in accord with Tennessee Code Annotated § 6-56-205.

SECTION 6: A detailed financial plan will be attached to this budget and become part of this budget ordinance. In addition, the published operating budget and budgetary comparisons shown by fund with beginning and ending fund balances and the number of full-time equivalent employees required by Tennessee Code Annotated § 6-56-206 will be attached.

SECTION 7: This annual operating and capital budget ordinance and supporting documents shall be submitted to the Comptroller of the Treasury or Comptroller's Designee for approval if the City has debt issued pursuant to Title 9, Chapter 21 of the Tennessee Code Annotated within fifteen (15) days of its adoption. This budget shall not become the official budget for the fiscal year until such budget is approved by the Comptroller of the Treasury or Comptroller's Designee in accordance with Title 9, Chapter 21 of the Tennessee Code Annotated (the "Statutes".) If the Comptroller of the Treasury or Comptroller's Designee determines that the budget does not comply with the Statutes, the Governing Body shall adjust its estimates or make additional tax levies sufficient to comply with the Statutes or as directed by the Comptroller of the Treasury or Comptroller's Designee. If the City does not have such debt outstanding, it will file this annual operating and capital budget ordinance and supporting documents with the Comptroller of the Treasury or Comptroller's Designee.

SECTION 8: All unencumbered balances of appropriations remaining at the end of the fiscal year shall lapse and revert to the respective fund balances.

SECTION 9: All ordinances or parts of ordinances in conflict with any provision of this ordinance are hereby repealed.

SECTION 10: This ordinance shall take effect July 1, 2021, the public welfare requiring it.

Ron Williams, Mayor

Allison Myers, Town Recorder

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Ordinance 21-09, an ordinance on first reading to amend the Farragut Municipal Code, Appendix A- Zoning, Chapter 3, Section IV., Open Space Mixed Residential (OSMR), to require a concept plan in association with a rezoning request to establish the distribution of attached vs. detached dwelling units (Town of Farragut, Applicant)

INTRODUCTION AND BACKGROUND: During the review of this item with the Planning Commission, staff provided an overview of the issue and noted that during discussions involving two properties recently requested for a rezoning to OSMR, concerns were expressed by both the Planning Commission and the Board of Mayor and Aldermen regarding the distribution of attached vs. detached dwelling units. A specific concern was that if a property is rezoned to OSMR, a development with entirely attached dwelling units could be proposed and result in a built form incompatible with its surroundings.

DISCUSSION: To help address this concern, staff proposed that a concept plan be submitted in association with a rezoning request to OSMR. A concept plan is currently required for developments in both the OSR and OSMR districts in the Subdivision Regulations, but this would be submitted after the property has been rezoned.

The main objective of the concept plan in this application would be to establish a distribution of attached vs. detached dwellings and where these two different residential forms would be envisioned on the property. Currently, the Zoning Ordinance requires a concept plan for rezoning requests to both the Planned Commercial Development (PCD) and the Town Center District (TCD) Zoning Districts. These districts, however, are generally more complicated than the OSMR and since concept plan requirements are already provided for in the Subdivision Regulations for the subdivision of property, basic components of a rezoning-based concept plan may be more appropriately taken from the Subdivision Regulations.

The following questions were presented to the Planning Commission as part of their review of this matter:

- 1) Should a concept plan be required for a rezoning request to OSMR; and
- 2) If so, what level of detail should be required to address the objective of the concept plan?

Commissioners strongly supported a concept plan for a rezoning to OSMR and recommended that the plan not be overly burdensome but provide enough detail from readily available information to determine that the envisioned layout shown on the concept plan is achievable. From this feedback, staff prepared Ordinance 21-09, which provides for a concept plan and associated parameters as part of a rezoning to OSMR.

RECOMMENDATION: At their meeting on May 20, 2021, the Planning Commission unanimously recommended approval of Resolution PC-21-07 which recommends approval of Ordinance 21-09. Community Development Director, Mark Shipley, also recommends approval of Ordinance 21-09 on first reading.

BOARD ACTION:

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

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

RESOLUTION PC-21-07

FARRAGUT MUNICIPAL PLANNING COMMISSION

A RESOLUTION TO AMEND THE TEXT OF THE FARRAGUT ZONING ORDINANCE, ORDINANCE 86-16, AS AMENDED, PURSUANT TO AUTHORITY GRANTED BY SECTION 13-4-201, TENNESSEE CODE ANNOTATED, BY AMENDING THE FARRAGUT MUNICIPAL CODE, APPENDIX A., ZONING, CHAPTER 3., SPECIFIC DISTRICT REGULATIONS, SECTION IV., OPEN SPACE MIXED RESIDENTIAL (OSMR)

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

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

WHEREAS, a public hearing was held on this request on May 20, 2021;

NOW, THEREFORE, BE IT RESOLVED that the Farragut Municipal Planning Commission hereby recommends approval to the Farragut Board of Mayor and Aldermen of an ordinance, amending Ordinance 86-16, of the Farragut Zoning Ordinance, by adding Ordinance 21-09.

ADOPTED this 20th day of May 2021.

Rita Holladay, Chairman

Scott Russ, Secretary

ORDINANCE:	21-09
PREPARED BY:	Shipley/Hose
REQUESTED BY:	Town of Farragut
CERTIFIED BY FMPC:	May 20, 2021
PUBLIC HEARING:	_____
PUBLISHED IN:	_____
DATE:	_____
1ST READING:	_____
2ND READING:	_____
PUBLISHED IN:	_____
DATE:	_____

AN ORDINANCE TO AMEND THE TEXT OF THE FARRAGUT ZONING ORDINANCE, ORDINANCE 86-16, AS AMENDED, PURSUANT TO AUTHORITY GRANTED BY SECTION 13-4-201, TENNESSEE CODE ANNOTATED, BY AMENDING THE FARRAGUT MUNICIPAL CODE, APPENDIX A., ZONING, CHAPTER 3., SECTION IV., OPEN SPACE MIXED RESIDENTIAL (OSMR)

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Chapter 3., Section IV., Open Space Mixed Residential (OSMR) of the Farragut Zoning Ordinance, Ordinance 86-16.

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, that the Farragut Zoning Ordinance is hereby amended by replacing Subsection B., "Application of the district" in its entirety as follows:

SECTION 1.

B *Application of the district.*

1. The OSMR overlay district may be applied over the Rural Residential District (R-1).
2. Any application for rezoning to OSMR shall include a Concept Layout Plan that clearly addresses the overall plan of development for the proposed rezoning area, including but not limited to; the location of all proposed permitted uses and structures, transportation networks, public and private open-space areas, and environmentally sensitive areas. The plan shall be prepared by a Tennessee licensed engineer or landscape architect, and/or a physical planner with comparable education, background, and experience. At a minimum, the concept plan shall be prepared at a scale of not less than 1" = 100', laid-out for printing on sheets of 24 inches by 36 inches, and shall include the following information:
 - a. A title block which specifically indicates that this plan is for rezoning application purposes and contains "conceptual information" which is "not intended for construction purposes."
 - b. Location map, property address(s), tax map and parcel number(s), graphic scale, approximate north arrow, map legend, and preparation and revision date information.

- c. The names, addresses, and contact information for the property owners, representatives, and professionals involved in the plan. The professional seal of the individual principally responsible for preparing the plan shall also be affixed.
- d. Property boundaries, acreage of the property in question, existing zoning, the approximate location of existing utilities expected to service the property and an indication of their availability and capacity to do so, and the locations and widths of any rights-of-way providing access to the property.
- e. Sufficient information on the existing development within 150 feet from the boundaries of the subject property to indicate their relationships with the proposed development related to land uses, lot lines, open space corridors, vehicular and pedestrian circulation systems, environmentally sensitive areas, and other unique natural features of the landscape.
- f. Site topography (KGIS), the general locations and acreage of tree covered areas, and the approximate location and extent of all other environmentally sensitive areas on the site including but not limited to springs, streams, and water courses, identified floodplains and flood hazard areas, wetlands, slopes in excess of fifteen (15) percent, surface depressions, sinkholes and caves, and known endangered species habitat.
- g. The general location of all proposed buildings and property lines, along with the proposed density of the overall development.
- h. The general location and acreage of all proposed open-space areas.
- i. The proposed location and approximate grade of streets, sidewalks, and shared-use paths (also referred to in the Subdivision Regulations as bike paths) and how these proposed transportation elements will be connected to both the existing transportation systems and adjacent properties. The location and distances between any existing intersecting roadways and driveways and those being proposed shall also be shown.
- j. A signed statement by the owner/applicant that they are aware of the Town's development requirements and standards and that they will be required to meet all applicable standards during development.

SECTION 2.

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

Ron Williams, Mayor

Allison Myers, Town Recorder

Certified to the Farragut Board of Mayor and Aldermen this ____ day of _____, 2021,
with approval recommended.

Rita Holladay, Chairman

Scott Russ, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION

EXISTING LANGUAGE

Sec. IV. Open space mixed residential overlay district (OSMR).

- A. *General description.* It is the intent of this overlay district to provide for greater flexibility and design freedom in order to encourage a better living environment and the conservation of environmentally sensitive areas. The increased flexibility that allows both detached and attached single-family dwellings will provide a variety of housing options and should generate a superior design that provides extensive common open space that capitalizes on the inherent physical characteristics of the property and its surrounding area.
- B. *Application of the district.* The OSMR overlay district may be applied over the Rural Residential District (R-1).
- C. *Permitted uses and structures.*
 - 1. Detached single-family dwellings.
 - 2. Attached single-family dwellings.
 - 3. Detached garages if there is not an attached garage to the dwelling.
 - 4. Recreational facilities which are developed as an integral part of the residential development provided the development criteria established in the base zone are met.
 - 5. Accessory uses and structures.
 - 6. Customary Home Occupations as regulated in Chapter 4.
 - 7. Signs as regulated in the [Farragut] Municipal Code.
 - 8. Utility uses.
- D. *General development requirements.*
 - 1. A Concept Plan, as regulated in the Farragut Subdivision Regulations, shall be submitted to the planning commission for review and approval. All applicable requirements shall be included as part of the development plan submission. The Concept Plan shall be of the entire development and is required whether the project is developed in multiple phases or not.
 - 2. A preliminary plat and a final plat shall be submitted as regulated in the Farragut Subdivision Regulations. All applicable requirements shall be included as part of the plat submissions.
 - 3. The approved plan shall be in compliance with the Farragut Land Use and Transportation Policy Plan, the Pedestrian Circulation Plan, and all other adopted plans and ordinances of the Town of Farragut.
 - 4. *Common open space.*

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- a. *Common open space shall be created as an integral part of the overall design.* The development shall conserve, in so far as practical, natural and manmade features on the site, including, but not limited to, trees, floodplains, sinkholes, wetlands, springs, streams, wet weather conveyances, endangered species habitat, steep slopes, rock formations and other unique topographic features, and historic features.
 - b. The common open space shall be pedestrian friendly.
 - c. Common open space may be improved for active or passive recreation uses, but open space containing natural features worthy of preservation must be left unimproved.
 - d. All land shown on the approved Concept Plan as common open space shall be conveyed to a property owners' association for ownership and maintenance. Such association shall have mandatory membership of all property owners and have mandatory dues paying responsibilities. The common open space must be conveyed subject to covenants. The town attorney shall approve those provisions of the covenants which restrict the common open space to the uses specified on the approved Concept Plan and which provide for the maintenance of the common open space in a manner which ensures its maintenance for its intended purpose in perpetuity. The property owners' association shall not dispose of any common open space, by sale or otherwise.
 - e. The land designated as common open space shall be included in the final plat of the first phase, if phasing is considered.
5. Roadways shall be designed to reduce the grading of the site and preserve the natural topography as much as practical while still meeting the town's minimum Subdivision Regulations for streets.
 6. The development design shall provide reasonable visual and acoustical privacy for dwelling units located within and adjacent to the development.
 7. In the development of attached single-family dwellings, there shall be a maximum of eight units per building. There shall be no more than two adjacent units with the same front view building elevation, or there shall be no more than two adjacent units with the same front yard setback line. Building elevations shall be reviewed at time of building permit application. The minimum front yard setback difference between adjacent units shall be three feet.
 8. All units and/or lots shall front on a public street.
 9. Building envelopes established for attached dwellings shall be shown on the recorded final plat shall be the maximum building envelope for each unit.
 10. All dwelling units shall be provided reasonable visual privacy. Each attached dwelling unit shall have exclusive enjoyment of a private yard area immediately adjacent or contiguous to the dwelling unit and shall contain not less than 400 square feet. Fences

and/or landscaping shall be used in providing the protection and privacy of the private outdoor areas.

E. *Area regulations.*

1. *Front yard setbacks.*

- a. If the street is classified as an arterial on the Major Road Plan, all buildings shall be set back from the nearest point of any such right-of-way a minimum of 50 feet;
- b. If the street is classified as a major collector on the Major Road Plan, all buildings shall be set back from the nearest point of any such right-of-way a minimum of 40 feet;
- c. If the street is classified as a local collector on the Major Road Plan, all buildings shall be set back from the nearest point of any such right-of-way a minimum of 30 feet;
- d. If the street is classified as a local street on the Major Road Plan, all buildings shall be set back from the nearest point of any such right-of-way a minimum of 20 feet. Front facing garages shall be set back from the nearest point of any such right-of-way a minimum of 30 feet;
- e. All accessory structures, excluding fences, detention basin structures, subdivision walls, retaining walls, entrance pillars, and certain utility structures, shall be set back from the nearest point of any right-of-way a minimum of 20 feet, except as provided for elsewhere in this ordinance or the [Farragut] Municipal Code. Detention basin structures, subdivision walls, retaining walls, and entrance pillars shall be set back from the nearest point of any right-of-way a minimum of ten feet. Electrical substations or any other utility building or structure shall meet the front yard setback requirements.

2. *Side yard setbacks—Attached dwellings.* In order to eliminate the appearance of row housing with the attached dwellings, the distance between buildings when sides of buildings are adjacent shall be varied. The total minimum distance between buildings shall be based on the total number of buildings constructed in a row multiplied by 12 feet. The minimum distance between two adjacent buildings shall be ten feet. For example, if four buildings are located in a row, the total minimum separation between the four buildings shall be 48 feet.

3. *Minimum distance between buildings—Detached dwellings.* There shall be a minimum of 20 feet between all freestanding buildings.

4. *Rear yard setbacks—Attached dwellings.* There shall be a minimum of 20 feet between freestanding buildings.

5. *Peripheral property line setbacks.* All buildings shall be set back a minimum of 50 feet from peripheral side and rear property lines.

6. *Density.* The number of dwelling units permitted shall be determined by dividing the gross land area by the minimum lot size of the base zone.

-
7. *Maximum lot coverage.* The maximum building and lot coverages shall be based on the total tract size of the development, not the individual lots, as prescribed below:
 - a. Total building area for each dwelling unit equals 75 percent of the gross land area multiplied by the maximum building coverage established in the base zone divided by the total number of dwelling units in the development
 - b. Total lot coverage for each dwelling unit equals 75 percent of the gross land area multiplied by the maximum lot coverage established in the base zone divided by the total number of dwelling units in the development.
 8. *Land area.* Minimum tract size for such a development shall be five acres.
 9. *Common open space.* A minimum of 35 percent of the gross land area of the development shall be reserved as common open space. Such common open space is to include environmentally sensitive lands, historic features, buffer strips, stormwater detention facilities, recreational facilities associated with the development, and other natural features as may be beneficial to the development and the community.
 10. *Buffer strips.* Buffer strips are not mandatory. The planning commission may require a buffer strip at various locations in a development, however, when it is determined that a buffer strip is necessary to promote compatibility with an abutting land use. When a buffer strip is required by the planning commission, the following criteria shall be followed:
 - a. The buffer strip shall be a minimum of 25 feet in width, shall be included in the required peripheral building setback, shall be planted and planted at the time of final plat, and shall be owned and maintained by the property owners' organization;
 - b. Existing, mature vegetation shall be preserved and incorporated into the buffer strip. The buffer strip shall be landscaped per the landscaping requirements of this ordinance or the planning commission may permit the required number of plantings to be clustered rather than distributed evenly throughout the buffer strip; and
 - c. Detention basins, measured from top-of-slope to top-of-slope, and associated structures shall not be located within any buffer strips.

F. *Height regulations.*

1. No principal building shall exceed 2½ stories, or 35 feet in height, except as provided for elsewhere in this ordinance or the [Farragut] Municipal Code; and
2. No accessory structures shall exceed 15 feet in height, except as provided for elsewhere in this ordinance or the [Farragut] Municipal Code.

G. *Parking.* Parking shall be provided as regulated in Chapter 4.

(Ord. No. 06-05, § 1, 3-23-2006; Ord. No. 12-03, § 2, 2-23-2012)

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Appeal of Planning Commission approval of the concept plan for the Grove at Boyd Station Subdivision, Parcels 50, 50.01, 9.01, and 54.01, Tax Map 162, 12611 Boyd Station Road, 132 Acres, 285 Lots, Zoned R-1/OSMR

INTRODUCTION AND BACKGROUND: At their meeting on April 15, 2021, the Farragut Municipal Planning Commission conditionally approved a concept plan for the Grove at Boyd Station Subdivision. One of the approval conditions was providing for a street right of way and pedestrian facility within the right of way to be stubbed into the common property line to the north at the property owned by Steve and Virginia Williams (Exhibit A). The William's are now appealing this Planning Commission action and a copy of their appeal is included in the packet (Exhibit B).

As background to the Planning Commission's action, a key strategy identified in the Town's Comprehensive Land Use Plan (CLUP) that was updated in 2012 was to increase connectivity (Exhibit C). This would help achieve several objectives including:

1. Dispersing traffic over a larger and interconnected street network provides users with more options and helps avoid overloading any one street or street section. The CLUP noted that some of the congestion experienced on certain roads, such as Grigsby Chapel Road and Union Road, are a result of single access developments that do not provide for other access options. The traffic ends up accessing the same street. The result is less efficiency and more congestion.
2. Increasing connectivity provides emergency responders and those working on road improvement projects more access options should a street be blocked or under construction. A good example of the benefit of increased connectivity was a couple of years ago in the Sedgefield Subdivision. A storm sewer collapsed and one of the access streets had to be closed for several weeks. Had the subdivision not contained more than one way in and out, emergency responders could have failed to respond in a timely manner to an issue due to limited access.
3. Providing for street connection options to larger undeveloped tracts is sound community planning and helps establish the framework for a more efficient transportation system as these larger tracts are developed. It is unlikely in West Knox County that larger tracts will not someday be developed or re-developed. The Town has seen a number of farms recently become subdivisions, including Ivey, Harville, Gibson, Smith, and Schubert. In the case of each of these developments, the Planning Commission required vehicular and pedestrian connections to their surroundings consistent with the guidance provided in the CLUP.

To help prioritize and better address the increased connectivity strategy in the CLUP, the Planning Commission approved amendments to the Subdivision Regulations in 2018 which require both vehicular and pedestrian/shared-use path connectivity to abutting properties (Exhibit D). These provisions have been followed consistently, including the concept plan approved for the Grove at Boyd Station.

DISCUSSION: In terms of the appeal provided, some general questions include:

1. What is the process for appeal and does the applicant have the right to appeal?
2. What points are irrelevant to the action being appealed?

The Town's Subdivision Regulations do not provide for an appeal process. In this case, the appeal process would be provided for in Section 13-4-304 (d) of the Tennessee Code Annotated (TCA) – Exhibit E. In this section of TCA, Knox County would fall within the population threshold. The section provides that “a person who was a party for or against the plat request at the planning commission hearing shall have the right within thirty (30) days after such approval or disapproval to have the action of the municipal planning commission reviewed by the chief legislative body of the municipality having jurisdiction over zoning matters, who shall by majority vote approve or disapprove the plat.”

The term “plat,” as defined in TCA, includes plat, plan, plot or replot and would appear to include a concept plan though such plan is not specifically provided for in TCA. During the review of the concept plan, the Planning Commission met virtually consistent with the Governor's Executive Order concerning the COVID pandemic. The appellant submitting written comments, including opposition to a road and walking trail being stubbed to their property. The appellant was a party against the plat (plan) in question.

The appeal submitted on May 14, 2021, and that is included in Exhibit B contains the following sections which staff will review in more detail below:

1. Stubbed out road between Lot 1065 and 1066 of the Subdivision.
2. Traffic Impact Study.
3. Sidewalk/Walking Trail stubbed out between Lot 1065 and Lot 1066.
4. Improper Speed Limit on Field Roller Street.

Section One. The Planning Commission required a street right of way to be stubbed into the common property line to the north at the property owned by Steve and Virginia Williams. The rationale for this requirement is addressed in the Introduction and Background section of this report. The location was selected because the termination would be at a common property line for two parcels that each exceed 21 acres (Exhibit F). The applicant contends that the grade in this location is too steep for a compliant road to be constructed in the future. Though the grade is steep, staff has discussed this with the project engineer, and it is feasible to achieve a compliant grade. Staff would note that many of the streets in the Town are steep. Some that come to mind include Sugarwood Drive, Farragut Hills Boulevard, Brochardt Boulevard, and Highwick Road. Moreover, the Planning Commission only required a right of way to be platted to the property line. Though this would ultimately be a Planning Commission decision, the construction of a public street within this right of way and into the property currently owned by the William's would likely only occur if the Williams property were developed as a traditional subdivision. Having a right of way stubbed to the property in no way effects the current use of the Williams property. Also, the appellant states that the most appropriate stub out street is at the Virtue Cumberland Church property. Staff does not agree with this point as the approach onto Virtue Road at the Church property is very poor in terms of sight distance. This would also not create an access onto Evans Road which would better distribute the traffic in the general area.

Section Two. A traffic impact study was submitted by the applicant for the Grove at Boyd Station Subdivision. This study, however, would not be relevant to the appeal as it has nothing to do with the right of way stubbed to the William's property. Dispersing traffic over a greater network of streets is consistent with good transportation objectives and would certainly not be discouraged in any traffic analysis as an element of design.

Section Three. Within the right of way stubbed into the common property line to the north, the Planning Commission required a pedestrian facility. This is common practice and is consistent with the CLUP and provisions in the Subdivision Regulations. The appellate is incorrect regarding the slopes permitted under the ADA guidelines. Where a pedestrian facility is along a street, the grade of the facility can match the grade of the street. The level landing of five feet also does not apply in this context.

Section Four. This section provides reference to the design speed limit approved for one of the local streets in the Grove at Boyd Station. This is irrelevant to the appeal as it does not relate to the appellant's property.

RECOMMENDATION: Staff received a letter from the developer and his engineer that addresses the appeal and this letter is included as Exhibit G in your packet. Staff does not support the appeal of the action taken by the Planning Commission concerning the approval of the concept plan for the Grove at Boyd Station. The Planning Commission acted in a manner consistent with the CLUP, the Subdivision Regulations, and approvals recently made by the Commission for comparable developments.

PROPOSED MOTION: To deny the appeal of the Planning Commission’s approval of the concept plan for the Grove at Boyd Station Subdivision.

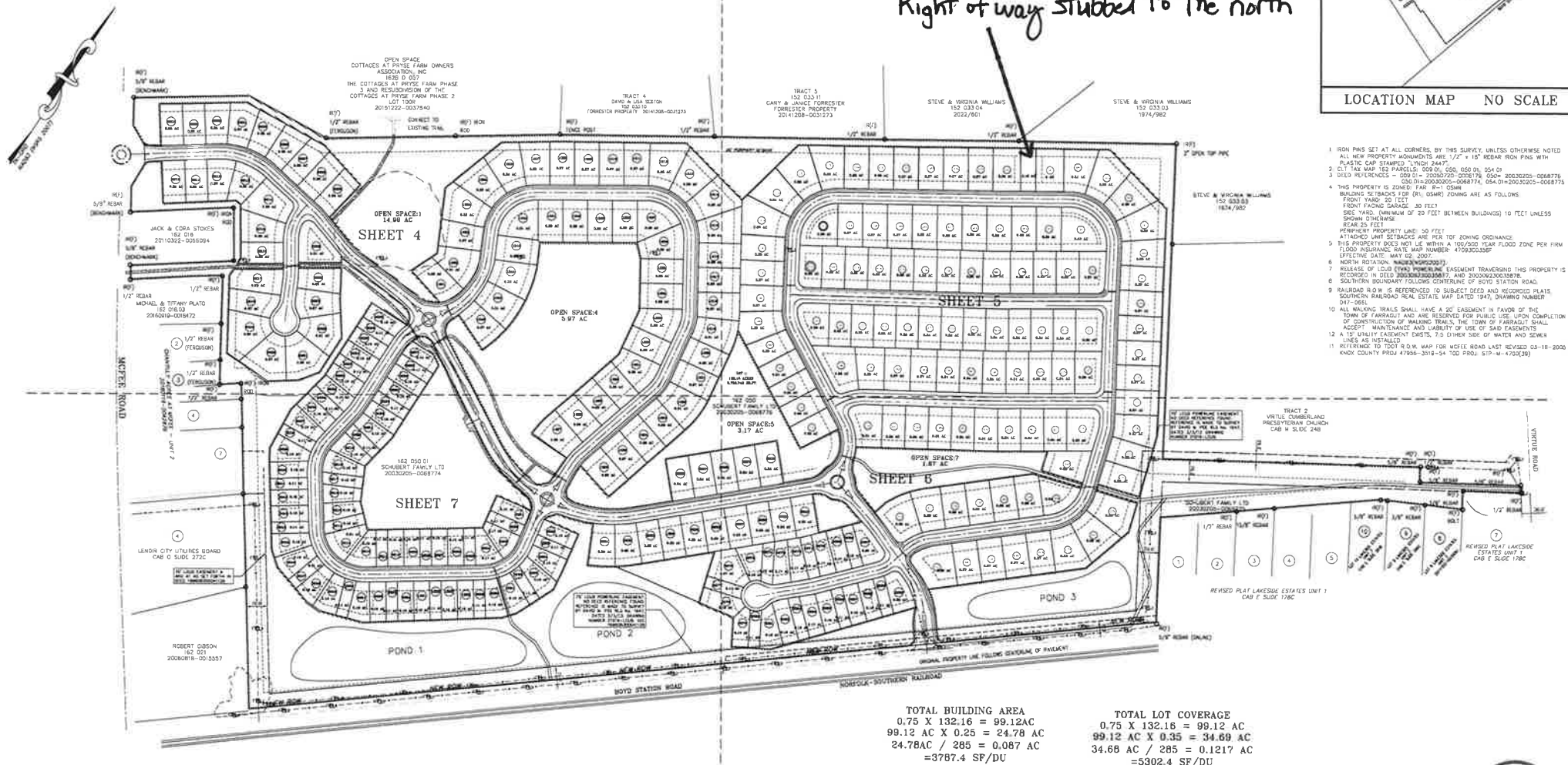
BOARD ACTION:

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

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

TOTAL AREA = 132.16 ACRES
5,666,309 SQ.FT.
TOTAL LOTS = 285
OPEN SPACE LOTS = 8
OPEN SPACE AREA = 46.66

LINE LEGEND		SYMBOL LEGEND	
	CHAIN LINK FENCE	O	IRON ROD (SUBST/FTR)
	POWER/TELE LINE	PSL	POWER/TELE POLE



Right of way stubbed to the north

LOCATION MAP NO SCALE

- [illegible]

GRAPHIC SCALE



GPS SURVEY NOTE:
ALL SURVEY INSTRUMENTS AND SURVEY CONTROL WAS PERFORMED USING GPS
RECEIVERS. TOPCON HIPER SR NETWORK ROVER. DUAL FREQUENCY WAS USED (L1,L2)
GPS SURVEY PERFORMED WAS NETWORK ADJUSTED RED TIE KINMAIA. BASED ON
TDO1 GNSS NETWORK NAD83(NRS2007) VERTICAL DATUM IS NAVD83. GEOID
PRECISION OF THE GPS WORK RPA. 4 CM PLUS 5% PARTS PER MILLION (BASED ON
THE DIRECT DISTANCE BETWEEN THE TWO CORNERS BEING TESTED). DISTANCES HAVE NOT
BEEN REDUCED TO GHD.

NOTE
NO TITLE REPORT WAS FURNISHED TO THE
SUPERVISOR AND OTHER AGENTS AND/OR
DEPT/CTIONS NOT APPARENT IN THE FIELD
WAS OR MAY NOT EXIST AND MAY BE
REVEALED BY A TITLE SEARCH BY A TITLE
ATTORNEY

TOTAL BUILDING AREA
 $0.75 \times 132.16 = 99.12 \text{ AC}$
 $99.12 \text{ AC} \times 0.25 = 24.78 \text{ AC}$
 $24.78 \text{ AC} / 285 = 0.087 \text{ AC}$
 $= 3787.4 \text{ SF/DU}$

TOTAL LOT COVERAGE
 $0.75 \times 132.16 = 99.12 \text{ AC}$
 $99.12 \text{ AC} \times 0.35 = 34.69 \text{ AC}$
 $34.68 \text{ AC} / 285 = 0.1217 \text{ AC}$
 $= 5302.4 \text{ SF/DU}$

I HEREBY CERTIFY THAT THIS IS A COPY
ACCORDANCE WITH THE TENNESSEE STATE
LAWYERS, LLC

RYAN S. LYNCH
TENNESSEE CERTIFICATE NO. 2447



LYNCH SURVEYS LLC
SUBDIVISIONS | AS-BUILTS | SITE DESIGN
4405 COSTER RD. KNOXVILLE, TENN. 37912
865-584-2630 FAX: 865-584-2801 WWW.LYNCHSURVEY.COM



DRAWN BY: Py	1
CHECKED BY: R. LYNDEN	2
APPROVED BY: R.S.	3
SCALE: 1"=100'	4
DATE 04/18/2001	5
	6

REVISIONS

1
2
3
4
5

HOMESTEAD LAND HOLDINGS, LLC
122 Perimeter Park Drive
Knoxville, Tennessee 37922
Phone 865-966-8700

GROVE AT BOYD STATION
CLT: 162 009.01, 162 050, 162 050.01, 162 054.01
Town of Farragut, Tennessee
District 6, Knox County, Tennessee

SHEET NO:
3 of 65

PROJECT NO.
4400



David Wilson Long
Dennis B. Ragsdale
John B. Waters III
J. Michael Ivens
J. Randolph Miller
Garrett P. Swartwood
Jennifer Milligan Swindle*
Lee A. Popkin
W. Michael Baisley
Kyle A. Baisley



Long, Ragsdale & Waters, P.C.
ATTORNEYS AT LAW

EXHIBIT B

Taylor D. Fortester
Alexander O. Waters
Oliver D. Adams
William D. Edwards
J. Scott Griswold
Mycol E. Scott
C. Paul Harrison[†]
Christopher A. Hall[†]

John B. Waters, Jr. (1929-2018)
R. Louis Crossley, Jr. (1953-2019)

May 14, 2021

City of Farragut
Board of Mayor & Alderman
ATTN: David Smoke
Town Hall
11408 Municipal Center Drive
Farragut, TN 37934

Via email: dsmoke@townoffarragut.org

Re: Appeal of Planning Commission approval of the concept plan for the Grove at Boyd Station Subdivision, Parcels 50, 50.01, 9.01 and 54.01, Tax Map 162, 12611 Boyd Station Road, 132 Acres, 285 Lots, Zoned R-1/OSMR (Rackley Engineering, Applicant) (the "Concept Plan")

Dear Board of Mayor & Alderman,

On behalf of my client, Steve Williams ("Mr. Williams"), please accept this as written notice of appeal of the above referenced Concept Plan that was approved by the Farragut Municipal Planning Commission ("FMPC") on April 15, 2021. Mr. Williams has standing to bring the instant appeal as he is an adjacent property owner residing at 721 Virtue Road, Farragut, Tennessee ("Williams Tract"). Mr. Williams basis for the appeal, include but are not limited to the following:

Stubbed out road between Lot 1065 and Lot 1066 of the Subdivision

The FPC's approval of the concept plan for the Grove at Boyd Station Subdivision ("Subdivision") is conditioned upon the developer including a road stub out between Lot 1065 and Lot 1066 at or near the boundary line of the Williams Tract. Upon information and belief, the FPC basis for requiring this is to create future road through the Williams Tract, if it is developed, that connects to Evans Road and/or Virtue Road. The construction of a residential street cannot be constructed at this location in a manner that complies with the ordinances and regulations, including the Farragut's Major Road Plan. The property grade coming onto the Williams Tract from the proposed road stub out is at an approximate 16% grade, and therefore exceeds to maximum 12% grade for residential streets as provided in Article III(A)(7)(c) of Appendix B of the Farragut Municipal Code ("Code").

In addition, constructing a residential street from the Subdivision through the Williams Tract will set up a traffic cut through road for the traffic moving to Kingston Pike, Concord Road, Northshore Drive and Pellissippi Parkway. Traffic migrates to a line of travel that is the shortest and quickest, especially on new, larger roads. When considering this and the steep grade the

1111 N. Northshore Drive, Suite S-700 Knoxville, Tennessee 37919-4074
865 584 4040 865 584 6084 fax www.lrwlaw.com

[†] Of Counsel *Also admitted in New York

contemplated residential street ends up with higher traffic and speeds than contemplated. A comparable situation is like Old Stage Hills experienced when McFee began to carry traffic from Northshore, Choto area to Kingston Pike and Interstate 40/75. Farragut intervened by closing two entrances on Old Stage because of the danger to the residents of Old Stage Hills. These closures rerouted the traffic to the east to Kingston Pike onto collector roads, thereby eliminating cut through traffic in a single-family residential neighborhood.

The most appropriate stub out street location for future connection is at the church property that abuts the eastern boundary line of the Subdivision. This would also provide the church with a second entrance/exit should it expand in the future. The connection would provide the Subdivision residents with direct access to Virtue Road, without resulting in the concerning cut through traffic.

Traffic Impact Study

A traffic impact study should have been required for a 285 lot residential subdivision development. In addition, a traffic impact study to determine if (i) a roundabout or traffic calming should be included in the design at the Subdivision's access on Boyd Station and (ii) the connections to the adjoining property owners was safe and appropriate.

Sidewalk/Walking Trail stubbed out between Lot 1065 and Lot 1066.

The stub out of a sidewalk, walking trail at the boundary of the Williams Tract will be dangerous and in excess of the ADA design guidelines. All pedestrian trail projects are required to be planned/designed to comply with the "American Standard Specifications for making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped."¹ A 16% slope is not permitted under the ADA design guidelines for walking trails or greenways by State of Tennessee. Even if one could get the slope to 14%, there is a required flat 5'x 5' resting, turning area every 5 linear feet of forward run of the trail. This is impractical if not impossible at the contemplated location. Below are the key requirements for an accessible trail per the Recreation Education Services Division of the Tennessee Department of environment and Conservation.

RUNNING SLOPE (TRAIL GRADE UP OR DOWN):

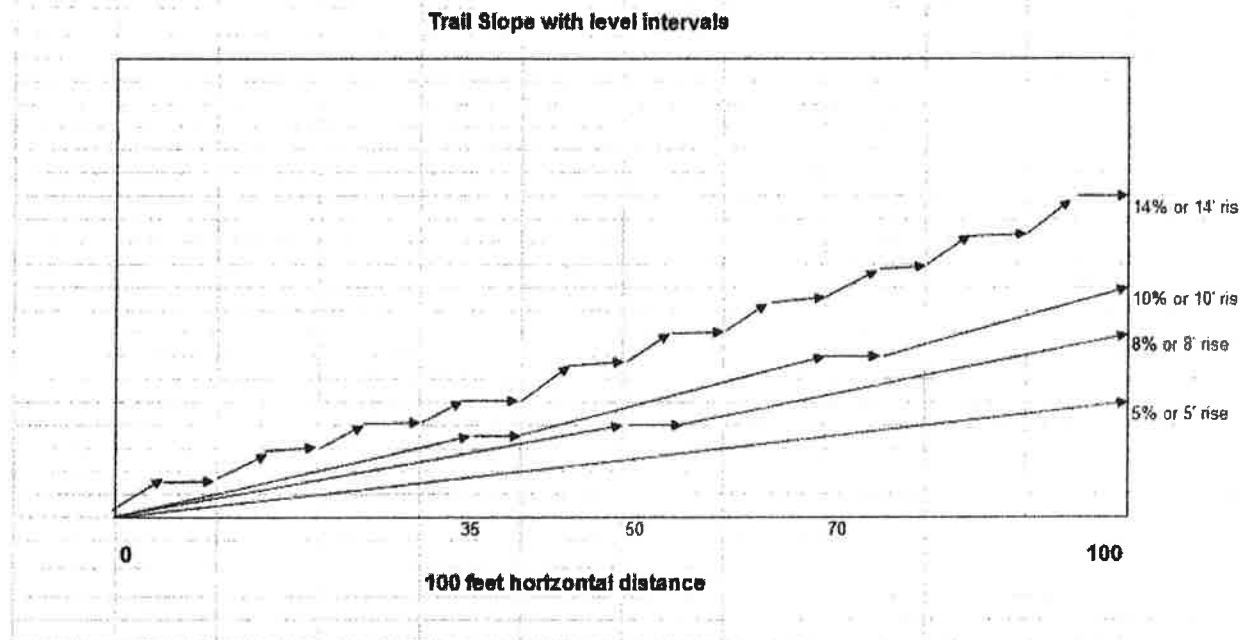
MAX RUN OF TRAIL SLOPE		MAX DISTANCE between level landings	
0-5%	See Figure 1	Any Distance	(see note 1) See Figure 2
6-8%	See Figure 1	50 feet of run	(see note 2) See Figure 2
9-10%	See Figure 1	30 feet of run	(see note 2) See Figure 2
11-14%	See Figure 1	5 feet of run	(see note 2) See Figure 2

NOTE 1: Running slope greater than 5% not permitted where cross slope exceeds 5%!

NOTE 2: Level landings 5 feet long are required at the end of each run section.

¹ Per the Recreation Educational Services Division of the Tennessee Department of environment and Conservation.

Figure 2



Improper Speed Limit on Field Roller Street

FPC approved a speed limit of 35 mph for Field Roller Street. Pursuant to Section A.9.d. of the Code, dead end and loop streets shall have a speed limit of 30 mph. Field Roller Street is a loop street.

We request that this appeal be set on the agenda of the Board of Mayor and Aldermen. Should you have any questions or need any additional information please do not hesitate to contact me.

Respectfully yours,

LONG, RAGSDALE & WATERS, P.C.

By: _____

Taylor D. Forrester

cc: Tom Hale (tomhale@kramer-rayson.com)
 Mark Shipley (mshipley@townoffarragut.org)
 Steve Williams (steve@freedomprimis.com)

To protect existing neighborhoods from incompatible new development, and to encourage gradual transitions even within a new development (such as between blocks with different densities), the following guidelines should be applied:

- If a density different from an adjacent property is proposed, the transition should occur within the proposed development (gradually increase or decrease away from the common boundary).

For example, if a new development with a medium density designation were placed next to an existing low density neighborhood, single-family homes should be placed along the common boundary, with duplexes and townhomes placed further away from the existing neighborhood. This will create a gradual transition of density away from the common property line and make adjacent developments compatible. However, if the medium density was placed alongside a non-residential use (commercial, office), density could increase to match the intensity of that use. For example a medium density residential development would 'fit' next to office or commercial.

- Gradual density increases are encouraged near mixed use, office and commercial developments, along arterials, and at major intersections, as long as they maintain quality standards to ensure compatibility with adjacent development.



Figure 10: Higher density transitioning gradually to lower density existing development.

Policy: Densities of new development should be compatible with existing adjacent densities.

1. Mixed use development

Add housing variety and create mixed use zoning when implementing strategy 1 and 2.

2. Flexible density & transitions

The Town can take advantage of the relatively few remaining large vacant parcels in Farragut, by using the concept of “flexible density” to encourage, within new developments, a greater range of housing types. (See [Chapter 3 Future Land Use Plan](#) for more information).

Actions

1. Update zoning to:

- Create mixed use zoning districts that allow residential uses in commercial, office and some civic uses—with appropriate amenities (see [Chapter 3: Future Land Use Plan](#) for more information).
- Allow greater range of housing types within a development, including the concept of flexible, or averaging, density

Strategy 4: Increase Connectivity

Many of Farragut’s subdivisions have only a single entrance. Single-entry subdivisions have impacts on the rest of the community in the form of congestion and longer distances to travel. Increased roadway connectivity provides more options for travel and thereby reduces congestion. It also improves the efficiency of school buses and emergency services and provides access when one entry may be blocked. Increasing pathway

connectivity encourages walking and biking, which is attractive to both elderly and starter families.

1. Connect new development

Require new development to connect to surrounding development when possible. The plan identifies a number of potential “desire lines” for connecting roads and trails. These should be implemented through the subdivision review process, and condition approval on their construction.

2. Fix missing links

Construct “missing links” (pedestrian ways and roadways) in existing developments, where routes are feasible.

3. Continue to implement the Road Master Plan and the Pedestrian and Bicycle Plan (PBP)



Figure 11: Potential roadways identify missing links and in some cases desired roadway connections. (See [Chapter 3: Future Land Use Plan](#) for more information.)

The plan defines goals and strategies for pedestrian and bicycle circulation, including strategies to address missing links. Continue to prioritize the PBP as part of and as a yearly Strategic Plan Update and continue to implement it through the town's Capital Improvements Plan.

n Actions

1. Confirm and prioritize missing connections in already developed areas and identify funds to create those connections.
2. Update Farragut's Pedestrian and Bicycle Plan to be consistent with this plan. Farragut's PBP identifies a number of street sections, but does not include an urban section. An urban street section differs from a suburban and rural sections, often they include on-street parking, wide sidewalks with an amenity zone. As speeds are typically lower, bikes often merge with traffic on these sections. Update the PBP with an urban street section. (see [Chapter 5: Extended Implementation Tools for more components of an urban street section](#)).
3. Require a grid or modified grid street pattern in all non-residential development.

Strategy 5. Capitalize on Our Heritage

Celebrate Farragut's heritage through the preservation and interpretation of historic buildings and sites that convey the rich history of the community.

Identified Historic Locations

Even though the town is relatively young as an incorporated government, the heritage of the area extends back in time. Known history begins with Native American habitation, continues through early European settlement, and includes key events in the Civil War. More recent history is associated with regional developments such as the TVA, Oak Ridge and the suburbanization of Knoxville.

Identified Historic Locations

ID	Name
1	1880's House
2	Admiral Farragut Birthplace
3	Archibald Roane
4	Barn 1
5	Barn 2
6	Barn 3
7	Biddle House
8	Callaways Landing
9	Campbell Station Inn
10	Concord Depot
11	Concord Fairgrounds
12	Concord Presbyterian Church
13	Farragut High School
14	Farragut Intermediate School
15	Farragut Middle School
16	Farragut Press House
17	Farragut Primary School
18	Hackney Mill
19	Marble Quarry
20	Masonic Lodge
21	Nelson - Russell House
22	Old Farragut School
23	Old Post Office
24	Pleasant Forest Cemetery
25	Red Mill Dam
26	Russell Sisters School
27	The Cannery
28	Town Hall
29	Village of Concord
30	Virtue Mill
31	War Memorial at Virtue Mill

	Historic Locations
	Historic Concord Village
	Town Limit
	Streams
	TVA Reservoirs



Figure 12: Map of historically significant property.

RESOLUTION PC-18-04

FARRAGUT MUNICIPAL PLANNING COMMISSION

**A RESOLUTION TO AMEND THE FARRAGUT SUBDIVISION REGULATIONS,
ARTICLE III. GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF
DESIGN**

WHEREAS, the Farragut Municipal Planning Commission has adopted regulations governing the subdivision of land within the Town in the manner provided for in Section 13-4-303, Tennessee Code Annotated,

WHEREAS, the Farragut Municipal Planning Commission may amend the Subdivision Regulations in the manner provided for in Section 13-4-303, Tennessee Code Annotated, and after a public hearing has been held thereon;

WHEREAS, such public hearing was held on January 18, 2018; and

NOW, THEREFORE, BE IT RESOLVED that the Farragut Municipal Planning Commission adopts the following amendment to the Farragut Subdivision Regulations:

SECTION 1.

Article III. General Requirements and Minimum Standards of Design, A. Streets is amended as follows:

Replace Subsection "13. Dead end streets," with the following:

13. Dead end streets and cul-de-sacs.
 - a. The use of dead end streets and cul-de-sacs shall be discouraged in favor of loop and other connected street designs. The planning commission may permit the limited use of dead end streets and cul-de-sacs to enhance the protection of desirable natural features inherent to the property or as a temporary stub out to abutting properties for future connections. When permitted, dead end streets and cul-de-sacs shall be no more than 500 feet in length unless necessitated by topography and approved as a variance by the Planning Commission.

Dead end streets and cul-de-sacs shall be provided at the closed end with a turn-around having an outside roadway diameter of at least 74 feet and a street right-of-way diameter of at least 94 feet.

- b. Where dead end streets are stubbed out to abutting properties, such streets shall be provided with a temporary turn-around as recommended by the Town Engineer and Fire Marshal.

SECTION 2.

Add as a new Subsection "18." as follows:

X

18. Connectivity. The subdivision shall provide for both vehicular and pedestrian/shared-use path connectivity to abutting properties. The subdivision shall have more than one public street vehicular access into and out of the development. The Planning Commission may waive this requirement in cases where 1) All of the surrounding properties are existing house lots of less than one acre; or 2) Where very significant topographic issues, not created by the design of the subdivision, would effectively prohibit connections; or 3) The subdivision will have thirty (30) or less dwelling units.

SECTION 3.

Article III. General Requirements and Minimum Standards of Design, B. Sidewalks and other pedestrian facilities, 2., is amended as follows:

2. Placement of sidewalks and other pedestrian and shared-use facilities. A grassed or landscaped strip of at least six feet in width shall be provided between the back of the street curb and the edge of the approved pedestrian or shared-use facility on all streets classified as a local or collector on the Major Road Plan. A grassed or landscaped strip of at least eight feet in width shall be provided between the back of the street curb and the edge of the approved pedestrian or shared-use facility on all streets classified as an arterial street on the Major Road Plan. When there is a deceleration or taper lane and the right-of-way is not of adequate width to accommodate a six-foot or eight-foot grassed or landscaped strip between the back of the street curb and the edge of the pedestrian or shared-use facility, the grass or landscaped strip may be reduced in width to a minimum of three feet for that abutting section, if approved by the Planning Commission.

If the Town of Farragut is constructing a new pedestrian or shared-use facility on an existing street next to an existing residential subdivision, a grassed or landscaped strip shall be provided or, if possible, additional width in excess of the minimum required shall be added to the pedestrian or shared-use facility to provide the greatest pedestrian and vehicular separation possible in the given context.

SECTION 4.

Article III. General Requirements and Minimum Standards of Design, D. Lots, 1., is amended as follows:

1. Arrangement. Unless reductions are provided for otherwise as part of these regulations or in the Farragut Zoning Ordinance, each buildable lot shall front for a minimum of seventy-five (75) feet upon a public street. Where dead end streets or cul-de-sacs are permitted by the Planning Commission, each buildable lot shall have at least 60 feet of frontage on the dead end street or cul-de-sac.

This amendment shall be in full force and effect from and after the date of passage of this Resolution.

RESOLUTION passed January 18, 2018.

Rita Holladay, Chairman

Edwin K. Whiting, Secretary

recorded plat of a subdivision, of the planning commission as subsection (c), an easement or state, a county, municipality, state, county, municipality or an amendment, modification, or

ative planning agreements, title 54, rt 1.
plan for physical development, § 13-

or street and highway systems, title , part 2.

l planning commission platting au-
Standardizing lots — Recording plat
register, § 13-3-402.

S

as of land which fall within the defi-
"subdivision", as defined in T.C.A.
l, must be submitted to the metro-
lanning commission for approval
v. Department of Codes Admin., 20
4, 1999 Tenn. App. LEXIS 599 (Tenn.
999), rehearing denied, — S.W.3d —,
1. App. LEXIS 807 (Tenn. Ct. App.
99).

cess does not require that a planning
n give notice to landowners who may
l by a development before an actual
velopment has been submitted. West
meowners Ass'n v. WPMC, Inc., 788
i, 1989 Tenn. App. LEXIS 849 (Tenn.
989), appeal denied, — S.W.2d —,
. LEXIS 473 (Tenn. 1990).

on.

by this part, the planning
ie subdivision of land within
for the harmonious develop-
coordination of streets within
eets or with the plan of the
pality is located, for adequate
ir, and for a distribution of
onditions favorable to health,
areas where there are inad-
and maintained services and
etermined the services are

l approval of the plat, the
ement requirements as to the

Exhibit E

extent to which and the manner in which:

(A) Roads are constructed and improved;

(B) Water, sewer, and other utility mains, piping, and connections are constructed or installed; or

(C) Other infrastructure and facilities are constructed or installed.

(2) The regulations of the planning commission may provide for the preliminary approval of the plat before the infrastructure improvements, but any preliminary approval shall not be entered on the plat.

(3) In lieu of the completion of the infrastructure improvements before the final approval of a subdivision plat, the planning commission may grant final plat approval subject to the submittal and acceptance of a bond, letter of credit, or other method of assurance, in form, in amount, and with conditions and surety satisfactory to the planning commission. The bond, letter of credit, or other method of assurance shall provide for and secure to the public and the local government the actual construction and installation of the infrastructure improvements within a period specified by the municipal planning commission and expressed in the bond, letter of credit, or other method of assurance.

(4) The attorney for the municipality shall enforce any bond, letter of credit, or other method of assurance by all appropriate legal and equitable remedies, and moneys collected on the bond, letter of credit, or other method of assurance shall be paid into the municipality's treasury. Upon the order of the planning commission, the moneys shall be applied to the construction and installation of the infrastructure improvements.

(c) Before adoption of its subdivision regulations or any amendment thereof, a public hearing thereon shall be held by the commission.

History.

Acts 1935, ch. 45, § 2; C. Supp. 1950, § 3407.11; T.C.A. (orig. ed.), § 13-603; Acts 2008, ch. 1150, § 10; 2011, ch. 73, § 2; 2015, ch. 209, § 4.

Law Reviews.

Impact Fees in Tennessee, a Public and Private Partnership (Andrea C. Barach, Jane Pine Wood), 18 Mem. St. U.L. Rev. 685 (1988).

NOTES TO DECISIONS

1. Generally.

T.C.A. § 13-4-303 assigns full responsibility for the process of subdivision regulation, development, application and administration to regional and municipal planning commissions.

Thompson v. Department of Codes Admin., 20 S.W.3d 654, 1999 Tenn. App. LEXIS 599 (Tenn. Ct. App. 1999), rehearing denied, — S.W.3d —, 1999 Tenn. App. LEXIS 807 (Tenn. Ct. App. Dec. 3, 1999).

13-4-304. Procedure on submission of plats — Approval or disapproval — Contents — Hearings — Procedure in certain counties.

(a) The commission shall approve or disapprove a plat within sixty (60) days after the initial consideration of the plat by the commission meeting in a regularly scheduled session, unless at the end of the sixty-day period there is a holiday or an unexpected interceding event that would close municipal or county offices and thus affect the normal computation of the sixty-day period, in which case the plat shall be approved or disapproved after the interrupted sixty-day period at the next regularly scheduled meeting of the commission; otherwise, the plat shall be deemed approved and a certificate to that effect

shall be issued by the commission on demand. The applicant for the commission's approval may waive the time requirement set in this subsection (a) and consent to an extension or extensions of the applicable time period. When a plat has been filed with the appropriate officials of the planning commission, the plat shall be placed on the agenda of the planning commission within thirty (30) days of the filing or the next regularly scheduled planning commission meeting after the thirty-day period. The applicant may waive the time frame requirement for the appearance of the plat on the agenda.

(b) The ground of disapproval of any plat shall be stated upon the records of the commission.

(c) Any plat submitted to the commission shall contain the name and address of a person to whom notice of hearing shall be sent; and no plat shall be acted upon by the commission without affording a hearing thereon, notice of the time and place of which shall be sent by mail to such address not less than five (5) days before the date fixed for such hearing.

X
428-12
325,749
(d) In counties having populations not less than three hundred twenty-five thousand (325,000) nor more than four hundred thousand (400,000), according to the 1990 federal census or any subsequent federal census, in the event the municipal planning commission approves or disapproves a plat after a hearing thereon, the applicant submitting the plat or any person who was a party for or against the plat request at the planning commission hearing shall have the right within thirty (30) days after such approval or disapproval to have the action of the municipal planning commission reviewed by the chief legislative body of the municipality having jurisdiction over zoning matters, who shall by majority vote approve or disapprove the plat. If the plat is approved, the secretary of the regional planning commission shall endorse the plat for recording as prescribed in § 13-3-402. No such plat shall be recorded until after the county court or other legislative body has acted on a request for a review of the action of the planning commission if there is a request within thirty (30) days.

History.

Acts 1935, ch. 45, § 3; C. Supp. 1950, § 3407.12; T.C.A. (orig. ed.), § 13-604; Acts 1973, ch. 402, § 2; 1993, ch. 312, § 1; 2007, ch. 137, § 1; 2009, ch. 34, § 1.

For table of U.S. decennial populations of Tennessee counties, see Volume 13 and its supplement.

Compiler's Notes.

This section was amended by Acts 1973, ch. 402, § 2 with respect to Knox County only.

13-4-305. Dedications — Effect of plat approval on status.

The approval of a plat shall not be deemed to constitute or effect an acceptance by the municipality, county or public of the dedication of any street or other ground shown upon the plat.

History.

Acts 1935, ch. 45, § 4; C. Supp. 1950, § 3407.13; T.C.A. (orig. ed.), § 13-605.

Law Reviews.

Real Property — 1962 Tennessee Survey (Thomas G. Roady, Jr.), 16 Vand. L. Rev. 839.



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Letter Landscape

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June 2, 2021

Town of Farragut
Darryl Smith, PE
11408 Municipal Center Dr
Farragut, TN 37934

Re: Letter from Steve Williams' attorney

Dear Darryl,

I've taken a look at the claims made by Taylor Forrester of LRW on behalf of Steve Williams. Below are my comments to their claims. They listed 4 claims in **Bold Italics**, which I have numbered in sequential order.

1. The location of the stub ROW and trail is at a location of 16% grade. The entirety of the Williams tract is 16% grade along the boundary of our subdivision. However, the error in their thinking is that a road would have to go straight down the hill. Attached is a road plan, profile, and grading showing how a future road can be constructed at less than 10% tying into our approved grading plan and the Williams' property.

Additionally, The Church driveway at Virtue has significant sight distance issues that would render any road connection at Virtue on their property problematic. That is assuming the Church had the funds to build a road across their property or that the Town determined they moneys to build said road.

2. A traffic impact study was provided. No significant impact was determined. No TIS would determine if a roundabout was necessary. A TIS could identify changes in LOS at an intersection, from which a roundabout could be evaluated to eliminate increased delays at an intersection; if such increased delays warranted an improved intersection.
3. The table used and referenced from the Recreation Education Services Division of TDEC can't be found on TDEC's site or the WWW. Everything I have found under TDEC recreation division is 'guidelines', not code. The table reverenced appears most similar to ADA code requirements for access ramps, which a sidewalk or trail is not.

Furthermore, the ADA code requirements for sidewalks and paths allow such to follow the grade of the road when parallel and adjacent to the road. If anything, the argument for the trail to be a sidewalk could be discussed; however, I do not believe the trail to be in violation of ADA code.



PO BOX 30456, KNOXVILLE, TN, 37930
865-622-6560 RACKLEYENGINEERING.COM

4. This statement regarding Field Roller St is incorrect. Firstly, its design speed and not speed limit. The regulations of the town require a minimum design speed. I chose to design Field Roller at 35mph due to the two internal crossings and future possible connection. No special permission is required to design a road with larger vertical curves than the minimum required.

I argued against a connection to Mr. Williams' property, but the Town required it. It has been located at or nearest the point of confluence of his two parcel boundaries with our property boundary and at a location with the least negative impact on the lots in our subdivision.

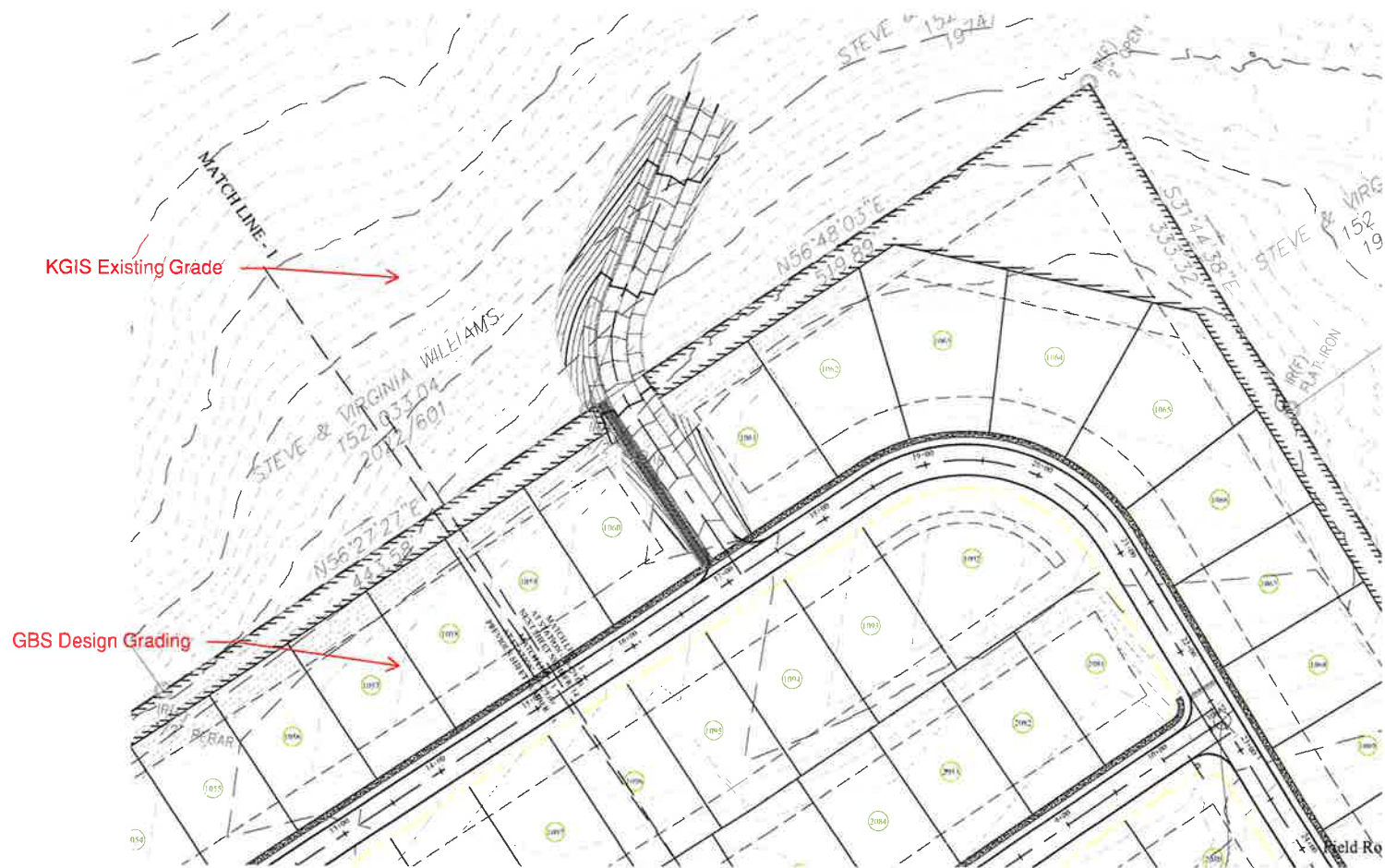
Please advise if additional information is needed at this time.

Sincerely,

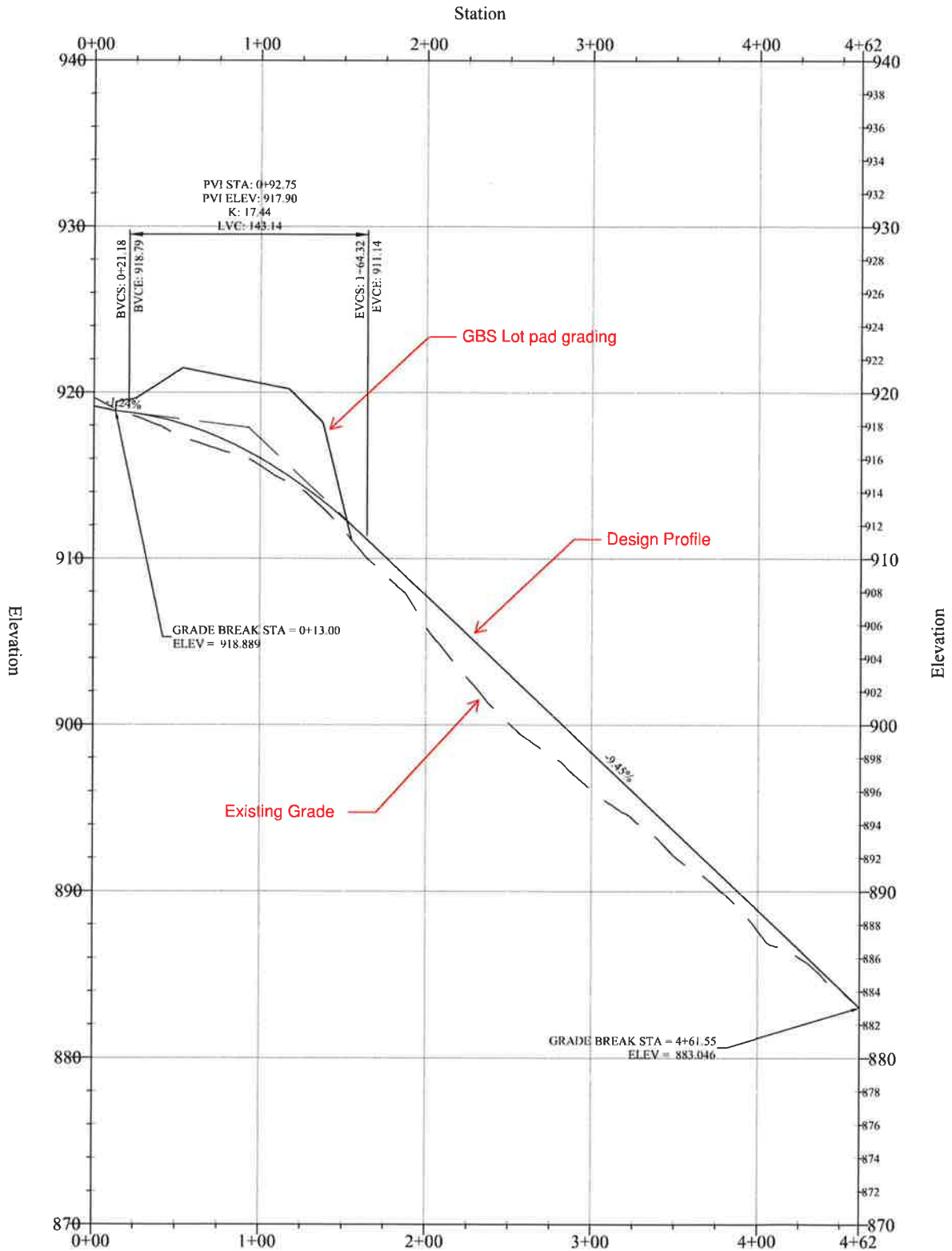
A handwritten signature in blue ink, appearing to read 'Russell N. Rackley', is written over a light blue horizontal line.

Russell N. Rackley, P.E.
Consulting Engineer

Attachments: 2 Exhibits



Alignment (20) PROFILE



REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Brannon Tupper, PE

SUBJECT: Approval of Bids for Contract 2022-01, Annual On-Call Road Maintenance

INTRODUCTION: The purpose of this agenda item is to consider bids and award our Annual Road Maintenance contract to the selected contractor.

BACKGROUND: Each year we advertise for bid proposals for the maintenance of our streets. Proposals are obtained for the various line items we typically see during the given year, and we recommend awarding to a contractor based upon their unit prices, as well as their responsiveness (if they've completed this contract in the past) and their ability to perform the required work. We received one bid on May 20 from Pavement Restorations, Inc. (PRI). We have attached a tabulation of PRI's unit prices, along with their unit prices on the current contract (awarded last year). Based upon the unit prices provided in their proposal, staff recommends award of this contract to Pavement Restorations, Inc. The Town has worked with PRI in the past, and we have always been pleased with their performance.

FINANCIAL SECTION:

Project:

<u>Total Budget</u>	<u>Contract Amount</u>	<u>Remaining Amount</u>
\$75,000	\$75,000	\$0

Approved
By: A. Myers

RECOMMENDATION BY: Brannon Tupper, Assistant Town Engineer

PROPOSED MOTION: Approval of proposal and award of Contract 2022-01 to Pavement Restorations, Inc.

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	_____	_____	_____	_____	_____

2022-01: On-Call Road Maintenance



ITEM #	DESCRIPTION	UNIT	2021 Current Rates (PRI of East TN., Inc.)	PRI of East TN., Inc.
			UNIT PRICE	UNIT PRICE
1.1	Minimum Charge-NORMAL Response Time	EA	\$950.00	\$ 1,000.00
1.2	Minimum Charge-EMERGENCY Response Time	EA	\$1,250.00	\$ 1,500.00
2.1	Surface Patch, 1.5" ACS (PG 64-22) Gr E Roadway (maximum 500 Sq. Ft.)	SF	\$7.50	\$ 8.00
2.2	Surface Patch, 1.5" ACS (PG 64-22) Gr E Roadway (minimum 500 Sq. Ft.)	SF	\$7.50	\$ 8.00
2.3	Surface Patch applied with a burn truck (maximum single patch of 500 Sq. Ft.)	SF	\$8.50	\$ 10.00
3.1	Pavement Depth Patch, 1.5" ACS (PG 64-22) Gr E Roadway, 5" BPMB-HM (PG-64-22) B-M2 (maximum 500 Sq. Ft.)	SF	\$10.50	\$ 12.50
3.2	Pavement Depth Patch, 1.5" ACS (PG 64-22) Gr E Roadway, 5" BPMB-HM (PG-64-22) B-M2 (minimum 500 Sq. Ft.)	SF	\$9.50	\$ 11.50
3.3	Full Depth Patch, 1.5" ACS (PG 64-22) Gr E Roadway, 5" (Two Lifts) BPMB-HM (PG-64-22) BM2, Mineral Aggregate Type A Base, 10", (Two Lifts) (maximum 500 Sq. Ft.)	SF	\$14.00	\$ 16.00
3.4	Full Depth Patch, 1.5" ACS (PG 64-22) Gr E Roadway, 5" (Two Lifts) BPMB-HM (PG-64-22) BM2, Mineral Aggregate Type A Base, 10", (Two Lifts) (minimum 500 Sq. Ft.)	SF	\$12.25	\$ 15.00
4.1	Pavement Depth Patch, 1.5" ACS (PG 64-22) Gr E Roadway, 3" BPMB-HM (PG-64-22) B-M2 (maximum 500 Sq. Ft.)	SF	\$9.75	\$ 12.00
4.2	Pavement Depth Patch, 1.5" ACS (PG 64-22) Gr E Roadway, 3" BPMB-HM (PG-64-22) B-M2 (minimum 500 Sq. Ft.)	SF	\$9.25	\$ 11.00
4.3	Full Depth Patch, 1.5" ACS (PG 64-22) Gr E Roadway, 3" BPMB-HM (PG-64-22) B-M2, Mineral Aggregate Type A Base, 8", (Two Lifts) (maximum 500 Sq. Ft.)	SF	\$12.50	\$ 14.00
4.4	Full Depth Patch, 1.5" ACS (PG 64-22) Gr E Roadway, 3" BPMB-HM (PG-64-22) B-M2, Mineral Aggregate Type A Base, 8", (Two Lifts) (minimum 500 Sq. Ft.)	SF	\$11.75	\$ 13.00
5.1	Pavement Depth Patch, 1.5" ACS (PG 64-22) Gr E Roadway, 2.5" BPMB-HM (PG-64-22) B-M2 (maximum 500 Sq. Ft.)	SF	\$9.50	\$ 11.50
5.2	Pavement Depth Patch, 1.5" ACS (PG 64-22) Gr E Roadway, 2.5" BPMB-HM (PG-64-22) B-M2 (minimum 500 Sq. Ft.)	SF	\$9.50	\$ 11.00
5.3	Full Depth Patch, 1.5" ACS (PG 64-22) Gr E Roadway, 2.5" BPMB-HM (PG-64-22) B-M2, Mineral Aggregate Type A Base, 8", (Two Lifts) (maximum 500 Sq. Ft.)	SF	\$12.50	\$ 13.00
5.4	Full Depth Patch, 1.5" ACS (PG 64-22) Gr E Roadway, 2.5" BPMB-HM (PG-64-22) B-M2, Mineral Aggregate Type A Base, 8", (Two Lifts) (minimum 500 Sq. Ft.)	SF	\$11.50	\$ 11.50
6.1	Remove/Dispose Existing Pavement for Arterial Roadway, 7" Depth (maximum 500 Sq. Ft.)	SF	\$9.00	\$ 10.00
6.2	Remove/Dispose Existing Pavement for Arterial Roadway, 7" Depth (minimum 500 Sq. Ft.)	SF	\$8.00	\$ 9.00
6.3	Remove/Dispose Existing Pavement for Collector/Local Roadway, 4.5" Depth (maximum 500 Sq. Ft.)	SF	\$8.25	\$ 9.00
6.4	Remove/Dispose Existing Pavement for Collector/Local Roadway, 4.5" Depth (minimum 500 Sq. Ft.)	SF	\$7.25	\$ 8.00
7.1	Asphalt Trail (New), 8' or 10' Width, Grading, 6" Mineral Aggregate Base, 2" ACS (PG 64-22) Gr E Shoulder, Backfill, Seed and Matting) (minimum 500 Sq. Ft.) (~206 lbs./SY of 2" Gr E Shoulder)	SF	\$18.50	\$ 20.00
7.2	Asphalt Trail (Full Depth Repair), Grading, 6" Mineral Aggregate Base, 2" ACS (PG 64-22) Gr E Shoulder, Backfill, Seed and Matting) (maximum 500 Sq. Ft.)	SF	\$20.00	\$ 25.00
7.3	Asphalt Trail (Full Depth Repair), Grading, 6" Mineral Aggregate Base, 2" ACS (PG 64-22) Gr E Shoulder, Backfill, Seed and Matting) (minimum 500 Sq. Ft.)	SF	\$18.50	\$ 25.00
7.4	Remove/Dispose Asphalt Trail Pavement, 2" Depth (maximum 500 Sq. Ft./approx. 5.8 Tons)	SF	\$7.25	\$ 8.00
7.5	Remove/Dispose Asphalt Trail Pavement, 2" Depth (minimum 500 Sq. Ft./approx. 5.8 Tons)	SF	\$7.50	\$ 8.00
7.6	Asphalt Trail (Resurfacing), 8' or 10' Width, 2" ACS (PG 64-22) Gr E Shoulder, (maximum 500 Sq. Ft.) (~206 lbs./SY of 2" ACS)	SF	\$7.75	\$ 9.00
7.7	Asphalt Trail (Resurfacing), 8' or 10' Width, 2" ACS (PG 64-22) Gr E Shoulder, (minimum 500 Sq. Ft.) (~206 lbs./SY of 2" ACS)	SF	\$7.50	\$ 9.00
10.1	Cold Mix Patch	SF	\$25.00	\$ 25.00
10.2	Saw Cut (Asphalt/Concrete)	LF	\$6.00	\$ 6.00
10.3	Grader	Hour	\$150.00	\$ 175.00
10.4	Backhoe	Hour	\$140.00	\$ 150.00
10.5	Roller (Bomag-120 AD or Equal)	Hour	\$110.00	\$ 125.00
10.6	Single-Axle Truck	Hour	\$85.00	\$ 85.00
10.7	Tri-Axle Truck	Hour	\$95.00	\$ 100.00
10.8	Bobcat (Including Attachment Needed)	Hour	\$100.00	\$ 125.00
10.9	Shoulder Stone (Edge of Pavement) with Mineral Aggregate Type A Base, TDOT 303-01, Placed and Compacted	TN	\$85.00	\$ 275.00
11.1	Labor	Hour	\$55.00	\$ 75.00

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Brannon Tupper, PE

SUBJECT: Approval of Bids for Contract 2022-02, Annual On-Call Pavement Marking

INTRODUCTION: The purpose of this agenda item is to consider bids and award our Annual Pavement Markings contract to the selected contractor.

BACKGROUND: Each year we advertise for bid proposals for the installation of pavement markings for our streets. Proposals are obtained for the various line items we typically see during the given year, and we recommend award of this contract to a contractor based upon their unit prices, as well as their responsiveness (if they've completed this contract in the past) and their ability to perform the required work. We received one bid on May 20 from Volunteer Highway Supply Company Inc. We have attached a tabulation of Volunteer Highway Supply's unit prices, along with the unit prices on the current contract (awarded last year). Based upon the unit prices provided in their proposal, staff recommends award of this contract to Volunteer Highway Supply. The Town has worked with Volunteer Highway Supply in the past, and we have always been pleased with their performance.

FINANCIAL SECTION:

Project:		
<u>Total Budget</u>	<u>Contract Amount</u>	<u>Remaining Amount</u>
\$50,000	\$50,000	\$0
Approved A. Myers		
By: _____		

RECOMMENDATION BY: Brannon Tupper, Assistant Town Engineer

PROPOSED MOTION: Approval of bids and award of Contract 2022-02 to Volunteer Highway Supply Company Inc.

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	_____	_____	_____	_____	_____



2022-02: On-Call Pavement Marking

ITEM #	DESCRIPTION	UNIT	2021 Current Rates (Highway Markings Inc)	Volunteer Highway Supply Co. Inc.
			UNIT PRICE	UNIT PRICE
1.1	Painted Word Pavement Marking (ONLY)	EA	\$ 110.00	\$ 55.00
1.2	Painted Word Pavement Marking (SCHOOL)	EA	\$ 195.00	\$ 100.00
2.1	8" Raised Ceramic Markers/Refl.	EA	\$ 28.50	\$ 75.00
3.1	Durable ReflectORIZED Pavement Marking (4" Line) 3M All Weather Paint	L.F.	\$ 0.38	\$ 0.35
716-01.11	RAISED PVMT MARKERS (BI-DIRECTIONAL) (1 COLOR LENS)	EA	\$ 7.75	\$ 8.00
716-01.12	RAISED PVMT MARKERS (MONO-DIRECTIONAL) (1 COLOR LENS)	EA	\$ 7.75	\$ 8.00
716-01.13	RAISED PVMT MARKERS (BI-DIRECTIONAL) (2 COLOR LENS)	EA	\$ 7.75	\$ 8.00
716-01.23	SNOW PLOWABLE REFLECTIVE MARKER (BI-DIRECTIONAL) (2 COLOR LENS)	EA	\$ 28.25	\$ 30.00
716-02.03	PLASTIC PAVEMENT MARKING (CROSS-WALK)	L.F.	\$ 7.75	\$ 10.00
716-02.04	PLASTIC PAVEMENT MARKING (CHANNELIZATION STRIPING)	S.Y.	\$ 22.50	\$ 18.00
716-02.05	PLASTIC PAVEMENT MARKING (STOP LINE)	L.F.	\$ 9.75	\$ 10.00
716-02.06	PLASTIC PAVEMENT MARKING (TURN LANE ARROW)	EA	\$ 125.00	\$ 140.00
716-02.08	PLASTIC PAVEMENT MARKING (8" DOTTED LINE)	L.F.	\$ 1.15	\$ 1.10
716-02.12	PLASTIC PAVEMENT MARKING (8IN LINE)	L.F.	\$ 1.15	\$ 1.10
716-02.30	RETRACING PAVEMENT MARKINGS - PLASTIC (4" LINE)	L.M.	\$ 2,175.00	\$ 2,400.00
716-03.01	PLASTIC WORD PAVEMENT MARKING (ONLY)	EA	\$ 175.00	\$ 125.00
716-03.04	PLASTIC WORD PAVEMENT MARKING (SCHOOL)	EA	\$ 350.00	\$ 350.00
716-03.05	PLASTIC WORD PAVEMENT MARKING (BIKE LANE)	EA	\$ 375.00	\$ 350.00
716-04.03	PLASTIC PAVEMENT MARKING (4" DOTTED LINE)	L.F.	\$ 0.85	\$ 1.00
716-04.10	PLASTIC PAVEMENT MARKING (HANDICAP SYMBOL)	EA	\$ 165.00	\$ 200.00
716-04.11	PLASTIC PAVEMENT MARKING (BICYCLE SYMBOL W/RIDER)	EA	\$ 300.00	\$ 350.00
716-04.12	PLASTIC PAVEMENT MARKING (YIELD LINE)	S.F.	\$ 8.50	\$ 8.00
716-04.13	PLASTIC PAVEMENT MARKING (BIKELANE SYMBOL & ARROW)	EA	\$ 350.00	\$ 385.00
716-05.01	PAINTED PAVEMENT MARKING (4" LINE)	L.M.	\$ 465.00	\$ 540.00
716-05.03	PAINTED PAVEMENT MARKING (CROSS-WALK)	L.F.	\$ 3.25	\$ 3.00
716-05.04	PAINTED PAVEMENT MARKING (CHANNELIZATION STRIPING)	S.Y.	\$ 10.25	\$ 9.00
716-05.05	PAINTED PAVEMENT MARKING (STOP LINE)	L.F.	\$ 5.00	\$ 5.00
716-05.06	PAINTED PAVEMENT MARKING (TURN LANE ARROW)	EA	\$ 62.50	\$ 75.00
716-05.08	PAINTED PAVEMENT MARKING (PARKING LINE)	L.F.	\$ 0.35	\$ 0.85
716-05.50	PAINTED PAVEMENT MARKINGS(8" LINE)	L.F.	\$ 0.54	\$ 0.60
716-05.51	PAINTED PAVEMENT MARKINGS(12" LINE)	L.F.	\$ 1.40	\$ 2.00
716-05.60	RETRACING PAVEMENT MARKINGS - PAINTED (4" LINE)	L.M.	\$ 395.00	\$ 455.00
716-05.61	RETRACING PAVEMENT MARKINGS - PAINTED (8" BARRIER LINE)	L.F.	\$ 0.60	\$ 0.60
716-05.62	RETRACING PAVEMENT MARKINGS - PAINTED (6" LINE)	L.M.	\$ 515.00	\$ 560.00
716-05.64	RETRACING PAVEMENT MARKINGS - PAINTED (6" DOTTED LINE)	L.F.	\$ 0.20	\$ 0.25
716-05.72	PERFORMANCE BASED RETRACING SPRAY THERMO 4IN	L.M.	\$ 1,375.00	\$ 2,150.00
716-05.73	PERFORMANCE BASED RETRACING SPRAY THERMO 6IN	L.M.	\$ 2,075.00	\$ 2,800.00
716-06.01	PAINTED WORD PVMT MARK (Handicap Symbol)	EA	\$ 125.00	\$ 100.00
716-08.01	REMOVAL OF PAVEMENT MARKING (LINE)	L.F.	\$ 0.65	\$ 0.75
716-08.11	REMOVAL OF WORD PAVEMENT MARKING	EA	\$ 100.00	\$ 50.00
716-09.79	THERMOPLST PVMT MARK PROFILE LINE(4")	L.M.	\$ 7,500.00	No Bid
716-13.01	SPRAY THERMO PVMT MRKNG (60 mil) (4IN LINE)	L.M.	\$ 1,825.00	\$ 2,350.00
716-13.02	SPRAY THERMO PVMT MRKNG (60 mil) (6IN LINE)	L.M.	\$ 2,250.00	\$ 2,975.00
716-13.03	SPRAY THERMO PVMT MRKNG (60 mil) (8IN BARRIER LINE)	L.F.	\$ 0.75	\$ 2.00
716-13.04	SPRAY THERMO PVMT MRKNG (60 mil) (4IN DOTTED LINE)	L.F.	\$ 0.55	\$ 1.00
716-13.05	SPRAY THERMO PVMT MRKNG (60 mil) (6IN DOTTED LINE)	L.F.	\$ 0.65	\$ 1.00
716-13.06	SPRAY THERMO PVMT MRKNG (40 mil) (4IN LINE)	L.M.	\$ 1,675.00	\$ 2,150.00
716-13.07	SPRAY THERMO PVMT MRKNG (40 mil) (6IN LINE)	L.M.	\$ 2,025.00	\$ 2,700.00
716-13.08	SPRAY THERMO PVMT MRKNG (40 mil) (8IN BARRIER LINE)	L.F.	\$ 0.70	\$ 1.00
716-13.09	SPRAY THERMO PVMT MRKNG (40 mil) (4IN DOTTED LINE)	L.F.	\$ 0.50	\$ 1.00
716-13.10	SPRAY THERMO PVMT MRKNG (40 mil) (6IN DOTTED LINE)	L.F.	\$ 0.60	\$ 1.00
716-13.11	SPRAY THERMO PVMT KRKNG (60 MIL 12IN BARRIER LINE)	L.F.	\$ 1.15	No Bid
716-14.01	PROFILED THERMO PVMT MRKNG AUDIBLE (4IN)	L.M.	\$ 2,975.00	No Bid
716-14.02	PROFILED THERMO PVMT MRKNG AUDIBLE (6IN)	L.M.	\$ 3,495.00	No Bid

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Brannon Tupper, PE

SUBJECT: Approval of Bids for Contract 2022-03, Annual On-Call Guardrail Maintenance

INTRODUCTION: The purpose of this agenda item is to consider bids and award our Annual Guardrail Maintenance contract to the chosen contractor.

BACKGROUND: Each year we advertise for bid proposals for maintenance of guardrail. Proposals are obtained for the various line items we typically see during the given year, and we recommend awarding to a contractor based upon their unit prices, as well as their responsiveness (if they've completed this contract in the past) and their ability to perform the required work. We received two bids on May 20 from Tennessee Guardrail, Inc. and Roadway Solutions, LLC. Based upon the tabulated unit prices (see attached), staff recommends award of Contract 2022-03 to Roadway Solutions, LLC. Roadway Solutions has been our contractor for the past several years, and we have always enjoyed a good working relationship.

FINANCIAL SECTION:

Project:

<u>Total Budget</u>	<u>Contract Amount</u>	<u>Remaining Amount</u>
\$15,000	\$15,000	\$0

Approved A. Myers

By: _____

RECOMMENDATION BY: Brannon Tupper, Assistant Town Engineer

PROPOSED MOTION: Approval of bids and award of Contract 2022-03 to Roadway Solutions, LLC.

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	_____	_____	_____	_____	_____

2022-03: On-Call Guardrail Maintenance



ITEM #	DESCRIPTION	UNIT	2021 Current Rates (Roadway Solutions, LLC)	Roadway Solutions, LLC	Tennessee Guardrail, Inc.
			UNIT PRICE	UNIT PRICE	UNIT PRICE
705-01.01	GUARDRAIL AT BRIDGE ENDS	LF	\$ 64.00	\$ 85.00	\$ 175.00
705-01.04	METAL BEAM GUARD FENCE	LF	\$ 55.00	\$ 80.00	\$ 150.00
705-02.01	SINGLE GUARDRAIL WITH RUB-RAIL (TYPE 2)	LF	\$ 24.00	\$ 33.00	\$ 50.00
705-02.02	SINGLE GUARDRAIL (TYPE 2)	LF	\$ 16.00	\$ 24.00	\$ 37.50
705-02.03	SINGLE GUARDRAIL (TYPE 2) LONG POST	LF	\$ 18.00	\$ 28.00	\$ 55.00
705-02.20	SINGLE GUARDRAIL (TYPE 2) LONG POST (6'-9')	LF	\$ 20.00	\$ 32.00	\$ 55.00
705-02.25	SINGLE GUARDRAIL (TYPE 2) LONG POST (9'-12')	LF	\$ 24.00	\$ 36.00	\$ 62.50
705-04.02	GUARDRAIL TERMINAL (TYPE 12)	EA	\$ 500.00	\$ 750.00	\$ 2,250.00
705-04.03	GUARDRAIL TERMINAL (TYPE 13)	EA	\$ 850.00	\$ 1,200.00	\$ 1,875.00
705-04.04	GUARDRAIL TERMINAL (TYPE 21) (S-GRT-3)	EA	\$ 2,100.00	\$ 3,000.00	\$ 4,000.00
705-04.07	TAN ENERGY ABSORBING TERM (NCHRP 350, TL3) (TYPE 38) (S-GRT-2)	EA	\$ 2,300.00	\$ 3,500.00	\$ 5,000.00
705-04.09	EARTH PAD FOR TYPE 38 GR END TREATMENT	EA	\$ 1,000.00	\$ 1,000.00	\$ 1,250.00
705-04.10	EARTH PAD FOR GUARD RAIL END TREATMENT	EA	\$ 1,000.00	\$ 1,000.00	\$ 1,250.00
705-04.11	STONE FOR GUARDRAIL END TERMINAL PAD	TN	\$ 40.00	\$ 40.00	\$ 120.00
705-06.01	W BEAM GR (TYPE 2) MASH TL3	LF	\$ 15.00	\$ 24.00	\$ 37.50
705-06.20	TANGENT ENERGY ABSORBING TERM MASH TL-3	EA	\$ 2,300.00	\$ 3,500.00	\$ 5,000.00
705-06.30	GR TERMINAL (TYPE 21) MASH TL2	EA	\$ 2,100.00	\$ 3,000.00	\$ 4,000.00
706-01	GUARDRAIL REMOVED	LF	\$ 12.00	\$ 12.00	\$ 4.00
706-03.01	POSTS FURNISHED	EA	\$ 100.00	\$ 200.00	\$ 175.00
706-06.03	RADIUS RAIL	LF	\$ 30.00	\$ 26.00	\$ 55.00
706-06.05	RADIUS RAIL ON LONG POST (6-9 FT)	LF	\$ 40.00	\$ 48.00	\$ 62.50
706-06.06	RADIUS RAIL ON LONG POST (9-12 FT)	LF	\$ 45.00	\$ 54.00	\$ 70.00
706-10.26	ROUNDED END ELEMENT	EA	\$ 75.00	\$ 100.00	\$ 95.00
706-10.73	REMOVAL OF GUARDRAIL & POST FOR REUSE	LF	\$ 1.00	\$ 1.00	\$ 10.00
706-10.82	CONCRETE BRIDGE END OR PIER PROTECTION REPAIR	CY	\$ 2,500.00	\$ 2,500.00	\$ 6,000.00
712-01	TRAFFIC CONTROL(LANE CLOSURE) (per work order)	EA	\$ 500.00	\$ 500.00	\$ 500.00
717-01	MOBILIZATION (per work order)	EA	\$ 500.00	\$ 750.00	\$ 75.00
717-01.03	MOBILIZATION (emergency work per work order)	EA	\$ 1,000.00	\$ 1,500.00	\$ 100.00

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Brannon Tupper, PE

SUBJECT: Approval of Bids for Contract 2022-04, Annual On-Call Signal Maintenance Contract

INTRODUCTION: The purpose of this agenda item is to consider bids and award our Annual Signal Maintenance contract to the selected contractor.

BACKGROUND: Each year we advertise for bid proposals for maintenance of our traffic signals. Proposals are obtained for the various line items we typically see during the given year, and we recommend awarding to a contractor based upon their unit prices, as well as their responsiveness (if they've completed this contract in the past) and their ability to perform the required work. We received two bid proposals on May 20 from Progression Electric, LLC and Stansell Electric Company, Inc. We have attached a tabulation of unit prices from both companies. Based upon the tabulated prices staff recommends award of Contract 2022-04 to Stansell Electric Company. The Town has contracted with Stansell recently on other projects and were pleased with their performance.

FINANCIAL SECTION:

Project:

<u>Total Budget</u>	<u>Contract Amount</u>	<u>Remaining Amount</u>
\$45,000	\$45,000	\$0

Approved A. Myers

By: _____

RECOMMENDATION BY: Brannon Tupper, Assistant Town Engineer.

PROPOSED MOTION: Approval of bids and award of Contract 2022-04 to Stansell Electric Company, Inc.

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	_____	_____	_____	_____	_____

2022-04: On-Call Traffic Signal Maintenance



				2021 Current Rates (Progression Electric, LLC)	Progression Electric, LLC	Stansell Electric Company, Inc.
TYPE	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	UNIT PRICE	UNIT PRICE
Scheduled	Scheduled Preventive Maintenance (semi-annual) per signal intersection	EA	26	\$ 240.00	\$ 250.00	\$ 240.00
Scheduled	Scheduled Preventive Maintenance (annual) per signal intersection	EA	26	\$ 285.00	\$ 300.00	\$ 285.00
			TOTAL	\$ 13,650.00	\$ 14,300.00	\$ 13,650.00
Non-Scheduled	Emergency– (2 Hour Response Time)	HR		\$ 170.00	\$ 170.00	\$ 185.00
Non-Scheduled	Same-day– (8 Hour Response Time)	HR		\$ 150.00	\$ 150.00	\$ 150.00
Non-Scheduled	After-hours – (8 Hour Response Time)	HR		\$ 170.00	\$ 170.00	\$ 150.00
Non-Scheduled	Regular	HR		\$ 150.00	\$ 150.00	\$ 130.00
Non-Scheduled	15 ton crane (4 hour minimum per service call.)	HR		\$ 170.00	\$ 170.00	\$ 180.00
Miscellaneous	SERVICE TRUCK – OPERATOR/ELECTRICIAN INCLUDED	HR		\$ 145.00	\$ 140.00	\$ 100.00
Miscellaneous	BUCKET TRUCK – OPERATOR/ELECTRICIAN INCLUDED	HR		\$ 170.00	\$ 140.00	\$ 140.00
Miscellaneous	Laborer	HR		\$ 55.00	\$ 60.00	\$ 50.00
Miscellaneous	Technician, IMSA Level I	HR		\$ 55.00	\$ 75.00	\$ 69.00
Miscellaneous	Technician, IMSA Level II	HR		\$ 70.00	\$ 75.00	\$ 69.00
Miscellaneous	Technician, IMSA Level III	HR		\$ 75.00	\$ 75.00	\$ 83.00
Miscellaneous	Licensed Electrician	HR		\$ 75.00	\$ 75.00	\$ 83.00
Miscellaneous	REPAIR MASTER CONTROLLER or CONTROLLER (Remove & Re-install Only)	HR		\$ 70.00	\$ 175.00	\$ 250.00
Miscellaneous	Provide temporary controller	EA		\$ 225.00	\$ 300.00	\$ 400.00
Miscellaneous	Provide temporary CONFLICT MONITOR	EA		\$ 225.00	\$ 250.00	\$ 200.00
Miscellaneous	REPLACE EXISTING LOOP DETECTOR, INCLUDES SAW CUT PAVEMENT & LEAD-IN	LF		\$ 12.00	\$ 12.00	\$ 11.00

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Brannon Tupper, PE

SUBJECT: Approval of Change Order No. 8, Contract 2020-12, McFee Park Phase 3

INTRODUCTION: The purpose of this item is to consider approval of a change order for additional schedule due to weather delays for the Town's McFee Park Phase 3 project.

BACKGROUND: The Board of Mayor and Aldermen awarded Contract 2020-12 to Merit Construction, Inc. on March 12, 2020, for a total lump sum contract price of \$7,385,000.00. The project consists of a major park expansion including a great lawn, tennis complex, restroom pavilion, entrance roads and parking.

The contract includes a provision for Weather Delays which allows for the contractor to submit for additional schedule if the project is impacted. Each month the amount of actual "rain out" days is compared to historical data and evaluated. Merit has submitted for 30-days above the historical data baseline for April 2020 through May 2021. This has been reviewed by the Ross Fowler design team and Town staff, and we concur with the request. Please note this is a zero-dollar change and only provides for schedule relief from the contractually required completion date. The new contract completion date will be June 22nd, 2021.

Total cost for this Change Order is **\$0.00** and a **30-day contract extension**.

FINANCIAL SECTION:

Project: Contract 2020-12, McFee Park Phase 3			
<u>Project Budget</u>	<u>Requested Amount</u>	<u>Expenditures to Date</u>	<u>Available Amount</u>
\$8,650,000	\$0	\$8,541,374.25	\$108,625.75
Approved By: A. Myers			

RECOMMENDATION BY: Brannon Tupper, Assistant Town Engineer

PROPOSED MOTION: Approval of Change Order 8 for Contract 2020-12, McFee Park Phase 3.

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	_____	_____	_____	_____	_____

May 19, 2021

Mr. Brannon Tupper
Town of Farragut
11408 Municipal Center Drive
Farragut, Tennessee 37934

RE: McFee Park Phase 3
TOF Contract 2020-12
R/F Project No. 17011
Change Proposal 027

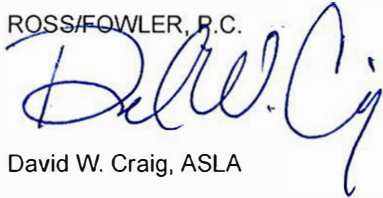
Dear Mr. Tupper:

We are in receipt of Change Proposal 027 from Merit Construction for 30 weather days from April 2020 to May 2021.

We consider this request to be reasonable and recommend acceptance.

Sincerely,

ROSS/FOWLER, P.C.



David W. Craig, ASLA

Attachment: Change Proposal 027

c: Darryl Smith
Patrick Brown
Project File 17011, w/attachment



Change Proposal

Project: McFee Park Phase 3
SBC No. 540/009-02-2011

Owner: Town of Farragut

Contractor:



Contractor Job Number:	20-016	Change Request Number:	27
Description of Work Performed:	"No Cost" request for additional contract time due to weather delays for the period April 2020 through May 2021: April 2020 - 10 days of precipitation greater than 0.1" plus dry-out minus 7 baseline days; 3 days requested July 2020 - 8 days of precipitation greater than 0.1" plus dry-out minus 7 baseline days; 1 day requested October 2020- 8 days of precipitation greater than 0.1" plus dry out minus 5 baseline days; 3 days requested December 2020- 13 days of precipitation greater than 0.1" plus dry out minus 11 baseline days; 2 days requested January 2021- 13 days of precipitation greater than 0.1" plus dry out minus 12 baseline days; 1 day requested February 2021- 15 days of precipitation greater than 0.1" plus dry out minus 11 baseline days; 4 days requested March 2021- 15 days of precipitation greater than 0.1" plus dry out minus 8 baseline days; 7 days requested From Previous Request August 2020 - 11 days of precipitation greater than 0.1" plus dry out minus 6 baseline days; 5 days requested September 2020- 8 days of precipitation greater than 0.1" plus dry out minus 4 baseline days; 4 days requested Total Weather Days requested 30 days Total Days Requested - 30 Days	Revision Number: Date: 5/19/2021 Tax Rate: 9.25% General Contractor Burden: 32.00% Overhead on Self Performed Work 15.00% Profit on Self Performed Work 5.00%	
		Bond/Builder's Risk Rate:	1.90%
		Profit Rate on Subcontractor Work	5.00%

of Days Requested Due to Change: 30

GENERAL CONTRACTOR DIRECT COSTS											
Scope Description				Direct Labor				Direct Material	Direct Equipment		
Item#	Description	Quantity	Qty Units	Direct Labor Hours Per Unit	Total Direct Labor Hours	Hourly Wage Rate, Excl Taxes & Ins		Total Labor Cost	Material Cost Per Unit	Total Material Cost	Total Equipment Cost
A	B	C	D	E	F=CxE	G		H=FXG	I	J=CxI	K=L=CxK
1.01					0			\$ -		\$ -	\$ -
1.02					0			\$ -		\$ -	\$ -
1.03					0			\$ -		\$ -	\$ -
1.04					0			\$ -		\$ -	\$ -
1.05					0			\$ -		\$ -	\$ -
1.06					0			\$ -		\$ -	\$ -
1.061					0			\$ -		\$ -	\$ -
1.07					0			\$ -		\$ -	\$ -
1.071					0			\$ -		\$ -	\$ -
1.08					0			\$ -		\$ -	\$ -
1.09	Subtotal from Estimate Continuation Sheets							\$ -		\$ -	\$ -
1.97	Subtotal (S/T) Direct Costs:					Subtotal Labor		\$ -	Subtotal Mat'l	\$ -	Subtotal Equip
1.98	Taxes/Insurance:					FICA, FUI, SUI, and Workmens' Comp, Insurance, Other		\$ -	Sales Tax	\$ -	Sales Tax
1.99	Total Direct Costs					Total Labor		\$ -	Total Mat'l	\$ -	Total Equip

SUBCONTRACT COSTS		
Item#	Subcontractor Name or Trade	Cost
A	B	C
2.01		
2.02		
2.03		
2.04		
2.05		
2.06		
2.07		
2.08		
2.09		
2.99	Total Subcontract Costs	\$ -

SUMMARY		
Item#	Description	Total Cost
3.01	Total Direct Labor Cost (Item 1.99)	\$ -
3.02	Total Direct Material Cost (Item 1.99)	\$ -
3.03	Total Equipment Cost (Item 1.99)	\$ -
3.04	General Contractor Subtotal (3.01+3.02+3.03)	\$ -
3.05	Subcontractor Cost (Item 2.99)	\$ -
3.06	Overhead on SP Work (3.05+3.04 *Rate)	\$ -
3.07	Subtotal (3.04+3.05+3.06)	\$ -
3.08	Additional Bond Cost (3.07*Rate)	\$ -
3.09	Subtotal (3.07+3.08)	\$ -
3.10	Profit (3.09*Rate)	\$ -
3.99	Total Change Order Cost (3.09+3.10)	\$ -
	Actual Change Order Amount	\$ -

Submitted By:

Name: Tommy Cutcher

Signature: _____

Title: Project Manager

Date: 5/19/2021

Acceptance:

I have reviewed the costs proposed and find them to be reasonable (as proposed) (as marked).

Signature: _____

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Brannon Tupper, PE

SUBJECT: Approval of Change Proposal No. 28, Contract 2020-12, McFee Park Phase 3

INTRODUCTION: The purpose of this item is to consider approval of a change proposal for additional work for the Town's McFee Park Phase 3 project.

BACKGROUND: The Board of Mayor and Aldermen awarded Contract 2020-12 to Merit Construction, Inc. on March 12, 2020, for a total lump sum contract price of \$7,385,000.00. The project consists of a major park expansion including a great lawn, tennis complex, restroom pavilion, entrance roads and parking.

An electrical equipment rack with circuit breaker panel and independent disconnects has not been provided with the Alternate #2 design. This is a requirement to meet electrical code, and to provide a safe means of controlling and maintaining the tennis court and parking lot lights for Alternate #2. Two options have been designed by the Ross Fowler design team and proposals have been provided by Merit.

The first proposal is for \$17,951 and provides an equipment rack to power the Musco tennis lights, Alternate #2 parking lot lights, and provides space for potential future court lighting.

The second proposal is for \$9,010 and provides an equipment rack to power the Musco tennis lights and Alternate #2 parking lot lights. If future court lighting is added at a later date, an additional equipment rack would be needed during that installation.

Total cost for this Change Proposal is **\$17,951.00** and a **6-day contract extension**.

FINANCIAL SECTION:

Project: Contract 2020-12, McFee Park Phase 3			
<u>Project Budget</u>	<u>Requested Amount</u>	<u>Expenditures to Date</u>	<u>Available Amount</u>
\$8,650,000	\$17,951	\$8,541,374.25	\$90,674.75
Approved			
By: A. Myers			

RECOMMENDATION BY: Brannon Tupper, Assistant Town Engineer

PROPOSED MOTION: Approval of Change Proposal 28 for \$17,951 for Contract 2020-12, McFee Park Phase 3.

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	_____	_____	_____	_____	_____

Change Proposal

Project: McFee Park Phase 3
SBC No. 540/009-02-2011

Owner: Town of Farragut

Contractor:



Contractor Job Number:	20-016	Change Request Number:	28
Description of Work Performed:	Furnish and install panel CL, meter center for panel CL, equipment rack for panel CL, photocell for site lighting, underground branch circuit for site lighting, boring for lighting panel control power, branch circuit for lighting panel control power and re-routing of existing 2" feeder conduit for TC panel.	Revision Number:	
		Date:	5/11/2021
		Tax Rate:	9.25%
		General Contractor Burden:	32.00%
		Overhead on Self Performed Work	15.00%
		Profit on Self Performed Work	5.00%
		Bond/Builder's Risk Rate:	1.90%
		Profit Rate on Subcontractor Work	5.00%

of Days Requested Due to Change: 6

GENERAL CONTRACTOR DIRECT COSTS											
Scope Description				Direct Labor				Direct Material	Direct Equipment		
Item#	Description	Quantity	Qty Units	Direct Labor Hours Per Unit	Total Direct Labor Hours	Hourly Wage Rate, Excl Taxes & Ins	Total Labor Cost	Material Cost Per Unit	Total Material Cost	Equipment Cost Per Unit	Total Equipment Cost
A	B	C	D	E	F=CxE	G	H=FxG	I	J=CxI	K	L=CxK
1.01					0		\$ -		\$ -		\$ -
1.02					0		\$ -		\$ -		\$ -
1.03					0		\$ -		\$ -		\$ -
1.04					0		\$ -		\$ -		\$ -
1.05					0		\$ -		\$ -		\$ -
1.06					0		\$ -		\$ -		\$ -
1.061					0		\$ -		\$ -		\$ -
1.07					0		\$ -		\$ -		\$ -
1.071					0		\$ -		\$ -		\$ -
1.08					0		\$ -		\$ -		\$ -
1.09	Subtotal from Estimate Continuation Sheets						\$ -		\$ -		\$ -
1.97	Subtotal (S/T) Direct Costs:					Subtotal Labor	\$ -	Subtotal Mat'l	\$ -	Subtotal Equip	\$ -
1.98	Taxes/Insurance:					FICA, FUI, SUI, and Workmens' Comp, Insurance, Other	\$ -	Sales Tax	\$ -	Sales Tax	\$ -
1.99	Total Direct Costs					Total Labor	\$ -	Total Mat'l	\$ -	Total Equip	\$ -

SUBCONTRACT COSTS		
Item#	Subcontractor Name or Trade	Cost
A	B	C
2.01	Edison Electric	\$ 16,777.00
2.02		
2.03		
2.04		
2.05		
2.06		
2.07		
2.08		
2.09		
2.99	Total Subcontract Costs	\$ 16,777.00

SUMMARY		
Item#	Description	Total Cost
3.01	Total Direct Labor Cost (Item 1.99)	\$ -
3.02	Total Direct Material Cost (Item 1.99)	\$ -
3.03	Total Equipment Cost (Item 1.99)	\$ -
3.04	General Contractor Subtotal (3.01+3.02+3.03)	\$ -
3.05	Subcontractor Cost (Item 2.99)	\$ 16,777.00
3.06	Overhead on SP Work (3.05+3.04 *Rate)	
3.07	Subtotal (3.04+3.05+3.06)	\$ 16,777.00
3.08	Additional Bond Cost (3.07*Rate)	\$ 318.76
3.09	Subtotal (3.07+3.08)	\$ 17,095.76
3.10	Profit (3.09*Rate)	\$ 854.79
3.99	Total Change Order Cost (3.09+3.10)	\$ 17,950.55
	Actual Change Order Amount	\$ 17,951

Submitted By:	
Name:	Tommy Cutcher
Signature:	
Title:	Project Manager
Date:	5/11/2021
Acceptance:	
I have reviewed the costs proposed and find them to be reasonable (as proposed) (as marked).	
Signature:	

Change Proposal

Project: McFee Park Phase 3
SBC No. 540/009-02-2011

Owner: Town of Farragut

Contractor:



Contractor Job Number: 20-016 Description of Work Performed: Furnish and install 200 amp single phase NEMA 3 R disconnect for panel TC, fused @ 150 amps. Furnish and install 30 amp ie phase NEMA 3R disconnect for panel TC control panel, fused @ 20 amps for 120v. Furnish and install 30 amp single phase NEMA 3R disconnect for site lighting circuit CL-10, fused @ 20 amps. Extend existing equipment rack at panel TC for new disconnects. Relocate 2" conduit for panel TC to new disconnect. Frand install 2 each ground rods for service at panel TC.	Change Request Number: 28 Revision Number: Date: 5/24/2021 Tax Rate: 9.25% General Contractor Burden: 32.00% Overhead on Self Performed Work: 15.00% Profit on Self Performed Work: 5.00% Bond/Builder's Risk Rate: 1.90% Profit Rate on Subcontractor Work: 5.00%
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of Days Requested Due to Change:

6

GENERAL CONTRACTOR DIRECT COSTS											
Scope Description				Direct Labor			Direct Material	Direct Equipment			
Item#	Description	Quantity	Qty Units	Direct Labor Hours Per Unit	Total Direct Labor Hours	Hourly Wage Rate, Excl Taxes & Ins	Total Labor Cost	Material Cost Per Unit	Total Material Cost	Equipment Cost Per Unit	Total Equipment Cost
A	B	C	D	E	F=CxE	G	H=FxG	I	J=CxI	K	L=CxK
1.01					0		\$ -		\$ -		\$ -
1.02					0		\$ -		\$ -		\$ -
1.03					0		\$ -		\$ -		\$ -
1.04					0		\$ -		\$ -		\$ -
1.05					0		\$ -		\$ -		\$ -
1.06					0		\$ -		\$ -		\$ -
1.061					0		\$ -		\$ -		\$ -
1.07					0		\$ -		\$ -		\$ -
1.071					0		\$ -		\$ -		\$ -
1.08					0		\$ -		\$ -		\$ -
1.09	Subtotal from Estimate Continuation Sheets						\$ -		\$ -		\$ -
1.97	Subtotal (S/T) Direct Costs:						\$ -		\$ -		\$ -
1.98	Taxes/Insurance:					FICA, FUI, SUI, and Workmens' Comp, Insurance, Other	\$ -		\$ -		\$ -
1.99	Total Direct Costs					Total Labor	\$ -		\$ -		\$ -

SUBCONTRACT COSTS		
Item#	Subcontractor Name or Trade	Cost
A	B	C
2.01	Edison Electric	\$ 8,421.00
2.02		
2.03		
2.04		
2.05		
2.06		
2.07		
2.08		
2.09		
2.99	Total Subcontract Costs	\$ 8,421.00

SUMMARY		
Item#	Description	Total Cost
3.01	Total Direct Labor Cost (Item 1.99)	\$ -
3.02	Total Direct Material Cost (Item 1.99)	\$ -
3.03	Total Equipment Cost (Item 1.99)	\$ -
3.04	General Contractor Subtotal (3.01+3.02+3.03)	\$ -
3.05	Subcontractor Cost (Item 2.99)	\$ 8,421.00
3.06	Overhead on SP Work (3.05+3.04 *Rate)	
3.07	Subtotal (3.04+3.05+3.06)	\$ 8,421.00
3.08	Additional Bond Cost (3.07*Rate)	\$ 160.00
3.09	Subtotal (3.07+3.08)	\$ 8,581.00
3.10	Profit (3.09*Rate)	\$ 429.05
3.99	Total Change Order Cost (3.09+3.10)	\$ 9,010.05
Actual Change Order Amount		\$ 9,010

Submitted By:

Name: Tommy Cutcher

Signature:

Title: Project Manager

Date: 5/24/2021

Acceptance:

I have reviewed the costs proposed and find them to be reasonable (as proposed) (as marked).

Signature: