



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

AGENDA
June 23, 2022

BEER BOARD
5:50 PM

BMA MEETING
6:00 PM

- I. Roll Call**
- II. Approval of Agenda**
- III. Approval of Minutes**
 - A. June 9, 2022**
- IV. Mayor's Report**
 - A. Farragut Sports Proclamation**
- V. Ordinances**
 - A. Public Hearing and Second Reading**
 - 1. Ordinance 22-08, an ordinance on first reading to amend the Farragut Zoning Map to rezone a portion (.82 Acres) of Parcel 069, Tax Map 151, 13013 Kingston Pike, from General Commercial District (C-1) to Rural Single-Family Residential District (R-1) (JMB FP Investment Company, Applicant)
- VI. Business Items**
 - A. Approval of FY23 Committee Appointments to the Town of Farragut Tree Board**
 - B. Approval of Appointment to the Knox County Community Health Council**
 - C. Approval of Village Green Swim Team Triathlon Special Event**
 - D. Approval of Bids for Contract 2023-01, Annual On-Call Road Maintenance**
 - E. Approval of Bids for Contract 2023-02, Annual On-Call Pavement Marking**

11408 MUNICIPAL CENTER DRIVE | FARRAGUT, TN 37934 | 865.966.7057 |
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It is the policy of the Town of Farragut not to discriminate on the basis of race, color, natural origin, gender, gender identity, sexual orientation, age, religion, disability or veteran status pursuant to Title VI of the Civil Rights Act of 1964, Public Law 93-112 and 101-336 in its hiring, employment practices and programs. To request accommodations due to disabilities, please call 865-966-7057 in advance of the meeting

- F. Approval of Bids for Contract 2023-03, Annual On-Call Guardrail Maintenance
- G. Approval of Bids for Contract 2023-04, Annual On-Call Signal Maintenance
- H. Rejection of Bids for Contract #2022-09: Annual Street Sweeping
- I. Approval of Sourcewell Bid for a Tymco 435 Regenerative Air Street Sweeper
- J. Approval of Memorandum of Understanding between the Town of Farragut and the Farragut West Knox Chamber of Commerce for FY 2023
- K. Request to allow temporary signs on Town of Farragut public property and rights-of-way

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.

**BMA MEETING
6:00 PM**

Roll Call

Mayor Williams called the meeting to order at 6:00 PM. Roll Call for attendance: Alderman Burnette, yes; Alderman Povlin, yes; Alderman Pinchok, yes; Mayor Williams, yes; Alderman Meyer was absent; 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 Burnette; voting yes; Mayor Williams, Alderman Burnette, Pinchok and Povlin; no nays; Alderman Meyer was absent; motion passed.

Approval of Minutes

Motion was made to approve the minutes of June 9, 2022, as presented. Moved by Alderman Povlin, seconded by Alderman Pinchok; voting yes; Alderman Burnette, Pinchok and Povlin; no nays; Mayor Williams abstained; Alderman Meyer was absent; motion passed.

Mayor's Report

Farragut Sports Proclamation

The Board of mayor and Aldermen presented a proclamation to the Farragut High School tennis, softball, and baseball teams.

Ordinances

Public Hearing and Second Reading

Ordinance 22-08, an ordinance on first reading to amend the Farragut Zoning Map to rezone a portion (.82 Acres) of Parcel 069, Tax Map 151, 13013 Kingston Pike, from General Commercial District (C-1) to Rural Single-Family Residential District (R-1) (JMB FP Investment Company, Applicant)

Motion was made to approve Ordinance 22-08 on second and final reading. Moved by Alderman Povlin, seconded by Alderman Burnette; roll call vote: Alderman Burnette, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, yes; Alderman Meyer was absent; no nays; motion passed.

Business Items

Approval of FY23 Committee Appointments to the Town of Farragut Tree Board

Motion was made to appoint the following to the Tree Board.
Motion was made to nominate Scott Russ as the Planning Commission representative and to approve the slate of appointees. Moved by Alderman Povlin, seconded by Alderman Pinchok; voting yes; Mayor Williams, Alderman Burnette, Pinchok and Povlin; no nays; Alderman Meyer was absent; motion passed.

Lori Saal-Engineering Department

Bud McKelvey-Public Works Department

Lauren Cox-Parks & Recreation Department
Mark Shipley-Planning Department
Mark McKinney-Utility Representative
Gerald Thornton-Farragut Citizen At-Large
Scott Russ-Planning Commission Representative

Approval of Appointment to the Knox County Community Health Council

Motion was made to appoint Marianne McGill to the Knox County Health Council.
Moved by Alderman Pinchok, seconded by Alderman Povlin; voting yes; Mayor Williams, Aldermen Burnette, Pinchok and Povlin; no nays; Alderman Meyer was absent; motion passed.

Approval of Village Green Swim Team Triathlon Special Event

Motion was made to approve the Village Green Swim Team Triathlon Special Event.
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.

Approval of Bids for Contract 2023-01, Annual On-Call Road Maintenance

Motion was made to Contract 2023-01 to Pavement Restorations, Inc. 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.

Approval of Bids for Contract 2023-02, Annual On-Call Pavement Marking

Motion was made to Contract 2023-02 to Volunteer Highway Supply Company, Inc. 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.

Approval of Bids for Contract 2023-03, Annual On-Call Guardrail Maintenance

Motion was made to Contract 2023-03 to Roadway Solutions, Inc. 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.

Approval of Bids for Contract 2023-04, Annual On-Call Signal Maintenance

Motion was made to Contract 2023-04 to Progression Electric, LLC. 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.

Rejection of Bids for Contract #2022-09: Annual Street Sweeping

Motion was made to reject the bids for Contract 2022-09. Motion was made to Contract 2023-02 to Volunteer Highway Supply Company, Inc. 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.

Approval of Sourcewell Bid for a Tymco 435 Regenerative Air Street Sweeper

Motion was made to approve the purchase of a Tymco 435 Regenerative Air Street Sweeper from Springfellow Inc. after July 1, 2022, in the amount of \$196,730. 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.

Approval of Memorandum of Understanding between the Town of Farragut and the Farragut West Knox Chamber of Commerce for FY 2023

Motion was made to approve the Memorandum of Understanding between the Town of Farragut and the Farragut West Knox Chamber of Commerce. 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.

Mayor Williams recused himself from the following discussion and exited the meeting room. Vice-Mayor Povlin conducted the meeting.

Request to allow temporary signs on Town of Farragut public property and rights-of-way

David White, 314 Belaire Drive, presented to the board requesting temporary sign on the Town of Farragut public property and rights-of-way.

Pam Foti, 12829 Stahl Drive and James Hill, 11350 Gates Mill both addressed the board to not allow the signs in the rights-of-way.

After much discussion the agenda item failed due to the lack of a motion.

Town Administrator's Report

David Smoak, Town Administrator, announced that there would be Sailors from the USS Farragut in town for the 4th of July Parade.

Town Attorney's Report

Tom Hale, Town Attorney, requested an executive session with the board to inform them on possible litigation. There will be no deliberation, but the board can ask the Town Attorney questions concerning the possible litigation.

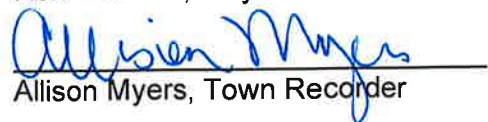
The board recessed at 7:57 PM for the executive session.

The board reconvened at 8:14 PM.

Meeting adjourned at 8:15 PM.



Ron Williams, Mayor



Allison Myers, Town Recorder



FARRAGUT BEER BOARD

June 23, 2022

5:50 PM

I. Approval of Minutes

A. May 12, 2022

II. Beer Permit Request

A. Approval of Class 6, special occasion beer permit for the Farragut Business Alliance, MUSICFEST at West End, July 8-9, 2022

B. Approval of Class 6, special occasion beer permit for the Farragut Business Alliance, DOG DAZE 6, August 12-14, 2022

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FARRAGUT BEER BOARD

May 12, 2022

MINUTES

Approval of Minutes

Motion was made to approve the minutes of March 24, 2022, as presented. Moved by Alderman Povlin, seconded by Mayor Williams; voting yes, Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin; no nays; motion passed.

Beer Permit Request

Approval of Class 1, On-Premise Beer Permit for Shrimp Dock of Farragut, 11124 Kingston Pike, Suite 111

Motion was made to approve a Class 1, On-Premise Beer permit for Shrimp Dock of Farragut, 11124 Kingston Pike, Suite 111. Moved by Alderman Povlin, seconded by Alderman Burnette; voting yes, Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin; no nays; motion passed.

Approval of Class 5, Off-Premise Beer Permit for Aldi, 170 Brooklawn Street

Motion was made to approve a Class 5, Off-Premise Beer Permit for Aldi, 170 Brooklawn Street. Moved by Alderman Povlin, seconded by Mayor Williams; voting yes, Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin; no nays; motion passed.

Ron Pinchok, Chairman

Allison Myers, Town Recorder

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REPORT TO THE BEER BOARD

PREPARED BY: Allison Myers, Town Recorder

SUBJECT: Approval of a special occasion beer permit for the Farragut Business Alliance MUSICFEST at West End, July 8-9, 2022

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 8-9, 2022. If the event date changes, the approval of this special event permit is valid until December 31, 2022. 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 8-9, 2022, and valid through December 31, 2022.

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) Farragut Business Alliance

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:

6. Applicant's present home address:

Justice Valley Street Farragut TN 37934

7. Date of Birth 10/04/85 Home Telephone Number _____

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

8. Representative Email Address: steve@farragutbusiness.com

9. Under what name will the business operate? SHOP FARRAGUT

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:

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

Name: _____ Birth Date: _____

Address: _____

Phone Number: _____

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

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

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, West End Shopping Center

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

Farragut HS., etc.

18. Special Occasion Event Name: MUSICFEST @ WEST END

Location of the special occasion event: 155 West End Ave.

Event Date & Times: Friday July 8 + Saturday July 9, 2022

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

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

19. Tennessee Sales Tax Number: _____

20. Town of Farragut Business License Number _____

I certify that I am knowledgeable of the laws prohibiting the sale of beer to minors and that this application contains true information to the best of my knowledge and belief.

I understand that this application is subject to the Tennessee Public Records Act and shall be open for inspection and reproduction by any citizen. Tennessee Code Annotated 10-7-503.

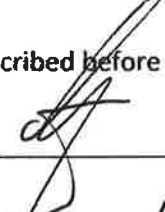
I understand that by submitting this application, a background investigation shall be conducted and any and any and all documents related to my request shall become public records.

I understand that the applicant or representative must be present at the beer board meeting in which the permit will be discussed.



Signature of Applicant/Owner (or authorized Corporate Official)

Sworn to and subscribed before me this 16th day of June, 2022



Notary Public

My Commission Expires: Nov. 5, 2025



Notice: A non-refundable \$250 fee must accompany this application. Any applicant making false statement in this application shall forfeit his/her permit and shall not be eligible to receive any permit for a period of ten years.

A privilege tax of \$100 is imposed on the business of selling, distributing, storing or manufacturing beer in this state effective January 1, 1994 and each successive January 1. Any holder of a beer permit issued after January 1, 1994 shall pay a pro rata portion of this annual tax when the permit is issued.

FOR OFFICE USE ONLY

Application is hereby: Approved _____ Denied _____

On this date: _____, 20__

Beer Board Chairman

Town Recorder

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 6, August 12-14, 2022

DISCUSSION:

The Farragut Business Alliance is planning a Dog Daze 6 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 12-14, 2022. If the event date changes, the approval of this special event permit is valid until December 31, 2022. 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 6 for August 12-14, 2022, and valid through December 31, 2022.

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) Farragut Business Alliance

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:

6. Applicant's present home address:

Justice Valley Street Farragut TN 37934

7. Date of Birth 10/04/1955 Home Telephone Number _____

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

8. Representative Email Address: steve@farragutbusiness.com

9. Under what name will the business operate? SHOP FARRAGUT

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:

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

Name: _____ Birth Date: _____

Address: _____

Phone Number: _____

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

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

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

Davis Overton, WHITE REALTY, P.O. BOX 10029, Knoxville, TN 37939

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

Faith Lutheran

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

Farragut HS

18. Special Occasion Event Name: DOG DAZE 6 - DOCK DOGS

Location of the special occasion event: Village Green Shopping Center

Event Date & Times: Aug 12-14, various

Representative name & phone number: Stephen Kremppasky 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: _____

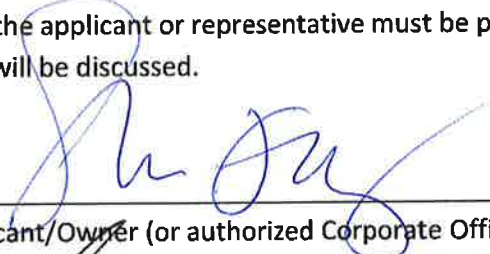
20. Town of Farragut Business License Number _____

I certify that I am knowledgeable of the laws prohibiting the sale of beer to minors and that this application contains true information to the best of my knowledge and belief.

I understand that this application is subject to the Tennessee Public Records Act and shall be open for inspection and reproduction by any citizen. Tennessee Code Annotated 10-7-503.

I understand that by submitting this application, a background investigation shall be conducted and any and any and all documents related to my request shall become public records.

I understand that the applicant or representative must be present at the beer board meeting in which the permit will be discussed.



Signature of Applicant/Owner (or authorized Corporate Official)

Sworn to and subscribed before me this 1st day of June, 2022

Notary Public

My Commission Expires: Apr. 5. 2025.



Notice: A non-refundable \$250 fee must accompany this application. Any applicant making false statement in this application shall forfeit his/her permit and shall not be eligible to receive any permit for a period of ten years.

A privilege tax of \$100 is imposed on the business of selling, distributing, storing or manufacturing beer in this state effective January 1, 1994 and each successive January 1. Any holder of a beer permit issued after January 1, 1994 shall pay a pro rata portion of this annual tax when the permit is issued.

FOR OFFICE USE ONLY

Application is hereby: Approved _____ Denied _____

On this date: _____, 20__

Beer Board Chairman

Town Recorder

MINUTES **June 9, 2022**

WORKSHOP **5:15 PM**

The Board reviewed applications submitted for the FY23 Farragut volunteer committees.

BMA MEETING **6:00 PM**

Roll Call

Vice-Mayor Povlin called the meeting to order at 6:00 PM. Roll Call for attendance: Alderman Burnette, yes; Alderman Meyer, yes; Alderman Povlin, yes; Alderman Pinchok, yes; Mayor Williams, absent; in addition to staff and members of the press.

Approval of Agenda

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

Approval of Minutes

Motion was made to approve the minutes of May 26, 2022, as presented. Moved by Alderman Meyer, seconded by Alderman Pinchok; voting yes; Alderman Burnette, Meyer, Pinchok and Povlin; no nays; Mayor Williams was absent; motion passed.

Ordinances

Public Hearing and Second Reading

Ordinance 22-10, an ordinance to amend the Farragut Municipal Code Chapter 14 Nuisances & Property Maintenance, Article 4 – Lot Clearing, Section 14-138- Notice to Property Owner (Town of Farragut, Applicant)

Motion was made to approve Ordinance 22-10 on second and final reading. Moved by Alderman Pinchok, seconded by Alderman Meyer; roll call vote: Alderman Burnette, yes; Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, absent; no nays; motion passed.

Ordinance 22-11, Ordinance to amend the Capital Investment Program Budget and State Street Aid Fund Budget for the Fiscal Year 2021-2022 budget, passed by Ordinance 21-13

Motion was made to approve Ordinance 22-11 on second and final reading. Moved by Alderman Pinchok, seconded by Alderman Meyer.

Adam Atherton, 801 Andover Blvd, addressed the board about public input concerning the Campbell Station/I-40 Improvements. Roll call vote: Alderman Burnette, yes; Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, absent; no nays; motion passed.

First Reading

Ordinance 22-08, an ordinance on first reading to amend the Farragut Zoning Map to rezone a portion (.82 Acres) of Parcel 069, Tax Map 151, 13013 Kingston Pike, from General Commercial District (C-1) to Rural Single-Family Residential District (R-1) (JMB FP Investment Company, Applicant)

Motion was made to approve Ordinance 22-08 on first reading. Moved by Alderman Meyer, seconded by Alderman Pinchok; roll call vote: Alderman Burnette, yes; Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, absent; no nays; motion passed.

Business Items

Approval of FY23 Committee Appointments:

Arts & Beautification Committee:

Marty Rogers, TC Williams, Joyce Moran, Lisa Hall, Wendy Stiles, Dora Taggart, Michelle Morrow

Board of Zoning Appeals:

John Hoffman

Museum Advisory Committee:

Bill Battle, Lisa Hall, Joyce Moran, Beverly Hammond

Farragut Tourism/Visitor Committee:

Candace Viox, Dining Representative, At-large: Michael Bellamy, Bill McAdams, Debbie Konopka

Parks & Athletics Council

Bill McAdams, Debbie Pinchok, Jeff Devlin, Jonathan Zuraw, Derek Wright (Alternate)

Stormwater Advisory Committee

Ed McGimsey, Elizabeth Agee, Valerie McFall (Water Quality)

Visual Resources Review Board

Brittney Moore, Derek Wright

Motion was made to approve the FY23 committee appointments as presented. Moved by Alderman Pinchok, seconded by Alderman Meyer; voting yes; Aldermen Burnette, Meyer, Pinchok and Povlin; no nays; Mayor Williams was absent; motion passed.

Approval of Traffic Calming on Midhurst Drive and Red Mill Lane in the Kingsgate Subdivision

Motion was made to approve the proposed traffic calming on Midhurst Drive and Red Mill Lane in the Kingsgate Subdivision. Moved by Alderman Meyer, seconded by Alderman Pinchok; voting yes; Aldermen Burnette, Meyer, Pinchok and Povlin; no nays; Mayor Williams was absent; motion passed.

Town Administrator's Report

David Smoak, Town Administrator, announced that the ribbon cutting for McFee Park Phase 3 would be Saturday and to check out the social media campaign for the Dog Park.

Citizens Forum

Adam Atherton, 801 Andover Blvd, addressed the board about the Kingston Pike/Campbell Station Road Lane reassignment project.

Meeting adjourned at 7:15 PM.

Louise Povlin, Vice-Mayor

Allison Myers, Town Recorder

REPORT TO THE BOARD OF MAYOR AND ALDERMEN**PREPARED BY:** Mark Shipley, Community Development Director**SUBJECT:** Approval of Ordinance 22-08, an ordinance on second reading to amend the Farragut Zoning Map to rezone a portion (.82 Acres) of Parcel 069, Tax Map 151, 13013 Kingston Pike, from General Commercial District (C-1) to Rural Single-Family Residential District (R-1) (JMB FP Investment Company, Applicant)**INTRODUCTION AND BACKGROUND:** Fast Pace Urgent Care has completed the construction of their walk-in clinic at 13013 Kingston Pike. The property on which this development is situated is 1.82 acres and fronts on both Kingston Pike and Fleenor Road. Fast Pace does not need the entire tract and is subdividing off the north portion of the lot (roughly .82 acres) to sell it for the possible construction of a single-family home.**DISCUSSION:** During discussion with the Planning Commission, it was noted that the Fast Pace property is one of several tracts in this portion of Town zoned General Commercial (C-1) from Kingston Pike to Fleenor Road (see Zoning Map exhibit included in packet). In its current condition, Fleenor Road is not designed to accommodate traffic that could be generated from a commercial or office development. The applicant is requesting to down zone the north portion of their existing tract from C-1 to Rural Single-Family Residential (R-1). Existing development that currently accesses this portion of Fleenor Road is low density residential. The requested rezoning would be compatible with the surrounding built environment.

In terms of the Future Land Use Map, the portion proposed for rezoning is mostly shown as Medium Density Residential (see Future Land Use Map exhibit included in packet). This is the land use designation for the north portion (Fleenor Road frontage) of the lots that front on Kingston Pike and that are currently zoned C-1 to the west of Christ Covenant Presbyterian Church. The Medium Density Residential land use, when originally mapped to this area in the 2012 Update, reflected the north portion of these commercial properties as a transitional space where a medium density residential land use could help buffer the commercial areas from the lower density residential areas to the north.

Staff noted to the Planning Commission that, considering this rezoning request, the areas currently shown as Medium Density Residential may need to be re-visited to determine if a different future land use designation would be more appropriate. The requested R-1 Zoning District, which is compatible with the surrounding built environment, would most closely relate to the Very Low-Density Residential land use designation.

RECOMMENDATION: At their meeting on April 21, 2022, the Planning Commission unanimously recommended approval of Ordinance 22-08. At the Board of Mayor and Aldermen meeting on June 9, 2022, Ordinance 22-08 was approved unanimously on first reading. There have been no changes to Ordinance 22-08 since first reading and Community Development Director, Mark Shipley, recommends approval of Ordinance 22-08 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	_____	_____	_____	_____	_____

ORDINANCE:	22-08
PREPARED BY:	Shipley
REQUESTED BY:	Town of Farragut
CERTIFIED BY FMPC:	April 21, 2022
PUBLIC HEARING:	_____
PUBLISHED IN:	_____
DATE:	_____
1ST READING:	_____
2ND READING:	_____
PUBLISHED IN:	_____
DATE:	_____

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

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

SECTION 1.

The Farragut Zoning Ordinance, Ordinance 86-16, as amended, is hereby amended by rezoning a portion (.82 acres) of the existing Parcel 069, Tax Map 151, 13013 Kingston Pike from the General Commercial District (C-1) to the Rural Single-Family Residential District (R-1). Said property being further delineated on the attached map (See Exhibit A).

SECTION 2.

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

Ron Williams, Mayor

Allison Myers, Town Recorder

Certified to the Farragut Board of Mayor and Aldermen this ____ day of _____, 2022,
with approval recommended by the Farragut Municipal Planning Commission (FMPC).

Rita Holladay, Chairman

Scott Russ, Secretary



Future Land Use Map

A portion of Parcel 069
Tax Map 151

A Portion of the Property
13013 Kingston Pike

Legend

- Subject Property
- Streets
- Parcels
- Civic/Institutional
- Office/Light industrial
- Commercial
- Open Space
- Parks and Rec
- Very Low Density Residential (2-4 DUs / Acre)
- Low Density Residential (3-6 DUs / Acre)
- Med Density Residential (6-8 DUs / Acre)
- Mixed Use Neighborhood (6-8 DUs / Acre)



1 in = 500 ft

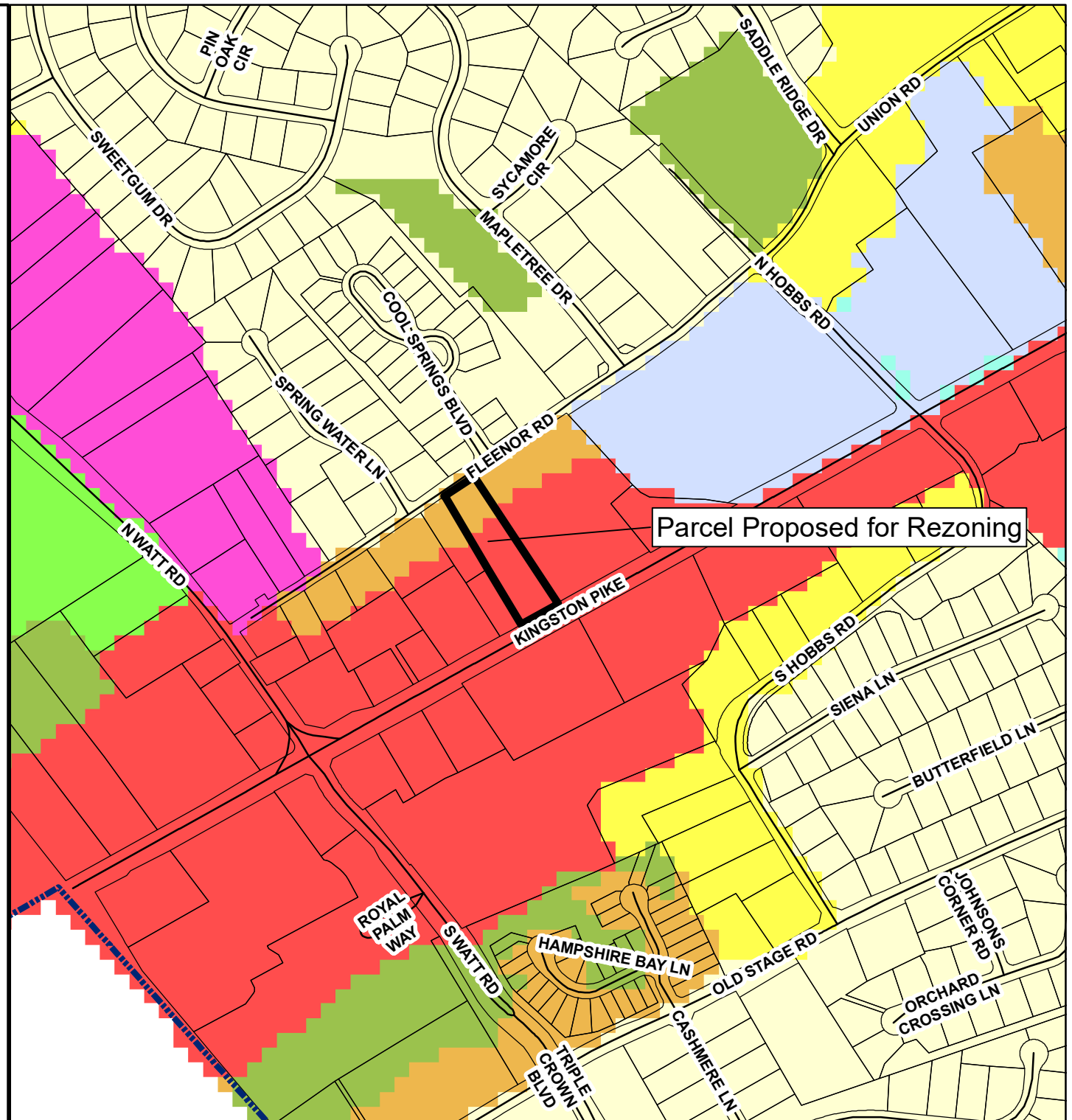




Exhibit A
Ordinance 22-08
Zoning Map Amendment
A portion of Parcel 069
Tax Map 151
A Portion of the Property
13013 Kingston Pike

From
General Commercial

to

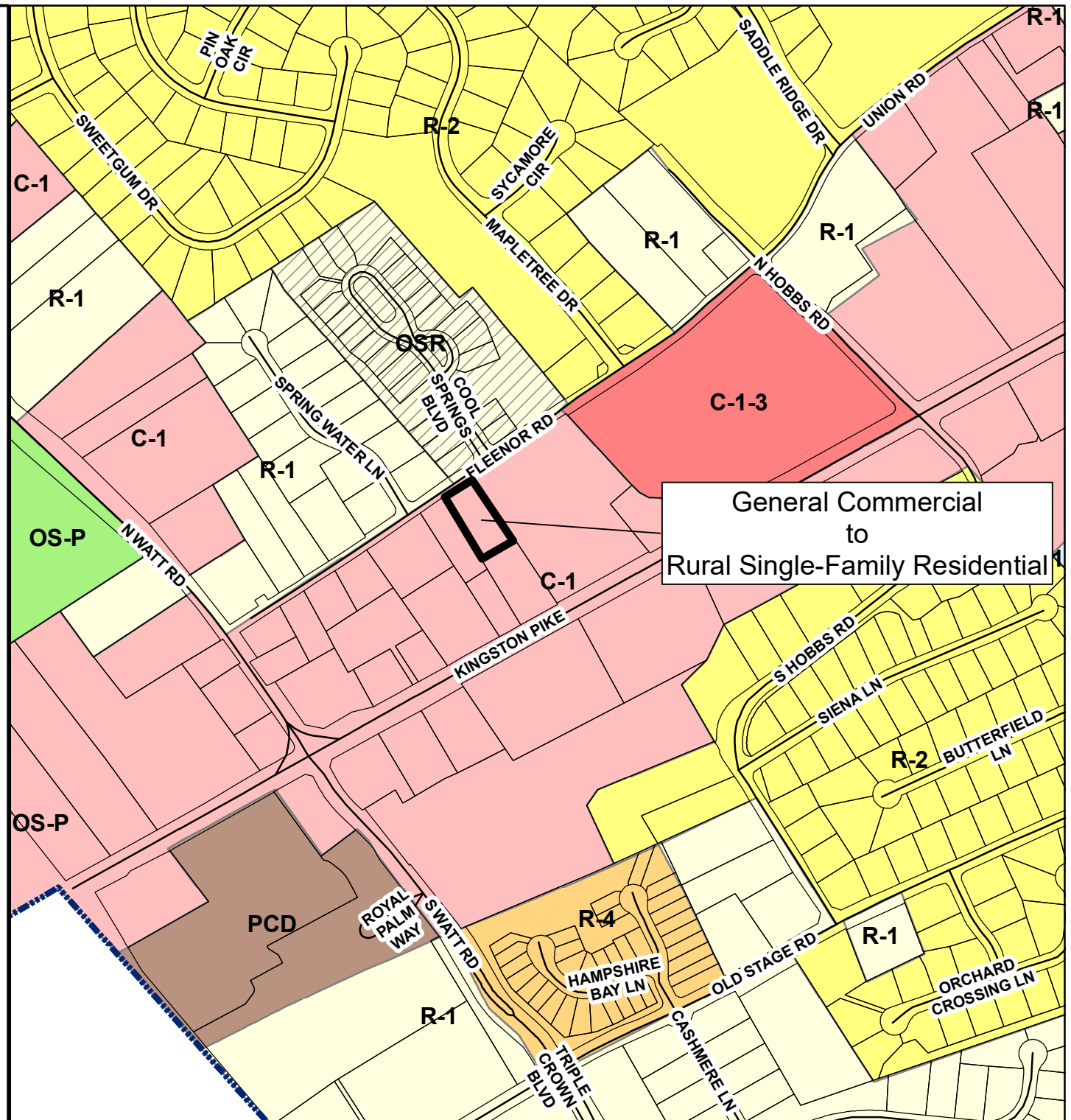
Rural Single-Family Residential

Legend

-  Subject Property
-  Streets
-  Parcels
-  OS-P, Open Space/Park
-  R-1, Rural Single-Family Residential
-  R-2, General Single-Family Residential
-  R-4, Attached Single-Family Residential
-  R-1/OSR, Open Space Residential Overlay
-  O-1, Office
-  C-1, General Commercial
-  C-1-3, General Commercial, Three Stories
-  PCD, Planned Commercial Development



1 in = 500 ft



General Commercial
to
Rural Single-Family Residential

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Allison Myers, Town Recorder/Treasurer

SUBJECT: Approval of FY23 Committee Appointments to the Town of Farragut Tree Board

INTRODUCTION: In March 2022, the Board of Mayor and Aldermen approved Ordinance 22-02 which established a Public Tree Care Ordinance. The ordinance created a Tree Board with seven members to be appointed by the Board of Mayor and Aldermen. Included on the tree board are one representative each from the Engineering, Public Works, Parks and Recreation and Planning Departments. The other three members consist of one utility representative, one at large citizen, and one member of the Board of Mayor and Aldermen or Planning Commission representative.

DISCUSSION: The Board of Mayor and Aldermen will be appointing all seven members of the tree board. Attachment B includes a list the positions and the staff members/citizens that have applied.

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

PROPOSED MOTION: To make appointments to the Town of Farragut Tree Board

BOARD ACTION:

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

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

C. Tree Board.

There is hereby created a Tree Board for the Town of Farragut.

1. Membership. Since this Ordinance addresses trees on public properties, the Tree Board shall consist of seven (7) members that are familiar with tree related issues involving public property with a representative provided from the following:
 - a. Town of Farragut Engineering
 - b. Town of Farragut Public Works
 - c. Town of Farragut Parks and Recreation
 - d. Town of Farragut Planning
 - e. Utility Representative
 - f. Board of Mayor and Alderman or Planning Commission Representative
 - g. Member at Large with Background in Tree Care who is a Citizen of the Town
2. Appointment. Members shall be appointed by the Board of Mayor and Aldermen.
3. Term of Office. Members shall serve on an annual basis and may be re-appointed by the Board of Mayor and Aldermen for successive terms. Vacancies are filled by the Board of Mayor and Aldermen.
4. Operation. The Tree Board shall choose its own officers, make its own administrative rules and regulations, and keep a record of its proceedings. Meetings may be held quarterly, or more often if called by the chairman of the Board. A majority of the members shall constitute a quorum for transaction of business.
5. Duties and Responsibilities. The duties of the Tree Board shall include, but not be limited to the following:
 - a. Adopt administrative rules and regulations that apply to the Tree Board.
 - b. Assist staff, when needed, to help administer the provisions of this Ordinance, including providing input on selection, placement, installation, and maintenance of trees proposed or envisioned on public property (particularly in relation to road improvement, park, and streetscaping plans or projects).
 - c. Assist with recognizing Arbor Day.
 - d. Coordinate recognition of individuals, projects, donations, etc., that have notably contributed to the provision or maintenance of trees on public property.
 - e. Assist in developing and updating the Town's Street Tree list.
 - f. Provide input on ordinance amendments that may relate to or affect trees on public property.
 - g. Consult with arborists, foresters, and others with specific expertise in the subject area when performing their duties and responsibilities. Any compensation or contracts for services performed by such experts or professionals shall be approved by the appropriate Town authority.

Tree Board	
7 Positions Available (7 Members)	
Town of Farragut Engineer	Lori Saal
Town of Farragut Public Works	Bud McKelvey
Town of Farragut Parks & Recreation	Lauren Cox
Town of Farragut Planning	Mark Shipley
Utility Representative	Mark McKinney
Applicants: Mark McKinney	
Member at large-Farragut Citizen	Gerald Thornton
Applicants: Gerald Thornton	
Board of Mayor & Aldermen or Planning Commission Representative	
Applicants: Scott Russ Rita Holladay	

From: noreply@civicplus.com
Sent: Wednesday, June 1, 2022 2:53 PM
To: Allison Myers; Jennifer Hatmaker; Gwyneth Carrell; Mark Shipley
Subject: [EXTERNAL] Online Form Submittal: Tree Board Application Form

Tree Board Application Form

Town of Farragut Tree Board

The Town of Farragut Tree Board shall consist of Town of Farragut staff members and one citizen volunteer who is familiar with tree related issues involving public property. The duties of the Tree Board shall include, but not be limited to the following:

1. Adopt administrative rules and regulations that apply to the Tree Board.
2. Assist staff, when needed, to help administer the provisions of this Ordinance, including providing input on selection, placement, installation, and maintenance of trees proposed or envisioned on public property (particularly in relation to road improvement, park, and streetscaping plans or projects).
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5. Assist in developing and updating the Town's Street Tree list.
6. Provide input on ordinance amendments that may relate to or affect trees on public property.
7. Consult with arborists, foresters, and others with specific expertise in the subject area when performing their duties and responsibilities. Any compensation or contracts for services performed by such experts or professionals shall be approved by the appropriate Town authority.

The Tree Board will consist of representatives from different backgrounds including Utility Representative, Board of Mayor and Aldermen or Farragut Municipal Planning Commission Representative, and At-Large Representative.

Have you served on a Board, Commission, or Committee before?

Yes

If yes, which

FMPC, Parks and Athletics Council

I give my permission to the Town of Farragut to use my likeness on the web and/or Town publications. I have read and understand the Code of Ethics Ordinance and the applicable committee charter, ordinance and/or by-laws.

Name

Scott Russ

Date

06/01/2022

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
Sent: Wednesday, June 1, 2022 10:25 PM
To: Allison Myers; Jennifer Hatmaker; Gwyneth Carrell; Mark Shipley
Subject: [EXTERNAL] Online Form Submittal: Tree Board Application Form

Tree Board Application Form

Town of Farragut Tree Board

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7. Consult with arborists, foresters, and others with specific expertise in the subject area when performing their duties and responsibilities. Any compensation or contracts for services performed by such experts or professionals shall be approved by the appropriate Town authority.

The Tree Board will consist of representatives from different backgrounds including Utility Representative, Board of Mayor and Aldermen or Farragut Municipal Planning Commission Representative, and At-Large Representative.

Have you served on a Board, Commission, or Committee before? Yes

If yes, which Farragut Planning Commission and Personnel Committee

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Name Rita Holladay

Date 6/1/2022

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
Sent: Friday, June 3, 2022 5:11 PM
To: Allison Myers; Jennifer Hatmaker; Gwyneth Carrell; Mark Shipley
Subject: [EXTERNAL] Online Form Submittal: Tree Board Application Form

Tree Board Application Form

Town of Farragut Tree Board

The Town of Farragut Tree Board shall consist of Town of Farragut staff members and one citizen volunteer who is familiar with tree related issues involving public property. The duties of the Tree Board shall include, but not be limited to the following:

1. Adopt administrative rules and regulations that apply to the Tree Board.
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The Tree Board will consist of representatives from different backgrounds including Utility Representative, Board of Mayor and Aldermen or Farragut Municipal Planning Commission Representative, and At-Large Representative.

Have you served on a Board, Commission, or Committee before? No

If yes, which *Field not completed.*

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Name Gerald A Thornton

Date June 3, 2022

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From: noreply@civicplus.com
Sent: Tuesday, June 7, 2022 10:44 AM
To: Allison Myers; Jennifer Hatmaker; Gwyneth Carrell; Mark Shipley
Subject: [EXTERNAL] Online Form Submittal: Tree Board Application Form

Tree Board Application Form

Town of Farragut Tree Board

The Town of Farragut Tree Board shall consist of Town of Farragut staff members and one citizen volunteer who is familiar with tree related issues involving public property. The duties of the Tree Board shall include, but not be limited to the following:

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7. Consult with arborists, foresters, and others with specific expertise in the subject area when performing their duties and responsibilities. Any compensation or contracts for services performed by such experts or professionals shall be approved by the appropriate Town authority.

The Tree Board will consist of representatives from different backgrounds including Utility Representative, Board of Mayor and Aldermen or Farragut Municipal Planning Commission Representative, and At-Large Representative.

Have you served on a Board, Commission, or Committee before? No

If yes, which Not with ToF.

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Name Mark McKinney

Date 6/7/2022

Email not displaying correctly? [View it in your browser.](#)

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Allison Myers, Town Recorder

SUBJECT: Approval of Appointment to the Knox County Community Health Council

INTRODUCTION: The purpose of this business item is to appoint a member to a staggered three-year term on the Community Health Council.

BACKGROUND: The Board of Mayor and Alderman approved Ordinance 12-18 on January 10, 2013 which established the Community Health Council and aligned Farragut, Knox County and City of Knoxville to improve community health. One (1) member is to be appointed by the Board of Mayor and Alderman and one (1) member appointed by the Mayor.

Attached is an application from Marianne McGill.

PROPOSED MOTION: To appoint Marianne McGill as the Board appointee to the Community Health Council.

BOARD ACTION:

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

<u>VOTE/TOTAL</u>	<u>Burnette</u>	<u>Meyer</u>	<u>Pinchok</u>	<u>Povlin</u>	<u>Williams</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____



TOWN OF FARRAGUT CITIZEN BOARD/COMMITTEE APPLICATION

Name MARIANNE MCGILL
Address 13031 HAMPSHIRE Zip 37934
Home Phone (865) 966-3512 Business Phone _____
Fax _____ E-mail maravone@tds.net
Occupation RETIRED
Education B.A. - SOCIOLOGY

Why would you like to serve on a Town of Farragut committee (attach resume or additional information if desired):

WOULD LIKE TO BE INVOLVED IN HEALTH CONCERNS OF
OUR COMMUNITY - HAVE WORKED AS A VOLUNTEER AT
TENNOVA TURKEY CREEK FOR ABOUT 10 YRS.

Intro to Farragut Program Graduate Yes _____ No _____

Indicate which Committee you are interested in serving:

- _____ Arts and Beautification Committee
- _____ Board of Plumbing & Gas/Mechanical Examiners
- _____ Board of Zoning Appeals (BZA)
- _____ Farragut Education Relations Committee
- _____ Parks & Athletics Council
- _____ Stormwater Advisory Committee
- _____ Visual Resources Review Board (VRRB)
- ☒ _____ Knox County Community Health Council

I give my permission to the Town of Farragut to use my likeness on the web and/or Town publications. I have read and understand the Code of Ethics Ordinance and the applicable committee charter, ordinance or and/or by-laws.

Signature Marianne McGill Date 6/14/22

Please sign, date and return to:

Farragut Town Hall, 11408 Municipal Center Drive, Farragut, TN 37934
Fax: 675-2096 or scan/e-mail to gcarrell@townoffarragut.org

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Allison Myers, Town Recorder

SUBJECT: Approval of Village Green Swim Team Triathlon Special Event

INTRODUCTION AND BACKGROUND: Included in your packet is a request for approval of an Event application for the Village Green Swim Team Triathlon. The swimmers of the Village Green Swim team compete for fun in a triathlon held in the Village Green pool on S. Monticello Drive and the Monticello Circle. The event is scheduled for the morning of July 15, 2022.

DISCUSSION: The event is being presented to the Board of Mayor and Aldermen because of the use of Monticello Drive.

RECOMMENDATION: Staff recommends approval of the event subject to proper notification to any affected entities and the provision of adequate traffic control.

PROPOSED MOTION: To approve an Event Application on July 15, 2022, involving use of the Town's public rights of ways and pedestrian facilities for the Village Green Swim Team Triathlon.

BOARD ACTION:

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

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

Farragut
Special Event Permit Application
BP-2022-427

Submitted by Nicole Bailes
nicolebailes11@gmail.com
(423) 443-7485

Address of Proposed Work: **11525 SOUTH MONTICELLO DR**

City: **FARRAGUT** State: **TN** Zip: **37934**

Contact Information

Applicant's Contact Information

Title: First Name: **Nicole** Last Name: **Bailes** Suffix:

Business Name:

Mailing Address: **317 Beacontree Lane**

City: **Knoxville** State: **TN** Zip: **37934**

Email Address: **nicolebailes11@gmail.com**

Cell Phone: **(423) 443-7485** Work Phone: Home Phone: **(423) 443-7485**

Contractor's Contact Information

Title: First Name: _ Last Name: Suffix:

Business Name:

Mailing Address:

City: State: **TN** Zip:

Email Address:

Cell Phone: Work Phone: Home Phone:

Property Owner's Contact Information

Title: First Name: Village Green Last Name: Suffix:
HOA

Business Name:

Mailing Address: 218 W Heritage Dr

City: Knoxville State: TN Zip: 37934

Email Address: president@villagegreenweb.com

Cell Phone: Work Phone: Home Phone:

Application Questionnaire (* denotes required question)

Special Event

Will any Public Parks/Facilities be used in your event? * No

Please note that use of any public parks/facilities must be approved by the Farragut Parks and Recreation Department prior to applying for this permit. Please call 865-966-7057 for approval before proceeding with this permit.

What park or facility?

Start Date of Event * 7/15/2022

Name of Event * Village Green Swim Team Triathlon

Type of Event * Outdoor/Season Event

Please Specify

Brief Description of Event *

The swimmers of the Village Green Swim Team compete for fun in a triathlon held in the Village Green Pool on S Monticello Drive and the Monticello Drive circle.

Is event private or open to the public? *

Private

Is food being served?

No

Will you have portable Sanitary Facilities?

No

Will you have a solid waste dumpster?

No

Will there be any temporary structures/stages?

No

Upload Location in File Upload Section.

Will you need Temporary Power?

No

PROVIDE LOCATION DRAWING IN FILE UPLOAD SECTION.

Will you have any other Air Supported Structures?

No

UPLOAD LOCATION DRAWING IN FILE UPLOAD SECTION.

Will you need any public street closures?

No

Please Note: Any public street closures must go before Board of Mayor and Aldermen for approval

Where are the parking areas located?

In the field of the playground at the Monticello Drive pool.

INCLUDE DRAWING IN FILE UPLOAD SECTION.

If this event is a parade/sporting event, where is the route, staging, and disbanding areas?

The route for the bike and run is along Monticello Drive. Maps attached.

UPLOAD DRAWING IN FILE UPLOAD SECTION

In case of Rainout, state cancellation date and time: Canceled

(EXAMPLE-EVENT IS AT 2:00PM ON SATURDAY, RAINOUT CANCELLATION IS AT 1:00 PM SATURDAY OR POSTPONEMENT IS UNTIL 4:00 PM)

Will there be music, live or otherwise? Yes

Will you have Security/Police Officers at your event? No

Please note: The Town of Farragut does not provide Security or Police Officers.

Will you have any Emergency Medical Personnel/Apparatus On-Site? Yes

Please Note: The Town of Farragut does not provide Emergency Medical Personnel/Apparatus.

What kind of cooking equipment will be used?

Name of Sanitary Facility Vendor:

Name of Solid Waste Vendor:

How many Generators?

From what time to what time are they to be closed?

Include times to be manned:

What hours will the music be playing? 8:00am-12:00pm

How many Officers?

From what time to what time?

From what time to what time?

Will you have any Fire Officers/Apparatus at your event? No

Will you have Tents? No
If Yes, please list tents in order from largest to smallest.

Will you have Bounce Houses? No

Provide law enforcement contact for day of event.

Provide emergency services contact for day of event.

Have you applied for an insurance certificate of general liability insurance? * Yes
Naming the Town of Farragut, its employees and agents as additionally insured.

Copy of Insurance must be uploaded. NBB
I HEREBY UNDERSTAND AND AGREE TO THE STATED REQUIREMENTS ABOVE.

I hereby understand and agree that approval of event permit is contingent upon receipt of copy of insurance.
Please Provide a Full Name Signature.

Do you want this event advertised on VisitFarragut.org? No

Will there be any animals at the event?

FULL NAME SIGNATURE

I hereby understand and agree that for any event involving 3rd party alcohol sales or service, this application must be submitted at least 90 days prior to event date.

Will alcoholic beverages be served? * No

How many people do you expect? 175

Have you read the Parks / Facility Usage Policies, located at the beginning of the application process?

Have you received prior approval from the Farragut Parks and Recreation Department?

A Signed Letter of Approval from Property Owner must be uploaded in the document uploads section. True

End Date of Event 7/15/2022

Please list the Streets to be Closed

Include drawing in file upload section False

Provide Location Drawing in File Upload Section. False

Event Start Time 8:00 AM

Event End Time 12:00 PM

Event Setup Time 7:00 AM

Event Teardown Time 1:00 PM

Phone # of Food Vendor - 1:

Phone # of Food Vendor - 2:

Phone # of Food Vendor - 3:

Phone # of Food Vendor - 4:

Phone # of Food Vendor - 5:

Phone # of Food Vendor - 6:

Phone # of Food Vendor - 7:

Phone # of Food Vendor - 8:

Temporary Structure Square Footage Information

Bounce Houses Information

Documents Uploaded

The following documents are attached to the Application.

File Upload Instructions

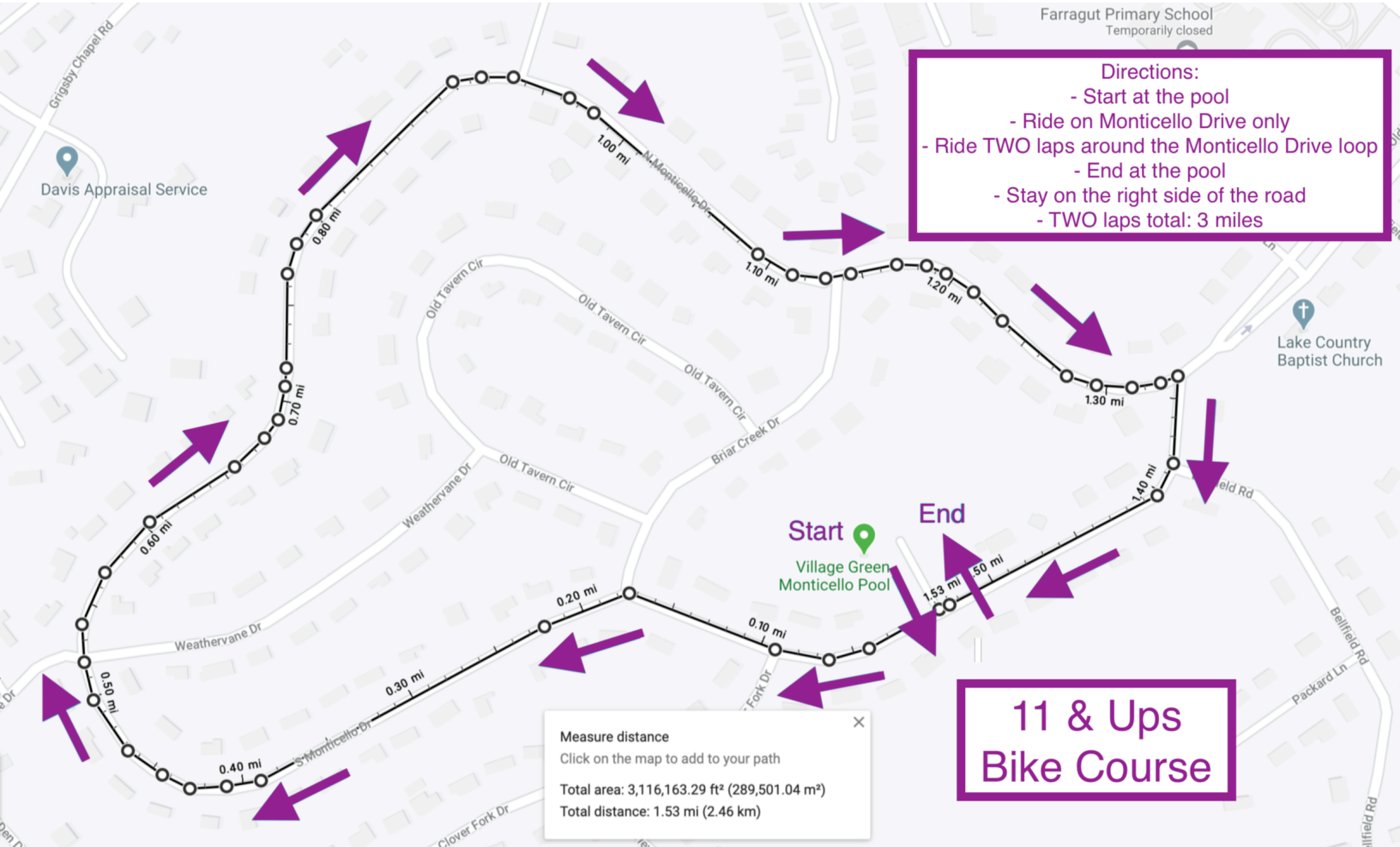
hoa approval.eml

insurance.pdf

Site Plan

10&unders course maps.pdf

11&ups course maps.pdf



Farragut Primary School
Temporarily closed

Directions:

- Start at the pool
- Ride on Monticello Drive only
- Ride TWO laps around the Monticello Drive loop
- End at the pool
- Stay on the right side of the road
- TWO laps total: 3 miles

Lake Country Baptist Church

Start
Village Green Monticello Pool

End

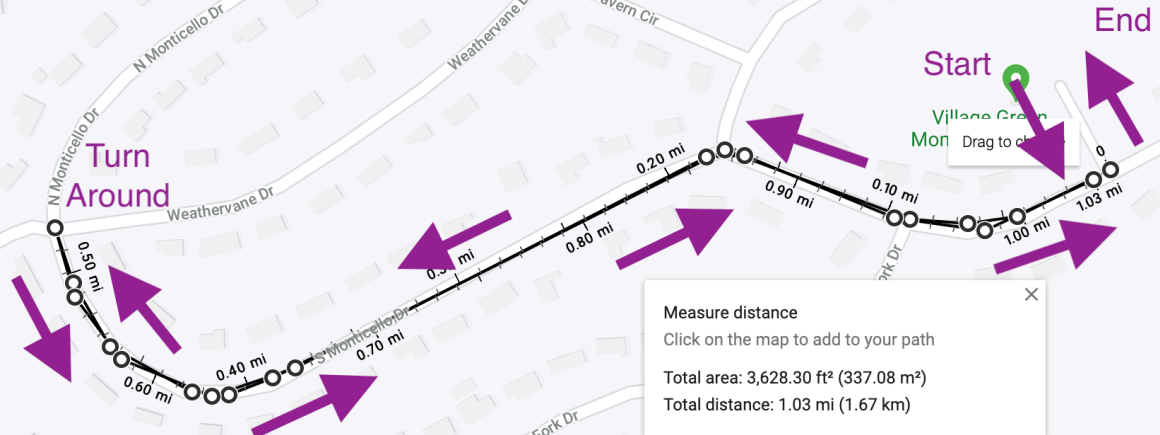
11 & Ups
Bike Course

Measure distance
Click on the map to add to your path
Total area: 3,116,163.29 ft² (289,501.04 m²)
Total distance: 1.53 mi (2.46 km)

Davis Appraisal Service

- Directions:
- Start at the pool
 - Run on Monticello Drive only
 - Run to the stop sign at Weathervane Drive and turn around
 - Stay on the side walk
 - End at the pool
 - Total: 1 mile

Lake Court Baptist Church



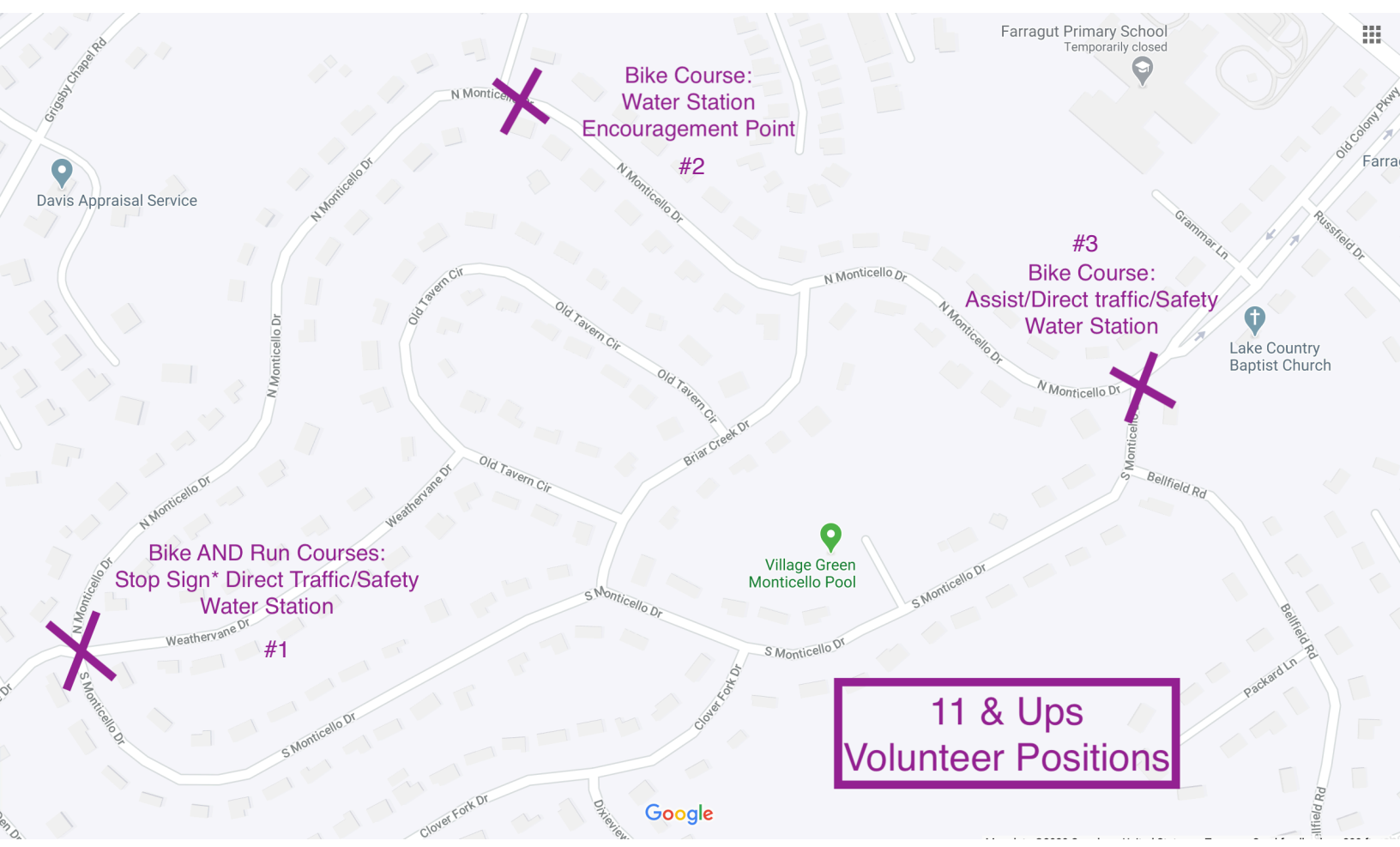
11 & Ups Run Course

Measure distance

Click on the map to add to your path

Total area: 3,628.30 ft² (337.08 m²)

Total distance: 1.03 mi (1.67 km)

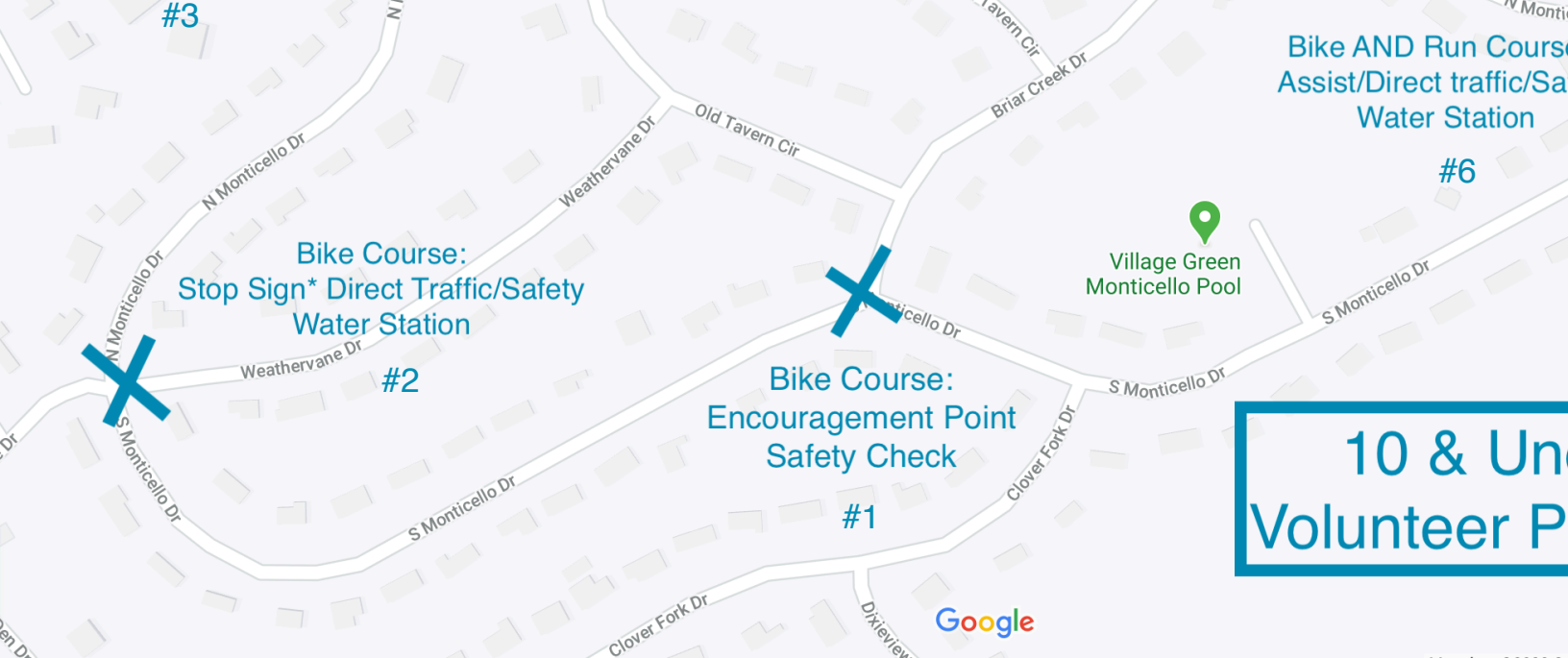


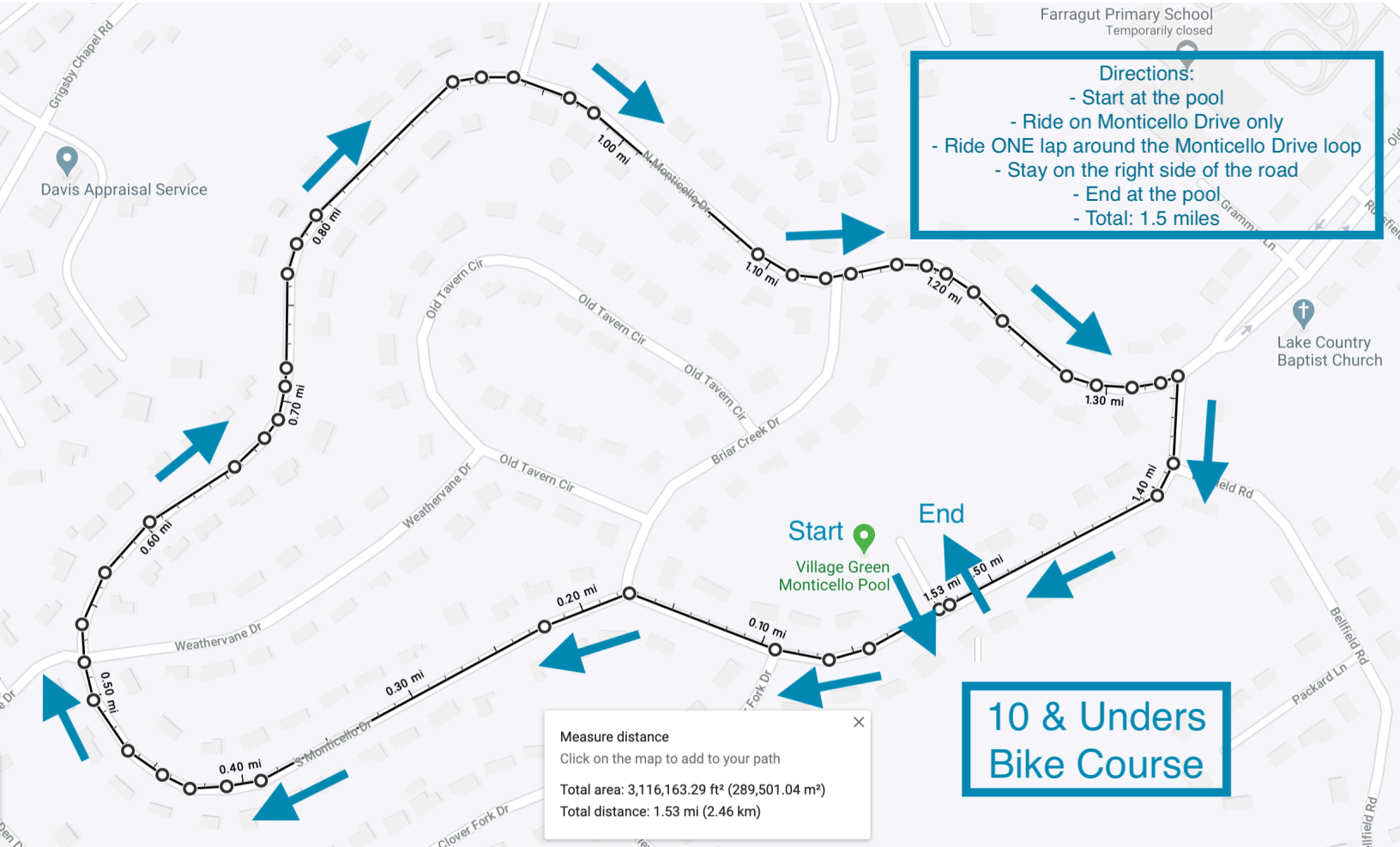
Bike Course:
Water Station
Encouragement Point
#2

#3
Bike Course:
Assist/Direct traffic/Safety
Water Station

Bike AND Run Courses:
Stop Sign* Direct Traffic/Safety
Water Station
#1

11 & Ups
Volunteer Positions





- Directions:
- Start at the pool
 - Ride on Monticello Drive only
 - Ride ONE lap around the Monticello Drive loop
 - Stay on the right side of the road
 - End at the pool
 - Total: 1.5 miles

Measure distance
Click on the map to add to your path

Total area: 3,116,163.29 ft² (289,501.04 m²)
Total distance: 1.53 mi (2.46 km)

10 & Unders
Bike Course

- Total: 0.5 mile

10 & Unders Run Course

Total distance: 3,112.84 ft (948.79 m)

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Darryl Smith, PE

SUBJECT: Approval of Bids for Contract 2023-01, 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 and their responsiveness (if they've completed this contract in the past) as well as their ability to perform the required work. We received one bid on June 10, from Pavement Restorations, Inc. (PRI). We have attached a tabulation of PRI's unit prices, compared with those prices in the FY22 contract. The tabulations indicate FY23's unit prices will increase approximately 22% over FY22, but similar increases are being seen across the industry. 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: Darryl Smith, PE, Town Engineer

PROPOSED MOTION: Approval of proposal and award of Contract 2023-01 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	_____	_____	_____	_____	_____

2023-01: On-Call Road Maintenance



ITEM #	DESCRIPTION	UNIT	2022 Current Rates	PRI of East TN., Inc.
			(PRI of East TN., Inc.)	UNIT PRICE
1.1	Minimum Charge-NORMAL Response Time	EA	\$1,000.00	\$ 1,500.00
1.2	Minimum Charge-EMERGENCY Response Time	EA	\$1,500.00	\$ 2,000.00
2.1	Surface Patch, 1.5" ACS (PG 64-22) Gr E Roadway (maximum 500 Sq. Ft.)	SF	\$8.00	\$ 10.00
2.2	Surface Patch, 1.5" ACS (PG 64-22) Gr E Roadway (minimum 500 Sq. Ft.)	SF	\$8.00	\$ 10.00
2.3	Surface Patch applied with a burn truck (maximum single patch of 500 Sq. Ft.)	SF	\$10.00	\$ 12.00
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	\$12.50	\$ 15.00
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	\$11.50	\$ 14.00
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	\$16.00	\$ 20.00
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	\$15.00	\$ 18.00
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	\$12.00	\$ 14.50
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	\$11.00	\$ 13.50
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	\$14.00	\$ 17.00
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	\$13.00	\$ 16.00
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	\$11.50	\$ 14.00
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	\$11.00	\$ 14.00
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	\$13.00	\$ 16.00
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	\$ 14.00
6.1	Remove/Dispose Existing Pavement for Arterial Roadway, 7" Depth (maximum 500 Sq. Ft.)	SF	\$10.00	\$ 12.00
6.2	Remove/Dispose Existing Pavement for Arterial Roadway, 7" Depth (minimum 500 Sq. Ft.)	SF	\$9.00	\$ 11.00
6.3	Remove/Dispose Existing Pavement for Collector/Local Roadway, 4.5" Depth (maximum 500 Sq. Ft.)	SF	\$9.00	\$ 11.00
6.4	Remove/Dispose Existing Pavement for Collector/Local Roadway, 4.5" Depth (minimum 500 Sq. Ft.)	SF	\$8.00	\$ 10.00
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	\$20.00	\$ 25.00
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	\$25.00	\$ 30.00
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	\$25.00	\$ 30.00
7.4	Remove/Dispose Asphalt Trail Pavement, 2" Depth (maximum 500 Sq. Ft./approx. 5.8 Tons)	SF	\$8.00	\$ 10.00
7.5	Remove/Dispose Asphalt Trail Pavement, 2" Depth (minimum 500 Sq. Ft./approx. 5.8 Tons)	SF	\$8.00	\$ 10.00
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	\$9.00	\$ 11.00
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	\$9.00	\$ 11.00
10.1	Cold Mix Patch	SF	\$25.00	\$ 30.00
10.2	Saw Cut (Asphalt/Concrete)	LF	\$6.00	\$ 7.00
10.3	Grader	Hour	\$175.00	\$ 200.00
10.4	Backhoe	Hour	\$150.00	\$ 175.00
10.5	Roller (Bomag-120 AD or Equal)	Hour	\$125.00	\$ 150.00
10.6	Single-Axle Truck	Hour	\$85.00	\$ 105.00
10.7	Tri-Axle Truck	Hour	\$100.00	\$ 120.00
10.8	Bobcat (Including Attachment Needed)	Hour	\$125.00	\$ 150.00
10.9	Shoulder Stone (Edge of Pavement) with Mineral Aggregate Type A Base, TDOT 303-01, Placed and Compacted	TN	\$275.00	\$ 300.00
11.1	Labor	Hour	\$75.00	\$ 90.00

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Darryl Smith, PE

SUBJECT: Approval of Bids for Contract 2023-02, 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 and their responsiveness (if they've completed this contract in the past) as well as their ability to perform the required work. We received one bid on June 10, from Volunteer Highway Supply Company Inc. We have attached a tabulation of Volunteer Highway Supply's unit prices, compared with those unit prices in the FY22 contract. The tabulations indicate FY23's unit prices will increase approximately 19% over FY22, but similar increases are being seen across the industry. 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		
By: <u>A. Myers</u>		

RECOMMENDATION BY: Darryl Smith, PE, Town Engineer

PROPOSED MOTION: Approval of bids and award of Contract 2023-02 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	_____	_____	_____	_____	_____

2023-02: On-Call Pavement Marking



ITEM #	DESCRIPTION	UNIT	2022 Current Rates (Volunteer Highway Supply Co. Inc.)	Volunteer Highway Supply Co. Inc.
			UNIT PRICE	UNIT PRICE
1.1	Painted Word Pavement Marking (ONLY)	EA	\$ 55.00	\$ 65.00
1.2	Painted Word Pavement Marking (SCHOOL)	EA	\$ 100.00	\$ 125.00
2.1	8" Raised Ceramic Markers/Refl.	EA	\$ 75.00	\$ 75.00
3.1	Durable Reflectorized Pavement Marking (4" Line) 3M All Weather Paint	L.F.	\$ 0.35	\$ 0.40
716-01.11	RAISED PVMT MARKERS (BI-DIRECTIONAL) (1 COLOR LENS)	EA	\$ 8.00	\$ 8.25
716-01.12	RAISED PVMT MARKERS (MONO-DIRECTIONAL) (1 COLOR LENS)	EA	\$ 8.00	\$ 8.25
716-01.13	RAISED PVMT MARKERS (BI-DIRECTIONAL) (2 COLOR LENS)	EA	\$ 8.00	\$ 8.25
716-01.23	SNOW PLOWABLE REFLECTIVE MARKER (BI-DIRECTIONAL) (2 COLOR LENS)	EA	\$ 30.00	\$ 35.00
716-02.03	PLASTIC PAVEMENT MARKING (CROSS-WALK)	L.F.	\$ 10.00	\$ 11.00
716-02.04	PLASTIC PAVEMENT MARKING (CHANNELIZATION STRIPING)	S.Y.	\$ 18.00	\$ 20.00
716-02.05	PLASTIC PAVEMENT MARKING (STOP LINE)	L.F.	\$ 10.00	\$ 12.00
716-02.06	PLASTIC PAVEMENT MARKING (TURN LANE ARROW)	EA	\$ 140.00	\$ 200.00
716-02.08	PLASTIC PAVEMENT MARKING (8" DOTTED LINE)	L.F.	\$ 1.10	\$ 1.15
716-02.12	PLASTIC PAVEMENT MARKING (8IN LINE)	L.F.	\$ 1.10	\$ 1.15
716-02.30	RETRACING PAVEMENT MARKINGS - PLASTIC (4" LINE)	L.M.	\$ 2,400.00	\$ 3,200.00
716-03.01	PLASTIC WORD PAVEMENT MARKING (ONLY)	EA	\$ 125.00	\$ 150.00
716-03.04	PLASTIC WORD PAVEMENT MARKING (SCHOOL)	EA	\$ 350.00	\$ 400.00
716-03.05	PLASTIC WORD PAVEMENT MARKING (BIKE LANE)	EA	\$ 350.00	\$ 400.00
716-04.03	PLASTIC PAVEMENT MARKING (4" DOTTED LINE)	L.F.	\$ 1.00	\$ 1.00
716-04.10	PLASTIC PAVEMENT MARKING (HANDICAP SYMBOL)	EA	\$ 200.00	\$ 225.00
716-04.11	PLASTIC PAVEMENT MARKING (BICYCLE SYMBOL W/RIDER)	EA	\$ 350.00	\$ 400.00
716-04.12	PLASTIC PAVEMENT MARKING (YIELD LINE)	S.F.	\$ 8.00	\$ 10.00
716-04.13	PLASTIC PAVEMENT MARKING (BIKELANE SYMBOL & ARROW)	EA	\$ 385.00	\$ 400.00
716-05.01	PAINTED PAVEMENT MARKING (4" LINE)	L.M.	\$ 540.00	\$ 590.00
716-05.03	PAINTED PAVEMENT MARKING (CROSS-WALK)	L.F.	\$ 3.00	\$ 4.00
716-05.04	PAINTED PAVEMENT MARKING (CHANNELIZATION STRIPING)	S.Y.	\$ 9.00	\$ 10.00
716-05.05	PAINTED PAVEMENT MARKING (STOP LINE)	L.F.	\$ 5.00	\$ 6.00
716-05.06	PAINTED PAVEMENT MARKING (TURN LANE ARROW)	EA	\$ 75.00	\$ 85.00
716-05.08	PAINTED PAVEMENT MARKING (PARKING LINE)	L.F.	\$ 0.85	\$ 2.00
716-05.50	PAINTED PAVEMENT MARKINGS(8" LINE)	L.F.	\$ 0.60	\$ 0.80
716-05.51	PAINTED PAVEMENT MARKINGS(12" LINE)	L.F.	\$ 2.00	\$ 2.00
716-05.60	RETRACING PAVEMENT MARKINGS - PAINTED (4" LINE)	L.M.	\$ 455.00	\$ 525.00
716-05.61	RETRACING PAVEMENT MARKINGS - PAINTED (8" BARRIER LINE)	L.F.	\$ 0.60	\$ 0.70
716-05.62	RETRACING PAVEMENT MARKINGS - PAINTED (6" LINE)	L.M.	\$ 560.00	\$ 600.00
716-05.64	RETRACING PAVEMENT MARKINGS - PAINTED (6" DOTTED LINE)	L.F.	\$ 0.25	\$ 0.50
716-05.72	PERFORMANCE BASED RETRACING SPRAY THERMO 4IN	L.M.	\$ 2,150.00	\$ 2,900.00
716-05.73	PERFORMANCE BASED RETRACING SPRAY THERMO 6IN	L.M.	\$ 2,800.00	\$ 3,600.00
716-06.01	PAINTED WORD PVMT MARK (Handicap Symbol)	EA	\$ 100.00	\$ 125.00
716-08.01	REMOVAL OF PAVEMENT MARKING (LINE)	L.F.	\$ 0.75	\$ 1.00
716-08.11	REMOVAL OF WORD PAVEMENT MARKING	EA	\$ 50.00	\$ 75.00
716-09.79	THERMOPLST PVMT MARK PROFILE LINE(4")	L.M.	No Bid	No Bid
716-13.01	SPRAY THERMO PVMT MRKNG (60 mil) (4IN LINE)	L.M.	\$ 2,350.00	\$ 2,900.00
716-13.02	SPRAY THERMO PVMT MRKNG (60 mil) (6IN LINE)	L.M.	\$ 2,975.00	\$ 3,600.00
716-13.03	SPRAY THERMO PVMT MRKNG (60 mil) (8IN BARRIER LINE)	L.F.	\$ 2.00	\$ 2.00
716-13.04	SPRAY THERMO PVMT MRKNG (60 mil) (4IN DOTTED LINE)	L.F.	\$ 1.00	\$ 1.00
716-13.05	SPRAY THERMO PVMT MRKNG (60 mil) (6IN DOTTED LINE)	L.F.	\$ 1.00	\$ 1.00
716-13.06	SPRAY THERMO PVMT MRKNG (40 mil) (4IN LINE)	L.M.	\$ 2,150.00	\$ 2,700.00
716-13.07	SPRAY THERMO PVMT MRKNG (40 mil) (6IN LINE)	L.M.	\$ 2,700.00	\$ 3,250.00
716-13.08	SPRAY THERMO PVMT MRKNG (40 mil) (8IN BARRIER LINE)	L.F.	\$ 1.00	\$ 1.00
716-13.09	SPRAY THERMO PVMT MRKNG (40 mil) (4IN DOTTED LINE)	L.F.	\$ 1.00	\$ 1.00
716-13.10	SPRAY THERMO PVMT MRKNG (40 mil) (6IN DOTTED LINE)	L.F.	\$ 1.00	\$ 1.00
716-13.11	SPRAY THERMO PVMT MRKNG (60 MIL 12IN BARRIER LINE)	L.F.	No Bid	\$ 4.00
716-14.01	PROFILED THERMO PVMT MRKNG AUDIBLE (4IN)	L.M.	No Bid	No Bid
716-14.02	PROFILED THERMO PVMT MRKNG AUDIBLE (6IN)	L.M.	No Bid	No Bid

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Darryl Smith, PE

SUBJECT: Approval of Bids for Contract 2023-03, 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 and their responsiveness (if they've completed this contract in the past) as well as their ability to perform the required work. We received two bids on June 10, from Tennessee Guardrail, Inc. and Roadway Solutions, LLC. Based upon the tabulated unit prices (see attached), staff recommends award of Contract 2023-03 to Roadway Solutions, LLC. Roadway Solutions has been our contractor for the past several years, and we have always been pleased with their performance.

FINANCIAL SECTION:

Project:		
<u>Total Budget</u>	<u>Contract Amount</u>	<u>Remaining Amount</u>
\$15,000	\$15,000	\$0
Approved		
By: <u>A. Myers</u>		

RECOMMENDATION BY: Darryl Smith, PE, Town Engineer

PROPOSED MOTION: Approval of bids and award of Contract 2023-03 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	_____	_____	_____	_____	_____

2023-03: On-Call Guardrail Maintenance



ITEM #	DESCRIPTION	UNIT	2022 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	\$ 85.00	\$ 80.00	\$ 175.00
705-01.04	METAL BEAM GUARD FENCE	LF	\$ 80.00	\$ 90.00	\$ 165.00
705-02.01	SINGLE GUARDRAIL WITH RUB-RAIL (TYPE 2)	LF	\$ 33.00	\$ 40.00	\$ 100.00
705-02.02	SINGLE GUARDRAIL (TYPE 2)	LF	\$ 24.00	\$ 35.00	\$ 37.50
705-02.03	SINGLE GUARDRAIL (TYPE 2) LONG POST	LF	\$ 28.00	\$ 40.00	\$ 55.00
705-02.20	SINGLE GUARDRAIL (TYPE 2) LONG POST (6'-9')	LF	\$ 32.00	\$ 45.00	\$ 55.00
705-02.25	SINGLE GUARDRAIL (TYPE 2) LONG POST (9'-12')	LF	\$ 36.00	\$ 50.00	\$ 62.50
705-04.02	GUARDRAIL TERMINAL (TYPE 12)	EA	\$ 750.00	\$ 4,000.00	\$ 2,250.00
705-04.03	GUARDRAIL TERMINAL (TYPE 13)	EA	\$ 1,200.00	\$ 1,500.00	\$ 1,875.00
705-04.04	GUARDRAIL TERMINAL (TYPE 21) (S-GRT-3)	EA	\$ 3,000.00	\$ 3,000.00	\$ 4,000.00
705-04.07	TAN ENERGY ABSORBING TERM (NCHRP 350, TL3) (TYPE 38) (S-GRT-2)	EA	\$ 3,500.00	\$ 3,500.00	\$ 5,000.00
705-04.09	EARTH PAD FOR TYPE 38 GR END TREATMENT	EA	\$ 1,000.00	\$ 1,500.00	\$ 1,250.00
705-04.10	EARTH PAD FOR GUARD RAIL END TREATMENT	EA	\$ 1,000.00	\$ 1,500.00	\$ 1,250.00
705-04.11	STONE FOR GUARDRAIL END TERMINAL PAD	TN	\$ 40.00	\$ 60.00	\$ 120.00
705-06.01	W BEAM GR (TYPE 2) MASH TL3	LF	\$ 24.00	\$ 35.00	\$ 37.50
705-06.20	TANGENT ENERGY ABSORBING TERM MASH TL-3	EA	\$ 3,500.00	\$ 3,500.00	\$ 5,000.00
705-06.30	GR TERMINAL (TYPE 21) MASH TL2	EA	\$ 3,000.00	\$ 3,000.00	\$ 4,000.00
706-01	GUARDRAIL REMOVED	LF	\$ 12.00	\$ 12.00	\$ 5.00
706-03.01	POSTS FURNISHED	EA	\$ 200.00	\$ 250.00	\$ 175.00
706-06.03	RADIUS RAIL	LF	\$ 26.00	\$ 52.50	\$ 55.00
706-06.05	RADIUS RAIL ON LONG POST (6-9 FT)	LF	\$ 48.00	\$ 67.50	\$ 62.50
706-06.06	RADIUS RAIL ON LONG POST (9-12 FT)	LF	\$ 54.00	\$ 75.00	\$ 70.00
706-10.26	ROUNDED END ELEMENT	EA	\$ 100.00	\$ 125.00	\$ 95.00
706-10.73	REMOVAL OF GUARDRAIL & POST FOR REUSE	LF	\$ 1.00	\$ 12.00	\$ 10.00
706-10.82	CONCRETE BRIDGE END OR PIER PROTECTION REPAIR	CY	\$ 2,500.00	\$ 4,500.00	\$ 6,500.00
712-01	TRAFFIC CONTROL(LANE CLOSURE) (per work order)	EA	\$ 500.00	\$ 1,000.00	\$ 525.00
717-01	MOBILIZATION (per work order)	EA	\$ 750.00	\$ 500.00	\$ 50.00
717-01.03	MOBILIZATION (emergency work per work order)	EA	\$ 1,500.00	\$ 1,000.00	\$ 550.00

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Darryl Smith, PE

SUBJECT: Approval of Bids for Contract 2023-04, 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 and their responsiveness (if they've completed this contract in the past) as well as their ability to perform the required work. We received two bid proposals on June 10, 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 2023-04 to Progression Electric, LLC. The Town has contracted with Progression in the past, and we've 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

By: A. Myers

RECOMMENDATION BY: Darryl Smith, Town Engineer.

PROPOSED MOTION: Approval of bids and award of Contract 2023-04 to Progression Electric, 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	_____	_____	_____	_____	_____

2023-04: On-Call Traffic Signal Maintenance



TYPE	DESCRIPTION	UNIT	QUANTITY	2022 Current Rates (Stansell Electric Company, Inc.)	Progression Electric, LLC	Stansell Electric Company, Inc.
				UNIT PRICE	UNIT PRICE	UNIT PRICE
Scheduled	Scheduled Preventive Maintenance (semi-annual) per signal intersection	EA	26	\$ 240.00	\$ 195.00	\$ 240.00
Scheduled	Scheduled Preventive Maintenance (annual) per signal intersection	EA	26	\$ 285.00	\$ 230.00	\$ 285.00
			TOTAL	\$ 13,650.00	\$ 11,050.00	\$ 13,650.00
Non-Scheduled	Emergency-- (2 Hour Response Time)	HR		\$ 185.00	\$ 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		\$ 150.00	\$ 150.00	\$ 150.00
Non-Scheduled	Regular	HR		\$ 130.00	\$ 150.00	\$ 130.00
Non-Scheduled	15 ton crane (4 hour minimum per service call.)	HR		\$ 180.00	\$ 95.00	\$ 180.00
Miscellaneous	SERVICE TRUCK -- OPERATOR/ELECTRICIAN INCLUDED	HR		\$ 100.00	\$ 95.00	\$ 100.00
Miscellaneous	BUCKET TRUCK -- OPERATOR/ELECTRICIAN INCLUDED	HR		\$ 140.00	\$ 140.00	\$ 140.00
Miscellaneous	Laborer	HR		\$ 50.00	\$ 55.00	\$ 50.00
Miscellaneous	Technician, IMSA Level I	HR		\$ 69.00	\$ 65.00	\$ 69.00
Miscellaneous	Technician, IMSA Level II	HR		\$ 69.00	\$ 65.00	\$ 69.00
Miscellaneous	Technician, IMSA Level III	HR		\$ 83.00	\$ 80.00	\$ 83.00
Miscellaneous	Licensed Electrician	HR		\$ 83.00	\$ 80.00	\$ 83.00
Miscellaneous	REPAIR MASTER CONTROLLER or CONTROLLER (Remove & Re-install Only)	HR		\$ 250.00	\$ 180.00	\$ 250.00
Miscellaneous	Provide temporary controller	EA		\$ 400.00	\$ 300.00	\$ 400.00
Miscellaneous	Provide temporary CONFLICT MONITOR	EA		\$ 200.00	\$ 210.00	\$ 200.00
Miscellaneous	REPLACE EXISTING LOOP DETECTOR, INCLUDES SAW CUT PAVEMENT & LEAD-IN	LF		\$ 11.00	\$ 13.50	\$ 11.00

REPORT TO THE BOARD OF MAYOR AND ALDERMEN**PREPARED BY:** William E. McKelvey, Public Works Director**SUBJECT:** Rejection of Bids for Contract #2022-09: Annual Street Sweeping

INTRODUCTION: The purpose of this agenda item is to reject the one (1) bid the Town received for Contract #2022-09 Annual Street Sweeping, as it is the Public Works department's intention to modify the service delivery method.

STRATEGIC PLAN: Maintaining the Town of Farragut right of ways is a core business of the Public Works department. The department has historically used a street sweeping contract with a private company to sweep the streets and public facilities within the Town.

BACKGROUND: Public Works conducted a study to see if it is cheaper for the Town to continue contracting out street sweeping services or purchase a street sweeper and do the work with Town personnel. The study examined cost over a 10-year period and showed that purchasing a sweeper, including maintenance, operator and fuel expenses, the Town would save approximately \$243,500.

DISCUSSION: On May 12, 2022, the Public Works department opened bids from one (1) contractor for annual street sweeping services, Sweeping Corporation of America. Because of the proposed change in service level, staff would ask the Board of Mayor and Aldermen to reject the bid that was received from Sweeping Corporation of America.

BID TABULATIONS:

BIDDER	BID QUANTITY, YEAR, MAKE AND MODEL	BID PRICE
VENDOR: Sweeping Corporation of America	<u>COST PER CYCLE (Monthly) - ROADS:</u>	
	Year 1: \$3524.74 x 12 mo.	\$42,296.88
LOCATION: 1104 Spring Hill Road Knoxville TN 37914	Year 2: \$3710.51 x 12 mo.	\$44,526.12
	Year 3: \$3905.60 x 12 mo.	\$46,867.20

	<u>COST PER CYCLE (5 times a year) – PARKING LOTS:</u>		
	Year 1:	\$921.36 x 5	\$4,606.80
	Year 2:	\$969.84 x 5	\$4,849.20
	Year 3:	\$1,020.88 x 5	\$5,104.40
	<u>HOURLY RATE:</u>		
		Year 1:	\$225.00
		Year 2:	\$236.84
		Year 3:	\$249.31

FINANCIAL SECTION: (if needed)

RECOMMENDATION BY: Public Works Director Bud McKelvey for approval.

PROPOSED MOTION: To reject the bid for Contract #2022-09 Annual Street Sweeping that was opened on May 12, 2022.

BOARD ACTION:

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

<u>VOTE / TOTAL</u>	Williams	Povlin	Pinchok	Meyer	Burnette
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: William E. McKelvey, Public Works Director

SUBJECT: Approval of Sourcewell Bid for One (1) Tymco 435 Regenerative Air Sweeper

INTRODUCTION: The purpose of this agenda item is to approve the purchase of one (1) Tymco 435 Regenerative Air Sweeper through the Sourcewell bid process.

STRATEGIC PLAN: Maintaining the Town of Farragut right of ways is a core business of the Public Works department. This service was previously performed by a private contractor.

BACKGROUND: The Public Works department conducted a study to see if it is cheaper for the Town to continue contracting out street sweeping services or purchase a street sweeper and do the work with Town personnel. The study examined cost over a 10-year period and showed that purchasing a sweeper, including maintenance, operator and fuel expenses, the Town would save approximately \$240,500.

Outside Contractors	
Year 1	\$ 48,000
Year 2	\$ 49,144
Year 3	\$ 50,618
Year 4	\$ 52,136
Year 5	\$ 53,700
Year 6	\$ 55,311
Year 7	\$ 56,970
Year 8	\$ 58,679
Year 9	\$ 60,439
Year 10	\$ 62,252
Total:	\$ 547,219

.03 increase that would cover additional areas and normal contract increase.

10 Year In-House Street Sweeping		
	Per Year	10 Years
Purchase Price		196,730
Fuel	\$ 750*	10,000
Maintenance 1-5 years		5,000
Maintenance 5-10 years		18,000
Employee Time @ \$20.00		76,800
Total:	\$ 750	\$ 306,530

*Includes Increases

DISCUSSION: The Public Works department requested pricing through Sourcewell to purchase a Tymco 435 Regenerative Air Sweeper. Sourcewell is an approved purchasing method with pre-qualified bids. On May 17, 2022, Public Works received a quote from Stringfellow, Inc. for a Tymco 435 Regenerative Air Sweeper in the amount of \$196,730

FINANCIAL SECTION: FY23 Budget

Account Number: 314-43949-9490

<u>FY23 Total Budget</u>	<u>Requested Amount</u>	<u>Contracted Amount</u>	<u>Remaining Amount</u>
\$250,000	\$196,730	\$0	\$53,270

Approved By: A. Myers

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

PROPOSED MOTION: To approve the purchase of one (1) Tymco 435 Regenerative Air Sweeper **from** Stringfellow Inc. after July 1, 2022, in the amount of \$196,730.

BOARD ACTION:

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

<u>VOTE / TOTAL</u>	Williams	Povlin	Pinchok	Meyer	Burnette
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____



REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Trevor Hobbs, Assistant to the Town Administrator

SUBJECT: Approval of a Memorandum of Understanding between the Farragut West Knox Chamber of Commerce and the Town of Farragut.

INTRODUCTION: The memorandum of understanding with the Town of Farragut and Farragut West Knox Chamber of Commerce expires as of June 30, 2022, and is proposed for renewal for an additional year, through June 30, 2023, at a cost of \$25,000.

BACKGROUND: The Town of Farragut most recently signed a memorandum of understanding with the Farragut West Knox Chamber of Commerce in 2021, for a one-year period, expiring as of June 30, 2022.

The prior agreement included a payment to the Farragut West Knox Chamber of Commerce of \$9,000 each six-month period, for a total of \$18,000 per fiscal year. The proposed renewal includes an increase in payment to \$12,500 each six-month period, for a total of \$25,000 per fiscal year.

DISCUSSION: It is proposed that the Town approve a one-year memorandum of understanding with the Farragut West Knox Chamber of Commerce to expire as of June 30, 2023. The Farragut West Knox Chamber of Commerce will continue to provide and assist with a range of programs, services, and events to enhance economic development within the Town, and recruit, support, and retain businesses to/in the Town of Farragut.

Minor changes reflected in the proposed memorandum of understanding include an updated Enterprise Club Benefits Chart (Attachment B) and additional clarity has been added regarding the initiatives the Chamber will engage in, as well as key performance indicators that will help communicate the impact of commonly held goals of both the Town and the Chamber (Attachment C).

In summary, the engagement activities included in the agreement support several of the Critical Success Factors contained in the Town's strategic plan framework. These engagement activities will also align with critical success factors and goals that will be proposed in the Town's Economic Development Strategic Plan that has been in drafted to reflect the partnerships between the Town, the Chamber, the Farragut Business Alliance, and the Town's Tourism Program, Visit Farragut. Because it is the basis for our working relationship, the proposed agreement between the Town and the Farragut West Knox Chamber of Commerce is essential to the continued execution of initiatives in support of economic development in the Town.

RECOMMENDATION BY: Assistant to the Town Administrator, Trevor Hobbs

PROPOSED MOTION: Approval of the Memorandum of Understanding between the Farragut West Knox Chamber of Commerce and the Town of Farragut, for FY 2023.

BOARD ACTION:

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

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

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding entered into as of the 22nd ~~23rd~~ day of ~~July~~ **June**, ~~2021~~ **2022** by and between Farragut West Knox Chamber of Commerce ("Chamber") and The Town of Farragut, a municipal corporation created under the laws of the state of Tennessee (the "Town").

WHEREAS, the Town seeks to further economic development for the benefit of its citizens and business to enhance awareness of local businesses and increase marketing through the use of publications and special events;

WHEREAS, the Town desires to further these economic development objectives of promoting local business by coordinating with the Chamber to better serve their needs and to provide support and services designed to attract the citizens of the Greater Knoxville Area to patronize the Town's businesses; and

WHEREAS, the Chamber possesses the qualifications and desire to assist with programs, services and events to enhance economic development within the Town and the awareness of the Town's businesses and community; and

WHEREAS, the parties desire to memorialize herein the terms and conditions of an agreement whereby the Town commissions the Chamber to undertake services and provide support to the Town in these efforts.

NOW, THEREFORE, in consideration for the terms, conditions and agreements provided for hereinafter, the sufficiency of which are hereby acknowledged by the parties, the parties do hereby agree as follows:

1. Engagement. The Town hereby engages the Chamber to perform the following services and to provide the following support to the Town and its businesses located with the Town's boundaries:
 - (a) Continue to provide the Town all benefits that are included as being an "Admiral ~~Elite~~" Enterprise Club Member, which benefits are described on Exhibit A attached hereto and incorporated herein by reference;
 - (b) The Town shall also be recognized as a top level sponsor at all major Chamber events and functions, with all advertising/marketing benefits included in kind;
 - (c) Provide the Town with a complimentary table of up to 10 guests, as applicable, at all events and functions;
 - (d) Display the Town logo prominently on the Chamber's website with linked capabilities to the Town website.
 - (e) Conduct business development activities generally as follows;

- (i) Promote local business through ongoing programs/events/educational opportunities and marketing strategies to enhance retail awareness and revenues; Collaborative social media marketing strategic plan;
- (ii) Assist businesses in hosting their own special events in Farragut;
- (iii) Communicate and coordinate economic development activities between the Town's Business Liaison, Farragut Business Alliance, Knoxville Chamber, and Visit Farragut as appropriate;
- (iv) Continue to partner with the Tennessee Small Business Development Center and SCORE of Greater Knoxville to promote and provide assistance and critical information to local businesses, including free mentoring and advising opportunities located in Farragut;
- (v) Assist prospective business owners on how to open a business in Farragut and provide informational packets to relocation entities or the general public on relocating to, living and working in Farragut;
- (vi) Assist the Town in the retention and recruitment of retail and office business by partnering with the Business Liaison and Shop Farragut as appropriate to attract new business and consult with existing; maintain joint database of businesses located in Farragut;

The Chamber accepts such engagement and will provide services necessary to accomplish the foregoing with reasonable assistance of representatives of the Town in providing the Chamber with relevant information possessed by the Town.

2. Term. The Chamber shall commence work effective July 1, 2021 2022, and shall devote the time and attention it deems appropriate and required in order to comply with the goals hereunder. The term of this agreement shall be one year from July 1, 2021 2022, except as otherwise provided in paragraph 8 below.

3. Compensation. In full compensation for the Chamber's performance hereunder and conditioned on approval and adoption of the Town's budget by the Board of Mayor and Alderman during the applicable fiscal years, the Chamber shall receive the sum of \$18,000.00 \$25,000.00 paid by the Town, to be paid to the Chamber in the manner provided in paragraph 4.

4. Manner of Payment. (a) Subject to the provisions of this Agreement, the sum of \$18,000.00 \$25,000 shall be paid to the Chamber as follows:

- (i) The sum of \$18,000 \$25,000 for the fiscal year from July 1, 2021 2022 through June 30, 2022 2023 payable in two semiannual installments in the amount of \$9,000 \$12,500, the first due on November 1, 2021 2022 conditioned upon the due submission of progress reports referred to in paragraph 5 below and pending the approval and adoption of the Town's budget by the Board of Mayor and Alderman in the 2021-2022 2022-2023 fiscal year;

(ii) In addition, the Town shall provide the following in-kind benefits:

- i. All fees for authorization and/or permits shall be waived the for the Chamber's Holiday Open House;
- ii. Complimentary use of the Farragut Community Center for Chamber New Member Orientations.

5. Progress Reports. The Chamber shall furnish Town with written progress reports at the end of each six month period from and after May 1, ~~2021~~ 2022. The content of the Progress Report should include a summary of the actions taken by the Chamber, during the subject six month period, in furtherance of the services and support hereunder. If the Chamber fails to furnish a Progress Report, or if it appears from the report that no progress has been made in the advancement and achievements since the last Progress Report, the Town shall have the right to withhold payment until the Chamber resumes progress on the work. In addition, the Chamber shall, if the Town so requests, confer with representatives of the Town from time to time on matters of substance concerning the efforts that have been and will be taken to advance the goals hereunder.

6. Delays in Completion. In the event contingencies arise that hinder the ability of the Chamber from moving forward with its services and support through no fault of the Chamber, the Chamber shall inform the Town Administrator of such circumstances as soon as possible. The Town will take steps within its control to assist the Chamber with overcoming said contingencies.

7. Independent Contractor. It is the mutual understanding of the parties that the Chamber is an independent contractor. The Chamber shall be solely responsible for reporting for tax purposes the amount received hereunder and for the payment of any taxes of every kind that may be payable on account of the payments provided for herein. The Chamber specifically agrees to indemnify, defend, and hold the Town harmless from any such taxes and related penalties, and other costs incurred by the Town including, but not limited to, attorneys' fees and costs incurred thereby.

8. Termination on Convenience of Municipality. For any reason the sufficiency of which the Town shall be the sole judge, the Town may terminate this Agreement, including, but not limited to, the non-approval of the Town's budget by the Board of Mayor and Alderman in the applicable fiscal year, refusal of the Chamber to comply with any of the provisions of this Agreement or for the convenience of the Town.

In such event, the payments the Chamber has theretofore received, plus a pro rata amount of payment as compensation for the work performed during the six-month period in which the determination to terminate is made, shall constitute the Chamber's full and final compensation, and the Chamber shall have no further claim with respect thereto.

9. Waiver. The failure of any party hereto at any time to require performance of any of the provisions hereof shall in no manner affect the right to enforce same.

10. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Tennessee, without regard to rules concerning conflicts of law.

11. Further Assurances. The provisions of this Agreement are intended to be self-operative and shall not require further agreement by the parties except as otherwise specifically provided herein. Nevertheless, all parties agree to cooperate fully to execute any and all supplementary documents, and to take all additional actions that are consistent with and which may be necessary or appropriate to give full force and effect to the basic terms and intentions of this Agreement.

12. Severability. Any provision of this Agreement which is prohibited or unenforceable in any jurisdiction shall not invalidate the remaining provisions hereof, and any such prohibition or unenforceability in any jurisdiction shall not invalidate or render unenforceable such provision in any other jurisdiction.

13. Assignment. The Chamber shall not assign, transfer or otherwise dispose of any of its rights, duties or obligations hereunder without the prior written consent of the Town. Any attempted assignment without such prior written consent shall be void *ab initio*.

14. Binding Effect. This Agreement shall be binding upon and shall inure to the benefit of the parties hereto, their respective personal representatives, successors and assigns.

15. Entire Agreement. This Agreement constitutes the entire agreement of the parties hereto with respect to the transaction contemplated, and supersedes all prior agreements, understandings, negotiations, both written and oral, among the parties with respect thereto.

16. Amendments. This Agreement may be amended only by a written instrument duly executed by all parties or their respective successors, assigns or legal representatives.

This Agreement entered into as of the day and year first above written.

Farragut West Knox Chamber of Commerce:

TOWN:

As to form:

Ron Williams, Mayor

Thomas M. Hale
Town Attorney

Attachment A (OLD)

Enterprise Club Benefits	Admiral Elite	Admiral	Captain	Anchor	Propeller
Customizable benefits package	•				
Presentation of minimum 1 Scholarship & all related press coverage	•				
Table of 10 at 1 Chamber event of your choice (Speaker Series, Auction, etc)	•				
Color Business Card ad in <i>Chamber Life in farragutpress</i> (37,500 distribution)	6 mos	3 mos			
Complimentary Annual Auction reservations	4	2			
Linked Business Sponsor E-Blast Advertising (top of content)	1 mos	1 mos			
Complimentary article in <i>Chamber Life in farragutpress</i> (37,500 distribution)	Bi-Annual	Annual			
First right of refusal for sponsorship/networking reservation	•	•			
Complimentary Excel Directory or Mailing Label Set (no emails)	Quarterly	Bi-Annual	Annual		
Complimentary Breakfast Speaker Series reservations	4	4	2		
Breakfast/Lunch with Board Chair & President	•	•	•		
Logo recognition & LINK on website	•	•	•		
Priority Sponsorship & Networking reservation	•	•	•	•	
Linked Business Spotlight E-Blast Advertising (mid-content)	1 mos	3 wks	2 wks	2 wks	1 wk
Logo recognition in monthly <i>Chamber Life in farragutpress</i> (37,500 distribution)	•	•	•	•	•
Special recognition upon each annual renewal	•	•	•	•	•
Logo recognition at Annual Auction	•	•	•	•	•
Logo recognition at Breakfast Speaker Series	•	•	•	•	•
Logo recognition on entrance banner at weekly networkings (average 45/year)	•	•	•	•	•
Logo recognition at New Member Orientations	•	•	•	•	•
Name recognition on website	•	•	•	•	•
Name recognition on all Chamber letterhead	•	•	•	•	•
Name recognition in all print pieces	•	•	•	•	•
Engraved "Pillar of the Community" for display & public presentation	•	•	•	•	•
	\$10,000+	\$5,000	\$2,500	\$1,000	\$500

Attachement A (NEW)

Enterprise Club Benefits							Admiral	Vice Admiral	Commander	Captain	Anchor	Propeller
Option for Customizable benefits package							•	•				
Sponsorship for Annual Auction Charity Gala							Event Level					
Sponsorship for Breakfast Speaker Series events included							Presenting - All	Presenting: Choose 1/year				
Sponsorship for bi-annual New Member Orientation Sponsorship included							All	Choose 1 annually				
Invitation & tickets to annual Regional Legislative Breakfast							10	2				
Invitation to present CE Scholarships & all related press coverage							All	1				
Table of up to 10 at major Chamber event of your choice (Breakfast Speaker Series, Auction)							All	2	1			
Color Business Card ad in Chamber Life in Farragutpress (37,500 distribution)							12 mos	4	2			
Complimentary Annual Auction reservations							4	4	2			
Linked Business Sponsor E-Blast Advertising (top of content)							8 wks	2 wks	1 wk			
Complimentary feature article in Chamber Life in Farragutpress (37,500 distribution)							Upon Request	Bi-Annual	Annual			
First right of refusal for additional sponsorship opportunities							•	•	•			
Complimentary Excel Directory or Mailing Label Set (no emails per CAN-SPAM laws)							Upon Request	Quarterly	Bi-Annually	Annually		
Complimentary Individual Breakfast Speaker Series reservations (to use or give to clients)							8	4	2	2		
First right of refusal for annual networking opportunities							•	•	•	•		
Breakfast Lunch with Board Chair & President							•	•	•	•		
Logo recognition & LINK on website							•	•	•	•		
Priority Sponsorship & Networking reservation							•	•	•	•	•	
Linked Business Spotlight E-Blast Advertising (mid-content)							8 wks	4 wks	3 wks	2 wks	1 wk	
Personalized engraved statuette/plaque for display with public welcome at major event							•	•	•	•	•	
Special recognition upon each annual renewal in print, digital, and social medias							Logo	Logo	Logo	Logo	Logo	Logo
Recognition in monthly Chamber Life in Farragutpress (37,500 distribution)							Logo	Logo	Logo	Logo	Logo	Logo
Recognition at Annual Auction							Logo	Logo	Logo	Logo	Logo	Logo
Recognition at Breakfast Speaker Series							Logo	Logo	Logo	Logo	Logo	Logo
Recognition on entrance banner at weekly networkings (approx 40-45/year)							Logo	Logo	Logo	Logo	Logo	Logo
Recognition at New Member Orientations							Logo	Logo	Logo	Logo	Logo	Logo
Recognition on website							Logo	Logo	Logo	Logo	Logo	Logo
Recognition on all Chamber letterhead							Name	Name	Name	Name	Name	Name
Recognition in all print pieces							Name	Name	Name	Name	Name	Name
Public welcome announcement/presentation at Chamber event							•	•	•	•	•	•
							\$50,000	\$10,000	\$5,000	\$2,500	\$1,000	\$500
							New	New Name	New Name			

Attachment B

Memorandum of Understanding (MOU)

Additional specific items to provide for the Town of Farragut

- Coordinate/Host at least two of the generally quarterly Breakfast Speaker Series events at a venue in Farragut
- Advertise Shop Farragut event opportunities and holiday shopping promotions in at least three weekly emails & two monthly newsletters prior to deadlines for program registration, as content is available, and create said events in Chamber database on behalf of Shop Farragut for distribution on web and social media.
- Advertise Visit Farragut event opportunities and holiday promotions in at least three weekly emails & two monthly newsletters prior to deadlines for program registration, as content is available, and create said events in Chamber database on behalf of Visit Farragut for distribution on web and social media.
- Provide/Sponsor educational events at the rate of one per quarter through chamber members, TSBDC or SCORE, at a venue in Farragut whenever possible.
- Take lead on the “Shop Small” for Small Business Saturday (Saturday after Thanksgiving) – Order, promote & deliver all “Shop Small” materials
- Provide an opportunity for annual “Board of Mayor/Alderman Networking/Panel” event hosted at Town of Farragut
- Publish article on each graduating “Intro to Farragut” class in Chamber Life newsletter
- Feature at least a quarterly “Who’s Who in Farragut” article/Q&A for Chamber Life newsletter to feature different Farragut Business, Town Leader or Town Department.

Key Performance Indicators (To be reported in semiannual progress reports and as appropriate)

- **Farragut Business Membership** – The percentage of Farragut businesses who are FWKCC members (measured monthly).
- **Farragut West Knox Chamber of Commerce Membership**- The total number of members in the Farragut West Knox Chamber of Commerce (measured monthly).
- **New Joins to Farragut West Knox Chamber of Commerce**- The total number of new members located in the Town of Farragut (measured monthly).
- **Farragut West Knox Chamber of Commerce Membership Retention Rate**- The percentage of chamber members who renew their membership (measured monthly).
- **Business Hosted Special Events**- The total number of special events hosted by a Farragut business (measured monthly).

Attachment C

MOU @ \$25,000	KPI
TOF Eco. Dev. Initiative: Town Businesses who are a member of FWKCC? [We provide this breakdown currently in monthly & annual updates. FUTURE initiative growth requires TOF providing us with list of ALL businesses to launch, then monthly updates.]	% of TOF businesses who are FWKCC members
TOF Eco. Dev. Initiative: FWKCC Membership UP	# of Total FWKCC Members Y.O.Y.
TOF Eco. Dev. Initiative: FWKCC Retention UP	Retention % Rate Y.O.Y.
TOF Eco. Dev. Initiative: Farragut Privilege License UP (Proposed ADD: One-pager on the license with info supplied by ToF in Chamber member packets/relocation, PR materials, etc)	Est. # future handouts
TOF Eco. Dev. Initiative: New Business Referrals (we do this now; need to log contacts more specific to Farragut)	# of referrals
TOF Eco. Dev. Initiative: Community Events: Assisting members in hosting their own events in Farragut [We do this via ribbon cutting info and through general referrals to spaces in Farragut, including Comm. Ctr rentals, etc. Proposed ADD: One-Pager with info on Farragut "venues", event permits/policy. Additionally, we have invited the ToF to co-sponsor events on chamber social pages; these are not consistently accepted.]	# of referrals

TOF Eco. Dev. Initiative: Invite members to engage in FBA/Visit Farragut events & reverse (We share their events now in emails; could increase to more strategic social shares. We have put their events on our public calendar for them as often as staff time allows; they have the option to do this themselves through the Online Portal)	# of events posted by FBA/VF through FWKCC portal
Sponsorships for annual/multi-annual events at the following levels with all included marketing & impressions: *Auction/Gala (\$2500), *Breakfasts (\$1500 ea, avg 3/year), Orientation (Trade for room fee plus option to have info presented, avg 2/year)	
Guest Tables at large-scale events at the following amounts: *Auction/Gala (\$550), *Breakfasts (*275, avg 3/year)	
Add'l Proposed ED Initiative: High Level of Sponsorships with Enterprise benefits INCLUDES and invites the opportunity for a table of info at every business-oriented event, not JUST people in seats and enables targeted recruitment opps to live businesses to consider relocating or expanding/opening in TOF.	
Add'l Proposed ED Initiative: Promotionional Value: Every single thing done to promote the FWKCC or our activities across the county and outside it has "FARRAGUT" in the name. Track/report impressions and mentions.	# of approx impressions across all media
Add'l Proposed ED Initiative: Support Recruitment of Business to Town: Town provides monthly list of their new targets with avail. Contact info. [Currently, we refer; TH starting to provide some of this]	Commercial Occupancy Rate, Retail Occupancy Rate, New Joins to FWKCCC
Add'l Proposed ED Initiative: Supplement Retention Tracking of Town businesses via our records (This is a TOWN responsibility as a whole)	Commercial Occupancy Rate
Add'l Proposed ED Initiative: Collaborative Social Media Strategic Plan: FBA, VF & FWKCC to create a strategic plan of 6 mos, 1 yr, and possible 5 yr timelines, same hashtags, duplicate messaging & cross-sharing Requires additional man hours from FWKCC staff	Social Media Engagements

Add'l Proposed ED Initiative: FLAG/Track category numbers within membership and within TOF such as Retail, Hospitality, Entertainment & report to TOF bi-annually. Requires additional man hours from FWKCC staff	# of types per category and overall tax producing
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REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: David Smoak, Town Administrator



SUBJECT: Request to allow temporary political campaign signs on Town of Farragut public property and rights of way

INTRODUCTION: The purpose of this agenda item is to review a request by 2022 Town of Farragut mayor and aldermen candidates Bill Johns, Adam Atherton and David White to be able to place temporary political campaign signs on Town of Farragut property or rights of way.

BACKGROUND: The Town of Farragut first adopted a sign ordinance on October 9, 1980. Since that initial sign ordinance was adopted, all signage placed on public property or right of way without the written consent of the public authority having jurisdiction over the property has been prohibited.

DISCUSSION: The purpose and intent of the sign ordinance as stated in Sec. 109-2 (a)(1) is to "Regulate the number, location, size, type, illumination, and other physical characteristics of signs within the town in order to promote the public health, safety and welfare; (2) Maintain, enhance, and improve the aesthetic environment of the town by preventing visual clutter; and (4) Avoid signage that is a threat to safety due to its placement and other physical characteristics."

Historically, any signs placed on public property or in the public right of way have been prohibited within the Town of Farragut. The town has 45 miles of right of way and 188 acres of parkland to maintain on a regular basis. Placing signage in the right of way for extended periods of time can lead to those properties not being able to be maintained, visual clutter throughout the town and potential safety issues for motorists traveling throughout town.

Three candidates in the 2022 Town of Farragut municipal election have requested to be allowed to place temporary political signs on public property or right of way in the same manner that the Knox County highway department allows during election season (see attached). Section 109-11(a)(2)(b) of the sign ordinance prohibits signs to be placed in public property or right of way without written consent of the Town of Farragut. The Board of Mayor and Aldermen would need to approve the request in order to allow signage on public property during the current election cycle.

RECOMMENDATION BY: Town Administrator David Smoak recommends denial of this request.

PROPOSED MOTION: To deny the request to allow temporary signs on Town of Farragut property and rights of way.

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	_____	_____	_____	_____	_____

Please accept this as an Official Request for written consent for candidates in the 2022 Town of Farragut election for BOMA.

Bill Johns, Adam Atherton, and David White, to be allowed to place temporary political campaign signs on public property or right of way, as per the Town of Farragut Code of Ordinances > sign ordinance > chapter 109 > section 109-11 General restrictions, item (1) > (e) and (f). Item (2) > (b).

And the Knox County Election Commission Signage Guidance > Regulation of Political Signs from the Knox County Highway Department.



Knox County Election Commission

Signage Guidance

ATTENTION CANDIDATES

Within 100 feet from the designated entrances and the building in which the polling place is located, the display of campaign posters, signs, or other campaign materials, distribution of campaign materials, and solicitation of votes for or against any person, political party, or position on a question are prohibited. No campaign posters, signs or other campaign literature may be displayed on or in any building in which a polling place is located. (T.C.A. 2-7-111)

During the hours in which the polls are open, candidates are not to enter a polling place unless they are there to cast their vote. (T.C.A. 2-7-103)

Early Voting

SIGNAGE RESTRICTIONS FOR MERIDIAN BAPTIST CHURCH

At its Business Meeting on May 30, 2018, the Meridian Baptist Church Council passed the following resolution which the Knox County Election Commission wholeheartedly supports without reservation:

NO signs whatsoever will be allowed on church property or on the City of Knoxville (COK) easement directly in front of the church or on the COK easement in front of the church's parking lot. The church will, however, allow one (1) sign per candidate to be located on the COK easement by or on the strip of grass adjacent to the Exxon Station. Any and all signs located on church property, on the COK easement in front of the church, or on the COK easement in front of the church parking lot will be removed.

SIGNAGE GUIDELINES FOR DOWNTOWN WEST EARLY VOTING

Downtown West Partners, the Landlord for 1645 Downtown West Blvd., Unit 40, where Early Voting will be occurring for all elections conducted by the Knox County Election Commission, hereby takes the following action with respect to campaign/political signage, posters, placards, etc.:

Each candidate will be allowed to place up to two (2) signs on the Premises. Furthermore, any sign placed on the Premises may not exceed 18" x 24" in size. These signs may not be placed anywhere on the Premises other than in the mulch in the median of the main driveway leading to the Early Voting Site from Downtown West Blvd.

Additionally, the Rules and Regulations (Exhibit "C") of the Lease Agreement currently in effect between the Landlord and Knox County, Tennessee, provide, among other things, as follows: "The sidewalks and parking areas in the Premises shall not be obstructed or used for storage or for any purpose other than ingress or egress." Consequently, candidates and/or their supporters WILL NOT be allowed to set up tents in the parking lot nor will candidates and/or their supporters be allowed to park campers and/or other recreational vehicles in the parking areas of the Premises while campaigning on or about the Premises.

Those Rules and Regulations further provide that: "Tenant will not knowingly or willingly allow invitees to create a nuisance on or near the Premises which may disturb the other tenants or occupants of the [Premises] or any invitees of said tenants or occupants." Thus, candidates and/or their supporters may NOT play loud music including, without limitation, jingles or songs for or against any candidates in or near the parking lot of the Premises.

The Knox County Election Commission wholeheartedly supports without reservation the Landlord's action.

Election Day

Knox County Board of Education's policy on signage on school grounds:

POLITICAL SOLICITATION

Solicitation or advertising in any form by candidates for public office or political or issue oriented organizations is not permitted. Political literature shall not be distributed through the school to students, nor sent home to parents, nor placed in teachers' mail boxes, lounges, or on school premises. Political advertising in any form shall not be permitted on school facilities, on school grounds or in school publications.

The sole exceptions to this restriction are as follows:

- (1) **For election days at those school facilities that are used as polling places, political signage may be placed on campuses that host polling places beginning at 6:00 p.m. on the day prior to an election. On election days at these locations, election officials will determine the placement of advertising and the permissibility of solicitation. All such materials must be removed by the candidates by 7:00 a.m. the day following the election.**

General Information

Knoxville City Code

City of Knoxville Section 13.3 item W: Temporary signs for political purposes; provided that each sign cannot exceed thirty-two square feet in area, cannot be displayed for more than thirty days prior to the start of the earliest voting period for the candidate or issue, and must be removed within five days following the end of the final voting period for the candidate or issue.

Exhibit 1
Section 3. Prohibited Signs.

The following signs are prohibited in all zone districts:

- (6) **Signs within the public right-of-way, except publicly owned signs, such as wayfinding signs and regulatory signs, and those signs approved by the city engineer.**

Should you have any questions about signs in right-of-ways in the City of Knoxville, call 3-1-1.

Regulation of Political Signs from the Knox County Highway Department

The Knox County Highway Department has given permission for political signs (temporary) to be placed at, near or in the county right of way as per Knox County Zoning Regulation 3.90.02 (F). Please be advised that if signs are placed where they obstruct visibility in any manner, they will be removed. Should you have any question, call the Knox County Highway Department at 215-5800.

3.90.02 General Regulations: (H) The following signs may be erected without securing a building permit: 6. Temporary sign advertising a political candidate. Such signs shall not be over thirty-two square feet in size; shall not be displayed for more than thirty days and shall be removed within five days of the election.

3.90.05 Temporary Signs: B. No temporary sign shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision, or be confused with any authorized traffic sign, signal, or device, or located in any required parking space. F. A portable sign shall not be considered or utilized as a temporary sign.

Signage Code

Tennessee Code Annotated - 2-7-143 - Tennessee Freedom of Speech Act.

- a. This section shall be known and may be cited as the "Tennessee Freedom of Speech Act."
- b. Notwithstanding any law to the contrary, during the period beginning sixty (60) days before a general election until the day after the next subsequent general election:
 1. This state, a local government, or any other political subdivision of this state:
 - A. Shall not regulate the shape or quantity of political or campaign posters or signs placed on private property that is located more than one hundred feet (100') from a polling place if the signs or posters are placed on the property by the owner of the property or any lawful resident of a residence on the property;
 - B. May prohibit, notwithstanding subdivision (b)(1)(A), any political or campaign poster or sign covered by this section from exceeding:
 - i. For commercial property, thirty-two square feet (32 sq. ft.) in size; and
 - ii. For residential property, sixteen square feet (16 sq. ft.) in size; and
 - C. Notwithstanding subdivision (b)(1)(A), may adopt reasonable restrictions limiting the number of political campaign signs or posters that may be placed on property; provided, that such restrictions authorize an owner or resident to place at least one (1) poster or sign on the property per candidate, issue, or subject; and
 2. A homeowners' association shall not, by covenant, condition, restriction, or rule, prohibit the display of political or campaign posters or signs placed on private property by the owner of the property or any lawful resident of a residence on the property. A homeowners' association may adopt reasonable covenants, conditions, restrictions, or rules with respect to the placement of political or campaign posters or signs placed on homeowner association common space and private property maintained by the owner or resident, including limiting the size of campaign posters or signs in those common and private property areas to four feet square (4 sq. ft.).
- c. A lessor of residential property may require a lessee to obtain the written permission of the lessor prior to placing any political or campaign posters or signs on such residential property. Any such requirement must be included in the lease or rental agreement.

Signage Code

Tennessee Code Annotated - 2-1-116 - Removal of campaign advertising.

- a. After the conclusion of a primary, general, or special election, candidates in such election shall be responsible for the removal of any signs, posters, or placards advocating their candidacy, which have been placed on highway rights-of-way of other publicly owned property. The removal of such materials shall be accomplished within a reasonable period of time following the election, not to exceed three (3) weeks.
- b. Any candidate in a primary election who will also be a candidate in a general or special election following that primary shall not be required to remove any signs advocating such candidate's candidacy until after the conclusion of the general or special election.
- c. This section shall not be construed as being penal in nature. There shall be no punitive measures taken against a candidate or workers if all signs are not removed.

Tennessee Code Annotated - 2-19-144 - Campaign advertising

It is unlawful for any person to place or attach any type of show-card, poster, or advertising material or device, including election campaign literature, on any kind of poles, towers, or fixtures of any public utility company, whether privately or publicly owned or as defined in § 65-4-101, unless legally authorized to do so.

Tennessee Code Annotated - 2-19-206 - Use of state-owned property for campaign advertising or activities.

- a. It is unlawful for any elected or appointed official of the state, or any employee of the state or any department, division or agency thereof, to display campaign literature, banners, placards, streamers, stickers, signs or other items of campaign of political advertising on behalf of any party, committee or agency or candidate for political office, on the premises of any building or land owned by the state, or to use any of the facilities of the state, including equipment and vehicles, for such purposes.
- b. It is unlawful to use public buildings or facilities for meetings or preparation of campaign activity in support of any particular candidate, party or measure unless reasonably equal opportunity is provided for presentation of all sides or views, or reasonably equal access to the buildings or facilities is provided all sides.
- c. This section shall not be construed to prohibit an employee from displaying a decal or bumper stickers on the employee's personal vehicle while parked on state property.

Sec. 109-1. Authority.

This chapter shall be known as the "Sign Ordinance of the Town of Farragut, Tennessee." This chapter is adopted under the authority granted by T.C.A. § 6-2-201.

(Ord. No. 20-04 , § 1, 8-27-2020)

Sec. 109-2. Purpose, intent, and general scope.

(a) The purpose and intent of this chapter is the following:

- (1) Regulate the number, location, size, type, illumination, and other physical characteristics of signs within the town in order to promote the public health, safety and welfare.
- (2) Maintain, enhance, and improve the aesthetic environment of the town by preventing visual clutter.
- (3) Improve the visual appearance of the town while providing for effective means of communication, consistent with constitutional guarantees.
- (4) Avoid signage that is a threat to safety due to its placement and other physical characteristics.
- (5) Ensure the safe construction and maintenance of signs, and
- (6) Support businesses in the town by providing for fair and consistent sign allocations and enforcement of the sign regulations set forth herein.

(b) This chapter is not intended to regulate the message on any sign, any building design, any display not defined as a sign, or any sign which cannot be viewed from outside a building.

(Ord. No. 20-04 , § 1, 8-27-2020)

Sec. 109-3. Provisions declared to be minimum requirements.

The provisions of this chapter are considered to be minimum requirements. Wherever there is a discrepancy between the minimum standards noted in this chapter and those contained in any other lawfully adopted regulation or ordinance of the town, the strictest standard shall apply.

(Ord. No. 20-04 , § 1, 8-27-2020)

Sec. 109-4. Severability.

If any section, subsection, sentence, clause, or phrase of this chapter is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter.

(Ord. No. 20-04 , § 1, 8-27-2020)

Sec. 109-5. Substitution.

Signs containing noncommercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations applicable to such signs.

(Ord. No. 20-04 , § 1, 8-27-2020)

Sec. 109-6. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned sign means any sign, including its supporting structure, erected in conjunction with a particular use, for which the use has been discontinued for a period of 90 days or more, or a lawfully erected temporary sign for which the time period allowed for display of the sign has expired.

Architectural compatibility means visual harmony and consistency with regard to color, building/sign materials, style, mounting, and illumination.

Athletic field means a piece of land designed, approved, and dedicated for playing a game.

Banner sign means any sign of flexible lightweight material that allows movement caused by wind. A flag, as defined herein, shall not be considered a banner sign.

Changeable copy sign means any sign where letters or numbers displayed on the sign are designed to be changed frequently to display different messages.

Dilapidated sign means a sign that is in a bad, unsafe, or unsightly condition due to neglect or misuse.

Flag means a fabric sign of a non-commercial nature with a distinctive color and design that is used as an emblem, standard, decoration, or symbol and that is hoisted on a permanent freestanding flagpole or mounted with a pole attached to a building.

Freestanding sign means a sign that is either anchored in the ground or secured so that it is not subject to being moved by wind and that is independent of any building.

Freestanding building frontage sign means a non-illuminated sign of a solid material with copy that is meant to be readable only to a pedestrian and that is placed near the front of a building.

Gas pump signs means permanent signs, including federally required safety information, adhered to a gas pump island and reviewed through a sign permit process.

Ground-mounted sign means a sign erected on a freestanding frame and not attached to any building. Such signs may be two-sided, provided that both sides cannot be seen simultaneously from any point. Such signs have a solid base with no exposed poles.

Interior accessory freestanding sign means a sign permitted interior to a development and not meant to be readable from a public street, public access easement, or adjacent property.

Interstate/interchange pole sign means a sign permitted near the interstate interchange as stipulated in this chapter.

Legibility means how easy a sign is to read. This is based on the characteristics of letters, numbers, and characters that make it possible to differentiate one from another.

Manual on Uniform Traffic Control Devices (MUTCD) means the manual produced by the Federal Highway Administration that addresses three specific types of signs: guide, warning, and directional. The manual includes minimum size, height, and placement standards to achieve readability and prevent traffic accidents.

Non-commercial means not naming, advertising, or calling attention to a business or commercial product, service, or activity.

Normal maintenance means replacing lights, painting, staining, repairing a damaged element of a sign, or replacing a sign face that has faded over time with exposure to the elements with an identical sign face. Normal maintenance shall not include any other modifications to a sign.

Peripheral accessory freestanding sign means a sign permitted near the entrance and exit points to a development.

Permanent ground mounted subdivision sign means a permanent sign permitted near the entrance to a subdivision.

Permanent parcel sign means a wall mounted sign permitted on a principal dwelling unit.

Portable sign means a sign not permanently attached to the ground or a building and is easily removable using ordinary hand tools.

Primary permanent ground mounted sign means the primary sign permitted for a single-use or multiple use non-residential development.

Primary permanent wall mounted sign means the primary wall sign for a development or tenant.

Prohibited sign means any sign not specifically permitted in this chapter or that is not compliant with the applicable provisions of this chapter.

Projecting sign means a sign, other than a wall mounted sign, which is affixed to and projects from a building, wall, or support structure such as a column, forming an angle between said building or wall and the face of the sign.

Public access easement means a recorded access easement that runs with the land and that provides direct two-way public access to at least two parcels.

Roof sign means any sign attached to a building which projects in part or in whole above the top edge of a building wall.

Sandwich board sign means a freestanding temporary sign, with no moving parts or lights, displayed outside a business during business hours. It is not intended as permanent business signage.

Sign means any letter, number, figure, symbol, trademark, graphic, logo, design, or device mounted or otherwise placed and intended to be visible from outside of a building, used to attract attention in order to advertise, identify, announce, notify, direct, or communicate. Sculptures, artwork, and architectural accents shall not generally be considered a sign unless they would otherwise be used as outlined in this definition.

Sign area means the entire face of a sign, including the advertising surface and any framing, trim, or molding but not including the supporting structure.

Snipe sign means a sign affixed to trees, utility poles, light poles, fences, or other objects.

Temporary means related to an event or activity that has a limited amount of time.

Temporary freestanding subdivision entrance sign means a sign permitted on a temporary basis near the entrance to a subdivision.

Temporary parcel sign means a sign permitted on a parcel for a temporary event or activity.

Temporary freestanding subdivision sign means a sign permitted on a temporary basis for a subdivision.

Under-canopy sign means a sign that is hung perpendicular to a building under a canopy which projects over the public entrances into a building.

Visibility obstruction means a sign that by virtue of its placement has created a visibility obstruction harmful to the public safety.

Wall sign means a sign attached parallel to and projecting not more than 12 inches from the wall of a building and does not project in part or in whole above the top edge of a building wall.

Window sign means a sign that is painted on, attached to, or suspended directly behind or in front of a window or the glass portion of the door.

(Ord. No. 20-04 , § 1, 8-27-2020)

Sec. 109-7. Administration.

- (a) *Sign administrator to enforce chapter.* The town administrator or his/her designee shall act as the sign administrator and shall enforce and carry out all provisions of this chapter. In the event there is a question concerning the general intent or meaning of any provision of this chapter, the sign administrator shall have the authority to make such administrative decisions and interpretations. Administrative interpretation shall in no way be construed as permitting or granting an exception to the provisions of this chapter. When the definition of a sign or an issue concerning architectural compatibility, illumination, or some unique physical characteristic of a sign are questioned by the sign administrator, the sign administrator may consult with the visual resources review board about such question.
- (b) *Application and permit process.* Unless otherwise provided by this chapter, permits are required for all types of signs. It shall be unlawful for any person, agency, firm, or corporation to erect, structurally repair (other than normal maintenance), replace, alter, relocate, change the panels of, change the establishment being advertised on a sign, as defined in this chapter, without first obtaining a permit to do so from the town.
- (1) General application requirements and fees. Applicants shall submit a completed sign application and the required fee to the town prior to commencing any work on installation of a new or replacement sign. The required fee is per the schedule approved by the town board of mayor and aldermen. Per the approved fee schedule, an additional penalty fee shall be paid if work is commenced prior to receiving a permit from the town. Government or government sponsored entities are waived from the fee requirement.
 - (2) Application required for each sign. A separate application must be completed and submitted for each new or replacement sign.
 - (3) Wall mounted sign application reviews. Wall sign applications shall be reviewed by the sign administrator for conformance with the requirements. The sign administrator shall approve or deny the application within 15 working days of submittal. When architectural compatibility, illumination, or some unique physical characteristic of a sign are questioned by the sign administrator, the sign administrator may consult with the visual resources review board about such matter.
 - (4) Wall mounted sign application submittal requirements. All wall sign applications shall include the following:
 - a. A dimensioned schematic drawing of the building showing the proposed sign location.
 - b. A photograph of the businesses located on either side which demonstrates the color, material, and illumination of these adjacent signs.
 - c. The width of the building wall or lease space upon which the sign is to be mounted.
 - d. A dimensioned colored drawing (or simulated photograph) of the sign showing the copy on the sign face, and
 - e. An indication of how the sign is to be mounted and illuminated.
 - (5) Ground-mounted sign application reviews. Ground-mounted sign applications shall be reviewed by the visual resources review board for conformance with the requirements of this chapter and any overlapping regulations, including the Architectural Design Standards, as amended, prior to the issuance of a sign permit.

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- (6) Ground-mounted sign submittal deadlines. Ground-mounted sign applications shall be submitted in accordance with the deadlines established by the town for the meeting at which the ground mounted sign is to be considered by the visual resources review board.
 - (7) Ground-mounted sign coordination with site and landscape plans. As part of a site plan and landscape plan review process with the planning commission and visual resources review board, applicants for new developments or redevelopments shall take into account anticipated locations for ground mounted signs. These should be shown on both the site and landscape plans in order to help lessen conflicts with landscaping, utilities, and other site development components.
 - (8) Ground-mounted sign application submittal requirements. All ground-mounted sign applications shall be accompanied by complete sets of plans which include the following:
 - a. A dimensioned site plan of the parcel showing the proposed sign location in relation to property lines and platted easements.
 - b. A proposed landscaping plan for the area around the sign base.
 - c. A detail of the sign lighting, including lighting placement, type, and lumens.
 - d. A detail of the materials and colors used for the sign structure.
 - e. A dimensioned colored drawing of the sign showing the copy on the sign face, height and length of the sign face and sign structure, overall height of the sign, and size of the address numbers required at the top of the sign.
 - f. Information that may be requested by the sign administrator to help verify compliance with the Architectural Design Standards, and
 - g. An acknowledgment that an as-built survey may be required by the sign administrator to verify compliance with applicable provisions associated with ground-mounted signs.
 - (9) Expiration of sign permits. A sign permit shall become null and void if installation of the sign has not been initiated within 180 days of issuance. If work authorized by such permit is suspended or abandoned for 180 days any time after the work has been initiated, the sign permit shall be void and a new permit shall be first obtained to resume work. After a permit expires, a partially completed sign structure must be removed within 30 days if no new permit is issued.
 - (10) Changes to an approved sign permit. A new permit may be required, as determined by the sign administrator, where changes have been made to an approved sign that would alter the physical characteristics of the sign.
 - (11) Temporary parcel sign application reviews. Temporary parcel signs provided for in section 109-12 (c)(2) and 109-12 (d)(2) and that are restricted to a total of 40 calendar days per year shall be permitted through a Town of Farragut Temporary Sign Permit Application. The application shall cover a ten-day period and an applicant is permitted to apply for four applications per calendar year. Each application shall be reviewed and approved by the sign administrator and shall include the following:
 - a. Verification that the entity has a valid certificate of occupancy.
 - b. An indication of the dates when the sign will be installed and removed.
 - c. A dimensioned drawing showing the height and length of the sign face and the overall height of the sign.
 - d. A verification that the material used is a minimum of ten millimeters (.39 inches) in thickness and will be supported by metal t-posts.

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- e. A verification that the sign will be set back at least 20 feet from the back of the public street curb or edge of street where curbing is not provided.
 - f. An acknowledgment that banners, pennants, streamers, and similar flexible or wind activated signs shall not be used.
- (c) *Text amendment process.* Amendments to the text of this chapter shall first be reviewed by the visual resources review board and the town municipal planning commission with recommendations regarding the proposed change forwarded to the town board of mayor and aldermen.
- (Ord. No. 20-04 , § 1, 8-27-2020)

Sec. 109-8. Enforcement.

- (a) Sign enforcement process. Noncompliance with this chapter shall be deemed a violation. When the sign administrator finds violations of the provisions of this chapter, the administrator shall document such findings and take the appropriate action to correct said violations. A citation to municipal court may be issued to the owner, agent, or employee for violations of this chapter.
 - (b) Separate offense. Each day a violation continues shall be considered a separate offense. The owner or tenant of any building, sign, premises, or sign thereon, and any architect, builder, contractor, agent, or other person who commits, or participates in, assists in, or maintains any violation hereunder may be found responsible for a separate offense. Nothing herein contained shall prevent the town from taking such lawful action as is necessary to prevent or remedy any violation of this article.
- (Ord. No. 20-04 , § 1, 8-27-2020)

Sec. 109-9. Appeals.

- (a) The town board of zoning appeals shall have the following responsibilities:
 - (1) Interpretations/general appeals. To hear and decide appeals where it is alleged by the appellant that there is an error in any order, requirement, permit, decision, or refusal made by the sign administrator and/or the visual resources review board in the carrying out or enforcement of any provision of this chapter, and
 - (2) Variances. To authorize, upon an appeal relating to said property, a variance from such strict application so as to relieve such difficulties or hardship. Variances shall not be granted to allow a larger sign or a sign which is otherwise not permitted in this chapter. Variances shall be granted only whereby special physical characteristics of the lot, parcel, or tract exist, that the strict application of the provisions of this chapter would deprive the applicant of an otherwise permitted sign.
- (b) Appeals procedure.
 - (1) Denial required. After a written denial of a sign permit from the sign administrator, a party may make an application for an interpretation or a variance.
 - (2) General application requirements and fees. The application shall be submitted to the town in accordance with the deadlines established by the town for the meeting at which the application is to be considered by the board of zoning appeals. The required fee associated with the application is per the schedule approved by the town board of mayor and aldermen. The board of zoning appeals shall consider and decide all appeals within 30 days of first hearing the appeal, and
 - (3) Minutes. The minutes of the board of zoning appeals shall fully set forth such circumstances or conditions warranting the granting of a variance.

(Ord. No. 20-04 , § 1, 8-27-2020)

Sec. 109-10. Legal nonconforming signs.

- (a) *Definition.* Existing signs which were legally in existence prior to the adoption of the ordinance from which this chapter is derived which do not conform to the specific provisions of this article are declared legal nonconforming signs.
- (b) *Continuance.* Any legal nonconforming sign may be continued in operation and maintenance after the effective date of the ordinance from which this chapter is derived, provided:
 - (1) The sign is not relocated or replaced.
 - (2) The structure or size of the sign is not altered in any way except toward compliance with this chapter.
 - (3) No new or additional signs are added to the premises, and
 - (4) Other than changing the text of changeable copy signs or normal maintenance, no other existing permanent signs are changed or replaced on the premises.
- (c) *Maintenance/damage/deterioration.* A legal nonconforming sign is subject to all requirements of this chapter regarding safety, maintenance, and repair. However, if the sign suffers more than 50 percent damage or deterioration, as based on a certified appraisal, it must be brought into conformance with this chapter or removed.

(Ord. No. 20-04 , § 1, 8-27-2020)

Sec. 109-11. General restrictions.

- (a) All signs erected, replaced, reconstructed, expanded, or relocated on any property within the town shall conform with the provisions of this section.
 - (1) Signs not requiring permits. The following types of signs are exempted from permit requirements but must be in conformance with all other requirements of this chapter:
 - a. Signs authorized in accordance with the Manual of Uniform Traffic Control Devices (MUTCD), as amended.
 - b. Signs placed by or on behalf of a governmental entity.
 - c. Street or address identification numbers/letters as stipulated in the adopted building and/or fire code.
 - d. Permanent parcel signs.
 - e. Political or campaign signs, as provided for in TCA, Title 2, Chapter 7, Section 143. Tennessee Freedom of Speech Act.
 - f. Temporary signs of any kind, unless a permitting process is specifically required in association with specific events, programs, or community objectives promoted by the Town of Farragut.
 - g. Flags, and
 - h. Window signs.
 - (2) Prohibited signs. The following types of signs are prohibited within the town:

-
- a. Abandoned or dilapidated signs, which shall be removed by the property owner or responsible entity.
 - b. Any sign placed on public property or right-of-way without the written consent of the public authority having jurisdiction over the property.
 - c. Any sign which bears or contains statements, or words of an obscene, pornographic, or immoral character, as defined by the United States Supreme Court.
 - d. Any signs with flashing, chasing, pulsating, twinkling, dancing, scintillating, and/or oscillating lights or any other rotating, revolving, or otherwise moving part or the appearance of moving parts or motion. This includes individuals holding signs not otherwise provided for in accordance with the United States Constitution.
 - e. Off-premises signs, unless required by and in accordance with the MUTCD or placed by or authorized on behalf of or by a governmental entity.
 - f. Off-premises outdoor advertising (billboards).
 - g. Banners, feather flags, pennants, ribbons, festoons, buntings, streamers, spinners, balloons, or other types of lighter-than-air or wind-activated signs and attention getting devices.
 - h. Advertisement displays hung internal in an automobile service bay where such display is visible from a street or a public access easement.
 - i. Bollard covers, tire stack covers, and similar signs.
 - j. Portable signs that do not comply with the location, size, or use restrictions of this chapter.
 - k. Search lights.
 - l. Signs attached to, suspended from, or painted on any vehicle or similar mobile structure which is regularly parked or situated on any street, parking lot, or private property when one of the purposes of so locating such vehicle or similar mobile structure is to display, demonstrate, advertise, or attract the attention of the public.
 - m. Signs imitating or resembling official traffic or government signs or signals.
 - n. Roof signs, or signs extending beyond the main roof line, provided that signs may be mounted on an architectural feature extending beyond the roof line if such feature is fully enclosed and considered an integral part of the occupied space, such as an atrium or high ceiling.
 - o. Snipe signs, and
 - p. All other signs not specifically permitted or that are not a lawful nonconforming sign.
- (3) Criteria in determining sign area.
- a. Ground mounted and other non-wall mounted signs.
 - 1. The sign area for all ground mounted (and other non-wall mounted) signs shall include and encompass the entire sign face, framing, trim, and associated moldings. The area shall not include the supporting sign structure.
 - 2. For a sign with two parallel faces, only the area of a single face shall be considered. If the faces of a sign are not parallel, then the total sign area shall be the sum of the areas of the individual, non-parallel faces.
 - 3. Where a ground mounted sign is mounted on a larger ornamental wall structure, such as on a subdivision entrance wall feature, its area shall be measured in the same fashion as a wall mounted sign (see part b. below).

-
- b. Wall mounted signs.
 - 1. For cabinet type/style signs, the sign area shall include the external perimeter of the entire cabinet measured to include all sign elements, including any internal spaces where such sign includes cut-out areas.
 - 2. For signs that include channel letters and/or other individual elements (letters, logos, etc.) mounted on raceways or directly on a wall, the sign area shall be measured by drawing an imaginary single, regular geometric shape of a rectangle, circle, or equilateral triangle around and encompassing all sign elements. The text and other graphics (sign elements) do not have to be physically, visually, or topically related, or physically connected to be included in the measured area.
 - 3. For window signs, the sign area shall be calculated separately for each window sign and, for each sign, shall include all background, framing, or other supporting material that forms the physical extent of the sign.
 - (4) Criteria in determining sign height for ground-mounted signs. Unless provided for otherwise in this chapter, the sign height shall be measured by the vertical dimension from the ground level at the base of the sign, including the supporting structure, to the top most point of the sign and/or its associated framing/support, exclusive of the additional 18 inches permitted to accommodate address numbers. Unless otherwise specified in this chapter, if the ground level at the base of the sign is lower than the adjacent street grade, the height shall be computed from the adjacent street grade, excluding elevated bridges or interchanges.
 - (5) Criteria in determining setback for ground-mounted and pole signs. The setback shall be measured from the farthest most protrusion of the sign to the nearest point of a property line. All signs shall be located outside of the visibility triangle. For the purposes of this article, the interstate highway right-of-way shall be considered a side or rear lot line.
 - (6) Construction specifications. All signs shall be installed in compliance with all building and fire codes adopted by the town. All electrical service to ground-mounted and pole signs shall be under ground. Any lighting of signs shall be installed to prevent any glare upon adjoining properties or rights-of-way.
 - (7) Sign maintenance and removal.
 - a. All signs shall be properly maintained. Exposed surfaces shall be clean and painted if paint is required. Defective parts shall be replaced. The sign administrator shall have the right to order the repair or removal of any sign which is defective, damaged, or substantially deteriorated.
 - b. When any sign is removed, all structural components shall be removed with the sign and such removal shall be in compliance with all building and fire codes adopted by the town. All structural components of ground-mounted and pole signs shall be removed to ground level. The structural components of all other signs, including painted wall signs, shall be removed back to the original building configuration. All visual remains of the sign shall be removed.

(Ord. No. 20-04 , § 1, 8-27-2020)

Sec. 109-12. Sign regulations by land use and/or zoning districts.

All signs shall comply with the following regulations. Any sign that is not specifically permitted shall be prohibited.

Packet presented to the board from Mr. White

Please accept this as an Official Request for written consent for candidates in the 2022 Town of Farragut election for BOMA.

Bill Johns, Adam Atherton, and David White, to be allowed to place temporary political campaign signs on public property or right of way, as per the Town of Farragut Code of Ordinances > sign ordinance > chapter 109 > section 109-11 General restrictions, item (1) > (e) and (f). Item (2) > (b).

And the Knox County Election Commission Signage Guidance > Regulation of Political Signs from the Knox County Highway Department.

Sec. 109-11. - General restrictions.

(a)

All signs erected, replaced, reconstructed, expanded, or relocated on any property within the town shall conform with the provisions of this section.

(1)

Signs not requiring permits. The following types of signs are exempted from permit requirements but must be in conformance with all other requirements of this chapter:

a.

Signs authorized in accordance with the Manual of Uniform Traffic Control Devices (MUTCD), as amended.

b.

Signs placed by or on behalf of a governmental entity.

c.

Street or address identification numbers/letters as stipulated in the adopted building and/or fire code.

d.

Permanent parcel signs.

e.

Political or campaign signs, as provided for in TCA, Title 2, Chapter 7. Section 143. Tennessee Freedom of Speech Act.

f.

Temporary signs of any kind, unless a permitting process is specifically required in association with specific events, programs, or community objectives promoted by the Town of Farragut.

g.

Flags, and

h.

Window signs.

(2)

Prohibited signs. The following types of signs are prohibited within the town:

a.

Abandoned or dilapidated signs, which shall be removed by the property owner or responsible entity.

b.

Any sign placed on public property or right-of-way without the written consent of the public authority having jurisdiction over the property.

c.

Any sign which bears or contains statements, or words of an obscene, pornographic, or immoral character, as defined by the United States Supreme Court.

d.

Any signs with flashing, chasing, pulsating, twinkling, dancing, scintillating, and/or oscillating lights or any other rotating, revolving, or otherwise moving part or the appearance of moving parts or motion. This includes individuals holding signs not otherwise provided for in accordance with the United States Constitution.

e.

Off-premises signs, unless required by and in accordance with the MUTCD or placed by or authorized on behalf of or by a governmental entity.

f.

Off-premises outdoor advertising (billboards).

g.

Banners, feather flags, pennants, ribbons, festoons, buntings, streamers, spinners, balloons, or other types of lighter-than-air or wind-activated signs and attention getting devices.

h.

Advertisement displays hung internal in an automobile service bay where such display is visible from a street or a public access easement.

i.

Bollard covers, tire stack covers, and similar signs.

j.

Portable signs that do not comply with the location, size, or use restrictions of this chapter.

k.

Section 109.7. Administration.

- (a) *Sign administrator to enforce chapter.* The Town administrator or his/her designee shall act as the sign administrator and shall enforce and carry out all provisions of this chapter. In the event there is a question concerning the general intent or meaning of any provision of this chapter, the sign administrator shall have the authority to make such administrative decisions and interpretations. Administrative interpretation shall in no way be construed as permitting or granting an exception to the provisions of this chapter. When the definition of a sign or an issue concerning architectural compatibility, illumination, or some unique physical characteristic of a sign are questioned by the sign administrator, the sign administrator may consult with the Visual Resources Review Board about such question.
- (b) *Application and permit process.* Unless otherwise provided by this chapter, permits are required for all types of signs. It shall be unlawful for any person, agency, firm, or corporation to erect, structurally repair (other than normal maintenance), replace, alter, relocate, change the panels of, change the establishment being advertised on a sign, as defined in this chapter, without first obtaining a permit to do so from the Town.
- (1) *General application requirements and fees.* Applicants shall submit a completed sign application and the required fee to the Town prior to commencing any work on installation of a new or replacement sign. The required fee is per the schedule approved by the Town Board of Mayor and Aldermen. Per the approved fee schedule, an additional penalty fee shall be paid if work is commenced prior to receiving a permit from the Town. Government or government sponsored entities are waived from the fee requirement.
 - (2) *Application required for each sign.* A separate application must be completed and submitted for each new or replacement sign.
 - (3) *Wall mounted sign application reviews.* Wall sign applications shall be reviewed by the sign administrator for conformance with the requirements. The sign administrator shall approve or deny the application within 15 working days of submittal. When architectural compatibility, illumination, or some unique physical characteristic of a sign are questioned by the sign administrator, the sign administrator may consult with the Visual Resources Review Board about such matter.
 - (4) *Wall mounted sign application submittal requirements.* All wall sign applications shall include the following:
 - a. A dimensioned schematic drawing of the building showing the proposed sign location.



Knox County Election Commission

Signage Guidance

ATTENTION CANDIDATES

Within 100 feet from the designated entrances and the building in which the polling place is located, the display of campaign posters, signs, or other campaign materials, distribution of campaign materials, and solicitation of votes for or against any person, political party, or position on a question are prohibited. No campaign posters, signs or other campaign literature may be displayed on or in any building in which a polling place is located. (T.C.A. 2-7-111)

During the hours in which the polls are open, candidates are not to enter a polling place unless they are there to cast their vote. (T.C.A. 2-7-103)

Early Voting

SIGNAGE RESTRICTIONS FOR MERIDIAN BAPTIST CHURCH

At its Business Meeting on May 30, 2018, the Meridian Baptist Church Council passed the following resolution which the Knox County Election Commission wholeheartedly supports without reservation:

NO signs whatsoever will be allowed on church property or on the City of Knoxville (COK) easement directly in front of the church or on the COK easement in front of the church's parking lot. The church will, however, allow one (1) sign per candidate to be located on the COK easement by or on the strip of grass adjacent to the Exxon Station. Any and all signs located on church property, on the COK easement in front of the church, or on the COK easement in front of the church parking lot will be removed.

SIGNAGE GUIDELINES FOR DOWNTOWN WEST EARLY VOTING

Downtown West Partners, the Landlord for 1645 Downtown West Blvd., Unit 40, where Early Voting will be occurring for all elections conducted by the Knox County Election Commission, hereby takes the following action with respect to campaign/political signage, posters, placards, etc.:

Each candidate will be allowed to place up to two (2) signs on the Premises. Furthermore, any sign placed on the Premises may not exceed 18" x 24" in size. These signs may not be placed anywhere on the Premises other than in the mulch in the median of the main driveway leading to the Early Voting Site from Downtown West Blvd.

Additionally, the Rules and Regulations (Exhibit "C") of the Lease Agreement currently in effect between the Landlord and Knox County, Tennessee, provide, among other things, as follows: "The sidewalks and parking areas in the Premises shall not be obstructed or used for storage or for any purpose other than ingress or egress." *Consequently, candidates and/or their supporters WILL NOT be allowed to set up tents in the parking lot nor will candidates and/or their supporters be allowed to park campers and/or other recreational vehicles in the parking areas of the Premises while campaigning on or about the Premises.*

Those Rules and Regulations further provide that: *"Tenant will not knowingly or willingly allow invitees to create a nuisance on or near the Premises which may disturb the other tenants or occupants of the [Premises] or any invitees of said tenants or occupants."* Thus, candidates and/or their supporters may NOT play loud music including, without limitation, jingles or songs for or against any candidates in or near the parking lot of the Premises.

The Knox County Election Commission wholeheartedly supports without reservation the Landlord's action.

Signage Code

Tennessee Code Annotated - 2-7-143 - Tennessee Freedom of Speech Act.

- a. This section shall be known and may be cited as the "Tennessee Freedom of Speech Act."
- b. Notwithstanding any law to the contrary, during the period beginning sixty (60) days before a general election until the day after the next subsequent general election:
 1. This state, a local government, or any other political subdivision of this state:
 - A. Shall not regulate the shape or quantity of political or campaign posters or signs placed on private property that is located more than one hundred feet (100') from a polling place if the signs or posters are placed on the property by the owner of the property or any lawful resident of a residence on the property;
 - B. May prohibit, notwithstanding subdivision (b)(1)(A), any political or campaign poster or sign covered by this section from exceeding:
 - i. For commercial property, thirty-two square feet (32 sq. ft.) in size; and
 - ii. For residential property, sixteen square feet (16 sq. ft.) in size; and
 - C. Notwithstanding subdivision (b)(1)(A), may adopt reasonable restrictions limiting the number of political campaign signs or posters that may be placed on property; provided, that such restrictions authorize an owner or resident to place at least one (1) poster or sign on the property per candidate, issue, or subject; and
 2. A homeowners' association shall not, by covenant, condition, restriction, or rule, prohibit the display of political or campaign posters or signs placed on private property by the owner of the property or any lawful resident of a residence on the property. A homeowners' association may adopt reasonable covenants, conditions, restrictions, or rules with respect to the placement of political or campaign posters or signs placed on homeowner association common space and private property maintained by the owner or resident, including limiting the size of campaign posters or signs in those common and private property areas to four feet square (4 sq. ft.).
- c. A lessor of residential property may require a lessee to obtain the written permission of the lessor prior to placing any political or campaign posters or signs on such residential property. Any such requirement must be included in the lease or rental agreement.

Sec. 2-149. - Applicability.

This article is the code of ethics for personnel of the municipality. It applies to all full-time and part-time elected or appointed officials and employees, whether compensated or not, including those of any separate board, commission, committee, authority, corporation, or other instrumentality appointed or created by the municipality. The terms "municipal" and "municipality" include these separate entities.

(Code 2007, § 1-501; Ord. No. 07-01, § 1, 2-8-2007)

Sec. 2-152. - Disclosure of personal interest in non-voting matters.

An official or employee who must exercise discretion relative to any matter, other than casting a vote, and who has a personal interest in the matter that affects or that would lead a reasonable person to infer that it affects the exercise of the discretion shall disclose, before the exercise of the discretion when possible, the interest on a form provided by and filed with the recorder. In addition, the official or employee may, to the extent allowed by law, charter, ordinance, or policy, recuse himself from the exercise of discretion in the matter.

(Code 2007, § 1-504; Ord. No. 07-01, § 1, 2-8-2007)

Sec. 2-151. - Disclosure of personal interest by official with vote.

An official with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and so it appears in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the official's vote on the measure. In addition, the official may recuse himself from voting on the measure.

(Code 2007, § 1-503; Ord. No. 07-01, § 1, 2-8-2007)

Subject: [EXTERNAL] Political Signs

David,

Good afternoon. I want to confirm that political signs are not allowed on any right a of ways in the Town, correct?

If so, would it be correct to say the Aldermans' sign across from Kroeger and on Kingston Pike are not on the right of way but on the Biddle Farm development property?

There is an item on this week's BOMA agenda requesting others be allowed to place their signs in the right of way, your recommendation is to deny that request. Just trying to determine if other candidates have been granted permission to place them in the right of way.

One other question, there is a sign along Everett Road next to the walking trail (behind the Fox Run neighborhood). I would assume this is part of the right of way and should be removed.

Thanks in advance for the info.

Sincerely,

Michael Wilson

Sent via the Samsung Galaxy S22 Ultra 5G, an AT&T 5G smartphone

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From: Mike Mitchell ccrqd@charter.net 
Subject: FW: [EXTERNAL] Political Signs
Date: June 20, 2022 at 10:47 AM
To: David White dmwhitedcs@gmail.com

MM

David,

Does this help you?

Thanks,

Mike

From: Michael Wilson [mailto:mjwilsonknox@gmail.com]
Sent: Monday, June 20, 2022 10:31 AM
To: Mike Mitchell; Patrick Lee; J Aiken
Subject: Fwd: [EXTERNAL] Political Signs

FYSA, see the response from David below. Based on the signs on Biddle Farm are likely on the developers site. Begs the question who does he represent - the people or the developers?

Mike

----- Forwarded message -----
From: David Smoak <DSmoak@townoffarragut.org>
Date: Mon, Jun 20, 2022, 9:43 AM
Subject: RE: [EXTERNAL] Political Signs
To: mjwilsonknox <mjwilsonknox@gmail.com>

Michael,

You are correct, that no signs are allowed in the public right of way or public property. There is allowed one sign per candidate per parcel as state law allows. The only signs the Town allows on public property are when the Town Hall building is used for early voting, we allow one small sign per candidate at the corner as you enter town hall. I'm not sure of the area along Everett Road you are referring to, but if a sign is in the right of way we will eventually pick it up.

Sincerely,

David Smoak
Town Administrator
Farragut, TN



From: mjwilsonknox <mjwilsonknox@gmail.com>
Sent: Sunday, June 19, 2022 7:20 PM
To: David Smoak <DSmoak@townoffarragut.org>

The US Supreme Court has regularly ruled, with relation to signs, that the government body regulating signs must be content neutral. This comes from the 14th Amendment:

Section 1.

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

The key part here is: **nor deny to any person within its jurisdiction the equal protection of the laws.** This means that government must treat all speech equally. There is also a US Supreme Court case *Reed vs. Gilbert* (2015). If the town were challenged in federal court on this, there is no dispute Farragut would lose.

The state and Knox County allow candidate signs in their respective right-of-ways. The town of Farragut has a right to restrict all campaign signs from town property. However, Farragut must then restrict all signs, which it does not. The town has been posting the flags on poles all around town, including Concord Road and Campbell Station Road. By allowing these, you must then allow all other speech, including candidate signs.

In addition, the town has selectively removed signs on the town right-of-ways. The town removed signs for Democrat Candidate for Trustee Dave "Caz" Cazalet, while leaving alone signs for incumbent Mayor Ron Williams, incumbent Alderman Scott Meyer, and their handpicked candidate, and my opponent, Marty Layman.

This is at minimum a violation of election laws and should be criminal misuse of elected office.

I would like to remind the board here that we the people own our town property, not the Mayor and Aldermen. I have been told that those who run our town think they own our land. I would like to remind you that this is East Tennessee, not New Jersey, Connecticut, or California. This is not how we do things here.

The only proper course is to stay out of the political policing business and stop interfering with candidates posting signs on Farragut property. I urge you to follow the clear law on this.