



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

WORKSHOP

4:45 PM

Traffic Calming Policy
FY2024-2029 Budget Workshop
Equipment, Tourism, State Street Aid, ARPA, CIP Funds

AGENDA

April 13, 2023

6:00 PM

- I. Roll Call**
- II. Approval of Agenda**
- III. Approval of Minutes**
 - A. March 23, 2023**
- IV. Mayor's Report**
- V. Ordinances**
 - A. First Reading**
 - 1.) Ordinance 23-04**, Ordinance to amend the Capital Investment Program Budget and State Street Aid Fund Budget for the Fiscal Year 2022-2023 Budget, passed by ordinance 22-09
- VI. Business Items**
 - A.** Approval of Reappointment to Education Relations Committee
 - B.** Approval of Resolution 2023-05, Surplus Property
 - C.** Approval of Bids and Award of Contract, for storage shed at Mayor Bob Leonard Park.
 - D.** Approval of Bids and Award of Contract, for Construction of the Little Turkey Creek Greenway connection.
 - E.** Approval of proposal from Kramer Rayson, LLP for legal services
- VII. Town Administrator's Report**
- VIII. Town Attorney's Report**

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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.

MEETING DATE April 13, 2023

BMA WORKSHOP

PREPARED BY: David Smoak, Town Administrator

SUBJECT: Review of Traffic Calming Policy

INTRODUCTION: The purpose of this workshop agenda item is to review the current traffic calming policy.

DISCUSSION: The Town of Farragut has had a traffic calming policy in effect for several years and it was last updated in September 2020. The policy spells out a process that allows for traffic calming measures within residential neighborhoods to help resolve vehicular speeding.

Vice Mayor Povlin has requested time to review the policy and would like to discuss possible amendments to come back to the Board for consideration at a future meeting date. The current traffic calming policy is attached for your review. This item is for discussion purposes only.



TRAFFIC CALMING POLICY

ADOPTED by the Farragut Board of Mayor and Aldermen on September 24, 2020.

PURPOSE STATEMENT

It is the purpose of this policy to establish a uniform procedure for identifying and resolving problems related to speeding motorists and other moving traffic related issues in residential areas. This policy is not intended to make streets play areas for children or adults. Implementation of this policy should generally improve safety for motorists, pedestrians, and cyclists. Only interior residential streets and local collector streets (as defined in the Town's Major Road Plan) that are primarily residential shall be eligible for traffic calming. Primarily residential is defined as a local collector with a minimum of 50% of the parcels adjacent to the roadway containing residential frontage with a driveway access. Upon adoption of this policy, all former policies and procedures will be repealed.

RELATED DOCUMENTATION / REFERENCE MATERIALS

- A. Traffic Calming Application
- B. Town of Farragut Municipal Code: Title 15: Motor Vehicles, Traffic, and Parking.
- C. Town of Farragut Municipal Code: Title 16: Streets, Sidewalks, Etc.
- D. Town of Farragut Major Road Plan

BUDGETARY RESOURCES

During the annual budget process, the Town of Farragut may resolve to allocate funds to implement residential traffic calming measures.

DEFINITIONS

1. Speed Zone - The street or portion of street where speeding occurs. The Speed Zone is determined by the requestor with concurrence by the Town Engineer.
2. Affected Area - Residences that are expected to be impacted by installation of Traffic Calming Measures. This includes all residents living within the Speed Zone as well as residents that would be expected to regularly enter/exit the subdivision via the Speed Zone. The Affected Area is determined by the Traffic Team with concurrence by the Town Engineer.

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POLICY PROCEDURE IN SEQUENTIAL ORDER

1. Application Submission

- a. A formal Traffic Calming Application (TCA) shall be submitted to the Town Engineer for review.
 - i. The TCA must identify the Speed Zone where Traffic Calming Measures (TCM) are being requested.
- b. For residential areas governed by a Homeowner's Association (HOA)
 - i. Traffic concerns shall be initially reviewed through the appropriate HOA Board.
 - ii. The HOA Board, by majority vote, shall resolve to submit a TCA. A copy of the meeting minutes signed by the HOA Secretary shall be submitted with the application.
- c. For residential areas not governed by an HOA
 - i. A TCA shall be submitted by a Group of residents (minimum 2 households) located within the Speed Zone

2. Application Review

- a. Upon receipt of a TCA, the Town Engineer or their designee shall review the application for completeness and eligibility.
 - i. Valid, eligible TCA's shall be logged into the Town Engineering Office's Traffic Calming Log and proceed to the next step according to:
 1. Severity of the traffic issue
 2. Town budgetary resources and
 3. Date of the TCA submission
 - ii. Incomplete applications shall be returned to the originating HOA/Group with instructions for completion. When completed, these applications may be resubmitted.
 - iii. Ineligible applications (major collectors, arterials, and local collectors with less than 50% residential frontage) as designated by the adopted Major Road Plan shall be returned to the originating HOA/Group with a letter from the Town Engineer describing the reason(s) for ineligibility and any alternate recommendations for improving/resolving the traffic issue.

3. TCA Data Collection/Staff Analysis

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- a. Eligible TCAs, when determined ready for action by the Town Engineer, will be analyzed by:
 - i. Physical inspection of the Speed Zone
 - ii. Uniform Traffic/Speed Studies in accordance with the Town Engineering Department standards
- b. A written analysis of the Speed Zone listed in the TCA will be completed by the Engineering Department. The analysis shall include:
 - i. Traffic/Speed Study results
 - ii. Other road and/or safety issues (as identified by the applicant) in the subject area
 - iii. Determination for eligibility for Traffic Calming Measures
- c. The written analysis shall be attached to the TCA, logged into the file, distributed to the originating HOA/Group with the Town Engineer or his/her designee's determination.
- d. If the Speed Zone is deemed eligible for Traffic Calming Measures, the TCA will proceed to the next step. If the Speed Zone is deemed ineligible for Traffic Calming Measures (low speed/traffic count, no special or unusual road or safety issues), a letter will be sent to the HOA/Group outlining the reason(s) for ineligibility and any alternate recommendations for improving/resolving traffic issues.

Note: Unless the characteristics of the Speed Zone have substantially changed, the application cannot be reconsidered for 2 years from the date of denial of the original application.

4. Traffic Team/Traffic Calming Evaluation

- a. The Town Engineering Department will contact the HOA/Group in writing requesting designated representatives to serve on the Traffic Team to further evaluate traffic calming measures.
 - i. The Traffic Team will consist of 2-5 members of the HOA/Group and member(s) of the Town Engineering Department.
 - ii. Once the representatives are assigned, the HOA/Group will contact the Engineering Department to set up a kick-off Traffic Team meeting.
- b. The Traffic Team will be charged with:
 - i. Discussing, in-depth, the traffic issues associated with the Speed Zone
 - ii. Reviewing the Staff Analysis/Traffic Study
 - iii. Evaluating constraints
 - iv. Soliciting comments, as appropriate, from utility companies, Fire Department, Police/Sheriff's Department
 - v. Formulating a recommendation on a proposed solution

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- c. The Traffic Team shall submit their recommendation to the Town Administrator, through the Town Engineer, for evaluation and determination.
 - i. The Town Engineer and Town Administrator shall evaluate the recommendation of the Traffic Team
 - 1. If the Town Engineer and Town Administrator concur with the recommendation of the Traffic Team, their signatures shall be affixed to the TCA which will then proceed to the next step.
 - 2. If the Town Engineer and Town Administrator do not concur with the Traffic Team recommendation, the TCA will be sent back to the Traffic Team for an alternate recommendation or denied and closed.

5. Public Notification

- a. For HOA submitted applications:
 - i. The Traffic Team will present the findings from the evaluation and their recommendation(s) to the HOA Board.
 - ii. The Traffic Team and HOA Board will determine the date, time, and location of a subsequent HOA meeting at which the findings and recommendation will be presented to the residents governed by the subject HOA.
 - 1. Notification will be posted by the HOA Board for the residents via the usual notification method at least two weeks prior to the meeting
 - 2. Notification will be publicly posted by the Town in a newspaper of general circulation at least two weeks prior to the meeting
- b. For Non-HOA submitted application:
 - i. The Traffic Team will determine the date, time, and location of a meeting at which the findings and recommendation will be presented to the residents within the Affected Area.
 - 1. Notification will be sent to all residents within the Affected Area via 1st class mail to the address listed on the county Tax Roll. The letter shall indicate the subject matter, date, time, and location in which the meeting will be held.
 - 2. Notification will be publicly posted by the Town in a newspaper of general circulation at least two weeks prior to the meeting

6. Affected Area/Speed Zone Vote

- a. The Traffic Team (through the Town Engineering Dept.) will send out voting cards to each resident within the Affected Area.

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- i. A form letter with instructions and one (1) 1st class stamped Town Addressed voting card will be sent by the Town to each address as listed on the County Tax Roll
- ii. Voting cards will be sent by 1st class mail; all on the same day
- iii. The notification list and date of notification will be logged into the TCA file

7. Vote Tabulation/Determination

- a. The voters will have thirty (30) calendar days to return the vote cards. Cards received after the deadline will not be considered. The Traffic Team will tabulate the votes, log their findings into the TCA file, and report their findings to the Town Engineer.
- b. An affirmative tabulation of the votes must include:
 - i. 50% approval by the Affected Area **and**
 - ii. 65% approval by the Speed ZoneBoth of these percentages are based upon the number of returned votes.
- c. If the required affirmative tabulation of votes is not met, the Traffic Calming Measures as proposed by the Traffic Team will be considered ineligible for further consideration. The TCA case will be closed and future TCA's will not be considered for the same traffic issue for at least two calendar years from the date of denial.
- d. If the proposed TCA is affirmed by vote, the Traffic Team, in coordination with the Town Engineer, will develop plans for engineering, design, and construction of the traffic calming measures. This will include cost estimates and schedule for completion.

8. FMPC Consideration/Recommendation

- a. Once the design plans and cost estimates are complete, The Traffic Team will present the findings from the evaluation and their recommendation to the Farragut Municipal Planning Commission (FMPC).
- b. The FMPC shall review the findings and recommendations, Staff analysis and Public Comments at their regularly scheduled meeting.
- c. The FMPC shall make a recommendation to the Board of Mayor and Aldermen for final determination.

9. Board of Mayor and Aldermen Determination

- a. The Board shall review the Traffic Team's findings, FMPC recommendation and Public Comments at their regularly scheduled meeting.
- b. The Board shall make the final determination on the proposed solution. The Board shall either:

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- i. Approve the recommendations and installation of Traffic Calming Measures as proposed
- ii. Approve the recommendations and installation of Traffic Calming Measures with conditions and/or modifications
- iii. Remand the recommendations for Traffic Calming Measures back to the FMPC for further review and consideration
 - 1. The Traffic Team in coordination with the Town Engineer may return to step 7d to continue
- iv. Deny the TCA
- c. The subject Board meeting minutes will be attached to the TCA and logged into the file

10. Traffic Calming Measures Installation/Follow-up Study

- a. Upon approval by the Board of Mayor and Alderman, the Town Engineering Department shall coordinate the purchase/construction and installation of any Traffic Calming Measures in accordance with the approved design and adopted Town Purchasing guidelines.
 - i. All expenditures shall be charged to the Traffic Management line item as designated by the Town Administrator in the Annual Town Budget
- b. Within six (6) months of completion of the installation of the Traffic Calming Measures, the Town Engineering Department shall conduct a follow up analysis of the subject area. The follow up analysis shall be documented and logged into the TCA file. Upon completion, a copy of the analysis shall be forwarded to the subject HOA Board or Group. The follow up analysis shall include:
 - i. Physical inspection of the subject site
 - ii. Traffic Counts/Speed Study
 - iii. Public (affected residents) comment if solicited
 - iv. Overall opinion of the review engineer
- c. The Town Engineer shall review the analysis and make a final determination of the effectiveness of the Traffic Calming Measures with notification to the applicant and recommendation to the Board of Mayor and Alderman

11. Traffic Calming Measures Review/Modification/Removal:

- a. After two years from the date of installation, the HOA Board/Group may request to have the traffic calming measures evaluated for effectiveness/feasibility. A report in accordance with 10.b shall be generated and sent to the HOA Board/Group.



- b. Independent of the option in 11.a, after two years the HOA Board/Group may submit a written request to have the traffic calming measures removed. The following actions must occur and be submitted to the Town for consideration of removal:
 - i. Written request to the Town Engineer describing the issues and concerns with regard to the Traffic Calming Measures
 - ii. HOA Board/Group shall conduct a vote of the HOA membership/residents within the original Speed Zone and prove at least 65% of the respondents voted to have the traffic calming measures removed. HOA meeting minutes indicating the vote, results of the vote, and resolution by the HOA Board requesting the removal of the traffic calming measures shall be submitted to the Town. All vote documentation from the Group shall be submitted to the Town.
 - iii. The Board of Mayor and Aldermen shall make the final determination on removal of the traffic calming measures
- c. The Town of Farragut may remove the Traffic Calming Measures at any time should they be determined, by the Board of Mayor and Aldermen, to be ineffective or to not further promote the health, safety, and welfare of the citizens of the Town.

Equipment Replacement Fund-314

		FY2020-21	FY2021-22	FY2022-23	FY2022-23	FY2023-24
		<u>Actual</u>	<u>Estimated</u>	<u>Budget</u>	<u>Estimated</u>	<u>Proposed</u>
Beginning Balance		994,049	980,176	913,926	1,018,691	932,778
314	Revenues					
36190	Interest	1,316	2,265	250	14,000	7,000
36250	Sale of equipment Proceeds	49,613	19,750	0	80,337	0
	Total Revenues	50,929	22,015	250	94,337	7,000
Other Funding Sources						
37940	Transfer from General Fund	157,500	200,000	400,000	400,000	215,000
	Total Other Funding Sources	157,500	200,000	400,000	400,000	215,000
Expenditures						
43949						
9490	Major Equipment	222,302	183,500	580,250	580,250	76,000
	Total Expenditures	222,302	183,500	580,250	580,250	76,000
Revenue over (under) expenditures		-13,873	38,515	-180,000	-85,913	146,000
Ending Balance		980,176	1,018,691	733,926	932,778	1,078,778

Fiscal Years 2024-2032

[illegible]

[illegible]

Fleet #	Description	Purchase Date	Original Cost	fy 23-24	fy 24-25	fy 25-26	fy 26-27	fy 27-28	fy 28-29	fy 29-30	fy 30-31	fy 31-32
Public Works Vehicles												
17	2020 Ford F250 Super Duty Pick-up	01/22/20	27,258							45,000		
8	2021 Chevy Silverado P/U w/plow	10/26/20	41,450							50,000		
3	2020 Ford F150 Crew Cab Pick-up	01/22/20	25,395							40,000		
1	2010 Dodge 5500 Bucket Truck	05/01/15	67,209		150,000							
19	2022 Ford F250 Pick-up w/plow	11/10/22	46,654								60,000	
4	2022 Ford F150 Pick-up	06/15/22	32,150								40,000	
16	2012 Ford F150 2-wd Pick-up	12/01/11	22,875	38,000								
6	2013 Ford F150 2-wd Pick-up	01/10/13	20,098	38,000								
38	2014 Ford F150 4-wd Pick-up	03/20/15	24,190			40,000						
39	2019 Chevy Silverado 2500 w/plow	11/22/19	38,000						50,000			
7	2016 Freightliner Dump Truck	03/01/16	89,914			160,000						
13	2017 International Dump Truck	01/22/17	96,110				160,000					
9	2018 Ford F150 4X2 Supercab P/U	09/29/17	23,180					40,000				
11	2018 Ford F150 4X2 Supercab P/U	09/29/17	23,180					40,000				
43	2021 Chevy Silverado Pick-up	10/14/20	25,888							40,000		
TOTALS			1,871,805	76,000	414,000	355,000	169,000	292,746	277,000	345,000	224,000	704,500
				fy 23-24	fy 24-25	fy 25-26	fy 26-27	fy 27-28	fy 28-29	fy 29-30	fy 30-31	fy 31-32
Beginning Balance				932,778	1,078,778	892,778	775,778	854,778	820,032	811,032	811,032	744,032
Transfers in				215,000	225,000	235,000	245,000	255,000	265,000	275,000	285,000	295,000
Interest Earnings & Sale Proceeds				7,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000
Expenditures				76,000	414,000	355,000	169,000	292,746	277,000	345,000	224,000	704,500
Ending Balance				1,078,778	892,778	775,778	854,778	820,032	811,032	744,032	875,032	337,532

Tourism Fund-122

		2020-2021	2021-2022	2022-2023	2022-2023	2023-2024
		<u>Actual</u>	<u>Estimated</u>	<u>Budget</u>	<u>Estimate</u>	<u>Proposed</u>
Beginning Balance		0	155,335	265,866	265,866	437,972
122	Revenues					
31920	Room Occupancy Tax	296,093	253,000	500,000	540,000	500,000
36190	Interest Earnings	17	728	100	10,000	8,000
Revenue Total		296,110	253,728	500,100	550,000	508,000
		2020-2021	2021-2022	2022-2023	2022-2023	2023-2024
		<u>Actual</u>	<u>Estimated</u>	<u>Budget</u>	<u>Estimate</u>	<u>Proposed</u>
47210	Tourism Expenditures					
1110	Regular Employee Wages	14,857	1,000	20,000	26,000	39,520
1120	Tourism Coordinator	36,342	44,610	59,000	59,000	62,890
	ARPA Position	0	0	0	0	25,000
1220	Seasonal Wages	0	0	9,000	1,000	0
1230	Overtime Wages	0	342	600	500	1,000
1410	Social Security & Medicare Tax	3,868	3,476	6,778	6,778	12,310
1420	Health Insurance	0	0	20,870	10,000	10,620
1430	Retirement	0	375	3,947	3,947	9,451
1450	Life Insurance	0	0	205	205	310
1460	Workers Comp Insurance	0	0	100	100	100
1480	Long Term Disability Insurance	0	0	314	214	314
1520	Merit Adjustment	0	0	0	0	0
Total Personnel		55,067	49,803	120,814	107,744	161,514
47210						
1380	Clothing & Uniforms	0	0	250	250	1,000
2210	Printing	42,966	28,310	74,800	74,800	80,950
2350	Dues/Subscriptions	4,138	4,606	11,300	10,300	12,425
2360	Promotional	0	4,795	16,900	16,900	19,300
2540	Professional Services	36,538	42,455	82,500	82,500	77,500
2800	Travel, Training	842	2,407	5,600	5,600	7,750
3000	Supplies	0	83	500	500	750
3120	Small Tools/Equipment	1,224	1,547	3,000	3,000	6,660
3610	Programs	0	9,191	26,300	26,300	30,900
9490	Major Equipment	0	0	50,000	50,000	0
Total Operating Expenditures		85,708	93,394	272,350	270,150	237,235
Total Tourism Expenditures		140,775	143,197	393,164	377,894	398,749

		2020-2021	2021-2022	2022-2023	2022-2023	2023-2024
			<u>Estimated</u>			
44520	Farragut Museum Expenditures	<u>Actual</u>	<u>Actual</u>	<u>Budget</u>	<u>Estimate</u>	<u>Proposed</u>
1110	Regular Employee Wages	0	0	0	0	32,500
1230	Overtime Wages	0	0	0	0	0
1410	Social Security & Medicare Tax	0	0	0	0	2,486
1520	Merit Adjustment	0	0	0	0	0
Total Personnel		0	0	0	0	34,986
2210	Printing	0	0	0	0	5,000
2350	Dues/Subscriptions	0	0	0	0	1,190
2800	Travel, Training	0	0	0	0	1,500
3000	Supplies	0	0	0	0	6,800
3120	Small Tools/Equipment	0	0	0	0	14,535
3610	Programs	0	0	0	0	4,000
Total Operating Expenditures		0	0	0	0	33,025
Total Museum Expenditures		0	0	0	0	68,011
Total Tourism Fund Expenditures		140,775	143,197	393,164	377,894	466,760
Ending Balance		155,335	265,866	372,802	437,972	479,212

State Street Aid

		2020-2021	2021-2022 <u>Estimated</u>	2022-2023	2022-2023	2023-2024
		<u>Actual</u>	<u>Actual</u>	<u>Budget</u>	<u>Estimated</u>	<u>Proposed</u>
	Beginning Balance	2,143,959	2,215,307	2,242,010	2,242,010	2,025,010
121	Revenues					
	State Gasoline & Motor					
33551	Fuel	815,085	827,248	869,000	838,000	838,000
36190	Interest Earnings	2,906	4,455	600	40,000	30,000
	Revenue Total	817,991	831,703	869,600	878,000	868,000
43100	Expenditures					
2680	Street Maintenance	58,888	75,000	75,000	75,000	80,000
2690	Resurfacing	680,267	800,000	1,200,000	1,200,000	1,000,000
2910	Street Striping	775	50,000	50,000	20,000	20,000
4230	Guardrails	6,529	15,000	15,000	15,000	15,000
	Traffic Signal					
4240	Maintenance	0	0	0	0	0
4250	Traffic Calming	184	40,000	40,000	20,000	40,000
43267						
2670	Sidewalks/Greenways	0	50,000	50,000	15,000	50,000
	Expenditure Total	746,643	1,030,000	1,430,000	1,345,000	1,205,000
	Other Funding Sources					
	Transfer from General					
37940	Fund	0	225,000	250,000	250,000	250,000
	Total Transfers in	0	225,000	250,000	250,000	250,000
	Revenue over (under)					
	expenditures	71,348	26,703	-310,400	-217,000	-87,000
	Ending Balance	2,215,307	2,242,010	1,931,610	2,025,010	1,938,010

ARPA Fund-316

		FY2021-22	FY2022-23	FY2022-23	FY2023-24
		<u>Estimated</u>			
		<u>Actual</u>	<u>Budget</u>	<u>Estimated</u>	<u>Proposed</u>
Beginning Balance		0	3,203,710	3,203,710	7,208,781
316	Revenues				
33193	Federal ARPA Grant 1	3,527,626	0	0	0
33194	Federal ARPA Grant 2	0	3,527,626	3,527,626	0
36190	Interest	6,707	0	120,000	70,000
34840	TDEC Non-Competitive Grant-Design Services (Stormwater Master Plan)	0	0	893,445	0
34840	TDEC Non-Competitive Grant-Construction Services (Stormwater Improvements)	0	0	0	828,121
Total Revenues		\$3,534,333	\$3,527,626	\$4,541,071	\$898,121
Expenditures					
41830-9210	Town Hall Building Improvements	0	1,000,000	0	2,500,000
41830-9311	Stormwater Parking Facilities	38,788	0	0	2,100,000
41991-1150	Essential Personnel Pay	120,850	190,000	36,000	0
41992-9450	Broadband Infrastructure	0	100,000	100,000	1,200,000
43150-4810	Stormwater Master Plan	0	0	400,000	600,000
43150-9340	Stormwater Improvements	158,205	1,000,000	0	1,000,000
Total Expenditures		\$330,623	\$2,290,000	\$536,000	\$7,400,000
Ending Balance		3,203,710	4,441,336	7,208,781	706,902

Capital Investment Program-310							
Beginning Balance	13,610,459	12,247,959	11,145,459	10,552,959	6,509,459	8,184,459	
<u>Greenways & General Government Projects</u>	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	Total
Land Acquisition	0	0	0	300,000	300,000	300,000	900,000
Sonja Drive Sidewalk (Phases 1-3)	500,000	1,250,000	0	0	0	0	1,750,000
Little Turkey Creek Greenway-Brookmere-Sheffield	0	0	0	0	0	0	0
Red Mill Trailhead	170,000	0	0	0	0	0	170,000
Mid-Block Crossing McFee & Grigsby Chapel		0	0	0	0	0	0
Anchor Park Pedestrian Crossing	230,000	0	0	0	0	0	230,000
School Zone Signal Improvements	0	175,000	0	0	0	0	175,000
Turkey Creek/Brixworth Greenway	0	200,000	500,000	1,800,000	0	0	2,500,000
PW Storage Shed Roof Replacement	60,000	0	0	0	0	0	60,000
Everett Road Greenway Connection	0	0	0	70,000	0	0	70,000
General Government Projects Total	960,000	1,625,000	500,000	2,170,000	300,000	300,000	5,855,000
<u>Parks</u>	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	Total
MBLP Field Reconstruction	0	0	0	0	0	1,302,000	1,302,000
Town Hall Playground Restroom Building	50,000	0	0	0	0	0	50,000
MBLP Field 2 Turf Replacement	820,000	0	0	0	0	0	820,000
MBLP Walktrail and ADA Repair & Repaving	180,000		0	0	0	0	180,000
McFee Park Phase 5: Dog Park & Storage	450,000	0	0	0	0	0	450,000
MBLP Field 1 Turf Replacement & ADA Access	1,000,000	0	0	0	0	0	1,000,000
McFee Park Entrance Gates	70,000	0	0	0	0	0	70,000
McFee Park Splash Pad Replacement & Elements	0	0	0	0	80,000	0	80,000
Anchor Park Fence	0	0		175,000	0	0	175,000
Anchor Park Playground	0	0	0	300,000	0	0	300,000
McFee Park: Courts, Tennis Pavilion & Restrooms	0	0	0	535,000	0	0	535,000
Sand Volleyball Complex Reconstruction		50,000			0	0	50,000
MBLP Trail Lighting Update	0	0	0	125,000	0	0	125,000
MBLP Field 3 Turf Replacement	0	0	0	0	725,000	0	725,000
McFee Tennis & Basketball Court Resurfacing	0	0	0	0	40,000	0	40,000
Parks Total	2,570,000	50,000	0	1,135,000	845,000	1,302,000	5,902,000
<u>Engineering Projects</u>	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	Total
Stormwater Improvements	0	200,000	200,000	200,000	200,000	200,000	1,000,000
Evans Road Improvements	0	0	0			600,000	600,000
Union Road Improvements	5,850,000	0	0	0	0	0	5,850,000
Virtue Road-Phase II (Brookmere to Boyd Station)	0	925,000	0	7,480,000	0	0	8,405,000
Watt Road Roundabout	50,000	0	850,000	0	0	0	900,000
Campbell Station Road/I-40 Interchange	2,062,500	2,062,500	2,062,500	2,062,500	0	0	8,250,000
Engineering Total	7,962,500	3,187,500	3,112,500	9,742,500	200,000	800,000	25,005,000

CIP Expenditure Total	11,492,500	4,862,500	3,612,500	13,047,500	1,345,000	2,402,000	36,762,000
Funding Sources	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	Total
L-STBG Funding (Virtue Road)	0	740,000	0	5,984,000	0	0	6,724,000
L-STBG Funding (Union Road)	4,680,000	0	0		0	0	4,680,000
LPRF Grant	1,250,000	0	0	0	0	0	1,250,000
Interest Earnings	200,000	20,000	20,000	20,000	20,000	20,000	300,000
Transfer from General Fund	4,000,000	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	19,000,000
CIP Reserves	2,362,500	1,102,500	592,500	4,043,500	0	1,282,000	9,383,000
Funding Total	12,492,500	4,862,500	3,612,500	13,047,500	3,020,000	4,302,000	41,337,000
Total CIP Funding Sources	12,492,500	4,862,500	3,612,500	13,047,500	3,020,000	4,302,000	41,337,000
Total CIP Expenditures	11,492,500	4,862,500	3,612,500	13,047,500	1,345,000	2,402,000	36,762,000
Revenue over (under) expenditures	1,000,000	0	0	0	1,675,000	1,900,000	
Ending Balance	12,247,959	11,145,459	10,552,959	6,509,459	8,184,459	8,802,459	
Assigned Fund Balance							
Land Acquisition	1,958,072	1,958,072	1,958,072	1,958,072	2,258,072	2,558,072	
Stormwater Projects	562,034	562,034	562,034	562,034	562,034	562,034	
Outstanding Projects	2,133,572	2,133,572	2,133,572	2,133,572	2,133,572	2,133,572	
Total Assigned Balance	4,653,678	4,653,678	4,653,678	4,653,678	4,953,678	5,253,678	
Available Fund Balance	7,594,281	6,491,781	5,899,281	1,855,781	3,230,781	3,548,781	
Light Blue: Increase in Budget cost	Sonja Drive Sidewalk-Increase of \$1,250,000						
Yellow: New Projects	PW Storage Shed Roof, McFee Park Entrance Gates, Turkey Creek/Brixworth Greenway						
Green: LPRF Grant Projects 50/50 matching	MBLP Field 1 & 2, MBLP ADA Access, McFee Dog Park						
Purple: Fiscal Year Adjustment	Virtue Road ROW moved to FY25 and Construction moved to FY27						

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Allison Myers, Town Recorder/Treasurer

SUBJECT: Ordinance 23-04, Ordinance to amend the Capital Investment Program Budget and State Street Aid Fund Budget for the Fiscal Year 2022-2023 Budget, passed by ordinance 22-09

INTRODUCTION:

The purpose of this agenda item is to approve Ordinance 23-04 on first reading to amend the Fiscal Year 2023 Capital Investment Program and State Street Aid Fund Budgets.

DISCUSSION:

The **Capital Investment Program** will be amended by increasing the appropriated expenditures from \$14,824,000 to \$15,024,000, an increase of \$200,000.

- **\$200,000** – Little Turkey Creek Greenway, Additional funds needed to complete the project
- **\$50,000** – Mayor Bob Leonard West Baseball Field Improvements

FINANCIAL SECTION: Capital Investment Program

Account Number: Equipment Fund Expenditure

FY2023 Budget

\$14,824,000

Requested Amendment

\$200,000

FY2023 Amended Budget

\$15,024,000

Approved By: A. Myers

The **State Street Aid Fund** will be amended by increasing the appropriated expenditures from \$1,430,000 to \$2,284,000, an increase of \$854,000. For the past few years, in hopes of receiving better bids, the resurfacing contract has provided for a more flexible and longer construction season. Due to this change, the resurfacing of the Town's streets typically spans multiple fiscal years. The resurfacing balance for FY22 was \$854,000. The remaining invoices for the previous year's contract have been paid in the current fiscal year so the balance will be transferred from FY2022 to FY2023.

FINANCIAL SECTION: State Street Aid

Account Number: State Street Aid Fund

FY2023 Budget

\$1,430,000

Requested Amendment

\$854,000

FY2023 Amended Budget

\$2,284,000

Approved By: A. Myers

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

PROPOSED MOTION: Motion to approve Ordinance 23-04 on first reading.

BOARD ACTION:

MOTION BY: _____ SECONDED BY: _____

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

ORDINANCE
PREPARED BY
1ST READING
2nd READING
PUBLISHED IN
DATE

23-04
Myers

AN ORDINANCE OF THE TOWN OF FARRAGUT, TENNESSEE
AMENDING THE FISCAL YEAR 2023-2024 BUDGET, PASSED BY ORDINANCE 22-09

WHEREAS, the Town of Farragut adopted the fiscal year 2022-23 budget by passage of Ordinance Number 22-09 on May 26, 2022; and

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

WHEREAS, expenses for the Equipment Fund will be greater than budgeted; and

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF FARRAGUT, TENNESSEE THAT CHANGES BE MADE TO THE FISCAL YEAR 2022-2023 BUDGET AS FOLLOWS:

SECTION 1. Ordinance 20-09 is hereby amended by:

The **Capital Investment Program** will be amended by increasing the appropriated expenditures from \$14,824,000 to \$15,024,000, an increase of \$200,000.

The **State Street Aid Fund** will be amended by increasing the appropriated expenditures from \$1,430,000 to \$2,284,000, an increase of \$854,000.

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

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

Ron Williams, Mayor

Allison Myers, Town Recorder

AGENDA NUMBER VI.A.

MEETING DATE April 13, 2023

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Jennifer Hatmaker, Executive Assistant / Risk Manager

SUBJECT: Approval of Request for Re-Appointment to the Farragut Education Relations Committee

INTRODUCTION: The purpose of this business item is to consider the re-appointment of Michelle Morrow to the Farragut Education Relations Committee. Michelle Morrow missed more than the allowed number of meetings and is seeking re-appointment. The re-appointment request is attached.

RECOMMENDATION BY: Jennifer Hatmaker, Executive Assistant / Risk Manager, for approval.

PROPOSED MOTION: To re-appoint Michelle Morrow to the Farragut Education Relations Committee.

BOARD ACTION:

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

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

Jennifer Hatmaker

From: Michelle Morrow [REDACTED]
Sent: Monday, March 20, 2023 9:29 PM
To: Jennifer Hatmaker
Subject: Re: Education Relations Committee Absences

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

March 20, 2023

Dear Board of Mayor and Aldermen,

I apologize for my absences from the scheduled Farragut Education Relations Committee meetings without a proxy scheduled to vote in my place. Events in my personal life took a toll and I was not on top of events outside of my family like I should have been. I am requesting to be reappointed to the Education Relations Committee as a voting member. I enjoy working with this committee to best support the educational community and staff in Farragut and would like to resume my position with the amazing members of the committee.

Respectfully Submitted,

Michelle Morrow

Sent from my iPad

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Allison Myers, Town Recorder

SUBJECT: Approval of Resolution R-2023-05, Declaring Certain Town Property to be Surplus Property

DISCUSSION:

The following items are all in working order and have a value greater than \$100. Therefore, the items meet the criteria to be surplus items. The Town will be advertising the items on Govdeals.com, an online government surplus auction site.

- **2004 Hotsy Pressure Washer**
- **2017 997 Zero Turn Mower**

This resolution approval will allow for the removal of the items from the fixed asset list and advertise the sale of the items on the GovDeals website.

RECOMMENDATION BY:

Allison Myers, Town Recorder

PROPOSED MOTION:

To approve Resolution R-2023-05, a resolution declaring certain town property to be surplus property.

BOARD ACTION:

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

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



TOWN OF FARRAGUT

RESOLUTION R-2023-05

A Resolution Declaring Certain Town Property to be Surplus Property.

WHEREAS, it has been determined that the Town has no further use of certain item(s); and

WHEREAS, the Board of Mayor and Aldermen may determine that these items are surplus property; and

WHEREAS, the value, if any, is determined for the surplus property and its disposal will be for the common benefit; and

WHEREAS, at time of sale of surplus item(s), moneys, if any, will be allocated back to the appropriate department;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF FARRAGUT, TENNESSEE, does hereby surplus the following items(s):

- 2004 Hotsy Pressure Washer
- 2017 997 Zero Turn Mower

This Resolution is duly adopted by the Board of Mayor and Aldermen of the Town of Farragut on this 13th day of April 2023.

Ron Williams, Mayor

Allison Myers, Town Recorder

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Lauren Cox, Park Manager

SUBJECT: Approval of Bids for Contract 2023-12

INTRODUCTION: The purpose of this item is consideration of bids and award of Contract 2023-12, Design Build for Storage Shed at Mayor Bob Leonard Park.

BACKGROUND: The Board of Mayor and Alderman approved \$20,000 in the FY 22/23 Parks & Recreation Department budget for a replacement shed for Mayor Bob Leonard Park. This shed will hold maintenance equipment for the synthetic turf fields and diamond fields. This project includes the purchase, delivery, and installation of a 16' W x 28' L shed with 4' x 6'7" double shed doors.

DISCUSSION: We received one quote for this project on April 4, 2023.

- Tuff Shed 541 - \$16,308

Once approved by the Board of Mayor and Aldermen, the awarded company will deliver and install the shed. The projected timeline for delivery and installation is late spring – early summer 2023. Staff recommends moving forward with Tuff Shed as the total price is within the project budget. Their references support excellent quality work.

FINANCIAL SECTION: 110-41900-9370

Project: Contract 2023-12, Storage Shed at Mayor Bob Leonard Park

<u>Total Budget</u>	<u>Requested Amount</u>	<u>Expenditures to Date</u>	<u>Remaining Amount</u>
\$40,000	\$16,308	\$639.18	\$23,052.82

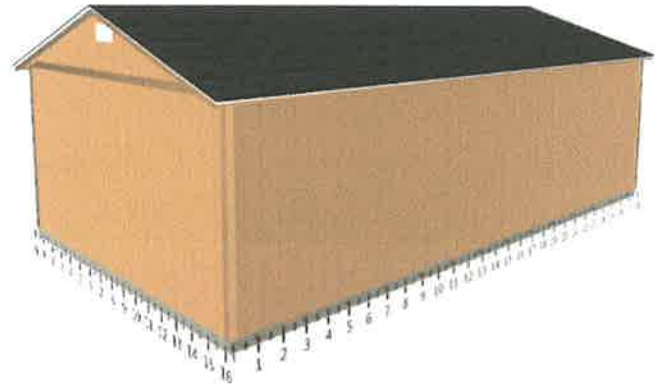
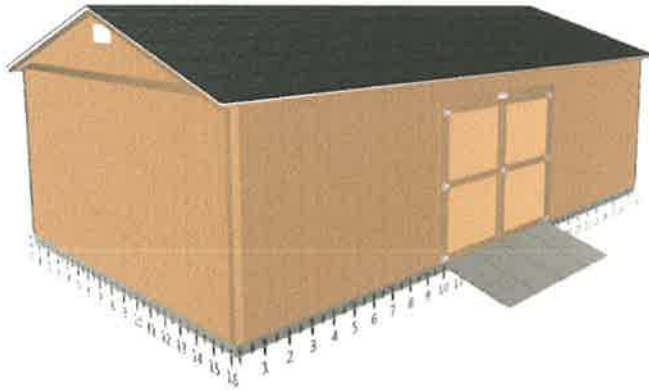
Approved By: A. Myers

RECOMMENDATION BY: Ron Oestreich, Parks & Recreation Director and Lauren Cox, Parks Manager for approval.

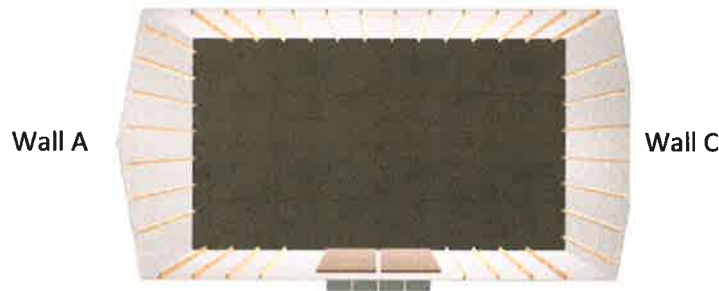
PROPOSED MOTION: Approval of bids and award of Contract 2023-12 to Tuff Shed 541 for their bid of \$16,308.00.

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

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



Wall D



Wall A

Wall C

Wall B

Base Details

Building Size & Style

Premier Tall Ranch - 16' wide by 28' long

Paint Selection

Base: Ponytail, Trim: Ponytail

Roof Selection

Nickel Gray 3 Tab

Drip Edge

White

Is a permit required for this job?

No, If local jurisdiction requires a permit, fees will be added before installation can take place

Options Details

Doors

4' x 6'7" Double Shed Door (8'), Heavy Duty Ramp Pair, 2 extra ramps

Roof

32 Lin Ft 6" Gable EW Eave Upgrade

Floor and Foundation

12 Ea Shed Anchor into Dirt - Auger or MR88

Vents

2 Ea 16"x8" Wall Vent - White
28 Ea Floor Track Vent Screen

Jobsite/Installer Details

Do you plan to insulate this building after Tuff Shed installs it?

No

Is there a power outlet within 100 feet of installation location?

Yes

The building location must be level to properly install the building. How level is the install location?

Within 4" of level

Will there be 18" of unobstructed workspace around the perimeter of all four walls?

Yes

Can the installers park their pickup truck & trailer within approximately 200' of your installation site?

Yes

Substrate Shed will be installed on?

Dirt/Gravel

Signature: _____ Date: _____



TUFF SHED

Quote

Location: Knoxville | #540 | 865-335-7509

Scheduled Date:

Factory Location: Nashville | #540 | 615-331-3410

Created Date: 09/07/2022

Prepared by: Robert Mardis | 8652442894 |
bmardis@tuffshed.com

Customer: Ryan Rhodus
p. (865) 218-3379 | c. 865-607-8909
rrhodus@townoffarragut.org

Special Instructions:

JDE SO
SF Quote Q-1844624

Ship to Address: 301Watt Road
Farragut, TN 37934

Line Item Description	Sales Price	Quantity	Promo	Add'l Disc	Total Price
Premier Tall Ranch 16 x 28	\$12,901.00	1.00	(\$500.00)	\$0.00	\$12,401.00
Paint 10% of building base price	\$1,291.00	1.00	(\$0.00)	\$0.00	\$1,291.00
Shed Anchor into Dirt - Auger or MR88	\$55.00	12.00	(\$0.00)	\$0.00	\$660.00
Upgrade - 4' x 6'7" Double Shed Door (8')	\$564.00	1.00	(\$0.00)	\$0.00	\$564.00
Engineering Fees	\$1.00	448.00	(\$0.00)	\$0.00	\$448.00
6" Gable EW Eave Upgrade	\$12.50	32.00	(\$0.00)	\$0.00	\$400.00
Pair of Heavy Duty Ramps	\$349.00	1.00	(\$0.00)	\$0.00	\$349.00
Additional Heavy Duty Ramp Plank	\$149.00	2.00	(\$0.00)	\$0.00	\$298.00
Floor Track Vent Screen	\$2.00	28.00	(\$0.00)	\$0.00	\$56.00
16"x8" Wall Vent - White	\$23.00	2.00	(\$0.00)	\$0.00	\$46.00
Fuel Surcharge	\$20.00	1.00	(\$0.00)	\$0.00	\$20.00
Paint - Ponytail	\$0.00	720.00	(\$0.00)	\$0.00	\$0.00
Nickel Gray 3 Tab	\$0.00	519.00	(\$0.00)	\$0.00	\$0.00
Leveling 0"-4"	\$0.00	1.00	(\$0.00)	\$0.00	\$0.00
Credit for Removal of Default Door	(\$324.00)	1.00	(\$0.00)	\$0.00	(\$324.00)
Delivery Fee	\$99.00	1.00	()	\$0.00	\$99.00

Gross Total	\$16,808.00
Discount	(\$500.00)
Net Total	\$16,308.00
Estimated Tax	\$0.00
Grand Total	\$16,308.00

The price quoted is valid through the expiration date of the promotion, but in no case shall be valid longer than seven days. Once an order has been placed, pricing is guaranteed for up to 6 months. If the installation is not completed within 6 months for any

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Darryl Smith, PE, Town Engineer

SUBJECT: Approval of Bids and Award of Contract 2023-10, Little Turkey Creek Greenway Extension

INTRODUCTION: The purpose of this item is consideration of bids and award of contract for Contract 2023-10 Little Turkey Creek Greenway Extension.

BACKGROUND: One of the Town's Critical Success Factors in the Strategic Plan is "providing excellent parks, recreation, cultural amenities and programs." A good example of these amenities is our greenway system. Extension of the Little Turkey Creek Greenway from its southern terminus in Brookmere Subdivision along the east side of Little Turkey Creek to the Sheffield subdivision will provide a much-needed link, providing pedestrian access to Sheffield, Kingsgate, Brookmere and Sugarwood Subdivisions, essentially from Turkey Creek Road to Kingston Pike. We are currently in the process of acquiring easements from four properties along the route, with two remaining to be closed. All four property owners have granted a Right of Entry so that the project may move forward.

DISCUSSION: The Town received two bids on March 9:

McKinnon Construction Company, LLC \$1,146,129.55

Whaley Construction, LLC \$ 949,469.00

Both of these bids are significantly higher than our budget of approximately \$600,000, but unfortunately most jurisdictions are seeing higher bids than anticipated for projects this year, particularly when the project entails difficult access and terrain. Whaley Construction has completed several projects for the Town in the past, and we have always been pleased with their performance.

FINANCIAL SECTION:

Project: Little Turkey Creek Greenway, Brookmere to Sheffield				
<u>Amended Project</u>		<u>Contracted</u>		
<u>Budget</u>	<u>Requested Amount</u>	<u>Amount</u>	<u>Remaining Amount</u>	
\$1,075,000	\$949,469.00	\$118,286.25	\$7,244.75	
Approved By: <u>A. Myers</u>				

RECOMMENDATION BY: Darryl Smith, PE, Town Engineer

PROPOSED MOTION: Approval of bids and award of Contract 2023-10 to Whaley Construction Company, LLC, for their bid of \$949,469.00.

BOARD ACTION:

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

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

Little Turkey Creek Greenway Connection 2023-10

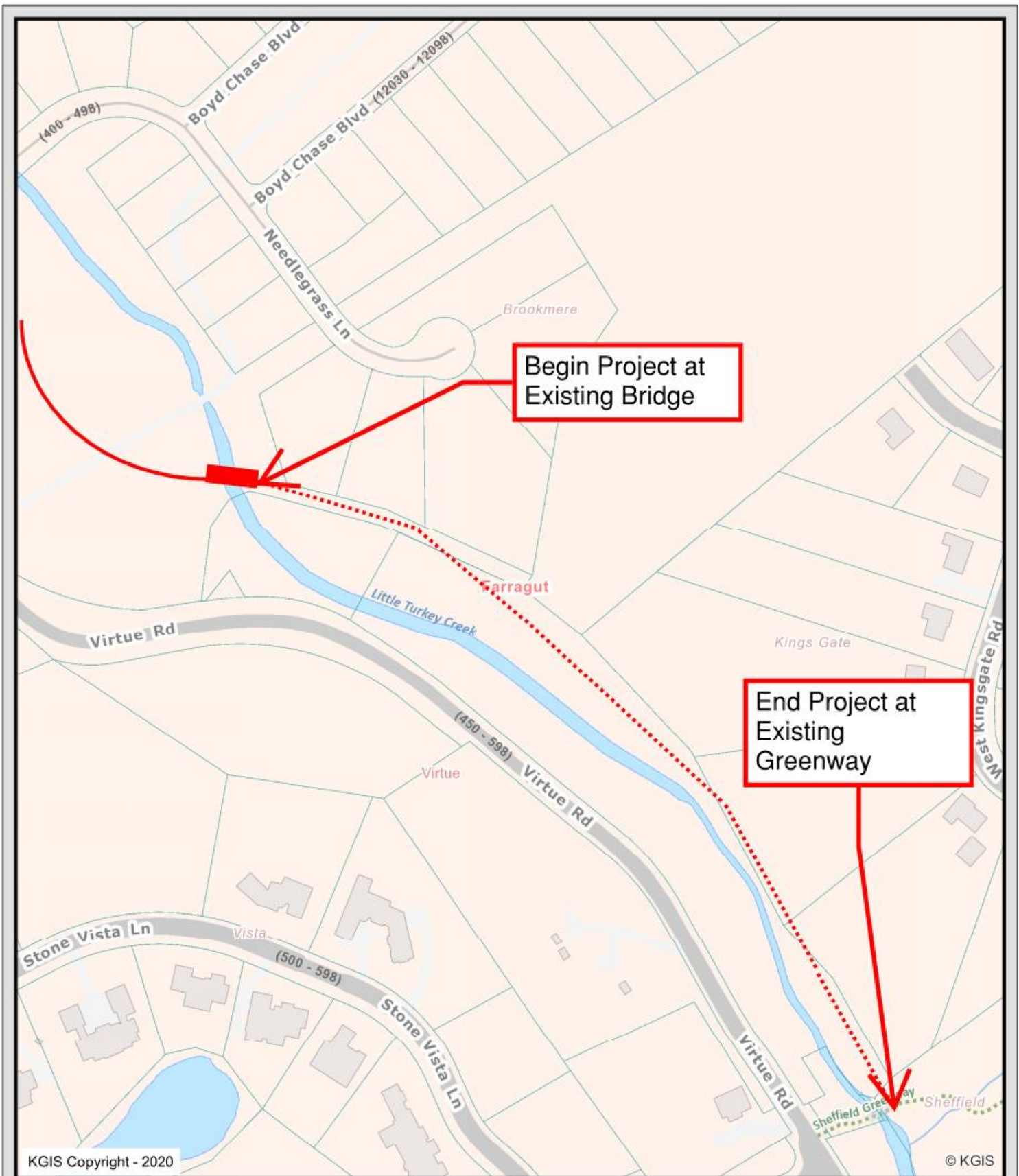


				Mc Kinnon Const. Co., LLC		Whaley Construction, LLC	
ITEM #	TDOT DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
105-01	CONSTRUCTION STAKES, LINES AND GRADES	LS	1	\$28,123.25	\$ 28,123.25	\$44,302.00	\$ 44,302.00
201-01	CLEARING AND GRUBBING	LS	1	\$144,000	\$ 144,000.00	\$48,450.00	\$ 48,450.00
202-03.01	REMOVAL OF ASPHALT PAVEMENT	S.Y.	35	\$50	\$ 1,750.00	\$65	\$ 2,275.00
203-01	ROAD & DRAINAGE EXCAVATION (UNCLASSIFIED)	C.Y.	300	\$120	\$ 36,000.00	\$48.50	\$ 14,550.00
203-03	Borrow Excavation (unclassified)	C.Y.	900	\$92	\$ 82,800.00	\$66	\$ 59,400.00
203-05	Undercutting	C.Y.	500	\$178.00	\$ 89,000.00	\$115	\$ 57,500.00
209-03.23	Filter Sock (24 inch)	L.F.	50	\$28.75	\$ 1,437.50	\$39	\$ 1,950.00
209-08.02	Temporary Silt Fence (Backing)	L.F.	1560	\$15.50	\$ 24,180.00	\$9.50	\$ 14,820.00
209-40.33	Catch Basin Protection Type D	Each	2	\$660	\$ 1,320.00	\$400	\$ 800.00
303-01	MINERAL AGGREGATE, TYPE A BASE, GRADING D	TON	480	\$103.50	\$ 49,680.00	\$50	\$ 24,000.00
303-10.01	Mineral Aggregate size 57	TON	20	\$100	\$ 2,000.00	\$50	\$ 1,000.00
307-01.08	ASPHALT CONCRETE MIX (PG64-22) (BPMB-HM) GRADING B-M2	TON	102	\$297.60	\$ 30,355.20	\$237	\$ 24,174.00
411-01.07	ACS Mix (PG64-22) Grading E shoulder	TON	68	\$396.50	\$ 26,962.00	\$264	\$ 17,952.00
604-07.01	Retaining Wall (fill wall 5' Max Exposed Face Height)	S.F.	2875	\$90	\$ 258,750.00	\$95	\$ 273,125.00
604-20.11	Metal Handrail (Power Coat Semi-Gloss Black)	L.F.	655	\$195	\$ 127,725.00	\$136	\$ 89,080.00
607-02.02	15" Concrete Pipe Culvert (Class III)	L.F.	58	\$112.70	\$ 6,536.60	\$146	\$ 8,468.00
607-05.02	24" Concrete Pipe Culvert (Class III)	L.F.	50	\$170	\$ 8,500.00	\$193	\$ 9,650.00
611-38.01	Catch Basin, Type 38, 0-4' Depth	Each	2	\$6,325	\$ 12,650.00	\$5,069	\$ 10,138.00

Little Turkey Creek Greenway Connection 2023-10



				Mc Kinnon Const. Co., LLC		Whaley Construction, LLC	
ITEM #	TDOT DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
621-01.01	Temporary Structure (Construction Access Bridge)	L.S.	1	\$57,750	\$ 57,750.00	\$73,400	\$ 73,400.00
701-01.01	Concrete Sidewalk (4")	S.F.	4250	\$14	\$ 59,500.00	\$13.50	\$ 57,375.00
701-01.02	Concrete Sidewalk (6")	S.F.	1080	\$15	\$ 16,200.00	\$16	\$ 17,280.00
709-05.06	Machined Rip-Rap (Class A-1)	Ton	50	\$140	\$ 7,000.00	\$51	\$ 2,550.00
712-01	Traffic Control	L.S.	1	\$10,000	\$ 10,000.00	\$42,950	\$ 42,950.00
712-07.04	Temporary Type III Barricade W/ Sidewalk Closed Sign	EACH	3	\$700	\$ 2,100.00	\$660	\$ 1,980.00
717-01	MOBILIZATION	LS	1	\$54,000	\$ 54,000.00	\$36,900	\$ 36,900.00
801-02	Seeding (Without Mulch)	S.Y.	2200	\$1.05	\$ 2,310.00	\$3	\$ 6,600.00
805-12.03	Erosion Control Blanket (Type III)	S.Y.	2200	\$2.50	\$ 5,500.00	\$4	\$ 8,800.00
TOTAL BID				\$1,146,129.55		\$949,469.00	



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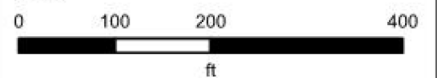
Little Turkey Creek Greenway

Brookmere to Sheffield

Knoxville - Knox County - KUB Geographic Information System



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AGENDA NUMBER V.I.E.

MEETING DATE April 13, 2023

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: David Smoak, Town Administrator



SUBJECT: Approval of proposal by Kramer Rayson, LLP for legal services

INTRODUCTION: The purpose of this agenda item is to consider approval of the hourly rates for the Town Attorney

BACKGROUND: The Board of Mayor and Aldermen appointed the Kramer Rayson law firm and attorney David Rodgers the first town attorney in 1980. When Mr. Rodgers retired in 1998, the Board appointed Tom Hale with the Kramer Rayson law firm as the town attorney, and he has been in that position since that time.

DISCUSSION: The hourly rates for the town attorney were last adjusted in 2015 at the current rate of \$235/hour for partners, \$180/hour for senior associates and \$165/hour for junior associates. Mr. Hale is requesting that those fees be adjusted to \$255/hour for partners, \$200/hour for senior associates and \$185/hour for junior associates. The proposed rates represent a discount from the \$275-\$325/hour the firm typically charges for partners. An explanation for these rate adjustments is attached for your review.

FINANCIAL SECTION: The FY2023 budget was approved with a total amount of \$120,000 budgeted for legal services. It is anticipated that the approved budget amount will be able to absorb the increase in hourly rates for the remainder of FY2023.

RECOMMENDATION BY: Town Administrator David Smoak for approval.

PROPOSED MOTION: To approve the proposal from Kramer Rayson, LLP for legal services and hourly rates for the town attorney as attached.

BOARD ACTION:

MOTION BY: _____ SECONDED BY: _____

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

KRAMER RAYSON LLP

ATTORNEYS AT LAW

POST OFFICE BOX 629
KNOXVILLE, TENNESSEE
37901-0629

FOUNDED 1948

Telephone Extension: 126
Email: tomhale@kramer-rayson.com

March 15, 2023

OF COUNSEL
WAYNE R. KRAMER
LESLIE L. SHIELDS

OFFICES

FIRST HORIZON PLAZA
SUITE 2500
800 SOUTH GAY STREET
KNOXVILLE, TENNESSEE 37929
TELEPHONE 865 525-5134
TELECOPIER 865 522-5723

105 DONNER DRIVE
SUITE A
OAK RIDGE, TENNESSEE 37830
TELEPHONE 865 220-5134
TELECOPIER 865 220-5132

R.R. KRAMER (1888-1966)
E.H. RAYSON (1923-2017)

JOHN T. JOHNSON, JR.
WARREN L. GOOCH
EDWARD G. PHILLIPS
THOMAS M. HALE
JACKSON G. KRAMER
BEECHER A. BARTLETT, JR.
JOHN C. BURGIN, JR.
CHARLES M. FINN
ROBERT A. CRAWFORD
JOHN E. WINTERS
ROBERT L. BOWMAN
STEVEN E. KRAMER
SHANNON COLEMAN EGLE
KATE E. TUCKER
BETSY J. BECK
WILLIAM J. CARVER
GEORGE R. ARRANTS, JR.
BRANDON L. MORROW
BRYCE E. FITZGERALD
NATHANIEL D. MOORE
CAMILLE H. SANDERS
ERICA D. GREEN
ANDREW M. HALE
LUCAS M. FISHMAN
JAMES T. SNODGRASS
KATHERINE R. OVERTON

Via Email and U.S. Mail

Mr. David Smoak, Town Administrator
Town of Farragut
11408 Municipal Center Drive
Farragut, Tennessee 37934

MAR 20 2023

Dear David:

My records indicate that our firm's hourly rates for our work on Town matters was last adjusted in 2015. At that time, the Board of Mayor and Aldermen graciously adjusted our hourly rates upward to the \$235 per hour level for work of partners.

The practice of our firm is to periodical review our rates, taking into account the local market for lawyers with comparable experience and doing work of similar complexity, as well as general cost increases related to our operating overhead. As has been the case for all of us, we experience such cost increases annually, but endeavor to minimize the impact of those increases by employing more efficient ways of running our office. However, costs such as personnel, benefits and office rent are in large measure beyond our control. In light of these factors, I was hopeful that we could review and raise the firm's rates for the coming fiscal year. I think you will find that the requested rates are well within the rates charged by lawyers with comparable experience in the Knoxville market. Generally, rates in East Tennessee are below rates in other parts of Tennessee and substantially less than other areas of the country.

I am providing herewith hourly rate information from *The 2019 Survey of Law Firm Economics* ("Survey") prepared and published by ALM Legal Intelligence, a national law firm consulting group. Attached you will find several pages from *The Survey*. I have selected information as comparable as I possibly can to our geographic area, area of specialty, population size and level of experience. The most relevant areas would be the South Atlantic and West South Central.

I have highlighted some portions of the attached information that seemed material. As has always been the case, our firm's normal rates are generally lower than what are reflected in the Survey; however, our normal rates are higher than the rates we have charged the Town. For example, my current normal rate for several years has ranged from \$275-\$325 per hour, depending upon the type and complexity of the matter.

David Smoak, Town Administrator
March 15, 2023
Page 2

While we are certainly flexible, I would propose for the Town's consideration the following rates for our regular work which would reflect roughly an annual increase of 1% since the last increase in 2015:

TMH (and other partners)	\$255
Senior associates	\$200
Junior associates	\$185

We endeavor to do things the right way and in a quality manner. We rely upon our clients to let us know when they have issues or problems with the way in which we are handling their work. As always, I consider it a personal favor for you to raise with me any issues that you or the staff ever have concerning any aspect of our work.

I would be more than happy to discuss these issues with you further at your convenience. We enjoy working with the Board and staff on the Town's legal matters and very much appreciate the opportunity we have been given to do so.

Yours truly,



Thomas M. Hale

TMH/mat
Attachments

REGION
STANDARD HOURLY BILLING RATES
As of January 1, 2019

Region/Status		Number of Offices	Number of Lawyers	Rate				
				Average \$	Lower Quartile \$	Median \$	Upper Quartile \$	Ninth Decile \$
New England	Equity Partner/Shareholder	1	14	\$439	\$425	\$440	\$450	\$465
	Non-Equity Partner	1	10	\$424	\$385	\$423	\$450	\$518
	Associate/Staff Lawyer	1	17	\$259	\$235	\$255	\$270	\$320
Mid-Atlantic	Equity Partner/Shareholder	7	423	\$621	\$505	\$635	\$710	\$810
	Non-Equity Partner	7	338	\$528	\$395	\$510	\$625	\$730
	Associate/Staff Lawyer	8	603	\$424	\$305	\$450	\$525	\$575
South Atlantic	Equity Partner/Shareholder	6	258	\$503	\$395	\$475	\$590	\$725
	Non-Equity Partner	4	134	\$517	\$430	\$495	\$585	\$705
	Associate/Staff Lawyer	6	194	\$311	\$275	\$310	\$350	\$400
West South Central	Equity Partner/Shareholder	2	136	\$488	\$425	\$480	\$548	\$600
	Non-Equity Partner	2	64	\$408	\$370	\$420	\$455	\$485
	Associate/Staff Lawyer	2	73	\$301	\$285	\$305	\$325	\$355
East North Central	Equity Partner/Shareholder	9	379	\$522	\$415	\$535	\$610	\$705
	Non-Equity Partner	7	125	\$464	\$350	\$425	\$575	\$705
	Associate/Staff Lawyer	9	348	\$354	\$265	\$338	\$440	\$515
West North Central	Equity Partner/Shareholder	3	92	\$295	\$255	\$290	\$333	\$385
	Non-Equity Partner	2	12	\$293	\$275	\$285	\$303	\$325
	Associate/Staff Lawyer	3	56	\$207	\$185	\$195	\$223	\$253
Mountain	Equity Partner/Shareholder	2	76	\$524	\$468	\$513	\$578	\$650
	Non-Equity Partner	2	51	\$476	\$410	\$475	\$525	\$605
	Associate/Staff Lawyer	2	42	\$310	\$290	\$310	\$320	\$330
Pacific	Equity Partner/Shareholder	1	31	\$334	\$300	\$325	\$350	\$375
	Non-Equity Partner	1	5	\$355	\$340	\$375	\$375	\$385
	Associate/Staff Lawyer	1	18	\$257	\$245	\$250	\$260	\$270

**REGION BY YEARS OF LEGAL EXPERIENCE
STANDARD HOURLY BILLING RATES
As of January 1, 2019**

Region/Years of Experience		Number of Offices	Number of Lawyers	Rate				
				Average \$	Lower Quartile \$	Median \$	Upper Quartile \$	Ninth Decile \$
New England	4 or 5 years	1	5	\$251	\$235	\$255	\$270	\$270
	6 or 7 years	1	3	\$247	\$235	\$250	\$255	\$255
	8 to 10 years	1	5	\$285	\$265	\$285	\$300	\$320
	11 to 15 years	1	9	\$361	\$325	\$395	\$400	\$420
	16 to 20 years	1	7	\$390	\$340	\$395	\$425	\$480
	21 to 30 years	1	9	\$423	\$410	\$430	\$440	\$450
	31 or more years	1	15	\$448	\$425	\$450	\$500	\$510
Mid Atlantic	Under 2 years	6	83	\$326	\$235	\$380	\$395	\$415
	2 or 3 years	7	102	\$382	\$260	\$450	\$450	\$470
	4 or 5 years	8	92	\$386	\$260	\$450	\$500	\$520
	6 or 7 years	8	95	\$435	\$300	\$480	\$520	\$550
	8 to 10 years	7	114	\$461	\$345	\$500	\$550	\$570
	11 to 15 years	8	190	\$501	\$375	\$515	\$610	\$680
	16 to 20 years	7	141	\$523	\$400	\$515	\$625	\$705
	21 to 30 years	7	290	\$569	\$455	\$550	\$680	\$765
	31 or more years	8	363	\$620	\$510	\$600	\$730	\$820
South Atlantic	Under 2 years	6	26	\$266	\$200	\$278	\$315	\$320
	2 or 3 years	5	59	\$303	\$275	\$310	\$345	\$360
	4 or 5 years	5	47	\$327	\$285	\$315	\$375	\$400
	6 or 7 years	6	34	\$340	\$275	\$318	\$405	\$450
	8 to 10 years	5	61	\$389	\$325	\$395	\$445	\$495
	11 to 15 years	5	79	\$424	\$335	\$400	\$500	\$600
	16 to 20 years	6	74	\$476	\$400	\$453	\$545	\$630
	21 to 30 years	6	111	\$521	\$400	\$500	\$595	\$775
	31 or more years	6	156	\$526	\$405	\$500	\$595	\$715
West South Central	Under 2 years	2	11	\$278	\$225	\$295	\$305	\$305
	2 or 3 years	2	15	\$286	\$285	\$285	\$305	\$305
	4 or 5 years	2	17	\$291	\$285	\$305	\$305	\$340
	6 or 7 years	2	22	\$316	\$295	\$320	\$330	\$375
	8 to 10 years	2	25	\$368	\$350	\$365	\$395	\$400
	11 to 15 years	2	39	\$398	\$350	\$405	\$425	\$475
	16 to 20 years	2	37	\$450	\$425	\$455	\$480	\$500
	21 to 30 years	2	67	\$468	\$420	\$460	\$505	\$575
	31 or more years	2	102	\$512	\$450	\$520	\$585	\$620

STATE
STANDARD HOURLY BILLING RATES
As of January 1, 2019

State/Status		Number of Offices	Number of Lawyers	Rate				
				Average \$	Lower Quartile \$	Median \$	Upper Quartile \$	Ninth Decile \$
AZ	Partner/Shareholder- Equity/Non-Equity	1	87	\$527	\$460	\$520	\$580	\$655
	Associate/Staff Lawyer	1	27	\$320	\$300	\$310	\$330	\$345
CO	Partner/Shareholder- Equity/Non-Equity	1	40	\$456	\$410	\$458	\$495	\$535
	Associate/Staff Lawyer	1	15	\$292	\$280	\$290	\$310	\$315
DC	Associate/Staff Lawyer	1	11	\$308	\$290	\$295	\$330	\$350
DE	Partner/Shareholder- Equity/Non-Equity	1	48	\$577	\$428	\$555	\$703	\$845
	Associate/Staff Lawyer	1	20	\$331	\$298	\$318	\$405	\$433
GA	Partner/Shareholder- Equity/Non-Equity	1	34	\$378	\$330	\$363	\$400	\$450
	Associate/Staff Lawyer	1	11	\$257	\$245	\$250	\$275	\$285
IA	Partner/Shareholder- Equity/Non-Equity	1	49	\$304	\$270	\$290	\$320	\$390
	Associate/Staff Lawyer	1	22	\$203	\$190	\$198	\$215	\$220
IL	Partner/Shareholder- Equity/Non-Equity	2	186	\$636	\$590	\$635	\$705	\$765
	Associate/Staff Lawyer	2	144	\$439	\$383	\$440	\$500	\$545
LA	Partner/Shareholder- Equity/Non-Equity	2	200	\$463	\$405	\$460	\$515	\$583
	Associate/Staff Lawyer	2	73	\$301	\$285	\$305	\$325	\$355
MI	Partner/Shareholder- Equity/Non-Equity	3	191	\$482	\$420	\$490	\$540	\$575
	Associate/Staff Lawyer	3	127	\$312	\$260	\$290	\$355	\$445
MO	Partner/Shareholder- Equity/Non-Equity	1	25	\$243	\$202	\$219	\$275	\$346
	Associate/Staff Lawyer	1	13	\$199	\$178	\$183	\$203	\$253
NC	Partner/Shareholder- Equity/Non-Equity	2	221	\$561	\$475	\$550	\$605	\$750
	Associate/Staff Lawyer	2	136	\$328	\$300	\$318	\$360	\$400

NE	Partner/Shareholder- Equity/Non-Equity	1	30	\$323	\$285	\$315	\$360	\$390
	Associate/Staff Lawyer	1	21	\$217	\$180	\$200	\$235	\$265
NJ	Partner/Shareholder- Equity/Non-Equity	3	158	\$515	\$435	\$513	\$580	\$640
	Associate/Staff Lawyer	3	89	\$373	\$295	\$350	\$450	\$525
NY	Partner/Shareholder- Equity/Non-Equity	1	34	\$610	\$530	\$600	\$650	\$695
	Associate/Staff Lawyer	1	39	\$294	\$240	\$280	\$335	\$400
OH	Partner/Shareholder- Equity/Non-Equity	3	80	\$388	\$343	\$380	\$440	\$475
	Associate/Staff Lawyer	3	61	\$282	\$255	\$270	\$310	\$330
OR	Partner/Shareholder- Equity/Non-Equity	1	36	\$337	\$300	\$325	\$365	\$385
	Associate/Staff Lawyer	1	18	\$257	\$245	\$250	\$260	\$270
PA	Partner/Shareholder- Equity/Non-Equity	3	569	\$596	\$445	\$610	\$705	\$815
	Associate/Staff Lawyer	3	464	\$447	\$363	\$470	\$550	\$575
RI	Partner/Shareholder- Equity/Non-Equity	1	24	\$432	\$413	\$440	\$450	\$470
	Associate/Staff Lawyer	1	17	\$259	\$235	\$255	\$270	\$320
SC	Partner/Shareholder- Equity/Non-Equity	1	83	\$386	\$350	\$385	\$425	\$450
	Associate/Staff Lawyer	1	27	\$230	\$200	\$225	\$275	\$275
VA	Partner/Shareholder- Equity/Non-Equity	1	6	\$385	\$395	\$395	\$400	\$400
WI	Partner/Shareholder- Equity/Non-Equity	1	47	\$311	\$275	\$310	\$350	\$390
	Associate/Staff Lawyer	1	16	\$188	\$175	\$185	\$195	\$250

INDIVIDUAL NON-LITIGATION SPECIALTIES
STANDARD HOURLY BILLING RATES
As of January 1, 2019

Specialty/Status		Number of Offices	Number of Lawyers	Rate				
				Average \$	Lower Quartile \$	Median \$	Upper Quartile \$	Ninth Decile \$
Administrative/Legislative/Regulatory	Partner/Shareholder- Equity/Non-Equity	7	18	\$481	\$320	\$485	\$625	\$685
	Associate/Staff Lawyer	3	6	\$445	\$330	\$423	\$550	\$650
Banking	Partner/Shareholder- Equity/Non-Equity	8	113	\$654	\$590	\$655	\$725	\$775
	Associate/Staff Lawyer	4	95	\$409	\$360	\$400	\$455	\$510
Bankruptcy	Partner/Shareholder- Equity/Non-Equity	8	43	\$619	\$470	\$605	\$750	\$845
	Associate/Staff Lawyer	6	22	\$434	\$340	\$428	\$520	\$590
Commercial/Contracts	Partner/Shareholder- Equity/Non-Equity	5	12	\$584	\$443	\$563	\$678	\$860
	Associate/Staff Lawyer	4	6	\$388	\$280	\$375	\$525	\$525
Education	Partner/Shareholder- Equity/Non-Equity	2	4	\$550	\$378	\$530	\$723	\$765
	Associate/Staff Lawyer	3	8	\$331	\$253	\$293	\$415	\$550
Employee Benefits (ERISA)	Partner/Shareholder- Equity/Non-Equity	11	36	\$592	\$490	\$595	\$705	\$795
	Associate/Staff Lawyer	6	24	\$461	\$320	\$460	\$585	\$650
Employment (FLSA, ADA, ADEA)	Partner/Shareholder- Equity/Non-Equity	6	45	\$507	\$400	\$500	\$640	\$690
	Associate/Staff Lawyer	6	31	\$411	\$290	\$450	\$520	\$550
Environmental	Partner/Shareholder- Equity/Non-Equity	6	20	\$548	\$458	\$560	\$638	\$673
	Associate/Staff Lawyer	3	9	\$432	\$355	\$470	\$535	\$570
Family Law/Domestic Relations	Partner/Shareholder- Equity/Non-Equity	3	32	\$444	\$385	\$443	\$495	\$530
	Associate/Staff Lawyer	3	15	\$258	\$230	\$275	\$290	\$310
General Business	Partner/Shareholder- Equity/Non-Equity	15	118	\$473	\$365	\$455	\$575	\$640
	Associate/Staff Lawyer	13	79	\$288	\$215	\$295	\$340	\$395
Health Care	Partner/Shareholder- Equity/Non-Equity	11	45	\$562	\$440	\$575	\$680	\$730
	Associate/Staff Lawyer	9	28	\$390	\$263	\$423	\$500	\$570

YEARS OF
EXPERIENCE

Employee Benefits (ERISA)	4 or 5 years	2	3	\$340	\$273	\$276	\$470	\$470
	6 or 7 years	4	6	\$406	\$315	\$388	\$520	\$550
	8 to 10 years	3	6	\$528	\$400	\$525	\$570	\$765
	11 to 15 years	5	10	\$476	\$315	\$470	\$625	\$668
	16 to 20 years	2	5	\$628	\$625	\$650	\$680	\$705
	21 to 30 years	8	13	\$570	\$535	\$570	\$655	\$725
	31 or more years	7	20	\$654	\$535	\$610	\$823	\$893
Employment (FLSA, ADA, ADEA)	Under 2 years	4	5	\$270	\$195	\$225	\$340	\$395
	2 or 3 years	2	8	\$436	\$328	\$450	\$548	\$610
	4 or 5 years	3	3	\$387	\$260	\$450	\$450	\$450
	6 or 7 years	3	6	\$433	\$290	\$505	\$520	\$520
	8 to 10 years	4	7	\$380	\$290	\$325	\$550	\$550
	11 to 15 years	3	8	\$393	\$308	\$350	\$460	\$645
	16 to 20 years	4	13	\$451	\$380	\$420	\$535	\$600
	21 to 30 years	4	19	\$549	\$440	\$535	\$650	\$685
	31 or more years	3	9	\$676	\$615	\$695	\$725	\$850
Environmental	6 or 7 years	3	5	\$488	\$355	\$520	\$655	\$655
	8 to 10 years	2	3	\$527	\$460	\$550	\$570	\$570
	11 to 15 years	2	3	\$418	\$265	\$455	\$535	\$535
	16 to 20 years	2	3	\$450	\$325	\$490	\$535	\$535
	21 to 30 years	3	4	\$526	\$443	\$550	\$610	\$655
	31 or more years	6	11	\$543	\$410	\$575	\$620	\$690
Family Law/Domestic Relations	Under 2 years	1	3	\$202	\$180	\$180	\$245	\$245
	2 or 3 years	2	3	\$273	\$245	\$265	\$310	\$310
	4 or 5 years	2	5	\$264	\$275	\$275	\$290	\$290
	6 or 7 years	1	2	\$295	\$280	\$295	\$310	\$310
	8 to 10 years	2	5	\$320	\$315	\$325	\$325	\$365
	11 to 15 years	1	8	\$372	\$355	\$385	\$388	\$425
	16 to 20 years	1	6	\$396	\$410	\$425	\$425	\$460
	21 to 30 years	1	8	\$494	\$463	\$493	\$520	\$540
	31 or more years	2	7	\$549	\$475	\$495	\$620	\$750
General Business	Under 2 years	6	12	\$231	\$188	\$193	\$295	\$315
	2 or 3 years	7	20	\$262	\$198	\$283	\$308	\$330
	4 or 5 years	9	22	\$294	\$220	\$290	\$345	\$360
	6 or 7 years	6	13	\$341	\$300	\$345	\$395	\$415
	8 to 10 years	8	17	\$348	\$265	\$350	\$420	\$470
	11 to 15 years	9	28	\$395	\$293	\$393	\$448	\$570
	16 to 20 years	11	25	\$459	\$350	\$450	\$545	\$605
	21 to 30 years	8	30	\$491	\$400	\$510	\$570	\$640
	31 or more years	13	47	\$500	\$395	\$525	\$575	\$675