



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

WORKSHOP
5:30 PM
Committee Charter Review

AGENDA
June 8, 2023
6:00 PM

- I. Roll Call**
- II. Approval of Agenda**
- III. Approval of Minutes**
 - A. May 25, 2023**
- IV. Mayor's Report**
- V. Ordinances**
 - A. Public Hearing and Second Reading**
 - 1. Ordinance 23-05**, an ordinance to amend the Farragut Zoning Map for 630 Everett Road, 2.3 Acres, from R-2, General Single-Family Residential, to R-1, Rural Single-Family Residential (Michael Reina, Applicant)
 - 2. Ordinance 23-07**, Ordinance of The Town of Farragut, Tennessee Adopting the Annual Budget for the Fiscal Year Beginning July 1, 2023, and Ending June 30, 2024
 - B. First Reading**
 - 1. Ordinance 23-08**, Ordinance to amend the Farragut Municipal Code, Chapter 2, Article 6-Finance, Section 2-299, Authorization of Purchases, by deleting in its entirety and substituting new language for purchasing authorization.
- VI. Business Items**
 - A. Approval of Professional Services Agreement with Cannon & Cannon, Inc. for Engineering Services for Design of Pedestrian Crossings at Grigsby Chapel Road and McFee Road.**

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WWW.TOWNOFFARRAGUT.ORG

It is the policy of the Town of Farragut not to discriminate on the basis of race, color, 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

- B. Approval of Contract 2024-01, On-Call Road Maintenance
- C. Approval of Contract 2024-02, On-Call Pavement Markings
- D. Approval of Contract 2024-03, On-Call Guardrail Maintenance
- E. Approval of Contract 2024-04, On-Call Traffic Signal Maintenance
- F. Approval of State of Tennessee Contract No. 00719 to Purchase Fuel
- G. Approval of request for re-appointment to Visual Resources Review Board

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.

Committee Term Summary

Arts & Beautification Committee

Term: 2 Years

Term Limit: 2 Terms

Absences: The term of any voting member shall expire on the third absence from the scheduled meetings during the fiscal year.

Residency Requirements: Non-Farragut residents are appointed (charter does not specify if residency is required).

Board of Plumbing and Gas / Mechanical Examiners (per the Plumbing Ordinance and by-laws)

Term: 3 Years

Term Limit: No Term Limit as determined by the Board of Mayor and Aldermen. The Board of Mayor and Aldermen may specify mode of appointment of members of such board and their terms, which terms shall be of such length and so arranged that the term of two (2) members shall expire each year.

Absences: Unexcused absence from three (3) meetings in any one (1) year may be cause for removal from the board by the Board of Mayor and Aldermen. Illness, job requirements and military duty shall be considered excused absences.

Residency Requirements: Must be a Farragut resident.

Board of Zoning Appeals (per the by-laws)

Term: 5 Years

Term Limit: No Term Limit as determined by the Board of Mayor and Aldermen. The Board of Mayor and Aldermen may specify mode of appointment of members of such board and their terms, which terms shall be of such length and so arranged that the term of one (1) member shall expire each year.

Absences: If any member fails to attend three (3) consecutive regularly scheduled meetings and fails to present a reasonable excuse for such absence, his/her membership may be terminated, and a new member may be appointed by the Board of Mayor and Aldermen.

Residency Requirements: Must be a Farragut resident.

Education Relations Committee

Term: No Term. Members may hold committee membership until a successor is appointed.

Term Limit: No Term Limit. Members may hold committee membership until a successor is appointed.

Absences: The term of any voting member shall expire on the second absence from the scheduled meetings during the fiscal year.

Residency Requirements: Farragut residency is not required, but members must be formally involved with the school they represent.

Farragut Museum Committee

Term: 2 Years

Term Limit: 4 Terms

Absences: The term of any voting member shall expire on the third absence from committee meetings during the fiscal year.

Residency Requirements: Non-Farragut residents may be appointed. At least 2/3 of the membership shall be residents of Farragut.

Farragut Tourism / Visitor Advisory Committee

Term: 2 Years

Term Limit: 2 Terms

Absences: The term of any members shall expire on the third absence from committee meetings during the fiscal year.

Residency Requirements: Non-Farragut residents may be appointed. At least 2/3 of the membership shall be residents of Farragut.

Farragut Municipal Planning Commission (per the by-laws)

Term: 2 Years

Term Limit: No Term Limit

Absences: If any voting planning commission citizen member fails to attend three consecutive regularly scheduled meetings and fails to present a reasonable excuse for such absence, his/her membership shall be terminated, and a new member will be appointed by the mayor to replace the terminated member.

Residency Requirements: Must be a Farragut resident.

Parks & Athletics Council

Term: 2 Years

Term Limit: 2 Terms

Absences: The term of any voting member shall expire on the third absence from the scheduled meetings during the fiscal year.

Residency Requirements: Non-Farragut residents may be appointed. At least 2/3 of the membership shall be residents of Farragut.

Stormwater Advisory Committee

Term: 2 Years

Term Limit: No Term Limit

Absences: The term of any voting member shall expire on the third absence from the scheduled meetings during the fiscal year.

Residency Requirements: Non-Farragut residents are appointed (charter does not specify if residency is required).

Visual Resources Review Board

Term: 2 Years

Term Limit: No Term Limit

Absences: The term of any voting member shall expire on the third absence from the scheduled meetings during the fiscal year.

Residency Requirements: Must be a Farragut resident.

Tree Board (No Charter)

Term: 1 Year

Term Limit: No Term Limit

Absences:

Residency Requirements:



FARRAGUT ARTS & BEAUTIFICATION COMMITTEE CHARTER

ARTICLE I: NAME

The name of this body shall be the **Farragut Arts & Beautification Committee** (hereafter called the “committee”).

ARTICLE II: PURPOSE

The purpose of the committee is to advise and assist the Town of Farragut, its elected officials, citizens and staff, and serve as an advocate in the Town’s decision-making process for artistic and cultural activities; seasonal programs and decorating; and general Town beautification.

ARTICLE III: COMMITTEE

Section I. Number, Terms, Qualifications

The committee shall consist of 13 at-large voting members and one non-voting youth member that will be selected and appointed by the majority of the committee.

- The Parks and Recreation Director or his/her designee shall serve as an ex-officio member of this committee and be responsible for providing Town staff support to the committee as she/he deems appropriate.
- The voting members of the committee shall be appointed for a term of two (2) years. Voting members shall be limited to two (2) terms on this committee. Years of service served prior to July 1, 2019 shall not count in determining years of service.
- The non-voting youth member’s term may be for one school-year term or less depending on the youth member’s availability. The non-voting youth member may be removed from the committee at any time by majority vote of the committee.

Section II. Appointment

- Except for the Parks and Recreation Director or his/her designee and the non-voting youth member, all members of the committee shall be appointed by majority vote of the Board of Mayor and Aldermen.

Section III. Committee Responsibilities:

- a) Be subordinate to the Board of Mayor and Aldermen.
- b) Annually establish committee goals and objectives and requested annual funding to the Board of Mayor and Aldermen, through the Town Administrator, for inclusion into the annual budget.
- c) Unilaterally authorize and oversee initiatives, by majority vote of the committee, within the annually allocated committee budget as authorized by the adopted Town Budget. Expenditures shall be authorized by the committee in accordance with the Town purchasing regulations. Expenditures should be related to the responsibilities listed in this charter.
- d) Provide a written annual report to the Board of Mayor and Aldermen at the end of the fiscal year.
- e) Assist in identifying grant opportunities and preparing grant proposals to help fund the Town's artistic and cultural programs and facilities.
- f) Recommend and implement innovative artistic, cultural and beautification programs and events for citizens and the community.
- g) Recommend and implement beautification of the Town Hall, special events and programs during holidays.
- h) Serve as the judges for the annual Farragut Beautification Awards.
- i) Serve as the jury for pieces of art/items proposed for display in the public areas of Farragut Town Hall and assist staff in placement of these pieces of art.

Section IV. Attendance at Meetings

Voting members serve at the pleasure of the Board of Mayor and Aldermen and are expected to attend scheduled meetings. The term of any voting member shall expire on the third absence from the scheduled meetings during the fiscal year. Voting members may seek reappointment by the Board of Mayor and Aldermen.

Section V. Disclosure of Interests

A committee member who has any interest in any matter before the committee, shall disclose said interest in accordance with the adopted Town Ethics Ordinance. The chairman shall make the determination on whether that member shall have a vote in said matter.

ARTICLE IV. OFFICERS

Section I. Officers

The officers of the committee shall be a chairman, vice-chairman, and secretary.

Section II. Nomination and Election of Officers

Any member may nominate any other member of the committee (other than the Board of Mayor and Aldermen committee member and Town Administrator) to serve as an officer of the committee. Officers of the committee shall be elected by majority vote of the committee. Officers shall be elected upon inception of the committee (at the 1st official meeting).

Section III. Terms of Officers

Officers of the committee shall be for a term of one year commencing after election. These positions shall be elected by a majority vote of the committee. These positions can be renewed for one additional year (two-year maximum) if elected by a majority of the committee but cannot serve more than two consecutive years in the same position.

Section IV. Vacancies

A vacancy in office because of resignation, removal, or otherwise may be filled by majority vote of the committee for the unexpired portion of the term.

Section V. Chairman

The chairman shall prepare agendas in collaboration with the Parks and Leisure Services Director or his/her designee, preside at all meetings of the committee in accordance with Roberts Rules of Order, call special meetings of the committee, have the authority to cancel called meetings of the committee, provide the annual goals and year-end report to the Board of Mayor and Aldermen, and appoint a subcommittee of the committee as needed.

Section VI. Vice Chairman

In the absence of the chairman, the vice chairman shall perform the duties of the chairman.

Section VII. Secretary

The Secretary shall record and maintain accurate records and minutes of the proceedings of the committee.

ARTICLE V. MEETINGS

Section I. Regular Meetings

The committee shall meet once a month at Town Hall with the time and date to be determined by the committee. The committee shall determine and publish the upcoming year's schedule at the first official meeting of the fiscal year.

Section II. Quorum

A quorum shall consist of a majority of the committee members present upon calling of the roll at any meeting.

Section III. Special Meetings

Special meetings may be called by the Chairman or by simple majority of the committee. Notice of a special meeting may be served by delivering it to the committee

Board of Zoning Appeals Ordinance

Sec. II. - Administration and enforcement.

- A. *Administrative officer.* The provisions of this ordinance shall be administered and enforced by the Town Building Official who shall be the town administrator or his designated representative who shall additionally:
1. Issue all building permits and make and maintain records thereof.
 2. Issue all certificates of occupancy and make and maintain records thereof.
 3. Maintain and keep current zoning maps, and records of amendments thereto.
 4. Conduct inspections as prescribed by this ordinance, and such other inspections as are necessary to insure compliance with the various provisions of this ordinance generally.
- B. *Farragut Municipal Planning Commission.* The Farragut Municipal Planning Commission, for the purposes of this ordinance shall be referred to as the planning commission. The planning commission shall:
1. Establish such rules of procedure as are necessary to the performance of its functions hereunder.
 2. Study and report on all proposed amendments to this ordinance; further, review annually this ordinance and on the basis of such review, suggest amendments thereto.
- C. *Farragut Board of Zoning Appeals.* The Board of Zoning Appeals shall be hereby appointed by the Board of Mayor and Aldermen and shall include five members. The term of each member shall be of such length and so arranged that the term of one member shall expire each year. The Board of Zoning Appeals shall have the following powers:
1. It shall have the power to hear and decide appeals where it is alleged there is an error in any order, requirements, decision or determination made by an administrative official in carrying out any provision of this or other zoning ordinances enacted by the Board of Mayor and Aldermen of the Town of Farragut.
 2. To hear and decide, in accordance with the provisions of any such ordinance, request for interpretation of the zoning map.
 3. Where there is practical difficulty or unnecessary hardship in carrying out the strict letter of this ordinance, the Board of Zoning Appeals shall have the power in passing upon appeals to authorize such variance from the terms of this ordinance as will not be contrary to the public interest as defined under variances of this section.
 4. To compel attendance of witnesses at hearings and to administer oaths.
 5. To hold at least one scheduled meeting per month and give notice of such meeting as required by law.
6. Voting members serve at the pleasure of the Board of Mayor and Aldermen and are expected to attend scheduled meetings. The term of any voting member shall expire on the third absence from the scheduled meetings during the fiscal year. Voting members may seek reappointment by the Board of Mayor and Aldermen.
- D. *Variances.* The Board of Zoning Appeals shall have the power and authority to grant variances from terms of this ordinance according to the procedure and under the restrictions set out in this section.
- The purpose of the variance is to modify the strict application of the specific requirements of this ordinance in the case of exceptionally irregular, narrow, shallow, or steep lots, or other exceptional physical conditions, whereby such strict application would result in practical difficulty or unnecessary

hardship which would deprive an owner of the reasonable use of his land. The variance shall be used only where necessary to overcome some obstacle which is preventing an owner from using his property as the zoning ordinance intended. Procedure for the consideration for a variance by the board is as follows:

1. *Application.* Prior to the board considering any application for a variance, the applicant shall submit a nonrefundable sum of money in accordance with the schedule of fees available in the office of the town recorder in the Farragut Town Hall.
2. *Public hearing.* Upon receipt of an application, the board shall hold a public hearing, having first given not less than seven days' notice. Such notice of the time and place of such hearing shall be published in a paper of general circulation within the Town of Farragut. The board shall consider and decide all applications for the variances within 30 days of such public hearing and in accordance with the standards provided below.
3. *Standards for variances.* In granting a variance, the board shall ascertain that the following criteria are met:
 - a. Variances shall be granted only where special circumstances or conditions exist (such as exceptional narrowness, topography, or siting) fully described in the findings of the board, do not apply generally in the district.
 - b. Variances shall not be granted to allow a use otherwise excluded from the particular district in which requested.
 - c. For reasons fully set forth in the findings of the board, the aforesaid circumstances or conditions are such that the strict application of the provisions of this ordinance would deprive the applicant of any reasonable use of his land. Mere loss in value shall not justify a variance; there must be a deprivation of beneficial use of land.
 - d. Any variance granted under the provisions of this section shall be the minimum adjustment necessary for the reasonable use of the land.
 - e. The granting of any variance is in harmony with the general purposes and intent of this ordinance and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the comprehensive plan for development.
 - f. If size or shape are to be the grounds for the variance, the property must be a "lot of record" and have totally separate ownership from the adjoining parcels.
4. *Requirements for granting a variance.* Before the board shall have the authority to grant a variance, the person claiming the variance has the burden of showing:
 - a. That the granting of the permit will not be contrary to the public interest.
 - b. That the literal enforcement of the ordinance would deprive the applicant any reasonable use of his land.
 - c. That by granting the permit contrary to the provisions of the ordinance the spirit of the ordinance will be observed.
 - d. That by granting the permit, substantial justice will be done.
5. *Effective date of approval; issuance of permit.*
 - a. Board approval shall become effective 60 days from the date of the board meeting at which approval is granted.
 - b. No building permit shall be issued prior to the date of approval unless upon request by the applicant and at the applicant's own risk.
 - c. The building permit shall be issued subject to all conditions and requirements stipulated by the board.

- E. *Special exceptions.* The following procedure is established to integrate properly the uses permitted as special exceptions with other land uses located in the district. These uses shall be reviewed by the board and authorized or rejected under the following procedure:
1. *Application.* Prior to the board considering any application for a special exception, the applicant shall submit a nonrefundable sum of money in accordance with the schedule of fees available in the office of the town recorder in the Farragut Town Hall.
 2. *Public hearing.* Upon application, the board shall give not less than seven days' notification of a public hearing. Such notice giving time and place of such hearing shall be published in a paper of general circulation within the Town of Farragut.
 3. *General review standards.* In the review of a special exception request, the Board of Zoning Appeals, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including, but not limited to, the Farragut Land Use Plan, Farragut Zoning Ordinance, Farragut 2000 Plan, Farragut Municipal Code, and the following general standards:
 - a. The use is consistent with adopted plans and policies, as set forth above;
 - b. The use is in harmony with the general purpose and intent of the zoning regulations;
 - c. The use is compatible with the character of the neighborhood where it is proposed and with the size and location of buildings in the vicinity;
 - d. The use will not negatively impact adjacent property by noise, lights, fumes, odors, vibration, traffic, congestion or be incompatible with other development in the surrounding area.
 - e. The use is not of a nature or so located as to draw substantial additional traffic through residential streets;
 - f. The specially permitted use meets all town requirements with regard to approval of the hydrology, engineering, building codes, landscaping/buffering, signage, etc.;
 - g. The specially permitted use meets all requirements set out in the particular zoning classification in which the use is to be located; and
 - h. Approval or denial. The Board of Zoning Appeals may approve a development plan, when applicable, or a special exception where it can be shown that the proposed plan or use is in harmony with the general purpose and intent of the zoning ordinance, the Farragut Land Use Plan and such adopted plans as the Farragut 2000 Plan, and is reasonably necessary for the convenience and welfare of the community. The Board of Zoning Appeals may deny a development plan, when applicable, or a special exception where the above cannot be shown or where it can be shown that approval would have an adverse impact on the character of the neighborhood in which the site is located. Whereas a use may be appropriate in one location and inappropriate in another location in the same zoning district, the Board of Zoning Appeals shall be guided by the policies of the Farragut Land Use Plan and such adopted plans as the Farragut 2000 Plan in the exercise of its administrative judgment about the location and appropriateness of special exception uses. The Board of Zoning Appeals shall state conditions of approval or denial, including substantive, factual statements of necessity and appropriateness or of adverse impact, with such information being included in the minutes of the Board of Zoning Appeals meeting where decisions are made.
 4. *Restrictions.* In the exercise of its approval, the board may impose such conditions regarding the location, character, or other features of the proposed use of buildings as it may deem advisable in the furtherance of the general purposes of this ordinance.
 5. *Effective date of approval; issuance of permit.*
 - a. Board approval shall become effective 60 days from the date of the board meeting at which approval is granted.

- b. No building permit shall be issued prior to the date of approval unless upon request by the applicant and at the applicant's own risk.
- c. The building permit shall be issued subject to all conditions and requirements stipulated by the board.
- 6. *Validity of plans.* All plans, conditions, restrictions, and rules made a part of the approval of the board shall constitute certification on the part of the applicant that the proposed use shall conform to such regulations at all times.
- 7. *Time limit and notification.* All applications for special exception shall be decided within 45 days of the date of application, and the applicant shall be provided with a written notice of approval or denial.
- 8. *[Validity of special exception.]* A special exception that has been approved by the board shall become invalid one year after the date of approval unless:
 - a. A certificate of occupancy has been obtained from the town administrator or his designee in compliance with the Town of Farragut building code; or
 - b. A certification has been obtained from the town administrator or his designee that the applicant has satisfactorily completed all of the town requirements that were stipulated as part of the approval of the special exception; or
 - c. An extension of time, not to exceed six months, has been granted by the town administrator.

The town administrator may grant or deny a request by an applicant for an extension of time not to exceed six months in order to complete requirements that were stipulated as a part of the special exception. An application for an extension shall be submitted, by the applicant, in writing to the town administrator, prior to the date of expiration of the special exception. The town administrator may deny a request for an extension of time if he finds that there has not been a diligent effort made by the applicant to meet the requirements that were stipulated when the special exception was approved. In granting a request for an extension of time, the town administrator shall not change the requirements that were stipulated when the special exception was approved.

The town administrator shall, in writing, notify the applicant requesting extension of time of his/her decision to either grant or deny the request and his reasons therefore, within seven days of the receipt of the request for an extension.

A special exception shall become null and void upon:

- (1) The expiration of one year; or
- (2) The denial of a request for an extension of time by the town administrator; or
- (3) The expiration of an extension of additional time, not to exceed six months, granted by the town administrator.

- F. *Building permit.* An application for a building permit shall be obtained from the town administrator or his designee and shall be regulated by the building code of the Town of Farragut.
- G. *Penalties.* It shall be unlawful to erect, construct, reconstruct, alter, maintain or use any building or structure, or to use any land in violation of any regulation in this ordinance. Any person, firm, association, or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or resists the enforcement of any of the provisions of this ordinance shall, upon conviction thereof, be subject to a fine of not more than \$500.00 together with the cost of the action; and every day of violation shall constitute a separate offense. Compliance therewith may also be enforced by injunctive process at the suit of the town or the owner or owners of real estate within the same zoning classification in the town or the owner, owners or occupant of real property that is contiguous to a particular property affected by the regulation of this ordinance.

1. The owner, and/or current party in lawful possession if other than the owner, of any real property located within the Town of Farragut, except as provided for in subsection [G.]2 below, upon which real property is located and displayed vehicles, boats, or other types of equipment for sale, is/are deemed to have permitted such items to be located and displayed for sale on said real property. As a result of allowing such real property to be improperly used, such owner's and/or lawful possessor's of real property are in violation of the Farragut Zoning Ordinance and are subject to citation.
 2. If an owner and/or lawful possessor of real property within the Town of Farragut is cited for violation of the Zoning Ordinance for there being located and displayed for sale upon such real property one or more vehicles, boats, and/or other equipment, the owner or lawful possessor may within two normal working days of having been served with a citation for violation of the Zoning Ordinance relating to the presence and display for sale of one or more vehicles, boats, and/or other equipment on said property, execute and deliver to the Office of Codes Administration and Enforcement, Town of Farragut, a statement in form and substance satisfactory to the Farragut Town Administrator or his designee stating:
 - a. That said owner and/or lawful possessor did not grant permission or otherwise authorize the display of the subject vehicle, boat, and/or other equipment upon the owner's and/or lawful possessor's property; and
 - b. That the owner and/or lawful possessor grants to the Town of Farragut and its designated officers, agents, employees, or independent contractors authority to come upon the subject property of said owner and/or lawful possessor and tow away or otherwise remove the subject vehicle boat and/or other equipment in violation from the subject property; and
 - c. That such authorization to remove such offending vehicles, boats, and other equipment shall remain in full force and effect until revoked by written notice executed by the owner and/or lawful possessor and delivered to the office of codes administration and enforcement, Town of Farragut. Any person claiming any vehicle, boat, and/or other equipment so removed from private property by the Town of Farragut pursuant to such authorization from the owner or lawful possessor shall be responsible for all towing and storage charges.
- H. *Validity.* No validity or invalidity of any part of this ordinance shall affect the validity of any remaining part, it being declared that all such remaining parts would have been passed irrespective of the validity or invalidity of any part found to be invalid.
- I. *Amendment.* The Board of Mayor and Aldermen, the planning commission, any citizen of Farragut or any person who owns property in Farragut may present an application to the Farragut Municipal Planning Commission requesting an amendment or amendments to this ordinance.
1. *Application.* An application shall be filed with the Board of Mayor and Aldermen for review. Before any action is taken upon an application for an amendment as provided for under said heading, the applicant shall deposit with the Town of Farragut a nonrefundable sum of money in accordance with the schedule of fees available along with application forms in the office of the town recorder in the Farragut Town Hall.
 2. *Restrictions.* After the Board of Mayor and Aldermen has taken final action upon an application for an amendment to this ordinance, a petition requesting the same or a similar amendment shall not be accepted for a period of one year from the date of such final action. This provision in no way restricts the right of the planning commission or the Board of Mayor and Aldermen to initiate an amendment to this ordinance.
 3. *Planning commission certification.* No amendment shall be enacted by the Board of Mayor and Aldermen unless such amendment is first submitted to the planning commission for certification.
 - a. If approval is recommended by the planning commission, the amendment may be approved by a majority of a quorum of the Board of Mayor and Aldermen.

- b. If disapproval is recommended by the planning commission, the amendment may be approved by the favorable vote of a majority of the entire membership of the Board of Mayor and Aldermen.
- 4. *Public hearing.* A public hearing shall be conducted by the Board of Mayor and Aldermen before adoption of any proposed amendment, at least 15 days' notice of the time and place of which shall be published in a newspaper of general circulation in the community.
- J. *Farragut Historic Zoning Commission.* The Farragut Historic Zoning Commission shall be hereby appointed by the Board of Mayor and Aldermen and shall consist of five persons appointed from the following backgrounds: a historian or representative of a Farragut patriotic or historical organization; an architect, if available; a planning commissioner; and representatives of the general community. For purposes of this ordinance, the representative of a Farragut patriotic or historical organization can be a member of the Farragut Folklife Museum Committee. Appointments shall be made with the terms of members to be five years. Members appointed initially shall be appointed for staggered terms so that the term of one member expires each year. The term of the appointed representative of the Planning Commission shall run concurrently with said person's remaining term on that body. At the time of expiration of a planning commissioner's term, another person, who is a member of the Planning Commission at the time of his/her appointment, shall be appointed to fulfill the remainder of that term. All members shall serve without compensation. The Farragut Historic Zoning Commission may adopt rules and regulations consistent with the state law.

The Historic Zoning Commission shall have the following powers:

- 1. To develop by-laws and guidelines for conducting business;
- 2. To review proposals for historic zones, alterations, demolitions and new construction; and,
- 3. To survey and identify the historic properties within the Town of Farragut.
 - a. *Creation of historic overlay zone:* Upon application submitted to the town administrator of the Town of Farragut, the historic zoning commission shall review requests made by individuals, organizations or other governmental bodies, including themselves, and shall submit a written recommendation regarding the creation of a historic overlay zone in accordance with the criteria for selection contained in this zoning ordinance, to the Farragut Municipal Planning Commission, who shall forward the written recommendation of both the historic zoning commission and planning commission, and the implications of historic overlay designation on future planning decisions, to the Farragut Board of Mayor and Aldermen.

The Farragut Board of Mayor and Aldermen may initiate applications for historic overlay zone designation and make a final determination of designation after reviewing the recommendations of the historic zoning commission and the planning commission.

- b. *Notice of public hearings:* Prior to making a recommendation as to the establishment of a historic overlay zone, the historic zoning commission shall hold a public hearing and shall adopt a set of design review guidelines which shall guide any granting or denial of Certificates of Appropriateness within the zone so established. Such design review guidelines shall be consistent with the purposes enumerated in this ordinance and with the regulations and standards adopted by the U.S. Secretary of the Interior, pursuant to the National Historic Preservation Act of 1966, as amended, applicable to the construction, alteration, rehabilitation, relocation or demolition of any building, structure or other improvement. Opportunity for public comment shall be required before the adoption of any such design review guidelines. The design review guidelines shall be made a part of the recommendations forwarded by the Historic Zoning Commission to the Planning Commission and Board of Mayor and Aldermen for adoption. Notice of the public hearing shall appear in a local news publication. Recommendations made by the Historic Zoning Commission shall be forwarded to the

planning commission and Board of Mayor and Aldermen within 45 days of said public hearing.

- c. *Applications for building permits and issuance of certificates of appropriateness.* All applications for permits to allow construction, alteration, repair, rehabilitation, relocation or demolition of any building, structure, object or other improvement to real estate located within a Historic Overlay Zone shall be referred to the Historic Zoning Commission. No building permit for a new building or improvements within a Historic Overlay Zone shall be issued without being thoroughly reviewed by the Historic Zoning Commission and without a recorded certificate of appropriateness being issued by the commission.
- d. *Issuance or denial of Certificates of Appropriateness.* A Certificate of Appropriateness, with or without attached conditions, in writing, or the denial of a Certificate of Appropriateness, with reasons for such denial in writing, must be issued within 30 days following the availability of sufficient data. In the review of any work to be undertaken in a historic overlay zone, the Historic Zoning Commission shall apply the applicable review guidelines, with primary consideration to:
 - (1) Historical or architectural value of the present structure;
 - (2) The relationship of the exterior architectural features of such structure to the rest of the structures, to the surrounding area, and to the character of the district;
 - (3) The general compatibility of exterior design, arrangement, texture, and materials proposed to be used; and
 - (4) Any other factor, including aesthetic, which is justified by the historic character of the proposed zone or is reasonably related to the purpose of this ordinance.
- e. *Appeal of decisions of Farragut Historic Zoning Commission regarding decisions on issuance of Certificates of Appropriateness.* Anyone aggrieved by a final order or judgment of the Historic Zoning Commission may appeal such decision by taking the issue to a court of competent jurisdiction, as provided for by law.

(Ord. No. 86-16, 4-1986; Ord. of 2-2006)



Farragut Museum Committee Charter

The Farragut Museum Committee is to advise and assist the Town of Farragut, its citizens and its staff in preserving the heritage of our East Tennessee Community. The committee fosters an appreciation of history through the acquisition, collection, preservation, display and interpretation of objects of historic and cultural significance.

The committee shall:

- recommend annual and long-range Town goals to promote appreciation and understanding of the history of the Farragut area to citizens of the Town of Farragut;
- plan special historical programs for all citizens, especially children, seniors and special-needs citizens;
- assist staff as requested in the planning and presentation of changing exhibits;
- promote the Museum through traveling exhibits and lectures;
- raise funds, as needed, for the Museum through donations, memorials, honorariums and membership and acknowledge these through letters, special programs and publications.
- propose reasonable Town funding to initiate and/or maintain programs that will contribute to achieving the Town's cultural goals;
- assist in identifying grant opportunities and preparing grant proposals to help fund the Town's preservation and cultural programs and facilities.

Under the guidance of the Farragut Museum Committee, activities such as lectures, concerts, exhibitions, educational programs and seminars could be presented for the benefit of citizens of the Farragut community. Many such events can be self-supporting or profitable to the Town.

The committee will consist of eleven (11) voting members, appointed by the Farragut Board of Mayor and Aldermen, and shall abide by the by-laws approved by the Farragut Board of Mayor and Aldermen. Additionally, the committee may appoint non-voting youth members to serve as outlined in the adopted by-laws.

The voting members of the committee shall be appointed for a term of two (2) years. Voting members shall be limited to four (4) terms on this committee. Years of service served prior to July 1, 2019 shall not count in determining years of service.

The committee should hold meetings as needed during each fiscal year. The committee is requested to provide copies of their minutes to the Board. By the end of June each year, the committee is to provide the Farragut Board of Mayor and Aldermen with an annual report on the status of their goals and objectives. Voting members serve at the pleasure of the Board of Mayor and Aldermen and are expected to attend scheduled meetings. The term of any voting member shall expire on the third absence from the scheduled meetings during the fiscal year. Voting members may seek reappointment by the Board of Mayor and Aldermen.

The Town staff will support the committee by providing information, helping facilitate programs and cultural events, and assisting in the preparation of grant applications and reports.

It is specifically noted that the Town has a council or committee that is responsible for each of these areas: arts, beautification and parks and athletics. It is expected that, where appropriate, the Farragut Museum Committee and these committees will be mutually supportive.

This charter was approved by the Farragut Board of Mayor and Aldermen.

Amended Date: August 13, 2020, July 8, 2021

Ron Williams, Mayor



FARRAGUT TOURISM/VISITOR ADVISORY COMMITTEE CHARTER (TVAC)

ARTICLE I: NAME

The name of this body shall be the **Farragut Tourism/Visitor Advisory Committee** (hereafter called the “committee”).

ARTICLE II: PURPOSE

The purpose of the committee is to advise and assist the Town of Farragut, its elected officials, citizens and staff, and serve as an advocate in the Town’s decision-making process for promoting the tourism initiative known as Visit Farragut. Committee members will act as ambassadors for the Town and work to identify tourism opportunities which will have a positive economic impact in our community.

ARTICLE III: COMMITTEE

Section I. Number, Terms, Qualifications

The committee shall consist of eleven (11) voting members; seven (7) of these voting members shall be composed of the following:

At least one (1) member shall be a representative of the Farragut Board of Alderman appointed annually on or around July 01 by the Board of Mayor and Aldermen; at least two (2) members shall be a representative of a Farragut lodging business; at least two (2) members shall be a representative of a Farragut attraction; at least one (1) member shall be representatives of a Farragut dining establishment; at least one (1) shall be representatives of a Farragut sales-tax producing retail establishment. The remaining four (4) at-large voting members will be representatives of our diverse community. Two-thirds (2/3) of the committee shall be Farragut residents and/or registered Farragut business owners with the remaining one-third (1/3) of the members representing community stakeholders from the East Tennessee region. The Committee shall have non-voting youth members that will be selected and appointed by the majority of the committee.

- Tourism Manager shall serve as an ex-officio member of this committee and be responsible for providing Town staff support to the committee as she/he deems appropriate.
- The members of the committee shall be appointed for a term of two (2) years. Committee members shall be limited to two (2) terms on this committee. Terms shall be staggered.
- The non-voting youth member's term may be for one school-year term or less depending on the youth member's availability. The non-voting youth members may be removed from the committee at any time by majority vote of the committee.

Section II. Appointment

- Except for the Tourism Manager and the non-voting youth members, all members of the committee shall be appointed by majority vote of the Board of Mayor and Aldermen.

Section III. Committee Responsibilities:

- a) Be subordinate to the Board of Mayor and Aldermen.
- b) Annually establish committee goals and objectives and make funding recommendations to the Board of Mayor and Aldermen, through the Town Administrator, for inclusion into the annual budget.
- c) Provide a written annual report to the Board of Mayor and Aldermen at the end of the fiscal year.
- d) Assist in identifying grant opportunities and preparing grant proposals to help fund the Town's tourism objectives.
- e) Assist in the conceptualization, development and prioritization of economic development projects specific to tourism.

Section IV. Attendance at Meetings

Committee members serve at the pleasure of the Board of Mayor and Aldermen. The term of any member shall expire on the third absence from committee meetings during the fiscal year. Members may seek reappointment by the Board of Mayor and Aldermen.

Section V. Disclosure of Interests

A committee member who has any interest in any matter before the committee, shall disclose said interest in accordance with the adopted Town Ethics Ordinance. The chairman shall make the determination on whether that member shall have a vote in said matter.

ARTICLE IV. OFFICERS

Section I. Officers

The officers of the committee shall be a chairman, vice-chairman, and secretary.

Section II. Nomination and Election of Officers

Any member may nominate any other member of the committee (other than the Board of Mayor and Aldermen committee member and Tourism Manager) to serve as an officer of the committee. Officers of the committee shall be elected by majority vote of the committee. Officers shall be elected upon inception of the committee (at the 1st official meeting).

Section III. Terms of Officers

Officers of the committee shall be for a term of one year commencing after election. These positions shall be elected by a majority vote of the committee. These positions can be renewed for one additional year (two-year maximum) if elected by a majority of the committee but cannot serve more than two consecutive years in the same position.

Section IV. Vacancies

A vacancy in an officer position due to resignation, removal, or otherwise may be filled by majority vote of the committee for the unexpired portion of the term.

Section V. Chairman

The chairman shall prepare agendas in collaboration with the Tourism Manager or his/her designee, preside at all meetings of the committee in accordance with Roberts Rules of Order, call special meetings of the committee, have the authority to cancel called meetings of the committee, provide the annual goals and year-end report to the Board of Mayor and Aldermen, and appoint a subcommittee of the committee as needed.

Section VI. Vice Chairman

In the absence of the chairman, the vice chairman shall perform the duties of the chairman.

Section VII. Secretary

The Secretary shall record and maintain accurate records and minutes of the proceedings of the committee.

ARTICLE V. MEETINGS

Section I. Regular Meetings

The committee may meet six (6) times a year at Town Hall with the time and date to be determined by the committee. The committee will determine and publish the upcoming year's schedule at the first official meeting of the fiscal year.

Section II. Quorum

A quorum shall consist of a majority of the committee members upon calling of the roll at any meeting.

Section III. Special Meetings

Special meetings may be called by the Chairman or by simple majority of the committee. Notice of a special meeting may be served by delivering it to the committee



Farragut Parks and Athletics Council Charter

The Farragut Parks and Athletics Council is to advise and assist the Town of Farragut, its citizens and its staff in park and athletic activities. The council will serve as an advocate for park and athletic issues in the Town's decision-making process and provide guidance and support in implementing actions that promote parks, athletics and recreational activities for citizens of the Farragut community.

The Town of Farragut has a goal to encourage healthy physical activity for residents of all ages by identifying, providing, utilizing and expanding quality recreational facilities. These facilities should provide a backdrop for activities that provide rich and diverse recreational opportunities for the citizens of the Farragut community that enhance the quality of life in the Town of Farragut. The Farragut Parks and Athletics Council shall support the Farragut Board of Mayor and Aldermen, the Town staff and the citizens of Farragut in achieving these goals.

The council shall:

- promote the Town of Farragut parks and recreation and encourage citizen participation;
- review and/or recommend policies and procedures that encompass recreational activities, athletics and facilities;
- review policies and make recommendations regarding fees, services, charges and fines related to program activities, facilities and equipment provided by the Town;
- review and approve the utilization of facilities including field use;
- make recommendations regarding acquisition, sale, design, improvement, maintenance, operations and scheduling of facilities/equipment provided by the Town;
- contribute to continuous feedback and make recommendations to both the Parks and Recreation Department and the Town of Farragut;

The council will consist of ten at large voting members and one voting member from the Board of Mayor and Aldermen appointed by the Board of Mayor and Aldermen. Additionally, the committee may appoint one (1) non-voting youth member to serve as outlined in the adopted by-laws. All council members shall abide by the by-laws as approved by the Farragut Board of Mayor and Aldermen.

The voting members of the committee shall be appointed for a term of two (2) years. Voting members shall be limited to two (2) terms on this committee. Years of service served prior to July 1, 2019 shall not count in determining years of service.

Meetings of the council will be held monthly. The council is requested to provide copies of their minutes to the Board. By the end of June each year, the committee is to provide the Farragut Board of Mayor and Aldermen with an annual report on the status of their goals and objectives.

Voting members serve at the pleasure of the Board of Mayor and Aldermen and are expected to attend scheduled meetings. The term of any voting member shall expire on the third absence from the scheduled meetings during the fiscal year. Voting members may seek reappointment by the Board of Mayor and Aldermen.

The Town staff will support the council by providing background and research and attending meetings.

It is specifically noted that the Town has a council or committee that is responsible for each of these areas: arts, beautification and heritage. It is expected that, where appropriate, the Farragut Parks and Athletics Council and these committees will be mutually supportive.

This charter was approved by the Farragut Board of Mayor and Aldermen.



Stormwater Advisory Committee (SAC)

Charter

Background

The Town of Farragut (Town), along with all other cities in the United States with populations in the 10,000-100,000 range, is required by the U.S. Environmental Protection Agency to participate in Phase II of the National Pollutant Discharge Elimination System (NPDES) Stormwater Permit Program. In Tennessee the Phase II NPDES program is administered by the Tennessee Department of Environment and Conservation (TDEC).

The first requirement of the program was that participating municipalities submit a Notice of Intent (NOI) to comply with the provisions of a state-written general permit. That NOI, submitted to TDEC in March 2003, included a plan of action by the Town to develop and implement an ongoing program of storm water management directed at the protection and improvement of water quality of the local water resources. The program is structured to address six specific measures:

1. Public education and outreach on storm water impacts;
2. Public involvement and participation;
3. Illegal discharge detection and elimination, including outfall and storm sewer system mapping;
4. Construction site storm water runoff control;
5. Post-construction storm water management in new development and redevelopment, including the development of best management practices (BMP's) that will be used to maintain high water quality in surface runoff; and
6. Pollution prevention for municipal activities and operations, such as vehicle washing and grounds maintenance.

The Farragut Board of Mayor and Aldermen (FBMA) and Town staff believe that the implementation of the stormwater management program outlined in the NOI is best facilitated by participation of various key stakeholders. Accordingly, a Stormwater Advisory Committee (SAC) is herewith chartered by the FBMA to provide oversight for the program in cooperation with the public, Town staff, and FBMA.

Mission

The Stormwater Advisory Committee will serve as a mechanism to provide oversight in an advisory capacity of the stormwater management program as outlined in the Town's NOI. The SAC will process information, requests, and recommendations from the public and Town staff, and advise the FBMA, the Farragut Municipal Planning Commission, and staff. Furthermore, the

SAC will perform other activities as specified for SAC action in the Farragut Municipal Code, Subdivision Regulations, and other town ordinances.

Membership

The Stormwater Advisory Committee shall consist of seven (7) voting members appointed by the FBMA, and, if available for appointment, one (1) non-voting youth-member appointed by the majority vote of the committee. Voting members shall be composed of at least one (1) member that is a specialist in hydrology/water quality or aquatic ecology/water quality, at least one (1) member that is a civil or environmental engineer (preferably with a P.E. certification), at least one (1) member that is a practicing landscape architect, nursery professional, horticulturalist, or forester, one (1) member that is a member of the Farragut Municipal Planning Commission, and the remaining members from the public at large. (If applications for voting membership to the committee do not include these specific specialists, other individuals may be appointed at the discretion of the FBMA, preferably individuals with interest, knowledge, and expertise in stormwater management, environmental issues, or science.)

Voting members are appointed to a two-year term and may be re-appointed. Terms shall be staggered. In case of resignation, death, or removal from office, another appointment shall be made to finish out the unexpired term of office of the former member. Members of the committee may be removed for cause by the Board of Mayor and Aldermen at any time. The non-voting youth member's term may be for one fiscal year or less depending on the youth member's availability. The non-voting youth member may be removed from the committee at any time by majority vote of the committee.

Voting members serve at the pleasure of the Board of Mayor and Aldermen and are expected to attend scheduled meetings. The term of any voting member shall expire on the third absence from the scheduled meetings during the fiscal year. Voting members may seek reappointment by the Board of Mayor and Aldermen.

The SAC will determine meeting protocol, elect a chair, vice chair and a secretary, and maintain meeting minutes. Meetings of the committee will be public meetings consistent with Town practices and Tennessee Law. The public will be invited to provide input as the stormwater management program evolves. The Town Engineer and the Town Community Development Director will participate in the SAC meetings as advisors.

The SAC shall provide the FBMA a written report at the Board's first meeting in May of each year or as soon thereafter as possible. The report shall: (1) summarize activities of the committee during the preceding twelve months, (2) describe the Town's program in addressing the six specific measures (see above), (3) evaluate the effectiveness of the SAC in addressing its mission (see above), (4) recommend further actions regarding the Town's NOI, and (5) recommend an action plan for the SAC for the next fiscal year for approval of the Board.

This charter was approved by the Farragut Board of Mayor and Aldermen on April 26, 2018.



Visual Resources Review Board (VRRB)

Charter

The Farragut Visual Resources Review Board is to advise and assist the Town of Farragut (Town), its citizens, and its staff in promoting the beauty and attractiveness of the community. The Board will serve as an advocate for aesthetic-related goals in the Town's decision-making process and will provide guidance and support in implementing actions that promote the beautification of the Farragut community.

The Board shall:

Make recommendations regarding signs, landscape plans, and proposed ordinance modifications which would relate to community beautification;

Recommend annual and long-range Town goals which promote the beautification of the community;

Consult with staff and the community on issues related to community beautification; and

Recommend measures which would encourage a greater commitment to and appreciation of the Town's interest in high quality, aesthetically pleasing developments.

The Board will consist of six (6) at large voting members and one (1) voting member from the Farragut Board of Mayor and Aldermen. All members will be appointed by the Board of Mayor and Aldermen and are appointed to a two-year term and may be re-appointed. The voting membership will be comprised of three officers: the chairman, vice-chairman, and secretary. Election of officers will be conducted at the annual meeting in August. Additionally, the Visual Resources Review Board may appoint one (1) non-voting youth member by majority vote of its voting membership. The non-voting youth member's term may be for one calendar year or less depending on the youth member's availability. The non-voting youth member may be removed from the Visual Resources Review Board at any time by majority vote of its voting membership.

Meetings of the Board will be held monthly and minutes are to be provided to the Farragut Board of Mayor and Aldermen. At least four (4) voting members of the VRRB shall constitute a quorum.

Voting members serve at the pleasure of the Board of Mayor and Aldermen and are expected to attend scheduled meetings. The term of any voting member shall expire on the third absence from the scheduled meetings during the fiscal year. Voting members may seek reappointment by the Board of Mayor and Aldermen.

The Town staff will support the Board by providing information, attending meetings, and helping facilitate Board-sponsored objectives.

This charter was approved by the Farragut Board of Mayor and Aldermen on June 25, 2020.

Ron Williams
Mayor

Allison Myers
Town Recorder

Approved May 27, 1999, revised July 8, 2010, revised December 10, 2015, revised January 24, 2019, revised July 25, 2019, June 25, 2020

BMA MEETING MINUTES

May 25, 2023

WORKSHOP

5:30 PM

Purchasing Guidelines Review

David Smoak, Town Administrator, presented a state law change that authorizes the Town competitive bid threshold to increase to \$25,000 from \$10,000.

BMA Meeting

Roll Call

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

Approval of Agenda

A motion was made to approve the agenda as presented. Moved by Vice-Mayor Povlin, seconded by Alderman Meyer; voting yes; Mayor Williams, Vice-Mayor Povlin, Alderman Burnette, Meyer and White; no nays; motion passed.

Approval of Minutes

Motion was made to approve the minutes of May 11, 2023, as presented. Moved by Vice-Mayor Povlin, seconded by Alderman Meyer; voting yes; Mayor Williams, Vice-Mayor Povlin, Alderman Burnette, Meyer and White; no nays; motion passed.

Mayor's Report

Mayor Williams thanked the staff for a very successful Bob Watt Fishing Rodeo. Vice-Mayor Povlin congratulated the Class of 2023.

Ordinances

First Reading

Ordinance 23-05, an ordinance to amend the Farragut Zoning Map for 630 Everett Road, 2.3 Acres, from R-2, General Single-Family Residential, to R-1, Rural Single-Family Residential (Michael Reina, Applicant)

Motion was made to approve Ordinance 23-05 on first reading. Moved by Vice-Mayor Povlin, seconded by Alderman Meyer; roll call vote, Alderman Burnette, yes; Alderman Meyer, yes; Vice-Mayor Povlin, yes; Alderman White, yes; Mayor Williams, yes; motion passed.

Ordinance 23-07, Ordinance of The Town of Farragut, Tennessee Adopting the Annual Budget for the Fiscal Year Beginning July 1, 2023, and Ending June 30, 2024

Motion was made to approve Ordinance 23-05 on first reading. Moved by Vice-Mayor Povlin, seconded by Alderman Meyer; roll call vote, Alderman Burnette, yes; Alderman Meyer, yes; Vice-Mayor Povlin, yes; Alderman White, yes; Mayor Williams, yes; motion passed.

Business Items

Approval of Professional Services Agreement with Tunnell-Spangler & Associates (TSW) for professional services for the Mixed-Use Town Center Visioning Plan and Updates to the Comprehensive Land Use Plan (CLUP)

Motion was made to approve the professional services agreement with Tunnell-Spangler & Associates in the amount of \$103,000. Moved by Vice-Mayor Povlin, seconded by Alderman Meyer; roll call vote, Alderman Burnette, yes; Alderman Meyer, yes; Vice-Mayor Povlin, yes; Alderman White, no; Mayor Williams, yes; motion passed.

Approval of Contract with Averro Advisors to develop SharePoint collaboration infrastructure.

Motion was made to approve the contract with Averro Advisors for SharePoint collaboration infrastructure in the amount of \$11,608.96. Moved by Alderman White, seconded by Alderman Meyer; voting yes, Mayor Williams, Vice-Mayor Povlin, Aldermen Burnette, Meyer and White; no nays; motion passed.

Approval of Bids for Contract 2023-11, Mayor Bob Leonard Park West Baseball Infield Soil Mix

Motion was made to approve the Contract 2023-11 with American Sports Field in the amount of \$40,500. Moved by Alderman Meyer, seconded by Alderman White; voting yes, Mayor Williams, Vice-Mayor Povlin, Aldermen Burnette, Meyer and White; no nays; motion passed.

Approval of Change to McFee Park Court Lighting Regulations

Motion was made to approve the McFee Park Court Lighting Regulations. Moved by Alderman Burnette, seconded by Vice-Mayor Povlin. The following citizens spoke against the regulation change:

David Zena, 12646 Brass Lantern Lane

Marc Patti, 12663 Brass Lantern Lane

Susan Gartenberg, 12662 Brass Lantern Lane

George Ellis, 12650 Brass Lantern Lane

After much discussion a roll call vote was taken; Alderman Burnette, no; Alderman Meyer, no; Vice-Mayor Povlin, no; Alderman White, no; Mayor Williams, no; motion failed.

Approval of Resolution R-2023-06, FY2024 Fee Schedule

Motion was made to approve Resolution R-2023-06. Moved by Vice-Mayor Povlin, seconded by Alderman Meyer; voting yes, Mayor Williams, Vice-Mayor Povlin, Aldermen Burnette, Meyer and White; no nays; motion passed.

Town Administrator's Report

David Smoak, Town Administrator, announced that the Public Works crew is celebrating Public Works Week and that Town Hall and Community Center will be closed Monday, May 29.

The meeting adjourned at 7:40 PM.

Ron Williams, Mayor

Allison Myers, Town Recorder

REPORT TO THE BOARD OF MAYOR AND ALDERMEN**PREPARED BY:** Mark Shipley, Community Development Director**SUBJECT:** Ordinance 23-05, an ordinance on second reading to amend the Farragut Zoning Map for 630 Everett Road, 2.3 Acres, from R-2, General Single-Family Residential, to R-1, Rural Single-Family Residential (Michael Reina, Applicant)

INTRODUCTION AND BACKGROUND: During discussion with the Planning Commission, staff noted that this involves a rezoning request for a parcel that predates the Town. The parcel is surrounded by Berkeley Park, the Battery at Berkeley Park, and Hickory Woods and is accessed from a long driveway that extends to Everett Road. When the Battery at Berkeley Park was platted, a portion of this driveway was paved and platted as a joint access and walking trail easement. The rezoning request would not affect this and is being submitted so that the property owner may have chickens on their property.

DISCUSSION: The property's current zoning of General Single Family Residential (R-2) does not permit agricultural uses (unless the property is more than five acres and then only agricultural crops are permitted – no farm animals). The R-2 District is intended for subdivision developments with lots generally smaller than one-half acre. As staff noted to the Planning Commission, the requested Rural Single-Family Residential (R-1) District is more suited to the size of the applicant's property and does permit farm animals and other agricultural uses on lots larger than one acre. The applicant's property is 2.3 acres.

The property in question is not part of a subdivision and, due to its access, cannot be further subdivided. The Future Land Use Map (FLUM) shows this property and much of the surrounding properties as Very Low Density Residential. Such a designation is consistent with the R-1 Zoning District.

RECOMMENDATION: At the April 20, 2023, Planning Commission meeting, Community Development Director, Mark Shipley, recommended approval of the rezoning request due to the size of the parcel and consistency with the FLUM. The Planning Commission then unanimously recommended approval of Ordinance 23-05. At the May 25, 2023, Board of Mayor and Aldermen meeting, Ordinance 23-05 was unanimously approved on first reading. There have been no changes to Ordinance 23-05 since the first reading and Community Development Director, Mark Shipley, recommends approval of Ordinance 23-05 on second reading.

PROPOSED MOTION: To approve Ordinance 23-05 on second reading.

BOARD ACTION:

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	_____	_____	_____	_____	_____

RESOLUTION PC-23-06

FARRAGUT MUNICIPAL PLANNING COMMISSION

A RESOLUTION TO APPROVE AN AMENDMENT TO THE FARRAGUT ZONING MAP, ORDINANCE 86-16, TO RECOMMEND THE APPROVAL OF THE REZONING OF PARCEL 02802, TAX MAP 142, 630 EVERETT ROAD, FROM GENERAL SINGLE-FAMILY RESIDENTIAL (R-2) TO RURAL SINGLE-FAMILY RESIDENTIAL (R-1)

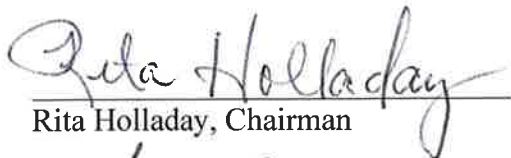
WHEREAS, the Tennessee Code Annotated, Section 13-4-201et seq, provides that the Municipal Planning Commission shall make and adopt a general plan for the physical development of the municipality; and

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

WHEREAS, a public hearing was held on this request on April 20, 2023;

NOW, THEREFORE, BE IT RESOLVED that the Farragut Municipal Planning Commission hereby recommends approval of Ordinance 23-05 to the Farragut Board of Mayor and Aldermen, an ordinance amending the Farragut Zoning Ordinance and Map, Ordinance 86-16, by rezoning the above noted property.

ADOPTED this 20th day of April 2023.


Rita Holladay, Chairman


Scott Russ, Secretary

ORDINANCE: 23-05
PREPARED BY: Shipley
REQUESTED BY: Michael Reina
CERTIFIED BY FMPC: April 20, 2023
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 Parcel 02802, Tax Map 142, 630 Everett Road, from General Single-Family Residential (R-2) to Rural Single-Family Residential (R-1) (See Exhibit A).

SECTION 2.

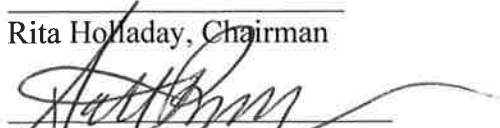
This ordinance shall take effect from and after its final passage and publication, the public welfare requiring it.

Ron Williams, Mayor

Allison Myers, Town Recorder

Certified to the Farragut Board of Mayor and Aldermen this ____ day of _____, 2023, with approval recommended by the Farragut Municipal Planning Commission (FMPC).

Rita Holladay, Chairman



Scott Russ, Secretary



Exhibit A Ordinance 23-05

Rezone of 630 Everett Road
Parcel 02802, Tax Map 142

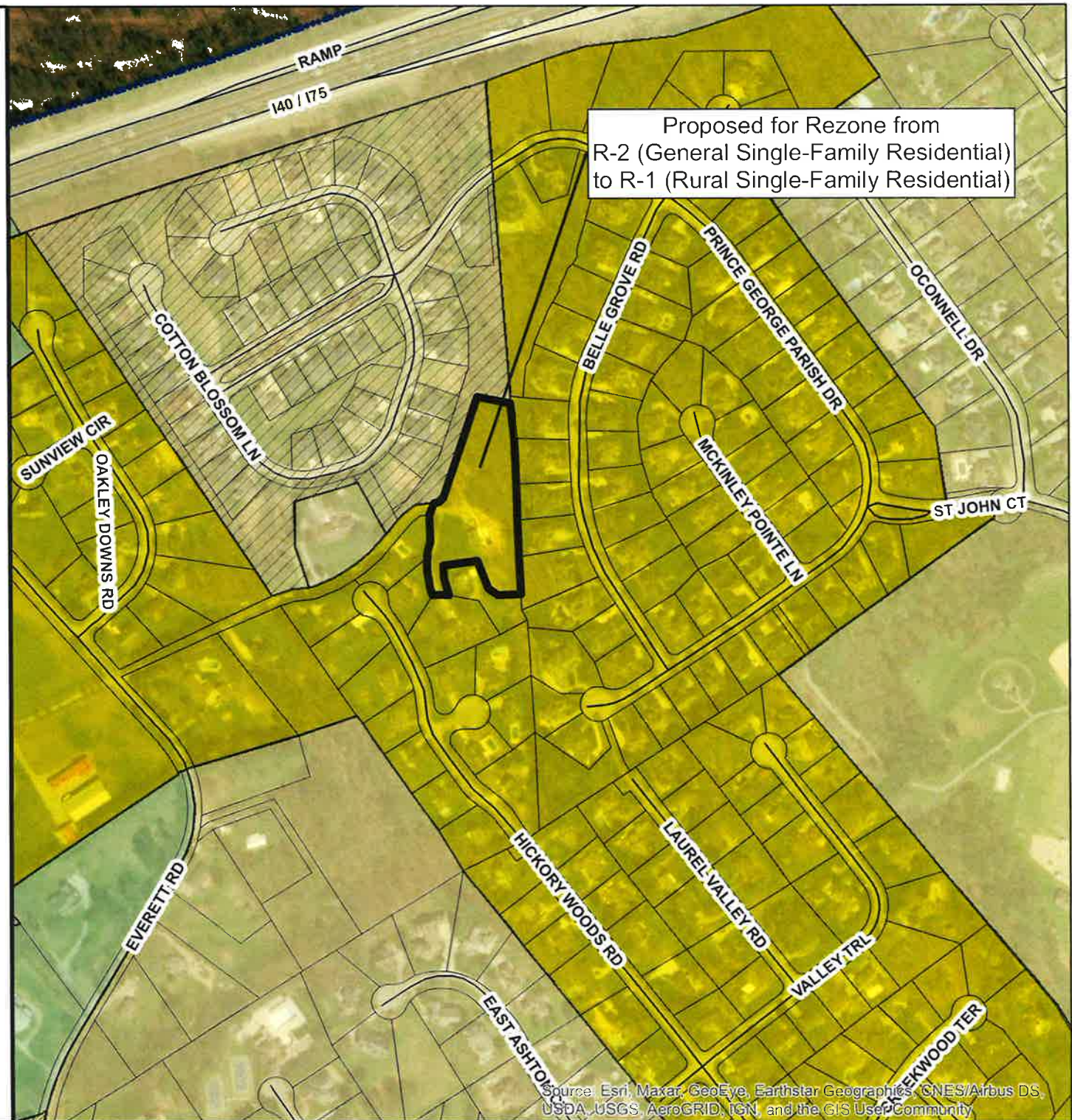
R-2 (General Single-Family Residential)
to R-1 (Rural Single-Family Residential)

Legend

- Streets
- Parcels
- Subject Area
- A, Agricultural
- R-1, Rural Single-Family Residential
- R-2, General Single-Family Residential
- R-1/OSR, Open Space Residential Overlay



1 in = 400 ft



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS,
USDA, USGS, AeroGRID, IGN, and the GIS User Community

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: David Smoak, Town Administrator



SUBJECT: Ordinance 23-07, on second reading and public hearing, to adopt the annual General Fund, State Street Aid Fund, Capital Investment Fund, Tourism Fund, ARPA Fund, Equipment Replacement Fund, ADA Fund and Insurance Fund budgets of the Town of Farragut, Tennessee for the fiscal year beginning July 1, 2023 and ending June 30, 2024

INTRODUCTION: The purpose of this agenda item is to approve Ordinance 23-07, on second reading, adopting the annual budget for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

BACKGROUND: The annual budget for the Town of Farragut must be approved prior to July 1, which is the start of the fiscal year for our community. The budget is also required to be balanced and remitted to the State of Tennessee Comptroller for review once it has been approved by the Board of Mayor and Aldermen (BMA). Planning for the upcoming FY2024 budget started in January 2023, with departments turning in their budget requests. The BMA had a series of workshops starting in March to review revenue and expenditures projections, set priorities for capital expenditures and review operational needs in each department.

DISCUSSION:

GENERAL FUND

The proposed year end FY2023 General Fund revenues are estimated at \$15,487,340, with expenditures of \$9,425,145. This year end estimate accounts for a 9.2% increase in sales tax revenue from the FY23 budget, as well as additional revenue increases in the state sales tax, wholesale liquor taxes, building permits and interest earnings. The proposed FY2024 General Fund revenues are \$15,502,240, which is a slight increase from estimated FY2023. Sales tax revenue is estimated to increase 6.25% from FY23 estimated at \$9,350,000. This revenue source accounts for 60.3% of the Town's total general fund revenue. A second major revenue source is State Sales Tax. This tax is distributed from the State of Tennessee to local governments and is based on the Farragut population base, which is currently 23,506 according to the 2020 Census. Total FY24 proposed revenue in State Sales Tax is \$2,750,000.

General Fund Expenditures for FY2024 are proposed at \$10,379,296, which is a 10.0% increase over the FY2023 end of year estimate. Expenditures increased \$5,000 from first reading of the budget to include additional monies needed to conduct the comprehensive land use plan update. Costs of goods and services has remained high as inflation rates remain elevated over historical trends at 5.0% over the past 12 months. For FY24, current employees will be eligible for a 5% Cost of Living Adjustment and a 3% merit package for a total cost of \$391,357. In addition, the budget includes 4% in additional expenses for employee health insurance.

This year the Town of Farragut will be adding one new position, which is a Staff Accountant for the Finance division to assist in coordinating the Town's financial records and perform budget analyses. The total cost of this new position is \$98,337. There is also a proposed organizational structure change in the Public Works department that would allow highly skilled and experienced Maintenance Technicians to move one grade

higher based on a specific skill set and years of experience. The cost to implement this program change is \$17,000.

The overall General Fund budget projects \$5.12 million in revenues over expenditures for FY24. The budget funds the rainy-day fund at a total of \$3.113 million, with an assigned fund balance of \$6,000,000 and an available fund balance at the end of the FY24 budget year to be \$15.25 million.

STATE STREET AID FUND

The State Street Aid Fund has projected revenues of \$868,000 and estimated expenditures of \$1,535,000. There is a proposed transfer from the General Fund to the State Street Aid Fund of \$500,000. This fund is primarily used to resurface streets in the Town of Farragut. With energy prices remaining high over the past year, the number of lane miles the town is able to repave will require additional funding to keep pace with our historical average. At the end of the FY24 budget year there will be an estimated \$1,936,354 in fund balance.

TOURISM FUND

The Tourism Fund is a special revenue fund where the primary source of funding comes from the 3% occupancy tax on hotel night stays by visitors to the local Farragut hotels. Revenues from hotel stays have rebounded since the beginning of the Covid pandemic in 2020, with estimated revenues for FY24 at \$555,500. In FY24 the Tourism Fund is receiving ARPA grant funds, which will be utilized for additional marketing for the tourism program. Also this year, the museum will be included in the tourism fund to align with restructuring that occurred in FY23. Proposed expenditures for FY24 are \$501,180, with an ending fund balance of \$783,513.

ARPA FUND

The American Rescue Plan Act (ARPA) Fund includes funding from the U.S. Government to all local governments based on population. The Town has received two equal payments totaling \$7,055,252. The Town also received additional TDEC grant funds in FY23 of \$1,791,566 to utilize on stormwater infrastructure projects. Funds up to \$10 million may be spent on any local government service or project. For FY24, the Town will be allocating a total of \$7,400,000 on broadband infrastructure, town hall building improvements, additional parking at McFee Park and stormwater improvements. Funding from ARPA must be obligated by December 31, 2024 and spent by December 31, 2026.

EQUIPMENT REPLACEMENT FUND

The Equipment Replacement Fund will have projected expenditures of \$111,000 in FY24 and a transfer from the general fund of \$215,000. There will be an estimated fund balance in the Equipment Replacement fund of \$1,078,214.

ADA CAPITAL PROJECTS FUND

The ADA Capital Projects Fund does not have any major projects planned for FY2024. Since developing the Town's ADA Transition Plan in 2018, the Town has made improvements to Anchor Park, the restroom facilities at Town Hall and dozens of curb ramps as street resurfacing projects are completed. There are more proposed curb ramps to be replaced in FY2024 to be brought into compliance with ADA standards and those

funds will be paid out of the State Street Aid Fund. There is a proposed \$150,000 transfer from the General Fund to the ADA Fund in FY2024, with a projected fund balance of \$528,881.

CAPITAL INVESTMENT PROGRAM FUND

The Capital Investment Program (CIP) Fund budget has a total of \$17,592,500 in projects planned to get underway in FY24. These projects include sidewalk and greenway extensions, town hall improvements, turf field replacement and ADA improvements at Mayor Bob Leonard Park, pedestrian crosswalk improvements, improvements to Union Road and purchase of parkland. Changes from first reading of the budget include an additional \$100,000 for pedestrian crossings on McFee and Grigsby Chapel Roads, moving up the design of the Turkey Creek Greenway extension from Brixworth subdivision to FY24, and adding \$25,000 for security improvements to McFee Park. Revenues for the CIP come from Town resources in the form of a \$7,500,000 transfer from the General Fund, \$2,004,428 from CIP Reserves, \$1,958,072 in land acquisition reserves and \$5,930,000 from federal and/or state matching grants. Overall, the FY2024 projected fund balance is \$6,952,353.

INSURANCE FUND

The Insurance Fund includes funding for a closed employee pension plan and retirement health insurance. There are no fund transfers proposed in the FY24 budget and the available fund balance is \$357,884.

The FY2024 budget aligns with the Town of Farragut strategic plan of Connecting our Community with Excellent Parks, Greenways, Trails, Sidewalks and Recreation Programs; Advancing a High-Quality and Well-Maintained Community; Enhancing the Town’s Financial Position; Collaborating at a Local, State and Federal Level and Supporting and Caring for our Team. The FY2024 budget will allow the Town of Farragut to continue providing exceptional service to our community while living well within our projected revenues and maintaining a healthy fund balance.

Attached are the summary pages of each fund and Ordinance 23-07 for the Board’s consideration.

RECOMMENDATION BY: Town Administrator David Smoak for approval.

PROPOSED MOTION: To approve Ordinance 23-07, on second reading, to adopt the annual budget for the Town of Farragut, Tennessee for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

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	_____	_____	_____	_____	_____

ORDINANCE	23-07
PREPARED BY	Myers
1 ST READING	May 25, 2023
2 nd READING	June 8, 2023
PUBLISHED IN	Farragut Shopper News
DATE	May 17, 2023

**AN ORDINANCE OF THE
TOWN OF FARRAGUT, TENNESSEE
ADOPTING THE ANNUAL BUDGET AND TAX RATE
FOR THE FISCAL YEAR BEGINNING JULY 1, 2023, AND ENDING JUNE 30, 2024**

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

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

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

NOW THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF FARRAGUT, TENNESSEE AS FOLLOWS:

SECTION 1: That the governing body projects anticipated revenues from all sources and appropriates planned expenditures for each department, board, office or other agency of the municipality, herein presented together with the actual annual receipts and expenditures of the last preceding fiscal year and the estimated annual expenditures for the current fiscal year, and from those revenues and unexpended and unencumbered funds as follows for fiscal year 2024, and including the projected ending balances for the budget year, the actual ending balances for the most recent ended fiscal year and the estimated ending balances for the current fiscal years:

GENERAL FUND		Actual FY 2022	Estimated FY 2023	Budget FY 2024
Revenues				
Local Taxes	\$	8,786,542	\$ 8,800,000	\$ 9,350,000
State Sales Tax		2,659,454	2,700,000	2,750,000
Wholesale Beer, Liquor & Mixed Drink		1,525,650	1,543,000	1,545,000
Intergovernmental		611,385	750,600	738,600
Licenses And Permits		823,672	669,100	559,000
Recreation Fees		333,477	277,300	259,000
Traffic Enforcement Program & Fines		109,263	122,000	95,000
Rent		149,475	119,740	103,340
Miscellaneous		79,489	505,600	102,300
		-	-	-
Total Revenues and Other Financing Sources		\$ 15,126,544	\$ 15,487,340	\$ 15,502,240
Appropriations				
Expenditures				
Legislative	\$	40,048	\$ 41,773	\$ 56,040
Town Court		71,485	95,850	94,652
Administration		846,251	1,219,926	1,135,240
Human Resources		196,811	202,596	211,756
Information Technology		429,920	606,857	689,315
Communications		-	-	216,121
Engineering		814,829	955,008	1,081,209
Community Development		1,018,143	1,074,934	1,295,315
General Government		154,018	256,550	256,750
Parks & Recreation		1,200,933	1,134,726	1,134,017
Public Works		2,278,670	2,607,323	2,850,423
Non-Departmental		711,541	573,480	586,500
Community Center		221,729	533,122	655,358
Economic Development		93,315	123,000	116,600
Other Financing Uses				
Transfers Out - to other funds		6,475,000	6,300,000	8,365,000
Total Appropriations		\$ 14,552,693	\$ 15,725,145	\$ 18,744,296
Change in Fund Balance (Revenues - Appropriations)		573,851	(237,805)	(3,242,056)
Beginning Fund Balance July 1		27,268,445	27,842,296	27,604,491
Ending Fund Balance June 30		\$ 27,842,296	\$ 27,604,491	\$ 24,362,435
Ending Fund Balance as a % of Total Appropriations		191.3%	175.5%	130.0%

STATE STREET AID FUND		Actual FY 2022	Estimated FY 2023	Budget FY 2024
Revenues				
State Gas and Motor Fuel Taxes	\$	827,248	\$ 838,000	\$ 838,000
Interest	\$	4,455	\$ 40,000	\$ 30,000
Other Financing Sources				
Transfers In - from other funds		225,000	250,000	500,000
Total Revenues and Other Financing Sources	\$	1,056,703	\$ 1,128,000	\$ 1,368,000
Appropriations				
Public Works Department	\$	921,656	\$ 1,375,000	\$ 1,535,000
Total Appropriations	\$	921,656	\$ 1,375,000	\$ 1,535,000
Change in Fund Balance (Revenues - Appropriations)		135,047	(247,000)	(167,000)
Beginning Fund Balance July 1		2,215,307	2,350,354	2,103,354
Ending Fund Balance June 30	\$	2,350,354	\$ 2,103,354	\$ 1,936,354
Ending Fund Balance as a % of Total Appropriations		255.0%	153.0%	126.1%

TOURISM FUND		Actual FY 2022	Estimated FY 2023	Budget FY 2024
Revenues				
Room Occupancy Tax	\$	471,200	\$ 540,000	\$ 500,000
Interest Earnings		728	10,000	8,000
Grant-Other Government		5,703	6,000	-
ARPA Funding		-	75,208	47,500
Total Revenues and Other Financing Sources	\$	477,631	\$ 631,208	\$ 555,500
Appropriations				
Tourism	\$	146,331	\$ 377,894	\$ 386,425
ARPA			\$ 10,000	\$ 47,500
Farragut Museum		-	-	68,011
Total Appropriations	\$	146,331	\$ 387,894	\$ 501,936
Change in Fund Balance (Revenues - Appropriations)		331,300	243,314	53,564
Beginning Fund Balance July 1		155,335	486,635	729,949
Ending Fund Balance June 30	\$	486,635	\$ 729,949	\$ 783,513
Ending Fund Balance as a % of Total Appropriations		332.6%	188.2%	156.1%

ADA CAPITAL PROJECTS FUND		Actual FY 2022	Estimated FY 2023	Budget FY 2024
Revenues				
Interest		\$ 452	\$ 4,500	\$ 1,000
Other Financing Sources				
Transfers In - from other funds		50,000	150,000	150,000
Total Revenues and Other Financing Sources		\$ 50,452	\$ 154,500	\$ 151,000
Appropriations				
Improvements		1	1	1
Total Appropriations		\$ 1	\$ 1	\$ 1
Change in Fund Balance (Revenues - Appropriations)		50,451	154,499	150,999
Beginning Fund Balance July 1		172,932	223,383	377,882
Ending Fund Balance June 30		\$ 223,383	\$ 377,882	\$ 528,881
Ending Fund Balance as a % of Appropriations		22338300.0%	37788200.0%	52888100.0%

EQUIPMENT FUND		Actual FY 2022	Estimated FY 2023	Budget FY 2024
Revenues				
Interest		\$ 2,265	\$ 14,000	\$ 7,000
Sale of Equipment		19,750	80,337	-
Other Financing Sources				
Transfers In - from other funds		200,000	400,000	215,000
Total Revenues and Other Financing Sources		\$ 222,015	\$ 494,337	\$ 222,000
Appropriations				
Major Equipment		149,064	580,250	111,000
Total Appropriations		\$ 149,064	\$ 580,250	\$ 111,000
Change in Fund Balance (Revenues - Appropriations)		72,951	(85,913)	111,000
Beginning Fund Balance July 1		980,176	1,053,127	967,214
Ending Fund Balance June 30		\$ 1,053,127	\$ 967,214	\$ 1,078,214
Ending Fund Balance as a % of Appropriations		706.5%	166.7%	971.4%

INSURANCE FUND		Actual FY 2022	Estimated FY 2023	Budget FY 2024
Revenues				
Interest	\$	207	\$ 1,800	\$ 1,000
Insurance Reimbursement		-	-	4,160
Other Financing Sources				
Transfers In - from other funds		-	500,000	-
Total Revenues and Other Financing Sources	\$	207	\$ 501,800	\$ 5,160
Appropriations				
Retirement Administrative Expenses	\$	-	\$ 12,850	\$ 12,850
Retirement Benefit			\$ 110,150	\$ 35,150
Retirement Health Cost		-	26,000	52,000
Total Appropriations	\$	-	\$ 149,000	\$ 100,000
Change in Fund Balance (Revenues - Appropriations)		207	352,800	(94,840)
Beginning Fund Balance July 1		99,717	99,924	452,724
Ending Fund Balance June 30	\$	99,924	\$ 452,724	\$ 357,884
Ending Fund Balance as a % of Appropriations			303.8%	357.9%

ARPA FUND		Actual FY 2022	Estimated FY 2023	Budget FY 2024
Revenues				
Interest	\$	6,707	\$ 120,000	\$ 70,000
Federal ARPA Grant #1	\$	3,527,626	\$ -	\$ -
Federal ARPA Grant #2	\$	-	\$ 3,527,626	\$ -
TDEC Non-Competitive Grant-Design Services (Stormwater Master Plan)	\$	-	\$ -	\$ 893,445
TDEC Non-Competitive Grant-Design Services (Stormwater Improvements)	\$	-	\$ -	\$ 828,121
Total Revenues and Other Financing Sources	\$	3,534,333	\$ 3,647,626	\$ 1,791,566
Appropriations				
Town Hall Improvements	\$	-	\$ -	\$ 2,500,000
Stormwater Parking Facilities		38,788	0	2,100,000
Essential Personnel Pay		120,850	36,000	0
Vaccine Incentive Program		12,780	0	0
Broadband Infrastructure		0	100,000	1,200,000
Stormwater Master Plan		0	400,000	600,000
Stormwater Improvements		158,205	0	1,000,000
Total Appropriations	\$	330,623	\$ 536,000	\$ 7,400,000
Change in Fund Balance (Revenues - Appropriations)		3,203,710	3,111,626	(5,608,434)
Beginning Fund Balance July 1		-	3,203,710	6,315,336
Ending Fund Balance June 30	\$	3,203,710	\$ 6,315,336	\$ 706,902
Ending Fund Balance as a % of Appropriations		969.0%	1178.2%	9.6%

SECTION 2: At the end of the fiscal year 2023, the governing body estimates fund balances or deficits as follows:

Fund	Estimated Fund Balance/Net Position at June 30, 2023
General Fund	\$ 27,604,491
ARPA Fund	6,315,336
State Street Street Aid Fund	2,103,354
Equipment Fund	967,214
Tourism Fund	729,949
Insurance Fund	452,724
ADA Capital Projects Fund	377,882

SECTION 3: During the coming fiscal year (2024) the governing body has pending and planned capital projects with proposed funding as follows:

Pending Capital Projects	Pending Capital Projects - Total Expense	Pending Capital Projects Expense Financed by Estimated Revenues and/or Reserves	Pending Capital Projects Expense Financed by Debt Proceeds
Park Land Purchase	\$5,600,000	\$5,600,000	\$0
Sonja Drive Sidewalk	\$500,000	\$500,000	\$0
Turkey Creek/Brixworth Greenway	\$200,000	\$200,000	\$200,000
Red Mill Trailhead	\$170,000	\$170,000	\$0
Pedestrian Crossing @ McFee & Grigsby Chapel	\$100,000	\$100,000	\$0
Anchor Park Pedestrian Crossing	\$230,000	\$230,000	\$0
School Zone Improvements	\$175,000	\$175,000	\$0
PW Storage Shed Roof	\$60,000	\$60,000	\$0
Town Hall Playground Restroom Building	\$50,000	\$50,000	\$0
MBLP Field 2 Turf Replacement	\$820,000	\$410,000	\$410,000
MBLP Walktrail and ADA Repair & Repaving	\$180,000	\$90,000	\$90,000
McFee Park Phase 5: Dog Park & Storage	\$450,000	\$200,000	\$250,000
MBLP Field 1 Turf Replacement & ADA Access	\$1,000,000	\$500,000	\$500,000
McFee Park Entrance Gates & Fencing	\$95,000	\$95,000	\$0
Union Road Improvements	\$5,850,000	\$1,170,000	\$4,680,000
Watt Road Roundabout	\$50,000	\$50,000	\$0
Campbell Station Road/I-40 Interchange	\$2,062,500	\$2,062,500	\$0

Proposed Future Capital Projects	Proposed Future Capital Projects - Total Expense	Proposed Future Capital Projects Expense Financed by Estimated Revenues and/or Reserves	Proposed Future Capital Projects Expense Financed by Debt Proceeds
Land Acquisition	\$ 900,000	\$ 900,000	\$ -
3)	\$ 1,250,000	\$ 1,250,000	\$ -
Turkey Creek/Brixworth Greenway	\$ 2,300,000	\$ 2,300,000	\$ -
Connection	\$ 70,000	\$ 70,000	\$ -
MBLP Field Reconstruction	\$ 1,302,000	\$ 1,302,000	\$ -
Replacement	\$ 80,000	\$ 80,000	\$ -
Anchor Park Fence	\$ 175,000	\$ 175,000	\$ -
Anchor Park Playground	\$ 300,000	\$ 300,000	\$ -
McFee Park: Courts, Tennis Pavilion & Restrooms	\$ 535,000	\$ 535,000	\$ -
Sand Volleyball Complex			
Reconstruction	\$ 50,000	\$ 50,000	\$ -
MBLP Trail Lighting Update	\$ 125,000	\$ 125,000	\$ -
MBLP Field 3 Turf Replacement	\$ 725,000	\$ 725,000	\$ -
Resurfacing	\$ 40,000	\$ 40,000	\$ -
Stormwater Improvements	\$ 1,000,000	\$ 1,000,000	\$ -
Evans Road Improvements	\$ 600,000	\$ 600,000	\$ -
Virtue Road-Phase II (Brookmere to Boyd Station)	\$ 8,405,000	\$ 1,681,000	\$ 6,724,000
Watt Road Roundabout	\$ 850,000	\$ 850,000	\$ -
Interchange	\$ 6,142,500	\$ 6,142,500	\$ -

SECTION 4: No appropriation listed above may be exceeded without an amendment of the budget ordinance as required by the Municipal Budget Law of 1982 (Tenn. Code Ann. § 6-56-208). In addition, no appropriation may be made in excess of available funds except to provide for an actual emergency threatening the health, property or lives of the inhabitants of the municipality and declared by a two-thirds (2/3) vote of at least a quorum of the governing body in accord with Tenn. Code Ann. § 6-56-205.

SECTION 5: Money may be transferred from one appropriation to another in the same fund in an amount of up to \$20,000 by the Town Administrator, subject to such limitations and procedures as set by the Governing Body pursuant to Tenn. Code Ann. § 6-56-209. Any resulting transfers shall be reported to the governing body at its next regular meeting and entered into the minutes.

SECTION 6: A detailed financial plan will be attached to this budget and become part of this budget ordinance.

SECTION 7: This annual operating and capital budget ordinance and supporting documents shall be submitted to the Comptroller of the Treasury or Comptroller's Designee for

approval pursuant to Title 9, Chapter 21 of the Tennessee Code Annotated within fifteen (15) days of its adoption. If the Comptroller of the Treasury or Comptroller's Designee determines that the budget does not comply with the Statutes, the Governing Body shall adjust its estimates or make additional tax levies sufficient to comply with the Statutes or as directed by the Comptroller of the Treasury or Comptroller's Designee.

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

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

SECTION 10: This ordinance shall take effect July 1, 2023, the public welfare requiring it.

Ron Williams, Mayor

Allison Myers, Town Recorder

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Allison Myers, Finance Director/Town Recorder

SUBJECT: **Ordinance 23-08**, Ordinance to amend the Farragut Municipal Code, Chapter 2, Article 6- Finance, Section 2-299, Authorization of Purchases, by deleting in its entirety and substituting new language for purchasing authorization.

BACKGROUND:

The Town’s Charter (state law) provides that formal sealed bids shall be obtained for all expenditures of an amount to be set by ordinance up to \$10,000. In 2007, the Municipal Code was amended to raise the bidding threshold to this limit. Although other parts of the Town's purchasing policy have changed since then, the bid threshold has not because the state law limit has remained constant.

DISCUSSION: The Charter has not been changed; the Governor recently signed a new law which modified a different section of state law (Tenn. Code Ann. 12-3-1212). This change provides that regardless of any specific state law requirements, towns and cities without centralized purchasing offices may increase the competitive sealed bidding threshold up to \$25,000, with three written quotes being required for amount up to 40% of the threshold chosen.

Staff believes it is in the best interest of the Town to amend the Municipal Code to increase the competitive bidding thresholds to the full amounts allowed by the recent state law change. Specifically, a formal publicly advertised bid process will be used for expenditures over \$25,000. For purchases between \$10,000 and \$24,999, three quotes must be obtained. These increased thresholds will greatly reduce the workload for staff in preparing formal requests for bids and agenda items. Over the past two years, approximately 25 purchases or contracts would not have had to go to the board for approval.

RECOMMENDATION BY: Allison Myers, Finance Director/Town Recorder

PROPOSED MOTION: Motion to approve Ordinance 23-08 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	_____	_____	_____	_____	_____

DIVISION 2. PURCHASING REGULATIONS

Sec. 2-299. Authorization of purchases

Current Farragut Municipal Code

Public advertisement and competitive bidding shall be required for the purchase of all goods and services exceeding an amount of \$10,000 except for those purchases specifically exempted from advertisement and bidding by the Municipal Purchasing Law of 1983 (T.C.A. § 6-56-301 et seq.). All purchases shall be made in accordance with the Municipal Purchasing Law of 1983 (T.C.A. § 6-56-301 et seq.), this division and purchasing policies and procedures approved by the governing body.

(Code 2007, § 5-202; Ord. No. 11-02, § 1, 3-10-2011)

New Ordinance 2-299

Public advertisement and competitive bidding shall be required for the purchase of all goods and services exceeding the maximum applicable threshold established pursuant to T.C.A. § 12-3-1212 (\$25,000.00), except for those purchases specifically exempted from advertisement and bidding by the Municipal Purchasing Law of 1983 (T.C.A. § 6-56-301 et seq.). All purchases shall be made in accordance with the Municipal Purchasing Law of 1983 (T.C.A. § 6-56-301 et seq.), this division, and purchasing policies and procedures adopted and approved by the governing body.

ORDINANCE:	23-08
PREPARED BY:	Myers
DATE:	_____
1ST READING:	_____
2ND READING:	_____
PUBLISHED IN:	_____
DATE:	_____

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE TOWN OF FARRAGUT TENNESSEE, PURSUANT TO AUTHORITY GRANTED BY SECTION 6-2-201, TENNESSEE CODE ANNOTATED, BY AMENDING CHAPTER 2-ADMINISTRATION, ARTICLE 6-FINANCE, DIVISION 2. PURCHASING REGULATIONS, SECTION 2-299. AUTHORIZATION OF PURCHASES, TO REPLACE THE EXISTING SECTION 2-299 IN ITS ENTIRETY WITH A NEW ORDINANCE

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Chapter 2, Article 6-Finance, Division 2-Purchasing Regulations, Section 2-299, Authorization of Purchases, of the Code of Ordinances of the Town of Farragut, to replace the existing Authorization of Purchases with a new Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, that Article 6, Division 2, Section 2-299, Authorization of Purchases, of the Code of Ordinances of the Town of Farragut, is hereby amended as follows:

SECTION 1.

The existing Code of Ordinances of the Town of Farragut, Chapter 2, Article 6, Division 2, Section 2-299, Authorization of Purchases, is amended by deleting it in its entirety and substituting in lieu thereof the following:

Chapter 2 – Administration.

Section 2-299. Authorization of purchases.

Public advertisement and competitive bidding shall be required for the purchase of all goods and services exceeding the maximum applicable threshold established pursuant to T.C.A. § 12-3-1212 (\$25,000.00), except for those purchases specifically exempted from advertisement and bidding by the Municipal Purchasing Law of 1983 (T.C.A. § 6-56-301 et seq.). All purchases shall be made in accordance with the Municipal Purchasing Law of 1983 (T.C.A. § 6-56-301 et seq.), this division, and purchasing policies and procedures adopted and approved by the governing body.

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

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Darryl Smith, PE, Town Engineer

SUBJECT: Approval of Professional Services Agreement with Cannon & Cannon, Inc. for Engineering Services for Design of Pedestrian Crossings at Grigsby Chapel Road and McFee Road

INTRODUCTION: The purpose of this agenda item is approval of an agreement with Cannon & Cannon for engineering design of two midblock pedestrian crosswalks located on Grigsby Chapel Road and McFee Road.

BACKGROUND: Two critical success factors identified during the recent strategic planning sessions are to provide “Recreational, Cultural Amenities and Programs” that include greenways and sidewalk connections, and “Building and Maintaining the Town’s Infrastructure and Assets,” which includes a safe transportation network for pedestrians, bicyclists and motorists. The purpose of this project is to complete midblock pedestrian crossings at two locations where we’ve observed frequent pedestrian activity. One location is near the intersection of Grigsby Chapel Road with Weatherly Hills Boulevard and Woodchase Drive (see attached aerial). The sidewalk along the south side of Grigsby Chapel Road ends at this intersection, and pedestrians on the south side must cross to the north if they wish to travel to the west. Another incentive for many of these pedestrians to cross at this location is the easy access to the Grigsby Chapel Greenway from Weatherly Hills Boulevard. The crossing will include a “pedestrian safety island” and flashing beacons like the Grigsby Chapel Greenway crossing on the eastern end of Grigsby Chapel Road. The second location is just north of the northern entrance to McFee Park on McFee Road (see additional aerial). Pedestrians and bicyclists on the McFee Greenway (east side of McFee Road) traveling to the park will often cross McFee Road at this location. Cannon & Cannon has submitted the attached agreement for the design of these crosswalks, with a lump sum fee of \$22,500.

FINANCIAL SECTION:

Project:

<u>Total Budget</u>	<u>Contract Amount</u>	<u>Remaining Amount</u>
\$160,000	\$22,500	\$137,500

Approved

By: A. Myers

RECOMMENDATION BY: Darryl Smith, PE, Town Engineer for approval.

PROPOSED MOTION: Approval of professional services agreement with Cannon & Cannon, Inc. for engineering services for design of pedestrian crossings at Grigsby Chapel Road and McFee Road.

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	_____	_____	_____	_____	_____

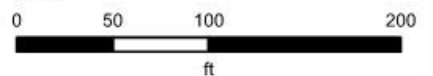


Pedestrian Crossing - Grigsby Chapel Road

Knoxville - Knox County - KUB Geographic Information System



Printed: 5/31/2023 at 3:24:01 PM



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

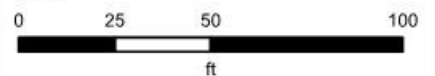


Pedestrian Crossing - McFee Road

Knoxville - Knox County - KUB Geographic Information System



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TOWN OF FARRAGUT

PROFESSIONAL SERVICES AGREEMENT

This Agreement is made by and between **Town of Farragut** ("Client") and **Cannon & Cannon, Inc.** ("Contractor") for professional services for the assignment described as follows:

Project: Pedestrian Flasher Crossings (2 Crossings) - 2023

Location: McFee Road near McFee Park and
Grigsby Chapel Road near Weatherly Hills Boulevard/Woodchase Drive

Description of Project: Design Pedestrian Flasher Crossings and Associated
Sidewalk/Greenway, Curb Ramps and Islands

1. **Professional Services.** Contractor agrees to perform the following Basic Services under this Agreement:

See **Attachment A** to this Agreement for a description of Basic Services.

2. **Compensation.** Client shall compensate Contractor for the Basic Services as follows: A lump sum fee of \$22,500, including reimbursable expenses. In addition, Client shall pay Contractor for additional services that may be requested by the Client beyond the Basic Services in accordance with the hourly rate schedule attached as **Attachment B** to this Agreement.

3. **Schedule.** Contractor shall begin work upon notification of approval of this Agreement by the Board of Mayor and Aldermen and shall complete the work by submitting the deliverables for review within six weeks from receiving authorization to proceed. The schedule for the various meetings and presentations as outlined in the Basic Services shall be agreed upon by the Client and Contractor before beginning work.

4. **Invoicing and Payments.** Invoices or payment requests shall be submitted to the Client no more than monthly and shall include such information, documentation or data as the Town Administrator may require including, but not limited to, the amount and breakdown of the payment requested, the period covered by the request, and the work performed during the period covered by the payment request. After review, the Town Administrator will indicate his approval of the payment request, or shall explain to Contractor, in writing, his reasons for not approving any portion or all of the request, and authorize payment of the amount approved. In the event the Town Administrator does not approve any portion of a payment request, and has communicated the reasons to Contractor, Contractor will then take the necessary action to satisfy the reasons for non-approval and resubmit the payment request. Client shall endeavor to remit payment of payment requests or portions thereof which are approved by the Town Administrator within thirty (30) days of receipt by Client. From time to time approval of a payment request may require action by the Board of Mayor and Aldermen which meets on the second and fourth Thursday of most months.

5. **Time.** Contractor will perform its services in a timely manner commensurate with the exercise of due professional care which it acknowledges can be done consistent with the schedule provided for in Paragraph 3. Time for performance shall be extended as necessary for delays or suspensions due to circumstances beyond Contractor's control. If such delay or suspension extends more than six (6) months (cumulatively), Contractor's compensation shall be equitably adjusted; provided, however, such adjustment and amendment to this Agreement must be approved by the Board of Mayor and Aldermen before Client is bound.

6. **Suspension of Services.** If Client fails to pay any invoice when due or otherwise is in material breach of this Agreement, Contractor may, at its sole discretion, suspend performance of services upon five (5) days' written notice to Client. Contractor shall have no liability to Client and Client agrees to make no claim for any delay or damage as a result of such suspension, unless (i) the Town Administrator has refused to approve payment, (ii) his reasons are justified pursuant to this Agreement, and (iii) Contractor has failed to satisfy the reasons as required by Paragraph 4 hereof. Upon cure of the cause of a justified suspension, Contractor shall resume services within a reasonable time, and there shall be equitable adjustments of the project schedule and fees to reflect the effects of such suspension, if such adjustments are deemed reasonable and appropriate by the parties.

7. **Standard of Care.** Notwithstanding any other provision of this Agreement or any other document describing the services produced by Client, Contractor shall perform its services in accordance with the standard of professional care ordinarily exercised under similar circumstances by reputable members of its profession in the same locality at the time the services are provided. Beyond the foregoing and unless otherwise provided herein or in other documents produced, generated or provided by Contractor, no warranty, expressed or implied, is made or intended by Contractor. The parties further agree that Contractor is not a fiduciary of Client.

8. **Termination.** The obligation to provide further services under this Agreement may be terminated with or without cause by either party upon ten (10) days' written notice to the other party. On termination by either Client or Contractor, Client shall pay Contractor all amounts due for any services performed to the date of termination (plus all reimbursable expenses incurred) as Contractor's sole and exclusive remedy, subject to any setoffs to which the Client is entitled as a result of Contractor's failure to perform as required by this Agreement.

9. **Reuse of Documents.** All documents, including drawings, specifications, and reports, prepared by Contractor pursuant to this Agreement are instruments of professional service and shall become the property of the Client. They are not intended or represented to be suitable for reuse by Client or others for additions or modifications of the Project or on any other project. Any reuse without written consent, verification or adaption by Contractor for the specific purposes intended shall be at Client's sole risk and without liability or legal exposure to Contractor. Any such verification and adaption will entitle Contractor to further compensation at rates to be agreed upon by Client and Contractor.

10. **Access to the Site/Jobsite Safety.** Unless otherwise stated, Contractor will have access to the site for activities necessary for the performance of its services. Client agrees that Contractor shall have no responsibility for the means, methods, sequences, procedures, techniques, and scheduling of construction, as these decisions are solely the responsibility of the

contractors. Contractor further shall have no authority or duty to supervise the construction workforce and shall not be responsible for jobsite safety or for any losses or injuries that occur at the Project site.

11. **Insurance.** Prior to any access to the Project site, Contractor shall deliver to Client a certificate of insurance evidencing general liability coverage with a limit of not less than \$1,000,000 each occurrence for bodily injury, personal injury and property damage. If such insurance contains a general aggregate limit, it shall apply separately to the work/location of the Project in this Agreement or be no less than \$2,000,000. In addition, Contractor shall endeavor to secure and maintain insurance in such amounts as it deems necessary to protect itself from claims of professional negligence arising from the performance of services under this Agreement. Such insurance shall:

a. Contain or be endorsed to contain a provision that includes Client, its officials, officers, employees, and volunteers as additional insureds with respect to liability arising out of work performed by or on behalf of the Contractor. The coverage shall contain no special limitations on the scope of its protection afforded to the above-listed insureds.

b. For any claims related to this Project, the Contractor's insurance coverage shall be primary insurance as respects the Client, its officers, officials, employees, and volunteers. Any insurance or self-insurance programs covering the Client, its officials, officers, employees, and volunteers shall be excess of the Contractor's insurance and shall not contribute with it.

12. **Risk Allocation.** In recognition of the relative risks, rewards, and benefits of the Project to both Client and Contractor, to the fullest extent permitted by law, the parties agree to allocate the risks such that Contractor's total liability to Client for any and all injuries, claims, losses, expenses, damages, and/or claim expenses arising out of Contractor's services under this Agreement from any cause or causes shall not exceed the amount of Contractor's fee, or One Hundred Thousand Dollars (\$100,000), or the amount of insurance coverage Contractor has, or is required to have, covering the risk or claim that is the basis for the injury, claim, loss, expense or damages, recovery for which is sought, whichever is greater. This limitation shall apply regardless of the cause of action or legal theory pled or asserted.

13. **Dispute Resolution.** It is agreed that all claims, disputes, or other matters in question arising out of or related to this Agreement shall be submitted to nonbinding mediation before any legal proceedings is commenced. The parties shall equally bear the fees and expenses charged by the mediator.

14. **Opinions of Construction Cost.** Any opinion of probable construction cost prepared by Contractor represents the judgment of one or more Contractor design professionals and is supplied for general guidance of Client. Since Contractor has no control over the construction marketplace and does not use the same pricing methods used by contractors, Contractor does not guarantee the accuracy of such opinions.

15. **Indemnification.**

a. The Contractor shall defend, indemnify and hold harmless the Client, its officers, employees and agents from any and all liabilities which may arise or be claimed against the Client, its officers, employees and agents or any third party for any and all lawsuits, claims, demands, losses or damages alleged to have arisen from an act or omission of the Contractors, its employers, agents or contractors in performance of this Agreement or from the Contractor's failure to perform this Agreement using ordinary care and skill, except where such injury, damage, or loss was caused by the sole negligence of the Client, its agents or employees.

b. The Contractor shall save, indemnify and hold the Client harmless from the cost of the defense of any claim, demand, suit or cause of action made or brought against the Client alleging liability referenced above, including, but not limited to, costs, fees, attorney fees, and other expenses of any kind whatsoever arising in connection with the defense of the Client; and the Contractor shall assume and take over the defense of the Client in any such claim, demand, suit, or cause of action upon written notice and demand for same by the Client. The Contractor will have the right to defend the Client with notice and demand for same by the Client. The Contractor will have the right to defend the Client with counsel of its choice that is satisfactory to the Client and the Client will provide reasonable cooperation in the defense as the Contractor may request. The Contractor will not consent to the entry of any judgment or enter into any settlement with respect to an indemnified claim without the prior written consent of the Client, such consent not to be unreasonably withheld or delayed. The Client shall have the right to participate in the defense against the indemnified claims with counsel of its choice at its own expense.

c. The Contractor shall save, indemnify and hold Client harmless and pay judgments that shall be rendered in any such actions, suits, claims or demands against Client alleging liability referenced above.

d. The indemnification and hold harmless provisions of this Agreement shall survive termination of the Agreement.

16. **Miscellaneous.**

a. The Contractor will not assign or transfer any interest in this Agreement without obtaining the prior written approval of the Client.

b. The Contractor will not enter into a subcontract for any of the services performed under this Agreement without obtaining the prior written approval of the Client.

c. The contract between the parties consists of this Agreement, its attachments, any written request for services issued by Client and any response thereto made by Contractor, including any addenda thereto. To the extent there is a conflict between the terms of any of the documents that constitute the contract between the parties, the terms that are most specific to the matter in dispute shall govern over the more general. In the event the conflicting terms cannot be characterized as specific vs. general, then the terms that provide the greater benefit to the Client and/or impose the greater obligation on the Contractor shall control.

d. This Agreement may be modified only by a written amendment or addendum that has been executed and approved by the appropriate officials shown on the signature page of this Agreement.

e. If any provision of this Agreement is determined to be unenforceable or invalid, such determination will not affect the validity of the other provisions contained in this Agreement. Failure to enforce any provision of this Agreement does not affect the rights of the parties to enforce such provision in another circumstance, nor does it affect the rights of the parties to enforce any other provision of this Agreement at any time.

f. In the event legal action is necessary to enforce the terms of the contract between the parties, the prevailing party shall be entitled to recovery of its attorney's fees, court costs, and other expenses of the legal action.

g. In the performance of this contract, Contractor will comply with all applicable laws, ordinances, rules, regulations and orders of local, state and federal governments, including, but not limited to, the President's Executive Order No. 11246 and 11375, which prohibit discrimination in employment regarding race, color, religion, sex or national origin, Title VI of the Civil Rights Act of 1964, Copeland Anti-Kick Back Act, the Contract Work Hours and Safety Standards Act, Section 402 of the Vietnam Veterans Adjustment Act of 1974, Section 503 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, all of which are herein incorporated by reference.

h. This Agreement will be governed and construed in accordance with the laws of the state of Tennessee.

CLIENT:

CONTRACTOR:

Town of Farragut

By: _____

By: Jeff Beckett

Printed
Name: _____

Printed
Name: Jeff Beckett, P.E.

Title: _____

Title: Transportation Team Leader

Date: _____

Date: May 23, 2023

SCOPE OF SERVICES

DATE: May 23, 2023

DESCRIPTION: Pedestrian Flasher Crossings (2 Crossings)- 2023

LOCATION: McFee Road near McFee Park and
Grigsby Chapel Road near Weatherly Hills Boulevard/Woodchase Drive

CONSULTANT: Cannon & Cannon Inc., Knoxville, Tennessee

CONTACT: Jeff Beckett, P.E.

Cannon & Cannon, Inc. appreciates the opportunity to prepare a proposal for engineering design services for the above-described project. This effort will involve the construction of pedestrian crossing flashers at both locations noted above and sidewalk with a new pedestrian crossing island at the Grigsby Chapel Road location. The proposed scope of services for this effort is listed below.

1. Obtain from the Town of Farragut any available pertinent site information or related data.
2. Conduct a field review of the two project sites to obtain field observations.
3. Conduct necessary field topographic and right of way/property surveys.
4. Prepare design plans for sidewalk, islands and curb ramps as needed at both locations. TDOT standard drawings will be used to the extent possible.
5. Prepare design plans for the pedestrian flashers at both locations, including any special details or specification information that is needed. TDOT standard drawings will be used to the extent possible.
6. Coordinate with the Town of Farragut for plans review and provide required plans modifications.
7. Assist the Town of Farragut in the bid process, including attending a pre-bid meeting (if held), preparation of bid tabulation and recommendation of bid award.
8. Assist the Town of Farragut during the construction process, including attending a pre-construction meeting (if held), reviewing product sheets and shop drawings, and conducting a field inspection of the project sites once construction is complete and the flashers are operational.

This proposal includes the tasks and services specifically listed above. Additional services may be included at the request of the Town and such services will be billed using the current CCI standard hourly rates, which are provided as Attachment B.

SCHEDULE OF CHARGES – HOURLY RATE BASIS**CIVIL PROJECT MANAGEMENT & DESIGN**

Senior Civil Project Manager.....	\$215.00 per hour
Civil Project Manager.....	\$190.00 per hour
Senior Civil Project Engineer.....	\$170.00 per hour
Civil Project Engineer.....	\$160.00 per hour
Senior Civil Engineering Designer.....	\$135.00 per hour
Civil Engineering Designer.....	\$125.00 per hour
Project Technician II.....	\$110.00 per hour
Project Technician I	\$90.00 per hour

FIELD SURVEYING

Senior Project Manager.....	\$215.00 per hour
Project RLS.....	\$155.00 per hour
Senior Survey Technician.....	\$140.00 per hour
Field Crew.....	\$175.00 per hour
Drone Services (including pilot)	\$380.00 per hour
Survey Technician.....	\$110.00 per hour

CONSTRUCTION PHASE SERVICES & ASSESSMENTS

Senior Project Manager.....	\$215.00 per hour
Project Manager	\$190.00 per hour
Senior Project Engineer.....	\$170.00 per hour
Project Engineer.....	\$160.00 per hour
Senior Resident Project Representative	\$155.00 per hour
Resident Project Representative.....	\$90.00 to \$110.00 per hour

Rates for Principles and other Professionals/Experts provided upon request as specific project necessitates.

Unless otherwise noted in the Agreement; outside services contracted for a specific project, including but not limited to professional and technical consultants, laboratory testing, reprographics, photography, etc. will be invoiced at the amount of the subcontractor's statement plus 10 percent.

Other expenses which are properly chargeable to the work will be invoiced as follows:

- Travel by company or private vehicle at reimbursable rate per Federal guidelines at time expense is incurred.
- Travel, living and per diem expenses for all personnel when required to be away from office in connection with the project will be evaluated on a project by project basis and provided for in the project contract.

Statements will be issued on a monthly basis and are due upon receipt.

Effective: January 2023

REPORT TO THE BOARD OF MAYOR AND ALDERMEN**PREPARED BY:** Darryl Smith, PE**SUBJECT:** Approval of Bids for Contract 2024-01, 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 a request 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 May 22, from Pavement Restorations, Inc. (PRI). We have attached a tabulation of PRI's unit prices, compared with those prices in the FY23 contract (PRI was awarded this contract in the current year). The tabulations indicate FY24 unit prices will remain unchanged from FY23. The Town has worked with PRI in the past, and we have always been pleased with their performance. Staff recommends award of this contract to Pavement Restorations, Inc.

FINANCIAL SECTION:**Project:**

<u>Total Budget</u>	<u>Contract Amount</u>	<u>Remaining Amount</u>
\$80,000	\$80,000	\$0

Approved
By: A. Myers

RECOMMENDATION BY: Darryl Smith, PE, Town Engineer**PROPOSED MOTION:** Approval of proposal and award of Contract 2024-01 to Pavement Restorations, Inc.**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	_____	_____	_____	_____	_____

2024-01: On-Call Road Maintenance



ITEM #	DESCRIPTION	UNIT	2023 Current Rates	PRI of East TN., Inc.
			(PRI of East TN., Inc.)	Inc.
			UNIT PRICE	UNIT PRICE
1.1	Minimum Charge-NORMAL Response Time	EA	\$ 1,500.00	\$ 1,500.00
1.2	Minimum Charge-EMERGENCY Response Time	EA	\$ 2,000.00	\$ 2,000.00
2.1	Surface Patch, 1.5" ACS (PG 64-22) Gr E Roadway (maximum 500 Sq. Ft.)	SF	\$ 10.00	\$ 10.00
2.2	Surface Patch, 1.5" ACS (PG 64-22) Gr E Roadway (minimum 500 Sq. Ft.)	SF	\$ 10.00	\$ 10.00
2.3	Surface Patch applied with a burn truck (maximum single patch of 500 Sq. Ft.)	SF	\$ 12.00	\$ 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	\$ 15.00	\$ 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	\$ 14.00	\$ 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	\$ 20.00	\$ 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	\$ 18.00	\$ 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	\$ 14.50	\$ 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	\$ 13.50	\$ 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	\$ 17.00	\$ 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	\$ 16.00	\$ 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	\$ 14.00	\$ 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	\$ 14.00	\$ 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	\$ 16.00	\$ 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	\$ 14.00	\$ 14.00
6.1	Remove/Dispose Existing Pavement for Arterial Roadway, 7" Depth (maximum 500 Sq. Ft.)	SF	\$ 12.00	\$ 12.00
6.2	Remove/Dispose Existing Pavement for Arterial Roadway, 7" Depth (minimum 500 Sq. Ft.)	SF	\$ 11.00	\$ 11.00
6.3	Remove/Dispose Existing Pavement for Collector/Local Roadway, 4.5" Depth (maximum 500 Sq. Ft.)	SF	\$ 11.00	\$ 11.00
6.4	Remove/Dispose Existing Pavement for Collector/Local Roadway, 4.5" Depth (minimum 500 Sq. Ft.)	SF	\$ 10.00	\$ 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	\$ 25.00	\$ 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	\$ 30.00	\$ 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	\$ 30.00	\$ 30.00
7.4	Remove/Dispose Asphalt Trail Pavement, 2" Depth (maximum 500 Sq. Ft./approx. 5.8 Tons)	SF	\$ 10.00	\$ 10.00
7.5	Remove/Dispose Asphalt Trail Pavement, 2" Depth (minimum 500 Sq. Ft./approx. 5.8 Tons)	SF	\$ 10.00	\$ 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	\$ 11.00	\$ 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	\$ 11.00	\$ 11.00
10.1	Cold Mix Patch	SF	\$ 30.00	\$ 30.00
10.2	Saw Cut (Asphalt/Concrete)	LF	\$ 7.00	\$ 7.00
10.3	Grader	Hour	\$ 200.00	\$ 200.00
10.4	Backhoe	Hour	\$ 175.00	\$ 175.00
10.5	Roller (Bomag-120 AD or Equal)	Hour	\$ 150.00	\$ 150.00
10.6	Single-Axle Truck	Hour	\$ 105.00	\$ 105.00
10.7	Tri-Axle Truck	Hour	\$ 120.00	\$ 120.00
10.8	Bobcat (Including Attachment Needed)	Hour	\$ 150.00	\$ 150.00
10.9	Shoulder Stone (Edge of Pavement) with Mineral Aggregate Type A Base, TDOT 303-01, Placed and Compacted	TN	\$ 300.00	\$ 300.00
11.1	Labor	Hour	\$ 90.00	\$ 90.00

REPORT TO THE BOARD OF MAYOR AND ALDERMEN**PREPARED BY:** Darryl Smith, PE**SUBJECT:** Approval of Bids for Contract 2024-02, 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 a request 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 two bids on May 22, from Volunteer Highway Supply Company Inc. and from Highway Markings, Inc. We have attached a tabulation of both bidders' unit prices, along with tabulation of the current year's prices. Both bids are competitive, particularly with the line items we use most. Staff recommends award of this contract to Volunteer Highway Supply for their responsiveness in the past. The Town has worked with Volunteer Highway Supply for many 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>
\$50,000	\$50,000	\$0

Approved**By:** A. Myers**RECOMMENDATION BY:** Darryl Smith, PE, Town Engineer

PROPOSED MOTION: Approval of bids and award of Contract 2024-02 to Volunteer Highway Supply Company Inc.

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	_____	_____	_____	_____	_____

2024-02: On-Call Pavement Marking



ITEM #	DESCRIPTION	UNIT	2023 Current Rates (Volunteer Highway Supply Co. Inc.)	Volunteer Highway Supply Co. Inc.	Highway Marking Inc.
			UNIT PRICE	UNIT PRICE	UNIT PRICE
1.1	Painted Word Pavement Marking (ONLY)	EA	\$ 65.00	\$ 75.00	\$ 195.00
1.2	Painted Word Pavement Marking (SCHOOL)	EA	\$ 125.00	\$ 150.00	\$ 325.00
2.1	8" Raised Ceramic Markers/Refl.	EA	\$ 75.00	\$ 100.00	\$ 35.00
3.1	Durable Reflectorized Pavement Marking (4" Line) 3M All Weather Paint	L.F.	\$ 0.40	\$ 0.45	\$ 0.32
716-01.11	RAISED PVTM MARKERS (BI-DIRECTIONAL) (1 COLOR LENS)	EA	\$ 8.25	\$ 10.00	\$ 12.75
716-01.12	RAISED PVTM MARKERS (MONO-DIRECTIONAL) (1 COLOR LENS)	EA	\$ 8.25	\$ 10.00	\$ 12.75
716-01.13	RAISED PVTM MARKERS (BI-DIRECTIONAL) (2 COLOR LENS)	EA	\$ 8.25	\$ 10.00	\$ 12.75
716-01.23	SNOW PLOWABLE REFLECTIVE MARKER (BI-DIRECTIONAL) (2 COLOR LENS)	EA	\$ 35.00	\$ 40.00	\$ 38.75
716-02.03	PLASTIC PAVEMENT MARKING (CROSS-WALK) 8"	L.F.	\$ 11.00	\$ 10.00	\$ 5.75
716-02.03	PLASTIC PAVEMENT MARKING (CROSS-WALK) 12"	L.F.	No Bid	\$ 12.00	\$ 8.25
716-02.04	PLASTIC PAVEMENT MARKING (CHANNELIZATION STRIPING)	S.Y.	\$ 20.00	\$ 22.00	\$ 27.50
716-02.05	PLASTIC PAVEMENT MARKING (STOP LINE)	L.F.	\$ 12.00	\$ 15.00	\$ 14.75
716-02.06	PLASTIC PAVEMENT MARKING (TURN LANE ARROW)	EA	\$ 200.00	\$ 250.00	\$ 225.00
716-02.08	PLASTIC PAVEMENT MARKING (8" DOTTED LINE)	L.F.	\$ 1.15	\$ 1.20	\$ 2.25
716-02.12	PLASTIC PAVEMENT MARKING (8IN LINE)	L.F.	\$ 1.15	\$ 1.20	\$ 2.35
716-02.30	RETRACING PAVEMENT MARKINGS - PLASTIC (4" LINE)	L.M.	\$ 3,200.00	\$ 4,200.00	\$ 3,450.00
716-03.01	PLASTIC WORD PAVEMENT MARKING (ONLY)	EA	\$ 150.00	\$ 200.00	\$ 250.00
716-03.04	PLASTIC WORD PAVEMENT MARKING (SCHOOL)	EA	\$ 400.00	\$ 450.00	\$ 450.00
716-03.05	PLASTIC WORD PAVEMENT MARKING (BIKE LANE)	EA	\$ 400.00	\$ 450.00	\$ 375.00
716-04.03	PLASTIC PAVEMENT MARKING (4" DOTTED LINE)	L.F.	\$ 1.00	\$ 1.00	\$ 1.50
716-04.10	PLASTIC PAVEMENT MARKING (HANDICAP SYMBOL)	EA	\$ 225.00	\$ 250.00	\$ 225.00
716-04.11	PLASTIC PAVEMENT MARKING (BICYCLE SYMBOL W/RIDER)	EA	\$ 400.00	\$ 450.00	\$ 425.00
716-04.12	PLASTIC PAVEMENT MARKING (YIELD LINE)	S.F.	\$ 10.00	\$ 10.00	\$ 18.50
716-04.13	PLASTIC PAVEMENT MARKING (BIKELANE SYMBOL & ARROW)	EA	\$ 400.00	\$ 475.00	\$ 475.00
716-05.01	PAINTED PAVEMENT MARKING (4" LINE)	L.M.	\$ 590.00	\$ 685.00	\$ 875.00
716-05.03	PAINTED PAVEMENT MARKING (CROSS-WALK)	L.F.	\$ 4.00	\$ 5.00	\$ 4.75
716-05.04	PAINTED PAVEMENT MARKING (CHANNELIZATION STRIPING)	S.Y.	\$ 10.00	\$ 12.00	\$ 15.75
716-05.05	PAINTED PAVEMENT MARKING (STOP LINE)	L.F.	\$ 6.00	\$ 7.00	\$ 9.25
716-05.06	PAINTED PAVEMENT MARKING (TURN LANE ARROW)	EA	\$ 85.00	\$ 100.00	\$ 125.00
716-05.08	PAINTED PAVEMENT MARKING (PARKING LINE)	L.F.	\$ 2.00	\$ 3.00	\$ 0.75
716-05.50	PAINTED PAVEMENT MARKINGS(8" LINE)	L.F.	\$ 0.80	\$ 1.20	\$ 0.95
716-05.51	PAINTED PAVEMENT MARKINGS(12" LINE)	L.F.	\$ 2.00	\$ 2.50	\$ 3.50
716-05.60	RETRACING PAVEMENT MARKINGS - PAINTED (4" LINE)	L.M.	\$ 525.00	\$ 600.00	\$ 825.00
716-05.61	RETRACING PAVEMENT MARKINGS - PAINTED (8" BARRIER LINE)	L.F.	\$ 0.70	\$ 1.00	\$ 0.65
716-05.62	RETRACING PAVEMENT MARKINGS - PAINTED (6" LINE)	L.M.	\$ 600.00	\$ 775.00	\$ 1,250.00
716-05.64	RETRACING PAVEMENT MARKINGS - PAINTED (6" DOTTED LINE)	L.F.	\$ 0.50	\$ 1.00	\$ 0.75
716-05.72	PERFORMANCE BASED RETRACING SPRAY THERMO 4IN	L.M.	\$ 2,900.00	\$ 3,600.00	\$ 3,250.00
716-05.73	PERFORMANCE BASED RETRACING SPRAY THERMO 6IN	L.M.	\$ 3,600.00	\$ 4,200.00	\$ 3,725.00
716-06.01	PAINTED WORD PVTM MARK (Handicap Symbol)	EA	\$ 125.00	\$ 150.00	\$ 135.00
716-08.01	REMOVAL OF PAVEMENT MARKING (LINE)	L.F.	\$ 1.00	\$ 1.00	\$ 0.55
716-08.11	REMOVAL OF WORD PAVEMENT MARKING	EA	\$ 75.00	\$ 100.00	\$ 110.00
716-09.79	THERMOPLST PVTM MARK PROFILE LINE(4")	L.M.	No Bid	No Bid	No Bid
716-13.01	SPRAY THERMO PVTM MRKNG (60 mil) (4IN LINE)	L.M.	\$ 2,900.00	\$ 3,000.00	\$ 3,350.00
716-13.02	SPRAY THERMO PVTM MRKNG (60 mil) (6IN LINE)	L.M.	\$ 3,600.00	\$ 3,600.00	\$ 3,825.00
716-13.03	SPRAY THERMO PVTM MRKNG (60 mil) (8IN BARRIER LINE)	L.F.	\$ 2.00	\$ 2.00	\$ 0.72
716-13.04	SPRAY THERMO PVTM MRKNG (60 mil) (4IN DOTTED LINE)	L.F.	\$ 1.00	\$ 1.00	\$ 0.65
716-13.05	SPRAY THERMO PVTM MRKNG (60 mil) (6IN DOTTED LINE)	L.F.	\$ 1.00	\$ 1.00	\$ 0.75
716-13.06	SPRAY THERMO PVTM MRKNG (40 mil) (4IN LINE)	L.M.	\$ 2,700.00	\$ 2,800.00	\$ 2,850.00
716-13.07	SPRAY THERMO PVTM MRKNG (40 mil) (6IN LINE)	L.M.	\$ 3,250.00	\$ 3,400.00	\$ 3,150.00
716-13.08	SPRAY THERMO PVTM MRKNG (40 mil) (8IN BARRIER LINE)	L.F.	\$ 1.00	\$ 2.00	\$ 0.75
716-13.09	SPRAY THERMO PVTM MRKNG (40 mil) (4IN DOTTED LINE)	L.F.	\$ 1.00	\$ 1.00	\$ 0.50
716-13.10	SPRAY THERMO PVTM MRKNG (40 mil) (6IN DOTTED LINE)	L.F.	\$ 1.00	\$ 1.50	\$ 0.65
716-13.11	SPRAY THERMO PVTM KRKNG (60 MIL 12IN BARRIER LINE)	L.F.	\$ 4.00	\$ 4.00	\$ 1.35
716-14.01	PROFILED THERMO PVTM MRKNG AUDIBLE (4IN)	L.M.	No Bid	No Bid	No Bid
716-14.02	PROFILED THERMO PVTM MRKNG AUDIBLE (6IN)	L.M.	No Bid	No Bid	No Bid

REPORT TO THE BOARD OF MAYOR AND ALDERMEN**PREPARED BY:** Darryl Smith, PE**SUBJECT:** Approval of Bids for Contract 2024-03, 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 a request 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 May 22, from Roadway Solutions, LLC and Highway Markings, Inc. While the bid prices submitted by Highway Markings are mostly lower than those of Roadway Solutions, we have had difficulties with responsiveness in the past. Damage to guardrail is typically the result of traffic accidents, and the cost for repairs is normally covered by the driver's insurance. With these thoughts in mind, staff recommends award of Contract 2024-03 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:** A. Myers**RECOMMENDATION BY:** Darryl Smith, PE, Town Engineer**PROPOSED MOTION:** Approval of bids and award of Contract 2024-03 to Roadway Solutions, LLC.**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	_____	_____	_____	_____	_____

2024-03: On-Call Guardrail Maintenance



ITEM #	DESCRIPTION	UNIT	2023 Current Rates (Roadway Solutions, LLC)	Roadway Solutions, LLC	Highway Markings Inc
			UNIT PRICE	UNIT PRICE	UNIT PRICE
705-01.01	GUARDRAIL AT BRIDGE ENDS	LF	\$ 80.00	\$ 100.00	\$ 82.50
705-01.04	METAL BEAM GUARD FENCE	LF	\$ 90.00	\$ 115.00	\$ 92.75
705-02.01	SINGLE GUARDRAIL WITH RUB-RAIL (TYPE 2)	LF	\$ 40.00	\$ 42.00	\$ 48.50
705-02.02	SINGLE GUARDRAIL (TYPE 2)	LF	\$ 35.00	\$ 36.50	\$ 36.75
705-02.03	SINGLE GUARDRAIL (TYPE 2) LONG POST	LF	\$ 40.00	\$ 42.00	\$ 39.50
705-02.20	SINGLE GUARDRAIL (TYPE 2) LONG POST (6'-9')	LF	\$ 45.00	\$ 47.00	\$ 42.50
705-02.25	SINGLE GUARDRAIL (TYPE 2) LONG POST (9'-12')	LF	\$ 50.00	\$ 53.75	\$ 45.25
705-04.02	GUARDRAIL TERMINAL (TYPE 12)	EA	\$ 4,000.00	\$ 4,000.00	\$ 1,325.00
705-04.03	GUARDRAIL TERMINAL (TYPE 13)	EA	\$ 1,500.00	\$ 1,700.00	\$ 1,450.00
705-04.04	GUARDRAIL TERMINAL (TYPE 21) (S-GRT-3)	EA	\$ 3,000.00	\$ 3,300.00	\$ 2,975.00
705-04.07	TAN ENERGY ABSORBING TERM (NCHRP 350, TL3) (TYPE 38) (S-GRT-2)	EA	\$ 3,500.00	\$ 3,800.00	\$ 3,450.00
705-04.09	EARTH PAD FOR TYPE 38 GR END TREATMENT	EA	\$ 1,500.00	\$ 2,000.00	\$ 1,875.00
705-04.10	EARTH PAD FOR GUARD RAIL END TREATMENT	EA	\$ 1,500.00	\$ 2,000.00	\$ 1,875.00
705-04.11	STONE FOR GUARDRAIL END TERMINAL PAD	TN	\$ 60.00	\$ 100.00	\$ 48.25
705-06.01	W BEAM GR (TYPE 2) MASH TL3	LF	\$ 35.00	\$ 36.00	\$ 38.25
705-06.20	TANGENT ENERGY ABSORBING TERM MASH TL-3	EA	\$ 3,500.00	\$ 4,000.00	\$ 3,450.00
705-06.30	GR TERMINAL (TYPE 21) MASH TL2	EA	\$ 3,000.00	\$ 3,500.00	\$ 2,975.00
706-01	GUARDRAIL REMOVED	LF	\$ 12.00	\$ 12.00	\$ 3.75
706-03.01	POSTS FURNISHED	EA	\$ 250.00	\$ 350.00	\$ 92.75
706-06.03	RADIUS RAIL	LF	\$ 52.50	\$ 54.00	\$ 37.50
706-06.05	RADIUS RAIL ON LONG POST (6-9 FT)	LF	\$ 67.50	\$ 68.50	\$ 42.25
706-06.06	RADIUS RAIL ON LONG POST (9-12 FT)	LF	\$ 75.00	\$ 78.00	\$ 47.50
706-10.26	ROUNDED END ELEMENT	EA	\$ 125.00	\$ 150.00	\$ 85.00
706-10.73	REMOVAL OF GUARDRAIL & POST FOR REUSE	LF	\$ 12.00	\$ 12.50	\$ 7.50
706-10.82	CONCRETE BRIDGE END OR PIER PROTECTION REPAIR	CY	\$ 4,500.00	\$ 5,500.00	\$ 3,500.00
712-01	TRAFFIC CONTROL(LANE CLOSURE) (per work order)	EA	\$ 1,000.00	\$ 1,150.00	\$ 500.00
717-01	MOBILIZATION (per work order)	EA	\$ 500.00	\$ 600.00	\$ 500.00
717-01.03	MOBILIZATION (emergency work per work order)	EA	\$ 1,000.00	\$ 1,150.00	\$ 1,250.00

REPORT TO THE BOARD OF MAYOR AND ALDERMEN**PREPARED BY:** Darryl Smith, PE**SUBJECT:** Approval of Bids for Contract 2024-04, 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 a request 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 three bid proposals on May 23, from Progression Electric, LLC, Stansell Electric Company, Inc., and Davis H. Elliot Company, Inc. We have attached a tabulation of unit prices from the three companies. These unit prices are competitive from all three bidders. While we should always consider bid prices, we must note that Progression Electric is currently under contract to complete the Town's ATMS project, which includes replacement of hardware and cabinets for all 26 signalized intersections. Typically, we should avoid having two separate contractors working on two separate projects in the same space, as it can lead to misunderstandings and "finger-pointing" when something goes wrong. With this in mind, staff recommends award of this contract 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>
\$60,000	\$60,000	\$0

Approved**By:** A. Myers**RECOMMENDATION BY:** Darryl Smith, Town Engineer.**PROPOSED MOTION:** Approval of bids and award of Contract 2024-04 to Progression Electric, LLC.**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	_____	_____	_____	_____	_____

2024-04: On-Call Traffic Signal Maintenance



TYPE	DESCRIPTION	UNIT	QUANTITY	2023 Current Rates (Progression Electric, LLC)	Progression Electric, LLC	Stansell Electric Company, Inc.	Davis H. Elliot Co., Inc
				UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE
Scheduled	Scheduled Preventive Maintenance (semi-annual) per signal intersection	EA	26	\$ 195.00	\$ 184.50	\$ 308.00	\$ 240.00
Scheduled	Scheduled Preventive Maintenance (annual) per signal intersection	EA	26	\$ 230.00	\$ 185.00	\$ 352.00	\$ 300.00
	TOTAL			\$ 11,050.00	\$ 9,607.00	\$ 17,160.00	\$ 14,040.00
Non-Scheduled	Emergency- (2 Hour Response Time)	HR		\$ 170.00	\$ 175.00	\$ 150.00	\$ 185.00
Non-Scheduled	Same-day- (8 Hour Response Time)	HR		\$ 150.00	\$ 155.00	\$ 135.00	\$ 150.00
Non-Scheduled	After-hours - (8 Hour Response Time)	HR		\$ 150.00	\$ 165.00	\$ 135.00	\$ 150.00
Non-Scheduled	Regular	HR		\$ 150.00	\$ 155.00	\$ 135.00	\$ 130.00
Non-Scheduled	15 ton crane (4 hour minimum per service call.)	HR		\$ 95.00	\$ 115.00	\$245 Digger Derek	\$ 180.00
Miscellaneous	SERVICE TRUCK – OPERATOR/ELECTRICIAN INCLUDED	HR		\$ 95.00	\$ 95.00	\$ 115.00	\$ 98.00
Miscellaneous	BUCKET TRUCK – OPERATOR/ELECTRICIAN INCLUDED	HR		\$ 140.00	\$ 140.00	\$ 135.00	\$ 138.00
Miscellaneous	Laborer	HR		\$ 55.00	\$ 56.00	\$ 65.00	\$ 48.00
Miscellaneous	Technician, IMSA Level I	HR		\$ 65.00	\$ 67.00	\$ 70.00	\$ 67.00
Miscellaneous	Technician, IMSA Level II	HR		\$ 65.00	\$ 69.00	\$ 80.00	\$ 67.00
Miscellaneous	Technician, IMSA Level III	HR		\$ 80.00	\$ 80.00	\$ 85.00	\$ 80.00
Miscellaneous	Licensed Electrician	HR		\$ 80.00	\$ 85.00	\$ 90.00	\$ 80.00
Miscellaneous	REPAIR MASTER CONTROLLER or CONTROLLER (Remove & Re-install Only)	HR		\$ 180.00	\$ 200.00	\$ 135.00	\$ 250.00
Miscellaneous	Provide temporary controller	EA		\$ 300.00	\$ 350.00	\$50 Weekly	\$ 400.00
Miscellaneous	Provide temporary CONFLICT MONITOR	EA		\$ 210.00	\$ 210.00	\$30 Weekly	\$ 200.00
Miscellaneous	REPLACE EXISTING LOOP DETECTOR, INCLUDES SAW CUT PAVEMENT & LEAD-IN	LF		\$ 13.50	\$ 15.00	\$ 17.50	\$ 11.50

AGENDA NUMBER: VI.F.

MEETING DATE: June 8, 2023

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: William E. McKelvey, Public Works Director

SUBJECT: Approval of State of Tennessee Contract NO. 00719 to Purchase Fuel

INTRODUCTION: The purpose of this agenda item is to consider authorizing a contract the State of Tennessee has entered into with WEX, a worldwide leader in fleet management and fueling solutions, for the purchase of all Town of Farragut gasoline and diesel fuel for our on the road vehicles. The program will help with overall fueling expenses and provide us with tools to improve our operational efficiency.

STRATEGIC PLAN: Public Works is always looking for ways to enhance the Town's financial position, and with the WEX program we will be able to save 18.3% on gas and 24.3% on diesel fuel. Our current budget line item for fuel is \$111,800.00. The savings for the Town would be approximately \$17,000.00 per year.

BACKGROUND: The Town has looked at many ways to save money on fuel purchases. This is the best program we have identified for purchasing fuel, including renting tanks and buying in bulk. The program provides online purchase activity reports enabling the Town to track activity, flag any misuse and keep expenses in check. Financial and site summaries reports will help manage vehicle related expenses and can be used as a planning tool for budgeting purposes.

DISCUSSION: Approving this contract provides real-time access to a variety of reporting needs, invoice payment and allows personnel and vehicle changes to be updated in-house. The Town's current fueling system provides this information but at a higher price.

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

PROPOSED MOTION: To approve the State of Tennessee Contract # 00719 with WEX for the purchase of fuel for Town of Farragut vehicles.

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	_____	_____	_____	_____	_____

STATE OF TENNESSEE FLEET CARD PROGRAM



CONTRACT NO. 00719

BETTER SAVINGS

Earn monthly rebates based on gallons purchased

Use electronic billing to reduce administrative costs

No enrollment, setup, or card fees

BETTER SECURITY

Enforce your spending policy with purchase limits you control

Driver PINs at the pump help prevent misuse

BETTER ACCOUNTING

Track spending online — see details like driver, odometer reading, and more for every purchase

Download monthly reports

Tax exemption reporting for qualified fleets

A BETTER EXPERIENCE



APPLY TODAY

State of Tennessee Fleet Card Contract No. 00719

FAX the enclosed addendum to 1-866-527-8873



*Actual savings may vary.

WEXG_660700_DM 06/22

FOR MORE INFORMATION

CALL 1-866-527-8870 | **VISIT** www.wexinc.com/Tennessee | **EMAIL** governmentmailbox@wexinc.com

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Bigfoot Food Stores	Handi Stop	Snappy Mart
Breadbox	Hugo's	Sparky's One Stop
Buc-ee's	Jacksons	Speedy Q Market
Bucky's	Jiffy Trip	Spinx
Capital City	Jr. Food Stores	Sprint Food Stores
Certified Oil	King Soopers	Sprint Mart
Coastal	Lassus Handy Dandy	Stamart Travel Centers
CoGo's	Little General	Star Stop
Convenient	M&H	Stewart's Shops
Food Mart	Mansfield Oil	Stinker
Country Fair	McLure Oil	Summit Food Stores
Daily's	Mr. Mike's	Super Quik
Delta Sonic	Mutual	Timewise
Dillons	NOCO Energy	Tom Thumb
Double Quick	Nouria	Toot'n Totum
Enmarket	OK Petroleum	Town Pump
Express Stop	Pak-a-Sak	Valley Dairy
Family Express	Par Mar	Weigel's
Family Fare	Parker's	Wesco
FasMart	Petro-Mart	West Texas Gas
Fast Track	Pride	White Oak Station
Fastrac	Pump & Pantry	Xtra Mart
Flash Market	Qik-n-EZ	
Fred Meyer	Quality Mart	
Freedom Value Centers	Quarles	
Fry's Food Stores	Quik Mart	
Fuel Mart	Rebel	
	Road Ranger	
	Rotten Robbie	

Card acceptance is subject to independent owner/operator participation and subject to change without notice.



ACCEPTING SERVICE SITES

American Lubefast	Harmon Glass	...and many regional
Dodge BusinessLink (limited)	Netcost Auto Glass	and independent
GM Goodwrench (limited)	Tire Centers Inc.	locations nationwide.
	Wash Depot	



FOR MORE INFORMATION,
visit our website at www.wexinc.com/Tennessee/M23796

wex

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Allison Myers, Town Recorder

SUBJECT: Approval of Re-Appointments to the Farragut Visual Resources Review Board

INTRODUCTION: The purpose of this business item is to consider the re-appointment of Brittany Moore and Derek Wright to the Visual Resources Review Board. Both members missed three meetings and are seeking re-appointment. Re-appointment requests are attached.

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

PROPOSED MOTION: To re-appoint Brittany Moore and Derek Wright to the Visual Resources Review Board.

BOARD ACTION:

MOTION BY: _____ SECONDED BY: _____

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

Allison Myers

From: Bart Hose
Sent: Thursday, June 1, 2023 5:02 PM
To: Allison Myers
Subject: FW: VRRB Membership

Allison,

I just received Derek Wright's request to be reappointed to the VRRB for the remainder of his normal term on the board. It's my understanding that he coaches youth soccer and that some of his absences are related to those activities. He first began serving on the board in July of 2020.

Bart

Bart Hose

Assistant Community Development Director

EMAIL • BHOSE@TOWNOFFARRAGUT.ORG

PHONE • [865.966.7057](tel:865.966.7057) Office
[865.671.7652](tel:865.671.7652) Fax

ADDRESS • 11408 MUNICIPAL CENTER DRIVE
FARRAGUT, TN 37934



From: Derek Wright <Derek@grahamandcook.com>
Sent: Thursday, June 1, 2023 4:44 PM
To: Bart Hose <bhose@townoffarragut.org>
Subject: RE: VRRB Membership

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.

Bart,

Based on absences I had in the last several months that were unavoidable I fell below the threshold to retain my board position. I would like to be reappointed to VRRB and continue my term through June 2024.

Thank you.

Derek

Derek Wright
Agent | Principal
Graham & Cook Ins

Allison Myers

From: Bart Hose
Sent: Thursday, June 1, 2023 4:48 PM
To: Allison Myers
Subject: FW: VRRB Membership

Allison,

Below is the email from Brittany Moore requesting reappointment to the VRRB for the remainder of her normal term. She is a knowledgeable member and, in speaking with her, the three absences were related to covid-19, a childcare issue, and an unavoidable work/business conflict.

Bart

Bart Hose

Assistant Community Development Director

EMAIL • BHOSE@TOWNOFFARRAGUT.ORG

PHONE • [865.966.7057](tel:865.966.7057) Office
[865.671.7652](tel:865.671.7652) Fax

ADDRESS • 11408 MUNICIPAL CENTER DRIVE
FARRAGUT, TN 37934



  townoffarragut.org

From: Moore, Brittany <brittany.moore@wbd.com>
Sent: Thursday, June 1, 2023 4:30 PM
To: Bart Hose <bhose@townoffarragut.org>
Subject: RE: VRRB Membership

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Hi Bart,

I apologize about missing 3 meetings within the year. I would like to be given the opportunity to seek reappointment.

Thank you for reaching out.

Brittany

Brittany Moore

Senior Manager, Learning & Development
warnerbroscopy.com



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