

# A G E N D A

## FARRAGUT BOARD OF MAYOR AND ALDERMEN MINUTES

February 8, 2007

### PUBLIC HEARING

6:55 PM

- I. **Ordinance 06-37**, request to rezone a portion of Parcel 98, Tax Map 141, located on Everett Road, abutting Fox Run subdivision, 52 Acres, from A to R-1 and OSR (G & B Services, Applicant)

### FBMA MEETING

7:00 PM

- I. Silent Prayer, Pledge of Allegiance, Roll Call
- II. Citizen's Forum
- III. Mayor's Report
  - A. Presentation to Farragut High School Project Graduation 2007
- IV. Approval of Minutes
  - A. January 25, 2007
- V. Ordinances
  - A. **Second Reading**
    1. **Ordinance 06-35**, Ordinance to amend the text of the Farragut Municipal Code, Title 9, Chapter 4, Sign Ordinance, Section 9-406. Sign regulations by land use and/or zoning districts, (3)(g) and (4)(g), to change street clock requirements (Holrob - Turkey Creek V, Applicant)
    2. Consider Cost Share Agreement with respect to Everett Rd improvements
      - a) **Ordinance 06-37**, request to rezone a portion of Parcel 98, Tax Map 141, located on Everett Road, abutting Fox Run subdivision, 52 Acres, from A to R-1 and OSR (G & B Services, Applicant)
    3. **Ordinance 07-01**, Ordinance to amend Title 4 of the Farragut Municipal Code and to adopt a Code of Ethics Establishing Ethical Standards for the Town's officers and employees, as required under Section 8-17-103 of The Tennessee Code Annotated.
  - B. **First Reading**
    1. **Ordinance 07-02**, Ordinance to amend the text of the Farragut Municipal Code, Title 9, Chapter 4, Sign Ordinance, Section 9-406. (4), to develop different wall sign requirements for large multiple tenant buildings with a shared primary entrance (Partners Development, Applicant)

2. **Ordinance 07-03**, Ordinance to amend title 8, alcoholic beverages, chapter 1, intoxicating liquors, of the Farragut municipal code to modify restrictions upon the location and number of retail liquor outlets within the town, and to clarify the process of issuing certificates of compliance and selected applicants for additional locations.

VI. **New Business**

- A. Redflex Red Light Camera System Presentation
- B. Consider Approval of Proposal for Contract to Audit Accounts for Fiscal Year Ending June 30, 2007, from Ingram, Overholt & Bean, PC
- C. Consider Approval of Resolution R-07-01, Appointment of Municipal Judge
- D. Consider Approval of bids for Contract 2007-10, Installation of traffic signal at Kingston Pike and Old Stage Road
- E. Consider Approval to Locate World War II Guns at McFee Road Park

VII. **Administrator's Report**

VIII. **Associate Administrator's Report**

IX. **Engineer's Report**

X. **Recorder's Report**

XI. **Attorney's Report**

## **FARRAGUT BOARD OF MAYOR AND ALDERMEN MINUTES**

February 8, 2007

### **PUBLIC HEARING**

The public hearing was called to order by Mayor Ford at 6:55 PM. Elected officials present were Mayor Ford, Aldermen Garber, and Rosseel; Aldermen Haynes and LaMarche were absent.

The public hearing was called to hear citizen comments on the following ordinance:

**Ordinance 06-37**, request to rezone a portion of Parcel 98, Tax Map 141, located on Everett Road, abutting Fox Run subdivision, 52 Acres, from A to R-1 and OSR (G & B Services, Applicant)

There were no citizen comments.  
Public hearing closed at 7:00 PM.

### **FBMA MEETING**

The meeting was called to order by Mayor Ford at 7:00 PM. Elected officials present were Mayor Ford, Aldermen Garber, Haynes, LaMarche, and Rosseel.

#### **Mayor's Report**

On behalf of the Town of Farragut and the Farragut Board of Mayor and Aldermen, Mayor Ford presented a check in the amount of \$1,000 for the Farragut High School (FHS) Project Graduation 2007 to Nancy Wentz, Margaret Jansen, and Carrie LeSage, representatives of FHS Project Graduation 2007 (see attachment). The FHS PTSO, parents, and the Knoxville and Farragut community are sponsoring the event that will be provided for FHS graduating seniors on May 19, 2007 at Fort Sanders Health and Fitness Center.

At Mayor Ford's request, motion was made to postpone Item VI.E, Approval to Locate World War II Guns at McFee Road Park, until the February 22, 2007 FBMA meeting. Moved by Alderman Haynes, seconded by Alderman LaMarche; voting yes, Mayor Ford, Aldermen Garber, Haynes, LaMarche and Rosseel; no nays; motion passed.

#### **Approval of Minutes**

Motion was made to approve the minutes of the January 25, 2007 meeting of the Farragut Board of Mayor and Aldermen. Moved by Alderman Garber, seconded by Alderman Rosseel; voting yes, Mayor Ford, Aldermen Garber, Haynes, and Rosseel; no nays; Alderperson LaMarche abstained; motion passed.

#### **Ordinances**

##### **Second Reading**

**Ordinance 06-35**, Ordinance to amend the text of the Farragut Municipal Code, Title 9, Chapter 4, Sign Ordinance, Section 9-406. Sign regulations by land use and/or zoning districts, (3)(g) and (4)(g), to change street clock requirements (Holrob - Turkey Creek V, Applicant)

The Farragut Municipal Planning Commission (FMPC) and staff recommended approval of Ordinance 06-35. Motion was made to approve Ordinance 06-35 on second and final reading (see attachment). Moved by Alderman Rosseel, seconded by Alderman LaMarche; voting yes, Mayor Ford, Aldermen Garber, Haynes, LaMarche and Rosseel; no nays; motion passed.

**Consider Cost Share Agreement with respect to Everett Rd improvements**

Dan Olson, Town Administrator, presented a proposed cost sharing agreement between the Town of Farragut and Farragut Development, LLC for certain improvements to a section of Everett Road from the entrance to a proposed 52-acre development on Everett Road (see Ordinance 06-37) south to the Everett Road and Smith Road intersection, a distance of approximately 1300 feet. The agreement calls for the Town to pay for 33% of the costs of the improvements up to \$300,000 plus the cost of acquiring necessary right-of-way and easements from affected property owners for the improvements, except necessary property owned by the developer (see attachment). Motion was made to approve the cost share agreement for Everett Road improvements. Moved by Alderman Rosseel, seconded by Alderman Garber.

The words "by the developer" were added at the end of Paragraph 9 of the proposed agreement. Both Mr. Olson and Tom Hale, Town Attorney, recommended approval of the agreement as amended. A substitute motion was made to approve the cost share agreement as amended. Moved by Alderman Rosseel, seconded by Alderman Garber; voting yes, Mayor Ford, Aldermen Garber, Haynes, LaMarche, and Rosseel; no nays; motion passed.

The Board discussed the possibility of a separate Town of Farragut project for improvement of Everett Road from Smith Road south to Union Road. Mr. Olson noted that such a project coupled with the project described in the cost sharing agreement would give a uniform road from Kingston Pike all the way to the entrance of the proposed development. The consensus among the Board and staff was that the Town should proceed to develop such a project in a timely manner in order to piggyback the Town's project with the Everett Road project described in the cost sharing agreement.

**Ordinance 06-37**, request to rezone a portion of Parcel 98, Tax Map 141, located on Everett Road, abutting Fox Run subdivision, 52 Acres, from A to R-1 and OSR (G & B Services, Applicant)

The FMPC and staff recommended approval of Ordinance 06-37. Motion was made to approve Ordinance 06-37 on second and final reading (see attachment). Moved by Alderman Rosseel, seconded by Alderman Haynes; voting yes, Mayor Ford, Aldermen Garber, Haynes, LaMarche and Rosseel; no nays; motion passed.

**Ordinance 07-01**, Ordinance to amend Title 4 of the Farragut Municipal Code and to adopt a Code of Ethics Establishing Ethical Standards for the Town's officers and employees, as required under Section 8-17-103 of The Tennessee Code Annotated

Staff and Tom Hale, Town Attorney, recommended approval of Ordinance 07-01. Motion was made to approve Ordinance 07-01 on second and final reading (see attachment). Moved by Alderman LaMarche, seconded by Alderman Rosseel; voting yes, Mayor Ford, Aldermen Garber, Haynes, LaMarche and Rosseel; no nays; motion passed.

**First Reading**

**Ordinance 07-02**, Ordinance to amend the text of the Farragut Municipal Code, Title 9, Chapter 4, Sign Ordinance, Section 9-406. (4), to develop different wall sign requirements for large multiple tenant buildings with a shared primary entrance (Partners Development, Applicant)

The Visual Resources Review Board and the FMPC recommended approval of Ordinance 07-02; staff does not support the ordinance. Motion was made to approve Ordinance 07-02 on first reading (see attachment). Moved by Alderman Haynes, seconded by Alderman Garber; voting yes, Mayor Ford, Aldermen Garber, Haynes, and LaMarche; voting no, Alderman Rosseel; motion passed.

**Ordinance 07-03**, Ordinance to amend title 8, alcoholic beverages, chapter 1, intoxicating liquors, of the Farragut municipal code to modify restrictions upon the location and number of retail liquor outlets within the town, and to clarify the process of issuing certificates of compliance and selected applicants for additional locations

Motion was made to postpone Ordinance 07-03 until the February 22, 2007 FBMA meeting. Moved by Alderman Haynes seconded by Alderman Rosseel; voting yes, Mayor Ford, Aldermen Garber, Haynes, LaMarche and Rosseel; no nays; motion passed.

## New Business

### **Redflex Red Light Camera System Presentation**

Gary Palmer, Associate Town Administrator, reported on results of informal observations by Town staff of motorists running red lights at four major intersections in the Town of Farragut, Kingston Pike and Campbell Station Road, Campbell Station Road and Grigsby Chapel Road, Kingston Pike and Concord Road, and Kingston Pike and Smith Road. Staff's observations involved one of the Town engineers sitting in their car and counting violations (red light runners) at varying times for one full week.

Representatives from Redflex Traffic Systems, Inc. presented information concerning their high-resolution digital red light and speed photo enforcement camera systems. Redflex noted that they were the contractor for the red-light photo enforcement system currently used by the City of Knoxville. Mayor Ford asked that staff along with Tom Hale, Town Attorney, work to draft an action plan for consideration of the red-light photo enforcement within the Town of Farragut. After the plan is completed it should be presented to the Board for review.

### **Consider Approval of Proposal for Contract to Audit Accounts for Fiscal Year Ending June 30, 2007, from Ingram, Overholt & Bean, PC**

Staff recommended approval of a contract with Ingram, Overholt & Bean, PC to audit Town accounts for the fiscal year ending June 30, 2007. Motion was made to approve the contract to audit accounts for fiscal year ending June 30, 2007 from Ingram, Overholt, and Bean in the amount of \$10,450 (see attachment). Moved by Alderman Haynes, seconded by Alderman LaMarche; voting yes, Mayor Ford, Aldermen Garber, Haynes, LaMarche, and Rosseel; no nays; motion passed.

### **Consider Approval of Resolution R-07-01, Appointment of Municipal Judge**

Vice-mayor Haynes nominated Jerry M Martin for the appointment of Municipal Judge for the Town of Farragut for a one-year term ending January 31, 2008. Motion was made to cease nominations. Moved by Alderman Rosseel, seconded by Alderman Garber; voting yes, Mayor Ford, Aldermen Garber, Haynes, LaMarche and Rosseel; no nays; motion passed.

Motion was to approve Resolution R-07-01 appointing Jerry M Martin as Municipal Judge for the Town of Farragut for a one-year term ending January 31, 2008 at a monthly salary of \$100. Moved by Alderman Haynes, seconded by Alderman LaMarche; voting yes, Mayor Ford, Aldermen Garber, Haynes, LaMarche and Rosseel; no nays; motion passed.

### **Consider Approval of bids for Contract 2007-10, Installation of traffic signal at Kingston Pike and Old Stage Road**

Darryl Smith, Town Engineer, presented results of bid summary for proposed Contract 2007-10 for traffic-signal installation at the Kingston Pike and Old Stage Road intersection. Staff recommended awarding the contract to Progression Electric, LLC, the low bid, and noted that the

Town has always had good experiences working with Progression Electric in the past. Motion was made to award Contract 2007-10, traffic signal installation at Kingston Pike and Old Stage Road, to Progression Electric, LLC in the amount of \$86,938.47. Moved by Alderman Haynes, seconded by Alderman Garber; voting yes, Mayor Ford, Aldermen Garber, Haynes, LaMarche and Rosseel; no nays; motion passed.

### **Administrator's Report**

Mayor Ford requested Dan Olson, Town Administrator, and Tom Hale, Town Attorney, prepare a written procedure for publicizing Town meetings that may fall under the State's sunshine law.

### **Associate Administrator's Report**

Gary Palmer, Associate Town Administrator, reported that TDS Telecom had hit a First Utility District water line causing a water main break in Fox Run Subdivision.

### **Engineer's Report**

Darryl Smith, Town Engineer, reported that the west end of Turkey Creek Road would be closed beginning February 19, 2007 for construction of the bridge. The road will be closed for approximately six months.

Meeting adjourned at 9:35 PM.

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W. Edward Ford, III, Mayor

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Allison M. Myers, Town Recorder

Approved: \_\_\_\_\_