

A G E N D A

FARRAGUT BOARD OF MAYOR AND ALDERMEN

MINUTES

December 13, 2007

VOLUNTEER TEA

4:30 – 6:30 p.m. (by invitation)

Naming of Gallery III, Special Collections honoring Bill Dunlap and Museum Gift Shop in memory of Frances Abel

6:00 PM

PUBLIC HEARING

6:55 PM

- I. **Ordinance 07-34** – Ordinance to rezone Lot 203, Sheffield - Unit 1, located adjacent to Little Turkey Creek and on Thornbush Lane, 5.39 Acres, from A Agricultural District to R-1 Rural Single-Family District (Dave Galbraith, Applicant)

- II. **Ordinance 07-35** – Ordinance to rezone Parcel 2, Tax Map 152BA, located on the southwest corner of McFee and Allen Kirby Roads, 12640 Allen Kirby Road, 2.43 Acres, from R-2 General Single-Family Residential District to R-1 Rural Single-Family Residential District (Susan Johnson, Applicant)

FBMA MEETING

7:00 PM

- I. Silent Prayer, Pledge of Allegiance, Roll Call

- II. Approval of Agenda

- III. Citizen's Forum

- IV. Presentation of Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2007

- V. Mayor's Report

- VI. Approval of Minutes
 - A. November 8, 2007

VII. Ordinances

A. Second Reading

1. **Ordinance 07-34** – Ordinance to rezone Lot 203, Sheffield - Unit 1, located adjacent to Little Turkey Creek and on Thornbush Lane, 5.39 Acres, from A Agricultural District to R-1 Rural Single-Family District (Dave Galbraith, Applicant)
2. **Ordinance 07-35** – Ordinance to rezone Parcel 2, Tax Map 152BA, located on the southwest corner of McFee and Allen Kirby Roads, 12640 Allen Kirby Road, 2.43 Acres, from R-2 General Single-Family Residential District to R-1 Rural Single-Family Residential District (Susan Johnson, Applicant)
3. **Ordinance 07-36** – Ordinance Designating BB&T Bank as the Depository of Municipal Funds

B. First Reading

1. **Ordinance 07-33**, "Automated Red Light Enforcement."
2. **Ordinance 07-37**, ordinance to rezone a portion of Parcel 80, Tax Map 150, located approximately 200 feet south of Kingston Pike and 200 feet west of S. Watt Road southeast of the Court Café, approximately 2.3 Acres, from R-2 to C-1 (Tyler Lindsey, Applicant)
3. **Ordinance 07-38**, Ordinance to rezone Parcels 142 and 148, Tax Map 142, 11500 Kingston Pike, located on the south side of Kingston Pike across from Village Green Shopping Center, from C-1, O-1, B-1, R-1, and R-2 to TCD Town Center District, 27.51 Acres (Southern Home Development, Inc., Applicant)
4. **Ordinance 07-39**, to amend the text of the Farragut Zoning Ordinance, Chapter 3, Section XII. General Commercial District (C-1) and Section XV. Regional Commercial District (C-2), to allow coffee shops with drive-through service lanes as the principal means for service and to remove the outdoor seating percentage based on indoor seating, and Chapter 4, Section XX. Parking and Loading, to require parking for outdoor seating areas (Robinson & Phillips, LLC, Applicant)

VIII. Unfinished Business

- A. Consider Approval of Contract for Laserfiche Services

IX. New Business

- A. Consider approval of bid for LED Replacement traffic Signal Modules
- B. Consider approval of bid for 2008 2-Wheel drive SUV Hybrid
- C. Consider approval of bid for 2008 4-Wheel drive SUV Hybrid
- D. Consider bids for 2008 2-Wheel drive ¾ ton pick-up truck
- E. Consider Approval of Snow Removal Schedule for Winter of 2007/2008
- F. Consider request for variance from Title 14, Chapter 2, Aquatic Buffer Ordinance, Parcel 191.02, Tax Map 130, to fill wetlands (Farragut Land Partners, LLC, Applicant)
- G. Consider Appeal request regarding violations to the Town's Ordinances, (Jonas Holdeman, Appellant)

- H. Discussion of appraisal of an unspecified parcel of private property to determine the feasibility for possible Town acquisition

X. Administrator's Report

XI. Associate Administrator's Report

XII. Engineer's Report

XIII. Recorder's Report

XIV. Attorney's Report

FARRAGUT BOARD OF MAYOR AND ALDERMEN MINUTES

December 13, 2007

PUBLIC HEARING

6:55 PM

The public hearing was called to order by Mayor Ford at 6:55 PM. Elected officials present were Mayor Ford, Aldermen Haynes, LaMarche, Rosseel, and Williams. The public hearing was called to hear citizen comments on the following ordinances:

Ordinance 07-34 – Ordinance to rezone Lot 203, Sheffield - Unit 1, located adjacent to Little Turkey Creek and on Thornbush Lane, 5.39 Acres, from A Agricultural District to R-1 Rural Single-Family District (Dave Galbraith, Applicant)

Ordinance 07-35 – Ordinance to rezone Parcel 2, Tax Map 152BA, located on the southwest corner of McFee and Allen Kirby Roads, 12640 Allen Kirby Road, 2.43 Acres, from R-2 General Single-Family Residential District to R-1 Rural Single-Family Residential District (Susan Johnson, 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 Haynes, LaMarche, Rosseel, and Williams.

Approval of Agenda

At the request of the applicant, Item IX.F was withdrawn from the agenda.

Motion was made to defer Item VII.A.3, the second reading of Ordinance 07-36. Moved by Alderman Williams, seconded by Alderman Rosseel; Roll call vote; Alderman Haynes, No; Alderman LaMarche, No; Alderman Rosseel, Yes; Alderman Williams, Yes; Mayor Ford, No; motion fails 3-2.

Motion was made to approve the agenda with the deletion of Item IX.F. Moved by Alderman LaMarche, seconded by Alderman Williams; voting yes, Mayor Ford, Aldermen Haynes, LaMarche, Rosseel, and Williams; no nays; motion passed.

Citizen's Forum

There were no citizen comments.

Presentation of Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2007

Mark Lund, representative with Ingram, Overholt, and Bean, P.C., Certified Public Accountants, presented an overview of the firm's audit of the Town of Farragut's internal control over financial reporting and compliance and other matters based on an audit of the Town's Fiscal Year 2007 financial statements and other material provided by the Town. The audit report is included in the document: Allison M. Myers, Town Recorder, ***Town of Farragut (Tennessee) Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2007***. Mr. Lund noted that the audit was conducted in accordance with auditing standards generally accepted in the United States of America and standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Mr. Lund complimented the Town for receiving the Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting for the past 15 years and suggested that the Town's Annual Report for Fiscal Year 2007 deserves similar recognition. Mayor Ford commended Mrs. Myers for her contribution to the report and commended Dan Olson, Town Administrator, and his staff for their outstanding financial planning and management of the Town. Mayor Ford asked that a copy of the report be made available at the Town Hall and at the Farragut Branch of the Knox County Public Library for viewing by the public.

Mayor's Report

Mayor Ford announced that prior to the Board meeting the Town hosted a Volunteer Tea in the Town Hall. At the Tea, Bill Dunlap, former exhibits designer for the Farragut Folklife Museum (FFM), was honored for his service to the museum by the Town naming Gallery III, Special Collections, the Bill Dunlap Gallery and the placing of a plaque bearing his name above the door to the gallery. Francis Abel, former FFM Gift Shop manager, was honored for her service to the museum by the Town naming the Museum Gift Shop the Francis Able Gift Shop and the placing of a plaque baring her name above the entrance to the gift shop.

Alderman Haynes expressed his gratitude to the Town's Public Works Crew for their work in placing ten new benches along public walking trails and on other Town property.

Alderman LaMarche thanked the Town for allowing the Board to go to the National League of Cities (NLC) annual conference that was held in New Orleans in November. She also thanked Weigel's for changing their sign so quickly at their Smith Road location.

Alderman Rosseel reported that the speed humps on Cloverfork Road are working. He expressed his gratitude to the Town for the traffic studies.

Approval of Minutes

After a correction to the minutes of the November 8, 2007 FBMA meeting, a motion was made to approve the minutes as modified. Moved by Alderman LaMarche, seconded by Alderman Haynes; voting yes, Mayor Ford, Aldermen Haynes, LaMarche, and Rosseel; Alderman Williams abstained; no nays; motion passed.

Ordinances

Second Reading

Ordinance 07-34 – Ordinance to rezone Lot 203, Sheffield - Unit 1, located adjacent to Little Turkey Creek and on Thornbush Lane, 5.39 Acres, from A Agricultural District to R-1 Rural Single-Family District (Dave Galbraith, Applicant)

Motion was made to approve Ordinance 07-34 on second and final reading (see attachment). Moved by Alderman Rosseel, seconded by Alderman LaMarche; voting yes, Mayor Ford, Aldermen Haynes, LaMarche, Rosseel, and Williams; no nays; motion passed.

Ordinance 07-35 – Ordinance to rezone Parcel 2, Tax Map 152BA, located on the southwest corner of McFee and Allen Kirby Roads, 12640 Allen Kirby Road, 2.43 Acres, from R-2 General Single-Family Residential District to R-1 Rural Single-Family Residential District (Susan Johnson, Applicant)

Motion was made to approve Ordinance 07-35 on second and final reading (see attachment). Moved by Alderman Rosseel, seconded by Alderman Haynes; voting yes, Mayor Ford, Aldermen Haynes, LaMarche, Rosseel, and Williams; no nays; motion passed.

Ordinance 07-36 – Ordinance Designating BB&T Bank as the Depository of Municipal Funds

Motion was made to approve Ordinance 07-36 on second and final reading (see attachment). Moved by Alderman LaMarche, seconded by Alderman Haynes; roll call vote; Aldermen Haynes, yes; Alderman LaMarche, yes; Alderman Rosseel, no; Alderman Williams, no; Mayor Ford, yes; motion passed.

First Reading

Ordinance 07-33, "Automated Red Light Enforcement."

Motion was made to approve Ordinance 07-33 on first reading (see attachment). Moved by Alderman Rosseel, seconded by Alderman Haynes; voting yes, Mayor Ford, Aldermen Haynes, LaMarche, Rosseel, and Williams; no nays; motion passed.

Ordinance 07-37, ordinance to rezone a portion of Parcel 80, Tax Map 150, located approximately 200 feet south of Kingston Pike and 200 feet west of S. Watt Road southeast of the Court Café, approximately 2.3 Acres, from R-2 to C-1 (Tyler Lindsey, Applicant)

Motion was made to approve Ordinance 07-37 on first reading (see attachment). Moved by Alderman Rosseel, seconded by Alderman LaMarche; voting yes, Mayor Ford, Aldermen Haynes, LaMarche, Rosseel, and Williams; no nays; motion passed.

Mayor Ford announced that he would recuse himself from discussions and voting relating Ordinance 07-38. Mayor Ford turned the meeting over to Vice-Mayor Haynes and then left the Board Room.

Ordinance 07-38, Ordinance to rezone Parcels 142 and 148, Tax Map 142, 11500 Kingston Pike, located on the south side of Kingston Pike across from Village Green Shopping Center, from C-1, O-1, B-1, R-1, and R-2 to TCD Town Center District, 27.51 Acres (Southern Home Development, Inc., Applicant)

Motion was made to approve Ordinance 07-38 on first reading (see attachment). Moved by Alderman LaMarche, seconded by Alderman Rosseel; voting yes, Aldermen Haynes, LaMarche, Rosseel, and Williams; Mayor Ford abstained; no nays; motion passed.

The Board took a five-minute break.

Mayor Ford called the meeting back to order.

Ordinance 07-39, to amend the text of the Farragut Zoning Ordinance, Chapter 3, Section XII. General Commercial District (C-1) and Section XV. Regional Commercial District (C-2), to allow coffee shops with drive-through service lanes as the principal means for service and to remove the outdoor seating percentage based on indoor seating, and Chapter 4, Section XX. Parking and Loading, to require parking for outdoor seating areas (Robinson & Phillips, LLC, Applicant)

Motion was made to approve Ordinance 07-39 on first reading (see attachment). Moved by Alderman Rosseel, seconded by Alderman LaMarche; voting yes, Mayor Ford, Aldermen Haynes, LaMarche, Rosseel, and Williams; no nays; motion passed.

Unfinished Business

Consider Approval of Contract for Laserfiche Services

Gary Palmer, Associate Town Administrator, reported that the Town received two bids in response to a solicitation of proposals for a document imaging system (i.e., Laserfiche Services) for the Town's development files. Motion was made to award the contract for Laserfiche Services to MCCi, the lowest responsible bidder, for an amount not to exceed \$25,141 subject to MCCi's agreement to eliminate the limited liability clause in the contract and contingent upon the Town Attorney's approval of the contract. Moved by Alderman Williams, seconded by Alderman Haynes; voting yes, Mayor Ford, Aldermen Haynes, LaMarche, Rosseel, and Williams; no nays; motion passed.

New Business

Consider approval of bid for LED Replacement traffic Signal Modules

At the recommendation of Bud McKelvey, Public Works Director, the Town wants to replace incandescent assemblies in all the Town's traffic signals with LED modules. Motion was made to award the bid for LED replacement traffic signal modules to Del Mar Lighting in the amount of \$31,779 (see attachment). Moved by Alderman Haynes, seconded by Alderman Rosseel; voting yes, Mayor Ford, Aldermen Haynes, LaMarche, Rosseel, and Williams; no nays; motion passed.

Consider approval of bid for 2008 2-Wheel drive SUV Hybrid

Motion was made to award the bid for a 2008 2-wheel drive SUV Hybrid to Ted Russell Ford, the only responsive bid, in the amount of \$20,014 with a trade-in (see attachment). Moved by Alderman LaMarche, seconded by Alderman Rosseel; voting yes, Mayor Ford, Aldermen Haynes, LaMarche, Rosseel, and Williams; no nays; motion passed.

Consider approval of bid for 2008 4-Wheel drive SUV Hybrid

Motion was made to award the bid for a 2008 4-wheel drive SUV Hybrid to Ted Russell Ford, the only responsive bid, in the amount of \$19,981 with a trade-in (see attachment). Moved by Alderman Rosseel, seconded by Alderman LaMarche; voting yes, Mayor Ford, Aldermen Haynes, LaMarche, Rosseel, and Williams; no nays; motion passed.

Consider bids for 2008 2-Wheel drive ¾ ton pick-up truck

Motion was made to award the bid for a 2008 2-wheel drive ¾-ton pick-up truck to Ted Russell Ford, the low bid, in the amount of \$13,593 with a trade-in (see attachment). Moved by Alderman Haynes, seconded by Alderman Williams; voting yes, Mayor Ford, Aldermen Haynes, LaMarche, Rosseel, and Williams; no nays; motion passed.

Consider Approval of Snow Removal Schedule for Winter of 2007/2008

Bud McKelvey, Public Works Director, presented a proposed snow removal schedule for Winter 2007-2008 (see attachment). Motion was made to approve the 2007-2008 snow removal schedule as presented. Moved by Alderman Rosseel, seconded by Alderman LaMarche; voting yes, Mayor Ford, Aldermen Haynes, LaMarche, Rosseel, and Williams; no nays; motion passed.

Consider Appeal request regarding violations to the Town's Ordinances, (Jonas Holdeman, Appellant)

Mayor Ford explained that in fairness to all parties the following procedure would be followed: Mr. Holdeman would be given an opportunity to present his case, Town staff would present an overview of alleged violations of Town ordinances, Mr. Holdeman would be given an opportunity for any other questions or comments, the Board would be given an opportunity to comment on Mr. Holdeman's and staff's presentations, the audience would be given an opportunity to comment, and then the Board would take whatever action it deems appropriate. Mr. Holdeman presented the Board with copies of a summary of actions that he took over the past approximate six months in and around the Town's box culvert and permanent drainage easement under Fretz Road, adjacent to 616 Fretz Road (see attachment). After much discussion by Mr. Holdeman, staff and the Board a motion was made to direct the Town's Public Works Crew to remove all rocks from inside the box culvert adjacent to 616 Fretz Road and to bill the cost of the Public Works Crew's time to The Westside Unitarian Universalist Church. Moved by Alderman Haynes, seconded by Alderman Rosseel; voting yes, Mayor Ford, Aldermen Haynes, LaMarche, Rosseel, and Williams; no nays; motion passed.

Motion was made to refer actions taken by Mr. Holdeman to the Town's Storm Water Advisory Committee to review and report back to the Board with its findings. Moved by Alderman Haynes, seconded by Alderman Williams; voting yes, Mayor Ford, Aldermen Haynes, LaMarche, Rosseel, and Williams; no nays; motion passed.

Discussion of appraisal of an unspecified parcel of private property to determine the feasibility for possible Town acquisition

Tom Hale, Town Attorney, requested an Executive Session to discuss the possibility of an appraisal of an unspecified parcel of private property to determine the feasibility for possible Town acquisition.

The meeting adjourned at 10:10 PM for an Executive Session.

Mayor Ford called the meeting back in session at 10:25 PM.

Tom Hale reported that no decisions were made and no action was required.

Administrator's Report

Dan Olson, Town Administrator presented his budget calendar for Fiscal Year 2009 (see attachment).

Engineer's Report

Mayor Ford announced that the McFee Road – Phase 2 project is almost complete.

Recorder's Report

Allison Myers, Town Recorder, presented the following bills for approval:

Danco, Inc. \$89,982.00, 12/2007

Kramer Rayson, \$21,396.00, 11/2007 & 12/2007

Robert Campbell & Associates, \$15,717.05, 12/2007

Motion was made to approve the bills as presented. Moved by Alderman LaMarche, seconded by Alderman Haynes; voting yes, Mayor Ford, Aldermen Haynes, LaMarche, Rosseel, and Williams; no nays; motion passed.

Attorney's Report

Tom Hale, Town Attorney, reported that he had no report.

Meeting adjourned at 10:40 PM

W. Edward Ford, III, Mayor

Allison M. Myers, Town Recorder

Approved: _____