City of Bartlett

A. Keith McDonald, Mayor

BOARD OF MAYOR AND ALDERMEN MEETING MINUTES

TUESDAY, JULY 26, 2016 - BARTLETT CITY HALL - 7:00 PM

CALL TO ORDER

Mayor A. Keith McDonald: Present, Alderman W.C. Pleasant: Present, Alderman Emily Elliott: Present, Alderman David Parsons: Present, Alderman Bobby Simmons: Present, Vice Mayor Jack Young: Present, Alderman Paula Sedgwick: Present.

INVOCATION

Opening Prayer by Father Russell Harbaugh, St. Ann Catholic Church

FUTURE MEETINGS

Bartlett City Board of Education, July 28 at 7 p.m.

Family Assistance Commission, August 1 at 6 p.m.

Planning Commission, August 1 at 7 p.m.

Beer Board, August 2 at 6 p.m.

Bartlett Station Commission, August 3 at 7:30 a.m.

City Beautiful Commission, August 4 at 7 p.m.

Bartlett Historical Society, August 8 at 7 p.m.

RECOGNITIONS

Mayor McDonald and the Aldermen recognized several Boy Scouts from Troop 27. The Scouts attended the meeting to earn their Communications and Citizenship in the Community Merit Badges.

*****Official Business of the Day*****

MINUTES ACCEPTANCE

Minutes of the July 12, 2016 Board of Mayor and Aldermen Regular Meeting

RESULT:	**ACCEPTED [UNANIMOUS]**
MOVER:	Bobby Simmons, Alderman
SECONDER:	W.C. Pleasant, Alderman
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

CONSENT AGENDA

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Bobby Simmons, Alderman
SECONDER:	Jack Young, Vice Mayor
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

1 **Renewal bid for spray and fertilization program for Parks Maintenance. (Shan Criswell, Assistant Director of Parks and Recreation)**
Recommend renewing the bid with Herbi-Systems in the amount of $62,678.40 for spraying and fertilizing municipal and athletic fields for Fiscal Year 2017. Funds are available in Account 110.44300.265.

2 **Renewal bid for spray and fertilization program for Bartlett City Schools. (Shan Criswell, Assistant Director of Parks and Recreation)**
Recommend renewing the bid with Herbi-Systems in the amount of $52,787.50 for spraying and fertilizing athletic fields for Fiscal Year 2017. Funds are available in Account 110.44400.265.

3 **Bid for rooftop HVAC unit at Bartlett High School. (Dick Phebus, Director of Finance)**
Recommend accepting the lowest bid from Bluff City Fire Protection in the amount of $36,000. Funds are available in Account 110.41100.897.

4 **Bid for two rooftop HVAC units for BPACC. (Jason Sykes, Director of BPACC)**
Recommend accepting the lowest bid from Affordable Construction Services at a total cost of $13,000. Funds are available in Account 11045400.921.

5 **Relocation cost related to widening of Old Brownsville Road. (Rick McClanahan, Director of Engineering)**
Request authorization to spend $14,700 to relocate occupant of rental property being acquired as part of Old Brownsville Road widening. The Federal Uniform Relocation Act dictates that the difference in rent ($350) be covered by the City for 42 months. Funds are available in Account 311.48311.770.442.

6 **Facility maintenance fee payment to the Tennessee Department for Environment and Conservation for Fiscal Year 2017. (Rick McClanahan, Director of Engineering)**
The City's current number of water system connections is 21,391, at $1.30 per connection; the City's total is $27,808.30. Funds are available in account 510.51200.644.

7 **Site Plan Contract for Precision Laser Art. (Wade Towles, Assistant Director of Engineering)**
The developer, Servco Building Services, LLC and Mark Dickens will pay $14,798.51 in City fees. The bond is set at $84,640.27.

8 Planning Commission Report for July 2016. (Terry Emerick, Director of Planning and Economic Development)

Item 1 - Hearing to remove 5.1 acre from Richland Valley, Phase 4 deferred to September meeting.
Item 2 - Hearing to rezone Bartlett Logistics PD was deferred to September meeting.
Item 3 - Subdivision of acre lot, Bartlett Station PD, was deferred to the August meeting.
Item 4 - Site plan for Highway 70 Car Care was approved with conditions.
Item 5 - Site plan for Bartlett Corporate Park East, Lot 13, was approved with conditions.

NEW BUSINESS

1 Resolution 34-16, a resolution authorizing the City of Bartlett to participate in the Tennessee Municipal League Pool's "Safety Partners" Matching Grant Program and to provide a matching sum. (Dick Phebus, Director of Finance)

Mr. Phebus explained that this resolution will allow the City to make application for the grant, and provide for the $3,000 matching grant, if granted.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	David Parsons, Alderman
SECONDER:	Jack Young, Vice Mayor
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

2 Resolution 35-16, a resolution authorizing the City of Bartlett to accept an Assistance to Firefighters Grant and amend the Fiscal Year 2017 Grant Fund Budget. (Dick Phebus, Director of Finance)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	David Parsons, Alderman
SECONDER:	Emily Elliott, Alderman
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

3 Resolution 36-16, a joint resolution by the City of Bartlett, Tennessee Board of Mayor and Aldermen and the Bartlett City Board of Education agreeing to one-time expenditures for the Fiscal Year 2017 to fund nonrecurring capital project expenditures. (Dick Phebus, Director of Finance)

The Bartlett City Board of Education approved this resolution at its July 21 meeting. The City funds put toward the Apple computer lease will not be counted toward the Maintenance of Effort amount.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	W.C. Pleasant, Alderman
SECONDER:	David Parsons, Alderman
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

OPEN DISCUSSION

No one spoke during Open Discussion.

ADJOURNMENT

Meeting adjourned at 7:07 PM

BOARD OF MAYOR AND ALDERMEN MEETING MINUTES

TUESDAY, JULY 12, 2016 - BARTLETT CITY HALL - 7:00 PM

CALL TO ORDER

Mayor A. Keith McDonald: Present, Alderman W.C. Pleasant: Present, Alderman Emily Elliott: Absent, Alderman David Parsons: Present, Alderman Bobby Simmons: Present, Vice Mayor Jack Young: Present, Alderman Paula Sedgwick: Present.

INVOCATION

Opening Prayer by Christopher D. Briwder, Sr., Temple of Praise

FUTURE MEETINGS

Parks and Recreation Advisory Board, July 14 at 7 p.m.

Historic Preservation Commission, July 18 at 7 p.m.

BPACC Advisory Board, July 19 at 6 p.m.

Bartlett Arts Council, July 19 at 6:30 p.m.

Design Review Commission, July 19 at 6:30 p.m.

RECOGNITIONS

*****Official Business of the Day*****

MINUTES ACCEPTANCE

Minutes of the June 28, 2016 Board of Mayor and Aldermen Regular Meeting

RESULT:	**ACCEPTED [UNANIMOUS]**
MOVER:	Bobby Simmons, Alderman
SECONDER:	W.C. Pleasant, Alderman
AYES:	Pleasant, Simmons, Young, Sedgwick

CONSENT AGENDA

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	David Parsons, Alderman
SECONDER:	W.C. Pleasant, Alderman
AYES:	Pleasant, Parsons, Simmons, Young, Sedgwick

1 **Special event permit for Memphis Runners Track Club 5-mile runs. (Jim Brown, Director of Code Enforcement)**
The event will be held on Sundays, August 7 and August 21 from 5:30 to 9:30 a.m. at W. J. Freeman Park.

2 **Annual agreement with Motorola for police radio service. (Gary Rikard, Chief of Police)**
Request to purchase a Radio Service Agreement from Motorola in the amount of $22,111.20 for July 2016 to June 2017. Funds are available in Account 110.42100.263.

3 **Contract with Groundwater Institute at the University of Memphis for wellhead protection study and other regional work. (Rick McClanahan, Director of Engineering)**
Authorize the Mayor to sign the contract with the Groundwater Institute for the study for a total cost of $16,100. Funds are available in Account 510.51200.179

4 **Site plan contract for Precision Laser Art. (Wade Towles, Assistant Director of Engineering)**
The developer, Servco Building Services, LLC, will pay $14,798.51 in City Fees. The bond is set at $84,640.27.

NEW BUSINESS

1 **Resolution 33-16, a resolution of the City of Bartlett, Tennessee, authorizing the issuance of Interest Bearing General Obligation Capital Outlay Notes, Series 2016, in an amount not to exceed $1,127,500, and providing for the payment of said notes. (Dick Phebus, Director of Finance)**

Mr. Phebus explained that these monies will be used to fund the Capital portion of this Fiscal Year 2017 Budget.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	David Parsons, Alderman
SECONDER:	Jack Young, Vice Mayor
AYES:	Pleasant, Parsons, Simmons, Young, Sedgwick

OPEN DISCUSSION

Alderman Pleasant announced his tenth annual fish fry to be held Saturday, July 16 at his home.

ADJOURNMENT

Meeting adjourned at 7:07 PM

W.C. Pleasant, Register to the Board of Mayor and Alderman	A. Keith McDonald Mayor

Board of Mayor and Aldermen
6400 Stage Road
Bartlett, TN 38134

Meeting: 07/26/16 07:00 PM
Department: Parks and Recreation
Category: Bid
Prepared By: Debbie Christopher
Department Head: Shan Criswell

ADOPTED

AGENDA ITEM

Renewal bid for spray and fertilization program for Parks Maintenance.

On June 18, 2014, the original three year contract with Herbi-Systems was approved by the Board of Mayor and Aldermen. We hereby recommend the bid for municipal and athletic fields spray and fertilization for Bartlett Parks and Recreation be renewed for Fiscal Year 2017.

Bids were received from the following companies:

Herbi-Systems Inc.	$ 62,678.40
TruGreen	$105,179.00

We recommend the bid be renewed with Herbi-Systems for a total price of $ 62,678.40.

Funds are available in account 11044300.265.

Thank you for your consideration.

RESULT:	**APPROVED BY CONSENT VOTE [UNANIMOUS]**
MOVER:	Bobby Simmons, Alderman
SECONDER:	Jack Young, Vice Mayor
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

Board of Mayor and Aldermen
6400 Stage Road
Bartlett, TN 38134

ADOPTED

AGENDA ITEM

Meeting: 07/26/16 07:00 PM
Department: Parks and Recreation
Category: Bid
Prepared By: Debbie Christopher
Department Head: Shan Criswell

Renewal bid for spray and fertilization program for Bartlett City Schools.

On June 18, 2014, the original contract with Herbi-Systems was approved by the Board of Mayor and Aldermen. We hereby recommend the bid for athletic fields spray and fertilization for Bartlett City Schools be renewed for Fiscal Year 2017. Funds are available in Account 110.44400.265.

Bids were received from the following companies:

Herbi-Systems Inc.	$ 52,787.50
TruGreen	$ 60,572.00

Funds are available in account 110.44400.265.

Thank you for your consideration.

RESULT:	**APPROVED BY CONSENT VOTE [UNANIMOUS]**
MOVER:	Bobby Simmons, Alderman
SECONDER:	Jack Young, Vice Mayor
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

Board of Mayor and Aldermen
6400 Stage Road
Bartlett, TN 38134

Meeting: 07/26/16 07:00 PM
Department: Finance
Category: Presentation
Prepared By: Dick Phebus
Department Head: Dick Phebus

ADOPTED

AGENDA ITEM

Bid for rooftop HVAC unit at Bartlett High School.

In July the Bartlett City Schools received bids for the purchase, delivery and installation of HVAC Roof Top Unit at Bartlett High Building B (Medical Clean Room). The low bidder was Bluff City Fire Protection, Inc in the amount of $36,000.

Funds are available in account 110.41100.897.

Thank you for your consideration of this request.

Proposed costs and vendors are listed below:

Bluff City Fire Protection	**Purchase/Installation**	**$36,000.00**
Wagner General Contractors	Purchase/Installation	$52,300.00
National HVAC Service	Purchase/Installation	$44,215.00
Metro Mechanical	Purchase/Installation	$39,235.00

RESULT: **APPROVED BY CONSENT VOTE [UNANIMOUS]**
MOVER: Bobby Simmons, Alderman
SECONDER: Jack Young, Vice Mayor
AYES: Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

Board of Mayor and Aldermen
6400 Stage Road
Bartlett, TN 38134

ADOPTED

Meeting: 07/26/16 07:00 PM
Department: BPACC
Category: Bid
Prepared By: Stefanie McGee
Department Head: Jason Sykes

AGENDA ITEM

Bid for two rooftop HVAC units for BPACC.

On July 1, 2016 an ad was placed in *The Daily News*. On July 19, 2016 the City of Bartlett received five bids, which were opened at City Hall.

Bids were received from the following companies:

Affordable Construction Services	$13,000.00
Walker J Walker	$13,120.00
Quality Mechanical	$16,775.00
Metro Mechanical Contractors	$16,831.00
National HVAC	$19,608.58

We recommend the bid be awarded to Affordable Construction Services for a total price of $13,000.

Funds are available in Account 11045400.921.

Thank you for your consideration.

RESULT:	**APPROVED BY CONSENT VOTE [UNANIMOUS]**
MOVER:	Bobby Simmons, Alderman
SECONDER:	Jack Young, Vice Mayor
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

Board of Mayor and Aldermen
6400 Stage Road
Bartlett, TN 38134

Meeting: 07/26/16 07:00 PM
Department: Engineering
Category: Proposal
Prepared By: Dena Hathaway
Department Head: Rick McClanahan

ADOPTED

AGENDA ITEM

Relocation cost related to widening of Old Brownsville Road.

As part of the City's acquisition of Right-of-Ways to widen Old Brownsville Road, a residential property with an occupied house is being acquired. The renter must be relocated to a similarly sized and priced home. The rent being $500, and the average rent in Bartlett being $1,000 has created a challenge in finding equitable housing. The project's Right-Of-Way agenda has located a similar rental home; the rent is $850. The Federal Uniform Relocation Act dictates that the $350 monthly difference by paid by the City for 42 months. Total cost to the City will be $14,700. Funds are available in Account 311.48311.770.442.

RESULT:	**APPROVED BY CONSENT VOTE [UNANIMOUS]**
MOVER:	Bobby Simmons, Alderman
SECONDER:	Jack Young, Vice Mayor
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

July 24, 2016

Tennessee Department of Transportation
James K. Polk Building, Suite 600
505 Deaderick Street
Nashville, TN 37243-0337

Attn: Mr. David Goodman

RE: Housing of Last Resort
79952-2555-54
STP-M-9419 (2)
Tract 24 Shelby Co.

Dear Mr. Goodman:

Ms. Betty Morris is the tenant – occupant of a single family brick and frame residence in good condition on the above referenced project. The dwelling has two (2) bedrooms, one (1) bath with a total of five (5) rooms. The house has approximately 1,000 sq. feet of heated space. Ms. Morris pays $500 per month rent plus utilities.

Due to the lack of comparable rentals in the area, securing replacement housing will continue to be a challenge. The average rentals in the Bartlett area range between $800 to $1500 per month. All of these will require Housing of Last Resort. The only house that has been located has a monthly rent of $850 per month. This house is a two (2) bedroom, one (1) bath with about 1200 sq. feet. This will result in a housing of last resort replacement housing payment of $14,700. The house is closer to Ms. Morris place of employment and appears to be the most feasible for Ms. Morris and the City of Bartlett.

The agent has been in constant contact with two (2) Real Estate Companies and making a continual survey of available comparable housing. The results show Bartlett does not have an adequate supply of housing that would not keep from using Housing of Last Resort.

Therefore, I am recommending the use of using Housing of Last Resort as a means of meeting the needs of Ms. Morris.

Sincerely,

Andrew F. Miller

Andrew F. Miller
Consultant

Approved_______________________________Date_______________________________

RA FORM 105
MARCH 1989
DT-1466

REPLACEMENT HOUSING COMPUTATION

STATE PROJECT 79952-2555-54 COUNTY SHELBY

FEDERAL PROJECT STP-M-9419(2) TRACT NO. 24

NAME BETTY MORRIS 180 DAY OWNER [ ] 90 DAY OCCUPANT [X]

APPRAISAL ADJUSTMENTS

VALUE OF RESIDENTIAL PORTION OF PROPERTY (FROM APPRAISAL)................ $

ADJUSTMENTS:

EXCESS SIZE OF LOT + DAMAGE TO EXCESS $

ATYPICAL IMPROVEMENTS:

$

$

$

TOTAL ADJUSTMENTS.. $

BASE FOR REPLACEMENT HOUSING COMPUTATION....................................... $

EXPLANATION FOR ADJUSTMENTS

HOUSING COMPARISON

HOUSES	TYPE	AGE	SQ. FT.	# ROOM	# BR *	BATHS	GAR/CP	BASEMT	COND.	$
Subject:	SSF	60	1000	5	2	1	NO	NO	GOOD	$500 MO
OB1	SSB/F	50+/-	1200	6	2	1	CP	NO	GOOD	$850MO
COMP#										
COMP#										
COMP#										

*(FOR SUBJECT, THE GREATER OF DSS REQUIREMENTS OR ACUTAL COUNT)

COMPARABLE NO. OB1, LOCATED AT 7785 MEMPHIS ARLINGTON RD. IS MOST SIMILAR.

EXPLANATION: RENTALS DIFFICULT TO FIND IN THIS PRICE RANGE. MOST RENTALS ARE $1,000 PER MO. IN THE BARTLETT AREA. COMP OB1 IS CLOSER TO HER PLACE OF EMPLOYMENT

180 DAY OWNER

ASKING PRICE COMPARABLE NO.______.............X________(ADJ. FACTOR) =$

ADJUSTED VALUE OF SUBJECT (BASE FOR RHP COMPUTATION)......................- $

REPLACEMENT HOUSING OFFER...=$

RENT SUPPLEMENT

COMPARABLE NO. OB1 $ 850.00 + $ 0 = $ 850.00 $ 850.00

SUBJECT $ 500.00 + $ 0 = $ 500.00 - $ 500.00

= $ 350.00

X 42

REPLACEMENT HOUSING DETERMINATION...=$ 14,700.00

DATE July 21/16 COMPUTED BY Andrew B. Miller

DATE 7-21-16 APPROVED BY Jarrell Stafford

RA FORM 104
MAY 1986
DT-0918

COMPARABLE HOUSING

STATE PROJECT__79952-2555-54______________COUNTY__SHELBY______________

FEDERAL PROJECT__STP-M-9419(2)___________COMP. NO.___OB-1___________

PROPERTY ADDRESS:_7785 MEMPHIS ARLINGTON RD______________

NAME__DAVE STEWART______________OWNER [X] PHONE NO._(901) 239-2879_

ASKING PRICE $___________FOR SALE [ ] FOR RENT [X] FURNISHED [ ] UNFURNISHED [X]

UTILITIES: WATER [X] SEWER [X] ELEC. [X] GAS [X] OTHER________

UTILITIES INCLUDED IN RENT:__NONE_______________________________

TYPE IMPROVEMENT_SINGLE STORY B / F_____AGE_50 +/-__AREA__1200 +/-_______SQ.FT.

TOTAL ROOMS__6__NO. BEDROOMS__2___NO. OPEN ROOMS___2____NO. BATHS__1_____

GARAGE:__NO___CARPORT:__YES BASEMENT:_NO__HEAT:_GAS___AIR COND._YES_____

STATE OF REPAIR__GOOD____________LOT SIZE__AVERAGE____________________

OTHER IMPROVEMENTS____NONE____

SCHOOLS:___________N / A____

NEIGHBORHOOD:_______MIXED____

DISTANCE FROM PROJECT AREA:___6 MILES_______________________________

OTHER SIGNIFICATION FEATURES:_______NONE______________________________

COMMENTS:__BETTER NEIGHBORHOOD AND CLOSER TO RELOCATEE 'S WORK___________

REVERIFICATION

THE OWNER OR HIS AGENT STATED THAT THE ABOVE HOUSING IS AVAILABLE TO ALL PERSONS REGARDLESS OF RACE, RELIGION OR NOTIONAL ORIGIN; AND I HAVE FOUND THE HOUSING TO BE PHYSICALLY DECENT, SAFE AND SANITARY.

DATE__JULY 21, 2016__________AGENT___ANDREW F. MILLER_________________

COMP NO._OB1___________

Board of Mayor and Aldermen
6400 Stage Road
Bartlett, TN 38134

ADOPTED

AGENDA ITEM

Meeting: 07/26/16 07:00 PM
Department: Engineering
Category: Purchase
Prepared By: Dena Hathaway
Department Head: Rick McClanahan

Facility maintenance fee payment to the Tennessee Department for Environment and Conservation for Fiscal Year 2017.

RESULT:	**APPROVED BY CONSENT VOTE [UNANIMOUS]**
MOVER:	Bobby Simmons, Alderman
SECONDER:	Jack Young, Vice Mayor
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

DWS_WS_C-5428

TN Dept Env & Conservation
WRS TN Tower, 10th Floor
312 Rosa L. Parks Avenue
Nashville TN 37243
Phone: (615) 532-0065

Invoice	INV00000000388665
Date	7/15/2016
Page	1/1

Due Date: 9/15/2016

Bill To:
Customer ID: 312898
RICK MCCLANAHAN
BARTLETT WWTP #2
-
6382 STAGE ROAD
Memphis, TN 38134

Billed	Fee Item	Fee Name		Total
1.00	TN0000765-1-A-1-V	DWS-00605-ANNUAL FEE - CONNECTIONS - 21391	$27,808.30	$27,808.30

Please read the additional information (on the back or enclosed) concerning this invoice

Subtotal	$27,808.30
Total	$27,808.30

--Tear off and mail back above portion with your payment--

DWS_WS_C-5428

Customer ID: 312898
BARTLETT WWTP #2
RICK MCCLANAHAN
6382 STAGE ROAD
-
Memphis TN 38134

Invoice	INV00000000388665
Date	7/15/2016
Due Date	9/15/2016
Total	$27,808.30
Remit to:	TN Dept Env & Conservation WRS TN Tower, 10th Floor 312 Rosa L. Parks Avenue Nashville TN 37243

Board of Mayor and Aldermen
6400 Stage Road
Bartlett, TN 38134

ADOPTED

Meeting: 07/26/16 07:00 PM
Department: Engineering
Category: Contract
Prepared By: John Horne
Department Head: Wade Towles

AGENDA ITEM

Site Plan Contract for Precision Laser Art.

The Precision Laser Art contract that was approved at the July 12, 2016 Board of Mayor and Alderman Meeting shall be considered null and void. The attached contract adds developer Mark Dickens; thereby stating two developers as Servco Building Services, LLC. And Mark Dickens.

RESULT:	**APPROVED BY CONSENT VOTE [UNANIMOUS]**
MOVER:	Bobby Simmons, Alderman
SECONDER:	Jack Young, Vice Mayor
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

SITE PLAN, GRADING, AND EROSION CONTROL CONTRACT

THIS AGREEMENT, made and executed this __________ day of ___________, _____ between the CITY OF BARTLETT, SHELBY COUNTY , TENNESSEE, hereinafter referred to as the CITY and SERVCO BUILDING SERVICES, LLC AND MARK DICKENS hereinafter referred to as the DEVELOPER.

WITNESSETH:

WHEREAS, the CITY PLANNING COMMISSION has by resolution of June 6, 2016, approved the Site Plan, Grading, and Erosion Control Plans for PRECISION LASER ART**,** and established certain conditions for approval of this Site Plan, Grading, and Erosion Control Contract by the CITY BOARD OF MAYOR AND ALDERMEN; and

WHEREAS, the CITY and the DEVELOPER by the terms of this contract desire to specify those detailed costs, division of responsibilities and maintenance and other conditions in addition to the Subdivision Regulations and the Site Plan, Grading, and Erosion Control Plans heretofore approved, according to Law by the CITY PLANNING COMMISSION, said additional terms not to be considered as a variance from or modification to regulations, plans or plat, as approved on the date of execution; and

WHEREAS, this Site Plan, Grading, and Erosion Control Contract is entered into by the CITY at the insistence of the DEVELOPER upon the understanding that the DEVELOPER shall remain fully responsible for specific compliance with the requirements of the Subdivision Regulations, the Technical Specifications of the CITY, and the Site Plan, Grading, and Erosion Control Plan, duly approved by the CITY PLANNING COMMISSION subject to review and recommendation of the CITY ENGINEER, and

NOW, THEREFORE, in consideration of the promises and mutual covenants of the parties herein contained, and other considerations herein recited, it is agreed and understood as follows:

I

GENERAL PROVISIONS

1. That the DEVELOPER shall at its expense provide all improvements and installations to be constructed as set forth herein and on the approved Site Plan, Grading, and Erosion Control Plans, including construction of all off-site improvements and erosion control systems (pertaining to this development).

2. That the DEVELOPER shall pay the expenses of engineering inspection by the CITY ENGINEER, however, that the DEVELOPER shall remain fully responsible for construction to the approved design and quality control, and that the CITY ENGINEER is vested with the right of periodic inspections, final approval and stop work order as a measure of secondary or subsequent enforcement.

3. That the CITY in its proprietary function does not purport to specify the development layout nor the choice of available land uses; nor does the CITY PLANNER design, supervise, nor certify the adequacy, structural integrity, or capacity of improvements or installations within or without the limits of the development; neither is the CITY ENGINEER vested with any authority or responsibility for the design of any improvements or installations within or without the limits of the development; nor is the CITY ENGINEER required to determine the structural integrity, capacity, elevation, location, type or adequacy of any improvements or installations.

4. That in providing technical assistance, planning and review of the proposed grading and erosion control measures the CITY seeks to enforce its minimal governmental standards and does not

relieve or accept any of the DEVELOPER'S liability and responsibility for proper design, construction and installation of improvements within or without the limits of the site plan.

5. That subject to the warranty provisions herein, after completion of the improvements, subject to final inspection and written approval of the CITY ENGINEER, the DEVELOPER does thereafter accept responsibility for all the maintenance of all improvements.

6. That the DEVELOPER shall haul all scrap building materials, debris, rubbish, and other de-gradable materials to a permitted landfill, and not bury any such materials within the limits of said site plan (except if they are permitted to burn by Shelby County Health Department and the Bartlett Fire Department).

7. That if a bond has been executed to secure the value of the improvements to be constructed and installed under this contract and said bond, due to inflation and/or rising costs, is inadequate to secure the cost of said improvements when an extension of the contract period is sought, the DEVELOPER shall provide the additional security to bring the bond amount in line with current cost projections by the CITY ENGINEER and approved by the CITY BOARD OF MAYOR AND ALDERMEN.

8. That the CITY and any of its agencies will not unreasonably withhold approval of time extensions where the DEVELOPER has provided the required notice to the CITY ENGINEER and such additional security as may be deemed necessary.

9. That the DEVELOPER understands that failure to follow this time extension procedure constitutes a breach of contract and places the DEVELOPER in violation of the Subdivision Regulations and subject to a declaration of default.

10. That the DEVELOPER will not transfer the property on which this subdivision is to be located without first providing the CITY ENGINEER with prior notice of when and to whom transfer is to be made. If the transferee intends to develop this site plan in accordance with the approved

Master Plan, the DEVELOPER shall provide the CITY ENGINEER and the CITY ATTORNEY an Assumption Agreement by which the transferee agrees to perform and complete all the requirements of this contract and to provide the surety needed to secure such performance. Said agreement shall be subject to approval of the CITY BOARD OF MAYOR AND ALDERMEN.

11. That the DEVELOPER understands that transfer of said property without providing the notice of transfer and Assumption Agreement as required herein shall be a breach of contract and places the DEVELOPER in violation of the Subdivision Regulations and subject to a declaration of default.

12. That the DEVELOPER shall comply with all applicable Federal, State, and local laws, and it shall be the DEVELOPER'S responsibility to furnish proof of said compliance upon demand.

13. That should the DEVELOPER default in any part of this contract and it becomes necessary to engage an attorney to file necessary legal action to enforce the provisions of this contract or sue for any sums of money due and owing or liability arising incident to this contract, the DEVELOPER shall pay to the CITY reasonable attorney's fees.

14. That the Developer shall furnish, on demand of the CITY ATTORNEY, satisfactory evidence that the DEVELOPER has the lawful right to enter into this contract for the purpose herein contained.

II

FIXED IMPROVEMENTS

1. The construction of all required improvements by the DEVELOPER including but not limited to the sediment ponds, silt fence, rip-rap check dams, erosion control blankets, storm drain systems, sidewalk, driveway apron, landscape screen, and other related items, shall be in accordance with the subdivision regulations and specifications of the CITY OF BARTLETT, which are incorporated by reference herein and said fixed improvements required approval and acceptance by the CITY OF BARTLETT. Said plans shall bear the signature of approval by the CITY ENGINEER before construction may commence. The DEVELOPER will pay the expenses

of engineering inspection by the CITY ENGINEER, the DEVELOPER shall remain primarily responsible for construction to approve design and quality control and the CITY ENGINEER is vested with the right of periodic inspections, final approval and stop work order as a measure of secondary or subsequent enforcement.

III

SEDIMENT AND DEBRIS

1. The DEVELOPER will hold the CITY OF BARTLETT and the CITY ENGINEER harmless and defend all claims, judgments and demands of all persons for damage caused by the deposit of more sediment or debris from drainage flowing from said site plan. Further, the DEVELOPER shall bear the expense of erosion and sediment control and dust abatement before, during and after construction during the warranty period.

2. That the DEVELOPER shall provide necessary erosion control in accordance with the CITY Subdivision Regulations and Technical Specifications and TDEC approval. All freshly excavated and embankment areas, not covered with satisfactory vegetation, shall be fertilized, mulched and seeded and/or sprigged and/or sodded as required by the CITY ENGINEER to prevent erosion. In event it is determined by the CITY ENGINEER that the necessary erosion control is not being provided by the DEVELOPER, the CITY ENGINEER shall officially notify the DEVELOPER of the problem. If the DEVELOPER fails to provide satisfactory erosion control within fifteen (15) days after notice, then the CITY shall make all necessary improvements to eliminate the erosion problem, documenting all expenses incurred performing the work. Prior to releasing any bonds or other securities covering said subdivision, all expenses incurred by the CITY shall be paid in full by the DEVELOPER.

3. That the DEVELOPER shall maintain work sites within and without the subdivision in a

manner which will prevent increased sedimentation, debris and pollution from drainage flowing from said site. In the event of a stop work order issued by the CITY ENGINEER, the DEVELOPER shall be permitted a reasonable time to continue work required to comply with this Section. Further, the DEVELOPER shall bear the expense of erosion, sediment, and insect vector control before, during and after construction, and until termination of the warranty period. It is noted that the warranty period shall run for an indefinite period until such time as the punch list is complete, or warranty period ends; whichever is later.

IV

DRAINAGE DESIGN RESPONSIBILITIES

1. That the DEVELOPER shall construct and install all erosion control measures, including swales, ditches, sedimentation ponds and etc. Said erosion control measures system shall be designed such that the amount and rate of water from all sources leaving the subdivision after full building development shall not be significantly different after than before said development unless approved by the CITY ENGINEER upon certification of a Professional Engineer registered in the State of Tennessee that the Drainage system design and improvements are sufficient to accept surface and ground water reasonably expected to flow onto the subdivision and discharge all waters reasonably expected to flow from the property so as not to damage or flood properties nor to increase the established base flood elevation of the upstream or downstream portion of Flood Way within or without the site. Further, that the adequacy of the drainage shall in all cases be certified by the DEVELOPER'S engineer by his signature and seal affixed upon the Site Plan, Grading, and Erosion Control Plans of said property prior to the final approval by the CITY PLANNING COMMISSION.

2. That in any development which alters or revises the Flood Plain or Flood Way shown on the Flood Hazard Boundary Map issued by the Federal Emergency Management Region Office, the

DEVELOPER shall provide to the CITY FLOOD ADMINISTRATOR a Development Permit issued by the Federal Insurance Administration Regional Office accepting said alteration or revision of the Flood Plain or Flood Way. Further, until said Development Permit is provided the DEVELOPER shall not proceed with any work affecting the Flood Plain or Flood Way.

3. It is understood and agreed that the CITY OF BARTLETT in its proprietary function does not purport to specify the development layout nor the choice of available land uses; nor does the CITY OF BARTLETT design, construct, supervise nor certify the adequacy of the drainage improvements.

4. Neither is the CITY ENGINEER vested with any responsibility for the design of drainage improvements nor is he required to determine drainage capacities, survey elevation, cross check adequacy nor specify the type and locations of drainage improvements; and in providing technical assistance, planning and review the CITY OF BARTLETT does not commit itself to the construction, improvements or modification of the drainage system within or without the development.

5. Rather it is the responsibility of the DEVELOPER to properly anticipate, survey, design and construct all grading and erosion control improvements so that the development will not increase, alter or affect the flow of surface waters or channelized waters from or onto any property so as to damage or flood any property nor contribute to the same.

6. In providing technical assistance, planning and review the CITY OF BARTLETT seeks to enforce its minimal governmental standards and does not relieve or accept any of the Developers liability and responsibility to properly design and construct the site plan, grading, and erosion control measures.

7. The DEVELOPER further agrees to hold harmless the CITY OF BARTLETT and the CITY ENGINEER from any loss or damage from any claim, cause of action or liability resulting in

whole or part from the design, construction and/or installation of the grading and erosion control measures including reasonable costs, litigation expenses and attorneys fees for defense of same.

8. As long as the City of Bartlett holds security, be it bond, letter of credit or otherwise, the City of Bartlett reserves the right to use said security for completion or repair of the erosion control measures during the warranty period of the development or for routine maintenance not performed by the DEVELOPER.

V

WARRANTY PROVISIONS

1. That neither the final certificate of payment nor any provision of this contract or its incorporated documents shall constitute an approval or acceptance of any work not performed in accordance with the contract and its incorporated documents, nor relieve the DEVELOPER of liability with respect to any express warranty or responsibility for faulty materials or workmanship.

2. That the DEVELOPER shall remedy any defects in work and pay for any damage to other work resulting therefrom which shall appear within a period of one (1) year from the date of final written approval and acceptance. The CITY shall give notice of observed defects with reasonable promptness. Further, this Construction Warranty does not effect but is in addition to the rights and liabilities assessed herein unless a longer period is specified.

3. That throughout the warranty period beginning at final acceptance the DEVELOPER shall provide a bond or other surety securing such warranty for all improvements in a form, amount and with terms acceptable to the CITY BOARD OF MAYOR AND ALDERMEN. The warranty period is to extend to a minimum of one (1) year after the City's final acceptance.

4. That the DEVELOPER shall complete all improvements in this contract within 360 consecutive calendar days from the date hereof; however, if due to unforeseen circumstances, the DEVELOPER is unable to complete said work within the times specified, but desires to complete said contract to the satisfaction of the CITY, the DEVELOPER will submit a written request for extension of the contract period to the CITY ENGINEER at least sixty (60) days prior to the expiration date for such completion, but in no case shall such date exceed one (1) calendar year from the completion date specified in any Performance Bond, provided said bond can be extended for the additional period.

VI

BONDING REQUIREMENTS

That prior to proceeding with any site preparation, construction or installation of improvements the DEVELOPER shall deposit with the CITY all required fees and assessments for said improvements in a form approved by the CITY BOARD OF MAYOR AND ALDERMEN. Further, prior to proceeding as stated herein, the DEVELOPER shall deliver to the CITY a Certificate of Deposit, Letter of Credit, or cash bond in the amount identified on Page 12 of said contract and with terms stated in the CITY PLANNING COMMISSION RESOLUTION dated July 8, 1967 and amended to September 5, 1989. Further, prior to proceeding as stated herein, the DEVELOPER shall deliver to the City an approved N.O.I. (Notice of Intent), and SWPPP (Storm Water Pollution Prevention Plan) approved by TDEC (Tennessee Department of Environment and Conservation) as required by the Storm Water Phase 2 requirements.

VII

HOLD HARMLESS

That the DEVELOPER shall hold harmless the CITY and the CITY ENGINEER from any claim, cause of action or liability resulting in whole or in part from the design, construction or installation of the improvements within and without the limits of the subdivision, including reasonable costs, litigation expenses and attorney's fees for defense of same.

XVII

PAYMENT AND SCHEDULE BARTLETT, TENNESSEE
THE DEVELOPER WILL PAY TO THE CITY OF BARTLETT THE FOLLOWING AMOUNTS AS HEREINBEFORE DETAILED FOR:
SERVCO BUILDING SERVICES, LLC AND MARK DICKENS

I. Due at Execution of Site Plan, Grading, and Erosion Control Contract and before Construction Begins:

1. Water Plant Expansion (15% of Water Main Cost)
   Water Main Cost = $20,070.00 — $3,010.50

2. a. Water System Engineering and Subdivision Review @ 6% of Water Main Cost $20,070.00 — $1,204.20

   b. Subdivision and Site Plan Review Fee @ $175 per lot or 1.5% of Public Improvement Cost, whichever is greater
   $175 x 1 = $ 175.00
   1.5% of $84,640.27 $1,269.60 — $1,269.60

3. Sewer Review Fee - $10 per lot or $25 per 250 feet of sewer line extension (whichever is greater)
   Minimum charge of $25 per contract
   $10.00 implies $10.00
   $25.00 implies $0.00 — $25.00

4. Water Connection Fee
   @ $3,000.00 per service
   (1) 2" Domestic Service (Existing Fees NOT paid by Previous Developer)
   (1) 1" Irrigation Service — $6,000.00

5. City Site Plan Inspection @
   A: 3% of Development Cost $2,539.21
   or **B**: $300.00 per Lot $300.00
   Whichever is greater — $2,539.21

6. Cost of Water and Sewer Mains to the Subdivision — $0.00

SEWER BASIN: SOUTH

7.	Sewer Connection Charge at Greater			
	of either @ $2333 per acre	1.204	$2,808.93	
	$33 per Front Foot x 120'		$3,960.00	
	(Fees Paid by Original Developer)			$0.00

DRAINAGE BASIN: SOUTH

8.	a. Drainage Control Fee for those lots not served by a Detention Basin at $500.00 per half acre or fraction thereof (in multiples of $500)		
8.	b. 'Drainage Control Fee for those lots served by a Detention Basin at $250 per acre or fraction thereof (in multiples of $250)	1.204 Acres	$ 750.00
9.	City portion of Water Improvements		N/A
		TOTAL DUE CITY	$14,798.51

II. Due after date of Subdivision Contract and within 30 days after written request from the City's Department of Public Works.

1. Asphalt Paving Cost (Estimated Construction Cost)		$0.00
2. Street Light (Estimated	(Street Light Removal)	$0.00
	TOTAL DUE II	$0.00

III. Upon Execution of Subdivision Contract and Before Construction Begins 100% of Development Cost (BOND) $84,640.27

IN WITNESS WHEREOF, the parties hereto have affixed their hands and seals at

Bartlett, Tennessee, this __________________ day of _________________________, ______.

____
A. Keith McDonald
MAYOR, CITY OF BARTLETT

DEVELOPER: SERVCO BUILDING SERVICES, LLC

By:_______________________________________

Printed Name: _____________________________

DEVELOPER: MARK DICKENS

By:_______________________________________

Printed Name: _____________________________

ATTEST:

____
CITY CLERK

____
BONDING COMPANY

____
LETTER OF CREDIT, APPROVED BY CITY ATTORNEY

BY:____________________________
CITY ENGINEER

DATE APPROVED BY BOARD OF MAYOR AND ALDERMEN_______________________

Board of Mayor and Aldermen
6400 Stage Road
Bartlett, TN 38134

ADOPTED

AGENDA ITEM

Meeting: 07/26/16 07:00 PM
Department: Planning and Economic Development
Category: Report
Prepared By: Sam Harris
Department Head: Terry Emerick

Planning Commission Report for July 2016.

CONTINUED

Hearings

1. **Richland Valley P.D. Phase 4, Butterfly View Lane (Brenda Solomito Basar, Solomito Land Planning)**

INTRODUCTION: Ms. Brenda Solomito Basar with Solomito Land Planning is requesting Planning Commission approval to amend the Richland Valley Planned Development (P.D.), Phase 4. This phase of the subdivision is located north of Wolflake Drive, south of Spotted Fawn Drive, and west of New Brunswick Road within the "RS-15" Residential Zoning District.

BACKGROUND: On March 5, 2007, the Planning Commission approved Richland Valley P.D., Phase 4. The original approved Phase 4 plan was for the development of 42-residential lots on 12.628-acres of land. The plan included an extension of Butterfly View Lane through the 5.1-acre parcel with a cul-de-sac. On April 4, 2016, the Planning Commission approved a revised Construction and Final Plan for Phase 4 for 23-lots on 7.25- acres of land. The revised plan shows that Butterfly Lane stubs to the 5.1 acres of land. The reduction of the land/lots was due to the industrial land owner to the south of the Richland Valley purchasing a vacant 5.1-acre portion of Phase 4.

DISCUSSION: The specific request by the applicant is for approval to remove the 5.1-acre parcel of land from the Richland Valley P.D., Phase 4. In the future, the applicant intends to rezone the property from "RS-15" Residential to "I-P" Planned Industrial and add the land to the adjacent industrial park. This will provide an opportunity for the applicant to add and expand industrial buildings on the site.

(Applicant requested the hearing above be deferred again until the Tuesday, September 6, 2016 Planning Commission meeting.)

- Since this hearing was advertised and notices mailed out any individuals present were given an opportunity to speak in favor or against this item.

Motion was made and deferral approved.

2. **Bartlett Logistics Planned Development Rezoning (Brenda Solomito Basar, Solomito Land Planning)**

INTRODUCTION: Ms. Brenda Solomito Basar with Solomito Land Planning is requesting Planning Commission approval to rezone 5.1-acres of land that has been removed from the Richland Valley Planned Development Phase 4 (P.D.). The subject property is located north of Wolflake Drive, south of Spotted Fawn Drive, and west of New Brunswick Road within the "RS-15" Residential Zoning District.

BACKGROUND: On April 5, 2004, the subject property once a part of a 16-acre parcel of land was rezoned from "I-P" Industrial to "RS-15" Residential. On March 5, 2007, the Planning Commission approved the addition of the rezoned subject property to the Richland Valley P.D. (Phase 4). The original approved Phase 4 plan was for the development of 42-residential lots on 12.628-acres of land. However, on April 4, 2016, the Planning Commission approved the Construction and Final Plan for Phase 4. The land/lots were reduced to 23-lots on 7.25- acres of land due to the adjacent industrial land owner purchasing a vacant 5.1-acre portion of the Phase 4

DISCUSSION: The specific request by the applicant is for approval to rezone a 5.1-acre parcel of land from "RS-15" Residential to "I-P" Planned Industrial Park. Once the property is rezoned, the applicant intends to add the land to the adjacent Bartlett Logistics Planned Development. This will provide an opportunity for the applicant to expand some of the existing industrial buildings that currently back-up to the Richland Valley residential development.

(Applicant requested the hearing above be deferred again until the Tuesday, September 6th, 2016 Planning Commission meeting.)

- Since this hearing was advertised and notices mailed out any individuals present were given an opportunity to speak in favor or against this item.

Motion was made and deferral approved.

3. Bartlett Station PD - PRD-1, NW Corner Sycamore View & Main Street (David Porter, W.H. Porter Consultants)

INTRODUCTION: Mr. David Porter with W.H. Porter Consultants is requesting Planning Commission approval of Bartlett Station Planned Residential Development (PRD). The subject property is located on the northwest corner of Main Street and Sycamore View Road. The subject property is within the "RS-12" Single Family Residential Zoning District in the Bartlett Station area, but the property is not located within the Historic District.

BACKGROUND: The subject property is recorded as Lot 7 on the 1872 Town of Bartlett plat. The subject property was included as a part of the Old Town Bartlett PRD that was approved by the Planning Commission in 2001 and 2002.

<u>DISCUSSION</u>: The specific request by the applicant is to subdivide 0.99-acres of land into a 6-lot planned residential subdivision and 1-lot of common open space in the center of the development. The lot sizes will be 4,000-square feet with lot widths of 40-feet. All lots will have two-car attached rear yard garages with access from a private 18-foot wide alley to be built along the north property line. The alley will have gated access to Sycamore View Road. All lots will be constructed with the front facades facing Main Street. The applicant is proposing a wrought iron fence around the entire property to measure 4-feet tall along the street frontages and 6-feet tall along the residential boundaries to the north and west. Detention for the subject property will be handled by an underground detention basin to be built underneath the common open space in the center of the property.

(Applicant requested the hearing above be deferred 30 days until the August Planning Commission meeting.)

- Since this hearing was advertised and notices mailed out any individuals present were given an opportunity to speak in favor or against this item.

Motion was made and deferral approved.

<u>Site Plan</u>

4. Highway 70 Car Care, 8152 Highway 70 (Tim McCaskill, McCaskill & Associates Inc.)

<u>INTRODUCTION</u>: Mr. Tim McCaskill with McCaskill & Associates is requesting Planning Commission approval of a site plan for building additions to Highway 70 Car Care. The subject property is located at 8152 Highway 70. It is within the "C-H" Highway Commercial Zoning District.

<u>BACKGROUND</u>: The 0.51-acre subject property is a site that has an existing auto repair business that was annexed by the City of Bartlett in 2004. On February 29, 2016, the Code Enforcement Department was notified concerning an addition to the rear of the existing building. During the inspection, it was discovered that a 14.2-foot by 25.8-foot building addition had been made to the rear elevation without Planning Commission (PC) and Design Review Commission (DRC) site plan approvals or permits from Code Enforcement.

<u>DISCUSSION</u>: The specific request by the applicant is for the approval of a site plan for items installed without PC site plan approval which include: the existing 366-square foot building addition, and the existing 15-foot by 10-foot canopy. The applicant would also like to construct a 551-square foot addition to replace an existing storage container that is located within the 5-foot utility easement. Access to the site is from a paved driveway that runs along the southern property line with two entry gates off Highway 70. The specifics of the site plan are as follows:

Approved with conditions of staff.

5. Bartlett Corporate Park East-Lot 13, (Parking Addition), 3080 Stage Post (Brenda Solomito Basar, Solomito Land Planning)

INTRODUCTION: Ms. Brenda Solomito Basar with Solomito Land Planning is requesting Planning Commission approval of a site plan for an existing development located at 3080 Stage Post Drive. The subject property is located at 3080 Stage Post, within the "I-P" Planned Industrial Park Zoning District.

BACKGROUND: The 1.90-acre subject property is located on lot 13 of Bartlett Corporate Park East Phase 2. In 1992, the Planning Commission approved a site plan to construct a new 18,475-square foot warehouse building. At the time of approval, the Bartlett Zoning Ordinance required a minimum street frontage landscape depth of thirty (30)-feet for properties located within the "I-P" Planned Industrial Park Zoning District. The current Bartlett Zoning Ordinance requires a landscaped depth of at least twenty (20)-feet from the right-of-way line shall be provided.

On June 16, 2016, the Board of Zoning Appeals (BZA)approved the request for a variance on the site to reduce the street frontage landscape depth along the Stage Post Drive street frontage on the west side of the property from the required 20-feet to a minimum of 10-feet.

DISCUSSION: The specific request by the applicant is for Planning Commission approval of a revised site plan to add 19 parking spaces and enhance the streetscape along Stage Post Drive. The new parking spaces will be strategically incorporated around the existing trees in the Stage Post Drive streetscape. Modified Streetscape Plate 23A will be added to prevent headlights from entering the street and becoming a safety hazard and to soften and improve the aesthetic of the site. The applicant will be adding two handicap van accessible parking spaces. The specifics of the site plan are as follows:

Approved with conditions of staff.

NOTE: Mr. Carlos McCloud with the Tennessee Department of Transportation (TDOT), Long Range Planning and Transportation, was present and gave a short presentation regarding representative support from the different jurisdictions for the Corridor Planning and Management Committee.

RESULT:	**APPROVED BY CONSENT VOTE [UNANIMOUS]**
MOVER:	Bobby Simmons, Alderman
SECONDER:	Jack Young, Vice Mayor
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

Board of Mayor and Aldermen
6400 Stage Road
Bartlett, TN 38134

ADOPTED

Meeting: 07/26/16 07:00 PM
Department: Finance
Category: Presentation
Prepared By: Dick Phebus
Department Head: Dick Phebus

AGENDA ITEM

Resolution 34-16, a resolution authorizing the City of Bartlett to participate in the Tennessee Municipal League Pool's "Safety Partners" Matching Grant Program and to provide a matching sum.

WHEREAS, the safety and well-being of the employees of the City of Bartlett is of the greatest importance; and

WHEREAS, all efforts shall be made to provide a safe and hazard-free workplace for the City of Bartlett employees; and

WHEREAS, The Pool seeks to encourage the establishment of a safe workplace by offering a "Safety Partners" Matching Grant Program; and

WHEREAS, the City of Bartlett now seeks to participate in this important program.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF BARTLETT, TENNESSEE the following:

SECTION 1. That the City of Bartlett is hereby authorized to submit an application for a 'Safety Partners" Matching Grant Program through The Pool.

SECTION 2. That the City of Bartlett is further authorized to provide a matching sum to serve as a match for any monies provided by this grant.

Adopted this day of July 26, 2016

__________________________ __________________________

W. C. Pleasant, Register to the A. Keith McDonald, Mayor

Board of Mayor and Aldermen

Attest: ___________________________
Stefanie McGee, City Clerk

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	David Parsons, Alderman
SECONDER:	Jack Young, Vice Mayor
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

THE POOL
Tennessee's Leader in Risk Management Services

2016-2017 "Safety Partners" Matching Grant Program Guidelines

The Pool is pleased to announce the launch of its 19th series of the

"Safety Partners" Matching Grant Program

for all members who have **workers' compensation coverage** with The Pool.

OBJECTIVE: To help eligible Pool members purchase safety items designed to reduce workers' compensation claims.

Safety reimbursable items include:

Expenditures for employee safety devices, equipment and safety training, or employee education/training that is necessary to control an employee safety hazard.

Please read this information in its entirety before completing the application:

1) The Pool will **reimburse up to 50 percent** of the cost of the safety-related approved item(s) with a maximum reimbursement based on the Priority Classification matrix rating.

2) **Matching grant funds must be used for employee safety related items.**

3) Entity must be an existing Pool member and must currently have **workers' compensation coverage** with The Pool as of **7/1/2016.**

4) Entity must be in good standing with The Pool **and in compliance with previous loss control recommendations.**

THE TML POOL
Tennessee's Leader in Risk Management Services

DEADLINE: Friday, August 12, 2016 (close of business)

GRANT NOTIFICATION DATE: Week of September 6, 2016

ELIGIBILITY: Available **ONLY** to Pool members with **Workers' Compensation Coverage** since **July 1, 2016**. Your **expenditure** may be made between **January 1, 2016 and May 1, 2017**.

RULES FOR PARTICIPATION

1. **Applications must be submitted online**. The application is **DATE SENSITIVE** and is subject to available funds. Direct all questions to your loss control consultant (please refer to pg. 4).

2. A signed **Resolution** or **Motion** (by the appropriate official: mayor or chairman of the board) passed by the governing body of the city/agency **MUST BE** provided. For boards of local government agencies that do not pass resolutions, a sample **Motion** is attached and may be signed by the appropriate Executive.

   NOTE: IF your resolution/motion cannot be approved and signed when your application is ready, you may submit the application only by including a notation on the application stating that your resolution/motion will follow after your board or council meeting (list the date of meeting). Since the APPLICATION is date sensitive, it is NOT necessary to submit the application and resolution/motion together. (Samples of each are attached). Your grant check will not be sent to you until we have received this document.

3. The Pool will **reimburse** approved grants for one-half of the paid expenditures (50 percent), **up to the maximum funding level for the participant's assigned classification.**

4. *If* the Grant Committee approves your application, you will be asked to submit proof of payment(s) for your safety-related purchased item(s) before we can process your grant check. **Invoices** alone will **NOT** be used as proof of payment. We must have copies of **cancelled checks** or a **proof-positive paper trail** for approved items. Verification of payment should be submitted to Tahtia Carver at tcarver@thepool-tn.org or faxed to 615-371-9212, along with your grant "Notification of Approval" letter.

THE POOL
Tennessee's Leader in Risk Management Services

5. The **deadline** for us to receive your application and close this program is Friday, August 12, 2016 (close of business). Approval/pending/non-approval **grant notifications will be distributed the week of September 6, 2016.**

6. Only ONE grant application may be approved for each town/city/agency during any given FISCAL YEAR. You may not "roll-over" an application from one fiscal year to another.

7. **Total** all estimates and final paid receipts!

8. **If approved for a grant, your proof of payment for expenditures must be received in this office by May 1, 2017, or your grant money WILL be awarded to the next "pending" member's application.**

GRANT CONSIDERATIONS: Consideration of grants will be based on a variety of issues, such as your entity's risk management practices, loss experience, and availability of funding and submission date.

1. The primary consideration will be the amount of available funding for the fiscal year.

2. Priority will be given to risk exposures noted in the loss control site surveys, recommendations and/or loss trends, and a history of sound risk management practices.

Grant funding will depend on the matrix rating *(Priority Classification)* assigned to a Pool member which assesses the workers' compensation **earned premium** contribution and loss experience for the **previous year**. This process allows all members that might have high losses, but who are in compliance with sound risk management practices, to have equal consideration. Your earned premium from the previous year is available **after July 2, 2016**, at which time you may call to inquire about your classification. Call 800-624-9698 and ask for Tahtia Carver.

THE POOL
Tennessee's Leader in Risk Management Services

If you need to know about your classification or if you have additional questions, please contact your loss control consultant.

West Tennessee
Paul Chambliss
731-225-2439
pchambliss@thepool-tn.org

Middle Tennessee
Chester Darden
615-406-0944
cdarden@thepool-tn.org

East Tennessee
Judy Housley
865-250-0413
jhousley@thepool-tn.org

Rating Classifications Funding Levels

(based upon earned workers' comp premium for previous year 2015-2016)

Class I – Up to $3,000

Class II – Up to $2,000

Class III – Up to $1,500

Class IV – Up to $1,000

Class V – Up to $500

Class VI – Up to $250

Workers' Compensation Coverage Classification Levels

Class I – Contributed earned premium for the previous year $200,000 or more in the requested coverage area.

Class II – Contributed earned premium for the previous year between $100,000 and $199,999 in the requested coverage area.

Class III – Contributed earned premium for the previous year between $25,000 and $99,999 in the requested coverage area.

Class IV – Contributed earned premium for the previous year between $10,000 and $24,999 in the requested coverage area.

Class V – Contributed earned premium for the previous year between $2,500 and $9,999 in the requested coverage area.

Class VI – Contributed less than $2,499 in earned premium for the previous year in the requested coverage area.

Board of Mayor and Aldermen
6400 Stage Road
Bartlett, TN 38134

Meeting: 07/26/16 07:00 PM
Department: Finance
Category: Presentation
Prepared By: Dick Phebus
Department Head: Dick Phebus

ADOPTED

AGENDA ITEM

Resolution 35-16, a resolution authorizing the City of Bartlett to accept an Assistance to Firefighters Grant and amend the Fiscal Year 2017 Grant Fund Budget.

WHEREAS, the fire department has received an Assistance to Firefighters Grant from the Department of Homeland Security for the purpose of protecting the health and safety of the public and firefighting personnel against fire and fire-related hazards; and

WHEREAS, the grant award is for $159,819 in federal funding with a local match of 9 percent, which is $15,981, bringing the total grant project costs to $179,800; and

WHEREAS, it is necessary for the City of Bartlett to accept the Assistance to Firefighters Grant, provide for the local match, and amend the FY17 Grants Fund budget.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF BARTLETT, TENNESSEE the following:

SECTION 1. That the City of Bartlett hereby accepts the Assistance to Firefighters Grant in the amount of $159,819 and will provide matching funds of $15,981 out of the FY17 fire department budget.

SECTION 2. The FY17 Grant Fund budget is amended as follow:

131.42200.122.03017	$136,010	
131.42200.156.03017	$39,790	
131.30000.33616.03017		$159,819
131.30000.36700.03017		$15,981
Totals	$175,800	$175,800

Adopted this day of July 26, 2016

__________________________ __________________________

W. C. Pleasant, Register to the A. Keith McDonald, Mayor

Board of Mayor and Aldermen

Attest: ________________________________

Stefanie McGee, City Clerk

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	David Parsons, Alderman
SECONDER:	Emily Elliott, Alderman
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

Board of Mayor and Aldermen
6400 Stage Road
Bartlett, TN 38134

ADOPTED

Meeting: 07/26/16 07:00 PM
Department: Finance
Category: Presentation
Prepared By: Dick Phebus
Department Head: Dick Phebus

AGENDA ITEM

Resolution 36-16, a joint resolution by the City of Bartlett, Tennessee Board of Mayor and Aldermen and the Bartlett City Board of Education agreeing to one-time expenditures for the Fiscal Year 2017 to fund nonrecurring capital project expenditures.

WHEREAS, Tennessee Code Annotated §49-3-314(c)(4) allows an exemption from Maintenance of Effort requirements for local governments to appropriate funds for education for nonrecurring expenditures to the local education agency (LEA); and

WHEREAS, said Tennessee Code Annotated §49-3-314(c)(4) section requires a written agreement between the local government and LEA, which is subject to review by the State Department of Education; and

WHEREAS, the City of Bartlett Fiscal Year 2017 Budget, presented to the Board of Mayor and Aldermen on June 16, 2016, allocated $500,000 to the Bartlett City Board of Education for nonrecurring, one-time expenditures to fund nonrecurring Capital Project expenditures. For a description of these payments see Exhibit A, attached to this Joint Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Board of Mayor and Aldermen for the City of Bartlett, Tennessee and the City of Bartlett Board of Education hereby agree and acknowledge that the additional $500,000 in one-time funding allocated to the Bartlett City Board of Education as a part of the City's Fiscal Year 2017 budget will be used to fund school related nonrecurring Capital Project expenditures, and shall not be included in the School's Maintenance of Effort calculations pursuant to Tennessee Code Annotated §49-3-314(c)(4).

BE IT FURTHER RESOLVED that the $500,000 one-time payment will be applied by the Bartlett City Board of Education to fund nonrecurring Capital Project expenditures which are more fully described in Exhibit A, attached to the Joint Resolution.

BE IT FURTHER RESOLVED that this resolution shall become effective from and after its adoption by the City of Bartlett, Tennessee Board of Mayor and Aldermen and the Bartlett City Board of Education.

Approved and Agreed to this 26th day of July, 2016

Bartlett Board of Education	**City of Bartlett**
_____________________	_____________________
Jeff Norris, Chairman	**A. Keith McDonald, Mayor**
_____________________	_____________________
David Stephens, Superintendent	**W.C. Pleasant, Register to the Board of Mayor and Aldermen**
APPROVED AS TO FORM:	**ATTEST:**
_____________________	_____________________
Board Attorney, Kari Shoopman	**Stefanie McGee, City Clerk**
	APPROVED AS TO FORM:
	_____________________
	City Attorney, Ed McKenney

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	W.C. Pleasant, Alderman
SECONDER:	David Parsons, Alderman
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

EXHIBIT A

City of Bartlett, Tennessee and

Bartlett Board of Education

FY17 Budget Proposal for Nonrecurring Expenses

CITY OF BARTLETT
Items to be Paid by the City – (Shifted payment from planned use of Fund Balance to City Funded)

Capital Lease	$500,000.00
This represents FY17 principal payment for the four year capital lease for technology that begins in FY17. The lease down payment funded the purchase of student devices for grades 6 and grades 10-12, supporting the 1:1 initiative.	