



City of Bartlett
A. Keith McDonald, Mayor

BOARD OF MAYOR AND ALDERMEN MEETING AGENDA

TUESDAY, JULY 23, 2013 - BARTLETT CITY HALL - 7 PM

INVOCATION

Opening Prayer by Stephen Shepard, Bartlett United Methodist Church

FUTURE MEETINGS

City Beautiful Commission, August 1 at 7 p.m.

Family Assistance Commission, August 5 at 7 p.m.

Planning Commission, August 5 at 7 p.m.

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

Parks and Recreation Advisory Board, August 8 at 7 p.m.

Bartlett Historical Society, August 12 at 7 p.m.

RECOGNITIONS

Boy and Girl Scouts

Official Business of the Day

MINUTES ACCEPTANCE

Minutes of the July 9, 2013 Board of Mayor and Aldermen Regular Meeting

PUBLIC HEARING

Individuals will have a maximum of three minutes to speak either for or against the item, with a total of 20 minutes for each side.

Ordinance 13-09, an ordinance to designate the old Bartlett Baptist Church Sanctuary, 5868 Stage Road, a historic landmark.

UNFINISHED BUSINESS

- I **Third Reading of Ordinance 13-09, an ordinance to designate the old Bartlett Baptist Church Sanctuary, 5868 Stage Road, a historic landmark. (Terry Emerick, Director of Planning and Economic Development)**

CONSENT AGENDA**1 Annual Bartlett Kid's Triathlon (David Thompson, Director of Parks and Recreation)**

The event is scheduled for Saturday, August 3 starting at 7:30 a.m. and will take place in and around the Bartlett Recreation Center.

2 Bid for Initial Attack Brush Truck. (Terry Wiggins, Fire Chief)

Recommend accepting the lower bid from Deep South Fire Trucks at a cost of \$122,330.00 Unit Price or Total Cost. Funds are available in account 31148 311 785 25613.

3 Data Driven, Watson Field Reporting Maintenance (Gary Rikard, Chief of Police)

Request to renew service agreement and receive upgrades with Data Driven for Watson Field Reporting Suite in the amount of \$36,267.00. Funds are available in account 110.42100.264.

4 Amendment to Commercial Site Plan Contract for Dollar General-Highway 70. (Rick McClanahan, Director of Engineering)

Developer, Ware Properties, LLC, will an additional \$2,000 in City fees to account for future driveway replacement . The bond is unchanged and set at \$104,714.00.

NEW BUSINESS

There is no new business.

OPEN DISCUSSION**ADJOURNMENT**



City of Bartlett
A. Keith McDonald, Mayor

BOARD OF MAYOR AND ALDERMEN MEETING MINUTES

TUESDAY, JULY 9, 2013 - BARTLETT CITY HALL - 7 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 Lane Reuter, Immanuel Lutheran

FUTURE MEETINGS

Parks and Recreation Advisory Board, July 11 at 7 p.m.

City Beautiful Commision, July 11 at 7 p.m.

Historic Preservation Commission, July 15 at 7 p.m.

BPACC Advisory Board, July 16 at 6 p.m.

Bartlett Arts Council, July 16 at 7 p.m.

Design Review Commission, July 16 at 7 p.m.

RECOGNITIONS

Girls and Boy Scouts

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

MINUTES ACCEPTANCE

Minutes of the June 25, 2013 Board of Mayor and Aldermen Regular Meeting

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

UNFINISHED BUSINESS

Minutes Acceptance: Minutes of Jul 9, 2013 8:00 PM (MINUTES ACCEPTANCE)

I Second Reading of Ordinance 13-09, an ordinance to designate the old Bartlett Baptist Church Sanctuary, 5868 Stage Road, a historic landmark. (Terry Emerick, Director of Planning and Economic Development)

The public hearing will be held July 23, 2013.

RESULT: APPROVED ON THIRD AND FINAL RE [UNANIMOUS] Next: 7/23/2013 7:00 PM
MOVER: Jack Young, Vice Mayor
SECONDER: David Parsons, Alderman
AYES: Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

ITEM REMOVED FROM CONSENT

I Bid for water tank maintenance services. (Rick McClanahan, Director of Engineering)

Recommend accepting the lowest bid from Utility Service Company, Inc. in the amount of \$212,700.00, plus a contingency amount of \$32,300.00 for a total cost of \$245,000.00. Funds are available in account 510.51051200.945.

Alderman Simmons asked that this item be removed from the Consent Agenda for separate discussion. He asked why this item was on the Consent Agenda. City Clerk Stefanie McGee stated that this item was originally on the Consent Agenda and no changes were made to the recommendation.

The Board held a Work Session June 25, 2013 to address concerns with the bid process from the second lowest bidder.

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

CONSENT AGENDA

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

I Special event permit for Ellendale Baptist Church Community Block Party. (Jim Brown, Director of Code Enforcement)

The event will be held on Saturday, July 20 at Easthill Park from 1 to 3 p.m.

Special event permit for Memphis Runners Track Club

The event will be held on Sundays, August 11 and August 25 at W.J. Freeman Park from 5:30 to 9 a.m.

3 License agreement for ESRI Geographic Information System Software. (Rick McClanahan, Director of Engineering)

Authorize the Mayor to sign the annual license agreement for the GIS software and pay

Minutes Acceptance: Minutes of Jul 9, 2013 8:00 PM (MINUTES ACCEPTANCE)

the fee of \$9,300. Funds are available in account 123.48123.933.

- 4 Windsor Park Subdivision, Phase A: Subdivision Contract in Lieu of Assumption Agreement (Rick McClanahan, Director of Engineering)**
New developer, Windsor Farms, LLC, pay \$42,536.29 in City fees. The replacement bond is set at \$1,971,036.00. Original developer was foreclosed upon.
- 5 Bid for annual EMS supplies. (Terry Wiggins, Fire Chief)**
Recommend accepting the lower cumulative bid from Bound Tree Medical. Funds are available in account 110.42300.321.

NEW BUSINESS

- 1 Resolution 12-13, a resolution to delete uncollectable accounts from the water accounts receivable. (Dick Phebus, Director of Finance)**

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

- 2 Resolution 13-13 A resolution allowing the Aldermen to participate in the Health Insurance Plan of the City of Bartlett at the same rate as employees. (Mark Brown, Chief Administrative Officer)**

Mr. Brown explained that this resolution would allow the Aldermen to participate in the City's health insurance plan and pay the same premiums as employees. Both Collierville and Germantown allow their aldermen to participate in the City's health insurance plans.

Alderman Elliott asked if part-time employees are able to receive the City's health coverage and Mr. Brown said no, part-time employees are not eligible. Mayor McDonald noted that elected officials are in a separate category from part-time employees.

Vice Mayor Young asked what would happen if an alderman was not reelected. Mr. Brown stated that the alderman would lose the City benefit and go to COBRA, which allows self payment for 18 months.

RESULT:	APPROVED [4 TO 2]
MOVER:	David Parsons, Alderman
SECONDER:	W.C. Pleasant, Alderman
AYES:	Pleasant, Parsons, Simmons, Sedgwick
NAYS:	Elliott, Young

OPEN DISCUSSION

Alderman Parsons asked City Engineer Rick McClanahan about the timeline of the assumption of the Windsor Park Subdivision contract.

Mr. McClanahan explained that the new developer, Windsor Farms LLC, will move ahead quickly after closing on the purchase to execute the contract with the City. He expects New Brunswick to be open for thru traffic by the end of the year, although the side streets will be blocked off.

ADJOURNMENT

Meeting adjourned at 7:16 PM

Minutes Acceptance: Minutes of Jul 9, 2013 8:00 PM (MINUTES ACCEPTANCE)



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

ORDINANCE 2013-9

Meeting: 07/23/13 07:00 PM

Department: Planning and Economic Development

Category: Designation

Prepared By: Stefanie McGee

Initiator: Terry Emerick

Sponsors:

DOC ID: 1002

Ordinance 13-09, an ordinance to designate the old Bartlett Baptist Church Sanctuary, 5868 Stage Road, a historic landmark.

WHEREAS, an application has been received to designate the Old Bartlett Baptist Church Sanctuary a Historic Landmark in the City of Bartlett; and

WHEREAS, a public hearing was held before this body on the 23rd day of July, 2013 and notice thereof published in *The Bartlett Express*,

NOW, THEREFORE, be it ordained by the Board of Mayor and Aldermen of the City of Bartlett:

SECTION 1. The property described as follows is hereby designated as Historic Landmark HL-7, in accordance with Zoning Ordinance, Article VI, Section 25.F, to be maintained in accordance with the attached "Historic Preservation Guidelines for the Landmark Structure known as the Old Bartlett Baptist Church Sanctuary":

Property located at 5868 Stage Road a/k/a the Bartlett Station Municipal Center identified as Shelby County Tax Parcel B015600218.

SECTION 3. SEVERABILITY - Should any provision or part of this Ordinance be rendered void or unenforceable by any court of law, statute or other authority, the rest and remainder of this Ordinance shall remain in full force and effect.

SECTION 4. EFFECTIVE DATE - This Ordinance shall be effective from and after its final passage, the public welfare requiring it.

First Reading: June 25, 2013

Second Reading: July 9, 2013

Third Reading: July 23, 2013

W.C. Pleasant, Register to the
Board of Mayor and Aldermen

A. Keith McDonald
Mayor

Stefanie McGee, City Clerk

HISTORY:

06/25/13 Board of Mayor and Aldermen APPROVED ON FIRST READING
Next: 07/09/13

07/09/13 Board of Mayor and Aldermen APPROVED ON SECOND READING
Next: 07/23/13

The public hearing will be held July 23, 2013.

**GUIDELINES FOR LANDMARK DESIGNATION
BARTLETT BAPTIST CHURCH SANCTUARY
BARTLETT STATION MUNICIPAL CENTER**

The purpose of the guidelines is to preserve the historic integrity of the Bartlett Baptist Church Sanctuary, including its natural, environmental, and man-made structure, in order to maintain its significant past. To achieve this purpose, these guidelines are intended to encourage compatible development and discourage the introduction of incompatible alterations.

The Bartlett Baptist Church Sanctuary portion of the Bartlett Station Municipal Center is currently used by various local church groups for services and is also used for wedding ceremonies. Revenues from this activity help to maintain the facility. The City of Bartlett intends to continue to maintain this facility for these current and future uses compatible to this sanctuary building.



City of Bartlett

A. Keith McDonald, Mayor

March 7, 2013

Carman Bell, Chairman
Bartlett Historic Preservation Commission
6382 Stage Road
Bartlett TN 38134

Dear Mr. Bell:

The City of Bartlett is requesting consideration of the former Bartlett Baptist Church building for local landmark designation. This structure is currently a part of the Bartlett Station Municipal Center which was acquired by the city in 2005. The original frame structure was built in 1870 and the current brick exterior was added in 1932. A more detailed history of Bartlett Baptist Church is enclosed.

This building, located where the railroad tracks intersect with Stage Road, was a part of the early history of Bartlett up to modern times and still continues to serve the community as part of the Bartlett Station Municipal Center.

Your consideration for local landmark designation is much appreciated.

Sincerely,

A. Keith McDonald
Mayor

AKM/km

Enclosure

Attachment: Letter of request and history of church (13-09 : Bartlett Baptist Sanctuary historic landmark)

BARTLETT BAPTIST CHURCH, 5868 STAGE ROAD

On Sunday, November 30, 1840 a meeting of the local Baptists was held in Raleigh, the county seat of Shelby County, to organize themselves as the Egypt Baptist Church with its charter members being Thomas A. Oliver and wife, Martha; Martin Powers and wife, Charlotte; B.B. Sullivan and wife, Elizabeth; Elizabeth Ayres; under guidance of L.H. Milliken and John High. This congregation dissolved its connection with Raleigh by 1844, with its meeting house grounds being acquired in the 1840's and early 1850s where it is presently located at 4454 Raleigh-Millington Road.

The Baptists in the Green Bottom settlement, that area along what was known then and remains the Stage Road from about Covington Pike connecting on U.S. Highway 64 to Germantown Road, decided to organize themselves as a separate congregation with thirty-six members, on August 27, 1849, leaving the Egypt group, the latter granting them their autonomy on August 30 of that year. Among the leaders in this movement was James Pruden who had moved into this vicinity from nearby Fayette County in 1846; along with this man and his family were the Waddle and Wood families and Colonel John Blackwell, who though he would not settle permanently in the community until the late 1850s affiliated with this group.

The new congregation was called Prosperity and met in a small log building that also served as a schoolhouse, about four miles east of Raleigh, located near the southwest corner of what are today Brownsville Road and Billy Maher Road. Prominent in the religious covenant, formally adopted a few years later, was the conviction "that we will strive for the support of a faithful evangelical ministry among us...."

John Byron Canada, a young Virginian, who taught in the Prosperity school, having been educated for the ministry was chosen to be the minister of the Prosperity Baptist Church and ordained there August 19, 1850; for fourteen years of the first two decades of the church's existence he led its membership, resigning in 1868 but returned in 1872, finally retiring in November 1876.

In March 1851 the Prosperity Baptist Church voted to move its location to Green Bottom where they later purchased a fourth of an acre from Joseph P. Ward, April 5, 1852 for five dollars, through their elders James Pruden, J.M. Kelly and Samuel B. Berryhill. At this location they built a frame meeting house. It stood about where the present Bartlett Baptist Church (the 1870 building) is now located. In 1870 the congregation erected a new yellow frame house (with green shutters) on the same site with Gothic architectural features, and its formal dedication was held in April of the next year. Some of the materials used in this building were brought from the old Warren Chapel (Methodist) as it was dismantled in the Ellendale Community.

The congregation prospered, added acreage to its grounds over the years; purchased a large church bell in May 1877 for \$100. On March 8, 1896 the name of the congregation was formally changed to the Bartlett Baptist Church. In 1932 the church itself was brick veneered and improved with the pulpit, choir and baptistery extended onto the north side of the building. In 1946 an annex of Sunday School rooms was added. In 1964 a new sanctuary was built. Generally speaking the church has been fortunate in the

high caliber of its ministers. One of its most popular and effective ministers was the Reverend F. Irvin Hays (pastorate, 1953-1986).

On May 20, 1988, the Bartlett Baptist Church bought 37.84 acres on Yale Road in Bartlett where the congregation has now built and relocated. It was the first Baptist Church in the City of Bartlett.

The building was sold to the City of Bartlett and is now the Bartlett Station Municipal Center.



**Board of Mayor and Aldermen**

6400 Stage Road
Bartlett, TN 38134

SCHEDULED**AGENDA ITEM**

Meeting: 07/23/13 07:00 PM

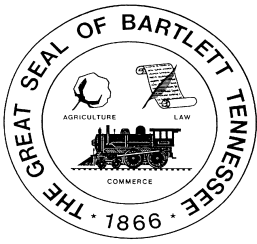
Department: Parks and Recreation

Category: Proposal

Prepared By: Debbie Christopher

Department Head: David Thompson

Annual Bartlett Kid's Triathlon



City of Bartlett

RECREATION CENTER

A. Keith McDonald, *Mayor*
 David D. Thompson, *Parks Director*
 Tawny Walker, *Facility Manager*

To: Mayor and Board of Alderman
 From: Tawny Walker
 CC: David Thompson
 Date: 7/17/2013
 Re: 12th Annual Bartlett Kid's Triathlon

The following information has been submitted to the appropriate personnel regarding the 12th Annual Bartlett Kid's Triathlon. The proposed date is Saturday, August 3, 2013. It will begin at 7:30am.

- Memorandum to both Police and Fire Dept securing EMS and patrolman
- Memorandum to David Thompson explaining all procedures for the event.
- Computer generated map of the event and bike course

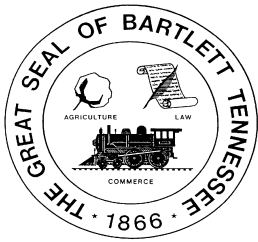
As in the previous ten (11) years, the BRC will remain closed until 12:00 noon on the day of the event.

I anticipate great response and success to this year's event. If you have any questions or concerns, please do not hesitate to call.

Sincerely,

Tawny Walker
 Facility Manager
 Bartlett Recreation Center
 (901) 385-6470 - Office
 (901) 385-6405 - Fax
twalker@cityofbartlett.org

Attachment: BOA Bartlett Kids Triathlon 2013 (1026 : 12th Annual Bartlett Kid's Triathlon)



City of Bartlett

RECREATION CENTER

7.1.a

A. Keith McDonald, *Mayor*
David D. Thompson, *Parks Director*
Tawny Walker, *Facility Manager*

To: David Thompson
From: Tawny Walker
CC: Mayor and Board of Alderman
Date: 7/17/2013
Re: 12th Annual Bartlett Kid's Triathlon

To keep you informed on the status and flow of the Bartlett Kid's Triathlon, I have compiled this list for you:

- The proposed date is Saturday, August 3, 2013, 7:30am.
- Eligible age is 7-15 years of age. Junior Division is ages 7 – 10, Senior Division is ages 11 – 15.
- Senior division will begin first with the Junior division following. Once the last Senior has finished the bike portion of the event, the juniors begin. The sequence of the triathlon begins with the swim, followed by the bike course and finishing with the run. Total estimated for the actual race is two (2) hours. (Based on 125 participants. Actual race time could vary depending on the number of participants).
- An estimated number of (30) personnel consisting of volunteers and BRC staff will be utilized.
- **The Facility will be closed to the members until 12:00 Noon. Notification will be given (1) month in advance. This is needed to ensure the safety of the participants, spectators, and staff.**
- Volunteers and Personnel will be located at water stations, along the run course, along the bike course, at every change in direction/intersection. There will be at least (6) personnel on "bike patrol" riding with the participants
- Residents along the course will be given notification of the event via a flyer.

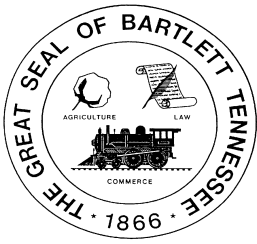
The week of the event, the maintenance crew will "scalp" a path from the paved track to building in order to mark any possible trip hazards. Trip hazards will be marked with spray chalk or paint.

If you have any other questions or concerns please do not hesitate to ask.

Sincerely,

Tawny Walker
Facility Manager
Bartlett Recreation Center
(901) 385-6470 - Office
(901) 385-6405 - Fax
twalker@cityofbartlett.org

Attachment: BOA Bartlett Kids Triathlon 2013 (1026 : 12th Annual Bartlett Kid's Triathlon)



City of Bartlett

RECREATION CENTER

A. Keith McDonald, *Mayor*
 David D. Thompson, *Parks Director*
 Tawny Walker, *Facility Manager*

To: Asst. Chief Danny Baxter
 From: Tawny Walker
 CC: Mayor and Board of Alderman
 Date: 7/17/2013
 Re: 12th Annual Bartlett Kid's Triathlon

I am writing to confirm a previous discussion regarding the use of (1) ambulance unit during the Bartlett Kid's Triathlon. The Bartlett Recreation Center hosts the event, with the bike and run course held "off-site" in close proximity to the facility.

I am also confirming the date to be August 3, 2013 pending Mayor and Board approval. The event will begin at 7:30am and cannot begin until an EMS team is on-site. The first event will be the swim, in which a fully staffed team of certified lifeguards will be monitoring all participants.

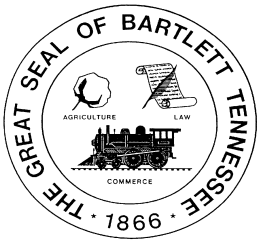
Final maps of the course are attached for your viewing. Additional maps will be available to your paramedics upon arrival the day of the race.

If you have any questions or concerns, please feel free to contact me anytime. The Bartlett Recreation Center thanks you for your assistance in this event.

Sincerely,

Tawny Walker
 Facility Manager
 Bartlett Recreation Center
 (901) 385-6470 - Office
 (901) 385-6405 - Fax
twalker@cityofbartlett.org

Attachment: BOA Bartlett Kids Triathlon 2013 (1026 : 12th Annual Bartlett Kid's Triathlon)



City of Bartlett

RECREATION CENTER

A. Keith McDonald, *Mayor*
 David D. Thompson, *Parks Director*
 Tawny Walker, *Facility Manager*

To: Inspector Jeff Cox
 From: Tawny Walker
 CC: Mayor and Board of Alderman
 Date: 7/17/2013
 Re: 12th Annual Bartlett Kid's Triathlon

Please accept this memo as confirmation of previous discussions. In regards to traffic control for the Bartlett Kid's Triathlon, assistance will be provided by the Police Department, Reservists and Patrolman and possibly the motorcycle division if available at that time.

I am also confirming the date to be Saturday, August 3, 2013; pending Mayor and Board approval. The event will begin at seven thirty in the morning (7:30 a.m.). Senior division will begin first, followed by the Junior division. Estimated time needed for traffic control should not exceed (2) two hours maximum.

Final maps of the course are attached for your viewing. Areas of utmost concern include the intersection of Flaherty and Appling where participants will enter onto Appling, Windersville and Germantown, and Brother and Germantown. Additional maps will be available to your patrol before race time.

If you have any questions or concerns, please feel free to contact me anytime. The Bartlett Recreation Center thanks you for your assistance in this event.

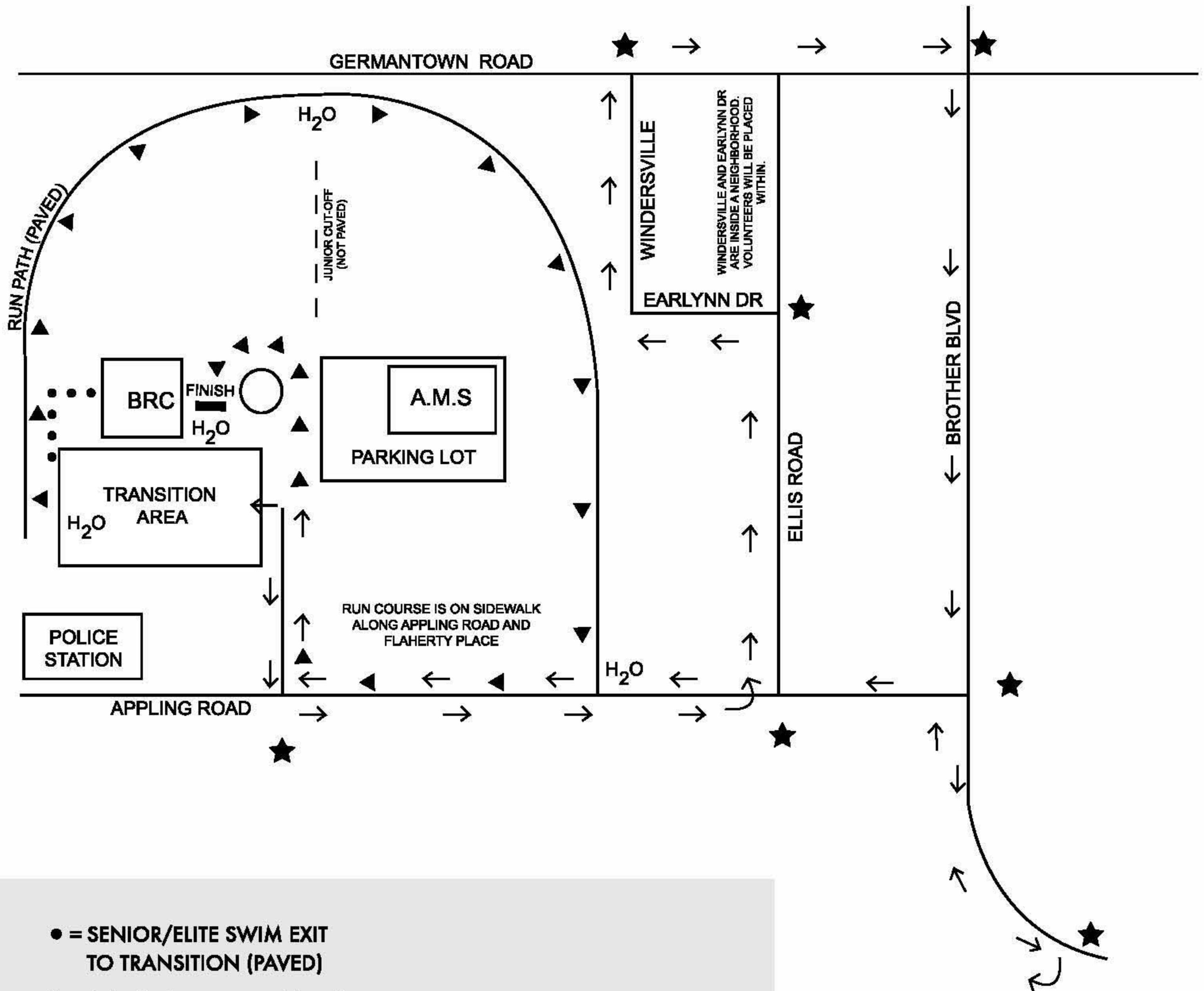
Sincerely,

Tawny Walker
 Facility Manager
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Attachment: BOA Bartlett Kids Triathlon 2013 (1026 : 12th Annual Bartlett Kid's Triathlon)



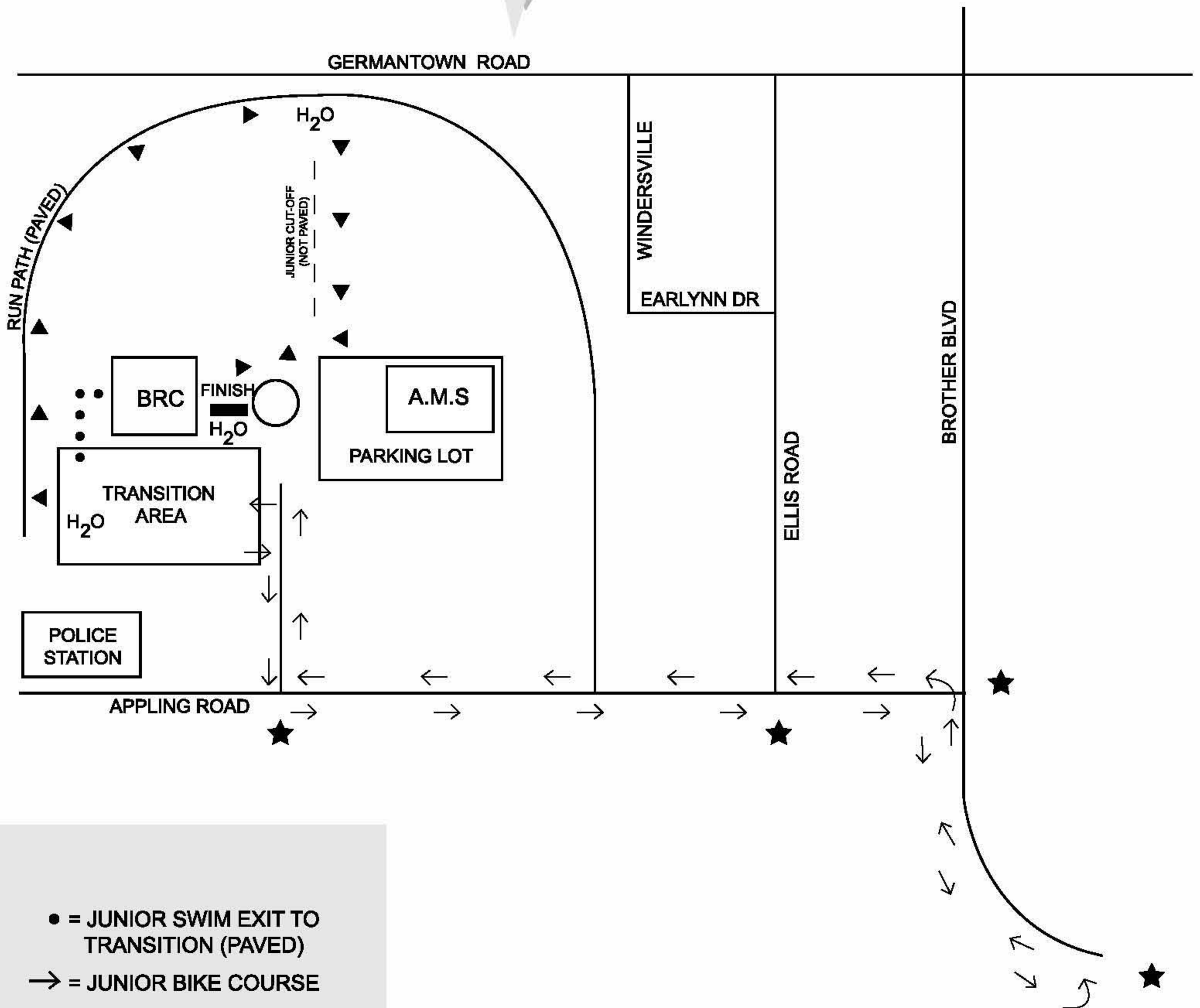
BARTLETT KIDS TRIATHLON SENIOR RACE COURSE MAP



- = SENIOR/ELITE SWIM EXIT TO TRANSITION (PAVED)
- = SENIOR/ELITE BIKE COURSE
- ▶ = SENIOR/ELITE RUN COURSE
- H₂O = WATER STATION
- ★ = POLICE SITE



BARTLETT KIDS TRIATHLON JUNIOR RACE COURSE MAP



- = JUNIOR SWIM EXIT TO TRANSITION (PAVED)
- = JUNIOR BIKE COURSE
- ▶ = JUNIOR RUN COURSE
- H₂O = WATER STATION
- ★ = POLICE SITE



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

AGENDA ITEM

Meeting: 07/23/13 07:00 PM

Department: Fire

Category: Bid

Prepared By: Cindy Barnett

Department Head: Terry Wiggins

Bid for Initial Attack Brush Truck.

On June 6, 2013 an ad was placed in the *Daily News* and bids were picked up by Deep South Fire Trucks, Max Fire Apparatus, CET Fire Pumps, Sunbelt Fire, EVS Midsouth and Cherokee Truck Equipment. On July 11, 2013 the City of Bartlett received two bids and were opened at City Hall.

Bids were received from the following companies:

Deep South Fire Trucks	\$122,330.00
Max Fire Apparatus	\$129,990.00

We recommend the bid be awarded to Deep South Fire Trucks for a total price of \$122,330.00

Funds are available in account 31148 311 785 25613

Thank you for your consideration.

**Board of Mayor and Aldermen**

6400 Stage Road
Bartlett, TN 38134

SCHEDULED**AGENDA ITEM**

Meeting: 07/23/13 07:00 PM

Department: Police

Category: Purchase

Prepared By: Penny Medlock

Department Head: Gary Rikard

Data Driven, Watson Field Reporting Maintenance

The Police Department respectfully requests permission to renew our service agreement from Data Driven at a cost of \$36,267.00 for the period of July 2013 - June 2014. This is maintenance and upgrade for the Watson Field Reporting Suite and is a budgeted item from 110.42100.264. Sole provider.



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

AGENDA ITEM

Meeting: 07/23/13 07:00 PM

Department: Engineering

Category: Amendment

Prepared By: Mark Saunders

Department Head: Rick McClanahan

Amendment to Commercial Site Plan Contract for Dollar General-Highway 70.

AMENDMENT 0001

This is an amendment to the City of Bartlett Commercial Site Plan Contract executed on the 13th day of February, 2013 between **City of Bartlett, Shelby County, Tennessee** and **WARE PROPERTIES, LLC.** (hereinafter referred to as Developer).

During a final inspection, the city noticed a substantial misalignment of the HWY 70 driveway relative to the alignment of HWY 70, and per the drawings. The Developer asked, instead of replacing the entire driveway apron, which would delay opening of the store, if they could make a cash-in-lieu-of payment to address the future cost of replacing this driveway when the road is eventually widened. Since that will be done as a State project with an anticipated 20 percent cost share on the part of the City, a \$2,000 figure was agreed to between the Developer and the City during a meeting of all parties on July 12, 2013.

Original fee amount:	\$18,707
New fee amount:	<u>\$20,707</u>
Balance due	\$ 2,000

The bond amount does not change.

Recommend this proposed settlement be approved.

Amendment

0001

Page 1 of 2

IN WITNESS WHEREOF, the parties hereto have affixed their hands
and seals at Bartlett, Tennessee, this _____ day of
_____, 2013.

CITY OF BARTLETT

WARE PROPERTIES, L.L.C.:

By: _____
DEVELOPER SIGNATURE
SIGNATURE

Sam Ware

TYPED OR PRINTED

ATTEST:

CITY CLERK

BONDING COMPANY

LETTER OF CREDIT, APPROVED BY CITY ATTORNEY

BY: _____
CITY ENGINEER

DATE APPROVED BY BOARD OF MAYOR AND ALDERMEN

0001

Page 2 of 2

Amendment