



*City of Bartlett*  
A. Keith McDonald, Mayor

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

**TUESDAY, MARCH 8, 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 Derek Williams, Bartlett Woods Church of Christ

### **FUTURE MEETINGS**

Parks and Recreation Advisory Board, March 10 at 7 p.m.

Bartlett Historical Society, March 14 at 7 p.m.

BPACC Advisory Board, March 15 at 6 p.m.

Bartlett Arts Council, March 15 at 6:30 p.m.

Design Review Commission, March 15 at 6:30 p.m.

Historic Preservation Commission, March 21 at 7 p.m.

### **RECOGNITIONS**

#### **Distinguished Budget Presentation Award**

For the 14th consecutive year, the Finance Department has been awarded the Distinguished Budget Presentation Award by the Government Finance Officers Association.

#### **Firefighter Promotion**

Fire Chief Terry Wiggins and Mayor McDonald presented the badge to Matt Henry on his promotion to driver.

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

**MINUTES ACCEPTANCE****Minutes of the February 23, 2016 Board of Mayor and Aldermen Regular Meeting**

|                  |                                                      |
|------------------|------------------------------------------------------|
| <b>RESULT:</b>   | <b>ACCEPTED [UNANIMOUS]</b>                          |
| <b>MOVER:</b>    | Jack Young, Vice Mayor                               |
| <b>SECONDER:</b> | W.C. Pleasant, Alderman                              |
| <b>AYES:</b>     | Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick |

**CONSENT AGENDA**

|                  |                                                      |
|------------------|------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                          |
| <b>MOVER:</b>    | Jack Young, Vice Mayor                               |
| <b>SECONDER:</b> | Emily Elliott, Alderman                              |
| <b>AYES:</b>     | Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick |

- 1 Special event permit for Bartlett Movies in the Park. (Jim Brown, Director of Code Enforcement)**  
The event will be held on Fridays, April 1, April 8, April 29, and May 13, from 7 to 10 p.m. at W.J. Freeman Park. If needed, June 3 will be a make-up/rain date.
- 2 Authorization to auction surplus property. (Dick Phebus, Director of Finance)**  
Seventeen items have been identified as having a potential auction-value of \$500 or more and will be auctioned on GovDeals.com.
- 3 Amend site plan contract with Krispy Kreme Doughnuts Corporation to add The Hudson Company of Tennessee. (Wade Towles, Assistant Director of Engineering)**  
The developers, Krispy Kreme Doughnuts Corporation and The Hudson Company of Tennessee, will pay \$12,058.25 in City fees. The bond is set at \$64,850.00.
- 4 Bid for Landscape Screen Trees for the Fire Training Facility. (Wade Towles, Assistant Director of Engineering)**  
Recommend accepting the lowest bid from Michael Hatcher & Associates in the amount of \$22,813.00, plus a contingency amount of \$2,000.00 for a total cost of \$24,813.00. Funds are available in Account 311.48311.780.263.
- 5 Bid for Singleton Community Center's auditorium tile flooring. (David Thompson, Director of Parks and Recreation)**  
Recommend accepting the lowest, qualified bid from Terry Bell Construction at a total cost of \$15,627.00. Funds are available in Account 11044100.921.
- 6 Bid for Singleton Community Center HVAC replacement units. (David Thompson, Director of Parks and Recreation)**  
Recommend accepting the sole bid from Emcor Service Walker J. Walker at a total cost of \$15,264.00. Funds are available in Account 11044100.921.

**NEW BUSINESS****I      Appoint Bill Yearwood to the Shelby County Municipal Solid Waste Planning Board. (A. Keith McDonald, Mayor)**

Mr. Yearwood has served on the Shelby County Municipal Solid Waste Planning Board for the last six years. Mayor McDonald would like to reappoint him to another term.

|                  |                                                      |
|------------------|------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                          |
| <b>MOVER:</b>    | David Parsons, Alderman                              |
| <b>SECONDER:</b> | W.C. Pleasant, Alderman                              |
| <b>AYES:</b>     | Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick |

**OPEN DISCUSSION**

No one spoke during Open Discussion.

**ADJOURNMENT**

Meeting adjourned at 7:10 PM

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

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A. Keith McDonald  
Mayor



# *City of Bartlett*

*A. Keith McDonald, Mayor*

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

**TUESDAY, FEBRUARY 23, 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 Grant Nixon, Christ Church Bartlett

### **FUTURE MEETINGS**

Beer Board, March 1 at 6 p.m.

Bartlett Station Commission, March 2 at 7:30 a.m.

City Beautiful Commission, March 3 at 7 p.m.

Family Assistance Commission, March 7 at 6 p.m.

Planning Commission, March 7 at 7 p.m.

### **RECOGNITIONS**

Mayor McDonald and the Aldermen recognized a cub scout, who attended the meeting as part of earning his Webelos rank.

### **Swear-in Division I Judge Tim Francavilla**

Mayor McDonald swore in Tim Francavilla as Division I Municipal Judge. Judge Francavilla's wife, Kristi, held the Bible. Judge Francavilla is filling the vacancy left by Freeman Marr's death in December 2015. The City will hold an election in November to determine who will fill the vacancy for the remainder of the eight-year term, which expires December 31, 2018.

### **Firefighter Promotion**

Chief Wiggins promoted Andrew Mills to Paramedic Lieutenant with a badge presentation.

### **National Engineers Week Proclamation**

Mayor McDonald proclaimed the week of February 21 to 27 as National Engineers Week.

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

Minutes Acceptance: Minutes of Feb 23, 2016 7:00 PM (MINUTES ACCEPTANCE)

Mayor McDonald announced an emergency purchase made by the Bartlett Recreation Center to replace the pool filter system by Duffield Aquatics at a cost of \$65,511.76.

## **MINUTES ACCEPTANCE**

### **Minutes of the February 9, 2016 Board of Mayor and Aldermen Regular Meeting**

|                  |                                                      |
|------------------|------------------------------------------------------|
| <b>RESULT:</b>   | <b>ACCEPTED [UNANIMOUS]</b>                          |
| <b>MOVER:</b>    | David Parsons, Alderman                              |
| <b>SECONDER:</b> | Emily Elliott, Alderman                              |
| <b>AYES:</b>     | Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick |

## **CONSENT AGENDA**

|                  |                                                      |
|------------------|------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                          |
| <b>MOVER:</b>    | Jack Young, Vice Mayor                               |
| <b>SECONDER:</b> | Paula Sedgwick, Alderman                             |
| <b>AYES:</b>     | Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick |

- 1 **Special event permit for Crosstown 5K. (Jim Brown, Director of Code Enforcement)**  
The event will be held on Saturday, April 2 from 8 a.m. to 12 p.m. at Bartlett United Methodist Church.
- 2 **Special event permit for Oak Elementary 3rd Annual Running of the Rams 5K Run. (Jim Brown, Director of Code Enforcement)**  
The event will be held on Friday, May 13 from 4 to 10 p.m. at Oak Elementary School.
- 3 **Special event permit for Stanky Creek Mountain Bike Races. (Jim Brown, Director of Code Enforcement)**  
The events will be held on Saturday August 20 and Sunday, August 21 from 7 a.m. to 7 p.m. at Nesbit Park. A second set of events will be held Saturday, September 24 and Saturday, October 8 from 7 a.m. to 7 p.m. at Nesbit Park.
- 4 **Bid for to replace 18 jail toilets. (Gary Rikard, Chief of Police)**  
Recommend accepting the lowest complete bid from Gipson Mechanical Contractors at a total cost of \$40,433.00. Funds are available in Account 311.48311.785.20316.
- 5 **Shelby County Wellhead Protection annual maintenance fee. (Dick Phebus, Director of Finance)**  
Recommend authorization to pay the Shelby County Health Department \$11,777.70.  
This fee is based on the number of water meters in the City of Bartlett (21,414) multiplied by \$0.55 per meter. Funds are available in Account 510.51200.644.
- 6 **Site Plan Contract for Krispy Kreme Doughnuts Corporation. (Wade Towles, Assistant Director of Engineering)**

Minutes Acceptance: Minutes of Feb 23, 2016 7:00 PM (MINUTES ACCEPTANCE)

The developer, Krispy Kreme Doughnuts Corporation, will pay \$12,058.25 in City fees. The bond is set at \$64,850.00.

**7 Site Plan Contract for Kate Hyde-64, Lot 2. (Wade Towles, Assistant Director of Engineering)**

The developer, 64 Kate Hyde Partners, will pay \$7,519.23 in City fees. The bond is set at \$59,405.00.

**8 Treasurer's Report for January 2016. (Dick Phebus, Director of Finance)**

|                            |              |
|----------------------------|--------------|
| Total Budget Expenditures  | \$70,251,836 |
| Year-to-date- Expenditures | \$43,478,479 |
| Total Budget Revenues      | \$70,251,836 |
| Year-to-date Revenues      | \$37,974,903 |

**NEW BUSINESS**

**I Appoint Jonathon Smith to the Parks and Recreation Advisory Board. (A. McDonald, Mayor)**

|                  |                                                      |
|------------------|------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                          |
| <b>MOVER:</b>    | David Parsons, Alderman                              |
| <b>SECONDER:</b> | W.C. Pleasant, Alderman                              |
| <b>AYES:</b>     | Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick |

**2 Resolution 08-16, a resolution to request unclaimed balance of accounts remitted to State Treasurer under unclaimed property act. (Dick Phebus, Director of Finance)**

The total amount of unclaimed property is \$1,352.76.

|                  |                                                      |
|------------------|------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                          |
| <b>MOVER:</b>    | Emily Elliott, Alderman                              |
| <b>SECONDER:</b> | Jack Young, Vice Mayor                               |
| <b>AYES:</b>     | Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick |

**3 Resolution 09-16, a resolution to amend the Fiscal Year 2016 General Fund and Capital Improvement Program Budgets to provide for additional funding for two-way radio communication system. (Dick Phebus, Director of Finance)**

Mr. Phebus explained that this resolution will transfer \$1.4 million from the City's General Fund to the Capital Improvement Program Fund for the radio system. The project will cost \$4.4 million.

|                  |                                                      |
|------------------|------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                          |
| <b>MOVER:</b>    | Jack Young, Vice Mayor                               |
| <b>SECONDER:</b> | Emily Elliott, Alderman                              |
| <b>AYES:</b>     | Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick |

#### **4 Contract for installation of two-way radio communications system for public safety operations. (Dick Phebus, Director of Finance)**

The Board held a work session prior to this meeting to discuss the two-way public radio system project. Both vendors, Motorola and Harris/AMK, were present.

Mayor McDonald asked Fire Chief Terry Wiggins and Police Chief Gary Rikard to explain why Harris/AMK was chosen to install the new two-way public radio system. A team of high ranking employees in the Fire, Police, and Public Works Departments reviewed both proposals. The Harris/AMK proposal scored higher than Motorola's. Chief Wiggins said he reviewed each proposal page-by-page. He said with the new loop system, if a radio tower stops working, the city will still have 90 percent coverage. Since portable radios are a must for the Fire Department, Chief Wiggins is comfortable with Harris as the radio provider. Chief Rikard said he agrees with Chief Wiggins. Harris will provide the best system for the safety of our police officers.

Alderman Young said the Aldermen should follow the recommendations of the professionals that have evaluated both systems. Alderman Sedgwick echoed this sentiment.

Alderman Simmons said after an hour-and-a-half work session, he doesn't have enough information to make a decision.

Alderman Elliott said that any system is fallible, but believes having two radio towers is worth every penny to protect our citizens and employees.

Alderman Pleasant said he still has questions and reservations, but will trust the staff's recommendation.

|                  |                                             |
|------------------|---------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [5 TO 1]</b>                    |
| <b>MOVER:</b>    | Emily Elliott, Alderman                     |
| <b>SECONDER:</b> | Jack Young, Vice Mayor                      |
| <b>AYES:</b>     | Pleasant, Elliott, Parsons, Young, Sedgwick |
| <b>NAYS:</b>     | Simmons                                     |

#### **OPEN DISCUSSION**

Alderman Elliott announced plans to build a First Responders Monument in Bartlett. No taxpayer money will go toward this project. She asked that citizens purchase a t-shirt or make a donation through the project's Facebook page.

#### **ADJOURNMENT**

Meeting adjourned at 7:28 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

**ADOPTED****AGENDA ITEM**

Meeting: 03/08/16 07:00 PM  
Department: Code Enforcement  
Category: Special event permit  
Prepared By: Valerie Brantley  
Department Head: Jim Brown

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**Special event permit for Bartlett Movies in the Park.**

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



**APPLICATION FOR SPECIAL EVENT**  
**OFFICE OF**  
**BARTLETT CODE ENFORCEMENT**  
**6382 STAGE ROAD**  
**BARTLETT TN 38134**  
**901-385-6425**

W.J. Freeman Park

Address

38134

Zip Code

April 1, April 8, April 29, May 13, June 3 (rain date)

Dates of the Event

Hours of the Event

"Bartlett Movies In the Park" - 4<sup>th</sup> Season/Year

Type of Event (Fund Raiser, Seasonal, Tent Sale, Sidewalk Sale, Public Attraction)

City of Bartlett

Property Owner

Brooks McDonald / Debbie Gelineau - 5868 Stage Rd

Special Event Permit Applicant

Address of Applicant

901-581-9880 / 901-734-8139

Phone Number

901-385-6804

Fax Number

Check all items that apply:

For information call (901) 385-6425.

- ☐ Letter of Permission
- ☒ Insurance City of Bartlett
- ☐ Tents (Fire Retardant letter included)
- ☒ Special Event Checklist
- ☒ Map
- ☒ Sign or Banner

\$60.00 Special Event Fee

\$4.00 Permit Issuing Fee

0 Total

[Signature]

Responsible Person

2/26/16

Date

**\*\*Notify building department 10 days prior to Special Event to be held unless it is a Public Attraction which requires approval from the Board of Mayor & Aldermen.\*\***

APPROVAL

This application is not a permit and grants no rights or privileges.

## Special Event Checklist

Event: Bartlett Movies In the Park  
 Location: W.J. Freeman Park  
 Dates: April 1, 8, 29 MAY 13 - June 3 - 1cr mark w/validale if needed  
 Type of special event: (Check one.)

☐ *Type 1: Noncommercial Events.* Fund-raising or non-commercial events held outside an enclosed permanent structure, including parades, advertised demonstrations, or events, including structures used in conjunction with the event.

☐ *Type 2: Special Seasonal Events.* Farmers' market, Christmas tree sales, fruit, flower or vegetable sales, or sale of other seasonal products, when sold other than on the site where grown, constructed or assembled.

☐ *Type 3: Commercial Events.* Significant commercial events such as tent sales, sidewalk sales, trade shows, merchandise sales, product demonstrations or transient merchants.

☒ *Type 4: Public Attractions.* Significant outdoor public events intended primarily for entertainment or amusement, such as carnivals, concerts, or festivals, including fireworks displays. **Requires approval by the Board of Mayor and Aldermen.**

**Exempt events:** (If any of these apply, the special event is exempt from the permit requirement.)

☒ *Public property.* Any special event wholly on public streets and right-of-ways or other property of the City, excluding public parks, which special event is allowed specifically or generally by action of the Board of Mayor and Aldermen.

☒ *Public parks.* Any special event held within a public park. (Although exempt from this Section, these types of special events shall be governed by other provisions of the Codified Ordinances regulating conduct in City parks and recreation areas.)

☒ *City sponsorship.* Any special event sponsored or co-sponsored by the City. Such event shall, however, be in compliance with the performance standards in Section 27.F.

☒ *Special use permit or site plan.* Any business already operating under a special use permit or site plan that authorizes the display and sale of outdoor goods or authorizes the operation of any special event as defined herein.

☐ *Yard sales.* Yard sales regulated under Article VI, Section 1 of the Zoning Ordinance.

☐ *Auctions/estate sales.* Auctions/estate sale for individual property that is not considered a special event and is conducted by duly licensed auctioneers.

☐ *Business deliveries.* Newspaper delivery or bona fide merchants who deliver goods in the regular course of business.

☐ *Certain solicitations.* Solicitors for charitable, non-profit or religious organizations who go from dwelling to dwelling, business to business, street to street, taking or attempting to take orders for goods, wares and merchandise are exempt from these provisions, provided these organizations meet the Internal Revenue Service Criteria to qualify as a charitable, non-profit or religious organization.

☐ *First Amendment activity.* The dispensing of religious pamphlets or other literature which is protected by the United States Constitution under Freedom of Speech, Religion or Press.

☐ *Political campaigning.* Campaigning for public office.

## Performance standards:

|   | Sub-<br>mitted<br>✓ or X | OK | N/A |                                                                                                                                                                                                                                                                                                                                                                                                                                               | Comments                |
|---|--------------------------|----|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| 1 | ✓                        |    |     | <i>Location.</i> Special events that do not require the use of public right-of-way shall be conducted on private property in a commercial or industrial zoning district, except that non-profit organizations may conduct special events on any property where the owner has granted permission.                                                                                                                                              | W.J.<br>Freeman<br>Park |
| 2 |                          | ✓  |     | For all special events that require the use of public right-of-way, the permit granted shall clearly specify the streets to be used for the event and the time that the streets will be closed, if applicable.                                                                                                                                                                                                                                |                         |
| 3 |                          | ✓  |     | <b>Type 3</b> outdoor sales must be conducted by an existing permanent business adjacent to and on the property of the location of the permanent business. The outdoor sales are to be conducted as an adjunct to the existing permanent business.                                                                                                                                                                                            |                         |
| 4 |                          |    | ✓   | <i>Land-use compatibility.</i> The special event shall be compatible with the purpose and intent of this Section and with adjacent land uses.                                                                                                                                                                                                                                                                                                 |                         |
| 5 |                          | ✓  |     | The special event shall not impair the normal, safe and effective operation of a permanent use on the same site.                                                                                                                                                                                                                                                                                                                              |                         |
| 6 |                          | ✓  |     | The special event shall not endanger or be detrimental to the public health, safety or welfare or injurious to property or improvements in the immediate vicinity of the special event, given the nature of the activity, its location on the site and its relationship to parking and access points.                                                                                                                                         |                         |
| 7 |                          | ✓  |     | <i>Compliance with other regulations.</i> All structures shall meet all applicable provisions of the Building Code.                                                                                                                                                                                                                                                                                                                           |                         |
| 8 |                          | ✓  |     | Any temporary structure shall be promptly removed upon the cessation of the event. Within forty-eight (48) hours of cessation of the event, the site shall be returned to its previous condition, including the removal of all litter, signage, attention-attracting devices or other evidence of the special event. If the site is not returned to its previous condition, the City may restore the site at the event coordinator's expense. |                         |

|                            | Sub-<br>mitted<br>✓ or X | OK | N/A |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Comments              |          |                       |         |                          |         |                    |         |                            |         |                                                         |
|----------------------------|--------------------------|----|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|----------|-----------------------|---------|--------------------------|---------|--------------------|---------|----------------------------|---------|---------------------------------------------------------|
| 9                          | ✓                        |    |     | <p><i>Hours of operation and duration.</i> The duration and hours of operation of a special event shall be consistent with the surrounding land uses. The total duration of a special event shall not exceed the duration set forth in Table VI.27-1; however, the duration of the special event may be modified by conditions attached to the issuance of the special event permit, as set forth in Section 27.F.</p> <p><b>Table V.27-1: Special Event Maximum Duration</b></p> <table><tr><th>Type of Special Event</th><th>Duration</th></tr><tr><td>Type 1: Noncommercial</td><td>30 days</td></tr><tr><td>Type 2: Special Seasonal</td><td>90 days</td></tr><tr><td>Type 3: Commercial</td><td>14 days</td></tr><tr><td>Type 4: Public Attractions</td><td>14 days</td></tr></table> | Type of Special Event | Duration | Type 1: Noncommercial | 30 days | Type 2: Special Seasonal | 90 days | Type 3: Commercial | 14 days | Type 4: Public Attractions | 14 days | Food vendors<br>At 7pm<br><br>Movie<br>starts<br>At 8pm |
| Type of Special Event      | Duration                 |    |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                       |          |                       |         |                          |         |                    |         |                            |         |                                                         |
| Type 1: Noncommercial      | 30 days                  |    |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                       |          |                       |         |                          |         |                    |         |                            |         |                                                         |
| Type 2: Special Seasonal   | 90 days                  |    |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                       |          |                       |         |                          |         |                    |         |                            |         |                                                         |
| Type 3: Commercial         | 14 days                  |    |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                       |          |                       |         |                          |         |                    |         |                            |         |                                                         |
| Type 4: Public Attractions | 14 days                  |    |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                       |          |                       |         |                          |         |                    |         |                            |         |                                                         |
| 10                         |                          |    | ✓   | <p>In addition to the maximum duration as set forth in Table VI.27-1, a shopping center may hold centralized special events, not connected to individual businesses within the shopping center, which do not exceed sixty (60) days in a calendar year. The duration of all special events in a shopping center may be extended on a case by case basis if the special event(s) take place in shopping center parking areas not required for the primary businesses.</p>                                                                                                                                                                                                                                                                                                                   |                       |          |                       |         |                          |         |                    |         |                            |         |                                                         |
| 11                         |                          |    | ✓   | <p><i>Frequency.</i> Except as otherwise provided herein, the maximum frequency of a special event on the same property shall be two (2) times per calendar year, excluding a shopping center. A shopping center shall be allowed to hold four (4) centralized events not connected to any individual business located within the center in addition to those events held by the individual businesses located within the shopping center.</p>                                                                                                                                                                                                                                                                                                                                             |                       |          |                       |         |                          |         |                    |         |                            |         |                                                         |

|    | Sub-<br>mitted<br>✓ or X | OK | N/A |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Comments             |
|----|--------------------------|----|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| 12 |                          | ✓  |     | <p><b>Type 3</b> outdoor sales at a specific location may be permitted only as follows:</p> <ol style="list-style-type: none"> <li>Outdoor sales may be permitted once in each calendar month if the duration is not more than three (3) days.</li> <li>Outdoor sales may be permitted once in each calendar quarter if the duration is more than three (3) days but not more than ten (10) days.</li> <li>The minimum time between consecutive outdoor sales periods for the same business on the same property shall be fourteen (14) days from the beginning of one period to the beginning of the next period.</li> </ol> <p>Permitted durations are not cumulative in any time period, that is, the time periods in both "a" and "b" may not be added together.</p> | only Food Vendors    |
| 13 |                          | ✓  |     | <p><i>Traffic circulation.</i> The special event shall not cause undue traffic congestion or accident potential, given anticipated attendance and the design of adjacent streets, intersections, parking and traffic controls. All sidewalks shall be left open for pedestrian traffic unless special approval is received for blockage. No alleys, driveways, fire lanes or other access points shall be blocked by the special event unless specific approval is granted for the special event.</p>                                                                                                                                                                                                                                                                    | Bartlett Police Dept |
| 14 |                          |    | ✓   | <p><i>Street closings.</i> The special event permit recipients shall be responsible for securing, installing and immediate removal upon cessation all barricades and signs when street closings are approved. Large Class III barricades shall be sandbagged to prevent blowing over.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                      |

|    | Sub-<br>mitted<br>✓ or X | OK | N/A |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Comments                                                  |
|----|--------------------------|----|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
| 15 |                          | ✓  |     | <p><i>Fire safety.</i> The fire department shall be consulted for the following requirements and inspection, as necessary.</p> <ul style="list-style-type: none"> <li>a. Fire lanes a minimum of 20 feet in width and 12 feet in height or as otherwise approved by the Fire Chief must be provided in order to allow Fire Department access within 150 feet of all structures and on at least two sides of all two-story structures within 500 feet of the location of the special event.</li> <li>b. All fire hydrants in the area of the special event must be left with five (5) feet of clearance on all sides and shall be accessible from the fire lanes that are designated with the event.</li> <li>c. No open fires shall be permitted unless advance approval is obtained from the Fire Department.</li> <li>d. Fire extinguishers shall be available as determined by the Fire Chief.</li> <li>e. Temporary electrical wiring for the special event shall be installed in accordance with the requirements of the National Electrical Code.</li> <li>f. Tents shall comply with the Fire Code and applicable building codes.</li> <li>g. Exit signs and proper exiting aisles shall be provided in temporary special event structures.</li> </ul> | Bartlett<br>Fire Dept<br>will be<br>Aware of<br>the event |
| 16 |                          | ✓  |     | <p><i>Off-street parking.</i> The event shall not create a parking shortage for any other use. All off-street parking surfaces used for the special event shall be concrete or asphalt.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                           |
| 17 |                          | ✓  |     | <p><i>Public conveniences and litter control.</i> Adequate on-site rest room facilities and solid waste containers shall be provided. The applicant shall calculate the demand for such facilities and specify how the need will be addressed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Solid waste<br>will provide<br>trash carts                |
| 18 |                          | ✓  |     | <p><i>Nuisances.</i> The special event shall not generate excessive noise, dust, smoke, glare, spillover lighting or other forms of environmental or visual pollution.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                           |

|    | Sub-<br>mitted<br>✓ or X | OK | N/A |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Comments                                 |
|----|--------------------------|----|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| 19 |                          | ✓  |     | <p><i>Area of parking lot dedicated to outdoor special events.</i></p> <p>a. No more than ten (10) percent of the parking stalls required for the structure associated with the parking lot in which the special event occurs shall be permitted to be used for a special event. Regardless of how many stalls are occupied by the special event, no special event that occurs in the parking lot for a permanent structure may cause a parking shortage for primary and accessory uses associated with that structure.</p> <p>b. No spikes, nails, anchors or other devices shall be driven into any public street, sidewalk or parking lot surface or into any existing concrete or asphalt. Such devices may be used on private parking lots provided any damage resulting therefrom shall be fixed upon cessation of the event and removal of the devices.</p> | will use<br>PARK<br>parking<br>spaces    |
| 20 |                          | ✓  |     | <p><i>City services.</i> If the applicant requests the City to provide services or equipment, including but not limited to traffic control or security personnel, or if the City otherwise determines that services or equipment are required to protect the public health, safety, or general welfare, the applicant shall be required to reimburse the City for the cost of the services. The City may require the applicant to submit a security deposit, in an amount determined by the Chief Administrative Officer and in the form approved by the City Attorney, prior to the event to ensure that the applicant complies with this provision.</p>                                                                                                                                                                                                          | Police, fire<br>parks, PW<br>solid waste |
| 21 |                          | ✓  |     | <p><i>Insurance coverage.</i> Special event permit recipients must show proof of liability insurance at time of application. If the special event will take place on public property, said certificate of insurance shall name the City as an additional insured party in an amount determined by the Chief Administrative Officer based on the nature of the special event.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | City<br>of<br>Bartlett                   |

## Conditions

Conditions deemed necessary to ensure compatibility with adjacent land-uses and to minimize potential adverse impacts on nearby uses:

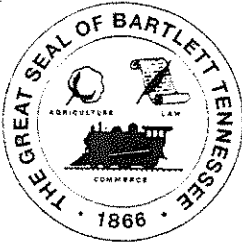
|    | Required<br>✓ or X | N/A |                                                                                                                                                                                                                                                            | Comments |
|----|--------------------|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 22 | ✓                  |     | Limitations on signs.                                                                                                                                                                                                                                      |          |
| 23 | ✓                  |     | Temporary arrangements for parking and traffic circulation.                                                                                                                                                                                                |          |
| 24 | ✓                  |     | Requirements for screening/buffering and guarantees for site restoration and cleanup following the special event.                                                                                                                                          |          |
| 25 | ✓                  |     | Modifications or restrictions on the hours of operation, duration of the event, size of the event or other operational characteristics.                                                                                                                    |          |
| 26 | ✓                  |     | The posting of security in an amount required by the Permitting Official to help ensure that the operation of the event and the subsequent restoration of the site are conducted according to required special event standards and conditions of approval. |          |
| 27 | ✓                  |     | The provision of traffic control or security personnel to ensure the public safety and convenience.                                                                                                                                                        |          |
| 28 | ✓                  |     | Execution of a "Special event agreement" in a form acceptable to the City Attorney to ensure the indemnification of the City and that public property will be protected and/or restored to its condition prior to the special event.                       |          |

### Special event permit application, content and submission requirements

A complete application shall be submitted to the Permitting Official at least **ten (10) days** prior to the requested start date of any special event.

The application shall set forth and contain the following information:

|    | Sub-<br>mitted<br>✓ or X | OK | N/A |                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Comments |
|----|--------------------------|----|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 29 | ✓                        |    |     | Name and address of the applicant.                                                                                                                                                                                                                                                                                                                                                                                                                      |          |
| 30 | ✓                        |    |     | Names and address of the owner of the premises on which the proposed event is to be held.                                                                                                                                                                                                                                                                                                                                                               |          |
| 31 | ✓                        |    |     | Written approval from the property owner agreeing to the proposed event, if the applicant is not the same as the property owner.                                                                                                                                                                                                                                                                                                                        |          |
| 32 | ✓                        |    |     | Description of the site on which the proposed event is to be held.                                                                                                                                                                                                                                                                                                                                                                                      |          |
| 33 | ✓                        |    |     | Date of the proposed event.                                                                                                                                                                                                                                                                                                                                                                                                                             |          |
| 34 | ✓                        |    |     | A narrative written description of the proposed event, the hours of operation, anticipated attendance, and any buildings/ structures, signs or attention-attracting devices proposed to be used in conjunction with the event, as well as a statement that the standards set forth in this Section have been satisfied. The narrative written description shall also state what public streets, if any, are requested to be used for the special event. |          |
| 35 |                          |    | ✓   | A site plan in the form and the level of detail as required by the Permitting Official, showing the location of all existing or proposed uses, structures, parking areas, outdoor display areas, signs, streets, and property lines.                                                                                                                                                                                                                    |          |
| 36 |                          |    | ✓   | Location and number of proposed temporary public toilets.                                                                                                                                                                                                                                                                                                                                                                                               |          |
| 37 |                          |    | ✓   | Proposed temporary potable water supplies, which shall be subject to approval by the Director of Code Enforcement, pursuant to applicable authority of the City.                                                                                                                                                                                                                                                                                        |          |
| 38 |                          | ✓  |     | Any other information deemed necessary by the Permitting Official to ensure compliance with the standards set forth in this Section.                                                                                                                                                                                                                                                                                                                    |          |



# City of Bartlett

## PARKS & RECREATION

A. Keith McDonald, Mayor  
David D Thompson, Parks Director

February 4, 2016

City of Bartlett  
Code Enforcement  
6462 Stage Road  
Bartlett, TN 38134

The Bartlett Station Commission has requested to use W. J. Freeman Park Pavilion area on Friday evenings at dusk on April 1, April 8, April 29, May 13, with a rain date of June 3.

This is for their Bartlett Movies in the Park events. Permission is hereby given by Bartlett Parks and Recreation Department pending approval by the Mayor and Board of Aldermen.

Sincerely,

David Thompson  
Director Parks and Recreation  
City of Bartlett

Cc: Brooks McDonald, Bartlett Station Commission

Attachment: BARTLETT MOVIES IN THE PARK-2629 BARTLETT BLVD-2016 (1725 : Bartlett Movies in the Park)

The Bartlett Station Commission is very excited to be hosting and heading up the Bartlett Movies In The Park this year.

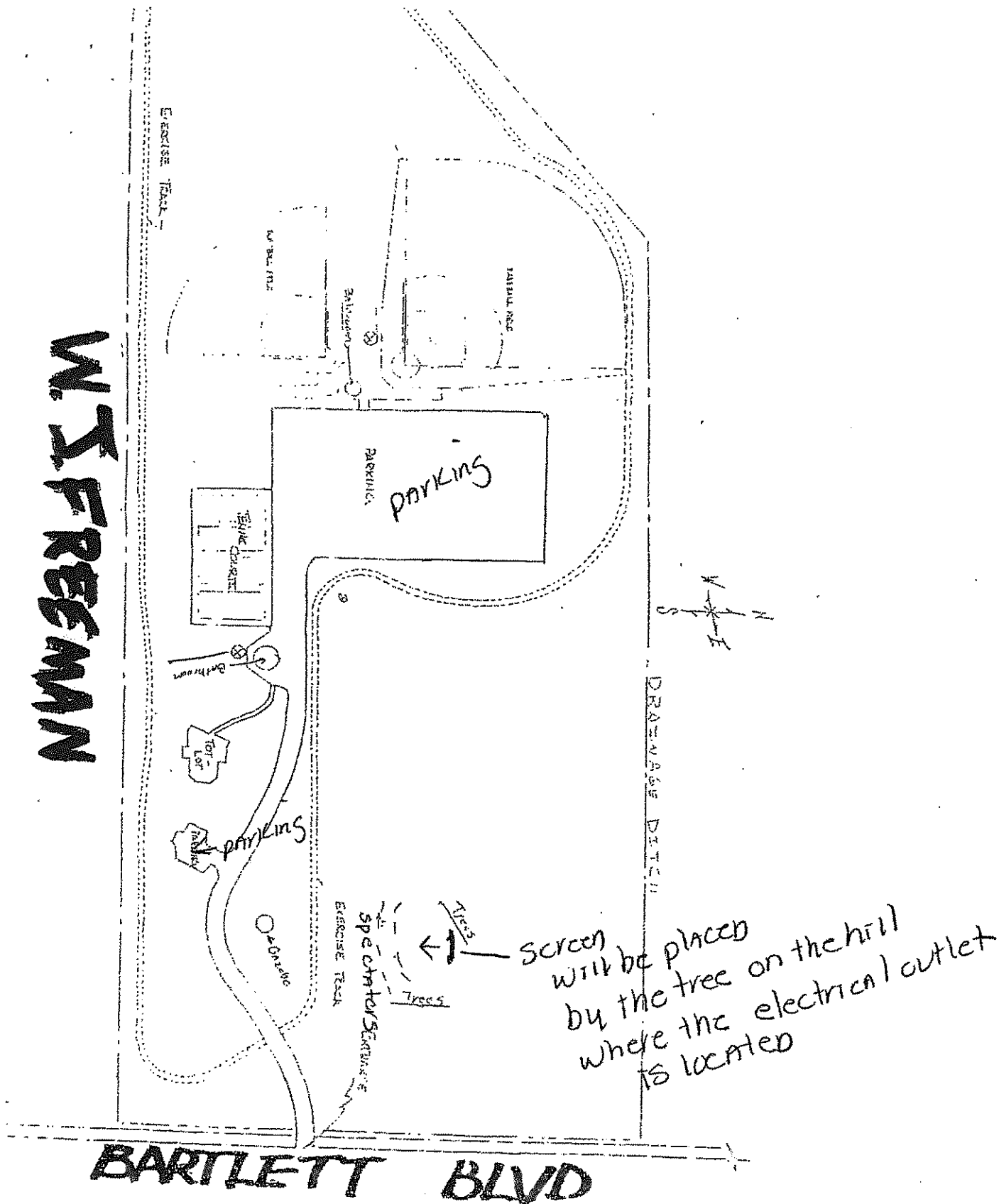
It's been an amazing adventure so far, and we have loved the support that the city has given us in this event.

Thanks for letting us be a part of it!

Chairman- Bartlett Station Commission

Justin Emmons; M.Ed., ATC, CSCS  
CrossFit: Level 1, Olympic Weightlifting, Nutrition, Endurance  
Owner/ Performance Coach  
CrossFit Bartlett  
[www.crossfitbartlett.com](http://www.crossfitbartlett.com)  
World's Best Boot Camp Memphis  
[www.wbbcmemphis.com](http://www.wbbcmemphis.com)  
Bootcamp:901-388-3101  
CrossFit:901-388-9979

**MI FREEMAN**





## Board of Mayor and Aldermen

6400 Stage Road  
Bartlett, TN 38134

**ADOPTED**

### AGENDA ITEM

Meeting: 03/08/16 07:00 PM

Department: Finance

Category: Budget

Prepared By: Stefanie McGee

Department Head: Dick Phebus

## Authorization to auction surplus property.

**Article V Section 4 of the Charter of the City of Bartlett designates the authority to the Mayor to sell surplus property with Board approval for items valued over \$500. The following items have been identified as surplus with a potential value of over \$500 and are eligible to be sold at public auction.**

| Department | Year | Make/Model                       | Color | Vehicle ID        |
|------------|------|----------------------------------|-------|-------------------|
| Police     | 2001 | Ford F-150                       | Blue  | 1FTRW07WX1KD88277 |
| Police     | 1999 | Ford Expedition                  | Black | 1FMRU17L2XL77039  |
| Police     | 2000 | Chevy S10 Pick-up                | White | 1GCCS19W4Y8145821 |
| Police     |      | Random Costume Jewelry           | Gold  |                   |
| Park       |      | (16) Hi-Tek Ceiling Lamps        |       |                   |
| Park       |      | (10) Custom Built WoodTop Tables | Brown |                   |
| Park       | 2002 | Ford F-150                       | White | 1FTRX17W22NB01890 |
| Police     | 2004 | Ford F-150 Lariat                | Green | 1FTPW12574KD46603 |
| Police     | 2005 | Nissan Altima                    | Green | 1N4AL11D75N438128 |
| Police     | 2000 | Mercedes Benz S550               | Black | WDBNG75J3YA105034 |
| Police     | 2001 | Ford Crown Vic                   | Blue  | 2FAFP71W61X190459 |
| Police     | 2004 | Dodge Intrepid                   | Gold  | 2B3HD46V74H626407 |
| Police     | 2004 | Dodge Intrepid                   | Blue  | 2B3HD46V44H637106 |
| Police     | 2000 | Ford Crown Vic                   | Gold  | 2FAFP74W0YX132546 |
| Police     | 2008 | Nissan Altima                    | Black | 1N4AL21E48N533541 |
| Police     | 2001 | Ford Cargo Van                   | White | 1FTNE24L21HB44059 |
| Police     |      | (2) Compaq Computer Cabinets     | Metal |                   |

*It is our recommendation that these items be approved to be sold at public auction. If approved, the City of Bartlett will advertise the items to be auctioned on the GovDeals website ([www.govdeals.com](http://www.govdeals.com)).*

*Thank you for your consideration of the above item.*

**RESULT:**        **APPROVED BY CONSENT VOTE [UNANIMOUS]**

**MOVER:**        Jack Young, Vice Mayor

**SECONDER:**   Emily Elliott, Alderman

**AYES:**         Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

**Board of Mayor and Aldermen**

6400 Stage Road  
Bartlett, TN 38134

**ADOPTED****AGENDA ITEM**

Meeting: 03/08/16 07:00 PM

Department: Engineering

Category: Contract

Prepared By: Wade Towles

Department Head: Wade Towles

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**Amend site plan contract with Krispy Kreme Doughnuts Corporation to add The Hudson Company of Tennessee.**

---

**RESULT:** **APPROVED BY CONSENT VOTE [UNANIMOUS]**

**MOVER:** Jack Young, Vice Mayor

**SECONDER:** Emily Elliott, Alderman

**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 **KRISPY KREME DOUGHNUT CORPORATION** and **THE HUDSON COMPANY OF TENNESSEE** hereinafter referred to as the DEVELOPER.

### WITNESSETH:

WHEREAS, the CITY PLANNING COMMISSION has by resolution of January 4, 2016, approved the Site Plan, Grading, and Erosion Control Plans for **Krispy Kreme Doughnuts, 6072 Stage Road** 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.

**SPECIAL CONDITIONS:**

- 1 A TDOT Utility and Right of Way Permit must be obtained to cover the work in the right of way of Stage Road. This work will consist of removing the two existing driveways, installation of new driveway, installation of a new water service tap, installation of sewer line and sewer manhole, and the installation of the new sidewalk.
- 2 The plat shall be recorded to consolidate the two existing parcels.
- 3 Developer shall coordinate the removal and relocation of the existing pedestal street light and shall be responsible for all associated costs.

## XVII

**PAYMENT AND SCHEDULE BARTLETT, TENNESSEE  
THE DEVELOPER WILL PAY TO THE CITY OF BARTLETT THE FOLLOWING  
AMOUNTS AS HEREINBEFORE DETAILED FOR:**

**Krispy Kreme Doughnut Corporation, 6072 Stage Road**

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

- 1 Water Plant Expansion (15% of  
Water Main Costs = \$0.00) \$ 0.00.
  
2. a. Water System Engineering and  
Subdivision Review (6% of  
Water Main Cost) \$ 0.00.
  
- b. Subdivision and Site Plan Review  
Fee @ \$175.00 per lot or 1.5% of  
public improvement cost, whichever  
is greater.  
 $\$175.00 \times 1 = \$175.00$   
 $1.5\% \times \$64,850.00 = \$972.75$  \$ 972.75.
  
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.  
 $\$10$  implies 10  
 $\$25$  implies 25 \$ 25.00.
  
4. Water Connection Fee  
@ \$3,000.00 per tap  
1 domestic –using existing for irrigation \$ 3,000.00.
  
5. SEWER BASIN: south  
Sewer Connection Charge at either:  
 $\$2,333.00$  per acre = \$1,446.46; or  
 $\$33$  per Front Foot = \$5,115.00 \$ 5,115.00.
  
6. City Site Plan Inspection @ Greater of Either:  
 A. 3% of Development Cost = **\$1,945.50** or  
 B. \$300.00 per Lot = **\$300**  
 Development Cost = \$64,850.00 \$ 1,945.50.

7. DRAINAGE BASIN: Harrington Creek

a. Drainage control fee for those lots not served  
by a Detention Basin @ \$500.00 per half acre or  
fraction thereof (in multiples of \$500) = \$1,000.00 \$ 1,000.00

b. Drainage control fee for lots served by a Detention  
Basin @ \$250.00 per half acre or fraction thereof  
(in multiples of \$250) = 450 \$                     

**TOTAL DUE CITY** \$ 12,058.25

II. Upon Execution of Site Plan Contract and  
Before Construction Begins 100% of Development  
Cost (BOND) \$ 64,850.00

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

Bartlett, Tennessee, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
CITY OF BARTLETT

DEVELOPER: Krispy Kreme Doughnut Corporation

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

DEVELOPER: THE HUDSON COMPANY OF TENNESSEE

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Bryan Wilks

ATTEST:

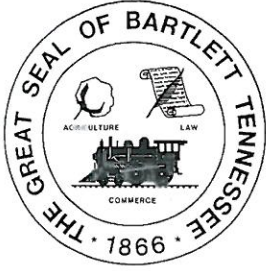
\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
BONDING COMPANY

\_\_\_\_\_  
LETTER OF CREDIT, APPROVED BY CITY ATTORNEY

BY: \_\_\_\_\_  
CITY ENGINEER

DATE APPROVED BY BOARD OF MAYOR AND ALDERMEN \_\_\_\_\_



~ **MEMORANDUM** ~

**CITY OF BARTLETT  
DEPARTMENT OF ENGINEERING**

**DATE:** March 2, 2016

**MEMO TO:** Board of Mayor and Aldermen

**FROM:** Wade Towles *WT*

**RE:** Krispy Kreme Doughnuts Site Plan Contract  
**REVISED**

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This contract was approved by the Board on February 23, 2016.

After some discussion with the KRISPY KREME DOUGHNUT CORPORATION they have requested that their general contractor, THE HUDSON COMPANY OF TENNESSEE, be allowed to submit the surety for this development and to pay the associated fees in the contract. In order to do this is a way to prevent any issues in the future concerning the surety for this development this revision will show both the KRISPY KREME DOUGHNUT CORPORATION and THE HUDSON COMPANY OF TENNESSEE as the Developer for this site.

The fees and the contract amount are unchanged.

Engineering recommends approval of this revision to the contract.



## Board of Mayor and Aldermen

6400 Stage Road  
Bartlett, TN 38134

### ADOPTED

### AGENDA ITEM

Meeting: 03/08/16 07:00 PM

Department: Engineering

Category: Bid

Prepared By: Wade Towles

Department Head: Wade Towles

## Bid for Landscape Screen Trees for the Fire Training Facility.

The Landscape Screen Trees for the Bartlett Fire Training Facility Project was advertised in the *The Daily News* on Thursday, February 4.

The contractors that picked up Bid Documents or who downloaded them from the web site are as follows:

|                                   |
|-----------------------------------|
| Michael Hatcher & Associates      |
| Greenscape Landscapes, LLC        |
| Echo Systems, Inc.                |
| Greenscape, Inc.                  |
| Landscape Services Group, LLC     |
| Owens Construction Services of TN |

On February 18, 2016, the City received six bids for the construction of the **Landscape Screen Trees Bartlett Fire Training Facility Project**. The apparent low bidder, Michael Hatcher & Associates, submitted a Total Base Bid of **\$22,813.00**. Based on the bid prices submitted, I recommend awarding this bid based on the Base Bid Price. The bids received have been reviewed by the Consultant/Contract Review Committee, and it concluded that Michael Hatcher & Associates has submitted the lowest and best bid. The Committee recommends the City of Bartlett award this contract to Michael Hatcher & Associates in the **base bid** amount of **\$22,813.00** plus an additional amount of **\$2,000.00** for items that may need to be added during construction for a total not to exceed **\$24,813.00**. Funding is available in Account 311.48311.780.263.

| Bidder                            | Total Base Bid             |
|-----------------------------------|----------------------------|
| Michael Hatcher & Associates      | \$22,813.00                |
| Greenscape Landscapes, LLC        | \$24,965.00 (Disqualified) |
| Echo Systems, Inc.                | \$31,080.24                |
| Greenscape, Inc.                  | \$32,527.38                |
| Landscape Services Group, LLC     | \$39,705.00                |
| Owens Construction Services of TN | \$48,870.00                |

There were errors in the bids submitted by Echo Systems and Greenscape, Inc, but these did not affect the outcome of the bids. Greenscape, Inc. did not include a 5 percent bid bond and was disqualified. Michael Hatcher & Associated submitted a bid based on 2 more trees than were included in the bid document, however, Michael Hatcher & Associates were still the

lowest and best bid.

A copy of the bid document (plans and bid book) is located in the Alderman's Conference Room for review. A copy of the bid tabulation is located in the Alderman's Conference Room for review.

**RESULT:**        **APPROVED BY CONSENT VOTE [UNANIMOUS]**

**MOVER:**        Jack Young, Vice Mayor

**SECONDER:**   Emily Elliott, Alderman

**AYES:**         Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

**BID TABULATION 2-18-2016**

**SB # FY2016-01-039 BARTLETT FIRE TRAINING FACILITY LANDSCAPE SCREEN TREES**

| Item No.              | Description                            | Unit | Quantity | Michael Hatcher & Associates                         |                    | Greenpro Landscapes, LLC                                                                 |                    | Echo Systems, Inc.                                            |                    | Greenscape, Inc. |                    | Landscape Services Group, LLC |                    | Owens Irrigation, Inc. DBA as Owens Construction Services of TN |                    |
|-----------------------|----------------------------------------|------|----------|------------------------------------------------------|--------------------|------------------------------------------------------------------------------------------|--------------------|---------------------------------------------------------------|--------------------|------------------|--------------------|-------------------------------|--------------------|-----------------------------------------------------------------|--------------------|
|                       |                                        |      |          | Unit Price                                           | Total Amount       | Unit Price                                                                               | Total Amount       | Unit Price                                                    | Total Amount       | Unit Price       | Total Amount       | Unit Price                    | Total Amount       | Unit Price                                                      | Total Amount       |
| 1                     | Eastern Red Cedar                      | EACH | 25       | \$189.00                                             | \$5,103.00         | \$240.00                                                                                 | \$6,000.00         | \$300.72                                                      | \$7,518.00         | \$250.06         | \$6,251.50         | \$362.50                      | \$9,062.50         | \$500.00                                                        | \$12,500.00        |
| 2                     | Mary Nell Holly                        | EACH | 30       | \$289.00                                             | \$8,670.00         | \$290.00                                                                                 | \$8,700.00         | \$355.72                                                      | \$10,671.60        | \$501.89         | \$15,056.70        | \$487.50                      | \$14,625.00        | \$500.00                                                        | \$15,000.00        |
| 3                     | Deodar Cedar                           | EACH | 11       | \$292.00                                             | \$3,212.00         | \$340.00                                                                                 | \$3,740.00         | \$360.72                                                      | \$3,967.92         | \$410.92         | \$4,520.12         | \$512.50                      | \$5,637.50         | \$500.00                                                        | \$5,500.00         |
| 4                     | Eastern Redbud                         | EACH | 12       | \$237.00                                             | \$2,844.00         | \$300.00                                                                                 | \$3,600.00         | \$335.27                                                      | \$4,023.24         | \$282.31         | \$3,387.72         | \$462.50                      | \$5,550.00         | \$510.00                                                        | \$6,120.00         |
| 5                     | Cherrybark Oak                         | EACH | 3        | \$292.00                                             | \$876.00           | \$270.00                                                                                 | \$810.00           | \$520.72                                                      | \$1,562.16         | \$394.80         | \$1,184.40         | \$400.00                      | \$1,200.00         | \$500.00                                                        | \$1,500.00         |
| 6                     | Pin Oak                                | EACH | 6        | \$292.00                                             | \$1,752.00         | \$280.00                                                                                 | \$1,680.00         | \$425.72                                                      | \$2,554.32         | \$354.49         | \$2,126.94         | \$387.50                      | \$2,325.00         | \$650.00                                                        | \$3,900.00         |
| 7                     | PVC pipe 36" tall around base of trees | EACH | 87       | \$4.00                                               | \$356.00           | \$5.00                                                                                   | \$435.00           | \$9.00                                                        | \$783.00           | no bid           | \$0.00             | \$15.00                       | \$1,305.00         | \$50.00                                                         | \$4,350.00         |
| <b>Total Base Bid</b> |                                        |      |          |                                                      | <b>\$22,813.00</b> |                                                                                          | <b>\$24,965.00</b> |                                                               | <b>\$31,080.24</b> |                  | <b>\$32,527.38</b> |                               | <b>\$39,705.00</b> |                                                                 | <b>\$48,870.00</b> |
|                       |                                        |      |          | Actual bid was based on 27 cedars and 89 tree covers |                    | Their bid tab showed \$30,303.50, but this error did not effect the outcome of the bids. |                    | Did not include a bid, bond or bid on all items, invalid bid. |                    |                  |                    |                               |                    |                                                                 |                    |



## Board of Mayor and Aldermen

6400 Stage Road  
Bartlett, TN 38134

### ADOPTED

### AGENDA ITEM

Meeting: 03/08/16 07:00 PM

Department: Parks and Recreation

Category: Bid

Prepared By: Debbie Christopher

Department Head: David Thompson

## Bid for Singleton Community Center's auditorium tile flooring.

On January 28, 2016, an ad was placed in *The Daily News*. On February 18, the City of Bartlett received six bids, which were opened publicly at City Hall .

Bids were received from the following companies:

|                                    |                              |
|------------------------------------|------------------------------|
| A&B Construction                   | \$15,000 (bid specs not met) |
| Goodwin Bros. Maintenance & Const. | \$20,685                     |
| Kiser Floor Fashions               | \$17,850                     |
| Landmark Construction              | \$15,780                     |
| Terry Bell Construction            | \$15,627                     |
| Wagner General Contractors         | \$14,300 (bid specs not met) |

We recommend the bid be awarded to Terry Bell Construction for a total price of \$15,627.00.

Funds are available in Account 11044100.921.

Thank you for your consideration.

**RESULT:**        **APPROVED BY CONSENT VOTE [UNANIMOUS]**

**MOVER:**        Jack Young, Vice Mayor

**SECONDER:**   Emily Elliott, Alderman

**AYES:**         Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick



## Board of Mayor and Aldermen

6400 Stage Road  
Bartlett, TN 38134

**ADOPTED**

### AGENDA ITEM

Meeting: 03/08/16 07:00 PM

Department: Parks and Recreation

Category: Bid

Prepared By: Debbie Christopher

Department Head: David Thompson

## Bid for Singleton Community Center HVAC replacement units.

On January 26, 2016, an ad was placed in *The Daily News*. On February 18, the City received one bid, which was opened publicly at City Hall.

Bids were received from the following companies:

|                                |             |
|--------------------------------|-------------|
| Emcor Service Walker J. Walker | \$15,264.00 |
|                                |             |

We recommend the bid be awarded to Walker J. Walker for a total price of \$15,264.00.

Funds are available in Account 11044100.921.

Thank you for your consideration.

**RESULT:**        **APPROVED BY CONSENT VOTE [UNANIMOUS]**

**MOVER:**        Jack Young, Vice Mayor

**SECONDER:**   Emily Elliott, Alderman

**AYES:**         Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

**Board of Mayor and Aldermen**

6400 Stage Road  
Bartlett, TN 38134

**ADOPTED****AGENDA ITEM**

Meeting: 03/08/16 07:00 PM

Department: Board of Mayor and Aldermen

Category: Appointment

Prepared By: Stefanie McGee

Department Head: A. Keith McDonald

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**Appoint Bill Yearwood to the Shelby County Municipal Solid Waste Planning Board.**

|                  |                                                      |
|------------------|------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                          |
| <b>MOVER:</b>    | David Parsons, Alderman                              |
| <b>SECONDER:</b> | W.C. Pleasant, Alderman                              |
| <b>AYES:</b>     | Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick |