
**MINUTES OF THE WORK SESSION
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, MARCH 13, 2012 - 5:00 P.M.**

Board Members

Mayor Ken Moore	P		
Alderman Brandy Blanton	P	Alderman Margaret Martin	P
Alderman Clyde Barnhill	P	Alderman Dana McLendon	P
Alderman Pearl Bransford	A	Alderman Ann Petersen	P
Alderman Beverly Burger	P	Alderman Michael Skinner	P

Department Directors/Staff

Eric Stuckey, City Administrator	P	Lisa Clayton, Parks Director	
Vernon Gerth, ACA Community & Economic Dev.	P	Shirley Harmon, HR Director	P
Russell Truell, ACA Finance & Administration	P	Mark Hilty, Water Management Director	P
David Parker, CIP Executive/City Engineer	P	Paul Holzen, Interim Engineering Director	P
Shauna Billingsley, City Attorney	P	Catherine Powers, Planning/Sustainability Director	P
Rocky Garzarek, Fire Chief	P	Joe York, Streets Director	P
David Rahinsky, Police Chief	P	Brad Wilson, Facilities Project Manager	P
Fred Banner, MIT Director		Todd Snackenberg, Arborist	P
Chris Bridgewater, Interim BNS Director	P	Kevin Lindsey, Parks Facility Superintendent	P
Becky Caldwell, Solid Waste Director	P	Lanaii Benne, Assistant City Recorder	P
		Linda Fulwider, Board Recording Secretary	P

1. Call to Order

Dr. Ken Moore, Mayor, called the Work Session to order at 5:00 p.m.

2. Citizen Comments

None

WORK SESSION DISCUSSION ITEMS

3.* Consideration of Event Permit Application From Friends of Franklin Parks/Franklin Tomorrow for Raise the Roofs at Harlinsdale to be Held on June 16, 2012

Kevin Lindsey, Parks Facility Superintendent

No questions or comments

4. Consideration of Event Permit Application for Run Like a Mother 5K at Harlinsdale on May 13, 2012

Kevin Lindsey, Parks Facility Superintendent

No questions or comments

5. **Consideration of Event Permit Application from Heritage Foundation for Main Street Festival to be Held in Downtown Franklin on April 28-29, 2012**

David Rahinsky, Police Chief

No questions or comments

6. **Consideration of Event Permit Application From Start2Finish for Josh Byers Memorial Day 5K to be Held on May 28, 2012 in the Cool Springs Areas**

David Rahinsky, Police Chief

Monique McCullough and event organizer Katherine Williams, Start2Finish Nashville, addressed questions. Ms. McCullough said the run starts at 8:00 a.m. at D1 Sports and ends there as well. There will be rolling street closures.

Ms. Williams explained D1 Sports is hosting the 1st Annual Josh Byers Memorial Day 5k run to benefit Not Alone. This to honor Captain Byers who died in battle. He was from Tennessee. Not Alone's purpose is to empower warriors and their families in their life after war by providing programs, resources and services to warriors and families impacted by combat stress and PTSD through a confidential and anonymous community.

Alderman Barnhill asked if this is a tax exempt organization. Ms. Williams related Not Alone, Inc. is a 501(c) (3); however, From Start2Finish is not.

Ms. Williams said they recently changed the course for the run from The Mall at Cool Springs to another route since the Mall will be open on Memorial Day. They can provide a new list. It was recommended the good neighbor letter be sent to the businesses along the route prior to the next Work Session and BOMA vote. The updated list must be provided prior to the next Work Session as well.

7.* **Consideration of RESOLUTION 2012-17, A Resolution Opposing Legislation That Limits The City's Authority Over Local Issues**

Eric Stuckey, City Administrator

Copies of a summary of the bills created by our legislative delegation were distributed. Mayor Moore reported that every mayor at the mayor's caucus today expressed concern on some of these bills.

The Resolution includes language indicating the City of Franklin opposes any legislation that limits the ability of local governments to make decisions it deems to be in the best interests of the community, and urges the State of Tennessee to respect the ability of local governments to make decisions and take action it deems to be responsive to its citizens. Attached to the resolution is Exhibit A, a list of the bills the City specifically opposes. Specifically, those that deal with land use and zoning.

Alderman Skinner commented that in all these areas decisions are better made at the local level. It is not a good idea for the state to dictate what a municipality can do with ordinances and zoning.

Alderman Martin asked what the legislators thought about the opposition to the bills. Mayor Moore responded that the legislators listened and got the message. Shauna Billingsley noted there are thousands of bills filed; therefore, they asked for a summary of the bills in question. Mr. Stuckey

said problems that have occurred were not from Williamson County, Brentwood or Franklin, but other counties in Tennessee. The state should hold the local authorities accountable and not present a one-size-fits-all solution to the problem.

Alderman McLendon agreed that land use regulations and zoning should be governed by local authorities; however, other things, such as hand gun permits and carry should be one law across the state. He commented that it was disappointing to see one of our legislators (Casada) sponsoring at least one bill HB1345, and said to require permission from every property owner before a local government could rezone property would not work. He didn't favor opposing the bills en masse, nor did he like the "opt-out"; it would make an employer civilly liable. That is akin to saying no you can't prohibit but at the same time saying you can.

Alderman Burger said she planned to make an amendment on the fifth whereas to make it stronger. It is vague, undefined, and broad-reaching. Eric Stuckey commented that they are trying to identify which bills would have an effect on the City. Alderman McLendon thought a better approach would be to state in resolution form the City's objection to the state wanting to dismantle local authority to regulate land issues. Alderman Skinner stated there is a time issue as many bills are already being voted. It is important to move forward as a body.

- 8.* **Consideration of Bid Award to Office of Joel Tomlin, III, LLC of Franklin, TN, in the Total Amount of \$11,734.00 for Tree Supply, Planting and Related Contract Services at the Interstate 65 Interchange at McEwen Drive for The Parks Department (Purchasing Office Procurement Solicitation No. 2012-019; Funds Not To Exceed \$25,000.00 to be Transferred from Tree Bank to 110-84620-44700 for Fiscal Year 2012; Contract No. 2012-0029)**

Todd Snackenber, City Arborist

The bid came in well below the estimate. The contract includes watering and other maintenance for three years.

- 9.* **Consideration of Sole-Source Purchase & Trade-in for a 2012 5900 Groundmaster Mower in the Total Amount of \$12,700 for the Parks Department**

Kevin Lindsey, Parks Facility Superintendent

This mower is to replace a larger mower that did not meet expectations.

- 10.* **Consider Rejecting All Bids for Three (3) Rescue Chassis Replacements and Associated Work for The Fire Department (Purchasing Office Procurement Solicitation No. 2012-020)**

Rocky Garzarek, Fire Chief

The bids received were quite expensive with many exceptions. Staff is looking at an alternative to purchase and equip sport utility vehicles that could also be used for medical transport should that come to fruition. There are options to keep flexibility and realize substantial savings.

- 11.* **Consideration and Review of Cooperation Agreement with Franklin Housing Authority for the 49 Unit Reddick Property Senior Housing Development (COF Contract Number 2012-0028)**

Vernon Gerth, ACA Community & Economic Development

This is a cooperation agreement that has been in effect for over 40 years for payment in lieu of taxes. The Franklin Housing Authority intends to phase in the development with the senior housing as the first phase. The land has been cleared and construction should start within 3-5 months.

12.* Consideration of Inter-local Agreement with Bi-County Solid Waste Management
Eric Stuckey, City Administrator
Becky Caldwell, Solid Waste Director

Additional information and updated calculations of relative costs and savings provided. Mr. Stuckey reviewed the estimated savings for five years with implementation of the Bi-County Inter-Local Agreement, as well as the savings in dollars per year. According to the terms of the agreement, the City would have 14 years of capacity.

At the last meeting Alderman Blanton asked if taking this to bid would be an option and was told it would be an option the Board could consider. Bids would need to be out by April 1, 2012 to be ready by the July 1, 2012 contract expiration with Republic. The Bi-County contract would save 15-20% per year. Alderman Martin asked if it were bid, would the term be for 14 years. Mr. Stuckey related the City could try, but from experience there is uncertainty with the bid process.

Alderman Burger asked if Bi-County would hold their offer open if this goes to bid. Mr. Stuckey responded that would be up to Bi-County.

Vendors present were invited to speak:

- ▲ Gerry Burke, Republic Services, and current contractor, said should the City put the services out to bid, he is confident his company could save the City more money with a figure less than \$32/ton. He proposed the 2 years left on current contract be extended and he would offer a rate under Bi-County's proposal with the City keeping the employees. He asked that this issue be tabled for two more weeks to allow time for him to provide a beneficial price.

Alderman McLendon asked Mr. Burke if this is put to bid would he accept the commitment of a 2-year initial contract with 4 3-year options. Mr. Burke responded that they prefer a long-term bid, and that would not be an issue. The rate would only escalate at the rate of inflation. He would not confirm anything without seeing the bid specs. Alderman Barnhill asked if his bid would come in under \$14/ton. Mr. Burke indicated he could not say that. Alderman McLendon commented the offer on the table gives the City 14 years of certainty versus Republic's 2 years of savings. The City wants to make a long term agreement. Mr. Burke responded he is certain of a savings. Eric Stuckey stated he had reviewed the extension and it is defined as to escalation.

- ▲ Tim Wells, Waste Management, commented the offer from Bi-County is a good offer but not best the City can get. He said they use a landfill at which the rate is less and could make an offer lower than Bi-County. He opined the City would do better with a competitive bid. Alderman McLendon asked if he would do the two-year contract followed by four 3-year options. Mr. Wells said they like long-term contracts as well.

Mr. Stuckey said if this goes to bid, bids should be sought two ways. 1) tip fee with the City hauling and 2) the bidder providing both transportation and disposal services for an extended length of time and the reallocation of positions.

Alderman Blanton commented that it is obvious these firms want the City's business and it is important for the employees. The City won't know the best rate if this does not go to bid. Alderman Skinner noted the Bi-County agreement offers predictability. He also mentioned investigating a

coop with other cities and counties to own a landfill. The contract would buy time for that. Additionally, these firms are in business to make a profit. One did not want to exercise the option for an extension and then the price went up. Mr. Burke countered that they had proposed a two-year extension at about the same rate and it was not accepted. Mr. Wells commented that his firm did not bid the last time because they knew the City didn't want to pay for the distance to their landfill.

13. Acknowledge Inter-Planning Commission Review of a Sketch Plan (Estates of Gallant Ridge) for 10 Detached Dwelling Units on 12.73 Acres, Located Off South Carothers Road in the 4th Voting District

Alderman Ann Petersen, FMPC Representative

Duly acknowledged

14. Discussion Regarding CIP Projects:

**Eric Stuckey, City Administrator
David Parker, City Engineer/CIP Executive
Paul Holzen, Interim Engineering Director**

- ▲ Carlisle Lane/96 West Signalization and Intersection Improvements
Traffic signal and left turn lanes at an estimated cost of \$2.2 million.
- ▲ McEwen Drive Connector
Estimated cost \$2.4 million. Make slight changes to extend to the east to allow the roundabout to function as originally designed.
- ▲ South Carothers Parkway Phasing
 - Falcon Creek to connector road estimated at \$7.6 million.
 - Connector road to Truman Road estimated at \$9 million.
 - Ladd Park to Long Lane connector.
 - Developments in the area:

Residential Project Name	Year	Dwelling Units		
		Approved	Existing	Remaining
Nichols Bend	2008	624	0	624
Simmons Ridge Rev 1	2010	240	0	240
Highlands at Ladd Park	2005	1046	147	899
Berry Farms Chadwell Tract	2006	100	0	100
Berry Farms Reams-Fleming Tract	2006	400	0	400
Berry Farms Town Center	2005	646	0	646

Alderman Petersen asked if these had been run through the PFM model to see how much debt service there would be and mentioned borrowing for Hillsboro Road and the cost of the consolidated public works facility that put the number well above the 8% guideline.

Russ Truell and Eric Stuckey related they are working with PFM on other scenarios. That is one of the benchmarks in that policy. The borrowing is included in the PFM model. Also, planned to borrow over the life of the projects, but instead borrowed \$70 million up front due to procuring good rates. It moved the debt service line higher than would have been. There is enough to cover projects like McEwen, although still need more to finish Hillsboro.

Kris Pascarella, Pearl Street Partners, gave an update on Nichols Bend. They hope to break ground for 94 lots on the east and push westward toward Carothers parkway. He sees good resurgence in terms of high quality lots. Things are moving quickly on Nichols Bend. Much interest shown in

Simmons Ridge.

15. Initial Discussion of Allowing Downtown Merchants to Display Merchandise and Decorative Items on the Public Sidewalk Under Certain Conditions

Vernon Gerth, ACA community & Economic Development

Representatives from Downtown Franklin Association, Nancy Williams and Sheri Gramer were present. City staffers, Amanda Hall and Steve Haynes, were recognized as working on this project as well. Several merchants want clarification on the existing regulations on use of public sidewalks. The merchants care about the character of downtown and want to maintain what is special with the historic character. Reviewed Where Allowed-Geographic Boundaries and Physical Location for Displaying Merchandise, Sandwich Boards & Private Decorative Fixtures. Hours and Duration, Approval/Permit Required, Certificate of Insurance Required, and Penalty and Remedy regulations were included in the handout. Discussion ensued on monitoring and enforcement, difficulty in navigating sidewalks, and foreseeable problems.

16. Follow Up Discussion on Integrated Water Resource Plan

**Eric Stuckey, City Administrator
Mark Hilty, Water Management Director
Zack Daniel, CDM Smith Consulting**

Zack Daniel, CDM Smith presented and spoke of the more immediate needs over the next five or six years.

9 Objectives:

- Meet current and future demands for water and wastewater reliability
- Provide safety and security of water resources systems
- Maximize efficiency of water use and value of water resources
- Improve water quality and ecological health of Harpeth River
- Provide improved access and aesthetics of Harpeth River
- Minimize carbon footprint of water resources operations
- Achieve sustainable biosolids management
- Achieve regional acceptance
- Provide excellent level of water/wastewater utility services at reasonable cost

Time/Implementation:

15+ Years	5 - 15 Years	0-5 Years
<ul style="list-style-type: none"> • Add Berry's Chapel & Carter's Creek WWTPs • Additional water conservation ordinances/programs 	<ul style="list-style-type: none"> • Add other potential reclaimed customers • Annual leak detection program • City owned facility Stormwater reuse 	<ul style="list-style-type: none"> • SCADA system (Water/Wastewater) • Low head dam removal • Expand WTP to 4 mgd • Rehabilitation for I/I reduction/control • Calibrated wastewater collection model • Automated Metering Infrastructure (AMI)
<ul style="list-style-type: none"> • Add septic users within UGB water distribution quantity/supply improvements • Irrigation controls ordinance • Toilet/faucet replacement program 	<ul style="list-style-type: none"> • Stream bank restoration projects • Stormwater BMPs • Produce Class A Biosolids (solar dryer) 	<ul style="list-style-type: none"> • Phase 1 of Water Treatment Plant capacity to 16 mgd • Produce Class B biosolids (thickening anaerobic digestion, rewatering)
<ul style="list-style-type: none"> • New WWTP to increase capacity ultimately to 24 mgd (2 phases) 	<ul style="list-style-type: none"> • Upgrade reclaimed pump station to 12 mgd • Add potential City owned reclaimed customers • Calibrated water distribution model 	<ul style="list-style-type: none"> • Water distribution quality improvement (multiple projects) • WTP upgrades to meet LT2 regulations (UV addition)

Critical/Immediate Action Projects:

Regulatory Driven Projects

- Distribution water quality improvements (D/DBP)
- Water treatment plant improvements (LT2ESWTR)

Growth/Capacity Projects

- Expansion of WWTP capacity to 16 MGD
- Biosolids facilities for 16 MGD
- SCADA (water/wastewater systems)
- Automated metering infrastructure (AMI)

Regulatory Driven Projects

- Distribution System Water Quality Improvements
 - Required to meet D/DBP rules for HAA and THM management
 - Aimed at reduction in water age in distribution system
 - \$2 million for multiple projects over next 2 fiscal years
- Water Treatment Plant Improvements
 - Upgrades to meet LT2ESWTR (Cryptosporidium)
 - Increased reliability and redundancy
 - Upgrades aging equipment
 - Expansion to 4 MGD results in operational cost savings

Costs of Water Production

Costs per 1,000 gallons:

Wholesale Purchase (2012)	\$2.18
Franklin (2010 Treatment Cost)	\$1.47
Franklin (Projected Cost for 4 MGD)	\$1.33

Potential Annual Operations Cost Savings for 4 MGD Plant Expansion \$350,000 to \$450,000

Franklin Wastewater Demand Projection Graph Reviewed

Growth/Capacity Projects

- Expansion of WWTP capacity to 16 MGD
 - Existing WWTP has hydraulic restrictions at peak flows
 - Existing WWTP has process equipment nearing end of useful life
- Adaptive management options
 - Existing plant site
 - Potential south plant
- Existing plant estimated to be a capacity in 2017-18

Growth/Capacity Projects

- Biosolids Facilities for 16 MGD
 - Existing biosolids process is risk to operations
 - Process must be expanded to accommodate City growth
 - Key driver is developing a sustainable, long-term solution with beneficially reusable product

Biosolids Cost/Benefit Analysis Capital Cost versus Operation Cost Bar Graph reviewed

Growth/Capacity Projects

- SCADA (water/wastewater systems)
 - Existing system is antiquated and data is not accessible
 - Can expand system with existing staff
 - Improved services such as improved emergency response
- Automated metering infrastructure (AMI)
 - Real time tracking of water demands
 - Consumption trends
 - Potential leaks
 - Reverse flow
 - Benefits to system customers
 - Allows Franklin to be proactive in addressing water loss
 - Improves customer service, billing accuracy, emergency response
 - Reduces operating expenses and risks associated with meter reading

Summary

- Recommend Implementation of Alternative 1
 - Highest Ranked by:
 - BOMA
 - Stakeholders & Steering Committees
 - All Sensitivity Analysis
- Cost and Financing of the Plan
 - Multiple options for Wastewater Implementation
 - City's Preference of Being "Proactive Rather than Reactive"
 - Allows for Addressing of Continued Growth and Regulatory Compliance
- Permitting Process
 - Start Now & Stay Ahead of the Game
 - Additional Data Collection & Analysis/ Application Process
 - Public education process
 - Water Quality and Effect on Harpeth River is Key to the Successful Implementation of this IWRP and its Projects

Per request of the aldermen, Eric Stuckey will schedule a special work session to review the plan and have questions answered. Mr. Stuckey mentioned this is a 30+ year plan and it will be done in manageable portions.

17. Consideration of ORDINANCE 2012-16, An Ordinance to Amend Franklin Municipal Code Title 9, Chapter 10 to Regulate Carriages on City Streets

Eric Stuckey, City Administrator

Mr. Stuckey related the City already has the regulatory framework for the operation of pedicabs with Ordinance 2016-24. Proposed Ordinance 2012-16 adds permitting and regulations of horse drawn carriages as well. There was insufficient time left in the meeting to review and discuss the ordinance. The Board will discuss the ordinance during the March 27, 2012 meeting.

ADJOURN

Work Session adjourned 7:05 p.m.

Mayor Ken Moore

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 4/23/2012 1:15 PM