

---

**MINUTES OF THE WORK SESSION  
BOARD OF MAYOR AND ALDERMEN  
FRANKLIN, TENNESSEE  
CITY HALL BOARDROOM  
THURSDAY, JUNE 21, 2012 – 5:00 P.M.**

---

**Board Members**

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

**Department Directors/Staff**

Eric Stuckey, City Administrator	P	Lisa Clayton, Parks Director (Anna Shuford)	P
Vernon Gerth, ACA Community/Economic Development	P	Shirley Harmon, HR Director	P
Russell Truell, ACA Finance & Administration	P	Mark Hilty, Water Management Director	P
David Parker, City Engineer/CIP Executive		Paul Holzen, 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	P	Steve Sims, Assistant City Recorder/Court	P
Chris Bridgewater, Building/Neighborhood Services Director	P	Lanaii Benne, Assistant City Recorder	P
Becky Caldwell, Solid Waste Director		Linda Fulwider, Board Recording Secretary	P

**1. Call to Order**

Mayor Ken Moore called the BOMA Work Session to order at 5:03 p.m. on Thursday, June 21, 2012 in the City Hall Boardroom.

**2. Citizen Comments**

None

**WORK SESSION DISCUSSION ITEMS**

**3. Presentation on Roth IRA Option from ICMA**

**Russ Truell, ACA Finance & Administration  
Shirley Harmon, Human Resources Director**

Steve Varner spoke a new Flexible Employee Benefit.

ICMA-RC Payroll IRA:

- ▲ A simple, convenient way to fund a Roth IRA
- ▲ Voluntary contribution with no match from the City on an after tax basis. Could be tax-free and pay taxes when withdrawn.
- ▲ No cost to the City and low cost to employees. No sales charges, no account maintenance fees. Fee approximately 1% dependent on type of investment. No minimum contribution.
- ▲ Highly flexible withdrawals – contributions can be withdrawn any time without taxes or penalties, when emergencies do arise.
- ▲ Easy to set up

Mr. Truell and Ms. Harmon requested this option be available as soon as possible.

Consensus was to take this directly to the July voting meeting.

\* Item 13 taken prior to Item 4

**4. Consideration of Event Permit Application for Wounded Warriors Soldier Ride and 8K Run on November 3, 2012**

**David Rahinsky, Police Chief**

Monique McCullough related the bicycle ride and the 8K run occur in two different areas. Main Street will not be closed. The event occurs in early morning. The map for the cycle route was not included in the packet and will be provided next meeting.

Becky Ross, representing the applicant, was present. She is the mother of two marines, one of which is in Afghanistan.

**5.\* Consideration of Bid Award to Stone Crest Construction LLC in the Amount of Not to Exceed \$167,000.00 for the New Roof Installation and Porch Reconstruction of the Hayes Home Located at Harlinsdale Farms for the City of Franklin Parks Department Located at 331 Franklin Road (COF 2012-0037)**

**Brad Wilson, Facilities Project Manager**

Eric Stuckey related this is the bid for roof replacement, framing system, gutters, and the porch, and is to protect the building from further decay. The project is consistent with what the Historic Zoning Commission approved.

Alderman Martin said she understood there was some discrepancy between what the Historic Zoning Commission wants regarding the materials to be used, and that the construction company is not versed in historic preservation. It was mentioned that Mary Pearce had secured an additional grant for the project. Mr. Stuckey stated that he was not aware of such.

Discussion:

- ♦ Copper gutters included in the bid.
- ♦ Some of the funds available might have to be used for other things.
- ♦ The components are what Historic Zoning approved.
- ♦ Alderman Barnhill: This project has gone from \$24,000 to dry out the barn to many thousands of dollars.
- ♦ Brad Wilson: There are two grants, one @ \$20,000 and one @ \$37,000. Estimate for the roof is \$80,000. When he and Parks Director Lisa Clayton put this out to bid there was not a specific condition that the contractors have expertise in the preservation of historic buildings.

Input from Historic Zoning Commission member:

- Rusty Womack said the Commission felt the bid was too loose and that a certified roofer is needed to do the job. He reviewed the bids and is concerned the different materials cannot be effectively used together. The Commission wants to be involved in everything down to the gauge of the metal used. Because he did not attend a special meeting for review prior to bid, he requested a one-month deferral of this item to make sure the City is spending money the way it should be spent. Brad Wilson responded that Mr. Reynolds had attended that meeting.

- ♦ Eric Stuckey explained it would cause a 3-4 month time delay to defer and to determine if there actually is another grant as alluded to earlier.
- ♦ Catherine Powers thought there may be an opportunity for an additional grant, but that it would have to be spent in the same timeframe and the City would have to identify the exact use for the funds.
- ♦ It was reiterated that Historic Zoning did vote for what is being presented in this item.
- Mr. Womack continued with his objections saying he has reviewed the prints and has very serious concerns. Using some of these materials together would void the 30-year warranty on the roof. He added the bid specs appeared to be boilerplate and too general. They have to be more specific.
- ♦ Alderman Barnhill voiced concern about the amount of money being put into the house, \$167,000. The City paid \$8 million for the property. Then the money to repair the barn. He sees a ton of money going into this. He understands preservation but that house is in terrible shape and leaks inside. He asked for an estimate of how much it will cost to redo the Hayes house. It will be an astronomical amount of taxpayer money.
- ♦ Catherine Powers related the City has until September 30 to spend the \$20,000 grant.
- ♦ Some aldermen agreed this should be postponed.
- ♦ Mr. Stuckey responded it should not be delayed more than one meeting because it is important to keep moving to protect the grant money secured and to protect the home.
- ♦ Tonight is the first time staff has heard about Mary Pearce securing a grant, and about the perceived problems with the materials and the contractor.
- Mr. Womack interjected that he wanted to make sure the money is spent correctly.
- ♦ Alderman Blanton said if the City does do this it should be done right and need to make sure everyone is on the same page.
- ♦ Alderman Skinner agreed and wanted to find out more about the grants.
- ♦ Alderman Bransford commented on staff being caught off guard.
- ♦ Eric Stuckey again stated staff made sure they abided by what Historic Zoning wanted.
- ♦ Alderman Burger asked how the Hayes home would be utilized once it is restored.
- Mindy Tate, Friends of Franklin Parks, said there are 16 buildings at Harlinsdale, all in varying conditions of disrepair. The group wants to work with the City on how these buildings are used, and they too, want to make sure everything is done right the first time. Many of the buildings will be unusable. They are looking at the Master Plan as well and how to secure additional grants.

**6.\* Consideration of COF Contract Number 20912-0058 for \$15,400.00 with Everbridge, Inc. for Citizen Alert Dial Out Software System (MIT Budget 110-83550-41350)**

**Fred Banner, MIT Director**

The system presently used by the City is limited to public safety. The proposed system can be used by all City departments. Staff looked at options and five different systems. They would like to have the new system in place by June 30 because of the upcoming July 4 holiday with fireworks and dry weather conditions. The system will reach into the UGB for radio control.

**7.\* Consideration of Replacement Software Purchase (IAPro) from C I Technologies, Inc., for the Police Department in an Amount Not to Exceed \$12,000 (PD Budget 110-835540-42100)**

**Fred Banner, MIT Director**

Support is no longer available for the current system. The proposed system is widely used by law enforcement. The annual maintenance fee is \$1,800. Use of this software will allow the department to meet 28 CLEA standards. Chief Rahinsky commented the system allows the department to identify and address issues that arise.

**8.\* Consideration of General Liability Insurance Policy for Additional Coverage (Nose Coverage) from Traveler's Insurance in an Amount Not to Exceed \$20,000 for Continuance of the City's General Liability Insurance Coverage for Claims That Are Not Known or Reported Prior to the Inception of the New July 1, 2012, Insurance Policy**

**Shirley Harmon, Human Resources Director**

**Rodney Escobar, Risk Manager**

Eric Stuckey explained this policy would cover the end of the year transition. Ms. Harmon noted this policy is substantially less than the \$34,000 offered by TML.

**9.\* Consideration of First Amendment to the City of Franklin Employees' Pension Plan**

**Russ Truell, ACA Finance & Administration**

**Shirley Harmon, Human Resources Director**

The amendment addresses the issue of returning contributions made by employees prior to becoming fully vested in the program, as that was not fully addressed by the significant modifications to the pension program in 2010. It provides for the return of contributions to the pension and the appropriate allocation of interest earnings to the former, non-vested employees.

**10. Consideration of ORDINANCE 2012-27, An Ordinance to Amend Chapter 4, Section 4.1 of the City of Franklin Zoning Ordinance to Permit Outdoor Storage at Government Facilities; Establishing a Public Hearing Date of July 24, 2012**

**Alderman Ann Petersen, FMPC Board Representative**

No questions or comments

**11. Consideration of Multi-Year Sponsorship Agreement with Nutro Company to Act as the Official Sponsor for the Two City of Franklin Dog Parks**

**Lisa Clayton, Parks Director**

No questions or comments

**12. Consideration of RESOLUTION 2012-33, A Resolution Adopting a Debt Collection Policy for the City of Franklin**

**Steve Sims, Assistant City Recorder**

Comments:

- Alderman Blanton referred to page 2 of 2, "k. Round-Up Fee", and said she found it troubling that a donation was being tied to collection for bad debt. Mr. Stuckey explained that no one would be pursued for that. It is just part of the bill. In reality, collection will be for those who have not paid their bills for months and the round up is a small part of that.
- He asked if the Board wanted it removed from the list. Alderman Martin said she wanted it removed. Alderman Burger thought it would be more labor intensive to take it out.

- Alderman Blanton referred to item 6 on the same page; “b. The obligation is not older than six years”, commenting she thought six years was too long to go back. She could not support that. Eric Stuckey pointed out the statute of limitations is actually 10 years.
- Referring to page 3 of 3, “b. Court – Balances of less than \$50 will not be forwarded to the Collections Agent. However, should the obligor appear in Court these would be included on the docket to be satisfied along with any other obligation”, commenting it was unfair, and that the City had not done such a good job in pursuing these debts. Cannot penalize the violator because of that.

Steve Sims displayed a spreadsheet of those owing more than \$300 in court fees in Franklin. Alderman Bransford asked Mr. Sims to talk about the process.

#### Moving Violations (not parking tickets)

1. Citation and court date given along with an information sheet. If the violator doesn't appear in court;
2. Certified letter issued with another court date and notice and the violator expected to pay a \$6.00 fee. If the violator still does not appear;
3. Under state law, the violator can be reported to the State of Tennessee for failure to appear;
4. The State of Tennessee issues a letter to the violator stating if the costs are not paid within 30 days the driver's license will be suspended.

#### Utility bills

- Customer does not pay utility bill: send a bill, send late notice, send another bill, send another late notice, disconnect. If still no response will write off account and transfer to collections.
- A payment plan is put in place if the customer qualifies.
- Under forgiveness policy, the costs are transferred to those who do pay their bills.
- Payment plans can be worked out for court costs as well.
- Credit cards accepted over phone with a convenience fee charged for utility bills
- Credit cards accepted in court, but City pays the fee to the processor.

Mr. Sims noted when the City started accepting credit card payments, many more payments were seen and bad checks disappeared. The number of notices sent out declined as well resulting in less time and money spent by staff.

### **13. Consideration of Approval of an Agreement with ICMA-RC for Administrative Services for the City's 401-457 Defined Contribution Plans**

#### **Russ Truell, ACA Finance & Administration**

ICMA-RC has been persuaded to implement a reduction in fees based on the 2010 changes in the City's pension plan, which allows employees a choice between the traditional defined benefit plan and the defined contribution plans. Fee reductions would cut the administrative costs (paid by employees from the earnings on their account) by roughly half on index fund investments and by roughly one-third on “name brand” mutual funds. Additionally, employees would be placed automatically in fund classes that have lower fees.

Mr. Truell noted there was some urgency in getting this approved, as it will take about 60

days to set it up. The faster it is done the faster the employees will see more money. The item will be on the July 10 agenda for a vote.

#### **14. Review and Discussion of Temporary Sign Regulations**

**Vernon Gerth, ACA Community & Economic Development**

**Chris Bridgewater, Building/Neighborhood Services Director**

Mr. Stuckey noted feedback is needed as staff moves forward on developing this policy. Vernon Gerth said the main inconsistency for discussion at this time is about the duration of temporary signage, as the ordinance does not address that issue. The other is a request for an amendment to allow residentially zoned properties with significant frontage the option of displaying a 32 sq. ft. temporary sign.

Discussion:

- ♦ Development signs, garage sale, and real estate signs are temporary; however, a myriad of other types have no standards.
- ♦ Commercial property signs or banners could stay indefinitely because there is no way to monitor them. Some communities require permits for banners.
- ♦ Political and non-profit signs were brought up by Alderman Burger. Within the City, any 4x4 or 4x8 sign can only be in commercial areas. Alderman Burger wants to address that for non-profit events and leniency for those who own larger tracts than those in a regular neighborhood.
- ♦ Alderman Blanton thought there should be some parameters and time limits.
- ♦ Mr. Gerth said they want to be fair and consistent.
- ♦ Alderman Barnhill was in favor of a survey of other communities.
- ♦ Chris Bridgewater related they have taken this as far as they can with the tools they have. So many considerations require individual attention.

#### **ADJOURN**

Work Session adjourned @ 6:30 p.m.

---

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 7/11/2012 9:08 AM